Environmental Impact Assessment Report

Beinneun 2 Wind Farm

Volume 3

Technical Appendix A2.1: Environmental Impact Assessment Scoping Opinion

Envams

Scottish Government
Riaghaltas na h-Alba
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The Scottish Government
Energy Consents Unit

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

Beinneun 2 Wind Farm
Beinneun 2 Ltd

01 February 2024

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1. Introduction

1.1 This scoping opinion is issued by the Scottish Government Energy Consents Unit on behalf of the Scottish Ministers to Beinneun 2 Ltd a company incorporated under the Companies Acts with company number 15342685 and having its registered office at C/O Shepherd And Wedderburn Llp Octagon Point, 5 Cheapside, London, Greater London, United Kingdom, EC2V 6AA ("the Company"). This is in response to a request by Envams Ltd on behalf of the Company dated 21 November 2023 for a scoping opinion under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the proposed Beinneun 2 Wind Farm ("the proposed development"). The request was accompanied by a scoping report.

1.2 The proposed development would be located approximately 5 km north west of Invergarry and approximately 10 km west of Fort Augustus in the Highlands

1.3 The proposed Development is a wind farm consisting of up to 22 wind turbines of up to 200 m in tip height.

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

- Hardstanding areas;
- Transformers;
- Access tracks;
- Cabling;
- A substation;
- Temporary construction compound;
- Borrow pits;
- A Battery Energy Storage System (BESS); &
- Anemometry mast

The developer has stated however that the ancillary infrastructure proposed may change as the Development design is developed through the iterative EIA process.

1.5 The Company indicates the proposed development would be decommissioned at the end of the consented operational period and the built form, including any associated infrastructure, will be removed.

1.6 The proposed development is solely within the planning authority of The Highland Council.

2. Consultation

2.1 Following the scoping opinion request a list of consultees was agreed between Envams Ltd (acting as the Company's agent) and the Energy Consents Unit. A consultation on the scoping report was undertaken by the Scottish Ministers and this commenced on 22 November 2023. The consultation closed on 13 December 2023, however extensions to this deadline were granted to The Highland Council and NatureScot. The Scottish Ministers also requested responses from their internal advisors Transport Scotland and Scottish Forestry. Standing advice from Marine Directorate - Science Evidence Data and Digital (MD-SEDD)- has been provided with requirements to complete a checklist prior to the submission of the application for consent under section 36 of the Electricity Act 1989. All consultation responses received, and the standing advice from MD-SEDD, are attached in ***ANNEX A Consultation responses*** and ***ANNEX B MD-SEDD Standing Advice.***

2.2 The purpose of the consultation was to obtain scoping advice from each consultee on environmental matters within their remit. Responses from consultees and advisors, including the standing advice from MD-SEDD, should be read in full for detailed requirements and for comprehensive guidance, advice and, where appropriate, templates for preparation of the Environmental Impact Assessment (EIA) report.

2.3 Unless stated to the contrary in this scoping opinion, the Scottish Ministers expect the EIA report to include all matters raised in responses from the consultees and advisors.

2.4 The following organisations were consulted but did not provide a response:

- Beauly Fishery Board;
- British Horse Society Scotland;
- Civil Aviation Authority – Airspace;
- Crown Estate Scotland;
- Fort Augustus and Glenmoriston Community Council;
- Glengarry Community Council;
- Glengarry Community Woodlands;
- John Muir Trust;
- Ness District Salmon Fishery Board;
- Oban Airport;
- RSPB Scotland;
- Scottish Rights of Way and Access Society (ScotWays);
- Scottish Wildlife Trust;
- Scottish Wild Land Group (SWLG);
- Visit Scotland; and
- Woodland Trust

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

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

3. The Scoping Opinion

3.1 This scoping opinion has been adopted following consultation with The Highland Council, within whose area the proposed development would be situated, NatureScot (previously "SNH"), Scottish Environment Protection Agency and Historic Environment Scotland, all as statutory consultation bodies, and with other bodies which the Scottish Ministers consider likely to have an interest in the proposed development by reason of their specific environmental responsibilities or local and regional competencies.

3.2 The Scottish Ministers adopt this scoping opinion having taken into account the information provided by the applicant in its request dated 21 November 2023 in respect of the specific characteristics of the proposed development and responses received to the consultation undertaken. In providing this scoping opinion, the Scottish Ministers have had regard to current knowledge and methods of assessment; have taken into account the specific characteristics of the proposed development, the specific characteristics of that type of development and the environmental features likely to be affected.

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

3.4 The Scottish Ministers expect the EIA report which will accompany the application for the proposed development to consider in full all consultation responses attached in **Annex A and Annex B**.

3.5 The Scottish Ministers are satisfied with the scope of the EIA set out in the scoping report.

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

3.7 The proposed development set out in the Scoping Report refers to wind turbines and may include other technologies including battery storage. Any application submitted under the Electricity Act 1989 requires to clearly set out the generation station(s) that consent is being sought for. For each generating station details of the proposal require to include but not limited to:

- the scale of the development (dimensions of the wind turbines, solar panels, battery storage, other technologies)
- components required for each generating station (type of technologies)
- minimum and maximum export capacity of megawatts and megawatt hours of electricity for battery storage

3.8 Scottish Water provided information on whether there are any drinking water protected areas or Scottish Water assets on which the development could have any significant effect. The Scottish Ministers request that the Company contacts Scottish Water (via EIA@scottishwater.co.uk) and makes further enquires to confirm whether there any Scottish Water assets which may be affected by the development, and includes details in the EIA report of any relevant mitigation measures to be provided.

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

3.10 Marine Directorate – Science Evidence Data and Digital (MD-SEDD) provide generic scoping guidelines for onshore wind farm and overhead line development https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren) which outline how fish populations can be impacted during the construction, operation and decommissioning of a wind farm or overhead line development and informs developers as to what should be considered, in relation to freshwater and diadromous fish and fisheries, during the EIA process.

3.11 In addition to identifying the main watercourses and waterbodies within and downstream of the proposed development area, developers should identify and consider, at this early stage, any areas of Special Areas of Conservation where fish are a qualifying feature and proposed felling operations particularly in acid sensitive areas.

3.12 MD-SEDD also provide standing advice for onshore wind farm or overhead line development (which has been appended at Annex B) which outlines what information, relating to freshwater and diadromous fish and fisheries, is expected in the EIA report. Use of the checklist, provided in Annex 1 of the standing advice, should ensure that the EIA report contains the required information; the absence of such information may necessitate requesting additional information which may delay the process. Developers are required to submit the completed checklist in advance of their application submission.

3.13 The Scottish Ministers consider that where there is a demonstrable requirement for peat landslide hazard and risk assessment (PLHRA), the assessment should be undertaken as part of the EIA process to provide Ministers with a clear understanding of whether the risks are acceptable and capable of being controlled by mitigation measures. The Peat Landslide Hazard and Risk Assessments: Best Practice Guide for Proposed Electricity Generation Developments (Second Edition), published at http://www.gov.scot/Publications/2017/04/8868, should be followed in the preparation of the EIA report, which should contain such an assessment and details of mitigation measures. Where a PLHRA is not required clear justification for not carrying out such a risk assessment is required.

3.14 The scoping report identified viewpoints in Table 4.2 to be assessed within the landscape and visual impact assessment. NatureScot have requested a clearly scaled

ZTV showing viewpoints and both The Highland Council and Mountaineering Scotland have requested additional viewpoints.

3.15 The noise assessment should be carried out in line with relevant legislation and standards as detailed in chapter 9 of the scoping report. The noise assessment report should be formatted as per Table 6.1 of the IOA "A Good Practice Guide to the Application of ETSU-R-97 for the Assessment and Rating of Wind Turbine Noise

3.16 As the maximum blade tip height of turbines exceeds 150m the LVIA as detailed in chapter 4 of the scoping report must include a robust Night Time Assessment with agreed viewpoints to consider the effects of aviation lighting and how the chosen lighting mitigates the effects.

3.17 It is recommended by the Scottish Ministers that decisions on bird surveys – species, methodology, vantage points, viewsheds & duration - site specific & cumulative – should be made following discussion between the Company and NatureScot.

3.18 Where borrow pits are proposed as a source of on-site aggregate they should be considered as part of the EIA process and included in the EIA report detailing information regarding their location, size and nature. Ultimately, it would be necessary to provide details of the proposed depth of the excavation compared to the actual topography and water table, proposed drainage and settlement traps, turf and overburden removal and storage for reinstatement, and details of the proposed restoration profile. The impact of such facilities (including dust, blasting and impact on water) should be appraised as part of the overall impact of the working. Information should cover the requirements set out in '**PAN 50: Controlling the Environmental Effects of Surface Mineral Workings**'.

3.19 Ministers are aware that further engagement is required between parties regarding the refinement of the design of the proposed development regarding, among other things, surveys, management plans, peat, radio links, finalisation of viewpoints, cultural heritage, cumulative assessments and request that they are kept informed of relevant discussions.

4. Mitigation Measures

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

5. Conclusion

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

5.2 This scoping opinion will not prevent the Scottish Ministers from seeking additional information at application stage, for example to include cumulative impacts of additional developments which enter the planning process after the date of this opinion.

5.3 Without prejudice to that generality, it is recommended that advice regarding the requirement for an additional scoping opinion be sought from the Scottish Ministers in the event that no application has been submitted within 12 months of the date of this opinion.

5.4 It is acknowledged that the environmental impact assessment process is iterative and should inform the final layout and design of proposed developments. The Scottish Ministers note that further engagement between relevant parties in relation to the refinement of the design of this proposed development will be required, and would request that they are kept informed of on-going discussions in relation to this.

5.5 Applicants are encouraged to engage with officials at the Scottish Government's Energy Consents Unit at the pre-application stage and before proposals reach design freeze.

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

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

Nicola Ferguson

Energy Consents Unit
01 February 2024

ANNEX A

Consultation

List of consultees who provided a response.

- The Highland Council; A1-A23
- Historic Environment Scotland; A24-A28
- SEPA; A29-A37
- NatureScot; A38-A53
- Aberdeen Airport; A54
- BT; A55-A56
- Defence Infrastructure Organisation; A57-A59
- Edinburgh Airport; A60
- Fisheries Management Scotland; A61
- Glasgow Airport; A62
- Glasgow Prestwick Airport; A63
- Highland and Islands Airports Limited (HIAL); A64-A65
- Joint Radio Company; A66-A67
- Mountaineering Scotland; A68-A69
- NATS Safeguarding; A70
- Office for Nuclear Regulation; A71
- Scottish Forestry; A72-A74
- Scottish Water; and A75-A77
- Transport Scotland A78-A83

Internal advice from areas of the Scottish Government was provided by officials from Transport Scotland, Scottish Forestry and Marine Directorate - Science Evidence Data and Digital (in the form of standing advice) included in **Annex B**.

See Section 2.4 above for a list of organisations that were consulted but did not provide a response.

A1

The Highland Council
Comhairle na Gàidhealtachd

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

Please ask for:	Mark Fitzpatrick
Direct Dial:	01955 608261
E-mail:	Mark.Fitzpatrick@highland.gov.uk
Our Ref:	23/05636/SCOP
Your Ref:	ECU00004972
Date:	12 January 2024

By email only to:

Nicola.Ferguson@gov.scot
Econsents_Admin@gov.scot

Dear Nicola,

THC PLANNING REFERENCE: 23/05636/SCOP

DEVELOPMENT: BEINNEUN 2 WIND FARM - ERECTION AND OPERATION OF A WIND FARM COMPRISING 22 WIND TURBINES WITH A MAXIMUM BLADE TIP HEIGHT OF 200M, ENERGY STORAGE FACILITY, ACCESS TRACKS, BORROW PITS, SUBSTATION, CONTROL BUILDING AND ANCILLARY INFRASTRUCTURE

LOCATION: BEINNEUN WIND FARM, 8 KM NW OF INVERGARRY, GLENMORISTON

Thank you for consulting The Highland Council (THC) on the Environmental Impact Assessment (EIA) Scoping Request for the above project. We received the consultation on 22 November 2023 by email and we are grateful for the extension of time to make comments.

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. THC does not appear to have been contacted by the applicant to utilise the Council's Major PREAP (PREMAJ) Service and we would encourage them to do this as soon as possible.

Whilst highly unlikely, this application may reduce in scale to a level which would be considered as an application under the Town and Country Planning (Scotland) Act 1997 (As Amended). If this is the case we would require a revised scoping response under the relevant regulations.

We trust that this consultation response helps inform ECUs Scoping Direction and is helpful to the applicant when formalising any forthcoming application.

A2

SCOPING RESPONSE TO ENERGY CONSENTS UNIT

Applicant:	**Beinneun 2 Ltd**
Project:	**Beinneun 2 Wind Farm - Erection and operation of a wind farm comprising 22 wind turbines with a maximum blade tip height of 200m, energy storage facility, access tracks, borrow pits, substation, control building and ancillary infrastructure**
Project Address:	**Beinneun Wind Farm, 8 Km NW Of Invergarry, Glenmoriston**
Our / ECU References	**23/05636/SCOP / ECU00004972**

This response is given without prejudice to the Planning Authority's right to request additional 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 The Highland Council (THC).

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

Responses to the internal consultation undertaken are attached. Should any further responses be received from internal consultees, these will be forwarded on in due course.

1.0 Description of the Development

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

- a description of the physical characteristics of the whole development and the full land-use requirements during the operational, construction and decommissioning phases. These might include requirements for borrow pits, local road improvements, infrastructural connections (i.e. connections to the grid), off site conservation measures, etc. A plan with eight figure OS Grid co-ordinates for all main elements of the proposal should be supplied;
- a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used;
- the risk of accidents, having regard in particular to substances or technologies used;

- an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light / flicker, heat, radiation, etc.) resulting from the operation of the development; and
- the estimated cumulative impact of the project with other consented or operation development.

2.0 Alternatives

2.1 A statement is required that 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 design chapter should clearly set out the design evolution of the scheme including constraints to the delivery of that scheme;
- the range of technologies that may have been considered;
- locational criteria and economic parameters used in the initial site selection;
- options for access;
- design and locational options for all elements of the proposed development (including grid connection); and
- the environmental effects of the different options examined.

The 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 current Development Plan comprises the:

- Fourth National Planning Framework (NPF4) adopted in 2023
- Highland-wide Local Development Plan (HwLDP) adopted 2012
- Inner Moray Firth Local Development Plan (IMFLDP) adopted 2015 & West Highlands and Islands Local Development Plan (WestPlan) adopted September 2019 – the application site spans both LDPs
- Associated Supplementary Guidance (SG), with particular regard to the Onshore Wind Energy Supplementary Guidance (OWESG) (2016) and Part 2b (2017)

A large number of policies will apply to this proposal from the above development plan documents. This response does not attempt to detail all which may be relevant, as such, it is recommended that the applicant/agent reviews all these plans and documents prior to submission to establish the planning policy context for the EIA. The scope of the EIA should, however, address all the relevant issues covered within NPF4, HwLDP, IMFLDP, WestPlan, IMFpLDP2 and Highland Council Supplementary Guidance. It appears that this proposal has not yet been submitted for major pre-application advice and the Council would recommend this is done timely. Of particular relevance will be NPF4 & HwLDP and the associated SG documents. IMFLDP and WestPlan will have limited relevance to this proposal, as their focus is mainly on regional and settlement strategies as well as identifying specific site allocations. However, certain aspects of the strategies for the local area and settlements may help to inform plans for community engagement and/or community benefit. IMFLDP and WestPlan do however establish boundaries (including any refinements) of the Special Landscape Areas (SLAs) across the plan area. The SLA citations webpage summarise key characteristics, qualities, sensitivities, and measures for enhancement and must be used to assess the potential impacts of the proposed development.

3.3 Whilst not yet part of the adopted development plan, the Council has been preparing the Inner Moray Firth proposed Local Development Plan 2 (IMFpLDP2) 2022. This was submitted to Scottish Ministers for Examination, with the process commencing on 22 May 2023. Applicants are advised to monitor the DPEA webpage, as this provides the most up to date position of the LDP examination. Given the advanced stage of IMFpLDP2, it is considered the 'settled view' of the Council and therefore carries some weight in the decision-making process. Like IMFLDP its focus is mainly on regional and settlement strategies and identifying specific site allocations. However, Policy 2 (Nature Protection, Preservation & Enhancement) is relevant to all forms of developments and requires national developments to include appropriate measures to integrate nature-based solutions and enhance biodiversity, in proportion to the nature and scale of the proposed development. Nevertheless, as Policy 2 is similar in terms and scope to NPF4 Policy 3, the satisfaction of NPF4 Policy 3 would also likely fulfil the requirements of IMFpLDP2 Policy 2.

3.4 The Council has recently commenced the preparation of a new-style Highland Local Development Plan (HLDP), with the intention to undertake the evidence-gathering stage of the new LDP throughout 2023, with the tentative programme including an Evidence Report in 2024 and subsequent Gate Check, with Proposed Plan stage in 2025. Once adopted this new style HLDP will supersede and replace HwLDP and the Council 'area' LDP. The programme of work includes the review of the coverage and content of its current suite of Supplementary Guidance, to establish which aspects should be covered within the new Local Development Plan itself, which aspects should be covered within non-statutory planning guidance and any aspects no longer required. Applicants are advised to monitor the Council's annual Development Plans Newsletter, as this provides the most up to date timetable for this work. The latest version was approved by the Council's Economy and Infrastructure Committee on the 2 February 2023 (Item 15) and is available on the Council Development Plans webpage.

3.5 The Onshore Wind Energy Supplementary Guidance, on pages 19 and 20, lists ten landscape and visual criteria that the Council use as a framework for assessing proposals. In considering landscape and visual impacts, the assessment should pay particular attention to these 10 criteria, as these will be used in the future appraisal of an application and should therefore also form part of the applicant's own assessment.

3.6 The Council also recognises the importance of the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, as the legislative tool for addressing Scotland's Climate & Ecological Emergency, which the Council committed to under its own Climate and Ecological Emergency declaration in May 2019. In addition, the Scottish Government published its Onshore Wind: Policy Statement 2022 on 21st December 2022. This statement sets out the Government ambition to deploy a minimum of 20GW of onshore wind by 2030, up from the 8.7GW of existing generation capacity in June 2022.

3.7 Benefits to rural areas, such as provision of jobs and opportunities to restore and protect natural habitats, are also highlighted in Scottish Government Policy documents, with the aforementioned Policy Statement reinforcing the notion that the right development should be permitted in the right place.

3.8 Developer Contributions, Community Benefit & Community Wealth Building will all need to be considered as the scheme develops. With Developer Contribution sought towards Transport (including Active Travel), Green Infrastructure, Water & Waste and Public Art/Realm in compliance with NPF4 Policy 18 (Infrastructure first), HwLDP Policy 31 (Developer Contributions) and Developer Contributions Supplementary Guidance (2018).

