Technical Appendix 5.1

Scoping Opinion

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SCOTTISHPOWER RENEWABLES

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The Scottish Government
Energy Consents Unit

Scoping Opinion On Behalf Of Scottish Ministers Under The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

Clauchrie Windfarm
Scottish Power Renewables
20 May 2019

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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 Scottish Power Renewables (UK) Ltd (SPR) a company incorporated under the Companies Acts with company number SC587734 and having its registered office at 320 St Vincent Street, Glasgow G2 5AQ ("the Company") in response to a request dated of 22 March 2019 for a scoping opinion under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the proposed Clauchrie Windfarm ("the proposed development"). The request was accompanied by a scoping report.

1.2 The proposed development would be located approximately 6 km to the north-east of Barrhill.

1.3 The proposed development is anticipated to comprise 16 turbines up to 200m to blade tip, including associated infrastructure, battery storage and ancillary services infrastructure with a combined installed capacity of greater than 50MW. .

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

- Crane hardstandings adjacent to each turbine;
- Power cables linking the turbines laid in trenches underground, including cable markers;
- Upgraded and new site access tracks, passing places and turning circles;
- Permanent and temporary power performance assessment (PPA) anemometry masts;
- A substation compound including a control building, parking, lighting columns and battery storage/ancillary grid services equipment, with solar panels of roofs of buildings;
- Communication mast(s);
- Health and safety and other directional signage;
- Close circuit television (CCTV) mast(s).
- A radar Sensor mast;
- Temporary site construction compounds; and
- Temporary borrow pits.

1.5 The Company indicates the proposed development would be decommissioned and the site restored in accordance with the decommissioning and restoration plan.

1.6 The proposed development is within the planning authority of South Ayrshire Council with access in Dumfries & Galloway Council.

2. Consultation

2.1 Following the scoping opinion request a list of consultees was agreed between Land Use Consultants (LUC) (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 25 March 2019. The consultation closed on 16 April 2019. Extensions to this deadline were granted to South Ayrshire Council, Ayrshire Rivers Trust, Galloway Fisheries Trust, Glasgow Prestwick Airport, RSPB Scotland and Scottish Rights of Way and Access Society (Scotways) The Scottish Ministers also requested responses from their internal advisors Marine Scotland, Transport Scotland and Scottish Forestry. A full list of consultees is set out at **Annex A.**

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 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, Scottish Ministers expect the EIA report to include all matters raised in responses from the consultees and advisors.

2.4 No responses were received from: Barr Community Council; Pinmore and Pinwherry Community Council; Civil Aviation Authority; Crown Estates Scotland; Fisheries Management Scotland; John Muir Trust; Ofcom; Scottish Wild Land Group and; Scottish Wildlife 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 South Ayrshire Council and Dumfries and Galloway Council, within whose area the proposed development would be situated, Scottish Natural Heritage, Scottish Environment Protection Agency and Historic Environment Scotland, all as statutory consultation bodies, and with other bodies which Scottish Ministers consider likely to have an interest in the proposed development by reason of their specific environmental responsibilities or local and regional competencies.

3.2 Scottish Ministers adopt this scoping opinion having taken into account the information provided by the applicant in its request dated 22 March 2019 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 South Ayrshire Council and Dumfries and Galloway Council for publication on their website. It has also been published on the Scottish Government energy consents website at www.energyconsents.scot.

3.4 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**.

3.5 Scottish Ministers are satisfied with the scope of the EIA set out at Section 2.5 in page 11 of 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 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. Scottish Ministers request that the company contacts Scottish Water 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.

3.8 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.

3.9 Scottish Ministers consider that where there is a demonstrable requirement for peat landslide hazard and risk assessment, the assessment should be undertaken as part of the EIA process to provide Ministers with a clear understanding of whether the risks are acceptable and capable of being controlled by mitigation measures. The Peat Landslide Hazard and Risk Assessments: Best Practice Guide for Proposed Electricity Generation Developments (Second Edition), published at http://www.gov.scot/Publications/2017/04/8868, should be followed in the preparation of the EIA report, which should contain such an assessment and details of mitigation measures.

3.10 The scoping report identified viewpoints at Table 5.3 be assessed within the landscape and visual impact assessment. South Ayrshire Council recommends viewpoints to be omitted and added – A2. SNH also comment on viewpoints and suggest an additional viewpoint – A35. The final viewpoints require to be agreed with the Energy Consents Unit in consultation with the Planning Authorities and SNH.

3.11 The cumulative noise assessment should be carried out in line with relevant legislation and standards as detailed in section 9 of the scoping report. This should include details about the representative background noise survey locations agreed with the relevant Planning Authority.

3.12 As the maximum blade tip height of turbines exceeds 150m the Night Time Assessment detailed in section 5.5.5 of the scoping report must include agreed viewpoints to consider the effects of aviation lighting and how the chosen lighting mitigates the effects. Please note South Ayrshire Council's specific comment on lighting at A2 and the comments from SNH on night time assessment – A36.

3.13 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 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. 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 Applicants are reminded that there will be limited opportunity to materially vary the form and content of the proposed development once an application is submitted.

5.7 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.

5.8 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). In addition, a separate disc containing the EIA report and its associated documentation in electronic format will be required.

Mark Ashton
Energy Consents Unit
20 May 2019

ANNEX A

Consultation

List of consultees

- South Ayrshire Council **(A1-A9)**
- Dumfries & Galloway Council **(A10-A15)**
- Historic Environment Scotland **(A16-18)**
- Scottish Environmental Protection Agency (**A19-A26)**
- Scottish Natural Heritage **(A27-A51)**
- Barrhill Community Council **(A52)**
- Barr Community Council*
- Pinmore and Pinwherry Community Council*
- Cree Valley Community Council **(A53-A56)**
- River Stinchar District Salmon Fisheries Board **(A59-A60 – Joint response with Ayrshire Fisheries Trust)**
- Galloway Fisheries Trust **(A57-A58)**
- Ayrshire Rivers Trust **(A59-A60)**
- British Horse Society **(A61-69)**
- British Telecommunications plc **(A70)**
- Civil Aviation Authority – Airspace*
- Crown Estate Scotland*
- Defence Infrastructure Organisation **(A71-A73)**
- Fisheries Management Scotland*
- Glasgow Prestwick Airport **(A74-A76)**
- Joint Radio Company Limited **(A77-A78)**
- John Muir Trust*
- Mountaineering Scotland **(A79-A80)**
- NATS Safeguarding **(A81)**
- Ofcom*
- RSPB Scotland **(A82-83)**
- Scottish Rights of Way and Access Society (Scotways) **(A84-86)**
- Scottish Water **(A87-A90)**
- Scottish Wild Land Group*
- Scottish Wildlife Trust*
- The Coal Authority **(A91)**
- Visit Scotland **(A92-A93)**
- West of Scotland Archeology Service (WOSAS) **(A94-95)**

*No response was received.

Internal advice from areas of the Scottish Government was provided by officials from Transport Scotland **(A96-98)**, Marine Scotland **(A99)** and Scottish Forestry **(A100-A101)**.

A1

Place Directorate

Service Lead – Planning and Building Standards: Fiona Mullen

Planning Service, Burns House, Burns Statue Square, AYR KA7 1UT
Tel: (01292) 616659
Email: [redacted]
Our Ref: Your Ref: ECU00001805
Date: 2 May 2019

Mark Ashton
Consents Manager
Energy Consents Unit
The Scottish Government

Sent by email: [redacted]

Dear Mr Ashton,

APPLICATION: **Local Planning Authority consultee response to Scoping Opinion Request**
SITE ADDRESS: **Proposed Wind Farm At Clauchrie U102 From Junction With A714 At Blair - North East Via Laggan Farm To Entrance To Darnaconnar House Barrhill South Ayrshire**
ECU Reference: **ECU00001805**

Thank you for your email dated 25th March 2019 inviting South Ayrshire Council's response as a consultee to the scoping opinion received by Scottish Ministers from LUC on behalf of Scottish Power Renewables.

In keeping with the breadth of environmental topics acknowledged within the applicant's Scoping Report, South Ayrshire Council has consulted internally with various departments whose respective remits pertain to those topics. The various responses to that intra council consultation are contained in the enclosed Annex and to avoid duplication their collective content forms an integral part of South Ayrshire Council's consultation response.

In addition to the observations and suggestions regarding scope and methodology contained in the Annex, South Ayrshire Council would particularly like to bring to the applicant and ECU's attention the publication of the revised South Ayrshire Landscape Wind Capacity Study. The updated version is dated August 2018 and is available here. Accordingly we would request that the assessment within the LVIA chapter of the EIA Report addresses and references the relevant findings of the 2018 Study amongst the sources it draws from, and that any mitigation/design response to the same is clearly articulated.

I trust the above feedback to be of assistance and note that notwithstanding the foregoing and attached, South Ayrshire Council's response at this juncture is confined to the technical parameters of the sufficiency of scope as regards EIA – and is strictly without prejudice to the authority's future partial consideration as to the actual merits of the proposal of the proposal upon its anticipated consultation, in due course, at S36 application stage.

Yours faithfully

Mr David Love
Supervisory Planner, Priority Projects

A2

ANNEX

Carol Anderson Landscape Consultant

LVIA methodology and study area
South Ayrshire Council are in agreement with a study area of 45km from the wind farm being set for the Landscape and Visual Impact Assessment (LVIA). We are also satisfied with the methodology proposed to be adopted for the LVIA.

Comments on the scope of the LVIA
Landscape and visual issues requiring to be addressed in addition to and supplementing the information set out in the Scoping Report of March 2019:

- **Effects on 'landmark' hills identified in the SALWCS**
  The Scoping Report acknowledges that '*distinctive steep-sided hills such as Fell Hill (465m) and Craigenreoch (565m)*' (paragraph 3.1) lie in the north-eastern part of the proposed development site. These hills are identified as landmark hills in the SALWCS and the effects of the proposal on their setting and scale should be considered in detail in the LVIA. We consider that Turbines 7, 10 and 13 may be particularly problematic in this respect.
- **Forest felling and restocking**
  Forest restructuring should accord with best landscape design practice set out in UK Forest Standards and the LVIA should consider the landscape and visual effects of felling and restocking with the forest restructuring proposals clearly shown on visualisations where relevant.
- **Local Landscape Areas**
  The South Ayrshire Scenic Area local landscape designation identified in Table 5.1 of the Scoping Report has now been replaced by Local Landscape Areas (LLA) following a comprehensive review of local landscape designations undertaken in 2018. Potential effects on the reasons for designation and special qualities of The Stinchar Valley and The High Carrick Hills LLAs should be considered in the LVIA. The background information on these LLAs can be obtained from the Council.

Landscape Character Types to be assessed in the LVIA
We note that SNH have recently completed their updated national Landscape Character Assessment. Given the likely broad level of the SNH characterisation, the Council agree that the more detailed character assessment set out in the South Ayrshire Landscape Wind Capacity Study (2018) should additionally inform the assessment of effects on landscape character (Scoping Report 5.2.2).

ZTV and viewpoints for visual assessment
It would be useful for a detailed and clearly reproduced Zone of Theoretical Visibility (ZTV) map based on a 1:50km OS map base to be produced in the LVIA showing visibility within 15km of the Proposal.
Some of the viewpoints listed in Table 5.3 of the Scoping Report lie close to/over 30km (and in some cases around 40km) from the proposed wind farm. We consider that as significant adverse effects are unlikely to occur from these distant viewpoints, they should be omitted from the LVIA. We require representative views from the following much closer locations to be additionally considered in the LVIA:

- Auchensoul Hill which lies immediately north-west of Barr
- Pinbreck Hill GR 345937 (this viewpoint, together with Viewpoint 3 listed in Table 5.3, would allow full consideration of the design and location of the proposal in relation to the distinctive Polmaddie hill range).
- B7027 in the High Altercannoch area south-east of Barrhill (in addition to Viewpoint 13 at Loch Mayberry which lies close to the boundary with Dumfries and Galloway) – see also comments on the RVAA below.
- Barrhill Railway Station or on the minor road between Barrhill and the station where the operational Marks Hill wind farm is already visible above the Duisk Valley. This would allow cumulative effects (including design and scale) to be considered in the LVIA.
- Views from more open sections of the Barr footpaths within Changue Forest www.ayrshirepaths.org.uk/walkbarr.htm

Turbine lighting
We note that section 3 of the Scoping Report does not mention turbine lighting and that there is also little detail of this in section 5 of the report which deals with landscape and visual matters. We require information on the nature of lighting proposed (and particularly whether radar activated proximity lighting or reduced intensity lighting may be used). The Council agrees that the viewpoints listed in paragraph 5.5.5 of the Scoping Report which lie within the Dark Skies Park should form the basis for the assessment of the effects of night time lighting. While the assessment will principally consider effects on the Dark Skies Park, we confirm that we would wish to see night time effects of the proposal additionally considered in nearby locations where current lighting levels are low.

Residential Visual Amenity Assessment (RVAA)
As there are very few residential properties lying within 2km of the proposed wind farm we would advise that the LVIA should focus on assessing impacts (and particularly cumulative effects with the many other wind farms in the study area) on local settlements and more dispersed but defined groups of residential development principally lying in the Stinchar and Duisk Valleys.

ACCON UK

ACCON have reviewed the noise section of the scoping report. The proposed methodology is broadly in line with what ACCON would expect from the noise consultants. ETSU-R-97 and IOA Good Practice guide are referenced in relation to operational wind turbine noise, along with B2 5228 and Design Manual for Roads and Bridges (DMRB) for construction and construction traffic noise Various aspects of the proposed assessment have been set out, such as how baseline noise data will be obtained and how the operational/construction phases will be assessed in accordance with the quoted guidance documents

9.1.1 Introduction
The introduction describes the aspects of the project likely to generate noise. In summary, it is explained that the noise assessment will assess construction including traffic, operational noise on nearby sensitive receptors and operational noise including cumulative effects.
9.2 Existing Conditions
Paragraph 246 mentions the relatively low population density in the area of the proposed development but acknowledges that there are a number of sensitive receptors within the site. The existing conditions are described as being dominated by "*natural sources*" and the scoping report identifies the potential influence from the A714, B734 and B7027 on the baseline conditions. ACCON note that this section omits any reference to noise from the nearby Mark Hill wind farm.
9.3 Proposed Surveys and Assessment Methodologies
9.3.1 Guidance
Paragraph 247, and the bullet points following in paragraph 248, appropriately summarise the relevant legislation, standards and guidance that will be used during the assessment stages, including ETSU-R-97, IOA GPG, ISO 9613, BS 5228 and DMRB. ACCON note that 'Wind Turbine Development: Submission Guidance Note' (SGN) issued by South Ayrshire Council Environmental Health has not been referred to.
9.3.2 Proposed Study Area
This section describes the principles by which the study area will be determined. ACCON advise that when defining the study area the relevant guidance on operational cumulative effects needs to be considered in addition to taking account of the potential direct effects of the proposed Development.
9.3.3 Desk and Field Survey
This section states that background survey locations will be chosen through consultation with South Ayrshire Environmental Health Officer and will comprise of noise monitoring over a "*minimum period of 2 to 4 weeks".* ACCON suggest that the Planning Team/ACCON should be consulted rather than the Environmental Health Team.
It is stated that the existing background levels will be "*measured in accordance with the procedures set out in ETSU-R-97 and IOA GPG".*
9.3.4 Assessment Methodology
9.3.4.1 Construction
Paragraph 253 states standard practice to consider the effects of construction noise and vibration to be temporary in nature and that the assessment of potential effects will be undertaken in accordance with BS 5228 Part 1 and Part 2.
9.3.4.2 Operation
Paragraph 259 appropriately states that *"The ETSU-R-97 methodology will be adopted for the assessment of operational noise impact"* and continues with a summary of the main points of the ETSU-R-97 methodology.
Paragraph 261 states the cumulative effects produced by all wind farms in the area will need to be considered. Mark Hill wind farm, which is the closest windfarm to the development is mentioned, and will be taken into consideration during this stage of the assessment.
The relevant aspects of the ETSU-R-97 guidance are discussed and the need for an assessment of cumulative effects is acknowledged. ACCON note that the IOA Good Practice Guide (IOA GPG) is not referenced on this section although it is presumed that the applicants intend to take it into account as it has been referenced under 'Guidance'. SAC would also expect the advice in the SAC SGN to be considered when the applicants derive operational noise limits for the Development and in the approach to the cumulative assessment.
9.4 Potential Effects
Potential effects are considered correctly. Paragraph 263 states that work undertaken so far indicates a likelihood that operational vibration from the proposed wind turbines can be scoped out of the assessment.
9.5 Approach to Mitigation

Paragraph 264 sets out relevant mitigation that may be utilised *during construction of the proposed wind farm*.
Paragraph 265 suggests that mitigation of the operational noise would be "achieved through the *design of the proposed Development, such that the relevant ETSU-R-97 noise limits can be achieved… with commercially available turbines, taking into account the noise emissions from cumulative windfarms in the area".* ACCON concur that this an appropriate design aim although the possibility of the need for further mitigation cannot be completely ruled out. Such measures could include the need for sound reduced modes for certain turbines in certain wind conditions.

9.6 Questions
Q9.1: Confirmation is sought that it is considered appropriate to scope out operational effects of vibration.
Based on ACCON's professional judgement and the remote nature of the site it would be expected that vibration from the operation of the proposed turbines would be negligible. We therefore agree that operational effects of vibration can be scoped out.
Q9.2: Do consultees agree that the proposed scope of the assessment is both sufficient and appropriate?
ACCON considers that the scope of the Noise section is sufficient and appropriate on the understanding that the applicants will take note of our comments.

Sustainability (Biodiversity)

Hi David, I've now read the EIA Scoping Report for the proposed Clauchrie wind farm development. In relation biodiversity I am happy that the proposed assessment methodology / survey framework plans to cover all the relevant significant environmental effects relating to ecology / habitat surveys / ornithology and EPS which would be considered in the final EIA Report. Although I broadly agree with the proposed survey methods and mitigation I am not a specialist in ecology or ornithology so cannot really answer the specific questions in Appendix B (list of scoping question). If not already consulted It would be worthwhile for the developers agents to consult with the South West Scotland Environmental Information Centre in relation to these questions - **Q8.3**.

Kind regards

John

John Cochrane | Environmental Strategy Officer | South Ayrshire Council | Sustainable Development | Place Directorate | Operations Centre | Walker Road | Ayr | KA8 9LE | [redacted] | Direct Line: [redacted] | www.south-ayrshire.gov.uk

Sustainability (Landscape)

David,

Further to the submitted pre-application and scoping enquiry in relation to the proposed Clauchrie Windfarm, I can advise as follows.

The proposal is for up to 16 turbines, with a maximum blade tip height of 200m and associated infrastructure, situated approximately 6km to the NE of Barrhill. The red-line site is owned by Forestry and Land Scotland and comprises mostly of commercial Sitka Spruce plantations.

Landscape and Visual Impact Assessment is proposed to consider direct and indirect effects upon landscape and on visual receptors as well as cumulative effects (CLVIA) of the proposed development in combination with other windfarm developments. The study area of 45km from the outermost turbines is proposed for the LVIA.

Landscape and visual considerations are proposed to play a major role in design of the Development.

Mitigation for landscape and visual effects are proposed to be considered as well.

Ayrshire Roads Alliance

David,

The proposed site access for this wind farm is within Dumfries and Galloway, and the proposal would appear to be to deliver the turbine components from either Cairnryan or KGV in Glasgow and approaching on the A714 from Newton Stewart. This would mean the abnormal loads would not travel on SAC roads, so our pre-app comments would really just be that we note the proposals and reserve the right to comment further as and when more detailed information is available.

Kind regards,

Graeme

Environmental Health

south AYRSHIRE COUNCIL

MEMORANDUM

Tel: [redacted]
Our Ref: MS/SM/19/01051/PLNAPP Your Ref:
Date: 23 April 2019

From: Environmental Health
3rd Floor
Burns House
Ayr

To: Planning Service
Development Management
Fifth Floor
Burns House
Ayr

SUBJECT: Planning Application Reference No.
Email from David Love on 02/04/2019
Proposed Wind Farm At Clauchrie
U102 From Junction With A714 At Blair - North East Via Laggan Farm To Entrance To Darnaconnar House
Barrhill
South Ayrshire

I refer to the above planning application consultation submitted to this section on 17 April 2019 and can advise as follows.

Following perusal of these plans the comments and representations I would advise that:

Prior to planning consent being granted the following comments and representations should be complied with to satisfy Environmental Health:

1. Shadow Flicker

Following a complaint to the Planning Authority the applicant will appoint a suitably qualified person to the satisfaction of the Local Authority, who will undertake an investigation into the incidence of shadow flicker at the compliant location. Where shadow flicker is confirmed to result in loss of amenity, then mitigation measures require to be implemented, to the satisfaction of the Local Authority.

Reason: to prevent nuisance to residents from shadow flicker

2. Construction Noise

a) Prior to the commencement of works on site, the company shall submit to the planning authority a management plan for minimising the emission of dust from the construction and operation of the development hereby authorised. The dust management plan shall specify the following matters and, after its approval shall be implemented in full by the Company:-

- The water spraying of all internal roads and stockpiles of materials to suppress dust in periods of prolonged dry weather;
- The means to ensure that an adequate water supply is available at all times for dust suppression purposes;
- The operation of the site so as to ensure that adequate steps are taken at all times to minimise dust propagation from un-surfaced access tracks within the site.

Reason: To minimise dust to nearby residents.

b) Construction works require to be carried out in accordance the approved Code of Practice BS 5228-1 and 2:2009 Noise and Vibration Control on Construction and Open Sites or any subsequent code amending consolidating or replacing it as approved by the Secretary of State pursuant to Sections 71(2) and 104 of the Control of Pollution Act 1974.

As the development is in an area of existing low ambient noise levels and the construction activities continue for more than 1 month the following minimum criteria are applicable:-

Assessment category and threshold value period (LAeq) Threshold value in decibels (dB),

Category A

Night time (23.00-07.00)45

Evenings and Weekends* 55

Daytime (07.00-19.00) and Saturdays (07.00-13.00) 65

*19.00-2300 weekdays, 1300-23.00 Saturdays and 07.00-23.00 Sundays. 5228-1 Annex E.

c) Prior to any works being undertaken a detailed method statement for the construction project will require to be undertaken for approval by South Ayrshire Council Planning Department. This shall

include an assessment of potentially noisy operations and outline the noise mitigation measures proposed. This will also include a programme and phases for each stage of work.

The site contractors shall conduct all site operations in accordance with accredited documented procedures. This shall include a site complaint investigation procedure.

d) No Blasting shall take place until a monitoring scheme to address borrow pit blasting has been submitted to South Ayrshire Council and received the written approval of, the planning authority. The scheme shall be implemented as approved in writing by the planning authority. The scheme shall make provision for:

- Blasting monitoring locations (Nearest noise/vibration sensitive properties)
- Type of monitoring equipment to be used;
- Frequency of monitoring.
- The methods to be employed to minimise the effects of overpressure arising from blasting, having regard to blast design, methods of initiation and the weather conditions prevailing at the time;
- Limits of overpressure levels at specified properties; and
- Submission of blasting records to the planning authority.

Reason: To minimise disturbance to residents from noise and vibration.

e) No blasting shall take place except between the following times:-

- 10:00 – 12:00 and 14:00 – 16:00 Mondays to Fridays
- 10:00 – 12:00 Saturdays

Reason: To minimise disturbance to local residents.

NB. Operational Noise Conditions are actioned by an external acoustic consultancy.

