The Scottish Government
Energy Consents Unit

Scoping Opinion on behalf of Scottish Ministers under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

Glencassley Wind Farm
SSE Renewables Developments (UK) Limited
On behalf of SSE Generation Ltd (SSEG)

October 2019

CONTENTS

1. Introduction

This scoping opinion is issued by the Scottish Government Energy Consents Unit on behalf of Scottish Ministers to SSE Generation Ltd (SSEG), a company incorporated under the Companies Acts with company number 02310571 and having its registered office at No.1 Forbury Place, 43 Forbury Road, Reading, United Kingdom, RG1 3JH ("the company"). This is in response to a request dated 15 August 2019 for a scoping opinion under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the proposed Glencassley Wind Farm ("the proposed development").

The scoping opinion request was accompanied by a scoping report which was prepared by Ash Design & Assessment Ltd on behalf of SSE Generation Ltd.

The proposed Development is located on Glencassley and Glenrossal Estates, approximately 4 kilometres (km) north of the village of Rosehall and 9 km south-west of Lairg within the Highland region of Scotland.

The proposed Development will consist of 26 wind turbines. The site lies on the east side of Glen Cassley, approximately 1.5 km from the River Cassley which runs parallel to the south-western part of the site. The ground cover of the site is predominately rough grassland and heather moorland, which forms part of a Highland Sporting estate. A minor road runs through Glen Cassley close to the operational Achany and Rosehall Wind Farms. There are a number of properties scattered intermittently through the Glen, with the nearest village being Rosehall which lies 4 km to the south.

Options for transport would be utilising the existing track infrastructure in place for the Achany Wind Farm. An additional track is proposed to provide a second, emergency, route of access and egress to the site from the north-west.

The final specification of the turbines is not known at this time, they are likely to exceed a blade tip height of over 150 m, with a generating capacity over 50 MW.

In addition to wind turbines, there will be ancillary infrastructure including:

- construction compound;
- welfare building and substation;
- access tracks;
- borrow pits;
- concrete batching plant;
- anemometer Masts or Permanent LiDAR;
- interconnecting cables between the turbines; and
- associated hard standings.

The Environmental Impact Assessment Report (EIAR) should include search areas of the proposed locations for on-site borrow pits. The EIAR should present high level details of the borrow pit designs including indicative borrow pit plans.

The Company indicates that at the end of the operational lifespan, decommissioning would take place and the turbines removed, or a new application would be made to replace the turbines.

2. Consultation

Following the request for a scoping opinion, a list of consultees was agreed between Ash Design & Assessment Ltd, SSE Renewables Developments (UK) Ltd (on behalf of SSEG) and the Energy Consents Unit. The Scottish Ministers undertook a consultation on the scoping report and this commenced on 21 August 2019. The consultation closed on 07 October 2019.

Extensions to this deadline were granted to:

- Scottish Rights of Way and Access Society (ScotWays).

Scottish Ministers also requested responses from their internal advisors Marine Scotland and Transport Scotland. A full list of consultees is set out at Annex A.

The purpose of the consultation was to obtain scoping advice from each consultee on environmental matters within their remit. Responses from consultees and advisors should be read in full for detailed requirements and for comprehensive guidance, advice and, where appropriate, templates for preparation of the EIA report.

No responses were received from:

- Ardgay and District Community Council;
- Civil Aviation Authority;
- Creich Community Council;
- Crown Estate Scotland;
- Friends of the Earth Scotland;
- Inverness Chamber of Commerce;
- John Muir Trust;
- Joint Radio Company;
- Kyle of Sutherland Development Trust;
- Lairg Community Council;
- Scottish Council for Development and Industry Highlands;
- Scottish Wild Land Group;
- Scottish Wildlife Trust; and
- WWF Scotland.

With regard to those consultees who did not respond, it is assumed they have no comment to make on the scoping report, however each would be consulted again in the event that an application for section 36 consent is submitted subsequent to the Environmental Impact Assessment scoping opinion.

Scottish Ministers are satisfied that the requirements for consultations set out in Regulation 12(4) of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 have been met.

3. The Scoping Opinion

This scoping opinion has been adopted following consultation with The Highland Council, within whose area the proposed Development would be situated.
Scottish Environment Protection Agency (SEPA), Scottish Natural Heritage (SNH) and Historic Environment Scotland (HES), were also consulted as statutory consultation bodies, as were other bodies, which Scottish Ministers considered likely to have an interest in the proposed Development by reason of their specific environmental responsibilities or local and regional competencies.

Scottish Ministers adopt this scoping opinion having taken into account the information provided by the applicant in its request dated 15 August 2019 in respect of specific characteristics of the proposed Development and responses received to the consultation undertaken. In providing this scoping opinion, the Scottish Ministers have had regard to current knowledge and methods of assessment; have taken into account the specific characteristics of the proposed Development, the specific characteristics of that type of development and the environmental features likely to be affected.

A copy of this scoping opinion has been sent to The Highland Council for publication on their website. It has also been published on the Scottish Government energy consents website at www.energyconsents.scot.

Unless stated to the contrary in this scoping opinion, Scottish Ministers expect the EIA report, which will accompany the application for the proposed Development to consider in full the consultation responses attached in Annex A.

Scottish Ministers are satisfied with the scope of the EIA set out at Section 5 of the scoping report.

In addition to the consultation responses, Ministers wish to provide comments with regards to the scope of the EIA report. The Company should note and address each matter.

Scottish Water

Scottish Water provide information on whether there are any drinking water protected areas or Scottish Water assets on which the development could have any significant effect. Scottish Ministers request that the Company contacts Scottish Water and makes further enquires and includes details in the EIA report of any relevant mitigation measures provided.

Private Water Supplies

Scottish Ministers request that the Company investigate private water supplies within close proximity to the proposed development, which may be impacted by the development. The EIA report should include details of these supplies identified by this investigation, the Company should provide an assessment of the potential impact, risks, and any mitigation which would be provided.

Fish Surveys

Scottish Ministers request the Company takes account of the advice provided by Marine Scotland Science and Kyle of Sutherland District Salmon Fishery Board – in relation to guidelines on survey/ monitoring programmes.

Peat

Scottish Ministers are aware that based on the information currently available there are areas of Class 1 – Nationally important carbon-rich soils, deep peat and priority peatland habitat located within the site and therefore peat depth and vegetation surveys along with a peat management plan will be required as part of the EIAR along with a Peatslide Hazard Risk Assessment

Wild Land

Scope and methodology of Wild Land assessments should be decided following discussions between the Company and SNH.

Viewpoints

A list of viewpoints should be agreed with The Highland Council and Scottish Natural Heritage (SNH), Historic Environment Scotland and Mountaineering Scotland and presented in the EIAR.

Aviation Lighting

Aviation Lighting may be required due to the proposed scale and location of turbines. Further advice on aviation lighting is available from Scottish Natural Heritage (SNH). Consequently, the LVIA in the EIAR should include a robust Night Time Assessment.

Cultural Heritage

Full consideration of impacts the proposed Development will have on the scheduled monument Dail Lagnwell, broch and other heritage assets that might be impacted should be fully considered in the EIAR.

Ecology

Scottish Ministers advise the Company to take into account The Highland Councils comments regarding Habitat Management Plan, Dear Management plans if any present within the site and also Biodiversity Action Plans, and contact Scottish Natural Heritage for further information.

Ornithology

The Company should take note of RSPB Scotland advice in respect “scoped in effects” to be assessed for the purposes of the EIAR. It is also recommended by the Scottish Ministers that decisions on bird surveys – species, methodology, viewsheds &

duration: site specific & cumulative – should be made following discussion between the Company, SNH and RSPB Scotland

Other Issues

Scottish Ministers are aware that further work is to be undertaken on things like surveys, management plans, peat, finalisation of viewpoints, transport routes, cultural heritage, Wild Land, cumulative assessments and they request that they are kept informed of relevant discussions.

Mitigation Measures

The Scottish Ministers are required to make a reasoned conclusion on the significant effects of the proposed Development on the environment as identified in the EIA. The mitigation measures suggested for any significant environmental impacts identified should be presented as a conclusion to each chapter. Applicants are also asked to provide a consolidated schedule, in tabular form, of all mitigation measures proposed in the environmental assessment, where that mitigation is relied upon in relation to reported conclusions of likelihood or significant of impacts.

Conclusion

This scoping opinion is based on information contained in the applicant's written request for a scoping opinion and information available at the date of this scoping opinion. The adoption of this scoping opinion by the Scottish Ministers does not preclude the Scottish Ministers from requiring of the applicant information in connection with an EIA report submitted in connection with any other application for section 36 consent for the proposed Development.

The scoping opinion will not prevent the Scottish Ministers from seeking additional information at application stage, for example to include cumulative impacts of additional developments which enter the planning process after the date of this opinion. Without prejudice to that generality, it is recommended that advice regarding the requirement for an additional scoping opinion be sought from Scottish Ministers in the event that no application has been submitted within 12 months of the date of this opinion.

It is acknowledged that the environmental impact assessment process is iterative and should inform the final layout and design of proposed developments.

Applicants are encouraged to engage with officials at the Scottish Governments Energy Consents Unit at the pre-application stage and before proposals reach the design freeze. Applicants are reminded that there will be limited opportunity to materially vary the form and consent of the proposed development once an application is submitted.

When finalising the EIA report, applicants are asked to provide a summary in tabular form of where within the EIA report each of the specific matters raised in this scoping opinion has been addressed.

It should be noted that to facilitate uploading to the Energy Consents portal, the EIA report and its associated documentation should be divided into appropriately named separate files of size no more than 10 megabytes (MB).

In addition, a separate disc containing the EIA report and its associated documentation in electronic format will be required.

ANNEX A

Consultation

List of consultees

The Highland Council (THC);	A1-22
Civil Aviation Authority (Airspace);*	
Crown Estate Scotland;*	
Defence Infrastructure Organisation;	A23-24
Fisheries Management Scotland*;	
Highlands and Islands Airports Ltd;	A25
Historic Environment Scotland (HES);	A26-27
John Muir Trust;*	
Joint Radio Company;*	
Kyle of Sutherland District Salmon Fisheries Board;	A28-29
Marine Scotland;	A30-31
Mountaineering Scotland;	A32-33
National Air Traffic Services (NATS) Safeguarding;	A34
Radio Network Protection	A35-36
RSPB Scotland;	A37-39
Scottish Environment Protection Agency (SEPA);	A40-47
Scottish Forestry;	A48
Scottish Natural Heritage (SNH);	A49-52
Scottish Rights of Way and Access Society (Scotways);	A53
Scottish Water;	A54-57
Scottish Wild Land Group;*	
Scottish Wildlife Trust;*	
Transport Scotland;	A58-60
Visit Scotland; and	A61-62
WWF Scotland.*	

Ardgay and District Community Council;*
Creich Community Council;*
Friends of the Earth Scotland;*
Inverness Chamber of Commerce;*
Kyle of Sutherland Development Trust;*
Lairg Community Council; and*
Scottish Council for Development and Industry Highlands (SCDI) (Highlands & Islands)*

Officials from Marine Science Scotland and Transport Scotland areas of the Scottish Government provided internal advice.

*No consultee responses were received.

A1

The Highland Council
Comhairle na Gàidhealtachd

SSE Renewables Developments (UK) Ltd
c/o Theresa McInnes
Consents Manager
Energy Consents Unit

Please ask for: Simon Hindson
Direct Dial: 01463 785047
E-mail: simon.hindson@highland.gov.uk

Our Ref: 19/03941/SCOP
Your Ref:
Date: 25 September 2019

By email only to:
murray.west@see.com
Theresa.McInnes@gov.scot

Dear Sir,

PLANNING REFERENCE: 19/03941/SCOP
DEVELOPMENT: GLENCASSLEY WIND FARM
LOCATION: LAND 2KM NE OF GLENCASSLEY CASTLE, ROSEHALL

Thank you for consulting The Highland Council on the Environmental Impact Assessment Scoping Request for the above project. We received the consultation on 29 August 2019 by email and we are grateful for the extension to make comments until 01 October 2019.

Our view on the scope of the assessment is subject to change on a number of topics within the EIAR due to the scale of the development, in terms of the number and height of turbines, not being clear within the Scoping Report.

We recommend that the applicant uses the Council's Pre-Application Advice Service once the scale of the scheme is established.

The remainder of this letter constitutes The Highland Council's response to the consultation.

A2

THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017

SCOPING RESPONSE TO ENERGY CONSENTS UNIT

Applicant:	**SSE Renewables Development (UK) Ltd**
Project:	**Glencassley Wind Farm**
Project Address:	**Land 2km Ne Of Glencassley Castle, Rosehall**
Our Reference	**19/03941/SCOP**

This response is given without prejudice to the Planning Authority's right to request information in connection with any statement, whether Environmental Impact Assessment Report or not, submitted in support of any future application. These views are also given without prejudice to the future consideration of and decision on any planning application received by the Council.

The Highland Council request that any Environmental Impact Assessment Report (EIAR) submitted in support of an application for the above development take the comments highlighted below into account; many of which are already acknowledged within the Scoping Report submitted. In particular, the elements of this report as highlighted in parts 3, 4 and 5 should be presented as three distinct elements.

Where responses have been received by internal consultees these are attached and should be taken as forming part of the scoping response consultation from The Highland Council. If any further responses are received these will be forwarded to you as soon as practicably possible.

1.0 Description of the Development.

1.1 The description of development for an EIAR is often much more than would be set out in any planning application. An EIAR must include: -

- a description of the physical characteristics of the whole development and the full land-use requirements during the operational, construction and decommissioning phases. These might include requirements for borrow pits, local road improvements, infrastructural connections (i.e. connections to the grid), off site conservation measures, etc. A plan with eight figure OS Grid co-ordinates for all main elements of the proposal should be supplied.
- a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used;
- the risk of accidents, having regard in particular to substances or technologies used;
- an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light / flicker, heat, radiation, etc.) resulting from the operation of the development.
- The estimated cumulative impact of the project with other consented or operation development.

2.0 Alternatives

2.1 A statement is required which outlines the main development alternatives studied by the applicant and an indication of the main reasons for the final project choice. This is expected to highlight the following: -

- the range of technologies that may have been considered;
- locational criteria and economic parameters used in the initial site selection;

- options for access;
- design and locational options for all elements of the proposed development (including grid connection);
- the environmental effects of the different options examined.

Such assessment should also highlight sustainable development attributes including for example assessment of carbon emissions / carbon savings.

3.0 Environmental Elements Affected

3.1 The EIAR must provide a description of the aspects of the environment likely to be significantly affected by the development. You have a good understanding of the effects based upon the previous development and decisions. The following paragraphs highlight some principal considerations. There are a number of wind energy developments in the area and you are encouraged to use your understanding of these in assessing your development. The EIAR should fully utilise this understanding to ensure that information provided is relevant and robustly grounded.

