Tangy IV Wind Farm Section 36C Variation

Technical Appendix 3.6: Tangy IV Cnoc Buidhe WF 132 kV OHL Shared Use EIA Scoping Opinion

Scottish Government
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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

Tangy IV Wind Farm and Cnoc Buidhe Wind Farm 132 kV OHL Shared Use Connection

Scottish Hydro Electric Transmission Plc

18 June 2025

CONTENTS

1. Introduction

1.1 This scoping opinion is issued by the Scottish Government Energy Consents Unit on behalf of the Scottish Ministers to Scottish Hydro Electric Transmission Plc a company incorporated under the Companies Acts with company number SC213461 and having its registered office at 200 Dunkeld Road, Perth PH1 3AQ ("the Company") in response to a request dated 11 March 2025 for a scoping opinion under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the proposed Tangy IV Wind Farm and Cnoc Buidhe Wind Farm 132 kV overhead line ("OHL") Shared Use Connection ("the proposed development"). The request was accompanied by a scoping report.

1.2 The proposed development would be located at Collusca Water and land to the east of Rhondale, approximately 10km northwest of Campbelltown, Argyll and Bute and will connect the consented Tangy IV and proposed Cnoc Buidhe Wind Farms to the existing Carradale Grid Supply Point. The proposed development will be located within the Argyll and Bute planning authority area.

1.3 The proposed development will comprise a new steel lattice 132kV OHL, approximately 13km in length at an average height of 30.4 meters in height. The span lengths between towers would vary depending on topography and altitude but would be approximately 250 meters to 350 meters apart.

1.4 In addition to the 132kV OHL, there will be ancillary infrastructure including:

- formation of bellmouths at public road access points;
- temporary and permanent construction access tracks and tower working areas
- construction compounds;
- borrow pits to provide stone;
- vegetation clearance and management;
- other temporary measures required during construction.

1.5 The Company indicates the proposed development would be decommissioned after 40 years years and the site restored in accordance with the decommissioning and restoration plan.

1.6 The proposed development is solely within the planning authority of Argyll and Bute.

2. Consultation

2.1 Following the scoping opinion request a list of consultees was agreed between Aga Gallagher (acting as the Company's agent) and the Energy Consents Unit. A consultation on the scoping report was undertaken by the Scottish Ministers and this commenced on 17 March 2025. The consultation closed on 14 April 2025. Extensions to this deadline were granted to Argyll and Bute Council. The Scottish Ministers also requested responses from their internal advisors Transport Scotland and Scottish Forestry. Standing advice from Marine Directorate – Science Evidence Data and Digital (MD-SEDD) has been provided with requirements to complete a checklist prior to the submission of the application for consent under section 37 of the Electricity Act 1989. All consultation responses received, and the standing advice from MD-SEDD, are attached in *ANNEX A Consultation responses* and *ANNEX B MD-SEDD Standing Advice.*

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

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

2.4 The following organisations were consulted but did not provide a response: Civil Aviation Authority, District Salmon Fisheries Board, Fisheries Trust, RSPB Scotland, ScotWays, Scottish Wildlife Trust and West Kintyre 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 37 consent is submitted subsequent to this EIA scoping opinion.

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

3. The Scoping Opinion

3.1 This scoping opinion has been adopted following consultation with Argyll and Bute Council within whose area the proposed development would be situated, NatureScot (previously "SNH"), 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 March 2025 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 Argyll and Bute Council for publication on their website. It has also been published on the Scottish Government energy consents website at www.energyconsents.scot.

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

3.5 Scottish Ministers are satisfied with the scope of the EIA set out at Section 3 of the scoping report. However, Scottish Ministers agree with Argyll and Bute Council that indirect impacts on heritage assets should not be scoped out at this stage. Please see the planning authority's response at Annex A for further information.

3.6 In addition to the consultation responses, Ministers wish to provide comments with regards to the scope of the EIA report. The Company should note and address each matter.

3.7 Scottish Water provided information on whether there are any drinking water protected areas or Scottish Water assets on which the development could have any significant effect. Scottish Ministers request that the company contacts Scottish Water (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.

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

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

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

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

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

3.13 The scoping report identified viewpoints at Section 5.4.15 to be assessed within the landscape and visual impact assessment.

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

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

3.16 The Scottish Ministers request that the company assess the impact of the proposed development on existing and/or planned infrastructure. In particular, the company should carry out the necessary assessments to confirm if any part of the proposed development is within the consultation zone of any of the following:-

- a licenced explosives site;
- gas (or any other) pipeline;
- existing overhead electric lines;
- underground cables;
- water pipes;
- telecommunications links.

3.17 Scottish Ministers request the company to assess if any flammable, toxic or explosive chemicals detailed in The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015 would be stored on site in quantities such that a Hazardous Substances Consent would be required under section 2 of the Planning (Hazardous Substances) (Scotland) Act 1997.

3.18 Ministers are aware that further engagement is required between parties regarding the refinement of the design of the proposed development regarding, among other things, surveys, management plans, peat, radio links, finalisation of viewpoints, cultural heritage, cumulative assessments and request that they are kept informed of relevant discussions.

4. Mitigation Measures

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

5. Conclusion

5.1 This scoping opinion is based on information contained in the applicant's written request for a scoping opinion and information available at the date of this scoping opinion. The adoption of this scoping opinion by the Scottish Ministers does not preclude the Scottish Ministers from requiring of the applicant information in connection with an EIA report submitted in connection with any application for section 37 consent for the proposed development.

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

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

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

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

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

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

Kirsty McGroarty

Energy Consents Unit
18 June 2025

ANNEX A

Consultation

List of consultees who provided a response.

- Argyll and Bute Council
- Historic Environment Scotland
- Scottish Environmental Protection Agency
- NatureScot (previously “SNH”)
- British Telecommunications plc
- East Kinross Community Council
- Defence Infrastructure Organisation
- Fisheries Management Scotland
- NATS Safeguarding
- Scottish Water

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

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

Annex B

Argyll and Bute Council
Comhairle Earra Ghàidheal agus Bhóid

Development and Economic Growth
Acting Director: Kirsty Flanagan

Helensburgh and Lomond Civic Centre, 38East Clyde Street, Helensburgh G84 7PG
Tel: 01546-605-552

30 April 2025

Our Ref. 25/00433/SCOPE

ECU Ref. ECU00006122

Contact: Mr D Moore
Direct Line : (01436) 658916
e-mail address: david.moore@argyll-bute.gov.uk

Helensburgh and Lomond Civic Centre
38 East Clyde Street
Helensburgh, G84 7PG

By E-mail to Kirsty.Mcgroarty@gov.scot

Dear Sir / Madam

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

Scoping Opinion Consultation response to the Scottish Ministers related to proposed section 37 application for the Tangy IV Wind Farm and Cnoc Buidhe Wind Farm 132 kV OHL Shared Use Connection

The Planning Authority is in agreement with the proposed approach as set out at Chapter 3 of the Submitted Scoping Report (SSR) in respect of the approach and methodology to be used.

Proposed to be scoped in

- Landscape and Visual Amenity (Chapter 5)
- Ecology and Nature Conservation (Chapter 6)
- Ornithology (Chapter 7)
- Cultural Heritage (Chapter 8)
- Hydrology, Hydrogeology and Soils (Chapter 9)
- Forestry (Chapter 10)
- Traffic and Transport (Chapter 9)

The Planning Authority note, and are in general agreement with, the issues to be scoped in and also the more detailed chapter specific evaluations as set out within the (issues to be scoped out) sections of each “scoped in” chapter to further define matters within the EIAR.

However, the Planning Authority, based on the advice of its Cultural Heritage advisor is not, as yet, in agreement with the approach set out in Chapter 8 in respect of Cultural Heritage matters. Further clarification in respect of these matters (as recommended with West of Scotland Archaeology Service response) are set out in more detail at a later stage in this response.

Proposed to be Scoped Out;

- Land Use
- Air Quality and Climate Change
- Material Assets and waste
- Major Accidents and Disasters
- Noise and Vibration
- Population and Health
- Recreation and Tourism
- Electric and Magnetic Fields
- Radio and TV interference

The Planning Authority has had regard to the submitted Scoping Report dated March 2025 submitted by SSEN and is in general agreement with both the approach and the matters to be scoped into and out of the proposed EIAR subject to further clarifications in respect of Cultural Heritage Matters in respect of non-designated sites as set out previously.

Additional Matters for Consideration

The Planning Authority considers an additional matter may require to be evaluated within the EIAR that does not appear to be specifically addressed in the current submissions. The route proposed for this particular S37 passes through a potentially complex land use framework of planning units associated with the following windfarms.

- Blary Hill,
- Beinn An Tuirc 1, 2 and 3,
- Allt Domhain and
- West Torrisdale

The Planning Authority considers that there is a to evaluate any potential interactions/impacts of the proposals on any approved, draft or proposed Habitat Management Plans or Species Protection Plans associated with these windfarm developments. However, the Planning Authority is content to defer to the views of NatureScot given their expertise and likely involvement in these matters as part of evaluating the windfarm proposals.

A link to the Councils Renewable Map is attached below where further details of these windfarm locations can be found.

Argyll and Bute Renewables Web Map App

Internal Consultation Responses.

The Councils Biodiversity Officer has provided comment as set out below:

Designated Sites

I am satisfied with the Scoping In of a Habitats Regulations Appraisal (HRA) to determine the Likely Significant Effects on Greenland white-fronted geese as a qualifying interest of Kintyre Goose Roosts SPA.

Habitats and Peatland

I note that Annex 1 priority habitats and UKBAP priority habitats are present on site along with Class 1, 2 and 3 peat. I ask that the mitigation hierarchy as set out in NPF4 is adhered to, with avoidance being the first step.

I welcome the proposed updated and extension of the Phase 1 habitat surveys to include habitat condition assessment to inform the BNG assessment along with National Vegetation Classification (NVC) surveys. I also welcome the proposed peatland condition assessment, peat depth probes and Peat Management Plan. I note the applicant is in discussions with NatureScot and SEPA regarding peat and I advise these discussions continue to ensure priority peat and habitats are avoided.

Protected Species

I am satisfied with the Scoping In of the following species: bats, otter, badger, red squirrel, pine marten, water vole, amphibians, reptiles, fish and fresh water pearl mussel. I welcome the inclusion of a Species Protection Plan (SPP) where appropriate and best practice measures to be adhered to as set out in the proposed Construction Environmental Management Plan (CEMP).

Ornithology

I note a number of Target Species will potentially be impacted upon by the Proposed Development. I welcome further surveys to be carried out to determine likely presence, breeding, flight activities, roosting and lekking and the inclusion of a Bird Species Protection Plan. I note the applicant is in discussion with the Argyll Raptor Study Group, RSPB and NatureScot regarding these Target Species. I ask these discussions continue as they will have the most up to date information.

Biodiversity Enhancement

I welcome the inclusion of biodiversity enhancement on the site and habitat restoration.

The Councils Flooding and Drainage advisor has commented as follows;

The site lies outwith the indicative limits of coastal flooding as per the SEPA Future Flood Maps. However, the site overlaps with the fluvial flood extent and regions of surface water flooding, with many watercourses passing over the access to the proposed tower site. There are also a number of small tributary watercourses, with catchment areas of less than 3km2, that are not accounted for on the SEPA Flood maps, that pass over the proposed location of towers. It is recommended that any new towers as built for the cable route are located outwith the fluvial flood extent and ideally at a minimum 50m buffer from the watercourses present at the site.

Any new or upgraded watercourse crossings should not reduce channel capacity below its pre-development state, and if possible, be designed to convey the 200 year with climate change flood plus an allowance for freeboard. In designing the watercourse crossings, consideration should be given to options such as bottomless culverts per SEPA WAT-SG-25. Surface water drainage should be designed in accordance with CIRIA C753 and ideally sections 2 and 3 of the above checklist. Surface water drainage should be designed such that post development runoff does not exceed the 1 in 2 year greenfield runoff rate.

It is recommended that conditions to the effect of the following be attached to any consent granted for this application.

1.Any new or upgraded watercourse crossings should not reduce channel capacity below its pre-development state, and if possible, be designed to convey the 200 year plus climate change flood plus an allowance for freeboard.

2.Surface water drainage should be designed in accordance with CIRIA C753 and ideally sections 2 and 3 of the above checklist. Surface water drainage should be designed such that post development runoff does not exceed the 1 in 2 year greenfield runoff rate.

It is also recommended that any new towers as built for the cable route are located outwith the fluvial flood extent and ideally at a minimum 50m buffer from the watercourses present at the sites.

The Councils Cultural Heritage Advisor on Archaeology matters has commented as follows:

Although paragraph 8.2.1 states that a desk-based assessment will be undertaken, subsequent sections of the scoping report suggest that this may already have been completed – for example sections 8.2.3 and 8.2.4 state that there are no designated heritage assets within the construction corridor of the proposed overhead line and only a single scheduled standing stone within a 1km buffer around it, while 8.2.5 states that there are four non-designated heritage assets within the construction corridor, these being a partially-finished millstone, two summit cairns, and a former croft. While I can confirm that the statements made in these sections appear to be accurate, the Scoping document does not provide any indication of the range of sources considered during the course of this assessment, meaning that I am unable to confirm whether this was adequate.

