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Our Ref: 20/04057/SCOP
Your Ref:
Date: 17 November 2020

By email only to:
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Dear Nick

PLANNING REFERENCE: 20/04057/SCOP
DEVELOPMENT: LOCHLUICHART WIND FARM EXTENSION II - ERECTION OF 5 WIND
TURBINES OF UP TO 149.9M BLADE TIP HEIGHT AND ASSOCIATED INFRASTRUCTURE –
EIA SCOPING RESPONSE
LOCATION: LAND BETWEEN LOCHLUICHART AND LOCH GLASCARNOCH, GARVE

Thank you for requesting this Environmental Impact Assessment (EIA) Scoping Request for the above project. This letter constitutes The Highland Council's (THC) Scoping Response in relation to the development as described above (with an overall generating capacity of up to 25MW) and associated infrastructure for an operational period of up to 40 years.

This proposal is to be taken forward as an alternative to the consented Lochluichart Wind Farm Extension II (THC planning permission reference 19/01284/FUL) which comprises 5 wind turbines of 133m to blade tip height. This is referred to as the 'Consented Development' throughout this response. Our view on the scope of the assessment may be subject to change on a number of topics within the EIAR if the scale of development, in terms of the number and height of turbines, changes. The scoping response remains valid for 12 months. Should a planning application not be forthcoming within this period it is advised that you obtain an updated response.

In this regard, we specifically draw your attention to representations received from NatureScot and RSBP which have been submitted to the Council in relation to the Scoping Report and are available via our ePlanning website. These highlight the need for a full suite of new bird surveys to be undertaken with NatureScot advising that **two years of new survey data is likely to be required**. This will have obvious project programme implications given the need for the survey to inform the EIAR / planning application and could have significant bearing on the project's design, mitigation measures and determination of the application. Through further consultation with these parties it may be possible to reduce this timescale, however, this is subject to availability and reliance upon suitable bird survey data obtained for the surrounding existing windfarms and from any other source or development projects in the vicinity. Please keep the Planning Authority informed of progress in this regard and subsequent application submission timescales.

SCOPING RESPONSE

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

THC request that any EIAR submitted in support of an application for the above development take the comments below into account; many of which are already acknowledged within the Supporting Information. In particular, the elements of this report as highlighted in parts 3, 4 and 5 should be presented as three distinct elements.

Where responses have been received by internal consultees these are available to view online and should be taken as forming part of the scoping response from THC. If any further responses are received these will be forwarded on in due course.

1.0 Description of the Development

1.1 The description of development for the EIAR must include the same level of detail as set out in the EIAR and SI for the Consented Development. It should also clearly explain the development in isolation, as well as cumulatively with the surrounding existing turbines. It must include:

- a description of the physical characteristics of the whole development and the full land-use requirements during the operational, construction and decommissioning phases.
- a description of the main characteristics of the construction processes, for instance, nature and quantity of the materials used;
- the risk of accidents, having regard in particular to substances or technologies used;
- an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light / flicker, heat, radiation, etc.) resulting from the operation of the development; and
- the estimated cumulative impact of the project with other consented or operation development.

2.0 Alternatives

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

- the range of technologies that may have been considered;
- locational criteria and economic parameters used in site selection;
- design and locational options for all elements of the proposed development (including grid connection); and
- the environmental effects of the different options examined.

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

3.0 Environmental Elements Affected

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

Land Use and Policy

- 3.2 The EIAR should recognise the existing land uses affected by the development having particular regard for THC's Development Plan inclusive of all statutorily adopted Supplementary Guidance (SG). Particular attention should be paid to the provisions of the Onshore Wind Energy SG (OWESG) inclusive of any Landscape Sensitivity Appraisal. This is not instead of but in addition to the expectation of receiving a Planning Statement in support of the application itself which, in addition to exploring compliance with the Development Plan, should look at Scottish Planning Policy, Planning Advice Notes and other relevant guidance on renewable energy which identify the issues that should be taken into account.

