The Scottish Government

Energy Consents Unit

Scoping Opinion of behalf of Scottish Ministers under Part 4 of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

SSE Generation Ltd (SSEG)

Cloiche Wind farm

18 December 2018

Contents

Annexes

1. Introduction

This Scoping Opinion is issued on behalf of the Scottish Ministers to SSE Generation Ltd (a company registered 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 Applicant") in response to its request dated 27 August 2018 for a Scoping Opinion under The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, relating to the proposed Cloiche wind farm. The request was accompanied by a scoping report. This request was submitted by the developer, SSE Renewables Developments (UK) Limited (SSE Renewables) on behalf of the Applicant and was accompanied by a scoping report.

Cloiche wind farm proposal ("the proposed development")

The proposed Cloiche wind farm would be located on the Glendoe and Garrogie Estates adjacent to Stronelairg wind farm (currently under construction) and the operational 100 MW Glendoe Hydroelectric Scheme-, and approximately 11 kilometres (km) to the south-east of Fort Augustus.

The relevant planning authority will be The Highland Council.

The proposal is for up to 40 turbines with blade tip heights of up to 175 metres.

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

- On-site substation;
- Interconnecting cables between the wind turbines;
- Access tracks;
- Temporary construction compound;
- Wind turbine associated hardstandings;

2. 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 Natural Heritage, the Scottish Environment Protection Agency and Historic Environment Scotland, all as statutory consultation bodies; and with other bodies which Scottish Ministers consider likely to have an interest in the proposed development by reason of their specific environmental responsibilities or local and regional competencies.

A list of the bodies consulted and their responses (where a response was received) can be found at **Annex A** to this opinion.

Scottish Ministers adopt this Scoping Opinion having taken into account the information provided by the applicant in its request dated 27 August 2018 in respect of the specific characteristics of the proposed development and representations received in response 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.

This Scoping Opinion is based on information contained in the applicant's written request for a Scoping Opinion and information available at today's date. 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 any Environmental Impact Assessment (EIA) report submitted in connection with its application for section 36 consent for the Cloiche wind farm proposed development.

Nothing in this Scoping Opinion will 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 is sought from Scottish Ministers in the event that no application has been submitted within 12 months of the date of this Opinion.

3. Consultation

Prior to the scoping report being sent out for consultation, a list of consultees was agreed by SSE Generation Ltd and the Energy Consents Unit. For a list of respondents and copies of their responses, see **Annex A**. Each should be read in full for detailed requirements from individual consultees and for comprehensive guidance, advice and, where appropriate, templates for preparation of the EIA report.

Unless stated to the contrary in this Scoping Opinion, Scottish Ministers expect the EIA report to include all matters raised by the consultees

The Scottish Ministers are satisfied that the requirements for consultation set out in the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 have been met.

All consultation responses received are contained in **Annex A** of this Scoping Opinion.

With regards to those consultees who did not respond, it is assumed that they have no comment to make on the scoping report.

4. Site specific issues of interest to the Scottish Ministers

In addition to specific comments from key consultees below, the Scottish Ministers expect the EIA report which will accompany any application for the proposed development to include full details showing that **all the advice**, **guidance, concerns and requirements raised by each consultee** in the correspondence attached at **Annex A** to this opinion, have been addressed.

The Highland Council (THC)

The Highland Council (THC) indicate their disappointment that the project has vague and wide parameters. As such they indicate that their response is precautionary and based on a "worst case scenario" of 40 turbines at a tip height of 175 metres. THC advise that this would be the largest turbine by far used for development on land in the highlands.

Scottish Natural Heritage (SNH)

SNH advise that the Scoping Report includes all topics that they consider are needed to be covered in the EIA. SNH advise that they are looking for early engagement and will work with the applicant over the coming months to ensure any application contains sufficient detail to enable them to assess the impacts on nature.

The Scottish Ministers note that there are conflicting views about viewpoints between SNH and RSPB. Scottish Ministers therefore request that the Applicant considers all referenced viewpoints mentioned within consultee responses and agree the final list of viewpoints with The Highland Council and Scottish Natural Heritage.

Private Water Supplies

Scottish Ministers also request that the Developer investigates the presence of any private water supplies which may be impacted by the development. The EIA Report should include details of any supplies identified by this investigation, and if any supplies are identified, the Company should provide an assessment of the potential impacts, risks, and any mitigation which would be provided

EIA Directive

The application will be assessed against the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations. These include a requirement to consider impacts on biodiversity and on population and human health. Scottish Ministers would ask that you address these matters in your environmental impact assessment. One area that you may wish to consider is how traffic and transport impacts (for example noise and vibration) might impact upon human receptors

Peat

It is important to ensure any energy generation proposal on peat does not result in an unacceptable degradation of peat stability or increase peat landslide risk, and does not give rise to any pollution effect on nearby watercourses. Furthermore Ministers will require to understand the potential for risk to population, human health and public safety where paths, roadways or properties could be impacted by landslides. Scottish Ministers consider that on sites such as Cloiche where there is a demonstrable requirement for peat landslide hazard and risk assessment, the assessment should be undertaken as part of the EIA process to provide Ministers with a clear understanding of whether the risks are acceptable and capable of being controlled by mitigation measures. The Peat Landslide Hazard and Risk Assessments: Best Practice Guide for Proposed Electricity Generation Developments (Second Edition), published at http://www.gov.scot/Publications/2017/04/8868, should be followed in the preparation of the EIA report, which should contain such an assessment and details of mitigation measures."

5. Mitigation Measures

The Scottish Ministers are required to make a reasoned conclusion on the significant effects of the development on the environment as identified in the environmental impact assessment. 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 of all mitigation measures proposed in the environmental assessment report, provided in tabular form, where that mitigation is relied upon in relation to reported conclusions of likelihood or significance of impacts.

6. Process Going Forward

It is acknowledged that the environmental impact assessment process is iterative and should inform the final layout and design of proposed developments. Scottish Ministers note that further engagement between relevant parties in relation to the refinement of the design

of this proposed development will be required, and would request that they are kept informed of on-going discussions in relation to this.

All applicants are encouraged to engage with officials at the Scottish Government's Energy Consents Unit before proposals reach design freeze. This will afford an opportunity for additional comments to be provided on the final proposals at pre- application stage.

Applicants are reminded that there will be limited opportunity to materially vary the form and content of the proposed development post submission.

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, when submitted, should be accompanied with a CD containing the EIA Report and its associated documentation divided into appropriately named separate files of sizes no more than 10 MB. This will also assist statutory consultees like SNH and other consultees.

ANNEX A

CONSULTATION

BAA Aerodrome Safeguarding (Aberdeen)
BT
Cairngorms National Park Authority (CNPA)
Forestry Commission
Fort Augustus and Glenmoriston Community Council
Highlands and Islands Airport
Historic Environment Scotland (HES)
John Muir Trust
JRC
Marine Scotland
MOD
Mountaineering Council of Scotland
NATS Safeguarding
RSPB (Scotland)
Scottish Environment Protection Agency (SEPA)
Scottish Natural Heritage (SNH)
Scottish Water
Scotways
Stratherrick and Foyers Community Council
The Highland Council
Transport Scotland
Visit Scotland

HISTORIC ENVIRONMENT SCOTLAND | ÀRAINNEACHD EACHDRAIDHEIL ALBA

By email to: econsents_admin@gov.scot

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

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

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

Our ref: AMN/16/H
Our case ID: 300031607
Your ref: ECU00000664

18 October 2018

Dear Mr Young

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Proposed Section 36 application for Cloiche Wind Farm, Highland
Scoping Report

Thank you for your consultation which we received on 27 September 2018 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 (GDLs), 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 development comprises up to 40 wind turbines up to 175m maximum blade tip height, plus associated ancillary infrastructure including access tracks, interconnecting cable network, an on-site substation and temporary construction compounds.

Scope of assessment
Potential direct physical impacts
I can confirm that there are no scheduled monuments, category A listed buildings, Inventory battlefields, gardens and designed landscapes or World Heritage Sites within the proposed development boundary.

Potential setting impacts

There are a number of heritage assets within our remit in the vicinity of the development whose settings have the potential to be adversely impacted by it. The annex to this letter gives details of a number of assets which appear likely to experience impacts. This list should not be treated as exhaustive, and is only intended as a reference to those assets which at this stage appear most likely to be impacted.

Potential cumulative impacts

There are a number of other existing, consented and proposed wind farms in both the immediate vicinity of the proposals and in the surrounding area. We would recommend that the potential cumulative impacts of the proposed development in combination with other developments in the vicinity be assessed, particularly in light of the differing turbine heights between the existing and consented schemes and the proposed development. This should assess the incremental impact or change when the proposed development is combined with other present and reasonably foreseeable developments.

Scoping report

We welcome that cultural heritage effects are scoped in to the assessment, however we also note the very limited information provided in section 6.6 of the report. We welcome that the operational effects of the proposal on the setting of cultural heritage assets will be assessed and that a ZTV analysis will be used to identify assets for assessment. We strongly recommend that our Managing Change Guidance Note on Setting is used to inform setting assessments and further information on good practice in cultural heritage assessment can be found in Appendix 1 of the EIA Handbook

Further information

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes. 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 Victoria Clements and they can be contacted by phone on 0131 668 8730 or by email on Victoria.Clements@hes.scot.

Yours sincerely

Historic Environment Scotland

Annex

The following designated historic environment assets are in the vicinity of the development, and have the potential to be impacted by it. This list is not considered to be exhaustive, and we would recommend that a wider search is undertaken of the surrounding area for potential impacts in the first instance. It is important to note that some assets have settings that are particularly sensitive to impacts, and the likely sensitivity of the setting should be used to help determine which sites are assessed in more detail in the Environmental Impact Assessment Report.

We recommend that a ZTV is used to identify potential setting impacts in the first instance. However, we would note that even where a ZTV indicates that no intervisibility would be possible from any such assets identified, the potential may remain for turbines to appear in the background of key views towards these assets, and this should be considered as part of the assessment.

Scheduled Monuments

- Corrieyairack Pass, military road scheduled monuments (SM 6128, 6129, 6140, 6141, 6142)
- Dun-da-Lamh, fort (SM 4631)

Category A Listed Buildings

- Garvamore, Garva Barracks (LB 6899)
- Garvamore, Garva Bridge over River Spey (LB 6900)

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.

Historic Environment Scotland
18 October 2018

ABERDEEN INTERNATIONAL AIRPORT

Melrose J (Joyce)

From: #ABZ Safeguarding <abzsafeguard@aiairport.com>
Sent: 12 October 2018 12:00
To: Young T (Tony)
Subject: RE: Cloiche Wind farm proposal - ECU00000664

This proposal is located outwith our consultation zone. We therefore have no comment to make and need not be consulted further.

Regards
Kirsteen

Kirsteen MacDonald
Safeguarding Manager

Aberdeen International Airport
Dyce, Aberdeen AB21 7DU

t: +44 (0)7808 115 881
w: aberdeenairport.com t: twitter.com/abz_airport

Redacted

THE ELECTRICITY ACT 1989 SECTION 36

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

Melrose J (Joyce)

From: REDACTED
Sent: 28 September 2018 10:12
To: Young T (Tony); Econsents Admin
Cc: REDACTED
Subject: RE: Cloiche Wind farm proposal - ECU00000664

OUR REF: WID10851

Thank you for your email dated 27/09/2018 regarding this windfarm proposal.

We have studied your windfarm proposal with respect to EMC and related problems to BT point-to-point microwave radio links, I am aware this is at early stages of development but you have not provided any grid references for each of the 40 turbine locations or a more accurate area of the windfarm with associated grid references so I have pre-determined from the location map you provided an area using co-ordinates E250000 N790000 ; E250000 N800000 ; E270000 N800000 ; E270000 N790000 .

The conclusion is that the windfarm proposed will cause interference to BT's current and presently planned radio network, from the analysis results below and the radio network map it clearly shows that 8 x fixed radio links will be affected.

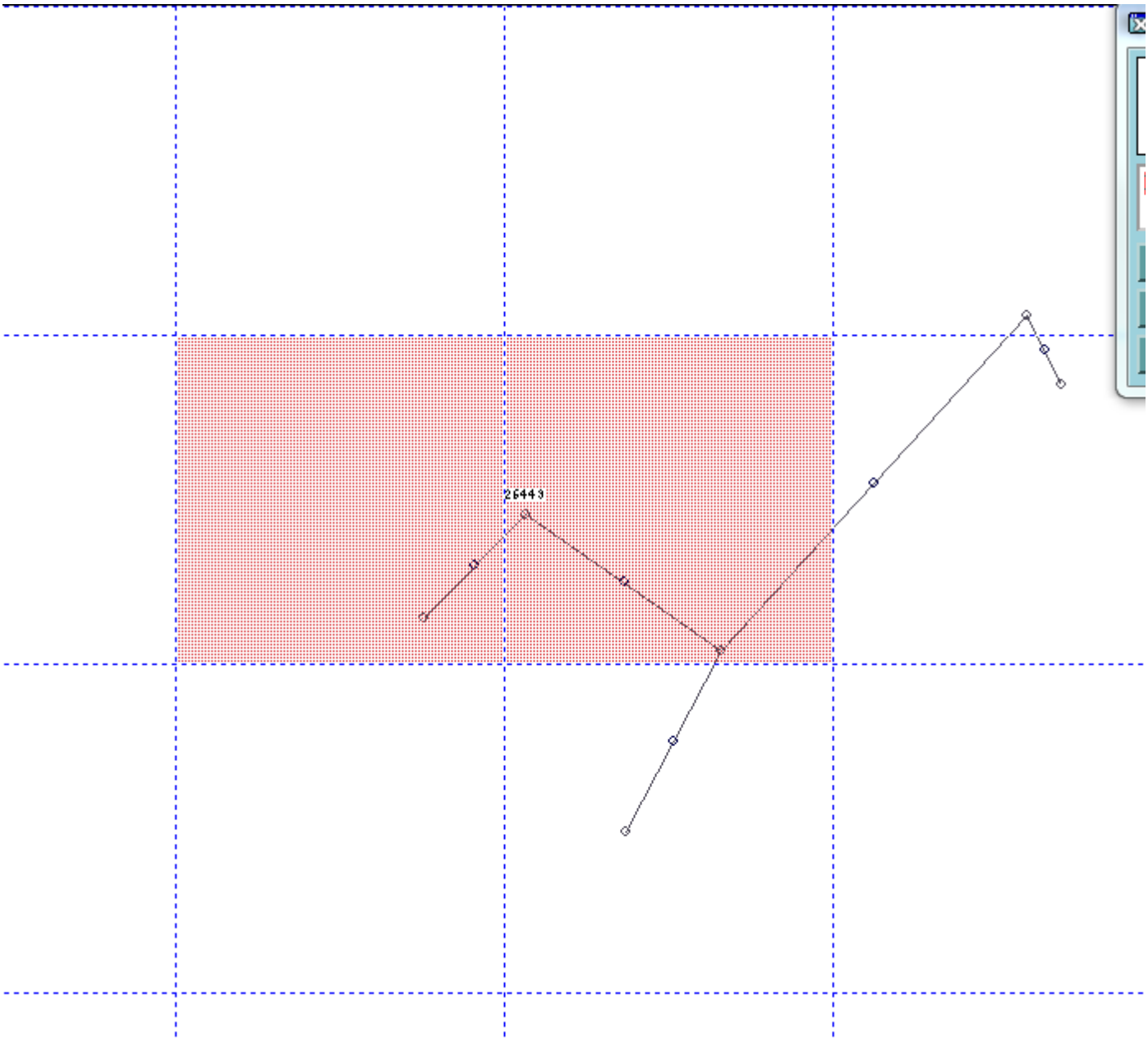
Our position is therefore, we would object to future development of this Windfarm, if it strongly interfered with the existing BT radio links.
BT require ideally 100m minimum clearance from the Blade tip to the link path.