Paragraph 8.2.6 states that designated and non-designated heritage assets identified during the course of the desk based assessment are shown on figure 8.1. I would make a couple of comments in relation to this, the main one being that while it shows designated heritage assets that are well outside the 1km study area (indeed, it depicts designated sites across the entire width of the Kintyre peninsula), it only represents the four non-designated assets identified from within the red-line scoping boundary, and omits the large number of non-designated assets recorded from the landscape that surrounds it. ***While I would accept that it may not be necessary to represent all of the non-designated heritage assets present across the entire area depicted on figure 8.1, omitting those that fall within the 1km study area gives a misleading impression of the archaeological baseline by suggesting that the overhead line would run through an area containing a very small number of sites. A rapid comparison with the HER indicates that over 90 heritage features have been recorded from within the 1km study area shown on figure 8.1, and omitting these gives the impression that the overhead line would run though an area where there is little evidence for past occupation. This is likely to have a knock-on effect on the assessment of the type of unrecorded material that might be expected to be present along the connection route (officer emphasis)***

The other comment that I would make in relation to the omission of most of the non-designated heritage assets from figure 8.1 is that this appears to be based on the presumption that because these assets are not currently scheduled, they can be assumed to be of low or local importance only. This is not the case – there are multiple sites across the area shown on this map that were assessed as being potential scheduling candidates in the old Non-Statutory Register (NSR), and most of these are likely to be of at least regional importance. Section 8.2.9 of the scoping document suggests that the decision to include designated assets on figure 8.1 even when these are some distance from the proposed connection corridor is because they are considered to be 'sensitive receptors' whose setting could be affected by construction and operation of the new overhead line. While this may very well be the case, I would advise that an assessment of setting impact of this type should not be restricted solely to designated sites, as this would appear to be contrary to Planning Advice Note 2/2011, which makes it clear that that 'Government policy is to protect and preserve archaeological sites and monuments, and their settings, in situ wherever feasible' (paragraph 4), while paragraph 14 says that 'when determining a planning application, the desirability of preserving a monument (whether scheduled or not) and its setting is a material consideration'. While it is unlikely to be feasible for the assessment to consider the impact of the proposed overhead line on all undesignated archaeological features present in this area, it should therefore include some assessment on their impact on the setting of other categories of undesignated sites, including those of regional importance, or those where wider setting would have been a significant factor in the selection of their position in the landscape.

Paragraph 8.2.7 states that 'a walkover survey carried out in 2022 recorded a point of interest within the Proposed Development corresponding to the croft remains'. Again, we

would generally recommend that any desk-based assessment carried out to assess the impact of a development on cultural heritage should be supplemented by field survey, as this offers the opportunity to confirm the condition, extent and significance of features identified during the DBA phase, as well as to identify any additional features whose presence could not be determined from comparison with desk-based sources alone, a possibility that is acknowledged in paragraph 8.2.8, which states that there is the potential for hitherto unknown archaeological remains to survive within the Proposed Development footprint. Although I would agree that a walkover survey would be necessary to produce an adequate picture of the heritage baseline, however, the scoping document does not provide any indication on how this walkover was conducted, meaning that I am again unable to comment on whether it was adequate.

Section 8.3 of the scoping document details issues that the applicant suggests could be scoped out. I would be content that further assessment would not be required on the potential effects of the Proposed Development on Listed Buildings, Inventory Gardens and Designed Landscapes, Conservation Areas, Battlefields and World Heritage Sites as there are no heritage assets falling within these categories within 1km of the development (paragraph 8.3.1), and I would have no problem with scoping out temporary construction phase impacts through change to setting

Paragraph 8.3.2. I am less clear what is meant by paragraph 8.3.3, which states that 'it is not anticipated that there will be any indirect impacts from the construction or operation of the Proposed Development, therefore the assessment of indirect impacts on all heritage assets has been scoped out'. This would appear to suggest that no assessment would be carried out on indirect impacts of the development on heritage assets whatsoever. However, 'indirect impacts' would include changes to setting, meaning that paragraph 8.3.3 would appear to directly contradict paragraph 8.2.9, which acknowledges that designated heritage assets have the potential to be impacted through changes within their setting during the operational phase. ***As a result, I would not agree that indirect impacts on heritage assets can be scoped out at this stage. (officer emphasis)***

I would generally agree with the potential significant impacts set out in section 8.4 of the scoping document, and am pleased that paragraph 8.4.2 again acknowledges the potential for currently-unknown heritage assets to be present within the development boundary. I would also agree with the possible staged approach to mitigation of these impacts that is set out in paragraph 8.5.1, though I would stress that 'archaeological recording of features that cannot be avoided' would not be limited to recording of visible elements only; in the event that it proved necessary to adopt this approach, it is likely that the affected feature(s) would need to be fully excavated, to ensure that its physical loss was offset by the recovery of as much information from it as possible. It is important that the developer is aware of this, as depending on the nature of the feature, excavation can be expensive and time-consuming. To secure completion of a suitable programme of mitigation, it may be necessary for the Council or Energy Consents Unit to attach a suitably worded condition to any consent issued for construction of the proposed grid connection.

Given the above concerns over the scoping submission, it is the recommended that the applicants or Energy Consents Case Officer contact Marton O Hare at West of Scotland Archaeology Service to further discuss the content and structure of the EIAR to reflect the concerns stated above. Martins E-mail is : Martin.OHare@glasgow.gov.uk.

The Councils Roads and Amenity Advisor has commented providing conditions that should be placed on any grant of consent related to non-EIA matters. These are not applicable at scoping stage and therefore no detailed submission is provided within this response on these matters. No comments material to the Scoping exercise on EIA matters have been provided by the Environmental Health Officer. Both the roads and environmental health consultation responses are available to view online.

It should be clarified that the issuing of this scoping consultation advice should not be taken to indicate support for the proposal on the part of Argyll & Bute Council. The Council's conclusions on any future application would rely upon the consideration of the content of any accompanying environmental information, the responses of consultees, the views of third parties and any other material planning considerations.

Please note that in terms of the Council's *Local Development Plan 2'* (adopted Feb 2024) and associated technical Guidance, Argyll & Bute Council will support renewable energy developments where these are consistent with the principles of sustainable development, and it can be adequately demonstrated that there would be no unacceptable significant adverse effects. The Council acknowledges the vital roll transmission upgrades play in transferring renewable energy from generation to users. Proposals will be assessed against the following criteria:

- Net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities. (NPF 4 Policies 11(c) and 25).
- The scale of contribution to renewable energy delivery and distribution.
- Effect on greenhouse gas emissions.
- Cumulative impacts arising from all of the considerations below.
- Impacts on communities and individual dwellings, including visual impact, residential amenity and noise.
- Landscape and visual impacts, including cumulative impacts and effects on wild land.
- Effects on the natural heritage, including birds.
- Impacts on carbon rich soils, using the carbon calculator and any mitigation strategies.
- Public access, including impact on long distance walking and cycling routes
- Impacts on the historic environment, including scheduled monuments, listed buildings and their settings.
- Impacts on tourism and recreation.
- Impacts on aviation and defence interests and seismological recording.
- Impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised.
- Impacts on road traffic (including cumulative impacts of construction traffic)
- Impacts on trunk and local roads.
- Effects on hydrology, the water environment and flood risk.
- The need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration.
- The need for site restoration.

The *'Argyll & Bute Landscape Wind Energy Capacity Study'* (2017) is also a material consideration in the Council's consideration of large-scale infrastructure applications in that it evaluates the landscape character and sensitivities of an area. Although produced as a Technical Note to primarily assist in evaluating windfarm proposals, the landscape character analysis contained within this document will be a material consideration in evaluating the ability of the landscape to absorb S37 Infrastructure developments and identify areas of sensitivity such as transitional and/or sensitive landscape areas.

That this infrastructure investment is generally supported by NPF4, LDP2 and other policies of the Council, does not detract from the need to ensure that significant environmental and landscape impacts are minimised, and that any potential impacts on sensitive receptors are carefully considered in determining any future S37 application under the Electricity Act. Impacts from construction workers, which would potentially worsen the declared housing emergency, will also be material to the manner in which the Planning Authority considers any future S37 application consultation as will NPF 4 Policy 11(c) and Policy 25 matters.

Should you require anything further please do not hesitate to contact me.

Yours sincerely

David Moore

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Senior Planning Officer
Argyll and Bute Council
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Further detail on Planning Service Status is available on the Council website.

British Sign Language (BSL) users can contact me direct by using contactSCOTLAND-BSL

Katie Butchart

From: radionetworkprotection@bt.com
Sent: 26 March 2025 08:36
To: Kirsty Mcgroarty; Econsents Admin
Cc: radionetworkprotection@bt.com
Subject: RE: WID13765 Request for Scoping Opinion for Tangy IV Wind Farm and Cnoc Buidhe Wind Farm 132 kV OHL Shared Use Connection - ECU00006122
Attachments: Figure 1.1 EIA Scoping Boundary.pdf

