

APPENDIX 4.3 - SCOPING OPINION - AUGUST 2024



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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**

**Strathy Wood Wind Farm Grid Connection
Scottish Hydro Electric Transmission PLC**

August 2024

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1. Introduction

1.1 This scoping opinion is issued by the Scottish Government Energy Consents Unit ('ECU') 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 Inveralmond House, 200 Dunkeld Road, Perth, PH1 3AQ ("the Company") in response to a request dated 11 January 2024 for a scoping opinion under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the proposed Strathy Wood Wind Farm Grid Connection ("the proposed development"). The request was accompanied by a scoping report.

1.2 The proposed development would locate approximately 6.5 km south of Strathy, Sutherland, in the Highlands of Scotland.

1.3 The Proposed Development is to construct and operate a new 132 kV overhead line (OHL) which would connect the consented Strathy Wood wind farm (ECU reference EC00005239) to the National Grid via the existing Strathy North 132 kV trident wood pole OHL, herein after referred to as the Proposed Development.

1.4 The Proposed Development is part of a wider approach to rationalise and facilitate five wind farm connections in the area, referred to as the "Connagill Cluster Grid Connections." The Proposed Development would eventually share the OHL connection with the consented Strathy South wind farm. The Strathy South grid connection would connect the consented Strathy South wind farm substation to the Strathy Wood wind farm substation via underground cable. From there both Strathy Wood wind farm and Strathy South wind farm connections would share the OHL infrastructure proposed as part of the Proposed Development. Due to the combined generating capacity of the consented Strathy South and Strathy Wood wind farms, the shared connection would be unable to utilise the existing Strathy North trident 'H' wood pole 132 kV OHL to Connagill 275/132 kV substation. Instead, a new section of double circuit 132 kV OHL supported by steel lattice towers would continue the connection between the Strathy North 'T' (at Dallangwell) to Connagill 275/132 kV.

1.5 The elements of the Proposed Development subject to consent under Section 37 of the Electricity Act 1989, comprise:

- Approximately 4.5 km of 132 kV OHL supported by double circuit steel lattice towers (L7 towers); and
- Approximately 200m of 132 kV OHL supported by trident 'H' wood pole.

1.6 In addition to the overhead line the applicant is also seeking deemed planning permission under section 57(2) of the Town and Country Planning (Scotland) Act 1997 for certain elements of the project, or ancillary works required to facilitate its construction and operation. These ancillary works (which also form part of the Scoping Report) are likely to include:

- One CSE compound or a tower with a cable sealing end platform to facilitate the transition between OHL and UGC.
- Steel lattice and wood pole working areas, construction compounds and borrow pits;

- Access track spurs to facilitate construction and ongoing maintenance where required;
- A bridge crossing over the River Strathy to enable access; and
- Any tree and vegetation clearance (if required).

1.7 The Company states that the Proposed Development would not have a fixed operational life assuming that the proposed development will be operational for 40 years or more. The effects associated with the construction phase can be considered to be representative of worst-case decommissioning effects, and therefore no separate assessment is proposed as part of the EIA report.

1.8 The proposed development is solely within the planning authority of The Highland Council.

2. Consultation

2.1 Following the scoping opinion request a list of consultees was agreed between the applicant and the ECU. A consultation on the scoping report was undertaken by the Scottish Ministers and this commenced on 20 March 2024. The consultation closed on 12 April 2024. Extensions to this deadline were granted to The Highland 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 also 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**.

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. No responses were received from: Civil Aviation Authority – Airspace, Fisheries Management Scotland, Flow Country Rovers Trust, John Muir Trust, Scottish Wild Land Group, Scottish & Southern Electricity Networks (SSE), Stratharmdale Community Council, Bettyhill, Strathnaver and Altnaharra Community Council and Caithness West Community Council.

2.4 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.

2.5 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 The Highland Council, within whose area the proposed development would be situated, NatureScot (previously “SNH”), SEPA and HES, all as statutory consultation bodies, and with other bodies which Scottish Ministers consider likely to have an interest in the proposed development by reason of their specific environmental responsibilities or local and regional competencies.

3.2 Scottish Ministers adopt this scoping opinion having taken into account the information provided by the applicant in its request dated 11 January 2024 and information available at today’s date 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 The Highland Council for publication on their website. It has also been published on the Scottish Government energy consents website at www.energyconsents.scot.

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

3.5 Scottish Ministers are broadly content with the EIA set out at Chapter 3 of the Scoping Report.

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

3.7 Scottish Ministers Request that the applicant include a section in the EIA Report on the justification of Route Selection.

3.8 Scottish Ministers note the detailed comments provided by RSPB Scotland and NatureScot and agree with all their requests.

3.9 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 [REDACTED] 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.

3.10 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.

3.11 MD-SEDD provide generic scoping guidelines for 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 development 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.

3.12 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.

3.13 MD-SEDD also provide standing advice for overhead line development (which has been appended at Annex A) which outlines what information, relating to freshwater and diadromous fish and fisheries, is expected in the EIA report. Use of the checklist provided, 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.

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

3.15 Scottish Ministers advise that Viewpoints should be prepared to inform and support the Landscape and Visual Impact Assessment ('LVIA') and must be agreed in advance of preparation with The Highland Council and NatureScot. The Highland Council also advised that it is not possible to use panoramic images for the purposes of visual impact assessment.

3.16 Ministers expect Company's to conduct adequate pre-application consultation and to demonstrate what alternatives to the proposal were considered before arriving at the design they apply for. Ministers agree with the Planning Authority that the EIA should include a description of the main development alternatives which are relevant to the proposal and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.

3.17 Ministers are aware that further engagement is required between parties regarding the refinement of the design of the proposed development regarding, among other things, surveys, management plans, peat, finalisation of viewpoints, 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 ECU at the pre-application stage and before proposals reach design freeze.

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

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

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

[REDACTED]

[REDACTED]

Energy Consents Unit
27 August 2024

ANNEX A – Consultation Responses

List of consultees

- The Highland Council *
- NatureScot
- Historic Environment Scotland
- SEPA
- BT
- Civil Aviation Authority – Airspace*
- Defence Infrastructure Organisation
- Flow Country Rovers Trust*
- Fisheries Management Scotland*
- Highlands and Islands Airport Ltd
- John Muir Trust*
- Joint Radio Company (“JRC”)
- Northern District Salmon Fisheries Board
- RSPB Scotland
- Scottish Wild Land Group*
- ScotWays
- Scottish Water
- Scottish & Southern Electricity Networks (SSE)*
- The Coal Authority
- Stratharmdale Community Council*
- Bettyhill, Strathnaver and Altnaharra Community Council*
- Caithness West Community Council*

*No response was received.

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

OUR REF:- WID13387

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

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





By email to: [REDACTED]

Carolanne Brown
Case Officer
Onshore Electricity, Strategy and Consents
Directorate for Energy and Climate Change
Scottish Government

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

[REDACTED]

Our case ID: 300045299
Your ref: ECU00005023
11 April 2024

Dear Carolanne Brown

[The Electricity Works \(Environmental Impact Assessment\) \(Scotland\) Regulations 2017 Strathy Wood Wind Farm Grid Connection Scoping Report](#)

Thank you for your consultation which we received on 20 March 2024 about the above scoping report. We have reviewed the details in terms of our historic environment interests. [REDACTED] World Heritage Site [REDACTED] and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas (HMPAs).

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

Proposed Development

We understand that the proposed development comprises approximately 4.5km of new 132kV OHL supported on steel lattice towers, a short section of trident wood pole at the N end of the line (approx. 200m) to connect onto the existing wood pole OHL, and a cable sealing end compound (CSE) to allow connection to the underground cable running from the Strathy South wind farm to this connection point at the S end of the line.

Scope of assessment

We can confirm that there are no World Heritage Sites, scheduled monuments, category A listed buildings or gardens and designed landscapes within the proposed development site boundary. There is therefore no potential for significant direct impacts on assets within our remit.

We can confirm that there are no designated assets within our remit in the near surrounding area which would be likely to have significant visibility of the proposed development. Consequently we are satisfied that significant effects on the setting of assets within our remit are unlikely.



[REDACTED]

We are, therefore, content to agree with the scoping report that further detailed environmental assessment is not required for our specific historic environment remit at the national level and can be scoped out of the EIA Report for this development.

We recommend that you seek advice on the potential for effects on [REDACTED] assets outwith our specific remit from The Highland Council's archaeological and cultural heritage advisors.

Further information

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes.

Practical guidance and information about the EIA process can also be found in the [EIA Handbook \(2018\)](#). Technical advice is available on our Technical Conservation website at <https://conservation.historic-scotland.gov.uk/>.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Victoria Clements who can be contacted by phone on [REDACTED] or by email on [REDACTED]

Yours sincerely

Historic Environment Scotland

From: Safeguarding [REDACTED]
Sent: 08 April 2024 17:47
To: Carolanne Brown
Cc: Safeguarding
Subject: RE: Scoping Opinion request For Strathy Wood Wind Farm Grid Connection - ECU00005023

OFFICIAL

Your Ref: ECU00005023
Our Ref: 2024/068/WIC

Dear Sir/Madam,

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

**REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR STRATHY
WOOD WIND FARM GRID CONNECTION**

Your Ref: ECU00005023
Our Ref: 2024/068/WIC

Dear Sir/Madam,

With reference to the above proposal, our preliminary assessment shows that, at the given position and height, this development would not infringe the safeguarding criteria and operation of Wick Airport.

Therefore, Highlands and Islands Airports Limited has no objections to the proposal.

Any variation of the parameters (which include the location, dimensions, form, and finishing materials) then as a statutory consultee HIAL requires that it be further consulted on any such changes prior to any planning permission, or any consent being granted.

Kind regards,

Nyree Millar-Bell
Highlands and Islands Airports Limited

Carolanne Brown
Energy Consents Unit
Scottish Government



Date: 12th April 2024

Dear Carolanne,

RE: SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR STRATHY WOOD WIND FARM GRID CONNECTION

We have commented on a proposed overhead line connection to Strathy Wood windfarm twice previously. The first on the 9th of July 2020 in relation to the scoping opinion request for a proposed Section 37 application for Strathy Wood wind farm grid connection overhead powerline (ECU reference: ECU00002050). The second on 10th January 2024 as part of the SSEN Connagill Cluster Wind Farm Connections public consultation. In addition, RSPB Scotland objected to Strathy Wood wind farm due to impacts on Red-throated Diver in relation to barrier effects, impacts on Hen Harrier in relation to collision risk and disturbance and cumulative impacts on Hen Harrier and Red-throated Diver. The comments provided in these responses are relevant to this current proposal and we have attached them with this letter. We would like to make the following comments which we hope will help inform the EIA for the proposed grid connection development.

