Scottish Government

Energy Consents Unit

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

Infinergy Ltd

Lochluichart Wind Farm Extension II

Issued: 13 June 2017

Contents

1. Introduction

On 12 April 2017, Infinergy Limited submitted a request to the Scottish Ministers for a Scoping Opinion under Regulation 7 of The Electricity Works (Environmental Impact Assessment)(Scotland) Regulation 2000, as amended, relating to the proposed Lochluichart II Wind Farm. The request was accompanied by a Scoping Report compiled by Infinergy. The proposed Lochluichart Wind Farm extension II is a joint venture with Infinergy limited and the Lochluichart Estate.

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 came into force on 16 May 2017.

Transitional provisions – requests for scoping opinions

Transitional provisions for requests for scoping opinions made before 16 May 2017 are set out in Regulation 40(3) of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017. Where-

(a) a request for a scoping opinion is made before 16th May 2017; and

(b) the Scottish Ministers have adopted a scoping opinion before that date;

that request is to be treated as having been made under regulation 12(1) but when adopting a scoping opinion the Scottish Ministers are to assess the scope and level of detail of information to be contained in the EIA report by reference only to the scope and level of detail of information which immediately prior to 16 May 2017 had to be included in an Environmental Statement in accordance with regulation 4(1) and schedule 4 of the 2000 Regulations.

<u>The Lochluichart II Wind Farm " the proposed Development"</u>

The proposed Lochluichart II would be located 18 km north west of Dingwall within The Highland Council local authority area.

The relevant planning authority will be The Highland Council.

The current proposal is for up to 8 turbines each having a maximum blade tip height of up to 125 metres and a rated capacity of 3 megawatts, the total generating capacity proposed will be up to 24 MWs. In addition to the Lochluichart and Lochluichart Extension this second extension at the Lochluichart site will still generate in excess of 50 MW.

In addition to the 8 wind turbines there will be ancillary infrastructure including:

- An onsite network of underground cables linking the turbines to a grid connection;
- A series of onsite access tracks connecting each of the turbine locations;
- An onsite substation (if required) and control/maintenance building;
- Temporary works including a construction compound;
- A permanent anemometer mast to measure wind speed and wind direction

- On site borrow pit/s; and
- A battery storage facility

The windfarm will make as much use of the existing infrastructure as possible, utilising the existing access track constructed for the Lochluichart and Corriemoillie wind farms, which connects the proposed development directly to the A835, borrow pits, substation and control building.

The proposed Development is located within the landscape character area defined as open moorland intersected intermittently by burns. The landscape is a mix of farming and forestry land. The site extends over approximately 116 hectares with the nearest road A835 lying immediately north of the proposed Development and runs alongside the site boundary.

The operational Lochluichart windfarm and consented Corriemoillie windfarm are adjacent to the proposed Development.

Consultation

On receipt of Scoping Opinion request, the Scottish Ministers initiated a consultation on the contents of the Scoping Report. This commenced on 21 April 2017 and requests for consultations were sent to The Highland Council, Scottish Natural Heritage, Scottish Environment Protection Agency and Historic Environment Scotland and various other bodies whom the Scottish Ministers consider are likely to have an interest in the proposed application. The deadline for consultation was initially the 15 May 2017, some extensions requests were granted therefore the deadline was extended to 5 June 2017

The purpose of the consultation was to obtain advice and guidance from each consultee in respect of the information which each of them believes should be provided in the Environmental Statement. The consultation received 17 responses.

Full consultation responses are attached in ***Annex A*** and 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 Environmental Statement.

The Scottish Ministers are satisfied that the requirements for consultation set out in the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 have been met.

2. The Scoping Opinion - explanation

This Scoping Opinion is, effectively, a collection of the responses received to the consultation request of 21 April 2017 and it is issued on behalf of the Scottish Ministers to Infinergy Limited in relation to the proposed Lochluichart II Wind Farm.

Consultees have given regard to current knowledge and methods of assessment and the specific characteristics of the proposed Development, the specific characteristics of that type of development and the environmental features likely to be affected have been taken into account.

Please note: The Scottish Ministers expect the Environmental Statement which will accompany the application for the proposed Development, to include full details showing that **all** the advice, guidance, concerns and requirements raised by each consultee as being addressed.

A copy of this scoping opinion has been sent to The Highland Council for transferring to part 1 of the planning register.

3. Duration of scoping opinion

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. Nothing in this written 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 an additional Scoping Opinion be sought from Scottish Ministers in the event that no application has been submitted within 12 months of the date of this Opinion.

4. Site specific issues of interest to the Scottish Ministers

Subject to specific comments below the Scottish Ministers expect the environmental statement 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, as being addressed.

Scottish Ministers would like to be included in pre- application correspondence in relation to viewpoint selection discussions between with Applicant, Highland Council and SNH.

Radar - Highlands & Islands Airport (HAIL) – the applicant is to provide line of sight drawings between the Radar and the Turbines at both 200m **and** 125m heights. Until line of sight drawings are supplied, and HIAL can be assured that the Radar installation will not be affected, HIAL would be likely to **object** to this proposal.

SNH – Scottish Ministers agree with SNH comments that "the applicants will need to examine the history of the currently consented schemes of Lochluichart and its extension and Corriemoillie, particularly the evolution of their design, associated mitigation and the discussions leading towards consents. The Environmental Statement should clearly illustrate whether or not this proposal would undermine the mitigation and design thinking that has been built into the consented schemes." Scottish Ministers expect to see this covered in the Environmental Statement submitted.

Other Issues

It should be noted that to facilitate uploading to the Energy Consents portal the Environmental Statement and its associated documentation, when submitted, should be accompanied with a CD containing the Environmental Statement and its associated documentation divided into appropriately named separate files of sizes no more than 10 MB. This will also assist SNH and other consultees.

5. 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. All Applicants are encouraged to engage with officials at the Scottish Government's Energy Consents 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 a proposed Development post submission.

When finalising the Environmental Statement, Applicants are asked to provide a summary in tabular form of where within the Environmental Statement each of the specific matters raised in this Scoping Opinion has been addressed.

6. Consultation

Prior to the Scoping Report being sent out for consultation a list of consultees was agreed by Infinergy Limited and Energy Consents. For a list of respondents and copies of their responses see **Annex A.**

All consultation responses received should be considered in full and Scottish Ministers expect the Environmental Statement to include all matters raised by the consultees.

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

ANNEX A CONSULTATION RESPONSES

Consultee

British Horse Society
BT
Defence Infrastructure Organisation (MOD)
Forestry Commission Scotland
Highland and Islands Airports
Historic Environment Scotland
Joint Radio Company
Marine Scotland
Mountaineering Scotland
NATS
RSPB Scotland
Scottish Right of Way and Access Society
Scottish Water
SEPA
SNH
The Highland Council
Transport Scotland
Visit Scotland

No response

CAA, Fisheries Management Scotland, Crown Estate, John Muir Trust, Scottish Wildlife Trust, Scottish Wild Land Group and Garve & District Community Council.

Patron Her Majesty The Queen

Fulfilling your passion for horses

Julie Hanna (Scotland)
Woodburn Farm
Crieff
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PH7 3RG

Email Julie.hanna@bhs.org.uk
Website www.bhsscotland.org.uk
TeRedacted

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

By email to:
econsentsadmin@scotland.gsi.gov.uk
n.sage@infinergy.co.uk

Dear Sir/Madam

ELECTRICITY ACT 1989

THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2000

SCOPING OPINION REQUEST FOR PROPOSED SECTION 36 APPLICATION FOR THE PROPOSED LOCHLUICHART WIND FARM EXTENSION II NEAR DINGWALL, SCOTLAND

I refer to the above scoping opinion request for the proposed Lochluichart wind farm extension near Dingwall. Apologies for the delay in responding to this scoping opinion request.

It is noted that the application will be for the erection of up to 8 wind turbines (with a maximum blade tip height of approximately 125 metres) and associated infrastructure at the Loch Luichart Estate, north-west of Dingwall and will be subject to an Environmental Impact Assessment.

In terms of PAN 58, the aim of such a scoping exercise is to assist the developer to identify the key environmental issues surrounding this proposal, which would be further addressed in the Environmental Statement as the project progresses.

I would wish to highlight Policies 78 and 79 of the Highland-wide Local Development Plan (LDP) that relate to Public Access and Long Distance Routes.

The British Horse Society (BHS) is always pleased to be consulted on transport, planning and development matters and where possible or necessary we are able to engage local riders to get a locally based response. Thank you very much for consulting with us, horses are important and good for people so their safety and capacity to access safe off road hacking is a key

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consideration in terms of their welfare and the wellbeing of their riders and those who look after them.

A project, like the one you are carrying out is an excellent opportunity to improve connections in a community and hopefully resolve any problems in terms of countryside access, transport and travel.

The BHS is here to help, so please do not consider this response the final word, we hope to work with you on an on-going basis to ensure horses and horse riders get as good a deal as they can out of any proposed improvements, so please do not hesitate to contact us in the future.

I would suggest that the BHS should be consulted at the time of the Section 36 application, to allow full consideration of the Environmental Statement and other information.

The Importance of Off Road Riding
Scotland's equestrian industry is important with the horse being a major rural economic driver, recent joint research between SRUC and BHS showed:

Current trends in the sector point to a continued increase in horse numbers and riding activity in all geographical areas of Scotland and across a wide cross section of society. The expenditure on direct upkeep averages £3,105 per horse per annum.

This report also showed:

A concern for all riders, including tourists, is diminishing access to safe off-road riding. Most riding accidents happen on minor roads in the countryside. With increasing numbers of horses and riders requiring access to the countryside, more formal access to off-road riding will be a priority in areas considered of higher risk.

The full report can be accessed at:
http://www.sruc.ac.uk/downloads/file/2391/2015_scoping_study_on_the_equine_industry_in_scotland

Scotland has a duty to get horse riders off busy roads; few riders access busy roads by choice (and the horse has as much right to be on the public highway as cars, bikes and pedestrians) - but they often have no choice as that is the only way they can access their safe off road hacking.

I can also refer you to:
http://www.rospa.com/road-safety/advice/horse-riders

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Equestrian road users are vulnerable - that means they are more likely to be involved in a road accident and also more likely to suffer the worst consequences.

Horses and their riders (as well as carriage drivers) are vulnerable on the road network. A collision between a horse and a vehicle can have life threatening consequences for the horse, rider and those in a vehicle. There is evidence to suggest that the number of road traffic collisions involving horses is underreported in casualty data.

Horse riding is more prevalent (particularly on roads) in certain parts of the country. Rural areas have larger numbers of horse riders, who make a significant contribution to the rural economy. Yet according to Road Safety Scotland 70% of road accidents happen on country roads. (http://dontriskit.info/country-roads/view-the-campaign)

The BHS expects developers to work with representatives of the local horse riding community to understand their road safety and countryside access concerns and facilitate engagement with other partners and consider whether any road safety interventions should be introduced, where there are significant numbers of horse riders and/or road traffic collisions involving horses.

Under the Land Reform (Scotland) Act 2003, horse-riders and carriage drivers enjoy a right of access to most land in Scotland, provided that they behave responsibly. Land managers in turn are obliged to respect equestrian access rights and take proper account of the right of responsible access in managing their land. The Scottish Outdoor Access Code gives guidance on how the requirements to behave responsibly can be met. Please refer to: www.outdooraccess-scotland.com

This access legislation, which is over a decade old now gives horse riders the same rights of responsible access as walkers and cyclists. It is vital that any off road tracks or non-motorised users tracks or paths are multi-use catering for all including horse riders and carriage drivers.

Active Travel and Suitable infrastructure

Whilst the active travel movement does not consider equestrian travel to be a form of active travel there are many people for whom riding is an attractive mode of travel whether that be for travel purposes or leisure purposes, and the delivery of Active Travel should not discourage this, just as it should not discourage the use of micro-scooters, roller blades, skateboards and other similar modes of travel. In urban areas, many riding horses are kept within the 10 mile journey distance and they must not be disadvantaged by new facilities that may be put in place for the cyclists. Level crossings which are currently used by equestrians should not be replaced by alternatives which would preclude the use by equestrians, for example, a footbridge. Similarly, other infrastructure like gates, bridges, cattle grids and slippery surfaces should all be installed with equestrians in mind. Access control must always be the least restrictive option.

