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By email only to: N.Sage@infinergy.co.uk

03 March 2021

Our Reference: ECU00002211
Your Reference:

Dear Mr Sage

ELECTRICITY ACT 1989

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

On 12 January 2021 the Scottish Ministers received a request under regulation 8(1) of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (“the EIA Regulations”) from Savills on behalf of Bluebell Wind Farm Ltd (“the Applicant”) for an EIA screening opinion for a new 33 kV overhead electric line to connect Lochluichart Wind Farm Extension II to the Corriemoillie substation (“the proposed Development”) within The Highland Council planning authority area.

Under regulation 9 of the EIA Regulations, the Scottish Ministers are required to adopt a screening opinion for the proposed Development. This letter contains such a screening opinion.

Information Requirements

The EIA Regulations set out (at 8(2)) the information that must accompany any request for a screening opinion. The Applicant submitted a comprehensive description of the infrastructure to be installed and the works to be undertaken; a description of the location, surrounding area and of the area of land on which the proposed Development is proposed, and of environmental sensitivities of such areas; as well as a description of the aspects of the environment likely to be affected. A plan was submitted outlining the route plan for the proposed Development.

The proposed Development will comprise:

- A new 33 kV single circuit grid connection, approximately 5.82 km in length, supported on “H” wood poles.

It is anticipated that the wooden poles will be approximately 12-16 metres in height with the average span between them approximately 90-110 metres.

Consultation

Regulation 8(5) of the EIA Regulations sets out that the Scottish Ministers must consult the planning authority as to the planning authority's views on whether the proposed Development is EIA development, unless the planning authority's views have already been conveyed to the Scottish Ministers. The Scottish Ministers consulted The Highland Council on 26 January 2021. The planning authority responded on 12 February 2021, stating their view that the proposed Development does not constitute EIA development.

The Highland Council advised that as the proposed development site does not fall within any of the types of sensitive areas set out within Schedule 2 of the EIA Regulations, it does not meet the criteria of Schedule 2 Development and therefore is not EIA Development. The Highland Council is therefore of the view that any future Section 37 application **need not** be supported by an **EIAR**. Their response also detailed what their information requirements would be at the application's consultation stage.

Scottish Ministers' Screening Opinion

EIA development is defined in the EIA Regulations, in respect of an application for consent under the Electricity Act 1989, as Schedule 1 development or Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

The proposed Development does not fall under the criteria for Schedule 2 development.

In adopting a screening opinion as to whether the proposed Development is EIA development, the Scottish Ministers must in all cases take into account such of the selection criteria in Schedule 3 of the EIA Regulations as are relevant to the proposed Development, and the available results of any relevant assessment.

The Scottish Ministers have taken into account the selection criteria, all of the information submitted in respect of the request for a screening opinion, and the views of The Highland Council, and adopt the opinion that **the proposed Development does not constitute EIA development and any forthcoming application for consent (under section 37 of the Electricity Act 1989) does not require to be accompanied by a full Environmental Impact Assessment report.**

The planning authority's consultation response to the screening consultation is attached to this letter. In accordance with Regulation 7(2), this screening opinion is accompanied by the following written statement with reference to the selection criteria within Schedule 3 of the EIA Regulations as are relevant to the proposed Development. In accordance with the EIA Regulations, a copy of the screening opinion has been issued to the planning authority.

Written Statement

Regulation 7(2) of the EIA Regulations states that the Scottish Ministers screening opinion must be accompanied by a written statement giving, with reference to the criteria set out in schedule 3 as are relevant to the development, the main reasons for their conclusion as to whether the development is, or is not, EIA development and where the screening opinion is to the effect that development is not EIA development, the statement must state any features of the proposed development or proposed measures envisaged to avoid or prevent significant adverse effects on the environment. As this development does not fall within any of the criteria

set out in schedule 2 of the EIA Regulations and there will be no significant adverse effects on the environment, it has not been necessary for the Scottish Ministers to consider the criteria set out in schedule 3.

Yours sincerely
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Carolanne Brown

Energy Consents Unit
(A member of the staff of the Scottish Ministers)



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Our Ref: 21/00381/SCRE
Date: 12 February 2021

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Dear Ms Brown

Screening consultation in relation to the installation and operation of 33 kV overhead electric line to connect Lochluichart Wind Farm Extension II to the grid, at Corriemoillie Wind Farm, Gorstan, Garve

I refer to the consultation regarding the above Section 37 project. As the proposal involves the construction of a new 33kv line, it only requires to be considered as an EIA scale development as set out in Schedule 2 of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, if the development is to be located in a sensitive area.

As the proposed development site does not fall within any of the types of sensitive areas set out within Schedule 2 of the EIA Regulations, it does not meet the criteria of Schedule 2 Development and therefore is not EIA Development. The Planning Authority is therefore of the view that any future Section 37 application need not be supported by an EIAR.

The assessment as presented by the applicant is generally accepted. The Planning Authority therefore recognises that the proposal as presented, is unlikely to significantly impact any site designated for environmental interest, by virtue of the scale, nature and character of the development considered.

We appreciate the commitment to submit a Construction and Decommissioning Environmental Management Plan, incorporating a Pollution Prevention Plan, Drainage Management Plan, Habitat Management Plan, Access Management Plan and Construction Site Licence (under CAR). This does not however preclude the Planning Authority from requiring further information at the application's consultation stage.

In the submission the consideration of alternatives in describing the project should be set out, including the design evolution with any design irritations or mitigation measures arising from the studies undertaken to be clearly set out. Given the anticipated tree felling requirements, the Planning Authority also suggest that an Arboricultural Impact Assessment, with proposals for compensatory tree planting be provided. It may also be advantageous for the submission to be accompanied by a Landscape and Visual Appraisal with a limited selection of visualisations to be taken from localised viewpoints from the most sensitive nearby receptors.

Given that the timing for the submission of the Section 37 application is likely to coincide with the submission of the forthcoming further planning application to increase consented turbine heights at Lochluichart Wind Farm Extension II, (refer to planning permission 19/01284/FUL

and Proposal of Application Notice 20/03727/PAN), it is requested that the windfarm's LVIA, and its associated photomontages, include the 'anticipated' grid connection, albeit that this line may not be overly apparent from more distant views and is subject to a separate consenting process.

I hope that this response is adequate for EIA Screening purposes and the applicant may wish to consider utilising the Planning Authority's [Pre-Application Service](#) to obtain any further information to inform the application's submission.

Yours sincerely

REDACTED

Peter Wheelan
Planner MRTPI – Strategic Projects Team