Land Use and Policy

3.2 The EIAR should recognise the existing land uses affected by the development having particular regard for The Highland Council's Development Plan inclusive of all statutorily adopted supplementary guidance. Particular attention should be paid to the provisions of the Onshore Wind Energy Supplementary Guidance inclusive of any Landscape Sensitivity Appraisal. This is not instead of but in addition to the expectation of receiving a Planning Statement in support of the application itself which, in addition to exploring compliance with the Development Plan, should look at Scottish Planning Policy and Planning Advice Notes which identify the issues that should be taken into account when considering significant development. Scottish Government policy and guidance on renewable energy and wind energy should be considered in this section. The purpose of this chapter is to highlight relevant policies not to assess the compatibility of the proposal with policy.

Landscape and Visual

3.3 The Council expects the EIAR to consider the landscape and visual impact of the development. The Council makes a distinction between the two. While not mutually exclusive, these elements require separate assessment and therefore presentation of visual material in different ways. It is the Council's position that it is not possible to use panoramic images for the purposes of visual impact assessment. The Council, while not precluding the use of panoramic images, require single frame images with different focal lengths taken with a 35mm format full frame sensor camera – not an 'equivalent.' The focal lengths required are 50mm and 75mm. The former gives an indication of field of view and the latter best represents the scale and distance in the landscape i.e. a more realistic impression of what we see from the viewpoint. These images should form part of the EIAR and not be separate from it. Photomontages should follow the Council's Visualisation Standards:

https://www.highland.gov.uk/downloads/file/12880/visualisation_standards_for_wind_energy_developments

Separate volumes of visualisations should be prepared to both Highland Council Standards and SNH guidance. These should be provided in hard copy. It would be beneficial for the Highland Council volume to be provided in an A3 ring bound folder for ease of use. The use of monochrome for specific viewpoints is useful where there are a number of different wind farms in the view. Without seeing wireframes it is not possible to advise on these at this time. We are happy to provide advice on this matter going forward.

All existing turbines should be re-rendered even if they appear to be facing the viewer in the photograph

to ensure consistency.

3.4 This assessment should include the expected impact of on-site borrow pits and access roads, despite the fact that the principal structures will be a primary concern. All elements of a development are important to consider within any EIAR, including the visual impact of the tracks.

3.5 It should be noted that there are a number of similar applications in this area which are yet to be determined / concluded in the vicinity of this application, many of these have been identified in the scoping report, which may or may not help clarify the weight towards particular policy elements in the final planning balance. We consider that you should undertake the cumulative assessment over a study area the same as the visual assessment, however if the turbines to be brought forward greater than 150m we would encourage an increase to the study area to a minimum 45km study area. As this is the case we recommend that you utilise our interactive Wind Turbine map, which is up to date as of 01 January 2019, to identify other schemes within the study area. The map can be accessed on the link below:

http://highland.gov.uk/windmap

Consultation should also be undertaken with Energy Consents and Deployment Unit as to scheme which are currently at Scoping Stage as these may have advanced at the same pace as your proposal.

3.6 Viewpoints (VP) for the assessment of effects of a proposed development must be agreed in advance of preparation of any visuals with The Highland Council. We note that the viewpoints are the same as the previous proposal on the site. Without a ZTV of the proposed development and an understanding of the scale of the turbines we are not able to identify whether the selection of viewpoints remain appropriate. We acknowledge that there will be some micrositing of the viewpoints to avoid intervening screening of vegetation boundary treatments etc. We would recommend that the photographer has in their mind whether the VP is representative or specific and also who the receptors are when they are taking the photos it would be helpful. We have also found that if the photographer has a 3D model on a laptop when they go out on site it helps the orientation of the photography.

3.7 Please consult us on the viewpoint locations again once the size and scale of the turbines has been established.

3.8 As far as possible, the viewpoints should correspond with the viewpoints used for existing wind energy schemes within the area as well as those currently under consideration. The detailed location of viewpoints will be informed by site survey, mapping and predicted Zones of Theoretical Visibility. Failure to do this may result in abortive work, requests for additional visual material and delays in processing applications/consultation responses. Community Council's may request additional viewpoints and it would be recommended that any pre-application discussions with the local community takes this into account. The final list of viewpoints should be agreed with the Planning Authority.

3.9 The purpose of the selected and agreed viewpoints shall be clearly identified and stated in the supporting information. For example, it should be clear that the VP has been chosen for landscape assessment, or visual impact assessment, or cumulative assessment, or sequential assessment, or to show a representative view or for assessment of impact on designated sites, communities or individual properties.

3.10 If the turbines to be brought forward greater than 150m we would encourage an increase to the study area to a minimum 45km study area. We would be content with a 35km study area based on the turbine height of 149.9m to blade tip and below. If however the blade tip increases we would seek to review this position. Given the size of the turbines and we would expect a that a detailed assessment of effects should be undertaken for the whole study area. We would welcome early view of wirelines to identify

3.11 When assessing the impact on recreational routes please ensure that all core paths, the national cycle network, long distance trails, and the North Coast 500 are assessed. It should be noted that these routes are used by a range of receptors.

3.12 The development will further extend the number of proposals of this type in the surrounding area, necessitating appropriate cumulative impact. It is considered that cumulative impact will be a significant material consideration in the final determination of any future application. The study area for cumulative

impacts should extend to a minimum of 35km. Given the cumulative impact of renewable energy in this area it is expected that the Applicant should present images for presentation within the Panoramic Digital Viewer deployed by the Council – see visualisation standards document. If the applicant wished to utilise this tool there maybe an associated cost per image to be inserted which should be discussed with the Council prior to submission. To view current or determined schemes in the Council's Panoramic Viewer please see the link below:

http://www.highland.gov.uk/panoramicviewer

3.13 The SNH 2019 landscape character assessment should be used.

3.14 We expect an assessment of the impact on Wild Land Areas to be included within the EIAR given the proximity to a number of Wild Land Areas and the theoretical visibility of the scheme from within wild land areas. SNH will provide further advice on this matter.

3.15 We expect an assessment of the proposal against the criterion set out in the Council's Onshore Wind Energy Supplementary Guidance to be included within the LVIA chapter of the EIAR.

3.16 An assessment of the impacts of the proposal on landscape should assess the impacts on any landscapes designated at a national and local scale. As part of this the impact on the Special Landscape Areas (SLA) must be undertaken using the SLA citations available from the Council's website.

3.17 Aviaition lighting may be required due to the proposed scale and location of the turbines. The affect of the aviation lighting should be assessed through the EIA process. A Lighting Impact Assessment will be required. This is a matter that should be considered from all viewpoints. It should form part of the LVIA chapter of the EIAR but should also be considered as part of the Wild Land Assessment. Further advice on aviation lighting is available from SNH.

3.18 We are content that residential visual amenity is assessed within the LVIA chapter.

Ecology

3.19 The EIAR should provide a baseline survey of the bird and animals (mammals, reptiles, amphibians, etc) interest on site. It needs to be categorically established which species are present on the site, and where, before a future application is submitted. Further the EIAR should provide an account of the habitats present on the proposed development site. It should identify rare and threatened habitats, and those protected by European or UK legislation, or identified in national or local Biodiversity Action Plans. Habitat enhancement and mitigation measures should be detailed, particularly in respect to blanket bog, in the contexts of both biodiversity conservation and the inherent risk of peat slide (see later). Details of any habitat enhancement programme (such as native- tree planting, stock exclusion, etc) for the proposed site should be provided. It is expected that the EIAR will address whether or not the development could assist or impede delivery of elements of relevant Biodiversity Action Plans.

3.20 The EIAR should provide a baseline survey of the plants (and fungi) and trees present on the site to determine the presence of any rare or threatened species albeit it is accepted that the likelihood is low given the present land use of the site.

3.21 The EIAR should address the likely impacts on the nature conservation interests of all the designated sites in the vicinity of the proposed development. It should provide proposals for any mitigation that is required to avoid these impacts or to reduce them to a level where they are not significant. SNH can also provide specific advice in respect of the designated site boundaries for SACs and SPAs and on protected species and habitats within those sites. The potential impact of the development proposals on other designated areas such as SSSI's should be carefully and thoroughly considered and, where possible, appropriate mitigation measures outlined in the EIAR. SNH provide advice on the impact on designated sites.

3.22 If wild deer are present or will use the site an assessment of the potential impact on deer will be required. This should address deer welfare, habitats and other interests.

3.23 The EIAR needs to address the aquatic interests within local watercourses, including down stream interests that may be affected by the development, for example increases in silt and sediment loads

resulting from construction works; pollution risk / incidents during construction; obstruction to upstream and downstream migration both during and after construction; disturbance of spawning beds / timing of works; and other drainage issues. The EIAR should evidence consultation input from the local fishery board(s) where relevant.

3.24 Further advice can be found in SNH's consultation response on ecology in relation to the surveys required and the adequacy of the work already undertaken.

3.25 The EIAR should include an assessment of the effects on Ground Water Dependent Terrestrial Ecosystems (GWDTE). Please see the response from SEPA for detailed advice.

Ornithology

3.26 The presence of protected species such as Schedule 1 Birds or European Protected Species must be included and considered as part of the planning application process, not as an issue which can be considered at a later stage. Any consent given without due consideration to these species may breach European Directives with the possibility of consequential delays or the project being halted by the EC. Please refer to the comments of SNH in this respect.

3.27 An assessment of the impacts of to birds through collision, disturbance and displacement from foraging / breeding / roosting habitat will be required for both the proposed development site and cumulatively with other proposals. The EIAR should be clear on the survey methods and any deviations from guidance on ornithology matters.

Noise

3.28 Operational Noise

The applicant will be required to submit a noise assessment with regard to the operational phase of the development. The assessment should be carried out in accordance with ETSU-R-97 "The Assessment and Rating of Noise from Wind Farms" and the associated Good Practice Guide published by the Institute of Acoustics.

The target noise levels are either a simplified standard of 35dB LA90 at wind speeds up to 10m/s or a composite standard of 35dB LA90 (daytime) and 38dB LA90 (night time) or up to 5dB above background noise levels at up to 12m/s. The night time lower limit of 43dB LA90 as suggested in ETSU is not considered acceptable in many areas of the highlands due to very low background levels. These limits would apply to cumulative noise levels from more than one development.

3.29 Cumulative Noise

The noise assessment must take into account the potential cumulative effect from any other existing or consented or, in some cases, proposed wind turbine developments. Where applications run concurrently, developers and consultants are advised to consider adopting a joint approach with regard to noise assessments. The noise assessment must take into account predicted and consented levels from such developments. The good practice guide offers guidance on how to deal with cumulative issues.

The assessment should include a map showing all wind farm developments which may have a cumulative impact and all noise sensitive properties including any for which a financial involvement relaxation is being claimed.

The assessment should include a table of figures which includes the following: -

- The predicted levels from this development based at each noise sensitive location (NSL) at wind speeds up to 12m/s
- The maximum levels based on consented limits from each existing or consented wind farm development at each NSL. If any reduction is made for controlling property or another reason,

this should be made clear.

- The predicted levels from each existing or consented wind farm development at each NSL.
- The cumulative levels based on consented and predicted levels at each NSL.

The assessment should also include an outline for a mitigation scheme to be implemented should noise levels from the development be subsequently found to exceed consented levels.

3.30 Background Noise Measurements

Background noise surveys should be undertaken in accordance with ETSU-R-97 and the Good Practice Guide. It is recommended that monitoring locations be agreed with the Council's Environmental Health Officer however, it is unlikely that they will be able to attend the installation of equipment. Where possible, sites must avoid other noise sources such as boiler flues, wind chimes, squeaking gate, rustling leaves etc. Otherwise, the results may not be valid for any other property.

Difficulties can arise where a location is already subject to noise from an existing wind turbine development. ETSU states that background noise must not include noise from an existing wind farm. The GPG offers advice on how to approach this problem and in some cases, it may be possible to utilise the results from historical background surveys. It is advised that the developer consults the Councils Environmental Health Officer at an early stage to discuss the proposed methodology.

3.31 Construction Noise

Planning conditions are not used to control the impact of construction noise as similar powers are available to the Local Authority under Section 60 of the Control of Pollution Act 1974. However, where there is potential for disturbance from construction noise the application will need to include a noise assessment.

A construction noise assessment will be required in the following circumstances: -

- Where it is proposed to undertake work which is audible at the curtilage of any noise sensitive receptor, out with the hours Mon-Fri 8am to 7pm; Sat 8am to 1pm

OR

- Where noise levels during the above periods are likely to exceed 75dB(A) for short term works or 55dB(A) for long term works. Both measurements to be taken as a 1hr LAeq at the curtilage of any noise sensitive receptor. (Generally, long term work is taken to be more than 6 months)

If an assessment is submitted it should be carried out in accordance with BS 5228-1:2009 "Code of practice for noise and vibration control on construction and open sites – Part 1: Noise". Details of any mitigation measures should be provided including proposed hours of operation.

Regardless of whether a construction noise assessment is required, it is expected that the developer/contractor will employ the best practicable means to reduce the impact of noise from construction activities. Attention should be given to construction traffic and the use of tonal reversing alarms.

Amplitude Modulation

3.32 Research has been carried out in recent years on the phenomenon of amplitude modulation arising from some wind turbine developments. However at this time, the Good Practice guide does not provide definitive Planning guidance on this subject. That being the case, any complaints linked to amplitude modulation would be investigated in terms of the Statutory Nuisance provisions of the Environmental Protection Act 1990.

Noise Exposure

3.33 When assessing the cumulative impact from more than one wind farm, consideration must be given to any increase in exposure time. Regardless of whether cumulative levels can meet relevant criteria, if a noise sensitive property subsequently becomes affected by wind turbine noise from more than one direction this could result in a significant loss of respite.

Cultural Heritage

3.34 The EIAR needs to identify all designated sites which may be affected by the development either directly or indirectly. This will require you to identify: -

- the architectural heritage (Conservation Areas, Listed Buildings) and
- the archaeological heritage (Scheduled Monuments),
- the landscape (including designations such as National Parks, National Scenic Areas, Areas of Great Landscape Value, Gardens and Designed Landscapes and general setting of the development.
- the inter-relationship between the above factors.

3.35 We would expect any assessment to contain a full appreciation of the setting of these historic environment assets and the likely impact on their settings. It would be helpful if, where the assessment finds that significant impacts are likely, appropriate visualisations such as photomontage and wireframe views of the development in relation to the sites and their settings could be provided. Visualisations illustrating views both from the asset towards the proposed development and views towards the asset with the development in the background would be helpful.

3.36 Historic Environment Scotland (HES) will provide comment on the assessment methodology for heritage assets within their remit.