3. Impact on Water –Private Water Supplies, Sources, Catchment Areas. (PWS)

a) There shall be no Commencement of Development unless a method statement has been submitted to and approved in writing by the Planning Authority, in consultation with Environmental Health, detailing all proposed mitigation measures to be delivered to secure the quality, quantity and continuity of water supplies, their sources and source catchment areas, to properties which are served by private water supplies at the date of this consent and which may be affected by the Development.

The method statement shall include an Environmental Impact Assessment, and an Emergency Plan of Action statement. These should include water quality sampling

methods and shall specify abstraction points. The approved method statement shall thereafter be implemented in full.

b) That all forestry works, including access, proposed is clearly mapped, and adherence to the Forest and Water guidelines is demonstrated.

South Ayrshire Council Environmental Health Department are the enforcing agency for Private Water legislation within South Ayrshire Council local authority. Under the Scottish legislation landowners, contractors, and persons have a Duty of Care, which state “that a person must not take any action which has the effect of allowing deterioration of the quality of water”, this being Regulation 16, and non-compliance is an offence, and enforcement action can be taken.

There are habited land areas within South Ayrshire Council authority boundaries that do not and probably never will have, the opportunity to access mains water. To have a proposed site in perpetuity, will require robust risk assessment measures, and clear, detailed plans relating to proposed future construction which could also have the potential to affect Private Water Supplies.

c) For the avoidance of doubt the method statement as a minimum shall include a robust site specific emergency plan of action procedures to be in place prior to commencement of any construction works for the wind farm, access roads or compounds etc. Written procedures should include the following details:

Proposed buffer zones around the catchment areas to PWS sources and the supply lines clearly marked on a plan.

- Proposed borrow pits and potential outer boundaries should they require alternate siting after investigation, site layout, clearly mapped, showing hydraulic connection, and possible risk associations to source and catchment areas for private water supplies. This is to allow a realistic comparison in relation to the Private Water Supply properties, sources and catchment areas that could potentially be contaminated through basting and quarry workings, and be rendered unusable, potentially for all time.
- Proposed Compounds, substations and other structures, cables etc., laid on ground or underground, to be clearly marked on a plan.
- Site specific mitigation measures and where this will take place, who will take responsibility, and when they will be taken, to be written into an emergency action plan for during and after construction, forestry etc.
- Emergency contacts 24/7, with contact telephone numbers and email addresses detailing responsible persons. These require to be supplied to the PWS owners and users, as well as South Ayrshire Planning department and Environmental Health Department

- Programme of water sampling to be carried out, commencing before, and continued, during and post construction works, with weekly monitoring analysis results being collated sent through on a monthly basis to the Planning Authority, South Ayrshire Council.
- Forest removal/harvesting, replanting, compensatory, details of start and end dates, notification of intended works, details of proposed phases, where, when, by whom, who responsible and emergency contacts (as above).
- Re-planting or compensatory planting details, where, when, by whom, who responsible and emergency contacts (as above) also who will be responsible for maintenance on the replanted trees, and what chemicals are to be used.
- Details on proposed buffer zones to Private Water Supplies, their sources, and catchment areas in relation to all forestry work proposed.

  Reason: To maintain a secure and adequate quality water supply to all properties with private water supplies that may be affected by the development.

  To minimise impacts on groundwater quality and hydrology.

This response with recommendations was prepared by Mr Matt Smith, Environmental Health Officer to whom any further enquiries can be made on [redacted].

Proposal: CONSULTATION FROM SCOTTISH GOVERNMENT ENERGY CONSENTS UNIT REGARDDING SCOPING OPINION FOR PROPOSED CLAUCHRIE WIND FARM

Location: Clauchrie Wind Farm, South Ayrshire

Application Type: Scoping Opinion

Ref. No.: 19/0479/ENQ

1. This scoping request from the Scottish Government Energy Consent Unit relates to a proposal to construct and operate a wind farm at a site centring on Knockinlochie Hill (322m AOD). The applicant, Scottish Power Renewables (UK) Ltd, seeks consent for the erection of 16 wind turbines up to 200 metres to tip height, formation of crane hardstandings, installation of underground power cables, upgraded and new site access tracks, passing places and turning circles, substation compound and control building, parking area, battery storage and ancillary grid services equipment and other temporary structures/compounds and masts. The application site lies across the South Ayrshire (SAC) and Dumfries and Galloway Council (DGC) areas, with the turbine developable area lying entirely within the SAC administrative area and the new site access and approximately 7km of access track located within the DGC boundary. The proposed works will be sought under Section 36 of the Electricity Act 1989, with the application being made to the Scottish Government Energy Consents Unit.

2. The Planning Service consulted the following Departments of Dumfries and Galloway Council: Archaeologist and Council Roads Officer.

To date responses have been received by the following internal consultees:

3 **Council Archaeologist**

3.1 A scoping opinion is sought for a wind farm in forested moorland on the South Ayrshire and Dumfries and Galloway border, 6km north-east of Barrhill, between Pindonnan Craigs and Knockinlochie. The proposal is for approximately 16 turbines up to 200 m to turbine blade tip, with associated infrastructure, the turbines set within South Ayrshire, with the access route coming from the A714 to the south in Dumfries and Galloway. Cultural heritage issues are addressed in section 10 of the Scoping Report.

3.2 It is confirmed that there is potential for a proposal of this nature to have significant impact on cultural heritage assets and therefore potential effects will need to be assessed in the environmental impact assessment. Both direct and indirect effects will need to be assessed.

3.3 Careful note should be taken of the following in respect of this assessment:
Planning Policy IN1: Wind Energy Development
The applicant should be aware of the statutory supplementary guidance Part 1 Wind Energy Development: Development Management Considerations, adopted June 2017. This is supported by the Dumfries and Galloway Wind Farm Landscape Capacity Study (Appendix 1A and 1B).

It is advised that the landscape capacity study considered 'Settlement and Archaeology' as one of the landscape sensitivities informing the landscape capacity study and the resulting spatial framework.

3.4 In addition, Section F of the SPG contains guidance on Historic Environment and Cultural Heritage for all proposals that must be considered.
It is noted that the proposed turbines are over 150m and therefore the assessment will have to consider effects of turbines of this scale. At such a height they are liable to have a widespread visibility within 10km of the site. A potentially wide effect on historic character can be anticipated. This should be assessed.

Indirect effects
3.5 Generally, impacts on the setting of significant historic environment assets, should be led by the Zone of Theoretical Visibility (ZTV), with the greatest effects likely to be experienced by sites of national (note that not all are designated), or greater significance closest to the site. The scoping proposal is for an Inner Study Area of 2km, and an Outer Study Area of 5km.

3.6 This is considered too restrictive, the norm for assessment of indirect effects within Dumfries and Galloway is that nationally significant sites (Scheduled Monuments, Inventory Designed Landscapes, A-listed buildings and unscheduled sites considered by the local authority to be of national significance) out to 10km should be assessed, as well as regionally significant Non- Inventory Designed Landscapes and Archaeologically Sensitive Areas. Regionally significant historic assets out to 5km should also be included. Promoted heritage sites along the Southern Upland Way should also be assessed where the fall within the ZTV.

3.7 On the information available it is advised that indirect effects on the following assets must be included in any assessment:

• *Designated monuments within a 10km boundary; at Cainderry cairn (HS ref SM1007), White Cairn (SM1048) and Loch Maberry Castle (SM1991)*

3.8 After preliminary assessment a finalised list of illustration for inclusion in the EIA should be agreed with the Council Archaeologist. Cumulative effects will also need to be considered. The Planning case officer will confirm the developments that need to be considered.

3.9 Any submitted visualisation should be completed following SNH 2017 guidelines 'Visual Representation of Wind Farms, Version 2.2'. SNH recommend a 27 degree horizontal arc. If a particular viewpoint is so close to turbines that a single 27 degree arc will not include all turbines that could affect the setting of a historic environment asset then multiple adjacent 27 degree images should be taken to allow all turbines and infrastructure to be taken into consideration.

Direct Effects
3.10 Examination of the Council's Historic Environment Record notes a number of historic assets within the footprint of the proposed development. Some of these may have been affected by forestry activity, but a comprehensive walkover survey will be required to assess the extent and condition of remains.

3.11 Information on the extent of and results from the walkover must be logged by the chosen archaeological contractor as an archaeological event via the online OASIS recording system. It would be helpful if the Council's Historic Environment Record could be provided with the final gazetteer of sites in digital format, along with corresponding GIS datasets for the location and extent of any identified assets, as well as the extent of the walkover.

3.12 The designated Scheduled Monument of Cairnderry Cairn lies immediately adjacent to the forestry access road from the A714. The designated area runs right up to the western boundary of the road itself. Any proposed alteration to the entry off the A714 must avoid direct impacts on the cairn itself, and any road improvement schemes be confined to the eastern side of the existing forest road. Mitigation proposals will be required.

Policy
3.13 Key policy statements that have been issued by Scottish Government in relation to the historic environment are:

- Historic Environment Policy for Scotland (HEPS) 2019 (this has replaced HESP 2016, referred to in the scoping report);
- Scottish Planning Policy 2014, paragraphs 141 - 151 on Historic Environment
- Managing Change in the Historic Environment: Setting 2016
- Planning Advice Note 2/2011 Planning and Archaeology

In addition to national policy the relevant Council policies covering the historic environment in this case are:

- Local Development Plan Policy HE1: Listed Buildings
- Local Development Plan Policy HE3: Archaeology
- Local Development Plan Policy HE6: Gardens and Designed Landscapes

4 **Council Roads Officer**
4.1 This enquiry in relation for a scoping opinion is for the proposed erection of up to 16 no. wind turbines up to 200m high at the tip and construction of on-site substation, anemometry masts, a temporary construction compound, on-site access tracks, and borrow pits at land north of Creeside Farm with access taken south of Wheeb Bridge, adjacent to Goats Burn.

4.2 It is noted that the 'Scoping Report' identifies that: -

- The proposal is for up to 16 wind turbines, with a height of up to 200m (blade tip);
- The project is estimated to take 18 months to complete;
- The proposed site is located within South Ayrshire but access will be taken from Dumfries and Galloway;
- This proposal will utilise an existing timber haulage access served by the A714;
- All construction traffic will access the site via the A714;

- Access to the site for abnormal loads would be the A75(T), A714 to the site entrance; and
- On-site borrow pits will be utilised where possible however depending on quality, aggregate may have to be imported.

4.3 Whilst I have no objections in principle to the proposal and have no issues with the proposed assessment scope or methodology outlined in the Scoping Report, I would offer the following observations that should be considered and addressed by any future submission/ES:-

- It would be appropriate that Transport Scotland be consulted with regard to any access utilising the Trunk Road network;
- It would be appropriate that any future application identify the full extent of proposed off-site road accommodation and mitigation works including passing place provision, carriageway strengthening, widening and alterations to road boundaries all along any proposed access routes necessary to permit construction traffic and the passage of component delivery vehicles (this will require land out with the public road boundary and a separate planning consent may be required in respect of these works) and the potential impacts on utility services lying within the public road boundary;
- All accommodation works must be designed and constructed to the satisfaction of the Planning Authority in consultation with the Roads Authority and will require appropriate permits and consents to have been issued;
- Proposals for all accommodation works should be supported by swept path tracks;
- Where public road boundaries are to be altered either for the formation of temporary accesses or for accommodation works, these should be reinstated in their original position at the conclusion of construction works (unless prior agreements have been secured with the Planning and Road Authorities);
- It would be appropriate that any future submission/Environmental Statement include reference to a Traffic Management Plan (to be agreed in writing with the Police and the Roads Authority prior to any works commencing on site) that should include a programme of projected traffic movements associated with the project by programme month and vehicle type, details of all proposed mitigation measures, agreed and excluded access routes, enforcement measures (driver code of conduct and disciplinary action) and details of measures that will be implemented to ensure that no stacking of delivery vehicles occur on any part of the public road network;
- Whilst it is accepted that the intention is that normal and abnormal loads will take access and egress via an 'agreed' route, there is likely to be some increase in traffic using other minor roads. There is also the possibility of other unrelated windfarm projects being constructed in the vicinity concurrently with this project. Therefore, it would be appropriate that the TMP acknowledge that co-ordination phasing may be required to mitigate against the cumulative traffic impact;
- In the event that suitable and sufficient aggregate not be available from on-site Borrow Pits, any future submission/ES should include details of tonnages and vehicle movements so that the potential impact of importing aggregate from elsewhere via the public road network be assessed;

- It would be appropriate that there should be consultation with nearby forest managers and timber hauliers through the office of the South of Scotland Timber Transport Officer to co-ordinate timber haulage operations that may use the access route during the construction period to minimise the cumulative impact on communities and road users;
- The developer will be held responsible for the immediate execution of any repairs and will be required to meet the cost of above average maintenance to the public road network arising from the concentration of heavy traffic associated with this development. This to be secured by legal agreement (Section 96);
- The installation of the grid connection will have an impact upon public roads where the route follows a road, crosses a road or crosses a bridge on the road;
- Where an access route crosses bridges and culverts, the applicant will require to get approvals (in respect of those structures) from the Council's Engineering Design Bridges and Structures Unit.

5 Other Matters

5.1 The Council considers that the structure of the scoping report is clear and sets out a prudent approach to the topics that may give rise to significant effects and should be fully examined in the forthcoming EIA Report. Additionally, the topics listed in the report are acceptable to the Council and should be fully assessed within the EIA Report.

5.2 Whilst content with the topics and structure of the proposed EIA Report, the Council intends to offer no comments on the proposed questions within the scoping report, with the following exceptions:

Question 4.1: Is the approach to consideration of relevant planning policies considered to be appropriate (i.e. that there will be no Planning Policy Context chapter in the EIA Report, with relevant policies being referred to in each specialist topic chapter, and covered in detail in the supporting Planning Statement)?
The Council is content with this approach.

Question 4.2: Are the policies identified in Table 4.1 appropriate for inclusion in the EIA Report and Planning Statement policy appraisal? Are there any others that should be considered?
The Council notes that the policies identified in table 4.1 all relate to the South Ayrshire Council LDP. In terms of Dumfries and Galloway Council's adopted LDP, an assessment of the following additional policies would be welcomed (in addition to those identified in paragraphs 88 to 92 of the Scoping report): Policy HE1: Listed Buildings, HE3: Archaeology and HE6: Gardens and Designed Landscapes. Further National Policy on the cultural environment (as outlined in the Council archaeologist response) as noted at 3.13 above would also be welcomed.

Question 4.3: Are there any other local material considerations of relevance to the proposed Development which should be considered?

With respect to the emerging LDP, it should be noted that Examination of the Proposed Plan by Scottish Government Reporters is now complete, (Examination Report issued 29 April 2019) and it is anticipated that the outcome of the examination will be reported to Full Council on 27 June 2019.

Question 10.1: Confirmation is requested that the cultural heritage study areas are considered appropriate for the assessment.
Please note the contents of the Council archaeologist's response above.

Question 11.1: Confirmation is sought on the acceptability of the proposed study area and assessment method.
Please note the contents of the Council Roads Officer's response above.

HISTORIC ENVIRONMENT SCOTLAND | ÀRAINNEACHD EACHDRAIDHEIL ALBA

[redacted]

Mark Ashton
Energy Consents Unit
4th Floor, 5 Atlantic Quay
[redacted]
G2 8LU

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line [redacted]

Our case ID: 300036147
Your ref: ECU00001805

16 April 2019

Dear Mr Ashton

ELECTRICITY ACT 1989

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

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR CLAUCHRIE WINDFARM

[redacted]

Thank you for your consultation which we received on 26 March 2019 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 South Ayrshire and Dumfries and Galloway Council's archaeological and cultural heritage advisors will also be able to offer advice on the scope of the cultural heritage assessment. This may include heritage assets not covered by our interests, such as unscheduled archaeology, and category B- and C-listed buildings.

Proposed Development
I understand that the proposed development comprises 16 wind turbines of 200m blade tip height, including the associated infrastructure, to be erected on land approximately 6km to the north of Barrhill within the administrative boundaries of both South Ayrshire Council and Dumfries and Galloway Council.

Scope of assessment
We have reviewed the information provided with this scoping consultation in terms of our historic environment interests.

[redacted]

General comments
Without prejudice and based on the information submitted, we can confirm that the proposal comprising of 16 wind turbines with the height of up to 200m to blade tip has the potential to impact on the setting of some heritage assets within our remit.

We note the content of Chapter 10: Cultural Heritage and are aware that the applicant is seeking a confirmation that the cultural heritage study areas are appropriate for the assessment of impacts on sites within our remit. In this respect, we understand that potential impacts on all scheduled monuments, category A-listed buildings, Inventory GDLs and Inventory battlefield located within the 5km study area are to be assessed in the EIA Report.

Given the height of the proposed turbines, we consider the proposed study area is too restrictive as there may also be heritage assets likely to experience a significant impact beyond this distance and the application of a ZTV model should help to identify such sites.

Direct impacts
We note that there is one scheduled monument: **Cairnderry, chambered cairn (SM [redacted]** be directly impacted by the proposals [redacted] access track. The applicant should be aware that any works within the scheduled area would require the prior written consent in the form of Scheduled Monument Consent (SMC), obtained through Historic Environment Scotland. Without wishing to prejudge any final decision it is unlikely that SMC would be granted for any works associated with this scheme at this monument. Care should therefore be taken in planning any services, access or amendments to the scheme to avoid this or any other scheduled monuments. Also, if the proposal necessitated widening of the existing forestry track, this could have a significant setting impact on this cairn and should therefore be taken into consideration when planning the works and assessed in the EIA.

Indirect impacts
From the information provided with this consultation it appears that the following scheduled monuments could receive the most significant setting impacts:

- Ballmalloch, chambered cairn (SM2503)
- Sheuchan's Cairn, chambered cairn, Highlandman's Rig (SM 1041)
- Cairn Kinna, two cairns 960m ESE of Corrafeckloch (SM 1008)

The EIA should therefore provide full consideration of the potential impacts on the settings of these monuments. Impacts on any other heritage assets identified through the

[redacted]

mes and photomontages should be provided to assist in the assessment, where impacts are likely to be highest. We would be happy to offer more detailed comments on the draft visualisations, once they are available.

[redacted]
In terms of the policy and guidance that should be referred to in the cultural heritage assessment, we advise that a new *Historic Environment Policy for Scotland* (HEPS) has just been published. It comes into use on Wednesday 1 May 2019 when it replaces the Historic Environment Scotland Policy Statement. The new HEPS is available to download here: https://www.historicenvironment.scot/advice-and-support/planning-and-guidance/historic-environment-policy-for-scotland/.

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

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Urszula Szupszynska and they can be [redacted]il on [redacted]

Yours sincerely

Historic Environment Scotland

SEPA
Scottish Environment Protection Agency
Buidheann Dìon Àrainneachd na h-Alba

Our ref: PCS/164607
Your ref: ECU00001805

If telephoning ask for:
Brian Fotheringham

17 April 2019

Mr M Ashton
Consents Manager
Energy Consents Unit
The Scottish Government

By email only to: [redacted]

Dear Sir

THE ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT (SCOTLAND) REGULATIONS 2017
REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR CLAUCHRIE WINDFARM

Thank you for consulting SEPA on the scoping opinion for the above development proposal by your email received on 26 March 2019 and I apologise for the delay in our response.

Advice to the planning authority

We consider that the following key issues must be addressed in the Environmental Impact Assessment process. To **avoid delay and potential objection,** the information outlined below and in the attached appendix must be submitted in support of the application.

a) Map and assessment of all engineering activities in or impacting on the water environment including proposed buffers, details of any flood risk assessment and details of any related CAR applications.

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

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

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

e) Map and table detailing forest removal.

Chairman
Bob Downes
Chief Executive
Terry A'Hearn

Angus Smith Building
6 Parklands Avenue, Eurocentral,
Holytown, North Lanarkshire ML1 4WQ
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f) Map and site layout of borrow pits.

g) Schedule of mitigation including pollution prevention measures.

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

i) Map of proposed waste water drainage layout.

j) Map of proposed surface water drainage layout.

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

l) Decommissioning statement.

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

1. Site specific comments

1.1 We have completed our review of the Scoping Report submitted for the proposed 16 turbine wind farm at the above location. We acknowledge the preliminary site assessments that have been undertaken and are generally satisfied that the environmental issues and potential impacts relevant to our interests have been identified and will be subject to detailed assessment in the forthcoming EIA.

1.2 We would emphasise that the most environmentally friendly, cost effective and efficient methodology for dealing with sites where peat will be potentially a constraint to development is the promotion of the avoidance principle, especially the Class1 Priority Habitat. Peat disturbance should be minimised and where it cannot be avoided we will expect full details to be provided on the proposed reuse of the peat arisings and will not support activities which we consider to be disposal. We will expect all of these matters to be addressed in the Peat Management Plan.

1.3 We recognise areas of the proposed site lie within an established Sitka Spruce plantation and we would again advise that the use of 'forestry wastes' will only be supported by SEPA when these uses are considered to be beneficial for habitat creation. Depending on the scale of the 'forestry works' the applicant may choose to submit their plans as a dedicated Chapter in the EIA.

1.4 We note in the scoping report that flood risk may be an issue on parts of the site and we will therefore expect sufficient detail to be provided in the EIA which will ensure that the site activities will not exacerbate the existing flood risk extent.

Regulatory advice for the applicant

2. Regulatory requirements

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

2.2 Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.

2.3 A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from a construction site, including access tracks, which:

- is more than 4 hectares,
- is in excess of 5km, or
- includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25˚

See SEPA's Sector Specific Guidance: Construction Sites (WAT-SG-75) for details. Site design may be affected by pollution prevention requirements and hence we strongly encourage the applicant to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office.

2.4 Below these thresholds you will need to comply with CAR General Binding Rule 10 which requires, amongst other things, that all reasonable steps must be taken to ensure that the discharge does not result in pollution of the water environment. The detail of how this is achieved may be required through a planning condition.

2.5 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office at:

31 Miller Road
Ayr
KA7 2AX

Tel no [redacted]

If you have queries relating to this letter, please contact me by telephone or [redacted] or e-mail at [redacted]

Yours faithfully

Brian Fotheringham
Senior Planning Officer
Planning Service

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

Appendix 1: Detailed scoping requirements

This appendix sets out our scoping information requirements. There may be opportunities to scope out some of the issues below depending on the site. Evidence must be provided in the submission to support why an issue is not relevant for this site in order **to avoid delay and potential objection**.

If there is a delay between scoping and the submission of the application then please refer to our website for our latest information requirements as they are regularly updated; current best practice must be followed.

We would welcome the opportunity to comment on the draft submission. As we can process files of a maximum size of only 25MB the submission must be divided into appropriately named sections of less than 25MB each.

1. Site layout

1.1 All maps must be based on an adequate scale with which to assess the information. This could range from OS 1: 10,000 to a more detailed scale in more sensitive locations. Each of the maps below must detail all proposed upgraded, temporary and permanent site infrastructure. This includes all tracks, excavations, buildings, borrow pits, pipelines, cabling, site compounds, laydown areas, storage areas and any other built elements. Existing built infrastructure must be re-used or upgraded wherever possible. The layout should be designed to minimise the extent of new works on previously undisturbed ground. For example, a layout which makes use of lots of spurs or loops is unlikely to be acceptable. Cabling must be laid in ground already disturbed such as verges. A comparison of the environmental effects of alternative locations of infrastructure elements, such as tracks, may be required.