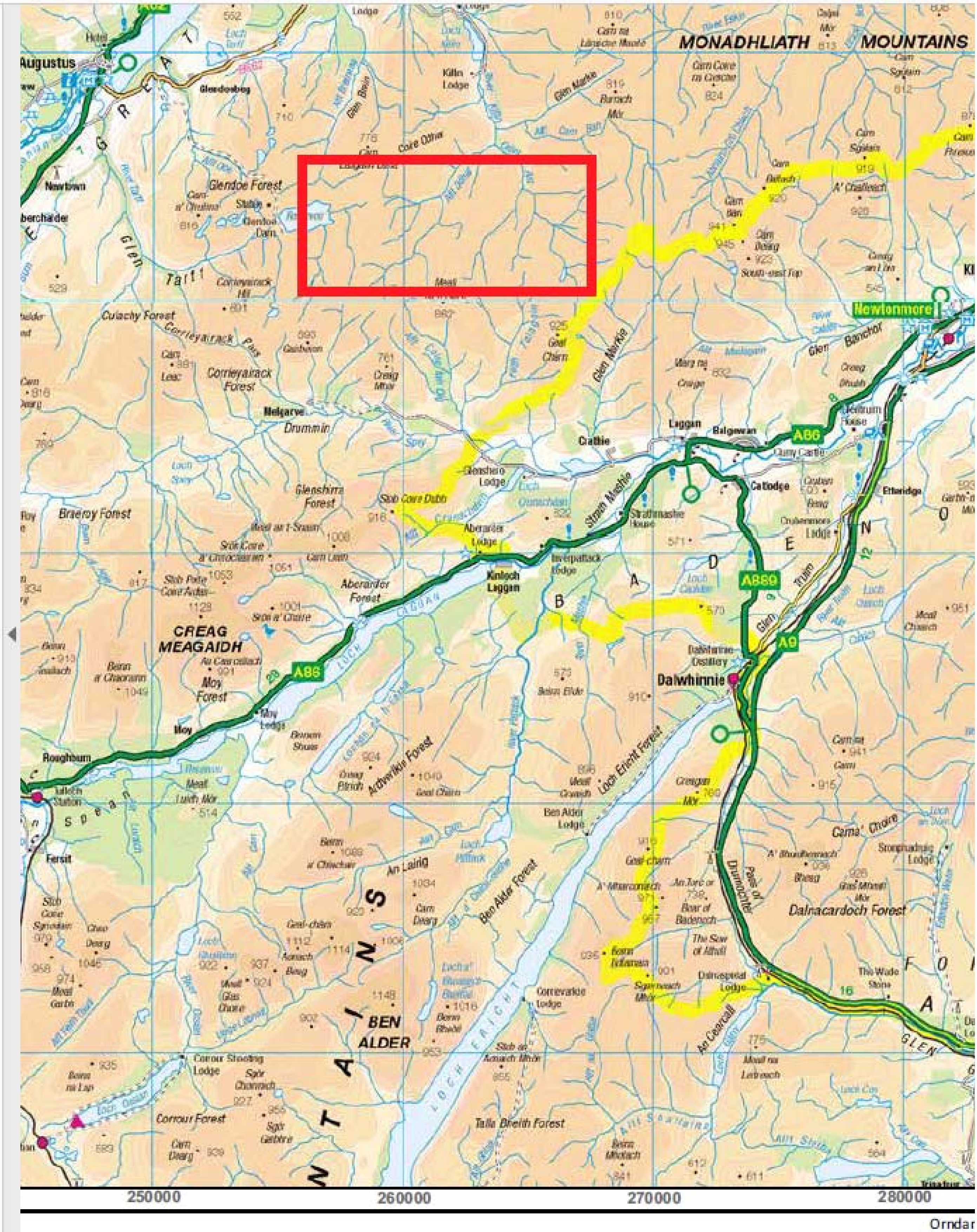
Kind Regards,
REDACTED

Web: www.openreach.co.uk
PLEASE ALWAYS RESPOND TO radionetworkprotection@bt.com

F F WID10851 26443

Tx Name	Tx NGR	Rx Name
*DALWHINNIE TE	NN6372084900	CRUBENMORE RS S0
*KINGUSSIE TE	NH7590000600	CRUBENMORE RS S0
*KINGUSSIE TE	NH7590000600	CRUBENMORE RS S0
*KINGUSSIE TE	NH7590000600	CRUBENMORE RS S0
*KINGUSSIE TE	NH7590000600	CRUBENMORE RS S0
*LAGGAN TE REMOTE POLE	NN6065094570	CRUBENMORE RS S0
*LAGGAN TE REMOTE POLE	NN6065094570	CRUBENMORE RS S0
*LAGGAN TE REMOTE POLE	NN6065094570	INVERPATTACK STRATHMA




Augustus
MONADHLIATH
MOUNTAINS
Newtown
Glendoe Forest
Culachy Forest
Corrieyairack Pass
Corrieyairack Forest
Melgarve
Drummin
Braeroy Forest
Glenshirra Forest
Aberarder Forest
CREAG MEAGAIDH
Moy Forest
Moy
Roughburn
Fersit
A86
Kinloch Laggan
Laggan
Balgowan
Crathie
Catlodge
Newtonmore
A889
A9
Dalwhinnie
Loch Ericht Forest
Ben Alder Lodge
Ardverikie Forest
Ben Alder Forest
BEN ALDER
Corrour Forest
Talla Bheith Forest
Dalnacardoch Forest
Pass of Drumochter
250000
260000
270000
280000

Melrose J (Joyce)

From: REDACTED >
Sent: 25 October 2018 15:09
To: Econsents Admin; Young T (Tony)
Cc: REDACTED

Subject: Cloiche wind farm - scoping response our reference PRE/2018/0029

Dear Tony

Thank you for your recent consultation on the above scoping report and for agreeing to a time extension for response. The scoping report generally covers the main issues we would expect to be covered.

Background

By way of background we have an agreement with SNH to avoid duplication when dealing with casework relating to the National Parks. This gives SNH the lead role for considering impacts on the National Park designation of proposals outside the Park, with the CNPA supporting. It sets out that National Park Authorities and SNH, with others, share a responsibility for delivering National Park Partnership Plans and safeguarding the integrity of the National Parks and their special qualities. The agreement is available here casework agreement Against this background our landscape advisors have input to the advice already provided by SNH and we would seek to simply summarise some additional points here. Also we would highlight that in relation to background/process when we are consulted formally on any application for Section 36 consent we will require to report this to our Planning Committee to agree our response.

Assessment of effects on Special Landscape Qualities of Cairngorms National Park

This proposal is for the erection of up to 40 wind turbines of height 175 metres to tip with associated access tracks and infrastructure, located on either side (east and west) of the recently constructed Stronlarig wind farm in the Monadhliaths, and utilizing the access for this wind farm and Glendoe. The easternmost part of the development will lie within around 1 km of the boundary with the Cairngorms National Park. As noted by SNH sufficient information will therefore require to be submitted for the effects (including cumulative effects) upon the special landscape qualities of the National Park to be fully assessed –i.e. a specific assessment of the effects on the special landscape qualities of the National Park The issue of cumulative effects is of particular importance given the proximity to Stronelarig and also the case currently with the Energy Consents Unit for a wind farm at Glenshero to the south. (This application has been submitted since the Cloich scoping report was written)

We are working with SNH on guidance on assessing the effects on the special landscape qualities and as noted by SNH work to date can be shared with the landscape consultants. We can also provide examples of how this has been approached with other cases.

Planning Policy

We would take this opportunity to highlight that the National Park Partnership Plan 2017-2022 (NPPP) will be a material consideration with section 14 of the National Parks Act 2000 expressly setting out that the Scottish Ministers, a National Park authority, a local authority and any other public body or office-holder must, in exercising functions so far as affecting a National Park, have regard to the National Park Plan as adopted" This would apply equally to section 36 submissions and it is therefore important that the NPPP is fully considered in the planning policy section of any submission. Of particular relevance is Policy 3.3 which states that *"Large-scale wind turbines are not compatible with the landscape character or special*

landscape qualities of the National Park. They are inappropriate within the National Park or where outside the Park they significantly adversely affect its landscape character or special landscape qualities;"

Also relevant is Policy 1.3 which seeks to *conserve and enhance the special landscape qualities with a particular focus on (a) conserving and enhancing wildness qualities (b) Maintaining and promoting dark skies (c) enhancements that also deliver habitat improvements (d) enhancing opportunities to enjoy and experience the landscapes of the Park and (e) applying a presumption against new constructed tracks in open moorla*nd.

Accordingly the NPPP should be referenced in the planning policy section.

Other Comments

The only other comment we would make on the scoping report is to welcome the commitment on page 18 to consider the requirement for a night time lighting assessment - we would be happy to input to this process.

Information requests

In relation to any submission we would highlight that all maps, wire and supporting documents should clearly show the boundary of the Cairngorms National Park to assist in consideration of the proposals. (It would also be helpful if GIS shape files of ZTVs are made available)

Also whilst appreciating that a separate application will be made for grid connection it would be most helpful if some information was supplied on likely grid connection route as this matter is always of interest to our Planning Committee.

Finally when the application is submitted we would greatly welcome a copy of the CD/DVD and hard copies of the supporting landscape information (ZTVs and viewpoint information)

I hope these brief comments are of assistance at this stage and as requested in the scoping report they are copied to the applicant for information.

Yours sincerely

REDACTED

Main Switchboard: 01479 873535

Please note that my working days are Wednesday to Friday

Forestry Commission Scotland
Coimisean na Coillteamachd Alba

Highland and Islands Conservancy
"Woodlands", Fodderty Way
Dingwall, Ross-shire, IV15 9XB

Glèidhteachas na Gàidhealtachd's nan Eilean
"Fearann – coilleach"
Rathad Fodderty
Inbhir Pheodhearan
Sgire Rois, IV15 9XB

Tel/Fòn 0300 067 6950
Highland.cons@forestry.gsi.gov.uk

Conservator/Neach Dion Arainneachd
John Risby

Tony Young
Energy Consent Unit
Scottish Government

9th of October 2018

Dear Tony Young

Electricity Act 1989 Section 36
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

Scoping Opinion Request For Proposed Application Under Section 36 For The Cloiche Wind Farm

Forestry Commission Scotland Comments on the Scoping Report

Introduction
This document represents Forestry Commission Scotland (FCS) views on the proposed Cloiche Wind Farm (Proposed Development), as described in the Scoping Report for the project.

Background
FCS supports the Scottish Government's commitment on renewables. FCS is the Scottish Government's (SG) competent authority on forests and woodlands. As such, FCS advises on the evaluation of development proposals when they may have an effect on a woodland environment.

FCS Assessment of the Scoping Report in relation to woodland

There are no woodlands or forestry plantations within the Proposed Development area. As indicated in Scoping Report, the existing access for Glendoe Hydro Scheme and Stronelairg Wind Farm (under construction) will be utilised for Proposed Development. Such provision, given the suitability of that particular access route for delivery of large wind turbines and for heavy construction traffic, should exclude any need for further road upgrades.

Conclusion

Based on the information provided by the Applicant in the Scoping Report for the Proposed Development, FCS agrees that Forestry can be scoped out of the EIA for the Proposed Development.

If you have any further questions, please contact REDACTED

Yours sincerely
Redacted

REDACTED
Regulations & Development Manager
REDACTED

FORT AUGUSTUS AND GLENMORISTON

COMMUNITY COUNCIL

Redacted

Energy Consents Unit
4th Floor, 5 Atlantic Quay
150 Broomielaw
Glasgow G28 LU

15th October 2018

email econsents_admin@scotland.gsi.gov.uk

Cloiche Windfarm 18/04606/SCOP

Fort Augustus & Glenmoriston Community Council have considered this application in some detail and respond as detailed below;

6.7 Traffic, Access and Transport of the scoping application, reference is made to local road networks A82 and B862 as possible routes for the transportation of turbine components (abnormal loads) which will have a severe impact within the village of Fort Augustus.
It should be noted that the junction on the A82 onto the B862 is no longer able to accommodate this type of transport.

Fort Augustus & Glenmoriston Community Council is totally opposed to any plans to use the local road networks within the village of Fort Augustus as mentioned for the transportation of the turbine components. (Abnormal Loads).

Stuart Findlay. Community Councillor

cc Jon Soal SSE
Ken McCorquodale THC

HIGHLANDS AND
ISLANDS AIRPORTS

Hi Tony,

Thanks for getting back to me, not sure why it won't send to that e-mail address but thank you for letting me send the response direct to you. Please see below:

Your Ref: ECU00000664
HIAL Ref: 2018/0104/INV

Dear Sir/Madam,

PROPOSAL: SCOPING OPINION REQUEST FOR PROPOSED APPLICATION UNDER SECTION 36 FOR THE CLOICHE WIND FARM, IN THE PLANNING AUTHORITY AREA OF THE HIGHLAND COUNCIL
LOCATION: Adjacent to Stronelairg windfarm approx 11km SE of Fort Augustus.

Our assessment has shown that the turbines could possibly affect the performance of electronic aeronautical systems for the airport. HIAL would not wish to see a degradation of any of these services, particularly the Radar installation.

HIAL would request that a line of sight drawing is supplied from the turbines to the radar, using the following details:

Inverness Radar OS Grid Reference 276977.56E 852598.07N. Height of radar head 31.4m AOD.

Until a line of sight drawing is supplied and HIAL can be assured that radar will not be affected, HIAL would be likely to object to this proposal. It should be noted that HIAL would work with the developer towards a resolution.

Regards,

Safeguarding Team
Highlands and Islands Airports Limited
Head Office, Inverness Airport, Inverness IV2 7JB
☏ 01667 464244 (DIRECT DIAL)
✉ safeguarding@hial.co.uk 🌎 www.hial.co.uk

1st November 2018

John Low
Policy Officer
Tower House
Station Road
Pitlochry
PH16 5AN
Tel: REDACTED

Energy Consents Unit
Cloiche Wind Farm/Stronelairg Extension
Reference ECU00000664
Sent by email : Econsents_Admin@gov.scot

Copied to Highland Council
Sent by email : eplanning@highland.gov.uk

The John Muir Trust wishes to comment on the Scoping Report for the Cloiche Wind Farm/Stronelairg Extension submitted by SSE Generation Limited, Inveralmond House, 200 Dunkeld Road, Perth, PH1 3AQ. The development is proposed to be over 50 MW, with preliminary analysis suggesting up to 40 turbines and a tip height of up to 175 metres.

The John Muir Trust is the leading wild land conservation charity in the United Kingdom. Working with people and communities to conserve, campaign and inspire, the Trust is a membership organisation that seeks to ensure that wild land is protected and enhanced and that wild places are valued by and for everyone. Scotland's wild land is an asset of national and international significance but it is a finite resource. Wild land plays a vital role for carbon storage in trees and peatland, gives us clean air, water and food and is home to valuable wildlife. Wild land also plays a vital role in supporting tourism and a wide range of other economic and leisure activities. The Trust is committed to policy principles which support the current targets of the UK Government and devolved governments for greenhouse gas emissions reduction as these are the primary public policy tools directed at climate change mitigation. However, the Trust does not support inappropriate developments on wild land or developments which would impact adversely on wild land.

1. This proposal when viewed from any direction, literally and intellectually, can only be seen as an extension to the Stronelairg wind farm. Indeed the area suggested for the Cloiche/Stronelairg Extension includes almost all of the area previously excluded from the original application for Stronelairg when SSE reduced its size from 83 to 66 turbines by agreement with the Highland Council. For the developer to name this proposal as nything other than as an extension to Stronelairg appears, at best, to be disingenuous. The rationale for naming this proposal Cloiche rather than the Stronelairg Extension needs to be explained.

2. Any Application must clearly address and explain what has changed since the proposal for the original Stronelairg of 83 turbines was reduced to 66 turbines. Further it will need to be demonstrated why the developer now considers it to be reasonable and necessary to revert to an earlier footprint version of Stronelairg; albeit with some variation including more turbines, increased height and further land.

3. The potential visual impact of this proposal causes us great concern with the development sandwiched between wild land areas 19 and 20. Any Landscape and Visual Impact Assessment must address the issue that the addition of turbines to the areas proposed will be a material change to the design of Stronelairg and will consequently have an increased visual impact on the surrounding wild land.

4. The reasons for the refusal of Dell Wind farm must also be seen as germane to this proposal given that it was planned for the north western edge of Stronelairg, beside where part of the Cloiche proposal sits, and therefore any EIA must address/overcome the issues raised in the Decision Notice dated 12th October 2017 issued by the Highland Council.

5. Cumulative impact : whilst we understand that the usual cumulative impact studies and ZTVs will be produced we are of the opinion that the totality of what is being proposed for this area with Cloiche/Stronelairig and Glenshero merging together, should the latter be approved, must be considered as a single entity. Cloiche along with Stronelairg and Glenshero would total up to 145 turbines between 135m and 175m. Taken with Stronelairg and Glenshero this development could cover over 70km2 creating one of the biggest industrial estates in Scotland. The EIA must give evidence to support the continued expansion of an already very large industrial development.

6. As an industrial development covering a vast area of land the developers will need to justify how this is acceptable, with reference to the previous Stronelairg iterations and within the context of The Scottish Government's National Planning Framework 3 June 2014 which states : *''We will respect, enhance and make responsible use of our natural and cultural assets.''4.4 Scotland's landscapes are spectacular, contributing to our quality of life, our national identity and the visitor economy. Landscape quality is found across Scotland and all landscapes support place-making. National Scenic Areas and National Parks attract many visitors and reinforce our international image.* ***We also want to continue our strong protection for our wildest landscapes – wild land is a nationally important asset*** *(our emphasis).*

Yours sincerely

John Low

Policy Officer, John Muir Trust

JOINT RADIO COMPANY LIMITED

Dear econsents_admin,

A Windfarms Team member has replied to your coordination request, reference **WF238269** with the following response:

Dear Sir/Madam,

Apologies for the delay - we have received the relevant info from SSE only today (14 Nov 2018)

***Planning Ref**: Section 36 and ECU00000664*

***Name/Location**: Cloiche Wind Farm, Glendoebeg, Fort Augustus, Highland*

***Site Centre(x5) at NGR**:*

TURBINE:
Cloiche TCT hub 90m blades 50m
Grid ref OSGB 246163 801408
Development radius 1km

No links affected

TURBINE:
Cloiche TCT hub 90m blades 50m
Grid ref OSGB 247458 802789
Development radius 1km

No links affected

TURBINE:
Cloiche TCT hub 90m blades 50m
Grid ref OSGB 248206 805493
Development radius 1km

No links affected

TURBINE:
Cloiche TCT hub 90m blades 50m
Grid ref OSGB 248983 802875
Development radius 1km

No links affected

TURBINE:
Cloiche TCT hub 90m blades 50m
Grid ref OSGB 249242 800545
Development radius 1km

No links affected

***Hub Height**: 90m **Rotor Radius**: 50m (default values as dimensions not finalised)*

---

*This proposal **cleared** with respect to radio link infrastructure operated by:*

The Local Electricity Utility and Scotia Gas Networks

JRC analyses proposals for wind farms on behalf of the UK Fuel & Power Industry. This is to assess their potential to interfere with radio systems operated by utility companies in support of their regulatory operational requirements.