In general, we do not think that this is an appropriate location for an over-head line (OHL) due to the direct and indirect impacts on multiple designated sites. In addition, the environmental impact of the change in design is likely to be significantly higher than that proposed in scoping request ECU00002050, which proposed only the trident "H wood pole". The current proposal includes steel lattice towers, which are expected to result in greater impacts, both in terms of biodiversity impacts and damage to peatland, due to the increase in size of the towers and related ancillary infrastructure. There are other options available for siting this OHL, and the Applicant needs to fully justify the decision and provide the appropriate level of information within the EIA to allow assessment of the predicted impacts.

Bird Species of Conservation Concern and Designated Sites

The proposed OHL passes through the Caithness and Sutherland Peatlands Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site and the West Halladale Site of Special Scientific Interest (SSSI). These are designated for their

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The RSPB is part of BirdLife International, a network of passionate organisations, working together to save nature across the world.

internationally and nationally important populations of birds and habitats. Due to likely significant effects on European Sites, the EIA Report must include sufficient information to inform an Appropriate Assessment by the competent authority, as required by The Conservation of Habitats and Species Regulations 2017.

The proposed development has the potential to impact on a number of qualifying features of the designated sites. Potential adverse impacts associated with construction and operation of OHLs are collision, electrocution, displacement, habitat loss, barrier effects and disturbance.

There are also other species, that are red or amber listed Birds of Conservation Concern, including White-tailed Eagle, Curlew, Lapwing and Snipe which are present in the area and could be affected by the development.

OHL alignment

We have expressed our concerns in both the original scoping (ECU00002050) and in the Connagill cluster public consultation that this proposed route will have detrimental impacts to both biodiversity and the environment. This route passes through an area of multiple internationally designated sites and will have a likely significant effect on the qualifying features of these sites. NatureScot guidance¹ on powerlines states that "Careful routeing is critical to minimise the impact of a power line on birds, and wherever possible should: Avoid protected areas designated for their bird interest". In the SSEN Connagill Cluster consultation the Applicant acknowledges that better environmental options are available. The current route has still been put forward for scoping despite alternatives being available.

We also note that in section 1.6.2 of the Scoping Report it is stated that in relation to the Connagill Cluster scoping document and public consultation that, "Responses received from the Consultation Document and consultation event will be documented within a Report on Consultation and will inform decisions on the identification of a proposed route." We are disappointed that despite this, in the subsequent section 1.6.3, that "The optimal route identified" is presented without the provision of this report. Alternative routes are available and were considered in the Connagill Cluster public consultation document, so a full justification of the route selection process should be included within the EIA and report to inform the HRA.

¹ [Guidance - Assessment and mitigation of impacts of power lines and guyed meteorological masts on birds | NatureScot](#)

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The proposed development extends further into the designated sites boundary than the previous application, as set out at the scoping stage. In scoping ECU00002050 the route of the proposed OHL was to the West of the road, whereas in Figure 1 of this scoping report the route extends from the road to the East. This is concerning as in section 1.6.3 of the Report it is stated that route has a width of 200m, taking this route at points over 500m into the designated features. In section 2.3.2 it is stated that "It is anticipated that a 100 m LOD (50 m either side of the centre line of an OHL alignment) would be sought to allow for micro-siting of the OHL during construction", further extending into the designated features.

Survey and assessment requirements

Due to the importance of the designated sites for bird species and habitats that this proposal passes through, we do not agree that the current surveys are sufficient for determining impact. This is because:

- Most of the ornithological surveys were carried between October 2018 and August 2019. These are now out of date. Although these surveys can be used for context in the EIAR, as well as the information gained from other developments, they cannot be used to inform this development itself.
- As well as being out of date, we did not agree that these surveys were sufficient at the time of previous scoping. Details can be found in the letter dated 9th July 2020, but include: insufficient effort, insufficient Hen Harrier survey and inadequate Diver and Common Scoter surveys. Justification is required if only using this data.
- The only surveys within date are the scarce breeding bird surveys conducted between May and August 2022. Although we welcome this inclusion, it is insufficient in scope as they neither cover the one full year recommended by NatureScot guidance, nor do they cover full breeding seasons for many of the SPA species. Breeding bird surveys should consider the relevant SPA species and follow NatureScot survey method guidance for each. As an example, Breeding Divers surveys should be conducted from April to August, Hen Harrier breeding season is April to August inclusive, upland waders April to July and for Golden Eagle breeding season is defined as February to July.

Although only a single year of survey work is broadly in line with current NatureScot guidance for OHLs, the guidance also advises that further survey work may be required, for example, to enable further detailed assessment of impacts of birds on, or connected to, protected areas. This guidance also states that "when survey duration of less than one year is proposed, developers and consultants must clearly demonstrate that the chosen duration is robust and appropriate to the specific proposal."

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We, therefore, recommend undertaking two years of field surveys, or a minimum of one further full year of field survey (vantage point and breeding bird) for all of the Caithness and Sutherland SPA qualifying species: Red-throated Diver, Black-throated Diver, Hen Harrier, Golden Eagle, Merlin, Golden Plover, Wood Sandpiper, Short-eared Owl, Dunlin, Common Scoter, Greenshank and Wigeon in line with NatureScot guidance^{2,3}

We also suggest including wintering bird surveys, as although wintering birds are not SPA qualifying species, including these surveys is considered best practice and the site may be important for wintering species such as Schedule 1 protected Hen Harrier and may be on commuting and migration routes for geese and swan species.

As well as SPA species, we also have records of Schedule 1 protected White-tailed Eagle and Red listed bird of concern Curlew in the vicinity of the proposed development, and these should be included in any surveys.

Peat depth and habitat surveys should also be undertaken along the preferred route in order to inform the final alignment deviation choices.

Surveys should allow for analysis of negative impacts associated with both construction and operation of OHLs, including collision, displacement, habitat loss and disturbance. This is needed to provide up-to-date information on bird distribution and activity to assess likely effects and inform any required mitigation and compensation.

We recommend that information is provided within the EIA report to demonstrate that the survey data are adequate, robust and accurate, including:

- Full information on the VP work undertaken, including dates, times and weather conditions for each.
- Maps showing VP locations that also denote viewsheds and OHL locations, including steel lattice towers and ancillary development.
- Maps showing survey areas for breeding bird and wintering bird surveys.
- Maps showing diver, wader, Common Scoter and raptor breeding, foraging and roosting areas, and commuting routes.

² <https://www.nature.scot/doc/guidance-assessment-and-mitigation-impacts-power-lines-and-guyed-meteorological-masts-birds> ³

³ <https://www.nature.scot/doc/recommended-bird-survey-methods-inform-impact-assessment-onshore-windfarms>

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It is extremely important that the surveys cover all of the proposed route of the OHL, including ancillary structures and both the existing and any proposed new access tracks as per NatureScot guidance for OHLs⁴

Cumulative Impacts

We support the commitment in section 7.5.1 that the EIA Report will include an Ornithological Impact Assessment (OIA), which will “consider the potential direct, indirect and cumulative effects that the construction and operation of the Proposed Development could have on any identified IOFs scoped into the assessment.” However, those developments considered in Section 3.3, Table 3.1 are insufficient in scope as does not include all relevant developments at the appropriate level.

For example, the assessment should include the existing Strathy North grid connection (as it may be retained as the grid connection to the Melvich and Kirkton wind farms) and any existing 33 kV and 11 kV distribution network infrastructure particularly in relation to collision risk to Red- and Black-throated Divers, Common Scoter and Hen Harriers, noting that Common Scoters are likely to fly at night.

We are increasingly concerned about the cumulative effects on birds as a result of the high number of operational, consented and planned wind farm developments across the Flow Country and their associated infrastructure. Due to the likely significant effect of this development on the SPA, impacts should be assessed for the SPA populations as well as at the NHZ level. A robust cumulative assessment of collision risk, disturbance, displacement and barrier effects should take account of all operational, consented and proposed wind energy schemes and their associated infrastructure that could impact on bird populations of both the relevant NHZ (5: The Peatlands of Caithness and Sutherland) and the Caithness and Sutherland Peatlands SPA.

The cumulative disturbance and displacement impact on birds from the increase in traffic and noise from the additional use of existing wind farm access tracks during construction and maintenance of this OHL should also be included. Any identified impacts should be assessed against the relevant SPAs and NHZ populations.

Finally, the in-combination effect of other relevant plans or projects within the wider NHZ5 area, such as the Sutherland spaceport and overhead line grid connections at Limekiln and Creag Riabhach, should also be considered.

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Peatland and habitats

The site is part of the wider Flow Country, internationally important for its blanket bogs which, when in a healthy condition, naturally sequester and store of carbon. The SNH Carbon and Peatland Map 2016, identifies that the proposed OHL passes through significant areas of nationally important Class 1 (Nationally important carbon-rich soils, deep peat and priority peatland habitat / areas likely to be of high conservation value) and Class 2 (Nationally important carbon-rich soils, deep peat and priority peatland habitat).

Policy 5 of NPF4 seeks to protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development. Policy 4 of NPF4 seeks to protect, restore and enhance natural assets, including protected sites, and states that development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported.

Policy 55 of the Highland Wide Local Development Plan gives a presumption against unacceptable peat disturbance and states that development proposals should demonstrate how they have avoided unnecessary disturbance, degradation or erosion of peat and soils.

A peat depth survey should be undertaken in order to minimise impacts on peat by helping to avoid areas deeper than 0.5m. Horizontal directional drilling through bedrock should be considered for sensitive peatland habitats that cannot be avoided.

We do not agree that that in section 11.6.8 it is stated that climate change is scoped out of the EIA assessment. Although, we understand that the proposed development, would support the renewable network, however, an assessment of carbon emissions in line with Policy 5d)iii) of NPF4 which requires, a detailed site specific assessment to identify 'the likely net effects of the development on climate emissions and loss of carbon'.