Sustainability

- 3.3 The Council's Sustainable Design Guide SG provides advice and guidance on a range of sustainability topics, including design, building materials and minimising environmental impacts of development. A Sustainable Design Statement is required. Wind farms produce a sustainable form of energy, however, the Council will need to be satisfied in reaching a conclusion on any consultation or application that the development in its entirety is in fact sustainable development. In order for us to do so we recommend that matters related to the three pillars of sustainable development are fully assessed in the information which supports the application. The wind farm needs to be considering the provision of energy systems within the holistic demand cycle of the network. The developer needs to consider the impact of the installation and the prospective long-term use of the energy to accommodate the requirements of a decarbonised energy provision for Scotland and the Highlands. The application should include a statement on how the development is likely to contribute to the Scottish Government Energy Efficient Scotland roadmap and provide the Highlands with secure and clean electricity supplies.
- 3.4 The broad principle the inclusion of infrastructure for energy storage in renewable energy proposals can be supported, given the benefits. Any associated buildings with the wind farm scheme must be designed in a way which is sympathetic to the local area and existing pattern of development. However, in considering the detail the Council would need to understand the type and nature of storage facility proposed, such as scale and appearance, and it would be beneficial to have information to explain the specific electricity network benefits and capacity proposed.
- 3.5 The developer should also consider the potential for generation of alternative fuels as part of the development. Consideration to be given to an element of local use of the energy and particular use of Hydrogen generation if there is an opportunity in the development for redundancy supply profiles. The Council also encourage the inclusion of electric car

charging facilities within all new developments. A strategy for the provision of charging points within the development must be submitted with the application.

Landscape and Visual

- 3.6 The Council expects the EIAR to consider the landscape and visual impact of the development. The Council makes a distinction between the two. While not mutually exclusive, these elements require separate assessment and therefore presentation of visual material in different ways. As per the EIAR & SI for the Consented Development, it remains the Council's position that it is not possible to use panoramic images for the purposes of visual impact assessment. The Council, while not precluding the use of panoramic images, require single frame images with different focal lengths taken with a 35mm format full frame sensor camera – not an 'equivalent.' The focal lengths required are 50mm and 75mm. The former gives an indication of field of view and the latter best represents the scale and distance in the landscape i.e. a more realistic impression of what we see from the viewpoint. Photomontages should follow the Council's Visualisation Standards:
https://www.highland.gov.uk/downloads/file/12880/visualisation_standards_for_wind_energy_developments
- 3.7 Separate volumes of visualisations should be prepared to both Highland Council Standards and NatureScot guidance with each forming separate volumes of the EIAR. These should be provided in hard copy. **It would be beneficial for THC's volume to be provided in an A3 lever arch file for ease of use.** The use of monochrome for specific viewpoints is useful where there are a number of different wind farms in the view. All existing turbines should be re-rendered even if they appear to be facing the viewer in the photograph to ensure consistency.
- 3.8 This assessment should include the expected impact of on-site borrow pits and access roads, despite the fact that the principal structures will be a primary focus. All elements of a development are important to consider within any EIAR, including the visual impact of the tracks.
- 3.9 It should be noted that there are a number of similar applications in this area which are yet to be determined / concluded in the vicinity of this application, which may or may not help clarify the weight towards particular policy elements in the final planning balance. We consider that you should undertake the cumulative assessment over a Study Area the same as the visual assessment, a minimum 40km Study Area. As this is the case we recommend that you utilise our interactive Wind Turbine map, which is up to date as of 06 January 2020, to identify other schemes within the Study Area. The map can be accessed on the link below and is anticipated to be updated in early 2021: <http://highland.gov.uk/windmap>
- 3.10 Consultation should also be undertaken with Energy Consents Unit to identify any other schemes which are currently at Scoping Stage as these may have advanced at the same pace as your proposal.
- 3.11 Viewpoints (VP) for the assessment should replicate those set out within the LVIA for the Consented Development. In addition, give that cumulative effects on the Wild Land Areas are key consideration including how this development will fit with others in the cluster, NatureScot have requested one additional viewpoint – Am Faochagach (230356, 879374), the closest Munro within WLA 29. Photographs should illustrate the 360 degree view to allow an understanding of cumulative effects with developments on the north side of the WLA.

