



Energiekontor UK Ltd

Glenvernoch Wind Farm

**Environmental Impact Assessment Scoping
Report**

July 2023

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1 INTRODUCTION

Introduction

- 1.1 Energiekontor UK Ltd is evaluating the potential of land at Glenvernoch, south of Glentroll, Newton Stewart, in Dumfries and Galloway ("the Site"), see Figure 1.1, for the development of a wind farm of up to 18 wind turbines (see Figure 1.2), including associated development such as crane pads, access tracks, a substation, a temporary construction compound and a battery storage facility ("the Proposed Development").

Purpose and Structure of the Scoping Report

- 1.2 The purpose of this Scoping Report is to formally request a Scoping Opinion in accordance with Regulation 12 of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (the "EIA Regulations"). Scoping is used to help identify where there is potential for interactions between a project and the environment. It allows an applicant to be clear which of these a local planning authority considers to be the main effects and on which an Environmental Impact Assessment (EIA) should focus.
- 1.3 This Scoping Report provides an outline of relevant environmental receptors that may be significantly affected by the Proposed Development and describes the information that it is envisaged will be submitted as part of a future EIA. This approach enables consultees with a particular interest to identify whether any potentially significant impacts have been omitted, suggest additional mitigation measures or to comment on the suitability of the intended method of assessment if necessary.
- 1.4 Comments on the scope of the proposed EIA are invited. Should consultees be in a position to identify or provide additional relevant information concerning the existing environment or any specific local issues, this would be welcomed.

Energiekontor UK Ltd

- 1.5 Energiekontor UK Ltd is a wind energy development company with offices in Leeds, Glasgow and Edinburgh. The company was formed in 1999 and develops onshore wind farms throughout the United Kingdom. The company has built eight wind farms in the UK with many more in the development process, including three projects currently under construction in Scotland as subsidy-free wind farms.
- 1.6 Energiekontor UK Ltd is part of the Energiekontor Group. The parent company, Energiekontor AG, was established in 1990 in Bremerhaven in Northern Germany. It has since grown to become one of the leading wind energy companies in Europe, having built more than 100 wind farms across the continent.

2 EIA REGULATORY FRAMEWORK

What is EIA

- 2.1 EIA is a statutory process that is governed by UK and European law. It aims to improve the environmental design of a development proposal and provides decision-makers with sufficient information about the environmental impacts of a proposal.
- 2.2 An Environmental Impact Assessment Report (EIAR), prepared during the EIA process, provides environmental information about a scheme, including a description of the proposal, its predicted environmental effects and the measures proposed to ameliorate any adverse effects.

The EIA Process

- 2.3 The EIA is prepared through an iterative process that usually follows the below stages:
- Screening is the first stage of the EIA process where the relevant authorities decide whether EIA is required.
 - Once it has been agreed that EIA is required, scoping is undertaken to define what should be assessed as part of the EIA and reported in the EIAR. This is usually done in partnership between the applicant and the local authority.
 - With the scope set, relevant information on the environmental baseline conditions is collected. This information is then used initially to understand the dynamics of the likely environmental effects and to inform the design of the project to minimise the potential for significant adverse effects.
 - The formal assessment process is then undertaken on the design parameters to define the significant effects of the project.
 - Any significant adverse effects that are identified during the formal assessment process are then reviewed against the design to consider whether alterations could be made to minimise the effect. Should this occur, the formal assessment process is reiterated.
 - Where significant adverse effects cannot be minimised through alterations to the design itself, mitigation measures are considered. Monitoring may also be considered to measure the actual significance of the effect during and post-construction to allow management of mitigation where appropriate.
- 2.4 Once the EIA is completed, the EIAR is submitted to the local planning authority for consideration with the planning application.

Screening – Is EIA Required

- 2.5 The first stage of the EIA process is to screen with the local planning authority whether a development would constitute EIA development.
- 2.6 Development projects that are described within Schedule 1 of the EIA Regulations will always require EIA and are referred to as 'Schedule 1 Developments'. Development projects listed in Schedule 2 that are located in a 'sensitive area', or exceed one of the relevant criteria or thresholds given in Schedule 2 are referred to as 'Schedule 2 Developments'. Not all Schedule 2 Developments will require EIA as only a development project that is likely to have significant environmental effects by virtue of size, location or nature will require such assessment. A development project that requires EIA is referred to as 'EIA development'.
- 2.7 In this case, the Proposed Development (as described in Section 4) is of a type described within Schedule 2 as an installation for the harnessing of wind power for energy productions. It is not located within a 'sensitive area' as defined by the EIA Regulations, however, the project would exceed both of the applicable thresholds as it involves more than two wind turbines with hub heights of more than fifteen metres. The requirement for EIA is therefore determined on the basis of whether the project would be likely to give rise to significant effects on the environment by virtue of its size, nature or location.
- 2.8 The scale, nature and location of the Proposed Development are such that, in order to allow the environmental impacts of the project to be appropriately considered, Energiekontor UK Ltd has taken the decision to voluntarily undertake EIA in this case. Therefore, no Screening Opinion will be sought from the Council.

Scoping – What to Consider

- 2.9 Once it has been determined that an EIA is required, the next stage of the process is scoping. Scoping is an exercise conducted at an early stage in the EIA process and is designed to ensure that the environmental studies provide all the relevant information on:
- The impacts of the project, in particular focusing on the significant effects;
 - The alternatives; and
 - Other matters considered to be relevant.
- 2.10 The findings of this exercise define the 'scope' of the environmental information to be provided and the terms of reference for the environmental studies to be undertaken. The scope of the work however remains flexible and can be amended should new issues or information arise while undertaking the project.

3 THE SITE AND ITS CONTEXT

The Site

- 3.1 The Site is centred at approximately Easting and Northing (E)235247, (N)573276. The closest settlements to the proposed turbines are the village of Glentworth, located approximately 2.8km north of the Site, and the town of Newton Stewart which is located approximately 7km south-east of the Site at its nearest point. The nearest main highway is the A714 which runs adjacent to the eastern boundary of the Site. The Proposed Development is located immediately north of Penninghame Forest and 260m east of Loch Ochiltree. The topography of the Site is undulating, with the lowest points being located adjacent to the A714 at approximately 50m AOD. There are pockets of small hills within the central areas of the Site rising to 90m AOD, 100m AOD and 105m AOD, before the land rises in the north west of the Site at Butter Cairn (164m AOD) and Top of the Fell (184m AOD). The Site covers an area of approximately 780 ha incorporating grassland and modified bog. The Site is principally used for grazing.

Context

- 3.2 There are a number of wind farms, either operational, approved or within the planning system, within the surrounding area. Most notably these include the operational Kilgallioch Wind Farm (5.8km west of the Site), the consented Kilgallioch Wind Farm extension (5.3km west of the Site), the operational Airies Farm Wind Farm (7.9km west of the Site), the consented Gass Wind Farm (10km south west of the Site), the operational Mark Hill wind farm (13.5km north west of the Site) and the submitted Clauchrie Wind Farm (8.9km north of the Site).
- 3.3 A planning application for a wind farm known as Hill of Ochiltree consisting of 10 turbines with a tip height of 115m was submitted in 2009 on land northwest of the Site, directly adjacent to Loch Ochiltree. The planning application was refused in 2012 on landscape and visual amenity grounds, impact on tourism, impact on landscape character and impact on the water environment, soils and hydrogeology.

4 DESCRIPTION OF THE PROPOSED DEVELOPMENT

Introduction

- 4.1 This section describes the various elements proposed as part of the project and provides details of what processes will take place at the various stages of the project's lifecycle (e.g. construction, operation, decommissioning).

The Proposed Development

- 4.2 Energiekontor UK Ltd is investigating the potential for a wind farm development on the Site, consisting of the erection, 35 year operation and subsequent decommissioning of up to 18 wind turbines, each up to 200m in height to blade tip. It is likely that the wind farm would provide up to 120MW of generating capacity. The principal elements of the Proposed Development are described in further detail below.

Wind Turbines

- 4.3 It is proposed to erect up to 18 wind turbines on the Site. The turbines would be of a typical modern design comprising a three bladed rotor hub mounted on a rotatable nacelle (containing a gearbox and a generator), tower and foundation.
- 4.4 Final turbine selection would be made following the grant of planning permission following a tendering and procurement exercise. The EIA will therefore be undertaken on the basis of a candidate turbine design consisting of:
- Maximum height to vertical blade tip of 200m;
 - Turbines would generate power for all wind speeds between 4m/s and 25m/s; and
 - At wind speeds greater than 25m/s (gale force) the turbines would shut down for self-protection.

Associated Development

- 4.5 The principal items of associated development include:
- **Site access** – access to the Site would be taken from the A714. The point of Site entry is subject to confirmation but is likely to utilise the existing farm access at Knockville.
 - **Site tracks** – to provide access for construction and maintenance vehicles from the site access to the substation and wind turbines. These would be installed at the commencement of the construction phase and would remain until the end of the decommissioning phase. They would have a 5m running width with local widening on corners and would be surfaced with coarse aggregate. Depending on

localised ground conditions they would either be cut into, or floated above, the ground.

- **Temporary construction compound / storage area** – to provide a secure area for site office facilities and storage of materials and components. To be constructed adjacent to the site track, with a 50m x 30m hardcore base, surrounded by a security fence and locked gates. The fence and gates would be removed at the end of the construction phase and the hardcore base retained but allowed to re-vegetate.
- **Energy storage facility** – a battery storage facility would be installed on part of the temporary construction compound area. The MW capacity of this would be determined post-consent following wind turbine selection.
- **Crane hardstandings and outrigger pads** – to provide a level and firm base for the cranes at the location of each turbine. Each would be a maximum of 45m x 25m and surfaced with coarse aggregate.
- **Transformer housings** – the transformers to step up the voltage exported from each turbine (from 690V to 33kV) would either be placed within the wind turbines themselves, or in a small secure external transformer housing placed next to each wind turbine tower, depending on the final turbine choice.
- **High voltage and control cables** – to form power and control circuits linking each turbine to the on-site substation, cables would be placed in trenches (dimensions to be determined by ground conditions but typically 0.5m wide x 1m deep) routed alongside the tracks.
- **Substation building** – a 15m long by 10m wide single storey building, housing the switchgear and control equipment plus secure storage space.
- **Off-site highway works** – to facilitate wind turbine component delivery, various off-site highway works would be required along the proposed abnormal delivery route.

Grid Connection

- 4.6 A grid connection would be required to feed the electricity generated by the wind farm into the distribution network for the operational period of the project. The final details of the grid connection, including the precise route and an assessment of any impacts on the environment would be determined by the local Distribution Network Operator at a later date. The new grid connection may be subject to a separate design and consent process under Section 37 of the Electricity Act 1989.

Construction Phase

- 4.7 It is estimated that it would take approximately 12-18 months to construct the Proposed Development. Construction works would include:

- Temporary and permanent highway modifications to enable vehicles to access the Site from the local and strategic highway network;
 - Construction of permanent new site tracks required to access the wind turbine positions. These would be used by civil engineering plant and construction equipment;
 - Construction of a secure site compound / storage area for site office facilities and storage of materials and components;
 - Installation of hardstandings and outrigger pads for the support of the cranes that would be used for the erection of the turbines;
 - Construction of foundations for the support of the turbine structures;
 - Wind turbine delivery and erection;
 - Installation of transformers in separate housings alongside each wind turbine (if required);
 - Installation of on-site High Voltage cabling, communication cabling and earthing;
 - Installation of Supervisory Control and Data Acquisition system;
 - Construction of site substation;
 - Commissioning of site mechanical and electrical equipment; and
 - Reinstatement and landscaping, removal of temporary site offices, reseeding verges and areas around turbine bases.
- 4.8 The construction works would mainly follow the order detailed above but many activities may be carried out concurrently to reduce the overall length of the construction programme. There would be construction phasing, with civil engineering works progressing in some areas of the Site while turbines were being erected elsewhere. In order to minimise disruption to land use, site restoration would be undertaken as early as possible in development areas.
- 4.9 A detailed programme of works would be produced by the construction contractors prior to the commencement of works on Site.
- 4.10 Should planning permission be granted it is likely that construction hours would be restricted by means of a planning condition to be agreed with the Council.
- 4.11 Construction material would typically be transported by road from source or seaport. Large loads such as wind turbine components (rotor blades, tower sections and nacelles) would be transported to the Site by low loader using a designated route.

Decommissioning Phase

- 4.12 At the end of the operational period the wind farm would be decommissioned. This would involve the complete removal of the wind turbines, transformers, substation, switchgear and other equipment over a period of up to 12 months. The removal of the wind farm components would essentially be the reverse of the construction process.
- 4.13 Energiekontor UK Ltd would provide a decommissioning bank guarantee or insurance bond to ensure that sufficient funds are available at any time during the lifetime of the wind farm to enable all decommissioning works to take place.
- 4.14 The removal of the wind turbines at the end of the operational life of the wind farm would be the reverse of the erection process, involving similar cranes and procedures. The components would be removed off-site to be re-used elsewhere, dismantled and recycled or disposed of as appropriate.
- 4.15 The decommissioning of the turbine foundations would involve removing the upper part of the reinforced concrete foundation. This could be achieved by conventional construction equipment (e.g. excavator mounted pneumatic hammers etc.).
- 4.16 In order to achieve the removal of the upper section, which is approximately 1m deep, a 600mm wide trench would need to be excavated around the approximately 4m diameter upstand to facilitate access for removal of the concrete. All other parts of the foundation would remain in place and no other disturbance of the ground around the turbine would be required.
- 4.17 Once the upstand has been removed, the disturbed area would be reinstated by backfilling with site-derived materials to an agreed method statement, leaving the remaining portion of the foundation approximately 1m below ground level.

5 PLANNING POLICY CONTEXT

Introduction

- 5.1 This section of the Scoping Report sets out the planning policy context that is relevant to the Site and the Proposed Development. It includes:
- The National Planning Framework 4;
 - Other material considerations on a Scottish national level;
 - Dumfries and Galloway Local Development Plan; and
 - Wind Energy Development: Development Management Considerations ("the Supplementary Guidance").
- 5.2 Relevant policies are considered in turn below.

The National Planning Framework 4

- 5.3 NPF4 was published on 13 February 2023 and combines the spatial framework for Scotland with Scottish Planning Policy for the first time, forming part of the statutory Development Plan.
- 5.4 Part 1 of NPF4 sets out details of the National Spatial Strategy for Scotland. From the outset, it is clear that tackling climate change and achieving net zero emissions is at the forefront of the National Spatial Strategy:
- "we have set a target of net zero emissions by 2045, and must make significant progress towards this by 2030. This will require new development and infrastructure across Scotland."*
- 5.5 In relation to a key principle of achieving 'sustainable places' NPF4 states that:
- "our future net zero, nature-positive places will be more resilient to the impacts of climate change and support the recovery and restoration of our natural environment. This will help Scotland's places to thrive within the planet's sustainable limits and will maximise the new economic and wellbeing opportunities from just transition to a net zero, nature-positive economy....Our strategy is to transform the way we use our land and buildings so that every decision we make contributes to making Scotland a more sustainable place. In particular, we want to encourage...diversity and expand renewable energy generation...."*
- 5.6 NPF4 continues the planning policy approach of identifying 'national developments', which are defined as developments that strongly support the delivery of the spatial strategy, i.e. are 'needed'.

- 5.7 Eighteen national developments are proposed in NPF4 to deliver the spatial strategy, each of which is accompanied by a statement of need and an assessment of lifecycle greenhouse gas emissions. The national development designation does not remove the need for consenting or associated impact assessment to be undertaken for individual projects, rather it means that the principle of the development does not need to be agreed in later consenting processes, providing more certainty for communities, business and investors.
- 5.8 Onshore wind farms exceeding 50 megawatts capacity are identified as a national development. NPF4 states:
- "national development [Wind farms over 50MW capacity] supports renewable electricity generation, repowering, and expansion of the electricity grid.*
- A large increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets. Certain types of renewable electricity generation will also be required, alongside developments and increases in storage technology and capacity, to provide the vital services, including flexible response, that a zero-carbon network will require. Generation is for consumption domestically as well as for export to the UK and beyond, with new capacity helping to decarbonise heat, transport and industrial energy demand. This has the potential to support jobs and business investment, with wider economic benefits."*
- 5.9 Part 2 of NPF4 introduces a number of national planning policies which apply to all development proposals in Scotland. It sets out that:
- "to achieve a net zero, nature positive Scotland, we must rebalance our planning systems so that climate change and nature recovery are the primary guiding principles for all our plans and all our decisions. That includes emissions reduction and the adaptations we need to make in order to be resilient to the risks created by a warmer climate."*
- 5.10 Policy 2 'Climate Emergency' states that "when considering all development proposals significant weight should be given to the global climate emergency".
- 5.11 Part C of the policy sets out that:
- "development proposals for national, major or EIA development should be accompanied by a whole life assessment of greenhouse gas emissions from the development. In decision making the scale of the contribution of development proposals to emissions in relation to emissions reduction targets should be taken into account."*
- 5.12 In terms of the emission reduction that the proposed development would give rise to, this is referenced in Section 5 below.
- 5.13 Policy 5 (c) allows for the use of peatland, priority peatland and carbon rich soils for a limited number of uses, including renewable energy generation and states planning applications of this nature should be supported.

5.14 Policy 4(g) removes the need for consideration of effects of development on wildland if the development is meeting renewable energy targets and states buffer zones around wildland will not be applied in this case.

5.15 Policy 11 seeks to encourage, promote and facilitate all forms of renewable energy development onshore and offshore and states that *"LDPs should seek to realise their area's full potential for electricity and heat from renewable, low carbon and zero emission sources by identifying a range of opportunities for energy development"*. The policy outlines a number of considerations for renewable energy development:

- a) *Development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.*
- b) *Development proposals that impact on international or national designations will be assessed in relation to Policy 4.*
- c) *In addition, project design and mitigation will demonstrate how the following impacts are addressed:*
 - i. *Impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker;*
 - ii. *Significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable;*
 - iii. *Public access, including impact on long distance walking and cycling routes and scenic routes;*
 - iv. *Impacts on aviation and defence interests including seismological recording;*
 - v. *Impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;*
 - vi. *Impacts on road traffic and on adjacent trunk roads, including during construction;*
 - vii. *Impacts on historic environment;*
 - viii. *Effects on hydrology, the water environment and flood risk;*
 - ix. *Biodiversity including impacts on birds;*
 - x. *Impacts on trees, woods and forests;*
 - xi. *Proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration;*
 - xii. *The quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and*
 - xiii. *cumulative impacts*

5.16 Under the theme of 'productive places' (page 90) draft Policy 19 in relation to 'Green Energy' states:

"We want our places to support continued expansion of low carbon and net zero energy technologies as a key contributor to net zero emissions by 2045.

Scotland's energy sector has a significant role to play in reducing carbon emissions and contributing to a green, fair and resilient economic recovery. A wide range of renewable technologies are capable of delivering these benefits, although it is likely that the

onshore wind sector will play the greatest role in the coming years. The planning system should support all forms of renewable energy development and energy storage, together with new and replacement transmission and distribution infrastructure."

- 5.17 In terms of Policy 19 'green energy' (page 90) the key elements of the policy as currently proposed, include the following:

"Local Development Plans should seek to ensure that an area's full potential for electricity and heat from renewable sources is achieved. Opportunities for new development, extensions and repowering of existing renewable energy development should be supported.

Development proposals for all forms of renewable energy and low carbon fuels, together with enabling work such as transmission and distribution and energy storage, such as battery storage should be supported in principle.

Development proposals for wind farms in National Parks and National Scenic Areas should not be supported.

Outwith National Parks and National Scenic Areas and recognising the sensitivity of any other national or international designations, development proposals for new wind farms should be supported unless the impacts are identified (including cumulative effect) are unacceptable. To inform this, site specific assessments including where applicable environmental impact assessments (EIA) and landscape and visual impact assessments (LVIA) are required.

Areas identified for wind farms should be suitable for use in perpetuity. Consent may be time limited, but wind farms should nevertheless be sited and designed to ensure impacts are minimised and to protect an acceptable level of immunity for adjacent communities."

- 5.18 Save for a ban on wind farm development within National Parks and National Scenic Areas, NPF4 states that proposals will be assessed equally and "should be supported" unless the impacts are "unacceptable", recognising the sensitivity of any other national or international designations.

Dumfries and Galloway Local Development Plan

- 5.19 The Council adopted its current Local Development Plan (LDP) in October 2019. It provides the planning framework for the Council area and will be kept under review and replaced at least every five years.

- 5.20 The LDP acknowledges that:

"1.9 The Scottish Government's overarching aim is to foster sustainable economic growth. The planning system has a key role to play in helping deliver this. Sustainable development is accepted as contributing to this. Developers are expected and encouraged to embrace sustainable development – and this Plan assumes that 'development' always means 'sustainable development'. Planning has an obligation to contribute towards sustainable development, sustainable economic growth, reducing the impact of climate change and creating high quality places.

1.10 The need to tackle climate change, and in particular reduce emissions of the greenhouse gases that contribute to it, is a principal challenge to sustainable economic growth...

1.11 Therefore, the **overarching principle** of this Plan is that all development proposals should support sustainable development, including the reduction of carbon and other greenhouse gas emissions."

5.21 The LDP sets out a 'vision' of what Dumfries and Galloway will look like in 20 years' time. This includes the statement that:

"There will also be...A viable rural economy and community characterised by [inter alia]...a range of renewable energy developments..."