In the case of this proposed wind energy development, JRC does not foresee any potential problems based on known interference scenarios and the data you have provided. However,if any details of the wind farm change, particularly the disposition or scale of any turbine(s), it will be necessary to re-evaluate the proposal.

In making this judgement, JRC has used its best endeavours with the available data, although we recognise that there may be effects which are as yet unknown or inadequately predicted. JRC cannot therefore be held liable if subsequently problems arise that we have not predicted.

It should be noted that this clearance pertains only to the date of its issue. As the use of the spectrum is dynamic, the use of the band is changing on an ongoing basis and consequently,developers are advised to seek re-coordination prior to considering any design changes.

Regards

Wind Farm Team

The Joint Radio Company Limited
Delta House
175-177 Borough High Street
LONDON

SE1 1HR
United Kingdom

Office: 020 7706 5199

We hope this response has sufficiently answered your query.
If not, please **do not send another email** as you will go back to the end of the mail queue, which is not what you or we need. Instead, **reply to this email keeping the subject line intact or login to your account** for access to your coordination requests and responses.

https://breeze.jrc.co.uk/tickets/view.php?auth=o1xkmcaaacxgiaaaEQC5m6W9RdcvGA%3D%3D

marinescotland

Scottish Government
Riaghaltas na h-Alba
gov.scot

T: +44 (0)131 2442900
DD: +44 (0) 131 2440053 e-mail: emily.bridcut@gov.scot

Mr Tony Young
Energy Consents Unit
Scottish Government
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Our ref: FL/15-7

October 4th 2018

Dear Tony,

CLOICHE WIND FARM, FORT AUGUSTUS, THE HIGHLANDS.

Thank you for seeking comment from Marine Scotland Science (MSS) on the scoping report for the proposed Cloiche wind farm. The proposed development area, approximately 11km south east of Fort Augustus, is drained by tributaries of the River Foyers and River Tarff, both forming part of the Ness river catchment.

Resident brown trout and Arctic charr inhabit the waterbodies within and immediately downstream of the proposed development area; the Foyers Falls and Cullachy are impassable to migratory fish. Brown trout and Arctic charr are priority species in the Scottish Biodiversity List and should be considered throughout the proposal as contributing to biodiversity as outlined in the Environmental Impact Assessment (Scotland) Regulations 2017. We recommend electrofishing surveys are carried out to assess the presence and abundance of fish species of high conservation value and hydrochemical parameters – including turbidity/suspended solids and flow data - are measured at sites likely to be impacted as a result of the proposed development. Information from these site characterisation surveys will inform appropriate site specific mitigation measures and the development of an integrated fish and water quality monitoring programme; the latter should be carried out at least 12 months prior to construction commencing, during construction and for at least 12 months after construction is complete. Further information in relation to

monitoring water quality and fish populations associated with onshore wind farm developments can be found at https://www.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren.

The potential cumulative impact of the present proposal and adjacent developments (e.g. wind farms and hydroelectric scheme - operational and proposed) on the water quality and fish populations should also be considered and included in the design of the proposed monitoring programmes.

The design of the proposed watercourse crossings should include uninhibited passage of fish; we suggest the developer consult the Scottish Executive document “River Crossings and Migratory Fish” (2012) (http://www.scotland.gov.uk/Topics/marine/science/Publications/publicationslatest/rivercrossings) in addition to SEPA’s “Engineering in the Water Environment Good Practice Guide Construction of River Crossings” for further information.

The Ness DSFB and Ness and Beauly Fisheries Trust have both been contacted by the developer which is good practice as they may be able to provide information about local fish stocks.

Results of the site characterisation surveys, proposed mitigation measures and monitoring programmes should be outlined in the Environmental Impact Assessment report.

Kind regards,

Dr Emily E. Bridcut

Defence Infrastructure Organisation

Teena Oulaghan
Safeguarding Officer
Ministry of Defence
Safeguarding Department
Kingston Road
Sutton Coldfield
West Midlands B75 7RL
United Kingdom

Telephone [MOD]: REDACTED
Facsimile [MOD]:
E-mail:

Your Reference: ECU00000664

Our Reference: DIO 10044652

Tony Young
Energy Consents
Scottish Government

3rd December 2018

Dear Mr Young

Please quote in any correspondence: DIO 10044652

Site Name: The Cloiche Windfarm

Proposal: Scoping opinion request for proposed application under Section 36 for the Cloiche Windfarm.

Planning Application Number: ECU00000664

Site Address: Land owned by both Glendoe and Garrogie Estates, Aproximately 11km South-East of Fort Augustus

Thank you for consulting the Ministry of Defence (MOD) on the above Scoping opinion request in your communication dated 27th September 2018.

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

The application is for 8 turbines at 175.00 metres to blade tip. This has been assessed using the grid references below as submitted in the planning application or in the developers' or your pro-forma

Turbine	Easting	Northing
1	248,206	805,493
2	247,458	802,789
3	246,163	801,408
4	248,983	802,875
5	249,242	800,545
6	256,607	804,630
7	256,895	802,703
8	255,284	801,264

In the interests of air safety, the MOD will request that all turbines be fitted with aviation safety lighting in accordance with the Civil Aviation Authority, Air Navigation Order

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

Safeguarding Officer
Defence Infrastructure Organisation

Mountaineering Scotland

The Granary
West Mill Street
Perth PH1 5QP
Tel: 01738 493 942

By email to
Econsents_Admin@gov.scot

FAO Mr Tony Young
Senior Case Officer
Energy Consents Unit
Scottish Government

10th October 2018

Dear Mr Young

THE ELECTRICITY ACT 1989 SECTION 36

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

SCOPING OPINION REQUEST FOR PROPOSED APPLICATION UNDER SECTION 36 FOR THE CLOICHE WIND FARM, IN THE PLANNING AUTHORITY AREA OF THE HIGHLAND COUNCIL

Introduction
We welcome the opportunity to comment on issues to be considered in the environmental impact assessment of the proposed Cloiche Wind Farm by SSE Generation Ltd (SSEG). Mountaineering Scotland assesses proposed developments in terms of their impact on Scotland's mountain assets and the mountaineering experience. For wind farms, this mainly means visual impact and this is the focus of our response. We also comment briefly on some other issues.

Mountaineering Scotland is a membership organisation with over 13,000 members and is the only recognised representative organisation for hill walkers, climbers, mountaineers and ski-tourers who live in Scotland or who enjoy Scotland's mountains, and acts to represent, support and promote Scottish mountaineering. Mountaineering Scotland also acts on behalf of the 80,000 members of the British Mountaineering Council (BMC) on matters related to landscape and access in Scotland, and provides training and information to mountain users to promote safety, self-reliance and the enjoyment of our mountain environment.

Context
This scoping relates to two sites abutting directly onto the Stronelairg Wind Farm currently under development, one to the west and one to the east. It is submitted by the same developer as Stronelairg and on land partly in the same ownership (Garrogie Estate) and extending onto Glendoe Estate. It will share infrastructure with the existing wind farm.

The scoping is for up to 40 turbines of up to 175m blade-tip height. This compares with the present development of 66 turbines: 52 of 135m, 13 of 125m and 1 of 110m.

The eastern area being scoped covers an area included in the original Stronelairg application and in which a proposed nine turbines were not consented. Several turbines immediately adjacent to

the west were only consented for a reduced height of 125m (from the application's 135m). These exclusions and height reductions were explicitly to mitigate adverse impacts: "Ministers consider that the reduction in scale of the proposal has helped to mitigate the visual and landscape impacts of the development, and has satisfactorily addressed these impacts to help bring them to an acceptable level..." (Decision letter, 6 June 2014, Page 7)

Clearly the effect of the eastern site would be to reinstate turbines into the area removed by Ministers to make the development 'acceptable' when granting initial planning permission.

The western site covers a larger area. It includes an area where four turbines were excluded from the original Stronelairg consent, for the same reasons as given above for the eastern section.

Specific comments for the Scoping Opinion

1. Mountaineering Scotland agrees with the proposed EIA process. In addition, we strongly suggest that the EIA should explicitly address what has changed since 2014 to make potentially larger turbines acceptable in areas where previously turbines were ruled not to be acceptable.

2. We concur that a Glenshero windfarm proposal, even if not currently submitted for planning consent, should be included in the cumulative impact assessment.

3. We have no view on whether the Wild Land assessment should be part of the LVIA or a stand-alone report, provided it is undertaken and presented with appropriate thoroughness.

4. We agree with (or have no view on) the majority of viewpoints but consider that Viewpoint 1 should be moved to an adjacent Munro, Tom a'Choinnich, for example;
   Viewpoint 11 may be located on a Glen Feshie Munro which is at least 10 km closer than the Cairngorm Funicular and within the same NSA and WLA designations; and
   rarely-visited Viewpoint 6 could be dropped to give scope to introduce an elevated well-trafficked viewpoint to the southwest, on Sron a'Choire Ghairbh or Ben Tee for example.

5. We disagree that tourism and recreation should be scoped out, and suggest that there be an assessment focussed on the specific sections of the tourism and recreation market that published evidence suggests is impacted by wind farm development rather than the unsophisticated and undifferentiated approach that characterises many Environmental Statements.

We hope that you find these comments helpful in your consideration of this proposal.

Yours sincerely

Redacted

Davie Black
Access & Conservation Officer
Mountaineering Scotland

Melrose J (Joyce)

From: NATS Safeguarding REDACTED
Sent: 01 October 2018 11:20
To: Econsents Admin
Cc: Young T (Tony)
Subject: FW: Cloiche Wind farm proposal - ECU00000664 [Our Ref: SG26930]

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

D: 01489 444687
E: NATSSafeguarding@nats.co.uk

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

****Please note:** We have recently made some changes to our mailbox structure, I would be grateful if you could delete previous instances of our email address (e.g. in outlook email address auto-fill) and re-typing NATSSafeguarding@nats.co.uk to ensure that the correct inbox is picked up

---

From: gmb-bdn-000913
Sent: 27 September 2018 14:22
To: NATS Safeguarding
Subject: FW: Cloiche Wind farm proposal - ECU00000664

From: Tony.Young@gov.scot
Sent: 27 September 2018 14:21:17 (UTC+00:00) Dublin, Edinburgh, Lisbon, London
To: REDACTED

REDACTED

Subject: Cloiche Wind farm proposal - ECU00000664

THE ELECTRICITY ACT 1989 SECTION 36

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

SCOPING OPINION REQUEST FOR PROPOSED APPLICATION UNDER SECTION 36 FOR THE CLOICHE WIND FARM, IN THE PLANNING AUTHORITY AREA OF THE HIGHLAND COUNCIL

SSE Renewables Developments (UK) Limited, on behalf of SSE Generation Ltd (SSEG), has formally requested, in accordance with Regulation 12 of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, ("the Regulations") a scoping opinion for the proposed Cloiche Wind Farm, approximately 11 kilometres to the south-east of Fort Augustus, in the planning authority area of The Highland Council.

Under Regulation 12, Scottish Ministers are required to consult the specified statutory bodies (and other interested parties) for their views on the information which ought to be provided in the Environmental Impact Assessment report.

For the Scottish Ministers to be able to issue a comprehensive Scoping Opinion we ask that you review the Scoping Report that has been submitted and is available to view on the Energy Consents Unit website. The following instructions will take you to the Scoping Report and accompanying documentation:

- go to www.energyconsents.scot; then,
- select ***Search*** tab; then,
- select ***Simple Search*** tab; then,
- at ***Search by Project Name*** type in **Cloiche Wind Farm** and click on ***Go***; then,
- click on **ECU00000664** and then click on the ***Documents*** tab.

Having reviewed the Scoping Report and accompanying documentation, I would be grateful if you could provide your response in the preferred format, that being with site specific comments or observations highlighted at the beginning of the response, and any general advice to follow in subsequent paragraphs.

I would be grateful for your comments by 19 October 2018.

Please note reminder letters will not be issued. Therefore, if we have not received your comments, nor have we received any extension request by this date, we will assume that you have no comment to make.

Please send your response to Econsents_Admin@gov.scot

If you have trouble accessing the Scoping Report or if you require a hard copy of it or you have any queries regarding the contents of this email, please do not hesitate to contact me.

Kind regards

Tony Young

Tony Young | Senior Case Officer | Energy Consents Unit
Scottish Government | ☏: 0131 244 5817 | ✉: Tony.Young@gov.scot
To view our current casework please visit www.energyconsents.scot
To read the Energy Consents Unit's privacy notice on how personal information is used, please visit http://www.energyconsents.scot/Documentation.aspx

******PLEASE NOTE – MY WORKING WEEK IS: TUESDAY – THURSDAY******

giving nature a home
rspb Scotland

RSPB Scotland

Tony Young
Energy Consents Unit
Scottish Government

E-mail: Econsents_Admin@gov.scot

25th October 2018 Our ref: 727345

Scoping opinion request for proposed application under section 36 for the Cloiche Wind Farm

Dear Sir/Madam

Thank you for consulting RSPB Scotland on this scoping request in relation to the Cloiche Wind Farm proposal which entails the erection of up to 40 wind turbines and associated infrastructure with a generating capacity over 50MW, by SSE.

Wind farms, like any type of development, can be damaging for wildlife if sited insensitively. However, climate change poses one of the single greatest long-term threats to birds and other wildlife. RSPB Scotland therefore recognises the essential role that carefully sited renewable energy can play in reducing the effects of climate change on wildlife and people, but believes that wind farms must be carefully sited and designed to avoid negative impacts on sites and species of conservation importance.

Bird Species of Conservation Concern and Designated Sites

The site is relatively close (c. 2.1km) to the Glendoe Lochans Site of Special Scientific Interest (SSSI) designated for its nationally important populations of Slavonian grebe and common scoter and Loch Knockie and nearby Lochs Special Protection Area (SPA) designated for breeding Slavonian grebe. The potential impacts of disturbance during construction and collision risk should be considered for these species.

RSPB Scotland is satisfied that the proposed project is unlikely to have an adverse effect on these designated sites, although this will need to be demonstrated in the EIA report.

The proposed wind farm site and its surrounds are, however, suitable for breeding hen harrier and merlin, and there is a nearby pair of golden eagles. The site is also potentially on the flight path of ospreys and within the foraging range of red kites, and potentially supports golden plover and peregrine. These species are all included in Annex I of the European Birds Directive and Schedule 1 of the Wildlife and Countryside Act 1981. Other important bird species likely to occur include dunlin, greenshank and black grouse. The proposed access route passes through habitat that is suitable for black grouse and for breeding osprey. The potential impacts on all of these species should be adequately covered within the EIA report.

North Scotland Office
Etive House
Beechwood Park
Inverness
IV2 3BW

Tel 01463 715000
Fax 01408 715315

rspb.org.uk

Golden eagle

It is possible that the wind farm site falls within golden eagle territories as the 2015 golden eagle national survey shows 6 home ranges within 5km of the development area. The loss of this area to the proposed wind farm could compromise the viability of one or more of these territories. It is therefore important that territory data are analysed and the results used to inform the wind farm layout, as the development could reduce the extent of available eagle foraging habitat. We are pleased that there will be updated Predicting Aquila Territory (PAT) modelling which takes into account both Cloiche and Stronelairg developments. The EIA report should consider impacts on the Natural Heritage Zone (NHZ) population and suitable mitigation. It is important to ascertain the distances of operations from nearby golden eagle eyries so that appropriate operational constraints can be put in place to prevent disturbance to breeding birds.

Black grouse

Black grouse, a species in the Birds of Conservation Concern Red list, is identified as occurring within the wind farm development area. Mitigation for this species should be detailed in the EIA report, and we recommend a buffer of at least 750m between scheme infrastructure and construction activity and main lek sites, and the same buffer distances for satellite leks where possible. Operations within 750m of any known lek site should be timed to avoid activity 1 hour before, to 2 hours after, local sunrise from 15th March to 15th May.

Ground nesting birds – golden plover

We have many records of golden plover in and around the development areas. Field survey data should be used to inform the detailed layout of the development and its potential impacts on ground nesting birds including golden plover. Golden plover is known to be highly sensitive to wind farm disturbance/displacement (Sansom et al., 2016)[1].

Ornithological surveys

We note that the scoping report states that the proposed development is within a zone subject to disturbance from the construction and operation of the Stronelairg Wind Farm, with the majority of the proposed turbines being within 2km of that wind farm. We also understand that the construction of the Stronelairg Wind Farm is currently underway and is due to be completed sometime in 2019. The construction activities and the presence of the new wind farm is likely to have caused and continue to cause disturbance/displacement to bird species, and affect bird distribution and abundance, within the survey area for the proposed wind farm. We consider that the limited information provided in the scoping report is insufficient to demonstrate that the proposed one year of new survey effort will be adequate, and we therefore reserve judgement on this. We therefore recommend that the applicant's consultant should provide more information to justify the proposed survey effort, and will need to to demonstrate in the EIA report that the survey data are adequate, robust and accurate. The information provided should include details of the location, extent and nature of all construction activities associated with the Stronelairg wind farm construction that occur during each period of bird survey.

[1] Sansom, A., Pearce-Higgins, J. W. and Douglas, D. J. T. (2016), Negative impact of wind energy development on a breeding shorebird assessed with a BACI study design. Ibis, 158: 541–555. doi:10.1111/ibi.12364

North Scotland Office
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rspb.org.uk

We echo the comments of SNH in section 6 of their 12 October response to this scoping consultation, regarding the locations of vantage points for the vantage point surveys and in relation to golden eagle survey work.