Flow Country World Heritage Site

This site overlaps with the candidate Flow Country World Heritage Site. This is noted by the Applicant in section 6.3.4, but no proposals are set out for assessing this. The Highland Council's Flow Country Candidate World Heritage Site Planning Position Statement (April 2023)⁵, states that, developments within the WHS, must be assessed

⁵ [The Flow Country Candidate World Heritage Site Planning Position Statement](#)

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utilising the UNESCO Impact Assessment Guidance Toolkit (section 5.14). Therefore, we recommend that this is undertaken alongside the EIA.

Mitigation

The EIA report should fully discuss mitigation measures required to reduce impacts of displacement, disturbance and direct mortality on qualifying SPA species and Birds of Conservation Concern and deterioration of habitats present along the line, during both construction and ongoing future maintenance. Evidence should be provided for the assumed effectiveness of proposed mitigation measures based on experience from other projects.

Flight activity data from vantage point surveys should be used in conjunction with NatureScot guidance on powerline developments, to best minimise impacts on birds through design. Undergrounding/HDD should be considered as mitigation where there is potential for bird collision risk and appropriate line marking as an alternative.

Horizontal Directional Drilling should also be considered so that loss of qualifying habitats is avoided.

Biodiversity Net Gain (BNG) / Biodiversity Enhancement and HMP

We welcome the Applicant's commitment to Biodiversity Net Gain. NPF4 was adopted in February 2023, is now part of the Statutory Development Plan. Policy 3 Biodiversity requires developments to leave nature in a better state than before they took place. It states that, 'Development proposals for national or major development or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention'.

It goes on to list a number of criteria which Applicants must demonstrate they have met, including 'significant biodiversity enhancements are provided, **in addition to** (emphasis added) any proposed mitigation'. Policy 3(b) states that the mitigation hierarchy should be followed before enhancement is identified, biodiversity enhancement should be significant and in addition to any proposed mitigation. Scottish Government draft guidance on Biodiversity and the implementation of policy 3b) was issued on 30 November 2023 and should be referred to.

Only after impacts are mitigated/ compensated for, can opportunities to enhance the site for biodiversity be taken.

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We encourage consideration of ways this can be delivered at as early a stage as possible and in a way which gives consideration to species, surrounding habitats and potential links to other land management practices.

RSPB Scotland does not believe that biodiversity enhancement for development (as required by Policy 3 of NPF4) should be delivered within designated sites, except in exceptional circumstances, and any enhancement should be truly additional.

We support the overall aim of the Applicant in section 6.5.4 of enhancing biodiversity and achieving biodiversity net gain and the preparation of an outline Habitat Management Plan (HMP), which will take into account HMPs for other developments in the surrounding area. However, opportunities for habitat enhancement through a BNG scheme should be implemented alongside the mitigation hierarchy, including avoiding damage to protected sites and species where possible.

We suggest this HMP contains detailed ecological justification for any habitat management proposals and seek to enhance key habitats, such as blanket bog, occurring within the area.

We hope you find these comments helpful. Should you wish to discuss any of the above please do not hesitate to contact me.

Yours sincerely,

[Redacted signature]

Anna Jemmett

Conservation Officer

[Redacted contact information]

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Energy Consents Unit
Scottish Government

Email: [REDACTED]

Date: 9th July 2020

Dear Joanna,

**THE ELECTRICITY ACT 1989 SECTION 37
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017**

**REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR STRATHY
WOOD WIND FARM GRID CONNECTION, OVERHEAD POWER LINE**

ECU REF: ECU00002050

RSPB Scotland welcomes the opportunity to comment on the above scoping report. RSPB Scotland is supportive of renewable energy deployment due to the urgent need to tackle climate change. However, the resulting infrastructure must be carefully sited to avoid negative impacts on sites and species of high conservation concern.

Overall, we are happy with the content of the scoping report. We have an outstanding objection to current application for the proposed Strathy Wood wind farm, however, without prejudice to this, we would like to make the following comments which we hope will help inform the EIA for the proposed OHL development.

Bird Species of Conservation Concern and Designated Sites

The majority of the proposed OHL passes through the Caithness and Sutherland Peatlands Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site, as well as the underpinning West Halladale Site of Special Scientific Interest (SSSI). These are designated for their internationally and nationally important populations of birds and habitats. The proposed development has the potential to impact on a number of priority species some of which are features of the designated sites. Negative impacts associated with construction and operation of OHLs are collision, electrocution, displacement, habitat loss and disturbance.

Section 5.2.6 lists notable bird species records with 2km that were supplied by the RSPB. We do not have a record of this data request and there seems to be an error in the report as we do not hold black grouse records for this area. In addition to those species listed, we also have records of merlin, dunlin,

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Patron: Her Majesty the Queen **Chairman of Council:** Professor Steve Ormerod, FIEEM **President:** Miranda Krestovnikoff
Chairman, Committee for Scotland: Professor Colin Galbraith **Director, RSPB Scotland:** Anne McCall **Regional Director:** George Campbell

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greenshank, golden plover and red-throated diver within 2km. In addition, white-tailed eagles have been increasingly observed in the area and should be considered in the assessment along with the species listed above. We would be happy to supply the data we have for this area if we receive a request.

OHL alignment

We understand that the route as presented in Figure 2.1 was chosen for a number of reasons. However, as it stands, the chosen route which passes through an area of multiple internationally designated sites, will have a likely significant effect on these sites. Therefore, a full justification of the route selection process should be included within the EIA and report to inform the HRA, particularly comparing the chosen route against a route on the west side of the River Strathy, which would completely avoid the designated sites.

Bird surveys

It would have been useful to have included maps of the bird survey areas and vantage point viewsheds. It is extremely important that the surveys cover all of the proposed route of the OHL, including ancillary structures and both the existing and any proposed new access tracks as per SNH guidance for OHLs¹.

We note that the vantage point surveys were undertaken over a period of ten months (October 2018 to August 2019) rather than a full year as per SNH guidance¹ and that one breeding season of surveys were undertaken for breeding birds. We appreciate that carrying out only a single year of survey work is broadly in line with current SNH guidance for OHLs¹. However, the guidance also advises that further survey work may be required, for example, to enable further detailed assessment of impacts of birds on, or connected to, protected areas. This guidance also states that “when survey duration of less than one year is proposed, developers and consultants must clearly demonstrate that the chosen duration is robust and appropriate to the specific proposal.” Therefore, the EIA report should contain such justification, particularly since no further surveys are planned despite that the period of time the bird surveys were undertaken overlapped with the severe fire in 2019, which encompassed approximately 50% of the survey areas (section 5.2.7).

Since it is possible that the results may be skewed or underestimated due to the fire, we are pleased that this limitation has been recognised and that relevant ornithology data collected over years preceding the moorland fire in May 2019 will help inform the baseline for the ornithology assessment according to section 5.2.8. However, we are concerned that there seems to be no option for further surveys in case any pre-2019 data is not available or reliable. SNH guidance specifically suggests that further surveys should be considered “where land use changes during survey work may have implications for the use birds make of the landscape and, therefore, the representativeness of survey results (e.g. plantation felling, flooding at the time of survey).”

In addition, given that the line passes through the Caithness and Sutherland Peatlands SPA, designated for hen harrier, and high levels of activity for this species was recorded, we would like to have seen more than just a single season of survey work for this species, particularly in the light of the decline in its national population.

Finally, it is not clear from the Scoping Report whether adequate surveys have been undertaken for divers and common scoter. We are pleased that the area was extended to 1.5km but note that ‘at least two visits’ were undertaken to suitable breeding waterbodies for divers and common scoter between April and July. The standard methodology for black-throated divers, for example, is to survey lochs three times within the

¹ SNH 2016: <https://www.nature.scot/sites/default/files/2019-11/Guidance%20-%20Assessment%20and%20mitigation%20of%20impacts%20of%20power%20lines%20and%20guyed%20meteorological%20masts%20on%20birds.pdf>

time periods 7-31 May, 23-7 June and 8 June - 23 July, even if occupancy or breeding are not recorded on the earlier visits². Similarly, common scoter surveys require three visits between 24 April – 7 May, 8-21 May and 22 May – 4 June with further visits in July and August to assess productivity². If only one or two visits were made to suitable waterbodies, as the Scoping Report suggests, this reduces confidence in the whether the data presented is representative and may affect whether an adequate assessment of the likely impacts on birds associated with the proposed development can be made. We therefore question whether adequate survey work for divers and common scoter has been undertaken to inform the assessment.

Cumulative Impacts

It is essential that the impacts of this proposal are assessed in combination with other proposed and consented developments within the area, and we are pleased this is proposed. The assessment should include the existing Strathy North grid connection and the 33 kV and 11 kV distribution network infrastructure particularly in relation to collision risk to black-throated divers, common scoter and hen harriers, noting that common scoters are likely to fly at night.

The cumulative disturbance and displacement impact on birds from the increase in traffic and noise from the additional use of the access track during construction and maintenance of this grid connection should also be included, as the track is used for access to Strathy North and will be used for Strathy Wood and Strathy South. Any identified impacts should be assessed against the relevant SPAs and NHZ populations.

Mitigation

The EIA report should fully discuss mitigation measures required to reduce impacts of displacement, disturbance and direct mortality on priority species and deterioration of habitats present along the line, during both construction and ongoing future maintenance. Evidence should be provided for the assumed effectiveness of proposed mitigation measures based on experience from other projects.

Flight activity data from vantage point surveys should be used in conjunction with SNH guidance¹, to best minimise impacts on birds through design. Undergrounding should be considered as mitigation where there is potential for collision risk and appropriate line marking as an alternative.

We note that breeding hen harrier and merlin were found within 200m of the proposed development site (section 5.3.1); and section 5.5.4 states that “Based on the potential disturbance distance of the most sensitive species recorded during surveys (hen harrier) it is anticipated that works restrictions could be enforced up to approximately 500 m from nest sites.” We disagree with this mitigation proposal and suggest that the construction work avoid the bird breeding season completely (April to July inclusive). If this is not possible then a precautionary safe working buffer of 750m-1km should be implemented for hen harrier as per SNH guidance³ (the higher end should be implemented if in line of sight of the works) and 300-500m for merlin.