5.22 The Policy IN1 relates to renewable energy. It states:

"The Council will support development proposals for all renewable energy generation and/or storage which are located, sited and designed appropriately. The acceptability of any proposed development will be assessed against the following criteria:*

- *Landscape and visual impact;*
- *Cumulative impact;*
- *Impact on local communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker;*
- *The impact on natural and historic environment (including cultural heritage and biodiversity)*
- *The impact on forestry and woodlands*
- *The impact on tourism, recreational interests and public access.*

To enable this assessment sufficient detail should be submitted, to include the following as relevant to the scale and nature of the proposal:

- *Any associated infrastructure requirements including road and grid connections (where subject to planning consent)*
- *Environmental and other impacts associated with the construction and operational phases of the development including details of any visual impact, noise and odour issues*
- *Relevant provisions for the restoration of the site*
- *The scale of contribution to renewable energy generation targets;*
- *Effects on greenhouse gas emissions; and*
- *Net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.*
- *The scale of contribution to renewable energy generation targets, effect on greenhouse gas emissions and opportunities for energy storage.*
- *Net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.*

"The Council will support development proposals for all renewable energy generation and/or storage which are located, sited and designed appropriately. The

acceptability* of any proposed development will be assessed against the following criteria:

To enable this assessment sufficient detail should be submitted, to include the following as relevant to the scale and nature of the proposal:

** Acceptability will be determined through an assessment of the details of the proposal including its benefits and the extent to which its environmental and cumulative impacts can be satisfactorily addressed."*

5.23 Policy IN2 relates specifically to wind energy development. It states:

"Assessment of all windfarm proposals:

The Council will support wind energy proposals that are located, sited and designed appropriately. The acceptability of any proposed wind energy development will be assessed against the following considerations.*

Renewable energy benefits:

- The scale of contribution to renewable energy generation targets, effect on greenhouse gas emissions and opportunities for energy storage.*

Socio-economic benefits:

- Net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.*

Landscape and Visual Impact:

- The extent to which the landscape is capable of accommodating the development without significant detrimental landscape or visual impacts, including effects on wild lands; and*
- That the design and scale of the proposal is appropriate to the scale and character of its setting, respecting the main features of the site and the wider environment and that it addresses fully the potential for mitigation.*

Cumulative impact:

- The extent of any cumulative detrimental landscape or visual impact or impacts on existing patterns of development from two or more wind energy developments and the potential for mitigation.*

Impact on local communities:

- The extent of any detrimental impact on communities, individual dwellings, residents and local amenity, including assessment of the impacts on noise, shadow flicker, visual dominance and the potential for associated mitigation.*

Impact on infrastructure:

- The extent to which the proposal addresses any detrimental impact on road traffic, adjacent trunk roads and telecommunications, particularly ensuring transmission links are not compromised.*

Impact on Aviation and Defence Interests:

- The extent to which the proposal addresses any impacts arising from location within an area subject to potential aviation and defence constraints, including Eskdalemuir Safeguard Area.

Other Impacts and considerations:

- d) the extent to which the proposal avoids or adequately resolves any other significant adverse impact on the environment, including, biodiversity; forest and woodlands; carbon-rich soils, hydrology, the water environment and flood risk, the historic environment, cultural heritage, tourism and recreational interests and public access.
- e) the extent to which the proposal addresses any physical site constraints and appropriate provision for decommissioning and restoration.

* Acceptability will be determined through an assessment of the details of the proposal including its benefits and the extent to which its environmental and cumulative impacts can be satisfactorily addressed.

Spatial Framework:

The considerations above will be applied in the context of the following Spatial Framework*:

- **Areas of Greatest Potential (1):** areas free from significant constraint where proposals for large and medium turbine typologies will be supported subject to detailed assessment.
- **Areas of Significant Protection (2):** Areas where a presumption against development applies due to significant constraints. These include:
 1. Sites designated for their national or international landscape or natural heritage value where policies NE1, NE3, NE4 and NE5 also apply.
 2. Areas where the cumulative impact of existing and consented windfarms limit further development.
- **Cumulative Sensitivity Zones (3):** Areas where cumulative impact is a potential constraint. In these areas proposals should: address potential future cumulative impact and avoid unacceptable coalescence between clusters of windfarms to retain an acceptable and coherent pattern of windfarm development.
- **All other areas (4):** Areas where potential constraints apply but with potential for mitigation. Wind energy proposals will be assessed against all the considerations set out above in Part 1. For Regional Scenic Areas the proposal should assess the potential impact of the objectives of the designation and demonstrate the extent to which these can be addressed.

* The following Interim Spatial Framework Maps provide some strategic guidance on the relevant areas but must be read in conjunction with paragraphs 4.94 and 4.95 above and the relevant detailed mapping to be included in supplementary guidance. This mapping will be consolidated and revised to provide an updated spatial framework within the LDP at the earliest possible opportunity."

- 5.24 Policy OP1 is an overarching policy that sets out general development considerations. It highlights that development will be assessed against various considerations depending on the scale, nature and location of the proposal including general amenity; historic environment, landscape; biodiversity and geodiversity; transport and travel; sustainability; and the water environment.
- 5.25 Policy OP2 is an overarching policy that sets out general considerations in relation to design quality of new development. It highlights that development proposals should achieve high quality design in terms of their contribution to the existing built and natural environment, contributing positively to a sense of place and local distinctiveness.
- 5.26 Policy HE1 relates to listed buildings. It sets out that certain considerations that apply to development proposals that impact on the character or appearance of a listed building or its setting.
- 5.27 Policy HE2 relates to Conservation Areas. It sets out that the Council will support development within or adjacent to a Conservation Area that preserves or enhances the character and appearance of the area.
- 5.28 Policy HE3 relates to archaeology. It sets out that the Council will support development and protects significant archaeological and historic assets and protect the wider historic environment from adverse effects.
- 5.29 Policy HE4 relates to Archaeologically Sensitive Areas. It sets out that the Council will support development that safeguards the character, archaeological interest and setting of Archaeologically Sensitive Areas as designated by the Council.
- 5.30 Policy HE6 relates to gardens and designed landscapes. It sets out that the Council will support development that protects or enhances the significant elements, specific qualities, character, integrity and setting, including key views to and from, gardens and designed landscapes included in the Inventory of Gardens and Designed Landscapes or the Non-Inventory List. Proposals that would have a detrimental effect on the specific quality, character or integrity of a garden or designed landscape will not be approved unless it is demonstrated that the proposal has benefits of overriding public interest.
- 5.31 Policy NE2 relates to Regional Scenic Areas. It sets out that development within, or which affects Regional Scenic Areas, may be supported where the Council is satisfied that the factors taken into account in designating the area would not be significantly adversely affected.
- 5.32 Policy NE3 relates Areas of Wild Land. It sets out that development that would affect the Merrick Wild Land Area in Galloway and the Talla Hart Fell Wil Land Area north of Moffat would not be supported unless the Council is satisfied that it is demonstrated that any significant effects on the qualities of these area can be substantially overcome by siting, design or other mitigation.
- 5.33 Policy NE4 relates to Sites of International Importance for Biodiversity: It sets out that development proposals likely to have a significant effect on an existing or proposed Special Protection Area (SPA), existing or candidate Special Area of Conservation (SAC)

or Ramsar Site including developments outwith the site, will require an appropriate assessment and will only be permitted where the development does not adversely affect the integrity of the site.

- 5.34 Policy NE5 relates to Species of international importance. It sets out that development proposals that would be likely to have an adverse effect on a European Protected Species will not be permitted unless it can be shown that: the development would not be detrimental to the maintenance of the population of the species at a favourable conservation status in its natural range.
- 5.35 Policy NE6 relates to Sites of National Importance for Biodiversity and Geodiversity. It sets out that Development affecting Sites of Special Scientific interest, not designated as International Sites, and other national nature conservation designations will only be permitted where it will not adversely affect the integrity of the area or the qualities for which it has been designated.
- 5.36 Policy NE7 relates to forestry and woodland. It sets out that proposals should seek to ensure that ancient and semi-natural woodlands and other woodlands with high nature conservation value are protected and enhanced.
- 5.37 Policy NE8 relates to trees and development. It sets out that where it is not possible to retain woodland then appropriate replacement planting will be required. Any such replacement planting scheme would be located where possible within the region and follow guidance contained within the Forestry and Woodland Strategy.
- 5.38 Policy NE11 relates to the water environment. It sets out that the Council will not permit development which would result in deterioration in the status of a waterbody or which would likely impede the improvements in waterbody status as set out in the Solway Tweed River Basin Management Plan (2015) or any update or adopted review of it, unless there are exceptional justifying circumstances. The policy further sets out that culverting of waterbodies should only be carried out where acceptable mitigation measures would be put in place to protect habitats, passage of fauna, and river form and flow.
- 5.39 Policy NE12 relates to protection of water margins. It sets out that where new development is proposed adjacent to or in the vicinity of waterbodies, the water margins will be protected unless there are compelling reasons to justify why this should not be done.
- 5.40 Policy IN6 relates to waste management requirements for new development. It sets out that any planning application which in the view of the Council requires to address the issue of waste must be supported by a Site Waste Management Plan.
- 5.41 Policy IN7 relates to flooding and development. It sets out [inter alia] that where proposed development could lead to unacceptable onsite or off site flood risk, then it will not be permitted.
- 5.42 Policy IN8 relates to surface water drainage and sustainable drainage systems. It sets out that sustainable drainage systems will be a required part of all proposed development as a means of treating the surface water and managing flow rates.

- 5.43 Policy T1 relates to transport infrastructure. It sets out that development proposals will be appraised to determine their effects on the performance of the strategic and regional highway network.

Wind Energy Development: Development Management Considerations (“the Supplementary Guidance”)

- 5.44 On In February 2020 the Council adopted its Supplementary Guidance, Wind Energy Development: Development Management Considerations document. It provides further detail in support of the development management considerations in Policy IN2: Wind Energy. It provides a statement of the main factors that will be taken into account in reaching planning decisions and details the criteria contained in the policy, rather than providing specific additional development management considerations beyond what is already contained within the relevant policies of the LDP. The document also includes a Wind Farm Landscape Capacity Study as an appendix (the “DGWLCS”).

- 5.45 The DGWLCS finds that there is only scope for additional large turbine development (80-150m) in the following landscapes:

- Plateau Moorland (17)
- Plateau Moorland with Forest (17a)
- Foothills with Forest – Ae, Stroan, Eskdale, Oer and Tinnisburn (18a)
- Southern Uplands – NW Lowthers area only (19)
- Southern Uplands with Forest – Ken area (19a)

- 5.46 The Site is located within the Plateau Moorland with Forest (17a) unit. It is therefore one of only a small number of areas within Dumfries and Galloway that has been identified as having scope for additional large turbine development.

- 5.47 In relation to the character area Plateau Moorland with Forest (17a), the updated 2020 DGWFLCS makes the following comments:

“Summary of sensitivity:

- *There would be a High sensitivity to the Very Large typology (turbines >150m high) comprising new developments principally due to cumulative effects that would be likely to occur with some operational wind farms which comprise substantially smaller turbines and on the Galloway Hills, Merrick WLA and smaller scale diverse landscape features.*
- *There would be a High-medium sensitivity to the large typology (turbines 80m-150m) because of potential effects on the Galloway Hills, Merrick WLA and smaller scale diverse landscape features.*
- *Sensitivity would also be High-medium for the medium typology (turbines 50-80m) as, although this typology is more likely to comprise single and small groups of turbines located on farmland, cumulative effects with large turbines within operational and consented wind farms are a key constraint.*

Cumulative issues:

- Further variation in the type and size of turbines proposed within this and nearby landscape character types which would exacerbate the visual confusion and clutter already associated with the wind farms noted above. Repowering of wind farms (involving substantially larger turbines) and new much larger turbines, particularly in the southwestern part of this character type, would be likely to incur significant cumulative effects.
- Sequential visual impacts experienced when travelling on minor roads and footpaths, including the SUW, where the incidence and extent of wind farm development could dominate views and overwhelm the viewer.
- Landscape and visual effects on small pockets of settled farmland and lochs if wind farms substantially extend on surrounding skylines or give a perception of encirclement.
- Visual interaction between smaller turbines which are more likely to be associated with pockets of settled farmland and large turbines within wind farms.
- Wider cumulative effects on the Merrick Wild Land Area and Galloway Hills RSA where further development could consolidate and fill gaps creating a sense of near encirclement and domination. Much larger and closer turbines could significantly exacerbate cumulative effects.

Constraints:

- Areas of open moorland and pockets of settled farmland, small but pronounced hills and loch basins, for example Glenvernoch Fell, Loch Ochiltree, Loch Heron and Loch Ronald; a local recreational hub with accommodation, activities and waymarked trails; and the setting of other lochs with local scenic and recreational value (Marberry, Dorbnal, Eldrig, Garwackie).
- The outer fringes of this landscape character type, close to areas of settled farmland, where larger turbines would dominate small scale valleys including the notably diverse upper Cree valley (LCT 4).
- The rich archaeology found within areas of open moorland.
- The Merrick Wildland Area and RSA lying to the east of this character type where wind turbines could diminish the sense of naturalness and seclusion experienced and affect the setting of the western Galloway Hills.
- Recreational use of the eastern fringe of the LCT, with cycle/walking trails and promoted places of interest as part of the Galloway Forest Park and Dark Skies Park.
- Views from the Merrick and other western Galloway Hills, from key viewpoints within Glen Trool such as the Bruce's Stone and from the SUW, A75 and A714.
- Cumulative effects with operational and consented wind farms particularly where turbine size, pattern and siting is noticeably different.
- Cumulative effects on the Merrick WLA and on the Galloway Hills RSA sited to the east of this landscape character type.

Opportunities:

- The generally simple landform, expansive scale and uniform land cover of coniferous forestry which could relate to larger typologies.
- The sparsely settled nature of this landscape and the relatively limited visibility from areas which are distant from public roads and settlement and the screening provided by forestry.
- An absence of landscape designations.

Guidance on development:

- New developments comprising turbines substantially over 150m high (the Very Large typology) could significantly exacerbate the visual confusion already evident between different wind farm developments sited in the south-western part of this character type and adjoining landscapes and with the under-construction wind farms of Aries and Kilgallioch. Turbines of this size could also increase impacts on smaller scale valleys, landmark hills and lochs and the Merrick WLA if sited on the remaining undeveloped parts of this landscape which lie closer to these features.
- All development typologies should avoid impacting on the setting and views to small lochs, on areas of more complex landform, including small but pronounced hills such as Glenvernoch Fell, and on archaeological features as these enrich the landscape of this character type and often provide a focus in views.
- Intrusion on key views to the Galloway Hills, for example from the A714 and the Cree valley, should be avoided.
- Potential cumulative landscape and visual effects with other operational and consented wind farms would need to be carefully considered as this landscape is considered to be close to reaching capacity for additional development. Key cumulative sensitivities are likely to include effects on smaller scale settled landscapes on the outer fringes of this landscape, on the Merrick Wildland Area and on views from the south-eastern coast of the Rhins, parts of the Machars, the Galloway Hills and the A75 and A714.
- There is potential for wind farm development to accelerate positive change to existing forestry and proposals for wind farm development should aim to improve the composition, age structure and design of existing forestry in accordance with best practice guidance set out in the UK Forestry Standards. A high proportion of broadleaved trees should be restocked and planted on the fringes of moorland and pastures to ameliorate often hard and geometric margins.

Other Material Considerations

5.48 Other material considerations in this case include:

- Onshore Wind Policy Statement

- Planning Advice Notes
- Scottish Government Web Based Renewable Guidance

5.49 These are considered in turn below:

Onshore Wind Policy Statement

- 5.50 The Scottish Government published their updated Onshore Wind Policy Statement on 21 December 2022, which emphasises their commitment to net zero by 2045 during this critical period up to 2030.
- 5.51 The Cabinet Secretary for Net Zero, Energy and Transport, Michael Matheson states in his ministerial foreword that “onshore wind is a cheap and reliable source of electricity generation” acknowledging how Scotland have led the way in the deployment of onshore wind which accounted for 58% of the country’s energy generation in 2020.
- 5.52 The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 commits Scotland to achieving net zero greenhouse gas emissions by 2045 at the latest, and also sets two interim targets to reduce emissions by 75% by 2030 and by 90% by 2040.
- 5.53 Regarding current and future deployment of onshore wind, the policy statement makes the following points:
- 1.2.1 *“the Scottish Government has had a long-standing target to generate the equivalent of 100% of gross Scottish electricity consumption from renewable sources by 2020, with provisional figures showing that Scotland reached 95.9% in 2020. This target ... exemplifies [Scottish Government’s] support for onshore wind and belief in its effectiveness.”*
 - 1.2.2 *“We must now go further and faster than before. We expect the next decade to see a substantial increase in demand for electricity to support net zero delivery across all sectors, including heat, transport and industrial processes. Some estimates from the Climate Change Committee suggest that we could expect a doubling in electricity demand. This will undoubtedly require a substantial increase in installed capacity across all renewable technologies.”*
 - 1.2.3 *“There is currently 8.4GW of installed onshore capacity in Scotland, providing 19.5GWh of our total electricity generation in 2020. Scotland hosts the majority of operational onshore wind capacity in the UK, and our aim is to maintain the supportive policy and regulatory framework which will enable us to increase that deployment still further.”*
 - 1.2.4 *The transition to net zero means that our demand for green electricity will increase substantially over the course of the next decade. This means that a consistently higher rate of onshore wind, and other renewables capacity, will be required year on year.*

Planning Advice Notes

- 5.54 Table 1 identifies and summarises the Planning Advice Notes (PANs) of relevance to the Proposed Development.

Table 1: PANs of relevance to the Proposed Development

Guidance	Title	Summary
PAN 2/2011	Planning and Archaeology	Provides advice to planning authorities and developers on dealing with archaeological remains. It does so with fresh emphasis which is proportionate to the relative value of the remains and of the development under consideration
Scottish Government Web Based Guidance	Web Based Renewables Advice – 'Onshore wind turbines'	Advises planning authorities and developers with respect to the development of onshore wind turbines.
PAN 1/2011	Planning and Noise	Sets out the role of the planning system in preventing and limiting the adverse effects of noise
PAN1/2013	Environmental Impact Assessment (2013)	Explains the role of individual planning authorities and that of the Consultation Bodies in EIA, as well as providing guidance on the ways in which EIA can be integrated into the overall development management process
PAN 60	Planning for Natural Heritage (2000)	Gives basic advice in relation to development and natural heritage. It reiterates the Government's Commitment to the protection and enhancement of the natural heritage
PAN 61	Planning and Sustainable Urban Drainage Systems (2001)	Provides good practice and advice for planners and the development industry complementing the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland (2000)
PAN 75	Planning for Transport (2005)	Provides advice on the requirement to link transport strategies and development plans and the need to take into account accessibility, location, modal split parking and design
PAN3/2010	Community Engagement	Advice to Planning Authorities and developers on how communities should be properly engaged in the planning process

Scottish Government Web Based Renewable Guidance

- 5.55 The Scottish Government has produced web based renewables guidance. The planning advice comprises a number of individual guidance notes including 'Onshore

Wind Turbines'. The Scottish Government published the most recent update of this on 28 May 2014.

5.56 The relevant aspects of the guidance are provided under the following headings and have been taken into account during design development.

- Landscape impact;
- Impacts on wildlife and habitat, ecosystems and biodiversity;
- Assessing impact on wildlife and habitats;
- Buffer zones;
- Impact on communities;
- Separation distances;
- Aviation matters;
- Road traffic impacts;
- Cumulative impacts; and
- Decommissioning.

5.57 The guidance advises that planning authorities should ensure, either via conditions or legal agreements, that site restoration takes place on expiry of the consent or the expiry of the specified period.

Further Material Considerations

5.58 The following other relevant material considerations, would also be considered as part of any future application:

- International and European Renewable Energy Policy;
- UK Carbon and Renewable Energy Policy and Targets; and
- Scottish Government Renewable Energy Policy and Renewable Energy Targets.

6 EIA ASSESSMENT METHODOLOGY

Introduction

- 6.1 Significant effects are predicted where important resources, or numerous sensitive receptors, could be subject to impacts of considerable magnitude. Effects are unlikely to be significant where low value or non-sensitive resources, or a small number of receptors, are subject to minor impacts.
- 6.2 The methods for predicting the nature and magnitude of any potential impacts vary according to the subject area. Quantitative methods of assessment can predict values that can be compared against published thresholds and indicative criteria in Government guidance and standards. However, it is not always possible to ascribe values to environmental assessments and thus qualitative assessments are used. Such assessments rely on previous experience and professional judgement. The methodologies used for assessing each topic area will be described within the individual chapters of the EIAR.
- 6.3 The following criteria will be used to evaluate the significance of potential impacts of the Proposed Development.
- Sensitivity, importance or value of the resource or receptor;
 - Extent and magnitude of the impact;
 - Duration of the impact;
 - Nature of the impact;
 - Performance against environmental quality standards; and
 - Compatibility with environmental policies.
- 6.4 Table 2 below illustrates how the criteria will be used to assign a level of significance to potential impacts.

Table 2: Significance matrix

		Magnitude of change				
		Very High	High	Medium	Low	Very Low
Sensitivity	Very High	Substantial	Substantial	Substantial / Moderate	Moderate	Moderate / Slight
	High	Substantial	Substantial	Moderate	Moderate / Slight	Slight
	Medium	Substantial / Moderate	Moderate	Moderate	Moderate / Slight	Slight
	Low	Moderate	Moderate / Slight	Moderate / Slight	Slight	Slight / No Effect
	Very Low	Moderate / Slight	Slight	Slight	Slight / No Effect	No Effect
			Significant			
			May be Significant			
			Not Significant			

6.5 In addition, where no topic-specific guidance/regulations exist, the descriptors of significance set out in Table 3 below will generally be used.

Table 3: Descriptors of significance

Significance Category	Typical Descriptors of Effect
Substantial	Only adverse effects are normally assigned this level of significance. They represent key factors in the decision-making process. These effects are generally, but not exclusively, associated with sites or features of international, national or regional importance that are likely to suffer a most damaging impact and loss of resource integrity. However, a serious change in a site or feature of district importance may also enter this category.
Moderate / Substantial	These beneficial or adverse effects are considered to be very important considerations and are likely to be material in the decision-making process.
Moderate	These beneficial or adverse effects may be important, but are not likely to be key decision-making factors. The cumulative effects of such issues may become a decision-making issue if leading to an increase in the overall adverse effect on a particular resource or receptor.
Slight	These beneficial or adverse effects may be raised as local issues. They are unlikely to be critical in the decision-making process, but are

	important in enhancing the subsequent design of the project.
No Effect / Slight	No effects or those that are beneath levels of perception, within normal bounds of variation or within the margin of forecasting error.