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The British Horse Society (BHS) represents the interests of the 3.4 million people in the UK who ride or who drive horse-drawn vehicles. With the membership of its Affiliated Riding Clubs and Bridleway Groups, the BHS is the largest and most influential equestrian charity in the UK. The BHS is committed to promoting the interests of all equestrians and the welfare of horses and ponies through education and training.

Please see attached an information sheet on equestrian access.

I trust that the above points will be addressed as part of this Scoping Opinion Request and I look forward to providing more specific information at the time of the application. Perhaps the developer could set up a workshop to involve local riders prior to the submission of an application as such pre-application consultation would be vital to such a project.

JULIE HANNA
SCOTTISH REGIONAL MANAGER
THE BRITISH HORSE SOCIETY

Information Sheet 11

Equestrian Access

The aim of this Information Sheet is to convey the general principles relating to equestrian access.

Introduction

Many people involved in the design and management of outdoor access feel they lack the required knowledge or confidence to deal adequately with equestrian access.

Riders are no different to walkers and cyclists. They vary considerably in their interests, needs and preferences. As with other users, the access provider should aim to provide a variety of routes, surfaces and experiences, and to take into account the needs, aspirations and constraints of all users.

There is no substitute for first-hand experience – by far the best way of appreciating the needs of horses and riders is to try for yourself from the saddle. Local riding schools, horse access groups or BHS volunteers will usually arrange for access providers to get on a horse and experience for themselves the thrills and frustrations of equestrian access. Remember that local riders and horse-owners will often be willing to help plan and implement routes.

Understanding horses, riders and their needs

The average weight of a horse is 500kg, and average size of a horse's hoof varies from 110mm to 250mm diameter. Depending on pace, only two hooves may be in ground contact simultaneously, hence a considerable weight is concentrated on a very small area. Because of this, one of the greatest risks for horses is boggy ground where they may get stuck and holes in which they may strain or break a leg. Either can have fatal consequences.

Minimum height of a mounted rider is 2.55m above ground level. Overhanging branches and any other obstructions should be cleared to a minimum of 3m (preferably 3.7m) on all riding routes.

Horses require a minimum 2.9m diameter turning space. It is particularly important to 'design in' this space by the sides of gates. At gated junctions between paths and vehicular roads, always ensure the gate is set well back to give sufficient manoeuvring space away from the carriageway.

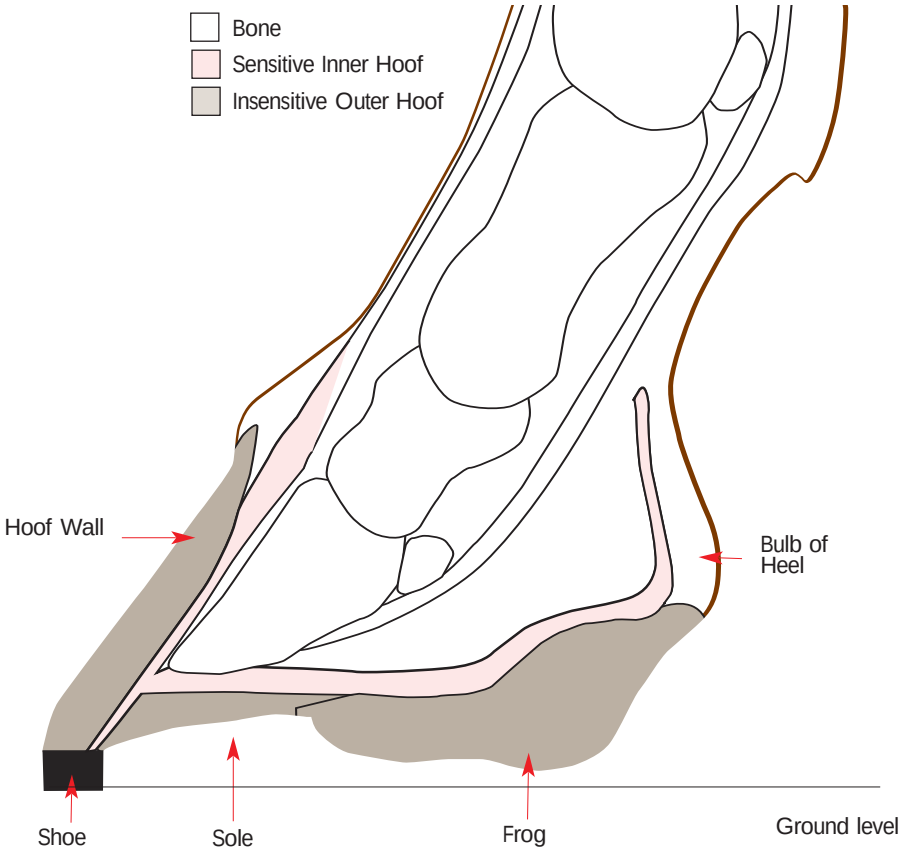
Adequate turning space and safe loading/unloading areas are essential where parking is provided

Paths from a horse's perspective

for horse boxes/trailers.
A simple knowledge of the anatomy of the horse's feet and legs provides an insight into the implications of path surfacing. The horse's foot comprises an insensitive outer layer of horny tissue, which surrounds and

Structure of the horse's hoof

Cross section through hoof showing sensitive and insensitive areas



Information Sheet 11

Paths from a horse's perspective cont.

protects sensitive inner structures.
The unshod surface of the hoof comprises the sole, the hoof wall, and the central "frog", which helps absorb concussion and pump blood through the hoof.
The sole is derived from the very sensitive membrane that covers the pedal bone, and although it may appear hard, it is in fact relatively thin and easily bruised.

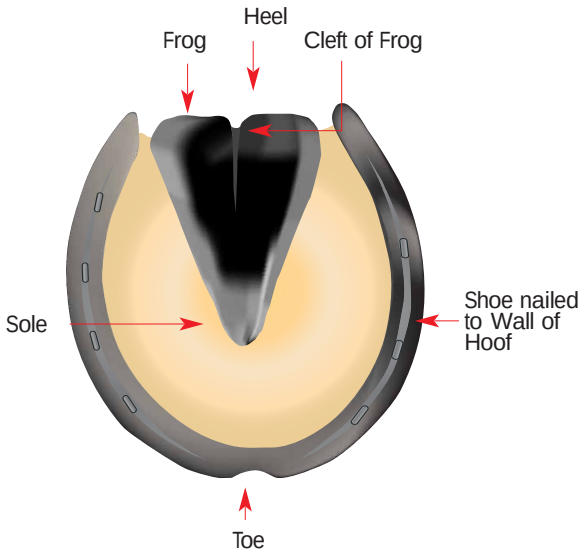
Most horses in regular work are shod with metal shoes, which are designed to protect the hoof wall (the main bearing surface) from excessive wear,

Path surfaces

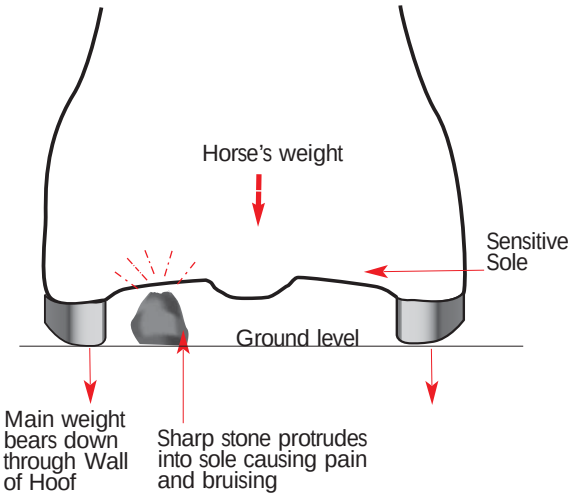
and to evenly spread the load of horse and rider around the hoof wall.
On flat, compacted surfaces, the naturally arched sole will not come into contact with the path. However, on unconsolidated surfaces, sharp stones may
protrude into and bruise the sole, causing lameness. Similarly loose stones, even small pea gravel, may become wedged in the hoof, exerting painful pressure on the underlying tissues each time the horse bears weight on the hoof. Infection and swelling within the hoof resulting from stone punctures can cause serious problems.

The level of concussion to both the hoof and horse's legs increases with the hardness of the surface, and with the speed at which the horse is moving. Trotting or cantering on tarmac or hard tracks will soon lame a horse by placing strain on the legs, potentially resulting in permanent impairment. Grass tracks, which provide ideal fast going for much of the year, can bake sufficiently hard in dry weather to restrict horses to a walk.

Underside of the hoof



Cross section through hoof showing potential pressure and damage from sharp stones



Information Sheet 11

Paths from a rider's perspective

Depending on time of year and ground conditions, every surface can present problems or opportunities.
The basic functions of path surfacing for horses are the same as those for any other users: to facilitate travel, to protect the site and to contribute to the user's enjoyment while travelling.

Paths should be safe by being relatively non-slip and with a firm base.

Paths should have a comfortable surface for the horse, which avoids the risk of bruising the sole of the hoof.

Paths should offer scope for a range of pace. Some riders may only want to walk (e.g. inexperienced riders or unfit horses). Most riders, however, look for the opportunity to trot, canter and occasionally gallop. Hard surfacing to improve the surface for other users, or to restrict the pace of horses, may prompt riders to look for alternative paths in the vicinity for faster riding.
The most popular types of paths for horse-riders, in descending order of preference, are as follows:

- Short, firm, well-drained turf.
- Vegetated paths on firm base such as grassed over forest roads or disused railway tracks stripped of ballast to expose consolidated ash solum.
- Paths where the natural vegetation is protected or reinforced by some type of surfacing.
- Constructed paths with firm, non-slip surface.

Acknowledgement and Further Information

This Information Sheet is based on a detailed, technical Factsheet covering path construction and surfacing; gates; and bridges, water and road crossings prepared by the British Horse Society in conjunction with the Paths for All Partnership and Scottish Natural Heritage. It is available from the British Horse Society, the Paths for All Partnership's web site or from its office in Alloa.

2 May 2017
Your reference:

Our ref.WID10611

Dear Sir/Madam,

RE: PROPOSED THE LOCHLUICHART WIND FARM EXTENSION II, NEAR DINGWALL

Dear Sir/Madam

Thank you for your email.

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

The conclusion is that the project should not cause interference to BT's current and presently planned radio networks.

Regards

Yours sincerely

Dale Aitkenhead
BT Network Radio Protection

Defence Infrastructure Organisation

Claire Duddy
Assistant Safeguarding Officer
Ministry of Defence
Safeguarding – Wind Energy
Kingston Road
Sutton Coldfield
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United Kingdom

Telephone [MOD]: +44 (0)121 311 3714
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E-mail: DIOSEE-EPSSG2a1@mod.uk

Your Reference: Section 36

Our Reference:
DIO/SUT/43/10/1/10039722

Joyce Melrose
The Scottish Government

10th May 2017

Dear Ms Melrose

Please quote in any correspondence: DIO 10039722

Proposal: Scoping Opinion Request fo the proposed Section 36 application for the Lochluichart Wind Farm Extension, near Dingwall

Thank you for consulting the Ministry of Defence (MOD) on the above Planning Application in your communication dated 21st April 2017.

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

The application is for 8 turbines, a maximum of125 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	232509	867179
2	232198	868788
3	232712	869150
4	232700	868847
5	233165	868894
6	232732	868550
7	233227	868561
8	233007	867266

In the interests of air safety the MOD will request that the development should be fitted with MOD accredited aviation safety lighting. The turbines should be fitted with 25 candela omni-directional red lighting or infrared lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point.

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

Claire Duddy
Assistant Safeguarding Officer – Wind Energy
Defence Infrastructure Organisation

SAFEGUARDING SOLUTIONS TO DEFENCE NEEDS

Forestry Commission Scotland
Coimisean na Coilltearachd 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

Joyce Melrose
Energy Consents Unit
The Scottish Government
4th Floor, 5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

28 April 2017

Dear Joyce Melrose

Electricity Act 1989 The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000
Scoping Opinion Request for proposed Section 36 Application for the Lochluichart Wind Farm Extension II, near Dingwall

Thank you for providing an opportunity for Forestry Commission Scotland (FCS) to comment on the proposed wind farm.

