

Technical Appendix 2.1 Scoping Opinion

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Energy Consents Unit Scoping Opinion received August 2020





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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

Harestanes South wind Farm extension WSP LTD On behalf of Scottish Power Renewables UK Limited

August 2020

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1. Introduction

1.1 This updated scoping opinion is issued by the Scottish Government Energy consents Unit on behalf of Scottish Ministers, to WSP 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 N1028425 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 10 August 2020 for a revised scoping opinion based on the receipt of comments that were submitted to the Scottish Ministers after the original scoping opinion was published in June 2020.

This scoping Opinion supercedes the advice provided in the earlier scoping opinion dated June 2020. The original request for a scoping opinion was submitted under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the proposed Harestanes South Wind Farm Extension ("the Proposed Development") and was accompanied by a scoping report.

1.2 The proposed development would be located approximately 13 kilometres north of Dumfries, in Dumfries and Galloway, immediately north of Ae and adjacent to the operational Harestanes Wind Farm and solely within the planning authority of Dumfries and Galloway council.

1.3 The Proposed Development comprises of an extension of up to 15 turbines with a maximum height to blade tip of 200 metres (m).

- 1.4 In addition to wind turbines, there will be ancillary infrastructure including:
 - crane hardstandings adjacent to each turbine;
 - power cables linking the turbines laid in trenches underground, including cable markers;
 - control building including parking and a small storage compound;
 - permanent and temporary power performance assessment (PPA) anemometry masts;
 - new and upgrade of existing access tracks, passing places and turning circles,
 - communication mast(s);
 - Health and Safety and other directional signage;
 - close circuit television (CCTV) mast(s);
 - borrow pits; and
 - temporary construction compound.

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 a time limit to any consent granted.

2. Consultation

2.1 Following the scoping opinion request, a list of consultees was agreed between WSP LTD, and the Energy Consents Unit. A consultation on the scoping report was undertaken by the Scottish Ministers and this commenced on 20 April 2020 and that consultation closed on 27 May 2020. However, due to the circumstances surrounding the Covid-19 pandemic, several consultation responses were not received and the Energy Consents Unit on behalf of Scottish Ministers issued a further request for comments on 6 July 2020. The second consultation closed on 22 July 2020. A full list of consultee responses received following the two rounds of consultation are 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, including the standing advice from MSS, 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:

- Civil Aviation Authority Airspace;
- Glasgow Airport;
- John Muir Trust;
- MET Office;
- Mountaineering Scotland;
- Scottish Forestry;
- Scottish Wild Land Group (SWLG);
- Scottish Wildlife Trust;
- South Lanarkshire Council'
- Visit Scotland;
- West of Scotland Archaeology Service;
- Galloway and Southern Ayrshire Biosphere;
- Community Councils excepting Kirkmichael Community Council.

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

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

here; hichael Community Council.

3. The Scoping Opinion

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

3.2 Scottish Ministers adopt this scoping opinion having taken into account the information provided by the applicant in its request dated 3 April 2020 and 10 August 2020 in respect of the specific characteristics of the proposed development and responses received to the consultation undertaken. In providing this scoping opinion, the Scottish Ministers have had regard to current knowledge and methods of assessment; have taken into account the specific characteristics of the proposed development, the specific characteristics of that type of development and the environmental features likely to be affected.

3.3 A copy of this scoping opinion has been sent to Dumfries and Galloway Council for publication on their website. It has also been published on the Scottish Government energy consents website at <u>www.energyconsents.scot</u>.

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

3.5 Scottish Ministers are satisfied with the scope of the EIA set out at Section 3 of the scoping report.

3.6 In addition to the consultation responses, Ministers wish to provide comments concerning 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) for which consent is being sought. For each generating station, details of the proposal require to include, but are not limited to:

- The scale of the development (dimensions of the wind turbines, solar panels, and battery storage)
- Components required for each generating station
- Minimum and maximum export capacity of megawatts and megawatt hours of electricity for battery storage.

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

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

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

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

MSS also provide standing advice for onshore wind farms (which has been appended at Annex A) which outlines what information, relating to freshwater and diadromous fish and fisheries, is expected in the EIA report. Use of the checklist, provided in Annex 1 of the standing advice, should ensure that the EIA report contains the required information; the absence of such information may necessitate requesting additional information that may delay the process.

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

3.12 It is recommended by the Scottish Ministers that the final list of viewpoints and visualisations be agreed following discussion between the Company, Dumfries and Galloway Council, Historic Environment Scotland and Scottish Natural Heritage.

3.13 Aviation Lighting may be required due to the proposed scale and location of turbines. Further advice on aviation lighting is available from Scottish Natural Heritage.

3.14 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 601 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, radio links, and finalisation of viewpoints, cultural heritage, cumulative assessments and request that they are kept informed of relevant discussions.

4. Mitigation Measures

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

5. Conclusion

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

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

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

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

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

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

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

5.8 It should be noted that to facilitate uploading to the Energy Consents portal, the EIA report and its associated documentation should be divided into appropriately named separate files of sizes no more than 10 megabytes (MB). In addition, a separate disc containing the EIA report and its associated documentation in electronic format will be required.

Energy Consents Unit 11 August 2020 ANNEX A

Consultation - List of Consultees

Dumfries & Galloway Council

Annan DSFB, for Fisheries Management Scotland, Galloway Fisheries Trust and Nith DSFB; British Horse Society; BT: Civil Aviation Authority – Airspace;* Crown Estate Scotland; Defence Infrastructure Organisation; Glasgow Airport;* Glasgow Prestwick Airport; Historic Environment Scotland (HES); John Muir Trust:* Joint Radio Company (JRC); Marine Scotland; MET Office:* Mountaineering Scotland;* NATS Safeguarding; Royal Society for Protection of Birds (RSPB); Scottish Forestry;* Scottish Natural Heritage; Scottish Rights of Way and Access Society (ScotWays); Scottish Water: Scottish Wild Land Group (SWLG);* Scottish Wildlife Trust* South Lanarkshire Council:* The Coal Authority: Transport Scotland: Visit Scotland;* and West of Scotland Archaeology Service.*

Kirkmichael Community Council

Ae Community Council:* Auldgirth and District Community Council;* Closeburn Community Council;* Galloway and Southern Avrshire Biosphere* Johnstone Community Council:* Kirkmahoe Community Council;* Tinwald Parish Community Council.*

* No response or comments were received.

Proposal: CONSULTATION FROM SCOTTISH MINISTERS IN RESPECT OF SCOPING OPINION REQUEST FOR PROPOSED SECTION **36 APPLICATION FOR UP TO 15 WIND TURBINES (UP TO** 200M BASE TO TIP EACH)

Location: Harestanes South Wind Farm, Ae Forest, Dumfries

Application Type: Scoping Opinion

Ref. No.: 20/0582/ENQ

This scoping request from the Scottish Government Energy Consent Unit 1. relates to a proposal to construct and operate a wind farm on land adjacent to the operational Harestanes wind farm north of the village of Ae. located approximately 13 kilometres north of Dumfries. The applicant, Scottish Power Renewables, seeks consent for the erection of up to 15 wind turbines up to 200 metres to tip height. In addition to this, the applicant seeks consent for crane hardstandings, underground power cabling, erection of a control building and storage compound, permanent and temporary anemometry masts, new and upgraded access tracks, communications mast, formation of borrow pits, formation of a temporary construction compound and other ancillary infrastructure. The application site lies within the Dumfries and Galloway Council area, and as the expected output of the wind farm will be in excess of 50 MW, the proposed works will be sought under Section 36 of the Electricity Act 1989, with the application being made to the Scottish Government Energy Consents Unit.

2. The Planning Service consulted the following Departments of Dumfries and Galloway Council: Council Archaeologist, Access Officer, Environmental Health Officer, Council Roads Officer, Landscape Architect and Flood Risk Management Team.

To date responses have been received from the following:

3 **Council Access Officer**

Thank you for consulting us with regard to this enguiry. I can confirm that the 3.1 proposed area of the windfarm is affected by a Core Path recorded in the Dumfries and Galloway Core Paths Plan. Core Path no39 runs through the proposed site as shown on the attached plan. This route is also recorded as the Romans and Reivers Trail, which is promoted as one of Scotland's Great Trails.

3.2 The preliminary turbine layout would seem to have little impact on the route, however the developer should ensure access remains possible along the Core Path at all times during the construction phase of the development.

The above noted plan is included as Annex I to this scoping response

4 **Council Environmental Health Officer**

4.1 We have no objections in principal. However, until a site specific noise impact assessment has been carried out following the principles detailed in the Assessment

& Rating of Noise from Wind Farms ETSU Report ETSU-R-97, 1996 we would be unable to comment fully as to the expected impacts.

4.2 We additionally suggest that a method statement for the construction project should be provided within the EIA for approval by Dumfries & Galloway Council. This should include an assessment of potentially noisy operations and outline the noise mitigation measures proposed. This will also include a programme and phases for each stage of work.

Council Roads Team Leader 5

This request for scoping opinion is for the proposed erection of up to 15 no. 5.1 wind turbines up to 200m high at the tip and associated works at Harestanes South Wind Farm, Ae Forest, Dumfries. This proposal would form a southerly extension to the existing Harestanes Wind Farm.

5.2 From the supplied plans and supporting information it appears that access and egress to this site is to be via the existing upgraded forest access at Burrance Bridge on the A701 Trunk Road, the agreed access for the existing Harestanes Wind Farm site. There should be no access to the wind farm construction site by any other routes. Since access is to be via the Trunk Road network it would be appropriate that Transport Scotland be consulted regarding access considerations.

5.3 A secondary AIL access route utilising the port of Cairnryan has also been identified in the report. The access routes identified include the A77(T), A751(T), A75(T) and A714. It would appear this may have been erroneously copied from another document for a different windfarm. The Scoping Report should be updated to only reflect applicable access routes.

5.4 I am aware of historic unauthorised use of minor roads in the Beattock area during the original wind farm construction period. In order to regulate traffic movements during the whole construction period a traffic management plan (TMP) should be submitted and agreed in writing with the Council, Transport Scotland and the Police, prior to any works commencing.