EIAR Structure

6.6 The EIAR structure is likely to be as set out below, subject to any changes to the scope identified through the consultation process:

- A description of the project;
- An outline of the main alternatives studies and an indication of the main reasons for choosing the preferred option;
- An outline of the planning and renewable energy policy context that is relevant to the Proposed Development;
- Individual environmental assessment topic chapters, including:
 - Landscape and visual effects
 - Archaeology and cultural heritage
 - Ornithology
 - Ecology
 - Noise
 - Traffic and transport
 - Hydrology, hydrogeology and geology
 - Infrastructure
 - Socio-economics
- A description of the mitigation measures required to prevent, reduce and, where possible, offset any significant adverse effects on the environment. Enhancement measures where possible will also be included.
- An indication of any difficulties or uncertainties encountered in compiling the EIAR.

6.7 Each chapter of the EIAR, where practicable, will adopt a consistent format. This will ensure compliance with the EIA Regulations regarding completeness and accuracy. Where applicable each chapter will comprise an opening introduction to the topic followed by:

- Methodology, Consultation and Legislation / Policy / Guidance;
- Environmental Baseline (derived from desk studies and surveys undertaken);
- Impact Assessment (identification of the impacts and their significance);
- Mitigation (and monitoring as appropriate);

- Residual Effects (assessment of impact significance once mitigation has been incorporated); and
- Summary.

6.8 The EIAR will also include a Non-Technical Summary and supporting technical appendices including tables, figures and reports.

Mitigation

6.9 Part 2 of Schedule 4 of the EIA Regulations provides that an EIAR must contain a description of the measures envisaged in order to avoid, reduce and if possible remedy significant adverse effects.

6.10 As outlined in the Institute of Environmental Management and Assessment (IEMA) EIA guidelines, there is a widely accepted strategy for mitigation which will be followed when considering the environmental effects of the Proposed Development. This comprises (in order of preference) avoidance, reduction, compensation and remediation. In addition, consideration will be given to providing the opportunity for enhancement.

6.11 Any mitigation proposed will be described clearly within the EIAR. The mitigation will be achievable and will be delivered through appropriate mechanisms.

7 SCOPE OF THE EIA

Introduction

- 7.1 Schedule 3 of the EIA Regulations outlines the selection criteria for determining whether 'Schedule 2 Development' is 'EIA Development'. These criteria are expanded upon in Schedule 4, which sets out in Part II certain information that must be included in an EIAR and in Part I information that may reasonably be required to assess the effect of the proposed development. Furthermore, the 1997 Directive on EIA identified in Article 3 that:

"The environmental impact assessment shall identify, describe and assess in an appropriate manner...the direct and indirect effects of a project on the following factors:

- *Human beings, fauna and flora;*
- *Soil, water, air, climate and the landscape;*
- *Material assets and the cultural heritage;*
- *The interaction between the factors mentioned in the first, second and third indents."*

- 7.2 Based on this guidance, experience of similar projects elsewhere and consultation with specialist advisors and consultees, we consider below the Schedule 3 selection criteria in the context of Schedule 4 to define the broad scope of the EIA.

Human Beings

i) Society and Economy

- 7.3 Socio-economic impacts associated with wind farm developments primarily relate to job creation, use of local services and income spent in the locality of a project. This section of the EIAR will consider the likely impacts of the proposal on the economic profile of the area, including short term job opportunities.

Proposed Scope of Assessment

- 7.4 The EIA will consider the effects of the Proposed Development on employment and the economy. This will include the employment opportunities for local suppliers with relevant construction and maintenance experience during the construction and operational phases of the development. The EIAR will focus on short and long term employment opportunities and input from the Proposed Development into the local economy (expenditure in shops / local services etc).
- 7.5 It is unlikely that the Proposed Development would give rise to any significant effects on land management practices.

- 7.6 It is considered that the potential effects upon tourism would be minor and therefore will be scoped out of the EIA.

Methodology

- 7.7 A baseline study will be undertaken to identify the socio-economic characteristics of the local area along with any recreational receptors.
- 7.8 Effects on use of recreational assets and other leisure and tourism attractions in the surrounding area due to visual impact, traffic, noise and shadow flicker will be dealt with in the technical assessments discussed in the relevant sections below.

ii) *Transportation*

- 7.9 This section of the EIAR will identify the preferred route(s) for access to the Site and will consider the potential effects of traffic generated during the construction, operation and decommissioning of the wind farm, including identification of possible measures to minimise any disruption to the highway network.

Baseline

- 7.10 The study area for the traffic and transport assessment will effectively be the public highway network in the vicinity of the Site which would be used during the construction and operation of the wind farm. If available, traffic count data will be sourced from the local highways authority.

Potential Effects

- 7.11 The potential effects associated with traffic and transport during construction are anticipated to be:
- The effects of construction traffic on existing traffic flows on public highways;
 - The effects of construction traffic on the public highways and adjacent infrastructure ('wear and tear').

Proposed Scope of Assessment

- 7.12 The scope of the assessment would be agreed in advance with the local highways authority. It is currently proposed that the assessment would include the following key elements:
- Route Access Description – to confirm the preferred route(s) to site for the transportation of wind turbine components (abnormal loads) and other construction vehicles (heavy goods vehicles and light vehicles), together with a description of any physical works that would be required to facilitate access; and

- Impact assessment – using traffic count data for the strategic and local road networks to assess the predicted increase in vehicle numbers resulting from the Proposed Development and determine whether this increase would be significant.

7.13 It is considered that the following can be scoped out of the EIA:

- The effects of operational traffic on existing traffic flows;
- The environmental effects of any physical works required to facilitate turbine component delivery; and
- The environmental effects of traffic generated by the Proposed Development during decommissioning. The volume of decommissioning-related traffic is anticipated to be less than the level experienced during the construction phase and could more accurately be estimated at a later date.

Methodology

7.14 The traffic and transport section of the EIAR will consider baseline conditions, the transport and traffic impacts and proposed mitigation measures as appropriate. The work will be undertaken in accordance with relevant transportation guidelines and standards, including:

- Institute of Environmental Assessment (now IEMA) (1993) Guidelines for the Environmental Assessment of Road Traffic.
- Institute of Highways and Transportation (1994) Guidelines for Traffic Impact Assessment.

7.15 The IEMA guidelines are intended for the assessment of the environmental impact of road traffic associated with major new developments. These guidelines are considered suitable to assess the short term construction phase of the development.

7.16 It is not anticipated that a formal Transport Assessment (TA) will be required as TAs are not generally considered necessary for temporary construction works. The likely traffic movements associated with the operation of the wind farm are also not considered high enough to warrant a TA.

Design and Mitigation

7.17 Where significant effects are identified, measures to prevent, reduce and, where possible, offset those adverse effects will be proposed. Measures likely to be utilised include:

- Instructing abnormal loads and HGVs, including site personnel as appropriate, to use only the approved access route(s) to the Site.
- No parking of construction plant, equipment and vehicles off-site on public highways.

- Establishing a construction traffic management plan for the development which could be secured via a suitably worded planning condition.

iii) Noise and Vibration

Baseline

- 7.18 The Site is not within the near vicinity of any consented or operational wind farms. The nearest operational wind farm to the Glenvernoch site is Kilgallioch wind farm approximately 5.8km west of the site, with the consented Kilgallioch wind farm extension approximately 5.3km west of the site. As such, the existing noise environment at the Site is likely relatively undisturbed with reference to other nearby wind farms. Other noise in the area is likely to be from traffic noise, animals and birds and from wind around trees and foliage, depending on wind speed.

Potential Effects

- 7.19 Noise will occur during the construction, operation and decommissioning of the Proposed Development in conjunction with that from other existing and consented wind farms in the area. The extent to which this is significant depends on the noise sources, the distance of each of the noise sources to potential receptors and the relative contribution of noise from existing sources.
- 7.20 Potential receptors in this case are considered to be residential properties. During the construction and decommissioning phases, the effects can be divided into noise from on-site activities and from construction traffic accessing the Site. During operation, noise is generated by the turbines as they rotate, with noise output depending on wind speed.
- 7.21 For on-site construction noise and operational noise at different wind speeds, the levels received at residential properties will depend on wind direction.
- 7.22 Vibration effects from construction activities and during operation will not be perceptible at residential properties and will be scoped out of the EIA.

Proposed Scope of Assessment

- 7.23 Noise emitted during the construction and decommissioning phases would be temporary and short term in nature and can be minimised through careful construction practices. Whilst it is possible that some noise may be audible at the nearest properties during the construction and decommissioning phases, the effective control of these impacts can be achieved by way of a suitable planning condition.
- 7.24 No assessment of operational traffic noise is anticipated given the low number of journeys to and on the Site for routine maintenance.
- 7.25 For operational noise, the EIAR will assess the maximum sound power level specified for a particular turbine type in order to assess a worst case scenario. If the modelling exercise shows that sound power levels will need to be reduced to achieve acceptable noise levels at sensitive locations, then the EIAR will examine possible mitigation measures which may

include the use of quieter turbines, increasing standoff distances, installing measures to monitor and, if necessary, using noise reduced modes in certain wind conditions.

- 7.26 Like all wind-related noise, operational noise from turbines increases with wind speed. The EIAR will therefore compare the existing background noise levels with the calculated predicted noise levels over the range of wind speeds expected at the Site using the methodology set down in ETSU-R-97. The wind farm will be designed to fully comply with the requirements of ETSU-R-97 and, whilst noise associated with the operation of the proposed wind turbines may be audible at some locations under certain conditions, the noise generated would be within the ETSU-R-97 noise limits and would be deemed acceptable.

Methodology

- 7.27 ETSU-R-97 details a methodology for establishing noise limits for proposed wind farm developments and these limits should not be exceeded. It requires that noise limits should be set relative to existing background noise levels at the nearest receptors and that these limits should reflect variation in both turbine source noise and background noise with wind speed. Separate noise limits apply for quiet daytime and for night time. Quiet daytime limits are chosen to protect a property's external amenity, and night time limits are chosen to prevent sleep disturbance indoors, with windows open.
- 7.28 The assessment will include predictions of likely wind turbine noise levels, based on a candidate turbine, across a range of speeds to demonstrate compliance with the noise limits.
- 7.29 Once the potential noise effects of the Proposed Development operating on its own have been determined it will be necessary to evaluate the cumulative effect when considered alongside the existing operational, consented and proposed sites. Critical to this cumulative assessment is the amount of noise which the Proposed Development would add to that from such sites. It is proposed that only locations where the Proposed Development makes a significant contribution (>1dB) need to be assessed in terms of cumulative noise impact. Once this proposed screening factor is taken into account, cumulative impact will be evaluated by comparing the overall cumulative wind farm noise level with limits agreed with the Council.
- 7.30 Assessment methodology for noise from construction work is described in BS 5228. Principal noise sources during construction include track laying, excavation works and turbine foundation works.

Design and Mitigation

- 7.31 For operational noise, the proposed turbine layout will be designed to comply with the noise limits established in accordance with ETSU-R-97.
- 7.32 There are a range of turbine makes and models that may be appropriate for the Proposed Development. The final selection of turbine is likely to follow a competitive tendering exercise once consent for the Proposed Development has been granted. The final turbine model may therefore differ from that on which the assessment is based.

However, the final choice of turbine will be required to comply with the noise limits established in the ETSU-R-97 assessment.

- 7.33 For construction noise, it is unlikely that any form of mitigation will be required unless any major site access track works are required in the very close vicinity of residential properties which would normally be avoided. Normal, generic mitigation measures would be incorporated into site design by avoiding track proximity to residential properties, following good practice in construction techniques including avoiding work out of normal day-time construction hours wherever possible.

iv) Radio-communication and Television

- 7.34 This section of the EIAR will assess the potential effects of the Proposed Development upon established telecommunications transmissions. This will include the identification of potential interference with television and radio reception and fixed microwave communication links for mobile phones and other data transfer.

Baseline

- 7.35 The Office of Communications (Ofcom) is responsible for the licensing of two-way radio transmitters. It holds a register of most microwave links and will therefore be consulted in order to establish baseline conditions. However, because not all microwave links are published, system operators will also be individually consulted on the Proposed Development's potential to cause electromagnetic interference. The outcome of this consultation process, including any mitigation actions taken, will be detailed in the EIAR.

Potential Effects

- 7.36 Wind turbines can cause electromagnetic interference in two ways:
- Physical interference – where the blades of the turbine cut across an electromagnetic signal causing a 'ghosting' effect. This may affect television signals or radar; and
 - Electrical interference – caused by the operation of the generator within the nacelle of the turbine. This may effect communication equipment in close proximity to the turbine.

Proposed Scope of Assessment

- 7.37 The assessment of potential impacts on telecommunications links will comprise a thorough consultation exercise to establish any potential impacts of the Proposed Development. Consultation has begun and will be ongoing throughout the EIA process.
- 7.38 With regards to the potential for interference with local television reception, it is possible for mitigation to be provided via a commitment from the developer to undertake remedial action (usually the installation of new television equipment or the repositioning of aerials) where effects have occurred. This commitment is usually secured via a planning condition.

Design and Mitigation

- 7.39 Microwave links are less susceptible to electromagnetic interference due to their directional nature and siting wind turbines away from any line of sight transmission paths will minimise potential interference. Where possible, any potential effects on radio-communication links will be mitigated through the turbine layout design stage by the use of exclusion zones around any link paths.

v) Aviation

- 7.40 This section of the EIAR will consider the effects of the Proposed Development upon civilian and military radar.

Baseline

- 7.41 There are a number of aviation interests in the area which could potentially be affected by the Proposed Development. In particular, the Proposed Development is located in MoD Low Flying Area 16 – an area where the RN helicopter base at Prestwick, the Army training area at Kirkcudbright and the QinetiQ range facilities at West Freugh are located. The MOD will be consulted by the Applicant early in the EIA process.

Potential Effects

- 7.42 ATC radar can be susceptible to interference from wind turbines. The height and blade movement can cause intermittent detection by radars within their operating radius. This is particularly relevant where there is a line of sight between the radar and the wind turbine development. Due to their height, wind turbines can also impact upon airports and airfields if they protrude into the safeguarding distance above and around them.

Proposed Scope of Assessment

- 7.43 The EIAR will include a description of military and civilian aeronautical and radar issues relating to the Proposed Development. Consultation will be undertaken during the development process once the locations of the turbines have been finalised with appropriate interested parties.
- 7.44 The EIAR will present the findings of these consultations and all responses received, as well as any predicted impacts on aviation and mitigation required.

vi) Shadow Flicker

Potential Effects

- 7.45 Shadow flicker is a phenomenon where, under certain combinations of geographical position and time of day, the sun may pass behind the rotors of a wind turbine and cast a shadow over neighbouring properties. When the blades rotate, the shadow flicks on and off. It only occurs inside buildings where the flicker appears through a narrow window opening.

Proposed Scope of Assessment

- 7.46 A shadow flicker assessment will be undertaken to determine the extent to which any residential or other sensitive property would be affected by shadow flicker. Any potential shadow flicker effects will be quantified using a computer model. Flicker effects are generally only expected to occur within a distance of ten rotor diameters of the wind turbines, therefore, the assessment will only consider residential properties within this distance. If there are no properties within ten rotor diameters of the final wind turbine positions then no shadow flicker assessment will be undertaken.

Design and Mitigation

- 7.47 If necessary, potential mitigation measures could include screening or the use of shadow flicker modules in the wind turbines which automatically cause them to stop operating under the conditions that would give rise to shadow flicker at a sensitive receptor. This could be secured via a suitably worded planning condition.

Flora and Fauna

- 7.48 This section of the EIAR will consider the likely ecological and ornithological impacts associated with the Proposed Development. Effects on a range of ecological receptors, including key habitats and species, will be included. Avoidance, mitigation, enhancement and habitat creation will be proposed.

Baseline

- 7.49 The Site principally consists of open moorland, which is generally of low ecological value, and supports an ornithological and ecological assemblage typical to this area.
- 7.50 No statutory sites of international or national importance for ecological interests are present within the Site and only three are located within 5km, these being the Wood of Cree SSSI, Galloway Oakwoods SAC and River Bladnoch SAC. Statutorily protected sites for ornithological interests within 10km of the Site are detailed in Table 7.1 below.

Table 4: Summary of statutorily protected sites designated for ornithological features within 10km of the Site

Site Name and Designation	Designation Interest	Distance to Site (approximately)
Wood of Cree SSSI	The breeding bird community is moderately rich. Typical bird species occur, such as flycatchers, warblers and owls.	330m from the site boundary at its nearest point.
Galloway Oakwoods SAC	Wood of Cree – The breeding bird community is moderately rich. Typical bird species occur, such as flycatchers, warblers and owls. Glentrool Woods - The woods of Glentrool host [inter alia] breeding bird populations.	330m – 5km

Glentool Oakwoods SSSI	The woods are noted for their [inter alia] breeding bird populations.	5km
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Potential Effects

7.51 The Proposed Development has the potential to affect the ecology of the area at the construction, operational and decommissioning stages. Potential effects during construction may arise from:

- Presence of people;
- Noise;
- Vegetation, top soil and sub-soil removal, resulting in habitat loss and habitat fragmentation;
- Ground and excavation works;
- Construction of turbine foundations and access routes;
- Vehicular traffic;
- Creation of temporary construction compounds and storage areas;
- Routing of services and utilities (e.g. underground electrical lines and drainage); and
- Development of watercourse crossings.

7.52 During the operational phase, effects may arise from:

- Vehicular traffic;
- Presence of people;
- Noise;
- Drainage; and
- Wind turbine activity.

7.53 During de-commissioning, effects are expected to be similar to those experienced during construction.

Proposed Scope of Assessment

7.54 The ecological assessment will consider the potential effects of the Proposed Development on designated and non-designated ecological sites in the wider area, as well as flora and fauna interest on the Site and within the surrounding area.

- 7.55 The ornithological assessment will determine the potential for sensitive, notable or rare species to be affected by the Proposed Development. Where potential adverse, negative effects are identified suitable mitigation or compensation will be identified to reduce effects to an acceptable (non-significant) level.

Methodology

- 7.56 The EIA will be based on the following surveys:

- One year of Vantage Point surveys;
- Breeding Raptor and Owl surveys;
- Species-specific breeding surveys;
- Moorland breeding bird surveys;
- Bats: transect and static survey;
- Protected species surveys;
- Extended Phase 1 habitat survey;
- NVC and GWDTE; and
- Habitat walkover.

Design and Mitigation

- 7.57 With appropriate site design, habitat loss can be restricted to areas of low ecological value such as ecologically sterile areas of commercial forestry, and by limiting the loss of trees and wetland removal.
- 7.58 Wherever possible, turbines will be located away from major wildfowl flight lines and areas of high raptor activity.
- 7.59 Consideration will be given to habitat enhancement/creation works. Such works should be away from the turbines to avoid increasing the risk of bird strike.

Soil, Geology and Water

- 7.60 This section of the EIAR will assess the ground conditions and hydrogeology of the Site and its surrounds.

Baseline

- 7.61 Within the central portion of the Site there are a number of tributary watercourses which drain in a north easterly direction before converging into the River Cree beyond the eastern boundary of the Site. Within the northern part of the site, there are two other tributary watercourses which flow in an easterly direction before converging into the

Boughty Burn. Towards the southern portion of the Site there are three watercourses draining in an easterly direction into the River Cree beyond the eastern boundary. There are a further two tributary watercourses in the south of the site which converge into Castle Stewart Burn.

- 7.62 The British Geological Survey (BGS) Geoindex shows the bedrock underlying the Site to be composed of sedimentary rocks belonging to the Wacke Group, with pockets of igneous rocks variously belonging to the Felsite Group, Microdiorite and Porphyritic Group, and Lamprophyres Group.

Potential Effects

- 7.63 Wind farm construction, operation and decommissioning involve activities that may affect soil, geological or water environments. The EIA will identify these activities, assess the significance of their potential impacts, and outline appropriate mitigation measures. Impacts will be assessed relative to a detailed baseline description and conceptual understanding of the existing hydrological and hydrogeological environment.

Proposed Scope of Assessment

- 7.64 The principal areas of consideration in the EIA will be:
- Water quality and pollution prevention;
 - Site drainage (tracks, turbine foundations and hardstanding areas);
 - Ground water (in particular in relation to turbine foundation construction);
 - Peat risk and peat waste management;
 - Watercourse crossings and the impact of other engineering activities near water;
 - Potential for land contamination;
 - Private water supplies; and
 - Mineral stability.

Methodology

- 7.65 In order to establish the existing hydrology, hydrogeology and geology conditions at the Site an initial desktop information gathering exercise will be carried out followed by site surveys.
- 7.66 A flood risk assessment is not considered likely to be required for this Proposed Development and so will not be included in the EIA.

Design and Mitigation

- 7.67 The EIAR will consider, where appropriate, sustainable drainage principles with a view to minimising the potential risk of flooding at the Site and preventing the Proposed Development from causing flooding, groundwater or watercourse pollution. Any areas of deep peat will be avoided where possible.

Air and Climate

Potential Effects

- 7.68 The principal effect on air and climate is the displacement of fossil fuels. This is quantifiable as the gains over the life of the Proposed Development against the release of carbon dioxide during construction, including any associated loss of peat and construction of road/tracks turbine bases and other infrastructure.
- 7.69 No adverse air quality impacts are anticipated from the operation of the Proposed Development.

Proposed Scope of Assessment

- 7.70 The EIA will consider the current electricity generation mix and assess the level of savings that could be made.
- 7.71 The latest guidance from the Scottish Government on calculating carbon savings from wind farms on peat will be used to determine the “pay back” time of the Proposed Development taking into account the loss of carbon from the disturbance of any peat on Site.
- 7.72 Potential impacts on air quality from dust etc. during the construction and decommissioning phases will be addressed through standard mitigation techniques to be agreed as part of a construction environmental management plan. No further specific assessment is proposed.

Landscape and Visual Amenity

Introduction

- 7.73 It is acknowledged from the outset that, in common with almost all commercial wind energy developments that some landscape and visual effects would occur as a result of the Proposed Development.
- 7.74 A key principle of the European Landscape Convention is that all landscapes matter and should be managed appropriately. It is also acknowledged that landscapes provide the surroundings for people's daily lives and often contribute positively to the quality of life and economic performance of an area.
- 7.75 It is therefore proposed that a Landscape and Visual Impact Assessment (LVIA) is undertaken as part of the EIA and an LVIA Chapter be included in the EIA Report. The LVIA will be undertaken by Chartered Landscape Architects, who are experienced in the

assessment of large scale, onshore wind energy projects and are fully familiar with the landscape in the vicinity of the site.

