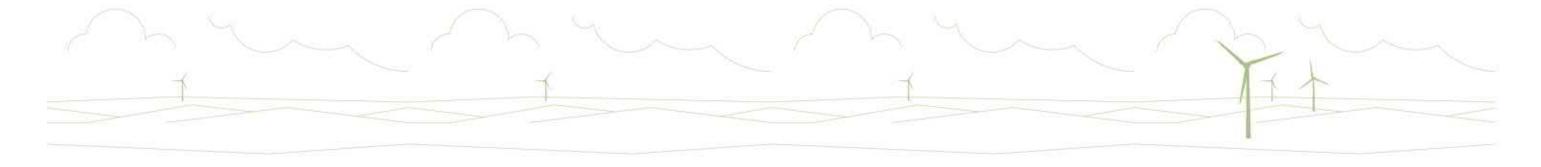


# Appendix 2.1 Scoping Opinion



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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

Carrick Wind Farm
WSP UK Ltd
On behalf of Scottish Power Renewables UK Limited

October 2020

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#### 1. Introduction

- 1.1 This scoping opinion is issued by the Scottish Government Energy Consents Unit on behalf of Scottish Ministers to WSP UK Ltd as acting agent on behalf of Scottish Power Renewables UK Limited (hereinafter referred to as Scottish Power Renewables), a company incorporated under the Companies Acts with company number NI028425 and having its registered office at The Soloist, 1 Lanyon Place, Belfast, Northern Ireland, BT1 3LP ("the company"). This is in response to a request dated 01 May 2020 for a scoping opinion under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the proposed Carrick Wind Farm ("the proposed development"). The request was accompanied by a scoping report.
- **1.2** The proposed Development is located within an area which has several existing, and proposed, windfarm developments. These include operational sites such as Hadyard Hill Windfarm approximately 3.6km to the west and Dersalloch Windfarm approximately 3.5km to the north east of the Site. Clauchrie Windfarm is located approximately 3.5km to the south west and was submitted to planning in December 2019.

The proposed Development is located within Carrick Forest, a commercial forest owned and managed by Forestry and Land Scotland (FLS) in south west Scotland. The surrounding area is rural with land largely being used for forestry and agriculture. The Site occupies an area of approximately 3811.41ha and is drained by tributaries of the River Stinchar catchment (which flows through the centre of the Site), Water of Girvan (which flows to the north and east of the Site) and Palmullen Burn (which flows along the north of the Site). The land use within the Site is predominantly commercial forest and rough grazing, with a 275kV overhead Scottish Power transmission line passing through the centre of the Site. There is also a Scottish Water pipeline running through the Site connecting to Loch Bradan, a public water supply to the east of the Site Boundary Linfern Loch is located within the northern part of the Site and is owned by a 3rd party. The loch has historically been used for fishing, however FLS have not issued fishing permits since 2016.

- **1.3** The proposed Development will consist of 17 turbines with a maximum blade tip height of 200 metres (subject to final design). Opportunities are being explored to include co-located technologies as part of the proposed development, such as energy storage
- 1.4 In addition to wind turbines, there will be ancillary infrastructure including:
  - Crane hardstandings and laydown areas adjacent to each wind turbine
  - Temporary Construction Compound;
  - Power cables linking the wind turbines laid in trenches underground, including cable markers:
  - A control building including substation, energy storage facility, parking, and a small storage compound;
  - Permanent and temporary power performance assessment (PPA) anemometry masts:
  - Meteorological mast;

- Communication masts:
- Close circuit television (CCTV) mast(s);
- Health and Safety and other directional signage:
- New and upgrade of existing access tracks, passing places and turning heads;
- Borrow pits; and
- Temporary construction compound(s).
- **1.5** The Company indicates the operational life of the proposed development is not known at this time, however Scottish Ministers are likely to apply time limit to any consent granted.
- **1.6** The proposed development is solely within the planning authority of South Ayrshire Council.

#### 2. Consultation

**2.1** Following the request for a scoping opinion, a list of consultees was agreed between WSP UK Ltd, and the Energy Consents Unit. Scottish Ministers undertook a consultation on the scoping report and this commenced on 13 May 2020. The consultation closed on 25 September 2020.

Extensions to this deadline were granted to:

- South Ayrshire Council;
- Defence Infrastructure Organisation;
- Glasgow Prestwick Airport;
- NATS Safeguarding;
- Scottish Forestry;
- Scottish Natural Heritage (SNH); and
- Scottish Rights of Way and Access Society (ScotWays).

Scottish Ministers also requested responses from their internal advisors Marine Scotland, Transport Scotland and Scottish Forestry. A full list of consultees is set out at Annex A.

- **2.2** The purpose of the consultation was to obtain scoping advice from each consultee on environmental matters within their remit. Responses from consultees and advisors should be read in full for detailed requirements and for comprehensive guidance, advice and, where appropriate, templates for preparation of the Environmental Impact Assessment (EIA) report.
- 2.3 Unless stated to the contrary in this scoping opinion, Scottish Ministers expect the EIA report to include all matters raised in responses from the consultees and advisors.
- **2.4** No responses were received from:
  - British Horse Society:
  - Civil Aviation Authority Airspace;

- Crown Estate Scotland;
- Doon DSFB;
- Fisheries Management Scotland;
- Galloway and Southern Ayrshire Biosphere;
- Game and Wildlife Conservation Trust:
- JNCC:
- John Muir Trust:
- National Farmers Union:
- National Trust for Scotland:
- OFCOM:
- Ramblers Association:
- Saving Scotland's Red Squirrels;
- Scottish Badgers;
- Scottish Outdoor Access Network;
- Scottish Raptor Study Group;
- Scottish Water:
- Scottish Wild Land Group (SWLG);
- Scottish Wildlife Trust;
- South West Scotland Environmental Information Centre:
- Stinchar DSFB;
- SUSTRANS;
- The Woodland Trust:
- Visit Scotland:
- West of Scotland Archaeology Service; and
- Barr Community Council;
- 2.5 With regard to those consultees who did not respond, it is assumed 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 the Environmental Impact Assessment 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 had been adopted following consultation with South Ayrshire Council, within whose area the proposed development would be situated. Scottish Environment Protection Agency ("SEPA"), NatureScot (Previously"SNH") and Historic Environment Scotland ("HES"), were also consulted as statutory consultation bodies, as were other bodies, which Scottish Ministers considered 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 01 May 2020 in respect of specific characteristics of the proposed Development and responses received to the consultation undertaken. In providing this scoping opinion, the Scottish Ministers have

had regard to current knowledge and methods of assessment; have taken into account the specific characteristics of the proposed Development, the specific characteristics of that type of development and the environmental features likely to be affected.

- **3.3** A copy of this scoping opinion has been sent to South Ayrshire Council for publication on their website. It has also been published on the Scottish Government energy consents website at www.energyconsents.scot.
- **3.4** Scottish Ministers expect the EIA report, which will accompany the application for the proposed Development to consider in full all consultation responses attached in **Annex A**.
- **3.5** Scottish Ministers are satisfied with the scope of the EIA set out at In the Table of Contents Executive Summary 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 grid technologies including battery storage and/or solar panels.

Any application submitted under the Electricity Act 1989 requires to clearly set out the generation station(s) that consent is being sought for. For each generating station details of the proposal require to include but not limited to:

- the scale of the development (dimensions of the wind turbines, solar panels, battery storage)
- components required for each generating station
- minimum and maximum export capacity of megawatts and megawatt hours of electricity for battery storage
- **3.8** Scottish Ministers request that the Company contacts Scottish Water and makes further enquires and includes details in the EIA report of any relevant mitigation measures provided.
- **3.9** Scottish Ministers request that the Company investigate private water supplies within close proximity to the proposed development, which may be impacted by the development. The Company should also take account of the advice provided by South Ayrshire Council and please see the points raised in the response on Annex A1-A12 The EIA report should include details of these supplies identified by this investigation, the Company should provide an assessment of the potential impact, risks, and any mitigation which would be provided.
- **3.10** Scottish Ministers consider that where there is a demonstrable requirement for peat landslide hazard risk assessment, the assessment should be 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 assessment and details of mitigation measures.