3.37 It is anticipated that HES will provide further comments on the scope of the assessment and their requirements for supporting information (including visualisations) and the potential impacts on heritage assets in their consultation response.

3.38 There are a large number of heritage assets in the vicinity of the development, these need to be assessed. HES have provided detailed advice on potential setting impacts.

3.39 We recommend that you liaise with colleagues in the Council's Historic Environment Team on the scope of the archaeological assessments.

Water Environment

3.40 The EIAR needs to address the nature of the hydrology and hydrogeology of the site, and of the potential impacts on water courses, water supplies including private supplies, water quality, water quantity and on aquatic flora and fauna. Impacts on watercourses, lochs, groundwater, other water features and sensitive receptors, such as water supplies, need to be assessed. Measures to prevent erosion, sedimentation or discolouration will be required, along with monitoring proposals and contingency plans. Assessment will need to recognise periods of high rainfall which will impact on any calculations of run-off, high flow in watercourses and hydrogeological matters. You are strongly advised at an early stage to consult Scottish Environment Protection Agency (SEPA) as the regulatory body responsible for the implementation of the Controlled Activities (Scotland) Regulations 2005 (CAR), to identify if a CAR license is necessary and the extent of the information required by SEPA to assess any license application.

3.41 If culverting should be proposed, either in relation to new or upgraded tracks, then it should be noted that SEPA has a general presumption against modification, diversion or culverting of watercourses. Schemes should be designed to avoid crossing watercourses, and to bridge watercourses where this cannot be avoided. The EIAR will be expected to identify all water crossings and include a systematic table of watercourse crossings or channelising, with detailed justification for any such elements and design to minimise impact. The table should be accompanied by photography of each watercourse

affected and include dimensions of the watercourse. It may be useful for the applicant to demonstrate choice of watercourse crossing by means of a decision tree, taking into account factors including catchment size (resultant flows), natural habitat and environmental concerns. Further guidance on the design and implementation of crossings can be found on SEPA's Construction of River Crossings Good Practice Guide.

3.42 The need for, and information on, abstractions of water supplies for concrete works or other operations should also be identified. The EIAR should identify whether a public or private source is to be utilised. If a private source is to be utilised, full details on the source and details of abstraction need to be provided.

3.43 You should carry out an investigation to identify any private water supplies, including pipework, which may be adversely affected by the development and to submit details of the measures proposed to prevent contamination or physical disruption. Highland Council has some information on known supplies but it is not definitive. An on-site survey will be required.

3.44 It is anticipated that detailed comments will be provided on impacts on the water environment, in particular on buffers to water courses, by SEPA.

Geology, Hydrology and Geohydrology

3.45 The EIAR must consider the risks of engineering instability relating to presence to peat on the site. A comprehensive peat slide risk assessment in accordance with the Scottish Government Best Practice Guide for Developers will be expected. Assessment should also address pollution risk and environmental sensitivities of the water environment. It should include a detailed map of peat depth and evidence that the scheme minimises impact on areas of deep peat. The EIAR should include site-specific principles on which construction method statements would be developed for engineering works in peat land areas, including access roads, turbine bases and hard standing areas, and these should include particular reference to drainage impacts, dewatering and disposal of excavated peat.

3.46 The EIAR should include a full assessment on the impact of the development on peat. SEPA have noted that the information collected so far shows that most of the site is on deep peat, with large areas of very deep peat. The assessment of the impact on peat must include peat probing for all areas where development is proposed. The Council are of the view this should include probing not just at the point of infrastructure as proposed by the scheme but also covering the areas of ground which would be subject to micrositing limits.

3.47 SEPA have provided detailed comments on methodology for peat probing and the peat assessment. These comments are supported by the Council.

3.48 Carbon balance calculations should be undertaken and included within the EIAR with a summary of the results provided focussing on the carbon payback period for the wind farm.

3.49 The EIAR should fully describe the likely significant effects of the development on the local geology including aspects such as borrow pits, earthworks, site restoration and the soil generally including direct effects and any indirect. Proposals should demonstrate construction practices that help to minimise the use of raw materials and maximise the use of secondary aggregates and recycled or renewable materials. Where borrow pits are proposed the EIAR should include information regarding the location, size and nature of these borrow pits including information on the depth of the borrow pit floor and the borrow pit final reinstated profile. This can avoid the need for further applications.

Roads Infrastructure

3.50 Highland Council's Transport Planning Teams interests will relate largely to the impact of development traffic on the Council maintained road network and its users during the construction phase of the project. It has confirmed that it is generally satisfied with the proposed changes to the methodology. The community have also raised concerns around these matters.

3.51 A Transport Assessment (TA), or section on traffic and transportation, within the Environmental Statement for the project will be required. The TA should identify all roads likely to be affected by the various stages of the development and consider in detail the impact of development traffic, including abnormal load movements, on these roads. Where necessary, the TA should consider and propose measures necessary to mitigate the impact of the development on the road network. Prior to preparation of the TA the developer should first carry out a detailed scoping exercise in consultation with the Council, as local roads authority and, as required, Transport Scotland as trunk roads authority.

3.52 Matters to be included in the Transport Assessment/Transport Statement:

- Identify all public roads affected by the development. In addition to transport of major components this should also include routes to be used by local suppliers.
- Establish current condition of the roads. This work which should be undertaken by a consulting engineer acceptable to the Council and will involve an engineering appraisal of the routes including the following:
    - assessment of structural strength of carriageway including construction depths and road formation where this is likely to be significant in respect of proposed impacts, including non-destructive testing and sampling as required.
    - road surface condition and profile
    - assessment of structures and any weight restrictions
    - road widths, vertical and horizontal alignment and provision of passing places;
    - details of adjacent communities
- Traffic resulting from the proposed development including: -
    - nos. of light and heavy vehicles
    - abnormal loads. In respect of long loads trial runs are required.
    - duration of works
- Current traffic flows including use by school buses, refuse vehicles, commercial users, pedestrians, cyclists and equestrians.
- Impacts of proposed traffic including: -
    - impacts on carriageway, structures, verges etc.
    - impacts on other road users
    - impacts on adjacent communities
    - swept path and gradient analysis where it is envisaged that passage of traffic could be problematic.
- Cumulative impacts with other developments in progress and committed developments.
- Proposed mitigation measures to address impacts identified above including: -
    - details of the proposed site access at its junction with the public road to the standards set out in The Highland Council's Roads and Transportation Guidelines for New Developments available online at:

      http://www.highland.gov.uk/yourenvironment/roadsandtransport/roads/roadsandtransportguidelinesfornewdevelopments.htm
    - carriageway strengthening
    - strengthening of bridges and culverts

- carriageway widening and/or edge strengthening
- provision of passing places
- road safety measures
- traffic management including measures to be taken to ensure that development traffic does not use routes other than the approved routes.
- Details of residual effects.

3.53 The EIAR must consider the implications on the Trunk Road network as part of the EIAR process.

Socio-Economic, Recreation and Tourism

3.54 We consider that this should have its own chapter in the EIAR to ensure that these matters are appropriately addressed and not lost in other assessments. The EIAR should estimate who may be affected by the development, in all or in part, which may required individual households to be identified, local communities or a wider socio economic groupings such as tourists & tourist related businesses, recreational groups, economically active, etc. The application should include relevant economic information connected with the project, including the potential number of jobs, and economic activity associated with the procurement, construction, operation and decommissioning of the development.

3.55 Estimations of who may be affected by the development, in all or in part, which may required individual households to be identified, local communities or a wider socio economic groupings such as tourists & tourist related businesses, recreational groups, economically active, etc should be included. The application should include relevant economic information connected with the project, including the potential number of jobs, and economic activity associated with the procurement, construction, operation and decommissioning of the development. In this regard wind farm development experience in this location should be used to help set the basis of likely impact. This should set out the impact on the regional and local economy, not just the national economy. Any mitigation proposed should also address impacts on the regional and local economy.

3.56 The site is on land with access rights provided by the Land Reform Scotland Act. Access rights on a core path are not enhanced but they are more protected during construction and similar activities. In line with the policies and provisions of the Highland-wide Local Development Plan a plan detailing the following should be submitted as part of the EIAR:

- Existing public non-motorised public access footpaths, bridleways and cycleways on the site and any proposed access route from the public road infrastructure; and
- Proposed public access provision both during construction and after completion of the development, including links to existing path networks (where appropriate) and to the surrounding area, and access points to water.
- Impacts of the proposed development on the core paths and proposed mitigation if any.

The application should be accompanied by an Access Management Plan.

Effects on Existing Infrastructure

3.57 The EIAR needs to recognise community assets that are currently in operation for example TV, radio, tele-communication links, aviation interests including radar, MOD safeguards, etc. In this regard the applicant, when submitting a future application, will need to demonstrate what interests they have identified and the outcomes of any consultations with relevant authorities such as Ofcom, NATS, BAA, CAA, MOD, Highlands and Islands Airports Ltd, etc. through the provision of written evidence of concluded discussions / agreed outcomes. We consider the results of these surveys should be contained within the EIAR to determine whether any suspensive conditions are required in relation to such issues.

3.58 There should be continued dialogue with HIAL over the impact on the radar at airports in the area.

3.59 If there are no predicted effects on communication links as a result of the development, the EIAR should

still address this matter by explaining how this conclusion was reached.

Shadow Flicker

3.60 If there are no properties within 11 rotor diameters, which is the Council's approach to shadow flicker due to the lower sun given the latitude of the development, the matter of shadow flicker will not require detailed assessment but should still be addressed in the EIAR.

Trees and Forestry

3.61 Within the boundary of the application site there limited areas of woodland albeit some areas of woodland adjacent to the access may be affected. If any areas of woodland likely to be affected by the development (including its access) the Scottish Government's Control of Woodland removal Policy must be addressed and compensatory planting calculations provided in the EIAR.

3.62 The EIAR should indicate all the areas of woodland / trees that will felled to accommodate the development, including any off site works / mitigation. Compensatory woodland is a clear expectation of any proposals for felling, and thereby such mitigation needs to be considered within any assessment. If so minded, permission is only likely to be granted on the basis that compensatory planting proposals are identified in advance. Compensatory planting should be within the Highland area and not form part of an already approved forestry plan/proposal that has gained FC funding. Areas of retained forestry or tree groups should be clearly indicated and methods for their protection during construction and beyond clearly described. If timber is to be disposed of, details of the methodology for this should be submitted.

Other Matters

3.63 We consider that the EIAR needs to address existing air quality and the general qualities of the local environment including background noise, sunlight, prevailing wind. From this base data information on the expected impacts of any development can then be founded recognising likely impacts for each phases of development including construction, operation and decommissioning. Issues such as dust, air borne pollution and / or vapours, noise, light, shadow-flicker can then be highlighted.

3.64 Depending on the proximity of the working area to houses etc. the applicant may require to submit a scheme for the suppression of dust during construction. Particular attention should be paid to construction traffic movements.

3.65 The EIAR needs to address all relevant climatic factors which can greatly influence the impact range of many of the preceding factors on account of seasonal changes affecting, rainfall, sunlight, prevailing wind direction, etc.

3.66 We note that the Report seeks to cover a number of the matters within the CEMD for the proposal. While acceptable in principle we would request that an Outline CEMD is included with the application.

4.0 Significant Effects on the Environment

4.1 Leading from the assessment of the environmental elements the EIAR needs to describe the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development, resulting from: -

- the existence of the development;
- the use of natural resources;
- the emission of pollutants, the creation of nuisances and the elimination of waste.

4.2 The potential significant effects of development must have regard to: -

- the extent of the impact (geographical area and size of the affected population);
- the trans-frontier nature of the impact;
- the magnitude and complexity of the impact;
- the probability of the impact;
- the duration, frequency and reversibility of the impact.

4.3 The effects of development upon baseline data should be provided in clear summary points.

4.4 The Council requests that when measuring the positive and negative effects of the development a four point scale is used advising any effect to be either strong positive, positive, negative or strong negative.

4.5 The applicant should provide a description of the forecasting methods used to assess the effects on the environment.

5.0 Mitigation

5.1 Consideration of the significance of any adverse impacts of a development will of course be balanced against the projected benefits of the proposal. Valid concerns can be overcome or minimised by mitigation by design, approach or the offer of additional features, both on and off site. A description of the measures envisaged to prevent, reducing and where possible offset any significant adverse effects on the environment must be set out within the EIAR statement and be followed through within the application for development.

5.2 The mitigation being tabled in respect of a single development proposal can be manifold. Consequently the EIAR should present a clear summary table of all mitigation measures associated with the development proposal. This table should be entitled draft Schedule of Mitigation. As the development progresses to procurement and then implementation this carries forward to a requirement for a Construction Environmental Management Document (CEMD) and then Plan (CEMP) which in turn will set the framework for individual Construction Method Statements (CMS). Further guidance can be obtained at

http://www.highland.gov.uk/NR/rdonlyres/485C70FB-98A7-4F77-8D6B-ED5ACC7409C0/0/construction_environmental_management_22122010.pdf

This is currently under review by a working party led by SEPA working through Heads of Planning Scotland but for the time being remains relevant.

5.3 The implementation of mitigation can often involve a number of parties other than the developer. In particular local liaison groups involving the local community are often deployed to assist with phasing of construction works – abnormal load deliveries, construction works to the road network, borrow pit blasting. It should be made clear within the EIAR or supporting information accompanying a planning application exactly which groups are being involved in such liaison, the remit of the group and the management and resourcing of the required effort.

If you would like to discuss this scoping response please contact the Planning Authority using the details at the end of this response.

Simon Hindson
Team Leader – Strategic Projects

Direct Dial: REDACTED
E-mail: simon.hindson@highland.gov.uk

Renewable Energy Proposal

Transport Statement/Assessment Methodology for Public Roads for which Highland Council is the Roads Authority

1. Identify all public roads affected by the development. In addition to transportation of all abnormal loads & vehicles (delivery of components) this should also include routes to be used by local suppliers and staff. It is expected that the developer submits a preferred access route for the development. All other access route options should be provided, having been investigated in order to establish their feasibility. This should clearly identify the pros and cons of all the route options and therefore provide a logical selection process to arrive at a preferred route.
2. Establish current condition of the roads. This work which should be undertaken by a consulting engineer acceptable to the Council and will involve an engineering appraisal of the routes including the following:
   - Assessment of structural strength of carriageway including construction depths and road formation where this is likely to be significant in respect of proposed impacts, including non-destructive testing and sampling as required.
   - Road surface condition and profile
   - Assessment of structures and any weight restrictions
   - Road widths, vertical and horizontal alignment and provision of passing places
   - Details of adjacent communities
3. Determine the traffic generation and distribution of the proposals throughout the construction and operation periods to provide accurate data resulting from the proposed development including
   - Nos. of light and heavy vehicles including staff travel
   - Abnormal loads
   - Duration of works
4. Current traffic flows including use by public transport services, school buses, refuse vehicles, commercial users, pedestrians, cyclists and equestrians.
5. Impacts of proposed traffic including
   - Impacts on carriageway, structures, verges etc.
   - Impacts on other road users
   - Impacts on adjacent communities
   - Swept path and gradient analysis where it is envisaged that transportation of traffic could be problematic
   - Provision of Trial Runs to be carried out in order to prove the route is achievable and/or to establish the extent of works required to facilitate transportation
6. Cumulative impacts with other developments in progress and committed developments including other Renewable Energy projects.
7. Proposed mitigation measures to address impacts identified in 5 above, including
   - Carriageway strengthening
   - Strengthening of bridges and culverts
   - Carriageway widening and/or edge strengthening
   - Provision of passing places
   - Road safety measures
   - Traffic management including measures to be taken to ensure that development traffic does not use routes other than the approved routes.
8. Details of residual effects.