The Scoping Report also indicates that many hen harrier flights were recorded during surveys, but no maps were provided to show where these were in relation to the proposed development. As previously stated, undergrounding or line marking may need to be considered near to hen harrier territories due to potential collision risk.

² Gilbert, G., Gibbons, D.W., & Evans, J. (1998) Bird Monitoring Methods: A Manual of Techniques for UK Key Species. The Royal Society for the protection of Birds, Sandy, Bedfordshire, England.

³ Ruddock and Whitfield 2007: <https://www.nature.scot/sites/default/files/2018-05/A%20Review%20of%20Disturbance%20Distances%20in%20Selected%20Bird%20Species%20-%20Natural%20Research%20Ltd%20-%202007.pdf>

Peatland and habitats

The route passes through significant areas of Class 1 deep peat according to the SNH Carbon and Peatland Map 2016. A peat depth survey should be undertaken in order to minimise impacts on peat by helping to avoid areas deeper than 0.5m.

We note that section 4.5.2 states that “activities could result in the temporary and permanent loss of habitat designated as part of the Caithness and Sutherland Peatlands SAC and West Halladale SSSI.” As mentioned above, this will need to be fully justified within the EIA as there are routes available that would avoid these sites completely on the west side of the river.

We also note that the existing 33 kV and 11 kV distribution network infrastructure which are crossed by the OHL will be undergrounded to make way for the Proposed Development and will be carried out under Permitted Development rights under The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended) (section 2.7.2). This work has the potential to have an additional impact on sensitive SPA/SAC species and habitats in isolation and in combination with the Proposed Development and should be considered in the EIA.

Habitat Management Plan

A detailed Habitat Management Plan (HMP) should be prepared and submitted as part of the proposals. We welcome SSEN’s commitment to achieve an overall ‘No Net Loss’ on new infrastructure projects gaining consent in 2020 onwards⁴ and to achieve Biodiversity Net Gain (BNG) where possible (section 2.6.2). Relevant proposals should be included in the HMP. As recognised in SSEN’s own policies, opportunities for further habitat enhancement through a BNG scheme must be implemented alongside the mitigation hierarchy, including avoiding damage to protected sites and species where possible. We would be very interested to learn more about how BNG may be implemented on a site such as this and welcome SSEN’s proactive approach to halting biodiversity loss and working towards enhancement.

The HMP should also contain detailed ecological justification for any habitat management proposals and seek to enhance key habitats, such as blanket bog, occurring within the area.

We hope you find these comments helpful. Should you wish to discuss any of the above please do not hesitate to contact me.

Yours sincerely,



Bea Ayling
Conservation Officer



⁴ SSEN, A Network for Net Zero (2019) <https://www.ssen-transmission.co.uk/media/3723/our-approach-to-implementing-biodiversity-net-gain.pdf>

Lisa Marchi
Community Liaison Manager, SSE
10 Henderson Road
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By email: [REDACTED]

10th January 2024

Dear Lisa,

Connagill Cluster Wind Farm Connections

RSPB Scotland welcomes the opportunity to comment on the above public consultation. RSPB Scotland is supportive of renewable energy deployment due to the urgent need to tackle climate change, however, such development and associated infrastructure must be carefully sited to avoid negative impacts on sites and species of high conservation concern. We hope the following will be useful in informing the project design, bird surveys and Environmental Impact Assessment.

This proposal is for routing for the grid connections for five proposed wind farms in the Strathy area (the consented Strathy Wood and Strathy South Wind Farms, and the proposed Armadale, Melvich and Kirkton Wind Farms). All are situated within the sensitive Flow Country landscape, where there are a number of other operational, consented and in-planning wind farms. We are concerned about the increasing cumulative impacts on some of the qualifying features of the adjacent designated European sites.

We note the routes and preferred options set out in the consultation booklet are based on desktop analysis and it is expected that the presented options will evolve in response to this public consultation and on-the-ground surveys.

Due to the location, large scale and timeline of the project, there is significant scope for adverse impacts on habitats and species. Robust survey and assessment should be undertaken to inform the final design to avoid or minimise impacts where possible, as per the mitigation hierarchy.

Overall, we agree in consolidating the routing for these grid connections as it is likely to reduce environmental impacts, however we have objected or expressed concern about all of the wind farms that require this grid connection primarily due to impacts on the qualifying features of the Caithness and Sutherland Peatlands SPA and other species of high conservation concern. We would be happy to provide copies of any of our responses. Without prejudice to our position in relation to other proposals, we would

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like to make the following comments which we hope will help inform the EIA for the proposed development.

Bird Species of Conservation Concern and Designated Sites

There are a number of nature designations within the proposed corridor. Many proposed routes pass through the Caithness and Sutherland Peatlands Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site, as well as the Flow Country Candidate World Heritage Site. Some routes also pass through or are within connectivity distance¹ to the West Halladale Site of Special Scientific Interest (SSSI), East Halladale SSSI, North Caithness Cliffs SPA and the Armadale Gorge SSSI. Route option SS-SN5 appears to pass through the RSPB Forsinard Flows nature reserve.

These sites are designated for their internationally and nationally important populations of birds and habitats. The proposed development has the potential to impact a number of the qualifying features of the designated sites. Negative impacts to birds associated with construction and operation of OHLs are collision, electrocution, displacement, habitat loss and disturbance, all of which must be considered.

Survey and assessment requirements

Due to the importance of the bird species and habitats present along the routes and the location of designated sites that this proposal passes through or close to, we recommend undertaking two years of field surveys (vantage point, breeding bird and wintering bird). This will be needed to provide up-to-date information on bird distribution and activity to assess likely effects and inform any required mitigation. RSPB Scotland and the Highland Raptor Study Group should be contacted as soon as possible for relevant bird records.

Ornithological survey data should also be requested from each of the consented and proposed wind farms linked to this grid connection project. Peat depth and habitat surveys should also be undertaken along the preferred route in order to inform the final alignment deviation choices.

Caithness and Sutherland SPA

Appropriate surveys should be conducted for all of the Caithness and Sutherland SPA qualifying species: Red-throated Diver, Black-throated Diver, Hen Harrier, Golden Eagle, Merlin, Golden Plover, Wood Sandpiper, Short-eared Owl, Dunlin, Common Scoter, Greenshank and Wigeon in line with to NatureScot guidance^{2,3}. Both East and West Halladale SSSIs are also designated for these breeding species. Surveys should allow for analysis of negative impacts associated with both construction and operation of OHLs, including collision, displacement, habitat loss and disturbance.

North Caithness Cliffs SPA

¹ <https://www.nature.scot/sites/default/files/2022-12/Assessing%20connectivity%20with%20special%20protection%20areas.pdf>

² <https://www.nature.scot/doc/guidance-assessment-and-mitigation-impacts-power-lines-and-guyed-meteorological-masts-birds>

³ <https://www.nature.scot/doc/recommended-bird-survey-methods-inform-impact-assessment-onshore-windfarms>

Peregrine as a qualifying species of the North Caithness Cliffs SPA must be considered as the Northern Section may be within foraging distance of, as they have a core range of 2km, but ranges of up to 18km has been recorded.⁴

Armadale gorge SSSI

Armadale Gorge SSSI is designated for scrub woodland and dry heath. "The woodland in Armadale Gorge is particularly important given its location, extent, the variety of tree species it contains and the diverse age structure of the trees."⁵

The Consultation document (p40) states that "Within the northern section of the Corridor, where the route options are proposed to cross the SSSI, only small fragments of the qualifying habitats of the SSSI are present and therefore there is potential to avoid damage and loss of protected habitats by targeting the placement of poles, at alignment selection stage, in non-qualifying habitats."⁶ On the ground habitat surveys are required to determine if the desk-based information is correct in this statement. RSPB has historic records of Merlin using this site and ornithological surveys will be required to determine the current bird use. We also suggest contacting the Highland Raptor Study Group to request up-to-date records.

Wider-countryside ornithological requirements.

We have records of White-tailed Eagle (*Haliaeetus albicilla*) and Curlew (*Numenius arquata*) within the corridor and should be included in any surveys. Data gathered in relation to Kirkton Energy Park includes Curlew data. The impact of the proposed development should be considered for both species. Data from Kirkton Energy Park also suggests that Greylag Geese, Pink-footed Geese and Whooper Swan transit the proposed development site. These species should also be considered in surveys.

Peatland

Many of the routes pass through significant areas of Class 1 deep peat according to the SNH Carbon and Peatland Map 2016. A peat depth survey should be undertaken in order to minimise impacts on peat by helping to avoid areas deeper than 0.5m. Routes that use existing infrastructure should also be considered as a way of reducing further damage to peat.

Horizontal directional drilling through bedrock should be considered for sensitive peatland habitats that cannot be avoided.

Section comments

Strathy South and Strathy Wood Grid Connections – Southern Section

Every Southern route option extends into the Caithness and Sutherland Peatlands SPA, SAC and Ramsar site between the consented Strathy South and Strathy Wood and therefore has the potential to impact on a number of qualifying features of the designated sites.

⁴ <https://www.nature.scot/doc/assessing-connectivity-special-protection-areas>

⁵ SSSI Citation document: <https://sitelink.nature.scot/site/88>

⁶ Connagill Cluster Grid Connections – Consultation Document Page 40

We note that a 132 kV underground cable connection is proposed from Strathy South wind farm substation to a point in the vicinity of Strathy Wood wind farm substation. Since this route cannot avoid designated sites, Horizontal Directional Drilling should be seriously considered for the proposed undergrounding to avoid direct impacts on SAC qualifying habitats from laying cables in dug trenches.

RSPB Scotland agrees that that Route Option SS-SN 3 is likely to be the least damaging option on environmental grounds due to it crossing the designated sites for the shortest length. It also passes through existing commercial forestry or non-designated open land east of the existing Strathy North wind farm. From the information available at this stage, this would be RSPB Scotland's preferred route, as it would avoid the designated sites for nature.

We note, however, that a combination of Route Options SS-SN1 and SS-SN2a and b are preferred over SS-SN3. This is concerning as the route will run through the Caithness and Sutherland Peatlands SPA/SAC/Ramsar site, when an option west of the river could avoid this. It would also run adjacent to two existing overhead lines. We would like to remind SSEN that the mitigation hierarchy must be followed. We strongly suggest that SS-SN3 is further considered as the preferred route option, or Horizontal Directional Drilling used so that loss of qualifying habitats is avoided.