5.5 There are a number of 'Core' paths including a National Cycle Route that run through or adjacent to this site. This area is widely used by walkers and by mountain bikers as one of the popular '7 Stanes' centres and there is a Café, Bike Shop and car parks at the Ae Forestry and Land Scotland offices. It would be appropriate that accommodations and mitigations be made to ensure the safety of walkers and cyclists during construction works, and such accommodations and mitigations should meet with the approval of the Councils' Access Team and the Sustainable Travel Team.

5.6 Creation of windfarm access tracks and turbine placements will likely generate accelerated timber extraction. The road network in Dumfries and Galloway has been assessed relative to use by forestry extraction vehicles by Dumfries and Galloway Council in partnership with the Forestry Industry and this is reflected in the Agreed Routes Map. All extracted timber must only travel via suitable routes identified on the Agreed Routes Map and after consultation with the Council.

5.7 It would be appropriate that there should be consultation with nearby forest managers and timber hauliers through the office of the South of Scotland Timber Transport Officer to co-ordinate timber haulage operations that may use the access route(s) during the construction period to minimise the cumulative impact on communities and road users

5.8 In the event that suitable and sufficient aggregate is not be available from onsite Borrow Pits, any future submission/ES/TMP should also identify worst case scenario that 100% of the aggregate required for construction shall be imported to site and identify the potential number of movements in that event so that the potential impact of importing aggregate from elsewhere via the public road network be assessed

5.9 The TMP should include a programme of delivery types/numbers by month. details of all proposed mitigation measures to minimise the impact on local communities and businesses, agreed and excluded access routes and details of measures that will be implemented to ensure that: -

- · no stacking of delivery vehicles occurs on any part of the public road network:
- the safety of the public using 'core' and cycle paths is maintained; and access and excluded routes should be identified and agreed for all types of vehicles and a system of visible vehicle tagging/badging employed to ensure compliance with agreed routes and driver behaviour standards which should be supported by a Driver Code of Conduct and is to be agreed in writing with

5.10 There is the possibility of other unrelated windfarm projects being constructed in the vicinity concurrently with this project. Therefore, it would be appropriate that the TMP acknowledge that co-ordination phasing may be required to mitigate against the cumulative traffic impact. Prior to the submission of the TMP, all potential access routes should be assessed and where possible, collaborative work should be taken with other wind farms utilising similar routes

6 **Outstanding Responses**

6.1 There is still an outstanding response from the Council's Landscape Architect, Archaeologist and Flood Risk Management Team which will be forwarded on to the applicant once it has been received by the Planning Service.

7 Landscape and Visual Impacts

7.1 As noted above, the internal consultation response from the Council's landscape architect is still outstanding. Due to ongoing pressures on landscape resources and workload, landscape advice is prioritised in the order in which work is submitted to the Council, however the full consultation response will be provided in due course.

7.2 Landscape and visual impact forms one of the development management considerations within LDP2 Policy IN2. In particular: -• the extent to which the proposal addresses the guidance contained within the Dumfries & Galloway Windfarm Landscape Capacity Study (DGWLCS);

the Police and the Roads Authority prior to any works commencing on site

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

7.3 IN2 also sets out that for all wind farm proposals, the extent of any detrimental landscape or visual impact from two or more wind energy developments (i.e. cumulative impact), and the potential for mitigation, also requires to be assessed. The Supplementary Guidance (SG) Wind Energy Development: Development Management Considerations corresponds with, and gives more detail on how cumulative impacts on landscape and visual amenity are assessed at Part B. In addition, the DGWLCS (as Appendix C to the SG) assesses the individual landscape area to accommodate wind energy development. It includes an appraisal of the cumulative landscape and visual effects of existing and consented wind energy developments and an assessment of where ultimate landscape capacity is close to be being reached.

7.4 In terms of the DGWLCS, the proposed turbines are located within the Ae unit of the Foothills with Forest Landscape Character Type (LCT18a); at a height to blade tip of 200metres, they fall into the "Very Large" typology of wind turbine.

7.5 The Ae unit (LCT18a), is described as "an expansive long undulating upland plateau lying to the south and east of the Lowther Hills. The hills are generally smooth with rounded summits with few pronounced peaks although some more well defined small hills occur on the southern and western edges of this landscape. Extensive commercial forestry covers much of this landscape with open ground limited to some fringing hill pastures and wetter moorland areas in the west. Extensive wind farm development is a key characteristic of this landscape and wind farm development in neighbouring South Lanarkshire additionally influences character in the north. This landscape is very sparsely settled although Ae Forest is popular for recreation with promoted paths and cycle routes particularly well-used in the southern part of this unit which includes a 7Stanes mountain biking centre. Extensive forest cover restricts views from within this landscape and, although these foothills border well-settled Nithsdale and Annandale, visibility of the interior plateau is limited."

7.6 The DGWLCS gives this LCT an overall **High** sensitivity to Very Large typology turbine types (>150m), for both landscape and visual sensitivity. Sensitivity in terms of landscape values are considered to be **Medium** for all typology turbines.

7.7 The operational Dalswinton wind farm is located on open moorland pasture on the southwestern edge of this landscape unit. This wind farm is prominent in views over a wide area from Dumfries, Nithsdale and the surrounding area, due to its location on the outer edge of the Ae Foothills. The operational Harestanes development, in contrast, is much more set back into a more expansive upland area and is also partially contained by some higher hills to the south, limiting visibility from surrounding well settled areas.

7.8 Minnygap wind farm lies to the east of Harestanes, on the more prominent edge of mid Annandale within the Beattock unit of LCT18. The operational Clyde wind farm and its extension abuts the northern boundary of this landscape unit. This extensive development is a dominant feature seen from major transport routes and settlement within the Evan valley.

7.9 Key cumulative effects that could occur if additional development were located in the Ae Foothills include:

- An extension of the dominant 'corridor' effect of large wind turbines - this could also extend south into Annandale if development were also located in the northern parts of this landscape and the Annandale Foothills (18).
- An increase in the extent and accentuation of the prominence of the turbines were located on the western and southern edges of this landscape.
- Views from hill summits such as the Moffat Hills, where further development within the northern part of the Ae Foothills would consolidate wind farm turbines extending along much of Annandale and the upper Clyde valley.
- The introduction of substantially larger turbines as part of new wind farm developments or extensions which could incur cumulative effects with operational wind turbines which are around 125m high. These effects would comprise obvious differences in turbines size and blade rotation.

7.10 The key **constraints** to wind farm development within this LCT generally are:

- Recreational use of the Forest of Ae by walkers and cyclists, including the SUW, the 7Stanes and associated routes.
- The incised Water of Ae valley with its more diverse policy woodlands and focus of visitor facilities in the southern part of this landscape unit.
- The pronounced conical summit of Queensberry Hill on the eastern edge of the Lowthers which forms a landmark, and the distinct rugged edge of the Lowther Hills extending north of this hill (including Harestanes Heights) which are visible across Annandale.
- The 'pinch point' of these foothills at the Evan valley where settlement and major transport routes lie in closer proximity to these foothills.
- The Devil's Beef Tub landmark feature which lies at the head of upper Annandale close to the northern boundary of this landscape unit.
- Operational and under-construction wind farm development within this landscape unit, in the Beattock Foothills (18) and in neighbouring South Lanarkshire.
- The perimeter hills on the southern and western boundaries of this unit which are prominent from Nithsdale, Annandale and from the Torthorwald Ridge and which also provide a degree of containment to the operational Harestanes wind farm in some views.
- Extensive archaeological remains in non-planted areas.

experienced from major transport routes and settlement within the Evan valley

Dalswinton wind farm seen from the well-settled Nithsdale area if further large development, appearing as a concentrated and, potentially conjoined, band of

7.11 The DGWLS lists the **opportunities** as:

- The large scale and gently undulating plateau-like landform of this landscape.
- The higher ground of the adjacent Lowther unit of the Southern Uplands (19) lying to the north and west which restricts views of this lower-lying plateau-like landscape unit from upper Nithsdale, where the Thornhill Uplands RSA and designed landscape of Drumlanrig greatly increase sensitivity.
- The predominantly simple land cover of commercially managed forestry and the sparsely settled nature of this unit.
- The screening effects of intermediate woodland and localised rolling landform within Annandale which limits the extent of visibility of this landscape from settlement and roads.

7.12 The DGWLCS guidance for development within this landscape states that: "There are no opportunities for the Very Large typology (80-150m) to be accommodated in this area as additional turbine developments. This is because operational wind farm development already occupies the least sensitive interior plateau and very large turbines sited to the west and north-east would be likely to incur significant effects on more sensitive nearby landscapes and cumulative effects with operational wind farms. Repowering projects involving replacement of operational turbines with larger models could potentially be accommodated provided turbines were set well back from the more sensitive settled Annandale and Nithsdale areas and avoided overwhelming the landmark hill of Queensberry and the Lowthers in key views. In this respect, the Harestanes wind farm site offers greater scope than the Dalswinton wind farm site for potentially accommodating larger turbines.

There may be some very limited scope to accommodate further turbines within the Large typology (turbines 80-150m). Some small extensions to operational wind farms may be possible although will be constrained by the need to avoid the more sensitive outer edges of this landscape unit and open moorland. Any additional development should also not encroach on the steep upper slopes of Queensberry Hill and the rugged upland edge that extends north of this hill (both lying within the adjacent Lowther unit of the Southern Uplands 19) as this would further diminish their focus in views from Annandale."

Other Matters 8

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

8.2 Following a conference call with the applicant, Council and Scottish Government's consents unit, it was noted that there were several errors and omissions in the cumulative wind farms map supplied with the scoping report and these were identified (but not limited to) as the following:

 Windy Standard III listed as approved development; however, this is still awaiting the outcome of a PLI;

- Windy Rig wind farm listed at application stage; this is consented development;
- Longburn wind farm; listed at application stage however this has been refused at appeal:
- Loch Urr is listed at application stage however, it is unclear which scheme this refers to as the Section 36 application from EDF was withdrawn some time ago. An application in the vicinity (Fell wind farm - 20/0148/FUL) occupies part of the Loch Urr application site. Clarification should be provided here;
- Euchanhead wind farm is listed at application stage; the Council have scoped a scheme at this location but no application or S36 consultation has been received. There is a S36 consultation for "Sanguhar II" at this location and clarification should be provided in this respect.
- The Trostan Loch S36 scheme is missing:
- subject of a Section 42 application to increase the tip height;
- Cornharrow wind farm (in the vicinity of the above) is at application stage with the Council and is missing from the cumulative map;
- Little Hartfell wind farm is consented development located within the cluster of wind farms to the north east of Langholm and is missing from the cumulative map:
- Loganhead wind farm is located in the vicinity of the above and is also consented development, currently subject of a Section 42 application to the Council to increase the tip height and is missing from the cumulative map.