- 3.12 In addition to the standard set of visuals, a further set comparative photomontages and wirelines are required to demonstrate how the proposed site compares with the Consented Development. This will help demonstrate any impacts associated with increasing the turbine blade tip height from 133m to 149.9m. Similarly, ZTV analysis should be undertaken with drawings to demonstrate any areas of increased hub height and blade tip height visibility in comparison to the Consented Development. All ZTVs must be provided on a 1:50k basemap at sufficient resolution for them to be readable, in accordance with NatureScot's wind farm visualisation guidance.
- 3.13 A sequential route assessment of visibility from the A835, and all associated parking areas / laybys, must also be undertaken comprising presentation and analysis of theoretical visibility along this route and at sequential viewpoint locations at all opportune vehicle / cycling stopping areas. At such sequential viewpoints, existing baseline photography should be provided alongside individual wirelines of both the Consented Development and the proposed development. This sequential assessment should be undertaken covering a radius of 10km from the application sit boundary in both east and west directions along this route where there is theoretical visibility.
- 3.14 Community Council's may request additional viewpoints and it would be recommended that any pre-application discussions with the local community, and associated reporting on consultation undertaken, take this into account. It is noted however that Gave and District Community Council have not raised any objection or have stated any further information requirements at this stage.
- 3.15 Given the scale of the turbines the Council are content with a Study Area of 40km. Based on the landscape sensitivities of this site and the surrounding area, we would expect a detailed assessment of effects should be undertaken for the whole Study Area, albeit that the Council's Landscape Officer is content with the Scope of assessment for designations as set out at Table 7.1 of the Scoping Report.
- 3.16 When assessing the impact on recreational routes please ensure that all core paths, the national cycle network, long distance trails, and the North Coast 500 are assessed. It should be noted that these routes are used by a range of receptors and certain recreational paths were incompletely mapped in the former EIAR and SI for the Consented Development.
- 3.17 The development will further extend visibility of wind farm development in the surrounding area, necessitating appropriate cumulative impact assessment. It is considered that cumulative impact will be a significant material consideration in the final determination of any future application. The Study Area for a cumulative LVIA (CLVIA) should extend to a minimum of 40km. Given the cumulative impact of renewable energy in this area it is expected that the applicant should present images for presentation within the Panoramic Digital Viewer deployed by the Council – see visualisation standards document. If the applicant wished to utilise this tool there may be an associated cost per image to be inserted which should be discussed with the Council prior to submission. To view current or determined schemes in the Council's Panoramic Viewer please see the link below:
<http://www.highland.gov.uk/panoramicviewer>
- 3.18 The SNH 2019 landscape character assessment should be used.
- 3.19 We expect an assessment of the impact on all potentially effected WLAs to be included within the EIAR given the proximity to a number of WLAs and the theoretical visibility of the scheme from within WLAs. NatureScot's recently published guidance on Assessing Impacts on Wild Land Areas (September 2020) provides further assessment advice:

<https://www.nature.scot/sites/default/files/2020-09/Guidance%20-%20Assessing%20impacts%20on%20Wild%20Land%20Areas%20-%20technical%20guidance.pdf>

- 3.20 We expect an assessment of the proposal against the criterion set out in the Council's OWESG to be included within the LVIA chapter of the EIAR.
- 3.21 An assessment of the impacts of the proposal on landscape should assess the impacts on any landscapes designated at a national and local scale. As part of this the impact on the Special Landscape Areas (SLA) must be undertaken using the SLA citations available from the Council's website.
- 3.22 No aviation lighting is envisaged to be required provided that the turbine heights remain below 150m. Should this not be the case the effect of the aviation lighting must be assessed through the EIA process and further advice on aviation lighting is available from NatureScot.
- 3.23 Residential visual amenity should be assessed within the LVIA.
- 3.24 The LVIA must present clear definitions for how the significance of effect for each matter considered in the LVIA chapter of the EIAR has been established. i.e. clear definitions of sensitivity of receptors and magnitude of change. Further to this the EIAR must explain how such matters combine to reach an overall finding of effects of the development.