While the development of the wind farm itself does not appear to directly impact on woodland, the position of the access tracks and connections is yet to be confirmed and may have an impact on woodland.

FCS advise that the 'Scottish Governments Control of Woodland Removal Policy' would apply and that UK Forest Standard should apply to any woodland activity.

The turbines to the north east of the site are located close to the forest edge at the plantation established under Woodland Grant Scheme 1 on Lochluichart Estate North. There are no proposals for any wind protection related felling within the scoping report. In order to ensure that any wind protection or access proposals are fully informed we have attached our generic Scoping opinion (March 2015) by pdf to this email.

FCS will be happy to discuss any woodland related issues with the applicant.

Yours sincerely

Martin MacKinnon
Regulations and Development Manager

Forestry Commission Scotland

Generic Scoping Opinion – March 2015

Forestry and Woodlands
Scotland's woodlands and forestry are an economic resource, as well as an environmental asset, as stated in the third National Planning Framework[1] (para 4.23, page 48).

There is a strong presumption in favour of protecting Scotland's woodland resources. For this reason the Scottish Government published a policy on control of woodland removal[2] in 2009 (refer Scottish Planning Policy[3] paragraph 218). The policy aims protect the existing forest resource in Scotland and supports woodland removal only where it would achieve significant and clearly defined additional public benefits. In some cases, including those associated with development, a proposal for compensatory planting may form part of this balance.

The criteria for determining the acceptability of woodland removal and further information on the implementation of the policy is explained in the policy on control of woodland removal. These should be taken into account when preparing the development plans for a wind farm proposal. Beyond this, applicants should refer to guidance documents issued by Forestry Commission in relation to good forestry practice, sustainable forest management and associated environmental issues.

Woodland Management and tree felling
The first consideration for the developer should be whether the underlying purpose of the proposals can reasonably be met without resorting to woodland removal. Design approaches which reduce the scale of felling required to facilitate the development should be considered and integration of the development with the existing woodland structure is a key part of the consenting process.

Where a developer intends to construct a windfarm within a forest, partially within a forest, or that will affect the forest environment, it is important that pre-application discussions takes place with Forestry Commission Scotland (FCS), the planning authority and other relevant key agencies, at the earliest possible stage of the project, to ensure all parties have a shared understanding of the nature of the proposed development, information requirements and the likely timescale for determination. This collaborative approach will ensure that all forestry issues are identified and mitigated at the earliest opportunity.

The developer should consider the potential cumulative impact of the proposed development in respect to the local and regional context. This should include consideration of potential cumulative impact of proposed woodland removal, when considering existing development in the surrounding woodland. In particular consideration needs to be given to the implication of felling operations on such things as habitat connectivity, landscape impact, impact on timber transport network and forestry policies included in the local and regional Forestry and Woodland Strategies and local development plans.

[1] http://www.gov.scot/Topics/Built-Environment/planning/NPF3-SPP-Review/NPF3
[2] http://scotland.forestry.gov.uk/supporting/strategy-policy-guidance/woodland-expansion/control-of-woodland-removal
[3] http://www.gov.scot/Topics/Built-Environment/planning/Policy

The Environmental Statement should include a stand-alone chapter on 'Woodland management and tree felling' that describes and recognises the social, economic and environmental values of the forest and the woodland habitat and take into account the fact that, once mature, the forest would have been managed into a subsequent rotation, often through a restructuring proposal that would have increased the diversity of tree species and the landscape design of the forest. The chapter should describe the baseline conditions of the forest, including its ownership. This will include information on species composition, age class structure, yield class and other relevant crop information. The baseline should be prepared from existing records, site surveys and aerial photographs.

The chapter should clearly indicate proposed areas of woodland for felling to accommodate new turbines, access roads and other infrastructure. Details of the area to be cleared around those structures should also be provided, along with evidence to support the proposed scale and phasing of felling. The chapter should describe the changes to the forest structure, the woodland composition and describe the work programme. The felling plan should clearly identify which areas are to be felled and when.

Trees cleared for turbine bases, access roads and any other wind farm related infrastructure must be replaced by replanted on-site or on an alternative site (compensatory planting). The restocking plan should show which areas are to be replanted and when during the life of the windfarm. The plan should clearly identify and describe the restocking operations including changes to the species composition, age class structure, timber production and traffic movements.

Integration of the windfarm into future forest design plans is a key part of the development process. Applicants are therefore advised to prepare a Long Term Forest Plan, alongside their Environmental Statement, that provides a strategic vision to deliver environmental benefits through sustainable forest management and describes the major forest operations over a 20 years period. Such a plan should be presented to the planning authority, as a technical appendix as part of the Environmental Statement, for context.

FCS is the main forestry consultee and should be consulted throughout the development of the proposal to ensure that proposed changes to the woodland are appropriate and address the requirements of the policy on control of woodland removal.

It should be made clear that both felling operations and compensatory planting (if relevant) must be carried out in accordance to good forestry practice as defined in the UK Forestry Standard[4] (UKFS). The UKFS, supported by a series of guidelines, is the reference standard for sustainable forest management in the UK and provides a basis for regulation and monitoring. The Scottish Government expects all forestry plans and operations in Scotland to comply with the standards. FCS therefore expect for Environmental Statement developed for wind farms (and other projects that impact on forests) to clearly state that the project will be developed and implemented in accordance with the UKFS and associated guidelines. A key component of this is to ensure that even-age woodlands are progressively restructured in a sustainable manner: felling coupes should be phased to meet adjacency requirements and their size should be of a scale which is appropriate in the context of the surrounding woodland environment.

Details of the proposed mitigation should not be left to post-consent Habitat Management Plans (or others) to decide and implement. The specifics of the proposed mitigation should be included in a Compensatory Planting Plan, appropriately described in the Environmental Statement, as they are

[4] http://www.forestry.gov.uk/ukfs

vital in understanding the development in full.

Forestry Commission Scotland
FCS works as part of Scottish Government to protect and expand Scotland's forests and woodlands and so has an interest in major developments that have the potential to impact on local forests and woodlands and/or the forestry sector.

Relevant discussion on forestry matters should take place prior to the submission of an Environmental Statement and developers and their consultants should allow sufficient time in their project plan to accommodate such advice. Developers should consult the local FCS Conservancy office that can be accessed at: http://www.forestry.gov.uk/website/forestry.nsf/byunique/infd-8see6d

Melrose J (Joyce)

From: Anne Phillips <APhillips@hial.co.uk>
Sent: 20 April 2017 11:29
To: Econsents Admin
Cc: Nick Sage (N.Sage@infinergy.co.uk); Econsents Admin
Subject: Scoping Opinion - Section 36 - Proposed Lochluichart Wind Farm Extension II

HIAL Ref: 2016/0053/INV

Dear Sir/Madam,

PROPOSAL: Scoping Opinion Request for proposed Section 36 Application for the Proposed Lochluichart Wind Farm Extension II
LOCATION: Land to North West of Dingwall

These turbines at 200m could possibly affect the performance of the Radar installation at **Inverness Airport** and the airport would not wish to see a degradation of this service.

HIAL would request that the developer provides line of sight drawings between the Radar and the Turbines at both 200m and 125m heights.

The OS Grid coordinates for Inverness Radar are 276977.56E 852598.07N and the height of radar head is 31.4m AOD.

Until line of sight drawings are supplied, and HIAL can be assured that the Radar installation will not be affected, HIAL would be likely to **object** to this proposal.

Regards

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

By email to:
econsentsadmin@gov.scot

Joyce Melrose
Energy Consents Unit
4th Floor, 5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

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

Our ref: AMN/16/H
Our case ID: 300019831

02 May 2017

Dear Ms Melrose

The Electricity Act 1989
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000
Scoping opinion request for proposed Section 36 application for the Lochluichart Wind Farm Extension II, near Dingwall

Thank you for your consultation which we received on 13 April 2017 about the above scoping report. We have reviewed the details in terms of our historic environment interests. This convers world heritage sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas (HMPAs).

The relevant local authority's 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 eight wind turbines and associated infrastructure at Loch Luichart Estate, north-west of Dingwall. This would form an extension to the consented Lochluichart wind farm.

Scope of assessment
As stated in pre-application advice to the Highland Council dated 23 November 2016, we consider the proposals unlikely to raise significant issues for our interests. We note that since this advice was given, the scheme has been increased by a further two turbines. We are content that this does not alter our view as previously stated.

We welcome the fact that the historic environment is identified as a key environmental issue in the scoping report. We note that the references provided are accurate and up to date.

We have no specific requests for issues for inclusion in the assessment.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Ruth Cameron, who can be contacted by phone on 0131 668 8657 or by email on Ruth.Cameron@hes.scot.

Yours sincerely

Historic Environment Scotland

Melrose J (Joyce)

From: JRC Windfarm Coordinations <windfarms@jrc.co.uk>
Sent: 13 April 2017 14:03
To: Econsents Admin
Subject: Re: Lochluichart Wind Farm Extension II - Section 36 [WF431282]

Dear econsents_admin,

Keith Brogden just logged the following message to a coordination request in which you participate:

Dear Sir/Madam,

***Planning Ref**: Section 36 Application - Scoping Opinion Request*

***Name/Location**: Lochluichart Wind Farm Extension II, Dingwall, Highland*

Total 8 turbines:

TURBINE:
Lochluichart Extension II T1 hub 80m blades 45m
Grid ref OSGB 232509 867179

No links affected

TURBINE:
Lochluichart Extension II T2 hub 80m blades 45m
Grid ref OSGB 232198 868788

No links affected

TURBINE:
Lochluichart Extension II T3 hub 80m blades 45m
Grid ref OSGB 232712 869150

No links affected

TURBINE:
Lochluichart Extension II T4 hub 80m blades 45m
Grid ref OSGB 232700 868847

No links affected

TURBINE:

Lochluichart Extension II T5 hub 80m blades 45m
Grid ref OSGB 233165 868894

No links affected

TURBINE:
Lochluichart Extension II T6 hub 80m blades 45m
Grid ref OSGB 232732 868550

No links affected

TURBINE:
Lochluichart Extension II T7 hub 80m blades 45m
Grid ref OSGB 233227 868561

No links affected

TURBINE:
Lochluichart Extension II T8 hub 80m blades 45m
Grid ref OSGB 233007 867266

No links affected

***Hub Height**: 80m **Rotor Radius**: 45m (estimated dimensions)*

*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
Dean Bradley House,
52 Horseferry Road,
LONDON SW1P 2AF
United Kingdom

Office: 020 7706 5199

JRC Ltd. is a Joint Venture between the Energy Networks Association (on behalf of the UK Energy Industries) and National Grid.
Registered in England & Wales: 2990041
http://www.jrc.co.uk/about-us

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marinescotland

Scottish Government
Riaghaltas na h-Alba
gov.scot

T: +44 (0)1796 472060 Ext: 4429 F: +44 (0)1796 473523
DD: +44 (01224) 294429 e-mail: emily.bridcut@gov.scot

Ms Joyce Melrose
Local Energy and Consents Unit
Scottish Government
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Our ref: FL/17-7
May 10th 2017

Dear Joyce,

LOCHLUICHART WIND FARM EXTENSION II, NORTH WEST OF DINGWALL

Thank you for seeking comment from Marine Scotland Science (MSS) on the scoping report for the proposed Lochluichart Wind Farm Extension II. The proposed development will be located in the north-west of Dingwall within The Highlands, north of the currently operational Lochluichart Wind Farm and Lochluichart Extension, within the catchment of Loch Glascarnoch and Glascarnoch River which feed into the River Blackwater.