Cumulative impacts

We welcome the proposal to assess cumulative impacts taking into account the Stronelairg, Dell and Glenshero consented and proposed nearby wind farms, and advise that the assessment work should fully accord with SNH (2018) guidance on "Assessing the cumulative impact of onshore wind farms on birds" and the SNH (2018) guidance on "Assessing the Significance of Impacts from Onshore Wind Farms Outwith Designated Areas". In accordance with this guidance, in assessing cumulative impacts on species that are sensitive to wind energy developments such as golden eagle and hen harrier, it would be appropriate to consider impacts at the Natural Heritage Zone (NHZ) scale (in this case, NHZ 10: Central Highlands), taking account of all existing and proposed wind energy schemes in NHZ 10. The cumulative impact assessment should consider displacement and barrier effects as well as collision risk. In combination impacts should also be considered in relation to other types of development such as overhead power lines and new woodland planting.

Peatland and carbon balance

Wind farms on sensitive peatlands and deep peat can significantly undermine the climate benefits of renewable energy and as such we welcome the commitment by the applicant that turbines will be sited to avoid the areas of deeper peat as far as possible, and measures should be taken to minimise peat disturbance. This is required by Scottish Planning Policy (Para 205) which states "[W]here peat and other carbon rich soils are present, applicants should 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 should aim to minimise this release."

RSPB Scotland supports the intention to carry out a carbon calculation in line with current best practice to determine the 'carbon payback period' over the operational life of the development. We recommend that the carbon calculator is used as early as possible in the planning process, to inform siting and micrositing of both turbines and tracks and other infrastructure, and not simply undertaken after the site layout has been determined. This must be clearly addressed in the EIA Report which should also include all the information input into the model. RSPB Scotland considers that the maximum payback period should be six months as a maximum and should ideally be as close to zero as possible, in addition to achieving 'no net loss' of peatland habitat in furtherance to Scottish Government ambitions on peatland restoration, achieved firstly through avoiding deep peat disturbance and secondly through commitments to restoration. A suitable area of modified blanket bog should be identified and restored as compensation for the loss of any functioning blanket bog. There are large areas within the proposed wind farm site where the peat is currently dissected by deep gullies that the applicant could consider restoring to blanket bog. Our experience of working on bog restoration shows that it is not possible to recreate this habitat from excavated, stored peat. The compensatory area should be assessed for suitability and agreed with the planning authority in consultation with SNH. This should be discussed in the EIA report.

North Scotland Office
Etive House
Beechwood Park
Inverness
IV2 3BW

Tel 01463 715000
Fax 01408 715315

rspb.org.uk

RSPB Scotland

Proposed mitigation and Habitat Management

The EIA report should include a clear description of the mitigation measures that are proposed to minimise potential adverse impacts, and a convincing assessment of residual impact following the deployment of these measures. Evidence should be provided for the assumed effectiveness of proposed mitigation measures based on experience from other projects.

We request that a detailed Habitat Management Plan (HMP) is prepared and submitted as part of the proposals .This should contain detailed ecological justification for any habitat management proposals. The scheme should avoid any development on deep peat and seek to enhance key habitats such as blanket bog occurring within the area.

I hope that these comments are helpful. Please get in touch if you require any further information from us.

Yours faithfully

Redacted

Phil Dowling
Conservation Officer, South Highland.

cc. eplanning@highland.gov.uk

North Scotland Office
Etive House
Beechwood Park
Inverness
IV2 3BW

Tel 01463 715000
Fax 01408 715315

rspb.org.uk

11th October 2018

Scottish Government
5 Atlantic Quay, 150 Broomielaw
Glasgow
G2 8LU

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

Development Operations
Free phone Number - 0800 389 0379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk

Dear Mr Tony Young

PH32 Highland Cloiche Wind Farm Site At
PLANNING APPLICATION NUMBER: ECU00000664
OUR REFERENCE: 767311
PROPOSAL: Windfarm proposal

Please quote our reference in all future correspondence

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:

Drinking Water Protected Areas

A review of our records indicates that the proposed activity falls within a drinking water catchment where a Scottish Water abstraction is located. Scottish Water abstractions are designated as Drinking Water Protected Areas (DWPA) under Article 7 of the Water Framework Directive. The Cloiche wind farm proposal is in the Loch Ness Catchment which supplies Invermoriston Water Treatment Works (WTW) and it is essential that water quality and water quantity in the area are protected. In the event of an incident occurring that could affect Scottish Water we should be notified without delay using the Customer Helpline number 0800 0778 778.
Scottish Water have produced a list of precautions for a range of activities. This details protection measures to be taken within a DWPA, the wider drinking water catchment and if there are assets in the area. Please note that site specific risks and mitigation measures will require to be assessed and implemented. These documents and other supporting information can be found on the activities within our catchments page of our website at www.scottishwater.co.uk/slm.
It is a relatively large catchment and the activity is in the upper reaches of the catchment therefore the activity is likely to be low risk.
If you have any questions relating to the above, please do not hesitate to contact me.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not normally 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 from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, 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: 0333 123 1223
  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/connections/connecting-your-property/new-development-process-and-applications-forms**

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 0800 389 0379 or at planningconsultations@scottishwater.co.uk.

Yours sincerely

Robert Lamont
Development Operations Technical Analyst
Robert.Lamont@scottishwater.co.uk

ScotWays ®

Safeguarding public access in Scotland since 1845

Econsents_Admin@gov.scot

Tony Young
Senior Case Officer
Energy Consents Team
The Scottish Government

30/10/2018

Dear Mr Young,

The Electricity Act 1989 Section 36
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Scoping Opinion Request for Proposed Application under Section 36 for the Cloiche Wind Farm, in the Planning Authority Area of the Highland Council

Thank you for your email of 27 September 2018 requesting a scoping response for the above proposed wind energy development. We gratefully acknowledge the additional time allowed for our outline scoping response. Here, we have focussed solely on the immediate area of the proposed application. If required by the applicant to inform their Environmental Impact Assessment (EIA), maps of a wider search area are available from the Society, alongside a more detailed response.

The National Catalogue of Rights of Way shows that right of way HI109 is affected by the *Proposed Development Area* shown coloured pink on *Figure 2.* A map is enclosed showing right of way HI109 highlighted in orange. As there is no definitive record of rights of way in Scotland, there may be other routes that meet the criteria to be rights of way but have not been recorded as they have not yet come to our notice.

It may be of interest to note that right of way HI109 forms part of the longer *Glen Markie Track* a historic route which is promoted by the *Heritage Paths* project. Additionally this route is described in our publication *Scottish Hill Tracks*.

You will no doubt be aware that there may now be general access rights over any area of land under the terms of the Land Reform (Scotland) Act 2003. It is also worth bearing in mind Core Paths Plans, prepared by local authorities as part of their duties under this Act.

Although we understand that there is very little guidance regarding the siting of turbines in relation to established paths and rights of way, we would like to draw your attention to the following:
Extract from the Welsh Assembly Government's Technical Advice Note on Renewable Energy (TAN 8)
Proximity to Highways and Railways
2.25 It is advisable to set back all wind turbines a minimum distance, equivalent to the height of the blade tip, from the edge of any public highway (road or other public right of way) or railway line.

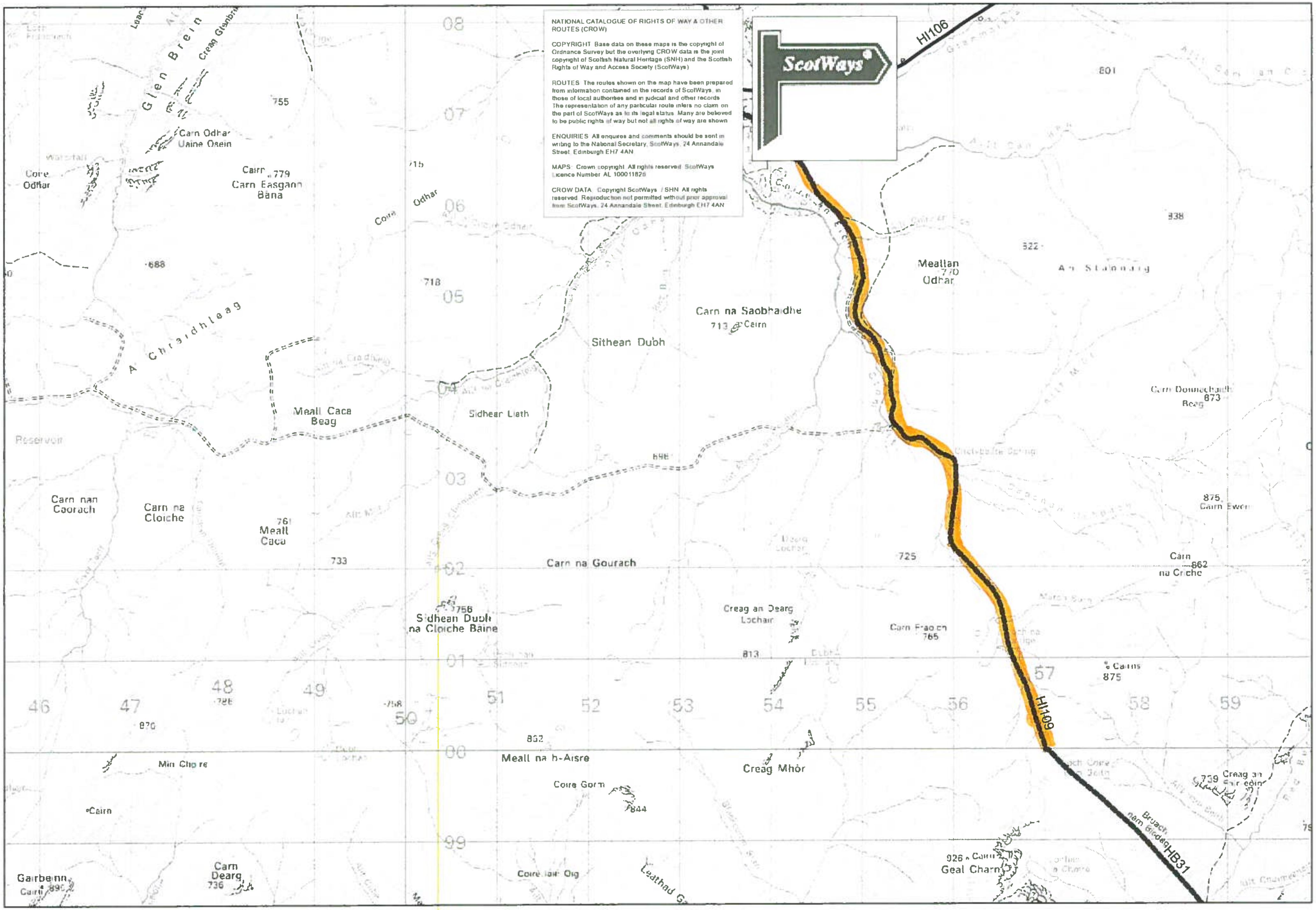
As well as direct impacts on public access, impacts on recreational amenity are of interest to the Society. Accordingly we will consider this further should this proposal lead to a planning application.

I hope the information above is useful to you. Please do not hesitate to contact me if you need more detail or have any further queries.

Yours sincerely,

Lynda L Grant
Access Assistant

The Scottish Rights of Way and Access Society 24 Annandale Street, Edinburgh EH7 4AN (Registered Office)
Tel/Fax 0131 558 1222 e-mail: info@scotways.com web: www.scotways.com


NATIONAL CATALOGUE OF RIGHTS OF WAY & OTHER ROUTES (CROW)
COPYRIGHT Base data on these maps is the copyright of Ordnance Survey but the overlying CROW data is the joint copyright of Scottish Natural Heritage (SNH) and the Scottish Rights of Way and Access Society (ScotWays)
ROUTES The routes shown on the map have been prepared from information contained in the records of ScotWays, in those of local authorities and in judicial and other records. The representation of any particular route infers no claim on the part of ScotWays as to its legal status. Many are believed to be public rights of way but not all rights of way are shown
ENQUIRIES All enquires and comments should be sent in writing to the National Secretary, ScotWays, 24 Annandale Street, Edinburgh EH7 4AN
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ScotWays
HI106
HI109
HB31
Glen Brein
Carn Odhar
Uaine Osein
Carn Easgann Bana
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Corie Odhar
688
A Chràidhleag
Meall Caca Beag
Reservoir
Carn nan Caorach
Carn na Cloiche
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Meall Caca
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Sidhear Liath
Sithean Dubh
Carn na Saobhaidhe
713 Cairn
Meallan Odhar
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An Stàbhinag
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Carn Donnachaidh Beag
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875
Carn Ewen
Carn na Criche
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Carn na Gourach
Creag an Dearg Lochair
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Carn Fraoich
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Sidhean Dubh na Cloiche Baine
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Meall na h-Airse
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Creag Mhòr
Coire Gorm
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Min Choire
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Cairn
Carn Dearg
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Garbeinn
Coire Iair Og
926 Cairn
Geal Charn
739
Creag an Fhir-eòin
Bruach nam Bìodag
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Scottish Environment Protection Agency
Buidheann Dìon Àrainneachd na h-Alba

Our ref: PCS/161447
Your ref: ECU00000664

Tony Young
Energy Consents Unit

If telephoning ask for:
Susan Haslam

By email only to: Econsents_Admin@gov.scot

28 September 2018

Dear Mr Young

The Electricity Act 1989
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Cloiche Wind Farm, approximately 11 kilometres to the south-east of Fort Augustus

Thank you for consulting SEPA on the scoping opinion for the above development proposal by your email received on 27 September 2018. We would welcome engagement with the applicant at this early stage to discuss the issues raised in this letter.

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, details of any flood risk assessment and details of any related CAR applications.

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

c) Map and assessment of impacts upon groundwater abstractions and buffers.

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

e) Map and site layout of borrow pits.

f) Schedule of mitigation including pollution prevention measures.

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.

SEPA Dingwall Office
Graesser House, Fodderty Way,
Dingwall Business Park, Dingwall IV15 9XB
tel 01349 862021 fax 01349 863987
www.sepa.org.uk • customer enquiries 03000 99 66 99

1. Site specific comments

1.1 We would welcome further engagement with the project once initial habitat and peat information has been collected and an initial layout has been determined.

1.2 Any development layout that comes forward should be demonstrated to make as much use as possible of recently constructed or consented infrastructure. A similar approach should be taken with temporary development areas, such laydown areas and site compounds, and borrow pits if further use can be made to well-located existing pits before they are restored.

1.3 In relation to section 2 of the appendix to this letter and taking a proportionate approach (1) if a commitment is provide that all watercourse crossings will be achieved by way of bottomless culverts or traditional style bridges then apart from location, no other information on watercourse crossings would be required at the application stage, and (2) provided watercourse crossings are indicated to be designed to accommodate the 1 in 200 year event and other infrastructure is located well away from watercourses we do not foresee from current information a need for detailed information on flood risk.

1.4 In relation to section 3 since peat management will be a significant issue at this site we welcome the proposals to produce a site specific Peat Management Plan. Of specific importance is ensuring that the initial application is supported by enough peat probing information to inform the layout, which should be clearly demonstrated to avoid the areas of deepest peat. The developer should outline any local peatland restoration work opportunities which could help compensate for the new disturbance of peat caused by the development.

1.5 In relation to section 4 of the appendix we suggest that the developer may wish to go straight to carrying out NVC survey without carrying out Phase 1 or Sniffer assessments. We are aware that much of the area may have already been NVC surveyed and would be content to review that information with the developer to determine whether some of it could be used to support this application.

1.6 In relation to section 5 of the appendix, based on the information provided at this stage it seems unlikely that any development will take place within 250 m of a groundwater supply source; if this is the case it would be helpful if the EIA Report provides evidence to confirm this.

1.7 Section 6 of the appendix is not relevant to this development and we are content that forestry can be scoped out of the assessment.

1.8 In relation to section 7 we emphasise that if new borrow pits are proposed then ground investigation need to be carried out prior to the application being submitted to ensure that the areas proposed are likely to yield the material required. Specific areas for pits should be identified rather than large areas of search.

1.9 In relation to section 8 we emphasise that what we are looking for now in clear site specific plans showing where pollution prevention measures will be located accompanied by the proposed schedule of mitigation measures. We would want the application to contain enough site specific information for us to be content that suitable measures can be put in place to control any runoff with full details then provide in the Construction Site Licence, which the developer will now have to apply

to SEPA for.

Regulatory advice for the applicant

2. Regulatory requirements

2.1 Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs). 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.

2.3 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 01349 860359 or planning.dingwall@sepa.org.uk.

Yours sincerely

Susan Haslam
Senior Planning Officer
Planning Service

ECopy to: Jon Soal, SSE Generation Limited, REDACTED

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. For planning applications if you did not specifically request advice on flood

risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our website planning pages.

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.

Scottish Natural Heritage
Dualchas Nàdair na h-Alba
All of nature for all of Scotland
Nàdar air fad airson Alba air fad

For the attention of Tony Young

Energy Consent and Deployment Unit
Scottish Government

Econsents_Admin@gov.scot

Our ref: CNS/REN/WF/HI/Cloiche wind farm

12 October 2018

Dear Tony

Cloiche Wind Farm, Scoping opinion

Thank you for your e-mail of 27 September 2018, requesting our scoping advice for the above wind farm proposal.

1. Background
We have had no other pre-application communications with the applicant in relation to this project.

Our consideration of the scoping report is limited to the sections within our remit, namely:
1. The Proposed Development
2. Landscape and visual
3. Ecology, Biodiversity and Nature Conservation
4. Ornithology
5. Geology, soils and water
6. Aviation
7. Carbon Assessment
8. Socio-economics
9. Landuse and Recreation

Due to the location of this proposal being wholly outside the Cairngorms National Park, but likely to affect the special qualities of the Park the current casework agreement between SNH and CNPA has been applied.