The above information is not exhaustive and should be used as a guide to submitting all relevant information in relation to roads, traffic and transportation matters arsing from the development proposals, which should be in the form of a Transport Statement/Assessment forming part of the Environmental Statement submission.

Transport Planning Team
Development & Infrastructure

MEMORANDUM

To:	Area Planning Manager, North FAO: Simon Hindson
From:	Transport Planning
Subject:	Wind Farm, Glencassley, Rosehall
Date:	10.09.19
Our ref:	
Your ref:	18/04606/SCOP
Please ask for:	FM

I refer to the drawings and documentation submitted in respect of the above scoping request and would offer the following comments.

Development Proposed
Construction of a wind farm is proposed at a site located 4 km south of Rosehall and 9 km southwest of Lairg.
The full extent of the development is unknown at this stage, but a generating capacity of over 50 MW, comprising turbines with a tip height of over 150 metresis proposed.

Access, Traffic and Transport
Access to the site will be from the A839 using access tracks provided for the operational Achany Wind Farm.

Transport Planning's interests will relate to the impact of development traffic on the Council maintained road network and adjacent communities during the construction phase of the project.

A Transport Assessment (TA), or section on traffic and transportation, within the Environmental Statement for the project will be required. The TA should identify all Council maintained roads likely to be affected by the various stages of the development, consider in detail the impact of development traffic, including abnormal load movements, on these roads and propose mitigation measures.

Within the TA justification for the chosen Port of Entry and the preferred route for AIL's shall be clearly demonstrated. This shall include details of alternative routes that have been considered and an explanation as to why these were discounted in favour of the preferred route. A detailed review of the preferred route, to include swept path assessment and consideration of any structures along the route, shall be undertaken. It is likely that a trial run to demonstrate the suitability of the route will be required.

Early consultation with the Council's Structures Section is recommended with regard to affected Council maintained structures.

The proposed route for general construction traffic should also be identified and reviewed within the TA, if this is to be different to the preferred route for AIL's.

Whilst the preferred route/s for AIL's and general construction traffic will have previously been assessed in connection with earlier renewable energy projects, that is not to say that local roads will be suitable in their present form to accommodate further extensive construction traffic.

Base conditions along the routes will almost certainly have changed and it would seem that more onerous abnormal load movements could be required due to the larger turbine dimensions proposed.

Further mitigation may, therefore, be required.

The attached, Renewable Pre-app. Guidance, document provides guidance on the matters to be addressed by the TA.

Prior to preparation of the TA the developer should first carry out a detailed scoping exercise in consultation with the Council, as local roads authority, and Transport Scotland, as trunk roads authority.

In considering the transport impacts of the development, in addition to the requirements of the Guidelines for the Environmental Assessment of Road Traffic, IEMA, 1993, account must also be taken of the guidance contained in the Transport Scotland document, Transport Assessment Guidance, and the Council's own document, Guidance on the Preparation of Transport Assessments. (copy attached)

Details of any other committed developments to be considered in the TA should be obtained from the planning service.

Early contact should be made with the Council's Structures Section regarding any affected Council maintained structures.

Available traffic data for Council maintained roads can be obtained from the Council.

It is accepted that the impact of operational traffic associated with the development should be minimal and can therefore be scoped out of the assessment.

Mitigation

Mitigation required may include; new or improved infrastructure, road safety measures and traffic management. Traffic management shall include measures to ensure that development traffic adheres to approved routes.

With regard to affected Council maintained roads on the south side of Loch Ness, the mitigation measures proposed shall accord with, and complement work previously undertaken in accordance with, the Council's South Loch Ness Road Improvement Strategy

Grid Connection Works

Should related grid connection and/or substation works be likely to impact on any of the local roads forming the access routes to the site, it would be desirable to consider the impact of these works and the mitigation required in conjunction with the proposed wind farm.

Construction Traffic Management Plan (CTMP)

The TA should include a framework CTMP aimed at minimising the impact of the construction traffic. On appointment of a main contractor the framework shall be developed into a formal Construction Traffic Management Plan.

The CTMP shall include measures to ensure development traffic adheres to the approved routes and establish protocols for the movement of construction traffic on public roads. Consultation with the local community and the Council's Roads Operations Manager will be required regarding the detailed content and implementation of the CTMP.

Section 96 Agreement

Notwithstanding the above requirements, there will remain a risk of damage to Council maintained roads from construction related traffic. In order to protect the interests of the Council, as roads authority, a suitable agreement relating to Section 96 of the Roads (Scotland) Act and appropriate planning legislation may be necessary. An appropriate Road Bond or similar security may also be required.

Useful contacts:

Structures - Norman Smart, Principal Engineer
norman.smart@highland.gov.uk Tel. REDACTED

Traffic Data - Greg Otreba, Senior Technician
grzegorz.Otreba@highland.gov.uk Tel. REDACTED

Consultee Comments for Planning Application 19/03941/SCOP

Application Summary
Application Number: 19/03941/SCOP
Address: Land 2km NE Of Glencassley Castle Rosehall
Proposal: Construct and operate a 26 turbine wind farm and associated works on Glencassley Estate
Case Officer: Simon Hindson

Consultee Details
Name: . FORESTRY TEAM
Address: The Highland Council Headquarters, Glenurquhart Road, Inverness IV3 5NX
Email: nick.richards@highland.gov.uk
On Behalf Of: HQ Forestry

Comments
The proposed development does not appear to have any significant impact on trees or woodland. I therefore have no further comment to make on this application.

Regards

Nick Richards (Forestry Officer)

Consultee Comments for Planning Application 19/03941/SCOP

Application Summary

Application Number: 19/03941/SCOP

Address: Land 2km NE Of Glencassley Castle Rosehall

Proposal: Construct and operate a 26 turbine wind farm and associated works on Glencassley Estate

Case Officer: Simon Hindson

Consultee Details

Name: . FLOOD RISK MANAGEMENT TEAM

Address: Highland Council Area Office, 84 High Street, Dingwall IV15 9QN

Email: Blair.Duncan@highland.gov.uk

On Behalf Of: D & I Flood Team

Comments

The Flood Risk Management Team has no comment to make on this application.

The Highland Council
Comhairle na Gàidhealtachd

Scoping Request

Environmental Health Response

Proposal Name	Glencassley Wind Farm - Construct and operate a 26 turbine wind farm and associated works on Glencassley Estate | Land 2km NE Of Glencassley Castle Rosehall
Planning Reference	19/03941/SCOP
Date of Response	25 September 2019

Response

Operational Noise

The applicant will be required to submit a noise assessment with regard to the operational phase of the development. The assessment should be carried out in accordance with ETSU-R-97 "The Assessment and Rating of Noise from Wind Farms" and the associated Good Practice Guide published by the Institute of Acoustics.

The target noise levels are either a simplified standard of 35dB LA90 at wind speeds up to 10m/s or a composite standard of 35dB LA90 (daytime) and 38dB LA90 (night time) or up to 5dB above background noise levels at up to 12m/s. The night time lower limit of 43dB LA90 as suggested in ETSU is not considered acceptable in many areas of the highlands due to very low background levels. These limits would apply to cumulative noise levels from more than one development.

Cumulative Noise

The noise assessment must take into account the potential cumulative effect from any other existing or consented or, in some cases, proposed wind turbine developments. Where applications run concurrently, developers and consultants are advised to consider adopting a joint approach with regard to noise assessments. The noise assessment must take into account predicted and consented levels from such developments. The good practice guide offers guidance on how to deal with cumulative issues.

The assessment should include a map showing all wind farm developments which may have a cumulative impact and all noise sensitive properties including any for which a financial involvement relaxation is being claimed.

The assessment should include a table of figures which includes the following: -

- The predicted levels from this development based at each noise sensitive location (NSL) at wind speeds up to 12m/s
- The maximum levels based on consented limits from each existing or consented wind farm development at each NSL. If any reduction is made for controlling property or another reason, this should be made clear.
- The predicted levels from each existing or consented wind farm development at each NSL.
- The cumulative levels based on consented and predicted levels at each NSL.

The assessment should also include an outline for a mitigation scheme to be implemented should noise levels from the development be subsequently found to exceed consented levels.

Noise Exposure
When assessing the cumulative impact from more than one wind farm, consideration must be given to any increase in exposure time. Regardless of whether cumulative levels can meet relevant criteria, if a noise sensitive property subsequently becomes affected by wind turbine noise from more than one direction this could result in a significant loss of respite.

Background Noise Measurements
Background noise surveys should be undertaken in accordance with ETSU-R-97 and the Good Practice Guide. It is recommended that monitoring locations be agreed with the Council's Environmental Health Officer however, it is unlikely that they will be able to attend the installation of equipment. Where possible, sites must avoid other noise sources such as boiler flues, wind chimes, squeaking gate, rustling leaves etc. Otherwise, the results may not be valid for any other property.

Difficulties can arise where a location is already subject to noise from an existing wind turbine development. ETSU states that background noise must not include noise from an existing wind farm. The GPG offers advice on how to approach this problem and in some cases, it may be possible to utilise the results from historical background surveys. It is advised that the developer consults the Councils Environmental Health Officer at an early stage to discuss the proposed methodology.

Construction Noise
Planning conditions are not used to control the impact of construction noise as similar powers are available to the Local Authority under Section 60 of the Control of Pollution Act 1974. However, where there is potential for disturbance from construction noise the application will need to include a noise assessment.

A construction noise assessment will be required in the following circumstances: -

- Where it is proposed to undertake work which is audible at the curtilage of any noise sensitive receptor, out with the hours Mon-Fri 8am to 7pm; Sat 8am to 1pm

OR

- Where noise levels during the above periods are likely to exceed 75dB(A) for short term works or 55dB(A) for long term works. Both measurements to be taken as a 1hr LAeq at the curtilage of any noise sensitive receptor. (Generally, long term work is taken to be more than 6 months)

If an assessment is submitted it should be carried out in accordance with BS 5228-1:2009 "Code of practice for noise and vibration control on construction and open sites – Part 1: Noise". Details of any mitigation measures should be provided including proposed hours of operation.

Regardless of whether a construction noise assessment is required, it is expected that the developer/contractor will employ the best practicable means to reduce the impact of noise from construction activities. Attention should be given to construction traffic and the use of tonal reversing alarms.

Private Water Supplies
The applicant will be required to carry out an investigation to identify any private water supplies, including pipework, which may be adversely affected by the development and to submit details of the measures proposed to prevent contamination or physical disruption. Highland Council has some information on known supplies but it is not definitive. An on-site survey will be required.

Dust
Depending on the proximity of the working area to houses etc. the applicant may require to submit a scheme for the suppression of dust during construction. Particular attention should be paid to construction traffic movements.

Key Points	Assessments to be carried out and/or submitted with application
• Noise • Private water supplies • Dust	• Assessment of noise from wind turbines • Assessment of noise from construction activities • Investigation into private water supplies • Assessment of potential of dust nuisance

Organisation	Environmental Health
Name	Robin Fraser
Position	EHO
Email	robin.fraser@highland.gov.uk
Phone	REDACTED

Defence Infrastructure Organisation

Jill Roberts
Assistant Safeguarding Manager
Ministry of Defence
Safeguarding Department
Kingston Road
Sutton Coldfield
West Midlands B75 7RL
United Kingdom

Telephone [MOD]: REDACTED

E-mail: Jillian.roberts156@mod.*gov.uk*

Your Reference: ECU00001930

Our Reference: DIO13289

Nicola Soave
Senior Case Worker
Energy Consents Unit
Scottish Government
4th Floor
5 Atlantic Quay
150 Broomielaw
G2 8LU

24/09/2019

Dear Nicola

Please quote in any correspondence: DIO13289

Site Name: Glencassley Wind Farm

Proposal: REQUEST FIR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR - GLENCASSLEY WIND FARM PROPOSAL, LAIRG SUTHERLAND

Planning Application Number: EC00001930

Site Address: Glencassley Wind Farm, Lairg, Sutherland.

Thank you for consulting the Ministry of Defence (MOD) on the above scoping request dated 21/08/2019.

I am writing to tell you that the MOD has no objection to the proposal.

The proposed development is for 26 turbines at 231.00 metres to blade tip. The exact turbine locations have not been confirmed yet, however the cardinal points for the site have been submitted direct from the developer.

This has been assessed using the cardinal points listed below.

Turbine	Easting	Northing
1	244453	911813
2	243738	911426
3	246550	909134
4	245637	907679
5	248435	905526

In the interests of air safety, the MOD will request that the development should be fitted with MOD accredited aviation safety lighting in accordance with the Civil Aviation Authority, Air Navigation Order 2016.

The principal safeguarding concern of the MOD with respect to the development of wind turbines relates to their potential to create a physical obstruction to air traffic movements and cause interference to Air Traffic Control and Air Defence radar installations.

Defence Infrastructure Organisation Safeguarding wishes to be consulted and notified of the progression of planning applications and submissions relating to this proposal to verify that it will not adversely affect defence interests.

If planning permission is granted, we would like to be advised of the following prior to commencement of construction;

- the date construction starts and ends;
- the maximum height of construction equipment;
- the latitude and longitude of every turbine.

This information is vital as it will be plotted on flying charts to make sure that military aircraft avoid this area.

If the application is altered in any way, we must be consulted again as even the slightest change could unacceptably affect us.

I hope this adequately explains our position on the matter. If you require further information or would like to discuss this matter further, please do not hesitate to contact me.

Further information about the effects of wind turbines on MOD interests can be obtained from the following websites:

***MOD*:** https://www.gov.uk/government/publications/wind-farms-ministry-of-defence-safeguarding

Yours sincerely

REDACTED

Jill Roberts
Assistant Safeguarding Manager

Brown C (Carolanne)

From: Safeguarding <Safeguarding@hial.co.uk>
Sent: 26 September 2019 12:26
To: Soave N (Nicola)
Cc: Econsents Admin
Subject: RE:

Your Ref: ECU00001930
HIAL Ref: 2019/0105/INV

Dear Sir/Madam,

PROPOSAL: REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR – GLENCASSLEY WIND FARM
LOCATION: Glencassley and Glenrossal Estates, approx 4 km north of the village of Rosehall and 9 km south-west of Lairg

This development is currently indicative in regards to turbine height and site layout. The report indicates they wish to gather general views regarding the suitability of the site.