7.76 It is proposed that the LVIA will consider the potential effects of the Proposed Development upon:

- Individual landscape features and elements;
- Landscape character; and
- Visual amenity and the people who view the landscape.

The Site

7.77 The Site is centred at approximately OS Grid Reference 35136, 73226. The closest settlements to the proposed turbines are the village of Glentroll, located approximately 2.8km north of the site, and the town of Newton Stewart which is located approximately 7km south-east of the Site at its nearest point. The nearest main highway is the A714 which runs adjacent to the eastern boundary of the Site. The Proposed Development is located immediately north of Penninghame Forest and 260m east of Loch Ochiltree.

7.78 The topography of the site is undulating, with the lowest points being located adjacent to the A714 at approximately 50m AOD. There are pockets of small hills within the central areas of the site rising to 90m AOD, 100m AOD and 105m AOD, before the land rises in the north west of the site at Butter Cairn (164m AOD) and Top of the Fell (184m AOD). The application site covers an area of approximately 780 ha incorporating grassland and modified bog. The Site is principally used for grazing.

7.79 The site and the proposed turbine locations are shown on Figures 1.1 and 1.2.

Guidance and Legislation

7.80 The LVIA will be prepared in accordance with the principles of best practice, as outlined in published guidance documents, notably the third edition of the Guidelines for Landscape and Visual Assessment (GLVIA3)¹.

7.81 The methodology and assessment criteria proposed for the LVIA will be developed in accordance with the principles established in this best practice document. It should be acknowledged that GLVIA3 establishes guidelines, not a specific methodology. The preface to GLVIA3 states:

"This edition concentrates on principles and processes. It does not provide a detailed or formulaic 'recipe' that can be followed in every situation – it remains the responsibility of the professional to ensure that the approach and methodology adopted are appropriate to the task in hand."

¹ Landscape Institute and the Institute of Environmental Management and Assessment (2013) Guidelines for Landscape and Visual Impact Assessment, 3rd Edition

- 7.82 The approach has therefore been developed specifically for this assessment to ensure that the methodology is fit for purpose. Consideration has also been given to the following documents:

NatureScot (2022) Landscape Sensitivity Assessment Guidance (Methodology);

NatureScot (2020) General pre-application and scoping advice for onshore wind farms;

NatureScot (September 2020) Assessing impacts on Wild Land Areas – technical guidance;

NatureScot (2021) Guidance - Assessing the cumulative landscape and visual impact of onshore wind energy developments;

SNH (2018) A Handbook on Environmental Impact Assessment, Appendix 2: Landscape and Visual Impact Assessment, Version 5;

SNH (2017) Siting and Design of Wind farms in the Landscape, Version 3;

SNH (2017) Visual Representation of Wind farms Version 2.2;

Landscape Institute (2021) Assessing landscape value outside national designations, Technical Guidance Note 02/21;

Landscape Institute (2019) Technical Guidance Note 06/19, Visual Representation of Development Proposals;

Landscape Institute (2019) Technical Guidance Note 02/19, Residential Visual Amenity Assessment; and

The Countryside Agency and SNH (2002) Landscape Character Assessment Guidance for England and Scotland: Topic Paper 6: Techniques and Criteria for Judging Capacity and Sensitivity, The Countryside Agency and SNH.

- 7.83 Full details of the methodology will be provided within the LVIA chapter of the EIA Report.

Proposed Scope of Assessment

- 7.84 It is proposed that the main objectives of the LVIA will be as follows:

- *To identify, evaluate and describe the current landscape character of the site, its surroundings and any notable individual or groups of landscape features within the site;*
- *To determine the sensitivity of the landscape to the type of development proposed;*
- *To identify potential visual receptors (i.e. people that would be able to see the Proposed Development) and evaluate their sensitivity to the type of changes proposed;*
- *To identify and describe any impacts of the Proposed Development in so far as they affect the landscape and/or views of it and evaluate the magnitude of change due to these impacts;*

- To identify and describe any mitigation measures (including mitigation which is inherent in the design and layout of the Development) that have been adopted to avoid, reduce and compensate for landscape and visual effects;
- To identify and assess any cumulative landscape and visual effects;
- To evaluate the level of residual landscape and visual effects; and
- To make a professional judgement about which effects, if any, are significant.

Distinction between Landscape and Visual Effects

7.85 In accordance with the published guidance, landscape and visual effects will be assessed separately, although the procedure for assessing each of these is closely linked. A clear distinction has been drawn between landscape and visual effects as described below:

- *landscape effects relate to the effects of the Proposed Development on the physical and perceptual characteristics of the landscape and its resulting character and quality; and*
- *visual effects relate to the effects on specific views experienced by visual receptors and on visual amenity more generally.*

Study Area

7.86 In order to assist with defining the study area, a digital Zone of Theoretical Visibility (ZTV) model has been produced as a starting point to illustrate the geographical area within which views of development on the Site are theoretically possible. This was based on a 'bare-earth' scenario, whereby the screening effect of areas of existing vegetation or built features in the landscape are not taken into account. The ZTV was modelled to both blade tip height using the currently proposed turbine height of 200m and hub height based on the currently proposed 122.5m and these are presented at **Figures 7.1 and 7.2**.

7.87 With reference to Visual Representation of Wind Farms, Version 2.2² based on the preliminary turbine height of up to 200m blade tip height, an initial study area of up to 45 km should be considered for the purposes of establishing a preliminary evaluation of the likely receptors. However, the preliminary ZTV which accompanies this Scoping Report illustrates that visibility would be limited at distances greater than 20 km with large areas of no ZTV coverage to the north, east, south and west. Therefore, it is proposed that the LVIA will consider an initial 35 km radius LVIA study area. Detailed assessment will then be provided for a 20 km section of this study area, which it is considered represents a proportionate extent of the study area and the limit within which any potential significant effects might occur.

7.88 The cumulative effect of the Proposed Development in association with other wind energy developments will also be considered. Consideration was initially given to a 60

² Scottish Natural Heritage (February 2017) Visual Representation of Wind Farms Guidance. Version 2.2

km radius from the site, accounting for NatureScot³ guidance. Following this review, it is proposed that a 20 km detailed study area be adopted to consider cumulative effects, which is considered represents a proportionate extent of the study area and the limit within which any potential significant cumulative effects might occur.

Baseline Description

- 7.89 Initial studies have been undertaken to identify the potential landscape and visual receptors to be considered within the LVIA and the viewpoint locations to inform the assessment (15 proposed viewpoints are set out in **Table 5**). This is based on the initial ZTV (**Figure 7.1**) illustrating the initial 35 km study area and knowledge of the area surrounding the Site.
- 7.90 The key receptors are outlined in turn below. For the final LVIA detailed baseline information on the landscape and visual resource will be gathered through a combination of desk-studies, consultation and field surveys.

Landscape Character

- 7.91 NatureScot⁴ published an updated national set of Landscape Character Types (LCTs) in early 2019. This 2019 national LCT map and associated LCT Descriptions now supersede the earlier 1990s SNH landscape character descriptions and mapping.
- 7.92 The site lies within LCT 174 - Plateau Moorland with Forest - Dumfries & Galloway. The key characteristics of LCT 174 - Plateau Moorland with Forest - Dumfries & Galloway are defined by NatureScot as follows:
- *Elevated flat or gently undulating landscape of large scale.*
 - *Dominance of forestry, with a consistent blanket of dark green, superimposed on plateau moorland, currently being restructures as part of felling rotations, and to accommodate wind farm development.*
 - *Some large-scale open plateau moorland components within the area, and smaller pockets of open ground.*
 - *Rough grass, farmland and heathland in un-forested areas.*
 - *Dark horizons formed by forest margins.*
 - *Evidence of historic and pre-historic land use in un-forested areas.*
 - *Sparsely populated, but with some pockets of settled farmland.*
 - *Occasional loch basins, which are a focus for some recreational and tourist facilities.*
 - *Wind farm development of forested or recently clear-felled areas north-western, western and south-western areas.*
 - *Remote and exposed character.*

³ NatureScot (2021) Assessing the cumulative landscape and visual impact of onshore wind energy developments

⁴ Scottish Natural Heritage (SNH) rebranded in August 2020 as NatureScot. Where relevant reference is still made to SNH within this chapter in respect of guidance which remains valid and is yet to be republished etc.

- 7.93 In introducing the updated National Landscape Character Assessment, NatureScot set out that where there are 'topic specific landscape capacity or sensitivity studies, they would take precedence for informing that development type'.
- 7.94 The Dumfries and Galloway Wind Farm Landscape Capacity Study 2020 considers the landscape and visual sensitivity of the identified landscape character types in Dumfries and Galloway to wind energy development, including with reference to larger scale wind energy developments. Therefore, it is proposed to focus the assessment of effects on landscape character on this study and not the national level assessment.
- 7.95 The site lies within LCT 17(a) Plateau Moorland with Forest, an LCT which occurs in the Glentworth area only. The LVIA will include an assessment of the sensitivity of the character of the LCTs within the Study Area, before going on to provide an assessment of the potential for the proposed development to result in significant effects on the character of each.

Landscape Designations

- 7.96 The Proposed Development is not located within a nationally or locally designated landscape.
- 7.97 The nearest National Scenic Area (NSA) is the Fleet Valley, which lies around 25km to the south-east. The nearest Regional Scenic Area (RSA) is the Galloway Hills, which lies adjacent to the eastern boundary of the site. There are no Gardens and Designed Landscapes (GDLs) within 20km of the site.
- 7.98 Potential effects on these designated landscapes will be considered within the LVIA.

Wild Land

- 7.99 Wild Land Areas (WLAs) are mapped and described by NatureScot⁵. The nearest WLA to the Proposed Development is Merrick, WLA 01, located approximately 10 km north-east of the site.
- 7.100 Given the distance between the Proposed Development and the WLA, it is considered that the Proposed Development would have limited potential to result in notable effects on the key attributes and qualities of the WLA.
- 7.101 The matter of wind energy and Wild Land is addressed in Policy 4 of the National Planning Framework 4 which states that 'Buffer zones around wild land will not be applied, and effects of development outwith wild land areas will not be a significant consideration'.
- 7.102 As such it is proposed to scope out effects on wild land from the LVIA chapter.

Visual Receptors

⁵ Available at: <https://www.nature.scot/wild-land-area-descriptions>

- 7.103 A detailed consideration of the potential for effects to the visual amenity of receptors in the landscape surrounding the site will be set out in the LVIA. This visual assessment will be informed by a selection of representative assessment viewpoints, which are listed in **Table 5**.
- 7.104 The LVIA will focus on the potential effects of the Proposed Development on different visual receptors comprising settlements, footpath users, recognised tourist routes, long distance walking routes, cycle routes and centres for tourism.

Residential Visual Amenity

- 7.105 Consideration of the visual amenity of the nearest residential properties to the site will be given within in the LVIA. Any residential properties located within 2 km of the Proposed Development will also be addressed within a separate standalone Residential Visual Amenity Assessment (RVAA) to be undertaken as part of the LVIA.

Proposed Viewpoints

- 7.106 It is proposed that the 15 locations set out in **Table 5** and shown on **Figures 7.1 and 7.2** are included as assessment viewpoints in the LVIA. The viewpoints represent visual receptors, LCTs and landscape designations at a range of distances and directions from the site.

Table 5: Proposed Viewpoint Locations

Viewpoint Number	Location	OS Grid Reference
VP1	Southern Upland Way (Hill of Ochiltree)	232706, 574102
VP2	A714, north of Bargrennan	234254, 578260
VP3	A714, junction with minor road to Glentool	235513, 575202
VP4	Southern Upland Way (Bargrennan)	234906, 575980
VP5	Eldrig Fell	225248, 568752
VP6	Minor Road near Bennylow (Culvennan Fell)	229982, 564194
VP7	B7027/ Southern Upland Way, near Knowe	230996, 571877
VP8	Southern Upland Way (Knockniehourie)	221291, 568297
VP9	Bruce's Stone, Glentool	241587, 580344
VP10	All Saints Church, Challoch	238440, 567639
VP11	Minor Road, north of Mochrum Loch	230614, 554686
VP12	Merrick	242750, 585555
VP13	Lamachan Hill	243350, 577122
VP14	Garlick Hill	243120, 573026
VP15	A75, parking area, south of Creetown	247197, 557682

- 7.107 Each of the representative viewpoints will be visited to evaluate the sensitivity of views. In addition, the study area will also be extensively visited to consider visibility of the Proposed Development as receptors move through the landscape.

- 7.108 The viewpoints will be used as the basis for determining the effects on visual receptors within the study area. The sensitivity of different receptor groups will be set out in the LVIA methodology.
- 7.109 The level of effect experienced by different visual receptors will be determined by considering the sensitivity of the receptors with the magnitude of change resulting from the introduction of the Proposed Development.

Visualisations

- 7.110 Each viewpoint will be illustrated with day time visualisations prepared in line with NatureScot best practice guidance⁶.

Night-time Lighting Assessment

- 7.111 Air Navigation Order Article 222 requires turbines exceeding a tip height of 150 m to display visible aviation lighting to indicate their presence. Dispensations for reduced lighting schemes can be agreed with the Civil Aviation Authority (CAA), according to the guidance provided in CAP-764 and it is anticipated that a reduced lighting scheme would be agreed with the CAA in due course.
- 7.112 It is also possible to operate the medium intensity, red visible aviation lights in a reduced intensity mode when visibility from the Proposed Development exceeds 5 km. Furthermore, it is also possible to attenuate the amount of light experienced by receptors at elevations above and below the lights in order to reduce the level of effects experienced.
- 7.113 In accordance with the NatureScot guidance⁷ the LVIA will assess the additional effects of the aviation lighting in the main body of the LVIA chapter and separate judgements about the effects of the lighting during the hours of darkness will be reported.
- 7.114 This consideration will be informed by ZTVs of the lit turbines, illustrating where the lit turbines will be visible from in theory and also by ZTVs illustrating the intensity of the lighting above and below the lights. Additionally, the assessment will also be informed by night-time visualisations from a selection of viewpoints, illustrating the proposed lighting effects.
- 7.115 In line with NatureScot Visualisation Guidance, the viewpoints selected represent locations from where people are most likely to experience the wind farm at night.
- 7.116 It is proposed that the following night-time visualisations will be produced:
- VP 2- A714, north of Bargrennan;
 - VP 3 - A714, junction with minor road to Glentrool; and
 - VP 7 - B7027/ Southern Upland Way, near Knowe.

⁶ SNH (2017) Visual Representation of Wind farms Version 2.2

⁷ NatureScot (2020) General pre-application and scoping advice for onshore wind farms

- 7.117 The viewpoints will be used to inform consideration of the potential effects on key receptors within the surrounding landscape.

Cumulative Assessment

- 7.118 The LVIA will also consider the potential for any cumulative effects to arise. The requirement for consideration of cumulative effects under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 is set out in Schedule 4, part 5, as follows:

"A description of the likely significant effects of the development on the environment resulting from, inter alia: (e) the cumulation of effects with other existing and/or approved development, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources."

- 7.119 This represents a change to the wording of the previous Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2010 which stated: *"A description of the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development"*.

- 7.120 There is therefore no longer any requirement under the current EIA Regulations to consider the potential for cumulative impacts in relation to other developments which are yet to be awarded consent.

- 7.121 However, it is acknowledged that current best practice guidance for cumulative impact assessment still refers to a consideration of proposals which are 'awaiting determination within the planning process with design information in the public domain' and states that *"The decision as to which proposals in the planning / consenting system should be included in an assessment is the responsibility of the determining authority."*

- 7.122 As such, it is proposed in this LVIA to consider cumulative effects caused by the development of the site in conjunction with other sites which are either operational, under construction consented or the subject of a full planning application. The NatureScot⁸ best practice guidelines identify two principal types of cumulative visual impact:

- *Combined visibility – where the observer is able to see two or more developments from one viewpoint; and*
- *Sequential visibility – where two or more sites are not visible at one location but would be seen as the observer moves along a linear route, for example, a road or public right of way.*

- 7.123 The guidelines state that 'combined visibility' may either be 'in combination' (where two or more sites are visible from a fixed viewpoint in the same arc of view) or 'in succession' (where two or more sites are visible from a fixed viewpoint, but the observer is required to

⁸ NatureScot 2021 Assessing the Cumulative Impact of Onshore Wind Energy

turn to see the different sites). Each of the above types of cumulative effect will be considered in the LVIA.

- 7.124 The assessment will also consider the potential cumulative effects of wind turbine aviation lighting, with reference to other wind farms that are either operational, under construction, consented or the subject of a full planning application which also have visible aviation warning lighting.
- 7.125 In order that the cumulative assessment remains focussed on other developments that have the greatest potential to give rise to significant cumulative effects it is necessary at the outset to decide which developments need to be considered in detail, as to consider all developments within 35 km of the Proposed Development would detract attention from the key issues relating to the application. In this landscape and visual context wind farms over 20 km away are highly unlikely to give rise to significant cumulative effects. It is also considered appropriate and proportionate to scope out all turbines under 50m, and any turbines between 50m and 80m which are located over 10km distance from the site. The cumulative impact assessment will therefore focus primarily on developments within approximately 20 km of the Proposed Development.
- 7.126 The wind farms identified within **Table 6** are therefore the developments on which the of the cumulative assessment will be primarily focussed.

Table 6: Other Wind Farm sites within 20km

Wind Farm	Status	No. of Turbines	Blade Height	Tip	Approximate Distance and Direction from the Site
Kilgallioch	Operational	96	146.5m		7km west
Airies	Operational	14	126.5m		8km south-west
Artfield Fell	Operational	15	74m		13km south-west
Balmurrie Fell (Artfield Fell Extension)	Operational	7	74m		13km south-west
Glenchamber	Operational	11	126.5m		14km south-west
Carscreugh	Operational	18	70m		16km south-west
Barlockhart Moor	Operational	4	115m		20km south-west
Arecleoch	Operational	60	118m		16km north-west
Mark Hill	Operational	28	110m-125m		13km north-west
Stranoch	Consented	24	110m-135m		17km west
Stranoch 2	Consented	20	140m-175m		17km west
Arecleoch Extension	Consented	13	200m		15km north-west
Kilgallioch Extension	Consented	9	180m		9km south-west
Chirmorie	Consented	21	149.9m		14km north-west

Garvilland	Consented	5	149.9m	15km south-west
Artfield Forest	Consented	12	180m	11km south-west
Clauchrie	In Planning	18	200m	14m north

Potential Mitigation

7.127 Mitigation measures may include:

- *avoidance of effects;*
- *reduction in magnitude of effects; and*
- *compensation for effects (which may include enhancements to offset any adverse effects).*

7.128 The primary mitigation adopted in relation to landscape and visual matters is likely to be embedded within the design of the Proposed Development and will comprise the consideration given to avoiding and minimising landscape and visual effects during the evolution of the Proposed Development layout. This is sometimes referred to as 'mitigation by design'.

Potential Landscape and Visual Effects

7.129 The LVIA will consider the potential effects of the Proposed Development upon:

- *individual landscape features and elements;*
- *landscape character;*
- *visual amenity and the people who view the landscape; and*
- *landscape designations as appropriate.*

7.130 The LVIA will consider the effects at three different stages in the lifetime of the Proposed Development:

- *during construction of the Proposed Development;*
- *during the operational lifetime of the Proposed Development; and*
- *during decommissioning of the Proposed Development.*

7.131 Effects during the first and third of these phases are considered to be temporary and would have a short duration. Effects associated with the operational phase of the Proposed Development are considered to be long term effects.

7.132 Following the judgement of the sensitivity of the landscape or visual receptor, the LVIA will provide a judgement as to the magnitude of change and the level of the effect experienced by each receptor, along with a statement to clarify whether the effect resulting from the Proposed Development is significant or not.

Scoping Questions to Consultees

7.133 The following are considered to be the key issues which require consideration by the consultees:

- *Are there any comments on the proposed study areas?*
- *Are there any comments on the proposed list of viewpoint locations?*
- *Are there any further wind farm sites, to those listed in Table 4.2, to consider as part of the cumulative assessment?*
- *Do you agree with the proposed 2km study area for the Residential Visual Amenity Assessment (RVAA)?*
- *Do you agree that an assessment of effects on wild land can be scoped out from the LVIA?*
- *Do you agree that the proposed scope of the LVIA is appropriate?*

Cultural Heritage

7.134 This section of the EIAR will assess the likely direct and indirect impacts on both designated and non-designated heritage assets within the Site boundary and within the surrounding area. The chapter will assess the significance and setting of these assets and assess the significance of any known or unknown archaeological deposits within the Site boundary.

Baseline

7.135 There are approximately 10 Scheduled Ancient Monuments within 5km of the site, one of which encroaches the site boundary to the north west called Deil's Dike, which is a pre-historic domestic and defensive linear earthwork. The length of the linear earthwork is approximately 600m. There is a SAM 918m west of the site boundary called the Crannogs, a pre-historic cairn-like erection of stones standing at 0.5m in height on Loch Ochiltree.

7.136 There is one Grade A listed building within 5km of the site boundary, this is Challoch, All Saints Episcopal Church with Boundary Walls and Gatepiers. There are approximately seven Grade B listed buildings within 5km of the site boundary, the nearest being Clachaneasy Bridge approximately 200m east of the site boundary. There are also approximately eight Grade C listed buildings within 5km of the site boundary, the nearest being Minnoch Bridge approximately 800m east of the site boundary.

Potential Effects

7.137 Direct impacts would involve physical alteration or destruction of heritage assets as a result of the construction, operation or decommissioning of the wind farm. Such direct impacts could result from the construction of turbine and crane bases, new or upgraded access tracks, substations, transformers, cables etc.

- 7.138 Indirect effects on the setting of heritage assets are likely due to the size of the proposed turbines and their potential to detract from key views towards an asset or an experience at the asset when standing within its setting.

Proposed Scope of Assessment

- 7.139 The proposed scope of the assessment is twofold, to understand:
- Direct effects – The physical effect on all heritage assets, including buried archaeological remains and other historic structures, within the footprint of the Proposed Development including associated services, construction compound, electrical cable connections and on/off site access routes; and
 - Indirect effects – The effect on the setting of the designated heritage assets within the ZTV to a distance of 10km from the proposed turbines.
- 7.140 The EIA will assess the potential direct impacts on identified archaeological sites, as well as the potential indirect impacts on the settings of designated and non-designated heritage assets in association with the Landscape and Visual Impact Assessment.