BT Group

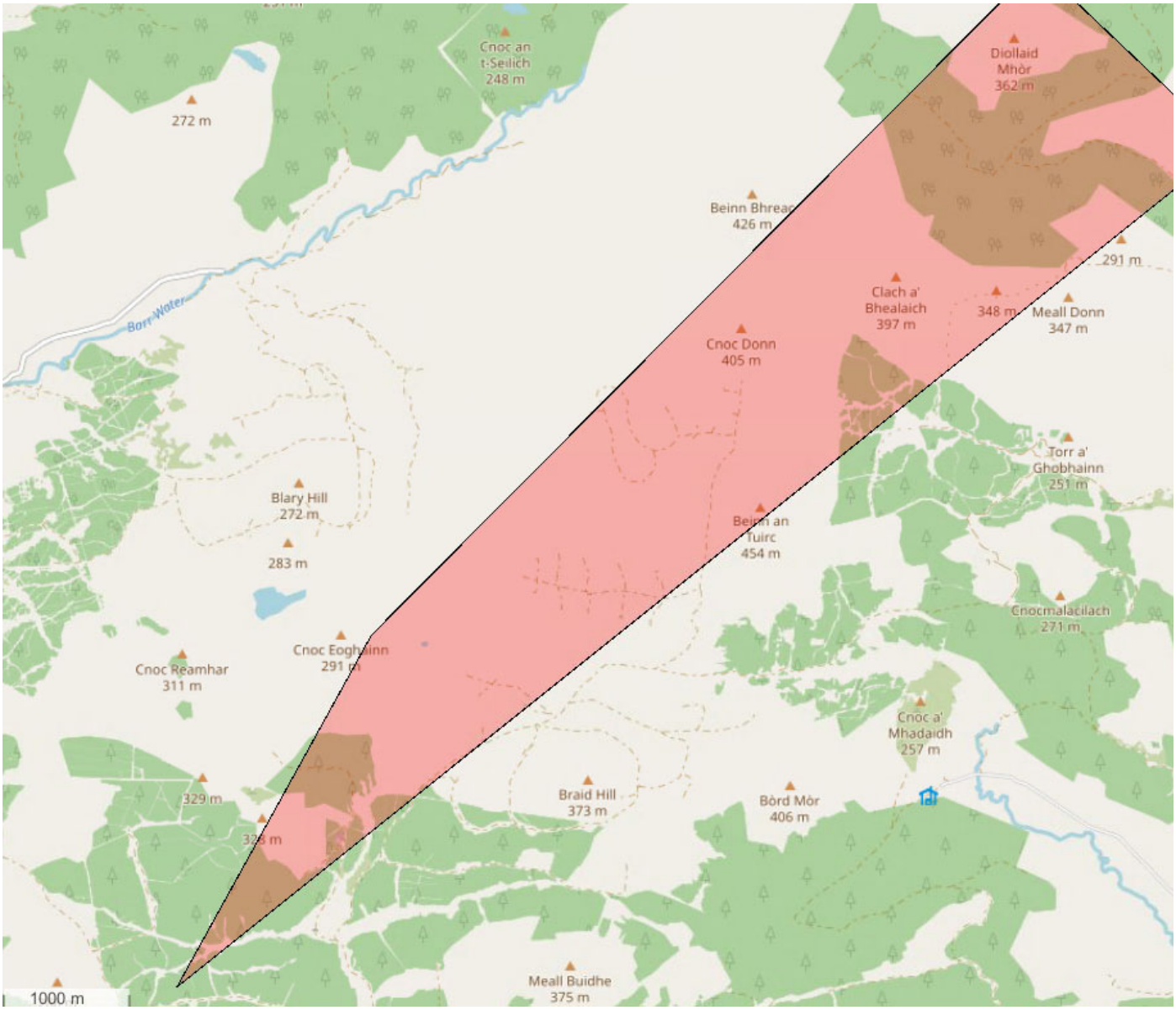
OUR REF; WID13765

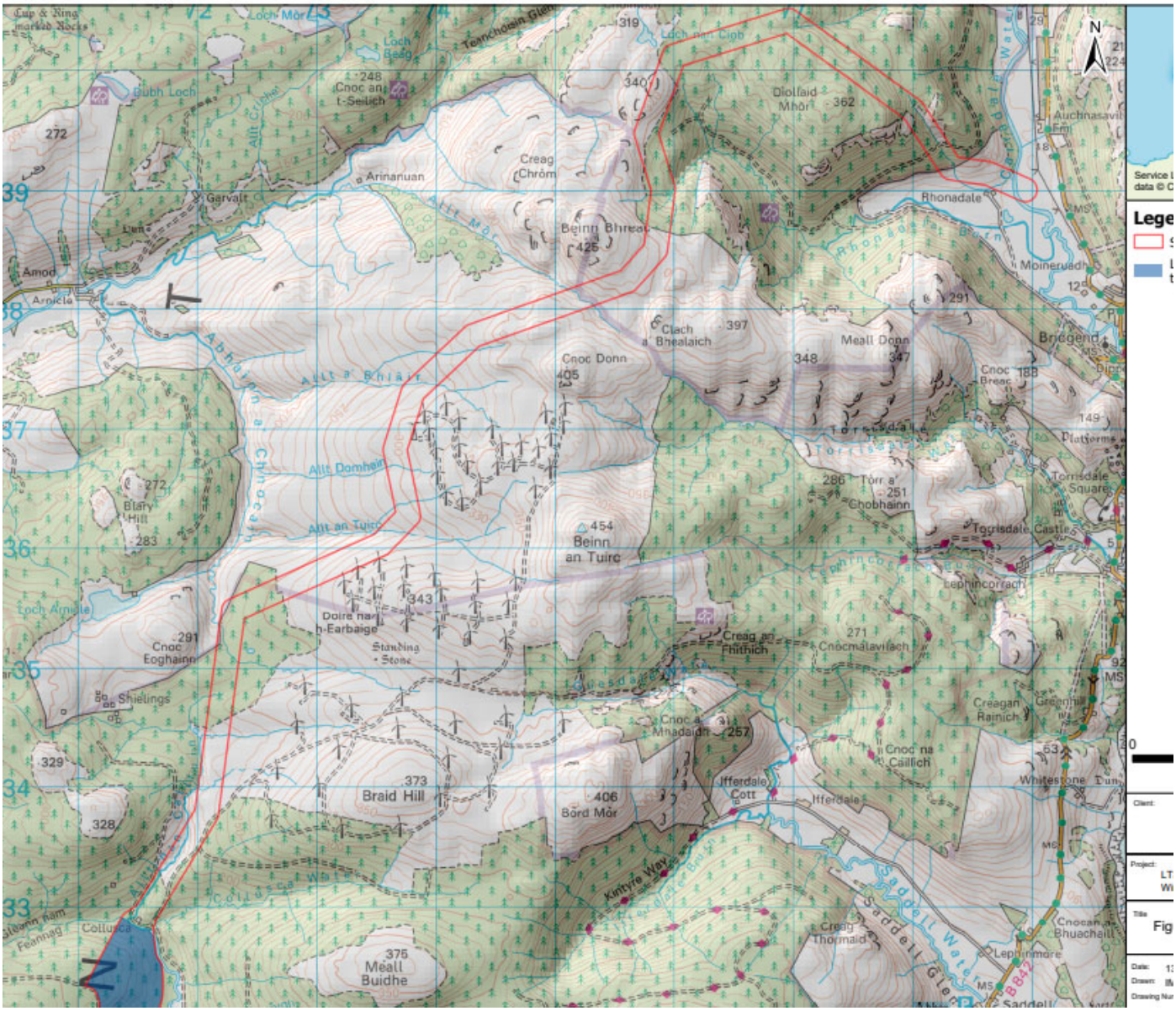
We have studied this proposal using the attached with respect to EMC and related problems to BT point-to-point microwave radio links.

The conclusion is that this proposal should not cause interference to BT's current and presently planned radio network.

BT requires 100m minimum clearance from any structure to the radio link path. It should be noted that this decision is for the date of its issue as the use of the spectrum is dynamic and can change on an ongoing basis. Therefore, please reconsult us if there are any changes during the planning process with heights and locations of any structures, and its finalisation, as we may have new links assigned by Ofcom over its duration.

Please note this refers to BT Radio Links only, you will need to contact other providers separately for information relating to other supplier links / equipment.

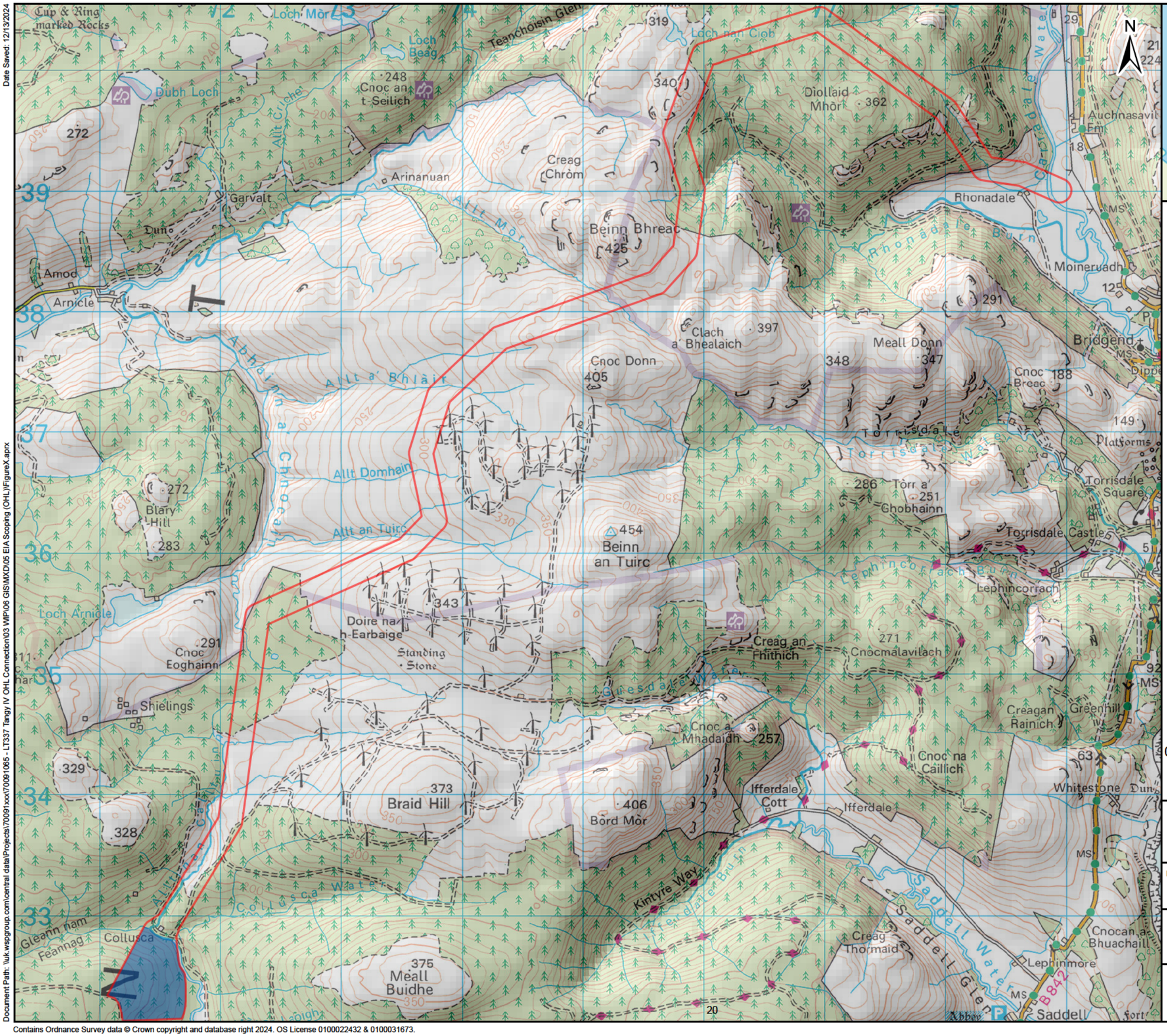

Cnoc an t-Seilich 248 m
272 m
Diollaid Mhòr 362 m
Beinn Bhreac 426 m
291 m
Clach a' Bhealaich 397 m
348 m
Meall Donn 347 m
Cnoc Donn 405 m
Torr a' Ghobhainn 251 m
Blary Hill 272 m
283 m
Beinn an Tuirc 454 m
Cnocmalacilach 271 m
Cnoc Eoghainn 291 m
Cnoc Reamhar 311 m
Cnoc a' Mhadaidh 257 m
329 m
Braid Hill 373 m
Bòrd Mòr 406 m
Meall Buidhe 375 m
1000 m



Kind Regards

Lisa Smith
National Radio Planner
Network Planning

BT Group



Client: Scottish & Southern Electricity Networks TRANSMISSION

Project: LT377 Tangy IV Wind Farm and LT404 Cnoc Buidhe Wind Farm 132kV OHL Shared Use Connection

Title: Figure 1.1: EIA Scoping Boundary

Date: 13/12/24 Scale: 1:30,000 @A3
Drawn: IM Checked: LB Approved: CLH
Drawing Number: TANGYIV-WSP-GIS-X

Date Saved: 12/13/2024

Document Path: \\uk.wspgroup.com\central data\Projects\70091xxx\70091065 - LT337 Tangy IV OHL Connection\03 WP\06 GIS\MXD\05 EIA Scoping (OHL)\FigureX.aprx

Katie Butchart

From: Alice.Jones218@mod.gov.uk
Sent: 03 April 2025 14:04
To: Econsents Admin
Cc: Kirsty Mcgroarty
Subject: 20250403-MOD_Safeguarding_Response_ECU00006122_10066686

DIO Ref: 10066686

Good afternoon,

Thank you for consulting the Ministry of Defence (MOD) on scoping application reference ECU00006122.

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

I can confirm that, following review of the application documents, the proposed development falls outside of MOD safeguarded areas and does not affect other Defence interests. The MOD, therefore, has no objection to the development proposed.

The MOD must emphasise that this email is provided specifically in response to the application documents and supporting information provided via email on 17 March 2025 by the Energy Consents Unit (Scottish Government).

Amendments to any element of the proposed development (including the location, dimensions, form, and/or finishing materials of any structure) may significantly alter how the development relates to MOD safeguarding requirements and may result in detrimental impact(s) on the operation or capability of Defence sites or assets.

In the event that any:

- revised plans;
- amended plans;
- additional information; or
- further application(s)

are submitted for approval, the MOD, as a statutory consultee, should be consulted and provided with adequate time to carry out assessments and provide a formal response whether the proposed amendments are considered material or not by the determining authority.

Kind regards,

Alice

Mrs Alice Jones | Estates | Safeguarding Officer
Defence Infrastructure Organisation | St George's House | DMS Whittington | Lichfield | Staffordshire | WS14 9PY |
Email: alice.jones218@mod.gov.uk
Skype: 0300 153 6293

Dear ECU,
Regards your "request for Scoping Opinion for Tangy IV Wind Farm and Cnoc Buidhe Wind Farm 132 kV OHL Shared Use Connection - ECU00006122"

The EKCC fully understands and accepts that the Carradale Substation is the main hub for the electricity generated by the windfarms in Kintyre. However, the East Kintyre Community was not impressed by the complete lack of knowledge shown by SSEN when they came for the Village Exhibition last year. They showed no awareness of the other Windfarms that are operating or in the development pipeline, nor did they show any understanding of the cumulative impact of all the windfarms and associated connections upon our Community.