3.9 Community benefit being a goodwill contribution voluntarily donated by a developer for the benefit of communities affected by developments where the development will have a long-term impact on local resources and the local environment. Whilst Community Benefit is a separate issue to planning, the Council wants to make sure that local communities benefit directly from the use of their local resources and are compensated for the disruption and inconvenience associated with large scale development work. The Council's Community Benefit policy contains contacts for any further discussion on this and the Council would advocate early engagement.

3.10 Community Wealth Building is intended to encourage, promote, and facilitate a new strategic approach to economic development as set out in NPF4 Policy 25. This Policy indicates examples of what contributions by development proposals to community wealth building could include: improving community resilience and reducing inequalities; increasing spending within communities; ensuring the use of local supply chains and services; local job creation; supporting community led proposals, including creation of new local firms and enabling community led ownership of buildings and assets. However, that is not an exhaustive list. A report to the meeting of The Highland Council on 29 June 2023 provided an introduction to the background and principles of Community Wealth Building, the work already being undertaken that contributes towards community wealth building, and, an update on the proposed approach being taken to develop a Community Wealth Building Strategy for Highland Council:

https://www.highland.gov.uk/download/meetings/id/81834/item_11_developing_a_community_wealth_building_strategy

3.11 Notwithstanding that wind energy developments contribute to the production and supply of renewable energy, The Council maintains that this commitment must be taken in balance along with all other considerations, and that such developments should be located, sited, and designed appropriately and thus assessed against the wider development plan policies.

Sustainability

3.12 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.

3.13 It would be highly beneficial to have information to explain electricity network benefits and capacity proposed, with the end result ideally being all wind turbines being operational on a consistent basis when there is sufficient windspeeds, rather than either certain or no turbines being in operational depending upon short term grid constraints or levels of demand.

3.14 To that end, concepts of developing energy storage and/or Major Energy Users (such as Hydrogen production) in association with Energy Generation are of interest to the Council, with considerable potential benefits for energy generation (avoiding or reducing curtailment), diversity, decarbonisation, efficiency and supply and for the economy. It may be noted that the Council supports in broad principle the inclusion of energy storage within such developments and that in respect of hydrogen the Council has (March 2021) agreed to prepare a Hydrogen Strategy for Highland. A strategy for the provision of charging points within the development should also be submitted with the application.

Landscape and Visual

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

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

3.16 Separate volumes of visualisations should be prepared to both Highland Council Standards and NatureScot guidance. These should be provided in hard copy. It would be beneficial for THC's volume to be provided in a **A3 leaver arch folder** for ease of use. The use of

monochrome for specific viewpoints is useful where there are a number of different wind farms in the view. We are happy to provide advice on this matter going forward. All existing turbines should be re-rendered even if they appear to be facing the viewer in the photograph to ensure consistency.

3.17 All elements of a development are important to consider within any EIAR and the assessment must include the expected landscape and visual impact of on-site borrow pits, access roads, compounds including substations and battery storage, this is despite the fact that the principal structures will be a primary concern. All elements of a development are to be rendered into photomontages and are important to consider within any EIAR.

3.18 There are a number of similar applications in this area which are yet to be determined / concluded in the vicinity of this application, many of these have been identified in the scoping report, which may or may not help clarify the weight towards particular policy elements in the final planning balance. Our interactive Wind Turbine map is up to date as of 04 July 2023 and can be accessed on the link below:

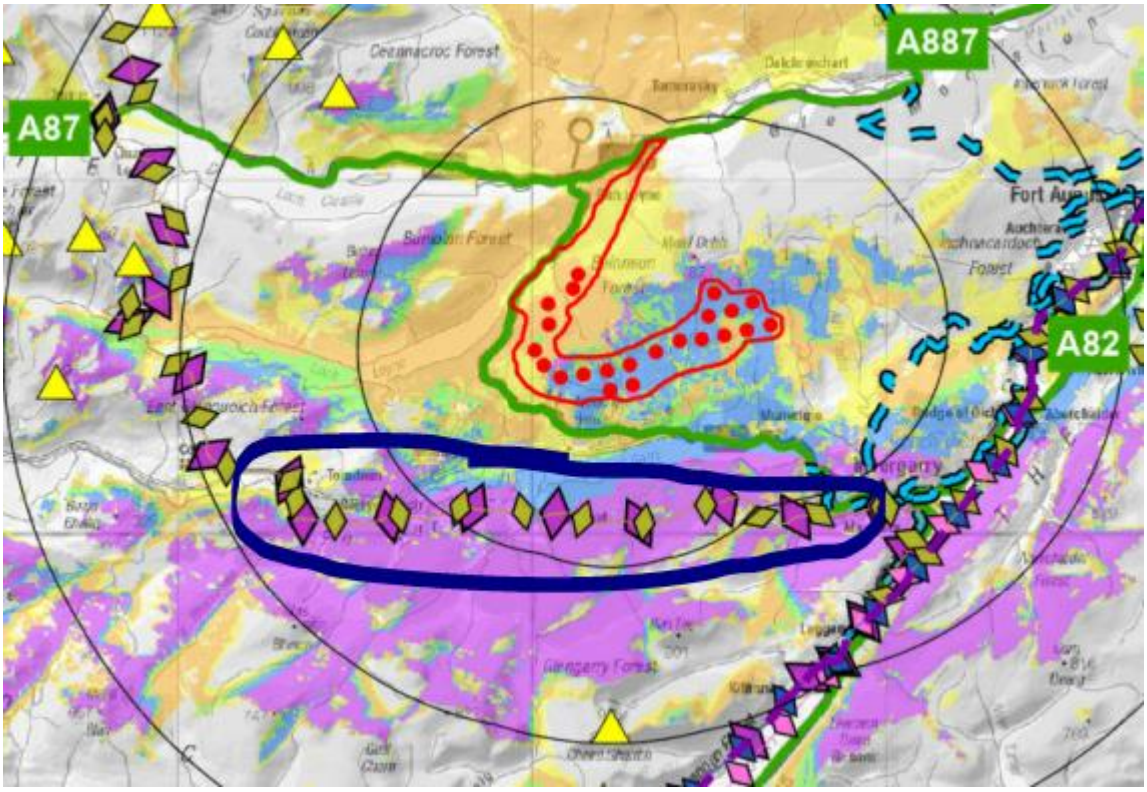
http://highland.gov.uk/windmap

The Energy Consents Unit may also be able to provide details of any other known nearby proposal that may be at Scoping Stage as these may have advanced at the same pace as your proposal.

3.19 The finalised list if Viewpoints (VP) and wireframes for the assessment of effects of a proposed development must be agreed in advance of preparation of any visuals with THC and NatureScot.

3.20 We acknowledge that there will be some micrositing of the viewpoints to avoid intervening screening of vegetation boundary treatments etc. We would recommend that the photographer has in their mind whether the VP is representative or specific and also who the receptors are when they are taking the photos it would be helpful. We have also found that if the photographer has a 3D model on a laptop when they go out on site it helps the orientation of the photography.

3.21 As far as possible, the viewpoints should correspond with the viewpoints used for existing wind energy schemes within the area. The detailed location of viewpoints will be informed by site survey, mapping and predicted ZTVs. Failure to do this may result in abortive work, requests for additional visual material and delays in processing applications/consultation responses. Community Council's may request additional viewpoints and it would be recommended that any pre-application discussions with the local community, and associated reporting on consultation undertaken, take this into account. However, at this stage, The Council is generally satisfied with the VPs selected although we would request an additional VP representative of the views from the Scottish National Trail south of the proposed development as shown below:



3.22 The purpose of the selected and agreed viewpoints shall be clearly identified and stated in the supporting information. For example, it should be clear that the VP has been chosen for landscape assessment, or visual impact assessment, or cumulative assessment, or sequential assessment, or to show a representative view, or for assessment of impact on designated sites, communities, or individual properties. However, it is important for assessors to remember that Visual Effects are defined by GLVIA3 not just as effects on views, but as 'Effects on specific views and on the general amenity experienced by people'.

3.23 We are content with a Study Area of 45km, given the scale of the turbines. Given the size of the turbines and 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, including for Cumulative Impact Assessment.

3.24 Furthermore, the LVIA Chapter of the EIAR should clearly set out the methodology including:

- Definitions of each point on the scale of magnitude of change which is used by the applicant in reaching a conclusion on the magnitude of change;
- Definitions of each point on the scale of sensitivity of receptor which is used by the applicant in reaching a conclusion on the sensitivity of receptor;
- The threshold to which the applicant considers a significant effect is reached. For the avoidance of doubt the Council consider that Moderate impacts can be significant, and it is recommended that the EIAR takes this approach as well;

A clear matrix approach supported by descriptive text setting out how you have reached your conclusion of effect on landscape character, designated landscapes, visual receptors,

and residential amenity. This approach is important because the logic of the applicant's assessment must be clearly and readily understood.

3.25 When assessing the impact on recreational routes please ensure that all core paths, rights of way, national cycle network, and long distance trails are assessed. It should be noted that these routes are used by a range of receptors. The Council expects supporting evidence of the extent of detailed route analysis through the provision of sequential wirelines along the A887 and A87, and, if design changes require, the A82.

3.26 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

3.26 We expect the Landscape Impact Assessment to refer to the Council's Onshore Wind Energy Supplementary Guidance and expect an assessment of the proposal against the criterion set out in the Council's OWESG at pages 19 and 20 to be included within the LVIA chapter of the EIAR. The site is located within the Loch Ness Landscape Character Areas Study, being part of the Highland Strategic Capacity content of the suite: "Onshore Wind Energy Supplementary Guidance, November 2016 (with addendum, December 2017).

3.27 We advise that wind energy developments are generally sited within a complex combination of Landscape Character Types. As such, the Landscape Impact Assessment's analysis should not only focus on potential impacts on individual Landscape Character Types and individual Units, but also on the local landscape character composition within which these elements come together to define a particular sense of Place.

3.28 An assessment of the impacts of the proposal on landscape should assess the impacts on any landscapes designated at a national and local scale. While NatureScot will respond separately to the ECU on landscape and other matters, their draft guidance on assessing the impacts on Special Landscape Qualities of National Scenic Areas should be followed with NatureScot determining which qualities should be scoped in for detailed assessment once the full list of VPs is finalised.

3.29 In addition, any assessments of Special Landscape Areas (SLA) must be undertaken using the SLA citations available from the Council's website. The Council considers it appropriate to include assessments of the development's impacts on the special qualities of Loch Lochy and Loch Oich SLA, Moidart, Morar and Glen Shiel SLA, and Loch Ness and Duntelchaig SLA, based on the current ZTVs.

3.30 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 will provide further assessment advice on WLAs.

3.31 Gardens and Designed landscapes (GDL) are considered as assets due to their design and relationship to the wider landscape in addition to their historic nature. Therefore, it would be appropriate for any aspects relating to landscape setting, or relationship to the wider landscape to be considered in the LVIA chapter, if necessary in addition to appearing

in the Cultural Heritage Chapter. Although the limited influence of the proposal on GDLs at this stage is noted, this may change if the design and layout changes.

3.32 As the heights of the proposed turbines are above 150m, aviation lighting is envisaged to be required. Further advice on aviation lighting is available from NatureScot however generally the impact of aviation lighting on WLAs and SLAs and areas where there would be an expectation of dark skies should be included. THC generally prefers the term 'Hours of Darkness' over 'Night-Time' in recognition of how extensive hours of darkness can be in the Highlands. It is pertinent to the assessment to understand that Hours of Darkness Effects will be visible during people's working day and commuting hours for a significant part of the year and that sensitivities of receptors to these effects must account for this. Therefore, Hours of Darkness VPs should be representative of commutes and communities, as well as Wild Land.

3.33 The residential visual amenity impact should be assessed for all properties, settlements, housing groups within 2km of the turbines within the LVIA.

Cultural Heritage

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

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

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

3.36 Historic Environment Scotland (HES) are anticipated to provide comment on the assessment methodology for heritage assets within their remit including the scope of the assessment and their requirements for supporting information (including visualisations) and the potential impacts on heritage assets in their consultation response.

3.37 THC's Historic Environment Team is generally satisfied that the information presented in the Scoping Report will adequately address an impact assessment for the proposal. The methodology as set out in the report is acceptable and will allow an assessment of the predicted impacts to be made. The scoped out effects presented in Table 5.4 are reasonable. Although no sites are currently recorded on the HER within the application boundary, this may not be an accurate representation of what survives in the area. Upstanding remains should be identified by survey and the potential for buried features or

deposits to be present should be stated in the report. Where impacts are unavoidable, HET expect methods to mitigate this impact to be discussed in detail.

Geology, Hydrology and Hydrogeology (Water Environment)

3.38 The EIAR should include a full 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.

3.39 SEPA can provide detailed advice on methodology for peat probing and the peat assessment.

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

3.41 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.

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

3.43 If culverting should be proposed, either in relation to new or upgraded tracks, then it should be noted that SEPA has a general presumption against modification, diversion or culverting of watercourses. Schemes should be designed to avoid crossing watercourses, and to bridge watercourses where this cannot be avoided. The EIAR will be expected to identify all water crossings and include a systematic table of watercourse crossings or channelising, with detailed justification for any such elements and design to minimise impact. The table should be accompanied by photography of each watercourse affected and include dimensions of the watercourse. It may be useful for the applicant to demonstrate choice of watercourse crossing by means of a decision tree, taking into account factors including catchment size (resultant flows), natural habitat and environmental concerns. Further guidance on the design and implementation of crossings can be found on SEPA's Construction of River Crossings Good Practice Guide.

3.45 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 and turbines/crane hard-standings, which should be shown on a suitably scaled drawing;
- All tracks should be kept a minimum 10m away from any waterbody except water crossings;
- 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.

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

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

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

Ecology

3.49 The EIAR should provide a baseline survey of the bird and animals (mammals, reptiles, amphibians, etc.) interest on site. It needs to be categorically established what species are present on the site, and where, before a future application is submitted. Further the EIAR should provide an account of the habitats present on the proposed development site. It should identify rare and threatened habitats, and those protected by European or UK legislation, or identified in national or local Biodiversity Action Plans. Habitat enhancement and mitigation measures should be detailed, particularly in respect to blanket bog, in the contexts of both biodiversity conservation and the inherent risk of peat slide (see later). Details of any habitat enhancement programmes (such as native- tree planting, stock exclusion, etc.) for the proposed site should be provided. It is expected that the EIAR will

address whether or not the development could assist or impede delivery of elements of relevant Biodiversity Action Plans.

3.50 The developer should undertake a specific peat assessment to inform the siting, design, or other mitigation in order to overcome significant effects on peatland and Carbon Rich Soils, Deep Peat, and Priority Peatland Habitat (CPP). Attention is drawn to paragraph 4.34 on page 24 of the OWESG, which discusses peat and CPP. We also expect an up-to-date National vegetation Classification (NVC) survey and a commitment to undertake peatland restoration on an area of increased size to that of the application site. The Environmental Impact Assessment Report (EIAR) should provide details of all direct, indirect, permanent, and temporary impacts to any bog habitat present on the site.

3.51 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 can also provide specific advice in respect of the designated site boundaries for SACs and SPAs and on protected species and habitats within those sites. The potential impact of the development proposals on other designated areas such as SSSI's should be carefully and thoroughly considered and, where possible, appropriate mitigation measures outlined in the EIAR. NatureScot provide advice on the impact on designated sites.

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

3.53 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.

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

3.55 The EIAR should include a map and assessment of impacts upon Groundwater Dependent Terrestrial Ecosystems (GWDTE) and buffers, these habitats are easily damaged by insensitive drainage.

3.56 NPF4's commitment to deliver positive effects for biodiversity through development. Policy 3 states that, 'Development proposals for national, major and of EIA development should only be supported where it can be demonstrated that the proposal will conserve and enhance biodiversity, including nature networks within and adjacent to the site, so that they are in a demonstrably better state than without intervention, including through future management.' A draft or outline Habitat Management Plan (HMP) and Species Protection Plan (SPP) should be produced as part of the EIA, including any proposals for mitigation and enhancement in relation to important habitats and species. Any compensatory planting plans should be carefully considered and included in the HMP. The HMP should include a comprehensive monitoring programme for all habitat improvements, and breeding birds on the site. Remote sensing using radar or infra-red cameras should be considered, to help inform future development and decision making within the industry with regards to eagles.

Lastly, the HMP (or other document) should also include a protocol for reporting collisions to NatureScot.

Ornithology

3.57 The presence of Schedule 1 Birds and qualifying interests of Special Protected Areas and other areas designated for aviary interests must be included and considered as part of the planning application process; not as an issue that 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 any comments from NatureScot and RSPB in this respect.

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

Noise

Operational Noise

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

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

Cumulative Noise

3.61 The noise assessment must take into account the potential cumulative effect from any other existing or consented or, in some cases, proposed wind turbine developments. Where applications run concurrently, developers and consultants are advised to consider adopting a joint approach with regard to noise assessments. The noise assessment must take into account predicted and consented levels from such developments. The good practice guide offers guidance on how to deal with cumulative issues. Where existing development has consented limits higher than suggested above, the applicant should agree appropriate limits with the Council's Environmental Health Officer.

3.62 The assessment should include a map showing all wind farm developments which may have a cumulative impact and all noise sensitive properties including any for which a financial involvement relaxation is being claimed. The assessment should also include a table of figures which includes the following:

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

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

Noise Exposure

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

Background Noise Measurements

3.64 If background noise surveys are required, these should be undertaken in accordance with ETSU-R-97 and the Good Practice Guide. It is recommended that monitoring locations be agreed with the Council's Environmental Health Officer. Where a monitoring locations is to be used as a proxy location for another property, particular care must be taken to ensure it is not affected by other noise sources such as boiler flues, wind chimes, etc. which are not present at that other property.

3.65 Difficulties can arise where a location is already subject to noise from an existing wind turbine development. ETSU states that background noise must not include noise from an existing wind farm. The GPG offers advice on how to approach this problem and in some cases, it may be possible to utilise the results from historical background surveys.

3.66 It is recommended that the developer's noise consultant liaises with Environmental Health at an early stage to discuss any issues regarding the proposed methodology.

Amplitude Modulation

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

Construction Noise

3.68 Given the location, construction noise at the turbines sites is unlikely to be an issues at any noise sensitive properties, however, consideration will need to be given to construction traffic.

3.53 Planning conditions are not used to control the impact of construction noise as similar powers are available to the Local Authority under Section 60 of the Control of Pollution Act 1974. Generally, people are tolerant of construction noise during typical working hours which are taken to be 8am to 7pm Monday to Friday and 8am to 1pm on Saturdays. Works for which noise is inaudible at the curtilage of any noise sensitive property could still be carried out out-with these times.

3.69 If the applicant intends to undertake noisy work out-with the aforementioned times, they will be required to submit a detailed construction noise assessment for the written approval of the Planning Authority. The assessment should include:

1. A description of construction activities with reference to noise generating plant and equipment.
2. A detailed plan showing the location of noise sources, noise sensitive premises and any survey measurement locations.
3. A description of any noise mitigation methods that will be employed and the predicted effect of said methods on noise levels.
4. A prediction of noise levels resultant at the curtilage of noise sensitive receptors.
5. An assessment of the predicted noise levels in comparison with relevant standards.