Cultural Heritage

- 3.25 It is accepted that the scope of the EIAR for the proposed development can rely on the EIAR and SI undertaken for the Consented Development, with the exception of undertaking a re-assessment of the development's potential effects on the setting of designated heritage assets within the outer study area, including an assessment of cumulative impacts.
- 3.26 Historic Environment Scotland (HES) have also confirmed that they have not identified any potentially significant effects on their interests from the proposals. They welcome that the historic environment is identified as a key environmental issue and note that the references provided are accurate and up to date.

Ornithology

- 3.27 As before, the presence of protected species such as Schedule 1 Birds or European Protected Species must be included and considered as part of the planning application process, not as an issue which can be considered at a later stage. Any consent given without due consideration to these species may breach European Directives with the possibility of consequential delays or the project being halted by the EC. Please refer to the comments of NatureScot and RSPB in this respect.
- 3.28 NatureScot have stated that there are a number of sensitive bird species known to be within the vicinity of the site and therefore important these are fully assessed. The data previously collected is now too old to be used to assess the bird impacts. NatureScot's bird survey guidance (see below) sets out that all survey data should be collected within 5 years of the application date, the data collected previously is now older than this. Therefore, a full suite of new bird surveys should be undertaken. NatureScot's bird survey guidance should be followed and due to the species previously present two years of surveys are likely to be required. They would be happy to review the need for a second years survey after the results of the first year are available.

<https://www.nature.scot/recommended-bird-survey-methods-inform-impact-assessment-onshore-windfarms>

- 3.29 RSBP have also highlighted the potential need for updated bird survey work to be undertaken.

Ecology

- 3.30 The EIAR should provide new updated baseline survey information of the animals (mammals, reptiles, amphibians, etc) interest on site. It needs to be categorically established which species are present on the site, and where, before a future application is submitted. Further the EIAR should provide an account of the habitats present on the proposed development site. It should identify rare and threatened habitats, and those protected by European or UK legislation, or identified in national or local Biodiversity Action Plans. It is expected that the EIAR will address whether or not the development could assist or impede delivery of elements of relevant Biodiversity Action Plans.

- 3.31 In relation to Bats, NatureScot have advised that new bat survey are required. They note the existing bat surveys are very old and well out of date. The survey methodology has also changed since the last surveys were carried out and the new approach should be followed as set out in their guidance below.

<https://www.nature.scot/bats-and-onshore-wind-turbines-survey-assessment-and-mitigation>

- 3.32 The EIAR should address the likely impacts on the nature conservation interests of all the designated sites in the vicinity of the proposed development. It should provide proposals for any mitigation that is required to avoid these impacts or to reduce them to a level where they are not significant. NatureScot provide advice on the impact on designated sites.

- 3.33 The EIAR needs to address the aquatic interests within local watercourses, including downstream interests that may be affected by the development, for example increases in silt and sediment loads resulting from construction works; pollution risk / incidents during construction; obstruction to upstream and downstream migration both during and after construction; disturbance of spawning beds / timing of works; and other drainage issues. The EIAR should evidence consultation input from the local fishery board(s) where relevant.

- 3.34 The EIAR should incorporate any necessary amendments in the proposed Water Construction Management Plan for the site. The EIAR should also include an assessment of any additional effects on Ground Water Dependent Terrestrial Ecosystems (GWDTE), arising from any increase in the development's footprint (foundations and crane pads). Please refer to SEPA's consultation response for detailed advice, as well as further water environment, peat, habitat related SEPA comments referred to elsewhere within the Scoping response.

Water Environment

- 3.35 As before, it is advised that the EIAR needs to address the nature of the hydrology and hydrogeology of the site, and of the potential impacts on water courses, water supplies including private supplies, water quality, water quantity and on aquatic flora and fauna. Impacts on watercourses, lochs, groundwater, other water features and sensitive receptors, such as water supplies, need to be re-assessed.