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

2.1 The site layout must be designed to avoid impacts upon the water environment. Where activities such as watercourse crossings, watercourse diversions or other engineering activities in or impacting on the water environment cannot be avoided then the submission must include justification of this and a map showing:

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

b) A minimum buffer of 50m around each loch or watercourse. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse and drawings of what is proposed in terms of engineering works.

c) Detailed layout of all proposed mitigation including all cut off drains, location, number and size of settlement ponds.

2.2 If water abstractions or dewatering are proposed, a table of volumes and timings of groundwater abstractions and related mitigation measures must be provided.

2.3 Further advice and our best practice guidance are available within the water engineering section of our website. Guidance on the design of water crossings can be found in our Construction of River Crossings Good Practice Guide.

2.4 Refer to Appendix 2 of our Standing Advice for advice on flood risk. Watercourse crossings must be designed to accommodate the 0.5% Annual Exceedance Probability (AEP) flows, or information provided to justify smaller structures. If it is thought that the development could result in an increased risk of flooding to a nearby receptor then a Flood Risk

Assessment must be submitted in support of the planning application. Our Technical flood risk guidance for stakeholders outlines the information we require to be submitted as part of a Flood Risk Assessment. Please also refer to Controlled Activities Regulations (CAR) Flood Risk Standing Advice for Engineering, Discharge and Impoundment Activities.

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

3.1 Scottish Planning Policy states (Paragraph 205) that "Where peat and other carbon rich soils are present, applicants must assess the likely effects of development on carbon dioxide (CO_2) emissions. Where peatland is drained or otherwise disturbed, there is liable to be a release of CO_2 to the atmosphere. Developments must aim to minimise this release."

3.2 The planning submission must a) demonstrate how the layout has been designed to minimise disturbance of peat and consequential release of CO_2 and b) outline the preventative/mitigation measures to avoid significant drying or oxidation of peat through, for example, the construction of access tracks, drainage channels, cable trenches, or the storage and re-use of excavated peat. There is often less environmental impact from localised temporary storage and reuse rather than movement to large central peat storage areas.

3.3 The submission must include:

a) A detailed map of peat depths (this must be to full depth and follow the survey requirement of the Scottish Government's Guidance on Developments on Peatland - Peatland Survey (2017)) with all the built elements (including peat storage areas) overlain to demonstrate how the development avoids areas of deep peat and other sensitive receptors such as Groundwater Dependent Terrestrial Ecosystems.

b) A table which details the quantities of acrotelmic, catotelmic and amorphous peat which will be excavated for each element and where it will be re-used during reinstatement. Details of the proposed widths and depths of peat to be re-used and how it will be kept wet permanently must be included.

3.4 To avoid delay and potential objection proposals must be in accordance with Guidance on the Assessment of Peat Volumes, Reuse of Excavated Peat and Minimisation of Waste and our Developments on Peat and Off-Site uses of Waste Peat.

3.5 Dependent upon the volumes of peat likely to be encountered and the scale of the development, applicants must consider whether a full Peat Management Plan (as detailed in the above guidance) is required or whether the above information would be best submitted as part of the schedule of mitigation.

3.6 Please note we do not validate carbon balance assessments except where requested to by Scottish Government in exceptional circumstances. Our advice on the minimisation of peat disturbance and peatland restoration may need to be taken into account when you consider such assessments.

4. Disruption to Groundwater Dependent Terrestrial Ecosystems (GWDTE)

4.1 GWDTE are protected under the Water Framework Directive and therefore the layout and design of the development must avoid impact on such areas. The following information must be included in the submission:

a) A map demonstrating that all GWDTE are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.

b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all GWDTE affected.

4.2 Please refer to Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems for further advice and the minimum information we require to be submitted.

5. Existing groundwater abstractions

5.1 Excavations and other construction works can disrupt groundwater flow and impact on existing groundwater abstractions. The submission must include:

a) A map demonstrating that all existing groundwater abstractions are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.

b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all existing groundwater abstractions affected.

5.2 Please refer to Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems for further advice on the minimum information we require to be submitted.

6. Forest removal and forest waste

6.1 Key holing must be used wherever possible as large scale felling can result in large amounts of waste material and in a peak release of nutrients which can affect local water quality. The supporting information should refer to the current Forest Plan if one exists and measures should comply with the Plan where possible.

6.2 Clear felling may be acceptable only in cases where planting took place on deep peat and it is proposed through a Habitat Management Plan to reinstate peat-forming habitats. The submission must include:

a) A map demarcating the areas to be subject to different felling techniques.

b) Photography of general timber condition in each of these areas.

c) A table of approximate volumes of timber which will be removed from site and volumes, sizes of chips or brash and depths that will be re-used on site.

d) A plan showing how and where any timber residues will be re-used for ecological benefit within that area, supported by a Habitat Management Plan. Further guidance on this can be found in Use of Trees Cleared to Facilitate Development on Afforested Land – Joint Guidance from SEPA, SNH and FCS.

7. Borrow pits

7.1 Scottish Planning Policy states (Paragraph 243) that "Borrow pits should only be permitted if there are significant environmental or economic benefits compared to obtaining material from local quarries, they are time-limited; tied to a particular project and appropriate reclamation measures are in place." The submission must provide sufficient information to address this policy statement.

7.2 In accordance with Paragraphs 52 to 57 of Planning Advice Note 50 Controlling the Environmental Effects of Surface Mineral Workings (PAN 50) a Site Management Plan should be submitted in support of any application. The following information should also be submitted for each borrow pit:

a) A map showing the location, size, depths and dimensions.

b) A map showing any stocks of rock, overburden, soils and temporary and permanent infrastructure including tracks, buildings, oil storage, pipes and drainage, overlain with all lochs and watercourses to a distance of 250 metres. You need to demonstrate that a site specific proportionate buffer can be achieved. On this map, a site-specific buffer must be drawn around each loch or watercourse proportionate to the depth of excavations and at least 10m from access tracks. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse, drawings of what is proposed in terms of engineering works.

c) You need to provide a justification for the proposed location of borrow pits and evidence of the suitability of the material to be excavated for the proposed use, including any risk of pollution caused by degradation of the rock.

d) A ground investigation report giving existing seasonally highest water table including sections showing the maximum area, depth and profile of working in relation to the water table.

e) A site map showing cut-off drains, silt management devices and settlement lagoons to manage surface water and dewatering discharge. Cut-off drains must be installed to maximise diversion of water from entering quarry works.

f) A site map showing proposed water abstractions with details of the volumes and timings of abstractions.

g) A site map showing the location of pollution prevention measures such as spill kits, oil interceptors, drainage associated with welfare facilities, recycling and bin storage and vehicle washing areas. The drawing notes should include a commitment to check these daily.

h) A site map showing where soils and overburden will be stored including details of the heights and dimensions of each store, how long the material will be stored for and how soils will be kept fit for restoration purposes. Where the development will result in the disturbance of peat or other carbon rich soils then the submission must also include a detailed map of peat depths (this must be to full depth and follow the survey requirement of the Scottish Government's Guidance on Developments on Peatland - Peatland Survey (2017)) with all the built elements and excavation areas overlain so it can clearly be seen how the development minimises disturbance of peat and the consequential release of CO_2.

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

j) Details of how the rock will be processed in order to produce a grade of rock that will not cause siltation problems during its end use on tracks, trenches and other hardstanding.

8. Pollution prevention and environmental management

8.1 One of our key interests in relation to developments is pollution prevention measures during the periods of construction, operation, maintenance, demolition and restoration. A schedule of mitigation supported by the above site specific maps and plans must be submitted. These must include reference to best practice pollution prevention and construction techniques (for example, limiting the maximum area to be stripped of soils at any one time) and regulatory requirements. They should set out the daily responsibilities of ECOWs, how site inspections will be recorded and acted upon and proposals for a planning monitoring enforcement officer. Please refer to Guidance for Pollution Prevention (GPPs).

9. Life extension, repowering and decommissioning

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

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

Scottish Natural Heritage
Dualchas Nàdair na h-Alba
nature.scot

By email only to: [redacted]

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

Date: 11 April 2019

Our ref: CNS/REN/WF/SA/Clauchrie – CEA154876 – A2901138
Your ref: ECU00001805

FAO Mark Ashton

The Electricity Act 1989 Section 36
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Scoping opinion request for proposed section 36 application – Clauchrie Wind Farm

Many thanks for consulting Scottish Natural Heritage (SNH) dated 25 March 2019 requesting a scoping opinion for the above development.

Background

We understand that the development being considered would comprise up to 16 wind turbines with a maximum blade tip height of 200m with associated infrastructure, battery storage and ancillary services infrastructure. The development site lies approximately 6km north east of the village of Barrhill, with the majority of the proposed development site being situated within the administrative boundary of South Ayrshire Council (SAC). The site access and 7km of access track would be situated within the Dumfries and Galloway Council (D&GC) area.

We have provided pre-application advice to MacArthur Green in relation to ornithology survey methodology for this proposal in an e-mail dated 3 March 2017. We then attended a meeting with Scottish Power Renewables (SPR) on the 15 January 2019 to discuss three proposed SPR wind farm developments including the proposed Clauchrie Wind Farm. We received the scoping opinion consultation on the 25 March 2019 and attended a scoping meeting with the applicant on the 28 March 2019.

SNH's advice on Issues to Include in Environmental Impact Assessment

General advice

Scottish Natural Heritage, 31 Miller Road, Ayr KA7 2AX
Tel: 01292 294 048 www.nature.scot

Dualchas Nàdair na h-Alba, 31 Rathad a' Mhùilneir, Inbhir Àir KA7 2AX
Fòn: 01292 294 048 www.nature.scot

We refer the applicant to our "general pre-application/scoping advice to developers of onshore wind farms" which can be found via https://www.nature.scot/professional-advice/planning-and-development/renewable-energy-development/types-renewable-technologies/onshore-wind-energy/general-advice-wind-farm

This provides guidance on the issues that developers and their consultants should consider for wind developments and includes information on recommended survey methods, sources of further information and guidance and data presentation. Attention should be given to the full range of advice included in the guidance. The checklist in Annex 1 of our guidance sets out our expectations of what should be included in the ES.

The guidance document will be updated over time to reflect any changes to available information and our guidance, so users should ensure they download the most up to date version before use.

Collecting and presenting information

With regards to the ES, we recommend that the ecological chapters are split into topics, e.g. protected areas, species (birds, bats, otter, etc), habitats (terrestrial, freshwater), etc. The ES should include information and assessment of which activities associated with the construction and operations of the development are likely to have direct and indirect (including cumulative) significant environmental effects on the relevant natural heritage receptors, along with clear details of any mitigation. A schedule of environmental mitigation should be provided in an annex for developments with impacts on natural heritage interests. The schedule should compile all the environmental mitigation/enhancement measures into one list/table, for ease of reference.

Statutory designated sites

Glen App and Galloway Moors Special Protection Area (SPA)

The proposed development site is situated approximately 14km to the north east of Glen App and Galloway Moors SPA which is classified for its breeding population of hen harrier. Information on the SPA (including the site conservation objectives) can be found on the SiteLink pages of our website: https://sitelink.nature.scot/site/8615

The SPA's status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") or, for reserved matters the Conservation of Habitats and Species Regulations 2010 as amended apply. Consequently, Energy Consents Unit will be required to consider the effect of the proposal on the SPA before it can be consented (commonly known as Habitats Regulations Appraisal). The SNH website has a summary of the legislative requirements - https://www.nature.scot/professional-advice/planning-and-development/environmental-assessment/habitats-regulations-appraisal/habitats-regulations-appraisal-hra-appropriate

To help you to do this we can advise that given the separation distance between the development site and the SPA, in line with our Guidance on Assessing Connectivity with Special Protection Areas (SPAs) (June 2016) - https://www.nature.scot/sites/default/files/2018-08/Assessing%20connectivity%20with%20special%20protection%20areas.pdf, the development would be situated out with the core foraging range for hen harrier, which is the area in which we would consider there may be connectivity between the development site and the qualifying interests of the SPA. Therefore in our view, it is unlikely that the proposal will have a significant effect on the qualifying interests either directly or indirectly. An appropriate assessment is therefore not required and we agree with the conclusions in the scoping report that Glen App and Galloway Moors SPA can be scoped out of the EIA.

Glen App and Galloway Moors Site of Special Scientific Interest

Glen App and Galloway Moors SSSI is of national importance, shares the same boundary as the SPA and is also designated for breeding hen harrier. We do not consider the ornithological interests of the SSSI will be affected for the reasons detailed in the SPA section above. We advise that this SSSI does not require further consideration and can be scoped out of the EIA.

Merrick Kells Special Area of Conservation (SAC)

The proposed developable area of the wind farm site lies, at its closest point, approximately 5km west of Merrick Kells SAC - which is classified for a variety of upland and freshwater habitats. Information on the SAC (including the site conservation objectives) can be found on the SiteLink pages of our website: https://sitelink.nature.scot/site/8313

The SAC's status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") or, for reserved matters the Conservation of Habitats and Species Regulations 2010 as amended again apply. Consequently, Energy Consents Unit will be required to consider the effect of the proposal on the SAC before it can be consented (commonly known as Habitats Regulations Appraisal). The SNH website has a summary of the legislative requirements - https://www.nature.scot/professional-advice/planning-and-development/environmental-assessment/habitats-regulations-appraisal/habitats-regulations-appraisal-hra-appropriate

Given the separation distance between the proposed development site and the SAC in our view, it is unlikely that the proposal will have a significant effect on the qualifying interests either directly or indirectly. An appropriate assessment is therefore not required and we advise that Merrick Kells SAC can be scoped out of the EIA.

Merrick Kells SSSI

Merrick Kells SSSI is of national importance, shares the same boundary as the SAC and its designated features include blanket bog habitat, the blue aeshna dragonfly (*Aeshna caerulea*), an assemblage of beetles and a breeding bird assemblage.

We agree with the conclusions in the scoping report that there is no connectivity between this SSSI and the proposed development site and that Merrick Kells SSSI can be scoped out of the EIA.

Bogton Loch SSSI

The proposed wind farm site lies, at the closest point, approximately 20km from Bogton Loch SSSI, which is of national importance and its designated features include open water transition fen and an assemblage of breeding birds.

We agree with the conclusions in the scoping report that there is no connectivity between this SSSI and the proposed development site and that Bogton Loch SSSI can be scoped out of the EIA.

Further designated sites

Table 7.1 "*Designated Sites of Ecological interest located within 5km of the site*" of the Scoping report highlights other (non-avian) statutory designated sites within 5km of the proposed development. We do not consider that the any of these sites are connected to the development site. Therefore we are satisfied that they do not require further consideration and can be scoped out of the EIA.

Statutory Protected Species – general

A number of protected species may be present and impacted by the development proposals. We advise that species surveys should have been completed no more than 18 months prior to submission of the application, to ensure that the survey results are a contemporary reflection of species activity at and around the site.

Details of species and associated legislation can be found on our website at https://www.nature.scot/professional-advice/planning-and-development/natural-heritage-advice-planners-and-developers/planning-and-development-protected-animals It is important that any licensing issues are fully established as part of the planning application. This is to avoid a situation where planning permission is secured but the lack of a species licence prevents the development from proceeding.

Full details of survey methodologies, areas surveyed and details of any limitations to survey efforts should be included within the Environmental Statement (ES).

The ES should also report the survey results including figures showing the survey areas/results with infrastructure/turbine layout overlapping, evaluate impacts predicted to arise as a result of the development proposals, assess the significance of these impacts and recommend mitigation and/or compensation measures as is necessary and appropriate.

Where survey methods or other work deviates from published guidance, deviations should have been agreed in writing with SNH in advance of carrying out survey work. A full description of the methodology used should be provided in the ES (technical appendices should be used for this where appropriate), along with an explanation of why any deviations are considered appropriate.

European Protected Species

Otters

Section 7.3.3.2.4 and *Table 7:2 Proposed Study Areas for Ecological Field Surveys* of the scoping report confirms that an otter survey will be undertaken within the development site and a 200m buffer.

If this survey work finds that otter could be affected by the proposal an otter protection plan should be prepared. If the implementation of the identified mitigation measures within this plan is not sufficient to avoid offences under protected species legislation, a licence will be required from SNH before the works can proceed.

We refer the applicant to our recently published species guidance note for otters that brings together all the latest information and advice, including legal protection, survey methods, mitigation measures and licensing requirements – https://www.nature.scot/sites/default/files/2019-01/Species%20Planning%20Advice%20Project%20-%20otter.pdf

Bats

Section 7.3.3.2.2. of the scoping report confirms that a suite of bat surveys are proposed in line with the 2019 SNH Bats and Onshore Wind Turbines Guidance available from the following link: https://www.nature.scot/bats-and-onshore-wind-turbines-survey-assessment-and-mitigation

Bat Roost Surveys

With regards to the proposed bat roost surveys the scoping report states that "*In the event that suitable roosting sites are identified, further surveys may be required to identify presence*

or absence, and species, numbers, roost function and flightlines, where presence is confirmed".

Bats are European protected species and it is therefore a regulatory requirement that both the need for any bat licensing and the likelihood of any required licences being forthcoming is fully established as part of the planning application process. Therefore if any suitable roosting sites are identified then further survey work to identify presence or absence, species, numbers, roost function and flightlines should be undertaken prior to the submission and determination of any planning application for this proposal. This is to avoid a situation where planning permission is secured but the lack of a species licence prevents the development from proceeding.

We further advise that if any bat roosts are found to be present a bat protection plan should be prepared. If the implementation of the identified mitigation measures within this plan is not sufficient to avoid offences under protected species legislation, a licence will be required from SNH before the works can proceed.

Bat ground-level static surveys

Given that the turbines will be key-holed, positioning of the automated detectors is important, but likely to be constrained by the existing pattern of tree cover. In practice this is likely to mean that detectors will be placed in forest rides/fire-breaks as close to the proposed turbine locations as possible. This is likely to replicate where the majority of bats such as pipistrelles are currently concentrating their foraging, i.e. along forest edges.

However, *Nyctalus spp.* are much less constrained in this way and may be foraging over a wide area above the tree canopy, in which case ground-based detectors may miss some of their calls. Therefore, if there are any met masts available on site, in line with the SNH guidance we recommend that these should be used for at-height monitoring where available.

Section 7.3.3.2.2 of the SPR scoping report states that the ground-level static surveys will be "*conducted using full spectrum automatic detectors throughout the developable area*" as per the SNH guidance. However, ITP Energised contacted SNH on the 2 April 2019 to advise that they don't currently own any full spectrum detectors but may be able to borrow some.

We recognise that certain, usually smaller, consultancies don't possess sufficient SM2s or SM4s (full spectrum detectors). Therefore having sought advice from our mammal specialist we advise that for this site/in this instance a combination of 50:50 zero-crossing vs. full spectrum detectors would be acceptable, but we would need assurances from ITP Energised/SPR that at least 50% of detectors to be used will be full-spectrum detectors e.g. SM2s or SM4s.

The reason for this is because we know that zero crossing detectors will lose around 20% of calls, and identification will be poorer. This could be particularly important in cases like this where turbines are to be key-holed and there is no current proposals to sample bat activity at height. If a 50:50 combination of zero-crossing vs. full spectrum detectors is used, the detectors should be distributed *randomly* throughout the site i.e. no clusters of the same detector types in one area but a spread of both detector types across the site.

The applicant should be aware that we may make specific comment on the survey work once full details are available to us. Any deviations from published guidance during the course of survey work should be fully explained and justified in the ES.

With regards to mitigation for bats, as a minimum, we would expect turbines to be located where no part of their structure or blades should fall within 50m of the nearest building, tree or hedgerow in line with Natural England's Bats and onshore wind turbines Interim guidance Technical Information note TIN059 http://publications.naturalengland.org.uk/publication/35010 We may recommend further mitigation measures once we have considered the full survey results.

In line with the SNH guidance we encourage the applicant to submit the static automated bat detector data for this proposal to the secure online tool *Ecobat* https://www.mammal.org.uk/science-research/ecostat/ (further details in the SNH guidance) This is likely to provide the most objective assessment of activity on which to base any further mitigation recommendations.

Great Crested Newt (GCN)

We note from section 7.3.3.2.9 of the scoping report that great crested newt surveys have been scoped out of the proposed field surveys due to the lack of suitable habitats present on site and the fact that no GCN records have been recorded within 5km of the site during the desk study.

Provided the applicant can provide evidence that the proposal is not within 500m of potential breeding ponds, we are content for GCN surveys to be scoped out of the assessment. The EIA Report should explain the rationale for this. If further certainty is needed, we recommend HSI or eDNA surveys of ponds within 500m of the site.

Nationally Protected Species

Water voles

Section 7.3.3.2.5 and *Table 7:2 Proposed Study Areas for Ecological Field Surveys* of the scoping report confirms that a water vole survey will be undertaken within the development site and a 50m buffer.

If water vole and their habitat could be affected by the proposal a water vole protection plan should be prepared. If the implementation of mitigation measures is not sufficient to avoid offences under protected species legislation, a licence will be required from SNH before the works can proceed.

We refer the applicant to our species guidance note for water voles that brings together all the latest information and advice, including legal protection, survey methods, mitigation measures and licensing requirements – https://www.nature.scot/sites/default/files/2019-01/Species%20Planning%20Advice%20Project%20-%20water%20vole_0.pdf

Badgers

Section 7.3.3.2.3 and *Table 7:2 Proposed Study Areas for Ecological Field Surveys* of the scoping report confirms that a badger survey will be undertaken within the development site and a 100m buffer.

If this survey work finds that badger could be affected by the proposal a badger protection plan should be prepared. If the implementation of the identified mitigation measures within this plan is not sufficient to avoid offences under protected species legislation, a licence will be required from SNH before the works can proceed.

We refer the applicant to our recently published species guidance note for badgers that brings together all the latest information and advice, including legal protection, survey methods, mitigation measures and licensing requirements: https://www.nature.scot/sites/default/files/2017-10/A2293028%20-%20Species%20Planning%20Advice%20Project%20-%20Badger.pdf

Red Squirrel

Section 7.3.3.2.7 and *Table 7:2 Proposed Study Areas for Ecological Field Surveys* of the scoping report confirms that a red squirrel survey will be undertaken within the development

site and a 50m buffer. If this survey work finds that red squirrel could be affected by the proposal a red squirrel protection plan should be prepared. If the implementation of the identified mitigation measures within this plan is not sufficient to avoid offences under protected species legislation, a licence will be required from SNH before the works can proceed.

We refer the applicant to our guidance note for red squirrel that brings together all the latest information and advice, including legal protection, survey methods, mitigation measures and licensing requirements:
https://www.nature.scot/sites/default/files/2019-01/Species%20Planning%20Advice%20Project%20-%20red%20squirrel.pdf

Pine Marten

Section 7.3.3.2.6 and *Table 7:2 Proposed Study Areas for Ecological Field Surveys* of the scoping report confirms that a pine marten survey will be undertaken within the development site and a 250m buffer.

We are aware that tree felling will be required for this proposal. Therefore if this survey work finds that pine marten could be affected by the proposal a pine marten protection plan should be prepared. If the implementation of the identified mitigation measures within this plan is not sufficient to avoid offences under protected species legislation, a licence will be required from SNH before the works can proceed.

We refer the applicant to our species guidance note for pine marten that brings together all the latest information and advice, including legal protection, survey methods, and mitigation measures and licensing requirements:
https://www.nature.scot/sites/default/files/2019-01/Species%20Planning%20Advice%20Project%20-%20pine%20marten.pdf

Fish

Section 7.3.3.2.9 of the scoping report states that no field surveys to assess watercourse suitability or fish populations are planned for this proposal.