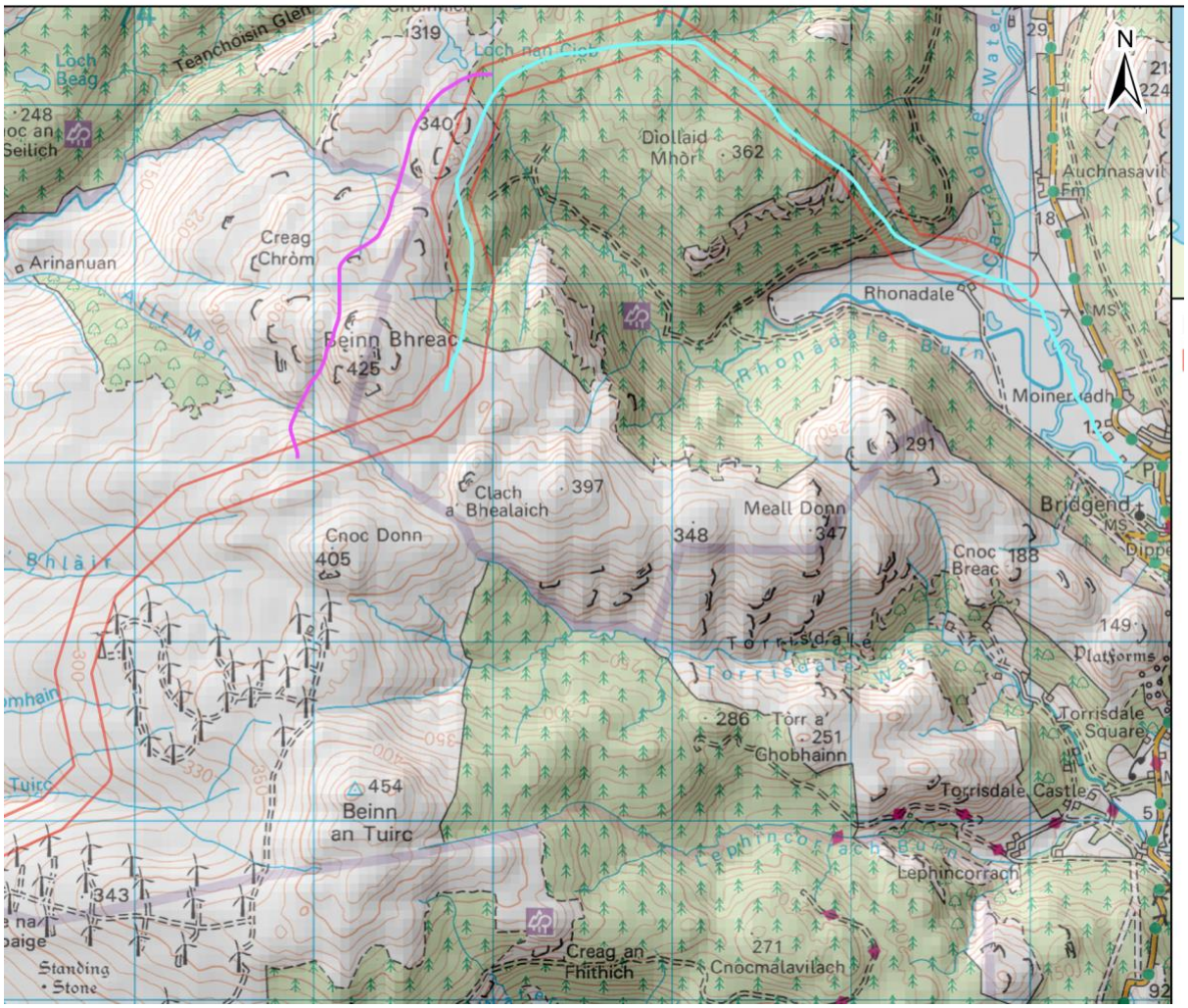
Given that SSE is the DNO for the whole of this area, and has already expanded the Carradale sub-station's capacity to take out the expected electricity generated from the new and existing windfarms (up to 3GW), we'd expect to see some 'joined-up' thinking and planning to ensure a minimal amount of disruption and impact to our landscape and lives.

From the EIA proposed and their public exhibition, this is NOT apparent in SSEN's submission. We request that the Scottish Ministers take the following matters into consideration and inclusion in the EIA:

1) That the route and infrastructure for the Connection uses existing Connection lines and access – to give an example, the Beinn an Tuirc 3 Connection has already made an UNDERGROUND connection that traverses the line from Loch Lussa (Meal Buidhe, Braid Hill, Beinn an Tuirc, Cnoc Donn, Rhonadale) to the Carradale Sub-station – to minimise the impact on our Area of Panoramic Quality and our nesting Golden Eagles on Beinn Bhreac, we feel that the Tangy Connection should either use the Beinn an Tuirc 3 **underground** connection pipe, or install another **underground** pipe along the same route – thus minimising the loss of biodiversity and improving the net zero impact.
2) If (1) isn't acceptable (and why not – if one development can do it, why shouldn't Tangy and Cnoc Buidhe?), then we request that any part of the route which traverses or enters the watershed of Rhonadale and/or Carradale Water be put UNDERGROUND – the current proposed part of the route that is needed to be put underground is marked up in light blue on the enclosed Fig 1.1. marked up.
3) The proposed route we taken round the West side of Beinn Bhreac in order to minimise the disturbance to the Golden Eagles nesting on the East side of Beinn Bhreac (proposed route marked in mauve/purple of the enclosed Fig 1.1 marked up).
4) Finally that the Connection, both the above and underground parts) are built with the ability to take further capacity – we are aware that there are other windfarms in the planning pipeline that could access this Connection at different places and thus minimise future costs and disruption.

Yours,
Ian Brodie
Convenor
EKCC

Figure 1.1 Marked-Up



From:	Brian Davidson
To:	Kirsty Mcgroarty
Cc:	Robert Younger - Fish Legal; Alan Kettle-White (ak@argyllfisheriestrust.co.uk)
Subject:	RE: Request for Scoping Opinion for Tangy IV Wind Farm and Cnoc Buidhe Wind Farm 132 kV OHL Shared Use Connection - ECU00006122
Date:	09 April 2025 10:53:21
Attachments:	image001.png

Dear Kirsty,

Thank you for your correspondence concerning the proposed Tangy IV and Cnoc Buidhe Wind Farm connection.

Fisheries Management Scotland (FMS) represents the network of Scottish District Salmon Fishery Boards (DSFBs) including the River Tweed Commission (RTC), who have a statutory responsibility to protect and improve salmon and sea trout fisheries and the network of fishery trusts who provide a research, educational and monitoring role for all freshwater fish.

FMS act as a convenient central point for Scottish Government and developers to seek views on local developments. However, as we do not have the appropriate local knowledge, or the technical expertise to respond to specific projects, we are only able to provide a general response with regard to the potential risk of such developments to fish, their habitats and any dependent fisheries. Accordingly, our remit is confined mainly to alerting the relevant local DSFB/Trust to any proposal. The proposed development falls within the catchment relating to the Argyll DSFB and Argyll Fisheries Trust – I have copied this reply to both organisations.

Due to the potential for such developments to impact on migratory fish species and the fisheries they support, FMS have developed, in conjunction with Marine Scotland Science, advice for DSFBs and Trusts in dealing with planning applications. We would strongly recommend that these guidelines are fully considered throughout the planning, construction and monitoring phases of the proposed development.

- LINK TO ADVICE ON TERRESTRIAL WINDFARMS
- LINK TO DSFB & TRUST CONTACT DETAILS

Kind regards,

Brian

Brian Davidson | Director of Operations
Fisheries Management Scotland
11 Rutland Square, Edinburgh, EH1 2AS
Tel: 0131 221 6567 | 075844 84602
www.fms.scot

By email: Econsents_Admin@gov.scot

Kirsty McGroarty
Case Officer
Energy Consents Unit

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

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

Our case ID: 300075560
Your ref: ECU00006122
11 April 2025

Dear Kirsty McGroarty

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Tangy IV Wind Farm and Cnoc Buidhe Wind Farm Shared Use Connection
Comments on scope of proposed Environmental Impact Assessment

Thank you for consulting us on this Environmental Impact Assessment (EIA) scoping report, which we received on 17 March 2025. 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.

The relevant local authority archaeological and cultural heritage advisors will also be able to offer advice on the scope of the cultural heritage assessment. This may include topics covered by our advice-giving role, and also other topics such as unscheduled archaeology, category B and C listed buildings, and conservation areas.

Proposed development

We understand that the proposed development comprises a connection between the consented Tangy IV Wind Farm and proposed Cnoc Buidhe Wind Farm to the existing Carradale Grid Supply Point via a combination of underground cable (UGC) and a new 132 kV overhead line (OHL).

Scope of assessment

We welcome that the environmental impact assessment (EIA) undertaken in support of the development will include an assessment of impacts on the historic environment. This assessment should be undertaken by a suitably experienced heritage professional with an understanding of heritage issues. We recommend that the applicant refers to the EIA Handbook for best practice advice on assessing cultural heritage impacts.

We have identified potential significant effects on our historic environment interests. Our advice on the nature of these impacts is included in an annex to this covering letter. This also includes our requirements for information to be included in the EIA Report.

Further information

The assessment should meet the requirements of National Planning Framework 4. Decisions that affect the historic environment should take the Historic Environment Policy for Scotland (HEPS) into account as a material consideration. HEPS is supported by our Managing Change guidance series. In this case we recommend that you consider the advice in the guidance note on setting.

We hope this is helpful. If you would like to submit more information about this or any other proposed development to us for comment, please send it to our consultations mailbox, hmconsultations@hes.scot. If you have questions about this response, please contact Cailee Mellen at cailee.mellen@hes.scot.

Yours sincerely

Historic Environment Scotland

ANNEX

Project Background

Alignment Options Consultation

We responded to a consultation regarding alignment options for the proposed development in November 2024 and provided comments on potential impacts resulting from the preferred route as identified by that analysis. Based on the information given in the scoping report, we note that the route being taken forward is the same preferred route that we commented on at the alignment options stage. As such, we have minimal additional comments to make and have largely reiterated our previous advice below regarding potential impacts on assets within our remit.

Scoping Report

Assessment Methodology

We note that section 8.6 of the scoping report states that the cultural heritage chapter of the EIA will set out the methodology for the assessment; however, we would expect a scoping report to outline these details. As it is not specified at this stage, we recommend that elements of the assessment methodology such as definitions of levels of significance, magnitude of impacts, etc follow those outlined in the EIA Handbook.

We welcome that the Managing Change guidance series is referenced in the scoping report.

Scope of Assessment

We note that the scoping report proposes a 1km buffer to identify designated heritage assets that may experience setting impacts. We recommend a ZTV analysis also be used to identify any nationally important heritage assets outside the study area that could be significantly impacted by the development. The assessment should demonstrate a full appreciation of the setting of each heritage asset in the vicinity and should consider where long-range views, intervisibility, and views to and/or across the asset contribute to its setting and significance. We also recommend that further assessment should include potential impacts on any key views of assets from third points which may fall in the ZTV. Our Managing Change guidance note on setting provides further detail on this matter.

Potential Setting Impacts

We can confirm that there are no assets within our remit located within the proposed connection route. Potential impacts that could result from the proposed development will therefore relate to the settings of such assets

Crois Mhic Aoidh, Standing Stone (SM251)

The monument comprises a standing stone, probably dating to the Neolithic or Bronze Age. The stone stands at an angle and measures 1.6m and bears two large ‘M’ characters carved in relief on its broad faces. It is the presence of these carvings that has given the stone its name: Coris Mhic Aoidhe, or ‘Mackay’s Cross’.

The standing stone is situated on the southwest facing slope of Doire na h-Earbaige within a former forestry plantation. Is surrounded by wind turbines on its north and south sides. The position of the monument on a west facing slope suggests that the expansive views from the monument in this direction would have been key to its setting.

As identified in the scoping report, the proposed route passes within 1km to the west of the monument and would be visible with views in this direction. The potential impacts to the setting of this monument should be assessed through the production of a photomontage looking to the west toward the proposals with the standing stone in the foreground.

The Garvalt, Dun 500m SW of (SM3740)

We welcome that the proposed route would have less of an impact on the setting of this monument.

The monument is a dun dating to the Iron Age or Early Medieval period with some later remains including field banks and a possible kiln. The dun comprises walls of stone blocks enclosing an internal area.

The monument is situated on a south-facing slope in the upper reaches of Barr Glen to the northeast of Arnicle. It has been ideally situated to survey the length of Barr Glen with views extending all the way to the west coast of Kintyre and across the sea to Ulster in the far distance. These long-distance views toward the coast would have been key to the monuments function. Reciprocal views of the dun from approaches in the lower glen would also have been key to the monument's role as an imposing or impressive feature in its surroundings.

As stated in the previous consultation regarding the alignment options, the proposed route (formerly alignment option A3) is located about 2km to the east of the monument and would lie close to the existing windfarms, grouping the modern development in the area in this location. As such, it seems likely that a combination of distance, intervening topography, and the OHL appearing directly in front of existing wind turbines would not result in a significant additional impact on the monument's setting.

Historic Environment Scotland
11 April 2025

Demi Gray

From: NATS Safeguarding <NATSSafeguarding@nats.co.uk>
Sent: 18 March 2025 12:25
To: Kirsty Mcgroarty
Cc: Econsents Admin
Subject: RE: Request for Scoping Opinion for Tangy IV Wind Farm and Cnoc Buidhe Wind Farm 132 kV OHL Shared Use Connection - ECU00006122 [SG39099]

Our Ref: SG39099
Dear Sir/Madam
The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.
However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.
If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.
Yours faithfully

NATS Safeguarding

E: natssafeguarding@nats.co.uk
4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk

Kirsty McGroarty
Energy Consents Unit
The Scottish Government
By email: kirsty.mcgroarty@gov.scot

10 April 2025
Your ref: ECU00006122
Our ref: CDM179603

Dear Kirsty,

THE ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
Scoping response for Section 37 application for the Tangy IV Wind Farm and Cnoc Buidhe Wind Farm 132 kV OHL Shared Use Connection

Thank you for requesting the views of NatureScot in respect of the above proposal.