We welcome the proposal to undertake a hydrogeological survey to establish baseline conditions of the proposed development site. MSS advises the developer to carry out site characterisation hydrochemical surveys (including turbidity) of watercourses at high and low flow conditions. Information from these site characteristic surveys will allow an assessment of the potential impacts of the proposed development on the water quality and for appropriate site specific mitigation measures and monitoring programmes (both hydrochemical and macroinvertebrates before, during and after construction) to be drawn up; a requisite of the Environmental Impact Assessment.

The scoping report mentions aquatic fauna could be adversely affected during construction however; little or no specific mention is made to fish populations. MSS advises the developer to consider fish of both economic and conservation value throughout the proposed development and we recommend the developer to consult our generic scoping guidelines at

the following web site http://www.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren. Surveys associated with the Lochluichart Wind Farm Extension highlighted the presence of physical barriers within some of the watercourses which may prevent access to migratory fish, however we encourage the developer to assess the presence and abundance of fish in the streams likely to be affected by the development, these data can then inform appropriate mitigation measures (e.g. fish passage requirements at watercourse crossings) and monitoring programmes, if required, to ensure avoidance and/or minimal impact on fish populations. Further details regarding surveys and monitoring programmes can be found at the above web site. The Cromarty District Salmon Fishery Board and The Cromarty Firth Fisheries Trust should be contacted, if not already done so.

The potential impact of felling and the cumulative impact of the present proposal and adjacent wind farms on water quality and fish populations should be discussed in the Environmental Statement (ES).

We also suggest a restoration and decommissioning plan, to include fisheries related issues, to be considered as part of the EIA process and discussed within the ES.

In summary, we advise the developer to undertake site characterisation surveys to assess the water quality and fish populations within and downstream of the proposed development site. Proposed mitigation measures and monitoring programmes should be outlined in the ES.

Kind regards,

Dr Emily E. Bridcut

Mountaineering Scotland

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

By email to econsentsadmin@gov.scot & Joyce.Melrose@gov.scot

Joyce Melrose
Admin Officer
Energy Consents Unit
The Scottish Government

8 May 2017

Dear Sir

ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2000
SCOPING OPINION REQUEST FOR PROPOSED SECTION 36 APPLICATION FOR THE LOCHLUICHART WIND FARM EXTENSION II, NEAR DINGWALL

We note that the proposed development is for up to 8 turbines of up to 125m blade-tip height.

The proposed methodology for the environmental assessment appears standard and Mountaineering Scotland is content with this subject to the following observations.

Planning context

Given the planning history of the site, we would expect the planning commentary accompanying the ES to fully address the appropriateness of a further application given the implied constraint on (further) development northwards in comments by SNH on the original application and Extension 1 and by THC and Scottish Government on Extension 1.

We quote here from the Extension 1 decision letter:

“Scottish Ministers recognise that this Application proposes to place turbines in an area where they were removed from in the original Lochluichart wind farm scheme. Scottish Ministers are satisfied, with the approval of the adjacent Corriemoillie Wind farm scheme, that this proposal, whilst introducing an increased number of turbines into views, will provide an opportunity to improve the visual relationship of the developments. They are of the view that this proposed extension scheme will help to “round off" the consented developments, giving the appearance of one larger scheme.”

The covering email from the Energy Consents Unit dated 21 April 2017 invited comment as to whether there is anything further we would like Scottish Ministers to highlight for consideration. In this context we believe it is appropriate for Ministers to state that the LVIA will need to address how an already ‘rounded-off’ development can be further extended without significant adverse impact.

Turbine size

The scheme is being scoped for 125m BTH turbines. However, paragraphs 1.11-1.15 and 4.80 of the Scoping Report appear to set up the potential for larger turbines to be proposed.

In the event that a planning application does involve larger turbines, the distances at which potential L&V individual and cumulative impacts are considered may need to be increased.

Proposed Viewpoints

Most appear appropriate with the exception of Viewpoint 10 “Creag Byaad”, which we are unable to identify from this name although from the grid reference it appears to be a mistyping of Creag Ruadh. In any case we suggest this is replaced with the summit of Sgurr a’Mhuilinn, a well-known and popular Corbett mountain and a spectacular viewpoint where many walkers linger looking northwards. This would be a more appropriate choice for Viewpoint 10.

We note in passing that the ‘Sgurr Mor range’ is commonly known by mountaineers as ‘The Fannichs’ being located in the Fannich Forest shown on Ordnance Survey maps.

I hope these comments are helpful.

Yours sincerely
[Redacted]

David Gibson
CEO
Mountaineering Scotland

Melrose J (Joyce)

From: ALLEN, Sarah J Redacted

Sent: 21 April 2017 15:01
To: Melrose J (Joyce); Econsents Admin
Subject: RE: Lochluichart Wind Farm, near Dingwall (Our Ref: SG24546)

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

[Redacted]

Redacted

giving nature a home

RSPB Scotland

Joyce Melrose

Admin Officer

Energy Consents Unit

The Scottish Government

By email : econsentsadmin@gov.scot

17/01834/SCOP | Extension to Lochluichart Wind Farm (Scoping request under EIA Regulations 2011) | Land Between Lochluichart And Loch Glascarnoch Garve

Dear Joyce,

Thank you for consulting RSPB Scotland on this scoping request in relation to the Lochluichart Wind Farm Extension II proposal which entails the erection of up to 8 wind turbines and associated infrastructure, by Infinergy Limited.

RSPB Scotland is generally supportive of the use of renewable energy, but believes that wind farms must be carefully sited to avoid negative impacts on sites and species of conservation importance.

Bird Species of Conservation Concern and Designated Sites

The Annex 1 (list of the EC Birds Directive 2009/147/EC) bird species potentially occuring within or close to the proposal site include golden eagle; hen harrier; merlin; red throated diver; and dotterel. Other important bird species likely to occur include golden plover and black grouse. The potential impacts on all of these species should be adequately covered within the environmental statement.

The proposed site is not within any designated nature conservation site but is relatively close to the Glen Affric to Strathconan Special Protection Area (SPA) designated for breeding golden eagles (c. 3.8km). The potential impacts on golden eagle should therefore be a priority for assessment, including in relation to collision risk.

Golden eagle

The golden eagle is listed under Annex 1 of the Birds Directive and Schedule 1 of the Wildlife and Countryside Act (1981). 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. It is possible that the extension site falls within golden eagle territories due to the close proximity of the Glen Affric to Strathconon SPA and because the species is known to be present within the surrounding areas of the proposed development. The loss of this area could compromise the viability of one or more of these territories. It is therefore important that territory data is analysed and informs the extension layout, as the development could reduce the extent of available eagle foraging habitat. If necessary, the use of

North Scotland Office
Etive House
Beechwood Park
Inverness
IV2 3BW

Tel 01463 715000
Fax 01408 715315

rspb.org.uk

Predicting Aquila Territory (PAT) modelling should be considered. The ES should consider impacts on the Natural Heritage Zone (NHZ) populations and mitigation.

Red-throated diver

Red-throated diver is listed in Annex 1 of the Birds Directive and Schedule 1 of the Wildlife and Countryside Act 1981.

Given the historical presence of red-throated diver on Loch na Sallach, it is possible that pairs continue to utilise areas within and close to Lochluichart (and Extension II) and Corriemoillie Wind Farm sites. Impacts on this species (including collision and disturbance) should therefore be considered in the EIA.

Ground nesting birds – golden plover and dotterel

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 and dotterel.

Golden plover is listed in Annex 1 of the Birds Directive and is known to be highly sensitive to wind farm disturbance (Sansom *et al.,* 2016)[1].

The site may be suitable for dotterel, and this is illustrated by the fact that there are two SPAs designated for breeding dotterel within c. 8km of the site - Beinn Dearg and Ben Wyvis SPAs. This emphasises the need for the EIA process to consider potential impacts on dotterel.

Black grouse

Black grouse, a species listed under Annex 1 of the Birds Directive, are identified as occurring within 500m of the wind farm extension developable area. We recommend relocation/removal of turbines within 300-600m of lek sites. Operations within 300-1000m of any known lek site should be timed to avoid activity prior to 2hrs after local sunrise or after 2hrs prior to local sunset from 15th March to 15th May.

Tree felling

If tree felling is required for the proposals this could create additional foraging habitat for golden eagle and merlin, as well as hen harrier nesting/foraging habitat. The implications of this should be considered in the EIA, including in collision risk modelling. The EIA should take into account the Scottish Natural Heritage (2016) guidance *Wind farm proposals on afforested sites – advice on reducing suitability for hen harrier, merlin and short-eared owl.*

Survey methodology

[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

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RSPB Scotland

Planning Advice Note 1/2013: *Environmental Impact Assessment* highlights that one purpose of scoping is to discuss and agree appropriate methods of impact assessment - including survey methodology where relevant. However in this case, we note that field surveys (including vantage point, breeding bird, and grouse surveys) have already been carried out, although the scoping report provides limited detail as to the methodologies used for those surveys. The survey work that the report describes has progressed further than is generally expected at the scoping stage. This scoping exercise is therefore of less use than it would have been if carried out before the surveys were conducted.

Habitats - Habitat Management/Mitigation

The environmental statement should include a full survey, impact assessment and proposals for mitigation/enhancement in relation to important habitats and species on this site.

We request that a detailed Habitat Management Plan (HMP) is prepared and submitted with any application that comes forward and this should contain detailed ecological justification for any proposals. The proposal should avoid any development on deep peat and seek to enhance any key habitats such as blanket bog occurring within the area.

Cumulative Impacts

An assessment of cumulative impacts in relation to other projects proposed or with consent within this natural heritage zone (NHZ) should be undertaken (in accordance with SNH 2012 guidance 'Assessing the Cumulative Effects of Onshore Wind Energy Developments').

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

Yours faithfully

Phil Dowling

Assistant Conservation Officer, North Scotland.

North Scotland Office
Etive House
Beechwood Park
Inverness
IV2 3BW

Tel 01463 715000
Fax 01408 715315

rspb.org.uk

ScotWays ®

Safeguarding public access in Scotland since 1845

econsentsadmin@gov.scot

Joyce Melrose
Admin Officer
Energy Consents Unit
The Scottish Government

23/05/2017

Dear Ms Melrose,

Your ref: **Electricity Act 1989**
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000
Scoping Opinion Request for Proposed Section 36 Application for the Lochluichart Wind Farm Extension II, near Dingwall

Thank you for your email of 21 April 2017 requesting a scoping response for the above proposed wind energy development. We gratefully acknowledge the additional time allowed for our response.

The National Catalogue of Rights of Way (CROW) shows that right of way HR46 is affected by the area outlined in red, shown as the *Scoping Site Boundary,* on *Figure 2.1 Preliminary Turbine Layout*. A map is enclosed showing right of way HR46 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.

Right of way HR46 is known as the *Fish Road* and is promoted by the *Heritage Paths* project for its historic interest. The route is also described in our popular publication *Scottish Hill Tracks* with a slight variation at its northern end to head more directly towards the Aultguish Inn.

The applicant notes the existence of this right of way *4.301* but should be aware that their description of the start of the route is not as it is recorded in CROW. Our records indicate that HR46 starts on the A835 at Loch Glascarnoch. The route starting at the Aultguish Inn is the variant route noted above and promoted as a Scottish Hill Track.

When considering the Landscape and Visual Impact in point 4.113 the applicant states *The key routes to be considered are shown in Figure 4.13 and described below*. While the applicant makes mention of core paths (*4.119)* and *other walking routes* (*4.120*) these do not appear to have been shown on Figure 4.13: if we have inadvertently overlooked this we would be grateful if this could be brought to our attention.

If required by the applicant to inform the Environmental Impact Assessment, maps of a wider search area are available from the society.

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 the Society is aware of other windfarms in the vicinity of this proposed site, we are particularly concerned that cumulative impact is taken into account.