3.70 Regardless of whether a construction noise assessment is required, it is expected that the developer/contractor will employ the best practicable means to reduce the impact of noise from construction activities. The applicant will be required to submit a scheme demonstrating how this will be implemented. Particular attention should be given to the use of tonal reversing alarms and ground compaction plant which are often the most intrusive noise generating elements of a large construction project.

Substations and Battery Energy Storage Systems

3.78 If the application includes a proposal for a sub-station or battery storage site, a separate noise assessment may be required to demonstrate that noise will meet the following standards:

- Noise arising from within the operational land of the sub-station, when measured and/or calculated as an LZeq, 5min, in the 100Hz one third octave frequency band must not exceed 30 dB, at noise sensitive premises
- The Rating Level of noise arising from the use of plant, machinery or equipment installed or operated within the operational land of the sub-station, must not exceed the current background noise levels at noise sensitive premises. The Rating Level should be calculated in accordance with BS 4142: 2014+A1:2019 Methods for rating and assessing industrial and commercial sound.

Traffic and Transport

3.79 The Council's Transport Planning Team has the following comments:

We have no objection in principle to the proposed methodology for the assessment of potential environmental effects due to traffic and transport relating to the development, all as set out in Chapter 10.

If, however, there is likely to be any impact on the Council maintained road network beyond the trunk roads identified in the Scoping Report, we would expect the proposed Study Area/Survey Areas to be extended accordingly.

The remainder of the Traffic and Transport section is the Council's generic advice.

3.80 A Transport Assessment (TA), Construction Traffic Management Plan (CTMP) and an Abnormal Load Assessment will be required within the EIAR. The Transport Assessment Methodology below sets out what the Council requires and further information is provided in our published Roads and Transport Guidelines for New Developments. When establishing a scope for the assessment consideration should be given to the use of the public roads in this area can be influenced significantly by tourist traffic.

Transport Assessment Methodology

3.81 Transport Planning would expect a Transport Assessment to be submitted with any future planning application and a High National Traffic Forecast be applied. The information below is not exhaustive and should be used as a guide to submitting all relevant information in relation to roads, traffic and transportation matters arising from the development proposals.

1.Identify all public roads affected by the development. In addition to transportation of all abnormal loads & vehicles (delivery of components) this should also include routes to be used by local suppliers and staff. It is expected that the developer submits a preferred access route for the development. All other access route options should be provided, having been investigated in order to establish their feasibility. This should clearly identify the pros and cons of all the route options and therefore provide a logical selection process to arrive at a preferred route.

2.Establish current condition of the roads. This work which should be undertaken by a consulting engineer acceptable to the Council and will involve an engineering appraisal of the routes including the following:

- assessment of structural strength of carriageway including construction depths and road formation where this is likely to be significant in respect of proposed impacts, including non-destructive testing and sampling as required;
- road surface condition and profile;
- assessment of structures and any weight restrictions;
- road widths, vertical and horizontal alignment and provision of passing places; and
- details of adjacent communities.

3.Determine the traffic generation and distribution of the proposals throughout the construction and operation periods to provide accurate data resulting from the proposed development including:

- nos. of light and heavy vehicles including staff travel;
- abnormal loads; and
- duration of works.

4.Current traffic flows including use by public transport services, school buses, refuse vehicles, commercial users, pedestrians, cyclists and equestrians.

5.Impacts of proposed traffic including:

- impacts on carriageway, structures, verges etc.;
- impacts on other road users;
- impacts on adjacent communities;
- swept path and gradient analysis where it is envisaged that transportation of traffic could be problematic; and
- provision of Trial Runs to be carried out in order to prove the route is achievable and/or to establish the extent of works required to facilitate transportation.

6.Cumulative impacts with other developments in progress and committed developments including other Renewable Energy projects, of which there are several which require to be accessed via the A82 and through Fort Augustus. When complaining a list of consented projects in the vicinity, which should include other wind farm projects, as well as other hydro schemes, and the ongoing expansion of Fort Augustus substation, please share this with the Planning Authority for further comment.

7.Proposed mitigation measures to address impacts identified in 5 above, including:

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

8.Details of residual effects.

Abnormal Load Assessment

3.82 The TA should include an Abnormal Load Assessment of the roads utilised to convent abnormal loads to the site. The assessment will need to confirm the proposed port of entry for AIL components and justify the adequacy of the route for transporting them to the site. Early discussion with the Council's abnormal loads team (the contact is Greg Otreba Grzegorz.Otreba@highland.gov.uk) and the Council's structures team (the contact is Norman Smart Norman.Smart@highland.gov.uk) is recommended.

Construction Traffic Management Plan

3.83 THC Transport Planning will require any application for planning permission associated with this proposal to submit a CTMP for the approval of the Planning Authority. A CTMP will normally detail the following issues, however this is not an exhaustive list and the CTMP should be tailored to reflect the issues pertinent to this development:

- Identification of all Council maintained roads likely to be affected by the various stages of the development,
- Predicted volume, type and duration of construction traffic.
- Location of site compound, staff parking and visitor parking.
- Proposed measures to mitigate the impact of general construction traffic and abnormal loads on the local road network following detailed assessment of relevant roads.
- Details of any traffic management signage required for the duration of the construction period.
- Measures to ensure that all affected public roads are kept free of mud and debris arising from the development.
- The developer may also be requested to enter into a Section 96 agreement with the Highland Council to cover any abnormal wear and tear to the Council roads. This will include a requirement for pre and post construction surveys to be undertaken and agreed with the Council and for the provision of a suitable bond.
- If the development involves any abnormal loads a detailed protocol, route and delivery programme will be required and agreed with any interested parties such as Highland Council, the Police, Transport Scotland, and community representatives. The protocol shall identify any requirement for convoy working and/or escorting of vehicles and include arrangements to provide advance notice of abnormal load movements in the local media.

Detailed Junction Design

3.84 Details of any new site access should be clearly set out on dimensioned drawings related to OS data and include confirmation of geometry, construction form, drainage details to prevent water running out onto the public road and evidence that appropriate visibility splays can be achieved. Vehicle swept paths should also be provided to evidence that the proposed junction form will be suitable for its intended use. Details of reinstatement of any temporary site access at its junction with the public road, post construction is also required. Appropriate junction arrangements and visibility splay information can be found in THC's published Roads and Transport Guidelines for New Developments.

Socio-Economic, Tourism and Recreation

3.85 We consider that Socio-Economic, Tourism and Recreational impacts should have its own chapter in the EIAR to ensure that these matters are appropriately addressed and not lost in other assessments. The EIAR should estimate who may be affected by the development, in all or in part, which may require 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. The application should include relevant economic information connected with the project, including the potential number of jobs, and economic activity associated with the procurement, construction, operation and decommissioning of the development. In this regard wind farm development experience in this location should be used to help set the basis of likely impact. This should set out the impact on the regional and local economy, not just the national economy. Any mitigation proposed should also address impacts on the regional and local economy.

Public Access

3.86 The site is on land with access rights provided by the Land Reform Scotland Act. The potential impact on and mitigation for public access should be assessed incorporating core paths, public rights of way, long distance routes, other paths and wider access rights across the site. While the Scoping Report and an eventual EIA may include impacts on elements of outdoor access assessed under other headings, THC's Access Officer considers that all the impacts on outdoor access should all be brought together here in a comprehensive assessment of the proposals visual and physical impacts on outdoor access during the preparatory, construction, operational and post-operational phases. Guidance on assessing that impact as part of an EIA in Appendix 6 of this document:

https://www.nature.scot/sites/default/files/2018-05/Publication%202018%20-%20Environmental%20Impact%20Assessment%20Handbook%20V5.pdf

3.87 Those impacts, along with the mitigation measures, will inform an Access Management Plan which is required to be submitted as part of the EIAR and an assessment of the development's impact on public access included within this Socio Economic section of the EIAR as per the requirements of HwLDP Policy 77 Outdoor Access.

3.88 As a point to note, any retained or planned gates should have a pass gate installed by them to accommodate walkers, cyclists and horse riders with an internal width of at least 1.5m – kissing gates are unacceptable.

Aviation, Radar and Telecoms

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

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

3.91 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.

Miscellaneous: Health and Safety and Shadow Flicker

3.92 The EIAR needs to address all relevant climatic factors which can greatly influence the impact range of many of the preceding factors on account of seasonal changes affecting, rainfall, sunlight, prevailing wind direction etc. From this base data information on the expected impacts of any development can then be founded recognising likely impacts for each phases of development including construction, operation and decommissioning. Issues such as dust, air borne pollution and / or vapours, noise, light, shadow-flicker can then be highlighted. 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.

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

3.94 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.

3.95 Given the reported separation distance from any nearby residential properties, it is accepted that a shadow flicker assessment is not required to be undertaken.

Forestry

3.96 The Council's Forestry Officer notes that there is a significant area of what appears to be commercial conifer forestry at the northern end of the site where access is proposed to be taken from the public road. Some of this woodland is listed on the Ancient Woodland Inventory. There are also some areas of what appears to be commercial conifer woodland and riparian, native broadleaf woodland along the southern side of the site.

3.97 It appears that the intention is to use the existing Beinneun Wind Farm access track, so there should be no additional impact on woodland (although transport of larger turbine components may necessitate the removal of trees). The preliminary turbine layout places them fully outwith woodland, which is welcomed and means there should be no adverse impact on woodland.

As it stands, a specific chapter on Forestry would not be required. However, if there is any change to the layout of the access road, turbines or associated infrastructure that may impact on woodland then a Forestry chapter will be required. The EIAR should provide a baseline survey of the plants (including fungi, lichens and bryophytes) and trees present on the site to determine the presence of any rare or threatened species. The EIAR should indicate areas of woodland / forestry plantation which may by felled to accommodate new development (including the access), including any off site works / mitigation. Compensatory planting of new woodland is a clear expectation of any proposals for felling, and thereby such mitigation needs to be considered within any assessment. If trees are removed then compliance with the Scottish Government's Control of Woodland Removal Policy must be demonstrated.

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 undersigned.

Mark Fitzpatrick

Planner MRTPI – Strategic Projects Team

Direct Dial: 01955 608261

E-mail: Mark.Fitzpatrick@highland.gov.uk

A24

HISTORIC ENVIRONMENT SCOTLAND | ÀRAINNEACHD EACHDRAIDHEIL ALBA

By email to: Nicola.Ferguson@gov.scot

Nicola Ferguson
Case Officer
Energy Consents Unit

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

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

Our case ID: 300069570
Your ref: ECU00004972

13 December 2023

Dear Nicola Ferguson

Electricity Act 1989
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Beinneun 2 Wind Farm - Scoping Report

Thank you for your consultation which we received on 22 November 2023 about the above scoping report. We have reviewed the details in terms of our historic environment interests. This covers world heritage sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas (HMPAs).

The Highland Council Historic Environment Team 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
We understand that the proposed development comprises the construction and operation of up to 22 wind turbines of up to 200m in tip height, ancillary infrastructure, permanent access tracks, cabling, substation, construction compound, borrow pits and a Battery Energy Storage System (BESS). The proposed development is located approximately 5km to the north-west of the town of Invergarry in the Highlands.

Scope of assessment
We welcome that the potential cultural heritage effects are scoped into the Environmental Impact Assessment (EIA) report, however the proposed scope of assessment is not sufficient for our needs as it is unclear if the applicant proposes to scope out direct impacts on the setting of designated cultural heritage assets in our remit. We consider that the proposals have the potential to affect a number of cultural heritage assets in our remit, and therefore recommend that any EIA report undertaken in support of the proposals should include a full assessment of impacts on the historic environment. We welcome references to our Managing Change in the Historic Environment: Setting

guidance. Please note that in Scotland, we also treat the advice in the HES/NatureScot EIA handbook as best practice for EIA and would refer the applicant to it.

We have identified the following assets within our remit that have the potential for impacts from the proposed development.

- Fort Augustus-Bernera Military Road, 1890m W of Ceannacroc Lodge (SM11484)
- Fort Augustus – Bernera Military Road, 570m SE of Achlain (SM11483)
- Tir nan Og, cairn 445m SSW of (SM11494)
- Balnacarn, township 550m WSW of (SM11482)
- Blar na Leine (BTL29)

In addition to the above, the following assets should also be considered within the assessment.

- Caledonian Canal (SM3614, SM5293, SM6496, SM5291, SM6497, SM5295, SM6494, SM6495)
- Corrieyairack Pass (SM6141, SM6142, SM6143)
- Cherry Island, crannog, Inchnacardoch Bay, Loch Ness (SM9762)
- Torr Dhuin, Fort Augustus (SM794)
- Kilwhimen Barracks, Fort Augustus (SM9903)
- Invergarry Castle (SM5481)
- Dundreggan Farm, motte 35m SW of (SM11875)

Please note that the list of assets above should not be treated as exhaustive. They have been provided as a guide to those assets that at this stage may experience significant impacts. The EIA chapter should provide an evidential base for the sieving of assets from any subsequent detailed assessment. This sieving exercise should give consideration for assets with long distance views which form part of their cultural significance and should be informed by a robust assessment and appropriate visualisations.

Direct Physical Impacts

We can confirm that there are no World Heritage Sites, scheduled monuments, category A listed buildings, inventory battlefields, or inventory gardens and designed landscapes within the proposed development boundary.

Setting Impacts

We note that the impact on setting is described as an indirect impact in section 5.5.1. For the purposes of EIAs, indirect impact applies to indirect physical impact only, and setting impacts should be considered separately. Setting impacts are generally direct and result from the proposal causing change within the setting of the heritage asset that affects its cultural significance or in the way in which it is understood, appreciated and experienced.

We would refer the applicant to the discussion of direct, indirect and setting impacts in the cultural heritage appendix of the EIA Handbook (page 182).

Careful consideration should be given to reducing and avoiding impacts on the setting of cultural heritage assets during the design process. We note that a 15km study area proposed by the applicant to capture and scope in designated heritage assets for which there is a potential for impact on setting. We do not consider that a study area based on a simple distance is an appropriate methodology for identifying assets for assessment as this risks the omission of assets at further distances which have particularly sensitive settings. We recommend that assets at risk of impact should be identified using a bare earth Zone of Theoretical Visibility (ZTV).

Please also note that views towards an asset can also be an important part of its setting. We therefore again recommend that assessment should be made with reference to our Managing Change in the Historic Environment: Setting guidance, which includes provision for consideration of both views from the asset, for which the ZTV is key, and views towards the asset. This may necessitate consideration of additional assets outwith the ZTV.

Cumulative Impacts

The applicant highlights in section 5.7 that consented and constructed developments will only be included within the cumulative assessment and that applications at scoping stage will not be included. However we note that *'Figure 6 Cumulative Sites within 45km'* presents sites in Scoping, Planning, Approved, Construction and Operation. Please note that there may be developments at scoping stage adjacent to the proposed development which should be considered and included within the cumulative assessment.

Visualisations

We advise that visualisations should be provided for any asset where a significant effect is identified. Where initial assessment identifies potential significant impacts on an asset, we recommend that wireframe visualisations should be produced to help analyse the impacts. If impacts are identified as significant, photomontages should be prepared to illustrate these impacts. If wireframes can be provided at an early stage this would assist both with the identification of significant effects and the scoping out of any assets where significant effects are not likely, as well as identifying if potential mitigation by design is possible. It would also assist with identifying whether wireframes will be sufficient for the detailed assessment of impacts or whether photomontages would be required. We would be happy to discuss this in more detail as the EIA proceeds.

At this stage we therefore request that visualisations are likely to be required from Balnacarn, township 550m WSW of (SM11482), and would suggest a location near to Druim Cruaidh (NH 2682 1297) which would provide a view from the minor road circa 5.5km from the proposed development. We would also request a visualisation from Fort

Augustus-Bernera Military Road, 1890m W of Ceannacroc Lodge (SM11484), and would suggest a location at Allt nam Peathrain (NH 1910 1096) which would provide a view from the intersection with the modern track circa 3.3km from the proposed development.

Issues Scoped Out

We note the applicant proposes to scope out direct effects on heritage assets during construction and operation in section 5.8. It is not clear if this includes the setting impacts on designated assets and would seek clarification. We are content that direct physical impacts on assets within our remit can be scoped out, however we request that impacts on the setting of designated assets are scoped into the EIA report.

Mitigation

We note reference to mitigation through screening and mature vegetation. Please note that we do not recognise planting and screening with trees as an appropriate form of mitigation for reducing potential setting impacts from the proposed development. Trees and other forms of vegetation are vulnerable to changes in land use, storms, disease and, as in the case of commercial forestry, can be a crop that will be removed on a specific time cycle. They cannot be considered to offer permanent reliable mitigation against adverse setting impacts. The most effective mitigation measures are those which avoid or prevent the creation of adverse effects at source through design.

Our Advice

In its current form, the proposed development has the potential to impact on a number of designated cultural heritage assets. Specific attention should be paid to the effect of the proposed development on the assets identified above. We would expect to see a structured approach presented within the EIA report for the assessment of any impacts which may arise from the proposed development detailing construction, operational and cumulative effects on our interests.

We have not received sufficient information at this stage to suggest any useful mitigation that might reduce adverse impacts on cultural heritage assets in the vicinity of the proposed development.

Further information

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes. Technical advice is available on our Technical Conservation website at http://www.engineshed.scot.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Kevin Mooney and they can be contacted by phone on 0131 651 6787 or by email on kevin.mooney@hes.scot.

HISTORIC ENVIRONMENT SCOTLAND | ÀRAINNEACHD EACHDRAIDHEIL ALBA

Yours sincerely

Historic Environment Scotland

Scottish Environment Protection Agency
Buidheann Dìon Àrainneachd na h-Alba

Nicola Ferguson
Planning Department
Energy Consents Unit

By email only to: Econsents_Admin@gov.scot

Our Ref: 11239
Your Ref: ECU00004972

SEPA Email Contact:
planning.north@sepa.org.uk

24 November 2023

Dear Nicola Ferguson

ECU00004972
Beinneun 2 Wind Farm. The proposed development is anticipated to comprise up to 22 wind turbines with a maximum tip height of 200m
Located approximately 5 kilometres (km) northwest of Invergarry and directly adjacent to the existing Beinneun Wind Farm

Thank you for consulting SEPA for an Environmental Impact Assessment (EIA) scoping opinion in relation to the above development on 22 November 2023. We would welcome engagement with the applicant at an early stage to discuss any of the issues raised in this letter and would especially welcome further pre-application engagement once initial peat probing and habitat survey work has been completed and the layout developed further as a result.

National Planning Framework 4 (NPF4) has recently been published. The guidance referenced in this response is being reviewed and updated to reflect the new policies. It will still provide useful and relevant information but some parts may be updated further in the future.

Advice for the determining authority

To **avoid delay and potential objection** the EIA submission must contain a scaled set of plans of sensitivities, for example peat, GWDTE, proximity to watercourses, overlain with proposed

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development. This is necessary to ensure the EIA process has informed the layout of the development to firstly avoid, and then reduce then mitigate significant impacts on the environment. We consider that the issues covered in Appendix 1 below must be addressed to our satisfaction in the EIA process. This provides details on our information requirements and the form in which they must be submitted. We have also provided site specific comments in the following section which provides pre-application advice and can help the developer focus the scope of the assessment.