2. Key issues
The proposed wind farm raises the following key issues in relation to nature:

- Impacts on the adjacent Cairngorms National Park.
- Impacts on Wild Land Area (WLA) 20 Monadhliath, WLA 19 Braeroy - Glenshirra - Creag Meagaidh.
- Impacts on carbon rich soils, deep peat and priority peatland habitat

The assessment of these issues and the resultant impacts will determine our position on any application which comes forward. We will work with the applicant and are happy to provide further advice and comment in relation to these issues, and any other aspects within our remit over the coming months while the proposal is being developed to ensure any application contains sufficient detail to enable us to assess the impacts on nature.

3. Our comments on the Scoping Report

The scoping report includes all the topics that we consider need to be covered in the EIA. Annex A of this letter provides further details to assist with the EIA process.

We request that each chapter of the ES is saved to a separate pdf file with a maximum size of 10MB in order to make the file sizes manageable.

Should you have any queries about this letter please contact me at the address above.

Yours sincerely

Liz McLachlan

Operations Officer
South Highland

liz.mclachlan@nature.scot

Enclosed:

- SNH Guidance Note: Advising on carbon-rich soils, deep peat and priority peatland habitat in Development Management
- Guidance for Assessing the Effects on Special Landscape Qualities

cc Ken McCorquodale – THC
Susan Haslam – SEPA
Matthew Hawkins – CNPA

Annex A – details to assist with the EIAR for Cloiche wind farm

1 Guidance for assessing impacts on the natural heritage
There are a variety of guidance and advice notes for wind farm developments available on our website, covering topics such as landscape, birds and protected species. We would expect the applicant to follow the latest guidance as published on our website via https://www.nature.scot/professional-advice/planning-and-development/renewable-energy-development/types-renewable-technologies/onshore-wind-energy .

In particular we have published a map of Wild Land Areas and their descriptions (https://www.nature.scot/professional-advice/landscape-change/landscape-policy-and-guidance/landscape-policy-wild-land), a peat map (https://www.nature.scot/professional-advice/planning-and-development/natural-heritage-advice-planners-and-developers/planning-and-development-soils) and up-dated our guidance on the standard of visualisations (https://www.nature.scot/professional-advice/planning-and-development/renewable-energy-development/visual-representation-guidance)

2 Service Statement
We refer the applicant to our Service Statement, Planning for Great Places which outlines how we engage with the planning system to support our ambitions for connecting people with nature, and which is available on our website via https://www.nature.scot/professional-advice/planning-and-development/consulting-snh-planning-and-development .

3 Designated sites
The proposed eastern development boundary is adjacent to Monadhliath Special Area of Conservation (SAC) designated for its blanket bog and it's under lying Site of Special Scientific Interest (SSSI) also designated for its blanket bog, birds and vascular plants. Part of the eastern development boundary is also within the catchment of, and therefore has connectivity to the River Spey SAC and its underpinning SSSI designated for freshwater invertebrates, salmon, sea lamprey and otters.

The sites' status as an SAC means that the Conservation (Natural Habitats, &c.) Regulations 1994 as amended, or for reserved matters, the Conservation of Habitats and Species Regulations 2010 as amended apply. A full assessment of the impacts of this proposal on these sites should be included in the EIA Report, please see below for further details.

Further information on the legislative requirements of European sites can be found at: http://www.snh.gov.uk/docs/A423286.pdf

3.1 Monadhliath SAC/SSSI – Although the site boundaries are coincident and blanket bog is a feature of both, the distinction between a national and an international designation should be recognised.

The condition of the blanket bog within both the SAC and SSSI is currently unfavourable and one of the pressures identified by the condition monitoring is trampling. Therefore any displacement of deer from the wind farm site onto the SAC/SSSI could adversely affect this feature. We therefore request a deer management plan which includes measures to mitigate any adverse impacts on the Monadhliath SAC/SSSI which may arise through the

displacement of deer should be included in the EIA Report. Guidance on deer management is available via http://www.snh.gov.uk/land-and-sea/managing-wildlife/managing-deer/ and also from the Best Practice Guides website http://www.bestpracticeguides.org.uk/planning_dmps.aspx .

The Deer Management Plan should take into account the management of deer on neighbouring land and the neighbouring wind farms to ensure that the objectives are complimentary.

In addition any infrastructure works outside the designated site boundary has the potential to alter the hydrology of the site and therefore have an impact on the features of the site and an assessment of any possible effects should be included in the EIAR.

3.2 River Spey SAC/SSSI – There is connectivity between the proposed wind farm and this designated site as part of the Eastern development boundary is within the same water catchment. Any pollution or sediments produced during wind farm construction have the potential to drain into the River Spey SAC /SSSI unless suitable mitigation measures are provided. All potential impacts should be assessed in the EIA Report and mitigation measures to be included as necessary.

If the applicant is able to commit to undertaking all construction work in accordance with SEPA's good practice guidelines then any adverse impacts on the SAC/SSSI should be avoided.

In addition, if all infrastructure associated with the wind farm proposal is located outside the Spey River catchment then connectivity between the proposal and the designated site will be removed and under these circumstances we would agree that the River Spey SAC/SSSI could be scoped out.

We agree with the scoping report that the other designated sites listed on Table 6.2 can be scoped out.

3.3 Cairngorms National Park
The proposed development site is also adjacent to the Cairngorm National Park and an assessment of the impacts of this proposal on the Special Qualities of the National Park should also be included in the EIA Report. Please see the landscape section below for further details.

Further details of designated sites, their reasons for designation, conservation objectives/site management statements, etc can be found in Sitelink via SNHi on our website https://www.nature.scot/information-library-data-and-research/snhi-data-services

4 Landscape and visual impacts, including wildness
4.1 Landscape and Visual Effects
We are in agreement with the extent of the proposed study area.

The proposal does not lie within any designated landscapes and we agree with the scoping report that there are unlikely to be significant effects on the special qualities, further detailed assessment on NSAs can be screened out at this stage.

4.2 Cairngorms National Park
The Cairngorms National Park lies less than 1km from the eastern most turbines of the proposal. We consider that given the proximity of the proposal to the Park boundary, in

addition to the form and scale (both height and number of turbines) of the development, an assessment of effects (including cumulative effects) on the special landscape qualities of the National Park will be required. We are currently working with Cairngorms National Park (CNP) Authority to develop Guidance for Assessing the Effects on Special Landscape Qualities which we have attached to this response. The EIAR should contain sufficient information and analysis for the CNP Partnership Plan policy test 1.3 (to conserve and enhance the SLQs of the CNP) to be undertaken.

In line with the current casework agreement with the Cairngorms National Park, we have discussed this advice with Park colleagues and will continue to share information throughout the application process.

4.3 Wild Land

Two Wilds land Areas (WLAs) lie within close proximity of the proposal and effects on this nationally important resource are likely to be a key issue for SNH. We agree that the assessment of effects on wild land should be limited to WLA 19 and WLA 20. The suggestion to include the wild land assessment within the LVIA is sensible. However in order for consultees to fully understand the range and significance of effects on wild land, the effects on each WLA and each relevant quality within that WLA must be clearly described and concluded. This is the approach advocated in the 2017 consultative draft guidance. We strongly suggest the developer discuss the wild land assessment methodology including the scope of the wild land assessment with us at an early stage.

4.4 Cumulative Effects

The cumulative effects of the Cloiche wind farm will be of particular interest given its proximity to the now built Stronelairg wind farm, and the Glenshero proposal which is currently at application stage. A cumulative assessment of effects on the landscape issues raised by this proposal should be undertaken to ensure that consultees are able to differentiate between the effects as a result of the two distinct clusters of this proposal.

We are in agreement with the approach proposed in the scoping report with regards to the use of landscape character assessments, and the preference for the more recent assessment Cairngorms National Park LCA 2009 to be used.

4.5 Viewpoint Selection

We are pleased there is good correlation between the viewpoints selected within the scoping report for Cloiche and those used for Stronelairg. Though there is only a single viewpoint from each of the two WLAs to be assessed and there are limited viewpoints selected from within the National Park.

We consider that producing wireframes would be helpful from the following locations in order to select the best range of assessment points which we would be happy to comment on;

- Beinn Teallach (NN361859) within Braeroy, Glenshirra – Creag Meagaidh WLA. Also used for Glenshero proposal.
- Footpath (east of Loch Spey) (NN429942) within Braeroy, Glenshirra – Creag Meagaidh WLA. Also used for Glenshero proposal.
- Carn Dearg (NN349966) within Braeroy, Glenshirra – Creag Meagaidh WLA. Adjacent to VP used for Glenshero proposal confusingly also called Carn Dearg.
- Doire Duibhe (NN614905) Cairngorm NP. Also used for Glenshero proposal.
- Loch na Lairige (NN558913) Cairngorm NP. Also used for Glenshero proposal.
- Dun-da-Lamh (NN581929) Cairngorm NP. Also used for Glenshero proposal.
- Carn na Caim (NN675822) Cairngorm NP, one of the Drumochter munros

We would also find it helpful if the following ZTV information was prepared in order for us to better understand the range of likely effects. ZTV maps should also include viewpoint locations and the up-to-date National Park Boundary.

- Paired Stronelairg and Cloiche ZTV showing additional visibility.
- Paired Glenshero and Cloiche ZTV showing additional visibility.
- Combined Stronelairg and Glenshero, paired with Cloiche ZTV showing additional visibility.
- Separate ZTV of western cluster of 30 turbines.
- Separate ZTV of eastern cluster of 7 turbines.

5 Peat

Scottish Planning Policy identifies "carbon rich soils, deep peat and priority peatland habitat" as nationally important interests for which planning authorities should develop spatial frameworks. Also 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."

The Applicant needs to demonstrate through the EIAR 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.

We advise that should reference and take into consideration the following:

- Scottish Planning Policy – especially Table 1 and Paragraph 205

https://www.gov.scot/Resource/0045/00453827.pdf

- Scottish Government's Climate Change Plan

http://www.gov.scot/Resource/0053/00532096.pdf

- Scottish Government's Draft Peatland and Energy Policy Statement

http://www.gov.scot/Resource/0050/00502389.pdf

- Scotland's National Peatland Plan

https://www.nature.scot/climate-change/taking-action/carbon-management/restoring-scotlands-peatlands/scotlands-national-peatland-plan

- Carbon and Peatland 2016 Map

http://soils.environment.gov.scot/maps/thematic-maps/carbon-and-peatland-2016-map/

With regard to the latter, we note that much of the proposed wind farm lies in an area identified as Nationally Important Class 1 Peatland, i.e.:

- All vegetation cover is priority peatland habitat
- All soils are carbon-rich soils and deep peat

The Applicant proposes a Peat depth survey, NVC survey and Peat Landslide Hazard and Risk Assessment. In addition we advise that the assessment of potential impacts on carbon rich soils, deep peat and priority peatland habitat will be assisted by:

- Mapping of any artificial drainage (ditches, grips etc)
- Mapping of areas of bare peat
- Observations of any nationally rare or scarce species
- Identification of bog moss *Sphagnum* species to species level
- Identification of montane (alpine) features in the vegetation (species, wind-pruning etc)

We also advise that in addition to a Peat Management Plan the applicant should prepare an Outline Habitat Management Plan to demonstrate how impacts on habitats and species will be addressed.

6 Ornithology

We agree that a single year of bird survey work as proposed in the Scoping Report should be sufficient to assess the potential impacts of this development on bird interests. Although two years survey work is normally required for a development of this scale we consider the survey work and monitoring undertaken for the Glendoe Hydro Scheme and Stronelairg Wind Farm between 2002 and 2018 provides sufficient background information to put the proposed 2018-2019 survey work into context. This opinion is subject to that survey work being undertaken in accordance with our guidance.

We have the following specific comments to make:

- Vantage Point Surveys: SNH guidance is that viewpoints (VPs) should be outwith the footprint/buffer of the proposed turbines. VPs 1, 2, 3 and 5 are within the red line boundary of the proposal but, as there are no indicative turbine positions, it is impossible to tell if this guidance has been followed. VPs 2 and 3 are also within the view sheds of other VPs. To ensure there is no displacement effect from the presence of observers, watches should not take place simultaneously from VPs 2 & 3 or 3 & 4.

- Impacts of construction works for Stronelairg Wind Farm on survey work: We agree existing datasets could be used to detect possible effects of construction work on bird surveys of the proposal area. However, we also consider that it is important to record the activities taking place on the Stronelairg site during each survey period. This information should be as detailed as reasonably possible and include information on whether personnel were on foot or in vehicles.

- Golden eagle surveys: To minimise disturbance all golden eagle survey work should be co-ordinated with the monitoring undertaken by the HRSG and the Regional Eagle Conservation Management Plan (RECMP).

7 Protected species

There is a commitment in the Scoping Report to undertake protected species surveys. However, there is no detail provided in relation to the list of species this includes.

We would expect the EIA Report to include wildcat, otter, bats and water vole and possibly pine marten, red squirrel and badger should suitable habitat be found on the development site or areas off site, such as access routes which will need to be adapted as a result of this proposal.

Otter, bats and wildcat are European Protected Species (EPS), listed on Annex IV of EC Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna (the 'Habitats Directive'). This means that Regulations 39 and 40 of the Habitats Regulations (as amended) apply.

We expect all species surveys to be undertaken by suitably qualified field ecologists in accordance with standard methodologies which can be found on our website at https://www.nature.scot/professional-advice/planning-and-development/natural-heritage-advice-planners-and-developers/planning-and-development-protected-animals . These methods should be detailed along with the results and any mitigation measures in the EIA Report, in a confidential annex if necessary.

Due to the mobile nature of these animals an absence of presence during survey does not automatically translate to mean they are not present on site. We therefore recommend that if suitable habitat is present then a species protection plan should be included in the EIA Report

which details what mitigation and other action will be taken should a protected species or their resting place be found during construction.

8 Other terrestrial habitats

The results of the NVC and Phase 1 surveys should be presented in the EIA report. While Phase 1 habitat categories are a useful way of simplifying habitat maps and descriptions, the NVC categories are more useful when it comes to assessing impacts and determining appropriate mitigation measures. The NVC survey should cover the development site, the new access track and a suitable buffer and include all Annex 1 and BAP Priority Habitats and Groundwater Dependent Terrestrial Ecosystems (GWDTE).

8.1 Montane habitats

Despite the high altitude of much of the site, no reference is made in the Scoping Report to montane habitats. These habitats are amongst the most vulnerable to climate change. Given that one of the main objectives of producing renewable energy is to reduce the effects of climate change, for the benefit of, amongst other things, climate-sensitive habitats, any loss or damage to montane habitats through the construction of a wind farm would be inappropriate. This should be to be taken into account in the design of the proposal and any significant loss and/ or damage to montane habitats should be avoided.

The EIA Report should also fully consider the potential natural heritage impacts of vehicle movements, track creation and modification along the full length of the proposed routes, including those outside the development area. The applicant may find the "Constructed Tracks in the Scottish Uplands" (available from our website publications pages, via http://www.snh.org.uk/pdfs/publications/heritagemanagement/constructedtracks.pdf) provides useful advice on track creation and maintenance in upland area. The Forestry Commission's "Forests and Water Guidelines" (4th edition) (available from http://www.forestry.gov.uk/PDF/fcgl002.pdf/$FILE/fcgl002.pdf) also provides useful advice on water crossings and working in forests.

9 Access and recreation

With reference to the Land Reform (Scotland) Act 2003, the applicant should pay due regard to the potential use of the area for recreation by the general public when designing and planning the proposed development. Regard should be given not only to the proposed development site but also the proposed access routes and additional tracks, which may increase the perceived recreational value of the area. Access should not be restricted unless necessary for health and safety or other overriding reasons. Where access needs to be restricted at any time, clear signage following the Scottish Outdoor Access Code branding guidelines is recommended (http://www.outdooraccessscotland.com/branding/).

SNH Guidance: Instruction Note

Subject	:	**Casework guidance**
Name	:	**Advising on carbon-rich soils, deep peat and priority peatland habitat in Development Management**
Custodian Unit	:	Planning & Renewables (054)
Internal Audience	:	All Staff
Quality Assured by	:	John Uttley
Approved by	:	Peter Hutchinson
Date Valid	:	23 August 2018
Date for Review	:	August 2020

Notice Sub-Types

1. **Instruction Note.**
   Issued on behalf of Management Team, it **must be applied as directed**, except where a section is clearly marked as 'Advisory' when an element of local judgement can be applied. You must get in touch with the Custodian Unit if for any reason you think that circumstances make it inappropriate to implement the mandatory content of an Instruction Note. Please also let the Custodian Unit know if you have any suggestions for improving an Instruction Note.
2. **Advice Note.**
   Issued as advice to staff. Flexibility and judgement can be exercised in deciding how best to apply content in local circumstances. You should get in touch with the Custodian Team if you have any questions or doubts about implementing the content of an Advice Note or if you have suggestions for improving it.
3. **News and Information Notice.**
   Communications issued on an ad hoc basis to inform staff of specific facts or events.

Advising on carbon-rich soils, deep peat and priority peatland habitat in Development Management

Purpose

1. The purpose of this guidance is to help SNH staff provide developers, planning authorities and Scottish Government with consistent advice on the effect of wind farms and other renewable energy proposals on peatland habitat. The guidance also sets out the framework within which SNH will decide when wind farms and other renewable energy proposals sited on peat raise natural heritage issues of national interest.