8.3 Within the Scoping report the applicant invited consultees to comment on various guestions listed throughout; the Council does not consider that it is necessary or relevant to answer all the questions as some are intended for other statutory consultees, however the following should be noted:

Question 1: The Council agrees in principle, however further input from the Council's Landscape Architect is required.

Question 2: As noted above, input from the Council CLA would be required.

Question 3: The Council agrees in principle, however as the CLA will be making an assessment based on these, further input would be required. An additional viewpoint as a landmark hill/wild land from Burnswark Hill should be included: this is just outwith the 15km study area included with he Scoping report and is located to the east of the application site, to the south of the town of Lockerbie.

Question 4: Please see paragraph 8.2 above.

Question 6: Further input from the CLA is required.

Question 10: As the Council's archaeologist has yet to provide a response, the Council cannot agree to the approach outlined at present.

Question 15: The Council agrees with the baseline approach to these matters: an up to date picture of the noise budget issues surrounding the Eskdalemuir Seismic Array should be provided within the submitted EIAR.

• Glenshimmeroch wind farm (consented at appeal) is missing and is also the

Appendix I



Patron Her Majesty The Queen

Woodburn Farm Crieff Perthshire PH7 3RG

Fulfilling your passion for horses

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

By email to: EconsentsAdmin@gov.scot 1.5.20

Dear Sir/Madam

Harestanes South Windfarm Extension

We are responding to a proposal for SPR to to construct and operate an extension to the operational Harestanes Windfarm, located approximately 13 kilometres (km) north of Dumfries, in Dumfries and Galloway in the AE forest.

This area is very popular with horse riders who share the forest and land with cyclists and walkers. The scoping report makes reference to; "temporary direct adverse impacts on commercial businesses located within the Forest of Ae, including services provided by Adrenalin Uplift and Ae Café and Bike Shop, if recreational trails are temporarily closed during construction and maintenance." And

"There is the potential for temporary adverse effects on access to recreational facilities and activities during the construction and operation (during maintenance works) of the Proposed Development. This is because the areas surrounding construction and maintenance activities could be temporarily restricted, and access to recreational facilities and activities may be adversely affected by construction traffic and activities."

We would like to suggest, that should the extension be allowed that alternative multi-use (catering for walkers, cyclists, horse riders and all abilities) routes be provided at all stages. And that the disruption to recreation be kept to a minimum. The wind farm developers should work with local recreational groups to ensure that recreational amenity after construction is hugely facilitated for both local people and tourists.

The British Horse Society Abbey Park, Stareton, Kenilworth, Warwickshire CV8 2XZ

who are authorised and regulated by the Financial Conduct Authority.

Registered Charity Nos. 210504 and SC038516. A company limited by guarantee. Registered in England & Wales No. 444742

Website www.bhsscotland.org.uk TelREDACT MobREDACT



The British Horse Society is an Appointed Representative of South Essex Insurance Brokers Limited



https://www.pathsforall.org.uk/resource/outdoor-access-design-guide



BT - Consultation Response





OUR REF; WID11198

Dear Sir/Madam

Thank you for your email dated 20/04/2020.

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 using the Preliminary Turbine Locations attached.

Regards



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

The British Horse Society Abbey Park, Stareton, Kenilworth, Warwickshire CV8 2XZ

The British Horse Society is an Appointed Representative of South Essex Insurance Brokers Limited who are authorised and regulated by the Financial Conduct Authority.

Registered Charity Nos. 210504 and SC038516. A company limited by guarantee. Registered in England & Wales No. 444742

consider and cater for all users.

we rely on for off road access.

Thank you for this opportunity to respond.



I attach this link for the Scottish Outdoor Access Design Guide for the developers so that they can

Please can you ensure that SPR refers to horse riders and all abilities access takers in their literature and therefore becomes more inclusive and in keeping with the multi-use spirt of the Land Reform (Scotland)

With over 70k equines in Scotland, equestrianism is worth £650 million to the Scottish economy

annually according to recent research (Developing Benchmarks & Trends to Measure Equestrian Activity in Scotland - A report produced by the British Equestrian Trade Association August 2019 And Scottish

Racing Annual Review and 2019 Outlook). Our industry needs support especially in areas like this which

Website www.bhsscotland.org.uk Tel REDACT Mob REDACT



Society

Scotland



Kind Regards

2003 Act.



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FW: Request for Scoping Opinions Harestanes South Wind Farm - WID11198

A 12

From: Sent: To: Subject:

14 May 2020 10:26

20200514 - Request for Scoping Opinions Harestanes South Wind Farm - CES assets not affected - reply to Scotgov

Categories:

Important

Dear

Thank you for your email.

I apologise for the delay in responding.

I write to confirm that the assets of Crown Estate Scotland are not affected by this proposal and we therefore have no comments to make.

1

Kind regards

Crown Estate Scotland REDACTED

6 Bell's Brae, Edinburgh, EH4 3BJ Tel: REDACTED

www.crownestatescotland.com @crownestatescot



E-mail:

Scottish Government **Energy Consents Unit** Scottish Government

4th Floor 5 Atlantic Quay 150 Broomielaw G2 8LU

Dear

Please quote in any correspondence: DIO 8832

Planning Application number: ECU00002040

Site Name: Harestanes Wind Farm Extension

Proposal: Scoping Opinion for Harestanes Wind Farm

Thank you for consulting the Ministry of Defence (MOD) regarding the Scoping Opinion request in respect of Harestanes Wind Farm.

I am writing to inform you that the MOD may have concerns about the proposal. Our assessment has been carried out on the basis that there will be 15 turbines at 200 metres in height from ground level to blade tip and located at the grid references below:

Turbine	Easting	Northing
1	299,084	590,972
2	299,159	592,943
3	299,491	592,621
4	299,570	592,044
5	299,863	591,674
6	299,965	591,144
7	300,169	592,533
8	300,727	592,539
9	300,742	591,948

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Ministry of Defence Safeguarding – Wind Energy Kingston Road Sutton Coldfield West Midlands B75 7RL United Kingdom

MOD Telephone:

14 May 2020

10	301,216	591,753
11	301,814	592,853
12	302,348	592,706
13	302,405	593,377
14	302,571	594,009
15	303,050	593,567

We have calculated that your development will be detectable by, one or more MOD radars as specified below. Consequentially, we may object should you proceed with a planning application for the development in its current form. At present we are not able to state definitively that we would object, as the MOD can only accurately assess the operational impact of the development at the point in time at which we are consulted on the application by a planning authority. Whether the operational impact of the development is deemed to be acceptable or unacceptable will be dependent on a variety of constraints including, but not limited to, the proliferation of other actual and potential turbine developments in the vicinity at that time. As we are not able to predict the level of turbine development in the area around your proposal at the time that a planning application is submitted, we cannot assess the full and actual operational impact of your development.

Air Traffic Control (ATC)

The turbines will be 36.7km from and detectable by the ATC radar at Spadeadam (Deadwater Fell).

Wind turbines have been shown to have detrimental effects on the performance of MOD ATC and Range Control radars. These effects could include the desensitisation of radar in the vicinity and the creation of "false" aircraft returns which air traffic controllers must treat as real. The desensitisation of radar could result in aircraft not being detected by the radar and therefore not presented to air traffic controllers. Controllers use the radar to separate and sequence both military and civilian aircraft and, in uncontrolled airspace, radar is the only sure way to do this safely. Maintaining situational awareness of all aircraft movements within the airspace is crucial to achieving a safe and efficient air traffic service, and the integrity of radar data is central to this process. The creation of "false" aircraft displayed on the radar leads to increased workload for both controllers and aircrews, and may have a significant operational impact. Furthermore, real aircraft returns can be obscured by the turbine's radar returns, making the tracking of conflicting unknown aircraft and the controllers' own traffic much more difficult.

Eskdalemuir Seismological Recording Station

The proposed development falls within the Statutory safeguarded area around Eskdalemuir Seismological Recording Station. Scientific research has established that wind turbines of current design generate noise emissions that cause seismic vibrations which can interfere with the effective operation of the array. In order to ensure the United Kingdom can continue to implement its obligations in maintaining the Comprehensive Nuclear Test Ban Treaty, a noise budget has been allocated to regulate the development of wind turbines within a 50km radius of the array. The budget has been set at 0.336nm rms.

At present the reserved noise budget has been reached. Therefore, the MOD must object to this application due to the unacceptable impact the proposed wind turbine would have upon the Eskdalemuir Seismological Recording Station.

Military Low Flying Training

Fixed Wing military low flying training takes place throughout the United Kingdom down to a height of 250ft above ground level and in certain designated areas down to a height of 100ft above ground level. A turbine development of the height and at the location you propose may have an impact on low flying operations. We have produced a map which indicates areas in the UK where the MOD is more likely or less likely to object to wind turbine planning applications on the grounds of interference with low flying operations. The following link will take you to this map, which has been produced only for guidance and does not offer definitive advice on the MODs position.

http://webarchive.nationalarchives.gov.uk/20140802171818/https:/restats.decc.gov.uk/cms/aviation-safeguardingmaps/ In the interests of air safety, the MOD will request that the development should be fitted with MOD accredited aviation safety lighting in accordance with the Civil Aviation Authority, Air Navigation Order 2016.

MOD Safeguarding wishes to be consulted and notified about the progress of planning applications and submissions relating to this proposal to verify that it will not adversely affect defence interests.

I hope this adequately explains our position on the matter. Further information about the effects of wind turbines on MOD interests can be obtained from the following website:

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

Yours sincerely

Redacted

Assistant Safeguarding Manager Defence Infrastructure Organisation

www.gallowayfisheriestrust.org

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

9^h May 2020

Dear

Harestanes South Wind Farm EIA Scoping Report

Thank you for providing the Galloway Fisheries Trust (GFT) with the opportunity to submit a response to the EIA Scoping Report for the proposed Harestanes South Wind Farm.

The Galloway Fisheries Trust (GFT) is a charitable organisation which was formed in 1988, by a number of neighbouring District Salmon Fishery Boards in Dumfries and Galloway. The aim of the GFT is to undertake research, provide advice and complete practical works to protect and enhance aquatic biodiversity, particularly fish species, living in the freshwaters and river catchments across Dumfries and Galloway including the Annan.