In line with our "general pre-application/scoping advice to developers of onshore wind farms" https://www.nature.scot/professional-advice/planning-and-development/renewable-energy-development/types-renewable-technologies/onshore-wind-energy/general-advice-wind-farm We recommend that as a minimum, all areas directly (e.g. watercourse crossings) or indirectly (e.g. sediment run off) affected by the development and appropriate buffers up and downstream should have a habitat survey following the Scottish Fisheries Coordination Centre Method referenced below. This should inform the likelihood of the presence of salmonids, eels, freshwater pearl mussel and other protected/BAP species and so the need or otherwise for species specific surveys.

Our guidance on freshwater pearl mussel survey methods can be found on our website via https://www.nature.scot/plants-animals-and-fungi/invertebrates/freshwater-invertebrates/freshwater-pearl-mussel . The Scottish Fisheries Coordination Centre (SFCC) webpage http://www.sfcc.co.uk/resources/habitat-surveying.html provides links to the recommended SFCC habitat survey method (*Habitat Surveys Training Course Manual, Revised August 2007),* as well as other useful survey method information for fish. Note that where there is suitable habitat for freshwater pearl mussel, and particularly where salmonids are present, we would expect a freshwater pearl mussel survey to be carried out following our guidance. The exceptions for this would the Borders, Lothian and some parts of Fife where freshwater pearl mussel are unlikely to be present.

Where the proposed development site has permanent watercourses or water bodies in it or connected to it, you should seek advice from SEPA regarding water crossings and the adequacy of any hydrological work undertaken as part of the EIA.

We agree that all works should be carried out in accordance with relevant hydrological legislation (such as EC Water Framework Directive (2000/60/EC) and The Water Environment (Controlled Activities)) and SEPA's Pollution Prevention Guidelines to prevent negative impacts from the discharge of surface water into any watercourses within the site.

Deer

We recommend that if deer are present on or will use the development site, an assessment of the potential impacts on deer welfare, habitats, neighbouring and other interests (e.g. access and recreation, road safety, etc.) should be presented. If the development would, or could, result in significant impacts, a draft deer management statement should be provided, setting out how the impacts will be addressed. There's advice on this in SNH's Guidance "*What to consider and include in deer assessments and management at development sites"*, which is not currently available on our website but I have attached a copy of the guidance to this response for reference.

Wider Countryside/Nesting birds

Our advice with regards to breeding birds is that the following mitigation is required to minimise the impact of the development.

- Ground or vegetation clearance works are undertaken out-with the main bird nesting season (March-August inclusive). If this is not possible, a suitably experienced ecologist should check the development site before work commences to determine the presence of any nesting birds. If nesting birds are found, a suitably sized buffer zone should be set up around the nest and no work within this zone should commence until the young have fledged or the nest is no longer in use. This will ensure that no nests are destroyed during the site construction works and no offences are committed under the Wildlife and Countryside Act 1981 (as amended).

If the development is not carried out in accordance with this mitigation measure, the applicant may risk committing an offence.

Habitats

We note from section 3.2 "*project description*" of the scoping report that the site is described as predominantly commercial forestry. Section 7.3.3.2.1 and *Table 7:2 Proposed Study Areas for Ecological Field Surveys* of the scoping report confirms that a phase 1 habitat survey will be undertaken of the development site and a 250m buffer and if habitats of conservation interest are identified then an NVC survey will also be undertaken before EIA submission. The ES should include a map of the phase 1 and NVC survey results with the wind farm boundary, proposed turbines, tracks and infrastructure layout overlapping.

We note that the site is owned by Forestry and Land Scotland (FLS). As key hole felling is required for this development, we recommend continued consultation with FLS regarding requirements for compensatory planting according to the Scottish Government's policy on the control of woodland removal available via https://forestry.gov.scot/publications/349-scottish-government-s-policy-on-control-of-woodland-removal-implementation-guidance/download

Peat

The scoping report confirms that peat probing will be undertaken prior to the EIA submission to establish presence and depth of peat. We advise that detailed peat surveys of the site, measuring the peat deposit to full depth, should be undertaken in accordance with Scottish Government guidance (see http://www.gov.scot/Resource/0051/00517174.pdf). The results should also be used to inform a peat slide risk assessment.

We recommend that peat survey results should be used to inform the design and layout process, so that the development avoids, where possible, fragile and priority habitats and other sensitive areas (e.g. blanket bog and peat). Where this is not possible, suitable restoration and/or compensation measures should be presented in the ES and we welcome the proposals for a Peat Management Plan (PMP)/Habitat Management Plan (HMP) as detailed in Section 6.6.of the Scoping Report. We recommend that the HMP should follow our guidance on *Planning for development: What to consider and include in Habitat Management Plans* available from https://www.nature.scot/guidance-planning-development-what-consider-and-include-habitat-management-plans We recommend that the HMP for this site should tie in with any relevant bog (and other) habitat restoration proposals for adjacent sites in the area.

We advise that any blocking of drains with excavated peat needs to be carefully managed to avoid disproportionate tracking damage and the risk of redeposited peat entering water courses.

We also recommend early engagement with SEPA with regard to excavated peat reuse and disposal.

Landscape and Visual Impact Assessment

General comments

The proposed Clauchrie Wind Farm would introduce a large number of very tall turbines into the South Ayrshire landscape. Located within the Dark Sky Park Buffer Area and with turbines located between 8km and 15km from the high tops of the Merrick Wild Land Area, this is a very sensitive site for this scale of development, as corroborated in the recently updated *South Ayrshire Landscape Wind Capacity Study, August 2018*. We advise that there would be likely to be significant cumulative impacts arising from the proposed scheme in combination with existing, adjacent developments. The scale and layout of proposed turbines as well as their relationship to key characteristics would likely be inconsistent with the other schemes in the vicinity, resulting in a complex and confusing pattern of development. It is our view that these issues are likely to be challenging to resolve.

Specific comments re scoping report

Study area (para 5.2.1 / 104)

For turbines of this height the study area should be >45km.

Potential co-located technologies (para 5.5.2 / 123)

Depending on the nature of the proposed technologies and the context of the view these should be clearly shown in visualisations for viewpoints >5km. Access tracks in particular could be highly visible when seen from more elevated viewpoints or on steeper slopes.

Viewpoints (para 5.5.4 / table 5.3)

The proposed scoping report seems to provide a reasonable spread of viewpoints. However the final list of viewpoints is the responsibility of the applicant's landscape consultant and each should be microsited to show the worst case scenario.

We suggest that a further viewpoint location should be investigated at the south of the isle of Arran from where the turbines might be seen in the foreground of views to the high tops of the Merrick WLA. We reserve the option to request additional viewpoints if we consider it necessary.

We would welcome clear numbering of all turbines on at least one visualisation for each viewpoint.

Night time assessment (para 5.5.5 / 128)

We welcome the proposal to include a Night Time Assessment which is particularly relevant for turbines of this height in this location. The requirement for aviation lighting of turbines is a fairly recent issue for the wind energy sector and we have limited experience of assessing the effects and understanding the impacts. Nonetheless, the effects of aviation lighting could be significant in some locations and should be assessed through the EIA process.

Wind farms tend to be located in areas which contain limited artificial lighting. Darkness/ dark skies in these areas may be valued by many people, a proportion of whom may be actively seeking out and enjoying good views of the night sky (e.g. in particular the Galloway Forest Dark Sky Park and its buffer area). Turbine lights can be seen over considerable distances, with some clearly visible at 20-30km. A flashing effect can also occur, depending on wind direction, as turbine blades pass in front of the nacelle-mounted lighting. Turbine lighting could therefore adversely affect people's experience and enjoyment of darkness/ dark skies and of sunset and sunrise views (noting that turbine lights are switched on before dusk and off after dawn). As a result, we recommend that these effects should be carefully assessed and that mitigation is employed wherever possible.

Assessment of the landscape and visual effects of turbine lighting is a relatively new practice. The extent of the lighting assessment study area for LVIA should be informed by the Zone of Theoretical Visibility (ZTV) map and an understanding of the nature of the likely effects. As a starting point we highlight advice in our existing landscape guidance, however our advice is evolving and we advise that the LVIA-related lighting assessment should include:

- Clear information on the positions and intensity of lighting proposed on the turbines themselves and a plan showing which turbines (numbered turbines) would be lit.
- Production of a ZTV map which shows the areas from which the nacelle and tower lights may be seen.
- Annotation of the positions of turbine lighting (including intermediate tower lights) on all wirelines from every viewpoint.
- A table which lists how many lit turbines will be visible from each viewpoint. e.g.

Turbine number (and height)	**Viewpoints**						
	VP1 Hillside (2.6km)	VP2 Lochview (12.3km)	VP3 Glenburn (6.7km)	etc	etc.	etc	etc
T1 (150m)	Xx			Xx	Xx	Xx	Xx
T2 (175m)	Xx			X	Xx	Xx	Xx
T3(150m)	Xx		X	Xx	X	Xx	Xx
etc	Xx		X	Xx	Xx	X	X
Key							
Xx	Lights visible as pair on nacelle and tower						
X	Light visible as single light on nacelle						
	Lights currently screened by forestry						

-

I hope these comments are useful to you at this stage. We have provided answers to the questions in the Scoping Report, of relevance to SNH, in Annex 1 of this letter. If you require any further information please don't hesitate to contact me at [redacted]

Yours sincerely

Natalie Ward
Operations Officer
Strathclyde & Ayrshire

Annex 1 – Scoping Report Questions – SNH comments:

Chapter 5. Landscape and Visual Impact

Q5.1: Are there any comments on the overall methodology proposed to assess effects on landscape and visual receptors, including cumulative effects?

The LVIA appears to be in accordance with the *Guidelines for Landscape and Visual Impact Assessment, Third Edition.*

Q5.2: Are there any comments on the proposed list of assessment viewpoint locations, including the proposed locations for night time visualisations?

See comments above.

Q5.3: Are there any windfarm sites, in addition to those shown on Figure 5.7, to consider as part of the cumulative assessment?

The relevant local authorities should be able to provide up-to-date list of projects. We advise further that sites at scoping should be included in visual representations where they are in close proximity to the site.

Q5.4: Has the consultee identified any further landscape or visual receptors to be considered within the assessment (i.e. where it is expected that significant effects may occur)?

See comments above. We suggest that a further viewpoint location should be investigated at the south of the isle of Arran from where the turbines might be seen in the foreground of views to the high tops of the Merrick WLA. We reserve the option to request additional viewpoints if we consider it necessary.

Q5.5: Are there any other relevant consultees who should be consulted with respect to the LVIA?

N/A

Chapter 6. Hydrology, Hydrogeology, Geology and Soils

Q6.1: Are the survey methods for assessing likely effects on peat considered to be appropriate?

We are content with the nature of the surveys: peat, peat slide risk and habitat, proposed by the applicant and with the planned mitigation.

Q6.2: Is it appropriate to consider scoping out operational effects on hydrology?

This would be for SEPA to advise on.

Chapter 7. Ecology

Q7.1: Do consultees agree with the proposed survey approach to be undertaken?

With regards to the ground-level static surveys proposed for bats provided we can get assurances from ITP Energised/SPR that at least 50% of detectors to be used will be full-spectrum detectors e.g. SM2s or SM4s then using a 50:50 combination of zero-crossing vs. full spectrum detectors would be acceptable. We further advise that the different detector types should be distributed *randomly* throughout the site during survey work.

In relation to *Nyctalus spp*, if there are any met masts available on site, in line with the SNH guidance we recommend that these should be used for at-height monitoring where available.

With regards to the bat roost surveys if any suitable roosting sites are identified then further survey work to identify presence or absence, species, numbers, roost function and flightlines should be undertaken prior to the submission and determination of any planning application for this proposal. If any bat roosts are found to be present a bat protection plan should be prepared.

In relation to the other ecology surveys proposed for this development on the basis of the information provided we are broadly content with the proposed approach. While the survey work is therefore likely to be sufficient to inform the EIA, we reserve full judgement until we have considered the full survey findings.

The applicant should be aware that we may make specific comment on the survey work once full details are available to us. Any deviations from published guidance during the course of survey work should be fully explained and justified in the ES.

Q7.2: Do consultees agree with the proposed assessment of the potential effects as a result of the Development?

Yes, we are broadly content with the proposed assessment methodology of potential effects at this stage. However we reserve full judgement on the specific nature of those effects until we have considered the full survey findings.

Q7.3: Do consultees agree with those surveys which have been scoped out?

As detailed above, with regards to Great Crested newt (GCN) provided the applicant can provide evidence that the proposal is not within 500m of potential breeding ponds, we are content for GCN surveys to be scoped out of the assessment. The EIA Report should explain the rationale for this. If further certainty is needed, we recommend HSI or eDNA surveys of ponds within 500m of the site.

With regards to fish we recommend that as a minimum, all areas directly (e.g. watercourse crossings) or indirectly (e.g. sediment run off) affected by the development and appropriate buffers up and downstream should have a habitat survey following the Scottish Fisheries Coordination Centre Method http://www.sfcc.co.uk/resources/habitat-surveying.html. This should inform the likelihood of the presence of salmonids, eels, freshwater pearl mussel and other protected/BAP species and so the need or otherwise for species specific surveys.

Note that where there is suitable habitat for freshwater pearl mussel, and particularly where salmonids are present, we would expect a freshwater pearl mussel survey to be carried out following our guidance which can be found on our website via https://www.nature.scot/plants-animals-and-fungi/invertebrates/freshwater-invertebrates/freshwater-pearl-mussel

Chapter 8. Ornithology

Q8.1: Confirmation that there is no connectivity between the Glen App and Galloway Moors SPA (and underpinning SSSI), the Bogton Loch SSSI or Merrick Kells SSSI and that these designated sites can therefore be scoped out of the EIA report?

We agree that there is unlikely to be connectivity between the ornithology (or ecology) interests of Glen App and Galloway Moors SPA, Glen App and Galloway Moors SSSI, Bogton Loch SSSI or Merrick Kells SSSI and agree with the conclusions that these designated sites can be scoped out of the EIA.

Q8.2: Do consultees agree that the range of ongoing surveys and those carried out to date (December 2018) are sufficient and appropriate?

We have previously provided pre-application advice to MacArthur Green in relation to ornithology survey methodology for this proposal in an e-mail dated 3 March 2017. Having reviewed the ornithology chapter of the scoping report we agree that the range of surveys undertaken to date and ongoing surveys should be sufficient and appropriate to inform the assessment.

Q8.3: Are there any other relevant consultees who should be contacted or other information sources referenced, with respect to the ornithology assessment?

Not that we are aware of.

Q8.4: Confirmation of the approach to the ornithological assessment is requested. Do consultees believe that there are further species or designated sites which need to be considered in the assessment?

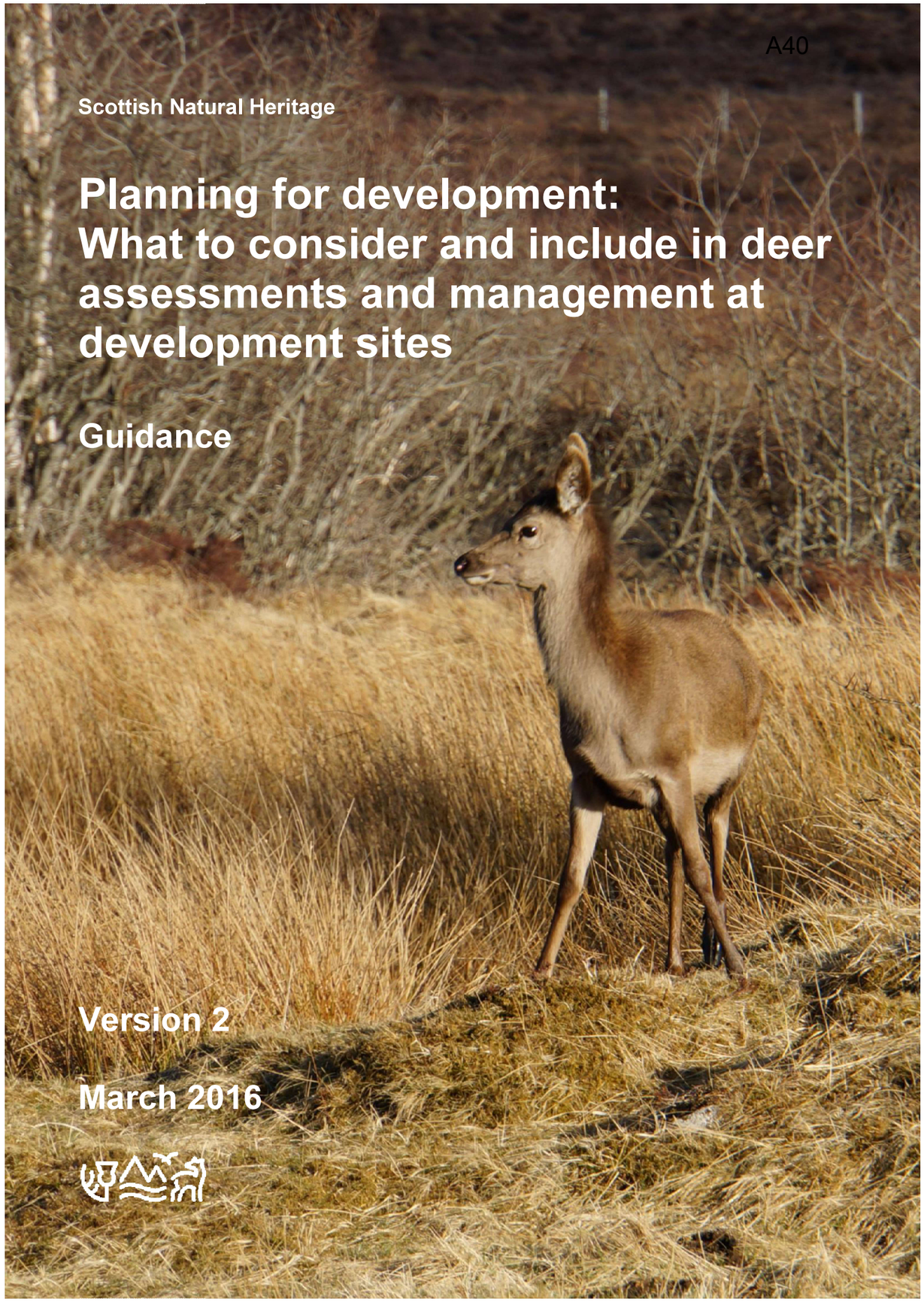
We are content that the applicant has considered all relevant statutory designated sites and has identified the sensitive species. Therefore we consider that the approach set out will provide sufficient information to inform the assessment.

Q8.5: Confirmation that the low conservation value species can be scoped out of the assessment is requested.

We agree that bird species of low conservation value, as detailed in section 8.3.4.3 of the scoping report, can be scoped out of the assessment.

Q8.6: Do consultees agree that the proposed mitigation is sufficient and appropriate?

With regards to mitigation for birds, as the full ornithology survey results are not included within the scoping report we are unable to comment on any detailed mitigation likely to be required at this stage. The proposed mitigation detailed in section 8.5 of the scoping report seems appropriate but we may recommend further mitigation measures once we have considered the full ornithology survey results.



Contents

1. Introduction and key points

The purpose of this guidance is to promote a common approach to assessing the implications of developments on deer and the indirect impacts on other interests (e.g. habitats, neighbours, roads, etc.). It is aimed at a range of people involved in considering deer at development sites, mainly wind farm developers, but also ecological consultants and Planning Authorities. Although written with wind farms in mind, many of the broad principles described also apply to other development types where wild deer are present.

The key points of this guidance are:

- It complements and does not replace the existing Best Practice Guides for deer management, which you should refer to alongside this development-specific guidance.
- If wild deer are present on or use the development site, you should assess the potential impacts of the development on deer and other interests. Present the assessment as part of your Environmental Statement/information supporting the planning submission.
- At some sites, the assessment may indicate the need for management to avoid adverse impacts. In such cases a deer management statement will be required, either as part of a Habitat Management Plan or as a stand-alone document.
- At other sites, modification of an existing Deer Management Plan that covers a wider area may be appropriate to avoid adverse impacts.
- We do not expect developers to exert control over land that they have no rights over. However, we encourage a collaborative approach with neighbouring land owners and managers to avoid adverse impacts on the interests of all parties.
- We encourage early, collaborative engagement with local Deer Management Groups where they exist.

2. Background and context

Under the *Code of Practice on Deer Management* the four principles of sustainable deer management that developers should adhere to are to:

- ensure that wild deer welfare is safeguarded;
- protect and enhance the environment;
- support sustainable economic development;
- support social wellbeing.

If wild deer are present on or use the development site, the following potential impacts should be assessed:

- impacts on deer welfare
- impacts of deer on habitat reinstatement, creation or enhancement being undertaken within the development site (eg as part of a Habitat Management Plan)
- impacts on neighbouring land and interests (including public roads)

The scale of management actions (if any) required will relate to the scale and location of potential impacts.

At some sites, it may be appropriate for a simple statement on deer management to be included within a Habitat Management Plan (HMP). In such cases, the deer and habitat management aims and objectives should be complementary. (For example, monitoring the condition of the habitats should inform both deer and habitat objectives.) However for more complex sites, or where there is no HMP, a separate deer management statement document may be required. In either case, the principles of this guidance apply.

This guidance complements and does not replace existing guidance on managing wild deer in the wider countryside. We have published principles, information and advice on wild deer management in the wider countryside (including Best Practice Guides) and on habitat management plans on our website. These will be helpful to anyone carrying out a deer assessment or drafting a deer management statement for a development site.

Where a deer management statement proposes management within or potentially affecting a Natura site, the implications for the Natura site must be considered under the Habitats Regulations. Present this as part of your Environmental Statement/information supporting the planning submission. You may need to take account of other planning and regulatory requirements when drafting a deer management statement, as described in the *Code of Practice on Deer Management (*e.g. the Land Reform (Scotland) Act 2003 in relation to recreation and access).

3. Role of deer management at development sites

Developers may include a deer management statement amongst the mitigation measures in their submitted development proposal on their own initiative, or produce one to comply with a condition of planning consent. In either case, an initial assessment should inform the statement, which in turn should identify measures (monitoring and management) to ensure that the four principles of sustainable deer management described in section 2 of this guidance will be met.

For the avoidance of doubt, we do not expect developers to exert control over land that they have no rights over. What developers need to do is manage deer on the land that they do have control over, taking account of potential impacts to ensure that deer welfare, habitats and neighbouring interests are not adversely affected.

4. Development sites covered by existing Deer Management Plans

Where a development is taking place within a larger area covered by an existing Deer Management Plan, an assessment (as described in section 6 below) is still required to support the planning submission. However, it may be appropriate to revise the existing Deer Management Plan to take account of the impacts of the development (for example in an appendix to the existing plan), rather than to create a separate deer management statement. When revising an existing Plan, the other considerations outlined in this guidance are still relevant.

A displacement cull may be required if there is a possibility that the development may displace deer onto adjacent land and cause damage, adversely affect deer welfare or cause other significant impacts (e.g. increased road traffic collisions). Where there are existing Plans, these may define annual deer cull requirement for the development area. Otherwise these may be estimated from previous and on-going deer management activities in the area covered by the existing Plan.

Good forward planning, understanding and regular communication throughout the lifetime of the development between the existing Deer Management Plan team and the developer will be essential to minimise impacts and meet the aims of the Plan.

5. Role of SNH in deer management at development sites

Our engagement and the advice we can offer on assessments and deer management statements will depend upon:

- the sensitivity of the site; the impacts of the development on the natural heritage; and
- the opportunities for habitat restoration/enhancement and impacts deer may have on this.