1. Site specific comments

1.1 Access should be taken from the existing windfarm access track; we are unlikely to consider any other alternative as acceptable. We welcome the proposal to make as much use as possible of existing onsite tracks and previously used borrow pits, which should be clearly demonstrated in the finalised layout. Proposals should also be included to make use of other previously used areas – such as laydown areas and construction compounds – rather than excavating in areas that have not previously been disturbed.

1.2 We note the site is mapped as Class 1 and Class 2 peatland; please note our requirement for peat quality assessment outlined in the Appendix; avoid peatland in near natural condition.

1.3 It seems likely that the development will result in a large number of new watercourse crossings. If a commitment is made that all crossings will be oversized bottomless culverts or traditional style bridges we are content that only limited baseline information is required on crossings at the EIA Report stage.

2. Regulatory advice for the applicant

2.1 Details of regulatory requirements and good practice advice, for example in relation to private drainage, 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 local compliance team at: AHSH@sepa.org.uk

If you have queries relating to this letter, please contact us at the email above including our reference number in the email subject.

Yours sincerely

Susan Haslam

Senior Planning Officer

Planning Service

Ecopy to: Nicola.Ferguson@gov.scot; REDACTED

Disclaimer: This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our website planning pages - www.sepa.org.uk/environment/land/planning/.

Appendix 1: Detailed scoping requirements

This appendix sets out our minimum information requirements and we would welcome receipt and discussion around these prior to formal submission to avoid delays. 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 to **avoid delay and potential objection.** If there is a significant length of time between scoping and application submission the developer should check whether our advice has changed.

1. Site layout

1.1 All maps must be based on an adequate scale with which to assess the information. This could range from OS 1: 10,000 to a more detailed scale in more sensitive locations. Each of the maps below must detail all proposed upgraded, temporary and permanent 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 where possible. The layout should be designed to minimise the extent of new works on previously undisturbed ground. For example, a layout which makes use of lots of spurs or loops is unlikely to be acceptable. Cabling must be laid in ground already disturbed such as verges. A comparison of the environmental effects of alternative locations of infrastructure elements, such as tracks, may be required.

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

2.1 The site layout should be designed to minimise watercourse crossings and avoid other direct impacts on water features. 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 50m around each loch or watercourse. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse and drawings of what is proposed in terms of engineering works. Measures should be put in place to protect any downstream sensitive receptors.

2.2 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.

2.3 Refer to our Flood Risk Standing Advice for advice on flood risk. Crossings must be designed to accommodate the 0.5% Annual Exceedance Probability flows (with an appropriate allowance for climate change), or information provided to justify smaller structures. If it is considered the development could result in an increased risk of flooding to a nearby receptor then a Flood Risk Assessment (FRA) must be submitted. Our Technical flood risk guidance for stakeholders outlines the information we require to be submitted in an FRA. Please also refer to Controlled Activities Regulations (CAR) Flood Risk Standing Advice for Engineering, Discharge and Impoundment Activities.

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

3.1 Where proposals are on peatland or carbon rich soils the following should be submitted to address the requirements of NPF4 Policy 5:

a) layout plans showing all permanent and temporary infrastructure, with extent of excavation required, which clearly demonstrates how the mitigation hierarchy outlined in NPF4 has been applied. These plans should be overlaid on:
   i. peat depth survey (showing peat probe locations, colour coded using distinct colours for each depth category and annotated at a usable scale)
   ii. peat depth survey showing interpolated peat depths
   iii. peatland condition mapping
   iv. National Vegetation Classification survey (NVC) habitat mapping.
b) an outline Peat Management Plan (PMP).
c) an outline Habitat Management Plan (HMP)

Detailed advice

a) Development design in line with the mitigation hierarchy

3.2 In order to protect peatland and limit carbon emissions from carbon rich soils, the submission should demonstrate that proposals:

- Avoid peatland in near natural condition, as this has the lowest greenhouse gas emissions of all peatland condition categories;
- Minimise the total area and volume of peat disturbance. Clearly demonstrate how the infrastructure layout design has targeted areas where carbon rich soils are absent or the shallowest peat reasonably practicable. Avoid peat > 1m depth;
- Minimise impact on local hydrology; and
- Include adequate peat probing information to inform the site layout and demonstrate that the above has been achieved. As a minimum this should follow the requirements of the Peatland Survey – Guidance on Developments on Peatland (2017).

3.3 The Peatland Condition Assessment photographic guide lists the criteria for each condition category and illustrates how to identify each condition category. This should be used to identify peatland in near natural condition and can be helpful in identifying areas where peatland restoration could be carried out.

3.4 In line with the requirements of Policy 5d of NPF4, the development proposal should include plans to restore and/or enhance the site into a functioning peatland system capable of achieving carbon sequestration.

b) The outline PMP should also include:

- Information on peatland condition.
- Information demonstrating avoidance and minimisation of peat disturbance.
- Excavation volumes of acrotelmic, catotelmic and amorphous peat. These should include a contingency factor to consider variables such as bulking and uncertainties in the estimation of peat volumes.
- Proposals for temporary storage and handling.
- Reuse volumes in different elements of site reinstatement and restoration.

3.5 Handling and temporary storage of peat should be minimised. Catotelmic peat should be kept wet, covered by vegetated turves and re-used in its final location immediately after excavation. It is not suitable for use in verge reinstatement, re-profiling/ landscaping, spreading, mixing with mineral soils or use in bunds.

3.6 Disposal of peat is not acceptable. It should be clearly demonstrated that all peat disturbed by the development can be used in site reinstatement (making good areas which have been disturbed by the development) or peatland restoration (using disturbed peat for

habitat restoration or improvement works in areas not directly impacted by the development, which may need to include locations outwith the development boundary).

3.7 The faces of cut batters, especially in peat over 1m, should be sealed to reduce water loss of the surrounding peat habitats, which will lead to indirect loss of habitat and release of greenhouse gases. This may be achieved by compression of the peat to create an impermeable subsurface barrier, or where slope angle is sufficiently low, by revegetation of the cut surface.

c) The outline HMP should include:

- Proposals for reuse of disturbed peat in habitat restoration, if relevant.
- Details of restoration to compensate for the area of peatland habitat directly and indirectly impacted by the development.
- Outline proposals for peatland enhancement in other areas of the site.
- Monitoring proposals.

3.8 To support the principle of peat reuse in restoration the applicant should demonstrate that they have identified locations where the addition of excavated peat will enhance the wider site into a functional peatland system capable of achieving carbon sequestration. The following information is required:

- Location plan of the proposed peatland re-use restoration area(s), clearly showing the size of individual areas and the total area to be restored.
- Photographs, aerial imagery, or surveys to demonstrate that the area identified is appropriate for peat re-use and can support carbon sequestration. This should include consideration of an appropriate hydrological setting and baseline peatland condition.

3.9 In addition, if any proposed re-use restoration areas are outwith the ownership of the applicant, information should be provided to demonstrate agreement in principle with the landowner, including agreed timescales for commencement of the works, and proposed management measures to ensure the restored areas can be safeguarded in perpetuity as a peatland.

3.10 NatureScot's technical compendium of peatland restoration techniques provides a useful overview of the procedural and technical requirements for peatland restoration.

4. Disruption to GWDTE and existing groundwater abstractions

4.1 Groundwater Dependent Terrestrial Ecosystems (GWDTE) are protected under the Water Framework Directive. Excavations and other construction works can disrupt groundwater flow and impact on GWDTE and existing groundwater abstractions. The layout and design of the development must avoid impacts on such areas. A National Vegetation Classification survey which includes the following information should be submitted:

a) A map demonstrating all GWDTE and 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. The survey needs to extend beyond the site boundary where the distances require it.
b) If the minimum buffers cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. 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. Forest removal and forest waste

5.1 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. 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.

6. Borrow pits

6.1 The following information should also be submitted for each borrow pit:

a) A map showing the location, size, depths and dimensions.
b) A map showing any stocks of rock, overburden, soils and temporary and permanent infrastructure including tracks, buildings, oil storage, pipes and drainage, overlain with all lochs and watercourses to a distance of 250m. You need to demonstrate that a site specific proportionate buffer can be achieved. On this map, a site-specific buffer must

be drawn around each loch or watercourse proportionate to the depth of excavations and at least 10m from access tracks.

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

7. Pollution prevention and environmental management

7.1 A schedule of mitigation supported by the above site specific maps and plans must be submitted. These must include reference to best practice pollution prevention and construction techniques (for example, limiting the maximum area to be stripped of soils at any one time) and regulatory requirements. They should set out the daily responsibilities of Ecological Clerk of Works, how site inspections will be recorded and acted upon and proposals for a planning monitoring enforcement officer. Please refer to the Guidance for Pollution Prevention (GPPs) and our water run-off from construction sites webpage for more information.

8. Life extension, repowering and decommissioning

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

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

NatureScot
NàdarAlba
Scotland's Nature Agency
Buidheann Nàdair na h-Alba

Nicola Ferguson
Energy Consents Unit
Response by email to Econsents_Admin@gov.scot

12 January 2024

Our ref: CEA173305

Dear Ms Ferguson

ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
REQUEST FOR SCOPING OPINION FOR PROPOSED S36 APPLICATION FOR BEINNEUN 2 WIND FARM

Thank you for your consultation on the above proposal dated 22 November 2023 and for allowing us extra time to respond.

1. Background

The proposed development would be located adjacent to the existing Beinneun and Millenium Wind Farms. In addition to the data associated with these earlier proposals, consultation responses and correspondence relating to other recent applications in the surrounding area may provide useful background information to the applicants.

2. Key issues

At this stage we have not seen the detailed methodology, survey results or assessments for this proposal. Based on the initial information provided in the Scoping Report we advise that the proposal raises the following key issues relevant to our interests:

- Landscape and visual impacts - the additional effects associated with the proposed development in combination with other operational, consented and application stage wind farms may result in significant adverse cumulative landscape and visual effects, including effects on the Special Landscape Qualities (SLQs) of the Glen Affric National Scenic Area.
- In order to comply with the Habitats Regulations, Habitats Regulations Appraisals will have to demonstrate that the proposed development will not adversely affect the integrity of European sites in particular the West Inverness-shire Lochs Special Protection Area (for which we would encourage the applicants to discuss their scope of survey and assessment with us further); and the River Moriston Special Area of Conservation.
- Potential for impacts, including cumulative impacts, to wider countryside birds such as the Natural Heritage Zone 7 population of golden eagles and black grouse.
- Potential impacts to priority peatland habitats.

The assessment of these issues and the resultant impacts will determine our position on any application which comes forward. We provide more detailed comments on these and other site-specific issues in Annex 1 to this letter, to assist with the EIA process. We recommend the results of survey and assessment are used to inform the design and layout, seeking to avoid impacts to the sensitivities outlined in Annex 1 and in the Scoping Report. If avoidance of impacts is not possible, we advise any impacts are minimised through appropriate mitigation, details of which should be provided in the EIA Report (EIAR).

3. General pre-application and scoping advice

The Scoping Report broadly covers the topics that we would expect to see included in the EIA. Our website includes a wide range of standing advice and guidance documents which we recommend are followed in the preparation of the EIAR, see: https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-standing-advice-and-guidance-documents. This includes the document "NatureScot pre-application guidance for onshore wind farms" (see https://www.nature.scot/doc/naturescot-pre-application-guidance-onshore-wind-farms). This guidance was updated in September 2023 to align with National Planning Policy 4 (NPF4) and to provide further advice on peatland, peatland restoration and turbine lighting mitigation options. It contains advice on other more general issues (which may not be covered in Annex 1 to this letter) that developers and their consultants should consider for wind farms. It is a key resource for issues within our remit and outlines our advice on the type of survey and assessment work that would likely be required to support a future application, sources of further information and guidance on data presentation.

NPF4 sets out a new requirement for developments to deliver positive effects for biodiversity, primarily under Policy 3. For national and major developments, or those subject to EIA, Policy 3b notes that proposals will only be supported where it can be demonstrated that they will conserve, restore and enhance biodiversity, including nature networks, so they are in a demonstrably better state than without intervention. The Policy requires that significant biodiversity enhancements are provided, in addition to any proposed mitigation. We recommend these requirements are adopted as part of any future application. The above noted pre-application guidance provides further advice.

Please note that while we are supportive of the principle of renewable energy, our advice is given without prejudice to a full and detailed consideration of the impacts of the proposal if submitted for formal consultation as part of the EIA or planning process.

Please let me know if you or the applicants require any further information or advice from us in relation to this proposal. The advice in this letter is provided by NatureScot, the operating name of Scottish Natural Heritage.

Yours sincerely

Karen Reid
Operations Officer, Central Highland
Karen.Reid@nature.scot

cc. Peter Wheelan, the Highland Council

Annex 1 – details to assist with the EIA for the proposed Beinneun 2 Wind Farm

1. Landscape and visual impacts

The proposed turbines would be approximately 64 to 85m taller than the existing Beinneun turbines and up to 85m taller than the Millenium turbines. The proposed development would largely fill the existing physical and perceptual gap between the Beinneun and Millenium cluster. While some views from key visual receptors[1] may already be influenced by the Beinneun and Millenium wind farms the proposed development would bring development of this nature closer to receptors south and west of these operational wind farms. The proposed development would represent a change in the scale of turbines within LCT 220 - Rugged Massif Inverness and would introduce turbines within the transitional slopes of LCT 237 - Rocky Moorland Lochaber.

We will focus our engagement with this topic on issues most likely to raise issues of national interest. This means we are likely to prioritise our resources towards providing advice on the Glen Affric National Scenic Area. The Highland Council are best placed to advise on Special Landscape Areas (SLAs).

a. National Scenic Areas (NSAs)

Glen Affric NSA
A description of the NSA and its special qualities can be found on SiteLink, see: https://sitelink.nature.scot/home. We agree that potential effects on the Glen Affric NSA (approximately 10.5km north of the proposed development) should be considered within the LVIA. We therefore request an Assessment of Effects on the Special Landscape Qualities (SLQs) of the Glen Affric NSA is undertaken. We recommend that this follows the methodology set out in the draft 'Guidance for Assessing the Effects on Special Landscape Qualities' (2018). A copy of this guidance is attached.

We would be happy to comment on both proposed viewpoints and which SLQs should be scoped in to ensure a focussed assessment and would welcome further consultation on these points. We have previously provided detailed advice on the nearby Tomchrasky Wind Farm proposal which sets out its effects on the Glen Affric NSA including which SLQs are most susceptible to development of this scale and in this location. This response may be of use to the applicants in considering the scope of the assessment for the Beinneun proposal.

Aviation Lighting
Paragraph 4.5.1.6 outlines the potential requirement for a night-time impact assessment section and visualisations within the LVIA. We consider that lighting affects both landscape character and visual receptors. The lighting assessment should be carried out in accordance with Annex 1 of "NatureScot pre-application guidance for onshore wind farms" (see: https://www.nature.scot/doc/naturescot-pre-application-guidance-onshore-wind-farms). None of the operational turbines adjacent to the site include aviation lighting. We note that potential

[1] Including but not limited to the A82, A87, National Cycle Network Route 1, Great Glen Way, Cape Wrath Trail, Core Paths and areas within nationally and locally designated landscapes

mitigation measures are currently being explored and would encourage the applicants to refer to our guidance on this. We also provided advice in relation to the nearby Tomchrasky proposal on this matter which may provide useful background. In particular we advised that the significant effects from turbine lighting (on SLQs 3 and 6) could be removed if a further lighting mitigation scheme was agreed with the CAA for invisible (infra-red) aviation lighting as we understand has been adopted for Bhlaraidh. A similar approach may be appropriate here to minimise effects on the NSA.

Kintail NSA

Given the intervening distance between the proposed development our initial view is that an Assessment of Effects on the SLQs of the Kintail NSA is unlikely to be deemed necessary. We would however advise the developers and their consultants to consider this further as the EIA progresses.

b. Cumulative effects

We advise that cumulative effects are likely to be a key consideration for this proposal, particularly potential interactions with the application stage Bunloinn and Tomchrasky Wind Farms, located approximately 3km west and 6km north of the proposal respectively. We advise that the cumulative impact assessment considers not just landscape and visual effects but also any cumulative impacts on the SLQs of the Glen Affric NSA.

We consider that the Highland Council are best placed to advise on which other wind farm developments to include within the cumulative assessment. For further advice see: https://www.nature.scot/doc/guidance-assessing-cumulativelandscape-andvisual-impact-onshore-wind-energy-developments.

c. Questions for Consultees

Responses to questions posed in the Scoping Report are provided below.

- **Do you have any comments on the proposed methodology?**

No comment.

- **Are you in agreement with the proposed Study Areas?**

We are in agreement that significant landscape and visual effects are likely to be limited to within a 25km radius of the proposed development.

- **Are you in agreement that the assessment of the effects on landscape designations should focus on those areas which are highlighted as being relevant to the LVIA in Table 4.1?**

Based on the scoping layout we are in agreement with the consideration of the Glen Affric NSA. We request an Assessment of Effects on the Special Landscape Qualities (AESLQ) on NSAs as outlined above. The Highland Council are best placed to advise on Special Landscape Areas (SLAs).

- **Are you in agreement that Wild Land Areas in the Study Area can be scoped out of the LVIA?**

Accounting for NPF4 Policy 4 we are in agreement that Wild Land Assessments are not a requirement. However, given the proximity of the proposed development to WLAs[2] and the proposed assessment of NSAs[3] and SLAs[4] where significant effects may be experienced it would be beneficial to understand potential effects on wildness particularly where these nationally and locally designated landscapes overlap with WLAs and exhibit qualities of wildness in reference to respective citations.

- **Do you have any comments or suggestions in relation to the preliminary viewpoint locations shown in Table 4.2?**

We note that Viewpoints generally correspond to that of the previous Beinneun Extension application. We request a clearly scaled ZTV showing viewpoints and landscape designations which would greatly assist us in providing more detailed comments on the viewpoints proposed. Ideally this should be presented in combination with a draft list of SLQs to be scoped in for assessment. A hub height ZTV would also help with consideration of the location of night-time viewpoint locations.

- **Do you have any comments on the approach to assessing the effects of turbine lighting?**

The lighting assessment should be carried out in accordance with Annex 1 of "NatureScot pre-application guidance for onshore wind farms" (see https://www.nature.scot/doc/naturescot-pre-application-guidance-onshore-wind-farms).

- **Do you have any comments or suggestions on the approach to cumulative landscape and visual assessment?**

No additional comments regarding approach to cumulative assessment. We consider that the Highland Council are best placed to advise on other wind farm developments within the study area to include within the cumulative assessment.

2. Protected areas

Further information on the designated sites below can be found on SiteLink at: https://sitelink.nature.scot/home. Based on the initial information outlined in the scoping report it seems unlikely that any other protected areas would be affected by this proposal but we would expect the EIAR to confirm this.

a. European sites

The following sites' status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") apply or, for reserved matters, The Conservation of Habitats and Species Regulations 2017. Further information on the legislative requirements of European sites can be found at: https://www.nature.scot/doc/legislative-requirements-european-sites.