An assessment was carried out utilising a maximum ground height of 476m and a turbine height of 150m. The calculations showed that, at the given position and height, this development would not infringe the safeguarding surfaces for Wick and Inverness Airport.

We would require exact turbine locations and a confirmed turbine height to provide further comment. Should the combined height of the ground level and turbine height significantly increase, there is a potential they would impact on the direct arrival flight procedures into Wick Airport. Should there be a confirmed impact we would object on this basis.

Regards,

Safeguarding Team
Highlands and Islands Airports Limited
Head Office, Inverness Airport, Inverness IV2 7JB
☎ REDACTED (DIRECT DIAL)
✉ safeguarding@hial.co.uk 🌎 www.hial.co.uk

By email to: econsents_admin@gov.scot

Ms Nicola Soave
Energy Consents Unit
4th Floor, 5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMConsultations@hes.scot

Our case ID: 300039922
Your ref: ECU00001930

23 September 2019

Dear Ms Soave

The Electricity Act 1989
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Glencassley Wind Farm, Lairg, Sutherland
Scoping Report Request for Proposed Section 36 Application

Thank you for your consultation which we received on 21 August 2019 about the above scoping report. We have reviewed the details in terms of our historic environment interests. This covers world heritage sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas (HMPAs).

The relevant local authority archaeological and cultural heritage advisors will also be able to offer advice on the scope of the cultural heritage assessment. This may include heritage assets not covered by our interests, such as unscheduled archaeology, and category B- and C-listed buildings.

Proposed Development
I understand that the proposed wind farm is to be located on land approximately 4 km north of the village of Rosehall and 9 km south-west of Lairg. The number and dimensions of the proposed turbines will be determined as the project design progresses. However, at this stage it is likely that the turbines will consist of three bladed horizontal downward axis machines exceeding a blade tip height of over 150 m.

Scope of assessment
We have reviewed the submitted Scoping Report in terms of our historic environment interests and note that very little information has been provided in the Report on the scope and methodology that is to be employed for the assessment of impacts on cultural heritage. However, we understand that an evaluation of the potential setting impacts on scheduled monuments and listed buildings is to be carried out. In the absence of more specific details regarding the size and location of the proposed turbines and a ZTV, it is not possible to provide detailed advice on the likely impact of the scheme on the setting of historic assts within our remit.

We can confirm that there are no scheduled monuments, category A-listed buildings, inventory gardens and designed landscapes, or inventory battlefields within the development site. However, there are some heritage assets within the surrounding area. In particular, we note that

there is one scheduled monument: ***Dail Langwell, broch 1675m NW of Croich (SM1852)*** located approximately 2km south-west of the site boundary.

The setting of ***Dail Langwell, broch*** can be characterised by the floor and slopes of the river valley in which it sits. It was deliberately sited in such a position to be visibly prominent throughout and have wide views out over the surrounding valley and route ways through it.

It is possible that the proposed development would be visible from the broch, or important views towards it, and have an impact on its setting. We would therefore recommend that further consideration is given to assessing any impacts thoroughly within the EIA process. As part of this process, we would expect to see visualisations that assess the impact of the turbines on the setting of the broch. Any other heritage assets that might be impacted by the proposal should also be assessed.

Where significant adverse impacts are identified they should be reduced or avoided by amendments to the design.

Further information
Please note that on 1 May 2019 we adopted the new Historic Environment Policy for Scotland. You can find the full set of policy and guidance, including our 'Managing Change in the Historic Environment' series, online at www.historicenvironment.scot/hesps.

Technical advice is available on our Technical Conservation website at http://conservation.historic-scotland.gov.uk/.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Urszula Szupszynska and they can be contacted by phone on RED or by email on Urszula.Szupszynska@hes.scot. ACT

Yours sincerely

Historic Environment Scotland

Nicola Soave
Senior case worker
Energy Industries Division
Directorate for Energy and Climate Change
5 Atlantic Quay
150 Broomielaw
4th Floor
Glasgow
G2 8LU

18th September 2019

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR GLENCASSLEY WIND FARM PROPOSAL, LAIRG, SUTHERLAND

Dear Ms Soave

Many thanks for consulting with the Kyle of Sutherland District Salmon Fishery Board in respect of the proposed Glencassley wind farm development.

In the first instance we would expect any environmental assessment to include:

- Fish habitat data in any potentially affected watercourse both within and out with the physical boundary of the proposed development.
- Fish presence, distribution and abundance data in all potentially affected watercourses.
- Macro-invertebrate data in all potentially affected watercourses.
- Freshwater pearl mussel (FWPM) abundance and distribution data in all potentially affected watercourses.
- Hydrology data, including artificial drainage watercourses.
- Water quality data (i.e. turbidity, pH, dissolved organic carbon, acid-neutralising capacity etc.) in all potentially affected watercourses.

- Peat slide risk assessment.

We note from the supporting documentation that the applicant highlights data obtained from targeted fish surveys undertaken as part of a previous application. We suggest that such information is likely to be outdated and as such new surveys should be undertaken. We believe that investigations into the status of pearl mussel populations within the Cassley catchment have been carried out subsequent to the original application and suggest that SNH be contacted to obtain any relevant information available from such surveys.

The Kyle of Sutherland District Salmon Fishery Board has become increasingly aware of the extent of land drainage within the district. These artificial drainage features have the potential to act as vectors for the transfer of silt, pollutants etc. to larger watercourses. We would therefore ask that, if present within the proposed development site, all drainage features are fully taken into account when undertaking any environmental impact assessment.

Yours Faithfully
REDACTED

Dr Keith Williams, MIFM
Clerk and Director
Kyle of Sutherland District Salmon Fishery Board

marinescotland

Scottish Government
Riaghaltas na h-Alba
gov.scot

T: +44 (0)131 2442900
DD: +44 (0) REDACTED e-mail: emily.bridcut@gov.scot

Ms Nicola Soave
Energy Consents Unit
Scottish Government
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Our ref: FL/18-7

August 28th 2019

Dear Nicola,

GLENCASSLEY WIND FARM, LAIRG, SUTHERLAND

Thank you for seeking comment from Marine Scotland Science (MSS) on the scoping report for the proposed Glencassley wind farm in relation to freshwater and diadromous fish and fisheries.

The proposed development is drained by watercourses within the River Cassley which forms part of the River Oykel SAC; salmon is a qualifying feature for this designation status. Furthermore both salmon and trout are listed as priority species for conservation in the Scottish Biodiversity List and should be considered by the developer throughout the course of the development.

MSS advises that the developer carries out the following in the EIA:

- consults our generic scoping guidelines (https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren);
- site characterisation surveys of the water quality and fish populations within the watercourses which could potentially be impacted as a result of this development. Surveys should follow MSS guidelines on survey/monitoring programmes as outlined in the above web site. The results from the site characterisation surveys should be

presented in the EIAR along with a detailed description of proposed mitigation measures and monitoring programmes; and

- considers the potential cumulative impacts on water quality and fish populations associated with adjacent (operational and consented) wind farms and hydro schemes, particularly in the selection of control sites in the monitoring programmes.

Kind regards,

Dr Emily E. Bridcut

MOUNTAINEERING SCOTLAND WALKCLIMBSKI

The Granary | West Mill Street | Perth | PH1 5QP
T: REDACTED E: info@mountaineering.scot
www.mountaineering.scot

By email to: Econsents_Admin@gov.scot;

and: Nicola.Soave@gov.scot

Nicola Soave
Senior case worker
Energy Industries Division
Directorate for Energy and Climate Change

11 September 2019

Dear Ms Soave

Glencassley Windfarm, near Lairg, Sutherland
Reference: ECU00001930

SSE Renewables has submitted an EIA Scoping Report for a potential wind farm at Glencassley, Lairg, Sutherland. There is no indicative layout or number of turbines. Turbines in excess of 150m BTH would be used. The site is mostly between 250 and 400m, with one area dropping towards 200m and another exceeding 450m. It can be expected, regardless of precise siting, that the proposed turbines would be the highest features on the ridge, which culminates c.10km to the northwest at Maovally (512m OD).

Previous applications for wind farms at Glencassley (23 x 126.5m) and Sallachy (22 x 125m), further NW along the same broad ridge, were both refused by Scottish Ministers in November 2015. The determining factor was visual impact on the Assynt-Coigach NSA and the Reay-Cassley Wild Land Area (WLA).

This new scoping shows the northwest boundary of the proposed development area drawn back <3km from the previous boundary. The now-proposed development area is still almost entirely within the WLA. There may be a gain in topographic screening from the withdrawal southwards but that may be negated by increased turbine height.

The Scoping Report suggests that a revised application for Sallachy may be submitted before the end of 2019. This also seems likely to be wholly within the WLA. If this is so, it would make any claimed benefit from the withdrawal southwards of the northern development boundary of Glencassley fanciful.

The main part of the proposed site is <4 km NW of the operational Achany and Rosehall wind farms, which appear as one, with 19 turbines of 100m BTH and 19 of 90m BTH, respectively. There is a tongue of land stretching south from the main development area to abut Achany/Rosehall: this may just be a broad transport corridor or a line of turbines may be planned. There are a range of other consented, application and scoping wind farms around Lairg, to which Mountaineering Scotland has not objected. It objected to Glencassley and Sallachy in their original forms and to Caplich, west of Glencassley, which was refused in in April 2018 because of its impact on wild land. In addition we

objected to the Creag Riabhach wind farm, to the north of the Lairg basin, which was consented by ministers in October 2016 without a PLI despite SNH objection on wild land grounds, and is currently under construction.

Mountaineering Scotland has reviewed the Scoping Report from the perspective of its members' interests and has the following observations.

1. Given the revisiting of a location to which Mountaineering Scotland previously objected, and the potential for a complete rerun of the position in the first half of this decade if Sallachy also resubmits, our members' interests are most certainly engaged. The impact on the experience of Ben More Assynt will be primary but there are many other hills that could be impacted, especially given the intrusion of Creag Riabhach into many angles of view previously without turbines in near proximity.
2. It is difficult to see how a minor withdrawal southward would overcome the previous Ministerial decision, especially if a Sallachy resubmission also proceeds simultaneously. An application would need to demonstrate that this site specifically is required to meet electricity generation needs.
3. An application is likely to raise many of the same visual impact concerns as the previous application. An explicit comparison with the previous application is required to demonstrate to what extent previous concerns (and reasons for refusal) remain applicable and to what extent they have been overcome.
4. The proposed 'detailed study area' of 15-20km is too small (p.17). It could exclude Creag Riabhach, Ben Hee and Seana Bhraigh, all of which are likely to have clear views of the proposed development at distances of <25km. A detailed study area radius of not less than 25km is requested.
5. While we agree that the primary focus for wild land assessment requires to be the Reay-Cassley WLA, and are not unsympathetic to the idea that significant effects on other WLAs may be limited, this needs to be demonstrated not simply asserted (p.18).
6. The proposed viewpoints are acceptable except that we do not agree with the omission of Viewpoint 18. It does not matter if it is the same (mobile) receptors: it is from a different location at a different angle and distance to the proposed development. Furthermore, it seems possible that the proposed development will not be seen 'through' the existing windfarms, as is claimed, but as a lateral extension to them – a very different prospect.
7. We note that the proposal to present only a wireline for Ben Hee (which is not in itself unacceptable since photomontages, and their baseline photography, became increasingly misleading with distance) is based on an assumption of lack of significant impact justified solely by distance without regard to context or scale of development. We expect the LVIA itself to be less simplistic in its approach.

Yours sincerely

REDACTED

Davie Black
Access & Conservation Officer
Mountaineering Scotland

Brown C (Carolanne)

From: NATS Safeguarding <NATSSafeguarding@nats.co.uk>
Sent: 22 August 2019 12:55
To: Econsents Admin; Soave N (Nicola)
Cc: NATS Safeguarding
Subject: RE: GLENCASSLEY WIND FARM PROPOSAL (SG15221)

Dear Nicola

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully

NATS Safeguarding

E: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk

Brown C (Carolanne)

From: paul.3.atkinson@openreach.co.uk on behalf of radionetworkprotection@bt.com
Sent: 21 August 2019 15:54
To: Soave N (Nicola); Econsents Admin
Subject: RE: GLENCASSLEY WIND FARM PROPOSAL, LAIRG, SUTHERLAND

OUR REF; WID11051 & WID6748 (12/7/2012)

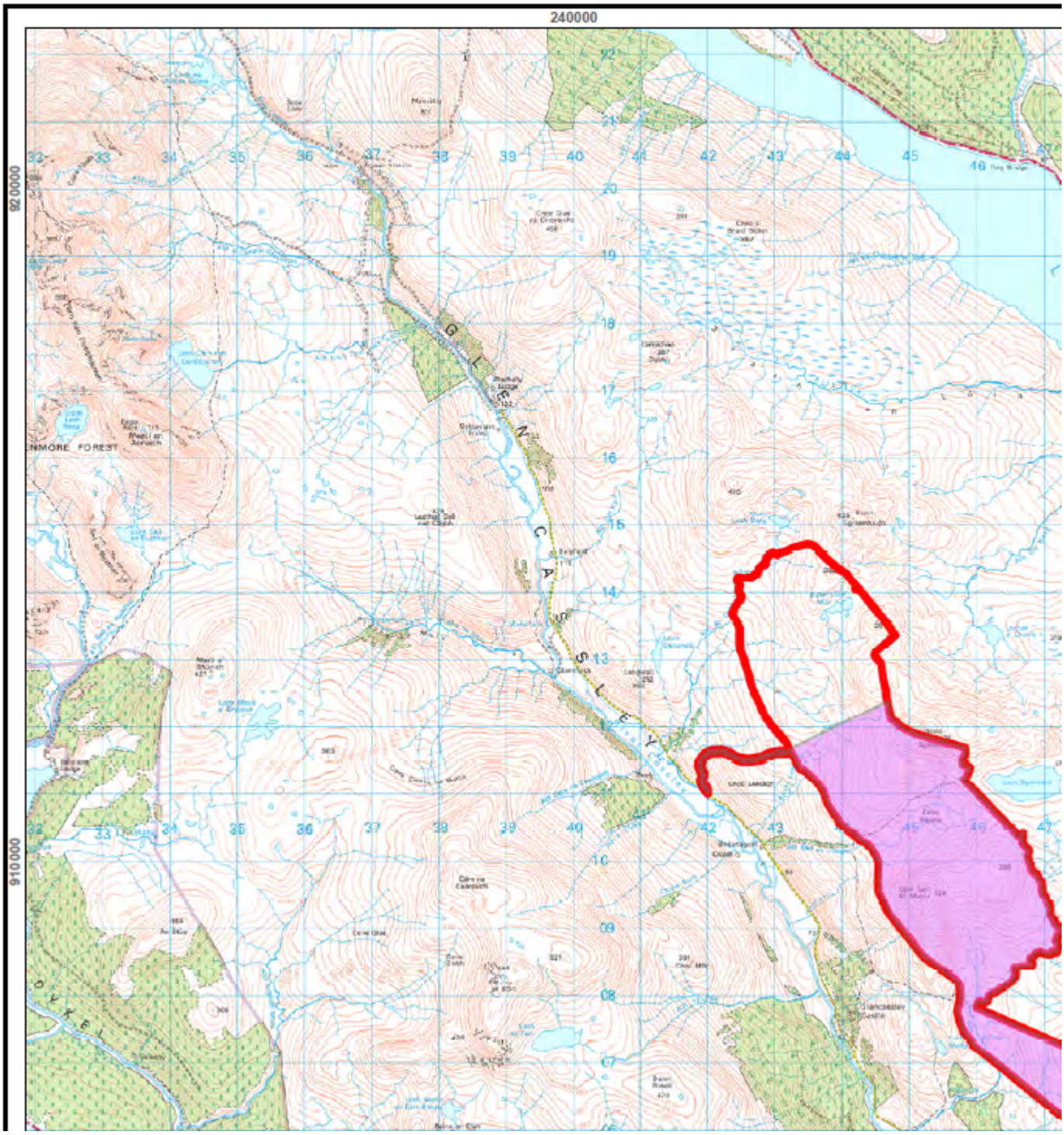
Dear Sir/Madam

Thank you for your email dated 21/08/2019.