In most situations, the developer and/or their advisors should take the lead role in identifying deer management methods and opportunities. However, in some cases the landowner is responsible for management of deer populations (for example development within the National Forest Estate, where Forestry Commission Scotland (FCS) take the lead role for managing deer within their land). In these situations, the developer and/or their advisors should work with the landowner to address any impacts caused by the development, and should provide the relevant information to support their planning submission.

We will usually only engage in the implementation of a deer management statement where it is required to mitigate against significant adverse impacts on deer welfare, public safety, agriculture, forestry, or natural heritage interests such as protected areas, as set out in our Planning and Renewables Service Level Statement. In most other cases, we expect the developer and Planning Authority to implement a deer management statement without reference to SNH.

6. Deer assessments and management statements

We recommend that assessments and management statements consider the impacts during each phase of development (e.g. construction, operation, decommissioning) and are informed by site investigations. They should be written as concisely as possible, but provide sufficient information to properly inform readers. They should be submitted as part of the planning submission for the development.

Where wild deer are present on or use the proposed development site, a deer assessment (described below) must accompany the planning submission, even if the developer concludes that adverse impacts are unlikely. This will enable those involved in the planning process to consider the potential environmental impacts. If the assessment indicates that there may be adverse impacts, then a draft deer management statement (described below) should accompany the assessment.

Annex I provides a flowchart of the key stages that will help developers decide whether a deer management statement is required to support the planning submission for their development site.

Although deer management measures will usually be limited to within the development site, management actions may also occur on land out with the development site, subject to relevant legal agreements. In such cases, it is vital that in-principle agreements with all affected landowners are in place at the time of the submitted development proposal. This will avoid problems at later stages (for example a key landowner pulling out post-consent).

Deer assessments:
The assessment should cover the points[1] below. If there is limited or no information available, we advise a precautionary assessment based on a predicted worst case scenario.

This can then be refined over time using monitoring results. Map format may be appropriate for some sites but more complex and/or larger sites may need accompanying narrative.

a. Describe the baseline and engage with your neighbours. Clearly describe the following:

i. What species and numbers of deer are present / use the development site? Information on age classes is also useful, if available. Guidance on assessing deer populations (e.g. range counting and dung counts) is on the Best Practice website.

ii. How do deer use the development site? Identify sources of food and shelter within the development site.

iii. Identify if there are other sources of food and shelter out with the development site that could accommodate an increase in deer numbers should deer be displaced from the development site.

It may be useful to speak to local estate staff involved in deer management to find out about areas that deer use and may seek refuge in should they be displaced.

iv. Identify if there are other interests within or near the development site that deer management activity may affect (e.g. core paths, popular hills, public roads, etc.).

v. Speak to neighbouring land owners/managers, including local Deer Management Groups (DMGs) where they exist, to find out their objectives in relation to deer and other interests such as habitats (e.g. sporting estates who wish to retain deer numbers in line with their estate-scale deer management statement, adjoining protected area for priority habitats managed to reduce deer numbers, etc.)

vi. Identify the broad habitat types within the site, and use this to predict how many deer (the carrying capacity) the habitat types might be able to sustain during the lifetime of the development. Where it is not possible to access neighbouring land, refer to other sources of information (e.g. the Land Cover of Scotland information, will help to identify what broad habitat types are present in the surrounding area). Remember to include consideration of any sensitive habitat types that the development will create or damage/destroy. The Best Practice Guides contain information on habitat types sensitive to deer.

As a general guide, sustainable deer densities of <3-5 deer/km^2 may be appropriate for woodland establishment and for blanket bog sites, while <8-12 deer/km^2 may be appropriate for some less susceptible moorland habitats.

The actual numbers a particular site can sustain without damage will depend on a range of factors including habitats, topography, soils, altitude and other land uses in the area. Monitoring over time (section e below) may be required to find the site's real carrying capacity.

[1] The points are based on an amalgamation of the *Code of Practice on Deer Management* (section 4.4) and *What to consider and include Habitat Management Plans*, which should be referred to for more information (links provided in section 2).

b. Identify potential issues. Assess and clearly describe any potential issues that may arise from changes to deer numbers and movements. Consider impacts of displacement into/off the site on deer welfare, habitats and neighbouring interests.

Consider any habitat types that the development activity will create or restore as well as those outwith the site that deer may be displaced onto. Consider these in the context of both construction and operation. Assess the following:

- Where are displaced deer likely to go?
- Is there sufficient alternative food and shelter in the surrounding area to ensure no adverse impact on deer welfare?
- What impacts will displaced deer have on neighbouring and other interests (e.g. recreation, public roads, etc.)?
- Will displacement adversely affect the objectives of habitat creation/restoration within the development site or on neighbouring land?

Deer management statements (DMS):
Where adverse impacts are predicted in the assessment carried out above, the points[2] below (c to g and, if appropriate, point h) should be addressed in a DMS (or revision to an existing Deer Management Plan):

c. Why is there a DMS? The DMS should set out any specific planning or legal requirements that might apply. If it is required due to a planning or consent condition, then the final version of the DMS should state the relevant condition. If it was a commitment in the development proposal submission, then state the original commitment. This will make it clear to future readers why the DMS exists, some of whom may not read it until some years after its creation.

d. What are the aims of the DMS? The DMS should state what it is trying to achieve and (if relevant) show how it contributes to and complements the aims of habitat restoration plans and/or other management within the development site and surrounding area.

e. *Identify actions*. Based on the answers to questions a - d above, identify and describe management measures and monitoring programmes to ensure the aims of the DMS are met:

i. Concisely describe what, how and where monitoring/management will take place, when it will occur and who will be responsible for it. (Maps are useful to indicate monitoring zones and help to replicate monitoring over time).

This information allows compliance monitoring by the Planning Authority and helps to maintain wider confidence in the DMS.

Management may include measures such as culling, fencing, diversionary feeding, etc. It should be noted that some management measures might cause other impacts/issues that will also need to be carefully considered.

The Best Practice Guides (Impacts, Planning, Culling, etc. webpages) contain more information on how to monitor and manage the impacts of deer on various habitat types. However, please note that these guides are written for estate-scale assessment rather than for a smaller scale development site.

[2] The points are based on an amalgamation of the *Code of Practice on Deer Management* (section 4.4) and *What to consider and include Habitat Management Plans*, which should be referred to for more information (links provided in section 2).

We therefore advise focussing on any sensitive habitats present on site, then applying the guidance for those habitats with a reduced sampling intensity as appropriate for the size of site, sensitivity of habitats present, habitat creation/restoration aims, predicted deer pressure, etc.

Please note that we do not recommend installation of permanent monitoring markers at development sites. Use GPS references or development infrastructure to identify monitoring points.

ii. Provide a monitoring schedule. The DMS should provide a quick reference timetable listing the required monitoring, management and reporting (see f below), as well as when they are scheduled to take place throughout the lifetime of the development.

f. ***Reporting.*** We recommend that a report detailing the results of the monitoring and the recommendations for on-going management is produced within 2 months of the end of each monitoring year.

The DMS should specify the frequency and timing of reports and who will analyse the results to assess whether the targets are being met and if they are still appropriate.

g. ***Flexibility.*** Deer management is an adaptive process that needs to react to changing environmental and other conditions, monitoring or trial results, unexpected events or evolving guidance.

The DMS should also be reviewed around 3 years prior to decommissioning, once details of decommissioning are known and the potential impacts can be assessed.

We therefore recommend that the DMS includes a short section indicating that it is a live document and setting out the frequency and timing of reviews, how decisions on modifications will be made, and how they will be approved.

Approval for amendments to the DMS must occur before implementing revised measures. For more complex sites, with competing interests, a steering group may be needed, as described in section h below.

Please note that where effects on Natura sites are likely, consideration of the Habitats Regulations may also be required before revised measures can be implemented.

h. ***Steering groups.*** The role of a DMS steering group is to review and discuss monitoring results and to approve proposed amendments to the DMS during its lifetime. If a steering group is required, the DMS should identify who will be on the DMS steering group and how amendments to the DMS will be authorised, etc.

Where required, the steering group will usually include a representative from the Planning Authority and the developer. SNH will only participate in a steering group where our engagement accords with section 5 of this guidance. Other parties may also be part of the steering group depending on their interest in the development (e.g. Forestry Commission Scotland, Royal Society for the Protection of Birds, landowner/managers, etc.). At sites where there is also a HMP or the DMS is part of a HMP, it may be appropriate to have one steering group considering both plans.

We recommend that the Planning Authority chairs the steering group and makes the final decision if agreement cannot be reached through the steering group. Decisions should take full account of any specific planning or legal requirements that might apply.

It is unlikely that the steering group will have to meet to discuss every report – most reports could be reviewed and approved by correspondence.

However if significant results are found or unexpected matters arise that would benefit from discussion, a meeting of the steering group should be arranged as soon as possible. If changes to the DMS are needed, approval should be provided in writing by the steering group chair (having sought the other group member's opinions in writing) before changes are implemented.

7. Deer management and the Planning system

This section provides some advice on common scenarios and how they relate to the Planning system. The scenarios below use a protected area as the 'interest' being affected. Impacts on other interests could be substituted for 'protected area', for example 'deer welfare', 'agriculture', 'recreation', 'woodlands', etc.

Note that it is impossible to include every potential scenario in this document. The following should be used as a guide only. Consideration and discussion with the relevant parties about what approach is most appropriate for each individual development and affected interest(s) will be required. The involvement of SNH in such discussions will depend on the interests affected, as described in section 5 above.

Scenarios:

Sometimes a development can only go ahead if there is confidence that a deer management statement will be implemented. For example where, without careful deer management, there would be an adverse impact on a protected area.

Deer are a wild animal that move through the countryside, whereas the planning system deals with discrete development sites, so a number of different scenarios are possible. These are described below:

- ***Large boundary, impacts largely within boundary***
  In some situations, the planning application boundary is widely drawn in the context of actual development proposed, so that within the application area there is a relatively large area around the development site. The assumption is that the developer has control over the land within the application boundary. An agreed deer management statement tailored for the land within the development boundary would set out the management activity required to avoid an adverse impact on the protected area. Planning permission could include a condition requiring the submission and approval of a deer management statement prior to commencement of development and implementation of the DMS thereafter.

- ***Tight development boundary, impacts largely out with boundary***
  In contrast to the above, some planning application boundaries are tightly drawn to follow the outline of the actual development (e.g. around the tracks and turbine locations). The extent of the planning application area therefore forms a relatively small part of a wider landownership that is unlikely to be in the control of the developer (e.g. a relatively small development site leased from the landowner of a larger estate).

  This would mean that there would be two parties affected by and so with an interest in deer management, and who would need to cooperate to avoid an adverse impact on the protected area. Both parties are expected to work together to prepare a deer management statement that would avoid an adverse impact on the protected area. Such situations are likely to require a legal agreement involving the developer and the landowner to ensure that the agreed deer management statement is implemented.

This involves a third party to the planning application, so an appropriate mechanism to secure this as part of a planning permission would be through Section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended).

- ***Impacts on multiple landowner interests***

For development sites contained within a single landownership but bordering other land ownerships that may be affected by displaced deer, difficulties can arise due to contrasting interests regarding land management. For example, some neighbouring estates may manage their land for nature conservation and so require lower deer numbers, whilst others may manage for commercial stalking and so desire higher deer numbers.

Where, without careful deer management across more than one landownership area, there would be an adverse impact on the protected area caused by the effects of the development on deer, the developer should seek willing neighbours to agree jointly to a deer management statement. This agreement must be legally secured through a Section 75 agreement with all relevant parties, linked to planning permission. This would allow these parties to work together during the construction and/or the operation of the development to reduce the pressure on the protected area (for example by managing deer away from sensitive areas).

Liaison with other neighbours who are not party to the agreed deer management statement (e.g. due to contrasting land management interests), as well as the local Deer Management Group (where one exists) is also recommended as part of the initiation and on-going implementation of the deer management statement.

Where there are contrasting interests, the priorities for the deer management statement must be compatible with the determining authority's plans and policies, particularly those safeguarding protected areas. The Section 75 agreement therefore needs to address adverse impacts on the protected area to avoid failing the policy tests, as failure is likely to result in refusal of the application.

- ***Other situations***

In other situations, positive deer management might not be required to overcome potential adverse impacts on a particular interest. In this case a deer management statement is not required to enable the planning authority to grant planning permission.

However, it may still be beneficial to carry out positive deer management, for example to protect or enhance priority habitats and the species reliant upon them.

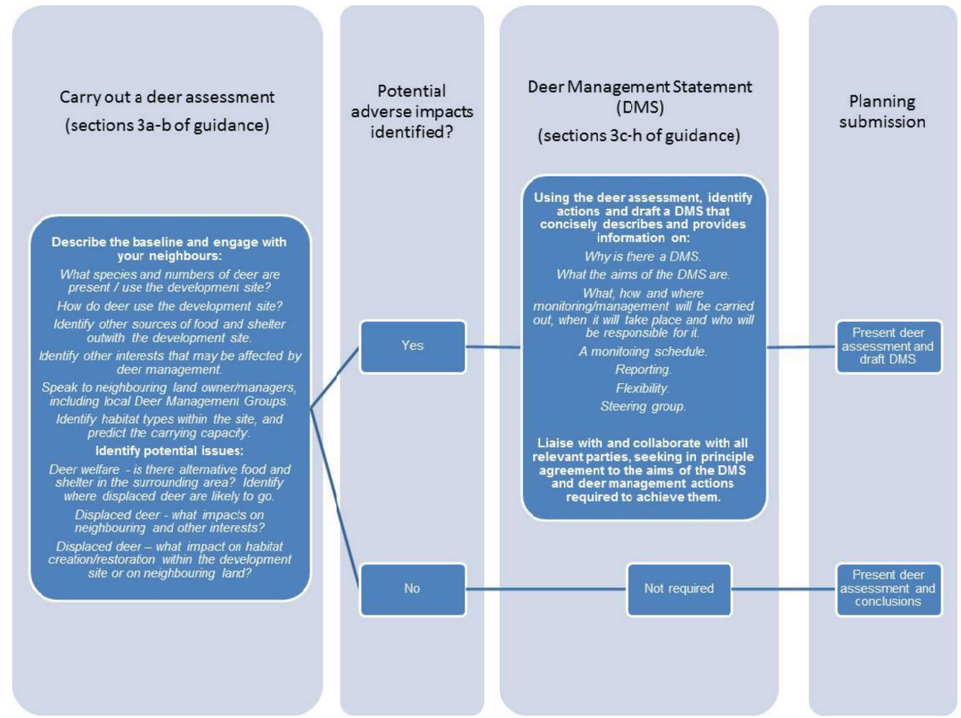
Planning Authorities have a duty to further the conservation of biodiversity under the Nature Conservation (Scotland) Act 2004. Therefore, where it is not possible to attach a planning condition, a Planning Authority may wish to secure site specific deer management through an agreement under for example Section 20 of the Local Government in Scotland Act 2003, in order to fulfil their biodiversity duty.

8. Site specific advice and providing feedback on this guidance

For advice on site-specific assessment results and draft deer management statements, please contact the SNH case officer for your site.

We welcome constructive feedback on our guidance. If you have any suggestions on how to improve this guidance, or have any queries about it, please contact a member of the SNH renewables team.

ANNEX 1 - assessment flow chart



Ashton M (Mark)

From: Redacted
Sent:
To: Ashton M (Mark)
Subject: RE: Clauchrie Wind Farm Scoping Consultation

Dear Mr Ashton

I refer to your email, below, and the earlier one of 25th March, regarding the above.

This matter has now been discussed by the Community Council and I would inform you it was agreed that at this stage of the proposed development, the Community Council has no comments to make on the proposals.

Kind regards
Celia Strain
Secretary, Barrhill Community Council

www.snh.gov.uk

Charles Marshall
Secretary
Cree Valley Community Council
6 Riverbank
Minnigaff
Newton Stewart
DG8 6QU

Cree Valley Community Council Response to Clauchrie Windfarm Scoping Report

We would like to make the following points in relation to our Cree Valley area.

1.1.4
Error - Kilgallioch Windfarm is in Dumfries & Galloway – not in South Ayrshire.

2.2 - Scoping
The EIA must include a serious investigation into the affects of the windfarm in respect to additional surface water run-off which may increase the flood risk into the River Cree catchment.

3.1. - Site & Surrounding Area
The public road from Bargrennan to Straiton is not mentioned. It is a very important route North from Newton Stewart and is used frequently by the local community and tourists. It is adjacent to the site and cannot be ignored.

3.2 – Access
Cairnryan is not feasible as an alternative to Glasgow Docks. Newton Stewart and the Cree Valley will be very badly affected by the delivery convoys.

N.B. We take great exception to the use of the word "settlement" to describe our town of Newton Stewart.
We should point out that the dictionary meaning of settlement is *"The establishment of a new population in a place"* or *"a newly colonised region"*
Newton Stewart is in fact the central market town in Mid Galloway with a population of 4000 people, which was established 370 years ago.
Either this was a very poor choice of language by the author, or it it was deliberately used to give the impression of a very small community of little value.
We would not like to see this word used in any future documents.

4.6 – Shared Ownership & Community Benefits
We have very serious concerns about the integrity of SPR, as to whether or not they will deliver a Community Benefit Package in accordance with the Scottish Government guidance which is in place at the current time.
This is principally because we were erroneously disregarded as a "Core Community" from the Kilgallioch Windfarm in 2013 even although we met most of the criteria in the guidance.

This error has resulted in ridiculous inequity in the distribution of the benefit fund whereby tiny populations in the chosen Core Communities receive up to £900 per head – which they can never possibly spend – whereas our community receives only £13 per head. We are currently in dispute with SPR regarding this matter.
Recently we had a meeting with the Kilgallioch windfarm Project Manager at which we were informed that the relevant Scottish Government Guidelines carried no weight, and that SPR could not be held to these guidelines in the case of Kilgallioch – even although SPR was a main contributor to the document !
We therefore think that since a Community Benefit Fund has already been mentioned in the documentation for Clauchrie by SPR, then their past record in delivery of Community Benefits must be considered, and we insist that the delivery of such a fund cannot at anytime in the future ever be described as voluntary.

The delivery of a Community Benefit Package or a Shared Ownership Scheme consistent with the current guidelines must be a "condition" within any consent which is granted.
Also we consider that SPR`s previous disregard of our Community is taken into account and that the failure in the delivery of that Community Benefit Package should in fact be a material consideration when evaluating the socio-economic impact of the Clauchrie development.

Response to Scoping Questions
5.2
The viewpoint should be the midpoint of the Barnkirk Road rather than Challoch. Challoch is the very lowest point in our area.

5.4
The summit of the Merrick which is within the Cree Valley Community is the most significant viewpoint and must be given a considerable weighting in the evaluation.

5.5
The views of the Galloway Mountain Rescue Team should be considered - as their members have both an affinity with and a vast knowledge of the Galloway Hills.

Section 6 and Questions 6.1
The affects of the Peat Disturbance on the hydrology of the River Cree must be considered. In addition the Peat Disturbance during the necessary clear felling of a huge area of forest must also be considered.
Owing to the potential for run off during periods of heavy rainfall there is potential for catastrophic damage to occur to the ecology of the River Cree.
A significant amount of resources will have to be allocated to mitigate this threat.

Q - 6.2 No, for the above reasons.

6.3.1 – Hydrology & Hydro-geology

We do not believe that any of the Consultees, or documents listed will have enough information or detailed knowledge of the River Cree catchment area to suitably evaluate the effect of the development on flooding in the downstream River Cree at Newton Stewart.

We would recommend that Dumfries & Galloway Council - and the flood studies carried by Consultants on their behalf in respect to the recent flood events and flood prevention scheme - are consulted.

Q - 7.1 No, we do not agree. The affect on the fragile, currently recovering salmon population in the High Cree must be considered and so all the fish species must be included.

Q - 11.1

No, neither the study area nor the assessment method is acceptable.

It is pretty clear that the author has never been to Newton Stewart, since the delivery route chosen has the turbine convoys travelling up the main street (Queen Street & Victoria Street). This would be totally unacceptable – and also totally impractical.

We would recommend that additional lay-bys (passing places) are constructed along the A714 to prevent the significant traffic hold-ups which occurred regularly on the A714 during the construction of the Kilgallioch Windfarm.

We suggest a meeting with us to discuss both a more appropriate route and a more useful methodology.

Section 12 – Socio-economics, Tourism & Recreation

This states that the River Stinchar is 4.5 km to the south of the site.

It is if fact around 3 km to the north of the site ! The River Cree is not mentioned despite the fact that around 90% of the Clauchrie site is within its' catchment.

In our opinion SPR has deliberately provided false information within the Scoping documentation in order to sidestep having to consider expensive mitigation measures to balance the potentially disastrous impact the Windfarm construction could have on the fragile ecology, and the flood issues of the River Cree.

The list of consultees must include the River Cree District Salmon Fishery Board and the River Cree Hatchery and Habitat Trust, who have devoted a huge amount of effort to replenish the wild salmon, and trout population in the river.

Q - 12.1

According to the figures provided 41% of the tourists who come to Dumfries and Galloway or in this case,Newton Stewart ("The Gateway to The Galloway Hills"), come to get away from it all.

The loss of a significant area of wilderness will have a substantial impact on tourism and therefore adequate consideration must be given to the effect on the economy of the Cree Valley.

Final Summary & General Comments

Finally - as the above answers confirm – sadly it is our experience that SPR (and also their advisers Foundation Scotland) seem to view the impact of their Windfarms on the Cree Valley from both the comfort of and the direction of their Glasgow and Edinburgh Offices, and seem to have had very little understanding of the geography & demographics of the area.

The administration of the most recent Kilgallioch Windfarm Benefit Fund has unfortunately been as far removed from the aims and ethos the Scottish Government guidelines as it is possible to imagine.

They need to alter their vantage point otherwise the detrimental affect which their activities are having on our Community should be treated as material to whether or not Clauchrie is eventually granted Planning Consent.

Cree Valley Community Council
8th April

Ashton M (Mark)

From: [redacted]
Sent: 24 April 2019 10:14
To: Ashton M (Mark)
Cc: [redacted] Econsents Admin
Subject: RE: Clauchrie Wind Farm Scoping Consultation

Dear Mark

Thank you for giving the Galloway Fisheries Trust an extension to provide a response to the above consultation after we were omitted from the consultees list. Please find the GFT response below.

Galloway Fisheries Trust (GFT) have worked on over 40 windfarm developments, mostly in Dumfries and Galloway, providing fisheries expertise to ensure local waters and their fish populations are protected. We have worked closely with ScottishPower Renewables on Arecleoch Wind Farm, Glen App Wind Farm and Kilgallioch Wind Farm. GFT employ 5 qualified Fisheries Biologists and have worked across Galloway since 1988. The core working area of GFT is the following river catchments in SW Scotland; Luce, Bladnoch, Cree, Water of Fleet, Kirkcudbrightshire Dee, River Urr and Border Esk. For more information on GFT please see our website www.gallowayfisheriestrust.org

GFT wish to respond to this scoping consultation as a significant part of the development area lies within the Cree catchment. The GFT comments provided below are all in relation to the Cree catchment only i.e. we are not commenting on the Stinchar catchment.