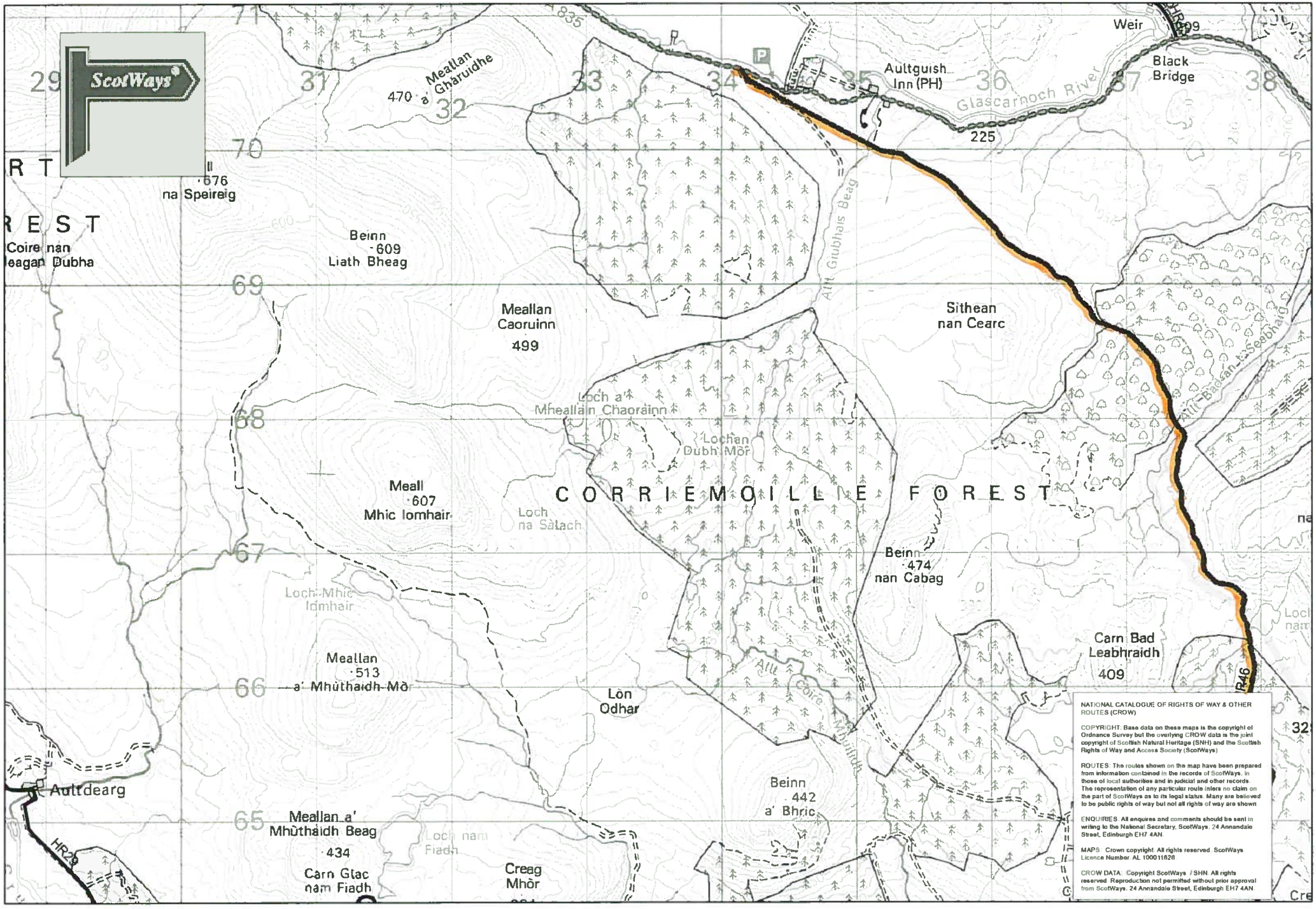
You will no doubt be aware, there may now be general access rights over any property under the terms of the Land Reform (Scotland) Act 2003. We note that the Core Paths Plan, prepared by Highland Council's access staff as part of their duties under this Act, has been consulted in the preparation of this application.

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

Yours sincerely,

Lynda L Grant
Access Assistant

cc Nick Sage, Project Director, Infinergy Limited


ScotWays
Meallan a' Ghàruidhe
470
Aultguish Inn (PH)
Weir
Black Bridge
Glascarnoch River
225
Allt Grubhais Beag
na Speireig
Beinn
609
Liath Bheag
Coire nan Leagan Dubha
Meallan Caoruinn
499
Sithean nan Cearc
Allt Badan t-Seobhaig
Loch a' Mheallain Chaorainn
Lochan Dubh Mòr
CORRIEMOILLIE FOREST
Meall
607
Mhic Iomhair
Loch na Sàlach
Beinn
474
nan Cabag
Loch Mhic Iomhair
Carn Bad Leabhraidh
409
Meallan
513
a' Mhùthaidh Mòr
Lòn Odhar
Allt Coire Mhùthaidh
Aultdearg
Beinn
442
a' Bhric
Meallan a' Mhùthaidh Beag
434
Loch nam Fiadh
Carn Glac nam Fiadh
Creag Mhòr
HR29
HR46
NATIONAL CATALOGUE OF RIGHTS OF WAY & OTHER ROUTES (CROW)
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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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4 May 2017

SCOTTISH WATER
The Bridge
Buchanan Gate Business Park
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www.scottishwater.co.uk
EIA@scottishwater.co.uk

Joyce Melrose
Admin Officer
Energy Consents Unit
The Scottish Government

By email to: joyce.melrose@gov.scot and econsentsadmin@gov.scot

Dear Ms Melrose

Lochluichart II Wind Farm extension - EIA Scoping

Thank you for consulting with Scottish Water regarding the above proposed development.

Drinking Water Protected Areas

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

Scottish Water Assets

The location of Scottish Water assets (including water supply and sewer pipes, water and waste treatment works, reservoirs etc. should be confirmed through obtaining detailed plans from our Asset Plan Providers. Details of our Asset Plan Providers are included in Annex 1.

All Scottish Water assets potentially affected by the development should be identified, with particular consideration being given to access roads and pipe crossings. If necessary, local Scottish Water personnel may be able to visit the site to offer advice. All of Scottish Water's processes, standards and policies in relation to dealing with asset conflicts must be complied with.

In the event that asset conflicts are identified then early contact should be made with the Scottish Water Asset Impact Team (AIT) at **service.relocation@scottishwater.co.uk**. All detailed design proposals relating to the protection of Scottish Water's assets should be submitted to the AIT for review and written acceptance. Works should not take place on-site without prior written acceptance by Scottish Water.

Annex 1 includes a list of precautions to be taken when working within the vicinity of Scottish Water assets. This list of precautions is not exhaustive but should be taken into account as the development progresses through the planning and development process.

It should be noted that the development will be required to comply with Sewers for Scotland and Water for Scotland 3rd Editions 2015, including provision of appropriate clearance distances from Scottish Water assets.

If you have any questions relating to the above, or in relation to the information presented in Annex 1, please do not hesitate to contact me.

Yours sincerely

[Redacted]

Rebecca Williams
Strategic Planner – Environmental Impact Assessment
EIA@scottishwater.co.uk

Annex 1: Precautions to protect drinking water and Scottish Water assets during windfarm construction and operational activities

General requirements

1. The proposed timing of the works, including planned start and completion dates, should be submitted to Scottish Water in advance of any activities taking place on-site. This information should be submitted to **EIA@scottishwater.co.uk**.

2. If a connection to the water or waste water network is required, a separate application must be made to the Scottish Water Development Operations Team for permission to connect. It is important to note that the granting of planning consent does not guarantee a connection to Scottish Water assets. The Development Operations Team can be contacted by telephone on **0800 389 0379** or via email at **developmentoperations@scottishwater.co.uk**.

3. 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** and the local contact if known.

Protecting drinking water quality

Regulatory requirements

4. Scottish Water is required to ensure that any activity within a drinking water catchment does not affect the ability of Scottish Water to meet its regulatory requirements.

5. Water Treatment Works are designed to treat the specific parameters of the raw water source they receive (i.e. the specific chemical, biological and other characteristics of natural, untreated water). If the characteristics of the raw water change or deteriorate, it can affect the ability of the works to supply drinking water to customers at the required standards.

6. The regulations relating to the quality of drinking water supplied by Scottish Water are the Water Supply (Water Quality) (Scotland) Regulations 2001. Quality Standards are derived from the European Drinking Water Directive 98/83/EC.

7. Drinking water catchments feed Scottish Water abstractions which supply water to water treatment works. Under Article 7 of the Water Framework Directive, waters used for the abstraction of drinking water are designated as Drinking Water Protected Areas (DWPA). The objective of the Water Framework Directive is to ensure that no activity results in the deterioration of waters within the DWPA. If an activity falls within a DWPA or drinking water catchment, it is essential that water quality and quantity are protected.

Specific precautions for drinking water protection during windfarm activities

8. A detailed, site specific Construction Method Statement including e.g. Construction Environmental Management Plan, Risk Assessment, Pollution Prevention and Contingency Plan must be submitted to Scottish Water at least three months prior to the works commencing. This should be agreed with Scottish Water prior to any operations taking place. Any other associated documents (e.g. Drainage Plan, Peat Management Plan etc.) should also be submitted and agreed with Scottish Water at least three months prior to works commencing. In the first instance, this information should be supplied to **EIA@scottishwater.co.uk**.

9. Where possible, infrastructure and activities should be located outside of the drinking water catchment. If this can be demonstrated to be impracticable then all infrastructure and activities should be located 100m from any watercourse where possible, and a minimum of 50m distant where 100m can be demonstrated to be undeliverable. This includes turbine locations, crane hard standing areas, cable trenches, access tracks and temporary construction related activities such as borrow pits, plant stockpiled materials, cement batching, wheel washing and construction compound areas.

10. Any potential effect on the hydrology of the area resulting from the construction and operation of the proposed development should be assessed and the findings presented in the Environmental Statement or environmental appraisal accompanying the planning application. This should include consideration of natural drainage patterns, base flows/volume, retention/run-off rates and potential changes to water quantity. Any required mitigation measures and proposed monitoring should also be detailed in the Environmental Statement or environmental appraisal accompanying the planning application.

11. When constructing roads, drainage ditches and trenches, drainage should not be directed into adjacent catchments but retained within the existing catchment.

12. Any potential pollution risk which could affect water quality should be considered and mitigation measures implemented to prevent deterioration in water quality and pollution incidents. This includes sediment run-off, soil or peat erosion, management of chemicals and oils, etc. (see also point 17 below). This should be considered for operations at all stages of development including pre- and post-construction.

13. Mitigation measures to prevent pollution to watercourses should be outlined in the Environmental Statement or environmental appraisal accompanying the planning application, and adopted in the Construction Method Statement/Construction Environmental Management Plan prior to work starting on-site. Any measures implemented should be regularly checked, maintained and improved if pollution occurs.

14. Consideration should be given to the use of food grade oils within turbines in close proximity to watercourses. The use of food grade oils within other plant and vehicles should also be considered depending on the risk to the drinking water catchment.

15. Watercourses that feed into any watercourses or reservoirs that Scottish Water abstracts from should be considered when developing new road or access infrastructure. Any crossing of these watercourses should be kept to a minimum. Pollution prevention measures should be put in place at each crossing point and silt traps, or equivalent, should be installed at regular intervals to minimise the risk from pollution.

16. Once constructed, site roads and access routes should be regularly maintained to ensure minimal erosion, and hence run-off and pollution, from the road surface. Site roads should be constructed from inert, non-metalliferrous material, with low erodibility and low sulphide content.

17. No refuelling or storage of fuel or hazardous materials should take place within the drinking water catchment area. If this can be demonstrated to be impracticable, then the appropriate Scottish Environment Protection Agency (SEPA) Pollution Prevention Guidelines (PPG) should be followed (PPG 2: Above ground oil storage, PPG 6: Working at construction and demolition sites, PPG 8: Safe storage and disposal of fuel oils, PPG 21: Pollution incident response planning and PPG 22: Incident response – dealing with spills). 50m buffers should be applied to all surface watercourses, groundwater borehole abstraction points and springs. Oil storage should be in accordance with The Water Environment (Oil Storage) Regulations (Scotland) 2006. There should be dedicated oil storage areas created. Spill kits should be located within all vehicles, plant and high risk areas.

18. Waste storage, concrete preparation and all washout areas should not be within the drinking water catchment area. If this can be demonstrated to be impracticable then this should be in dedicated areas 50m from a watercourse and designed to be contained and to prevent escape of materials/run-off to the environment.