We have studied this Windfarm proposal with respect to EMC and related problems to BT point-to-point microwave radio links.

The conclusion is that, the Project indicated should not cause interference to BT's current and presently planned radio network.

A36



Kind Regards,
Paul Atkinson
Fibre and Network Delivery
Radio Frequency Allocation & Network Protection (BNJ112)
Openreach
Tel: REDACTED
Mobile REDACTED
Web: www.openreach.co.uk
PLEASE ALWAYS RESPOND TO radionetworkprotection@bt.com

We build and maintain the digital network that enables more than 600 providers to deliver broadband to homes, hospitals, schools and businesses large and small. Our engineers work in every community, every day, because we believe everyone deserves decent and reliable broadband.

Email: Econsents_Admin@gov.scot; Nicola.Soave@gov.scot
Cc: murray.west@sse.com

Date: 24th September 2019

Dear Nicola Soave,

THE ELECTRICITY ACT 1989

THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR – GLENCASSLEY WIND FARM PROPOSAL, LAIRG, SUTHERLAND (ECU00001930)

Thank you for consulting RSPB Scotland on the above scoping report. RSPB Scotland is supportive of the use of renewable energy, but wind farms must be carefully sited to avoid negative impacts on sites and species of conservation importance.

We commented on the previous application at Glencassley (Reference: EC00005263) which was refused in November 2015, primarily due to impacts on the National Scenic Area and Wild Land. We note that the proposed development area is in the southern end of the 2012 site, closer to the operational Achany and Rosehall Wind Farms, and the number of turbines and layout has not yet been decided.

Overall, we are happy with the content of the new scoping report, however, we have made the below comment following comments which we hope will help inform the EIA.

1. Survey Methodology

We note that ornithological field surveys have already started and will continue until August 2019, with a possibility of extension until August 2020. Since the original surveys are over five years old, we advocate that new surveys should continue until August 2020 to allow two new years of data collection as per SNH guidance[1]. There is a risk that an inadequate amount of data will be collected if less than two years' data is used for the EIA. We would also want to see updated habitat and protected species surveys as these were last undertaken in 2011.

[1] Reference: SNH (2017) *Guidance: Recommended bird survey methods to inform impact assessment of onshore wind farms* (https://www.nature.scot/recommended-bird-survey-methods-inform-impact-assessment-onshore-windfarms)

Although RSPB Scotland has not formally surveyed the site, historical records indicate the presence within or in close proximity of the following Annex 1[2] and/ or Schedule 1[3] and Birds of Conservation Concern: golden eagle, white-tailed eagle, osprey, merlin, black-throated diver, red-throated diver, short-eared owl, golden plover, black grouse, greenshank, wood sandpiper, dunlin and curlew.

We note that the 2012 application found the site to be important to sub-adult golden eagles were concerned that the construction of this wind farm could displace these sub-adults into less favourable areas which, in turn, could have a negative effect on recruitment to the golden eagle breeding population especially when considered cumulatively with other similar proposed developments in the area.

Therefore, in addition to the surveys already underway, we would recommend specific surveys targeted for golden eagle within 6km of the site and red-throated and black-throated divers on all lochs and bog pools within 1km. Additional work to cover cryptic species such as wood sandpiper should also be included.

We note that the current VPs do not adequately cover the proposed access tracks and it is not clear from the Scoping Report that the new access track is included in the survey boundaries.

In addition, we note from Figure 6 (Vantage Point Locations) that VPs 3, 4 and 5 are inside site boundary. This is contrary to 3.8.4 of SNH guidance[4] which states: "It is important to minimise the observer's effect on bird behaviour. For this reason, VPs are best located outside the survey area where possible."

We therefore recommend justifying the positions of the VPs chosen and that information is provided within the EIA report to demonstrate that the survey data are adequate, robust and accurate including:

- Full information on the VP work undertaken, including dates, times and weather conditions
- Maps showing VP locations that also denote viewsheds
- Maps showing raptor foraging areas
- Worked example(s) of collision risk calculations
- Provision of raw data in order for independent verification of collision risk calculations

2. Scoped in effects

All direct and indirect impacts on birds and habitats should be scoped in to the assessment. These include displacement, disturbance and collision' risk for birds. Within section 6.4.3 (b), it would be advisable to include disturbance resulting from operational turbines as well as personnel and maintenance in the assessment.

3. Peatland and carbon balance

We note that peat probing carried out as part of the 2012 application indicated that peat is not extensive across the site and is generally less than 0.5 m in depth. However, there are areas of 'Class 1 – Nationally important carbon-rich soils, deep peat and priority peatland habitat' (over 50cm in depth) located within the site boundary (see SNH's carbon and peatland map). In such areas, Scottish Planning Policy states that further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation. In line with Policy 55 of the Highland Wide LDP and national guidance, the EIA Report should show how damage to peat will be avoided and we recommend all infrastructure avoids areas of deep peat greater than 50cm.

RSPB Scotland recommends that a carbon calculation in line with current best practice is undertaken to determine the 'carbon payback period' over the operational life of the development. We recommend that

[2] EC Directive on the Conservation of Wild Birds 79/409/EEC
[3] The Wildlife & Countryside Act 1981 as amended by the Nature Conservation (Scotland) Act 2004
[4] Reference: SNH (2017) *Guidance: Recommended bird survey methods to inform impact assessment of onshore wind farms* (https://www.nature.scot/recommended-bird-survey-methods-inform-impact-assessment-onshore-windfarms)

the carbon calculator is used as early as possible in the planning process, to inform siting and micro-siting of both turbines and tracks and other infrastructure.

4. Post-construction, Mitigation and Habitat Management Plan

The EIA Report should include plans for post-construction monitoring for collision mortality and monitoring for priority species such as breeding raptors and waders.

We note that there is a significant amount of land identified within the site, out with the development area, which may be used for habitat management. We would welcome positive management of land for wildlife, provided the mitigation hierarchy has been followed in the design of any proposal. We request that a detailed Habitat Management Plan (HMP) is prepared as part of the EIA and submitted with any application. In the 2012 application, we commended proposed drain blocking to improve habitat in the long-term which could help reverse the unfavourable status of golden plover on the SPA.

We hope you find these comments helpful. Should you wish to discuss of any of the above please do not hesitate to contact me.

Yours sincerely,

REDACTED

Bea Ayling
Conservation Officer
bea.ayling@rspb.org.uk

A40

Scottish Environment Protection Agency
Buidheann Dìon Àrainneachd na h-Alba

Our ref: PCS/167232
Your ref: ECU00001930

Nicola Soave
Energy Industries Division
5 Atlantic Quay
4th Floor
150 Broomielaw
Glasgow
G2 8LU

If telephoning ask for:
Susan Haslam

20 September 2019

By email only to: Econsents_Admin@gov.scot

Dear Ms Soave

The Electricity Act 1989
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Glencassley Wind Farm
Between River Cassley and Loch Shin near Lairg, Sutherland

Thank you for consulting SEPA on the scoping opinion for the above development proposal by your email received on 21 August 2019.

We would very much welcome the opportunity to provide early advice on the proposed layout and peat management and groundwater dependant terrestrial ecosystem sections of the EIA Report before they are formally submitted.

Advice to the planning authority

We consider that the following key issues must be addressed in the Environmental Impact Assessment process. To **avoid delay and potential objection,** the information outlined below and in the attached appendix must be submitted in support of the application.

a) Map and assessment of all engineering activities in or impacting on the water environment including proposed buffers.

b) Map and assessment of impacts upon Groundwater Dependent Terrestrial Ecosystems and buffers.

c) Peat depth survey and table detailing re-use proposals.

d) Map and site layout of borrow pits.

e) Schedule of mitigation including pollution prevention measures.

f) Decommissioning statement.

Further details on these information requirements and the form in which they must be submitted can be found in the attached appendix. We also provide site specific comments in the following section which can help the developer focus the scope of the assessment.

1. Site specific comments on EIA process and layout proposals

1.1 While we appreciate the history of windfarm development on this site, and the main reasons that the previous application was refused by Scottish Ministers related to wild land we highlight that a significant time has passed since the previous application was originally devised. Policy, guidance and best practice design has moved on considerably in this time and it's important that any new application takes this fully into consideration at an early stage.

1.2 We note that at this stage a Proposed Development Area has been provided, rather than an indicative layout. In relation to this we provide the following early advice.

- We would expect a layout design which minimises the length of access track required to support it, as this is probably the most significant way environmental effects from the project in relation to our interests can be reduced.

- If access is to be taken through the existing Achany and Rosehall windfarms then it needs to be demonstrated that the environmental benefits of doing this out-way the additional length of track required to do so. Previous lay down areas, construction compound sites and borrow pits should all be utilised and the proposed red line boundary amended to allow this.

- There needs to be a clear justification for two access points.

- The northern access to the windfarm, which we note is the same as for the previous application, is now at the very edge of the Proposed Development Area. We would expect the EIA Report to assess alternatives to this, including making use of the existing accesses from near Glencassely Castle.

- There is a clear site pinch-point in the vicinity of the Allt an Rasail. The layout in this area needs to include the standard 50 m buffer to the watercourse and minimise the number of watercourse crossings required. We would encourage the developer to consider changing the site boundary in this area, to ensure that required infrastructure can be sensitively located.

1.3 In this case, where much if not all of the site is on peat, we would expect the application to be supported by a full site-specific Peat Management Plan. We welcome the proposal for the previous peat probing work to be updated to inform the new layout. We would be happy to provide further advice on this once an initial layout has been developed. We also welcome the approach of avoiding deep peat.

1.4 If the 2012 habitat survey information is sent to us we would be happy to provide advice on whether we consider it still fit for purpose and the specific scope of any further assessment in relation to GWDTE.

1.5 To avoid doubt, we would not consider an application with large search areas for potential borrow pits as acceptable. Enough information needs to be collected at the application stage to demonstrate that any areas proposed could provide the required material without unacceptable impacts on the environment. A constraints analysis approach may be useful.

1.6 If there is to be battery storage, please include an indicative layout plan showing the design and scale of the facility, including any bunding requirements. Information should be provided on the environment risks associated with the facility.

1.7 We note the proposal to include an Outline Construction Environmental Management Plan with the submission. Please note that we now advocate a more streamlined approach to such submissions and ask that they take the form of a Schedule of Mitigation (which we note and welcome is already proposed as part of the EIA report) and a series of detailed site specific plans which show all permeant and temporary infrastructure, local sensitivities (such as GWDTE, water bodies and deep peat) and proposed mitigation measures (such as marking of buffer areas, additional drainage requirements).

1.8 We agree that forestry can be scoped out of the assessment.

Regulatory advice for the applicant

2. Regulatory requirements

2.1 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. See the The CAR Practical Guide for advice on water environment regulatory issues. A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from the construction site. See SEPA's Sector Specific Guidance: Construction Sites (WAT-SG-75) for details. Site design may be affected by pollution prevention requirements and hence we strongly encourage the applicant to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office.

2.2 Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.

2.1 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office at: Graesser House, Fodderty Way, Dingwall Business Park, Dingwall, IV15 9XB - Tel: 01349 862021.

Should you wish to discuss this letter please do not hesitate to contact me on REDACTED or planning.dingwall@sepa.org.uk.

Yours sincerely

Susan Haslam
Senior Planning Officer
Planning Service

Ecopy: Murray.West@sse.com

Disclaimer
This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue.

Appendix 1: Detailed scoping requirements

This appendix sets out our scoping information requirements. There may be opportunities to scope out some of the issues below depending on the site. Evidence must be provided in the submission to support why an issue is not relevant for this site in order **to avoid delay and potential objection**.

If there is a delay between scoping and the submission of the application then please refer to our website for our latest information requirements as they are regularly updated; current best practice must be followed.

We would welcome the opportunity to comment on the draft submission. As we can process files of a maximum size of only 25MB the submission must be divided into appropriately named sections of less than 25MB each.

1. Site layout

1.1 All maps must be based on an adequate scale with which to assess the information. This could range from OS 1: 10,000 to a more detailed scale in more sensitive locations. Each of the maps below must detail all proposed upgraded, temporary and permanent site infrastructure. This includes all tracks, excavations, buildings, borrow pits, pipelines, cabling, site compounds, laydown areas, storage areas and any other built elements. Existing built infrastructure must be re-used or upgraded wherever possible. The layout should be designed to minimise the extent of new works on previously undisturbed ground. For example, a layout which makes use of lots of spurs or loops is unlikely to be acceptable. Cabling must be laid in ground already disturbed such as verges. A comparison of the environmental effects of alternative locations of infrastructure elements, such as tracks, may be required.

2. Engineering activities which may have adverse effects on the water environment

2.1 The site layout must be designed to avoid impacts upon the water environment. Where activities such as watercourse crossings, watercourse diversions or other engineering activities in or impacting on the water environment cannot be avoided then the submission must include justification of this and a map showing:

a) All proposed temporary or permanent infrastructure overlain with all lochs and watercourses.

b) A minimum buffer of 50m around each loch or watercourse. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse and drawings of what is proposed in terms of engineering works.

c) Detailed layout of all proposed mitigation including all cut off drains, location, number and size of settlement ponds.