- The proposed development could potentially impact on a number of watercourses in the Cree catchment. From the map provided it appears that Turbines 11, 12, 13, 14, 15 and 16 are located on the Fardin Burn catchment (which includes the Polmaddie Burn in the upper reaches). Turbines 2, 3, 5, 6, 8, 9 and 10 are located on the Clauchrie Burn catchment (which includes the tributary Scalloch Burn). Thus, 13 out of the 16 proposed turbines are located on the Cree catchment. In addition, the likely access route will cross a number of significant Cree tributaries including the Goat Burn, Sprit Strand, Laniewee Burn, Shiggerland Loch inflow and High Cree (just downstream of Loch Moan). In addition the Fardin Burn and Cairnfore Burn may be crossed by the main access route to the site. All of the watercourses crossings along the access route to the windfarm may need to be upgraded or widened and thus could be impacted.
- The Galloway Fisheries Trust should be added to the consultation list for this development.
- No comments on questions 4.1, 4.2, 4.3
- No comments on questions 5.1, 5.2, 5.3, 5.4, 5.5
- Question 6.1/6.2 – Yes the survey methods for assessing likely effects on peat are appropriate. It is appropriate to consider scoping out operational effects on hydrology. Additional GFT comments: There is significant amounts of deep peats in the proposed work area. Peat depth surveys will be important and development should aim to avoid deep peat damage and consider undertaking peatland restoration in appropriate areas to compensate for any peat damage. The upper High Cree catchment suffers from acidification which has been exacerbated by the extensive conifer afforestation and in particular drainage of the deep peats. This acidification has impacted on wild fish populations. Large scale conifer felling and disruption of peat soils would be expected to deteriorate water quality particularly by lowering pH. Monitoring for changes in pH needs to be carefully designed as pH levels will fluctuate depending on river flows and time of year. Thus, spot sampling may not be adequate and instead constant water quality monitoring equipment would be required. GFT request the opportunity to comment on any water quality monitoring plan as we have extensive experience monitoring acidification in Galloway.
- Questions 7.1, 7.2, 7.3 – GFT strongly disagree with the conclusion in 7.3.3.2.9 that no fish surveys are required. On the Cree catchment there are at least 8 significant watercourses which could be impacted either by the main access track or the construction of turbines. Most of these watercourses have been found in previous GFT electrofishing surveys to contain wild fish populations (some have not been surveyed previously though and many of the previous surveys were not actually in the development area). Some

salmon stocking takes place in sections of the Fardin and Clauchrie Burn further downstream from the development site. It is essential that an up to date baseline wild fish survey is undertaken for the scoping. This data is required when considering constructing or upgrading of any watercourse crossings and to adequately understand the sensitivity of watercourses. Due to the risk of impacts on these fish populations from reduced water quality, construction of crossing points then a detailed baseline fish survey should be undertaken. GFT are experienced with regard to undertaking fish surveys and also have good local knowledge of Cree fish populations so request we can provide comments on any proposed baseline fish survey methodology / site locations etc. Marine Scotland expect adequate baseline fish surveys usually too for windfarm scoping studies. From GFT experience working with ScottishPower Renewables it has always been standard practice that their wind farm scoping reports include baseline fish surveys if surrounding watercourses are sufficiently large enough to support fish populations. GFT have also found the remains of a freshwater pearl mussel shell when out surveying on the High Cree catchment a few years ago. The shell was downstream of the proposed development area and it was an old shell but it shows they could still be present. Thus pearl mussel surveys may be required if any instream work, such as culvert placing, is planned in water courses which are large enough, and have suitable habitat, to potentially support freshwater pearl mussels.

- No comments on questions 8.1, 8.2, 8.3, 8.4, 8.5, 8.6
- No comments on questions 9.1, 9.2
- No comments on questions 10.1
- No comments on question 11.1
- No comments on questions 12.1, 12.2, 12.3
- No comments on questions 13.1, 13.2

Please contact me if you require clarification on an of the points raised above.

Regards
Jamie

Jamie Ribbens BSc (Hons) MSc
Senior Fisheries Biologist

Galloway Fisheries Trust, Fisheries House, Station Industrial Estate, Newton Stewart, Wigtownshire, DG8 6ND
Tel: [redacted]
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A Scottish Registered Charity No. 030426

Ayrshire Rivers Trust

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KA6 5HW
Tel: 01292 737300
[redacted]
www.ayrshireriverstrust.org

Mark Ashton
Energy Consents Unit
Scottish Government
4th Floor
150 Broomielaw
Glasgow
G2 8LU

3rd May 2019

Dear Sirs,

Request for Scoping Opinion, Clauchrie Windfarm (ECU Reference ECU00001805)

On behalf of the Ayrshire Rivers Trust and the River Stinchar District Salmon Fishery Board we would like to make the following comments on the EIA scoping report. Our comments relate only to the water environment and riparian habitat and take no account of other potential impacts. The proposed windfarm development has the potential to impact on the water environment due to its close proximity to important tributaries of the River Stinchar. We therefore ask you consider the following comments.

7 Ecology

7.3.3.2.9 The results of field surveys, to assess watercourse suitability, or fish populations, are considered unlikely to change the approach to the assessment or the proposed measures put in place to protect the watercourse and as result. It is therefore considered that field surveys to assess watercourse suitability, or fish populations, will not be required to inform the assessment and therefore no surveys have been proposed within this Scoping Report.

The scope of the assessment for this chapter should include the provision of an environmental baseline for freshwater fish and aquatic macroinvertebrate populations. Monitoring during and after construction should also be undertaken as part of the design and mitigation. The Muck Water is considered a vital tributary for juvenile salmonids and offers excellent nursery habitats. For Ayrshire the monitoring locations would relate to turbines T1, T4, T7 and T2. All of the remaining turbine locations fall on the watershed within Dumfries and Galloway.

7.5 Aquatic habitats: effects are limited to the ecological effects of changes in water conditions through potential pollution effects.

Any pollution incidents caused by the installation or development of the Clauchrie Windfarm have a high possibility of entering the surrounding watercourses. Depending on the severity of these this could have a knock-on effect to the substrates and habitat further down the catchment. Sensitive salmon and trout spawning habitat and juvenile nursery areas are situated within the vicinity of the works and also immediately downstream. It is important these areas are fully protected from potential negative effects such as siltation which can arise during construction works.

Fine sediments and silts can have an adverse effect on the ecology of rivers and although they are present in small quantities under normal riverine conditions, excessive amounts can be detrimental to aquatic organisms. Fish are vulnerable to high inputs of fine sediments as fine silts and sands can damage gills and may abrade the outer protective mucous on adult fish making them more prone to infection. Sediments which smother the streambed can also reduce the amount of available habitat for fish refuge by filling up the small cracks and spaces between larger stones. Salmonid redds are also at risk from fine sediments as silt can smother and prevent flow of water through the redd interstices and suffocate the eggs. They can also bind the gravel together making it difficult for fish to dig the redd and thus the suitability for spawning in that area is likely to be reduced.

As well as salmonids, European eels (*Anguilla anguilla*) are present within the Muck Water and are registered as critically endangered on the IUCN red list.

Q7.1: Do consultees agree with the proposed survey approach to be undertaken?
As there are no proposed surveys to assess watercourse suitability, or fish populations, Ayrshire Rivers Trust and the River Stinchar District Salmon Fishery Board do not agree with the approach.

Q7.2: Do consultees agree with the proposed assessment of the potential effects as a result of the Development?
The effects to the watercourse and fish populations could be affected by this development, but if they are not monitored the effects either negative or positive will be unknown.

Q7.3: Do consultees agree with those surveys which have been scoped out?
Yes we agree with the other ecological surveys especially the water vole, badger and otter surveys.

Should you require further information or clarification of any points, please don't hesitate to contact the undersigned.

Yours sincerely

Redacted

Gillian McIntyre
Biologist and Project Manager

EQUESTRIAN ACCESS THROUGH WIND FARMS IN SCOTLAND

Wind farms are an important part of strategies to achieve the Scottish Government's target of producing 20% of Scotland's energy from renewables by 2020. As an organisation, British Horse Society restricts its involvement and comments (both those made by BHS at national level and those made by local BHS representatives) to those most relevant from an equestrian perspective, including safety and the potential economic impact on equestrian access or local equestrian businesses. Individual BHS members may choose to take other factors into account in supporting or objecting to wind farm development proposals.

BHS Scotland has produced this information sheet to provide guidance to horse riders and carriage drivers on access through wind farms, and to ensure that equestrian access is taken into account in design and determination of planning applications for wind farms.

Riding and carriage driving through wind farms

Many horse riders and carriage drivers are apprehensive about taking their horses near wind turbines. Some horses may initially react negatively to the sight or sound of turbines, as they would to any new experience, while others are totally unperturbed. Don't assume that wind turbines will necessarily have a negative effect on your horse, or on equestrian access. Horses are very adaptable. BHS has received many more reports of horses being unphased by wind turbines than of adverse reactions, and very few where the horse's response has not eased with familiarity and sensitive handling. In some parts of the country, wind farms provide welcome new opportunities for off-road riding and carriage driving.

Legal context for access through wind farms in Scotland

- The Land Reform (Scotland) Act 2003 provides a right of access for all non-motorised recreational users to most land, provided these rights are exercised responsibly. This includes wind farms (other than during the construction phase – see below).
- The network of tracks built during wind farm construction often provides good opportunities for year-round multi-use access, but does not always link into other routes off the site. There may be maps at the entrance to wind farms, or accessible via the internet, identifying recommended routes. Inevitably some turbines will be located close to tracks because of the economic incentive to minimise the distance between main tracks and individual turbines.
- Access rights also apply to the land between turbines, although most wind farms are built on exposed sites, often on boggy ground which may not support equestrian access. Look at the vegetation and weigh up the ground conditions carefully before you wander off the track.
- Access rights are suspended on land where building or civil engineering work is being carried out, other than on core paths or rights of way. During construction access to live working areas may be restricted under Construction (Design and Management) Regulations 2007 on the grounds of public safety. The Scottish Outdoor Access Code clarifies that restrictions should be kept to the minimum area, and for the minimum duration, reasonably and practicably possible. Access to the remainder of the site should not be affected, even during construction. Existing rights of way, core paths and other promoted routes should remain open even in live working areas, other than where pre-agreed signed diversions have been put in

place to maintain access. If you find this is not the case, consult your local access authority.

Remember access rights in Scotland come with responsibilities. You are responsible for your own horse, your own safety, and deciding for yourself whether you feel the risks involved in riding or carriage driving mitigate against using certain routes. You are also responsible for ensuring your actions do not put anyone else at risk.

How do horses react to turbines?

Like humans, all horses are individual. They each react to circumstances and structures in different ways. Some will take turbines easily in their stride, others may show some initial apprehension.

Generally, horses are more likely to react to unusual noises and sudden movement than the rhythmic rotation of turbine blades. Blades which start to turn while in a horse's sight may provoke more of a reaction than those already in motion as you ride towards them, but start-up movement is usually slow and gradual, so will not frighten most horses. Horses' vision allows them to see to a certain extent behind them, so they may be frightened by something you have not noticed. Smaller turbines, particularly those with a tail fin, tend to adjust to changes in wind speed and direction more quickly than larger turbines, and the sound may change as the turbine moves. Although sudden changes in sound and movement are more likely to startle a horse, they are not dissimilar to many other hazards in windy conditions, such as loose, flapping plastic.

Some horses may react to the moving shadows cast by turbine blades, particularly if these flicker across their path, but as shifting shadows are commonplace, most horses quickly get used to this. Shadows are longest early in the day and during the evening when the sun is at its lowest.

Familiarising your horse

Riding and carriage driving are inherently risk sports. Some relish the thrill of increased risk through challenges such as cross country courses, others prefer a quiet life. When it comes to wind turbines, it's your choice how you perceive and opt to manage the risk. On the basis of experience, BHS believes that most (but not all) horses which are familiarised with wind farms in a gradual and sympathetic way will happily ride or drive past turbines.

Your own reaction will greatly influence that of your horse. By keeping calm and confident and quietly reassuring your horse, you can help minimise their reaction, just as you would in any other situation. Many riders comment how ethereal and peaceful they find the regular swoosh of turbine blades.

Horses are flight animals. When startled, their first instinct is to flee, then to turn around and look at whatever frightened them. Horses are also naturally herd animals, finding safety in numbers. You can use this to your advantage in familiarising your horse with wind turbines. The same principles apply as introducing young horses to traffic: do it gradually, ideally in the company of an experienced horse.

Before you set off

- If visiting a wind farm for the first time, you might want to have a look round on foot first, so you can plan your route in advance and just concentrate on riding or driving when you get there with your horse.

- Check the weather and do your own risk assessment. Many horses are more sensitive when it is very windy, and the stronger the wind, the louder the noise from the turbines is likely to be. During winter there may be risk of ice or snow falling off the blades, particularly if the sun comes out and prompts a sudden thaw. It is common sense to avoid wind farms, or to stay clear of individual turbines, during thunderstorms when there may be risk of lightning strike. Some wind farms, such as Whitelee near East Kilbride, have their own rangers or website offering up to date weather forecasts specific to the site, or a contact number you can call if in doubt about risks associated with adverse weather.
- Plan in advance where you are going to park to avoid interference with works traffic or other visitors. If possible, park and unload where your horse can see the turbines and then hack towards them to give your horse change to acclimatise to something new from a distance.
- Remember to take hi-viz gear (and wear it when you are riding or driving through the wind farm) so that you are readily visible to site traffic and other recreational users.

Think, look, listen

- Expect the unexpected. Squeaks and clunks as turbines stop and start, or swivel to face the wind, are more likely to cause your horse to react than the rhythmical movement of the blades. Keep calm, and carry on.

- Turbines require maintenance, so bear in mind that there may be vehicles, and people, around. A friendly greeting will help alert your horse to someone they may not have seen working overhead, and help reduce any risk of it taking fright unnecessarily.

- Be aware that some wind farms are used by sled-dog teams for training and exercise. Keep your eyes open, and be willing to step out of the way: your brakes are likely to be better than theirs!

BHS Scotland has run several training days at Whitelee Wind Farm near East Kilbride offering riders opportunity to familiarise their horse with turbines under the expert guidance of Rhoda McVey, a highly experienced qualified BHS instructor. You can watch a DVD of the event at http://www.youtube.com/watch?v=b0O1hZdaihI.

Guidance for developers and planning authorities

The notes which follow offer guidance on how any potential negative impacts or wind farm development or operation can be minimised, and highlights opportunities to maximise the benefits of wind farm development for equestrian access. Chapter 7 of Good Practice During Wind Farm Construction (http://www.snh.gov.uk/publications-data-and-research/publications/search-the-catalogue/publication-detail/?id=1618) offers more general guidance on access and recreation in relation to wind farm design, construction and operation.

Key issues for horses

The main concerns about turbines from an equestrian perspective are:

- blade movement, particularly when blades start to turn within a horse's sight line, or blades which come into view at eye level;

- moving shadows cast by blades, which some horses may perceive as a threat to their safety, exacerbated by the fact that the object casting the shadow may not be obvious to the horse. Blade shadows are not a problem if the turbine is north of the track or path;
- sun or light flicker off blades;
- noise from turbines, particularly erratic noise during start-up or deceleration;
- risk of snow and ice shedding off blades;
- risk of electrocution (particularly during lightning strike);
- risk of injury or fright resulting from structural failure, breakage or collapse of the tower, blades or other constituent parts of turbines.

Site assessment

BHS recommends that no anemometer should be situated closer than fall over distance plus 10% from any track used, or likely to be used, by horse riders or carriage drivers, and that no associated cables should be situated any closer than 30m from an equestrian route, as the cables may be difficult to see, especially by a startled horse.

Design

BHS expects turbine siting and wind farm development plans to respect all existing equestrian access, and to consider opportunities for development of further access wherever possible. This includes access within, across, through and adjacent to sites. Scope to use new tracks constructed to enable turbine erection to link other routes outwith the site is encouraged. BHS Scotland and local riders will be happy to help identify existing riding routes, and to offer suggestions for how access could be improved as an integral part of wind farm development.

- **BHS' standard guidance is that there should be a separation distance of at least four times the overall height of turbines (i.e. to tip of blade) for core paths, nationally promoted routes such as Scotland's Great Trails and other promoted riding routes**, as these are most likely to be used by equestrians unfamiliar with turbines.
- **BHS recommends a target of three times overall height between turbines and all other routes** which pre-date wind farm development or turbine erection, including roads.
- **BHS recommends a minimum separation distance of 200 m between turbines and core paths, rights of way or promoted riding routes.**

Where recommended separation distances cannot be achieved, BHS will expect developers to demonstrate how safety issues can be addressed, including development and signage of alternative routes of comparable length, gradient and appeal to horse riders and carriage drivers to cater for those who prefer not to take their horses so close to turbines. From an equine perspective, turbines which suddenly come into view at close range without any warning are likely to cause the greatest risk of horses reacting.

Traffic during and after development

- Drivers of all vehicles visiting the site should be alerted to where they are most likely to meet horses.
- All vehicles should be required to slow down or stop when meeting walkers, cyclists, and particularly horses.

- Where construction traffic has to cross an equestrian route, this should be at right angles to the path or track, with warning notices for both vehicle drivers and horse riders/carriage drivers. Construction traffic should give way to recreational users.
- A Temporary Traffic Regulation Order should be in place before closure of any core path or promoted route which may be necessary during transportation of large components.
- Traffic movement which may impact on equestrian access should be planned to allow horse riders and carriage drivers to continue to ride safely in the early morning, evening, at the weekend and on bank holidays.
- All drivers of large vehicles should follow BHS' guidance to minimise risk to horse riders and carriage drivers (http://www.bhsscotland.org.uk/resources-for-developers.html).
- Where there is no alternative to using the line of a core path or promoted route as an access track during the construction phase, the route should be widened, and a fence erected to segregate vehicles from horses using the route.

Surfacing

BHS recognises that from a developer's perspective, the first priority in constructing tracks providing access to turbines is capacity to support required vehicular access, which usually involves stone surfacing, whereas the ideal surface for horses is firm, well drained turf.

Stoned tracks may increase opportunities for year-round riding, particularly over boggy or waterlogged ground, but sharp stone, particularly if unconsolidated, can quickly lame horses, and will usually restrict pace to walk. Horse riders and carriage drivers understandably feel aggrieved when paths and tracks along which they have previously enjoyed scope to trot, canter or gallop are stone surfaced as part of wind farm development, resulting in loss of amenity for equestrian users.

As a matter of policy:

- Where wind farm development or turbine erection results in loss of previously unsurfaced, firm beaten earth tracks enjoyed by horse riders and carriage drivers, BHS expects developers to provide substitute routes of similar length, gradient and character.
- BHS encourages developers to identify in their proposals what, if any action, is proposed to ameliorate the surface of construction tracks on completion of construction. Where traffic movement and natural consolidation with earth or mud is insufficient to blind sharp stone, dressing with whin dust or similar material may be necessary.
- BHS does not expect paths or tracks with a past history of multi-use, or intended for future multi-use to be surfaced with tarmac, but accepts that developers may agree to bound surfacing of specific routes for the benefit of walkers and cyclists in some instances.

Further guidance on the general principles of equestrian access can be found at http://www.bhsscotland.org.uk/resources-for-developers.htmlt.

Access controls

All access controls should ensure that horse riders and carriage drivers, as well as other non-motorised users, are able to exercise their legal access rights. In order to ensure this, and in accordance with national guidance, BHS expects developers and planners to ensure that:

- In keeping with best practice and the Equalities Act, the least restrictive option is used to provide access for all legitimate recreational users. This is usually a gap.
- Where it is necessary to erect or lock gates across a track to restrict illegal vehicular access, a suitable gap, bridlegate or horse stile should be maintained alongside. Guidance on appropriate widths and designs can be downloaded from the BHS Scotland website. Sites likely to be used for carriage driving should incorporate facility such as the Kent Gap design.

Further details and specifications for gaps, gates and other access infrastructure are provided in the Outdoor Access Design Guide https://www.pathsforall.org.uk/pfa/creating-paths/outdoor-access-design-guide.html. BHS Scotland is happy to provide further guidance and advice where required tel. 01764 656334.

Other facilities

Incorporation within site design of areas with sufficient space for horse boxes and trailers to park, turn and unload easily will be much appreciated by horse riders and carriage drivers. Parking areas should not be close to any turbines to allow horses unfamiliar with turbines to be safely unloaded and opportunity to acclimatise. Corals, tying rails and mounting blocks are valuable additional features.

Maintenance and safety tests

The increased noise during over-speed and similar safety tests which involve rotors being sped up to capacity can be very frightening for horses, even those which are used to turbines. BHS urges all turbine owners and wind farm operators to alert horse riders and carriage drivers in advance of and during scheduled safety tests by erection of suitably placed signs on-site, on websites etc. confirming time and date to enable those concerned about their horses' reaction to avoid the turbines at relevant times. BHS also recommends that planners make it a condition of planning permission that those responsible for turbines are obliged to notify local horse owners of scheduled test dates at least five days in advance.

Guidance for riders and carriage drivers in responding to wind farm development proposals

How BHS responds to development proposals

BHS is a statutory consultee for all major wind farm development proposals in Scotland. It is not generally consulted at national level regarding erection of individual turbines, or small groups of turbines for domestic or commercial use.

For each wind farm application received, BHS consults with local riders and equestrian businesses to identify:

- existing equestrian use of the proposed site (who uses the site, how and when)
- existing equestrian use of adjacent or nearby tracks or roads
- level and frequency of existing use
- how existing use might be affected by proposals
- anticipated changes in future use
- potential for increased equestrian access through site development
- how the proposed development might impact on other equestrian interests.

In some cases BHS responds direct at national level, and in others delegates responsibility to a local Equestrian Access Group or BHS regional access representative.

Key issues to be taken into consideration in responding to development proposals

The main concerns about turbines from an equestrian perspective, which might be referred to in responding to development proposals, are summarised above.

When considering the impact of development proposals, planning authorities are likely to take account of the existing environment (i.e. what the site is like at present) and associated risks. Horse riders and carriage drivers using roads shared by motorists and other users are already in an environment characterised by noise and movement. Consequently objection to development proposals on the basis of horses being unable to cope with noise or movement is unlikely to be taken seriously. This applies to forest roads used by timber wagons as much as to public roads. Similarly objections based on increased risk of horses meeting other recreational users are unlikely to be taken into account in relation to existing multi-use paths where horses may already routinely encounter cyclists and walkers.

Bear in mind that over-exaggerating the fact that horses are inherently unpredictable flight animals may later be used in evidence against you. Planners who have read riders' comments about horses' propensity to spook every time they meet a bike or vehicle of any kind are unlikely to respond positively to future complaints about routes being developed or managed which exclude equestrian use on the grounds of safety risks to other users. Similarly wind farm developers are unlikely to be willing to consider requests for developing additional new multi-use routes through wind farms if you have already protested that you would never go within five miles of a turbine.

It's also worth avoiding the risk of throwing the baby out with the bath water. No matter how strongly opposed you may be to a proposed development, consider carefully whether it is worth commenting on how any potentially negative effects from an equestrian perspective could be minimised, or flagging up opportunities for development of valuable new equestrian facilities or routes linked to development.

Design considerations

The location of individual turbines can have a major impact on horses' response. The following points are worth bearing in mind when considering the equestrian impacts of proposed developments:

- Horses are generally less concerned by turbines if they are able to acclimatise to the noise and sound as they approach. Turbines in close proximity to a path or track which suddenly come into view without any warning may pose more of a problem.
- Blade shadows are not a problem if the turbine is north of the track or path.