- **3.11** The proposed viewpoints are given at Table 5.2. NaturesScot advise that the scoping report seems to provide a reasonable spread of viewpoints. However, they also suggest that a further viewpoint is investigated and that there should be night-time viewpoint in the WLA. East Ayrshire Council agree with proposed viewpoints. At this stage we would advise that the additional viewpoints as requested by South Ayrshire Council are included. It is recommended by the Scottish Ministers that the final list of viewpoints and visualisations should be agreed following discussion between the Company, the South Ayrshire Council, Dumfries and Galloway Council, East Ayrshire Council, Historic Environment Scotland and NatureScot.
- **3.12** Scottish Ministers request the Company takes account of the advice provided by Marine Scotland Science and please see the points raised in the response on Annex A42-A43 and contacts Stinchar District Salmon Fishery Board for information on local fish stocks.
- **3.13** Aviation Lighting may be required due to the proposed scale and location of turbines. Further advice on aviation lighting is available from NatureScot. Consequently, the LVIA in the EIAR should include a robust Night Time Assessment. Scottish Ministers request the Company takes account of the advice provided.
- **3.14** Scottish Ministers request the Company takes account of the advice provided by South Ayrshire Council and please see the points raised in the response on Annex A1-A12. The noise assessment should be carried out in line with relevant legislation and standards as detailed in Chapter 10 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".
- **3.15** Scottish 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, finalisation of viewpoints, transport routes, cultural heritage, designated sites and cumulative assessments and they 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 EIA. 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, in tabular form, of all mitigation measures proposed in the environmental assessment, where that mitigation is relied upon in relation to reported conclusions of likelihood or significant 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 other 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 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 Governments Energy Consents Unit at the pre-application stage and before proposals reach the design freeze.
- **5.6** Applicants are reminded that there will be limited opportunity to materially vary the form and consent of the proposed development once an application is submitted.
- **5.7** When Finalising the EIA report, applicants are asked to provide a summary in tabular form of where within the EIA report each of the specific matters raised in this scoping opinion has been addressed.
- **5.8** It should be noted that to facilitate uploading to the Energy Consents portal, the EIA report and its associated documentation should be divided into appropriately named separate files of size no more than 10 megabytes (MB). In addition, a separate disc containing the EIA report and its associated documentation in electronic format will be required.

Energy Consents Unit October 2020

#### **ANNEX A**

#### Consultation

List of consultees

South Ayrshire Council	A1 – A12
East Ayrshire Council (Neighbouring Authority) Dumfries and Galloway Council (Neighbouring Authority)	A13 – A15 A16
Ayrshire Rivers Trust British Horse Society*	A17 – A18
BT	A19
Civil Aviation Authority – Airspace*	AIS
Crown Estate Scotland*	
Defence Infrastructure Organisation	A20 – A22
Doon DSFB*	, ,
Fisheries Management Scotland*	
Galloway Fisheries Trust	A23
Galloway and Southern Ayrshire Biosphere	A30 - A33
Game and Wildlife Conservation Trust*	
Glasgow Airport	A24
Glasgow Prestwick Airport	A25 – A29
Historic Environment Scotland	A34 – A40
JNCC*	
John Muir Trust*	
Joint Radio Company	A41 – A42
Marine Scotland	A43 –A44
MET Office	A45
Mountaineering Scotland	A46 – A47
National Farmers Union*	
National Trust for Scotland*	A 40 A E 0
NATS Safeguarding OFCOM*	A48 – A58
Ramblers Association*	
RSPB Scotland	A59
Saving Scotland's Red Squirrels*	A33
Scottish Badgers*	
Scottish Forestry	A60 - A61
Scottish Outdoor Access Network*	7.00
Scottish Raptor Study Group*	
Scottish Rights of Way and Access Society (ScotWays)	A62 - A66
Scottish Water*	
Scottish Wild Land Group (SWLG)*	
Scottish Wildlife Trust*	
SEPA	A67 – A75
NatureScot (previously SNH)	A76 – A89
South West Scotland Environmental Information Centre*	
Stinchar DSFB*	

SUSTRANS\*

A90 – A91

The Coal Authority
The Woodland Trust\*

Transport Scotland A92 – A94

Visit Scotland\*

West of Scotland Archaeology Service\*

Barr Community Council\*
Crosshill, Straiton and Kirkmichael Community Council
Dailly Community Council. A95 - A103 A104 – A111

Officials from Marine Science Scotland Transport Scotland and Scottish Forestry areas of the Scottish Government provided internal advice.

8 9

<sup>\*</sup>No consultee responses were received.

#### **Place Directorate**

#### Service Lead - Planning and Building Standards: Julie Nicol

Planning Service, County Buildings, Wellington Square, Ayr, KA7 1DR

[el: REDACTED

Email: Our Ref: 20/00295/PREAPP
Date: 16 September 2020



A1

Energy Consents Unit, 5 Atlantic Quay, 150 Broomielaw, Glasgow.

Dear Sir/Madam

The Electricity Works (Environmental Impact Assessment) (Scotland)

Regulations 2017 EIA Scoping Report (May 2020)

SITE ADDRESS Proposed Carrick Windfarm (C1 From Newton Stewart Road Straiton South To

Council Boundary North East Of Loch Moan South From Straiton Straiton

South Ayrshire)

PROPOSAL: Construction and operation of Carrick Windfarm comprising 17 wind turbines

to tip height of 200m (generating capacity of around 85MW) and proposed energy storage facility (storage capacity of up to 20MW) and associated infrastructure (Application to be submitted to ECU under S36 of the Electricity

Act 1989)

ECU Ref: ECU00002063

Thank you for your email of 13 May 2020 inviting South Ayrshire Council's response as a consultee to the scoping opinion received by Scottish Ministers from WSP UK Ltd on behalf of Scottish Power Renewables. In keeping with the breadth of environmental topics acknowledged within the applicant's Scoping Report, South Ayrshire Council has consulted internally with various departments whose respective remits pertain to those topics. The various responses to that intra council consultation are contained in the enclosed Annex and to avoid duplication their collective content forms an integral part of South Ayrshire Council's consultation response.

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

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

Yours faithfully

Supervisory Planner, Priority Projects

A2

#### ANNEX

#### Landscape Consultant

I've reviewed the Carrick Wind Farm Scoping Report and have the following comments on landscape and visual issues:

- The Scoping Report is comprehensive and clearly sets out the methodology and scope of the Landscape and Visual Impact Assessment (LVIA). I am in agreement with the methodology to be adopted for the LVIA.
- The proposed development site lies in an upland area where extensive forestry is present. Detailed consideration should be given to the landscape and visual effects of felling and restocking proposals (both adverse and beneficial) in the LVIA and mitigation and landscape enhancement should be optimised in the design of the Wind Farm Forest Plan. Proposed forest felling areas should be shown in the visualisations from nearby viewpoints, for example from VPs 1, 2, 3 and 5.
- I am in agreement with the study area for the LVIA being set at 30km.
- I am in agreement with the stated scope of the LVIA in respect of assessing effects on landscape character, Local Landscape Area designations and the Merrick WLA.
- The representative viewpoints listed in Table 5.2 of the Scoping Report should be supplemented with additional viewpoints on the minor road between Straiton and Tairlaw within the Upper Girvan Valley (to assess potential effects on the Girvan Valley LLA) and from the B741 west of the Ladyburn junction in the Girvan Valley (to assess potential effects on the setting of Kilkerran House and Inventory listed Garden and Designed Landscape there may be some overlap here with the Cultural Heritage section of the EIA-R).
- Additional viewpoints should also be defined within the upper Stinchar Valley in the vicinity of Barr and between Barr and South Balloch in order to confirm the extent of visibility and potential effects from the road and settlement, on the Stinchar Valley Local Landscape Area and any cumulative effects with operational and proposed wind farms.
- I am in agreement with the settlements, roads and recreational routes identified for detailed assessment and the landscape and visual receptors scoped out of the LVIA.
- Lighting effects should be assessed from each of the representative viewpoints and not just from the viewpoints selected to illustrate night-time effects. While I agree that the character of the landscape is not readily discernible during hours of darkness, lighting can affect perceptual qualities associated with landscape character and it is recommended that the effect on the sense of seclusion and naturalness (due to existing low lighting levels) are considered in the LVIA. These qualities should be addressed even if the viewpoint does not lie within the Dark Sky Park Core Area. The cumulative effects of lighting should be considered in relation to the nearby Clauchrie proposal.
- I note that the list of other proposed wind farm developments to be considered in the cumulative assessment will be confirmed with the Council.

#### South Ayrshire Council Environmental Health

Private Water Supplies/Operational Noise/Shadow Flicker

- 1. Impact on Water
- a) Prior to the commencement of works on the site, a water management plan covering water control and the means of drainage from all hard surfaces and structures within the site shall be submitted for approval of the planning authority and following approval shall be implemented by the company. For the purposes of this condition "hard surfaces" includes internal access tracks, construction and lay-down areas, turbine pads and crane pads. The details to be submitted shall include the means of protecting surface water and ground water and controlling surface water runoff. The management plan as approved shall then be implemented in full to minimise impacts on groundwater quality and hydrology.

b) The applicant shall submit to the planning authority a site specific hydrogeological report (not desk top study), which contains a review of the risks to all private water sources, their catchment areas, and the supplies, that have the potential to be affected by the development. Work shall not commence on site prior to the written approval of the Planning Authority being obtained.