The preferred option appears to be very similar to the Strathy Wood Grid Connection that was consulted on at the scoping stage in 2020 (ECU reference ECU00002050). RSPB Scotland responded to this consultation at the time. Bird surveys that were undertaken between 2018 and 2019 for this route option are now on the cusp of expiring so we would recommend that new surveys are undertaken as outlined above.

Strathy South and Strathy Wood Grid Connections – Northern Section

We welcome that the preferred optimal route SN-C ALT 2 (i.e. the existing Strathy North connection) and the Optimal Alternative Route Option SN-C ALT 1 (in the event that the Melvich Energy Hub is granted) appear to avoid designated sites, however we note that the World Heritage Site boundary cannot be avoided in both cases.

RSPB is concerned that all Northern section route options (which will be 132 and 275 kV OHL supported by steel structures) span an important area used by breeding SPA species to access feeding at sea. Surveys and assessment are therefore required to understand the risks to Common Scoter and both Red- and Black-throated diver flight paths. Existing collision risk calculations and assessment of barrier effect from wind farm EIAs should be considered, along with the cumulative impacts of these sites to inform the assessment. Further surveys need to be conducted before any route decisions are finalised.

Where high risks of collision are predicted, we request that undergrounding or HDD is considered (depending on the extent and quality of peatland habitats present) to reduce impacts on any route across this Northern section over line-marking. Given the rarity and protected status of the Common Scoters and Black-throated Divers breeding in the Flow Country and their inability to perceive fine detail in flight, RSPB Scotland is concerned that there is insufficient evidence that power line bird diverters will be effective in protecting these populations from collisions. These concerns relate to all weather conditions but are particularly pertinent to adverse weather and nocturnal conditions when the birds' perception of diverter objects, and the cables to which they are attached, will be poor at best. It is highly likely that such fast flying birds with low manoeuvrability will have insufficient response time to take evasive action.

If the Melvich wind farm is not consented, this would require replacing existing Strathy North grid connection wood pole OHL (14-16m in height and a span of 60-80m) with a steel lattice OHL (28-44m in height and a span of 250m). This would increase both the height and span of the OHL and therefore has the potential for increased barrier effects and collision.

We agree that aligning SN-ALT2 away from the SPA should be considered in the event that the existing Strathy North line is replaced as explained above. We also agree that from this desk-based study that SN-ALT3 could be considered the worst choice as it encroaches most extensively into the designated sites. As SN-C ALT 1 is the most Northerly considered route it is completely outwith the Caithness and Sutherland Peatlands SPA, SAC and Ramsar site and the West Halladale SSSI, this may limit disturbance to qualifying bird species of the SPA. However, it would then be within distance of foraging for some qualifying species of the North Caithness Cliffs SPA and this must be considered during assessments.

Armadale Grid Connection

As the Armadale grid connection also spans an area that connects the Flow country breeding grounds to the sea, RSPB Scotland is concerned about potential collision and barrier effects to SPA species. Surveys are required to understand flight paths. Existing collision risk and barrier effect calculations from EIAs should be considered, along with the cumulative impacts of these sites to inform survey assessment. Further surveys need to be conducted before any route decisions are finalised. Once again, due to the already predicted high risk, we request that undergrounding is considered on any route across this section.

Without prejudice to this position, from desk-based surveys we agree that route option A3-a is the least optimal, as it crosses the largest area of designated sites. By avoiding A3-a, all other options cross the Armadale Gorge SSSI. As stated previously on the ground habitat surveys are required to determine the optimal corridor through the SSSI that avoids damage to and loss of protected habitats and species.

Cumulative Assessment

It is essential that the impacts of this proposal are assessed in combination with other proposed and consented developments within the area. The assessment should include the existing Strathy North grid connection (as it may be retained as the grid connection to the Melvich and Kirkton wind farms) and any existing 33 kV and 11 kV distribution network infrastructure particularly in relation to collision risk to Red- and Black-throated Divers, Common Scoter and Hen Harriers, noting that Common Scoters are likely to fly at night.

The cumulative disturbance and displacement impact on birds from the increase in traffic and noise from the additional use of existing wind farm access tracks during construction and maintenance of this grid connection project should also be included. Any identified impacts should be assessed against the relevant SPAs and NHZ populations.

World Heritage Site

The Highland Council's Flow Country Candidate World Heritage Site Planning Position Statement (April 2023)⁷, states that, developments within the zone of influence of the WHS, must be assessed utilising the UNESCO Impact Assessment Guidance Toolkit (section 5.14). Therefore, we recommend that this is undertaken alongside the EIA.

Biodiversity Net Gain (BNG) / Biodiversity Enhancement

The Scottish Government's Fourth National Planning Framework (NPF4) was adopted on 13 February 2023 and now forms part of the statutory development plan and should be a significant material consideration. NPF4 acknowledges that the climate and nature crises are intrinsically linked and recognises the importance of the planning system in tackling these issues. RSPB Scotland believes that developments should leave nature in a better state than before and welcomes the requirement in Policy 3 of NPF4 that all developments must deliver biodiversity enhancement. The proposal therefore needs to offer 'significant biodiversity enhancements' that can be 'secured within a reasonable timescale and with reasonable certainty' as required by policy 3iv) of NPF4. We are pleased to read of SSEN Transmission's Biodiversity Ambition (section 3.5 of the consultation document). Any plans need to clearly set out what elements are proposed as mitigation and/or compensation and what is considered enhancement.

Compensatory Planting

We understand that compensatory planting maybe required as a result of the Proposed Development, including in Southern section route options SS-SN 2a, SS-SN 2b, SS SN 3 and Armadale Grid connection A3b. Much of the proposed felling area is on deep peat. We would ask the Applicant to consider whether compensatory planting is required in these areas in this instance or whether an exception would apply as per Scottish Forestry guidance^{8,9} regarding removal of woodland from deep peat. They should seek guidance on this and consider peatland restoration instead as this would maximise any biodiversity enhancement.

We hope you find these comments helpful. Should you wish to discuss of any of the above please do not hesitate to contact me.

Yours sincerely



Anna Jemmett

Conservation Officer



⁷ [The Highland Council, The Flow Country Candidate World Heritage Site, Planning Position Statement, April 2023](#)

⁸ FCS (2009) The Scottish Government's Policy on Control of Woodland Removal
<https://forestry.gov.scot/publications/285-the-scottish-government-s-policy-on-control-of-woodland-removal/viewdocument/285>

⁹ FCS (2015) Deciding Future Management Options for Afforested Deep Peatland
<https://forestry.gov.scot/publications/1-deciding-future-management-options-for-afforested-deep-peatland>



Scottish
Forestry
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na h-Alba


Glèidhteachais a
Gàidhealtachd's nan
Eilean
"Fearann – coilleach"
Rathad Fodderty
Inbhir Pheofharain

Highland and Islands
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Conservator
Neach Dion Arainneachd
Neil Murray

21st March 2024

Carolanne Brown,
Onshore Electricity, Strategy and Consents
Scottish Government
by email: 

Dear Carolanne,

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

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR STRATHY WOOD WIND FARM GRID CONNECTION

Thank you for consulting Scottish Forestry on the Scoping Report for the proposed **STRATHY WOOD WIND FARM GRID CONNECTION** (proposed development). Scottish Forestry is the Scottish Government agency responsible for policy, support and regulation of the forestry sector in Scotland. As such we comment on the potential impact of development proposals on forests and woodlands.

The first consideration for all woodland removal decisions should be whether the underlying purpose of the proposals can reasonably be met without resorting to woodland removal. Scottish Government's Policy on Control of Woodland Removal clearly sets out a strong presumption in favour of protecting Scotland's woodland resources.

<https://forestry.gov.scot/support-regulations/control-of-woodland-removal>

In line with Scottish Government's wider objective to protect and expand Scotland's woodland cover, applicants are expected to develop their proposal with minimal woodland removal. Woodland removal should be allowed only where it would achieve significant and clearly defined additional public benefits.

The following criteria for determining the acceptability of woodland removal should be considered relevant to this application –

- **Woodlands with a strong presumption against removal**
Only in exceptional circumstances should the strong presumption against woodland removal be overridden. Proposals to remove these types of woodland should be judged



Scottish Government
Riaghaltas na h-Alba
gov.scot

Scottish Forestry is the Scottish Government agency responsible for forestry policy, support and regulation

Is e Coilltearachd na h-Alba a' bhuidheann-ghnìomha aig Riaghaltas na h-Alba a tha an urra ri poileasaidh, taic agus riaghladh do choilltearachd

BRAVE values and behaviours are the roots that underpin our work.



on their individual merits and such cases will require a high level of supporting evidence. Where woodland removal is justified, the Compensatory Planting (CP) area must exceed the area of woodland removed to compensate for the loss of environmental value.

- **Woodland removal with a need for compensatory planting**

Design approaches that reduce the scale of felling required and/or converting the type of woodland to another type (such as from tall conifer plantation to low-height, slow growing woodland), must be considered from the earliest stages, rather than removing the woodland completely. The purpose of any required CP is to secure, through new woodland on site (replanting) or off site (on appropriate sites elsewhere), at least the equivalent woodland-related net public benefit embodied in the woodland to be removed.

National Planning Framework 4 - Policy 6 Forestry, Woodlands and trees identifies several themes that should be considered relevant to this application –

b) Development proposals will not be supported where they will result in:

i. Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition;

ii. Adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy;

iii. Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy;

c) Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered.

d) Development proposals on sites which include an area of existing woodland or land identified in the Forestry and Woodland Strategy as being suitable for woodland creation will only be supported where the enhancement and improvement of woodlands and the planting of new trees on the site (in accordance with the Forestry and Woodland Strategy) are integrated into the design.

Conclusion

The scoping report describes the removal of trees and wooded areas, as per the below extract:

Scoping report - Forestry Clearance 2.6.5 - The Proposed Development would pass through or close to areas of regenerated conifer trees and some planted broadleaved woodland that would require to be felled to maintain a construction and operational wayleave corridor.