19. Welfare/waste water facilities should preferably be located outside the drinking water catchment. If not practicable, then portable toilets should be used and waste disposed of off-site. Alternatively secondary treatment and soakaways should be used and, if required, a sampling chamber installed and sampling programme agreed. The proposed method of managing welfare and waste water facilities should be detailed in the Environmental Statement or environmental appraisal accompanying the planning application. If sampling is required, Scottish Water should be contacted via **EIA@scottishwater.co.uk** in the first instance.

20. Any proposed abstractions for activities such as welfare facilities or cement batching plants should be detailed in the Environmental Statement or environmental appraisal accompanying the planning application.

21. Induction training should be given to all personnel on-site and should include Scottish Water site sensitivities in relation to drinking water catchments and assets (see below), as well as spill response as outlined in PPG 22: Dealing with spills.

22. Construction and Environmental Management Plans, Pollution Prevention and Contingency Plan and associated documents should include the Scottish Water Customer Helpline Number **0800 0778 778** and the local contact details.

Protecting drinking water in peatland areas

23. When peat is present within the proposed area of activity the Environmental Statement or environmental appraisal accompanying the planning application should include an assessment on the potential release of colour, dissolved organic carbon and total organic carbon as a result of changes to hydrology and/or physical disturbance. This should cover the construction and post-construction phases.

24. Excavations and ground disturbance in areas of deep peat should be avoided. Deep peat is considered to be peat greater than 0.5m deep as stated in Good Practice During Windfarm Construction, 2015 (joint publication by Scottish Renewables, Scottish Natural Heritage, SEPA, Forestry Commission Scotland and Historic Environment Scotland).

25. The natural hydrology within peat should be maintained and/or restored. This should be taken into account when designing the turbine foundations, crane hardstanding areas, access tracks and cable trenches, etc. Any necessary measures to maintain natural drainage of peat and sub-surface hydrology, such as tailored drain spacing on access tracks, should be implemented as part of the design of the development.

26. Scottish Water requests that, where possible, access tracks in the drinking water catchment are constructed as floating tracks with adequate provision for maintaining existing drainage patterns.

27. Exposed soils and peat can release sediment, colour and dissolved organic carbon. The use of geotextiles, turf replacement and/or reseeding, should be undertaken as soon as possible.

28. Restoration of any degraded peat should be considered for areas within the drinking water catchment.

Protecting drinking water due to forestry activity

29. An assessment of any forestry activity, including felling, planting or other activity, likely to affect the drinking water catchment should be included in the Environmental Statement or environmental appraisal accompanying the planning application. Any specific mitigation measures should be identified and incorporated into the Construction Environmental Management Plan for the site prior to works commencing.

30. The Environmental Statement or environmental appraisal accompanying the planning application should include details on the harvesting/clearance process for any felling/woodland removal. The least disturbing method/s should be selected where possible.

31. Any historic drains or ditches within the windfarm area that discharge directly to a watercourse in the drinking water catchment should be blocked and slowly discharged to a buffer area in line with current Forestry Commission Forest and Water Guidelines. Where possible, this should be undertaken in advance of any work being carried out on-site, to provide protection for watercourses during site activities.

Monitoring requirements to protect drinking water quality

32. During construction, a programme of daily visual inspection of the watercourses, flow conditions (i.e. high, medium, low, or no flow), prevailing weather and any other pertinent observations, will be required to be implemented. The results should be recorded and the information submitted to Scottish Water (i.e. in a monthly progress report). This should be undertaken when water quality samples are taken. In the first instance, reporting should be provided to **EIA@scottishwater.co.uk**.

33. A water sampling programme shall be established and agreed with Scottish Water. This should assess the baseline water quality for a minimum of one year prior to any activities commencing on-site where possible, including ground investigations and any felling activities, to allow an accurate understanding of baseline conditions at the site. Water sampling should continue during construction and then post-construction for a minimum of one year. Following completion of one year of sampling post-construction, this should be reviewed to determine whether this should continue for a further agreed period. The parameters, frequency and sampling locations will also need to be agreed with Scottish Water. This monitoring will establish if any decline in water quality can be attributed to the development. It may also be necessary to establish trigger levels to determine when any potential issues should be reported to Scottish Water.

34. The appointed Ecological or Environmental Clerk of Works should be accredited with the Association of Environmental and Ecological Clerk of Works (AEECoW) and should have relevant knowledge and experience to provide advice and monitor compliance with measures for the protection of water quality in relation to abstractions for water supply.

35. Depending on the vulnerability of the public water supply, Scottish Water may request that a dedicated Environmental Manager be appointed and present on-site to assess and monitor any effects caused by the development.

Guidance documents

36. Please ensure that appropriate Guidance Documents are followed, including:

- Good Practice during Wind Farm Construction, Version 3. SNH/SEPA/Scottish Renewables/Forestry Commission Scotland (September 2015).
- Floating Roads on Peat. Forestry Civil Engineering and SNH. (August 2010).
- Constructed tracks in the Scottish Uplands, 2nd edition. SNH (June 2013).
- Forests and water UK Forestry Standard Guidelines, 5th Edition. Forestry Commission (2011).
- General Binding Rules under the Controlled Activities Regulations (see The Water Environment (Controlled Activities) Scotland Regulations (as amended) A Practical Guide, Version 7.2, SEPA (March 2015)).
- SEPA Pollution Prevention Guidelines (http://www.sepa.org.uk/regulations/water/guidance/).

Protecting Scottish Water assets

37. If an activity associated with a development proposal is located within close proximity to Scottish Water assets, including water and waste water pipe infrastructure, treatment works and reservoirs etc., it is

essential that these assets are protected from damage. To this end, the developer will be required to comply with Scottish Water's current process, guidance, standards and policies in relation to such matters.

38. Copies of Scottish Water's relevant record drawings can be obtained from the undernoted Asset Plan Providers. This is distinct from the right to seek access to and inspect apparatus plans at Scottish Waters area offices, for which no charge is applied.

Site Investigation Services (UK) Ltd
Tel: 0333 123 1223
Email: sw@sisplan.co.uk
www.sisplan.co.uk

National One-Call
Tel: 0844 800 9957
Email: swplans@national-one-call.co.uk
www.national-one-call.co.uk/swplans

39. It should be noted that the site plans obtained via the Asset Plan providers are indicative and their accuracy cannot be relied upon. It is therefore recommended that the developer contacts the **Scottish Water Asset Impact Team** at **service.relocation@scottishwater.co.uk** for further advice if assets are shown to be located in the vicinity of the proposed development, and where the exact location and the nature of the infrastructure shown could be a key consideration for the proposed development. An appropriate site investigation may be required to confirm the actual position of assets in the ground. Scottish Water will not be liable for any loss, damage or costs caused by relying upon plans or from carrying out any such site investigation.

40. Prior to any activity commencing, all known Scottish Water assets should be identified, located and marked-out.

41. Scottish Water expects method statements, safe systems of work and risk assessments to be prepared and submitted in advance to Scottish Water for formal review and acceptance. These documents shall consider and outline in detail how existing Scottish Water assets are to be protected and/or managed for the duration of any construction works and during operation of the development if relevant. These documents must be submitted to Scottish Water's Asset Impact team for formal prior written acceptance.

42. The developer shall obtain written acceptance from Scottish Water's Asset Impact Team where any site activities are intended to take place in the vicinity of Scottish Water's assets. The Asset Impact Team can advise on any potential risk mitigation measures that may be required.

43. Scottish Water and its representatives shall be allowed access to Scottish Water assets at all times for inspection, maintenance and repair. This will also ensure that the Scottish Water assets are protected and that any Scottish Water requirements are being observed.

44. Any obstruction or hindrance of access to Scottish Water assets should be avoided. The prompt and efficient use and manipulation of valves, hydrants, meters or other apparatus is required at all times. There should also be no interference with the free discharge from water main scours or sewer overflows.

45. In the event of an incident occurring that could affect Scottish Water, including any damage to assets, Scottish Water should be notified without delay, using the Customer Helpline number **0800 0778 778**, and the local contact if known. Scottish Water apparatus should not be interfered with or operated by anyone other than Scottish Water personnel.

46. The 'offset distance' is the distance between any Scottish Water asset and adjacent properties and structures. Scottish Water reserves the right to ask for an offset distance in accordance with its own current policy and standards and to suit specific circumstances. The details of this requirement should be confirmed with Scottish Water as an early part of the design process.

47. Stationary plant, equipment, scaffolding, construction or excavated material, etc. should not be placed over, or close to, any Scottish Water assets without the prior written consent of Scottish Water which may be withheld depending on circumstances on-site.

48. Special care should be taken to avoid the burying of Scottish Water assets or the obstruction of sewers or manholes with fill or other material. Arrangements for altering the level of any chambers should be agreed in advance with Scottish Water and these should be constructed in accordance with Scottish Water requirements. The cost of any work to Scottish Water assets will be met by the project developer.

49. Excavation works (e.g. of wind turbine foundations) should not be carried out in the proximity of a water or waste water main without due notice having been given to Scottish Water and prior written acceptance obtained. The developer will comply fully with any Scottish Water specific site requirements.

50. Any tree planting associated with the development (e.g. compensatory planting or screening etc.) should be undertaken in line with Water for Scotland 3rd Edition (April 2015) to ensure that Scottish Water assets are not put at risk by future growth of tree roots.

51. Vibration in close proximity to Scottish Water pipelines or ancillary apparatus should be managed in accordance with British Standard 5228-1:2009 (Code of practice for noise and vibration control on construction and open sites). The predicted levels of vibration should be agreed in advance with Scottish Water as part of the risk assessment and method statement and agreed vibration monitoring arrangements will be required.

52. The developer will consider the possibility of increased loading on Scottish Water apparatus and measures will be taken to eliminate or mitigate increased loading on assets. Care should be taken to identify any assets which may be crossed by vehicles on the access route to the site and crossing points will be engineered to the requirements of Scottish Water. Any pipe crossing proposals are subject to prior written acceptance by Scottish Water.

53. Scottish Water will not accept liability for any costs incurred in fulfilling any of the above requirements during the development planning, construction or operational phases, either by the developer, the developer's associates, contractors or any other person or organisation involved in the project.

54. If the developer damages any Scottish Water asset they will be held liable for any costs resulting from this.

55. Scottish Water may require costs associated with the development to be reimbursed by the developer or the developer's agents.

Scottish Environment Protection Agency
Buidheann Dìon Àrainneachd na h-Alba

Our ref: PCS/152588
Your ref: 17/01834/SCOP

If telephoning ask for:
Aden McCorkell

11 May 2017

Joyce Melrose
Energy Consents Unit
The Scottish Government

By email only to: econsentsadmin@gov.scot

Dear Ms Melrose

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000
Proposed Lochluichart Wind Farm Extension II
Near Dingwall in Scotland

SEPA has been consulted directly by Infinergy by way of their letter dated 12 April 2017, which we received on 13 April 2017. This included a copy of their scoping report for the above project and asked us to respond directly to you.

Advice to the determining 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 works within and near the water environment including 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.

g) Borrow Pit Site Management Plan of pollution prevention measures.

h) Map of proposed water abstractions including details of the proposed operating regime.

i) Decommissioning statement.

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

1. Site specific comments

1.1 We note that Section 2.6 of the Scoping Report states that the wind farm will make as much use of the existing infrastructure, for example access tracks, borrow pits, substation and control building, as possible. As stated in Section 2.10, an existing access track will be utilised for the proposed development.

1.2 We note that a National Vegetation Classification survey has been completed. The entire site is dominated by mire wetland with the presence of Groundwater Dependant Terrestrial Ecosystems (GWDTE). Please refer to Section 4 of the attached appendix for more information on disruptions to GWDTE.

1.3 In relation to section 4.145 of the scoping report then we refer the developer to the site survey guidance outlined in section 3 of the attached appendix. In this case, where much of the site is on peat, we expect the application to be supported by a comprehensive site specific Peat Management Plan. It needs to be clearly demonstrated that the layout has minimised impacts on peat. The developer should note that a Peat Management Plan is a different submission than a Peat Landslide Hazard and Risk Assessment.