The report should include a field assessment of all private water sources and supplies and their catchment areas, and focus on the effects of the development on the quality and quantity of water supplied to all private water users both within and out-with the boundary of the proposed site that have the potential to be affected by the development. A conceptual site model should be included as this is key to developing a robust assessment of all risks to all potentially affected private water supplies. Attention should also be given to possible leachate generation at any Borrow Pit excavations.

c) Forestry – Removal, Harvesting, Replanting, Compensatory Planting: All Private Water Supply user properties, their Private Water Supply source uptakes and catchment areas to be identified and shown as marked on maps, to scale, on minimum of 1:25000, in order to assess risk to catchment areas of the sources drawn from. This is to give realistic comparison to the siting's of the proposed construction, turbines, structures, over ground / underground, access tracks etc.

#### d) Emergency Action Plan

An EAP should be submitted stating clearly who would be responsible, when they would be required to take action, where this would be implemented and what action and mitigation will be implemented for any emergencies arising. The EAP should detail who the emergency contacts would be 24/7, with contact telephone numbers and email addresses, to be provided to PWS users and South Ayrshire council planning department in order to maintain a secure and adequate quality water supply to all properties with private water supplies that may be affected by the development to minimise impacts on groundwater quality and hydrology.

#### 2. Shadow Flicker

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

#### 3. Construction Noise

- a) Prior to the commencement of works on site, the company shall submit to the planning authority a management plan for minimising the emission of dust from the construction and operation of the development hereby authorised. The dust management plan shall specify the following matters and, after its approval shall be implemented in full by the Company:-
- The water spraying of all internal roads and stockpiles of materials to suppress dust in periods of prolonged dry weather;
- The means to ensure that an adequate water supply is available at all times for dust suppression purposes;
- The operation of the site so as to ensure that adequate steps are taken at all times to minimise dust propagation from un-surfaced access tracks within the site.

Reason: To minimise dust to nearby residents.

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

As the development is in an area of existing low ambient noise levels and the construction activities continue for more than 1 month the following minimum criteria are applicable:-Assessment category and threshold value period (LAeq) Threshold value in decibels (dB), Category A

Night time (23.00-07.00) 45 Evenings and Weekends\* 55

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

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

c) Prior to any works being undertaken a detailed method statement for the construction project will require to be undertaken for approval by South Ayrshire Council Planning Department. This shall include an assessment of potentially noisy operations and outline the noise mitigation measures proposed. This will also include a programme and phases for each stage of work.

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

- d) No Blasting shall take place until a monitoring scheme to address borrow pit blasting has been submitted to South Ayrshire Council and received the written approval of, the planning authority. The scheme shall be implemented as approved in writing by the planning authority. The scheme shall make provision for:
- Blasting monitoring locations (Nearest noise/vibration sensitive properties)
- Type of monitoring equipment to be used;
- Frequency of monitoring.
- The methods to be employed to minimise the effects of overpressure arising from blasting, having regard to blast design, methods of initiation and the weather conditions prevailing at the time;
- Limits of overpressure levels at specified properties; and
- Submission of blasting records to the planning authority.

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

- e) No blasting shall take place except between the following times:-
- 10:00 12:00 and 14:00 16:00 Mondays to Fridays
- 10:00 12:00 Saturdays

Reason: To minimise disturbance to local residents.

f) Ground vibration from the blasting shall not exceed a peak particle velocity of 6mm /second at the blasting monitoring locations identified for condition 6 above. The measurement to be the maximum of three mutually perpendicular directions taken at the ground surface.

Reason: To minimise disturbance to residents in the vicinity of the wind farm.

#### 4. Operational Noise

#### Operational Noise Levels:

This part of the ES is to be assessed by a 3rd party consultant and their findings suitably implemented.

#### Complaint Procedure:-

- a) Within 21 days from receipt of a written request from the Local Planning Authority following a complaint to it from an occupant of a dwelling alleging noise disturbance at that dwelling, the wind farm operator shall, at its expense, employ a consultant approved by the Local Planning Authority to assess the level of noise immissions from the wind farm at the complainant's property in accordance with the procedures described in the attached Guidance Notes. The written request from the Local Planning Authority shall set out at least the date, time and location that the complaint relates to and any identified atmospheric conditions, including wind direction, and include a statement as to whether, in the opinion of the Local Planning Authority, the noise giving rise to the complaint contains or is likely to contain a tonal component.
- b) The assessment of the rating level of noise immissions shall be undertaken in accordance with an assessment protocol that shall previously have been submitted to and approved in writing by the Local Planning Authority. The protocol shall include the proposed measurement location identified in accordance with the Guidance Notes where measurements for compliance checking purposes shall be undertaken, whether noise giving rise to the complaint contains or is likely to contain a tonal component, and also the range of meteorological and operational conditions (which shall include the range of wind speeds, wind directions, power generation and times of day) to determine the assessment of rating level of noise immissions. The proposed range of conditions shall be those which prevailed during times when the complainant alleges there was disturbance due to noise, having regard to the written request of the Local Planning Authority under paragraph (c), and such others as the independent consultant considers likely to result in a breach of the noise limits.
- c) Where a dwelling to which a complaint is related has not previously had noise limits assigned against it, the wind farm operator shall submit to the Local Planning Authority for written approval proposed noise limits selected from another property which has had noise limits assigned to it to be adopted at the complainant's dwelling for compliance checking purposes. The proposed noise limits are to be those limits selected from a listed location which the independent consultant considers as being likely to experience the most similar background noise environment to that experienced at the complainant's dwelling. The rating level of noise immissions resulting from the combined effects of the wind turbines when determined in accordance with the attached Guidance Notes shall not exceed the noise limits approved in writing by the Local Planning Authority for the complainant's dwelling.
- d) The wind farm operator shall provide to the Local Planning Authority the independent consultant's assessment of the rating level of noise immissions undertaken in accordance with the Guidance Notes within 2 months of the date of the written request of the Local Planning Authority for compliance measurements to be made under paragraph (c), unless the time limit is extended in writing by the Local Planning Authority. The assessment shall include all data collected for the purposes of undertaking the compliance measurements, such data to be provided in the format set on in Guidance Note 1(e) of the Guidance Notes. The instrumentation used to undertake the measurements shall be calibrated in accordance with Guidance Note 1(a) and certificates of calibration shall be submitted to the Local Planning Authority with the independent consultant's assessment of the rating level of noise immissions.
- e) Where a further assessment of the rating level of noise immissions from the wind farm is required pursuant to Guidance Note 4(c), the wind farm operator shall submit a copy of the further assessment within 21 days of submission of the independent consultant's assessment pursuant to paragraph (d) above unless the time limit has been extended in writing by the Local Planning Authority.

f) The rating level of noise immissions from the combined effects of the wind turbines (including the application of any tonal penalty) when determined in accordance with the accompanying guidance notes (to this condition) shall not exceed the values for the relevant integer wind speed set out in, or derived from the table below at any dwelling which is lawfully existing or has planning permission at the date of this permission.

#### Guidance Notes for Noise Conditions

These notes are to be read with and form part of the noise conditions. They further explain the conditions and specify the methods to be deployed in the assessment of complaints about noise immissions from the wind farm. The rating level at each integer wind speed is the arithmetic sum of the wind farm noise level as determined from the best-fit curve described in Note 2 of these Guidance Notes and any tonal penalty applied in accordance with Note 3. Reference to ETSU-R-97 refers to the publication entitled "The Assessment and Rating of Noise from Wind Farms" (1997) published by the Energy Technology Support unit (ETSU) for the Department of Trade and Industry (DTI). Measured noise immission levels from the turbines must be referenced to standardised 10 metres height wind speeds.