Equestrian access

In assessing the effects of proposed development on equestrian access, BHS recommend that you take account of the following:

- Which turbines are the most critical in terms of any potential adverse impact from an equestrian perspective? Identifying which you feel are totally unacceptable, and why, will help developers tailor their proposals to minimise the adverse impacts. Take into consideration not only how close turbines are to existing tracks, but also how readily visible they are: will they suddenly come into view as you round a corner from dense forestry? How far is the closest turbine from any parking area(s), or where you would enter the site? Most horses unaccustomed to turbines are unlikely to take kindly to being unloaded where turbine blades are swooping overhead, but have no problem if they have time to acclimatise from a distance.
- How will site construction or development, particularly construction of stone access tracks, affect the nature of routes currently used for riding?
- What scope is there to make proposed tracks or access roads more useful or acceptable from an equestrian perspective?
- What alternative routes are currently available, or could be developed to avoid the turbines or to substitute for sharp stoned access roads?
- What scope is there for extension or further development of the wind farm access track network to link with other routes outwith the site?

Submitting your comments

- Research your facts carefully. Details of the number and proximity of horses which might be affected by the proposed development, or the number currently making use of the proposed site, or a particular route, will help back up your case.
- State the basis or justification for your comments as clearly as possible.
- Work with others. Submissions that have the support of walkers and cyclists are stronger.
- Remember the significance of numbers, and that each letter counts as one objection. Letters from 10 individual members of a local riding club or riders access group will therefore have far more impact than a single letter from a group which purports to represent 50 members.
- If you decide to object, make sure you include the critical phase "I/we object to...." within your submission, and state your reasons for objecting.
- Substantiate your comments or objections wherever possible by reference to relevant local planning policies, BHS guidance re. separation distances between turbines and riding routes etc.
- Providing a template or summary of points which you wish to encourage others to submit in response to wind farm applications can drum up more support, but planners are likely to take individual letters much more seriously than mass produced identical letters, even if individually signed.

Case study – Grimes Wind Farm, Cumbria

Considerable weight was attached to the potential significant adverse impact on three equestrian businesses in refusing planning permission for this wind farm. In each case, the highly volatile nature of visiting young horses and breeding mares, particularly bloodstock and those in race training, was influential in justifying the impact of turbine development. Use of bridleways by local horses which would have opportunity to become accustomed to the turbines was largely discounted as an objection.

Case Study - an example of refusal of planning permission

Proposals were submitted to Aberdeenshire Council for erection of two 800 kw wind turbines (hub height 55 m, total height 79 m) and associated infrastructure at Newton of Flouzie, in Banffshire. Balhagan Equestrian Services objected to the proposal on the basis of the potential impact of the proposed turbines on the riding stables, which is located approximately 500 m north of the nearest turbine. The business specialises in training and schooling of young horses as well as offering riding, stable management and a range of livery services. Balhagan commissioned an expert witness who undertook a risk assessment of the impact of the two proposed turbines on the business and its users, which concluded that the proposed turbines would have an extremely detrimental impact on any horse on or near the property, that the turbines would increase the risks to training and working horses at the stables, and to their riders, and consequently horse owners would seek other more suitable training facilities elsewhere, resulting in loss of business. BHS supported the objection on the basis that the construction of the turbine in such close proximity to the arena would force Balhagan out of business. The reporter appointed by the Scottish Ministers noted that "it would be naive to think that the proposed turbines would have no effect on the behaviour of some horses at the stables, and on adjoining roads (<100m from the turbines) well within the BHS guideline distance...(particularly given the age of the horses). Nevertheless I remain to be persuaded that the increased risk to the welfare and safety of horses or the persons handling them would be of such a scale as to lead to horse owners withdrawing their horses and taking their business elsewhere in sufficient numbers to lead to the demise of the business." Taking account of the conflicting evidence submitted by the appellant regarding livery yards operating in close proximity to turbines elsewhere in the country and to the provision of bridleways as an integral part of some wind farms where horse riding is actively encouraged and promoted, the reporter concluded "I am not in a position to be certain that the proposal would have a significant adverse impact on the viability and future of the equine business." The proposal was, however, deemed unacceptable on the grounds of landscape and visual impact, and consequently the equestrian issues were not further pursued.

If you need further advice on equestrian access in Scotland, contact your local BHS access representative (see www.bhsscotland.org.uk for contact details) or Helene Mauchlen, national manager for BHS Scotland Tel. [redacted] or email [redacted]

For guidance on equestrian access in England and Wales, contact Access and Rights of Way Department, The British Horse Society, Abbey Park, Stareton Lane, Kenilworth, Warwickshire CV8 2XZ. Telephone [redacted]. Email [redacted].

VWG
Updated March 2018

Ashton M (Mark)

From: [redacted]
Sent: 27 March 2019 11:15
To: Ashton M (Mark); Econsents Admin
Subject: FW: CLAUCHRIE WINDFARM SCOPING CONSULTATION
Attachments: Clauchrie Scoping Layout(1.1).xls; WID10942 FIG01_02_10567_r0 _CWF_SiteLayout_A3L.pdf

OUR REF; WID10942

Dear Sir/Madam,

Thank you for your email dated 27/03/2019 .

We have studied this Windfarm proposal 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,
Paul Atkinson
Fibre and Network Delivery
Radio Frequency Allocation & Network Protection (BNJ112)
Openreach
Tel: [redacted]
Mobile [redacted]
Web: www.openreach.co.uk
PLEASE ALWAYS RESPOND TO [redacted]

Defence Infrastructure Organisation

Claire Duddy
Assistant Safeguarding Officer
Ministry of Defence
Safeguarding Department
Kingston Road
Sutton Coldfield
West Midlands B75 7RL
United Kingdom

Telephone [MOD]: [redacted]

E-mail: [redacted]

Your Reference: ECU00001805

Our Reference: DIO10045396

Mark Ashton
Consents Manager
Energy Consents Unit
The Scottish Government

10th April 2019

Dear Mr Ashton

ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR CLAUCHRIE WINDFARM

Thank you for consulting the Ministry of Defence (MOD) on the above scoping opinion request in your communication dated 25th March 2019.

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

The application has been assessed on the basis that there will be 16 turbines, a maximum of 200 metres to blade tip and located at the grid references below as provided by LUC.

Turbine	Easting	Northing
1	227205	588620
2	227605	587945
3	228220	587500
4	228000	589295
5	228385	588635
6	229060	588095
7	228910	589705
8	229305	589020
9	229980	588645
10	230180	589555
11	230845	589170
12	231565	588880
13	231080	590065
14	231860	589810
15	232770	589995
16	232435	589390

In the interest of aviation safety, the MOD requests that the turbines are fitted with aviation lighting in accordance with the Article 219 of the Air Navigation Order.

The principal safeguarding concern of the MOD with respect to the development of wind turbines relates to their potential to create a physical obstruction to air traffic movements and cause interference to Air Traffic Control and Air Defence radar installations.

Defence Infrastructure Organisation Safeguarding wishes to be consulted and notified of the progression of planning applications and submissions relating to this proposal to verify that it will not adversely affect defence interests.

If planning permission is granted we would like to be advised of the following prior to commencement of construction;

- the date construction starts and ends;
- the maximum height of construction equipment;
- the latitude and longitude of every turbine.

This information is vital as it will be plotted on flying charts to make sure that military aircraft avoid this area.

If the application is altered in any way we must be consulted again as even the slightest change could unacceptably affect us.

I trust 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

Claire Duddy
Assistant Safeguarding Officer

Ashton M (Mark)

From: Steve Thomson [redacted]
Sent: 17 April 2019 11:04
To: Ashton M (Mark); Econsents Admin
Cc: Safeguarding
Subject: RE: CLAUCHRIE WINDFARM SCOPING CONSULTATION
Attachments: Clauchrie Windfarm - Response to Scoping Report (March 2019) submitted by Gla.._.pdf

Mark,

Please find attached Glasgow Prestwick Airport Ltd response to the Scoping Report in relation to Clauchrie Windfarm.

While there are no specific questions in relation to Aviation Safety, Chapter 13 of the Scoping Report (other issues) covers aviation concerns adequately – and we will be consulted fully once the planning application is submitted – therefore we are content at this stage to await the full planning documents, where we will appropriately respond to any aviation issues that may arise from the proposed windfarm design and layout.

With Kind Regards

Steve

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

Steve Thomson
Manager Air Traffic Services
Glasgow Prestwick Airport Ltd.

T: [redacted]

[redacted]

www.glasgowprestwick.com

4. Planning Policy Context		Q4.1: Is the approach to consideration of relevant planning policies considered to be appropriate (i.e. that there will be no Planning Policy Context chapter in the EIA Report, with relevant policies being referred to in each specialist topic chapter, and covered in detail in the supporting Planning Statement)? GPA consider this approach to be appropriate
		Q4.2: Are the policies identified in Table 4.1 appropriate for inclusion in the EIA Report and Planning Statement policy appraisal? Are there any others that should be considered? GPA consider this policies listed to be appropriate
		Q4.3: Are there any other local material considerations of relevance to the proposed Development which should be considered? GPA Response: While Chapter 13, Paragraph 13.2 suggests that the proposed windfarm will be terrain shielded from the operational radar of Glasgow Prestwick Airport – this will need to be confirmed through appropriate radar modelling and Line of Sight (LOS) analysis, to ensure that the proposed windfarm does not introduce clutter on air traffic radar displays.
5. Landscape and Visual Impacts		Q5.1: Are there any comments on the overall methodology proposed to assess effects on landscape and visual receptors, including cumulative effects? : While Chapter 13, Paragraph 13.2 suggests that the proposed windfarm will be terrain shielded from the operational radar of Glasgow Prestwick Airport – this will need to be confirmed through appropriate radar modelling and Line of Sight (LOS) analysis, to ensure that the proposed windfarm does not introduce clutter on air traffic radar displays.
		Q5.2: Are there any comments on the proposed list of assessment viewpoint locations, including the proposed locations for night time visualisations? GPA makes no comment to this question
		Q5.3: Are there any windfarm sites, in addition to those shown on Figure 5.7, to consider as part of the cumulative assessment? GPA makes no comment to this question
		Q5.4: Has the consultee identified any further landscape or visual receptors to be considered within the assessment (i.e. where it is expected that significant effects may occur)? GPA makes no comment to this question
		Q5.5: Are there any other relevant consultees who should be consulted with respect to the LVIA? GPA response: No
6. Hydrology, Hydrogeology, Geology and Soils		Q6.1: Are the survey methods for assessing likely effects on peat considered to be appropriate? GPA consider the survey methods to be appropriate
		Q6.2: Is it appropriate to consider scoping out operational effects on hydrology? GPA makes no comment to this question
7. Ecology		Q7.1: Do consultees agree with the proposed survey approach to be undertaken? GPA makes no comment to this question
		Q7.2: Do consultees agree with the proposed assessment of the potential effects as a result of the Development? GPA makes no comment to this question
		Q7.3: Do consultees agree with those surveys which have been scoped out? GPA makes no comment to this question
8.Ornithology		Q8.1: Confirmation that there is no connectivity between the Glen App and Galloway Moors SPA (and underpinning SSSI), the Bogton Loch SSSI or Merrick Kells SSSI and that these designated sites can therefore be scoped out of the EIA Report. GPA makes no comment to this question
		Q8.2: Do consultees agree that the range of ongoing surveys and those carried out to date (December 2018) are sufficient and appropriate? GPA makes no comment to this question
		Q8.3: Are there any other relevant consultees who should be contacted or other information sources referenced, with respect to the ornithology assessment? GPA makes no comment to this question
		Q8.4: Confirmation of the approach to the ornithological assessment is requested. Do consultees believe that there are further species or designated sites which need to be considered in the assessment? GPA makes no comment to this question

		Q8.5: Confirmation that the low conservation value species can be scoped out of the assessment is requested. GPA makes no comment to this question
		Q8.6: Do consultees agree that the proposed mitigation is sufficient and appropriate? GPA makes no comment to this question
9. Noise		Q9.1: Confirmation is sought that it is considered appropriate to scope out operational effects of vibration. GPA makes no comment to this question
		Q9.2: Do consultees agree that the proposed scope of the assessment is both sufficient and appropriate? GPA makes no comment to this question
10. Cultural Heritage		Q10.1: Confirmation is requested that the cultural heritage study areas are considered appropriate for the assessment. GPA consider them to be appropriate
11. Traffic and Transport		Q11.1: Confirmation is sought on the acceptability of the proposed study area and assessment method. GPA consider them to be acceptable
12. Socio-Economics		Q12.1: Is the scope of the assessment appropriate? GPA consider it to be appropriate
		Q12.2: Are the proposed study areas suitable? GPA consider the proposed study areas suitable
		Q12.3: Are there any particular sources of information that should be considered? GPA makes no comment to this question
13. Other Issues		Q13.1. Are the scopes of the proposed assessments appropriate? While Chapter 13, Paragraph 13.2 suggests that the proposed windfarm will be terrain shielded from the operational radar of Glasgow Prestwick Airport – this will need to be confirmed through appropriate radar modelling and Line of Sight (LOS) analysis, to ensure that the proposed windfarm does not introduce clutter on air traffic radar displays. The windfarm is within the operational range of the Glasgow Prestwick Airport radar, and hence if any turbines are visible to the radar, they may have an impact on the performance of the radar dosplays in the airspace above the radar visible turbines.
		Q13.2. Are there any particular consultees, in addition to those included in Appendix A, who should be contacted to inform the assessment of effects included in this chapter? GPA consider the list of consultees to be appropriate

Ashton M (Mark)

From: JRC Windfarm Coordinations [redacted]
Sent: 26 March 2019 15:31
To: Ashton M (Mark)
Subject: CLAUCHRIE WINDFARM SCOPING CONSULTATION [WF163216]

Dear mark,

A Windfarms Team member has replied to your coordination request, reference **WF163216** with the following response:

Dear Sir/Madam,

***Planning Ref**: Section 36 and ECU Reference ECU00001805*

***Name/Location**: Clauchrie Windfarm, Bellamore, Girvan, South Ayrshire*

***Site Centre/Turbine at NGR/IGR**: 227980 585980 (estimated)*

***Development Radius**: 2km (estimated)*

***Hub Height**: 120m **Rotor Radius**: 80m (all dimensions estimated)*

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

Scottish Power and Scotia Gas Networks

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

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

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

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

Regards

Wind Farm Team

The Joint Radio Company Limited
Delta House
175-177 Borough High Street
LONDON
SE1 1HR
United Kingdom

Office: [redacted]

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

https://breeze.jrc.co.uk/tickets/view.php?auth=o1xtmdqaabehiaaaDVsXTd4o8vk6iQ%3D%3D

Mountaineering Scotland

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

By email to
[redacted]

FAO Mr Mark Ashton
Energy Consents Unit
Scottish Government
4th Floor
150 Broomielaw
Glasgow
G2 8LU

17th April 2019

Dear Mr Ashton

Clauchrie Windfarm: Submission of Request for an EIA Scoping Opinion
ECU Reference: ECU00001805

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

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

Context
Scottish Power Renewables (SPR) are scoping an Environmental Impact Assessment (EIA) for a wind farm on the South Ayrshire/Galloway border, within 5km of the Merrick Wild Land Area (WLA) and 6.7km from the summit of the Merrick itself. The scoping is considering 16 turbines of up to 200m blade-tip height.

The site itself is largely commercial conifer plantation with some unforested higher ground. The scoping layout largely avoids the open ground but the turbines sit just south of it and the blade-tip height would be above the summits. Mountaineering Scotland is concerned with the visual impact from The Merrick Range and the Curleywee- Lamachan group south of Glen Trool.

MS previously objected to a proposal at Balunton (9 turbines of 125m BTH) because of:

- visual impact on the hills of the Merrick area at distances of approximately 8-12 km, close enough for blade movement to very visible

- visible through the Glen Trool 'gap' well into the core of the WLA

- appearing as a substantial move (north)eastward from the established pattern of windfarm development. This latter point was particularly important. The western edge of the mountain core of Galloway currently looks out on an extensive fringe of plantation forestry beyond which, typically at distances of 20km and upwards, a wind farm landscape is being built. The core of our objection to Balunton was that it would break that pattern by placing a wind farm within the forestry fringe. The simple sequence of landscape transitions outwards from The Merrick hills - from open hill to forestry to wind farms - would be disrupted.

SNH also objected, based on the impact on the WLA. The Balunton application was withdrawn before being determined.

The proposed Clauchrie wind farm sits 2km NE of the existing SPR Mark Hill wind farm. This comprises 28 turbines, all except one being 110m BTH, with one 125m BTH. This was not objected to by MS. The turbines bases are typically around 200m OD, giving a blade-tip altitude of a little over 300m OD. By comparison, the base altitudes proposed for Clauchrie are 300+m, giving blade-tip altitudes of 500+m.

No other wind farms or applications are closer to the Merrick than c.17km.

Appraisal
As one would expect the proposed EIA is largely standard and requires no comment.
I have two areas where comment on the Scoping Report may be useful. I set them out under the relevant questions as posed in the Scoping Report.

Q 5.2
Cairnsmore of Carsphairn is proposed as a viewpoint. This is 30km away and it can be confidently predicted that the LVIA will find no impact at this distance. It would be more useful to have a closer viewpoint representing angles of view from popular hills that the proposed viewpoints do not cover, specifically, the Lamachan/Curleywee group SE of Glen Trool. The northern end of the Merrick range at Shalloch on Minnoch is also not covered, though this might rather duplicate the assessment for the Merrick.

Q12.1
It is not clear how the effect on walkers on the Galloway hills will be assessed since paragraph 12.4.2.3 implies consideration of recreation effects only within 2km of the site (through para 12.4.4.3 states 5km). Perhaps hill routes and summits are to be treated as 'notable points of focus for visitor attraction' under paragraph 12.4.2.2.

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

Yours sincerely

Redacted

Davie Black
Access & Conservation Officer
Mountaineering Scotland

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Ashton M (Mark)

From: NATS Safeguarding <[redacted]
Sent: 01 April 2019 13:55
To: Econsents Admin
Cc: Ashton M (Mark)
Subject: FW: CLAUCHRIE WINDFARM SCOPING CONSULTATION [Our Ref: SG27819]

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

NATS Safeguarding
D: [redacted]
E [redacted]

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

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RSPB Scotland

Mark Ashton
Consents Manager
Energy Consents Unit
The Scottish Government
[redacted]

30th April 2019

Dear Mr Ashton

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR CLAUCHRIE WINDFARM

Thank you for consulting RSPB Scotland on the above Scoping Opinion. We have some concerns over the potential impacts to deep peat and would wish to see this as a focus for any mitigation and habitat enhancement. **We are generally content that the Scoping Report covers the topics and methodologies we would expect to be assessed as part of the EIA, however we would also make the following comments:**

1. We welcome the suggestion that a Habitat Management Plan be developed for the site and recommend that it aims to deliver net biodiversity gain as part of the development.
2. Responding to specific questions in the Scoping Report:
   Q8.1: Confirmation that there is no connectivity between the Glen App and Galloway Moors SPA (and underpinning SSSI), the Bogton Loch SSSI or Merrick Kells SSSI and that these designated sites can therefore be scoped out of the EIA Report.
   Answer: We are content that there is no connectivity.

   Q8.2: Do consultees agree that the range of ongoing surveys and those carried out to date (December 2018) are sufficient and appropriate?
   Answer: Yes, we believe they are sufficient and appropriate for this development.

   Q8.3: Are there any other relevant consultees who should be contacted or other information sources referenced, with respect to the ornithology assessment?
   Answer: No.

South and West Scotland Regional Office
10 Park Quadrant
Glasgow
G3 6BS

[redacted]
Fax [redacted]

rspb.org.uk

BirdLife INTERNATIONAL

Q8.4: Confirmation of the approach to the ornithological assessment is requested. Do consultees believe that there are further species or designated sites which need to be considered in the assessment?
Answer: No, we believe the appropriate species have been identified.

Q8.5: Confirmation that the low conservation value species can be scoped out of the assessment is requested.
Answer: Yes, we believe the low conservation value species have been identified and it is reasonable for them to be scoped out.

Q8.6: Do consultees agree that the proposed mitigation is sufficient and appropriate?
Answer: Yes, though also noting that a Habitat Management Plan should be produced.

I hope these comments are useful. Please do not hesitate to contact me should you require further information or clarification.

Yours sincerely

Redacted

Toby Wilson
Senior Conservation Officer – Strathclyde and Ayrshire

ScotWays ®

Safeguarding public access in Scotland since 1845

[redacted]

Mark Ashton
Consents Manager
Energy Consents Unit
The Scottish Government

03/05/2019

Dear Mr Ashton,

Re:
Electricity Act 1989
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Request for Scoping Opinion for Proposed Section 36 Application for Clauchrie Windfarm

Thank you for your e-mailed scoping opinion request of 25th April 2019. Further to our subsequent correspondence, we are grateful for your clarification of the timescale available for our response.

The National Catalogue of Rights of Way (CROW) shows that rights of way SKC3 and SKC5 are affected by the *Proposed Developable Area* as marked on the Scoping Report's Figure 1.2 *Site Layout*. Additionally, rights of way (SKC4 and DW36/SKC36) are affected by the area within the wider *Site Boundary*. Our records indicate that in places afforestation has affected the historic/recorded lines of these rights of way, so the rights are likely to have moved onto the network of forest roads. A map is enclosed with the recorded lines of the identified rights of way highlighted in orange.

As there is no definitive record of rights of way in Scotland, there may be other routes that meet the criteria to be rights of way but have not been recorded as they have not yet come to our notice.

Both SKC3 and SKC5 have previously been promoted by our book *Scottish Hill Tracks*, although the directly affected sections are not included in the current edition, possibly in part as a result of forestry issues. However, other routes still described in the current edition of *Scottish Hill Tracks* are affected by the area within the *Site Boundary*, so these have been highlighted in pink on the enclosed map. Furthermore, our records indicate that the area's forestry is in recreational use, particularly by mountain bikers, so some additional relevant routes affected by the area within the *Site Boundary* have been highlighted in yellow on the enclosed map.

You will no doubt be aware there may now be general access rights over any property under the terms of the Land Reform (Scotland) Act 2003. We note from paragraph 327 of the Scoping Report that the Core Paths Plan, prepared by South Ayrshire Council's access team as part of their duties under this Act, appears to have been considered.

It appears that Chapter 12 *Socio-Economics, Tourism and Recreation* scope is incomplete in that it overlooks the presence of onsite rights of way and promoted recreational routes. We welcome paragraph 346's recognition of the positive effect of enhanced recreational opportunities, but are concerned that it appears the potential for these will not be considered until the proposed

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development is operational. Accordingly, we suggest that as the forestry is in existing recreational use and furthermore as parts of the public access network are already promoted, there is an opportunity here to enhance recreational opportunity as an integral part of the proposed development rather than as an afterthought.

As we understand that there is very little guidance regarding the siting of turbines in relation to established paths and rights of way, the following advice may be helpful:

Extract from the Welsh Assembly Government's Technical Advice Note on Renewable Energy (TAN 8)

Proximity to Highways and Railways

2.25 It is advisable to set back all wind turbines a minimum distance, equivalent to the height of the blade tip, from the edge of any public highway (road or other public right of way) or railway line.

The Society anticipates that the Environmental Statement will provide confirmation of the separation distance between turbines and the identified onsite public access network.

Additionally, we request that any recreational assessment also considers impacts on equestrian access users. We suggest consulting the British Horse Society Scotland in the first instance in order to identify appropriate local contacts.

We note that Chapter 5 *Landscape and Visual Impact* refers (paragraph 102) to an access track. This appears likely to affect right of way DW36/SKC36 and possibly other parts of the public access network. Paragraph 103 acknowledges that existing tracks provide recreational access. The Society anticipates that the Environment Statement will include information about the site's track layout, its impact on the public access network and how this will be managed.