2.2 If water abstractions or dewatering are proposed, a table of volumes and timings of groundwater abstractions and related mitigation measures must be provided.

2.3 Further advice and our best practice guidance are available within the water engineering section of our website. Guidance on the design of water crossings can be found in our Construction of River Crossings Good Practice Guide.

2.4 Refer to Appendix 2 of our Standing Advice for advice on flood risk. Watercourse crossings must be designed to accommodate the 0.5% Annual Exceedance Probability (AEP) flows, or information provided to justify smaller structures. If it is thought that the development

could result in an increased risk of flooding to a nearby receptor then a Flood Risk Assessment must be submitted in support of the planning application. Our Technical flood risk guidance for stakeholders outlines the information we require to be submitted as part of a Flood Risk Assessment. Please also refer to Controlled Activities Regulations (CAR) Flood Risk Standing Advice for Engineering, Discharge and Impoundment Activities.

3. Disturbance and re-use of excavated peat and other carbon rich soils

3.1 Scottish Planning Policy states (Paragraph 205) that "Where peat and other carbon rich soils are present, applicants must assess the likely effects of development on carbon dioxide (CO_2) emissions. Where peatland is drained or otherwise disturbed, there is liable to be a release of CO_2 to the atmosphere. Developments must aim to minimise this release."

3.2 The planning submission must a) demonstrate how the layout has been designed to minimise disturbance of peat and consequential release of CO_2 and b) outline the preventative/mitigation measures to avoid significant drying or oxidation of peat through, for example, the construction of access tracks, drainage channels, cable trenches, or the storage and re-use of excavated peat. There is often less environmental impact from localised temporary storage and reuse rather than movement to large central peat storage areas.

3.3 The submission must include:

a) A detailed map of peat depths (this must be to full depth and follow the survey requirement of the Scottish Government's Guidance on Developments on Peatland - Peatland Survey (2017)) with all the built elements (including peat storage areas) overlain to demonstrate how the development avoids areas of deep peat and other sensitive receptors such as Groundwater Dependent Terrestrial Ecosystems.

b) A table which details the quantities of acrotelmic, catotelmic and amorphous peat which will be excavated for each element and where it will be re-used during reinstatement. Details of the proposed widths and depths of peat to be re-used and how it will be kept wet permanently must be included.

3.4 To avoid delay and potential objection proposals must be in accordance with Guidance on the Assessment of Peat Volumes, Reuse of Excavated Peat and Minimisation of Waste and our Developments on Peat and Off-Site uses of Waste Peat.

3.5 Dependent upon the volumes of peat likely to be encountered and the scale of the development, applicants must consider whether a full Peat Management Plan (as detailed in the above guidance) is required or whether the above information would be best submitted as part of the schedule of mitigation.

3.6 Please note we do not validate carbon balance assessments except where requested to by Scottish Government in exceptional circumstances. Our advice on the minimisation of peat disturbance and peatland restoration may need to be taken into account when you consider such assessments.

4. Disruption to Groundwater Dependent Terrestrial Ecosystems (GWDTE)

4.1 GWDTE are protected under the Water Framework Directive and therefore the layout and design of the development must avoid impact on such areas. The following information must be included in the submission:

a) A map demonstrating that all GWDTE are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the

distances require it.

b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all GWDTE affected.

4.2 Please refer to Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems for further advice and the minimum information we require to be submitted.

5. Existing groundwater abstractions

5.1 Excavations and other construction works can disrupt groundwater flow and impact on existing groundwater abstractions. The submission must include:

a) A map demonstrating that all existing groundwater abstractions are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.

b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all existing groundwater abstractions affected.

5.2 Please refer to Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems for further advice on the minimum information we require to be submitted.

6. Forest removal and forest waste

6.1 Key holing must be used wherever possible as large scale felling can result in large amounts of waste material and in a peak release of nutrients which can affect local water quality. The supporting information should refer to the current Forest Plan if one exists and measures should comply with the Plan where possible.

6.2 Clear felling may be acceptable only in cases where planting took place on deep peat and it is proposed through a Habitat Management Plan to reinstate peat-forming habitats. The submission must include:

a) A map demarcating the areas to be subject to different felling techniques.

b) Photography of general timber condition in each of these areas.

c) A table of approximate volumes of timber which will be removed from site and volumes, sizes of chips or brash and depths that will be re-used on site.

d) A plan showing how and where any timber residues will be re-used for ecological benefit within that area, supported by a Habitat Management Plan. Further guidance on this can be found in Use of Trees Cleared to Facilitate Development on Afforested Land – Joint Guidance from SEPA, SNH and FCS.

7. Borrow pits

7.1 Scottish Planning Policy states (Paragraph 243) that “Borrow pits should only be permitted if there are significant environmental or economic benefits compared to obtaining material from local quarries, they are time-limited; tied to a particular project and appropriate reclamation measures are in place.” The submission must provide sufficient information to

address this policy statement.

7.2 In accordance with Paragraphs 52 to 57 of Planning Advice Note 50 Controlling the Environmental Effects of Surface Mineral Workings (PAN 50) a Site Management Plan should be submitted in support of any application. The following information should also be submitted for each borrow pit:

a) A map showing the location, size, depths and dimensions.

b) A map showing any stocks of rock, overburden, soils and temporary and permanent infrastructure including tracks, buildings, oil storage, pipes and drainage, overlain with all lochs and watercourses to a distance of 250 metres. You need to demonstrate that a site specific proportionate buffer can be achieved. On this map, a site-specific buffer must be drawn around each loch or watercourse proportionate to the depth of excavations and at least 10m from access tracks. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse, drawings of what is proposed in terms of engineering works.

c) You need to provide a justification for the proposed location of borrow pits and evidence of the suitability of the material to be excavated for the proposed use, including any risk of pollution caused by degradation of the rock.

d) A ground investigation report giving existing seasonally highest water table including sections showing the maximum area, depth and profile of working in relation to the water table.

e) A site map showing cut-off drains, silt management devices and settlement lagoons to manage surface water and dewatering discharge. Cut-off drains must be installed to maximise diversion of water from entering quarry works.

f) A site map showing proposed water abstractions with details of the volumes and timings of abstractions.

g) A site map showing the location of pollution prevention measures such as spill kits, oil interceptors, drainage associated with welfare facilities, recycling and bin storage and vehicle washing areas. The drawing notes should include a commitment to check these daily.

h) A site map showing where soils and overburden will be stored including details of the heights and dimensions of each store, how long the material will be stored for and how soils will be kept fit for restoration purposes. Where the development will result in the disturbance of peat or other carbon rich soils then the submission must also include a detailed map of peat depths (this must be to full depth and follow the survey requirement of the Scottish Government's Guidance on Developments on Peatland - Peatland Survey (2017)) with all the built elements and excavation areas overlain so it can clearly be seen how the development minimises disturbance of peat and the consequential release of CO_2.

i) Sections and plans detailing how restoration will be progressed including the phasing, profiles, depths and types of material to be used.

j) Details of how the rock will be processed in order to produce a grade of rock that will not cause siltation problems during its end use on tracks, trenches and other hardstanding.

8. Pollution prevention and environmental management

8.1 One of our key interests in relation to developments is pollution prevention measures during the periods of construction, operation, maintenance, demolition and restoration. A schedule of mitigation supported by the above site specific maps and plans must be submitted. These must include reference to best practice pollution prevention and construction techniques (for example, limiting the maximum area to be stripped of soils at any one time) and regulatory requirements. They should set out the daily responsibilities of ECOWs, how site inspections will be recorded and acted upon and proposals for a planning monitoring enforcement officer. Please refer to Guidance for Pollution Prevention (GPPs).

9. Life extension, repowering and decommissioning

9.1 Proposals for life extension, repowering and/or decommissioning must demonstrate accordance with SEPA Guidance on the life extension and decommissioning of onshore wind farms. Table 1 of the guidance provides a hierarchical framework of environmental impact based upon the principles of sustainable resource use, effective mitigation of environmental risk (including climate change) and optimisation of long term ecological restoration. The submission must demonstrate how the hierarchy of environmental impact has been applied, within the context of latest knowledge and best practice, including justification for not selecting lower impact options when life extension is not proposed.

9.2 The submission needs to demonstrate that there will be no discarding of materials that are likely to be classified as waste as any such proposals would be unacceptable under waste management licensing. Further guidance on this may be found in the document Is it waste - Understanding the definition of waste.

A48

Scottish Forestry
Coilltearachd na h-Alba

Highland & Islands Conservancy
Woodlands
Fodderty Way
Dingwall
Ross-shire
IV15 9XB
Tel: REDACTED
John Risby, Conservator
Email: highland.cons@forestry.gov.scot

2nd of September 2019

Ms Nicola Soave
Energy Consent Unit
Scottish Government

Dear Ms Soave

Thank you for consulting Scottish Forestry on the scoping request for Glencassley Wind Farm (the proposed development), ref: ECU00001930.
Scottish Forestry (SF) is the Scottish Government agency responsible for policy, support and regulation of forestry sector in Scotland. As such SF comments on possible impact of development proposals on forests and woodlands.
The proposed development, as described in Scoping Report (August 2019) and presented on the scoping maps (Figures 1 – 6), is located out-with the afforested area. The above mentioned Scoping Report states, in section 7: Recommended Features to be Scoped Our, point 7.1: Forestry, that "there are no areas of commercial forest within the site itself(…)". The currently proposed extend of proposed development area (as per Figures 1 – 6) is unlikely to impact on nearby forests. However, as mentioned in section 3.5 of the Scoping Report, improvements to the Achany Wind Farm access track might be required in order to make it suitable for the proposed development. If any tree felling is required to allow for such improvements, compensatory planting might be required, as per Scottish Government's Policy on Control of Woodland Removal and corresponding guidance. Please see:

https://forestry.gov.scot/publications/285-the-scottish-government-s-policy-on-control-of-woodland-removal/viewdocument

https://forestry.gov.scot/publications/349-scottish-government-s-policy-on-control-of-woodland-removal-implementation-guidance/viewdocument

SF agrees with the applicant's proposal to exclude forestry from the Environmental Impact Assessment for the proposed development, and has no further comments to make at this stage, however would like to be included in further consultation process.

Please don't hesitate to contact me if you have any questions.

Kind regards

REDACTED

Agata Baranska
Regulations & Development Manager
agata.baranska@forestry.gov.scot

Scottish Natural Heritage
Dualchas Nàdair na h-Alba
nature.scot

Ms Nicola Soave
Energy Consents Unit
The Scottish Government
By Email: Econsents_Admin@gov.scot & Nicola.Soave@gov.scot

23 September 2019
Your ref: ECU 0000 1930
Our Ref: CEA 156612

Dear Ms Soave

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Proposed wind farm development, comprising 26 turbines greater than 150m height to tip - Glencassley 2 Wind Farm, Lairg, Sutherland.

Thank you for your letter dated 21 August 2019, requesting our comments on this scoping opinion.

1. Background

We provide our initial views about this proposal within this Scoping response and look forward to being included in pre-application discussion in due course.

2. Summary

The key issues that should be addressed within the Environmental Impact Assessment (EIA) are as follows;

- The impacts on two Wild Land Areas (WLAs), which are likely to be significant and of national interest. If this is the case, then we are likely to object to this proposal.
- The potential impacts to the Caithness & Sutherland Peatlands Special Protection Area (SPA), Ramsar Site and Special Area of Conservation (SAC).
- Potential impacts to the River Oykel SAC and Grudie Peatlands Site of Special Scientific Interest (SSSI)
- Peatland habitats and protected species

3. Our comments on Scoping

3.1 Wind Land Areas

We provided extensive advice on the previous wind farm development at the same general location as this new proposal. We are therefore surprised to see that this revised proposal remains located within a Wild Land Area. We summarise our previous advice below, as it is highly likely that these impacts will still occur:

"We maintain our objection to Glencassley wind farm due to the significant adverse impacts on wild land, now identified as the Reay-Cassley WLA.

We remain of the view that both Glencassley & Sallachy wind farms, individually and cumulatively, will have significant adverse effects on the wildness attributes of the Reay-Cassley WLA, and that it has not been demonstrated that these can be substantially

overcome by siting, design or other mitigation. We do not consider that these effects can be avoided due to the nature and location of the proposed developments within the WLA. We therefore conclude that neither wind farm complies with the relevant policy tests in Scottish Planning Policy (SPP) for wild land."

Due to siting turbines, particularly of this height, within this sensitive location and the expected significant effects, we would be eager to meet SSE to help explore alternatives or discuss other solutions to reduce adverse impacts. If this scheme progresses at this location, we will be particularly looking to see how SSE addresses the impacts which we previously identified and any new impacts that are likely to arise. These are likely to include, but may not be limited to:

- The degree to which the proposal affects the wild qualities identified for Reay – Cassley WLA.
- The degree to which turbine lighting (due to turbine height) is to be required, which is likely to affect the wild land qualities of two different Wild Land Areas (Reay - Cassley and Foinaven - Ben Hee).
- The cumulative effects from this and other wind farms on these Wild Land Areas.

In order to provide the above information to consultees and decision makers, we recommend that the applicant should undertake an assessment of effects on wild land using the 2017 consultative draft guidance as a starting point. Due to this evolving area of work we strongly advise that the landscape consultant should discuss the scope of the wild land assessment with us at an early stage. In due course, we request hard copies of any visuals that may be contained within the wild land assessments as part of the EIA submission.

We acknowledge turbine lighting may be required for these large scale turbines.
Turbine lighting has the potential to result in significant effects on the appreciation of key attributes of this WLA such as; remoteness, sense of sanctuary and solitude which under-pin how the qualities are experienced. Darkness is a key contributing characteristic to the appreciation of WLAs.

In this regard, we recommend that the effects of lighting on both WLAs should be carefully assessed and that mitigation is employed to reduce impacts. We recommend that an LVIA-related lighting assessment should be incorporated within the EIA Report and include:

- Clear information on the positions and intensity of lighting proposed and, if only certain turbines are to be lit (e.g. due to a mix of turbine heights), a plan showing which specific turbines would be lit. A table which lists how many lit turbines will be visible from each viewpoint.
- Production of a ZTV map which shows the areas from which the nacelle and tower lights may be seen.
- Night-time visualisations from a limited number (we suggest two or three) of representative viewpoints within WLA 35 and 37 (other consultees may wish to include other locations outwith WLAs).
- Annotation of the positions of turbine lighting (including intermediate tower lights) on all wirelines from every viewpoint.
- Written assessment based on fieldwork for all viewpoints in a worst case scenario.