#### Guidance Note 1

- a) Values of the LA90,10-minute noise index should be measured at the complainant's property, using a sound level meter of EN 60651/BS EN 60804 Type 1, or BS EN 61672 Class 1 quality (or the equivalent UK adopted standard in force at the time of the measurements) set to measure using the fast time weighted response as specified in BS EN 60651/BS EN 60804 or BS EN 61672-1 (or the equivalent UK adopted standard in force at the time of the measurements). This should be calibrated in accordance with the procedure specified in BS 4142: 1997 (or the equivalent UK adopted standard in force at the time of the measurements). If required, measurements shall be undertaken in such a manner to enable a tonal penalty to be applied in accordance with Guidance Note 3.
- b) The microphone should be mounted at 1.2 1.5 metres above ground level, fitted with a two-layer windshield or suitable equivalent approved in writing by the Local Planning Authority, and placed outside the complainant's dwelling. Measurements should be made in "free field" conditions. To achieve this, the microphone should be placed at least 3.5 metres away from the building facade or any reflecting surface except the ground at the approved measurement location. In the event that the consent of the complainant for access to his or her property to undertake compliance measurements is withheld, the wind farm operator shall notify the Local Planning Authority in writing that access has been denied.
- c) The LA90,10-minute measurements should be synchronised with measurements of the 10-minute arithmetic average wind speed, standardised to a height of 10 metres at the wind farm site, and with operational data logged in accordance with Guidance Note 1(d), including the power generation data from the turbine control systems of the wind farm.
- d) To enable compliance with the conditions to be evaluated, the wind farm operator shall continuously log arithmetic mean wind speed in metres per second (m/s), arithmetic mean wind direction in degrees from north in each successive 10-minute periods from the supervisory control and data acquisition (SCADA) system to enable compliance with the conditions to be evaluated. Wind speed data shall also be standardised to a 10 meters height. It is this standardised 10 metre height wind speed data which is correlated with the noise measurements determined as valid in accordance with Note 2(b), such correlation to be undertaken in the manner described in Note 2(c). In addition, the wind farm operator shall continuously log the arithmetic mean power generated during each successive 10-minutes period for each wind turbine on the wind farm. All 10-minute periods shall commence on the hour and in 10-minute increments thereafter synchronised with

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Greenwich Mean Time.

e) Data provided to the Local Planning Authority in accordance with the noise condition shall be provided in comma separated values in electronic format.

#### Guidance Note 2

- a) The noise measurements should be made so as to provide not less than 20 valid data points as defined in Note 2 paragraph (b).
- b) Valid data points are those measured in the conditions set out in the assessment protocol approved by the Local Planning Authority under Condition 3 of the noise condition but excluding any periods of rainfall measured at the complainant's dwelling.
- c) Values of the LA90,10-minute noise measurements and corresponding values of the measured 10-minute standardised 10-metre height wind speed for those data points considered valid in accordance with Note 2 paragraph (b) shall be plotted on an XY chart with noise level on the Y-axis and wind speed on the X-axis. A least squares best fit curve of an order deemed appropriate by the independent consultant (but which may not be higher than a fourth order) should be fitted to the data points and define the wind farm noise level at each integer speed.

#### Guidance Note 3

- a) Where in accordance with the approved assessment protocol under condition 3, noise immissions at the location or locations where compliance measurements are being undertaken contain or are likely to contain a tonal component, a tonal penalty is to be calculated and applied using the following rating procedure.
- b) For each 10-minute interval for which LA90, 10-minute data have been determined as valid in accordance with Note 2 a tonal assessment shall be performed on noise immissions during 2 minutes of each 10-minute period. The 2-minute periods should be spaced at 10-minute intervals provided that uninterrupted uncorrupted data are available ("the standard procedure"). Where uncorrupted data are not available, the first available uninterrupted clean 2-minute period out of the affected overall 10-minute period shall be selected. Any such deviations from standard procedure shall be reported.
- c) For each of the 2-minute samples the tone level above audibility, shall be calculated by comparison with the audibility criterion given in Section 2.1 on pages 104-109 of ETSU-R-97 or future equivalent guidance for wind farm tonal noise assessment.
- d) The tonal level above audibility shall be plotted against wind speed for each of the 2-minute samples. Samples for which the tones were below the audibility criterion or no tone was identified, a value of zero audibility shall be substituted.
- e) A least squares best fit linear regression shall then be performed to establish the average tone level above audibility for each integer wind speed derived from the value of the "best fit" line fitted to values within  $\pm$  0.5m/s of each integer wind speed. If there is no apparent trend with wind speed then a simple arithmetic mean shall be used. This process shall be repeated for each integer wind speed for which there is an assessment of overall levels in Note 2.
- f) The tonal penalty is derived from the margin above audibility of the tone according to the figure below.

#### Guidance Note 4

a) Data If a tonal penalty is to be applied in accordance with Note 3 the rating level of the

Α8

turbine noise at each wind speed is the arithmetic sum of the measured noise level as determined from the best fit curve described in Note 2 and the penalty for tonal noise as derived in accordance with Note 3 above at each integer wind speed within the range set out in the approved assessment protocol under condition 3.

- b) If no tonal penalty is to be applied then the rating level of the turbine noise at each wind speed is equal to the measured noise level as determined from the best fit curve described in Note 2.
- c) In the event that the rating level is above the limit(s) set out in the Tables attached to the noise conditions or the noise limits for a complainant's dwelling approved by the Local Authority, the independent consultant shall undertake a further assessment of the rating level to correct for background noise so that the rating level relates to wind turbine noise immission only.
- d) The wind farm operator shall ensure that all the wind turbines in the development are turned off for such period as the independent consultant or local planning authority requires undertaking the further assessment. The further assessment shall be undertaken in accordance with the following steps:

Repeating the steps in Note 2, with the wind farm switched off, and determining the background noise (L3) at each integer wind speed within the range set out in the approved assessment protocol under Condition 3.

e) The wind farm noise (L1) at this speed shall then be calculated as follows where L2 is the measured level with turbines running but without the addition of any tonal penalty:

The rating level shall be re-calculated by adding the tonal penalty (if any is applied in accordance with Note 3) to the derived wind farm noise L1 at that integer wind speed.

f) If the rating level after adjustment for background noise contribution and adjustment for tonal penalty (if required in accordance with note (iii) above) at any integer wind speed lies at or below the values set out in the Tables attached to the conditions or at or below the limits approved by the Local Planning Authority for a complainant's dwelling then no further action is necessary. If the rating level at any integer wind speed exceeds the values set out in the Tables attached to the conditions or the noise limits approved by the Local Planning Authority for a complainant's dwelling then the development fails to comply with the conditions.

#### **ACCON UK Ltd Noise Consultants**

(Text in italics has been inserted following exchange of emails between WSP and ACCON on 19 August 2020 and 28 August)

I have reviewed the Noise Chapter and Figure 10.1 from the Scoping Report. The proposed methodology generally accords with the relevant guidance i.e. ETSU-R-97 and the IOA Good Practice Guide for operational noise and BS 5228 for construction noise. *It is agreed that construction noise is scoped-out of the assessment.* However, I have some specific comments which I set out below, including some points where it would be appropriate for the applicant's acoustic consultants (WSP) to provide a response in due course.

#### Baseline data collection and measurement locations

The proposed measurement locations appear to provide suitable coverage for the nearest noise sensitive properties surrounding the proposed development. Based on my review of available information, the monitoring locations generally seem to have been selected such that they will

provide suitable proxies for nearby properties. However, there would seem to be potential difficulties in relation to proposed location E. Two alternative monitoring sites are proposed. Either White Row or Black Row would be utilised, and this location is indicated to also be representative of Aldinna. I note that each of these properties are close to the River Stinchar or, in the case of White Row, a burn that flows into this river. To serve as a proxy location for the other two locations, noise should be monitored at the location least affected by noise from a watercourse. From satellite imagery, White Row might be expected to be the preferable location. I would suggest that a site visit may be necessary to select monitoring location E. If a position at either of these properties cannot be found where water course noise has, at most, a minimal effect on the measured noise levels, it may be appropriate to install a noise monitor at both properties.

I am aware of the limitation stated in paragraph 238 that the precise monitoring locations adopted are dependent on landowners granting permission. If this means particular monitoring locations cannot be used, it may be necessary to consider the entire data set and apply baseline noise level data to certain receptors to ensure a conservative assessment is carried out.

Given the proximity of the operational Hadyard Hill wind farm, consideration will need to be given to directional filtering of the measured noise data to exclude the influence of this wind farm. This will apply to monitoring location F (Doughty) and potentially locations E and B. Similarly, directional filtering will need to be considered for monitoring locations to the east of the site with respect to noise from the operational Dersalloch wind farm. I consider that the only way to confirm whether or not operational wind farm noise has influenced the measurements is to carry out directional filtering on the results. Therefore, I request that the results of such analysis is reported in the EIAR, even if it is just to confirm that operational noise did not influence the background noise results at the locations discussed.

#### Prediction of effects and significance assessment

The Scoping Report does not provide any information on the ETSU-R-97 based noise limits that would be applied in the operational noise assessment. I note that the fixed lower daytime noise limit for the operational Hadyard Hill wind farm is 38 dB LA90. The corresponding limit for Dersalloch wind farm is 37.5 dB LA90. ACCON would recommend the daytime fixed lower limit of 38 dB LA90 is applied in the cumulative noise assessment for the proposed assessment. This would recognise the aim of the 'Wind Turbine Development: Submission Guidance Note' (SGN issued by South Ayrshire Council Environmental Health) that new wind farms operating in isolation have a lower limit of 35 dB LA90, while also taking account of the noise limits set for the nearby consented wind farms.