We are aware that, following discussion with other interested parties, the proposed development may be subject to change and/or the request for a Scoping Opinion withdrawn. However, we have been unable to clarify this prior to the consultation deadline, so we offer the following advice based on the information submitted to date. If there are significant changes to the proposal (i.e. buffer distances, routing or options for traversing this site) you will need to reconsult us on those revised plans.

SUMMARY

General

A significant amount of information has been omitted from the Scoping Report, which is required for us to be able to effectively advise on any likely effects on natural heritage interests. Any submitted application and accompanying EIAR must include:

- General Environmental Management Plans, Species Protection Plans and Construction Environment Management Plan.
- Indicate the access route(s), required upgrades, compound areas and include an assessment of likely effects on natural heritage interests arising from their use.

- Details of where and the timings during which helicopters will be operating and an assessment of likely effects on natural heritage interests arising from their use.

Landscape & Visual effects

Advance sight of wireline drawings from viewpoints in the western part of the North Arran National Scenic Area (NSA) will help us advise on the likely significance of and scope in/out visual effects on receptors within the NSA.

Ecology & Nature Conservation

We highlight our guidance on the assessment and mitigation of impacts of developments on nationally important carbon-rich soils, deep peat, and priority peatland habitats.

An assessment of effects on fish, freshwater pearl mussel, wetlands and groundwater dependent terrestrial ecosystems must be based on their hydrological connectivity, rather than standard buffer distances.

Ornithology

The proposal could affect Kintyre Goose Roosts, a Special Protection Area (SPA) protected for wintering Greenland white-fronted geese.

The site's status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the 'Habitats Regulations') apply or, for reserved matters, The Conservation of Habitats and Species Regulations 2017. Consequently, The Scottish Government is required to consider the effect of the proposal on the SPA before it can be consented (commonly known as Habitats Regulations Appraisal). The NatureScot website has a summary of the legislative requirements[1].

Our initial advice, based on our current understanding of the Proposal, is that it may be located in a sensitive location which could give rise to natural heritage concerns of national interest which might prove difficult to overcome. **As such, there is a possibility that we may object to an application for permission to build an OHL in this location.** These comments are made without prejudice to any application for consent that may be submitted in the future.

Any submitted application and accompanying EIAR must include an assessment of likely effects of both construction and operational disturbance on Greenland white-fronted geese, the qualifying feature of the Kintyre Goose Roosts SPA.

An assessment of likely effects of the proposed development on golden eagle and hen harrier must include disturbance during construction and operation, habitat loss/change (directly, indirectly and cumulatively) and collision risk.

Hydrology, Hydrogeology, Geology & Soils

Pollution and sedimentation, which can have significant impacts on fish and freshwater pearl mussel, must be scoped in.

[1] https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species/legal-framework/habitats-directive-and-habitats-regulations

Assessment of effects on fish and freshwater pearl mussel must be based on an assessment of hydrological connectivity, rather than standard buffer distances.

DETAILED ADVICE

In terms of the scope of our advice presented here, this is based on the information that has been provided to date, which is largely focussed on the route of the OHL itself. We note that there is a variety of ancillary infrastructure/activities proposed, including access track(s), site compound(s) and helicopter flights, for which no information has been submitted and/or survey work has not yet been undertaken. This limits our ability to provide any meaningful advice on the likely natural heritage impacts of these activities at this time, and we reserve our position in respect of these matters until further information is available.

1. GENERAL

A significant amount of information has been omitted from the Scoping Report, which is required for us to be able to effectively advise on any likely effects on natural heritage interests.

Any submitted application should be accompanied by the **General Environmental Management Plans** (GEMPs), **Species Protection Plans** (SPPs) and **Construction Environment Management Plan** (CEMP), which will be required for us to advise on the likely impacts and mitigation of effects arising from the development on natural heritage interests.

No detail has been provided in relation to the **access route(s)** or any required upgrades proposed to be used for the transport of personnel, plant etc or site compound areas to be used during the construction phase of the overhead line (OHL), and/or the operational phase, i.e. for ongoing repairs and maintenance. Any submitted application and accompanying EIAR should **indicate the access route(s), required upgrades and compound areas** and include an assessment of likely effects on natural heritage interests arising from their use.

We note that **working hours** have been proposed (para 2.9.4), but these may need to be amended if necessary for the protection of sensitive natural heritage interests, i.e. disturbance of roosting Greenland white-fronted geese arising from traffic movements on any proposed access route(s) or from compound areas. We cannot advise further on this **until the location of the access route(s) and compound areas have been clarified**.

Similarly, the use of **helicopters** is proposed for the delivery of construction materials (para 2.10.2), but no detail has been provided in respect of where helicopters will be operating (i.e. site compound(s) where materials will be delivered/stored/uplifted from) or the timings during which helicopters will be operating. Helicopter flights have the potential for significant effects on sensitive natural heritage interests and must be assessed as part of any submitted application and accompanying EIAR. A Helicopter Management Plan may be required. **Further information is required** before we can advise on this.

The assessment of cumulative effects should include **any** relevant project or plan (i.e. those that may be subject to other regulatory regimes), not just "*other EIA developments*" (para 3.6.2). Non-EIA developments can also give rise to significant environmental effects, which must be taken

account of in the assessment of cumulative effects. We recommend liaising with the local planning authority to ensure the list of cumulative projects is comprehensive.

2. LANDSCAPE & VISUAL EFFECTS

Advance sight of wireline drawings at an early stage from a viewpoint(s) in the west of the North Arran National Scenic Area (NSA), for example from Imachar Point (NR864402), will help us to advise on the likely significance of and scope in/out visual effects on receptors within the NSA.

We defer to Argyll and Bute Council in respect of potential effects on locally designated Local Landscape Areas.

3. ECOLOGY & NATURE CONSERVATION

As detailed above, any submitted application should be accompanied by **GEMPs**, **SPPs** and **CEMP**, which will be required for us to advise on the likely impacts and mitigation of effects arising from the development on natural heritage interests.

Guidance on the assessment and mitigation of impacts of developments on nationally important **carbon-rich soils, deep peat, and priority peatland habitats** can be found on our website[2].

In respect of surveys for **fish and freshwater pearl mussel**, we note that it is proposed to carry out surveys only 200 metres up/downstream (Table 6.2). Impacts on these species, i.e. pollution, siltation and impeding the passage of migratory fish species, can have an impact at a distance greater that 200 metres up/downstream. In considering these species, due regard must be had for any habitats supporting these species that are in **hydrological connectivity** with the development proposal, including the route of any proposed access track(s). Detailed advice for the survey and assessment of effects on salmonids[3] and freshwater pearl mussel[4] is available online.

Standing advice for protected species in development management can also be found on our website[5].

We defer to Argyll and Bute Council in respect of effects on Local Nature Conservation Sites.

4. ORNITHOLOGY

We have not been provided with Figure 7.3, indicating flight activity of target avian species. However, we can offer the following advice at this time.

[2] https://www.nature.scot/doc/advising-peatland-carbon-rich-soils-and-priority-peatland-habitats-development-management
[3] https://www.gov.scot/publications/onshore-renewables-interactions/
[4] https://www.nature.scot/doc/standing-advice-planning-consultations-freshwater-pearl-mussels
[5] https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-protected-species

4.1 Kintyre Goose Roosts SPA

This proposal is likely to have a significant effect on wintering **Greenland white-fronted goose** (*Anser albifrons flavirostris*), the qualifying interest of Kintyre Goose Roosts Special Protection Area (SPA).

The site's status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the 'Habitats Regulations') apply or, for reserved matters, The Conservation of Habitats and Species Regulations 2017. Consequently, The Scottish Government is required to consider the effect of the proposal on the SPA before it can be consented (commonly known as Habitats Regulations Appraisal). The NatureScot website has a summary of the legislative requirements[6].

Use of roost lochs by Greenland white-fronted geese within the Kintyre Goose Roosts SPA varies, both between winters and within winters, and geese may also move to undesignated lochs in the wider local area. No detail has been provided in relation to the traffic access route(s) or location and timing of helicopter flights proposed to be used during the construction and operational, i.e. for ongoing repairs and maintenance, phases of the OHL. However, traffic movements and helicopter flights in proximity to goose roosts can cause significant disturbance to Greenland white-fronted geese that form part of the Kintyre Goose Roosts SPA population. Construction disturbance has been acknowledged, but operational disturbance of Greenland white-fronted geese must also be included as a Potential Significant Effect (para 7.4.1). Any submitted application and accompanying EIAR should indicate likely traffic access and helicopter flight route(s) and include an assessment of likely effects of both **construction and operational disturbance** on Greenland white-fronted geese arising from their use.

4.2 Golden eagle

The submitted bird survey reports have correctly identified that the closest golden eagle nest site is located less than 1km from the proposed development. An assessment of likely effects of the proposed development on golden eagle should include **disturbance** during construction and operation, **habitat loss** (directly, indirectly and cumulatively) and **collision risk**.

4.3 Hen harrier

Hen harrier are nesting at a number of locations within 2km of the proposed development. Nest sites are often found in areas of young forestry plantation or recently felled, regenerating forestry, which at certain growth stages can provide suitable nesting habitat for hen harrier, when it replicates their usual preferred habitat of tall, leggy heather. The attractiveness of such nesting sites will change as forestry plantings grow up and form a closed canopy. However, habitats may remain or become suitable for nesting hen harrier if forestry is felled as part of the proposed development or vegetation is managed to maintain clear wayleaves.

Any submitted EIAR should include an assessment of **disturbance** during construction and operation, **habitat loss** (directly and indirectly) and **collision risk**, including providing clarity on where forestry cover will be felled and how subsequent habitats will be managed after felling, with

[6] https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species/legal-framework/habitats-directive-and-habitats-regulations

particular regard for nesting hen harrier. Such effects could be addressed through a Habitat Management Plan for the site, that includes consideration of nesting hen harrier.

4.4 Central Kintyre Habitat Management Plan

We are please to note that the EIAR will take account of the integrity of the existing Central Kintyre Habitat Management Plan, particularly in respect of breeding golden eagle and red-throated diver.

5. HYDROLOGY, HYDROGEOLOGY, GEOLOGY & SOILS

Guidance on the assessment and mitigation of impacts of developments on nationally important **carbon-rich soils, deep peat, and priority peatland habitats** can be found on our website[7].

The Scoping Report proposes that **pollution and sedimentation** will be scoped out (para 9.3.1) but can also give rise to Potential Significant Effects (Para 9.4.1). For the avoidance of doubt, and without sight of the measures to be detailed in the GEMPs, we advise that pollution and sedimentation, which can have significant impacts on fish and freshwater pearl mussel, must be **scoped in** at this stage.

For features within or dependent upon surface waters or groundwater, for example wetlands and Groundwater Dependent Terrestrial Ecosystems (GWDTEs), we consider that the spatial scope of the study area should be based on an assessment of **hydrological connectivity** rather than a standard buffer around the proposed development, and should include the route of any proposed access track(s) and site compounds.

This section should also recognise the link between salmonids and **freshwater pearl mussel** in the lifecycle of the mussels. As above, an assessment of likely effects on both salmonids and freshwater pearl mussel should be based on an assessment of **hydrological connectivity**, as effects on these species can have an impact at a significant distance up/downstream. Guidance on surveys and assessment of effects on these species is highlighted above.

6. ENHANCING BIODIVERSITY

National Planning Framework 4 (NPF4) sets out new requirements for development to deliver **positive effects for biodiversity**, primarily under Policy 3.

For national and major developments, or those subject to EIA, Policy 3b notes that proposals will only be supported where it can be demonstrated that they will conserve, restore and enhance biodiversity, including nature networks, so they are in a demonstrably better state than without intervention. The policy requires that such proposals demonstrate **significant biodiversity enhancement, in addition to any proposed mitigation**. Only when actions result in biodiversity being left in a better state than before development are positive effects secured.

[7] https://www.nature.scot/doc/advising-peatland-carbon-rich-soils-and-priority-peatland-habitats-development-management

The Scottish Government Draft Planning Guidance on Biodiversity[8] (published November 2023) provides further advice on delivering biodiversity enhancement to clarify understanding of NPF4 Policy 3. Although labelled as "Draft Guidance" it is intended that it should be used now to assist in implementation and delivery of Policy 3.