Introduction

2. The guidance describes how we will support the implementation of Scottish Planning Policy (2014) in relation to carbon-rich soils, deep peat and priority peatland habitat and onshore wind development. We will apply the same approach to all other forms of development.

3. Our approach aims to:

   - encourage development to avoid carbon-rich soils, deep peat and priority peatland habitat and to minimise losses of the highest quality peatland habitat;
   - help to mitigate any effects of development on carbon-rich soils, deep peat and priority peatland habitat; and
   - ensure no net loss of public benefit through effective restoration and management of damaged bog to compensate for any losses.

4. Further guidance relevant to developments on peatland is contained in **Annex 1**.

Policy context

5. *Scottish Planning Policy (SPP)* establishes carbon-rich soils, deep peat and priority peatland habitat as nationally important environmental interests:

   > "Recognising the need for significant protection, in these areas wind farms may be appropriate in some circumstances. 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." (SPP, Table 1, page 39)

6. SPP (paragraph 161) requires planning authorities to embody this in spatial frameworks that identify those areas that are likely to be most appropriate for onshore wind farms. We have

provided guidance for planning authorities on how to do this in Spatial Planning for onshore wind turbines.

7. A more detailed and exacting development management process complements the spatial framework (paragraph 163) and paragraph 169 states:

> "Proposals for energy infrastructure developments should always take account of spatial frameworks for wind farms and heat maps where these are relevant. Considerations will vary relative to the scale of the proposal and area characteristics but are likely to include (amongst others):
>
> - effect on greenhouse gas emissions;
> - impacts on carbon-rich soils, using the carbon calculator; and
> - effects on the natural heritage".

8. The National Peatland Plan, the 2020 Challenge for Scotland's Biodiversity and its associated Route Map, the Scottish Land Use Strategy and the Scottish Soil Framework all complement and support the intention of SPP with regard to carbon-rich soils, deep peat and priority peatland habitat and highlight the importance of these resources.

What are carbon-rich soils, deep peat and priority peatland habitat?

9. Carbon-rich soils are those with any surface organic (peaty or peat) layer. Peat in the Scottish soil classification is soil with more than 60% organic carbon and exceeding 50cm in thickness. The four peat forming priority peatland habitats defined in the UKBAP are: Blanket Bog, Lowland Raised Bog, Lowland Fens and part of Upland Flushes, Fens and Swamps.

10. Our Carbon and Peatland Map, published in June 2016, is available on Geo View (Carbon and Peatland 2016 layer) and in Scotland soil Website[1] which provides detail on how to interpret the map. It identifies the nationally important resource and enables planning authorities to map carbon-rich soils, deep peat and priority peatland habitat in a consistent manner in wind farm spatial frameworks.

11. The map is a strategic planning tool. It is not a definitive account of where important carbon rich soils, deep peat and priority peatland habitat exist. Development proposals on peat, whether in the mapped area or not, will always require a site-specific and detailed peat and vegetation survey to confirm the quality and distribution of peatland across the site. This information will confirm the extent to which nationally-important peatland will actually be affected by the development, and inform design, micro-siting and mitigation.

12. When responding to scoping requests we may note whether the proposal is within the mapped area, but we should focus our advice on the actual effects on peatland habitat.

Assessing the impacts of development on carbon rich soils, deep peat and peatland

13. SPP affords 'significant protection' to carbon-rich soils, deep peat and priority peatland habitat and 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. (SPP, Table 1, page 39.)

Assessing effects

14. Wind farms and other developments may have 'direct' or 'indirect' effects on peat.

[1] http://soils.environment.gov.scot/maps/thematic-maps/carbon-and-peatland-2016-map/

- *Direct impacts* comprise a loss of peatland habitat from the development 'footprint' and habitat lost or damaged during construction and operation e.g. due to storage of topsoil/peat on habitat.
- *Indirect impacts* comprise impacts from either temporary or permanent changes in drainage patterns and the quality or quantity of surface and ground water. Peatland habitats are complex hydrological systems, vulnerable to activities occurring beyond the boundaries of individual habitat patches. Examples of indirect impacts include:
  - down-slope droughting or up-slope flooding of peat-based habitat;
  - the pollution of wetland habitat through accidental spillage of vehicular fuels and oils, and from the deterioration of track surfaces during their usage;
  - reduced stability of peat-based habitat on steep slopes, which in turn may have further impacts on habitat and species should a peat slide event occur.

Determining when effects are significant

15. Carbon-rich soils, deep peat and priority peatland habitat are in Group 2 of Table 1 in SPP and afforded the same protection (with regard to wind farms) as Natura sites, SSSI and other international and national designations.
16. A 'significant effect' on the qualities of the carbon-rich soils, deep peat and priority peatland habitat is likely to result from:

- The complete loss of the resource (for example by excavation, or by covering the area in concrete)
- The loss of function of the habitat, whereby the peat, or peatland habitat, is likely to be lost or significantly degraded as a result of the development.

17. When a proposal will have significant effects we should advise of this in our response to the application. We should also recommend whether further mitigation is required. However, we will only use an objection when these effects are on peatland habitat which is deemed to be of national interest (see below).

How to respond

Avoidance

18. The benefits from avoiding areas of good peatland habitat include:

- reduced technical challenges and costs of constructing on deeper peat;
- reduced impact of peat excavation on carbon payback;
- less difficulty of managing excavated peat on construction sites;
- less need for identifying suitable uses for excavated peat.

19. Our role is to help developers avoid sensitive peatland habitat by designing an appropriate wind farm of the right scale for the site.

Mitigation

20. Impacts on peatland can be reduced by:

- conducting detailed habitat surveys and peat depth surveys;
- avoiding deeper peat and sensitive habitat;

- adopting alternative construction techniques such as floating roads and piled turbine foundations; and
- carefully planning drainage on the site and ensuring good maintenance of mitigation measures on site.

Compensation: habitat management and enhancement

21. When potential impacts cannot be avoided or mitigated (for example, through alterations to the site layout or construction techniques), it is good practice to identify opportunities for habitat enhancement. This seeks to improve the condition of existing peatland habitat and to restore damaged habitat.

22. We should encourage developers to undertake habitat management and enhancement when peatland habitat is lost to development. In some circumstances, where we consider the likely loss of peatland habitat is of national interest, we should use a conditioned objection to ensure that any consent provides adequate compensation for any loss.

23. Typical compensation measures include:

- tree removal[2]
- blocking drains/installing dams;
- cessation of burning/peat cutting; and
- reducing grazing and trampling pressures.

24. Further guidance on habitat management plans is available here. Guidance on peatland restoration is available here.

Identifying when the impacts may be of national interest

25. To help determine when a proposal could have a significant effect that is of national interest, we have developed a new assessment framework (see **Annex 2** and **site visit template**). This framework starts from the position that national interest will only arise when peatland of the highest quality is lost or damaged. We want to:

- avoid any further loss of raised and montane bogs;
- minimise the loss of peat-forming blanket bog; and
- ensure no net loss of public benefit through effective restoration and management of damaged bog to compensate for any losses.

26. Our focus is on peatland habitat. We will not raise national interest matters solely on the carbon implications of new developments, or the impacts on 'deep peat'.

27. The framework adopts elements of the criteria used to select SSSIs and uses information collated from the Environmental Statement (mainly in the Ecology chapter and the Geology and Hydrogeology chapter, together with supporting Appendices) complemented by information on GeoView, aerial photography and other relevant data and additional field observations.

28. Having applied the tests in **Annex 2** and concluding that there are significant effects that cannot be substantially overcome, you should consider an objection in line with our National Interest Guidance. You should seek specialist advice from Habitats Group (Rural Resources Unit) and refer the case to the Area Manager if necessary.

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[2] See Control of woodland removal policy and refer to FCS

Working with other agencies

29. When providing advice on the impacts of development on carbon rich soils, deep peat and priority peatland habitat, it is important that we work with other key agencies to align our advice.

    - We should liaise with SEPA on issues relating to groundwater dependent terrestrial ecosystems (GWDTEs); hydrology; waste management (such as the treatment of peat excavated during construction) and carbon emissions.
    - We should liaise with FCS where proposals for development, or peatland restoration, may result in woodland removal or have an effect on woodland resources.

30. **Annex 3** shows the topics on which we and SEPA currently lead.

Annex 1. Further guidance

TITLE	DESCRIPTION
Scottish Executive (2017) Peat Landslide Hazard and Risk Assessments: Best Practice Guide for Proposed Electricity Generation Developments. (Second edition)	Describes peat failure mechanisms and outlines the requirements for peat stability assessment. Aims to provide guidance on the best methods for identifying, mitigating and managing peat slide hazards and their associated risks.
SEPA (2010) Regulatory Position Statement – Developments on Peat	Explains SEPA's position regarding re-use and disposal of peat excavated during developments.
JNCC (2010) Handbook for Phase 1 Habitat Survey: a technique for environmental audit	Presents a standardised system for planning and undertaking habitat surveys and classifying and mapping wildlife habitat.
Institute of Ecology and Environmental Management (IEEM) (2006) Guidelines for Ecological Impact Assessment in the United Kingdom (version 7).	Provides guidance for the ecological impact assessment (EcIA) of all types of development in terrestrial, coastal and freshwater environments. Sets out widely accepted good practice for each stage of the EcIA.
Guidance On The Assessment Of Peat Volumes, Reuse Of Excavated Peat And The Minimisation Of Waste	This document is aimed at businesses engaged in activities that involve developments on peat. It applies to all forms of development on peat, although the examples used are taken from wind farms.
Guidance on conducting site surveys on peatland. (2017)	This guidance provides key principles for surveying peatland for a wide range of applications such as: Peat landslide risk assessments Carbon savings calculations Waste minimisation & management plans Site design and layout Drainage planning and hydrological assessment Post-construction habitat management/site restoration.
NBN atlas gateway BBS Field Guide online pages	This provides further information on the key species identified in annex 2. Sphagnum austinii - NBN - BBS Sphagnum fuscum – NBN - BSS Betula nana – dwarf birch - NBN rhynchospora fusca – brown beak-sedge - NBN

Annex 2. Assessing the likely impact of renewable energy development on peatland and determining when this may be of national interest

Using this assessment process

Case Officers should always complete the assessment set out in this Annex before seeking specialist advice from the Habitats Group (Rural Resources Unit). This will help them determine whether specialist advice is needed and inform the specialist assessment.

Please use the site visit template.

Assessment criteria for each proposed infrastructure mentioned in ES.

1. Raised Bog supporting 'typical' bog vegetation.

   Yes – Likely National Interest

2. Montane Bog supporting 'typical' bog vegetation.

   Yes – Possible National Interest

3. Blanket Bog – based on quality criteria used in identifying potential SSSI.

   A. Is the proposed development within a continuous unit of blanket bog >25ha?

      Yes: Go to B

      No: Advise on mitigation measures

   B. Does the proposed development and/or the wider area of blanket bog of which it is a part, support vegetation capable of forming peat?

      Yes: Go to C

      No: Advise on mitigation measures

   C. Does the proposed development footprint (with a buffer of 250m) support two or more of the following?

      - Low frequency of drains and peat cutting
      - Presence of plant species indicating peat formation capability and/or lack of disturbance
      - An area of natural surface pattern
      - Absence of invasion by woodland or scrub

      Yes: Possible National Interest
      Consult Habitats Group

      No: Go to D

   D. Does the proposed development footprint support one or more of the following?

      - An abundance of *Sphagnum*-rich ridges
      - Ridges of *Sphagnum – Betula nana*
      - Hummocks of *S.fuscum* or S. *austinii*
      - Peat mounds
      - Hollows of *Sphagnum* or bare peat – *Rhynchospora fusca*

      Yes: Possible National Interest
      Consult Habitats Group

      No: Advise on mitigation measures

Annex 3. SNH and SEPA roles in relation to carbon rich soils, deep peat and priority peatland habitat.

Extracted from Joint working arrangement between SEPA and SNH on planning consultations

SNH	SEPA
Groundwater Dependent Terrestrial Ecosystems (GWDTEs) which are the qualifying interest of protected areas, or which could affect the qualifying interest of protected areas.	Groundwater Dependent Terrestrial Ecosystems in the wider countryside, or within protected areas but not a qualifying interest.
Peat landslide risk assessments, where the risks could affect protected areas or areas of carbon-rich soils, deep peat and priority peatland habitat.	Peat landslide risk assessments where these could affect the water environment, or are relevant to one of the other SEPA interests on this table (e.g. could be relevant to consideration of impact on GWDTEs).
	Carbon calculator and carbon emissions.
UKBAP priority peatland habitat.	Fens (which are GWDTEs), outwith protected areas.
Carbon-rich soils, deep peat and priority peatland habitat map.	Peat re-use and waste management.
Habitat Management Plans, Peat Management Plans, Construction Method Statement or Construction Environmental Management Plans where these are required to mitigate effects on one of the other SNH interests listed on this table (i.e. a protected area, UKBAP priority peatland habitat).	Habitat Management Plans, Peat Management Plans, Construction Method Statement or Construction Environmental Management Plans where these are required to mitigate effects on one of the SEPA interests listed in this table (i.e. GWDTE, the water environment, waste management etc.).

Guidance for Assessing the Effects on Special Landscape Qualities

Introduction

1. In Scotland we have two national landscape designations, our National Parks (2), and National Scenic Areas (40). These areas are both highly valued and sensitive and represent the country's finest landscapes. Whilst some change in these landscapes is inevitable, it is recognised this should be managed carefully to ensure their special landscape qualities (SLQs) are safeguarded so that they can be enjoyed by future generations. Incorporating development sympathetic to these exceptional landscapes, requires innovative thinking and real commitment to achieving high quality design from the outset. Assessing the impacts of proposals on the special qualities of our finest landscapes is key to meeting this challenge.

Using this Guidance

2. This guidance describes the approach that should be used when assessing the effects of development and other land use change (such as forestry) upon the special landscape qualities of our National Parks (NPs) and National Scenic Areas (NSAs). The legislative importance of SLQs is reflected in the policy context for which see Annex 2. It is intended to help developers, land managers and others in addressing any effects arising from their proposals, and assist SNH, NPAs and LAs in considering any effects.

3. The principle audience for this guidance is the professional practitioner who has experience of using existing assessment methodologies such as GLVIA. The SLQ assessment should be undertaken by a suitably qualified and experienced landscape or planning professional(s). The assessor must provide an appropriate level of information to enable the decision maker, and consultees, to reach a view on the effects of the proposal on the NSA or NP.

4. The SLQ assessment should be situated within the LVIA chapter (where an EIA is required), within the LVIA report (where this is required to accompany a planning or other application), or free-standing (where a planning or other application requires a SLQ assessment but not an LVIA) The scope and level of SLQ assessment should be discussed at an early stage with the relevant Park Authority or Local Authority, and SNH where appropriate.

5. A Special Landscape Qualities Impact Assessment should be carried out when proposals are likely to result in significant effects on SLQs, regardless of whether the proposals is within or outside the boundary of the designated landscape area. An assessment of impacts on SLQs is highly likely to be required where a proposal falls wholly or partly within an NSA or NP, or where beyond the boundary of the designated area, significant effects on the SLQs are likely.

6. Many of Scotland's NSAs and NPs overlap with Wild Land Areas (WLAs). Impacts on WLAs are assessed through a separate process and only consider the wild land qualities as described within the published descriptions for individual WLAs. The SLQ Impact Assessment covers the landscape qualities as identified in the published report for each NSA or NP, including in some cases, qualities such as a sense of wildness/seclusion/remoteness. When wildness is a SLQ then it is appropriate to follow this guidance to assess the impact of a proposal. When a proposal affects a wild land quality, then the wild land assessment should be followed. In some instances it may be appropriate to consider impacts on wildness where it contributes to both a SLQ and a WLA.

7. This guidance advocates a narrative approach, rather than numerical scores or tables. The purpose of the narrative is to provide the transparency that is necessary when drawing conclusions and making judgements of effect on experiential and perceptual qualities.

8. This methodology recognises that the high sensitivity of the designated landscape resource is inherent, irrespective of numbers of receptors.

9. The detail of the assessment required will differ according to circumstances; including amongst other things the nature, scale, level of detail and certainty of the proposal. Early discussion with the Park Authority, Local Authority and SNH as appropriate will help establish the potential effects on the SLQs of a particular designated landscape, and the best phase or phases in the design development of a proposal at which to include an assessment of SLQs. In general it is worth being aware of the SLQs which may be affected by a proposal, or land use change, as early as possible. This guidance can be applied at any stage in the design development of a proposal and where applicable within the EIA process.

Understanding Special Landscape Qualities

10. SLQs are perceptual qualities and are about the way people respond to place. The assessment approach advocated here requires an understanding of how an area is *perceived and used by people*. How a place is used should not be confused with how many people use this landscape.

11. In 2007/8 SNH used a standard methodology to determine the special landscape qualities (SLQs) of Scotland's National Scenic Areas (NSAs). In 2009 this work was extended, using the same methodology, to include the whole of the National Parks and not just the NSAs within them. The term 'special landscape qualities' is used to differentiate the 2009 work from earlier work carried out by the National Park Authorities which identified a wider range of special qualities, not limited to landscape. Reports detailing the SLQs for each of the National Scenic Areas and both the Cairngorms and the Loch Lomond and The Trossachs National Parks were published in 2010

12. The structure and detail contained in these reports differs slightly from one to another, reflecting the differing nature and sometimes extent of the designated areas. The assessment approach outlined here should be tailored to the individual characteristics of the NSA/NP and the specifics of the proposals.