GFT is also commenting in this instance on behalf of the River Annan District Salmon Fishery Board, within whose jurisdictional area this proposed development lies.

Having read the Scoping Report, we are pleased to note that in 6.3 fish are identified as potential sensitive receptors and that GFT are detailed as to be approached to discuss fish data. It is important to recognise that large scale felling of conifers, which is presumably required for this development, often causes water quality and fisheries impacts especially where planting has occurred on peat. This will need to be considered fully in the EIA and a robust water quality monitoring programme put into place.

Watercourses across the site, primarily the Water of Ae, Glenkiln Burn, Clachanbirnie Burn, Clatterstanes Burn, Wreaths Burn, Davies Burn, Kirkland Burns and Kinnel Water catchment, all have the potential to support important fish populations (including salmonids). Fish may also be present in smaller, more minor tributaries of the above watercourses.

We are aware that there were significant water quality and fisheries impacts associated with the construction of the nearby Harestanes Wind Farm a few years ago. It is essential that there is no repeat of these impacts.

We note that 'fish' were not included for baseline surveys under 6.7. It is usual practice to establish baseline data for fish populations within and downstream of construction developments. The status of these fish populations must be known so any potential impacts leading from construction can be measured. A properly designed fisheries survey, including electrofishing, should be undertaken prior to the construction of the development to establish a robust baseline. It would be prudent for this baseline to be established prior to the EIA being compiled so that information gained from these surveys can also feed into the planning and design process, such as micrositing watercourse crossings and identifying specific mitigation measures to protect fish species and their habitats.

We would expect that the presence of certain fish species across and downstream of the site will probably be assumed, and that it is likely that the EIA will identify that good practice guidelines are

> Fisheries House, Station Industrial Estate, Newton Stewart DG8 6ND **T**REDACTED M REDACTED E

> > A Scottish Registered Charity No. SC 020751

Registered Office: Montpelier, Accountants & Auditors, Dashwood Square, Newton Stewart, DG8 6EQ

intended to be followed to limit potential impacts on fish species within the catchments, however this should be the case over and above the formation of an up to date, robust, baseline fisheries assessment. Following best practice guidelines to limit impacts on fish species is fully expected across such developments, but if there is no baseline upon which to measure an impact, the severity of any impact cannot be ascertained.

Full details of a fish monitoring plan should be included in the EIA and/or should be included in a Construction Ecological Monitoring Plan or equivalent. This should include during construction and post construction surveys (assuming the pre-construction surveys have already been completed), and electrofishing surveys must be undertaken to recognised standards, e.g. SFCC protocol, by an organisation experienced in monitoring developments such as wind farms. We would like to have the opportunity to provide comments and input on the fish monitoring programme to ensure it is suitable for this site and the proposed construction works. We would also be happy to input to the EIA process.

In general, the following have the potential to impact fish species and their habitats. These points/potential issues are of concern and interest to GFT and the Annan District Salmon Fishery Board. These issues should be covered within the EIA:

- Access track layout in relation to the proximity to sensitive fish habitat (e.g. spawning habitat);
- The number of watercourse crossings (new and upgraded);
- The location of new and upgraded watercourse crossings;
- maintaining fish access at all water heights etc.);
- designs especially in relation to increased run off rates; Turbine base locations:
- Turbine base excavation and associated run off from loose ground;
- Borrow pit locations:
- Any forestry felling activities, particularly in riparian areas;
- Any forestry re-planting plans, particularly in riparian areas;
- Changes to instream hydrological conditions and flush zones:
- Exacerbated erosion and/or elevated levels of suspended silt to watercourses during construction activities:
- Water quality monitoring information;
- Pollution to watercourses in the form of silt pollution;
- · Pollution to watercourses in the form of chemical pollution;
- · Reduction in quantity and quality of instream habitat;
- Adverse changes to instream morphology;
- Direct mortality of fish species;
- above:
- upgrading of existing watercourse crossings;
- required.

If you have any gueries or would like clarification on any of the points raised above, please do not hesitate to contact me.

Yours sincerely





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• New and upgraded watercourse crossing type, design, and structure, including information relating to the installation of each crossing point (e.g. maintaining the existing gradient,

· Construction information for new tracks (including layby locations), trackside drainage plans and

• Peat depth information in relation to water quality, peat slides or ground slips;

· Mitigation measures to protect fish population and their habitats from the impact from all of the

• Timings of specific works such as new track building, new watercourse crossing installation,

• Mitigation measures to protect watercourses, fish and their habitats - that which is built in to the design of the development and any additional mitigation measures which will be employed if Glasgow Prestwick Airport - Consultation Response

Harestanes	Glasgow Prestwick Airport (GPA) Ltd – response to Scoping Request – for Harestanes South Windfarm Extension
South	
Windfarm	ECU00002040
Extension	
Summary of	18 th May 2020
Questions	
Question Number	Question
	Question 1: Are the proposed Study Areas acceptable for the LVIA and CLVIA?GPA consider the proposed Study areas as
	appropriate. However the proposed windfarm lies within the range of its primary radar – and if any of the turbines are visible to the
	radar – 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 lighting assessment? GPA makes no comment on this
	question
	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 considers the cumulative assessment appropriate
	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
	Do you agree with the Ecology proposed approach for baseline collection, prediction of effects and
	significance assessment? GPA make no comment on this question
	Question 9
	bio you agree with the Ornitroidy proposed approach to baseline contention, prediction of effects and
	Question to
	bio you agree with the cultural nethage proposed approach to baseline collection, prediction of enects and
	Do you saree with the Hydrology, Hydrogeology, Geology and Pest 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 Noise proposed approach for baseline collection, prediction of effects and

significance assessment GPA agree with the noise baseline of
Question 13
Do you agree with the Traffic and Transport proposed approact
and significance assessment? GPA agree with the traffic and
Question 14
Do you agree with the Socio-Economics, Recreation, Tourism
prediction of effects and significance assessment? GPA agree
approach detailed in the EIA
Question 15
Do you agree with the proposed approach for baseline collect
for the following topics:
Forestry and Land Use
Aviation and Radar
· Eskdalemuir Seismic Array
Telecommunications
 Air, Climate and Carbon Balance
Shadow Flicker
Population and Human Health
 Major Accidents and Disasters
Material Assets
 GPA agree with the baseline collection approach detailed abo
Question
Do you agree with the list of issues to be scoped out, and the
Question 16: Are there any key issues or possible effects which
Question 17: Of those issues identified for assessment, which
important/material and which the least? GPA make no comme

A 18

A 19

e collection approach detailed in the EIA. ach for baseline collection, prediction of effects d transport baseline collection approach detailed in the EIA. m proposed approach for baseline collection, ee with the Socio-Economics, Recreation, Tourism baseline collection ction, prediction and significance assessment ction, prediction and significance assessment e rationale behind the decision? GPA make no comment on this question bove the train and the most hent on this question

By email to: econsents admin@gov.scot

Energy Consents Unit 4th Floor, 5 Atlantic Quay 150 Broomielaw Glasgow G2 8LU Longmore House Salisbury Place Edinburgh EH9 1SH

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

> Our case ID: 300044479 Your ref: ECU00002040

> > 15 May 2020

Dear Sir/Madam

Environmental Impact Assessment (Scotland) Regulations 2017 Harestanes South Wind Farm

Scoping Report

Thank you for your consultation which we received on 20 April 2020 about the above scoping report. We have reviewed the details in terms of our historic environment interests. This covers world heritage sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas (HMPAs).

Your archaeological and cultural heritage advisors will also be able to offer advice on the scope of the cultural heritage assessment. This may include heritage assets not covered by our interests, such as unscheduled archaeology, and category B- and C-listed buildings.

Proposed Development

I understand that the Proposed Development is anticipated to comprise of up to 15 turbines with tip heights of up to 200 metres with associated infrastructure, including the potential for co-located technologies. This is an extension to the operational Harestanes Windfarm which consists of 68 wind turbines and has an electricity generating output of 136 megawatt which has been operational since 2014.

Scope of assessment

Wallace's House, fort 1100m NW of Burrance Bridge (SM604) is located within the development site boundary. While the fort would not experience direct impacts from the turbines, the proposals may give rise to indirect impacts on the setting of the following assets located within the vicinity of the site.

- The Knock, settlement 300m WSW of Burrancehill Cottages (SM3489)
- Maggiemauts Knowe, fort 150m NE of Courancehilly (SM3488)
- Davie's Kirk fort 40m W of (SM3299)
- Tanner's Linn, earthwork (SM10533)
- Ogle Linn, earthwork (SM10497)
- Raehills (GDL00322)
- Cowhill Tower (GDL00109)
- Drumlanrig Castle (GDL00143)
- Ellisland Farm (LB4232)
- Drumlanrig Castle (LB3886)
- Raehills House (LB9898)

We recommend that any EIA Report should include a detailed assessment of impacts (direct and indirect) on the setting of the heritage assets in the vicinity of the site. We would also expect the EIA Report to address the impact of the development on these monuments individually and on the relationship between them.

EIA Scoping Report (April 2020)

We have reviewed the EIA Scoping Report (April 2020) submitted as part of this scoping request. We are content to agree the methodology and the proposed approach to field surveys. We are also content to agree on the inner and outer study area proposed.

Further information

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at <u>www.historicenvironment.scot/advice-and-</u> <u>support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-</u> <u>historic-environment-guidance-notes</u>. Technical advice is available on our Technical Conservation website at <u>http://conservation.historic-scotland.gov.uk/</u>. We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Chloe Porter and they can be contacted by phone on REDACTED or by email on chloe.porter@hes.scot.

Yours faithfully

Historic Environment Scotland

A 21

Burrancehill Cottages (SM3489) Courancehilly (SM3488)

ANNEX

Baseline Collection

The description of the baseline data collection criteria is not entirely clear. Although we note that an area within 10km of the development has been identified as an area of search section 8.3 of the document adds two further search factors without defining them. Heritage assets "with a larger presence" will be considered outwith this 10km boundary, along with "designated sites which are within the ZTV". The criteria for a site to have "a larger presence" is not clear, nor is it obvious if the refence to the ZTV relates to the area within the 45km buffer shown in Figure 5.3 or another undefined zone. We recommend that the use of such terms is clarified in any EIA Report produced for this proposal.