Methodology

- 7.141 An extended desk-based assessment of available information will be conducted to establish the baseline conditions to enable assessment of both direct and indirect effects within the Site and a study area around it. The principal sources of information will be the Sites and Monuments Records, supplemented by relevant published documentary and cartographic material as appropriate. The proposed study area will be as follows:
- For buried archaeological sites that are recorded on the Sites and Monuments Record but are not otherwise designated, the study area is a 1km buffer zone around the proposed wind turbine locations.
 - For designated historic environment resources that fall within the ZTV, the study area is a 10km buffer zone around the proposed wind turbine locations.

Design and Mitigation

- 7.142 The design of the wind farm will take into account the potential effects of the wind farm on the settings and significance of designated heritage assets. Where effects on non-designated heritage assets cannot be avoided, mitigation measures such as archaeological excavation and recording/watching brief will be proposed.

8 SUMMARY

Context

- 8.1 Energiekontor UK Ltd is evaluating the potential of land at Glenvernoch ("the Site") for the development of a wind farm of up to 18 wind turbines, including associated development such as crane pads, access tracks, a substation and temporary construction compound ("the Proposed Development").
- 8.2 This Scoping Report provides an outline of relevant environmental receptors that may be significantly affected by the Proposed Development and describes the information that it is envisaged will be submitted as part of a future EIA. This approach enables consultees with a particular interest to identify whether any potentially significant impacts have been omitted, suggest additional mitigation measures or to comment on the suitability of the intended method of assessment if necessary.
- 8.3 Comments on the scope of the proposed EIA are invited. Should consultees be in a position to identify or provide additional relevant information concerning the existing environment or any specific local issues, this would be welcomed.

Comments

- 8.4 Consultees are invited to comment on the proposed scope of the EIA set out in this report. The key questions to consider when reviewing the environmental issues are as follows:
- Are there any potential significant impacts that have not been included?
 - Is the intended method of assessment appropriate?
 - Are there additional mitigation measures that should be considered?
 - Are there any other landscape or visual receptors and viewpoint assessment locations that should be considered in the assessment?
 - Are there any other wind energy developments which should be included or excluded from the cumulative assessment?



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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**

**Glenvernoch Wind Farm
Energiekontor UK Ltd**

07 February 2024

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1. Introduction

1.1 This scoping opinion is issued by the Scottish Government Energy Consents Unit on behalf of the Scottish Ministers to Energiekontor UK Ltd a company incorporated under the Companies Acts with company number 03830819 and having its registered office at 114 St Martin's Lane, Covent Garden, London, United Kingdom, WC2N 4BE ("the Company") in response to a request dated 08 August 2023 for a scoping opinion under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the proposed Glenvernoch Wind Farm ("the proposed development"). The request was accompanied by a scoping report.

1.2 The proposed development would be located approximately 2.8km south of the village of Glentool, and approximately 7km north-west of Newton Stewart. The proposed development is solely within the planning authority of Dumfries and Galloway Council.

1.3 The proposed development is anticipated to comprise up to 18 wind turbines with tip heights up to 200 metres and an anticipated generating capacity up to 120MW. The proposed development would also include a battery energy storage facility, the megawatt capacity of which has not been finalised.

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

- New and upgraded access tracks into the site and to connect infrastructure;
- Temporary construction compound and storage area;
- Crane hard-standings and outrigger pads;
- Transformer housings;
- One substation building;
- High voltage and control cables; and
- Off-site highway works

1.5 The Company indicates the proposed development would be decommissioned after 35 years and the site restored in accordance with the decommissioning and restoration plan.

1.6 The scoping report identifies a number of operational and consented wind farms within the surrounding area. To the west of the proposed development would be the operational Kilgallioch Wind Farm, the consented Kilgallioch Wind Farm Extension, and the operational Airies Farm Wind Farm. There would also be the consented Gass Wind Farm to the south west and the operational Mark Hill Wind Farm north west of the site respectively. The scoping report also highlighted Clauchrie Wind Farm north of the site, however this application was refused consent in August 2023.

1.7 An application for a wind farm known as Hill of Ochiltree Wind Farm on land northwest of the proposed development was submitted to the Planning Authority in 2009 under the Town and Country Planning (Scotland) Act 2007, under reference 09/P/1/0417, and subsequently refused in 2012. Hill of Ochiltree Wind Farm consisted of 10 turbines with a tip height of 115m and was refused based on the impact on landscape, visual amenity, tourism, water environment, soils and hydrogeology.

2. Consultation

2.1 Following the scoping opinion request a list of consultees was agreed between Energiekontor UK Ltd and the Energy Consents Unit. A consultation on the scoping report was undertaken by the Scottish Ministers and this commenced on 18 August 2023. The consultation closed on 08 September 2023. Extensions to this deadline were granted to:-

- Dumfries and Galloway Council
- Historic Environment Scotland (HES)

The Scottish Ministers also requested responses from their internal advisors Transport Scotland and Scottish Forestry, however did not receive a response from Scottish Forestry. Standing advice from Marine Directorate – Science Evidence Data and Digital (MD-SEDD) has been provided with requirements to complete a checklist prior to the submission of the application for consent under section 36 of the Electricity Act 1989. All consultation responses received, and the standing advice from MD-SEDD, are attached in **ANNEX A Consultation responses** and **ANNEX B MD-SEDD Standing Advice**.

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

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

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

- Civil Aviation Authority
- Cree District Salmon Fishery Board
- Fisheries Management Scotland
- Galloway Fisheries Trust
- Glasgow Airport
- Scottish Rights of Way and Access (ScotWays)
- Scottish Wildlife Trust
- Scottish Wild Land Group
- Barrhill Community Council
- Kirkcowan Community Council

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 Dumfries and Galloway Council, within whose area the proposed development would be situated, NatureScot (previously “SNH”), SEPA and HES, 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 08 August 2023 in respect of the specific characteristics of the proposed development and responses received to the consultation undertaken. In providing this scoping opinion, the Scottish Ministers have had regard to current knowledge and methods of assessment; have taken into account the specific characteristics of the proposed development, the specific characteristics of that type of development and the environmental features likely to be affected.

3.3 A copy of this scoping opinion has been sent to 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 and Annex B**.

3.5 Scottish Ministers are satisfied with the scope of the EIA set out at Section 7 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 The proposed development set out in the scoping report refers to wind turbines, and other technologies including battery storage. Any application submitted under the Electricity Act 1989 requires to clearly set out the generation station(s) that consent is being sought for. For each generating station details of the proposal require to include but not limited to:

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

3.8 Scottish Water confirmed 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 which may be affected by the proposed development. 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 Water also provided general advice which should be addressed in the EIA report, including any relevant mitigation measures required.

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

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

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

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

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

3.14 The scoping report identified viewpoints at Table 5 of Section 7, to be assessed within the landscape and visual impact assessment. Additional viewpoints have been requested by Dumfries and Galloway Council, HES, Mountaineering Scotland, and Cree Valley Community Council.

3.15 The noise assessment should be carried out in line with relevant legislation and standards as detailed in section 7 of the scoping report. The noise assessment report should be formatted as per Table 6.1 of the IOA “A Good Practice Guide to the Application of ETSU-R-97 for the Assessment and Rating of Wind Turbine Noise.”

3.16 As the maximum blade tip height of turbines exceeds 150m the LVIA as detailed in section 7 of the scoping report must include a robust Night Time Assessment with agreed viewpoints to consider the effects of aviation lighting and how the chosen lighting mitigates the effects.

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

3.18 The Scottish Ministers note that the proposed development has connectivity with the River Bladnoch Special Area of Conservation (SAC) due to drainage and water flow from the site entering the SAC indirectly through the Glassoch Burn. The SAC is designated for the qualifying interest Atlantic salmon. The status of this site 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 2017 apply. Consequently, Scottish Ministers will be required to consider the effect of the proposal on the SAC by completing a Habitats Regulations Appraisal (HRA). The southern boundary of the site may also impact the Galloway Oakwoods Special Area of Conservation (SAC), designated for the qualifying interest Western Acidic Oakwood and also encompassing Wood of Cree Site of Special Scientific Interest (SSSI), as the nearest turbine is less than 2km away. Scottish Ministers may also therefore be required to complete a HRA in relation to the Galloway Oakwoods SAC. NatureScot have provided advice on what should be considered within the EIA report.

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

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

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

Kirstin Keyes

**Energy Consents Unit
February 2024**

ANNEX A

Consultation

List of consultees who provided a response.

- Dumfries and Galloway Council*
- Historic Environment Scotland (HES)
- Scottish Environmental Protection Agency (SEPA)
- NatureScot (previously “SNH)
- British Telecommunications plc
- Cree Valley Community Council
- Defence Infrastructure Organisation
- Glasgow Prestwick Airport
- Joint Radio Company Limited (JRC)
- Mountaineering Scotland
- NATS Safeguarding
- Office for Nuclear Regulation
- RSPB Scotland
- Scottish Water
- Transport Scotland

Internal advice from areas of the Scottish Government was provided by officials from Transport Scotland and Marine Directorate (in the form of standing advice from Marine Directorate – Science Evidence Data and Digital (MD-SEDD)).

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

*Dumfries and Galloway Council provided a partial response. Any additional information received will be added as an addendum to the Scoping Opinion.

Proposal: CONSULTATION REQUEST FROM SCOTTISH MINISTERS IN CONNECTION WITH REQUEST FOR SCOPING OPINION UNDER ENVIRONMENTAL IMPACT ASSESSMENT (SCOTLAND) REGULATIONS 2017 FOR PROPOSED WIND FARM COMPRISING OF 18 WIND TURBINES (WITH MAXIMUM TIP HEIGHT OF 200 METRES), BATTERY STORAGE SYSTEM, CONTROL BUILDING AND SUBSTATION COMPOUND TEMPORARY CONSTRUCTION COMPOUND, FORMATION OF ACCESS TRACKS AND ASSOCIATED WORKS

Location: Proposed Glenvernoch Wind Farm, Near Glenvernoch, Newton Stewart

Application type: Scoping Opinion

Ref. 23/1764/ENQ

1. This Scoping request from the Scottish Government Energy Consents Unit relates to a proposal to construct and operate a wind farm with associated elements as described. The applicant at this point is Energiekontor UK Ltd.

2 The estimated capacity of the Proposed Development is anticipated to be 120MW. The application site lies within the Dumfries and Galloway Council area, and as the expected output of the wind farm will be in excess of 50 MW, the proposed works will be determined by Scottish Ministers.

3. The Planning Service consulted the following departments of Dumfries and Galloway Council: (i) Council Roads Planning Team Leader; (ii) Council Environmental Health Officer; (iii) Council Archaeologist; (iv) Council Wind Farms Landscape Architect; (v) Council Countryside Access Officer; and (vi) Flood Risk Management Team Leader. To date, responses have been received from the following:

4. Council Roads Planning Team Leader:

4.1 Road: A714 Girvan – Newton Stewart – Moorpark; A75(T) Gretna – Stranraer Trunk Road

4.2 Comments: This request for scoping opinion proposes the erection of 18no. wind turbines of maximum height to blade tip of up to 200m along with associated infrastructure at proposed Glenvernoch Wind Farm, near Glenvernoch, Newton Stewart.

4.3 It is noted that the ‘Scoping Report’ submitted with this application identifies that:-

- (i) The proposal is for 18no. wind turbines, with a height of up to 200m (blade tip);
- (ii) A battery storage facility is included as part of the proposed development;
- (iii) The expected operational life of the development is 35 years;
- (iv) Limited details have been provided in respect of any proposed access routes, though it appears the site would be accessed via an existing farm access at Knockville off the A714 public road;
- (v) No details have yet been provided in respect of the trip generation by construction traffic or predicted number of AILs;
- (vi) The expected duration of the project construction phase is expected to take approximately 12- 18 months; and
- (vii) The EIA will be supported by a Traffic and Transport Assessment, AIL study and CTMP.

4.4 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:-

- (i) It would be appropriate that Transport Scotland be consulted with regard to any access utilising the Trunk Road network;
- (ii) It would be appropriate that any future application confirm the access route(s) and 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 route(s) necessary to permit construction traffic and the passage of component delivery vehicles (this may require land outwith 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;
- (iii) It should be noted that the A714 through Newton Stewart would not be suitable as a route for HGVs and AIL's and as such alternatives should be sought;
- (iv) Proposals for access routes, site access and all accommodation works must be supported by swept path tracks. 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;

- (v) As the access route(s) has not been identified within the scoping report, I am unable to offer route specific advice; however, it should be noted that both route options to the proposed access(es) will cross a number of bridges/structures, many of which may be unsuitable for heavy HGVs and larger AILs, and that have limitations on safe axle loadings and/or restricted parapet widths. Where a proposed access route crosses bridges and culverts, the applicant will require to get approvals and safe axle loadings (in respect of those structures) from the Council's Engineering Services (Bridges and Structures) unit;
- (vi) 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;
- (vii) 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);
- (viii) It would be appropriate that any future submission/Environmental Statement include reference to a construction phase Traffic Management Plan (to be agreed in writing with the Police and the Roads Authority prior to any works commencing on site);
- (ix) The CTMP should include a programme of delivery types/numbers by month, details of all proposed mitigation measures to minimise the impact on local communities and businesses, agreed and excluded access routes and details of measures that will be implemented to ensure that (a) no stacking of delivery vehicles occur on any part of the public road network (b) the safety of the public using 'core' paths is maintained; and is to be agreed in writing with the Police, Transport Scotland and Dumfries and Galloway Council Roads Authorities prior to any works commencing on site. Access and excluded routes should be identified and agreed for all types of vehicles and a system of visible vehicle tagging/badging employed to ensure compliance with agreed routes and driver behaviour standards which should be supported by a Driver Code of Conduct;
- (x) 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;
- (xi) In the event that suitable and sufficient aggregate is not available from on-site Borrow Pits, any future submission/ES/TMP should also identify worst case scenario that 100% of the aggregate required for construction shall be imported to site and

identify the potential number of movements in that event .so that the potential impact of importing aggregate from elsewhere via the public road network be assessed;

(xii) Creation of windfarm access tracks and turbine placements may generate accelerated timber extraction. The A714 is a well trafficked timber haulage route and therefore 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;

(xiii) 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(s) during the construction period to minimise the cumulative impact on communities and road users;

(xiv) There is the possibility of other unrelated windfarm projects being constructed in the near vicinity concurrently with this project. Therefore, it would be appropriate that the CTMP acknowledge that co-ordination phasing may be required to mitigate against the cumulative traffic impact;

(xv) 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); and

(xvi) 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.

4.5 I trust the above information, which is given without prejudice to any future decision of the Council, is of assistance.

5. Council Environmental Health Officer:

5.1 No objections in principle. However, until a site specific noise impact assessment has been carried out following the principles detailed in the Assessment & Rating of Noise from Wind Farms ETSU Report ETSU-R-97, 1996 we would be unable to comment fully as to the expected impacts.

5.2 The site specific assessment should be carried out following the principles detailed in the Assessment & Rating of Noise from Wind Farms ETSU Report ETSU-R-97, 1996

5.3 Suggest that the proposal should be designed to meet the lower noise limits as specified in the ETSU-R-97 document, but where lower limits cannot be achieved

the detailed reasons as to why this cannot be accomplished should be detailed in the ETSU-R-97 report within the Environmental Impact Assessment

5.4 Additionally suggest that a method statement for the construction project should be provided within the EIA for approval by Dumfries & Galloway Council. This should 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. Guidance as to construction noise prediction methodology may be found within BS5228:2009.

6. Council Flood Risk Management Team Leader:

6.1 No objection after reviewing the information provided and held. As an internal consultee, this is a response to assist the Planning Authority's decision in this application. All queries from the applicant regarding information supplied by the FRMT should, in the first instance, be directed to the appropriate Planning Officer.

7. To date, this is the extent of consultation responses received. Other responses from the outstanding consultees will be provided to ECU when they are received.

8. A 1:60000 hard copy of a ZTV reflecting hubs and tips of the proposed turbines has been received by the case officer at Dumfries and Galloway Council. This has been scrutinised and, as a result, the following list of additional, or alternative Representative Viewpoints (landscape and visual only – not residential or heritage/detail) is recommended for consideration:

- (i) A714 @ NGR 241935 559027 – visibility for users heading north from Wigtown (relates to implication by Wigtown and District CC);
- (ii) B733 west of Kirkcowan @ NGR 231967 560987 – opportunity to improve coverage from 10km range in southern quadrant;
- (iii) A75 near Shennanton @ NGR 234613 563157 – further opportunity within area with less coverage & on major road route;
- (iv) Suitable location TBC within Moor of Barclye Archaeological Sensitive Area @ approx. 239975 570017 – visibility from area host to various monuments and archaeological zones – suggest Core Path within locale leading across from Smithy Hill area – this location also within Regional Scenic Area;
- (v) Suitable location in vicinity of Loch Ochiltree, west of Southern Upland Way – possibly Kircalla locality or other location to include Loch in visual context;
- (vi) Location TBC at Glentool car park/cycle trail approximately NGR 237194 578537; and

(vii) Possible additional location @ approx. NGR 230509 590290 close to Polmaddie Hill/Pinbreck Hill/Cairn Hill/Craigienreoch NNW of the site representing longer range views from within the Dark Sky Park buffer zone looking towards Regional Scenic Area.

9. The EIA should consider and assess impacts on the local public/core path resource, which includes a number of paths that are adjacent to the proposed development. It should identify mitigation in relation to impacts on this resource.

10. Any application should be supported by a sequential visual appraisal relating to the Southern Upland Way, preferably invoking wireline locations at 1km intervals, at a minimum. This section of the EIA should assess potential impacts on the SUW and its users, and propose mitigation/compensatory measures. This will be a key issue in terms of the planning consideration.

11. Any application should be supported by an appraisal of potential effects on the Dark Sky Park, in particular from aviation lighting, in the light of NPF4 (for example, page 33) and Local Development Plan 2 (LDP2) Policy ED11. The Park is approximately 5km from the site; however, the Dark Sky Park Buffer Zone is within 300-400m and the site is well within the Dark Sky Park Transition Zone – at this location there are no immediate precedents outwith the Kilgallioch/Airies clusters/within this Buffer Zone.

12. The Dark Sky Park Buffer Zone tends to align approximately with the edge of the Galloway and Southern Ayrshire Biosphere Reserve where it is near to the A714. Potential impacts on the Biosphere Reserve should also be appraised within the Landscape and Visual assessment in the light of LDP2 Policy ED10 and NPF4 (see pages 33, 138 for example).

13. It is not agreed that assessment of impacts on Wild Land can be scoped out in respect of the EIA. Policy 4 of the NPF4 is noted; however, the Development Plan is still formed by NPF4 and the Local Development Plan (LDP2), therefore LDP2 Policy NE3 is still applicable and relevant to consideration of any scheme proposed.

14. The EIA should provide detail of proposed biodiversity enhancement and improvement of the landscape as mitigation. This could include inclusion of planting/forestry plans.

15. It is acknowledged that it would be beneficial if the outstanding advice from other internal consultees could be provided and we will endeavour to add to this initial Scoping Response when we are able to obtain such advice; we also note the comprehensive Scoping Report which sets out relevant matters in adequate detail.

16. It is noted that NatureScot responded to ECU in November; and that Wigtown and District Community Council opted to submit a response to ECU, also in November. The Council has received copies of these items.

17. Attention is drawn to the related planning application ref. 09/P/1/0417, details of which are visible on the Council's website here: [Simple Search \(dumgal.gov.uk\)](http://dumgal.gov.uk)

18. The scheme at present proposes 18 x 200m base-to-tip with no height variation; the EIA must include explanation regarding the evolution of the scheme and identify what consideration was given to working with varying tip-heights to ensure most appropriate 'fit' and appearance from representative viewpoints, having particular regard to the form and scale of the landscape at this locality, which does not contain any topography above 184m AOD; whereas, the turbines are all proposed at 200m.

19. We would require visualisations relating to all scheduled monuments within 2km of the proposed development.

20. Attention is drawn to the National Cycle Network, in particular Route 7, which is situated in close proximity to the site. The Landscape and Visual Assessment within the EIA should include coverage of potential impacts on the designated routes, and its users.



By email to: econsents_admin@gov.scot

Steven McClernon
Senior Case Officer
Onshore Electricity, Strategy and Consents
Directorate for Energy and Climate Change
Scottish Government

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

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

Our case ID: 300067776
Your ref: ECU00004892

02 October 2023

Dear Steven McClernon

**The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Glenvernoch Wind Farm, Dumfries and Galloway - Scoping Opinion**

Thank you for your consultation which we received on 18 August 2023 about the above scoping report. We have reviewed the details in terms of our historic environment interests. This covers world heritage sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas (HMPAs).

The relevant local authority 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

We understand that the proposed development comprises a wind farm of up to 18 wind turbines up to 200m in height, including associated development including crane pads, access tracks, a substation, a temporary construction compound and a battery storage facility.

Scope of assessment

We welcome that impacts on the historic environment will be considered in the environmental impact assessment. However, there is little detail in the scoping report about the methods by which the assessment will be undertaken; methodology is only briefly discussed at paragraph 1.141. There is also little consideration in the Scoping Report of the legislation and national policy relating to the historic environment in Scotland, which is not mentioned in chapter 5 on the planning policy context, or in the brief section on cultural heritage in chapter 7 on the scope of the EIA.

The methodology proposes to carry out a desk-based assessment, covering an area of 10km around the site, and considering only those designated assets that fall within the

ZTV. A desk-based assessment is unlikely to provide sufficient information to assess the impacts of the development on the historic environment. We would refer the applicant to the advice provided in the EIA Handbook for detailed advice and guidance on the preparation of a Cultural Heritage EIA. In particular, we would note that views towards historic environment assets may be important elements of their setting, in accordance with the HES Managing Change Guidance on Setting, and that, therefore, we would expect that where assets which do not fall within the ZTV have such views, these should be assessed.