- 3.36 The Council's Flood Risk Management Team had no comments to make at this stage. However, there are a number of watercourses and waterbodies on the site therefore the following applies:
- A minimum of a 50m buffer of all watercourses / bodies, except water crossings is required;
 - Access tracks not acting as preferential pathways for runoff and efforts being made to retain existing natural drainage wherever possible;
 - Natural flood management techniques should be applied to reduce the rate of runoff where possible; use of SuDS to achieve pre-development runoff rates and to minimise erosion on existing watercourses;
 - Water crossings in the form of culverts or bridges, or upgrades to existing crossings must be designed to accommodate to 1 in 200 year flood event, plus climate change;
 - Land rising within any floodplain to be avoided; if ultimately required, compensatory storage must be provided; and
 - The EIAR should be informed by the Council's Flood Risk and Drainage Impact Assessment SG.
- 3.37 The need for, and information on, abstractions of water supplies for concrete works or other operations should also be identified. The EIAR should identify whether a public or private source is to be utilised. If a private source is to be utilised, full details on the source and details of abstraction need to be provided. The Council's Environmental Health Team have advised that there are private water supplies in the vicinity of this development and the applicant has undertaken an assessment of potential impacts from construction etc. The conclusion is that effects are likely to be negligible taking into account the use of best practice to avoid contamination or disruption. The CEPM states that *"A surface water and groundwater monitoring programme will be established prior to the construction phase of the Development."* The previous consent included a condition requiring a surface water and groundwater monitoring program be put in place. This condition is advised to be retained.
- 3.38 To avoid delay and potential objection, SEPA consider that the following information must be provided within the EIAR:
- a) Map and assessment of all engineering activities in or impacting on the water environment including proposed buffers, details of any flood risk assessment and details of any related CAR applications.
 - b) Map and assessment of impacts upon Groundwater Dependent Terrestrial Ecosystems and buffers.
 - c) Map and assessment of impacts upon groundwater abstractions and buffers.
 - d) Peat depth survey and table detailing re-use proposals.
 - e) Map and table detailing forest removal.
 - f) Map and site layout of borrow pits.
 - g) Schedule of mitigation including pollution prevention measures.
 - h) Borrow Pit Site Management Plan of pollution prevention measures.
 - i) Map of proposed waste water drainage layout.

- j) Map of proposed surface water drainage layout.
- k) Map of proposed water abstractions including details of the proposed operating regime.
- l) Decommissioning statement.

3.39 In regard to watercourse crossings, provided watercourse crossings are designed to accommodate the 1 in 200 year event and other infrastructure is located well away from watercourses, SEPA do not foresee from current information a need for detailed information on flood risk.

Noise

Operational Noise

3.40 The applicant wishes to scope out any need for further background monitoring and proposes that noise from this development should be assessed against the previously consented limits. I'm not aware of any new developments or changes to any existing wind farms which might impact on cumulative noise. On this basis, the Council's Environmental Health Team are satisfied that this is a reasonable approach.

Construction Noise

3.41 The Council understand the new development will involve no material change to the construction noise assessment previously submitted. Again, the Environmental Health are therefore satisfied that this can be scoped out. It is expected that the developer/contractor will employ the best practicable means to reduce the impact of noise from construction activities.

Traffic and Transport

3.42 The Council's Transport Planning Team are content that the Abnormal Route Assessment undertaken for the Consented Development adequately takes account of the larger turbine dimensions to be employed for the currently proposed development. As such, the Council are content for traffic and transport to be scoped out of further assessment.

3.43 Transport Scotland are yet to respond. The Planning Authority will therefore forward on any comments received in early due course.