Notwithstanding these ambiguities, we are content that a 10km search zone around the development area should be sufficient to identify most sites that could experience an impact from the development, especially if combined with the potential to assess designated sites up to 45km distant and to consider undesignated sited that fall within the "larger presence" category.

Section 8.5 recommends that World Heritage Sites, Inventory Battlefields and Historic Marine Protection Areas should be scoped out of the EIA process as there are none within their study area. We are content with this for our own interests however, the applicant should ensure to consult with Historic England on this matter, as part of the World Heritage Site for Hadrian's Wall lies within the ZTV area.

Prediction of effects

Section 8.6 covers the potential effects of the works, subdividing them into construction and operational effects. We are content that the Report shows an understanding of the effects that could result in impacts to cultural heritage assets.

However, we are concerned by an apparent discrepancy in the way these effects are considered in this section. In sections 8.2 and 8.3, a 10km buffer is considered necessary to identify assets that could be impacted by the development. But section 8.6.2 which addresses likely significant effects once the wind farm is operational, contradicts this:

"It is considered only those assets within, or within relatively close proximity to the Proposed Development (circa 5km) may potentially receive a significant effect on their settings during construction and operation. The designated assets out with the 5km buffer can be scoped out of full assessment where the distances from the Proposed Development, or the presence of intervening topography, or other screening significantly reduces the likelihood of indirect impacts from the Proposed Development. This will be confirmed and reported in the EIA Report".

We consider this 5km limit adds a level of confusion to the assessment process. Any asset anywhere within the 10km buffer can be scoped out if intervening topography reduces the likelihood of visual, aural or other setting impacts to a negligible level. Likewise, an asset 15 km away may experience a significant impact on its setting if a key relationship or view is affected. The criteria outlined in section 8.3 should be applied to section 8.6.

Significance Assessment

We note that the methodology to assess the significance of effect will follow the guidelines outlined in the Environmental Impact Assessment Handbook and that CIFA standards and HES Managing Change guidance will be used to inform this process. We are content that this process should produce an adequate assessment.

We welcome the proposals in Section 8.1 to consult on the requirement for visualisations as part of the EIA process. Our response should offer our help in assessing the need for illustrative material once the initial identification of relevant heritage assets has been undertaken.

Assets for our interests

Scheduled Monuments

There is a large number of scheduled monuments in the vicinity of the proposed development.

Wallace's House, fort 1100m NW of Burrance Bridge (SM604) is located within the development site boundary. While the fort would not experience direct impacts from the turbines, the overall design should ensure this monument is also protected from direct impacts from other works such as quarry pits, access roads, anemometer masts, power lines and general storage and working areas. These features should also be considered when assessing setting impacts for all monuments potentially affected.

The development may impact on the setting of the following sites and any EIA Report produced should include an assessment of such impacts including any effects on the relationship between these sites.

- The Knock, settlement 300m WSW of Burrancehill Cottages (SM3489)
- Maggiemauts Knowe, fort 150m NE of Courancehilly (SM3488)
- Davie's Kirk fort 40m W of (SM3299)
- Tanner's Linn, earthwork (SM10533)
- Ogle Linn, earthwork (SM10497)

The possible relationships between monuments should also be considered as part of their setting assessments. There is a notable concentration of later prehistoric and medieval sites in an area arcing around the SE and E sides of the windfarm. It is likely that at least some of these sites would have been built with specific reference to each other and this could form an important part of their settings.

Inventory gardens and designed landscapes and A listed buildings

- Viewpoints for photomontages / wireframes

The proposed viewpoints are very much focussed on wider landscape and lighting impacts than for assessing impacts on individual historic buildings or GDLs. Where these impacts seem potentially significant or uncertain, provision of photomontages would be helpful. In some instances below we have suggested potential viewpoints, but are not able to do this for all potentially-affected assets on the basis of the current information: we will be happy to discuss this further with the applicants, if that would be useful.

- Inventory Gardens and Designed Landscapes

The Scoping report identifies the following Designed Landscapes that may be affected by the proposals.

- Raehills (GDL00322)
- Cowhill Tower (GDL00109)
- Drumlanrig Castle (GDL00143)

We agree that all these should be assessed. In addition, Maxwellton (Glencairn Castle) (GDL00276) should also be assessed.

Of these it seems that Raehills is most likely to be significantly affected. A photomontage and wireframe looking towards Raehills House and the proposed development, taken from within the designed landscape or A701 should be produced.

Because of the particular significance of Drumlanrig castle and garden, any potential impact needs to be carefully investigated. We suggest that a photomontage and wireframe from the east parterre, looking towards the proposed turbines would be helpful. It would be helpful if the location of the existing turbines could also be marked in this view.

- A-listed buildings

It is important that the applicant considers the impact on the setting of A-listed buildings in the vicinity, particularly where it seems likely that the turbines may be visible in important views to and from these buildings.

In addition to Raehills House (LB9898) and Drumlanrig Castle (LB3886), there may be significant impacts on the settings of the group of A-listed buildings near Templand; and on Ellisland Farm (LB4232). There appear to be long views towards the development site from the approach drive to Ellisland, and the impact here could be significant. Ellisland was the home of Robert Burns and it is important that the setting of this group of buildings is not adversely affected. A photomontage / wireframe view taken from the drive, looking towards the farm and development site should be produced. We suggest that the view should be taken from a sensible point near the west end of the carpark. The line of deciduous trees to the east of the farm is unlikely, in our view, to provide any significant screening protection against a visual impact here.

Historic Environment Scotland 15 May 2020

From:	07 1.4. 2020 00:25
Sent: To:	07 July 2020 09:25
Subject:	FW: Harestanes South wind Farm Extension - Scoping Request [WF732705]

From Sent: 06 July 2020 16:43 To:

estanes South wind Farm Extension - Scoping Request [WF732705] Subject:

-- do not edit anything below this line --

Dear

A Windfarms Team member has replied to your coordination request, reference WF732705 with the following response:

Afternoon

RE: Harestanes South wind Farm Extension - Scoping Request

I couldn't access the information via the portal as advised. However, we did send a clearance on 30th June 20 for Harestanes South Wind Farm Extension to WSP.

If you need any other information, please let me know.

Please see the following:

Name/Location: Harestanes South WF Extension

Site Centre/Turbine at NGR/IGR

- T07 300168.8 592533.0
- T08 300727.1 592539.6
- T09 301198.8 591504.0
- *T10 301247.1 592087.5*
- T11 301815.4 593081.5
- *T12 302348.7 592706.1*
- T13 302445.0 593403.3
- *T14 302570.7 594009.2*
- T15 303050.2 593567.2

Development Radius: 0.1KM

Hub Height: 125m Rotor Radius: 75m

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

Scottish Power and Scotia Gas Networks

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

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

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

1

Redacted
21 July 2020 09:18
Scoping Opinion for the Harestanes South Wind Farm Ex

I am writing on behalf of the Kirkmichael Community Council as a Consultee on the Harestanes South Wind Farm Extension proposal.

In response to Q3 - Viewpoints, Q5/Q6 - Landscape and visual receptors, I would like to comment that the report never mentions the settlements of Parkgate and Nethermill that are within the Kirkmichael Parish, (within which is the proposed access road into Ae forest) and likely to see the proposed turbines. Table 5.3, proposed viewpoints, mentions the A701 near Kirkland but nowhere else within the parish. It does mention considering residents with 2km of proposed turbines and users of the A701 but a viewpoint from Nethermill and Parkgate would be appreciated.

In section 5.2 - named residential areas - there is still no mention of Parkgate or Nethermill.

Appendix A: Figures is a blank page where I would expect to see maps of the proposed area. Figures 2.1, 5.1, 5.2 all refer to site locations but I cannot seem to access these.

Just a final comment on Q10, Cultural Heritage, are you aware that there is a grave in close proximity to turbine T14? It is that of James Ferguson, late of Burrance of Courance Farm, who was buried in 1964.

Redacted

From: Sent: To: Subjec

Chairperson Kirkmichael Community Council.

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xtension proposal

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

Regards

Wind Farm Team

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

Office: 020 7706 5199

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

2

https://breeze.jrc.co.uk/tickets/view.php?auth=o1xyacqaagsjyaaa%2F%2FWq00QI8jspbQ%3D%3D

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marine scotland

T: +44 (0)131 2442900 DD: +REDACTED e-mail:

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

Our ref: FL/57-7

May 6th 2020

Dear

HARESTANES SOUTH WIND FARM, NORTH OF DUMFRIES, DUMFRIES AND GALLOWAY

Thank you for seeking comment from Marine Scotland Science (MSS) on the scoping report for the proposed Harestanes South wind farm in relation to freshwater and diadromous fish and fisheries.

The proposed development area is drained by watercourses within the Water of Ae catchment which supports salmon and trout populations. MSS recommends that the developer consults our generic scoping guidelines https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren. In line with these guidelines MSS highlights that the developer carries out the following and presents the results in the Environmental Impact Assessment report:

 site characterisation surveys of the water quality and fish populations of watercourses which could potentially be impacted as a result of the proposed development. Information from these surveys can inform the developer when drawing up during and after construction. Further information regarding survey/monitoring programmes can also be found at the above web site;

A 28



appropriate mitigation measures and monitoring programmes to be carried out before,

A 30

 considers the potential impact of any felling operations on the water quality and fish populations;

- considers the potential cumulative impact on the water quality and fish populations from wind farms with hydrological connectivity to the present development; and
- contacts, if not already done so, The River Annan Trust and District Salmon Fishery Board, for information on the local fish populations.

Kind regards,

NATS Safeguarding - Consultation Response

From:	
Sent:	11 May 2020 07:51
Го:	
Cc:	NATS Safeguarding
Subject:	RE: Request for Scoping Opinions Harestanes South Win
-	

Dear Lee

We refer to the application above. The proposed development has been examined by our technical safeguarding teams. In the timeframe given to us we have been unable to thoroughly investigate the effects of the proposed development on our Operations, however, the relevant teams are being consulted.