We advise that:

- Development proposals should clearly set out the type and scale of enhancement they will deliver, ensuring that applications clearly distinguish between those elements mitigating or compensating for adverse effects and those delivering enhancement.
- Developers should prioritise on-site enhancement before off-site delivery. Where purely on-site enhancement is not possible, the Scottish Government draft guidance sets out further considerations for off-site delivery.
- It is also important that applications demonstrate that the enhancement is to be secured within a reasonable timescale and with reasonable certainty, including appropriate management and monitoring arrangements, and sustained for the future (preferably in perpetuity) in order to deliver a lasting legacy.
- Information on predicted losses, and the proposed mitigation, compensation and enhancement should be clearly set out, and also concisely summarised, in any application, so that this can be easily understood by decision makers.
- Enhancement requires consideration of all biodiversity, not just the significant effects that are the focus of EIA.

Our Developing with Nature[9] guidance has been prepared, in discussion with Scottish Government, to support local development applications. It sets out a number of common measures to enhance biodiversity that are widely applicable. For national, major and EIA developments, more detailed assessment and more ambitious measures are likely to be required, but elements of our Developing with Nature guidance may still be helpful.

For further information and updates, please see our enhancing biodiversity webpage[10].

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

Yours sincerely,

Matthew Topsfield
Operations Officer West
matthew.topsfield@nature.scot

Cc: Angieszka Gallagher, SSE
Sandra Davies, Argyll & Bute Council

[8] https://www.gov.scot/publications/scottish-government-draft-planning-guidance-biodiversity/
[9] https://www.nature.scot/doc/developing-nature-guidance
[10] https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-enhancing-biodiversity

Scottish Forestry **11 April 2025**

Scoping Opinion - PROPOSED SECTION 37 APPLICATION FOR TANGY IV WIND FARM AND CNOC BUIDHE WIND FARM 132KV OHL SHARED USE CONNECTION - ECU00006122

Forestry and Woodlands

Scotland's forests make a substantial contribution to the economy at both national and local levels, they provide considerable environmental benefits and help to improve people's quality of life. The Scottish Government aims to maintain and enhance Scotland's forest and woodland resources for the benefit of current and future generations. To achieve this, we need to prevent inappropriate woodland losses (Scotland's Forestry Strategy, 2019).

The Fourth National Planning Framework recognises the importance of forests and woodlands in delivering the National Outcomes of; Environment, communities, economy. Policy 6 aims to protect and expand forests, woodland and trees. The Climate Change Plan places emphasis on the fact that Scotland's woodlands deliver a wide range of benefits, including inward investment and jobs, climate change adaptation and mitigation, and the enhancement of the health and well-being of Scotland's communities. The Scottish forestry sector is worth almost £1 billion per year and employs over 25,000 people.

There is therefore a strong presumption in favour of protecting Scotland's woodland resources and the Scottish Government provides policy direction in the policy on control of woodland removal. Woodland removal should be kept to a minimum and where woodland is felled it should be replanted. The policy supports woodland removal only where it would achieve significant and clearly defined additional public benefits. In some cases, including those associated with development, a proposal for compensatory planting may form part of this balance.

The criteria for determining the acceptability of woodland removal is explained in the policy and the applicant should take them into account when preparing the proposal. Beyond this, the applicant should refer to guidance documents issued by Scottish Forestry (and previously by Forestry Commission- FC) in relation to good forestry practice and sustainable forest management.

Woodland Management and tree felling
Where woodland removal is proposed for development, the relevant Environmental Impact Assessment (EIA) regulations will apply and the EIA Report should justify and provide evidence for the need for woodland removal and the associated mitigation measures.

The first consideration for the applicant should be whether the underlying purpose of the proposal can reasonably be met without resorting to woodland removal. Design approaches that reduce the scale of felling required to facilitate the development must be considered and integration of the development with the existing woodland structure is a key part of the consenting process.

Integration of the project into future forest design plans is a key part of the development process. **The removal of large areas of woodland will not be supported.** When a proposed development or infrastructure requires to go through forestry, consideration should be given to forest design guidelines. The EIA Report should include a stand-alone chapter on 'Woodland management and tree felling' (a forest plan) prepared by a suitably qualified professional and supported by existing records, site surveys and aerial photographs. In order to present the relevant information about the forest and to secure compliance with the UK Forestry Standard, the applicant should consider the appropriate scope/scale for such plan.

In certain cases a forest plan of the proposed development area only is not appropriate. The applicant should consider the whole ownership, or multiple ownerships, or expands the scope of the forest plan so that to present the relevant information about that forest. Details of the proposed mitigation measures must be included in the EIA Report, not left to post-consent habitat management plans (or others) to decide and implement.

The chapter should describe and recognise the social, economic and environmental values of the forest and the woodland habitat and take into account the fact that, once mature, the forest would have been managed into a subsequent rotation, often through a restructuring (re-designing) proposal, according to the UK Forestry Standard, that would have increased the diversity of tree species and the landscape design of the forest.

The chapter should describe the baseline conditions of the forest, including its ownership. This will include information on species composition, age class structure, yield class and other relevant crop information. The chapter should describe the changes to the forest structure, the woodland composition and describe the work programme:

- the proposed areas of woodland for felling to accommodate the proposed infrastructures, including access roads, tracks, underground pipes and cables and any ancillary structures. Details of the area to be cleared around those structures should also be provided, along with evidence to support the proposed scale and phasing of felling;

- trees felled must be replanted on-site or compensated for (off-site planting) and these areas must be clearly identified in the plan. On-site replanting must always be considered first. The replanting operations must be appropriately described, including changes to the species composition, age class structure, timber production and traffic movements. Tree/shrub species must be suited to the site and the objectives of management;

- areas of open ground in the forest that are designed for biodiversity or landscape enhancement or for recreation opportunities should not be considered for on-site replanting (to compensate for woodland removal in other parts of the forest).

The applicant should consider the potential cumulative impact of existing and the proposed development on the forest resource in respect to the local and regional context. In particular consideration must be given to the implication of felling operations on such things as habitat connectivity, biodiversity, water management, landscape impact, impact on timber transport network and forestry policies included in the local and regional Forestry and Woodland Strategies and local development plans.

A long term forest plan should be provided as part of the EIA Report (as a technical appendix for context) to give a strategic vision to deliver environmental and social benefits through sustainable forest management and describes the major forest operations over a 20 years period.

UK Forestry Standard

The UK Forestry Standard is the Government's reference standard for sustainable forest management in the UK and provides a basis for regulation and monitoring. The Scottish Government expects all forestry plans and operations in Scotland to comply with the standards. Both felling operations and on and off-site compensatory planting must be carried out in accordance to good forestry practice- the EIA Report must clearly state that the project will be developed and implemented in accordance with the standard. A key component of this is to ensure that even-age woodlands are progressively restructured in a sustainable manner: felling coupes should be phased to meet adjacency requirements and their size should be of a scale which is appropriate in the context of the surrounding woodland environment.

Scottish Forestry

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

Scottish Forestry is the main forestry consultee and should be consulted throughout the development of the proposal to ensure that proposed changes to the woodland are appropriate and address the requirements of policy on control of woodland removal and the principles of sustainable forest management.

It is important that pre-application discussions takes place with the local Scottish Forestry Conservancy office, the planning authority and other relevant key agencies, at the earliest possible stage of the project, to ensure all parties have a shared understanding of the nature of the proposed development, information requirements and the likely timescale for determination. This collaborative approach will ensure that all forestry issues are identified and mitigated at the earliest opportunity. The applicant should allow sufficient time in their project plan to accommodate such advice.

Mandy Cook
Scottish Forestry (Perth & Argyll Conservancy)
Woodland Officer (Argyll West)

Thursday, 27 March 2025

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

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

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

Dear Customer,

Tangy IV Wind Farm, And Cnoc Buidhe Wind Farm, Argyll and Bute, PA28 6QY
Planning Ref: ECU00006122
Our Ref: DSCAS-0129394-PCG
Proposal: The Proposed Development would primarily comprise the construction of a new double circuit 132 kV OHL connection between terminal towers located at Collusca Water and land to the east of Rhonadale, approximately 13 km in length.

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this proposal. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Drinking Water Protected Areas

A review of our records indicates that the proposed activity falls partly within at least 1 drinking water catchment where a Scottish Water abstraction is located. Scottish Water abstractions are designated as Drinking Water Protected Areas (DWPA) under Article 7 of the Water Framework Directive.

In order to make a full assessment of the route please can we be sent a zipped file with the shapefiles of the route so it can be mapped against our GIS and further assessed for risk to public drinking water and Scottish Water assets. Please send these to protectdwsources@scottishwater.co.uk

Scottish Water have produced a list of precautions for a range of activities. This details protection measures to be taken within a DWPA, the wider drinking water catchment and if there are assets in the area. Please note that site specific risks and mitigation measures will

require to be assessed and implemented. These documents and other supporting information can be found on the activities within our catchments page of our website at **www.scottishwater.co.uk/slm**.

Until we have received this level of detail we are unable to fully advise what implications this activity could have.

Asset Impact Assessment

Scottish Water records indicate that there is live infrastructure in the proximity of your development area that may impact on existing Scottish Water assets.

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via our Customer Portal for an appraisal of the proposals.

The applicant should be aware that any conflict with assets identified will be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Written permission must be obtained before any works are started within the area of our apparatus

Surface Water

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

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

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should refer to our guides which can be found at https://www.scottishwater.co.uk/Help-and-Resources/Document-Hub/Business-and-Developers/Connecting-to-Our-Network which detail our policy and processes to support the application process, evidence to support the intended drainage plan should be submitted at the technical application stage where we will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

Next Steps:

All developments that propose a connection to the public water or waste water infrastructure are required to submit a Pre-Development Enquiry (PDE) Form via our Customer Portal prior to any formal technical application being submitted, allowing us to fully appraise the proposals

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,

Ruth Kerr
Development Services Analyst
PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

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

Supplementary Guidance

- 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 Development Operations department at the above address.

- If a 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 a Sustainable Drainage System (SUDS) proposed to vest in Scottish Water is constructed.

- Please find information on how to submit application to Scottish Water at our Customer Portal.

Kirsty McGroarty
Energy Consents Unit
Scottish Government

By email only to: Econsents_Admin@gov.scot

Our Ref: PCS-20004959
Your Ref: ECU00006122

SEPA Email Contact:
planning.north@sepa.org.uk

26 March 2025

Dear Kirsty McGroarty

Electricity Act 1989 - Section 37
ECU00006122 - Request For Scoping Opinion For Proposed Section 37 Application For Tangy IV Wind Farm And Cnoc Buidhe Wind Farm 132KV OHL Shared Use Connection
OHL connection between terminal towers located at Collusca Water and land to the east of Rhonadale, approximately 13 km in length

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

Our position and advice, given below, is based on the Scottish Ministers ultimately determining that the proposal is classed as development that could be supported for the purposes of assessment under Policies 5 and 22**,** as defined in National Planning Framework 4 (NPF4). If this is not the case, please advise so we can re-consider our position and advice.

Advice for the determining authority

To **avoid delay and potential objection** the EIA submission must contain a series of scale drawings of sensitivities, for example peat depth, peat condition, Groundwater Dependent Terrestrial Ecosystems (GWDTE), proximity to waterbodies, overlain with proposed permanent and temporary development. This is necessary to ensure the EIA process has informed the layout of the development to firstly avoid, then reduce and then mitigate significant impacts on the environment. We request that the issues covered in Appendix 1, which provides details of our standard information requirements for EIA development and the form in which they must be submitted, and Appendix 2, which provides additional development type specific advice, be addressed to our satisfaction in the EIA process.

We have also provided specific answers to the questions posed in the Scoping Report.

1. Site specific comments

1.1 Questions set in Scoping Report:

a) What environmental information do you hold or are aware of that will assist in the EIA described here?

Please refer to Appendix 1 and 2 attached to this letter for links to relevant SEPA data/information in addition to sirte specific comments below.

We highlight the SEPA Future Flood Maps have been updated with the publication of our Future surface water and small watercourses flood maps.

All SEPA data is available via the data publication page on SEPA's website: https://www.sepa.org.uk/environment/environmental-data/

b) Do you agree with the proposed approach for baseline collection, and that the range of surveys across particular topics is sufficient and appropriate to inform the assessment of environmental effects?

As highlighted below, while we will accept The UK Habitat Classification System (UKHab) as an alternative to a Phase 1 habitat survey, due to discrepancies in habitat definition and ambiguity in correspondence with NVC types, we do not accept the use of the UKHab as an alternative to NVC at the consent application stage. A

NVC survey will be expected to be undertaken and submitted for any potential groundwater dependent terrestrial ecosystems.

c) Is there any other relevant existing baseline data that should be taken into account?

As already highlighted, all SEPA baseline data is available via the data publication page on SEPA's website: https://www.sepa.org.uk/environment/environmental-data/

d) Are there any key issues or possible effects which have been omitted?

We highlight SEPA's geomorphic risk layer indicates High geomorphic risk on the following waterbodies in the vicinity where the OHL is likely to cross this waterbody:

- Carradale Water - To ensure long-term river migration and long-term viability of the OHL we may request a buffer of up to 60m either side of the watercourse from the top of the existing bank, depending on the exact location of the proposed OHL crossing.