Recreational amenity is an interest of the Society. We note that Section 5.3 specifies that the LVIA will consider potential effects on visual receptors including people using walking routes and cycle routes. We anticipate additional viewpoints will be included that assess the visual impact on users of the directly affected *Scottish Hill Tracks* routes and other parts of the public access network.

I hope the information provided is useful to you. Please do not hesitate to contact us if you have any further queries.

Yours sincerely,

Eleisha Fahy
Senior Access Officer

Cc: Jo Cottin, Principal Environmental Planner, LUC

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

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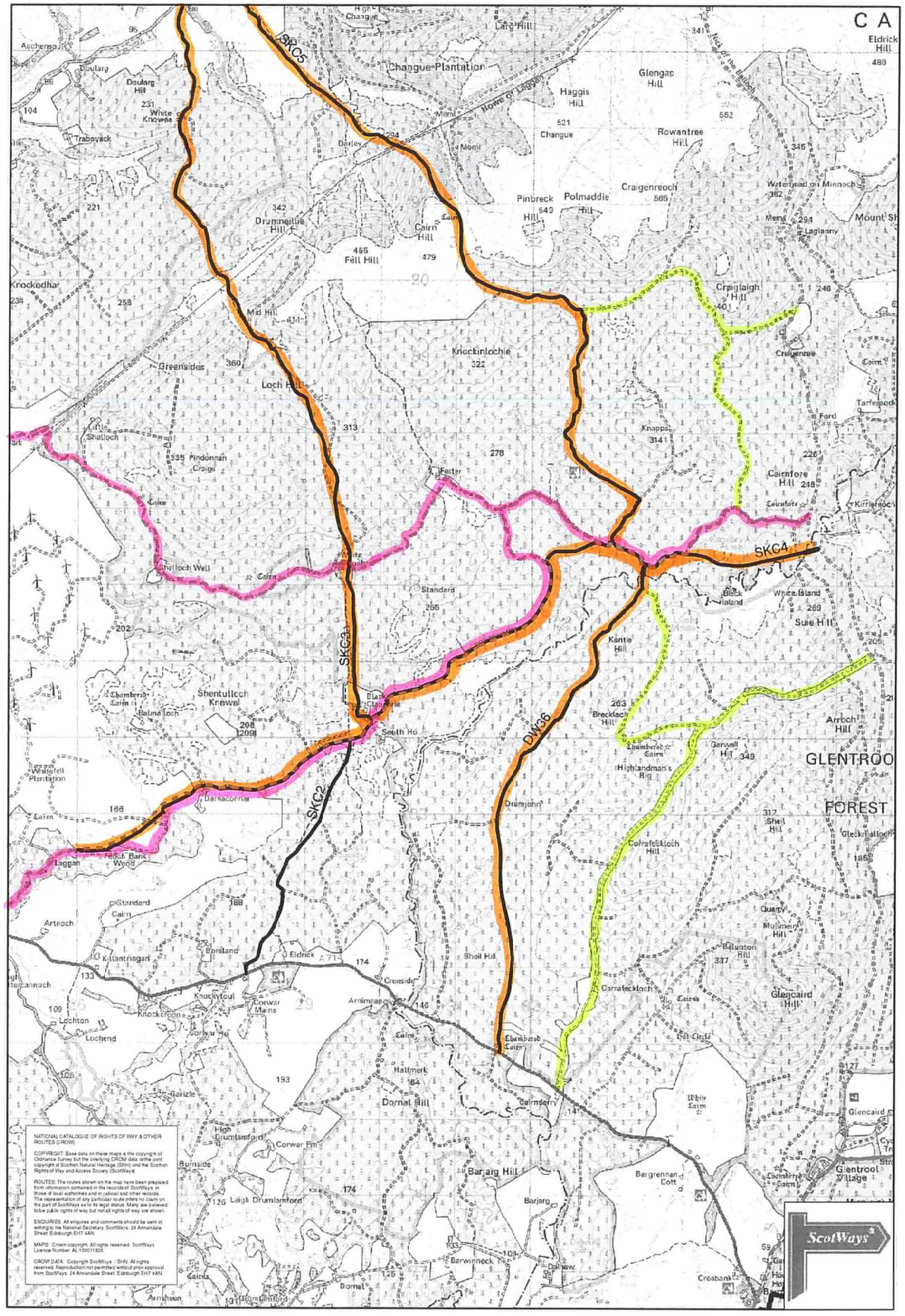

27th March 2019

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

Development Operations
Freephone Number
E-Mail [redacted]
www.scottishwater.co.uk

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

Dear Mark Ashton

KA26 Barrhill Clauchrie Windfarm Site At
PLANNING APPLICATION NUMBER: ECU00001805
OUR REFERENCE: 774974
PROPOSAL: Wind Farm (Generating station of >50 < 100 MW Capacity)

Please quote our reference in all future correspondence

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water

- There is currently sufficient capacity in the PENWHAPPLE Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Foul

- Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Infrastructure close to boundary

According to our records, the development proposals may impact on existing Scottish Water assets.

The applicant should identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team directly at[redacted]

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.

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."

Drinking Water Protected Areas

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

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 taking account of various factors including legal, physical, and technical challenges. However it may still be deemed that a combined connection will not be accepted. Greenfield sites will not be considered and a connection to the combined network will be refused.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is proposed, 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: [redacted]
  Email: [redacted]
  www.sisplan.co.uk

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping

arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.

- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.

- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

- **Please find all of our application forms on our website at the following link https://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms**

Next Steps:

- **Single Property/Less than 10 dwellings**

  For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

- **10 or more domestic dwellings:**

  For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

  Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

- **Non Domestic/Commercial Property:**
  Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

- **Trade Effluent Discharge from Non Dom Property:**
  Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.
  If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link https://www.scottishwater.co.uk/business/our-services/compliance/trade-effluent/trade-effluent-documents/trade-effluent-notice-form-h
  Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
  For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
  The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on [redacted] or at [redacted]

Yours sincerely

Pamela Strachan
Planning Consultations Administrator

The Coal Authority

Resolving the impacts of mining

200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG
T: 01623 637 119
E: [redacted]
www.gov.uk/coalauthority

Mr Mark Ashton - Consents Manager: Energy Consents Unit
The Scottish Government

[By email: [redacted]

08 April 2019

Dear Mr Ashton

Your reference: ECU00001805

ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR CLAUCHRIE WINDFARM

Thank you for your notification of 25 March 2019 seeking the views of the Coal Authority on the above.

I have checked the proposed development area for the Clauchrie Windfarm (Figure 1.1: Site Location of the Scoping Report) against the information held by the Coal Authority and can confirm that the proposed development site is located outside of the defined coalfield. Accordingly, I can confirm that the Coal Authority has no comments or observations to make on this proposal.

In the spirit of efficiency of resources and proportionality, it will not be necessary for you to consult the Coal Authority at any future stages of the Project. This letter can be used as evidence for the legal and procedural consultation requirements.

Yours sincerely

[redacted]

Deb Roberts *M.Sc. MRTPI*
Planning Manager

Visit Scotland | Alba™

04 April 2019

Mark Ashton
Consents Manager
Energy Consents Unit
The Scottish Government

Dear Mr Ashton,

Proposed Clauchrie Wind Farm, South Ayrshire and Dumfries & Galloway

Thank you for giving VisitScotland the opportunity to comment on the above wind farm development.

Our response focuses on the crucial importance of tourism to Scotland's local and national economy, and of the natural landscape for visitors.

Background Information

VisitScotland, as Scotland's National Tourism Organisation, has a strategic role to develop Scottish tourism in order to get the maximum economic benefit for the country. It exists to support the development of the tourism industry in Scotland and to market Scotland as a quality destination.

While VisitScotland understands and appreciates the importance of renewable energy, tourism is crucial to Scotland's economic and cultural well-being. It sustains a great diversity of businesses throughout the country. According to a recent independent report by Deloitte, tourism generates £11 billion for the economy and employs over 200,000 - 9% of the Scottish workforce. Tourism provides jobs in the private sector and stimulates the regeneration of urban and rural areas.

One of the Scottish Government and VisitScotland's key ambitions is to grow tourism revenues and make Scotland one of the world's foremost tourist destinations. This ambition is now common currency in both public and private sectors in Scotland, and the expectations of businesses on the ground have been raised as to how they might contribute to and benefit from such growth.

Importance of scenery to tourism

Scenery and the natural environment have become the two most important factors for visitors in recent years when choosing a holiday location.

The importance of this element to tourism in Scotland cannot be underestimated. The character and visual amenity value of Scotland's landscapes is a key driver of our tourism product: a large majority of visitors to Scotland come because of the landscape, scenery and the wider environment, which supports important visitor activities such as walking, cycling wildlife watching and visiting historic sites.

The VisitScotland Visitor Experience Survey (2015/16) confirms the basis of this argument with its ranking of the key factors influencing visitors when choosing Scotland as a holiday location. In this study, over half of visitors rated scenery and the natural environment as the main reason for visiting Scotland. Full details of the Visitor Experience Survey can be found on the organisation's corporate website, here:

http://www.visitscotland.org/pdf/Revised%20Oct%2012%20%20Insights%20Wind%20Farm%20Topic%20Paper.pdf

UNESCO Galloway and Southern Ayrshire Biosphere

It is important to highlight the global status of the Galloway and Ayrshire Biosphere is given based on the outstanding level of biodiversity in the community. This fragile balance could be affected by such a significant project and we would urge the developers to ensure they take this into consideration.

Taking tourism considerations into account

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

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

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

Conclusion

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

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

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

We hope this response is helpful to you.

Yours sincerely

Redacted

Douglas Keith
Government & Parliamentary Affairs
VisitScotland

Ashton M (Mark)

From: O'Hare, Martin (DRS) [redacted] on behalf of Wosas Enquiries (DRS) [redacted]
Sent: 28 March 2019 14:37
To: Ashton M (Mark)
Subject: RE: CLAUCHRIE WINDFARM SCOPING CONSULTATION

Dear Mr Ashton,

I refer to your email of the 25th of March, requesting comments in response to the scoping report prepared in relation to a potential Section 36 application for the construction of Clauchrie Wind Farm. I have considered this document, and would like to make the following comments.

Section 10 of the scoping document outlines the methodology that would be employed to assess the impact of the proposed wind farm on archaeology and cultural heritage. This suggests that a certain amount of background research has already taken place, as paragraph 269 notes that *'there is one Schedule(d) Monument, the Cairnderry chambered cairn, located within the site as well as a number of known Historic Environment Records (HERs). These assets are typically cairns, enclosures and possible farmsteads. The presence of these assets highlights that there is potential for buried historical remains within the site'*. The Cairnderry chambered cairn (SM1007) is located in Dumfries and Galloway, which is not a member of the West of Scotland Archaeology Service, so I would not be in a position to comment on the effect of the proposal on this monument; however, I would note that a second scheduled monument, this being the remains of the 19th century Rowantree tollhouse and inn (SM 10986) is located immediately adjacent to the application area. In terms of non-designated sites recorded in the HER database from the section of the application area that falls within South Ayrshire, I can confirm that these do comprise a range of features including cairns and farmsteads, though I would note that some of these sites are likely to be of at least regional, and potentially national, significance, despite not currently being scheduled.

Paragraphs 270 – 272 identify designated sites (scheduled monuments, listed buildings, conservation areas, and designed landscapes) present within 5km of the proposed development area, including the Rowantree tollhouse noted above. This 5km search area is mentioned at several other points in section 10 of the scoping report, where it is identified as the outer study area. Paragraph 279 states that a search area of up to 5km from the outermost turbine would consider *'Scheduled Monuments, Category A and B Listed Buildings and undesignated assets of more than local importance within the ZTV or with wider relevant views of the proposed Development'*. We would generally expect an outer study area employed in relation to a large wind farm to employ a study area extending to at least 10km from the boundaries of the development. I would, however, agree with the suggestion that the assessment would consider the impact of the development on the setting of undesignated assets of more than local importance that fall within the outer study area.

This would also be relevant in terms of section 10.4.4.2, which states (paragraph 284) that *'Scheduled Monuments and Category A and B Listed Buildings within 5 km (2 km for Category C Listed Buildings) and with predicted visibility of the proposed Development, based on assessment of the final blade tip height ZTV will be assessed for operational setting effects'*. As was noted above, we would expect such an assessment to consider sites out to 10km, and would also advise that setting impact of this type should not be restricted solely to designated sites. This approach is supported by Planning Advice Note 2/2011, which deals with the treatment of archaeology in the planning process. Paragraph 4 of the PAN makes it clear that that *'Government policy is to protect and preserve archaeological sites and monuments, and their settings, in situ wherever feasible'*, while paragraph 14 says that *'when determining a planning application, the desirability*

of preserving a monument (whether scheduled or not) and its setting is a material consideration'. This would indicate that the impact of the proposal on the setting of heritage sites should not be restricted solely to designated sites only. While it is unlikely to be feasible for the assessment to consider the impact of the proposed turbines on all undesignated archaeological features out to 10km, it should therefore include some assessment on their impact on the setting of other categories of undesignated sites, including those of regional importance, or those where wider setting would have been a significant factor in the selection of their position in the landscape. In particular, I would suggest that consideration should be given to sites that were identified as being of potentially schedulable quality in the old Non-Statutory Register (NSR). Although the NSR is no longer referenced in current planning guidance, sites that were assessed to be of potentially worthy of inclusion in the schedule at the time that it was compiled are likely to continue to be of at least regional significant (unless their condition has materially changed in the intervening period). A number of features that fall within this category are present both within the prospective development area and on its immediate boundaries

Section 10.4.2 of the scoping report outlines the methodology that would be employed in assessing the impact of the development on cultural heritage. This proposes to employ a combination of desk-based assessment and field survey. The range of sources that will be consulted as part of the desk-based element of the assessment is set out in paragraph 275, and appears to be appropriate. Paragraph 276 states that this will be supplemented by a walkover survey, targeting all area of potential ground disturbance within the site inner study area. We would generally recommend that any such walkover survey should cover the full extent of the application site, rather than simply targeting specific areas of disturbance, as this provides a much more comprehensive picture of the archaeological baseline of the area, and allows a greater understanding of the type, range and distribution of archaeological material present. In this instance, I am aware that the majority of the ground within the application area is either currently or has been under commercial forestry plantation, which is likely to make a systematic walkover survey of the entire area more difficult. I would nevertheless be wary of placing too much reliance on a walkover survey that looks only at a relatively small sub-section of the application area, as this is unlikely to provide an adequate assessment of the true impact of the proposal on the cultural heritage of the area.

Proposed measures to mitigate the impact of construction of the wind farm on archaeology and cultural heritage are set out in section 10.5 of the scoping report. This presents a range of options, including micro-siting and fencing to avoid direct impacts associated with construction, but also notes the possibility that fieldwork (watching briefs, survey, excavation and recording) may be required where avoidance is not possible. It is noted in paragraph 291 that all archaeological fieldwork would be carried out in accordance with a written scheme of investigation agreed with the local authority archaeologist. I would agree that the range of options proposed in this section appears likely to be appropriate to address possible direct impacts on archaeology and the historic environment resulting from construction of the proposed wind farm.

Regards,

Martin O'Hare

Martin O'Hare
Historic Environment Records Officer
West of Scotland Archaeology Service
231 George Street, Glasgow, G1 1RX
Tel: [redacted]
email: [redacted]

Development Management and Strategic Road Safety
Roads Directorate

Buchanan House, 58 Port Dundas Road, Glasgow G4 0HF
Direct Line: [redacted], Fax: [redacted]

TRANSPORT SCOTLAND
CÒMHDHAIL ALBA

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

[redacted]

Your ref:
ECU00001805

Our ref:
TS00538

Date:
09/04/2019

Dear Sirs,

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

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR CLAUCHRIE WINDFARM

With reference to your recent correspondence on the above development, we acknowledge receipt of the EIA Scoping Report (SR) prepared by LUC in support of the above development. This information has been passed to SYSTRA Limited for review in their capacity as Term Consultant to Transport Scotland – Roads Directorate. Based on the review undertaken, we would provide the following comments.

Proposed Development

The proposal comprises 16 turbines up to 200m to blade tip, located approximately 6km to the north-east of Barrhill in South Ayrshire Council. It is noted that the site access and approximately 7km of access track are located within the Dumfries and Galloway Council area.

Access

We note that that the turbines are expected to be delivered to either Cairnryan Port or George V Docks in Glasgow. If George V docks are used, the turbine components would travel along the M74 / A74(M) to the M6 where they would turn and then proceed back northwards at Junction 44. They would leave the motorway and join the A75(T) travelling westwards past Newton Stewart where they would then join the A714. It is noted that this route has previously been used during the construction of both Arecleoch and Kilgallioch windfarms.

The alternative delivery route from the port of Cairnryan involves the A77(T), A751(T) and then along the A75(T). The route would then continue along an unclassified road past Newton Stewart and then north to the site entrance located along the A714.

Abnormal Load Assessment

The SR indicates that, as the proposed turbine delivery route(s) have been used previously for the now operational Arecleoch and Kilgallioch Windfarms, the route(s) have been proven capable of turbine delivery. We note, however, that the turbine tip height for the proposed Clauchrie wind farm is up to 200m while the operational turbines at the adjacent wind farms have a tip height of 118m.

The SR states that an Abnormal Loads Assessment report will be prepared for the candidate turbine and submitted as a Technical Appendix to the main EIA Report. The report will detail the proposed route from the port of entry to the site and will identify any potential pinch points on the route. Swept path plans will be prepared to investigate the impact of transporting abnormal loads and mitigation measures will be detailed where necessary. Transport Scotland considers this appropriate, but would indicate at this stage that any proposed amendments to the trunk road network will require to be discussed and agreed with the appropriate Area Managers prior to any works commencing on site.

Environmental Impacts Associated with Traffic Generated by Development

Traffic and Transport is dealt with within Chapter 11 of the SR. We note that the proposed site access is via an existing entrance on the A714, located approximately 9 km south-east of Barrhill. As this is a local road, Transport Scotland has no comment to make on the access point itself.

Matters Scoped Out

We note that assessment of the potential effects relating to traffic and transport from the proposed development are limited to the construction phase only and that both the operational and decommissioning phases will be scoped out of any assessment. This is considered acceptable.

The SR indicates that the forthcoming assessment will consider and assess where appropriate, using the Institute of Environmental Management and Assessment (IEMA) Guidelines for the Environmental Assessment of Road Traffic (Institute of Environmental Assessment, 1993) assuming the following thresholds:

- Traffic flows will increase by more than 30%, or
- The number of HGVs will increase by more than 30%, or
- Traffic flows will increase by 10% or more in sensitive areas.

The SR states that it is anticipated that the main sensitive receptors to development generated traffic will be located along the A714 between Girvan and Newton Stewart. Transport Scotland would ask that potential impacts on the trunk road network also be considered, using the above thresholds.

Where significant changes in traffic are not noted for any link, no further assessment needs to be undertaken. Where environmental impacts have been fully investigated but found to be of little or no significance, it is sufficient to validate that part of the assessment by stating in the report:

• The work that has been undertaken e.g. Transportation/ Noise / Air Quality Assessments etc;

• What this has shown i.e. what impact if any has been identified; and

• Why it is not significant.

It is not necessary to include all the information gathered during the assessment of these impacts although this information should be available if requested.

I trust that the above is satisfactory and should you wish to discuss any issues raised in greater detail, please do not hesitate to contact Alan DeVenny at SYSTRA's Glasgow Office on 0141 343 9636.

Yours faithfully

Redacted

John McDonald

Transport Scotland
Roads Directorate

cc Alan DeVenny – SYSTRA Ltd.

Ashton M (Mark)

From: Bridcut E (Emily) (MARLAB)
Sent: 27 March 2019 09:47
To: Ashton M (Mark); Econsents Admin
Subject: RE: CLAUCHRIE WINDFARM SCOPING CONSULTATION

Hi Mark,

Thank you for seeking comment from MSS regarding freshwater and diadromous fish in relation to the scooping report for the proposed Clauchrie wind farm.
I have attached the link to our generic scoping and monitoring guidelines (https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren) for the developer to consult. We highlight the known acidification problems in the area and suggest the developer contacts, if not already done so, the Cree District Salmon Fishery Board and the Galloway Fisheries Trust for information on local fish stocks.

Kind regards,
Emily

Dr Emily E Bridcut | Onshore Renewables Energy Fish Advisor
Renewable Energy Environmental Advice Group
Marine Scotland Science

Scottish Government | Freshwater Fisheries Laboratory | Faskally | Pitlochry PH16 5LB

Direct Dial: [redacted]
S/B: [redacted]
E mail: [redacted]
w: http://www.gov.scot/marinescotland

Ashton M (Mark)

From: Sheridan A (Andrew)
Sent: 10 May 2019 14:49
To: Ashton M (Mark); Econsents Admin
Subject: RE: CLAUCHRIE WINDFARM SCOPING CONSULTATION [Scottish Forestry Response]

Dear Mark

Thank you for requesting our scoping opinion for this application

Forestry Commission Scotland has now been replaced by Scottish Forestry as the Scottish Government body responsible for forestry policy, support and regulation. We are a separate agency to Forest and Land Scotland (formerly Forestry Enterprise Scotland) who manage the National Forest Estate for the Scottish Ministers (who are the main landowners for this development).

Our opinion is that the EIA Report should include a stand-alone chapter on 'Woodland management and tree felling' that describes and recognises the social, economic and environmental values of the forest and the woodland habitat and take into account the fact that, once mature, the forest would have been managed into a subsequent rotation, often through a restructuring proposal that would have increased the diversity of tree species and the landscape design of the forest. The chapter should include details of the proposed areas for woodland felling and what areas are to be replanted. Any permanent woodland removal must be quantified and proposals for woodland creation to compensate for this woodland loss should be provided to allow compliance with the Scottish Government's Control of Woodland Removal Policy.

We would request that we are the main forestry consultee for the developer in the drafting of a Windfarm Long-term Forest Plan which clearly shows how felling and replanting differ from the baseline position which is the current forest inventory (species, planting year, area etc) and how they differ from the existing FLS Land Management Plan(s) (LMP). How the the Windfarm Forest Plan will be integrated into the future management of the LMP area should also be covered. The plan should be presented as a technical appendix as part of the EIA Report.

It should be made clear that both felling operations and compensatory planting (if relevant) must be carried out in accordance to good forestry practice as defined in the UK Forestry Standard (UKFS). A key component of this is to ensure that even-age woodlands are progressively restructured in a sustainable manner: felling coupes should be phased to meet adjacency requirements and their size should be of a scale which is appropriate in the context of the surrounding woodland environment.

We would encourage early and ongoing discussion of forestry matters during the development of the Forestry chapter and Technical Appendix and the developer should contact me using the details below in the first instance.

Yours sincerely

Andrew Sheridan
Senior Operations Manager, South Scotland Conservancy

Scottish Forestry
Greystone House | 55/57 Moffat Road | Dumfries | DG1 1NP

Switchboard: 0300 067 6500 (Dumfries) or 0300 067 6007 (Selkirk)
Direct: [redacted]
Mobile: [redacted]
Email: [redacted]

Website: forestry.gov.scot
Twitter: @scotforestry

Scottish Forestry / Coilltearachd na h-Alba

Scottish Forestry is the Scottish Government agency responsible for forestry policy, support and regulation.

Clauchrie Windfarm Project Team

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SCOTTISHPOWER
RENEWABLES