The Scoping report goes on to describe the removal of regenerating trees and planted native broadleaves, as per the below extracts 11.2.1 and 11.2.2:

Scoping report - Baseline 11.2.1 - There is limited forestry within or in proximity to the Proposed Development. 11.2.2- The Proposed Development does not intersect or come into proximity to any conifer forestry plantation. The area of Strathy Forest includes felled conifer plantation which has been replaced with planted native broadleaved woodland and open land which is part of the consented Strathy Wood Wind Farm Habitat Management Plan. The Proposed Development includes open land and some sparse tree cover.

Scottish Forestry are concerned that section 11.2.3 (extract below) scopes forestry out of the EIA process, without a detailed assessment of the potential impacts. The scoping report has not adequately addressed the potential impact on woodland, trees or previously afforested land awaiting restock (irrespective of species, age or stage of establishment).

Potential for Significant Effects 11.2.3 The Native Woodland Survey of Scotland (NWS) includes a small pocket of native woodland within the footprint of the Proposed Development near Strathy Wood substation however this is classified as open land. Issues Scoped Out 11.2.4 As the Proposed Development would require felling of a minimal number of regenerated conifer trees and some planted broadleaved trees with no felling commercial forestry plantation, there is no requirement for a forestry assessment to be undertaken.

Scottish Forestry encourage the planning authority to ensure that proposed changes to woodland address the requirements of the Control of Woodland Removal Policy and other relevant guidance as set out in this letter.

Scottish Government's policy on control of woodland removal: implementation guidance February 2019 <https://forestry.gov.scot/support-regulations/control-of-woodland-removal> provides guidance on the level and detail of information Scottish Forestry will expect within the EIA Report, to help us reach an informed decision on the potential impact of the proposed development. Detailed information on any compensatory planting proposals should also be provided. All felling, restocking and compensatory planting proposals must be compliant with the UK Forestry Standard. <https://forestry.gov.scot/sustainable-forestry/ukfs-scotland>

Any additional felling which is not part of the planning application will require permission from Scottish Forestry under the Forestry and Land Management (Scotland) Act 2018 (the Act). For areas covered by an approved Long Term Forest Plan (LTFP), the request for additional felling (and subsequent restocking) areas needs to be presented in the form of LTFP amendment. <https://forestry.gov.scot/support-regulations/felling-permissions>

The applicant should note that any compensatory planting required as a result of the proposed development, may also need to be considered under The Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017. <https://forestry.gov.scot/support-regulations/environmental-impact-assessment> and should follow the process for preparing a woodland creation proposal, as set out in our guidance booklet: Woodland Creation Application Guidance. <https://forestry.gov.scot/support-regulations/woodland-creation>

Please don't hesitate to contact me if you have any questions regarding Scottish Forestry's response.

Yours sincerely



Dunstan Cribb
Operations Manager (Regulations and Development)
Highland and Islands Conservancy

Tuesday, 02 April 2024



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

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

Development Operations
Freephone Number - [REDACTED]
E-Mail - [REDACTED]
www.scottishwater.co.uk



Dear [REDACTED]

Strathy Wood, Strathy, KW14 7RZ
Planning Ref: ECU00005023
Our Ref: DSCAS-0106891-WCB
Proposal: 4.25km of Steel Lattice (L7c) double circuit from Strathy Wood substation to a T connection point with the existing Strathy North to Connagill circuit near Strathy North. One side of this circuit will carry Strathy Wood and the other Strathy South.

Please quote our reference in all future correspondence

Audit of Proposal

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

Drinking Water Protected Areas

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

Surface Water

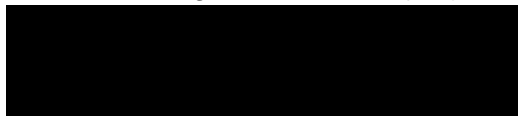
For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

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

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

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd



I trust the above is acceptable however if you require any further information regarding this matter please contact me on [redacted] or via the e-mail address below or at [redacted]

Yours sincerely,

Angela Allison
Development Services Analyst



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."



[REDACTED]

Carolanne Brown
Case Officer
Onshore Electricity, Strategy and Consents
Directorate for Energy and Climate Change
The Scottish Government

Our Ref: 09980
24/04/2024

Dear Ms Brown,

ECU ref: ECU00005023

ELECTRICITY ACT 1989

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

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR STRATHY WOOD WIND FARM GRID CONNECTION

Thank you for your email of 20 March 2024 seeking observations on the above. We gratefully acknowledge the additional time allowed for our response.

[ScotWays records](#)

The enclosed map shows that our book *Scottish Hill Tracks* describes route 344 *Strath Halladale (Trantlebeg) to Strathy* which crosses or is close to the application site as shown on Figure 1 - *Site Context and Proposed Development*.

In searching our records at this scoping stage, we have focussed solely on the immediate area of the proposed application. If required by the applicant to inform their Environmental Impact Assessment (EIA), maps of a wider search area are available from the Society, alongside a more detailed response.

[Other Access to Land](#)

You should be aware that other forms of public access to land may affect the application site. More detail about these other types of access is set out in the enclosed Catalogue of Rights of Way Guidance Notes.

The Scottish Rights of Way and Access Society, 24 Annandale Street, Edinburgh EH7 4AN (Registered Office)
[REDACTED] [REDACTED] www.scotways.com

ScotWays is a registered trade mark of the Scottish Rights of Way and Access Society, a company limited by guarantee.
Registered Company Number: SC024243. Scottish Charity Number: SC015460.

Comment

The Scottish Hill Track noted above runs along an existing track that will be affected by the proposed development. In addition it appears that the part of this route north of the application site will be used as to access the site.

Under section 3 of the Land Reform (Scotland) Act 2003, there is a duty upon landowners to use and manage land responsibly in a way which respects public access rights. Under section 14 of the same Act, access authorities have a duty to uphold access rights. We are pleased to note that the applicant is aware of the Scottish Hill Track route and that they propose to prepare an Outdoor Access Plan, a draft of which would be included within the EIA. We suggest that they may wish to approach the relevant authority's access team for their input when drawing this up.

I hope the information provided is useful to you. Please do not hesitate to contact us if you have any further queries.

Yours sincerely,



Lynda Grant
Access Officer





Catalogue of Rights of Way Planning Comment Guidance Notes

These notes explain what is shown on the maps provided with planning application comments and provide information about the public right of access to land in Scotland. All maps are provided on a 1:50,000 scale base.

What is the Catalogue of Rights of Way (CROW)?

CROW was created by ScotWays in the early 1990s with the help of Scottish Natural Heritage (now NatureScot) and local authorities and is an amalgamation of rights of way information from a number of different sources. Mapped at 1:50,000 scale, the catalogue does not include all rights of way – many of these are known only to local people and come to ScotWays' notice only when a problem arises.

CROW is continually updated to take account of new information as it comes to ScotWays' attention.

What is a Recorded Right of Way?

Any right of way that we record in the Catalogue of Rights of Way.

Where any Recorded Rights of Way pass through or close to the application site a map will be provided showing them.

What is an Other Route?

Any path that we record in the Catalogue of Rights of Way that does not appear to meet the criteria to be a right of way.

Where any Other Routes pass through or close to the application site a map will be provided showing them.

What is a Heritage Path?

These are historic routes that form part of the transport heritage of Scotland. They reflect our cultural and social development and include drove roads, military roads, Roman roads, pilgrim routes and trade routes.

These routes may or may not be rights of way, core paths or carry some other type of designation.

Find out more about the Heritage Paths project at <http://www.heritagepaths.co.uk>

Where any Heritage Paths pass through or close to the application site a map will be provided showing them.

What is a Scottish Hill Track?

First published in 1924, our book *Scottish Hill Tracks* is a record of the network of paths, old roads and rights of way which criss-cross Scotland's hill country, from the Borders to Caithness.

These publicised routes may or may not be rights of way, core paths or carry some other type of designation.

Copies of our book *Scottish Hill Tracks* can be purchased from the ScotWays webshop: <https://www.scotways.com/shop>

Where any *Scottish Hill Tracks* routes pass through or close to the application site a map will be provided showing these.

Disclaimer

*The routes shown on the **CROW** maps provided have been prepared from information contained in the records of ScotWays, local authorities, judicial and other records. The inclusion of a route in CROW is not in itself definitive of its legal status.*

Other Public Access Information

You should be aware that other forms of public access to land may affect your site of interest.

Unrecorded Rights of Way

Our records only show the rights of way that we are aware of. Scots law does not require a right of way to be recorded in a specific document. Any route that meets the following criteria will be a right of way. This could include any paths, tracks or desire lines within your area of interest. A right of way:

1. Connects public places.
2. Has been used for at least 20 years.
3. Follows a more or less defined route.
4. Has been used by the public without judicial interruption or the landowner's permission.

Core Paths

The Land Reform (Scotland) Act 2003 requires all access authorities to create a system of routes within their area. These are known as core paths and are recorded in the authority's core paths plan. It is anticipated that planners will have consulted their access authority's core paths plan to check whether any core paths cross or are close to the application site, and will also have consulted the authority's access team.

The General Right of Access

Irrespective of the presence or absence of rights of way and core paths, the land in question may be subject to the access rights created by Section 1 of the Land Reform (Scotland) Act 2003. Unless the land falls into one of the excluded categories in Section 6 of this Act, the public has a right of access to the land, and land owners/managers have a duty under the Act's Section 3 to consider this in any decisions made about the use/management of the land.

Other Promoted Routes

There may be a promoted route running through or close to any planning application site. Such routes will usually be clearly marked with signposts or waymarking and may feature in guidebooks, leaflets, on local information boards and on websites. The two main types of nationally promoted routes are:

Scotland's Great Trails: <https://www.scotlandsgreattrails.com>
National Cycle Network: <https://www.sustrans.org.uk/map-ncn>

Public and Private Roads

The Roads (Scotland) Act 1984 created the terms 'public road' and 'private road'. Public roads are those roads which are on the List of Public Roads and which, importantly, the roads authority is required to manage and maintain. Private roads are those roads which are not on the List of Public Roads and thus there is no duty on the roads authority to manage or maintain them. There is a public right of passage over these roads and the owner(s) of a private road may not restrict or prevent the public's right of passage over the road.

If required, the local roads authority should be contacted for more information on public and private roads that may cross or pass close to the application site.