The applicant may wish to undertake a detailed morphological study of this area to establish the long term risk of erosion and deposition in this area and the impact on the long term sustainability of the proposed development. The SEPA Geomorphic Risk Buffer layer is available to view via the SEPA Environmental Data web page

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

In relation to SEPA interests, in general, yes. However, in relation to material assets and waste, please refer to section 6 in the attached Appendix 1. As the proposed OHL route will pass through significant areas of afforested land, forest waste will need to be addressed in the EIA.

1.2 In this case, where much of the site is on peat, we expect the application to be supported by a comprehensive site-specific peat management plan.

1.3 In this case, where it is clear that much of the site is likely to be peatland and/or wetland, we request the applicant goes straight to carrying out a national vegetation classification survey (NVC) survey. For further information on assessments please refer to the Habitat survey screening for potential GWDTE section of our Guidance on Assessing the Impacts of Developments on Groundwater Dependent Terrestrial

Ecosystems. Good practice during wind farm construction | naturescot also provides useful information on NVC survey method and mapping requirements. However, in those parts of the proposed development corridor which are heavily forested or recently felled, habitat survey information is not required. Please note that while we will accept The UK Habitat Classification System (UKHab) as an alternative to a Phase 1 habitat survey, due to discrepancies in habitat definition and ambiguity in correspondence with NVC types, we do not accept the use of the UKHab as an alternative to NVC at the consent application stage. We highlight the proposed OHL alignment passes through or very close to a number of wetlands identified in the Scottish Wetlands Inventory near NR7522738110.

1.4 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 EIA report provides evidence to confirm this.

1.5 SEPA highlight the publication of Version 3.0 of the SEPA Future Flood maps which now include surface and small watercourses flood mapping. It is noted that there is a myriad of surface water and small watercourse flood area extents on the site. Apart from essential watercourse crossings, SEPA will expect all watercourse buffers associated with these to be avoided by the development including earthworks. It should be noted that all watercourses appearing on the OS 1:50,000 will require a minimum 20m buffer.

1.6 Provided watercourse crossings are designed to accommodate the 1 in 200-year event plus climate change and other infrastructure is located well away from watercourses we do not foresee from current information a need for detailed information on flood risk. However, should any infrastructure including temporary infrastructure such as laydown areas, access tracks etc a detailed flood risk assessment maybe required if any landraising associated with these is sited within the future flood extent.

1.7 SEPA has recently published a data set which identifies where riparian planting would be most beneficial. This is available via the data publication page on SEPA's https://www.sepa.org.uk/environment/environmental-data/. SEPA highlight there

maybe opportunities for riparian planting within landownership boundary along the following watercourses and would welcome the exploration of such planting as part of any biodiversity net gain proposals: Carradale Water, Abhainn a'Chnocain, Allt nan Calltuinn

2. Regulatory advice for the applicant

2.1 Details of regulatory requirements and good practice advice, for example in relation to engineering works in the water environment and waste management, along with details of how to apply for authorisation and contact details, can be found on the regulations section of our website

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

Yours sincerely,

Zoe Griffin
Senior Planning Officer
Planning Service

Ecopy to: kirsty.mcgroarty@gov.scot

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 - www.sepa.org.uk/environment/land/planning/

Appendix 1: Detailed scoping requirements

Please note that some of our planning guidance referenced in this response has been reviewed and updated to reflect the National Planning Framework 4 (NPF4) policies. For example, our Flood Risk Standing Advice, Guidance on Assessing the Impacts of Developments on Groundwater Dependent Terrestrial Ecosystems and the Guidance on Assessing the Impacts of Developments on Groundwater Abstractions.

This appendix sets out our minimum information requirements and we would welcome discussion around these prior to formal submission to avoid delays. There may be opportunities to scope out some of the issues below, and in Appendix 2, depending on the site. Evidence must be provided in the submission to support why an issue is not relevant for this site. If there is a significant length of time between scoping and application submission, the developer should check whether our advice has changed.

1. Site layout

1.1 Each of the drawings requested below must detail all proposed upgraded, temporary and permanent infrastructure. This includes all tracks, excavations, landraising and other groundworks, buildings, borrow pits, pipelines, cabling, site compounds, laydown areas, storage areas and any other construction and built elements. All drawings must be based on an adequate scale with which to assess the information.

1.2 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, and existing built infrastructure must be re-used or upgraded where possible.

1.3 A comparison of the environmental effects of alternative locations of infrastructure elements may be required. We seek absolute avoidance of development on the sensitive habitats detailed below. Where this is not achievable, for example due to operational or other constraint reasons, developers are required to provide justification for the final layout. The justification will include how any impacts on these are considered, for example in relation to the mitigation hierarchy as demonstrated through the Peat Management Plan (PMP) submission. The justification should be

supported by maps with overlays of the example the peat maps and any other constraints, such as visual impact, to clearly demonstrate how these other constraints have influenced any necessary need for development on sensitive habitats within our remit.

2. Peatland and other carbon rich soils

2.1 Peatland in near natural condition generally experiences low greenhouse gas emissions, is accumulating and may be sequestering carbon, has high value for supporting biodiversity, helps to protect water quality and contributes to natural flood management, irrespective of whether that peatland is designated for nature conservation purposes or not. Where proposals are on peatland or other carbon rich soils (CRS), the following should be submitted to address our requirements in relation to NPF4 Policy 5 to protect CRS and the ecosystem services they provide (including water and carbon storage).

2.2 It should be clearly demonstrated that the assessment has informed careful project design and ensured, in accordance with relevant guidance and the mitigation hierarchy in NPF4, that adverse impacts are first avoided and then minimised through best practice.

2.3 The submission should include a series of layout drawings, at a usable scale, showing all permanent and temporary infrastructure, along with the ancillary construction work areas, with the extent of excavation required. These plans should be overlaid on the following:

a) Peat depth survey showing peat probe locations, colour coded using distinct colours for each depth category. This must include adequate peat probing information to inform the site layout in accordance with the mitigation hierarchy in NPF4, which may be more than that outlined in the Peatland Survey – Guidance on Developments on Peatland (2017).

b) Peat depth survey showing interpolated peat depths.

c) Peatland condition mapping – the Peatland Condition Assessment photographic guide lists the criteria for each condition category and illustrates how to identify each condition category.

2.4 The detailed series of layout drawings above should clearly demonstrate that peat excavation has been avoided on sites where this is possible. Where complete avoidance of peat and other carbon rich soils is not possible, justification should be provided to adequately demonstrate why this is the case, and it should be clearly demonstrated on the drawings that:

a) Development proposals avoid any near natural peatland and the deepest areas of peat.

b) All proposed excavation is on peat less than 1m deep.

c) The volumes of peat excavated have been reduced as much as possible, first through layout and then by design making use of techniques such as floating tracks.

2.5 The Outline Peat Management Plan (PMP) must include:

a) A table setting out the volumes of acrotelmic, catotelmic and amorphous peat to be excavated. These should include a contingency factor to consider variables such as bulking and uncertainties in the estimation of peat volumes.

b) A table clearly setting out the volumes of acrotelmic, catotelmic and amorphous excavated peat: (1) used in making good site specific areas disturbed by development, including borrow pits (quantities used in making good areas disturbed by development must be the minimum required to achieve the intended environmental benefit and materials must be suitable for the proposed use), (2) used in on and off site peatland restoration, and (3) disposed of, and the proposed means of disposal (if deemed unavoidable after all other uses of excavated peat have been explored and reviewed).

c) Details of proposals for temporary storage and handling of peat - Good Practice during Wind Farm Construction outlines the approach to good practice when addressing issues of peat management on site and minimising carbon loss.

d) Suitable evidence that the use of peat in making good areas disturbed by development, including borrow pits, is genuine and not a waste disposal operation, including evidence on the suitability of the peat and evidence that the quantity used matches and does not exceed the requirement of the proposed use.

e) If peat is to be used in the reinstatement of borrow pits on site, cross sections and plans should be provided showing the proposed maximum peat depth profiles for each category of peat, phasing and final restoration profiles in relation to surrounding land with a clear hydrological justification for the use of catotelmic peat also being given. The target restoration habitat for each borrow pit should be specified, along with how this will be maintained and managed in perpetuity.

f) Use of excavated peat in areas not disturbed by the development itself is now not a matter we provide planning advice on. Please refer to Advising on peatland, carbon-rich soils and priority peatland habitats in development management | NatureScot 2023, and the Peatland ACTION – Technical Compendium, which provides more detailed advice on peatland restoration techniques. Unless the excavated peat is certain to be used for construction purposes in its natural state on the site from where it is excavated, it will be subject to regulatory control. The use of excavated peat off-site, including for peatland restoration, will require the appropriate level of environmental authorisation. Excavated peat will be waste if it is discarded, or the holder intends to or is required to discard it. These proposals should be clearly outlined so that we can identify any regulatory implications of the proposed activities. This will allow the developer and their contractors to tailor their planning and designs to accommodate any regulatory requirements. Further guidance on this can be found in the document Is it waste - Understanding the definition of waste.

3. Water environment

3.1 The proposals should demonstrate how impacts on local hydrology have been minimised and the site layout designed to minimise watercourse crossings and avoid other direct impacts on water features. Measures should be put in place to protect any downstream sensitive receptors.

3.2 The submission must include a set of drawings showing:

a) The footprint of all proposed temporary and permanent infrastructure (including all the ancillary construction work areas, for example excavations, landraising and other groundworks, storage, laydown and working areas) overlain with all waterbodies.

b) The minimum buffer around each waterbody, as detailed in Table 1 of Recommended Riparian Corridor Layer for use in Land Use Planning, from all construction activities including working and storage areas, or 50m where subsurface activities are more than 1m in depth. If these minimum buffers cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the waterbody, drawings of what is proposed in terms of engineering works, and details of why the minimum buffer cannot be achieved and mitigation measures to protect the feature.

c) A map showing the location, size, depths and dimensions of all borrow pits overlain with all waterbodies within 250m and showing a site-specific buffer around each waterbody proportionate to the depth of excavations. The information provided needs to demonstrate that a site-specific proportionate buffer can be achieved.

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

4. Flood risk

4.1 We reiterate that, as detailed above, our position and advice is based on the determining authority determining that the proposal is supported under Policy 22**,** as defined in NPF4, unless we are advised otherwise.

4.2 Advice on flood risk is available at Flood Risk Standing Advice and reference should also be made to Controlled Activities Regulations (CAR) Flood Risk Standing Advice for Engineering, Discharge and Impoundment Activities.

4.3 Crossings must be designed to accommodate the 0.5% annual exceedance probability flows with an appropriate allowance for climate change, or information provided to justify smaller structures. Our Climate change allowances for flood risk assessment in land use planning guidance sets out required allowances for climate change.

4.4 In order to establish that the five bullet points within NPF4 Policy 22a have been satisfied and where it is considered the development could result in an increased risk of flooding to a nearby receptor, then a flood risk assessment (FRA) must be submitted. Our Technical Flood Risk Guidance for Stakeholders provides generic requirements for undertaking Flood Risk Assessments as well as our “Climate Change Allowances Guidance”.

4.5 The FRA should specifically address the following issues:

a) All existing watercourses and drains on the site are fully identified and flow pathways understood in relation to the 1 in 200 year plus climate change flood levels for the catchment.

b) The modelling should extend far enough upstream to capture any flow pathways which may impact the development site.

c) Demonstration there is no increased flood risk to existing properties in the vicinity of the proposed development (and if possible demonstrate an improvement).

d) Where there is intended realignment or alteration of channels, it should also be outlined and accounted for within the FRA with analysis showing pre and post development flood risk.

e) Where applicable, flows should be shown to be accommodated within any altered channel to avoid flooding of existing structures, access roads or increased risk for others.

4.6 Generally, we are unable to support landraising within a flood risk area unless it is required for development outlined under the exceptions in Policy 22a of NPF4. Which, as indicated above, we understand this proposal is and as such we may be able to accept. However, where landraising is proposed within the flood risk area identified within the FRA, it should be linked to compensatory storage and demonstrated that there is no reduction in floodplain capacity, or increased risk for others. Notwithstanding this, any landraising must be shown to be minimised as far as possible.

4.7 Culverting for land gain would not be supported by us. If any works to alter watercourse channels are proposed, we would expect betterment to the channel and utilisation of this opportunity to help reduce flood risk to the wider site and any other nearby receptors.

5. GWDTE and existing groundwater abstractions

5.1 The construction and operation of developments can disrupt groundwater flow and impact on Groundwater Dependent Terrestrial Ecosystems (GWDTE), which are protected under the Water Framework Directive, and existing groundwater abstractions. The layout and design of the development must avoid adverse impacts on such areas, ensuring the water environment, including GWDTE and existing groundwater abstractions, are protected.

5.2 As detailed in our Guidance on Assessing the Impacts of Developments on Groundwater Dependent Terrestrial Ecosystems and the Guidance on Assessing the Impacts of Developments on Groundwater Abstractions, a phased approach to the assessment of risks to GWDTE and groundwater abstractions is recommended, with

greater detail being required for higher risk sites or activities.