3.2 Protected Areas
This proposal abuts a component part of the Caithness & Sutherland Peatlands SPA, Ramsar Site and SAC protected for its upland birds, peatland habitats and otter.

In addition, this proposal is hydrologically connected to the River Oykel SAC protected for its Atlantic salmon and freshwater pearl mussel.

a) *Caithness & Sutherland Peatlands SPA & Ramsar Site*
As this proposal abuts these protected areas, there is a high risk that this development could impact on a range of upland birds connected to the SPA (within and outwith the site), such as; divers, golden plover and greenshank, etc. Issues such as; displacement, disturbance and collision risk should be assessed for all stages of the development.

We note that part of the development is not visible, as indicated in the vantage point (VP) and view-shed map (in proximity to VP's 3 & 5). We therefore assume that turbines are not proposed in this location as impacts to SPA birds will not have been adequately assessed. Clarification of the turbine layout would help to determine whether bird survey coverage is going to be considered sufficient.

As divers use some of the lochs close to the proposal, VP survey work should be undertaken at a time of day which will maximise flight data to gauge what level of impact, if any, that this proposal might have. If divers are found to be breeding on these lochs then focal diver observations may be required. Assessments should be carried out in context to the Conservation Objectives of this SPA (e.g. see https://apps.snh.gov.uk/sitelink-api/v1/sites/8476/documents/29).

To assess cumulative impacts, please see our updated guidance *"Assessing the cumulative impacts of onshore wind farms on birds (August 2018)",* which can be found at https://www.nature.scot/guidance-assessing-cumulative-impacts-onshore-wind-farms-birds.

b) River Oykel SAC
This SAC is a very sensitive receptor, and it is hydrologically connected through multiple watercourses throughout the wind farm site. Therefore, it will be important to show how effective pollution (including silt) control measures will be to ensure that good water quality conditions can be maintained during construction in all weather conditions. Impacts to this protected area should be assessed against the sites Conservation Objectives, see; https://apps.snh.gov.uk/sitelink-api/v1/sites/8363/documents/29.

c) Sites of Special Scientific Interest (SSSIs)
In context to this new development boundary, it may be possible to scope out Strath an Loin SSSI, which is 2km to the north. This protected area is important for its bog habitat only and at this distance it is unlikely to be adversely affected[1]. However, should this proposal change, this may need to be re-evaluated.

The proposal abuts Grudie Peatlands SSSI, which is protected for its nationally important bog habitat and breeding populations of upland birds, including; golden plover, dunlin & greenshank. Impacts on all these features should be assessed within the EIA Report. See our comments in 3.2 below regarding assessing impacts to bog habitat of protected areas, even if these works are outwith the boundary of the site.

3.3 Carbon rich soils, deep peat and priority peatland habitat
Scottish Planning Policy (SPP) identifies "carbon rich soils, deep peat and priority peatland habitat" as a nationally important interest. SPP also identifies that further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation.

We note that within the 2012 application for this development, all habitats recorded were considered of local importance. SPP (2014), cited above, indicates that this may no longer be the case.

[1] This does not include birds or otters which may still be linked to the Caithness & Sutherland Peatlands SPA or SAC.

Carbon rich and peat soils, together with peatland habitats, extend over large areas of this site, including the area currently proposed for development. We therefore advise that SSE needs to demonstrate through the EIA Report and draft Construction Method Statement that a wind farm can be built on this site without significant loss and damage to these nationally important interests.

The EIA Report should consider both on-site and off-site impacts, particularly any potential effects on the adjacent Caithness and Sutherland Peatlands SAC and the downstream River Oykel SAC. This should include consideration of areas of hydrological and peat mass connectivity between the development area and protected areas. A revised Peat Slide Hazard and Risk Assessment should also consider any potential risks and impacts to both SAC sites and how these can be mitigated. We would welcome the inclusion of an outline Habitat Management Plan within the EIA Report, which could include measures to compensate for direct and/or indirect loss of peatland habitat and function.

Guidance on *nationally important peatland*, and other related issues can be found on our website, see; https://www.nature.scot/professional-advice/planning-and-development/renewable-energy-development/types-renewable-technologies/onshore-wind-energy/general-advice-wind-farm.

3.4 Protected species and deer
We acknowledge that a full protected species survey will be undertaken to facilitate a thorough and accurate assessment for the EIA Report. Impacts to otters and their resting places should be assessed in context to the Caithness & Sutherland Peatlands SAC in the first instance.

For information on survey methods, species protection plans and licencing please see our website: https://www.nature.scot/professional-advice/planning-and-development/natural-heritage-advice-planners-and-developers/planning-and-development-protected-animals.

We recommend that a Deer Assessment is included within the EIA Report. This will help show whether there will be any effect (e.g. on bog protected areas) from the local deer population during construction works, etc. For more information, see: https://www.nature.scot/guidance-planning-and-development-what-consider-and-include-deer-assessment-and-management.

4. Concluding comments
We have produced some useful generic pre-application/scoping advice which can be found on our website, see; https://www.nature.scot/sites/default/files/2018-02/SNH%20General%20pre-application%20and%20scoping%20advice%20%20to%20developers%20of%20onshore%20wind%20farms.pdf.Let me know if you need any further information from us on this proposal.

Yours sincerely

David Patterson
Operations Officer

Northern Isles & North Highland

David.patterson@nature.scot

23rd August 2019

Energy Consents Unit
5 Atlantic Quay 150 Broomielaw
Glasgow
G2 8LU

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - REDACTED
E-Mail -
DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk

Dear Nicola Soave

IV27 SUTHERLAND LAIRG GLENCASSLEY WIND FARM
PLANNING APPLICATION NUMBER: ECU00001930
OUR REFERENCE: 781616
PROPOSAL: Wind Farm (Generating station of >50 < 100 MW Capacity)

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water

- There is currently sufficient capacity in the **Savalbeg** Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Foul

- Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Drinking Water Protected Areas

A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will **not** accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification taking account of various factors including legal, physical, and technical challenges. However it may still be deemed that a combined connection will not be accepted. Greenfield sites will not be considered and a connection to the combined network will be refused.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is proposed, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- **Scottish Water asset plans can be obtained from our appointed asset plan providers:**

  Site Investigation Services (UK) Ltd
  Tel: REDACTED
  Email: sw@sisplan.co.uk
  www.sisplan.co.uk

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.

- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.

- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

- **Please find all of our application forms on our website at the following link https://www.scottishwater.co.uk/Business-and-Developers/Connecting-to-Our-Network**

Next Steps:

- **Single Property/Less than 10 dwellings**

  For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

- **10 or more domestic dwellings:**

  For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

  Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

- **Non Domestic/Commercial Property:**
  Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

- **Trade Effluent Discharge from Non Dom Property:**
  Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.
  If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to

discharge to the sewerage system. The forms and application guidance notes can be found using the following link https://www.scottishwater.co.uk/business/our-services/compliance/trade-effluent/trade-effluent-documents/trade-effluent-notice-form-h
Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on REDACTED or at planningconsultations@scottishwater.co.uk.

Yours sincerely

Laura Bunton
Development Operations Technical Analyst
Laura.Bunton2@scottishwater.co.uk

A57

Development Management and Strategic Road Safety
Roads Directorate

Buchanan House, 58 Port Dundas Road, Glasgow G4 0HF
Direct Line: REDACTED , Fax: REDACTED
gerard.mcphillips@transport.gov.scot

TRANSPORT SCOTLAND
CÒMHDHAIL ALBA

Nicola Soave
Energy Consents Unit
The Scottish Government
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Econsents_Admin@gov.scot

Your ref:
ECU00001930

Our ref:
TS00538

Date:
11/09/2019

Dear Sirs,

ELECTRICITY ACT 1989

THE ELECTRICITY (APPLICATIONS FOR CONSENT) REGULATIONS 2017

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36

APPLICATION FOR – GLENCASSLEY WIND FARM PROPOSAL, LAIRG, SUTHERLAND

With reference to your recent correspondence on the above development, we acknowledge receipt of the Scoping Report prepared by ASH in support of the above development.

This information has been passed to SYSTRA Limited for review in their capacity as Term Consultants to Transport Scotland – Roads Directorate. Based on the review undertaken, we would provide the following comments.

Proposed Development

The development comprises 26 turbines with a tip height of 'greater than 150m', delivering an installed capacity in excess of 50MW. The site is located on the Glencassley and Glenrossal Estates near Lairg, in Sutherland. The nearest trunk road to the site is the A9(T) which lies approximately 35km to the east. Access to the site will be via the A839 which forms part of the local road network and, as such, Transport Scotland has no comment to make on the access point itself.

Assessment of Environmental Impacts

Chapter 6.7 of the Scoping Report deals with Access, Traffic and Transport. This indicates that the potential impacts of construction related traffic will be considered, and that this will include the likely number of construction traffic movements and the capacity of local roads to accommodate delivery of turbine components and materials.

Transport Scotland would request that potential trunk road related environmental impacts such as driver delay, pedestrian amenity, severance, safety etc be considered and assessed where appropriate (i.e. where Institute of Environmental Management and Assessment Guidelines for further assessment are breached). These specify that road links should be taken forward for assessment if:

- Traffic flows will increase by more than 30%, or
- The number of HGVs will increase by more than 30%, or
- Traffic flows will increase by 10% or more in sensitive areas.

In the case of the EIA report, the methods adopted to assess the likely traffic and transportation impacts on traffics flows and transportation infrastructure, should comprise:

- Determination of the baseline traffic and transportation conditions, and the sensitivity of the site and existence of any receptors likely to be affected in proximity of the trunk road network;
- Review of the development proposals to determine the predicted construction and operational requirements; and
- Assessment of the significance of predicted impacts from these transport requirements, taking into account impact magnitude (before and after mitigation) and baseline environmental sensitivity.

Where significant changes in traffic are not noted for any link, no further assessment needs to be undertaken. Where environmental impacts have been fully investigated but found to be of little or no significance, it is sufficient to validate that part of the assessment by stating in the report:

- The work that has been undertaken e.g. Transportation/ Noise / Air Quality Assessments etc;
- What this has shown i.e. what impact if any has been identified; and
- Why it is not significant.

It is not necessary to include all the information gathered during the assessment of these impacts although this information should be available if requested.

It is noted that any impacts associated with the operational and decommissioning phases of the development are to be scoped out of the EIA. We consider this to be acceptable in this instance.

Abnormal Load Assessment

Transport Scotland will require to be satisfied that the size of turbines proposed can negotiate the selected route and that their transportation will not have any detrimental effect on structures within the trunk road route path. A full Abnormal Loads Assessment report should be provided with the Environmental Impact Assessment Report (EIAR) that identifies key pinch points on the trunk road network. Swept path analysis should be undertaken and details provided with regard to any required changes to street furniture or structures along the route.

I trust that the above is satisfactory and should you wish to discuss any issues raised in greater detail, please do not hesitate to contact Alan DeVenny at SYSTRA's Glasgow Office on REDACTED .

Yours faithfully

REDACTED

Gerard McPhillips

Transport Scotland
Roads Directorate

cc Alan DeVenny – SYSTRA Ltd.

06 September 2019

Nicola Soave - Senior case worker
Energy Industries Division
Directorate for Energy and Climate Change
5 Atlantic Quay
150 Broomielaw
4th Floor
Glasgow
G2 8LU

Dear Ms Soave,

Glencassley Wind Farm, Sutherland

Thank you for giving VisitScotland the opportunity to comment on the above wind farm development.

Our response focuses on the crucial importance of tourism to Scotland's local and national economy, and of the natural landscape for visitors.

Background Information

VisitScotland, as Scotland's National Tourism Organisation, has a strategic role to develop Scottish tourism in order to get the maximum economic benefit for the country. It exists to support the development of the tourism industry in Scotland and to market Scotland as a quality destination.

While VisitScotland understands and appreciates the importance of renewable energy, tourism is crucial to Scotland's economic and cultural well-being. It sustains a great diversity of businesses throughout the country. According to a recent independent report by Deloitte, tourism generates £11 billion for the economy and employs over 200,000 - 9% of the Scottish workforce. Tourism provides jobs in the private sector and stimulates the regeneration of urban and rural areas.

One of the Scottish Government and VisitScotland's key ambitions is to grow tourism revenues and make Scotland one of the world's foremost tourist destinations. This ambition is now common currency in both public and private sectors in Scotland, and the expectations of businesses on the ground have been raised as to how they might contribute to and benefit from such growth.

Importance of scenery to tourism

Scenery and the natural environment have become the two most important factors for visitors in recent years when choosing a holiday location.

The importance of this element to tourism in Scotland cannot be underestimated. The character and visual amenity value of Scotland's landscapes is a key driver of our tourism product: a large majority of visitors to Scotland come because of the landscape, scenery and the wider environment, which supports important visitor activities such as walking, cycling wildlife watching and visiting historic sites.

The VisitScotland Visitor Experience Survey (2015/16) confirms the basis of this argument with its ranking of the key factors influencing visitors when choosing Scotland as a holiday location. In this study, over half of visitors rated scenery and the natural environment as the main reason for visiting Scotland. Full details of the Visitor Experience Survey can be found on the organisation's corporate website, here:
http://www.visitscotland.org/pdf/Revised%20Oct%2012%20%20Insights%20Wind%20Farm%20Topic%20Paper.pdf

Taking tourism considerations into account

We would suggest that full consideration is also given to the Scottish Government's 2008 research on the impact of wind farms on tourism. In its report, you can find recommendations for planning authorities which could help to minimise any negative effects of wind farms on the tourism industry. The report also highlights a request, as part of the planning process, to provide a tourism impact statement as part of the Environmental Impact Analysis. Planning authorities should also consider the following factors to ensure that any adverse local impacts on tourism are minimised:

- The number of tourists travelling past en route elsewhere
- The views from accommodation in the area
- The relative scale of tourism impact i.e. local and national
- The potential positives associated with the development
- The views of tourist organisations, i.e. local tourist businesses or VisitScotland

The full study can be found at www.scotland.gov.uk/Publications/2008/03/07113507/1

Conclusion

Given the aforementioned importance of Scottish tourism to the economy, and of Scotland's landscape in attracting visitors to Scotland, VisitScotland would strongly recommend any potential detrimental impact of the proposed development on tourism - whether visually, environmentally and economically - be identified and considered in full. This includes when taking decisions over turbine height and number.

VisitScotland strongly agrees with the advice of the Scottish Government –the importance of tourism impact statements should not be diminished, and that, for each site considered, an independent tourism impact assessment should be carried out. This assessment should be geographically sensitive and should consider the potential impact on any tourism offerings in the vicinity.

VisitScotland would also urge consideration of the specific concerns raised above relating to the impact any perceived proliferation of developments may have on the local tourism industry, and therefore the local economy.

We hope this response is helpful to you.

Yours sincerely
REDACTED

Douglas Keith
Government & Parliamentary Affairs
VisitScotland