The Assessment Process

13. The table below summarises the approach to take when considering impacts on SLQs. The assessment should
    - be proportionate to the scale and stage of the development
    - be clear and transparent so that the reasoning that informs judgements can be tracked; and
    - convey the complexity of effects

14. A more detailed proforma for presenting the assessment of effects on SLQs is set out in Annex 1. A tabular approach to the recording of the assessment provides transparency. In particular it enables clear judgements to taken at each stage that support the final conclusions on the assessment of effects to SLQs and any actions required. It is intended to frame rather than limit the assessment.

15.

Step 1 The Proposal					
Step 2 The Study Area		Outline Map			
Step 3 The Assessment					
Column 1 Stage of the proposal e.g. option appraisal, pre-application, application, EIA etc	**Column 2 Relevant SLQs, identified at scoping and refined during subsequent study**	**Column 3 Detailed SLQ descriptions / underpinning landscape characteristics**	**Column 4 Impacts of the proposal on key characteristics and effects on SLQs and timescales**	**Column 5 Proposed (embedded) mitigation and suggested (residual) mitigation and timescales**	**Column 6 Level of effects and possible future risk to SLQ(s)**
Step 4 Summary ?					

Step 1 The Proposal – Gain as full an understanding of the proposal as possible

16. Where applicable, reference should be made to the 'project description' within an EIA Report , LVIA or related documentation and summarised for the purposes of the SLQ assessment. The main components of the proposal should be identified and described. This includes any removal of existing structures or landscape features (eg. landform, vegetation), the introduction of new structures (eg. buildings, masts, turbines), and associated infrastructure including ground modelling, access roads, quarries or borrow pits, planting schemes, boundary treatments, lighting or signage. Of particular importance is the location and siting of the proposal, sizes and heights of structures, scale and extent, colours, and materials. It is only by gaining a thorough understanding of the proposal that the full extent of effects on the SLQs can be understood.

Step 2 Define and Map the Study Area – Identifying the area likely to be affected

17. The extent of the study area will relate to the location and form of the proposal. It will be informed by:
    - The extent of visibility of the proposal including any ZTVs for the proposal;
    - an understanding of how the proposal will be experienced from parts of the NSA/NP, including routes, movement through and key locations in the designated area.
    - site based work (an initial study area might be identified and subsequently refined following a site visit).

18. The study area may include a part of the designated area, the whole of the designated area, or in some cases the study area may extend beyond the boundary of the designated area. This latter situation will happen where SLQs likely to be affected by the proposal are derived in part or wholly, from landscape features and characteristics out with the designated area, or alternatively where SLQs which are experienced from outside the designated area may be affected for example …….. The study area for the SLQ assessment should be defined, tested in the field and agreed with the NPA or local authority.

19. This study area for the SLQ assessment may not be the same as the study area for an associated LVIA.

Step 3 The Analysis of Impacts and Effects on SLQs

20. Each of the stages of assessment below relate to a column of the table, a proforma for which is included in annex 1 of this guidance.

Column 1 Stage of Proposal

21. The detail of the assessment will vary according to the detail available on the proposal and whether the assessment is being undertaken to facilitate an option appraisal exercise or pre-application, to inform an EIA screening or scoping, or to consider the impacts and potential mitigation for a full application or EIA.

Column 2 Identification of relevant SLQs within the study area

22. With reference to the published SLQ report identify which SLQs may be affected. The purpose here is to make the assessment focussed, appropriate and proportionate to the landscape context and the type of development or land use change proposed. The documented SLQs should be considered in light of the proposal and its location, and informed by local knowledge/field work/ZTV and other supporting information and in discussion with the NPA, LA or SNH as appropriate.

23. It may not be necessary to consider the effects of the proposal on every SLQ listed in the NSA/NP report. The aim should be to identify as far as is possible which SLQs are to be included in, or scoped out, of the impact assessment. This can be revised following further site study and more in-depth consideration and site work. Depending upon the nature of the study area, character of the proposal and patterns of visibility, the approach to identifying the most relevant SLQs will vary. Understanding where people go and how people move through and experience the landscape is crucial.

24. In particular field work should identify whether a sequential travelling assessment (eg along a road, glen or coast), or criss-crossing a landscape and/or a series of defined viewpoints and viewsheds/visual envelopes would be preferable to inform which SLQs are experienced in different locations. These initial findings should be recorded on field sheets.

25. The relevant special landscape qualities would be those that one can experience within the study area (throughout the study area or in a part of the study area) and which may be affected by the proposal. Some of the SLQs we experience are dependent upon landscape characteristics and features beyond the boundary of the designated area. This is especially the case with visual and sensory qualities e.g. panoramic views, specific views, dark skies etc.

26. SLQs such as those that are about the experience of a 'named' view or a built structure or settlement may have a definite location (spatial SLQs), whereas other SLQs tend to be experienced together (nested SLQs such as mature impenetrable pine woods within an incised glen). Those SLQs that tend to be experienced together will usually be best grouped and assessed together (see examples in Annex 3).

Column 3 The Key Landscape Characteristics that underpin the SLQs

27. Each of the relevant SLQs or groups of SLQs will need a narrative to explain where and how they are most likely to be experienced within the study area. This narrative will be the basis for assessing impacts. To develop this narrative the assessor should refer to the published SLQ description, the landscape character assessment (LCA), and on-site experience and assessment. Analysis of the landscape characteristics that underpin the more perceptual SLQs will inform an objective assessment of effects.

28. The text within the published SLQ reports varies in content and level of detail across the suite of NSAs/NPs. A pragmatic approach is advocated and early discussion with SNH/NPAs would help inform this process.

29. Site visits, and/or a good working knowledge of the area and how it is used, are key to providing a robust and consistent level of baseline SLQ/LCA information, which can usefully inform the assessment of effects and proposals for mitigation.

Column 4 – Impact of the proposal on underpinning characteristics and the effects on SLQs

30. The narrative here should focus on assessing the effects of the proposal on the key landscape characteristics and then describing what the implications of these effects are on the experience of the SLQs. This should be a considered and integrated narrative leading to a single judgement.

31. Use of ZTV, visualisations, wirelines and photomontages will inform the assessment, alongside site visits. This should consider the impacts of the proposal on the underpinning landscape characteristics and in turn how this effects the SLQs. This section should include a consideration of the impacts of all aspects of the proposal; ground works, structures, access, planting, lighting etc and timescales. A narrative approach to assessment is encouraged, the judgements for which are clearly informed by knowledge of the proposal and an understanding of the key characteristics.

Column 5 - Consideration of proposed mitigation (embedded and residual) further mitigation and enhancement opportunities

32. The following questions should frame the consideration of mitigation.

- How much does the embedded mitigation, the location and siting of a proposal, reduce the effects on the SLQs and their experience?
- Is there potential for mitigation of residual effects to further reduce effects on the SLQs and their experience (e.g. through design modifications, planting or management)?
- What are the realistic timescales for mitigation to become effective in reducing effects on SLQs and their experience (eg. growth of mature native woodland), and is specialist intervention required to meet mitigation objectives (eg. management regimes for a designed landscape)? The results of mitigation in reducing effects should be considered in the short, medium and long term.
- What is the certainty that mitigation will become effective?

Column 6 – Assess the level of impacts on the SLQs of the Designated Landscape

33. Judgements on the level of impacts on SLQs are based on an assessment approach which considers
    a) The sensitivity of the resource (this is always considered high because of the national status of the designation)
    b) the nature of the effects and its longevity, and
    c) the potential to avoid or mitigate the effect (through location, siting, design).

34. Timescales are important in relation to both the longevity of the effect and the time that mitigation takes to become effective (eg. re-routing a road will avoid impacts and is effective from the outset, while sensitive grading and planting in the road corridor in a farmland landscape will reduce effects in a decade, whereas sensitive grading and planting in an upland landscape may take several decades to mitigate to a similar degree).

Step 4 Summary of Impacts on the SLQs, implications for the NSA/NP and possible future effects on SLQs and recommendations for mitigation

- This final stage draws together all the strands of the assessment to present in summary, evidence to inform the decisions on policy, in particular:
- Identifying significant impacts on SLQs and/or
- Impacts on the integrity of the national designation

- This narrative should cover the following issues;
- The nature and levels of effects on the relevant SLQs.
- the relationship of SLQs affected, to each other and the wider designated landscape as a whole.
- any specific locational issues in relation to the way the landscape is experienced eg. gateway experiences or specific features or views
- Include quantitative assessment where appropriate, in support of main qualitative assessment, of damage or loss to SLQs and wider designation; SLQs affected; extent of area and number of people affected;
- Relationship of people with SLQs and how they may be experienced and affected (expectations of people, mode of transport).
- Can residual effects be further mitigated? Timescales for effective mitigation to be realised and the security of mitigation delivery?
- A consideration of possible cumulative effects and the incremental erosion of a Designated Landscape's special landscape qualities over time
- The likelihood of cumulative effects resulting in incremental effect on SLQs should be discussed as part of this assessment. If the assessment of cumulative change is considered to feature as a significant part of the impacts, then a further column should be used to separate out individual as opposed to cumulative impacts, as advocated in GLVIA.
- Where relevant, the effects on the SLQs should be considered in terms of the short, medium and long term and will be the main basis for determining overall significance of effect.

STRATHERRICK AND FOYERS COMMUNITY COUNCIL

Melrose J (Joyce)

From: Redacted
Sent: 17 October 2018 14:32
To: Econsents Admin
Cc: Redacted
Subject: proposal - ECU00000664

RESPONSE TO SCOPING REPORT FOR THE PROPOSED CLOICHE WIND FARM, IN THE PLANNING AUTHORITY AREA OF THE HIGHLAND COUNCIL

Stratherrick & Foyers Community Council does **not** support this proposed wind farm, and has the following comments regarding the Scoping Report;

Section 2.1 Scoping Stage Consultation
The SFCC feels that Visit Inverness Loch Ness (VILN) should have also been included within the additional list of consultees.

Section 7.3 Land Use & Tourism
This section does not make any reference to the newly finished South Loch Ness Trail that runs from Fort Augustus to Scaniport, nor does it make any reference to the proposed Loch Ness 360 route.

Kind Regards

Redacted

Secretary to the SFCC

The Highland Council
Comhairle na Gàidhealtachd

Tony Young - Senior Case Officer
Energy Consents Unit - Scottish Government
5 Atlantic Quay
150 Broomielaw
Glasgow G2 8LU

Please ask for: REDACTED
Direct Dial:
Email:

Our Ref: 18/04606/SCOP

Response to Econsents_Admin@gov.scot

Date: 31 Oct 2018.

Dear Mr Young,

Consultation Response to ECDU.
Addressing EIA Scoping Report for Cloiche Wind Farm.
On land within Glendoe and Garrogie Estates, East of Fort Augustus.

I refer to your recent consultation in respect of the above project. Sorry this response is late.

It is hugely disappointing that this potential Section 36 project has vague and wide parameters. It is therefore necessary for this response to be precautionary and base itself on the worst case scenario. This is assumed to be 40 turbines to a tip height of 175m. It would make it the largest turbine by far used for development on land in Highland, and significantly larger than the turbines currently being erected at Stronelairg wind farm which lies adjacent to the current enquiry.

The Council's recognises in full the proposed description of the project. The Council would at this point highlight that any future application might like to be clear over: -

- the period of time for any deemed planning permission to remain valid, which can be more than the standard 3 years;
- what micro-siting allowances are being sought for turbines, tracks, buildings;
- what additional consents might be needed or if the project will include specific borrow pit requirements, etc.

Given the range of wind farm projects in this location and the need to develop good composition across the landscape, the Council would encourage the project team to consider a mixture of turbine sizes across this one wind farm, rather than adopt a uniform approach. This might help achieve a better design fit.

The Council welcomes the proposed pre- application consultation that will be carried out for this development project, following Town and County Planning practices as opposed to strict adherence to Section 36 procedures.

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Scoped Out

Chapter 7 of the Scoping Report recommends Features to be scoped out from the EIA assessment. Whilst there is some agreement over this approach, it is important to point out that in support of any future application there will still be a basic information need to allow for decision making. For example with: -

- **Noise** - it is accepted that the nearest noise sensitive property is some distance away from the turbines there are significant wind farms schemes in this locality which give rise to background noise levels and potential concerns over cumulative noise levels in excess of guidance / benchmarks. The EHO will want to know what the predicted noise levels of the selected turbines are and what the predicted cumulative levels are – including which projects are being taken into account. It may be that a future condition might for example a 3dB margin above predicted levels.

- **Recreation**: - Whilst screening out land use and recreation issues there are matters which will need to be addressed within any application submission. In particular providing / accommodating public access on the tracks up and into the hills as a benefit of any project. It is appreciated that there is an intention to submit a draft access management plan with an EIA. The Scoping Report mentions a couple of hills as receptors. It is recommended they add the Corbetts of Carn a Chuilinn and Gairbeinn which is often coupled with Corrieyairack Hill. Like Glenshero, which might be taken into consideration for this proposal's cumulative impact, this may be overlooked by one or more of the Creag Meagaidh Munro's. The Corrieyairack Pass is another popular local route. The public right of way through the site's eastern extremity which is sometimes used as a through route by people traversing the whole country as part of the annual TGO Challenge.

EIA Assessment

Your report highlights within Chapter 6 the key areas of environmental impact assessment including: Landscape and Visual Impact, Ecology, Biodiversity and Nature Conservation; Ornithology; Geology, Soils and Water; Cultural Heritage; Traffic, Access and Transport; Aviation; Carbon Assessment and Socio-Economic Impact.

A future application and supporting EIA Report should clearly highlight the following elements: -

1. Description of the Development: - The development for an EIA Report is often much more than would be set out in a particular application, so the specific elements of the submitted application for approval must be made clear. A statement is also required which outlines the main development alternatives studied by the applicant.

2. Environmental Elements Affected: - The EIA Report must provide a description of the aspects of the environment likely to be significantly affected by the development.

3. Mitigation: - The EIA Report should present a **clear summary table of all mitigation measures** associated with the development proposal. This table should be entitled draft Scheme of Mitigation.

Planning Policy

Regarding Para's 4.3 and 4.4 of the Scoping report this needs to be updated to recognise the Scottish Government's Onshore Wind Energy Policy Statement 2017 and the Council's

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adopted Supplementary Guidance – Onshore Wind (Nov - 2016). The latter in particular highlights an approach to the assessment of any wind farm project, including the 11 criteria as highlighted within Policy 67 of the Highland-wide Local Development Plan.

The Inner Moray Firth Local Development Plan 2015 (IMFLDP) is mentioned in the list of references provided in the Scoping Report but is not mentioned in the body of the report.

Whilst the report is correct to focus primarily on the policy framework provided in the Highland-wide Local Development Plan 2012 (HwLDP) and the Onshore Wind Energy Supplementary Guidance 2016 (OWESG), the applicant / developer should ensure that the IMFLDP is clearly referenced in the EIA and Planning Statement for completeness, including any explanation of the (limited) scope of its relevance to the proposals.

The OWESG is referenced in the body of the report but has been omitted from the list of references, into which mention should be added.

The Highland Renewable Energy Strategy & Planning Guidelines (HRES) is mentioned in the list of references but it should be noted that whilst the targets in it are still referred to for monitoring, the Council is no longer referring to HRES as a material planning consideration for onshore wind energy.

The Scoping Report is light in its referencing of the OWESG, focussing primarily on what the Spatial Framework indicates for the site. Whilst it is acknowledged that the applicant's / developer's Planning Statement to be prepared in due course can be expected to cover the OWESG in some detail, nevertheless the EIA should have greater cognisance of the OWESG, especially in respect of landscape and visual considerations, as it will be relevant to EIA itself.

Further to the above, in particular on pages 18-20 of the OWESG there is a list of 10 criteria which set out key landscape and visual aspects that the Council will use as a framework for assessing proposals. These are not absolute requirements but potential constraints and key considerations which the developer should be aware of and take into account in their own assessment and in designing proposals. The applicant's/developer's assessment should consider all of the criteria. Only somewhat limited information is available at this stage about the siting and design of the proposed development, however given its potential location and scale then many of the criteria could be particularly relevant in this case.

The OWESG also contains a landscape sensitivity appraisal for the Loch Ness area. Through such appraisals the Council aims to provide additional strategic considerations that identify sensitivities and potential capacity to further guide development, rather than as part of a sequential test or to introduce additional constraints as part of the spatial framework.

Landscape and Visual Impact Assessment.

The Proposed Development Areas indicated in the Scoping Report lay mainly within the landscape character area referenced LN6 in that study. The applicant / developer should take into account the findings of the appraisal, whilst noting that the Loch Ness study area appraisal was essentially focussed around Loch Ness - whereas the 10 criteria mentioned above will address wider and more general issues of concern.

The Council will expect (as noted in the Scoping Report) the assessment to utilise in full the Visualisation Standards for Wind Energy Development as adopted by the Council in July 2016. The opportunity here to utilise the Council's "single frame panoramic viewer" is highly relevant particularly to assist community consultation and Council meetings. This potentially should include animation. See - Web link

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

Generally the approach laid out for Landscape and Visual Impact Assessment is acceptable, but in view of the site location within area LN6: Monadhliath ridge and tops, Rolling Uplands in the Loch Ness Sensitivity Study identified limited scope for additional Large turbines within the existing pattern, where turbines should not:

- not breach skyline when viewed from north side of Loch Ness.
- Be set back from Key Routes
- Preserve mitigation established by current schemes
- Maintain the landscape setting of each existing scheme.
- Avoid coalescence with current positioning
- respect spacing and scale of existing development pattern.