Geology, Soils and Peat

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

- 3.45 The EIAR should include a full updated assessment on the impact of the development on peat. The assessment of the impact on peat must include peat probing for all areas where development is proposed. The Council are of the view this should include probing not just at the point of infrastructure as proposed by the scheme but also covering the areas of ground which would be subject to micrositing limits.
- 3.46 SEPA have provided several site-specific peat and habitat related comments within their Scoping consultation response. These are summarised below for ease of reference, however, the applicant and their design team should review their response in full, as well as their appended detailed scoping requirements.
- 3.47 As stated in the Scoping report (1 of 4), SEPA note that from the previous proposals as compared to the current, that the number of turbines have been reduced to five which reduces the environmental footprint of the proposed development.
- 3.48 However, looking at the Carbon and Peatland map (2016) on GIS, the new proposed development is mostly on class 1 peatland with some class 2 and class 5 peatland also present. As first principle SEPA always ask that areas of deep peat is avoided entirely. The applicant must therefore minimise the amount of peat disturbed/excavated and avoid areas of deep peat and it is important to mitigate against any impacts and compensate for the loss where this is the case. The developer should therefore submit; peat depth survey maps; Peat Management Plan and information on mitigation measures to be adopted. For example, the proposed access track between T5 and T4 goes through an area of deeper peat, SEPA therefore advise that the applicant microsities the track into an area of shallower peat. Where this is not achievable, proposals to put in a floating track through this section should be considered. Also, from the information submitted with this application, it appears that T4 is located on deep peat. Again, SEPA ask that the area is microsited and T4 is moved into an area of shallower peat.
- 3.49 SEPA note the scoping report indicates that the ecology chapter will have a section on the 'identification of opportunities for ecological enhancement'. They would support proposals to carry out any compensatory peatland restoration on site and will be happy to review this information on peatland restoration proposals as well as discuss this further with the applicant.
- 3.50 The Phase 1 Habitat Plan submitted with this application has T6 and T7 on wet heath habitat and T4, T5 and T8 on blanket bog habitat. However, from the previous proposal (planning reference: 19/01284/FUL, SEPA reference: PCS/164256) T6 and T7 (and T4) were located on blanket bog and T5 and T8 were on wet heath on the Phase 1 Habitat map. SEPA request that this be clarified with a corrected plan being submitted which clearly shows the infrastructure and all habitats. As Wet Heath is a potentially Groundwater Dependent Terrestrial Ecosystems (GWDTE) SEPA require more information for example showing these areas of wet heath groundwater dependent in this setting.
- 3.51 SEPA note there are two borrow pits proposed to be used for this windfarm proposal. One borrow pit should be sufficient and therefore only one should be used and SEPA would like to see the use of one borrow pit proposed in subsequent submissions. Also the borrow pits are both on wet heath on the current Phase 1 map but on blanket bog on the phase 1 habitat map from the previous planning application. Again, this should be clarified.
- 3.52 From the information submitted the footprint of the substation has changed (reduced) as in Figure 2.0 of the Scoping report (1 of 4), however from the NVC plan and Phase 1 Habitat Plan submitted, the footprint of the substation is larger. The applicant should clarify what the footprint of the substation is. A reduced footprint is preferred.

- 3.53 The developer should investigate opportunities to reduce the looped access track (For example, access tracks between T5 and T6) for more direct or straightened ones hence reducing the need for longer tracks. SEPA are pleased to note some existing tracks will be used.
- 3.54 Carbon balance calculations should be re-produced and included within the EIAR with a summary of the results provided focussing on the carbon payback period for the wind farm.
- 3.55 The EIAR should fully describe the likely significant effects of the development on the local geology including aspects such as borrow pits, earthworks, site restoration and the soil generally including direct effects and any indirect. Proposals should demonstrate construction practices that help to minimise the use of raw materials and maximise the use of secondary aggregates and recycled or renewable materials. Where borrow pits are proposed the EIAR should include information regarding the location, size and nature of these borrow pits including information on the depth of the borrow pit floor and the borrow pit final reinstated profile. This can avoid the need for further applications, or lengthy suspensive planning conditions.