The assessment of cumulative operational noise is a complex process and the IOA Good Practice Guide provides various recommendations in this respect which guide the noise emissions utilised in the assessment for existing wind farms. In some circumstances, it is recommended by both documents that a cumulative assessment is carried out initially assuming noise levels corresponding the consented noise limits for the existing wind farms; and any proposed alternative approaches should be discussed with the local planning authority. Paragraph 234 of the Scoping Report indicates that corrections for wind direction will be applied where necessary to the noise predictions used for the cumulative assessment, and this indicates that the noise levels for the existing turbines are unlikely to be based on the consented limits. ACCON recommend that the applicant's acoustic consultants should provide further information to the Council on the assumptions that will be applied regarding the noise emissions from Hadyard Hill and Dersalloch wind farms. However, I note that this may yet to have been considered in detail by WSP. The intention to provide further detail in the EIA on the approach that will be used to address the complexities of the cumulative noise assessment is noted. It is agreed that there is no requirement to consider the Glenmount and Hadyard Hill Extension windfarm proposals as these have been withdrawn.

It is agreed that operational noise from energy storage units or other significant plant should be

scoped out of the assessment. It is also agreed that construction traffic noise is also scoped out of the assessment. Depending upon the location of the borrow pits and the ground conditions blasting may be required. If blasting is necessary, the EA Noise chapter should include an assessment of the blast induced noise, vibration and air overpressures.

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#### **Ayrshire Roads Alliance (traffic and transportation)**

From a traffic and transportation perspective I am satisfied that the approach which the applicant intends to follow are appropriate and reflect the generally accepted methodology.

We look forward to seeing more detail with respect to the route options for abnormal traffic movements, along with greater detail with respect to the site access onto the public road.

#### **Ayrshire Roads Alliance (structures)**

The proposed route to the site for the large turbine components would be from the south using the A75, A714 and C1 (Referred to as the C46w in the Scoping Report) to the site access south of Tallaminnoch. I would say that this is the only feasible route to the site for these components, the three bridges along this section of the C1 that the loads have to cross are capable of carrying the likely axle and gross vehicle weights but some localised road widenings may be required. It is not feasible to bring the turbine components to site from the north via Straiton due to horizontal alignment issue at Tairlaw Bridge approximately 3km north of the site access, this may also prove an issue for any large items of plant required for the site.

In the Scoping Report it mentions carrying out a study on the B741 between the A713 at Dalmellington and Straiton, it should be highlighted that this section of the B741 is not suitable for any construction traffic as there is a bridge with a 13 Tonne weight limit and a hump back profile near the Dalmellington end.

In terms of flooding I don't believe that the proposed development will increase the flood risk in any properties around the site.

#### West of Scotland Archaeological Service

Dear

Α9

I apologise for the lateness of this reply. As you are aware, large area consultations are difficult to deal with while working frm home without access to our high-spec. computers and software.

The Electricity Works (Environmental Impact Assessment)(Scotland) Regulations 2017 Carrick Wind Farm, South Ayrshire

**EIA Scoping Report (May 2020)** 

I write in response to your request for comments on the proposals for the development of a Wind Farm comprising up to 17 wind turbines with a maximum blade tip height of 200m and additional infrastructure on a site within the Carrick Forest, South Ayrshire.

While I have been able to view the documents provided in support of the S36 application, due to the technical restrictions of working from home during the Covid-19 pandemic, I have not been able to import that data into our usual Geographical Information System (GIS), nor have I been able to analyse the data in comparison with the full range of information in the Historic Environment Record (HER).

Nevertheless, I am able to state that based on the information provided so far, I am of the opinion that there is a likelihood of significant adverse impacts on historic environment assets within the proposed development area, and also on the settings of such assets located within and outwith the boundary of the proposals.

While it is possible that many potential impacts could be mitigated or avoided by changes to the design such as alterations to the development layout and the installed turbine heights, it may be that depending on the details, the remaining adverse impacts would be such that I would recommend that the Council object to the final submitted proposals on historic environment policy grounds. In order for the Council to determine its position with regard to the relevant policies, I would expect the developer to support any arguments regarding the potential impacts on historic environment assets with an appropriate level of assessment, including visualisations of the appropriate settings of an agreed list of assets.

Should the development proceed, it is likely that archaeological remains within the application boundary would be vulnerable to damage or destruction during the construction phase. I would expect the developer to bring forward more detailed proposals for appropriate measures to mitigate unavoidable impacts and to avoid unnecessary destruction, and that these measures would be agreed in advance and secured by appropriate condition if required.

As referred to above, in order to fully assess the potential impacts on historic environment assets and to avoid any unnecessary uncertainty in discussions on the predicted impacts, I would expect to see further information on the Zone of Theoretical Visibility (ZTV) and the views relevant to important historic environment assets in the final Environmental Statement. I would therefore expect any Environmental Impact Assessment (EIA) undertaken for the proposals to include a detailed assessment of impacts on the historic environment, both within the application boundary and within the viewshed beyond. I would also expect that the spatial limits of such assessment would be flexible, and to expand to include historic environment assets at greater distance, where these assets have greater sensitivty to landscape change or visual impacts.

With regard to the latter point, I note that the May 2020 Scoping Report proposes a study area extending up to 5km from the application boundary. I do not believe that this is adequate for a full assessment of potential impacts on the historic environment. Many important historic environment assets enjoy prominent locations with distant views, or have specific sightlines which can extend over long distances, and with structures of the scale proposed, the visual effects will be apparent at greater distances. I would recommend that the study area be extended to include all historic environment assets within the ZTV up to 10km beyond the application boundary, and that other important assets, whether currently designated or not, with sensitive settings and which are located in the ZTV at greater distances should also be considered. In this regard, and to minimise later disagreement, the Council's archaeology service would be available to liaise with the archaeological consultants for the developer for consultation on an agreed list of assets beyond the study area that should also be considered in the assessment.

Given the number of wind farms in the wider area of this part of South Ayrshire, whether in operation, consented, or proposed, it will also be important that the potential for cumulative impacts on the setting of historic environment assets caused by the addition of the proposed development would have is assessed We would therefore recommend that the visualisations that are produced in support of the application include cumulative impacts.

The assessment of these matters should be undertaken by a suitably qualified archaeological practitioner in accordance with current planning policy and guidance at national and local authority level, and with the procedural guidance available in Historic Environment Scotland's Managing Change in the Historic Environment guidance booklets and in the Cultural Heritage Appendix to the EIA Handbook (SNH, HES, 2018).

Without access to the full range of analytical software that is usually available to me, I am unable to identify the known historic environment assets that may be adversely affected by the development, but I

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note that the application area proposed includes two Scheduled Monuments (SM3357 and SM 3890, WoSASPINs 6147 and 11678, respectively), and a number of other, currently non-designated assets, some of which may nevertheless be of national importance. The recorded presence of these, and a range of other already known archaeological sites in the vicinity indicate that there may may additional archaeological sites in the area that have yet to be discovered and which may be vulnerable to direct damage or destruction as a result of the proposed development. As mentioned previously, I would expect the EIA process to assess the likelihood of the presence of such previously unrecorded archaeological resources, and to bring forward proposals for appropriate measures to mitigate impacts or to avoid unnecessary or unrecorded losses should consent for the development be granted.

I would be pleased to clarify or expand on any of the above points if required, and to provide additional advice as is necessary.

Kind regards,

A11

Manager, WoSAS West of Scotland Archaeology Service 231 George Street Glasgow G1 1RX

A13 A14 East Ayrshire Council - Consultation Response

#### **Economy and Skills**

Depute Chief Executive and Chief Financial Officer



Interim Head of Planning and Economic Development:

Direct Dial: REDACTED Fax: REDACTED

Email:

#### **Development Planning and Regeneration**

Office location: Opera House, 8 John Finnie Street,

Kilmarnock, KA1 1DD

Direct Dial: Email:

Please email

Date: 27<sup>th</sup> August 2020

Dear

#### CARRICK WINDFARM - RESPONSE TO SCOPING REQUEST FOR PROPOSED SECTION 36 **APPLICATION**

Thank you for consulting with East Ayrshire Council on the above request for a scoping opinion. I note that the scoping request is for the proposed Carrick Windfarm, comprising 17 turbines with blade tip heights of up to 200 and including the potential for co-located technologies (e.g. energy storage). The application site and proposed access to the site is entirely located within South Ayrshire. The site of the proposed development is located approximately 5km to the north of the Merrick Kells SAC/SSSI, 7.6km to the south-west of the Bogton Loch SSSI and the Merrick Wild Land Area; each SSSI is partially located in East Ayrshire.

East Ayrshire Council has reviewed the 'Scoping Report' and offers the following comments in respect of the issues pertinent to East Ayrshire.