More Information on Outdoor Access Law

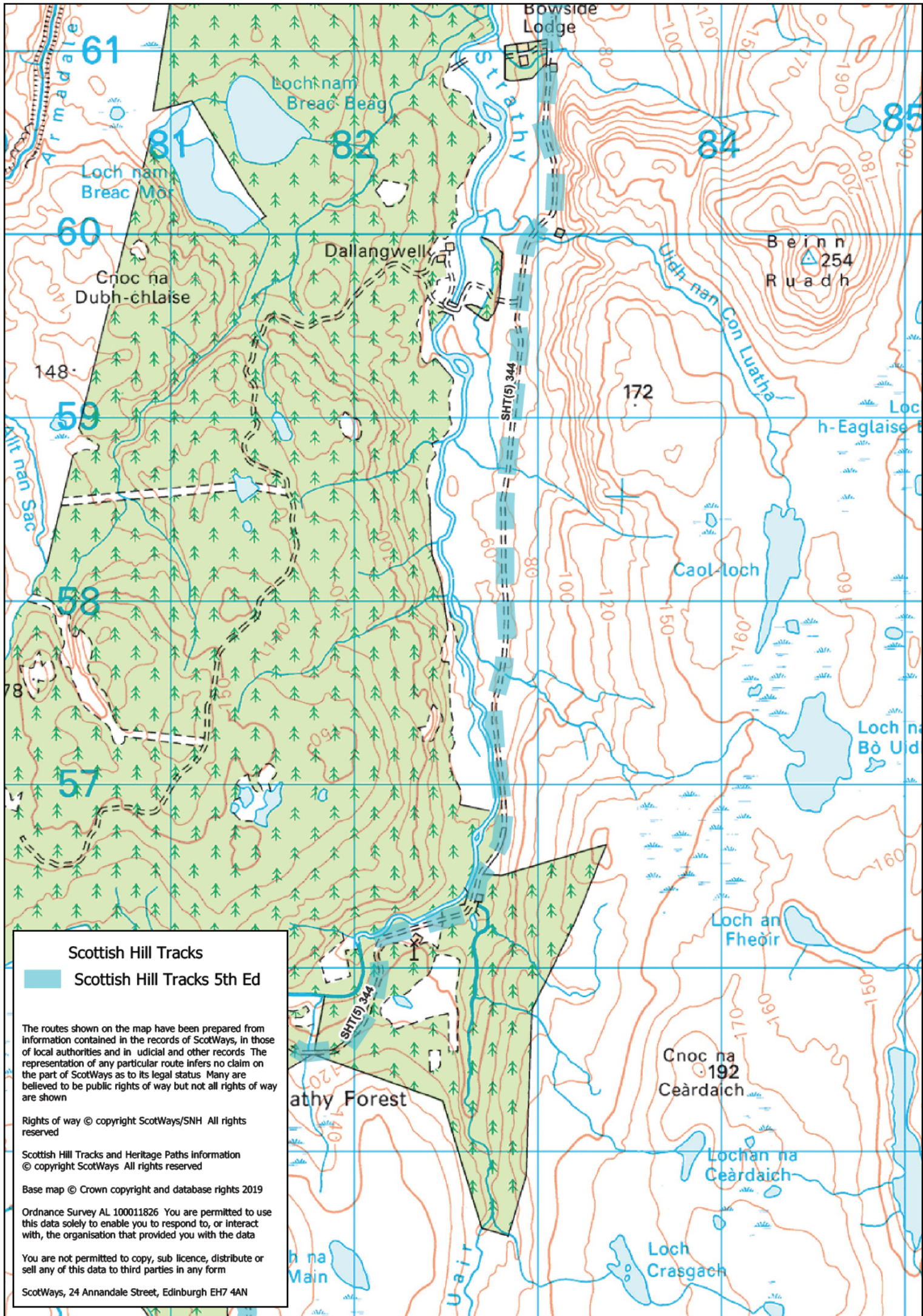
If you would like to know more about outdoor access law, why not visit our website (<https://scotways.com/outdoor-access/>) or get a copy of our book "*The ScotWays Guide to the Law of Access to Land in Scotland*" by Malcolm Combe (<https://www.scotways.com/shop>)?

Development and Planning Applications

When proposing to develop a site, it is advisable that the applicant reviews the current amount and type of public access across it and presents this as an access management plan as part of their planning application. This should include rights of way, core paths, other paths and tracks, and take account of how the statutory right of access currently affects the site.

The plan should then consider the effect that the proposed works, during construction and upon completion, would have on any patterns of public access identified. Any good practice guidance associated with the proposed type of development should be considered, e.g. for windfarms the NatureScot "*Good Practice during Wind Farm Construction, Part 8 Recreation and Access*" and "*Siting and Designing Wind Farms in the Landscape*", and the policies contained within any local statutory plans.

Depending upon the proposals there may be specific legal processes that must be followed to divert any paths or tracks either temporarily or permanently. These will be in addition to getting planning permission for the proposal. We recommend that applicants contact the access team at the relevant access authority for advice in this regard.



Scottish Hill Tracks

Scottish Hill Tracks 5th Ed

The routes shown on the map have been prepared from information contained in the records of ScotWays, in those of local authorities and in judicial and other records. The representation of any particular route infers no claim on the part of ScotWays as to its legal status. Many are believed to be public rights of way but not all rights of way are shown.

Rights of way © copyright ScotWays/SNH All rights reserved

Scottish Hill Tracks and Heritage Paths Information © copyright ScotWays All rights reserved

Base map © Crown copyright and database rights 2019

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You are not permitted to copy, sub licence, distribute or sell any of this data to third parties in any form

ScotWays, 24 Annandale Street, Edinburgh EH7 4AN

From: Planning.North [REDACTED]
Sent: 12 April 2024 07:46
To: Econsents Admin
Cc: Brown C (Carolanne); [REDACTED]
Subject: Strathy Wood Wind Farm Grid Connection - ECU00005023 - SEPA response

OFFICIAL

SEPA reference PCS-20000942

Dear Carolanne Brown

**ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR STRATHY WOOD WIND FARM
GRID CONNECTION**

Thank you for your email below. As this is a relatively small scale proposal and the reason for EIA does not specifically seem to relate to SEPA's interests we have no site specific advice to provide and simply refer you and the developer to the relevant standing advice in our [sepa-triage-framework-and-standing-advice.pdf](#) which is equally applicable to Electricity Act applications. Notwithstanding this it is the applicant's responsibility to meet their obligations and mitigate environmental impacts under Schedule 9 of the Electricity Act 1989.

Kind regards

Susan

Susan Haslam | Senior Planning Officer
Scottish Environment Protection Agency

Carolanne Brown
Energy Consents Unit
The Scottish Government
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU
[REDACTED]

Your ref:
ECU00005023

Our ref:
GB01T19K05

Date:
12/04/2024

Dear Sirs,

ELECTRICITY ACT 1989

THE ELECTRICITY (APPLICATIONS FOR CONSENT) REGULATIONS 2017

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR STRATHY WOOD WIND FARM GRID CONNECTION

With reference to your recent correspondence on the above development, we acknowledge receipt of the Scoping Report (SR) prepared by ASH design+assessment Limited on behalf of SSEN Transmission 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 4.5 km of new 132kV overhead line (OHL) connecting the consented Strathy Wood wind farm to the National Grid via the existing Strathy North 132 kV trident wood pole OHL. The northern end of the OHL lies approximately 4.6km south of Strathy, with the nearest trunk road being the A9(T) approximately 35km to the east.

Assessment of Environmental Impacts

Chapter 10 of the SR presents the proposed methodology for the assessment of Traffic and Transport associated with the construction of the development. This states that thresholds as indicated in the Institute of Environmental Management and Assessment (IEMA) document entitled Environmental Assessment of Traffic and Movement (2023) will be used as a screening process for the assessment. 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 the study area for the assessment will be the A836 between Thurso and Strathy. Traffic survey data for use in the assessment would be obtained from the UK Department of Transport (DfT) traffic survey database. It is also noted that baseline traffic flows would be subject to Low National Road Traffic Growth factors to allow for the future year baseline.

Transport Scotland considers this approach appropriate.

Transport Scotland would consider that the potential impact on the trunk road network arising from the construction of a 4.5km OHL located some 35km away to be negligible. We would, however, seek a simple threshold assessment be provided in the EIAR chapter to support this view.

Abnormal Loads Assessment

The SR indicates that no Abnormal Indivisible Load (AIL) deliveries will be required, therefore, an AIL assessment will be scoped out. Transport Scotland is satisfied with this approach.

I trust that the above is satisfactory but should you wish to discuss in greater detail, please do not hesitate to contact me at the number above or alternatively, Alan DeVenny at SYSTRA's Glasgow Office can assist on [REDACTED].

Yours faithfully

[REDACTED]

George Smith

**Transport Scotland
Roads Directorate**

cc Alan DeVenny – SYSTRA Ltd.



Defence Infrastructure Organisation

Wendy Talbot
Ministry of Defence
Safeguarding Department
St George's House
DIO Headquarters
DMS Whittington
Lichfield
Staffordshire
WS14 9PY

Your Reference: ECU00005023

Our Reference: DIO10048517

Carolanne Brown
Scottish Government (Energy Consents Unit)
Directorate for Energy and Climate Change
5 Atlantic Quay
150 Broomielaw
GLASGOW
G2 8LU

26 March 2024

Dear Carolanne

MOD Safeguarding – Tactical Training Area 14T (TTA 14T)

- Proposal:** 4.25km of Steel Lattice (L7c) double circuit from Strathy Wood substation to a T connection point with the existing Strathy North to Connagill circuit near Strathy North. One side of this circuit will carry Strathy Wood and the other Strathy South.
- Location:** Approximately 6.5km south of Strathy, Sutherland, in the Highlands of Scotland
- Grid Ref:**
- | | | |
|----------------------------|-----------------|------------------|
| Braerathy Lodge Substation | Easting: 282293 | Northing: 956184 |
| Strathy North 132kV OHL | Easting: 282691 | Northing: 960525 |

Thank you for consulting the Ministry of Defence (MOD) on the above proposed development, linked to previous ref ECU00002050.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (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.

The applicant is seeking a scoping opinion in regard of a new 4.25km 132kV double circuit overhead power line on 27m high lattice towers to connect Strathy Wood Wind Farm to a T

connection point on the existing Strathy North to Connagill circuit near Strathy North; one side of the double circuit will carry Strathy Wood and the other Strathy South.