Based on our preliminary technical findings, the proposed development does conflict with our safeguarding criteria. Accordingly, NATS (En Route) plc <u>objects to the proposal</u>. We will notify you within 4-6 weeks of the results of our operational assessment. Only if this assessment shows the impact to be acceptable will we be able to withdraw our objection. We would like to take this opportunity to draw your attention to the legal obligation of local authorities to consult NATS before granting planning permission for a wind farm. The obligation to consult arises in respect of certain applications that would affect a technical site operated by or on behalf of NATS (such sites being identified by safeguarding plans that are issued to local

planning authorities). In the event that any recommendations made by NATS are not accepted, local authorities are further of

In the event that any recommendations made by NATS are not accepted, local authorities are further obliged to notify both NATS and the Civil Aviation Authority ("CAA") of that fact (which may lead to the decision made being subject to review whether by the CAA referring the matter for further scrutiny or by appropriate action being taken in the courts).

As this further notification is intended to allow the CAA sufficient time to consider whether further scrutiny is required, we understand that the notification should be provided prior to any granting of permission. You should be aware that a failure to consult NATS, or to take into account NATS's comments when deciding whether to approve a planning application, could cause serious safety risks for air traffic.

If you have any queries regarding this matter you can contact us using the details as below.



NATS Safeguarding

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

nd Farm (SG09361) OBJECTION



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

11 May 2020

Dear

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

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR HARESTANES SOUTH WIND FARM ECU00002040

Thank you for consulting RSPB Scotland on the Scoping opinion for this project. We have considered the detail within the Scoping Report and provide our responses to guestions raised for consultees in the accompanying Appendix.

Yours sincerely,

REDACTE

APPENDIX 1 RSPB Scotland's response to consultee questions

Question 8 Do you agree with the Ecology proposed approach for baseline collection, prediction of effects and significance assessment?

Habitats

We agree with the proposed scope of survey work and assessment of impact to sensitive habitats on site.

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

We agree with the proposed scope of assessment for impacts and survey work for ornithology at this site, in particular for raptor species, moorland waders, black grouse and nightjar all of which are known to be present in the general area of this project. In particular, our records confirm that there are good numbers of breeding waders and the presence of black grouse within 10km of the project boundary. However, we would advise that survey for migratory pink-footed geese is included for survey and assessment and is included as a sensitive receptor species (7.3). See below (Question 10).

We do not agree that it can be concluded on the basis of one winter's survey work that only one year of survey work will be required to inform this development (Limitations and Assumptions 7.8) particularly since it is suggested that additional information from surrounding wind farms can be utilised. It cannot be assumed that data from consented wind farms would adequately inform this proposal and data from these sites is also likely to be over five years old. Furthermore, we would advise that this judgement is not possible until a complete years of survey work has been completed for ornithological species including breeding, wintering and vantage point watches. We would be happy to make further comment as to the requirement for additional survey work based on the results of one-year's work.

Question 10 Do you agree with the list of issues to be scoped out, and the rationale behind the decision?

As advised above (Q9) and based on our own data which confirms foraging pink-footed geese 3km south of the boundary for this proposal, we would recommend that survey for migratory species including pink-footed geese is not scoped out of further assessment. The limited vantage point winter survey already completed has recorded flights of pink-footed geese (7.2) and this is without the results of spring passage being confirmed which we would suggest will further support this recommendation. Furthermore, research on the foraging range of pink-footed geese associated with the Upper Solway Firth Flats and Marshes SPA and Castle Loch SPA confirms range within the vicinity of this proposal¹. We therefore, disagree with the conclusion that migratory waterfowl should be scoped out of assessment (7.5.1/2).

Question 11 Do you agree with the Hydrology, Hydrogeology, Geology and Peat proposed approach for baseline collection, prediction of effects and significance assessment?

Peat & GWD habitats

We agree with the level of survey work proposed to inform the presence of and mitigation of impact to deep peat and other GWD sensitive habitats on site (9.7.3; 13.6).

¹ Mapping the distribution of feeding Pink-footed and Iceland Greylag Geese in Scotland - A report by the Wildfowl & Wetlands Trust, as part of a programme of work jointly funded by WWT and Scottish Natural Heritage. Carl Mitchell 2012 (Fig 11; 45)

From: Sent: To: Subject

Harestanes South wind Farm Extension - Scoping Request

Good afternoo

Thank you for getting in touch about the lack of a ScotWays response to this scoping request. This was a proposal that we decided not to comment on so we did not submit anything at all. It would perhaps have been helpful to you if I had responded with my usual 'we have no comments to make at this time' so I will endeavour to do that with future applications.

1



Scottish Rights of Way and Access Society (ScotWays) 24 Annandale Street, Edinburgh EH7 4AN tel/fax: 0131 558 1222 web: www.scotways.com follow us on Twitter: @ScotWays find us on Facebook: www.facebook.com/scotways

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Energy Consents Unit 4th Floor 5 Atlantic Quay 150 Broomielaw Glasgow G2 8LU

By email only to: EConsents Admin@gov.scot

Dear Sir/Madam

The Electricity Act 1989 **REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION** HARESTANES SOUTH WIND FARM

Thank you for consulting SEPA on the scoping opinion for the above development proposal by your email received on 20 April 2020.

Advice to the planning authority

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

- including proposed buffers, details of any flood risk assessment and details of any related CAR applications.
- buffers.
- c) Map and assessment of impacts upon groundwater abstractions and buffers.
- d) Peat depth survey and table detailing re-use proposals.
- e) Map and table detailing forest removal.
- f) Map and site layout of borrow pits.



If emailing, please mark FAO:

13 May 2020

a) Map and assessment of all engineering activities in or impacting on the water environment

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

REDACTE REDACTED

- g) Schedule of mitigation including pollution prevention measures.
- h) Borrow Pit Site Management Plan of pollution prevention measures.
- i) Map of proposed waste water drainage layout (or explanation why this is not applicable).
- i) Map of proposed surface water drainage layout.
- k) Map of proposed water abstractions including details of the proposed operating regime.
- I) Decommissioning statement.

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

Site specific comments 1.

- Please also take into account these site specific comments: 1.1
 - In this case, where much of the site is on peat or peaty soils, we expect the application to • be supported by a comprehensive site specific Peat Management Plan.
 - We can confirm that habitat survey information is not required for areas which are heavily forested or recently felled.
 - Based on the information provided at this stage, it seems unlikely that any development will take place within 250 m of a groundwater supply source; if this is the case it would be helpful if the ES provides evidence to confirm this.

Regulatory advice for the applicant

2. **Regulatory requirements**

- 2.1 Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs).
- 2.2 Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.
- A Controlled Activities Regulations (CAR) construction site licence will be required for 2.3 management of surface water run-off from a construction site, including access tracks, which:
 - is more than 4 hectares.
 - is in excess of 5km, or
 - includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25°

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

- 2.4 requires, amongst other things, that all reasonable steps must be taken to ensure that the discharge does not result in pollution of the water environment.
- 2.5 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website or by contacting waterpermitting@sepa.org.uk or wastepermitting@sepa.org.uk.

and

If you have any queries relating to this letter, please contact me via e-mail at; planning.sw@sepa.org.uk

Yours faithfully



ECopy to:

Dumfries and Galloway Planning Authority; planning@dumgal.gov.uk

Disclaimer

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

Below these thresholds you will need to comply with CAR General Binding Rule 10 which

Appendix 1: Detailed scoping requirements

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

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

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

1. Site layout

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

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

- The site layout must be designed to avoid impacts upon the water environment. Where 2.1 activities such as watercourse crossings, watercourse diversions or other engineering activities in or impacting on the water environment cannot be avoided then the submission must include justification of this and a map showing:
 - a) All proposed temporary or permanent infrastructure overlain with all lochs and watercourses.
 - b) A minimum buffer of 50m around each loch or watercourse. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse and drawings of what is proposed in terms of engineering works.
 - c) Detailed layout of all proposed mitigation including all cut off drains, location, number and size of settlement ponds.
- 2.2 If water abstractions or dewatering are proposed, a table of volumes and timings of groundwater abstractions and related mitigation measures must be provided.
- Further advice and our best practice guidance are available within the water engineering 2.3 section of our website. Guidance on the design of water crossings can be found in our Construction of River Crossings Good Practice Guide.
- Refer to Appendix 2 of our Standing Advice for advice on flood risk. Watercourse crossings 2.4 must be designed to accommodate the 0.5% Annual Exceedance Probability (AEP) flows, or information provided to justify smaller structures. If it is thought that the development

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

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

- 3.1 Scottish Planning Policy states (Paragraph 205) that "Where peat and other carbon rich soils are present, applicants must assess the likely effects of development on carbon be a release of CO₂ to the atmosphere. Developments must aim to minimise this release."
- 3.2 The planning submission must a) demonstrate how the layout has been designed to minimise disturbance of peat and consequential release of CO_2 and b) outline the preventative/mitigation measures to avoid significant drying or oxidation of peat through, for example, the construction of access tracks, drainage channels, cable trenches, or the storage and re-use of excavated peat. There is often less environmental impact from localised temporary storage and reuse rather than movement to large central peat storage areas.
- 3.3 The submission must include:
 - a) A detailed map of peat depths (this must be to full depth and follow the survey Peatland Survey (2017)) with all the built elements (including peat storage areas) sensitive receptors such as Groundwater Dependent Terrestrial Ecosystems.
 - b) A table which details the quantities of acrotelmic, catotelmic and amorphous peat which will be excavated for each element and where it will be re-used during how it will be kept wet permanently must be included.
- 3.4 To avoid delay and potential objection proposals must be in accordance with <u>Guidance on</u> the Assessment of Peat Volumes, Reuse of Excavated Peat and Minimisation of Waste and our Developments on Peat and Off-Site uses of Waste Peat.
- Dependent upon the volumes of peat likely to be encountered and the scale of the 3.5 development, applicants must consider whether a full Peat Management Plan (as detailed in the above guidance) is required or whether the above information would be best submitted as part of the schedule of mitigation.
- Please note we do not validate carbon balance assessments except where requested to by 3.6 Scottish Government in exceptional circumstances. Our advice on the minimisation of peat disturbance and peatland restoration may need to be taken into account when you consider such assessments.

Disruption to Groundwater Dependent Terrestrial Ecosystems (GWDTE) 4.

- GWDTE are protected under the Water Framework Directive and therefore the layout and 4.1 design of the development must avoid impact on such areas. The following information must be included in the submission:
 - a) A map demonstrating that all GWDTE are outwith a 100m radius of all excavations the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the

dioxide (CO₂) emissions. Where peatland is drained or otherwise disturbed, there is liable to

requirement of the Scottish Government's Guidance on Developments on Peatland overlain to demonstrate how the development avoids areas of deep peat and other

reinstatement. Details of the proposed widths and depths of peat to be re-used and

shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure

distances require it.