Forestry

- 3.56 The EIAR should indicate all the areas of woodland / trees that will be felled to accommodate the development, including any off site works / mitigation. Compensatory woodland is a clear expectation of any proposals for felling, and thereby such mitigation needs to be considered within any assessment. Permission is only likely to be granted on the basis that compensatory planting proposals are identified in advance. Compensatory planting should be within the Highland area and not form part of an already approved forestry plan/proposal that has gained FC funding. Areas of retained forestry or tree groups should be clearly indicated and methods for their protection during construction and beyond clearly described. If timber is to be disposed of, details of the methodology for this should be submitted.
- 3.57 The development, if granted consent, would likely release carbon throughout the construction period. While the Council note that over time the carbon release on the site will be balanced by the generation of electricity, it is considered that to offset the carbon release in the construction period that additional trees should also be planted. This should be on an appropriate site located within THC's area and as close as possible to the application site.
- 3.58 Scottish Forestry advise that they welcome the preparation of a Forest Impact Assessment for the area and agrees, in principle, with the proposed scope of the assessment but requests that following information is provided:
- forestry baseline;
 - clear distinction of felling required to accommodate proposed development's infrastructure (ha)- permanent woodland loss; and felling required to allow for construction and operating of the proposed development (ha) - temporary woodland loss;
 - area of permanent woodland loss (ha) associated with proposed development's infrastructure, for which compensatory planting will be required, as per Scottish Government's Policy on Control of Woodland Removal (CoWRP), and a clear commitment on timing of producing compensatory planting plan for area corresponding with area of permanent woodland loss. The Applicant needs to be

aware that compensatory planting plan might be subject to the Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017;

- information on area and timing of felling required for the construction and operating (e.g. required for wind energy resource) of the proposed development (temporary woodland loss) – the applicant needs to be aware that the felling proposal must meet the minimum requirements for sustainable forest management, as set out in the UK Forestry Standard (UKFS) (2017). That information should be provided in a form of revised felling proposals for areas covered by LTFP, and will require separate approval from SF under the Forestry and Land Management (Scotland) Act 2018 (the Act);
- information on area and timing of restocking (replanting of areas cleared to allow for construction and operating of the proposed development), with a clear commitment that the restocking is to be carried out before the proposed development is commissioned – again, the restocking proposals need to meet the UKFS requirements and be approved separately by SF under the Forestry and Land Management (Scotland) Act 2018. That information should be provided in form of revised restocking proposals for areas covered by LTFP.

Aviation, Radar and Telecoms

- 3.59 As the applicant proposes to scope out Aviation, Radar and Telecoms from the EIAR, it is advised that the EIAR cross references the assessments undertaken previously on these matters, with further explanation of any further consultation undertaken, with inclusion of any further technical assessments to satisfy consultee's requirements to be set out within the EIAR. In this regard the applicant, when submitting a future application, will need to demonstrate what interests they have identified and the outcomes of any consultations through the provision of written evidence of concluded discussions / agreed outcomes. We consider that this information is contained within the EIAR to determine whether any suspensive conditions are required in relation to such issues.
- 3.60 We would also wish to bring to your attention that HIAL have stated that they consider that the increase in turbine height necessitates further impact assessment against the Inverness Primary Surveillance Radar. To assist, they advise that the OS grid reference for the Inverness Primary Surveillance Radar is 276977.56E 852598.07N and the height of radar head is 31.74m AOD.
- 3.61 We also bring to your attention that the MOD have again identified the need for aviation lighting. In the interests of minimising light pollution, it is therefore expected that the EIAR Description of Development makes a clear commitment to the installation of turbine infrared lighting as per MOD's technical specification requirements, with this commitment to reiterated within the aviation section / sub-section of the EIAR. Should permission be granted, this matter would also be conditioned as per the Consented Development conditions.
- 3.62 If there are no predicted effects on communication links as a result of the development, the EIAR should still address this matter by explaining how this conclusion was reached.

Socio-Economic, Recreation and Tourism

- 3.63 It is noted that socio-economic impacts of the development are proposed to be scoped out of further assessment with reliance placed upon the EIAR and SI for the Consented Development. Whilst the applicant may consider that the proposed variation in tip heights

and turbine design may not give rise to any additional socio-economic effects or alter the findings of the previous assessments, THC consider that the EIAR still contains the following information:

- an estimate of any additional people who may be affected by the increased development height, which may required individual households to be identified, local communities or a wider socio economic groupings such as tourists and tourist related businesses, recreational groups, economically active, etc.; and
- Updated relevant economic information connected with the project, including the potential number of jobs, and economic activity associated with the procurement, construction, operation and decommissioning of the development. This should set out the impact on the regional and local economy, not just the national economy. Any mitigation proposed should also address impacts on the regional and local economy

3.64 The Scoping report does not set out any intention for the EIAR to re-assess public access. As before, public access rights provided by the Land Reform Scotland Act apply across the site and the EIAR should cross reference and place reliance upon the EIAR and SI for the Consented Development to cover such matters. An Access Management Plan shall also be required for the site.