We would also note that, where the ZTV identifies assets further than 10km from the development which have long-distance views that contribute to their setting and cultural significance, it will be important to assess the impacts on these. We advise that the applicants should use a bare land ZTV for assessment.

Where assessment identifies potentially significant impacts on the settings of historic environment assets, we would expect that wireframes should be prepared to help analyse and assess these impacts. Where the impacts are confirmed as significant in EIA terms, we would expect that photomontages would be prepared to illustrate these.

We would be happy to discuss appropriate methodology further with the applicants and their consultants.

Our Advice

The proposed development has the potential to have significant effects on a number of historic environment assets in the area. In particular, the proposed site boundary intersects with the scheduled areas for **SM1966 Deil's Dike** and **SM1943 Middle Bridge of Cree, cairn**. The applicant should be aware that any works within the scheduled areas would require the prior written consent in the form of Scheduled Monument Consent (SMC), obtained through Historic Environment Scotland, which might not be granted. Any works without consent would lead to [enforcement procedures](#).

Care should be taken in designing any services, associated infrastructure, access tracks or amendments to the scheme to avoid any direct or indirect physical impact upon these monuments.

There are a number of other historic environment assets in the area which have the potential to suffer setting impacts from the development. These are discussed in more detail in the annex to this letter. The list provided in the annex is not exhaustive, and we would expect that all historic environment assets that may be subject to direct, indirect or setting impacts should be robustly assessed in line with the advice provided in the guidance mentioned above.

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 <https://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 Mary MacLeod Rivett and they can be contacted by phone on 0131 886 8710 or by email on mary.macleod@hes.scot.

Yours sincerely

Historic Environment Scotland

ANNEX

From the information provided, given the scale and location of the proposed turbines, there is potential for the proposed development to have an adverse effect on the setting of several scheduled monuments.

SM1966 Deil's Dike

The monument comprises a linear earthwork, running approximately 600m across the southern flank of Hill of Ochiltree. The monument is of unknown date but may have prehistoric origins and a long history of use as a boundary feature. In addition to the potential physical impact noted above, there is potential for an adverse impact upon the monument's setting. Although its setting is relatively localised, the proposed development would result in turbines in its immediate vicinity. We note that Viewpoint 1 is in the approximate location of this monument; it would be useful to have both photomontages and wireframe illustrations given the proximity of the proposed development and the scale of the turbines. This would allow for a better understanding of the potential impacts upon their setting.

SM1943 Middle Bridge of Cree, cairn

The monument comprises an oval Neolithic/Bronze Age cairn measuring 23m east to west by 16m and 1.5m high. It is located at about 45m AOD overlooking the west bank of the River Cree. Views along the Cree valley form an important element of the monument's setting – the scale and proximity of the development may detract from this. The site boundary intersects with the scheduled area, and the nearest turbine would be approximately 2.5km to the southwest. Although this approximate location has been proposed as an LVIA viewpoint, in this instance this is unlikely to be sufficient to allow for a full assessment of the impacts upon the monument's setting. We would recommend visualisations, both wireframes and photomontages, that show views towards the monument from further north along the River Cree, and views southwards from the monument.

SM2266 Loch Ochiltree crannogs

The three crannogs that comprise the monument are man-made island sites, built as defended domestic dwellings in the southern part of Loch Ochiltree. Due to the monument's defensive purpose, open views in all directions towards the mainland are an important part of their setting. Monuments of this type typically date to the Iron Age and early medieval periods but can be found through much of prehistory and up until the seventeenth century. The closest turbines will be located approximately 1.6km to the east; overall the development has the potential to have an adverse impact upon views towards the monument from the west and north-west and views out from the monument towards the south-east. It would be useful to have both photomontages and wireframe illustrations given the proximity of the proposed development and the scale of the

turbines. This would allow for a better understanding of the potential impacts upon their setting.

Prehistoric Ritual and Funerary Monuments along the River Cree

There are a number of Neolithic and Bronze Age monuments situated on higher ground overlooking the River Cree. Although these monuments are located further from the proposed development, the scale of the turbines and the topography of the area are such that the development could potentially have an adverse impact upon their setting. These monuments have a visual and spatial relationship with the River Cree and along this valley. We therefore advise that the following monuments should also be considered for potentially significant impacts upon their setting:

SM1048 White Cairn, chambered cairn

This monument is a Neolithic to Bronze Age cairn, approximately 15m in diameter, which stands to a maximum height of 2m, surrounded by the remains of a kerb. The cairn is in open ground on a south-facing slope, facing in the direction of the proposed development. Views to the south, along the Cree valley, and towards the broadly contemporary cairn at SM1049 are important elements of the monument's setting.

SM1049 White Cairn, chambered cairn

The monument consists of a chambered cairn of the Bargrennan group, a monument class with a tightly defined regional distribution in this area. There is a single chamber, with an entrance passage aligned towards the SSE. It is of national importance as a particularly well-preserved tomb of the Bargrennan group, clearly exhibiting the characteristics of its class. It stands on a south-facing hillside and views in this direction were likely an important element of its original landscape setting.

Although the chambered cairn is presently surrounded by commercial forestry, it should be noted that these trees may be felled in the future and cannot necessarily be relied upon to mitigate the potential impacts of the development proposal. This should be taken into consideration when assessing the impacts upon this monument's setting and bare-earth wireframe visualisations may be useful in assisting this assessment.

SM1044 The Thieves Standing Stones

The monument comprises two standing stones aligned NE-SW and a third stone lying prostrate in the SE of an oval enclosure which surrounds the stones. The monument is located in open, grass moorland on Blair Hill overlooking the valley of the Cordorcan Burn to the north-west with clear views across the moorland landscape and out towards the Cree valley. Views out to the west and along the Cree valley form key elements of the monument's setting and there is potential for the proposed development to detract from this.

SM1019 Drumfern Cairn and remains of Stone Circle

The monument comprises a cairn and the remains of a stone circle on a south-west facing slope at approximately 165m AOD. Several small cairns lie scattered around the larger cairn and the circle. The monument is of national importance as an unusual pairing of cairn and stone circle which taken together have the potential to provide information about Bronze Age burial practices and ritual beliefs. The key characteristics of the setting of the monument include its relationship with and views out to the Cree valley to the west, and the clear relationship with and views to the other surrounding prehistoric monuments. As the monument appreciates wide open views NNW and SSE along the River Cree, there is potential for the development to detract from key views out towards this landscape feature.

SM1021 Drumwhirn, cairn north of Boreland

The monument comprises a substantial cairn measuring 27.0m EW by 25.5m transversely and up to 4.0m in height. It is of national importance as a well preserved example of a prehistoric burial monument, and its significance is enhanced by its close association with a number of broadly contemporary monuments in the wider landscape. Wide views along the Cree valley to the NNW and SSE are important elements of the monument's setting – the proposed development has the potential to detract from views out towards the NW.

LB19190 Challoch, All Saints Episcopal Church

The building is an early English style aisleless church with a chancel, vestry and 2 porches. It was designed by W G Habershon and A R Pite and built in 1871-1872. It is noted that the Church is listed at Category A for a complete survival of fine furnishings.

The Church is located 5kms south of the proposed development and according to the submitted ZTV there would be views towards the wind farm on approach from the south towards the proposed development.

We would expect the EIA Report to assess the impacts on the setting of the Category A-listed Church. This should include a visualisation showing the predicted view of the Church in views on the principal approach from the south in which the wind farm would be visible in its backdrop.

The above list is not exhaustive, and we would expect that all historic environment assets within the scope of the assessment are subject to robust assessment. We would expect such an assessment to fully take into consideration the potential cumulative impact of other proposed and existing windfarm developments in the wider area.

Historic Environment Scotland

02 October 2023

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**



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

Our ref: CNS/REN/WF/DG/GV
Your ref: ECU00004892

Econsents_Admin@gov.scot

6 October 2023

Dear Sir

**ELECTRICITY ACT 1989 SECTION 36
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017
SCOPING OPINION REQUEST FOR GLENVERNOCH WIND FARM, DUMFRIES & GALLOWAY**

Thank you for consulting us on the scope of the environmental impact assessment (EIA) in relation to our interests for the proposed Glenvernoch Wind Farm, north of Newton Stewart.

Please note we would like to receive a paper copy of the landscape and visual impact assessment figures and zone of theoretical visibility (ZTV) maps of the EIA Report when consulted on the application. We will provide an address for these to be sent to at that time.

Our advice is based on the Glenvernoch Wind Farm EIA Scoping Report, dated June 2023, prepared by Energiekontor UK Ltd.

The Proposal

This development, located around 7km north west of Newton Stewart, would comprise up to 18 wind turbines with a height of up to 200m to blade tip and associated infrastructure, plus energy storage infrastructure, for an unspecified operational period.

The site is currently open moorland.

NatureScot Advice

The Scoping Report is rather light on detail in places. For example, it omits the potential for impacts on the River Bladnoch Special Area of Conservation (SAC) and on Class 1 and Class 2 peatland that the Carbon and Peatland 2016 map indicates is present on the site.

The Scoping Report proposes the EIA Report will consider impacts on ecology and ornithology in a single section on flora and fauna. It is standard industry practice for the EIA Report to present these assessments in two separate chapters - ecology and ornithology. We advise that this practice is followed for this proposal.

Please refer the applicant to our [scoping and pre-application guidance for onshore wind farms](#). This guidance aims to assist developers and consultants involved in preparing wind farm applications and EIA reports. It presents our general pre-application and scoping advice, contains links to more detailed guidance, and outlines the type of survey and assessment work that developers may need to undertake to support their application.

Where the guidance is not followed in the EIA process we would expect explanations to be given in the EIA Report accompanying the application.

Landscape and Visual Impacts

Landscape and visual impacts of the proposed development are a key concern, including cumulative impacts with other wind farms in the wider area, and impacts from the visible aviation lighting that will be required due to turbine height.

The site of the proposal is immediately adjacent to the Galloway Forest Park which, since 2009, has been designated as the Galloway International Dark Sky Park. These are places where people have committed to keeping the skies dark, primarily by controlling light pollution. An assessment of the impacts of turbine lighting on the Dark Skies Park, particularly its core area, should be carried out, and include night time photomontages from key locations.

Designated Sites

Galloway Oakwoods Special Area of Conservation (SAC)

This SAC is designated for the qualifying interest Western Acidic Oakwood.

The southern boundary of the development site is close to this SAC, with the nearest turbine in the proposed layout less than 2km away.

It is possible that construction and decommissioning activities could be connected to this designated site, depending on what activities take place close to the SAC. Of particular concern would be the potential for aerial pollutants arising from construction activities to affect sensitive lichen species, especially dust.

At this stage in our understanding of the proposal and information given in the Scoping Report, our advice is that the proposal is unlikely likely to affect the SAC directly or indirectly. The built elements of the wind farm and associated infrastructure would be located around 2 km west of the SAC, meaning that connectivity with the SAC is unlikely.

However, the nature of the proposal may change as the project develops, making connectivity with the SAC likely.

If connectivity is considered likely, a Habitats Regulations Assessment (HRA) may be required and we advise that sufficient information is provided in the EIA Report to enable the competent authority to carry out an appraisal of the likely impact of the proposed development on the qualifying interests of the SAC. This should include details of mitigation measures that could be used to avoid an adverse impact on the qualifying interests. Should there be no likelihood of connectivity, then an HRA will not be required.

Potential impacts can be addressed by good wind farm design, including embedded mitigation, by commitment to the employment of good construction and pollution prevention methods, the preparation and implementation of a Construction Environmental Management Plan (CEMP) or similar and having an Ecological Clerk of Works (ECow) on site at appropriate stages of the development. Reference should be made to our guidance '*Good practice during windfarm construction*', available on our website.

River Bladnoch SAC

This SAC is designated for the qualifying interest Atlantic salmon.

The proposed development will have connectivity with the River Bladnoch SAC due to drainage and water flow from the site entering the SAC indirectly through the Glassoch Burn. Potential impacts on its qualifying interest will need to be considered.

We advise consideration is given to the potential effects of construction, operation and decommissioning of the proposed development in relation to the qualifying feature of the SAC. The qualifying interest is sensitive to disturbance to the river habitat, including silt and sediment entering the watercourse and smothering gravel beds, suspended solids in the water column, pollution events, and changes in water quality and in water chemistry. Further information on this is given in the SNH publication '*Guidance for Competent Authorities when dealing with proposals affecting SAC freshwater sites*'.

Potential impacts can be addressed by good wind farm design, including embedded mitigation, by commitment to the employment of good construction and pollution prevention methods, the preparation and implementation of a CEMP or similar and having an ECoW on site at appropriate stages of the development. Reference should be made to our guidance '*Good practice during windfarm construction*', available on our website.

A Habitats Regulation Appraisal (HRA) will be required. We advise that sufficient information is provided in the EIA Report to enable the competent authority to carry out an appraisal of the likely impact of the proposed development on the qualifying interest of the River Bladnoch SAC.

Wood of Cree Site of Special Scientific Interest (SSSI)

This SSSI, located east of the south east boundary of the proposed wind farm site, is a component of the Galloway Oakwoods SAC.

It is possible that construction and decommissioning activities could affect the notified features of this SSSI. The assessment of impacts will be adequately addressed by the assessment of impacts on the Galloway Oakwoods SAC, as advised above.

Ecology

The habitat and species surveys proposed and the approach to the assessment of impacts lack detail. Where impacts on protected species are identified, mitigation measures should be outlined within a species protection plan. Reference to our [standing advice notes for protected species](#) may be helpful.

There is no information given on proposed sources of baseline information to inform survey work. As a minimum, information should be sought from the local records centre – South West Scotland Environmental Information Centre (SWSEIC) www.swseic.org.uk.

Advice in relation to relevant designated sites is given above.

Habitat Management

We support the use of positive management and enhancement of habitats across a development site to benefit biodiversity and not just mitigate impacts. We would expect to see an Outline Habitat Management Plan (HMP) or equivalent in the EIA Report setting out broad aims and objectives to achieve this, with the details of this to be worked up post consent.

Section 7.48 of the Scoping Report proposes ‘avoidance, mitigation, enhancement and habitat creation’ in relation to flora and fauna, and paragraph 7.59 says ‘Consideration will be given to habitat enhancement/creation works’. The EIA Report will need to be clear about how this will be achieved.

National Planning Framework 4 (NPF4) - Biodiversity

NPF4 introduces a new requirement for all developments to contribute to the enhancement of biodiversity, primarily in Policy 3. Scottish Government is committed to preparing guidance on this policy. Meanwhile, we have advice on our website at [Planning and development: Enhancing biodiversity](#), and guidance in our [Developing with Nature](#) publication.

This policy is not mentioned in Section 5 of the Scoping Report where other NPF4 policies are mentioned. The EIA Report will need to demonstrate how the proposed development addresses the biodiversity requirements of NPF4.

Construction Environment Management Plan (CEMP)

We note the intention for the EIA Report to include an outline CEMP that would be worked up into a final CEMP post-consent. We would expect this to be in accordance with [SEPA guidelines for pollution prevention](#). The CEMP may need to include measures to minimise the impact of dust on sensitive species within Galloway Oakwoods SAC and its component SSSIs, and the River Bladnoch SAC.

Ornithology

The surveys proposed and the approach to the assessment of impacts lack detail. These should be in line with our guidance – see above. In particular, one year of vantage point surveys may not be sufficient to inform the assessment, which is why we ask for two in our guidance.

There are no baseline sources of information given. As a minimum, the desk study to inform survey work should include requests for information from the local records centre – South West Scotland Environmental Information Centre (SWSEIC) www.swseic.org.uk and the South of Scotland Golden Eagle Project (SSGEP) www.goldeneaglessouthofscotland.co.uk

Where impacts on protected species are identified, mitigation measures should be outlined within a species protection plan. Reference to our [standing advice notes for protected species](#) may be helpful.

Peatland

According to the Carbon and Peatland 2016 map, there is Class 1 and Class 2 peatland present on the site of the proposed development. The Scoping Report makes no mention of peatland, and there are no proposals to carry out any survey work. An assessment of the impacts of the proposal on peatland must be included in the EIA Report. There is [guidance](#) on our website. We would expect the wind farm to be designed to ensure that there are no direct or indirect hydrological impacts on Class 1 or Class 2 peatland from the construction of the development.

Please note, these comments are given without prejudice to any comments we may wish to make in future regarding this development proposal.

This advice is provided by NatureScot, the operating name of Scottish Natural Heritage.

ANNEX A

Please contact me should you wish to discuss our response.

Yours faithfully

By e-mail

Anne Brown

Operations Officer - South

Copy: Planning, Dumfries & Galloway Council

Julia Gallagher, RSPB - Scottish Lowlands and Southern Uplands



Steven McClernon
Energy Consents Unit
Directorate for Energy and Climate Change
Scottish Government

By email only to: Steven.McClernon2@gov.scot

Our Ref: 10212

Your Ref:

ECU00004892

SEPA Email Contact:

planning.south@sepa.org.uk

18 September 2023

Dear Steven McLernon

**ELECTRICITY ACT 1989 – SECTION 36
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017
GLENVERNOCH WIND FARM (18 TURBINES)
DUMFRIES AND GALLOWAY**

Thank you for consulting SEPA for an Environmental Impact Assessment (EIA) scoping opinion in relation to the above development on 18 August 2023. We would welcome engagement with the applicant at an early stage to discuss the issues raised in this letter and would especially welcome further engagement once initial peat probing and habitat survey work has been completed and the layout developed further as a result.

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



Advice for the determining authority

To **avoid delay and potential objection**, the EIA submission must contain a scaled plan of sensitivities, for example peat, GWDTE, proximity to watercourses, overlain with proposed development. This is necessary to ensure the EIA process has informed the layout of the development to firstly avoid, and then reduce then mitigate significant impacts on the environment. We consider that the issues covered in Appendix 1 below must be addressed to our satisfaction in the EIA process. This provides details on our information requirements and the form in which they must be submitted.

The scoping report is not very detailed at present, consequently we have not been able to provide detailed site-specific comments and we largely refer the developer to Appendix 1.

1. Site-specific comments

- 1.1 Insufficient detail is available for us to comment on the appropriateness of the turbine locations and there is no map of associated infrastructure. The applicant should refer to our requirements for mapping in Appendix 1.
- 1.2 No information has been provided on the presence of peat or groundwater dependent terrestrial ecosystems (GWDTEs) on the proposal site. The applicant should refer to Sections 3 and 4 of Appendix 1 for our requirements in this regard.
- 1.3 If much of the site is peatland and/or wetland, we suggest you may wish to go straight to carrying out NVC survey without carrying out Phase 1 Habitat Surveys. For information on assessments please refer to [LUPS- GU31](#) ,in particular sections 2.10 to 2.14. [Good practice during Wind Farm construction | NatureScot](#) also provides useful information on NVC survey method and mapping requirements. The EIA report should explain how GWDTEs found on the proposal site will be protected.
- 1.4 Provided watercourse crossings are designed to accommodate the 1 in 200-year event plus climate change and other infrastructure is located well away from watercourses we do not foresee from current information a need for detailed information on flood risk.

2. Regulatory advice for the applicant

- 2.1 Details of regulatory requirements and good practice advice can be found on the [regulations section](#) of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the local compliance team at: sws@sepa.org.uk

If you have queries relating to this letter, please contact planning.south@sepa.org.uk including our reference number in the email subject.

Yours sincerely

Peter Minting
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](http://www.sepa.org.uk/environment/land/planning/) - www.sepa.org.uk/environment/land/planning/.

Appendix 1: Detailed scoping requirements

This appendix sets out our minimum information requirements and we would welcome receipt and discussion around these prior to formal submission to avoid delays. There may be opportunities to scope out some of the issues below depending on the site. Evidence must be provided in the submission to support why an issue is not relevant for this site to **avoid delay and potential objection**. If there is a significant length of time between scoping and application submission the developer should check whether our advice has changed.

1. Site layout

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

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

- 2.1. The site layout should be designed to minimise watercourse crossings and avoid other direct impacts on water features. The submission must include a map showing:
 - a) All proposed temporary or permanent infrastructure overlain with all lochs and watercourses.
 - b) A minimum buffer of 50m around each loch or watercourse. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse and

drawings of what is proposed in terms of engineering works. Measures should be put in place to protect any downstream sensitive receptors.

- 2.2. Further advice and our best practice guidance are available within the water [engineering](#) section of our website. Guidance on the design of water crossings can be found in our [Construction of River Crossings Good Practice Guide](#).
- 2.3. Refer to our [Flood Risk Standing Advice](#) for advice on flood risk. Crossings must be designed to accommodate the 0.5% Annual Exceedance Probability flows (with an appropriate allowance for climate change), or information provided to justify smaller structures. If it is considered the development could result in an increased risk of flooding to a nearby receptor then a Flood Risk Assessment (FRA) must be submitted. Our [Technical flood risk guidance for stakeholders](#) outlines the information we require to be submitted in an FRA. Please also refer to [Controlled Activities Regulations \(CAR\) Flood Risk Standing Advice for Engineering, Discharge and Impoundment Activities](#).

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

- 3.1 Where proposals are on peatland or carbon rich soils the following should be submitted to address the requirements of NPF4 Policy 5:
 - a) layout plans showing all permanent and temporary infrastructure, with extent of excavation required, which clearly demonstrates how the mitigation hierarchy outlined in NPF4 has been applied. These plans should be overlaid on:
 - i. peat depth survey (showing peat probe locations, colour coded using distinct colours for each depth category and annotated at a usable scale)
 - ii. peat depth survey showing interpolated peat depths
 - iii. peatland condition mapping
 - iv. NVC habitat mapping.
 - b) an outline Peat Management Plan (PMP).
 - c) an outline Habitat Management Plan.