1.4 In relation to section 4.181 of the scoping report then it should be noted that all watercourses will have a related flood risk. In relation to section 2.4 of the attached Appendix then provided watercourse crossings are 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.

1.5 Based on the information provided in section 4.180 of the scoping report and available mapping information 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 ES provides evidence to confirm this.

Regulatory advice for the applicant

2. Regulatory requirements

2.1 Proposed engineering works within the water environment will require authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended). Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011.

2.2 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 regulations 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 01224 266736 or planning.dingwall@sepa.org.uk.

Yours sincerely

Aden McCorkell
Planning Officer
Planning Service

ECopy to: Nick Sage, Infinergy, n.sage@infinergy.co.uk; epc@highland.gov.uk; david.mudie@highland.gov.uk; Liz.McLachlan@snh.gov.uk

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 the Ordnance Survey 1: 10 000 scale or greater base mapping to provide an adequate scale with which to assess the information. 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 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.

2. Engineering activities in 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 the water environment cannot be avoided then the submission must include a map showing:

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

b) A minimum buffer of 50 m 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, 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.

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.

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 Developments on peatland: Site surveys and best practice) 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 Regulatory Position Statement – Developments on 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 If forestry is present on the site, we prefer a site layout which avoids large scale felling as this can result in large amounts of waste material and a peak in release of nutrients which can affect local water quality.

6.2 The submission must include a map with the boundaries of where felling will take place and a description of what is proposed for this timber in accordance with 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 The following information should also be submitted:

a) A map showing the location, size, depths and dimensions of each borrow pit.

b) A map showing in relation to each proposed excavation, 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 from working areas.

c) A site-specific buffer drawn around each loch or watercourse proportionate to the depth of excavations and at least 10 m 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.

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 Developments on peatland: Site surveys and best practice) 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.

8.2 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, regulatory requirements, 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 the Pollution prevention guidelines.

9. Decommissioning / Repowering

9.1 Proposals to discard materials that are likely to be classed as waste would be unacceptable under current waste management licensing and under waste management licensing at time of decommissioning if a similar regulatory framework exists at that time. Further guidance on this may be found in the document Is it waste - Understanding the definition of waste.

9.2 The layout and the general principles for decommissioning must demonstrate waste minimisation and compliance with the above waste regulatory position.

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

Joyce Melrose
Energy Consents Unit
The Scottish Government

11 May 2017

Our ref: CNS/REN/WF/INV/Lochluichart Extension II

Dear Joyce

Electricity Act 1989
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000
Scoping Opinion Request for Proposed section 36 Application for Lochluichart wind farm extension II, near Dingwall

Thank you for your e-mail, dated 21 April 2010, requesting our scoping advice on the proposed Lochluichart wind farm extension II. We received a copy of the Scoping Report direct from the developers.

1. Background

We have had a number of pre-application discussions and meetings with the developers to identify issues of concern with respect to our remit.

Our consideration of the scoping report is limited to the sections within our remit, namely:

1. The Project Description
2. The key environmental issues

2. Key issues

The applicants will need to examine the history of the currently consented schemes of Lochluichart and its extension and Corriemoillie, particularly the evolution of their design, associated mitigation and the discussions leading towards consents. The Environmental Statement should clearly illustrate whether or not this proposal would undermine the mitigation and design thinking that has been built in to the consented schemes.

In addition the proposed wind farm raises the following key issues in relation to natural heritage:

- Cumulative landscape issues with other windfarms
- Impacts on wild land areas

We will consider any application and ES on its merits. However, due to the sensitive location and the history of the existing development in the area the above points will be key issues which will inform the position we take in relation to an application.

3.Our comments on the Scoping Report

The scoping report includes all the topics that we wish to be covered in 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.

To guide the applicant, we have provided detailed comments on what should be considered during the EIA process in Annex A of this letter.

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

Yours sincerely

Liz McLachlan

Area Officer
South Highland
liz.mclachlan@snh.gov.uk

Annex A – Further details to assist with the EIA for Lochluichart Extension II

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 http://www.snh.gov.uk/planning-and-development/renewable-energy/onshore-wind/ .

2 Service Level Statement (SLS)

We refer the applicant to our Service Level Statement (SLS), which sets out the level of engagement they may expect from us during the planning process. The SLS is available on our website via http://www.snh.gov.uk/planning-and-development/renewable-energy/our-approach-to-renewables/managing-applications/ .

3 Landscape and Visual Impacts

We support the iterative approach which is proposed for the windfarm design and assessment. We recommend that the ES explains the design process used to select the final layout assessed within the ES, any alternatives considered and how landscape and visual mitigation has been incorporated.

In particular due cognisance should be taken of the proximity of the development to the tourist routes of the A835 and the A832 as well as summits of the popular hill walking routes in the area. Sequential viewpoints and an assessment should consider the network of main and secondary roads and other forms of transport including recreational routes within the study area and in particular any routes that are designated for tourist interest.

3.1 Wild Land Areas (WLA)

We note the scoping report recognises the potential impacts of this proposal on a number of wild land areas and proposes to assess those impacts. We confirm that the current approach which should be taken is that detailed in our version of ‘Assessing Impacts on Wild Land technical guidance’ open for consultation between 26th January and 7th April. However, if there is to be a significant delay between this scoping advice and submission of an application and our final version of the guidance is published we can provide further advice.

We agree with the reasoning provided in the scoping report in relation to the effects on Central Highlands WLA, Flowerdale, Shieldaig – Torridon WLA and Coulin and Ledgowan Forest WLA and that these areas are scoped out of the LVIA as significant effects on these areas are unlikely to occur.

3.2 Visual Assessment

The visual assessment and choice of viewpoint locations should be informed by initial ZTVs of the Lochluichart Wind farm, its first extension and Corriemoillie wind farm and modelled at a suitable scale (OS 1:50,000 base) extended out to a distance of 35kms (distance to be finalised on receipt of information regarding turbine heights).

The visual and cumulative visual assessment should include an assessment from static receptors as well as sequential viewpoints taken along routes used by for example pedestrians and vehicles.

3.3 Cumulative Assessment

The site boundary of this scheme is immediately adjacent to three other schemes. There is the potential that the combined effect of further turbines would be to create a much larger single windfarm. We suggest in the analysis of alternatives consideration is given to the design compatibility with the adjacent schemes, to mitigate cumulative landscape and visual impacts. This should include consideration and analysis of the site capacity to accommodate further development. This would enable the Determining and Statutory Authorities and local community to fully understand the design development and cumulative impacts;

We support the wider assessment of potential cumulative landscape and visual impacts within the study, as outlined in Section 4.141 – 4.143. In particular from the number and location of existing, consented and projects in planning as we have concerns regarding the potential for significant cumulative effects and a subsequent significant erosion of the quality and extent of the wild land resource and regionally designated landscapes.

4 Peat

Carbon rich soils, deep peat and priority peatland habitat has been identified in Scottish Planning Policy as a nationally important mapped resource we therefore support the proposal in the scoping report to assess the impacts on peat.

5 Designated Sites

There are no designated sites within the proposed wind farm boundary. However Glen Affric to Strathconon SPA and Fannich Hills SAC and SSSI, Achanalt Marshes SPA and SSSI and Beinn Dearg SAC and SSSI are all within 10km of the boundary. Further information on these designated sites can be found on through sitelink facility found on our website at http://www.snh.org.uk/snhi/

We do not consider the proposal will have any adverse impacts on either Fannich Hills or Beinn Dearg SAC/ SSSI.

Further information on the legislative requirements for SAC's and SPA's can be found on our website at http://www.snh.gov.uk/protecting-scotlands-nature/protected-areas/international-designations/natura-sites/hra-appropriate-assessment/

6. Protected Species

6.1 Birds

From the information in the Scoping Report seems the applicants appear to have undertaken all the bird survey work we would expect. In regard to Red Throated Diver (RTD), based on the monitoring, we can conclude they no longer breed on Loch na Salach and the corridor that

was originally left to give the birds access to the Loch became redundant once Corrimoillie wind farm was given consent without a similar corridor to allow access from Lochluichart and the Conon & Blackwater valleys. Placing two turbines in the now redundant RTD corridor does not therefore increase the risk to RTD.

Although they state they will undertake Collision Risk Modelling (CRM) it appears from the summary of flights recorded that there was very little activity and there may not be sufficient information to calculate a robust CRM for all the species listed.

Survey results and any possible mitigation measure should be provided in the ES and if necessary in a confidential annex.

6.2 Mammals

We agree with the list of protected mammal species which will need to be surveyed. Due to the mobile nature of mammals survey work should be undertaken within 12 months of the submission date of any application which comes forward and should extended to include any off site work that may impact on protected species, for example bat surveys should be completed for any bridges that are to be upgraded or re-pointed as a result of this development, and appropriate licenses obtained where applicable.

Survey results and any possible mitigation measure should be provided in the ES and if necessary in a confidential annex.

Based on the results of survey work provided in support of the now constructed wind farms in this location impacts on freshwater pearl mussel can be scoped out.

7**. Habitats**

We note the whole area has been surveyed at Phase 1 level. In addition we recommend the whole of the area within the Site Boundary and a buffer zone is surveyed in accordance with the standard NVC methodology, with any Annex 1 habitats highlighted using target notes. This will enable the wind farm infrastructure to be located avoiding the most sensitive areas. It is not just the land directly affected by works which may be impacted upon, but also a buffer zone which may be indirectly affected by, for example, alterations to hydrology, vehicle movement compaction or land to be managed as part of compensation or mitigation of the proposal.

We would expect surveys to extend to the proposed access route and new tracks. The ES 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 outwith 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.

The importance of habitat types should be analysed, and that the amount of habitat lost will be quantified, we recommend that habitat mitigation measures, including any areas of restoration are described in a dedicated Habitat Management Plan. Further guidance on what to include in Habitat Management Plans can be found on our website (http://www.snh.gov.uk/planning-and-development/renewable-energy/onshore-wind/general-advice-and-information/)

Advice on peatland habitats is given above.

8. 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/).

The Highland Council
Comhairle na Gàidhealtachd

The Scottish Government
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Direct dial: (01463) 255205
Our Ref: 17/01834/SCOP
Your Ref:
Date: 5 June, 2017

FAO: Joyce Melrose

Scoping opinion for extension to Lochluichart Wind Farm Extension II

I refer to your e-mail of 21 April 2017 requesting the Council's comments on the above scoping opinion. Thank you for allowing an extension of time to respond.

General

Applications that are submitted on-line or in electronic format on CD should ensure that files are presented in manageable sizes i.e. < 3MB and in widely used formats i.e. JPEG files/acrobat adobe pdf. Developers should be aware that Environmental Statements will be placed on the Council website therefore submissions in a user-friendly PDF format are strongly recommended.

Non electronic applications will require additional copies of all plans and documents to support the application and in recognition of the expected consultations to be undertaken. The final number of plans and documents and the arrangements for submitting these documents should be agreed with all consultees.

The Environmental Report submitted in support of any application should be submitted with three distinct elements including:

1. Environmental Elements Affected
2. Significant Effects on the Environment and
3. Mitigation (a clear summary table of all mitigation measures associated with the development proposal. This table should be entitled **draft Scheme of Mitigation** and would be an important element in progressing a consented development through the construction phase.)

The ES will be expected to address the impact consequences of the proposal in full. This can only be achieved through the provision of a complete description of the development at the outset with a thorough assessment undertaken on all elements of the proposal. This must include elements such as any proposed borrow pits, construction camps, access

improvements to the public highway to allow for construction traffic and all abnormal loads, grid connection, etc.

It is considered good practice to set out within the ES the qualifications and experience of all those involved in collating, assessing or presenting technical information.

Alternative Sites

While it is recognised that this proposal is designed as an extension, the ES must also consider alternative options, including alternative sites, for this scale of development i.e. if wind farms are the only alternative then this should include an assessment of alternative sites within a reasonable area of search. This will be particularly important to help address cumulative impact.