Particular attention will have to be paid to these aspects and specific reference made to the mitigation achieved for Stronelairg, Dell and any other relevant schemes particularly within LN6.

In terms of the criteria set out in the Supplementary Guidance, there are potential concerns under all criteria, but the most immediate concern would be criteria 6 to 10 relating to scale of landscape and perception in relation to existing development.

Criterion: -

1. Relationship between Settlements/Key locations and wider landscape respected.

   Visibility of wind energy within LN6 is likely to be increased from properties on rising and elevated ground to the north of Drumnadrochit, a viewpoint to represent these impacts should be considered.

2. Key Gateway locations and routes are respected

   Generally accounted for in proposed viewpoint selections.

3. Valued natural and cultural landmarks are respected

   Views to and from Loch Ness and Urquhart Castle should be protected from adverse effects on Scenic composition and perception of landscape scale.
   Views from Meall Fuar-mhonaidh to be protected from any increased sense of the landmark being encircled by wind energy development.

4. The amenity of key recreational routes and ways is respected.

   Impacts on the Great Glen Way.

5. The amenity of transport routes is respected

   Impacts on the A82, A87 and B862

6. The existing pattern of Wind Energy Development is respected.

   The pattern of existing development in LN6 is described in the Loch ness Study and

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includes:

- Tend to be contained within shallow 'bowls' in the landscape which are visible from within the LCA but not in more distant views.
- This is very relevant when taken together with the recommendation to preserve existing mitigation.

7. The need for separation between developments and/ or clusters is respected

   While the relationship of the development to Stronelairg generally preserves the physical space between developments, the perception of that separation may be limited in oblique views where the overall length of the development on a north-west/south-east axis will tend to reduce visual separation.

8. The perception of landscape scale and distance is respected

   Generally, development which increased the density and weight of development in this location has potential to impact on perception of scale and distance, particularly in views from the north side of Loch Ness.

9. Landscape setting of nearby wind energy developments is respected

   In breaking with the pattern of containment within the shallow bowl of the landscape the development risks creating a greater visual prominence which would draw greater attention to all for the development in LN6.

10. Distinctiveness of Landscape character is respected

    Similarly to Criterion 8, the density and weight of development may move the area of LN6 and surrounding landscapes further along the spectrum to a windfarm landscape.

Access, Traffic and Transport

Access to the site for abnormal loads and general construction traffic is proposed via the B862 Fort Augustus – Inverness road and the A82 trunk road, utilising access tracks previously completed in connection with neighbouring developments.

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.

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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 that may be employed at Cloiche.

Further mitigation will, therefore, almost certainly be required. **In considering the mitigation needed cognisance shall be taken of the Council's South Loch Ness Road Improvement Strategy.**

Renewable Pre-app. Guidance – appended 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 the 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.

Any timber extraction required in connection with the development proposals should also be considered in the TA.

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

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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. (01349) 886754

Traffic Data - Greg Otreba, Senior Technician
grzegorz.Otreba@highland.gov.uk Tel. (01463) 252947

Archaeology

The methodology as set out in the scoping report is acceptable. The Council's archaeologist is content that no additional survey is required and that any setting impact studies should be guided by the results of the ZTV analysis.

The ES chapter will need to follow Highland Council Standards for Archaeological Work. The Standards are available at

http://www.highland.gov.uk/downloads/file/1022/standards_for_archaeological_wok.

Natural Heritage

The response made by SNH is noted. It is comprehensive and covers all relevant issues not only in respect of Landscape and landscape assessment for all designations. It is noteworthy that the Council's Special Landscape Areas need to all be included within the overall assessment. Information on the Special Landscape Area – Citations are available from the council's web site.

https://www.highland.gov.uk/downloads/file/2937/assessment_of_highland_special_landsca

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SEPA

In a similar manner the response from SEPA is noted. It is comprehensive and covers a whole range of issues that will need to be addressed. This will also dovetail with the interests of the Council's Flood Team.

You should be aware that SEPA, SNH and Council have a joined up approach which will expect projects of this scale, if approved, to require the submission of a Finalised Construction and Environmental Management Document (Plans) to ensure the offered mitigation is fully taken into account. In view of this it would be useful to adopt this approach at the outset i.e. within any future EIA Report / Assessment to effectively present all expected project mitigation.

Overall

The applicant has already been through the process of a Section 36 wind farm application and all that that entails in this locality. The project application was successful and set out a framework for the current operation of the existing Stronelairg wind farm. This includes the provision of extensive mitigation in respect of land management, deer culling, ornithological works etc. In effect it is a mature wind farm area. Consequently any future application needs to take this position and commitments into account and highlight how such programmes, if relevant, can be extended. I would expect that the successful outcomes of the initial project should be used to demonstrate how this applicant has already tackled environmental mitigation. Therefore there is no great need over-explain the approach to be deployed on this site, if it has already been demonstrated.

Kind regards.

REDACTED

Principal Planner (South Area Team)
Planning and Building Standards, Town House, High Street, Inverness. IV1 1JJ.

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Appendix

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.

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GUIDANCE ON THE PREPARATION OF TRANSPORT ASSESSMENTS

THE HIGHLAND COUNCIL

NOVEMBER 2014

GUIDANCE ON THE PREPARATION OF TRANSPORT ASSESSMENTS

CONTENTS

1 Introduction

1.1 The requirement for Transport Assessments is set out in *Scottish Planning Policy (para 286)* and further guidance is given in *Transport Assessment Guidance* produced by Transport Scotland. Additionally the Highland Council's *Roads and Transport Guidelines for New Developments* refer to Transport Assessments in section 2.2.

1.2 The purpose of this document is to provide additional guidance on particular aspects of the preparation of Transport Assessments. It is designed to augment and supplement but not replace the other guidance which is available.

2 Requirements for a Transport Assessment (TA)

2.1 A Transport Assessment (TA) will be required when a development has significant transport implications. Indicative criteria regarding transport impacts are given in paras. 3.10 – 3.21 and Table 3.1 of *Transport Assessment Guidance*. However as each situation must be judged on its merits the requirement for a TA should be agreed in advance with the Council.

2.2 For developments with lesser transport implications a Transport Statement (TS) may be required and this should be agreed with the Council. Agreement on the requirement for a TA or TS should be undertaken in good time prior to the submission of a planning application.

3 Scoping

3.1 Scoping is an essential part of the successful preparation of TAs involving the submission of a Scoping Report to the Council for agreement prior to further development of the TA. The contents of a Scoping Report are given in Table 3.2 of *Transport Assessment Guidance*. For schemes which impact on the trunk road network the scoping should also be agreed with Transport Scotland.

3.2 A TA is normally concerned with the transport impacts of development during the operational phase. However in certain circumstances it may also be necessary to consider the impact of construction traffic and this should be agreed with the Council. In the case of renewable energy projects the major impacts are during construction and full consideration should be given to the impact of construction traffic.

3.3 A TA should consider the transport impacts of development both on the existing transport network in the surrounding area external to the site and for large sites within the site boundary itself. This should include connectivity and integration between the proposed development and the surrounding areas.

4 Assessment for all modes of transport

In accordance with *Scottish Planning Policy* and *Transport Assessment Guidance* assessment for all modes of transport should be carried out. This includes walking, cycling, public transport, private cars and service vehicles.

5 Existing transport infrastructure

5.1 Existing transport infrastructure should be assessed to establish its suitability to support additional development. This will include footways, carriageways and provision for cyclists and public transport.

5.2 Existing infrastructure is often sub-standard by current standards and the TA should identify where this is the case and where it is proposed to undertake upgrading to support new development. However in some cases upgrading may not be possible for example due to land ownership issues or topography. In these cases a balanced judgement will be required on the suitability of sub-standard infrastructure to support additional development. The TA should identify all relevant issues relating to the standard of existing infrastructure and consider the implications of permitting the proposed development.

6 Accessibility

6.1 The TA should assess the accessibility of the site to existing and proposed facilities. For example in the case of residential development this will include schools, amenities and employment opportunities.

6.2 Measures should be proposed to provide safe and attractive routes to encourage walking and cycling between the proposed development and adjacent facilities.

7 Existing traffic conditions

7.1 The existing traffic conditions on the adjacent road network should be established by obtaining appropriate traffic data. This may include data which is available from existing sources such as permanent traffic counters or alternatively data obtained specifically for the project. Existing data which should not be more than 3 years old should be factored to reflect traffic growth since the data was collected. The growth factors to be used should be agreed with the Council.

7.2 In order to ensure that traffic conditions are broadly representative of year round conditions surveys should be carried out during a neutral month avoiding public and local holidays, school holidays and other abnormal traffic periods. The months of April, May, September and October are normally considered to be neutral months. If undertaking traffic surveys at other times of year is unavoidable then a seasonal adjustment factor should be agreed with the Council.

7.3 To establish link flows automatic traffic counts (ATC) will normally be undertaken and these should be for a minimum period of one week.

7.4 Classified turning counts as well as queue surveys may be required at junctions. These should normally cover both the am and pm peak periods which are typically 7.30 – 9.30 and 16.00 – 18.00 or as agreed with the Council. In addition for retail development the Saturday peak period should be considered and this will typically be within the period 12.00-18.00. Classified turning counts should be undertaken at 15-minute intervals while queuing surveys should be undertaken at 5-minute intervals. Turning counts based on one day's data should not be used in isolation and should be calibrated against queuing data and ATC data for a longer period.

8 Traffic growth

Data from traffic surveys shall be factored to reflect traffic growth to the assessment year of the development which is normally the year of opening. Traffic growth factors shall be agreed with the Council.

9 Committed development

Committed development in the vicinity of the site may have a traffic impact over and above that taken into account by traffic growth. Committed development is classed as development which has an extant planning consent or has been granted planning consent subject to legal agreement but which has not yet been occupied. The traffic impact of committed development should be added to the existing traffic conditions before considering the impact of the proposed new development.

10 Safety

10.1 The safety of the existing network should be investigated by reference to accident statistics for at least the previous three year period.

10.2 Proposed changes to existing road layouts and new road layouts may require safety audit and requirements for this shall be agreed with the Council.

11 Traffic generation

11.1 Traffic generation of proposed development is normally assessed using the TRICS database. The database contains a large amount of data gathered from surveys of travel patterns from developments throughout the UK and Ireland and relates to journeys made by motor vehicles and by other modes.

11.2 The TRICS database should be used in accordance with the *TRICS User Guide.* As explained in the User Guide obtaining representative data for a proposed development is dependent on the following:

- Selection of appropriate criteria for the site in question.
- Selection of a sufficient number of sites in order to avoid unrepresentative data distorting the overall result.

Depending on the total number of sites available in the database for a particular type of development it can be difficult to satisfy both criteria completely. The User Guide makes it clear that trip rates are consistent across wide geographical areas providing other criteria are selected correctly.

11.3 In order to demonstrate the suitability of the selection criteria adopted the following aspects should be fully explained and justified within the main text of the TA.

- Land use and trip rate selection criteria
- Primary filtering criteria
- Secondary filtering criteria

Where the filtering criteria results in the selection of a small number of sites the criteria may need to be adjusted and a revised selection made in order to include additional sites. This may result in modified results. Where this is done both sets of results should be presented in the TA for comparison purposes.

11.4 Due to the sensitivity of the data to the selection criteria adopted within TRICS consideration should be given to presenting a range of trip rates which reflects the uncertainty inherent in traffic forecasting. In addition it should be apparent in the TA whether the data used relates to the mean results or the 85th percentile.

11.5 Mean/median cross testing should be undertaken in accordance with the *TRICS User Guide* and the results reported in the TA.

11.7 The output from the TRICS selection process should be included in the TA as an appendix.

11.8 The TRICS database now contains multi-modal information for many sites. In addition census data is also available which contains information about modal split of journeys to work and education which can be useful. If it is proposed to use a mix of TRICS data and census data this should be justified and where possible both sets of data presented for comparison purposes.

12 Junction analysis

12.1 The existing junctions to be analysed should be agreed with the Council as part of the scoping. In addition for large developments proposed new junctions may also require analysis.

12.2 The level of development traffic will impact on existing and new junctions. In situations where a range of traffic generation has been considered as noted in 11.3 and 11.4 above it will be necessary to establish the sensitivity of the junction analysis to the assumptions made regarding development traffic. In some cases more onerous assumptions regarding traffic generation will lead to a junction becoming overloaded. In borderline cases the reasons for reaching a conclusion regarding the suitability of a junction to accommodate the development traffic shall be fully explained in the TA.

13 Roads hierarchy

Proposals for larger developments should identify a roads hierarchy in order to provide suitable routes for through traffic, public transport, service vehicles and identify quieter residential streets.

14 Mitigation measures

The TA should identify all measures required to enable the transport infrastructure to accommodate the proposed development. These should include but will not necessarily be limited to the following:

- Improvements to the existing roads infrastructure including junction improvements and road widening.
- Measures to promote walking and cycling both within the site and in the surrounding area.
- Provision of pedestrian crossings and cycle routes.
- Provision of bus shelters and contributions to enhanced bus services.
- Measures to improve road safety.
- Contributions to larger schemes for infrastructure improvement being promoted by the Council.

15 Parking

The provision of appropriate and adequate parking both on-site and off-site is an essential component of good development. Parking should be provided in accordance with national and Council standards and as agreed with the Council. Provision should be made for general parking, disabled parking, cycle parking and when required for coach parking. The TA should identify the parking strategy adopted for the development.

16 Travel Plan & Monitoring

The TA should contain, as a minimum, a travel plan framework in accordance with the requirements of the *Transport Assessment Guidance.* The Travel Plan framework should contain proposed Mode Share Targets (MSTs) along with a statement of how these will be

monitored once the development is complete. For large traffic generating developments annual monitoring over a 3-year period post opening will be required.

17 Submission of Transport Assessment

For applications for which a TA is required the relevant document should be submitted along with the planning application and other supporting information. The transport aspects of an application cannot be considered in advance of receipt of the relevant documentation and therefore late submission could result in delay to the consideration of the application.

18 References

Scottish Planning Policy Scottish Government, June 2014

http://www.scotland.gov.uk/Resource/0045/00453827.pdf

Transport Assessment Guidance Transport Scotland, 2012

http://www.transportscotland.gov.uk/sites/default/files/private/documents/tsc-basic-pages/Planning_Reform_-_DPMTAG_-_Development_Management__DPMTAG_Ref__17__-_Transport_Assessment_Guidance_FINAL_-_June_2012.pdf

Roads and Transport Guidelines for New Developments Highland Council, May 2013

http://www.highland.gov.uk/downloads/file/527/road_guidelines_for_new_developments

TRICS User Guide

http://www.trics.org/websystem/doc/TRGOODPR2013.pdf

National Roads Development Guide (para 3.2) SCOTS, 2014

http://localapps.pkc.gov.uk/internet/flashmag/councils/nationalroadsguide/roadsfeb2014.pdf

Design Manual for Roads and Bridges. Volume 12. Traffic Appraisal of Road Schemes

http://www.dft.gov.uk/ha/standards/dmrb/vol12/index.htm

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TRANSPORT SCOTLAND
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Your ref:
ECU00000664

Our ref:
TS00538

Date:
18/10/2018

Dear Sirs,

THE ELECTRICITY ACT 1989, SECTION 36 APPLICATION

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

SCOPING OPINION REQUEST FOR PROPOSED APPLICATION UNDER SECTION 36 FOR THE CLOICHE WIND FARM, IN THE PLANNING AUTHORITY AREA OF THE HIGHLAND COUNCIL

With reference to your recent correspondence on the above development, we acknowledge receipt of the Cloiche Wind Farm Scoping Report (SR) prepared by SSE Renewables Developments (UK) Limited 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 up to 40 turbines with a tip height of up to 175m, located within the Monadhliath Mountains approximately 11km to the south-east of Fort Augustus. The nearest trunk road to the site is the A82(T), approximately 10km to the west of the site, with the A86(T)/ A9(T) trunk roads approximately 13km to the east. The site is adjacent to the existing Glendoe Hydroelectric Power Scheme and the under-construction Stronelairg Wind Farm, with the existing access road serving these developments being utilised for the proposed wind farm. We note there will be a separate planning application for the grid connection and transmission works associated with the wind farm.

Abnormal Loads Route

The SR indicates that the Abnormal Load Route has not yet been established and that a review of transport routes to the site would be informed by a transport assessment and swept path analysis.

Transport Scotland will require to be satisfied that the chosen route(s) can accommodate both conventional HGV traffic and the movement of abnormal loads associated with the development. In terms of abnormal loads, the details required would include a report which considers the movement of abnormal loads including swept path analysis and potential mitigation measures required at pinch points along the route. This would include details on the temporary removal of any street furniture, any proposed junction widening, traffic management etc to ensure that transportation of loads will not have any detrimental affect on structures within the trunk road route path. This should include all trunk roads used as part of the route, and not just the A82(T) in the vicinity of the site.

Assessment of Environmental Impacts

The SR indicates that the Environmental Impact Assessment (EIA) report will provide an assessment of the construction stage including the preferred route options for the movement of any heavy loads and an estimate of vehicle trip generation from the site. The road network is indicated to comprise the A82(T) and the B862.

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

We 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 0141 343 9636.

Yours faithfully

REDACTED

John McDonald

Transport Scotland
Roads Directorate

cc Alan DeVenny – SYSTRA Ltd.

11 October 2018

Toby Young
Senior Consents Manager
Energy Consents Unit
The Scottish Government

Dear Mr Young,

Section 36 Application – Cloiche Wind Farm, Highlands

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.

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 renewable energy developments 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.

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 and Parliamentary Affairs
VisitScotland