Detailed advice

- a) Development design in line with the mitigation hierarchy

- 3.2 In order to protect peatland and limit carbon emissions from carbon rich soils, the submission should demonstrate that proposals:
- Avoid peatland in near natural condition, as this has the lowest greenhouse gas emissions of all peatland condition categories.
 - Minimise the total area and volume of peat disturbance. Clearly demonstrate how the infrastructure layout design has targeted areas where carbon rich soils are absent or the shallowest peat reasonably practicable. Avoid peat > 1m depth.
 - Minimise impact on local hydrology.
- And
- Include adequate peat probing information to inform the site layout and demonstrate that the above has been achieved. As a minimum this should follow the requirements of the [Peatland Survey – Guidance on Developments on Peatland \(2017\)](#).
- 3.3 [The Peatland Condition Assessment](#) photographic guide lists the criteria for each condition category and illustrates how to identify each condition category. This should be used to identify peatland in near natural condition and can be helpful in identifying areas where peatland restoration could be carried out.
- 3.4 In line with the requirements of Policy 5d of NPF4, the development proposal should include plans to restore and/or enhance the site into a functioning peatland system capable of achieving carbon sequestration.
- (b) The Outline Peat Management Plan (PMP) should also include:
- Information on peatland condition.
 - Information demonstrating avoidance and minimisation of peat disturbance.
 - Excavation volumes of acrotelmic, catotelmic and amorphous peat. These should include a contingency factor to consider variables such as bulking and uncertainties in the estimation of peat volumes.
 - Proposals for temporary storage and handling.
 - Reuse volumes in different elements of site reinstatement and restoration.
- 3.5 Handling and temporary storage of peat should be minimised. Catotelmic peat should be kept wet, covered by vegetated turves and re-used in its final location

immediately after excavation. It is not suitable for use in verge reinstatement, re-profiling/ landscaping, spreading, mixing with mineral soils or use in bunds.

- 3.6 Disposal of peat is not acceptable. It should be clearly demonstrated that all peat disturbed by the development can be used in site reinstatement (making good areas which have been disturbed by the development) or peatland restoration (using disturbed peat for habitat restoration or improvement works in areas not directly impacted by the development, which may need to include locations outwith the development boundary).
- 3.7 The faces of cut batters, especially in peat over 1m, should be sealed to reduce water loss of the surrounding peat habitats, which will lead to indirect loss of habitat and release of greenhouse gases. This may be achieved by compression of the peat to create an impermeable subsurface barrier, or where slope angle is sufficiently low, by revegetation of the cut surface.

(c) The Outline Habitat Management Plan should include:

- Proposals for reuse of disturbed peat in habitat restoration, if relevant.
 - Details of restoration to compensate for the area of peatland habitat directly and indirectly impacted by the development.
 - Outline proposals for peatland enhancement in other areas of the site.
 - Monitoring proposals.
- 3.8 To support the principle of peat reuse in restoration the applicant should demonstrate that they have identified locations where the addition of excavated peat will enhance the wider site into a functional peatland system capable of achieving carbon sequestration. The following information is required:
- Location plan of the proposed peatland re-use restoration area(s), clearly showing the size of individual areas and the total area to be restored.
 - Photographs, aerial imagery, or surveys to demonstrate that the area identified is appropriate for peat re-use and can support carbon sequestration. This should include consideration of an appropriate hydrological setting and baseline peatland condition.
- 3.9 In addition, if any proposed re-use restoration areas are outwith the ownership of the applicant, information should be provided to demonstrate agreement in principle with

the landowner, including agreed timescales for commencement of the works, and proposed management measures to ensure the restored areas can be safeguarded in perpetuity as a peatland.

- 3.10 NatureScot's [technical compendium of peatland restoration techniques](#) provides a useful overview of the procedural and technical requirements for peatland restoration.

4. Disruption to GWDTE and existing groundwater abstractions

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

- a) A map demonstrating all GWDTE and existing groundwater abstractions are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. The survey needs to extend beyond the site boundary where the distances require it.
- b) If the minimum buffers cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. Please refer to [Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems](#) for further advice and the minimum information we require to be submitted.

5. Forest removal and forest waste

- 5.1. If forestry is present on the site, we prefer a site layout which avoids large scale felling as this can result in large amounts of waste material and a peak in release of nutrients which can affect local water quality. The submission must include a map with the boundaries of where felling will take place and a description of what is proposed for this timber in accordance with [Use of Trees Cleared to Facilitate Development on Afforested Land – Joint Guidance from SEPA, SNH and FCS](#).

6. Borrow pits

- 6.1. The following information should also be submitted for each borrow pit:
- a) A map showing the location, size, depths and dimensions.
 - b) A map showing any stocks of rock, overburden, soils and temporary and permanent infrastructure including tracks, buildings, oil storage, pipes and drainage, overlain with all lochs and watercourses to a distance of 250m. You need to demonstrate that a site specific proportionate buffer can be achieved. On this map, a site-specific buffer must be drawn around each loch or watercourse proportionate to the depth of excavations and at least 10m from access tracks.
 - c) Sections and plans detailing how restoration will be progressed including the phasing, profiles, depths and types of material to be used.

7. Pollution prevention and environmental management

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

8. Life extension, repowering and decommissioning

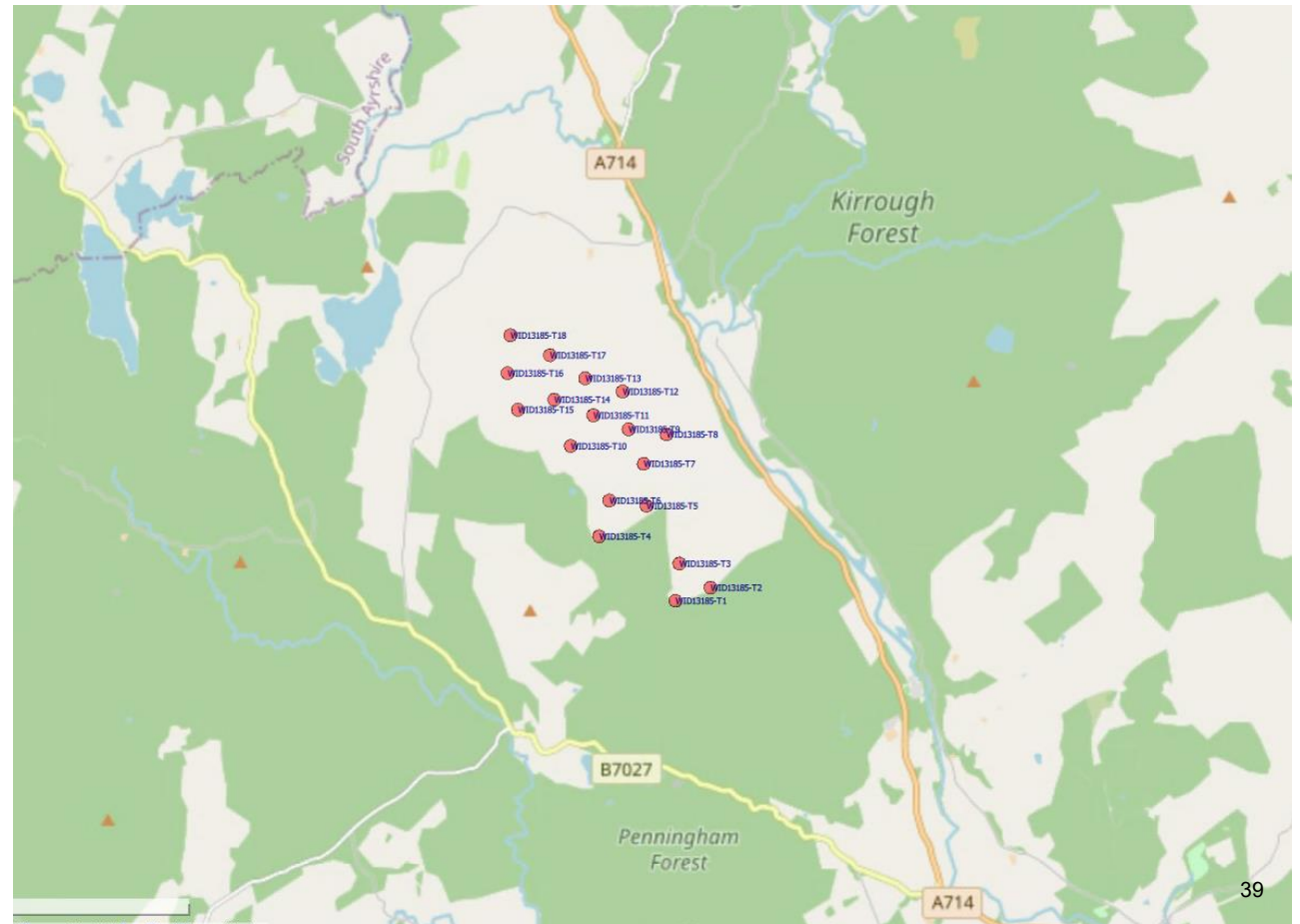
- 8.1. Proposals for life extension, repowering and/or decommissioning must demonstrate accordance with SEPA Guidance on the [life extension and decommissioning of onshore wind farms](#). Table 1 of the guidance provides a hierarchical framework of environmental impact based upon the principles of sustainable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

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

OUR REF:- WID13185

We have studied the proposed windfarm development with respect to EMC and related problems to BT point-to-point microwave radio links.

The conclusion is that the Project indicated should not cause interference to BT's current and presently planned radio network.



Joyce Melrose

From: CVCC Secretary <cvcc.sec@outlook.com>
Sent: 12 October 2023 10:59
To: Redacted
Cc:
Subject: Wind Farm
Attachments: GLENVERNOCH WIND FARM SCOPING CVCC..pdf

Good Morning,

Could you confirm the email below has been received.

I have tried to phone, however no answer and left messages however no reply.

Many Thanks

Charles Marshall
Sec CVCC

Sent from my iPad

Begin forwarded message:

From: CVCC Secretary <cvcc.sec@outlook.com>
Date: 3 October 2023 at 14:59:50 BST
To: Steven.McClernon2@gov.scot
Cc: Redacted
Subject: Re: Request for Scoping Opinion - Glenvernoch Wind Farm

Good Afternoon Steve.

ANNEX A

Please find attached the Scoping Opinion from Cree Valley Community Council (CVCC) for the proposed Glenvernoch Wind Farm.

If you have any questions please contact myself.

I would be obliged if you could acknowledge receipt of this email.

Many Thanks and Kind Regards

Charles Marshall
Sec CVCC
Sent from my iPad

On 15 Sep 2023, at 10:02, Steven.McClernon2@gov.scot wrote:

Good afternoon Charles,

Please accept my apologies for the delay in response as I was off on annual leave.

I am happy to offer an extension of the deadline to 16th of October 2023.

Thanks.

Kind regards,

Steven McClernon
Senior Case Officer
Onshore Electricity, Strategy and Consents
Directorate for Energy and Climate Change | Scottish Government | 5 Atlantic Quay, 150 Broomielaw, Glasgow G2 8LU
e: steven.mcclernon2@gov.scot | m: 07342 068004

To view the Energy Consents team's current casework please visit www.energyconsents.scot.

ANNEX A

To read the Energy Consents team's privacy notice on how personal information is used, please visit <http://www.energyconsents.scot/Documentation.aspx>

<image001.png>

From: CVCC Secretary <cvcc.sec@outlook.com>
Sent: Tuesday, September 5, 2023 9:20 AM
To: Steven McClernon <Steven.McClernon2@gov.scot>
Subject: Re: Request for Scoping Opinion - Glenvernoch Wind Farm

Good Morning,

Thank you very much for your email below.

Would it be possible to have an extension to Mid October 2023 to provide you with our opinions.

This will enable us to have more information to provide you with informed comments.

Many Thanks and Kindest Regards

Charles Marshall
Sec CVCC

Sent from my iPad

GLENVERNOCH WIND FARM

SCOPING

CREE VALLEY COMMUNITY COUNCIL

Submission in response to the consultation.

The Glenvernoch Wind Farm site sits in the centre of the Cree Valley Community Council area. The proposed Development by Energiekontor UK Ltd is much bigger and much closer to Newton Stewart than any wind farm previously approved by either the local or national planning authority.

Cree Valley Community Council have recently been inundated with expressions of concern from local residents and business owners. Their concern is partly about the size of the turbines planned but it is mainly centred on worries about the proximity of the proposed Glenvernoch Development to Newton Stewart, “The Gateway to the Galloway Hills, the Galloway Forest Park, the UNESCO biosphere area, and the Dark Sky Park. The worry is that Glenvernoch Wind Farm could destroy the current public perception of Glentworth and the High Cree as being a wild and unspoilt scenic area. They are concerned that the consequence of this is that it will adversely affect their quality of life and that the local tourist economy could similarly be adversely impacted.

Our answers to the scoping questions posed in the Glenvernoch Environmental Impact Assessment Scoping Report follow.

Cree Valley Community Council do not agree that an assessment of effects on wild land can be scoped out of the LVIA.

The Glenvernoch site is 8 km from the Merrick WLA. It lies west of and adjacent to the Galloway Forest Park and the Regional Scenic Area within which the Merrick WLA is contained. The upland landscape surrounding and including the Glenvernoch site is composed of permanent pastures which run up against coniferous forests which in turn stretch up to and end as they open out onto the wild land tops of the Minnigaff Hills. The

Glenvernoch landscape is perceived as being intertwined with and part of the wider Galloway landscape, which includes the Merrick WLA, and consequently cannot be considered as divorced from it by Energiekontor.

An assessment of effects on wild land must be included in the LVIA otherwise the Glenvernoch Wind Farm EIAR will be deficient and unfit for purpose.

We make the following comments on the list of Viewpoint locations:

The list of Viewpoints selected by Energiekontor for the Glenvernoch LVIA does not conform to official guidance on the requirement for all their selected Viewpoints to be relevant in the assessment of the visual impact of the Development on the surrounding landscape and the people who visit it. The official guidance contained in “Visual Representations of Windfarms, Nature Scot/SNH 2017”, and “Guidelines for Landscape and Visual Impact Assessment, LEMA” demands an assortment of Viewpoints varying in distance and direction from the proposed Development. A cluster of Viewpoints on seldom travelled minor routes near to the Knowe and a cluster of Viewpoints at Bargrennan will not deliver a sufficient amount of information to allow the LVIA to properly assess the visual impact of the Glenvernoch Wind Farm.

The following list of Viewpoints conforms with the official guidance:

VP1- The trig point at the high point of the Hill of Ochiltree. The Southern Upland Way passes through this point. This location has historical importance being the site of a main fort on the ruined Deil’s Dyke, a rampart constructed by the Novantae to demarcate their territory in the period after Roman influence ended in Galloway.

VP2- The A714 at Whitecairn, the “Orangerie” restaurant, one mile north of Bargrennan.

VP3- The keystone of the High Brig O’ Cree at Bargrennan. This location is beside the Southern Upland Way and on the A714.

VP4- The Glentrool Visitor Centre Carpark (eastern Pay and Display point) The Glentrool Visitor Centre Carpark is the busiest place in the Glentrool area. The visitor centre is one of the 7stanes. It is the start point for several scenic, world renowned mountain bike trails. It is also the start point for half a dozen colour graded forest paths and the site of the busy tearoom/ visitor centre. Hill walkers en route to climb the Merrick, tourists on their way to visit Bruce’s Stone, and cyclists on National Cycle Route 7 must pass by and often stop here.

VP5- The minor road outside Borgan cottage. Cyclists on both National Cycle Route 7 and the 7stanes Big Country Route, as well as birdwatchers and tourists heading between Glentrool and the RSPB and Wood of Cree Nature Reserves must pass this spot. There are houses nearby at Larg, Brighton and Borgan which experience a very similar view.

VP6- All Saints Church, Challoch. The popular tourist route, the A714, from Ayrshire and Glentroll to the north, and Newton Stewart and Wigtown to the south passes this location. The view from it, with the River Cree in the foreground and the hills as the backdrop, is stunning.

VP7- The entrance gate to the DEHS playing fields on Corsbie Road. The view from here is experienced by schoolchildren enjoying outdoor sport, local residents recreationally walking to Blairmount Park, and the staff and members of the public travelling to use the facilities at the Merrick Leisure Centre, as well as the staff and pupils of the DEHS travelling to and from the school. The view is similar to that experienced from home by the many residents of the Viewhills Road/ Corsbie Road/ Doonhill area of Newton Stewart

VP8- The A75 at Knockbren Toll. The 19th century Toll house was built here because all road traffic using the A75 to the west of Newton Stewart has to pass by. The minor roads heading north and south from this busy crossroads are also popular with walkers, cyclists, and tourists seeking to enjoy the local scenery.

VP9- Bruce's Stone.

VP10- Garlick Hill Summit.

VP11- The summit of the Merrick.

VP12- The summit of Cairnsmore of Fleet. Climbing Cairnsmore is the most popular recreational hill walk in the area for local people and visitors seeking to enjoy a panoramic view. The view is seen by thousands of people each year.

VP13- The junction of the B7005 with the A714 at Culquhirk just north of Wigtown, Scotland's National Book Town. This is a location that all visitors to and residents of Wigtown and the Machars regularly pass through.

VP14- The A75 parking area south of Creetown.

VP15- Kirkcowan Church.

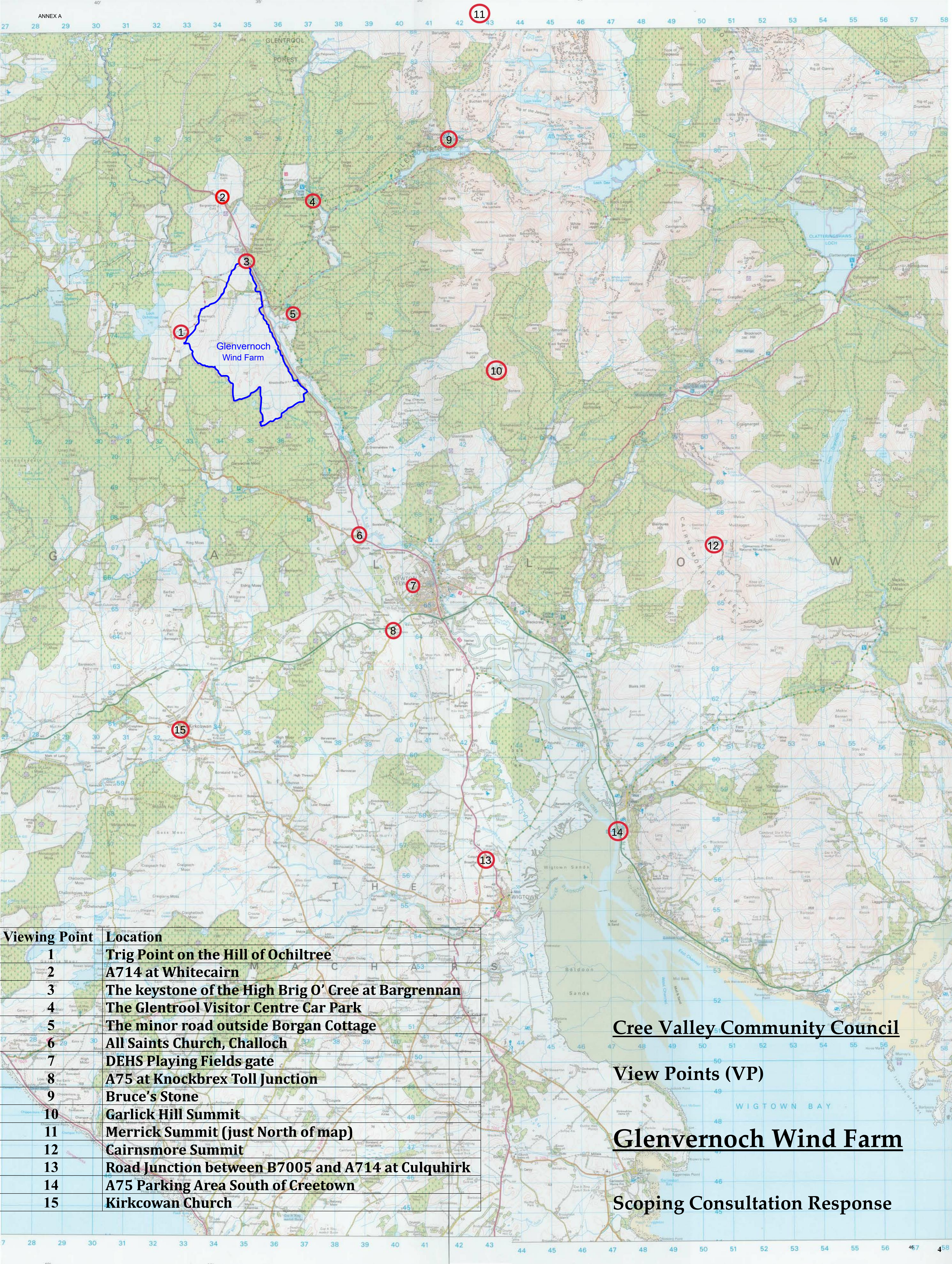
VP16- Barrhill Station.

VP17- Southern Upland Way at Artfield Fell.

VP18- Southern Upland Way above Stranraer.

VP19- A714 North of Whithorn.

VP20- Sandhead.



Viewing Point	Location
1	Trig Point on the Hill of Ochiltree
2	A714 at Whitecairn
3	The keystone of the High Brig O' Cree at Bargrennan
4	The Glentrool Visitor Centre Car Park
5	The minor road outside Borgan Cottage
6	All Saints Church, Challoch
7	DEHS Playing Fields gate
8	A75 at Knockbrex Toll Junction
9	Bruce's Stone
10	Garlick Hill Summit
11	Merrick Summit (just North of map)
12	Cairnsmore Summit
13	Road Junction between B7005 and A714 at Culquhirk
14	A75 Parking Area South of Creetown
15	Kirkcowan Church

Cree Valley Community Council

View Points (VP)

Glenvernoch Wind Farm

Scoping Consultation Response

With regard to RVAA we do not accept that a 2km study area is sufficient. The turbines planned for Glenvernoch are described as being 200m tall. Significantly taller than any of the 300 turbines which currently stand between 10km and 25 km west from Glenvernoch. It is proportionate to suggest that, in order to respect the principle of proportionality inherent in EIA, that the 2km RVAA study area should be significantly increased in size to reflect the size of the turbines proposed. Whitecairn, Bargrennan Cottage, Creebank Cottage, and Creebank Farmhouse may lie just beyond the proposed 2km study area. These properties currently enjoy magnificent uninterrupted views across Glenvernoch. They require to be scoped into the RVAA study area.

With regard to cumulative impacts. The pre-Application Blair Hill Wind Farm Development lies 4km east of the Glenvernoch Development. It requires to be included in the cumulative assessment.