Landscape and Visual Impact Assessment

The Council expects the ES to consider the visual impact of the development. This should include the expected impact of any on-site borrow pits, access roads and ancillary buildings/structures regardless of the fact that the principal structures will be the primary concern.

It should be noted that the Council is not supportive of transformers being located externally to each turbine tower in the interests of minimising visual clutter. These should be excluded from the submission.

It is noted that the LVIA is to be undertaken in accordance with the guidance set out in GLVIA3.

The Highland Council's stance on 'effects on specific views' are effects experienced by receptors of views from or to landmark locations. Judgement of value of views should take account of indicators such as those listed in GLVIA3. E.g. -

- relation to heritage assets
- planning designations
- appearance in guidebooks/tourist maps
- through references in literature and art

Where views are from a landmark locations, provision of facilities for their enjoyment eg parking and interpretive material will also be an indicator. However where views are to the landmark no lack of value should be construed solely on the basis of absence of such features. By their nature landmarks may be appreciated for their constancy from a range of routes and locations, with no one spot being perceived as providing the essential view.

With regard to 'effects on general visual amenity' The Highland Council consider these to be effects experienced across an area as receptors move through and within the landscape.

In practice, Visual Impact Assessments often focus on specific views with less emphasis on consideration of the general visual amenity experienced by people. GLVIA3 is clear on the need to identify:

- areas of visibility
- groups of people affected and their susceptibility to change
- nature and scale of visual effect
- whether ‘viewpoints’ are representative, specific or illustrative

Again we can break this down. Studies should establish:

- the area in which the development may be visible
- the different groups of people who may experience views of the development
- the viewpoints where they will be affected
- the nature of the views at those points
- the approximate or relative number of different groups of people who will be affected by changes in views or visual amenity,

Developers and their consultants are encouraged to think about visual impact in a layered way including:

- experience of people as they move around the area- this might include looking at travel routes as ‘typical journeys for receptor groups’ rather than assessment of visibility of development over the entire length of a numbered route within the study area.
- identification of any key valued views, recognising that these might be:
  - views from key locations
  - views to any key features

Generally:

- Methodology for the Assessment: must make clear what thresholds are defined for significance of impact.
- Mitigation measures must be clearly identified and their effectiveness evaluated. This applies to all aspects of the development, including tracks borrowpits, compounds, control buildings, lay-down areas etc.

The Visual Impact Assessment report should not be an esoteric document which can only be deciphered by Landscape and Planning professionals. Any member of the public who may be affected should be able to recognise themselves in the receptor descriptions and understand what impacts they are likely to experience. The assessment should be Receptor-led in preference to Viewpoint-led.

The Council is pleased to see that the applicant intends to involve the Council in viewpoint selection. It should be noted that the requirements of SNH and the Council may differ, with the Council probably looking for more specific viewpoints based on known OS viewpoints or local landmarks where visual amenity may be the key issue as opposed to those ‘representative’ views that are more important to determine impact on landscape resource. The purpose of the selected and agreed viewpoints shall be clearly identified and stated in the supporting information. It should therefore be clear that the viewpoint has been chosen for the purpose of landscape assessment, visual impact assessment, cumulative assessment, sequential assessment, to demonstrate a representative view or for assessment

of impact on designated sites, communities or individual properties. Given the potential scale of turbine viewpoints may need to be considered beyond the 35km radius.

Viewpoints within 5 kilometres of a development should be precisely identified on an A4 size Ordnance Survey extract at a scale of 1:25000. The position of the development and the proposed field of view of photography shall be shown on the map. Viewpoints located more than 5km from a development shall be identified on an A4 size Ordnance Survey extract at a scale of 1:50,000 and the development and the proposed field of view of photography shall be shown on the map. The Council may also specify on a large scale plan an exact viewpoint position that they wish to be used and provide a reference photograph.

The Council expects visualisations provided as part of the ES to be undertaken in accordance with The Council's Visualisation Standards for Wind Energy Development available on the Council's website by clicking HERE.

Transport

The Council has a locus at the port of Invergordon which is where turbines are likely to be delivered. While this route has been used before, the use of larger turbines may require the route to be re-assessed, in particular the effect on any structures.

Noise

It is anticipated that the simplified noise criterion will be applied, however consideration will be required on how this will operate within the cumulative context, particularly how compliance can be achieved.

Aviation and Radar

Turbine lighting is most likely to be required but should be of an infra-red type design. Where this is not possible the Environmental Report should propose mitigation to limit night time effects.

Hydrology and ground conditions

As part of the water environment assessment the developer requires to ensure that Private Water Supplies are taken into account as part of the baseline survey and that suitable mitigation measures are identified, where necessary, to protect them.

Cultural Heritage

The approach to the archaeological study should aim to:

- Identify the cultural heritage baseline within the proposal area.
- Assess the proposed development site in terms of its archaeological and historic environment potential.
- Consider the potential impacts of construction and operation of the proposed development on the cultural heritage resource.
- Propose measures (where appropriate) to mitigate any predicted adverse impacts.

Baseline information should be gathered through desk assessment of existing cultural heritage records and sources of information. The Highland Council Historic Environment Team recommends that data sources should include as a minimum:

- The Highland Council Historic Environment Record (HER).
- The National Monuments Record for Scotland (NMRS).
- Historic Environment Scotland's databases of listed buildings, Scheduled Ancient Monuments and monuments proposed for scheduling.
- The Inventory of Gardens and Designed Landscapes in Scotland (1988).
- Relevant Local and Structure Plans.
- Vertical stereo aerial photographic coverage held by RCAHMS and The Highland Council Archaeology Unit.
- Ordnance Survey map coverage from 1850 onwards, and any other readily available early cartographic sources held at the National Library of Scotland Map Library.
- Bibliographic references and early parish accounts.

This work should identify all scheduled monuments, archaeological sites and landscapes, listed buildings, historic gardens and designed landscapes and conservation areas – both within the boundary of the development area and within the Zone of Theoretical Visibility (ZTV), once that has been identified.

The information gathered through desk assessment should be further assessed and augmented by non invasive field reconnaissance survey of the total application/site area. This will be conducted in order to assess the presence / absence, character, extent and condition of sites, monuments and landscape features identified by the desk-based assessment. The survey will also identify any further features of cultural heritage interest not detected from the desk assessment and assess the area's potential for the discovery of further, as yet unrecorded archaeological sites. A representative sample of digital data resulting from the survey (i.e. maps showing site boundaries and feature extents, site plans, descriptions, photographs, drawings etc) will be supplied to the Archaeology Unit to enable an accurate record of the historic environment to be maintained and included in the Highland Historic Environment Record.

Both the direct impact of all elements of the proposed development on cultural heritage assets and their indirect impact on the wider landscape setting of these assets, both individually and cumulatively should be assessed.

All potential direct and indirect impacts should be clearly laid out in the EIA. Appropriate mitigation should be devised which states how impacts are to be avoided or reduced.

Policy

The ES should not consider planning policy. However, the Council would expect to see a supporting document designed to address the specific relevant policies of the Scottish Government and The Highland Council. This would need to consider the newly adopted Onshore Wind Energy Supplementary Guidance, including an assessment of the ten criteria that relate to siting and design in particular.

I trust that this advice is of use to you and the developer.

Yours faithfully

DAVID MUDIE
Team Leader – Development Management
Planning and Development Service

Development Management and Strategic Road Safety
Trunk Road and Bus Operations

Buchanan House, 58 Port Dundas Road, Glasgow G4 0HF
Direct Line: 0141 272 7386, Fax: 0141 272 7350
John.McDonald@transport.gov.scot

TRANSPORT SCOTLAND
CÒMHDHAIL ALBA

Joyce Melrose
Energy Consents Unit
The Scottish Government
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Your ref:
Section 36

Our ref:
SCT6587

Date:
10/05/2017

Dear Sirs,

ELECTRICITY ACT 1989

THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2000 - SCOPING OPINION REQUEST FOR PROPOSED SECTION 36 APPLICATION FOR THE LOCHLUICHART WIND FARM EXTENSION II, NEAR DINGWALL

With reference to your recent correspondence on the above development, we acknowledge receipt of the Scoping Report (SR) prepared by INFINERGY 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 – Trunk Road and Bus Operations (TRBO). Based on the review undertaken, we would provide the following comments.

Development Proposals

We understand that the proposal involves erecting an additional 8 wind turbines and associated infrastructure adjacent to the existing Lochluichart Wind farm at the Loch Luichart Estate, approximately 18km north-west of Dingwall. The proposed turbines will have a maximum blade tip height of approximately 125m and a minimum generating capacity of 24MW.

The closest trunk road is the A835(T) which provides access to the site. We note that the A9(T) will also form part of the abnormal load delivery route.

Access Strategy

We note that access to the site will be via the existing Lochluichart Wind Farm access junction on the A835(T). The SR indicates that delivery of turbine components will follow the same route as the original Lochluichart scheme. It is also indicated that a full swept path analysis will be carried out, reviewing the route from the port of entry at Invergordon to the site to determine if any upgrades are required.

We would request that this report should detail any accommodation measures required, including the temporary removal of street furniture, junction widening, traffic management etc. and show that the transportation of turbine components will not have any detrimental effect on structures within the trunk road section of the route path. It is noted that a Framework Construction Traffic Management Plan (CTMP) will be submitted with the application.

Potential Environmental Impacts Associated with Increased Traffic

We note that there will be construction traffic associated with workforce movements and this traffic will result in a temporary increase of traffic flows on the A835(T) and the A9(T). Given that the proposal is for 8 turbines and is an extension to a larger existing wind farm, we are satisfied that there will not be any significant environmental impacts associated with increased traffic from either the construction or the operational stage of the development.

Noise and Vibration and Air Quality

Similarly, it is accepted that traffic associated with the proposed development will have no significant impact on the trunk road network and its adjacent receptors in terms of Noise or Air Quality.

Conclusions

Based on our review, we can confirm that we have no objection to the development in terms of environmental impacts on the trunk road network and do not require any further analysis to be provided in this regard. We would, however, recommend that the following conditions are attached to any approval issued:

Condition 1: Prior to commencement of deliveries to site, a Construction Traffic Management Plan including swept path analysis must be submitted for approval by Transport Scotland as trunk road authority to ensure that abnormal loads can be transported along the trunk road network safely. The complete report shall detail any accommodation measures required including the temporary removal of street furniture, junction widening, traffic management etc. and show that the transportation will not have any detrimental effect on structures within the route path. Any accommodation works are thereafter to be implemented before delivery commences.

Reason

To minimise interference and maintain the safety and free flow of traffic on the Trunk Road as a result of the traffic moving to and from the development.

Condition 2: During the delivery period of the wind turbine construction materials any additional signing or temporary traffic control measures deemed necessary due to the size or length of any loads being delivered or removed must be undertaken by a recognised QA traffic management consultant, to be approved by Transport Scotland before delivery commences.

Reason

To ensure that the transportation will not have any detrimental effect on the road and structures along the route.

Condition 3: Wheel washing facilities shall be provided within the site.

Reason

To ensure that material from the site is not deposited on the trunk road to the detriment of road safety

I trust that the above is satisfactory and should you wish to discuss any issues raised in greater detail, please do not hesitate to contact Alan DeVenny at SYSTRA's Glasgow Office on 0141 226 6923.

Yours faithfully
[Redacted]

John McDonald

Transport Scotland
Trunk Road and Bus Operations

cc Alan DeVenny – SYSTRA Ltd.

21 April 2017

Joyce Melrose
Scottish Government
Energy Consents and Deployment Unit
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Dear Ms Melrose,

Lochluichart Wind Farm Extension 2

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 (2011/12) confirms the basis of this argument with its ranking of the key factors influencing visitors when choosing Scotland as a holiday location. In this

study, over half of visitors rated scenery and the natural environment as the main reason for visiting Scotland. Full details of the Visitor Experience Survey can be found on the organisation's corporate website, here: http://www.visitscotland.org/research_and_statistics/tourism_topics/wind_farms-1.aspx

Taking tourism considerations into account

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

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

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

Conclusion

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

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

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

We hope this response is helpful to you.

Yours sincerely
[Redacted]

Douglas Keith
Government and Parliamentary Affairs
VisitScotland