West Inverness-shire Lochs Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI)

[2] WLA 24. Central Highlands (approximately 4.9 km north), WLA 18. Kinlochhourne-Knoydart-Morar (approximately 6.6 km west), WLA 19. Braeroy-Glenshirra-Creag Meagaidh (approximately 10.2 km south)
[3] NSAs - Glen Affric and Kintail
[4] SLAs – Moidart, Morar and Glen Shiel, Loch Lochy and Loch Oich, and Loch Ness and Duntelchaig

The proposed wind farm is located between two constituent SPA lochs (to the south-east of Loch Loyne and north of Loch Garry). Other components of the SPA include Loch Cluanie further to the north-west, and Loch Lundie to the south-east. The SPA is protected for breeding common scoter and black-throated divers.

There is potential for a likely significant effect on SPA common scoters and black-throated divers. As part of a future application, further information would be required to determine the potential for disturbance, displacement and collision risk to both species and inform a Habitats Regulations Appraisal (HRA). The SPA common scoter feature is currently in 'unfavourable declining' condition due to low numbers of breeding birds. Any loss of breeding adult common scoter could affect the viability of the population and adversely affect the integrity of the site.

To help inform the assessment of disturbance and displacement we advise that surveys of waterbodies within the proposed development site and a 1km buffer are undertaken for both species and it would also be useful for the EIAR to include an assessment of their suitability. The applicants should liaise with the RSPB on their proposed survey work so as to avoid duplication of survey effort and the risk of unnecessary disturbance - the contact is Alison MacLennan (Alison.MacLennan@rspb.org.uk). We recommend that the applicants also contact the RSPB to request any scoter and diver records from nearby lochs and lochans as part of the desk study.

An assessment of collision risk will also be required. For divers methods should follow the methods outlined in our bird survey guidance[5]. For scoters we recommend a theoretical assessment of the potential flight lines used by scoters if they were to move between Lochs Loyne, Garry and Cluanie (and any other lochs or lochans they may use) and the potential for these to cross the proposed turbine array. This assessment should include a review of desk study information (the RSPB should be contacted for relevant records) and consideration of the surrounding topography. We recommend this assessment is supplemented by current expert opinion from scientists with a knowledge of common scoter breeding ecology on the probable flight lines of, and collision risk to, common scoters. We recommend that the applicants contact us directly to discuss the scope of survey and assessment further.

Parts of the proposed development site drain towards Lochs Loyne and Garry. Adverse changes to water quality could affect the SPA birds' foraging resource, and we recommend the EIAR includes consideration of infrastructure design and layout, slope stability and the site-specific mitigation measures that would be in place to protect water quality within the SPA and its catchment from increased sediment loading and pollutants, particularly during construction. We recommend potential impacts to the SPA water quality are also considered in the context of the proposed Peat Landslide Hazard Risk Assessment (PLHRA).

The Scoping Report notes that any future grid connection would be expected to be to the Auchterawe substation. This would be the subject of a separate application. At this stage we wish to highlight the potential proximity to West Inverness-shire Lochs SPA (including Loch Lundie) and

[5] See: https://www.nature.scot/doc/recommended-bird-survey-methods-inform-impact-assessment-onshore-windfarms.

the need for any overhead line connection to consider the potential for collision risk, including cumulative impacts with other proposals in this area.

River Moriston Special Area of Conservation (SAC)
The SAC is located to the north of the proposed development site and is protected for salmon and freshwater pearl mussel, both of which are highly sensitive to changes in water quality. The Conservation Advice Package has recently been published for this site and may be a useful reference for the applicants. It is available on SiteLink.

The north of the proposed development site is within the SAC catchment and some of the proposed infrastructure is close to watercourses which drain to the River Moriston or its tributaries, establishing connectivity. There is potential for a likely significant effect, in particular from the risk of silt, peat and pollutant release to watercourses during construction. We recommend that the EIA includes consideration of infrastructure design and layout, slope stability and the site-specific mitigation measures that would be in place to protect water quality within the River Moriston and its catchment from increased sediment loading and pollutants, particularly during construction. We would also expect potential impacts to the SAC to be considered in the context of the proposed PLHRA.

The Scoping Report includes useful background information from past wind farm applications which would be helpful to include in the EIAR along with updated survey information. We advise that the proposed survey and assessment should also consider any watercourses in the north of the proposed development site if these could be affected by access upgrades or other infrastructure. We are pleased to note that consultation with the Ness District Salmon Fishery Board will be undertaken. We recommend that the applicants request any relevant desk study information they may hold as well as comment on the scope of survey and assessment.

We refer the applicants to the further advice on survey and assessment methods detailed in the Freshwater section of our publication "NatureScot pre-application guidance for onshore wind farms". Advice on Good practice during Wind Farm construction can be found at: https://www.nature.scot/doc/guidance-good-practice-during-wind-farm-construction.

3. Ornithology
We have not yet seen full details of the survey methods, results and assessment, so cannot comment on the likely impacts of the proposal at this stage.

Comments on proposed survey methods
We recommend that all survey work follows the methods detailed in our guidance "Recommended bird survey methods to inform impact assessment of onshore windfarms" at https://www.nature.scot/doc/recommended-bird-survey-methods-inform-impact-assessment-onshore-windfarms. We have the following initial comments on the proposed survey methods:

- The Scoping Report notes that some survey work will continue until July 2024, and vantage point survey work continue to April 2024. **We advise that all survey work continues until August 2024 in order that a full continuous breeding season is covered.** We would be pleased to review the survey results at that stage and advise on the need or otherwise for two complete years to be undertaken.

- We note that raptor surveys are planned to 2km from the site boundary. Our guidance recommends survey and assessment to 6km for eagles and we therefore advise that the applicants clarify how areas outside the 2km buffer will be considered. We recommend liaison with the Highland Raptor Study Group to determine the extent that this area is already covered by monitoring so as to avoid any unnecessary duplication or disturbance. We also recommend that the applicants request the most up to date desk study records from the Highland Raptor Study Group and consult the relevant national survey information. The timing of all raptor survey visits should follow our bird survey guidelines.
- The need for surveys for roosting raptors should also be considered in line with our bird survey guidance.
- We are pleased to note that existing access will be used as far as possible, and recommend that the survey work and desk study also covers the proposed access routes and relevant buffers around these. This is to allow the potential for disturbance and displacement to be assessed, especially for Schedule 1 species or black grouse, and any mitigation requirements to be identified.

Once survey work is complete an assessment of potential impacts through habitat loss/change, disturbance and/or displacement, and collision risk to SPA and wider countryside bird populations will be required, both for the proposal on its own and in combination with other projects. We advise that a cumulative assessment is carried out at the level of the relevant Natural Heritage Zone (NHZ 7 for this proposal) or SPA population (see: https://www.nature.scot/doc/guidance-assessing-cumulative-impacts-onshore-wind-farmsbirds). Depending on submission timescales we may be able to provide additional data to assist with the cumulative assessments, on request from the applicants.

Mitigation options should be considered as part of the assessment process and we recommend these details are included as part of any future application. We would be happy to discuss the ornithological assessment further at the applicant's request.

Wider countryside birds

In addition to SPA protected species, legally protected birds in the wider countryside such as golden eagle, black grouse and divers could be affected by the proposal, either as an individual scheme or in combination with other developments in the area. Assessments of impacts to wider countryside birds should be assessed against the relevant Natural Heritage Zone (NHZ) population in accordance with our guidance at: https://www.nature.scot/guidance-assessing-significance-impacts-bird-populationsonshore-wind-farms-do-not-affect-protected. This proposal is within NHZ7 Northern Highlands.

This proposal has the potential to impact on the NHZ7 golden eagle population, both as an individual scheme and in combination with other developments in the area, through the potential for collision risk and displacement from foraging habitat. An assessment of potential impacts will be required. We now advise that, in cases where modelling is necessary for the assessment of the impacts of wind farm proposals on golden eagles, a GET (Golden Eagle Topographical) model assessment is carried out. We refer the applicants to our website for further advice, see: https://www.nature.scot/doc/naturescot-statement-modelling-support-assessment-forestryand-wind-farm-impacts-golden-eagles).

If black grouse could be affected we would expect the EIAR to include information on the importance of the lek(s) in the local context, and to consider the potential for indirect effects due to changes to foraging and roosting habitat. We advise that a buffer of at least 500m is incorporated between any lek site and turbine to minimise the risk of operational displacement.

We recommend that any nearby records for breeding Slavonian grebe are requested from the RSPB. If there are nearby sites we can advise further on assessment methods.

Further information and advice on assessment of impacts to birds from wind farms (including collision risk modelling, SPA connectivity, effects of aviation lighting, etc) is available on our website, see: https://www.nature.scot/professional-advice/planning-anddevelopment/planning-and-development-advice/renewable-energy/onshore-windenergy/wind-farm-impacts-birds.

4. Habitats

The Scoping Report confirms that habitat surveys are proposed. We recommend that survey results are used to inform the design and layout process, so that the development avoids, where possible, sensitive habitats such as blanket bog and montane heath. Where this is not possible, impacts should be minimised and suitable mitigation, restoration and/or compensation measures be proposed. Assessment should consider the extent of habitat loss and damage, both direct and indirect, temporary and permanent, and suitable mitigation and/or restoration measures be presented in an Outline Habitat Management Plan and Peat Management Plan.

Priority peatland habitats

Much of the proposed development site is mapped as Class 2 peatland and it is therefore likely that NVC survey will be required across the development site. The scoping report helpfully references our updated peatland guidance at: https://www.nature.scot/doc/advising-peatland-carbon-rich-soils-and-priority-peatland-habitatsdevelopment-management. We recommend that the applicants follow this guidance which includes advice on survey and assessment and mitigation and enhancement, including peatland restoration techniques, Habitat Management Plans and the level of information recommended to be included with a future application. The Scoping Report notes that an interpretation of peatland condition will be provided, and we recommend that this information is guided by the template provided in Annex 1 of the above guidance.

NPF4 Policy 5 (Soils) provides protection for carbon-rich soils and peatlands. NPF4 Policy 5d requires that 'where development on peatland, carbon-rich soils or priority peatland is proposed, a detailed site-specific assessment will be required'. Development proposals on peat should be supported by a site-specific and detailed peat survey and a Peat Landslide Hazard Risk Assessment. Policy 3 (Biodiversity) also applies to all development proposals, so any proposal affecting carbon-rich soils and peatlands must also take into account the requirements to conserve, restore and enhance biodiversity, including priority peatland habitats.

We advise that these site-specific assessments and surveys inform the project design and siting to ensure compliance with the mitigation hierarchy, avoiding impacts to priority peatland habitats as far as possible. Where impacts cannot be avoided, we recommend that restoration to achieve offsetting (i.e. compensation rather than biodiversity enhancement) should be in the order of 1:10 (lost:restored), i.e. 1ha loss of peatland should result in measures to restore 10ha of peatland.

Our guidance includes further information on where impacts to peatland habitats could raise issues of national interest and the implications of this for our advice. Where a proposal raises issues of national interest NatureScot may object to an application.

5. Protected species

We recommend that all survey, assessment and mitigation follows our standing advice at: https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-standing-advice-and-guidance-documents. We recommend the survey buffers within this guidance are followed (e.g. for wildcats surveys should include a 200m buffer around the footprint of the development to account for potential disturbance to nearby dens and resting sites). All surveys are also recommended to cover access routes.

In addition to the species listed in the scoping report we recommend that surveys for pine marten are also likely to be required if suitable habitat could be affected or is within disturbance distance of the development. The need for freshwater pearl mussel survey and assessment is also possible (see further advice for the River Moriston SAC above) and should be considered in line with our guidance.

Bats

Around the lower margins of the site close to the forestry and the thin line of woodland up the burn in the east-central portion, there are areas likely to be used by bats, especially on warm, still summer nights. We would therefore not support scoping bats out of the EIA process, but it is possible that we could agree to a reduced level of survey coverage that focuses on the areas and times that we might expect some level of bat activity. We therefore recommend that the applicants contact us directly to agree the scope of survey and assessment for bats.

6. Deer management

If wild deer are present on or use the development site, the EIAR should include an assessment of the potential impacts of the development on deer welfare, habitats, road safety, neighbouring and other interests such as nearby protected areas. Where significant impacts may result, a deer management statement should be provided to address the impacts, either as part of a Habitat Management Plan, a stand-alone document or modification of an existing Deer Management Plan. For further advice see: https://www.nature.scot/doc/guidance-planning-and-development-what-consider-and-include-deer-assessment-and-management.

7. Woodland removal

If tree felling will be required as part of the proposed development, we recommend that the applicants contact Scottish Forestry at an early stage to discuss the Control of Woodland Removal Policy and any implications it may have on the development.

Guidance for Assessing the Effects on Special Landscape Qualities

Introduction

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

Using this Guidance

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

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

4. The use of worked examples which consider different types of proposals and landscape context is encouraged. This should provide an understanding of how the 4 different stages of work should be approached and applied, with one stage informing the next, to provide a clear rationale for judgements made and resultant assessment of effect(s) predicted.

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

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

7. Many of Scotland's NSAs and NPs overlap with Wild Land Areas (WLAs). Impacts on WLAs are assessed through a separate process and only consider the wild land qualities as described within the published descriptions for individual WLAs. The SLQ Impact Assessment covers the landscape qualities as identified in the published report for each NSA or NP, including in some cases, qualities such as a sense of wildness/seclusion/remoteness. In any instances we would encourage either a WLA impact assessment or an NSA impact assessment, but there may be instances where both are required. Choice of which assessment methodology to use, to avoid duplication and unnecessary complication, should be discussed with the relevant Park Authority and /or SNH where appropriate.

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

9. This methodology recognises that the high sensitivity of the designated landscape resource is inherent, irrespective of numbers of receptors. This accords with the approach to assessment of sensitivity in GLVIA where nationally designated landscapes typically have high value and highly susceptible to changes in landscape.

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

Understanding Special Landscape Qualities

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

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

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

The Assessment Process

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

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

Step 3 The Assessment			
Column 1 **Relevant SLQs identified at scoping and refined during subsequent study**	**Column 2** **Underpinning landscape characteristics to inform detailed SLQ descriptions**	**Column 3** **Impacts of the proposal on underpinning key characteristics and the effects on SLQs**	**Column 4** **Proposed mitigation and timescales.** **Level of residual effect.**
Group 1 (Where SLQs are grouped give an explanation of the grouping and how derived e.g. experiential, spatial)			

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

16. Where applicable, reference should be made to the 'project description' within an EIA Report, LVIA or related documentation and summarised for the purposes of the SLQ assessment. -The main components of the proposal should be identified and described. This includes any removal of existing structures or landscape features (eg. landform, vegetation), the introduction of new structures (eg. buildings, masts, turbines), and associated infrastructure including ground modelling, access roads, quarries or borrow pits, planting schemes, boundary treatments, lighting or signage. Of particular importance is the location and siting of the proposal, sizes and heights of structures, scale and extent, colours, and materials. In summarising the project description this should draw out any key aspects of the proposal that could impact on the SLQ, so informing the assessment in Column 3. We should be asking ourselves what impacts would these individual components and the development/proposal in entirety have on the scale, shape, diversity, variety of the SLQs identified? It is only by gaining a thorough understanding of the proposal that the full extent of effects on the SLQs can be understood.

Step 2 Define the Study Area and Scope of the Assessment identifying the area likely to be affected

17. This is a key stage of work, and covers two aspects, firstly to identify the extent of the study area which will relate to the location and form of the proposal, and secondly the relationship of this study area to the wider NSA/NP. It will be informed by:

    - The extent of visibility of the proposal including any ZTVs for the proposal;
    - an understanding of how the proposal will be experienced from parts of the NSA/NP, including routes, movement through and key locations in the designated area;
    - site based work (in initial study area might be identified and subsequently refined following a site visit);
    - landscape character;

- the potential for cumulative effects.

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

19. This study area for the SLQ assessment may not be the same as the study area for an associated LVIA (where required). The study area for the SLQ assessment relates to how the SLQ are presented (how they 'work' - what they are, where they occur, how they relate to each other and how they are experinced)

Step 3 The Analysis of Impacts and Effects on SLQs

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

Column 1 Identification of relevant SLQs within the study area

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

22. It may not be necessary to consider the effects of the proposal on every SLQ listed in the NSA/NP report. The aim should be to identify as far as is possible which SLQs are to be included in, or scoped out, of the impact assessment. SLQs can be considered individually or grouped. Where the SLQs interact with each other (contributing to the experience in the study area) they are best presented and considered together as a group. This can be revised following further site study and more in-depth consideration and site work. A simple justification of why SLQs are grouped is helpful. Understanding where people go and how people move through and experience the landscape is crucial.

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

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

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

Column 2 The Key Landscape Characteristics that underpin the SLQs

26. The narrative combining landscape character and qualities will be the basis for assessing impacts. To develop this narrative the assessor should refer to the published SLQ description and the landscape character assessment (LCA) but be led by the on-site experience and assessment. Inherent in this approach is the use of the key landscape characteristics identified, to interpret how the SLQs are experienced, and subsequently presented in the assessment. This is likely to require a greater level of detail, sufficient to inform the assessment of impact.

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

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

Column 3 Impact of the proposal on underpinning characteristics and the effects on SLQs

29. The narrative here should focus on assessing the effects of the proposal on the key landscape characteristics that underpin the SLQ and their experience. This should be a considered and integrated narrative assessment (see examples).

30. Use of ZTV, visualisations, wirelines and photomontages will inform the assessment, alongside site visits. This section should include a consideration of the impacts of the key components of the proposal using design principles (such as shape, scale, diversity, texture) to explain the impacts and how they may be further mitigated.

Column 4 Consideration of proposed mitigation and timescales, level of impact

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

- Is there potential for mitigation of residual effects to reduce effects on the SLQ(s) and their experience (e.g. through design modifications or management)?
- What are the realistic timescales for mitigation to become effective in reducing effects on SLQ(s) eg. growth of mature native woodland, restoration of land cover disturbance? The results of mitigation in reducing effects should be considered in the short, medium and long term. What is the certainty that mitigation will become effective?
- Is there potential for enhancement/compensation?

32. Judgements on the level of impacts o SLQs are based on an assessment approach which considers:

a) The sensitivity of the resource (this is always considered high because of the national status of the designation)
b) the nature of the effects and its longevity
c) the potential to avoid or mitigate the effect (through location, siting, design), and
d) limitations to carrying out mitigation (eg. conflicting objectives, technological challenges).

33. Having considered the aforementioned parameters affecting the level of impact, what are the residual effects on the SLQ or group of SLQs. Levels of effects should be expressed as high, medium or low, with medium and high effects considered to be significant under SPP or the relevant policy test.