Cree Valley Community Council

October 2023



Defence Infrastructure Organisation

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

Your Reference: ECU00004892

Telephone [MOD]: Redacted

Our Reference: DIO10059608

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

Steven McClernon
Energy Consents Unit
Scottish Government
4th Floor
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

05 September 2023

By email only

Dear Steven,

Application reference: ECU00004892
Site Name: Glenvernoch Wind Farm.
Proposal: Electricity Act 1989. The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017. Request For scoping opinion for proposed Section 36 application for Glenvernoch Wind Farm.
Site address: Located in the planning authority area of Dumfries and Galloway Council

Thank you for consulting the Ministry of Defence (MOD) in relation to the scoping through your communication dated 18 August 2022.

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

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

The proposal concerns a development of 18 turbines with maximum blade tip heights of 200.00 metres above ground level. The proposed development has been assessed using the location data (Grid References) below provided in the Environmental Impact Assessment Scoping Report dated July 2023.

Turbine no.	Easting	Northing
1	235461	571026
2	235898	571171

3	235526	571480
4	234555	571849
5	235149	572202
6	234696	572283
7	235134	572716
8	235427	573065
9	234963	573145
10	234247	572967
11	234538	573332
12	234908	573610
13	234455	573788
14	234065	573541
15	233615	573435
16	233504	573887
17	234033	574086
18	233557	574348

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

Physical Obstruction

In this case the development falls within Tactical Training Area 20T (TTA 20T), an area within which fixed wing aircraft may operate as low as 100 feet or 30.5 metres above ground level to conduct low level flight training. The addition of turbines in this location has the potential to introduce a physical obstruction to low flying aircraft operating in the area.

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

As a minimum the MOD would require that the development be fitted with MOD accredited aviation safety lighting in accordance with the Air Navigation Order 2016.

Summary

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

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

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

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

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

Yours sincerely

Redacted

Teena Oulaghan
Safeguarding Manager

ANNEX A

From: [Ian Hutchinson](#)
To: [Steven McCleron](#); [Econsents Admin](#)
Cc: [Safeguarding](#)
Subject: RE: External - Request for Scoping Opinion - Glenvernoch Wind Farm
Date: 21 August 2023 13:08:00
Attachments: [image001.png](#)

Hi Steven,

On behalf of Glasgow Prestwick Airport, I have reviewed the documentation available on the ECU portal for Glenvernoch Wind Farm (ECU00004892)

The proposed development benefits from a substantial level of terrain shielding from the GPA Primary Surveillance Radar and is well clear of the GPA Instrument Landing System and all Instrument Flight Procedures.

Consequently, we would have no comment or valid objection to make regarding the proposal.

Kind regards,

Ian

Logo  Glasgow Prestwick Airport Ltd. Aviation House Prestwick KA9 2PL Scotland United Kingdom	Ian Hutchinson Aviation Safeguarding Manager T: (+44) 01292 511038 M: ihutchinson@glasgowprestwick.com www.glasgowprestwick.com
--	--

From: Steven.McCleron2@gov.scot <Steven.McCleron2@gov.scot>
Sent: Friday, August 18, 2023 1:53 PM
To: Econsents_Admin@gov.scot; George.Oldroyd@energiekontor.com
Subject: External - Request for Scoping Opinion - Glenvernoch Wind Farm

Some people who received this message don't often get email from steven.mcclemon2@gov.scot. [Learn why this is important](#)

Dear Consultee,

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

**REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION
FOR GLENVERNOCH WIND FARM.**

On 8th of August 2023, (the Applicant) submitted a request for a scoping opinion from the Scottish Ministers for the proposed section 36 application for Glenvernoch Wind Farm. The proposed development is for 18 wind turbines with a maximum height of vertical tip length of 200 m, located in the planning authority area of Dumfries and Galloway Council, in line with regulation 12 of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017.

Under regulation 12, Scottish Ministers are required to provide a scoping opinion outlining the information they consider should be included in the EIA report. Ministers are also required to consult the relevant consultation bodies and any other interested party which is likely to have an interest in the proposed development by reason of its specific environmental responsibilities or local and regional competencies.

The scoping report and supporting information can be viewed at the Scottish Government's Energy Consents Unit website www.energyconsents.scot by:

- clicking on **Search** tab; then,
- clicking on **Simple Search** tab; then,
- typing **Glenvernoch Wind Farm** into **Search by Project Name** box then clicking on **Go**;
- then clicking on **EC00004892** and then click on **Documents** tab.

The indicative wind turbine OS grid co-ordinates, rotor diameter and tip heights can be found as a pdf file named Glenvernoch Turbine Coordinates under the documents tab.

To allow Scottish Ministers to provide a comprehensive scoping opinion, we ask that you review the scoping report and advise on the scope of the environmental impact assessment for this proposal. Please advise if there are any further matters you would like Ministers to highlight for consideration and inclusion in the assessment, particularly site-specific information.

I would be grateful for your comments by **Friday the 8th of September**. Please note that reminders will not be issued, therefore if we have not received any comments from you, nor a request for an extension to this date, we will assume that you have no comments to make.

Please send your response (in PDF format if possible) to steven.mcclernon2@gov.scot.

Kind regards,

Steven McClernon
Senior Case Officer
Onshore Electricity, Strategy and Consents
Directorate for Energy and Climate Change | Scottish Government | 5 Atlantic Quay,
150 Broomielaw, Glasgow G2 8LU
e: steven.mcclernon2@gov.scot | m: 07342 068004

To view the Energy Consents team's current casework please visit www.energyconsents.scot.

To read the Energy Consents team's privacy notice on how personal information is used, please visit <http://www.energyconsents.scot/Documentation.aspx>



**

This e-mail (and any files or other attachments transmitted with it) is intended solely for the attention of the addressee(s). Unauthorised use, disclosure, storage, copying or distribution of any part of this e-mail is not permitted. If you are not the intended recipient please destroy the email, remove any copies from your system and inform the sender immediately by return.

Communications with the Scottish Government may be monitored or recorded in order to secure the effective operation of the system and for other lawful purposes. The views or opinions contained within this e-mail may not necessarily reflect those of the Scottish Government.

**

From: [JRC Windfarm Coordinations Old](#)
To: [Steven McCleron](#)
Cc: [Wind SSE](#)
Subject: Glenvernoch Wind Farm [WF346930]
Date: 21 August 2023 16:33:51

Dear steven,

A Windfarms Team member has replied to your co-ordination request, reference **WF346930** with the following response:

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

Dear Sir/Madam,

Planning Ref: EC00004892

Name/Location: Glenvernoch Wind Farm

Turbine(s) at NGR:

1 235461 571026
2 235898 571171
3 235526 571480
4 234555 571849
5 235149 572202
6 234696 572283
7 235134 572716
8 235427 573065
9 234963 573145
10 234247 572967
11 234538 573332
12 234908 573610
13 234455 573788
14 234065 573541
15 233615 573435
16 233504 573887
17 234033 574086
18 233557 574348

Hub Height: 122.5m ***Rotor Radius:*** 77.5m

*This proposal is **cleared** with respect to radio link infrastructure operated by the local energy networks.*

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

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

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

*Friars House
Manor House Drive
Coventry CV1 2TE
United Kingdom*

Office: 02476 932 185

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

Registered in England & Wales: 2990041

[About The JRC | Joint Radio Company | JRC](#)

We maintain your personal contact details and are compliant with the Data Protection Act 2018 (DPA 2018) for the purpose of 'Legitimate Interest' for communication with you. If you would like to be removed, please contact anita.lad@jrc.co.uk.

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 by clicking on the link below or login to your account** for access to your co-ordination requests and responses.

<https://breeze.jrc.co.uk/tickets/view.php?id=31225>

From: [Kirstin Keyes](#)
To: [Steven McCleron](#)
Subject: FW: Glenvernoch windfarm Scoping Report ECU00004892
Date: 06 September 2023 14:42:24
Attachments: [image001.png](#)

From: Davie Black <access@mountaineering.scot>
Sent: Friday, September 1, 2023 2:32 PM
To: Econsents Admin <Econsents_Admin@gov.scot>
Subject: Glenvernoch windfarm Scoping Report ECU00004892

Mountaineering Scotland suggests that the viewpoints could be improved to provide better assessment of impact on hillwalkers as a key receptor.

The scoping for Glenvernoch proposes viewpoints at The Merrick (12) and Lamachan Hill (13), which Mountaineering Scotland endorses. Garlick Hill (14) is proposed, presumably because it is within the Forest Park, though Millfore (also in the Forest Park but c.4km more distant) would be preferred for a mountaineering assessment of visual impact. We suggest viewpoints at Cairnsmore of Fleet (c.15km) and Corserine (c.20km) to assess the impact on hillwalking assets; and at Craginaw (c.15km) to assess the impact on the perceptually wild and remote interior of the Galloway hills. Inclusion of Craginaw and Corserine alongside the Bruce Stone (proposed viewpoint 9) would give a very useful indication of the impact at different distances and altitudes along the same alignment.

With kind regards

Davie Black | Access & Conservation Officer

Tel: REDACTED | **Email:** access@mountaineering.scot

Website: www.mountaineering.scot | **Instagram:** [@mountaineeringscotland](https://www.instagram.com/mountaineeringscotland)

Facebook: [@MountaineeringScotland](https://www.facebook.com/MountaineeringScotland) | **Twitter:** [@Mountain_Scot](https://twitter.com/Mountain_Scot)

Support our campaign:



ANNEX A

From: [NATS Safeguarding](#)
To: [Steven McClernon](#)
Cc: [Econsents Admin](#)
Subject: RE: Request for Scoping Opinion - Glenvernoch Wind Farm [SG35969]
Date: 01 September 2023 15:14:38
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

Our Ref: SG35969

Dear Sir/Madam

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

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

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

Yours faithfully

NATS

NATS Safeguarding

E: natssafeguarding@nats.co.uk

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



NATS Public

From: Steven.McClernon2@gov.scot <Steven.McClernon2@gov.scot>
Sent: 18 August 2023 13:53
To: Econsents_Admin@gov.scot; George.Oldroyd@energiekontor.com
Subject: [EXTERNAL] Request for Scoping Opinion - Glenvernoch Wind Farm

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you

recognise the sender and know the content is safe.

Dear Consultee,

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

**REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION
FOR GLENVERNOCH WIND FARM.**

On 8th of August 2023, (the Applicant) submitted a request for a scoping opinion from the Scottish Ministers for the proposed section 36 application for Glenvernoch Wind Farm. The proposed development is for 18 wind turbines with a maximum height of vertical tip length of 200 m, located in the planning authority area of Dumfries and Galloway Council, in line with regulation 12 of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017.

Under regulation 12, Scottish Ministers are required to provide a scoping opinion outlining the information they consider should be included in the EIA report. Ministers are also required to consult the relevant consultation bodies and any other interested party which is likely to have an interest in the proposed development by reason of its specific environmental responsibilities or local and regional competencies.

The scoping report and supporting information can be viewed at the Scottish Government's Energy Consents Unit website www.energyconsents.scot by:

- clicking on **Search** tab; then,
- clicking on **Simple Search** tab; then,
- typing **Glenvernoch Wind Farm** into **Search by Project Name** box then clicking on **Go**;
- then clicking on **EC00004892** and then click on **Documents** tab.

The indicative wind turbine OS grid co-ordinates, rotor diameter and tip heights can be found as a pdf file named Glenvernoch Turbine Coordinates under the documents tab.

To allow Scottish Ministers to provide a comprehensive scoping opinion, we ask that you review the scoping report and advise on the scope of the environmental impact assessment for this proposal. Please advise if there are any further matters you would like Ministers to highlight for consideration and inclusion in the assessment, particularly site-specific information.

I would be grateful for your comments by **Friday the 8th of September**. Please note that reminders will not be issued, therefore if we have not received any comments from you, nor a request for an extension to this date, we will assume that you have no comments to make.

Please send your response (in PDF format if possible) to steven.mcclernon2@gov.scot.

Kind regards,

Steven McClernon

Joyce Melrose

From: ONR Land Use Planning <ONR-Land.Use-Planning@onr.gov.uk>
Sent: 25 August 2023 12:02
To: Econsents Admin
Subject: ONR Land Use Planning - Application EC00004892
Attachments: image001.png

Dear Sir/Madam,

ONR land use planning processes are published here: <http://www.onr.org.uk/land-use-planning.htm>.

ONR has no comment on planning application reference: EC00004892 as it does not meet ONR's consultation criteria:

DEPZ	Any new development, re-use or re-classification of an existing development that could lead to an increase in residential or non-residential populations thus impacting on the off-site emergency plan. Any new development, re-use or re-classification of an existing development that could pose an external hazard to the site. Any re-use or re-classification of an existing development that could introduce vulnerable groups to the DEPZ.
Outer Zone	Any new residential development of 200 dwellings or greater. Any re-use or re-classification of an existing development that will lead to a material increase in the size of an existing development (greater than 500 persons). Any new non-residential development that could introduce vulnerable groups to the OCZ. Any new development, re-use or re-classification of an existing development that could pose an external hazard to the site.

Kind regards,

Vicki Enston



Steven McClernon
Energy Consents Unit,
The Scottish Government
Sent by email: steven.mcclernon2@gov.scot

06 October 2023

Dear Steven,

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

**REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36
APPLICATION FOR GLENVERNOCH WIND FARM.**

Thank you for consulting RSPB Scotland on the Scoping Opinion for the proposed Glenvernoch Wind Farm (ECU00004892) and for allowing s additional time to consider this proposal. RSPB Scotland is supportive of the use of renewable energy, but wind farms must be carefully sited to avoid negative impacts on sites and species of conservation importance. Having reviewed the Scoping Report and associated documents, we have the following comments to inform the scope of the EIA. There are several species of conservation concern that we believe are likely to be present at the site that require specific methodologies to be recorded accurately, which are not mentioned on page 39 of the scoping report or included as a target species for the EIA.

Black Grouse (*Lyrurus tetrix*)

Our data suggests that Black Grouse are likely to still be present in the area, as several leks from as recently as 2022 have been recorded within 2km of the site boundary. Given this species is in significant decline in southern Scotland with less than 200 lekking males recorded in 2022, with the Galloway Forest Park supporting the core population in the east, we are concerned about any additional pressures on this vulnerable population. We therefore, strongly recommend that Black Grouse is scoped into the EIA for this project and that lek surveys consisting of at least two visits are carried out to inform this process.

Nightjar (*Caprimulgus europaeus*)

Currently we only have access to data for Nightjar as recently as 2017, however, this does show records during the breeding season within the site boundary as recently as 2016 and within 2km as recently as 2017. Nightjar are listed as amber in the Birds of

Dumfries & Galloway Office
The Old School
Crossmichael
Castle Douglas
Kirkcudbrightshire
DG7 3AP

Tel: 01556 670 464
Facebook: RSPBDumfriesandGalloway
Twitter: @RSPBDandG
rspb.org.uk/Scotland



The RSPB is part of Bird Life International, a Partnership of conservation organisations working to give nature a home around the world.

Conservation Concern and we consider them a conservation priority for this area. We would therefore recommend that breeding Nightjar surveys are carried out between June and August to inform the EIA.

Golden Eagle (*Aquila chrysaetos*)

Although Golden Eagle would be covered by the breeding raptor surveys and vantage point surveys already listed, their recent successful reintroduction to the south of Scotland means that they are likely to expand their current range, occupying new breeding territories and roost sites in Dumfries and Galloway. We therefore, recommend consulting with the South Scotland Golden Eagle Project, to obtain data from satellite-tagged individuals in the area. The spatial behaviour of young birds is often a good indication of where they are likely to breed and where popular roost sites are located.

Further information on Black Grouse and Nightjar can be obtained by submitting a data request to RSPB Scotland: dataunit@rspb.org.uk

If you have any queries relating to this consultation response please contact Julia.gallagher@rspb.org.uk

Yours sincerely,

Redacted

Julia Gallagher

Tuesday, 22 August 2023



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

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

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



Dear Customer,

Glenvernoch Wind Farm, Glenvernoch, DG8 6RR
Planning Ref: ECU00004892
Our Ref: DSCAS-0092867-2YK
Proposal: A wind farm proposal comprising 18 turbines at Glenvernoch

Please quote our reference in all future correspondence

Audit of Proposal

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

Drinking Water Protected Areas

A review of our records indicates that 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 from the customer taking account of various factors including legal, physical, and technical challenges.

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

General notes:

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

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

Yours sincerely,

Angela Allison

Development Services Analyst

PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

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

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

Your ref:
EC00004892

Our ref:
GB01T19K05

Date:
05/09/2023

econsents_admin@gov.scot

Dear Sirs,

ELECTRICITY ACT 1989

THE ELECTRICITY (APPLICATIONS FOR CONSENT) REGULATIONS 2017

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR GLENVERNOCH WIND FARM.

With reference to your recent correspondence on the above development, we acknowledge receipt of the Scoping Report (SR) prepared by Energiekontor UK Ltd in support of the above development.

This information has been passed to SYSTRA Limited (SYSTRA) for review in their capacity as Term Consultants to Transport Scotland – Roads Directorate. Based on the review undertaken, Transport Scotland would provide the following comments.

Proposed Development

The proposed development comprises up to 18 wind turbines with a maximum blade to tip height of 200m on a site located approximately 2.8km south of Glentworth. The settlement of Newton Stewart and the A75(T) are located approximately 7km south-east of the site. We note that access to the site would be taken from the A714 which is part of the local road network. As such, Transport Scotland has no comment to make on the access point itself.

Assessment of Environmental Impacts

Section 7(ii) of the SR presents the proposed methodology for the assessment of the impact of Transportation associated with the construction of the wind farm. This states that the thresholds as indicated within the Institute of Environmental Management and Assessment (IEMA) Guidelines for the Environmental Assessment of Road Traffic are to be used as a screening process for the assessment. Transport Scotland is in agreement with this approach.

We note that the study area for the transport assessment is identified as “effectively the public highway network in the vicinity of the Site which would be used during the construction and operation of the wind farm”.

Transport Scotland would add that the potential impact on the trunk road network utilised during construction will also require to be included within the study area. This is likely to be the A75(T) or the A77(T), depending on the proposed routes for both HGV and abnormal loads traffic.

We would also state that potential trunk road related environmental impacts such as driver delay, pedestrian amenity, severance, safety etc will require to be considered and assessed where appropriate (i.e. where IEMA Guidelines for further assessment are breached). These specify that road links should be taken forward for assessment if:

- 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 methods adopted to assess the likely traffic and transportation impacts on traffic flows and transportation infrastructure should comprise:

- Determination of the baseline traffic and transportation conditions, and the sensitivity of the site and existence of any receptors likely to be affected in proximity of the trunk road network;
- Review of the development proposals to determine the predicted construction requirements; and
- Assessment of the significance of predicted impacts from these transport requirements, taking into account impact magnitude (before and after mitigation) and baseline environmental sensitivity.

In addition, base traffic data for the trunk road network will require to be factored to the peak construction year, using National Road Traffic Forecasts (NRTF) Low Growth.

It is noted that any impacts associated with the operational and decommissioning phases of the development are to be scoped out of the EIA. We would consider this to be acceptable in this instance.

Abnormal Loads Assessment

The SR states that a Route Access Description will be included in the EIA. Transport Scotland will require to be satisfied that the size of turbines proposed can negotiate the selected route and that transportation will not have any detrimental effect on structures within the trunk road route path.

A full Abnormal Loads Assessment report should be provided with the Environmental Impact Assessment Report (EIAR) that identifies key pinch points on the trunk road network. Swept path analysis should be undertaken and details provided with regard to any required changes to street furniture or structures along the route.

We would also note that any proposed changes to the trunk road network must be discussed and approved (via a technical approval process) by the appropriate Area Manager(s).

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 me at the number above or alternatively, Alan DeVenny at SYSTRA's Glasgow Office can assist on 0141 343 9636.

Yours faithfully

REDACTED

Iain Clement

**Transport Scotland
Roads Directorate**

cc Alan DeVenny – SYSTRA Ltd.

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

July 2020 updated September 2023

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

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

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

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

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

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

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

MD-SEDD provision of advice to ECU

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

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

Scoping

MD-SEDD issued generic scoping guidelines

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

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

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

Gate check

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

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

EIA Report

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

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

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

Post-Consent Monitoring

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

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

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

Planning Conditions

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

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

1. No development shall commence unless a Water Quality and Fish Monitoring Plan (WQFMP) has been submitted to and approved in writing by the Planning Authority in consultation with Marine Directorate – Science Evidence Data and Digital (MD–SEDD) and any such other advisors or organisations.
2. The WQFMP must take account of the Scottish Government’s MD-SEDD guidelines and standing advice and shall include:
 - a. water quality sampling should be carried out at least 12 months prior to construction commencing, during construction and for at least 12 months after construction is complete. The water quality monitoring plan should include key hydrochemical parameters, turbidity, and flow data, the identification of sampling locations (including control sites), frequency of sampling, sampling methodology, data analysis and reporting etc.;
 - b. the fish monitoring plan should include fully quantitative electrofishing surveys at sites potentially impacted and at control sites for at least 12 months before construction commences, during construction and for at least 12 months after construction is completed to detect any changes in fish populations; and
 - c. appropriate site specific mitigation measures detailed in the Environmental Impact Assessment and in agreement with the Planning Authority and MD-SEDD.
3. Thereafter, the WQFMP shall be implemented within the timescales set out to the satisfaction of the Planning Authority in consultation with MD- SEDD and the results of such monitoring shall be submitted to the Planning Authority on a 6 monthly basis or on request.

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

Sources of further information

NatureScot (previously “SNH”) guidance on wind farm developments -

<https://www.nature.scot/professional-advice/planning-and-development/advice-planners-and-developers/renewable-energy-development/onshore-wind-energy/advice-wind-farm>

Scottish Environment Protection Agency (SEPA) guidance on wind farm developments –

<https://www.sepa.org.uk/environment/energy/renewable/#wind>

A joint publication by Scottish Renewables, NatureScot, SEPA, Forestry Commission Scotland, Historic Environment Scotland, Marine Scotland Science (now MD-SEDD) and Association of Environmental and Ecological Clerks of Works (2019) Good Practice during Wind Farm Construction -

<https://www.nature.scot/guidance-good-practice-during-wind-farm-construction>.

Annex 1 (revised September 2023)

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

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

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

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

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

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