Miscellaneous: Health and Safety and Shadow Flicker

3.65 The EIAR can place reliance upon the Consented Development's EIAR and SI to address all relevant climatic factors which can greatly influence the impact range of many of the preceding factors on account of seasonal changes affecting, rainfall, sunlight, prevailing wind direction etc. Any changes in this baseline since the preparation of the Consented Development must be highlighted in the EIAR, with a statement setting out what significance this may have and any resultant additional assessment requirements. From this base data information on the expected impacts of any development can then be founded recognising likely impacts for each phases of development including construction, operation and decommissioning. Issues such as air borne pollution and / or vapours, noise, light, shadow-flicker can then be highlighted. Consideration must also be given to the potential health and safety risks associated with lightning strikes and ice throw given the proximity of recreational routes through the site.

3.66 A number of the aforementioned matters could be addressed by a CEMD for the proposal. While acceptable in principle we would request that an Outline CEMD is included with the application.

3.67 It is noted that the nearest residential receptor remains over 2km from the nearest turbine, as such THC are in agreement that a shadow flicker assessment is not required to be undertaken as part of the EIAR. This is on the basis of a turbine rotor diameter of 133m, and applying the OWESG rule of 11 times rotor diameter.

3.68 Consideration should also be given to any health and safety risks associated with the proposed increased operational wind farm period from 25 to 40 years, and draw upon technical evidence that demonstrates that the turbine specification and any manufacturer's warranty which demonstrates the safe operational life of the turbines and that the increased duration would not giving rise to additional environmental effects, such as increased operational noise associated with wear and tear.

4.0 Significant Effects on the Environment

- 4.1 Leading from the assessment of the environmental elements the EIAR needs to describe the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development, resulting from:
- the existence of the development;
 - the use of natural resources; and
 - the emission of pollutants, the creation of nuisances and the elimination of waste.
- 4.2 The potential significant effects of development must have regard to:
- the extent of the impact (geographical area and size of the affected population);
 - the trans-frontier nature of the impact;
 - the magnitude and complexity of the impact;
 - the probability of the impact; and
 - the duration, frequency and reversibility of the impact.
- 4.3 The effects of development upon baseline data should be provided in clear summary points.
- 4.4 The Council requests that when measuring the positive and negative effects of the development a four point scale is used advising any effect to be either strong positive, positive, negative or strong negative.
- 4.5 The applicant should provide a description of the forecasting methods used to assess the effects on the environment.

5.0 Mitigation

- 5.1 Consideration of the significance of any adverse impacts of a development will of course be balanced against the projected benefits of the proposal. Valid concerns can be overcome or minimised by mitigation by design, approach or the offer of additional features, both on and off site. A description of the measures envisaged to prevent, reducing and where possible offset any significant adverse effects on the environment must be set out within the EIAR statement and be followed through within the application for development.
- 5.2 The mitigation being tabled in respect of a single development proposal can be manifold. Consequently the EIAR should present a clear summary table of all mitigation measures associated with the development proposal. This table should be entitled draft Schedule of Mitigation. As the development progresses to procurement and then implementation this carries forward to a requirement for a Construction Environmental Management Document (CEMD) and then Plan (CEMP) which in turn will set the framework for individual Construction Method Statements (CMS). Further guidance can be obtained at:
- http://www.highland.gov.uk/NR/rdonlyres/485C70FB-98A7-4F77-8D6B-ED5ACC7409C0/0/construction_environmental_management_22122010.pdf
- This is currently under review by a working party led by SEPA working through Heads of Planning Scotland but for the time being remains relevant.
- 5.3 The implementation of mitigation can often involve a number of parties other than the developer. In particular local liaison groups involving the local community are often deployed to assist with phasing of construction works – abnormal load deliveries, construction works to the road network, borrow pit blasting. It should be made clear within

the EIAR or supporting information accompanying a planning application exactly which groups are being involved in such liaison, the remit of the group and the management and resourcing of the required effort.

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

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