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

34. This final stage draws together all the strands of the assessment to present in summary, evidence to inform the decisions on policy. This narrative should cover the following issues:

- the relationship between affected SLQs (where relevant) in the context of the study area and the wider designated landscape, including any specific locational issues in relation to the way the landscape is experienced eg. gateway experiences or specific features or views;
- the nature and levels of effects on the relevant SLQs.
- relationship of people with SLQs and how they may be experienced and affected (expectations of people, mode of transport);
- a consideration of possible cumulative effects and the incremental erosion of a designated landscape's SLQs over time.

35. From the judgement above, a statement of effect should be produced:

'Significant effects have been identified on the following SLQs…..[list]'
What does this mean for the study area? This means that in the study area the SLQs will/will no longer be represented or experienced?
What does this mean for the wider designated area?

ANNEX 1

Assessment of Impacts on Special Landscape Qualities from :

Step 1 The Proposal
The proposal is …

Step 2 The Study Area	Outline Map
The relationship of the proposal to the designated landscape (within or outside) …….. NSA/NP Notes: Relationship of the proposal to any relevant WLA. Is a WLA impact assessment required? **Description of the study area and how it has been defined.** The study area includes … The Relevant Published SLQ report is (insert hyperlink) The Relevant landscape character assessment(s) is ……..	

How the Area is used and experienced by people
Where people go and why.

Step 3 The Assessment			
Column 1 **Relevant SLQs identified at scoping and refined during subsequent study**	**Column 2** **Underpinning landscape characteristics to inform detailed SLQ descriptions**	**Column 3** **Impacts of the proposal on underpinning key characteristics and the effects on SLQs**	**Column 4** **Proposed mitigation and timescales. Level of residual effect.**
Group 1 (Where SLQs are grouped give an explanation of the grouping and how derived e.g. experiential, spatial)			
Group 2 **(Where SLQs are grouped give an explanation of the grouping and how derived e.g. experiential, spatial)**			
Group 3 **(Where SLQs are grouped give an explanation of the grouping and how derived e.g. experiential, spatial)**			
Step 4 Summary of effects on SLQs, and integrity of NSA/NP			

Annex 2

An assessment again the relevant planning legislation and policy tests should be undertaken, in the relevant chapter of the EIA Report, where applicable.

From:	#ABZ Safeguarding
To:	Nicola Ferguson
Subject:	RE: REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR BEINNEUN 2 WIND FARM
Date:	30 November 2023 10:51:07
Attachments:	image001.png image631190.png image530337.png image431445.png image361442.png image961763.png image034259.png image205363.png image580106.png

This proposal is located outwith our consultation area. As such we have no comment to make and need not be consulted further.

Kind regards
Kirsteen

Aberdeen International Airport

#ABZ Safeguarding
abzsafeguard@aiairport.com
www.aberdeenairport.com

Aberdeen International Airport Limited, Dyce, Aberdeen, AB21 7DU

2023 UK NTA NATIONAL TRANSPORT AWARDS 2023
WINNER: TRANSPORT HUB OF THE YEAR 2023

From: radionetworkprotection@bt.com
To: Nicola Ferguson
Subject: REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR BEINNEUN 2 WIND FARM WID13263
Date: 29 November 2023 09:41:17
Attachments: image004.png
image005.png
image006.png
image007.png

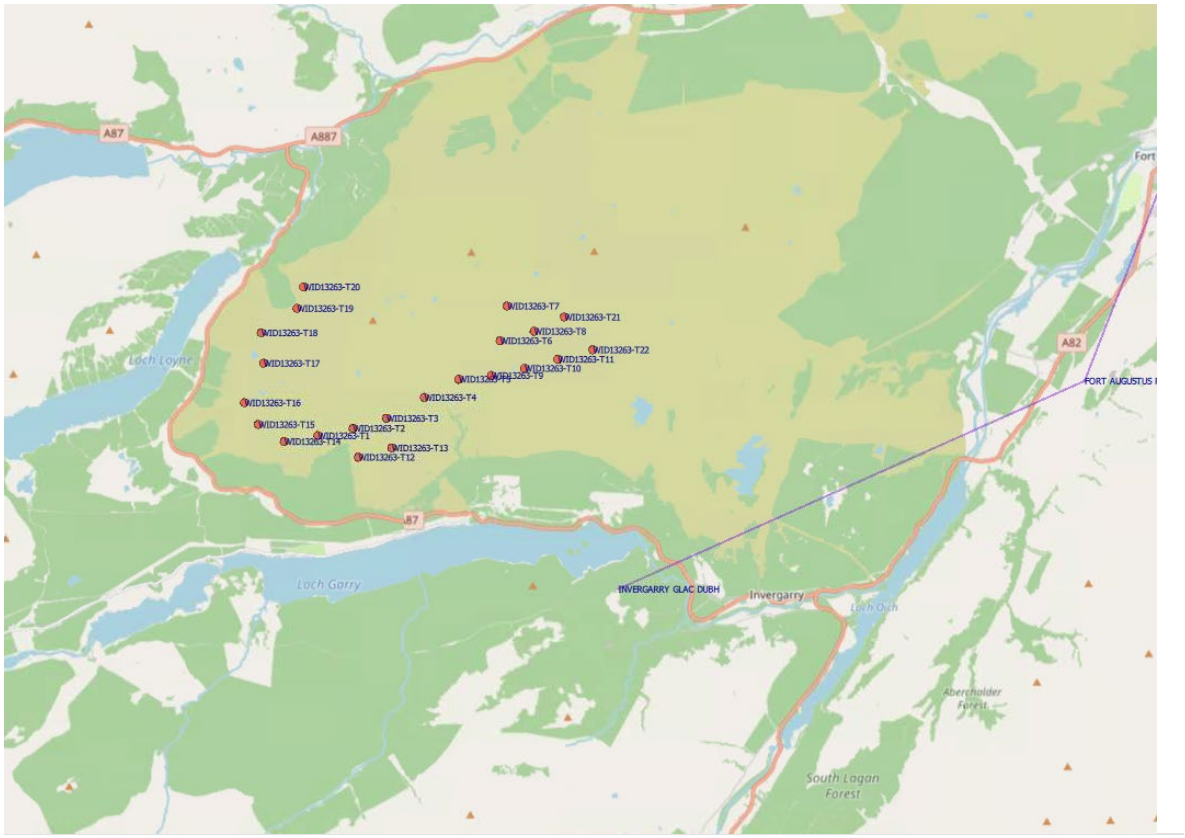
OUR REF:- WID13263

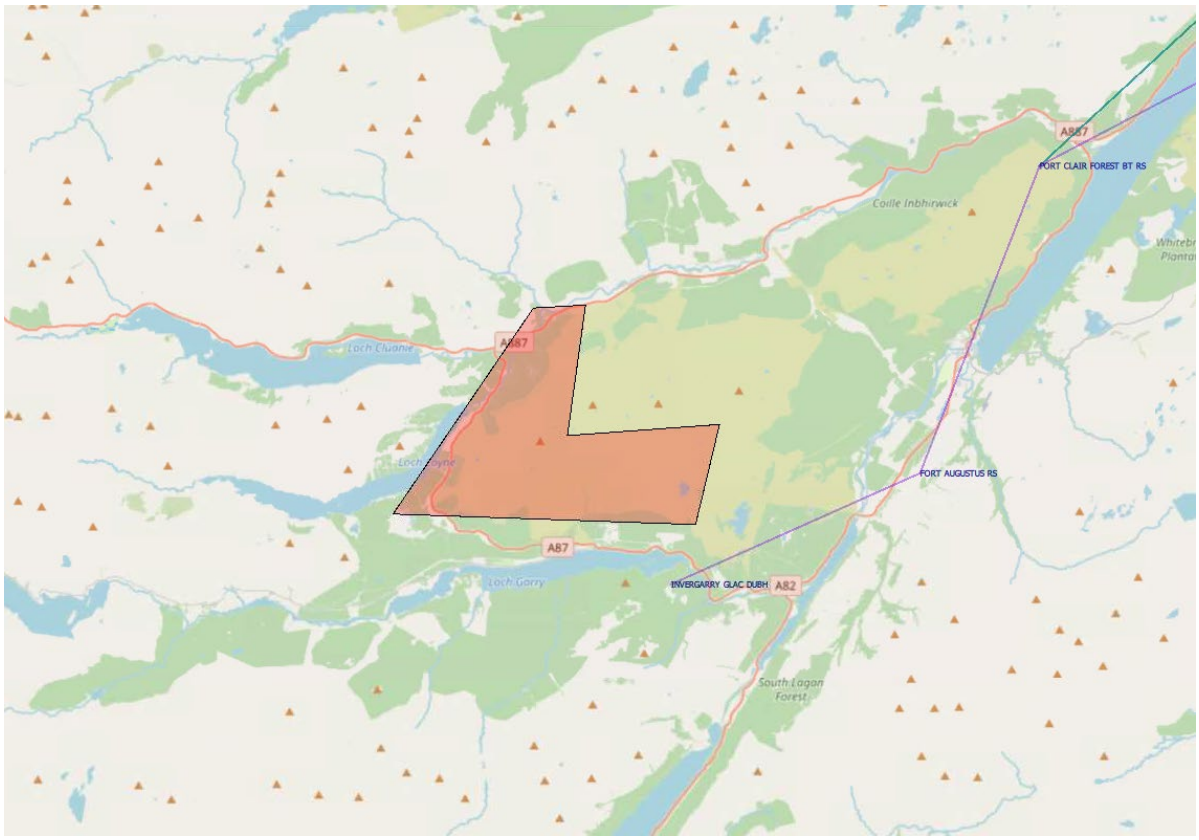
Good morning Nicola

Thank you for your response

We have studied the proposed windfarm development with respect to EMC and related problems to BT point-to-point microwave radio links .
The conclusion is that the Project indicated should not cause interference to BT's current and presently planned radio network.

Kind Regards
Chris




A887
FORT CLAIR FOREST BT RS
Coille Inbhirwick
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Loch Cluanie
Loch Loyne
FORT AUGUSTUS RS
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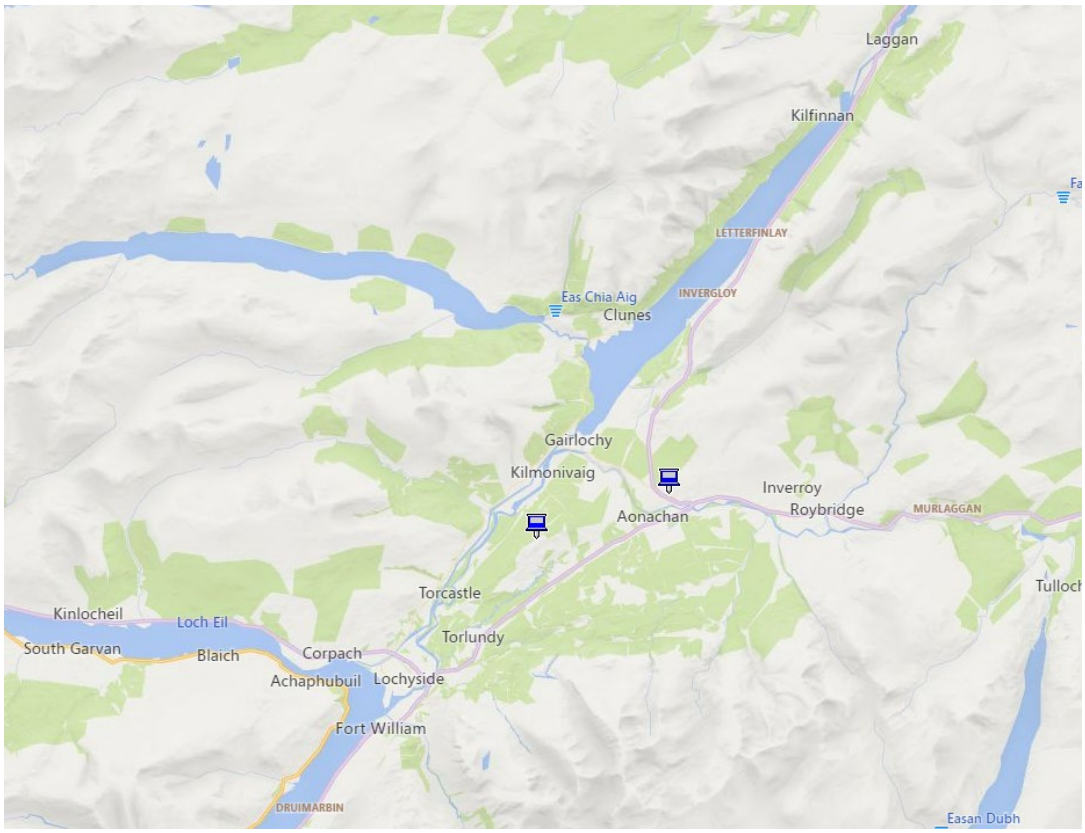
Loch Garry
INVERGARRY GLAC DUBH
A82
South Lagan Forest


Laggan
Kilfinnan
LETTERFINLAY
Eas Chia Aig
Clunes
INVERGLOY
Gairlochy
Kilmonivaig
Inverroy
Roybridge
MURLAGGAN
Aonachan
Torcastle
Tulloch
Kinlocheil
Loch Eil
South Garvan
Blaich
Torlundy
Corpach
Achaphubuil
Lochyside
Fort William
DRUIMARBIN
Easan Dubh

A57

Defence Infrastructure Organisation

Teena Oulaghan
Safeguarding Manager
Ministry of Defence
Safeguarding Department
St George's House
DIO Headquarters
DMS Whittington
Lichfield
Staffordshire
WS14 9PY

Telephone [MOD]: 07970 170934

E-mail: teena.oulaghan100@mod.gov.uk

Your Reference: ECU00004972

Our Reference: DIO10060850

Nicola Ferguson
Energy Consents Unit
Scottish Government
4th Floor
5 Atlantic Quay
150 Broomielaw
G2 8LU

By email only

14 December 2023

Dear Nicola,

ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR BEINNEUN 2 WIND FARM

Site address: Located approximately 5 kilometres (km) northwest of Invergarry and directly adjacent to the existing Beinneun Wind Farm.

Thank you for consulting the Ministry of Defence (MOD) in relation to the scoping opinion for the above development through your communication dated 22 November 2023.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the MOD as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

I am writing to advise you that the MOD has concerns with the proposal.

The proposal concerns a development of 22 turbines with maximum blade tip heights of 200 metres above ground level. The proposed development has been assessed using the location data (Grid References) below provided in the developers Environmental Impact Assessment Scoping Report dated November 2023.

Turbine no.	Easting	Northing
1	221464	804502
2	222137	804609
3	222778	804773

4	223513	805138
5	224183	805455
6	224997	806148
7	225160	806800
8	225649	806301
9	224803	805500
10	225438	805607
11	226077	805751
12	222216	804060
13	222857	804208
14	220821	804417
15	220344	804762
16	220097	805185
17	220492	805917
18	220475	806495
19	221173	806927
20	221315	807326
21	226234	806546
22	226748	805903

The principal safeguarding concerns of the MOD with respect to this development of wind turbines relates to their potential to create a physical obstruction to air traffic movements.

Physical Obstruction

In this case the development falls within Low Flying Area 14 (LFA 14), an area within which fixed wing aircraft may operate as low as 250 feet or 76.2 metres above ground level to conduct low level flight training. The addition of turbines in this location has the potential to introduce a physical obstruction to low flying aircraft operating in the area.

To address the impact up on low flying given the location and scale of the development, the MOD would require that conditions are added to any consent issued requiring that the development is fitted with aviation safety lighting and that sufficient data is submitted to ensure that structures can be accurately charted to allow deconfliction.

The development proposed includes wind turbine generators that exceed a height of 150m agl and are therefore subject to the lighting requirements set out in the Air Navigation Order 2016. In addition to CAA requirements, the MOD will require the submission, approval, and implementation of an aviation safety lighting specification that details the installation of MOD accredited aviation safety lighting.

Summary

The MOD has concerns with this proposal due to the potential impact to low flying aircraft operating in the development area.

The MOD must emphasise that the advice provided within this letter is in response to the information detailed in the developer's document titled "Environmental Impact Assessment Scoping Report" dated November 2023. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

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

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

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

Yours sincerely

REDACTED

Teena Oulaghan
Safeguarding Manager

A60

From: Safe Guarding
To: Econsents Admin; Nicola Ferguson
Cc: Safe Guarding
Subject: ECU00004972 - Beinneun 2 Wind Farm
Date: 08 December 2023 11:15:07
Attachments: image003.png

Good morning,

In respect of the above, I can confirm the location of this development falls out with our Aerodrome Safeguarding zone for Edinburgh Airport therefore we have no objection/comment.

With best regards,
Claire

Claire Brown
Aerodrome Safeguarding & Compliance Officer

Edinburgh Airport
Where Scotland meets the world

Our values

t: +44 (0)131 344 3845 m: 07771 842927
www.edinburghairport.com

Edinburgh Airport Limited
Room 3/54, 2nd Floor Terminal Building
EH12 9DN, Scotland

A61

From:	Brian Davidson
To:	Nicola Ferguson
Cc:	Chris Conroy (ceo@ndsfb.org)
Subject:	RE: REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR BEINNEUN 2 WIND FARM
Date:	24 November 2023 15:15:35
Attachments:	image001.png

Dear Nicola,

Thank you for your correspondence concerning the Beinneun Wind Farm.

Fisheries Management Scotland (FMS) represents the network of Scottish District Salmon Fishery Boards (DSFBs) including the River Tweed Commission (RTC), who have a statutory responsibility to protect and improve salmon and sea trout fisheries and the network of fishery trusts who provide a research, educational and monitoring role for all freshwater fish.

FMS act as a convenient central point for Scottish Government and developers to seek views on local developments. However, as we do not have the appropriate local knowledge, or the technical expertise to respond to specific projects, we are only able to provide a general response with regard to the potential risk of such developments to fish, their habitats and any dependent fisheries. Accordingly, our remit is confined mainly to alerting the relevant local DSFB/Trust to any proposal. The proposed development falls within the river catchment relating to the River Ness District Salmon Fishery Board and the Ness & Beauly Trust. It is important that the proposals are conducted in full consultation with the Board and Trust, and I should be grateful if they could be involved in the project proposals. I have also copied this response to the relevant personnel.

Due to the potential for such developments to impact on migratory fish species and the fisheries they support, FMS have developed, in conjunction with Marine Scotland Science, advice for DSFBs and Trusts in dealing with planning applications. We would strongly recommend that these guidelines are fully considered throughout the planning, construction and monitoring phases of the proposed development.

- LINK TO ADVICE ON TERRESTRIAL WINDFARMS
- LINK TO DSFB & TRUST CONTACT DETAILS

Regards,

Brian

Brian Davidson | Dir Communications & Administration
Fisheries Management Scotland
11 Rutland Square, Edinburgh, EH1 2AS
Tel: 0131 221 6567 | 075844 84602
www.fms.scot

From:	#GLA Safeguarding
To:	Nicola Ferguson
Subject:	RE: REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR BEINNEUN 2 WIND FARM
Date:	20 December 2023 11:05:01
Attachments:	image001.png image400498.png image359951.png image847320.png image693511.png image587886.png image452550.png

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

Kind regards
Kirsteen

GLASGOW AIRPORT

#GLA Safeguarding
#GLA Safeguarding

07808 115 881
glasafeguard@glasgowairport.com
www.glasgowairport.com

Glasgow Airport, Erskine Court, St Andrews Drive, Paisley, PA3 2TJ

A63

From:	Ian Hutchinson
To:	Nicola Ferguson; Econsents Admin
Cc:	Safeguarding
Subject:	RE: External - REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR BEINNEUN 2 WIND FARM
Date:	23 November 2023 13:35:06
Attachments:	image001.png

Hi Nicola,

On behalf of Glasgow Prestwick Airport, I have reviewed the documentation available on the ECU portal for Beinneun 2 Wind Farm (ECU00004972).