#### Landscape and Visual Impact Assessment

In respect of the information submitted, the key area of interest for East Ayrshire is the proposed approach to demonstrating the Landscape and Visual Impacts of the proposal.

Four viewpoints within East Ayrshire (Craigengillan Dark Sky Observatory, Merrick Drive – Bellsbank, A713 east of Loch Doon and Blackcraig Hill) will be assessed as part of the Landscape and Visual Impact Assessment (LVIA). A number of visual receptors in East Ayrshire, including Cumnock, New Cumnock, Auchinleck and Drongan have been scoped out due to limited potential visibility; it can be assumed that settlements and locations further afield would have still further limited visibility. The Council considers that the chosen viewpoints should provide a proportionate representation of the impact on East Ayrshire.

It is noted that the Landscape and Visual Impact Assessment will include a cumulative LVIA which will assess the cumulative impacts of other wind farms within 20km from the proposed development. This would include operational, consented and in-planning applications, including the South Kyle Wind Farm, North Kyle Wind Farm Extension and clusters to the south-west and east. The LVIA will depict each development by wireframe.

An onshore wind visual register is available on our website and will be a useful tool in determining that all relevant wind applications in the planning system have been taken into account. It can be accessed

https://www.east-ayrshire.gov.uk/Resources/PDF/O/OnshoreWindVisualRegister.pdf

The Council is broadly content with the proposed approach to landscape and visual impact assessment.

#### **Turbine Lighting Assessment**

It is noted that turbine lighting will be required due to the height of the proposed turbines and, as such. the Environmental Impact Assessment Report will assess the visual implications of required turbine lighting. It is also noted that the zone of theoretical visibility (ZTV) in the 'Scoping Report', has been generated up to 45km from the proposed development.

It is proposed that lighting be affixed to the proposed turbines in line with Article 222 of the UK Air Navigation Order (ANO) 2016. One viewpoint within East Ayrshire has been provided as a means of assessing the visual impact of aviation lighting, at the Craigengillan Dark Sky Observatory. It is intended that the landscape and visual impact of the turbine lighting will be presented in a technical appendix to the LVIA. A judgement on the impact of the lighting scheme will be based on professional

The Council is broadly content with this proposed approach, East Avrshire Council would suggest that consideration be given to the use of aviation activated lighting, as a means of minimising the impact of turbine lighting on the night sky. This should be addressed through the night time lighting assessment as potential mitigation effects.

#### **Ecology**

A desk based review of relevant ecological information for the site of the proposed development and surrounding area has already been undertaken; a consultation exercise will also engage with NatureScot, Ayrshire Rivers Trust, Forestry and Land Scotland and other agencies and groups to establish impacts within and outwith the site.

It is indicated in the 'Scoping Report' that whilst the Merrick Kells SAC/SSSI, partially located within East Ayrshire, is not hydrologically connected to the site of the proposed development so as to affect its habitat interests, it is considered that otters associated with the SAC could potentially travel to and from the site. Mitigation of any significant effects upon ecological receptors is intended to be undertaken through the design process. It is intended that those effects that cannot be mitigated will reduced and prevented: information on how this might take place will be detailed in the Environmental Impact Assessment Report.

Various ecological issues have been scoped out. Of these, one is relevant to East Avrshire Council area; habitat invertebrates in the Merrick Kells SAC, for which the impact of the proposed development is considered to be sufficiently distant.

The Council is broadly content with the approach proposed to be taken to ecology.

The Merrick Kells SSSI, partially located in East Ayrshire and situated 5.6km south east of the site and the Bogton Loch SSSI, located 7.6km north of the site in East Avrshire, are noted for breeding bird assemblage. It is noted that consultation between SNH (NatureScot) and the applicant has taken place. SNH has made a number of comments regarding ornithology and the applicant has outlined a number of responses and actions they intend to take accordingly, in terms of survey work, in addition A15

to that already undertaken or are ongoing.

It is noted that the applicant intends to avoid and minimise effects on ornithological receptors through the design process and to follow good practice during construction and operation of the proposed development; a Bird Protection Plan will be produced. The applicant suggests that impacts on ornithological features of the Merrick Kells SSSI and Bogton Loch SSSI be scoped out due to no potential for connectivity between the ornithological features of each of the SSSIs and the proposed development.

The Council is broadly content with the approach proposed to be taken to ornithology, subject to the assessment of NatureScot.

#### Traffic and Transport

The 'Scoping Report' indicates that access will be gained from the M74, A75 and A714, each of which is located outwith East Ayrshire. The Council advise that Ayrshire Roads Alliance, which is jointly administered by East Ayrshire Council and South Ayrshire Council, be consulted on the transportation impacts of the proposed development.

Should you require any further information on the points raised above or wish to discuss any matter, then please contact Peter Atkinson on the number above or on <a href="mailto:peter.atkinson@east-ayrshire.gov.uk">peter.atkinson@east-ayrshire.gov.uk</a>

Yours sincerely

Principal Planning Officer

**Development Planning and Regeneration Manager** 

PUBLIC A16

Dumfries and Galloway Council - Consultation Response

Your Ref: Dumfries & Galloway Council Economy and Resources

Our Ref: 20/1316/ENQ Development Management

Kirkbank English Street

Date: 27 August 2020 Dumfries

DG1 2HS

Any enquiries please contact

The Scottish Government

5 Atlantic Quay

Direct Line:

Mobile:

REDACTED

REDACTED

Glasgow Email:

G2 8LU Website: www.dumgal.gov.uk/planning

PROPOSAL: CONSULTATION FROM SCOTTISH MINISTERS IN RESPECT

OF SCOPING OPINION REQUEST FOR PROPOSED SECTION 36 APPLICATION FOR PROPOSED WIND FARM CONSISTING OF UP TO 17 WIND TURBINES (EACH UP TO 200M BASE TO TIP), A BATTERY ENERGY STORAGE SYSTEM, ASSOCIATED

INFRASTRUCTURE AND ANCILLARY DEVELOPMENT

LOCATION: Proposed Carrick Wind Farm Site, South Ayrshire

Dear Sir/Madam

I write regarding the above noted consultation in respect of a scoping opinion for the proposed Carrick wind farm.

As the proposed development is located outwith the administrative area of Dumfries and Galloway Council no formal response will be issued in this instance.

Should you require any further information please contact Chris McTeir on the above number.

Yours faithfully,

Team Leader (Major Applications)









Associate Ecologist WSP 7 Lochside View, Edinburgh Park, Edinburgh EH12 9DH

14th July 2020

Dear

#### **Re: Carrick Wind Farm Scoping Report**

On behalf of the Ayrshire Rivers Trust (ART) and the River Stinchar District Salmon Fishery Board (DSFB) and River Girvan DSFB we would like to make the following comments on the above Scoping Report. Our comments relate only to the water environment and riparian habitat and take no account of other potential impacts. The proposed wind farm development has the potential to impact on the water environment due to its close proximity to important tributaries of the River Stinchar and Water of Girvan. We therefore ask you consider the following comments.

## Question 9: Do you agree with the Ecology proposed approach for baseline collection, prediction of effects and significance assessment?

Fish surveys should be established before construction commences; this data would provide baseline information. The fish surveys should continue during construction and once the development is complete. This would allow for a full dataset to be collated and any impact of the wind farm would be closely monitored. Aquatic macroinvertebrate monitoring should also be undertaken before, during and after construction to supplement water quality monitoring.

The Water of Girvan does inhabit a population of Freshwater Pearl Mussels and this should be considered during planning and construction. Monitoring of the population may be required.

#### **Additional Comments.**

Construction and operation of the Carrick Wind Farm proposal has the potential to effect fish populations and fisheries within the River Stinchar and Water of Girvan catchments. We therefore request the updated Environmental Impact Assessment should assess (if they have not done so already) the following potential effects from the site preparation and construction and operational activities:

- 1. Forest Felling and subsequent effects of this activity e.g. acidification of watercourses, rates of Surface Drainage Run-off, sediment-laden surface drainage water, input of hydrocarbons
- 2. Construction activities impediment to fish movement. Construction activities should not impede movement of all migratory and resident fish populations. New water crossings (temporary or permanent) should only be installed using SEPA design and best practice

T| REDACTE | W| www.ayrshireriverstrust.org | A| Ayrshire Rivers Trust, 1 Gibbs Yard, Auchincruive Estate, Ayr, KA6 5HW | E| info@ayrshireriverstrust.org | A Scottish Registered Charity: 030426

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guidelines. The River Stinchar DSFB, River Girvan DSFB and Ayrshire Rivers Trust should be consulted beforehand to assist with the design and necessary mitigation measures. There is an opportunity for the development to have a positive impact on the water environment by upgrading old crossings within the development that may prevent or hinder fish migration.

