

APPENDIX 3

Appendix 3.1: SEPA consultation response letter 28th June 2021

Appendix 3.2: Private Water Supply Risk Assessment (Natural Power)

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Our ref: 1626
Your ref: ECU00002196

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28 June 2021

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By email only to: Econsents_Admin@gov.scot

Dear Debbie

Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

Craiginmoddie Wind Farm, 4km south of Dailly, South Ayrshire

Thank you for your consultation email which SEPA received on 02 June 2021.

Advice for the determining authority

We have reviewed the information supplied with this application, including the Environmental Impact Assessment Report (EIAR), and have found it to be insufficient to allow us to determine the potential impacts. We therefore submit a **holding objection** and request that determination be deferred until further information is provided regarding private water supplies (PWS). We will review this position if the issues detailed in Section 1 are adequately addressed.

We also request, if you are minded to grant consent to the wind farm, that the planning **conditions** detailed in Sections 2, 3 and 5 be attached to the consent.

1. Existing Groundwater Abstractions including Private Water Supplies (PWS)

- 1.1 Section 12.73 of the EIAR states 39 PWS have been identified within a 5km radius of the site boundary. Of these seven were identified which may be hydrologically connection to the proposed development (listed in EIAR Table 12-9). The sources of four of the supplies listed have not been confirmed.
- 1.2 EIAR Section 12.181 states site specific mitigation will be undertaken at all PWS identified as within the study area. This includes implementing 'no construction zone' buffer areas around PWS sources and infrastructure. The size of these buffer areas is not stated. Supply contingency plans are also proposed.

- 1.3 It is our view that the source of the supplies of Dalwayne Cottage, Corphin Cottage, Delamford Farm and Dobbingsstone farm needs to be confirmed in order to confirm if any are within prescribed buffer zones (i.e. 100m from the proposed access track or 250m from turbine foundations and borrow pits) as set out in our [guidance](#). The details should include, but not limited to, the coordinates of the PWS sources, the type (e.g. borehole, well, spring, surface water etc) and the use.
- 1.4 Risk assessments should be provided for any sources found to be within the buffer zones. It is also recommended any contingency plans to maintain supplies are agreed with landowners before construction starts. This is particularly relevant for the Lindsayston Farm supply as the proposed access track is likely to cross the PWS infrastructure.

2. Micrositing

- 2.1 We note a 100m micrositing allowance is proposed within the EIAR and request a planning **condition** requiring that, unless otherwise confirmed by the determining authority in consultation with SEPA, any proposed micrositing be subject to the following restrictions:
- No micrositing shall take place within a 50m buffer distance of a watercourse (as per Figure 12.1);
 - No micrositing shall take place within areas of peat of greater depth than the original location; and
 - Depending on the outcome of the request in Section 1 above, that no micrositing shall take place within the buffers identified for PWS.

3. Disturbance and Re-use of Excavated Peat

- 3.1 We have considered the peat survey information provided with the EIAR and acknowledge, as shown in Figure 12.5, that areas of deep peat are to be avoided. We are satisfied that suitable mitigation (e.g. micrositing and floating tracks) is also planned to avoid damage to more sensitive areas.
- 3.2 A Peat Management Plan (PMP) has been provided and this details extracted peat volumes and suitable storage/re-use is detailed. This also outlines restoration plans for existing peatland areas and to compensate for any habitat loss. We are satisfied with the PMP at this stage. We note a small surplus of peat is indicated but do not expect this to be an issue as some of the reinstatement proposals are conservative.
- 3.3 We request, a **condition** requiring the preparation and submission of an updated PMP for approval to the determining authority, in consultation with SEPA, prior to commencement of the development. This should also demonstrate how micrositing and other measures have been used to further minimise peat habitat disturbance.

4. Impacts on the Water Environment

- 4.1 We support the adoption of a 50m buffer between proposed infrastructure and watercourses as shown on Figure 12.1. Whilst we have no concerns at this stage we note wind turbines 2, 10 and 11 appear to be close to the buffers and would welcome if micrositing allowed for the movement of infrastructure to ensure works remain outwith these bufferzones.

- 4.2 20 new and improved watercourse crossings are proposed to facilitate the development. Any proposals to undertake alterations to, or works on, the bank or bed of a watercourse requires to be authorised under the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR). We can confirm we have no consentability concerns with the proposed crossings.
- 4.3 A construction site licence under CAR will also be required for water management across the construction site. We have no concerns with the mitigation measures identified in the EIAR at this stage and are content to consider detailed proposals supplied with the Construction Environmental Management Plan (CEMP) and during the subsequent authorisation process.

5. Forest Waste Management

- 5.1 EIAR Section 13.88 confirms it is anticipated the forestry waste arising from the works would be minimal but commits to presenting a Forestry Waste Management Plan as part of the CEMP post consent. This plan should estimate the expected quantity of forest residue that will be produced and detail its planned reuse or disposal in line with our guidance on the [Management of Forestry Waste](#) and [Use of Trees Cleared to Facilitate Development on Afforested Land](#). We request this plan is required by planning **condition**.

6. Groundwater Dependent Terrestrial Ecosystems (GWDTE)

- 6.1 We have considered the GWDTE assessment carried out in support of the development (Section 12.112 – 12.116 of the EIAR). The supporting surveys appear to be completed to a high standard and were carried out at the appropriate time of year. We note that potential GWDTE are either outwith the site boundary or have been shown to be rainwater or surface water fed through detailed water chemistry sampling. We therefore agree that the development will have minor/negligible impact on these habitats.

Regulatory advice for the applicant

7. Regulatory Requirements

- 7.1 You should contact our permitting team in advance of any work commencing on site regarding the required water crossing works, and other works in and around the water environment, to discuss the requirements for the site under CAR. As part of the construction site licence process a pollution prevention plan (PPP) will require to be agreed prior to construction.
- 7.2 Further details of regulatory requirements and good practice advice can be found on the [Regulations section](#) and in our [CAR practical guide](#). If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the local compliance team via the [contact form](#) on the SEPA website.

If you have any queries please contact us by e-mail at planning.sw@sepa.org.uk.

Yours faithfully

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Planning Service

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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](#).