The proposed development lies outside the GPA Safeguarding Area and consequently we would have no comment or valid objection to make.

Kind regards,

Ian

Ian Hutchinson
Aerodrome Safeguarding Manager

T: (+44) 01292 511038
M:

ihutchinson@glasgowprestwick.com

www.glasgowprestwick.com

Glasgow Prestwick Airport Ltd.
Aviation House
Prestwick
KA9 2PL
Scotland
United Kingdom

A64

From: Safeguarding
To: Nicola Ferguson
Cc: Safeguarding
Subject: RE: REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR BEINNEUN 2 WIND FARM
Date: 19 December 2023 14:16:10
Attachments: image001.png

Hi Nicola,

Thank you for providing the required information, I appreciate it. Please see our response below:

Your Ref: ECU00004972
Our Ref: 2023/335/INV

Dear Sir/Madam,

Proposal: ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR BEINNEUN 2 WIND FARM

The development has been assessed using the criteria below:

Turbine Number	Easting	Northing	Hub height (m)	Rotor diameter (m)	Tip height (m)
1	221464	804502	114	172	200
2	222137	804609	114	172	200
3	222778	804773	114	172	200
4	223513	805138	114	172	200
5	224183	805455	114	172	200
6	224997	806148	114	172	200
7	225160	806800	114	172	200
8	225649	806301	114	172	200
9	224803	805500	114	172	200
10	225438	805607	114	172	200
11	226077	805751	114	172	200
12	222216	804060	114	172	200
13	222857	804208	114	172	200
14	220821	804417	114	172	200
15	220344	804762	114	172	200
16	220097	805185	114	172	200
17	220492	805917	114	172	200
18	220475	806495	114	172	200
19	221173	806927	114	172	200
20	221315	807326	114	172	200
21	226234	806546	114	172	200
22	226748	805903	114	172	200

With reference to the above proposal, our preliminary assessment shows that, at the given position and height, this development would not infringe the safeguarding criteria and operation of Inverness Airport.

Therefore, Highlands and Islands Airports Limited has no objections to the proposal.

Any variation of the parameters (which include the location, dimensions, form, and finishing materials) then as a statutory consultee HIAL requires that it be further consulted on any such changes prior to any planning permission, or any consent being granted.

Kind regards,

Nyree Millar-Bell
Aerodrome Safeguarding and Operations Support Officer
Highlands and Islands Airports Limited

A66

From:	JRC Windfarm Coordinations Old
To:	Nicola Ferguson
Cc:	Wind SSE
Subject:	BEINNEUN 2 WIND FARM - REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION [WF191155]
Date:	29 November 2023 16:56:52

Dear nicola,

A Windfarms Team member has replied to your co-ordination request, reference **WF191155** with the following response:

If any details of this proposal change, particularly the disposition or scale of any turbine(s), this clearance will be void and re-evaluation of the proposal will be necessary.

Please do not reply to this email - the responses are not monitored.
If you need us to investigate further, then please use the link at the end of this response or login to your account for access to your co-ordination requests and responses.

Dear Nicola,

***Site Name**: Beinneun 2 Wind Farm*

***Turbine(s) at NGR**:*
Turbine Easting Northing
1 221464 804502
2 222137 804609
3 222778 804773
4 223513 805138
5 224183 805455
6 224997 806148
7 225160 806800
8 225649 806301
9 224803 805500
10 225438 805607
11 226077 805751
12 222216 804060
13 222857 804208
14 220821 804417
15 220344 804762
16 220097 805185
17 220492 805917
18 220475 806495
19 221173 806927
20 221315 807326
21 226234 806546
22 226748 805903

***Hub Height**: 114m **Rotor Radius**: 86m*

*This proposal is ***cleared*** with respect to radio link infrastructure operated by the local energy 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. Please note that due to the large number of adjacent radio links in this vicinity, which have been taken into account, clearance is given specifically for a location within the declared grid reference (quoted above).

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, you are advised to seek re-coordination prior to submitting a planning application, as this will negate the possibility of an objection being raised at that time as a consequence of any links assigned between your enquiry and the finalisation of your project.

JRC offers a range of radio planning and analysis services. If you require any assistance, please contact us by phone or email.

Regards

Wind Farm Team

Friars House
Manor House Drive
Coventry CV1 2TE
United Kingdom

Office: 02476 932 185

JRC Ltd. is a Joint Venture between the Energy Networks Association (on behalf of the UK Energy Industries) and National Grid.
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About The JRC | Joint Radio Company | JRC

A68

MOUNTAINEERING SCOTLAND WALKCLIMBSKI

The Granary | West Mill Street | Perth | PH1 5QP
T: 01738 493 942 **E:** info@mountaineering.scot
www.mountaineering.scot

By email to: Nicola.Ferguson@gov.scot

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

6 December 2023

Dear Ms Ferguson

Beinneun 2 Wind Farm, Invergarry: Environmental Impact Assessment Scoping Report

ECU reference: ECU00004972

Background and Context

1. Beinneun 2 Ltd has submitted a Scoping Report for a wind farm of 22 turbines x 200m blade-tip height, 5 km northwest of Invergarry and wrapping around the existing Beinneun (plus extension) wind farm.

2. Mountaineering Scotland is a membership organisation with more than 16,000 members and is the only recognised representative organisation for hill walkers, climbers, mountaineers and ski-tourers who live in Scotland or who enjoy Scotland's mountains. We represent, support and promote Scottish mountaineering, and provide training and information to mountain users for safety, self-reliance and the enjoyment of our mountain environment.

Assessment

3. Mountaineering Scotland's concern at this stage is ensuring that the proposed viewpoints will allow a comprehensive assessment of the proposed development from a mountaineering/hillwalking perspective should an application be made.

4. The proposed location is part of a wind farm cluster comprising Beinneun, Beinneun Extension and Millennium (original & two extensions). There is an application site, Bunnloinn, west of Loch Loyne and another site to the north, Tomchrasky.

6. The pattern of additional visibility due to this proposal is complex and arises from a mix of turbine heights, altitude and topographic location and screening. We endorse the inclusion of hill viewpoints; Viewpoints 5, 7, 8, 9, 11-14.

7. There is a gap in an arc of view from the hill summits in the middle distance lying between Loch Cluanie and Loch Cuaich. We propose the addition of Druim nan Cnamh/Beinn Loinne (NH131077) and Spidean Mialach (NH062044) as viewpoints. We also propose the inclusion of Meall Dubh (NH245079) as a viewpoint, as it is a Corbett summit lying immediately north of the gap between the existing wind farms.

Yours sincerely

REDACTED

Davie Black
Access & Conservation Officer
Mountaineering Scotland

T: REDACTED

E: access@mountaineering.scot

From:	NATS Safeguarding
To:	Nicola Ferguson
Cc:	Econsents Admin
Subject:	RE: REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR BEINNEUN 2 WIND FARM [SG36522]
Date:	24 November 2023 14:23:34
Attachments:	image002.png image003.png image004.png image005.png image006.png image007.png image008.png

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Our Ref: SG36522

Dear Sir/Madam

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

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

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

Yours faithfully

NATS Safeguarding

E: natssafeguarding@nats.co.uk

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

A71

From:	ONR Land Use Planning
To:	Econsents Admin
Subject:	ONR Land Use Planning - Application ECU00004972
Date:	28 November 2023 12:51:40
Attachments:	image001.png image001.png

Dear Sir/Madam,

With regard to planning application ECU00004972, ONR makes no comment on this proposed development as it does not lie within a consultation zone around a GB nuclear site.

You can find information concerning our Land Use Planning consultation process here: (http://www.onr.org.uk/land-use-planning.htm).

Kind regards,

Vicki Enston
Land Use Planning
Office for Nuclear Regulation
ONR-Land.Use-planning@onr.gov.uk

A72

Scottish Forestry
Coilltearachd na h-Alba

Glèidhteachais a Gàidhealtachd's nan Eilean
"Fearann – coilleach"
Rathad Fodderty
Inbhir Pheofharain

Highland and Islands Conservancy
"Woodlands"
Fodderty Way
Dingwall

IV15 9XB

highland.cons@forestry.gov.scot
Tel: 0300 067 6950

Conservator
Neach Dion Arainneachd
Neil Murray

8th December 2023

Nicola Ferguson
Energy Consents Unit
Scottish Government

by email: Nicola.Ferguson@gov.scot

Dear Nicola,

ELECTRICITY ACT 1989, THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR BEINNEUN 2 WIND FARM

Ref - ECU00004972

Thank you for consulting Scottish Forestry on the Scoping Report for the proposed **BEINNEUN 2 WIND FARM** (proposed development). Scottish Forestry is the Scottish Government agency responsible for policy, support and regulation of the forestry sector in Scotland. As such we comment on the potential impact of development proposals on forests and woodlands.

The first consideration for all woodland removal decisions should be whether the underlying purpose of the proposals can reasonably be met without resorting to woodland removal. Scottish Government's Policy on Control of Woodland Removal clearly sets out a strong presumption in favour of protecting Scotland's woodland resources.
https://forestry.gov.scot/support-regulations/control-of-woodland-removal

In line with Scottish Government's wider objective to protect and expand Scotland's woodland cover, applicants are expected to develop their proposal with minimal woodland removal. Woodland removal should be allowed only where it would achieve significant and clearly defined additional public benefits.

The following criteria for determining the acceptability of woodland removal should be considered relevant to this application –

- ***Woodlands with a strong presumption against removal***

Only in exceptional circumstances should the strong presumption against woodland removal be overridden. Proposals to remove these types of woodland should be judged on their individual merits and such cases will require a high level of supporting evidence. Where woodland removal is justified, the Compensatory Planting (CP) area must exceed the area of woodland removed to compensate for the loss of environmental value.

- ***Woodland removal with a need for compensatory planting***
  Design approaches that reduce the scale of felling required and/or converting the type of woodland to another type (such as from tall conifer plantation to low-height, slow growing woodland), must be considered from the earliest stages, rather than removing the woodland completely. The purpose of any required CP is to secure, through new woodland on site (replanting) or off site (on appropriate sites elsewhere), at least the equivalent woodland-related net public benefit embodied in the woodland to be removed.

National Planning Framework 4 - Policy 6 Forestry, Woodlands and trees identifies several themes that should be considered relevant to this application –

b) Development proposals will not be supported where they will result in:
i. Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition;
ii. Adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy;
iii. Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy;

c) Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered.

d) Development proposals on sites which include an area of existing woodland or land identified in the Forestry and Woodland Strategy as being suitable for woodland creation will only be supported where the enhancement and improvement of woodlands and the planting of new trees on the site (in accordance with the Forestry and Woodland Strategy) are integrated into the design.

Conclusion
Scottish Forestry notes that the Scoping report describes coniferous forest within the site boundary as set out below:

"11.3.3 Land Use
The application site boundary encloses approximately 1,715 hectares (ha) of open moorland which is of low agricultural quality land only capable of use for rough grazing. There are also some areas of commercial coniferous forestry present on Site, mostly in the north of the Site, with an isolated area of forestry in the south."

Scottish Forestry have carried out a map based search of woodlands within the site boundary and identified woodland recorded as Ancient Woodland on the Ancient Woodland Inventory (AWI) and woodlands recorded on the Native Woodland Survey of Scotland (NWSS).

An area of the site is also included within a Long Term Forest Plan, 16FGS05997 Achlian Estate LTFP refers.

The woodlands within the site boundary and the impacts on the LTFP should be subject of the scoping report.

It is unclear from the scoping report if any woodland removal is proposed for the infrastructure, access tracks or grid connections. As set out in the polices in the this letter, there is a strong presumption against removal of some types of woodland within the site boundary.

To ensure that any proposed changes to woodland address the requirements of the Control of Woodland Removal Policy and other relevant guidance Scottish Forestry strongly advice the developer provides a clarity in relation to proposed woodland removal.

Scottish Government's policy on control of woodland removal: implementation guidance February 2019 https://forestry.gov.scot/support-regulations/control-of-woodland-removal provides guidance on the level and detail of information Scottish Forestry will expect within the EIA Report, to help us reach an informed decision on the potential impact of the proposed development.

Scottish Forestry strongly advises the developer to include detailed information on the types and areas of forestry to be felled and restocked as a result of the proposed development. Detailed information on any compensatory planting proposals should also be provided. All felling, restocking and compensatory planting proposals must be compliant with the UK Forestry Standard. https://forestry.gov.scot/sustainable-forestry/ukfs-scotland

Any additional felling which is not part of the planning application will require permission from Scottish Forestry under the Forestry and Land Management (Scotland) Act 2018 (the Act). For areas covered by an approved Long Term Forest Plan (LTFP), the request for additional felling (and subsequent restocking) areas needs to be presented in the form of LTFP amendment. https://forestry.gov.scot/support-regulations/felling-permissions

The applicant should note that any compensatory planting required as a result of the proposed development, may also need to be considered under The Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017. https://forestry.gov.scot/support-regulations/environmental-impact-assessment and should follow the process for preparing a woodland creation proposal, as set out in our guidance booklet: Woodland Creation Application Guidance. https://forestry.gov.scot/support-regulations/woodland-creation

Please don't hesitate to contact me if you have any questions regarding Scottish Forestry's response.

Yours sincerely

REDACTED

Dunstan Cribb
Operations Manager (Regulations and Development)
Highland and Islands Conservancy

A75

Monday, 27 November 2023

Local Planner
Energy Consents Unit
5 Atlantic Quay
Glasgow
G2 8LU

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

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk
Follow Us

Dear Customer,

BEINNEUN 2 WIND FARM, Tomcrasky, Invergarry, IV63 7YN
Planning Ref: ECU00004972
Our Ref: DSCAS-0099049-XNM
Proposal: Pre App comprise up to 22 wind turbines with a maximum tip height of 200m

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Drinking Water Protected Areas

A review of our records indicates that the proposed activity falls within a drinking water catchment where a Scottish Water abstraction is located. Scottish Water abstractions are designated as Drinking Water Protected Areas (DWPA) under Article 7 of the Water Framework Directive. Loch Ness supplies Invermoriston Water Treatment Works WTW and it is important water quality and quantity is protected. Scottish Water abstractions are designated as Drinking Water Protected Areas (DWPA) under Article 7 of the Water Framework Directive. 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**.

To fully access this application it would be useful if we could get the Eastings and Northings of each wind turbine and any mapping details for access tracks and additional infrastructure.

Scottish Water have produced a list of precautions for a range of activities. This details protection measures to be taken within a DWPA, the wider drinking water catchment and if

there are assets in the area. Please note that site specific risks and mitigation measures will require to be assessed and implemented. These documents and other supporting information can be found on the activities within our catchments page of our website at www.scottishwater.co.uk/slm

The fact that the activity falls within drinking water catchments should be noted in all documentation. Also anyone working on site should be made aware of this during site inductions.

We would request additional information is sent to us at protectdwsources@scottishwater.co.uk and if possible we also welcome any Shapefiles.

Surface Water

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

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

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

General notes:

- Scottish Water asset plans can be obtained from our appointed asset plan providers:
    - Site Investigation Services (UK) Ltd
    - Tel: 0333 123 1223
    - Email: sw@sisplan.co.uk
    - www.sisplan.co.uk

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Ruth Kerr.
Development Services Analyst

PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

“It is important to note that the information on any such plan provided on Scottish Water’s infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Development Management and Strategic Road Safety
Roads Directorate

Buchanan House, 58 Port Dundas Road, Glasgow G4 0HF
Direct Line: 0141 272 7400
Alan.Kerr@transport.gov.scot

A78

TRANSPORT SCOTLAND
CÒMHDHAIL ALBA

Nicola Ferguson
Case Officer
Energy Consents Unit
Onshore Electricity, Strategy and Consents
Directorate for Energy and Climate Change
Scottish Government
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Energy Consents Unit
Reference:
ECU00004972

Date: 01 December 2023

Dear Nicola

ELECTRICITY ACT 1989

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

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR BEINNEUN 2 WINDFARM

Introduction

The Scoping Opinion request dated November 2023, for the proposed Beinneun 2 Wind Farm has been passed to Jacobs for review, in their role as Development Management Auditor and Advisor to Transport Scotland.

This response is informed by the Environmental Impact Assessment (EIA) Scoping Report, dated November 2023, primarily the information presented in Chapter 10 – Traffic and Transport.

Development Proposals

The proposed development is located approximately 5 kilometres (km) northwest of Invergarry, approximately 10 km west of Fort Augustus and directly adjacent to the existing Beinneun Wind Farm within The Highland Council area, and is anticipated to comprise upto 22 wind turbines, with a maximum height to blade tip of 200 m, and associated infrastructure.

Study Area

The Scoping Report advises that “the study area for the assessment of traffic and associated environmental effects will consider receptors along the A87 trunk road corridor both south and northwest of the site, the A887 trunk road corridor east of the Development site. The A82 corridor north of the junction with the A887 will be included as will the A82 south of the junction with the A87.”

It is acknowledged that “the main sensitive receptors to increased traffic levels and associated environmental effects are likely to be residents of Invermoriston and Invergarry along with

isolated dwellings along the three road corridors and those who use the road for leisure and recreational purposes (cyclists, etc.)".

OBSERVATION 1: Transport Scotland would advise that the road links assessed must be clearly defined, with the points beyond which the effects of development traffic would be diluted clearly specified. A plan should be provided to illustrate the study area extents.

Preliminary Baseline Conditions

The report confirms that the site lies in a relatively rural area but with relatively good road access via the A887(T), the A87(T) to the west, and the A82(T). Site access is proposed to be via an upgraded junction with the A887(T). Abnormal loads carrying blade components are anticipated to be transported from Kyle of Lochalsh Port via the A87(T) and the A887(T), while tower components could potentially come from Corpach Harbour, Fort William via the A82(T), A87(T) and A887(T). It is acknowledged that an Abnormal Loads Assessment (ALA) for the blade components and for the tower components will be submitted as a technical appendix to the EIA Report chapter.