3. Construction/operation activities - increased silt loading to watercourses. Potential impacts from soil stripping, track construction and vehicle/plant movements, dewatering on receptor watercourses and abstraction of water from watercourses.

A comprehensive mitigation and monitoring plan using the most up to date best practice guidelines should be included that will address the above potential negative impacts on watercourses.

We hope these comments are helpful. Should you require further information or clarification of any points, please don't hesitate to contact the undersigned.

Yours sincerely

**REDACTED** 

Biologist and Project Manager

A20 A19 **BT - Consultation Response** 

From: Sent:

26 May 2020 14:06

To:

Cc: radionetworkprotection@bt.com

Subject: RE: Request for Scoping Opinion for Carrick Wind Farm - WID11217



## **OUR REF; WID11217**

Dear Sir/Madam

Thank you for your email dated 13/05/2020.

We have studied this Windfarm proposal with respect to EMC and related problems to BT point-topoint microwave radio links.

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

PLEASE REPLY TO ALL WITH ANY QUERIES.

#### Regards

**Engineering Services Radio Planning** Tel: REDACTED / REDACTED



This email contains information from BT that might be privileged or confidential. And it's only meant for the person above. If that's not you, we're sorry - we must have sent it to you by mistake. Please email us to let us know, and don't copy or forward it to anyone else. Thanks We monitor our email systems and may record all our emails.

British Telecommunications plc R/O: 81 Newgate Street, London EC1A 7AJ



Assistant Safeguarding Manager Ministry of Defence Safeguarding Department Kingston Road Sutton Coldfield West Midlands B75 7RL **United Kingdom** 

Telephone [MOD]: REDACTED

E-mail:

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

24 June 2020

Dear

#### Please quote in any correspondence: DIO10048034

Site Name: Carrick Wind Farm

Proposal: Request for Scoping Opinion for proposed Section 36 application for Carrick Wind Farm

Planning Application Number: ECU00002063

Site Address: Carrick Forest, South Ayrshire

Thank you for consulting the Ministry of Defence (MOD) on the above Scoping Opinion.

The application is for 17 turbines at 200.00 metres to blade tip. The Scoping Report mentions that in addition to the turbines, the development is expected to include ancillary infrastructure such as anemometry and meteorological masts. We have been advised that two permanent anemometry masts will be erected at the site both of which will be 125 metres high. The turbines and anemometry masts have been assessed using the grid references below as submitted in the planning application or in the developers' or your pro-forma.

Turbine	Easting	Northing
1	233,605	599,586
2	233,576	598,818
3	234,318	599,032
4	234,128	599,228
5	235,111	598,228
6	234,901	598,457
7	235,921	598,406
8	235,636	598,659

9	236,393	598,757
10	237,152	598,584
11	237,495	597,897
12	237,257	597,152
13	237,915	598,758
14	238,244	598,051
15	238,010	597,319
16	238,745	598,660
17	239,032	597,943
Anemometry mast 1	233,269	599,532
Anemometry mast 2	236,935	597,193

The development site occupies Tactical Training Area 20 (T) within which military low flying activities take place. The MOD has no concerns with this proposal however, in the interests of air safety, the MOD will request that the 17 turbines should be fitted with MOD accredited aviation safety lighting in accordance with the Civil Aviation Authority, Air Navigation Order 2016.

Due to the development sites position within the military low flying area, the two permanent anemometry masts should be fitted with infrared lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point.

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

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

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

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

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

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

I 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

A21

Assistant Safeguarding Manager

A22

Galloway Fisheries Trust - Consultation Response

A23

From:

**Sent:** 21 May 2020 21:55

To: Econsents Admin < Econsents\_Admin@gov.scot>

**Subject:** Proposed Carrick Wind Farm

Dear Sirs.

#### **Re: Carrick Wind Farm Scoping Report**

We are sending a short response to the Scoping Report for Carrick Wind Farm.

This proposed development lies to the north of the River Cree catchment and the red line boundary only touches the extremities of the Water of Minnoch (the main tributary of the River Cree). The red line boundary also lies immediately adjacent to the Pilnyark Burn, a tributary of the Water of Minnoch. From appraisal of the accompanying figures we see that the current layout sites all infrastructure in an area marked as the "developable area" in the north sector of the footprint of the development, well away from the Cree catchment.

If at any point the developable area is altered to encompass areas near the Cree catchment, or any infrastructure relating to the wind farm moves to the south, closer to the Cree catchment, we would appreciate it if ourselves, along with the River Cree District Salmon Fishery Board, could be contacted.

Best regards,

Fisheries Biologist

REDACTED

Galloway Fisheries Trust, Fisheries House, Station Industrial Estate, Newton Stewart, Wigtownshire, DG8 6ND Tel: REDACTED Fax: REDACTED

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W: www.gallowayfisheriestrust.org











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#### Glasgow Airport - Consultation Response

**From:** #GLA Safeguarding <GLASafeguard@glasgowairport.com>

**Sent:** 19 May 2020 12:10

To:

**Subject:** RE: Request for Scoping Opinion for Carrick Wind Farm

Dear

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

Kind regards



#### Glasgow Prestwick Airport - Consultation Response

Harestanes South	Glasgow Prestwick Airport (GPA) Ltd – response to Scoping Request – for Carrick Windfarm		
Windfarm	ECU00002063 25 <sup>th</sup> June 2020		
Extension Summary of Questions			
Question Number	Question		
	Question 1: Do you agree with the Landscape and Visual proposed approach for baseline collection, prediction of effects and significance assessment? GPA consider the proposed study areas as appropriate. However the proposed windfarm lies within the range of its primary radars – and if any of the turbines are visible to the radar – and consequently generate unacceptable radar display clutter - then GPA would require to object on aviation safety grounds.		
	Question 2: Are there any comments on the overall methodology proposed to assess effects on landscape and visual receptors, including cumulative effects? GPA considers the proposed methodology as appropriate		
	Question 3: Are the proposed viewpoint locations acceptable, including for night-time assessment? GPA considers the proposed viewpoints acceptable. At 200m tip height we assume some form of aviation obstacle lighting will be required in line with CAA regulatory requirements for obstacle over 149.9 (AGL)?		
	Question 4: Are there any other scoping or in planning windfarm sites, in addition to those illustrated, to consider as part of the cumulative assessment? GPA response:: the close proximity to operational Desrsalloch, Hadyard Hill windfarms and proposed nearby Clauchrie windfarm is something that GPA need to consider in relation to mitigation capacity in relation to cumulative impact of numerous windfarms.		
	Question 5: Has the consultee identified any further landscape or visual receptors to be considered within the assessment (e.g. where potential significant effects may occur) GPA considers landscape or visual receptors to be considered within the assessment appropriate		
	Question 6: Do you agree with the landscape and visual receptors proposed to be scoped-out? GPA are satisfied with the landscape and visual receptors proposed to be scoped out		
	Question 7: Are there any other relevant consultees who should be consulted with respect to the LVIA? ? GPA make no comment on this question		
	Question 8: Any comments on Wild Land Assessment, noting further consultation is required on its inclusion? ? GPA make no comment on this question		

A25

A26

Question 9: Do you agree with the Ecology proposed approach for baseline collection, prediction of
effects and significance assessment? ? GPA make no comment on this question
 Ougstion 10: Do you garge with the Ornitheless prepaged approach for heading collection, prediction of
Question 10: Do you agree with the Ornithology proposed approach for baseline collection, prediction of
effects and significance assessment? ? GPA make no comment on this question
Question 11: Do you agree with the Cultural Heritage proposed approach for baseline collection,
prediction of effects and significance assessment? ? GPA make no comment on this question
Question 12: Do you agree with the Hydrology, Hydrology, Geology and Peat proposed approach for
baseline collection, prediction of effects and significance assessment? ? GPA make no comment on this question
Question 13: Do you agree with the Noise proposed approach for baseline collection, measurement
locations, prediction of effects and significance assessment? GPA consider the approach to noise assessment appropriate
Question 14: Do you agree with the Traffic and Transport proposed approach for baseline collection,
 prediction of effects and significance assessment? GPA agree with the traffic and transport baseline collection approach propose
Question 15: Do you agree with the Socio-Economics, Recreation, and Tourism proposed approach for
baseline collection, prediction of effects and significance assessment? GPA agree with the Socio-Economics, Recreation, Tourisr
baseline collection approach
Question 16: Are there any other receptors that should be included within the assessment? GPA does not believe so
Question 10. Are there any other receptors that should be impadded within the assessment: Of A does not believe so
Question 17:
Do you agree with the proposed approach for baseline collection, prediction and significance assessment
for the following topics which have been scoped-in to the assessment?
□ Forestry and Land Use:
☐ Aviation and Radar.
n Telecommunications:
Air, Climate and Carbon Balance;
☐ Shadow Flicker;
☐ Population and Human Health;
☐ Major Accidents and Disasters; and
☐ Material Assets.
GPA agree with the baseline collection approach detailed above

#### A27

Question 18: Do you agree with the list of issues to be scoped-out, and the rationale behind the decision? GPA's focus is principally Aviation Safety and Radar – and are assured that this is scoped IN from review of the scoping document. GPA makes no comment on other areas that are scoped out.
Question 19: Are there any key issues or possible effects which have been omitted? GPA consider aviation lighting to be an important area that should be considered.
Question 20: Of those issues identified for assessment, which do you consider the most important/material and which the least? GPA can only really comment on Aviation Safety and Radar – and are satisfied that this will be fully considered as part of the EIA.