- b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all GWDTE affected.
- Please refer to Guidance on Assessing the Impacts of Development Proposals on 4.2 Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems for further advice and the minimum information we require to be submitted.

5. Existing groundwater abstractions

- Excavations and other construction works can disrupt groundwater flow and impact on 5.1 existing groundwater abstractions. The submission must include:
 - a) A map demonstrating that all existing groundwater abstractions are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.
 - b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all existing groundwater abstractions affected.
- Please refer to Guidance on Assessing the Impacts of Development Proposals on 5.2 Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems for further advice on the minimum information we require to be submitted.

Forest removal and forest waste 6.

- Key holing must be used wherever possible as large scale felling can result in large 6.1 amounts of waste material and in a peak release of nutrients which can affect local water quality. The supporting information should refer to the current Forest Plan if one exists and measures should comply with the Plan where possible.
- Clear felling may be acceptable only in cases where planting took place on deep peat and it 6.2 is proposed through a Habitat Management Plan to reinstate peat-forming habitats. The submission must include:
 - a) A map demarcating the areas to be subject to different felling techniques.
 - b) Photography of general timber condition in each of these areas.
 - c) A table of approximate volumes of timber which will be removed from site and volumes, sizes of chips or brash and depths that will be re-used on site.
 - d) A plan showing how and where any timber residues will be re-used for ecological benefit within that area, supported by a Habitat Management Plan. Further guidance on this can be found in Use of Trees Cleared to Facilitate Development on Afforested Land – Joint Guidance from SEPA, SNH and FCS.

7. **Borrow pits**

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

address this policy statement.

- In accordance with Paragraphs 52 to 57 of Planning Advice Note 50 Controlling the 7.2 Environmental Effects of Surface Mineral Workings (PAN 50) a Site Management Plan should be submitted in support of any application. The following information should also be submitted for each borrow pit:
 - a) A map showing the location, size, depths and dimensions.
 - b) A map showing any stocks of rock, overburden, soils and temporary and permanent must be drawn around each loch or watercourse proportionate to the depth of terms of engineering works.
 - c) You need to provide a justification for the proposed location of borrow pits and evidence of the suitability of the material to be excavated for the proposed use, including any risk of pollution caused by degradation of the rock.
 - d) A ground investigation report giving existing seasonally highest water table including water table.
 - maximise diversion of water from entering guarry works.
 - f) A site map showing proposed water abstractions with details of the volumes and timings of abstractions.
 - g) A site map showing the location of pollution prevention measures such as spill kits, oil daily.
 - detailed map of peat depths (this must be to full depth and follow the survey can clearly be seen how the development minimises disturbance of peat and the consequential release of CO₂.
 - profiles, depths and types of material to be used.
 - j) Details of how the rock will be processed in order to produce a grade of rock that will not cause siltation problems during its end use on tracks, trenches and other hardstanding.
- Pollution prevention and environmental management 8.

infrastructure including tracks, buildings, oil storage, pipes and drainage, overlain with all lochs and watercourses to a distance of 250 metres. You need to demonstrate that a site specific proportionate buffer can be achieved. On this map, a site-specific buffer excavations and at least 10m from access tracks. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse, drawings of what is proposed in

sections showing the maximum area, depth and profile of working in relation to the

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

interceptors, drainage associated with welfare facilities, recycling and bin storage and vehicle washing areas. The drawing notes should include a commitment to check these

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

i) Sections and plans detailing how restoration will be progressed including the phasing,

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

9. Life extension, repowering and decommissioning

- 9.1 Proposals for life extension, repowering and/or decommissioning must demonstrate accordance with <u>SEPA Guidance on the life extension and decommissioning of onshore wind farms</u>. Table 1 of the guidance provides a hierarchical framework of environmental impact based upon the principles of sustainable resource use, effective mitigation of environmental risk (including climate change) and optimisation of long term ecological restoration. The submission must demonstrate how the hierarchy of environmental impact has been applied, within the context of latest knowledge and best practice, including justification for not selecting lower impact options when life extension is not proposed.
- 9.2 The submission needs to demonstrate that there will be no discarding of materials that are likely to be classified as waste as any such proposals would be unacceptable under waste management licensing. Further guidance on this may be found in the document <u>Is it waste -</u><u>Understanding the definition of waste</u>.

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

13 May 2020

Dear

Electricity Act 1989 Section 36 The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

Scoping Opinion Request for Harestanes South wind farm, Dumfries and Galloway

Thank you for consulting Scottish Natural Heritage on the scope of the environmental impact assessment (EIA) in relation to our interests for this proposed wind farm, located to the south of the operational Harestanes wind farm.

Our advice is based on the 'Harestanes South Windfarm Extension Scoping Report' April 2020 prepared by Scottish Power Renewables.

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

SNH supports the development of renewable energy as an integral part of the Government's climate change programme, where the impacts on the natural heritage and enjoyment of it are acceptable.

Please note we would like to receive a paper copy of the landscape and visual impact assessment figures of the EIA Report when consulted on the application. Should we still be working to Scottish Government COVID-19 policies, we would like to receive a copy once our offices are able to receive mail again. We can let you know when that happens.

The Proposal

The Harestanes South wind farm would comprise up to 15 turbines of up to 200m high to blade tip, with associated infrastructure; including the potential for co-located technologies. Access is planned to be through the existing Harestanes wind farm.

It would be an extension to Harestanes wind farm, operational since 2014, comprising 68 wind turbines each 125m to blade tip with a generating capacity of 136MW.

We note that there is no proposal to limit the lifetime of the proposed development.

A 43

Our ref: CEA159031

SNH Key Issues

Our key issues concerning the development are the landscape and visual impacts, including cumulative impacts with other proposed, consented and operational wind farms in the wider area. This includes potential impacts on the Talla – Hart Fell Wild Land Area, particularly arising from the aviation lighting that will be required on the turbines.

SNH Advice

The Report appears comprehensive in its approach to EIA, although does not include mention of a Habitat Management Plan for the site.

The guidance for onshore wind farms is available on our website, and should be referred to by the developer: https://www.nature.scot/professional-advice/planning-and-development/advice-planners-and-developers/renewable-energy-development/onshore-wind-energy/advice-wind-farm. Where this is not followed in the EIA process, we would expect explanations to be given as to why this is the case in the EIA Report accompanying the application.

Landscape and Visual Impacts

Our guidance 'Visual Representation of Wind Farms' 2017 should be referred to: <u>www.nature.scot/visual-representation-wind-farms-version-22-february-2017</u> There is potential for effects on the Talla - Hart Fell Wild Land Area, particularly from the night time aviation lighting required by the turbines. This will need to be assessed, with reference to our guidance: <u>https://www.nature.scot/assessing-impacts-wild-land-technical-</u> <u>guidance-2017</u>

We provide no comment on the proposed viewpoints at this time, but would be pleased to offer advice on these once there is more certainty about the turbine layout.

We agree that impacts on the National Scenic Areas (NSAs) listed can be scoped out of the EIA (paragraph 5.7.2).

Protected Areas

At this stage in our understanding of the proposal, we do not consider that this wind farm is likely to have an impact on any sites designated for their nature conservation interest.

Based on the contents of the Scoping Report (e.g. paragraphs 7.5.1 and 7.5.2) and our guidance relating to the connectivity of proposed developments with Special Protection Areas (SPA); our advice is that, despite some potential for connectivity there is no likely significant effect from this wind farm proposal on the qualifying interests of Castle Loch, Lochmaben SPA and Upper Solway Firth and Marshes SPA. We agree that impacts on these SPAs and on migratory waterfowl can be scoped out of the EIA (paragraph 7.5).

Ecology

We note the surveys to be undertaken, and we agree with the topics to be scoped out (paragraph 6.5).

Habitat Management Plan

There is no mention in the scoping report that a Habitat Management Plan (HMP) will be prepared and implemented for the site should the development be granted permission and be constructed.

It is now usual for an applicant to propose some form of HMP in their EIA Report, briefly setting out broad measures for positive management and enhancement of habitats within the development site to benefit biodiversity. This is then worked-up, once permission is granted, into a more detailed plan to be implemented throughout the lifetime of the windfarm.

This site is in the ownership of Forestry and Land Scotland (FLS) who have a conservation remit and biodiversity duty, as well as timber production. We would expect the HMP to build upon, and be additional to, work for conservation/biodiversity identified in the current Ae Composite Land Management Plan (LMP) under the UK Woodland Assurance Scheme. For example, the Scoping Report and LMP highlights small areas of semi-natural ancient woodland on the site, frequently close to watercourses. The HMP could propose the expansion of some or all of these and/or create new areas as permanent native woodland cover. Management to benefit red squirrels and black grouse are also possibilities.

Such habitat improvements could also be linked to, encourage, and benefit recreational users of the multiple trails that exist both within and close to the site; including FLS's own trails, Core Paths, a Sustrans Route, and the Romans and Reivers Route, one of Scotland's Great Trails which also runs through the proposed site.

Birds

We note the scope of surveys proposed in the Scoping Report, and consider them to be adequate for a development of this nature and scale at this location. Reference should be made to the guidance available on our website.

At this stage we cannot support the assumption that one year of survey work will be sufficient to identify the bird interest of the site and adequately assess potential impacts upon them (paragraph 7.8). Given the current use of the land as commercial conifer plantation, it is probable that a single year of survey work will be sufficient, but without seeing the data and a robust justification for a single year of survey, it is not possible for us to advise on this approach at this time.

We would be pleased to receive interim reports during the first year of survey, if that would be helpful to the applicant.

Peat

We note the consideration to be given to impacts on peat.

We would be very pleased to join ECU and Dumfries and Galloway Council staff on a site visit when current COVID-19 restrictions on movement have been lifted. Such a visit is likely to be useful to all concerned.

In order to help other stakeholders associated with the development sector during the COVID-19 pandemic, we have set out both our priorities and potential ways to minimise delays and disruption here; <u>https://www.nature.scot/coronavirus/planning-development-services</u>.

Please contact this office should you wish to discuss our response.