5.3 Where monitoring is required, please note that baseline monitoring is expected to commence at least 12 months ahead of the development works starting on site and this should be factored into the timescales for submitting the EIAR and commencement of development.

Groundwater Dependent Terrestrial Ecosystems (GWDTE)

5.4 A Phase 1 habitat survey should be provided, unless the developer is already aware that GWDTE are likely to be present. Where initial assessment results indicate relevant habitats may be present, a National Vegetation Classification (NVC) survey should be submitted, along with the following information:

a) A set of drawings demonstrating all GWDTE are outwith a 10m radius of all activities, 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m. The survey needs to extend beyond the site boundary where the distances require it.

b) If the minimum buffers cannot be achieved, a conceptual site model (CSM) should be provided that includes interpretation of the hydrogeological setting, including the groundwater flow regime, and the ecological features present. This may be supported, as appropriate, by intrusive ground investigation, groundwater monitoring, or groundwater modelling in addition to topography, properties of the emergent water and the soil, and underlying geology. Please refer to Guidance on Assessing the Impacts of Developments on Groundwater Dependent Terrestrial Ecosystems for further advice on undertaking detailed site specific qualitative and/or quantitative risk assessments and the minimum information we require to be submitted.

c) Please note that while we will accept The UK Habitat Classification System (UKHab) as an alternative to a Phase 1 habitat survey, due to discrepancies in habitat definition and ambiguity in correspondence with NVC types, we do not accept the use of the UKHab as an alternative to NVC.

Groundwater abstractions

5.5 The source (rather than the property it supplies) of both public and private water supply groundwater abstractions, both within and outwith the site boundary, should be identified. Scottish Water holds information regarding public water supplies and the Local Authority holds records of private water supplies. Note that the information held by the Local Authority will sometimes relate to the property served by the private water supply, rather than the location of the source itself (e.g. the house rather than the borehole or spring). Therefore, the details of each private water supply source require confirmation, including a site walkover survey.

5.6 The following information should be submitted where the assessment results indicate groundwater supplies may be present:

a) A set of drawings demonstrating all groundwater abstractions are outwith a 10m radius of all activities, 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m. The survey needs to extend beyond the site boundary where the distances require it.

b) If the minimum buffers cannot be achieved a conceptual site model should be provided that includes interpretation of the hydrogeological setting, including the groundwater flow regime. This may be supported, as appropriate, by intrusive ground investigation, groundwater monitoring, or groundwater modelling. Please refer to Guidance on Assessing the Impacts of Developments on Groundwater Abstractions for further advice on undertaking detailed site specific qualitative and/or quantitative risk assessments and the minimum information we require to be submitted.

6. Forest removal and forest waste

6.1 If forestry is present on the site, the site layout should be designed to avoid large scale felling, as this can result in large amounts of waste material and a peak in release of nutrients which can affect local water quality.

6.2 The submission must include drawings with the boundaries of where felling will take place and a description of what is proposed for this timber in accordance with Use of

Trees Cleared to Facilitate Development on Afforested Land – Joint Guidance from SEPA, SNH and FCS.

7. Pollution prevention and environmental management

7.1 The submission must include a schedule of mitigation, which includes reference to best practice pollution prevention and construction techniques (for example, limiting the maximum area to be stripped of soils and peat at any one time) and regulatory requirements. Please refer to the Guidance for Pollution Prevention (GPPs) and our water run-off from construction sites webpage for more information.

Appendix 2: SEPA's additional EIA scoping requirements by type of development

Overhead lines (OHL)

1. The submission must clearly detail which associated elements of the development, such as temporary site compounds, mobile welfare units and temporary workers accommodation, are included as part of the application and which of these are off-site and/or will be subject to separate planning application(s). Information should also be provided on how the development will be accessed. The location of permanent and temporary tracks should be confirmed and whether tracks are to be cut or floated. Areas for temporary tracks or boards should also be indicated but need not be surveyed.
2. An initial phase of peat probing should take place in all locations where mapped information suggests peat may be present. Further detailed probing need only take place in locations where initial survey suggests peat greater than 1 m is present.
3. Construction compounds, storage of temporary materials, siting of workers accommodation and mobile welfare units should be stored/located outwith the Future Flood Extent as shown on SEPA - Flood Maps.
4. Where the works are, in the most part, an upgrade to existing transmission infrastructure that is already in place, our interests are around the ground clearance works, any new and upgraded access tracks and the pollution prevention and environmental management measures that are proposed to mitigate the risk associated with the construction phase works.

Development Management and Strategic Road Safety
Roads Directorate

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TRANSPORT SCOTLAND
CÒMHDHAIL ALBA

Kirsty McGroarty
Energy Consents Unit
The Scottish Government
5 Atlantic Quay
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G2 8LU

Econsents_Admin@gov.scot

Your ref:
ECU00006122

Our ref:
GB01T19K05

Date:
09/04/2025

Dear Sirs,

ELECTRICITY ACT 1989

THE ELECTRICITY (APPLICATIONS FOR CONSENT) REGULATIONS 2017

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR TANGY IV WIND FARM AND CNOC BUIDHE WIND FARM 132KV OHL SHARED USE CONNECTION

With reference to your recent correspondence on the above development, we acknowledge receipt of the Scoping Report (SR) prepared by WSP UK Ltd 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, Transport Scotland would provide the following comments.

Proposed Development

The proposed development comprises approximately 13km of new 132kV overhead line (OHL) to connect the consented Tangy IV Wind Farm and proposed Cnoc Buidhe Wind Farm to the existing Carradale Grid Supply Point (GSP). The OHL will be located approximately 10km north-west of Campbeltown on the west coast of the Argyll Peninsula, with the nearest trunk road to the site being the A83(T) which lies approximately 6.5km to the west.

Assessment of Environmental Impacts

Chapter 11 of the SR presents the proposed methodology for the assessment of Traffic and Transport. This states that the assessment will be carried out in accordance with Institute of Environmental Management and Assessment (IEMA) Guidelines entitled Environmental Assessment of Traffic and Movement (July 2023). These specify that road links should be taken forward for further assessment where the following two rules are breached:

- Rule 1: Include road links where traffic flows will increase by more than 30% (or the number of heavy goods vehicles will increase by more than 30%)

- Rule 2: Include road links of high sensitivity where traffic flows have increased by 10% or more.

We note that construction vehicles will access the site from the east via the A83(T) to the B842 and the cross Kintyre haul route through Deucheran forest and Lussa Forest (Beinn an Tuirc access). The SR also states that the proposed scope of assessment will be the B842 and "potentially" the A83. Transport Scotland would request that a screening assessment of the possible impact of construction related traffic on the A83(T) be provided, with a full assessment undertaken where the Guideline thresholds are breached.

The SR indicates that base traffic *"may be available from the local authority, otherwise we would arrange to carry out traffic surveys on the B842 and A83."* We would state that an alternative source of traffic data is Traffic Scotland's National Traffic Data System. In addition, Transport Scotland would state that National Road Traffic Forecast (NRTF) Low Traffic Growth assumptions will require to be used to provide a common future year baseline to coincide with the expected construction traffic peak.

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

Abnormal Loads Assessment

The SR states that there will be no requirement for any components to be transported to the site as abnormal loads. Should a requirement for abnormal loads be identified at a later date, an assessment of the impact of abnormal loads will be undertaken. Transport Scotland is satisfied with this approach.

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

Yours faithfully

[redacted]

George Smith

Transport Scotland
Roads Directorate

cc Alan DeVenny – SYSTRA Ltd.

Marine Directorate – Science Evidence Data and Digital (MD-SEDD) advice on freshwater and diadromous fish and fisheries in relation to the installation of overhead line developments.

Updated September 2023

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

Atlantic salmon (*Salmo salar*), sea trout and brown trout (*Salmo trutta*) are of high economic value and conservation interest in Scotland and for which MD-SEDD has in- house expertise. The route of OHLs often cross watercourses which support important salmon and trout populations. MS-SEDD aims, through our provision of advice to ECU, to ensure that the installation and maintenance of these OHLs do not havea detrimental impact on the fish habitat and 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 List and support valuable recreational fisheries.

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

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

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

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

MD-SEDD provision of advice to ECU

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

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

Scoping

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

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

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

Gate check

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

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

EIA Report

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

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

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

Post-Consent Monitoring

MD-SEDD recommends that a water quality and fish population monitoring programme is carried out to ensure that the proposed mitigation measures are effective. A robust, strategically designed and site specific monitoring programme conducted before, during and after construction can help to identify any changes, should they occur, and assist in implementing rapid remediation before long term ecological impacts occur.
MD-SEDD has published guidance on survey/monitoring programmes associated with onshore wind farm developments (https://www2.gov.scot/Topics/marine/Salmon- Trout-Coarse/Freshwater/Research/onshoreren) which developers should follow when drawing up survey and/or monitoring programmes

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

Planning Conditions

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

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

1. No development shall commence unless a Water Quality and Fish Monitoring Plan (WQFMP) has been submitted to and approved in writing by the Planning Authority in consultation with Marine Directorate – Science Evidence Data and Digital (MD-SEDD) and any such other advisors or organisations.

2. The WQFMP must take account of the Scottish Government's MD-SEDD guidelines and standing advice and shall include:

a) water quality sampling should be carried out at least 12 months prior to construction commencing, during construction and for at least 12 months after construction is complete. The water quality monitoring plan should include key hydrochemical parameters, turbidity, and flow data, the identification of sampling locations (including control sites), frequency of sampling, sampling methodology, data analysis and reporting etc.;

b) the fish monitoring plan should include fully quantitative electrofishing surveys at sites potentially impacted and at control sites for at least 12 months before construction commences, during construction and for at least 12 months after construction is completed to detect any changes in fish populations; and

c) appropriate site specific mitigation measures detailed in the Environmental Impact Assessment and in agreement with the Planning Authority and MD-SEDD

3. Thereafter, the WQFMP shall be implemented within the timescales set out to the satisfaction of the Planning Authority in consultation with MD-SEDD and the results of such monitoring shall be submitted to the Planning Authority on a 6 monthly basis or on request.

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

Sources of further information

NatureScot (previously “SNH”) guidance on wind farm developments - https://www.nature.scot/professional-advice/planning-and-development/advice-planners-and-developers/renewable-energy-development/onshore-wind-energy/advice-wind-farm

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

A joint publication by Scottish Renewables, SNH, SEPA, Forestry Commission Scotland, Historic Environment Scotland, MD-SECC (previously Marine Scotland Science) and Association of Environmental and Ecological Clerks of Works (2019) Good Practice during Wind Farm Construction - https://www.nature.scot/guidance-good-practice-during-wind-farm- construction.

Annex 1 (revised June 2023)

MD-SEDD – EIA Checklist

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

MD-SEDD Standard EIA Report Requirements	Provided in application YES/NO	If YES – please signpost to relevant chapter of EIA Report	If not provided or provided different to MD-SEDD advice, please set out reasons.
1. A map outlining the proposed development area and the proposed location of: o the towers/poles, o permanent and temporary access tracks, including watercourse crossings; o buildings including substations; o permanent and temporary construction compounds; o all watercourses; and contour lines;			
2. A description and results of the site characterisation surveys for fish (including fully quantitative electrofishing surveys) and water quality including the location of the electrofishing and fish habitat survey sites and water quality sampling sites on the map outlining the proposed turbines and associated infrastructure. **This should be carried out where a Special Area of Conservation (SAC) is present and where salmon are a qualifying feature, and in exceptional**			

MD-SEDD Standard EIA Report Requirements	Provided in application YES/NO	If YES – please signpost to relevant chapter of EIA Report	If not provided or provided different to MD-SEDD advice, please set out reasons.
cases when required in the scoping advice for other reasons. In other cases, developers can assume that fish populations are present;			
3. An outline of the potential impacts on fish populations and water quality within and downstream of the proposed development area;			
4. Any potential cumulative impacts on the water quality and fish populations associated with adjacent (operational and consented) developments including wind farms, hydro schemes, aquaculture and mining;			
5. Any proposed site specific mitigation measures as outlined in MD-SEDD generic scoping guidelines and the joint publication "Good Practice during Wind Farm Construction" (https://www.nature.scot/guidance-good-practice-during-wind-farm-construction);			
6. Full details of proposed monitoring programmes using guidelines issued by MD-SEDD and accompanied by a map outlining the proposed sampling and control sites in addition to the location of all turbines and associated infrastructure. **At least 12 months of baseline pre-construction data should be included. The monitoring programme can be secured using suitable wording in a condition.**			

MD-SEDD Standard EIA Report Requirements	Provided in application YES/NO	If YES – please signpost to relevant chapter of EIA Report	If not provided or provided different to MD-SECC advice, please set out reasons.
7. A decommissioning and restoration plan outlining proposed mitigation/monitoring for water quality and fish populations. **This can be secured using suitable wording in a condition.**			

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