A28

From:

25 June 2020 11:43 Sent:

To:

Cc: Safeguarding

Subject: Additional Comment - RE: Request for Scoping Opinion for Carrick Wind Farm -

Additional Comment

Importance: High



Can I please add an additional comment on behalf of Glasgow Prestwick Airport.

In regards the area on Aviation Safety – we would like the EIA to consider any impact the proposed Carrick Windfarm would have on the airport's published Instrument Flight Procedures (IFP's) – both our conventional and RNAV procedures as published in the UK AIP for EGPK.

#### **Kind Regards**



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

Manager Air Traffic Services Glasgow Prestwick Airport Ltd.

#### T: REDACTED

www.glasgowprestwick.com











Please consider the environment before printing this email message.

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From:

**Sent:** 25 June 2020 11:28

**Cc:** Safeguarding <Safeguarding@corp.gpia.co.uk>

Subject: RE: Request for Scoping Opinion for Carrick Wind Farm

Importance: High

1

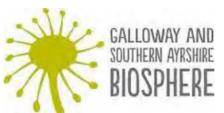
Thank you for the additional period to consider our response to this scoping consultation.

Please find attached Glasgow Prestwick Airport (GPA) Ltd response to the scoping consultation (ECU EC00002063) for proposed Carrick Windfarm.

Our principal response to this consultation is primarily aviation safety and impact on primary radar provision – and we have responded according with that focus – and are satisfied that aviation safety and radar will be examined fully under the full EIA as part of any subsequent full planning application.

**Kind Regards** 

A29



**Galloway and Southern Ayrshire Biosphere Partnership** 

Biosphere Office, Kirroughtree Courtyard, Stronord,
Newton Stewart, DG8 7BE
info@gsabiosphere.org.uk
www.gsabiosphere.org.uk

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

10<sup>th</sup> July 2020



Thank-you for consulting with the Galloway and Southern Ayrshire Biosphere regarding;

#### **Carrick Wind Farm: Environmental Impact Assessment Scoping Report**

ECU reference 00002063

#### **Proposal**

Scottish Power Renewables has submitted a scoping report for a proposed wind farm in South Ayrshire to the south of Straiton and with the buffer of the Galloway and Southern Ayrshire UNESCO Biosphere. The scoping layout is for 17 turbines of 200m blade-tip height with co-located options for energy storage.

#### **Galloway and Southern Ayrshire UNESCO Biosphere Context**

The Galloway and Southern Ayrshire UNESCO Biosphere Board represent a broad partnership of public, private and community interests focused on supporting sustainable development that benefits local communities and the natural environment. These members guide delivery of the UNESCO Biosphere Strategic Plan.

The Biosphere Partnership Board recognises and supports the Scottish Governments ambitious targets on energy production through renewable technologies and acknowledges that an integrated energy production framework is essential in achieving Scotland's ambitions.

Windfarms both onshore and offshore play a key role within the energy generation mix and the South of Scotland has seen in recent times a proliferation of windfarm developments to support the national objective.

The Galloway and Southern Ayrshire UNESCO Biosphere supports a balanced approach to development locally ensuring that developments are sustainable and suitable for the local



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Galloway and Southern Ayrshire Biosphere Partnership "Demonstrating a passion for living in a way that benefits people and nature"



#### **Galloway and Southern Ayrshire Biosphere Partnership**

Biosphere Office, Kirroughtree Courtyard, Stronord, Newton Stewart, DG8 7BE info@gsabiosphere.org.uk www.gsabiosphere.org.uk

environment and communities. It also recognises that the UNESCO Biosphere area has assets within it which require significant protection from the impacts of wind farm development these include, wild land, carbon rich soils, Natura 2000 sites/SSSI's, designed landscapes/historic battlefields.

Whilst UNESCO Biospheres are non-statutory designated areas they are nominated by national government and remain under their jurisdiction, but are awarded the Biosphere Designation by UNESCO. Whilst they have no regulatory control they are governed by a form of "soft law" in that all member states of UNESCO have committed to applying and respecting the Statutory Framework for Biosphere Reserves.

The Statutory Framework for the World Network of Biosphere Reserves 1995 states that for an area to qualify for the UNESCO Biosphere designation;

It should encompass a mosaic of ecological systems representative of major biogeographic regions, including a gradation of human interventions.

It should be of significance for biological diversity conservation.

It should provide an opportunity to explore and demonstrate approaches to sustainable development on a regional scale.

It should have an appropriate size to serve the three functions of biosphere reserves,

It should include these functions, through appropriate zonation, recognizing:

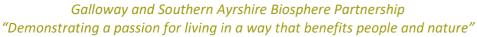
- (a) a legally constituted core area or areas devoted to long-term protection, according to the conservation objectives of the biosphere reserve, and of sufficient size to meet these objectives.
- (b) a buffer zone or zones clearly identified and surrounding or contiguous to the core area or areas, where only activities compatible with the conservation objectives can take place.
- (c) an outer transition area where sustainable resource management practices are promoted and developed.

It is the view of Galloway and Southern Ayrshire UNESCO Biosphere Partnership that any large scale wind farm developments within the Core and Buffer zone of the Biosphere would not be suitable or supported due to their adverse impact on the region's natural environment, sense of place and rural economy.

However, it is the view of the Partnership that wind farm developments within the Biosphere could be acceptable in the transition zone, where substantial community engagement has demonstrated that the majority of communities are supportive of the proposed development and it can be shown



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Newton Stewart, DG8 7BE
info@gsabiosphere.org.uk
www.gsabiosphere.org.uk

that the environmental impact of the development is minimal and effective mitigation can be achieved.

#### **Natural Heritage**

GSAB has a range of priority species and habitats that are documented with our Natural Heritage Management Plan available online <a href="https://www.gsabiosphere.org.uk/wp-content/uploads/2018/11/Galloway-and-Southern-Ayrshire-UNESCO-Biosphere-Natural-Heritage-Management-Plan-Sept-2018.pdf">https://www.gsabiosphere.org.uk/wp-content/uploads/2018/11/Galloway-and-Southern-Ayrshire-UNESCO-Biosphere-Natural-Heritage-Management-Plan-Sept-2018.pdf</a>

The Natural Heritage Management Plan specifically highlights Black Grouse, Water Vole, Red Squirrel, Golden Eagle and Brown Trout as priority species all of which should be considered as part of an EIA. Also of key relevance it highlights blanket and raised bog as priority habitats not least for their role in mitigating against climate change and fresh water habitats associated with key priority species.

#### **Tourism**

We'd encourage that in considering the tourism impact of the proposal the EIA take due notice of the growing interest in promoting the UNESCO Biosphere as a tourism destination, as highlighted in SAC Local Development Plan, and both the 2017/18 and the 2019/20 Programs for Government which highlight the UNESCO Biosphere as a visitor destination and the development of a UNESCO digital trail to promote and link together all of Scotland's UNESCO sites. That consideration is given to the proposals proximity to the Galloway Hills and Wild Land area at the core of the Biosphere, their use by hill walkers and landscape impacts. There are also several driving/recreational routes and a network of walking and cycling routes popular with visitors and tourists to the area. These include the Carrick Forest Drive and National Cycle Route 7, a long- distance route which forms part of the Ayrshire Alps Cycle park and our own Loch Doon and Carrick Forest Drive promoted Biosphere route that concludes with a walk up Cornish Hill.

#### **Dark Skies**

The Biosphere and Dark Sky Park designations work hand in hand promoting SW Scotland as a tourism destination and supporting local businesses and communities in making the most of the natural assets we have in the region. The Dark Sky Park designation has been particularly beneficial in extending the tourism season into the shoulder months. With the Civil Aviation Authority requiring obstacles over 150m in height having lighting we are concerned about how this will impact on the night skies both for astronomy and wilderness experiences in the Wild Land area at the core of the UNESCO Biosphere and would like more understanding as to how this will be dealt with.