Yours sincerely

By e-mail to Econsents Admin@gov.scot

REDACTE Operations Officer Southern Scotland and Forth Areas

Wednesday, 22 April 2020

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

Dear Sir/Madam

SITE: Harestanes South Wind Farm, , Dumfries and Galloway, DG11 1TU PLANNING REF: ECU00002040 OUR REF: DSCAS-0009102-V8Q PROPOSAL: Wind Farm (Generating station increase of >10 < 100 MW Capacity)

Please guote our reference in all future correspondence

Audit of Proposal

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

Drinking Water Protected Areas

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

Surface Water

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

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

By email

Our ref: CEA159245

4 June 2020

Dear

Harestanes South Wind Farm Extension – night time lighting and Wild Land Area

Thank you for your very helpful memo (dated 13 May) relating to nightime lighting, ZTV, and Wild Land Assessment for the Harestanes South wind farm extension.

This follow-up relates to our previous Scoping response and discussions held via teleconference on May 7, where we raised the potential for landscape and visual impacts, including potential impacts on the Talla - Hart Fell Wild Land Area (WLA).

We have considered the potential visibility of the wind farm from the WLA using the information provided, and note that that the ZTV indicates visibility of the turbines from recreational routes within the WLA. We therefore still think that is appropriate to provide a single dusk/dawn viewpoint from within the WLA, given there are potential impacts on this nationally important designation. We believe that to use a suitable viewpoint from within that particular WLA for both the Wild Land Assessment and for the night time lighting visualisation is a proportionate approach.

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

Please don't hesitate to contact me to discuss this response if you think that might be useful.

Yours sincerely

By e-mail

Operations Officer, Forth and Southern Scotland Areas

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

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

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

General notes:

- Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - Site Investigation Services (UK) Ltd
 - Tel: 0333 123 1223
 - Email: sw@sisplan.co.uk
 - www.sisplan.co.uk
- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- Please find information on how to submit application to Scottish Water at our Customer Portal.

Next Steps:

All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via our Customer Portal prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

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

Non Domestic/Commercial Property:

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

Trade Effluent Discharge from Non Dom Property:

- launderettes. Activities not covered include hotels, caravan sites or restaurants.
- TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". guidance notes can be found here.
- as these are solely for draining rainfall run off.
- sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards disposed into sinks and drains.
- The Waste (Scotland) Regulations which require all non-rural food information can be found at www.resourceefficientscotland.com

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

Yours sincerely,

Planning Application Team **Development Operations Analyst** developmentoperations@scottishwater.co.uk

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and

If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application

Trade effluent must never be discharged into surface water drainage systems

For food services establishments, Scottish Water recommends a suitably Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being

businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further



Resolving the impacts of mining

200 Lichfield Lan AN 500 sfield Nottinghamshire NG18 4RG

T: REDACTED E: <u>planningconsultation@coal.gov.uk</u> www.gov.uk/coalauthority Yours sincerely

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Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available coal mining data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.

For the attention of: Energy Consents Unit The Scottish Government

[By email: Econsents_Admin@gov.scot]

22 April 2020

Dear

Your reference: ECU00002040

ELECTRICITY ACT 1989

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

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR HARESTANES SOUTH WIND FARM

Thank you for your notification of 20 April 2020 seeking the views of the Coal Authority on the above scoping opinion.

I have checked the site location plan against our coal mining information and can confirm that the proposed development site is located outside of the defined coalfield.

Accordingly, the Coal Authority has no comments or observations to make on this proposal.

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

Please do not hesitate to contact me if you would like to discuss this matter further.

Development Management and Strategic Road Safety **Roads Directorate**

Buchanan House, 58 Port Dundas Road, Glasgow G4 0HF Direct Line: REDACTED , Fax: REDACTED

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

econsentsadmin@gov.scot

Dear Sirs,

ELECTRICITY ACT 1989

THE ELECTRICITY (APPLICATIONS FOR CONSENT) REGULATIONS 2017

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR HARESTANES SOUTH WIND FARM

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

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

Proposed Development

The proposal is an extension to the operational 68 turbine Harestanes Windfarm on land immediately adjacent to the south of the operational site. The site is located approximately 13km north of Dumfries, with the nearest trunk road being the A701(T) which is located east of the site, and from which the site access will be taken.

Site Access

The SR states that the site access junction is located "approximately 300m south-west from the Burrance dwelling". We assume that this is the existing access junction with the A701. The SR also states that "there may be some upgrade works to the access road junction where it meets the A701".

Transport Scotland would state that any proposed changes to the trunk road network must be discussed and approved (via a technical approval process) by the appropriate Area Manager as soon as practicable, and prior to the movement of any abnormal load.



Your ref: ECU00002040

Our ref: TS00538

Date: 28/04/2020 The Area Manager for the A701(T) is

Assessment of Environmental Impacts

The SR states that the forthcoming Environmental Impact Assessment Report (EIAR) will be undertaken in line with the Institute of Environmental Management and Assessment (IEMA) Environmental Impact Assessment Guide. Transport Scotland is satisfied with this approach and would ask that potential trunk road related environmental impacts such as driver delay, pedestrian amenity, severance, safety etc be considered and assessed where appropriate (i.e. where IEMA Guidelines for further assessment are breached). These specify that road links should be taken forward for further detailed assessment if:

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

The SR states that the daily vehicle movements during the peak period of the construction phase will be assessed against the baseline traffic conditions. Any changes in traffic levels on each of the study network links during the construction phase will be assessed in terms of percentage change and compared against the maximum vehicle capacity of each link. Transport Scotland considers this methodology to be appropriate.

Proposed Study Area

The Study Area for the purposes of the Traffic and Transport chapter has been defined as follows:

- A75(T) between the junction with the A76(T) and the A709; and
- A701(T) between the junctions with the A75(T) and the A74(M).

Transport Scotland is satisfied with the proposed study area.

Abnormal Load Route Assessment

The SR states that the likely port of entry for turbine components is the Glasgow KGV Docks, with the access route being as follows:

Glasgow KGV Docks, Kings Inch Drive, M8, M74/M6, A75(T), A701(T), Site Road.

The SR states that a secondary port option using the port of Cairnryan is also being considered, with the route being identified as A77(T), A751(T), A75 (T) and A701.

We note that an electronic service delivery for abnormal loads (ESDAL) review is proposed to confirm the suitability of the structures on the proposed turbine component delivery route. Transport Scotland will require to be satisfied that the size of turbines proposed can negotiate the selected route and that transportation will not have any detrimental effect on structures within the trunk road route path. A full Abnormal Loads Assessment report should be provided with the EIAR which identifies key pinch points on the trunk road network. Swept path analysis should be undertaken and details provided with regard to any required changes to street furniture or structures along the route.

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We note that any assessment of traffic impacts associated with the operational phase of the development are to be scoped out. Transport Scotland considers this appropriate.

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

Yours faithfully REDACTED

> Transport Scotland Roads Directorate

СС

Marine Scotland Science advice on freshwater and diadromous fish and fisheries in relation to onshore wind farm developments.

July 2020

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

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

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

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

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

MSS will continue undertaking research, identifying additional research requirements, and keep up to date with the latest published knowledge relating to the impacts of onshore wind farms on freshwater and diadromous fish populations. This

will be used to ensure that our guidelines and standing advice are based on the best available evidence and also to continue the publication of the relevant findings and knowledge to all stakeholders including regulators, developers and consultants.

MSS provision of advice to ECU

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

MSS Standing Advice for each stage of the EIA process

Scoping

MSS issued generic scoping guidelines

(https://www2.gov.scot/Topics/marine/Salmon-Trout-

Coarse/Freshwater/Research/onshoreren) which outline how fish populations can be impacted during the construction, operation and decommissioning of a wind farm development and informs developers as to what should be considered, in relation to freshwater and diadromous fish and fisheries, during the EIA process.

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

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

Gate check

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

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

EIA Report

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

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

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

Post-Consent Monitoring

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

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

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

Planning Conditions

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

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

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

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

Sources of further information

Scottish Natural Heritage (SNH) guidance on wind farm developments https://www.nature.scot/professional-advice/planning-and-development/adviceplanners-and-developers/renewable-energy-development/onshore-windenergy/advice-wind-farm

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

A joint publication by Scottish Renewables, SNH, SEPA, Forestry Commission Scotland, Historic Environment Scotland, MSS and Association of Environmental and Ecological Clerks of Works (2019) Good Practice during Wind Farm Construction - <u>https://www.nature.scot/guidance-good-practice-during-wind-farmconstruction</u>.

Marine Scotland Science advice on freshwater and diadromous fish and fisheries in relation to onshore wind farm developments.

July 2020

Annex 1

MSS – EIA Checklist

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

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

 permanent and temporary construction compounds; all watercourses; and contour lines; 		
2. A description and results of the site characterisation surveys for fish (including fully quantitative electrofishing surveys) and water quality including the location of the electrofishing and fish habitat survey sites and water quality sampling sites on the map outlining the proposed turbines and associated infrastructure;		
3. An outline of the potential impacts on fish populations and water quality within and downstream of the proposed development area;		
4. Any potential cumulative impacts on the water quality and fish populations associated with adjacent (operational and consented) developments including wind farms, hydro schemes, aquaculture and mining;		
5. Any proposed site specific mitigation measures as outlined in MSS generic scoping guidelines and the joint publication "Good Practice		

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during Wind Farm Construction" (https://www.nature.scot/guidance- good-practice-during-wind-farm- construction);		
6. Full details of proposed monitoring programmes using guidelines issued by MSS and accompanied by a map outlining the proposed sampling and control sites in addition to the location of all turbines and associated infrastructure		
7. A decommissioning and restoration plan outlining proposed mitigation/monitoring for water quality and fish populations.		

Developers should specifically discuss and assess potential impacts and appropriate mitigation measures associated with the following:	Provided in application YES/NO	If YES – please signpost to relevant chapter of EIA Report	If not provided or provided different to MSS advice, please set out reasons.
1. Any designated area, for which fish is a qualifying feature, within and/or downstream of the proposed development area;			
2. The presence of a large density of watercourses;			
3. The presence of large areas of deep peat deposits;			

4. Known acidification problems and/or		
other existing pressures on fish		
populations in the area; and		
5. Proposed felling operations.		

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Harestanes South Windfarm Extension Project Team

ScottishPower Renewables 9th Floor ScottishPower Headquarters 320 St Vincent Street Glasgow G2 5AD

HarestanesSouthWindfarm@scottishpower.com