OBSERVATION 2: Regarding the content of the ALA, the following considerations should be addressed:

- Port of entry for shipping of wind turbine components.
- The number and dimensions of abnormal loads and transporting vehicle, i.e., weight limits, length etc.
- All trunk roads to be used by abnormal load vehicles.
- A route review should be undertaken considering the horizontal and vertical alignment of the preferred route(s), defining locations where a detailed swept path assessment is required.
- Swept paths analysis are required for turbine blades and turbine tower sections, and associated drawings must be provided for consideration.
- Key organisations to be consulted along the proposed routes should be identified.
- The ALA should include initial consideration of: The maximum axle loading on structures in consultation with the relevant roads agencies; clear heights in consultation with utility providers and transport agencies; roadworks or closures that could affect the passage of the loads; underground services on the proposed route; satisfaction of Police Scotland and Local Authorities to the proposed route(s); lay-by areas that can be utilised for temporary parking; and lay-bys that can be used to let traffic pass slow moving abnormal loads.
- Any other obstructions that may restrict transportation of abnormal loads.
- Details of measures to mitigate the impacts of abnormal load movements.
- Drawings providing details of proposed mitigation measures.
- Geometry and visibility at access point(s) to / from trunk road.
- Abnormal Loads Management Plan introducing measures that could help reduce the impact of abnormal load convoys.

The ALA shall consider the full extent of the proposed abnormal loads route between the ports of entry and the proposed development.

OBSERVATION 3: Where alterations to the trunk road are proposed, a Stage 1 Road Safety Audit, undertaken in accordance with Design Manual for Roads and Bridges GG 119, will be required before Transport Scotland can formally respond on the application.

Likely Environmental Effects

We acknowledge that the greatest traffic related environmental effects are likely to occur during the construction phase of the development. Key construction activities will be identified, and the associated vehicle movement analysed.

OBSERVATION 4: Full details of any assumptions applied in undertaking the traffic and transport assessment should be set out in the supporting information.

Assessment Methodology

Baseline Survey Methodology

The Scoping Report advises that the report will include a desktop-based study of publicly available traffic data for the A82(T), A87(T) and A877(T) and that the data will be obtained from Transport Scotland. It further advises that in the event of the data being out of date or incomplete, new traffic count data would be collected via 7-day ATC surveys. We accept that "the location and timing of any new surveys on the trunk roads would be agreed with Transport Scotland."

OBSERVATION 5: Any existing trunk road traffic data that may inform the traffic and transport assessment must be requested via traffic.data@mobiie.co.uk. Transport Scotland would highlight that Department for Transport (DfT) traffic count data is not an appropriate source of information for the assessment of trunk road traffic impacts.

The Scoping Report further states that an analysis of accident data for the last five years on the affected trunk roads will be done and that the data will be obtained from Transport Scotland.

OBSERVATION 6: Accident data must be requested from accidentdatarequests@transport.gov.scot.

The extents of the accident assessment study area must be clearly defined in the traffic and transport assessment, with the end points of the study area specified, i.e., the locations beyond which no assessment has been undertaken. A plan should be provided to illustrate the locations of the accidents identified in the assessment and the associated severity. The assessment should identify whether any accident clusters are present within the study area and whether development traffic is likely to cause or exacerbate any road safety issues. Details of any proposed mitigation measures should also be provided.

Methodology for the Assessment of Effects

The Scoping Report sets out the proposed methodology for the assessment of traffic and transport effects, noting that "the effect of the increase in construction vehicle traffic movements will be quantified through comparison of existing traffic flows and vehicle composition (baseline data) with the flows predicted as a result of the construction of the Development. Consideration of the potential effect on other road users will also be undertaken where road links are affected by construction traffic".

OBSERVATION 7: The proposed hours of operation for the development during the construction phase should be specified in the traffic and transport assessment, including any proposals to restrict construction traffic movements on specific days or at specific times.

OBSERVATION 8: A detailed construction programme must be provided, which sets out anticipated construction traffic volumes by month throughout the construction period. The maximum daily and hourly trip generation should be calculated, and details of construction staff trip generation should be provided.

OBSERVATION 9: The proposed construction traffic distribution and assignment shall be fully justified in the EIA chapter.

It is acknowledged that the assessment will be undertaken in line with the 2023 IEMA Guidelines and will consider whether full assessment of effects is required for study area links based on the following rules:

- Rule 1 – Include highway links where total traffic flows are predicted to increase by more than 30% or where the number of HGVs is predicted to increase by more than 30%; and
- Rule 2 – Include any other specifically sensitive areas where total traffic flows are predicted to increase by 10% or more.

The Scoping Report confirms that where these thresholds are exceeded the assessment will consider the following effects:

- Severance of communities
- Road vehicle driver and passenger delay
- Non-motorised user delay
- Non-motorised amenity
- Fear and intimidation on and by road users
- Road user and pedestrian safety
- Hazardous / large loads

Sensitivity of Receptors

The Scoping Report advises that “The sensitivity of the baseline conditions, including the importance of environmental features on or near to the Development or the sensitivity of potentially affected receptors, will be assessed in line with best practice guidance, legislation, statutory designations and / or professional judgement.”

The proposed framework for determining the sensitivity of receptors is given in Table 10.1 of the Scoping Report.

Magnitude of Effect

The Scoping Report advises that “The magnitude of potential effects will be identified through consideration of the Development, the degree of change to baseline conditions predicted as a result of the Development, the duration and reversibility of an effect and professional judgement, best practice guidance and legislation.”

The proposed framework for determining the sensitivity of receptors is given in Table 10.2 of the Scoping Report.

Significance of Effect

The Scoping Report advises that “The sensitivity of the asset and the magnitude of the predicted effects will be used as a guide, in addition to professional judgement, to predict the significance of the likely effects.”

The proposed framework for assessing the significance of effects is given in Table 10.3 of the Scoping Report.

It is acknowledged that where a detailed assessment is required, sensitivity and magnitude criteria will be used to determine the significance of effects, i.e., major, moderate, minor, or negligible. Effects assessed as being “major or moderate significance are considered to be ‘significant’ in the context of the EIA Regulations.”

OBSERVATION 10: The proposed assessment methodology is acceptable to Transport Scotland.

Assessment of Cumulative Effects

It is acknowledged that "The potential for cumulative effects will be considered with other wind farms which are, during their construction or decommissioning period, proposed to use the same public roads as the Development during construction, and where the two construction periods may overlap."

OBSERVATION 11: Confirmation should be sought regarding any requirements for consideration of other wind farm developments as part of the cumulative impact assessment.

OBSERVATION 12: Full details of cumulative impacts should be set out, including a detailed programme indicating the worst-case scenario of combined trip generation and associated percentage impact relative to baseline traffic levels, both in terms of total traffic and the percentage increase in HGVs. Should impacts exceed assessment thresholds, full assessment of effects should be undertaken.

Matters and Aspects to Be Scoped Out of the Assessment

The Scoping Report advises that the operational phase of the Development will be scoped out of the traffic and transport assessment.

Regarding the decommissioning effects, the Scoping Report confirms that these will not be scoped out but will be assumed, as a worst case, to be the same as construction effects, and therefore not be explicitly described.

OBSERVATION 13: Transport Scotland accept scoping out the operational effects and that the decommissioning effects can be assumed to be no worse than the construction effects.

Borrow Pits

Paragraph 2.7 of the Scoping Report advises that "Existing on-site borrow pits will be used as far as possible to source aggregate for the construction of access tracks, structural fill beneath turbine foundations, construction compounds and turbine hardstandings. Through sourcing aggregate from within the Site, rather than off-site quarries, the number of deliveries required from heavy goods vehicles (HGV) on public roads should be reduced."

OBSERVATION 14: Full details of the proposed borrow pits, including dimensions and estimated aggregate yield, should be provided in the EIA Report. In the event the aggregate yield of the borrow pits is not sufficient the detailed construction programme must be updated.

OBSERVATION 15: The Traffic and Transport assessment should address any mitigation measures that may be employed to address any negative impact of the proposed development, and subsequently assess residual impacts.

We trust this is satisfactory, but should you have any queries please do not hesitate to contact us.

Yours sincerely,

REDACTED

Alan.Kerr@transport.gov.scot

Transport Scotland

Roads Directorate

cc Chris Buck, Jacobs; Pikai Masiyazi, Jacobs

ANNEX B

Marine Directorate – Science Evidence Data and Digital (MD-SEDD) advice on freshwater and diadromous fish and fisheries in relation to onshore wind farm developments.

July 2020 updated September 2023

Marine Directorate – Science Evidence Data and Digital (MD-SEDD) provides internal, non-statutory, advice in relation to freshwater and diadromous fish and fisheries to the Scottish Government's Energy Consents Unit (ECU) for onshore wind farm developments in Scotland.

Atlantic salmon (*Salmo salar*), sea trout and brown trout (*Salmo trutta*) are of high economic value and conservation interest in Scotland and for which MD-SEDD has in- house expertise. Onshore wind farms are often located in upland areas where salmon and trout spawning and rearing grounds may also be found. MD-SEDD aims, through our provision of advice to ECU, to ensure that the construction and operation of these onshore developments do not have a detrimental impact on the freshwater life stages of these fish populations.

The Electricity Works (Environmental Impact Assessment) (EIA) (Scotland) Regulations (2017) state that the EIA must assess the direct and indirect significant effects of the proposed development on water and biodiversity, and in particular species (such as Atlantic salmon) and habitats protected under the EU Habitats Directive. Salmon and trout are listed as priority species of high conservation interest in the Scottish Biodiversity Index and support valuable recreational fisheries.

A good working relationship has been developed over the years between ECU and MD-SEDD, which ensures that these fish species are considered by ECU during all stages of the application process of onshore wind farm developments and are similarly considered during the construction and operation of future onshore wind farms. It is important that matters relating to freshwater and diadromous fish and fisheries, particularly salmon and trout, continue to be considered during the construction and operation of future onshore wind farms.

In the current document, MD-SEDD sets out a revised, more efficient approach to the provision of our advice, which utilises our generic scoping and monitoring programme guidelines (https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren). This standing advice provides regulators (e.g. ECU, local planning authorities), developers and consultants with the information required at all stages of the application process for onshore wind farm developments, such that matters relating to freshwater and diadromous fish and fisheries are addressed in the same rigorous manner as is currently being carried out and continue to be fully in line with EIA regulations. At the request of ECU, MD-SEDD will still be able to provide further and/or bespoke advice relevant to freshwater and diadromous fish and fisheries e.g. site specific advice, at any stage of the application process for a proposed development, particularly where a development may be considered sensitive or contentious in nature.

MD-SEDD will continue undertaking research, identifying additional research requirements, and keep up to date with the latest published knowledge relating to the

impacts of onshore wind farms on freshwater and diadromous fish populations. This will be used to ensure that our guidelines and standing advice are based on the best available evidence and also to continue the publication of the relevant findings and knowledge to all stakeholders including regulators, developers and consultants.

MD-SEDD provision of advice to ECU

- MD-SEDD should not be asked for advice on pre application and application consultations (including screening, scoping, gate checks and EIA applications). Instead, the MD-SEDD scoping guidelines and standing advice (outlined below) should be provided to the developer as they set out what information should be included in the EIA report;
- if new issues arise which are not dealt with in our guidance or in our previous responses relating to respective developments, MD-SEDD can be asked to provide advice in relation to proposed mitigation measures and monitoring programmes which should be outlined in the EIA Report (further details below);
- if new issues arise which are not dealt with in our guidance or in our previous responses, MD-SEDD can be asked to provide advice on suitable wording, within a planning condition, to secure proposed monitoring programmes, should the development be granted consent;
- MD-SEDD cannot provide advice to developers or consultants, our advice is to ECU and/or other regulatory bodies.
- if ECU has identified specific issues during any part of the application process that the standing advice does not address, MD-SEDD should be contacted.

MD-SEDD Standing Advice for each stage of the EIA process

Scoping

MD-SEDD issued generic scoping guidelines (https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren) which outline how fish populations can be impacted during the construction, operation and decommissioning of a wind farm development and informs developers as to what should be considered, in relation to freshwater and diadromous fish and fisheries, during the EIA process.

In addition to identifying the main watercourses and waterbodies within and downstream of the proposed development area, developers should identify and consider, at this early stage, any areas of Special Areas of Conservation where fish are a qualifying feature and proposed felling operations particularly in acid sensitive areas.

If a developer identifies new issues or has a technical query in respect of MD-SEDD generic scoping guidelines then ECU should be informed who will then co-ordinate a response from MD-SEDD.

Gate check

The detail within the generic scoping guidelines already provides sufficient information relating to water quality and salmon and trout populations for developers at this stage of the application.

Developers will be required to provide a gate check checklist (annex 1) in advance of their application submission which should signpost ECU to where all matters relevant to freshwater and diadromous fish and fisheries have been presented in the EIA report. Where matters have not been addressed or a different approach, to that specified in the advice, has been adopted the developer will be required to set out why.

EIA Report

MD-SEDD will focus on those developments which may be more sensitive and/or where there are known existing pressures on fish populations (https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/fishreform/licence/status/Pressures). The generic scoping guidelines should ensure that the developer has addressed all matters relevant to freshwater and diadromous fish and fisheries and presented them in the appropriate chapters of the EIA report. Use of the gate check checklist should ensure that the EIA report contains the required information; the absence of such information may necessitate requesting additional information which may delay the process:

Developers should specifically discuss and assess potential impacts and appropriate mitigation measures associated with the following:

- any designated area, for which fish is a qualifying feature, within and/or downstream of the proposed development area;
- the presence of a large density of watercourses;
- the presence of large areas of deep peat deposits;
- known acidification problems and/or other existing pressures on fish populations in the area; and
- proposed felling operations.

Post-Consent Monitoring

MD-SEDD recommends that a water quality and fish population monitoring programme is carried out to ensure that the proposed mitigation measures are effective. A robust, strategically designed and site specific monitoring programme conducted before, during and after construction can help to identify any changes, should they occur, and assist in implementing rapid remediation before long term ecological impacts occur.

MD-SEDD has published guidance on survey/monitoring programmes associated with onshore wind farm developments (https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren) which developers should follow when drawing up survey and/or monitoring programmes.

If a developer considers that such a monitoring programme is not required then a clear justification should be provided.

Planning Conditions

MD-SEDD advises that planning conditions are drawn up to ensure appropriate provision for mitigation measures and monitoring programmes, should the development be given consent. We recommend, where required, that a Water Quality Monitoring Programme, Fisheries Monitoring Programme and the appointment of an Ecological Clerk of Works, specifically in overseeing the above monitoring programmes, is outlined within these conditions and that MD-SEDD is consulted on these programmes.

Wording suggested by MD-SEDD in relation to water quality, fish populations and fisheries for incorporation into planning consents:

1. No development shall commence unless a Water Quality and Fish Monitoring Plan (WQFMP) has been submitted to and approved in writing by the Planning Authority in consultation with Marine Directorate – Science Evidence Data and Digital (MD–SEDD) and any such other advisors or organisations.

2. The WQFMP must take account of the Scottish Government's MD-SEDD guidelines and standing advice and shall include:

    a. water quality sampling should be carried out at least 12 months prior to construction commencing, during construction and for at least 12 months after construction is complete. The water quality monitoring plan should include key hydrochemical parameters, turbidity, and flow data, the identification of sampling locations (including control sites), frequency of sampling, sampling methodology, data analysis and reporting etc.;

    b. the fish monitoring plan should include fully quantitative electrofishing surveys at sites potentially impacted and at control sites for at least 12 months before construction commences, during construction and for at least 12 months after construction is completed to detect any changes in fish populations; and

    c. appropriate site specific mitigation measures detailed in the Environmental Impact Assessment and in agreement with the Planning Authority and MD-SEDD.

3. Thereafter, the WQFMP shall be implemented within the timescales set out to the satisfaction of the Planning Authority in consultation with MD- SEDD and the results of such monitoring shall be submitted to the Planning Authority on a 6 monthly basis or on request.

Reason: To ensure no deterioration of water quality and to protect fish populations within and downstream of the development area.

Sources of further information

NatureScot (previously “SNH”) guidance on wind farm developments - https://www.nature.scot/professional-advice/planning-and-development/advice- planners-and-developers/renewable-energy-development/onshore-wind- energy/advice-wind-farm

Scottish Environment Protection Agency (SEPA) guidance on wind farm developments – https://www.sepa.org.uk/environment/energy/renewable/#wind

A joint publication by Scottish Renewables, NatureScot, SEPA, Forestry Commission Scotland, Historic Environment Scotland, Marine Scotland Science (now MD-SEDD) and Association of Environmental and Ecological Clerks of Works (2019) Good Practice during Wind Farm Construction - https://www.nature.scot/guidance- good-practice- during-wind-farm-construction.

Annex 1 (revised September 2023)

Marine Directorate – Science Evidence Data and Digital (MD-SEDD) – EIA Checklist

The generic scoping guidelines should ensure that all matters relevant to freshwater and diadromous fish and fisheries have been addressed and presented in the appropriate chapters of the EIA report. Use of the checklist below should ensure that the EIA report contains the following information; the absence of such information ***may necessitate requesting additional information*** which could delay the process:

MD-SEDD Standard EIA Report Requirements	Provided in application YES/NO	If YES – please signpost to relevant chapter of EIA Report	If not provided or provided different to **MD-SEDD** advice, please set out reasons.
1. A map outlining the proposed development area and the proposed location of: ○ the turbines, ○ associated crane hard standing areas, ○ borrow pits, ○ permanent meteorological masts, ○ access tracks including watercourse crossings, ○ all buildings including substation, battery storage; ○ permanent and temporary construction compounds; ○ all watercourses; and ○ contour lines;			

2. A description and results of the site characterisation surveys for fish (including fully quantitative electrofishing surveys) and water quality including the location of the electrofishing and fish habitat survey sites and water quality sampling sites on the map outlining the proposed turbines and associated infrastructure. **This should be carried out where a Special Area of Conservation (SAC) is present and where salmon are a qualifying feature, and in exceptional cases when required in the scoping advice for other reasons. In other cases, developers can assume that fish populations are present**;			
3. An outline of the potential impacts on fish populations and water quality within and downstream of the proposed development area;			
4. Any potential cumulative impacts on the water quality and fish populations associated with adjacent (operational and consented) developments including wind farms, hydro schemes, aquaculture and mining;			

5. Any proposed site specific mitigation measures as outlined in **MD-SEDD** generic scoping guidelines and the joint publication "Good Practice during Wind Farm Construction" (https://www.nature.scot/guidance-good-practice-during-wind-farm-construction);			
6. Full details of proposed monitoring programmes using guidelines issued by **MD-SEDD** and accompanied by a map outlining the proposed sampling and control sites in addition to the location of all turbines and associated infrastructure. **At least 12 months of baseline pre-construction data should be included. The monitoring programme can be secured using suitable wording in a condition.**			
7. A decommissioning and restoration plan outlining proposed mitigation/monitoring for water quality and fish populations. **This can be secured using suitable wording in a condition.**			

Developers should specifically discuss and assess potential impacts and appropriate mitigation measures associated with the following:	Provided in application YES/NO	If YES – please signpost to relevant chapter of EIA Report	If not provided or provided different to **MD-SEDD** advice, please set out reasons.
1. Any designated area **(e.g. SAC),** for which fish is a qualifying feature, within and/or downstream of the proposed development area;			
2. The presence of a large density of watercourses;			
3. The presence of large areas of deep peat deposits;			
4. Known acidification problems and/or other existing pressures on fish populations in the area; and			
5. Proposed felling operations.			