The application site falls within part of the UK Military Low flying System designated Tactical Training Area 14T (TTA 14T), an area within which military aircraft may conduct low level flight training. The addition of a development featuring tall or narrow profile structures such as electricity towers in this locality has the potential to introduce a physical obstruction to low flying aircraft operating in the area.

To address this impact, and given the location and scale of the development, the MOD require that a condition is added to any consent issued requiring that sufficient data is submitted to ensure that structures can be accurately charted to allow deconfliction. Suggested condition wordings are set out in Appendix A.

At this consultation stage, where details for the final route, design and/or maximum height of the proposed development have not been determined, MOD representations are limited to the principle of the development only. In summary, subject to the conditions detailed in Appendix A being attached to any consent issued, the MOD has no safeguarding concerns with the proposed development, but should be consulted at all future stages for this proposed development to complete a full detailed safeguarding assessment.

The MOD must emphasise that the advice provided within this letter is in response to the data and information detailed in the developer's documents titled "Environmental Impact Assessment: Scoping Report" and "Figure 1 – Site Context and Proposed Development" dated January 2024. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

I trust this is clear however should you have any questions please do not hesitate to contact me.

Yours sincerely



Wendy Talbot
Assistant Safeguarding Manager
DIO Safeguarding

Appendix A

Condition - Aviation Charting and Safety Management

The undertaker must notify the Ministry of Defence, at least 14 days prior to the commencement of the works, in writing of the following information:

- a) the date of the commencement of the erection of electricity towers;
- b) the maximum height of any construction equipment to be used in the erection of the electricity towers;
- c) the date any electricity towers are brought into use;
- d) the latitude and longitude and maximum heights of electricity towers.

The Ministry of Defence must be notified of any changes to the information supplied in accordance with these requirements and of the completion of the construction of the development.

Reason for condition.

To maintain aviation safety.

Carolanne Brown
Case Officer
Energy Consents Unit
The Scottish Government
By e-mail: [REDACTED]

12 April 2024

Our ref: CDM174745
Your ref: ECU00005023

Dear Ms Brown,

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Scoping opinion for proposed Section 37 application for Strathy Wood wind farm grid connection

Thank you for your consultation of 20 March 2024 requesting a scoping opinion for the above proposal. We have had previous consultation with the applicant and have incorporated that advice in this response.

Key issues

The proposal raises the following main issues, which will need to be carefully considered as part of the Environmental Impact Assessment (EIA):

- **Impacts to protected sites:** The proposal has the potential to significantly affect the following protected sites:
 - Caithness and Sutherland Peatlands Special Area of Conservation (SAC),
 - Caithness and Sutherland Peatlands Special Protection Area (SPA).

The applicant should assess the direct and indirect impacts on these protected sites and their qualifying interests in context of their conservation/management objectives¹. The assessment should consider the impact of the proposal both as a single development and cumulatively with other relevant developments affecting these protected sites.

NatureScot guidance

We refer the applicant to our planning and development advice on our website for 'Advising on peatland, carbon-rich soils and priority peatland habitats in development management' and 'Enhancing biodiversity':

¹ Full details on the sites, their qualifying interests and their conservation/management objectives can be found on SiteLink at:

<https://sitelink.nature.scot/home>.

The Links, Golspie Business Park, Golspie KW10 6UB
A' Mhachair, Raon Gnothachais Ghoillspidh, Goillspidh KW10 6UB

<https://www.nature.scot/doc/advising-peatland-carbon-rich-soils-and-priority-peatland-habitats-development-management>

<https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-enhancing-biodiversity>

Protected Areas

Caithness and Sutherland Peatlands Special Area of Conservation (SAC)

Habitats likely to be affected are wet heathland with cross-leaved heath and blanket bog. In principle, we would advise any disturbance to take place outside the SAC in order to maintain the SAC Conservation Objectives (see below). An overhead line through the SAC would be very challenging and we would encourage alternative routes.

From the information provided, we advise that the proposal for grid connection is likely to result in the loss of blanket bog in the site, the ability to actively form peat, maintain hydrology and the structure and function of the blanket bog. We therefore consider that a full EIA assessment of this proposal is unlikely to result in 'no likely significant effect' and mitigation is unlikely to result in 'no adverse effect on site integrity' in the appropriate assessment.

Conservation Objectives:

ANNEX I HABITATS

1. To ensure that the qualifying features of Caithness and Sutherland Peatlands SAC are in favourable condition and make an appropriate contribution to achieving favourable conservation status.
2. To ensure that the integrity of Caithness and Sutherland Peatlands SAC is restored by meeting objectives 2a, 2b and 2c for all qualifying features.

Qualifying feature	2a. Extent and distribution	2b. Structure, function and supporting processes	2c. Distribution and viability of typical species
Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels [H3130]	Maintain	Restore	Restore
Acid peat-stained lakes and ponds (also known as 'dubh lochans') [H3160]	Maintain	Maintain	Maintain
Wet heathland with cross-leaved heath [H4010]	Maintain	Restore	Restore
Blanket bog* [H7130]	Maintain	Restore	Restore
Very wet mires often identified by an unstable 'quaking' surface (also known as 'ladder fen') [H7140]	Maintain	Restore	Restore
Depressions on peat substrates [H7150]	Maintain	Restore	Maintain

* Indicates a Habitats Directive Priority Habitat

ANNEX II SPECIES

1. To ensure that the qualifying features of Caithness and Sutherland Peatlands SAC are in favourable condition and make an appropriate contribution to achieving favourable conservation status.
2. To ensure that the integrity of Caithness and Sutherland Peatlands SAC is restored by meeting objectives 2a, 2b and 2c for each qualifying feature.

Qualifying feature	2a Population as a viable component of the site	2b Distribution	2c Supporting habitats within the site and availability of food
Otter (<i>Lutra lutra</i>) [S1355]	Restore	Maintain	Maintain
Marsh saxifrage (<i>Saxifraga hirculus</i>) [S1528]	Maintain	Maintain	Maintain

For a full application we will require the following information so that we can comment with regards to NPF4 and our remit for protected areas. The information we require will include:

- Habitat survey (NVC) and maps identifying areas/features mentioned in Annex 1 of our guidance (see link below). (We note the applicant has provided an NVC map with their Scoping report.)
- Construction management plan detailing how construction methods will minimise impacts on peatland including direct disturbance and changes in hydrology. This should also include information on how maintenance and fault resolution will likely impact on the habitat.
- Peat management plan.
- Habitat management plan.

Further guidance can be found at: <https://www.nature.scot/doc/advising-peatland-carbon-rich-soils-and-priority-peatland-habitats-development-management>).

Caithness and Sutherland Peatlands Special Protection Area (SPA)

In addition to the comments above in relation to the SAC, consideration must also be given to SPA bird species so that the Conservation Objectives of the site (see below) can be maintained. The proposals are likely to disturb and possibly displace SPA species (e.g. waders) through construction activity. There may also be significant effects on other species, such as red-throated diver, which would have to avoid overhead lines whilst flying to and from the sea to feed during the breeding season.

We advise that the wind farm development which is to be connected by this project, and other nearby wind farm developments, will provide useful information with respect to SPA species distribution and movement and recommend that they are consulted.

Conservation Objectives:

To avoid deterioration of the habitats of the qualifying species or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained.

To ensure for the qualifying species that the following are maintained in the long term:

- Population of the species as a viable component of the site.
- Distribution of the species within site.
- Distribution and extent of habitats supporting the species.
- Structure, function and supporting processes of habitats supporting the species.
- No significant disturbance of the species.

Proposed Flow Country World Heritage Site (WHS)

The proposed connection project lies within this proposed WHS. The site is being considered for WHS status due to it being the most outstanding example of a blanket bog ecosystem globally. The Outstanding Universal Value (OUV) of the site encompasses a number of attributes including: the blanket bog habitats, ecosystem processes and the bird and plant assemblages it supports. Where a proposal affects one or more of these attributes, this could result in impacts on the site's OUV.

We note that the proposal lies within Class 1 and Class 2 peatland habitats. From the information provided, we advise that the proposal for grid connection is likely to result in a loss of size of blanket bog habitats, loss in ability to actively sequester carbon and potentially an ability to reduce water quality. We advise that the proposal is likely to have a significant effect on the proposed WHS.

We also advise that the proposal may result in impacts on the population and distribution of birds within the proposed WHS without mitigation.

The Highland Council has produced a toolkit for developers to use in assessments to consider impacts to the WHS. The toolkit may be found at:
https://www.highland.gov.uk/directory_record/1979671/flow_country_candidate_world_heritage_site_planning_position_statement

The Highland Council has also produced a Planning Position Statement which can be found at:
https://www.highland.gov.uk/directory_record/1979671/flow_country_candidate_world_heritage_site_planning_position_statement

Please let me know if you require any further information or advice in relation to this proposal.

Yours sincerely,

Alexander Macdonald
Operation Officer – North



c.c. Liam Burnside, The Highland Council (Ref: 24/01203/SCOP)

The Northern District Salmon Fishery Board

27th March 2024

Email: [REDACTED]

Dear Sirs

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

**REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR
STRATHY WOOD WIND FARM GRID CONNECTION**

Thank you for consulting with the Northern District Salmon Fishery Board regarding the above application.

I can confirm that the Scientific Advisor to the Board has reviewed the relevant documentation and has advised there is no mention of salmon or sea trout in the documentation. Whilst the Board does not envisage there will be any issues relating to their statutory responsibilities to protect and enhance salmon and salmon fisheries in its area, we would ask that the developer scope in salmon and sea trout, if only to discount them specifically in the Environmental Impact Assessment (EIA).

I would be grateful that the Board is kept informed of ongoing developments relating to this application.

Kind regards,

Yours faithfully,
[REDACTED]

Mrs Alexa MacAuslan
Clerk, NDSFB

Joint Radio Company Consultation Response

From: [JRC Windfarm Coordinations Old](#)
To: [Carolanne Brown](#)
Cc: [Econsents Admin](#); [Wind SSE](#)
Subject: STRATHY WOOD WIND FARM GRID OHL - Scoping Opinion request ECU00005023 [WF838367]
Date: 01 July 2024 13:02:54

Dear carolanne,

A Windfarms Team member has replied to your co-ordination request, reference **WF838367** with the following response:

If any details of this proposal change, particularly the disposition or scale of any turbine(s), this clearance will be void and re-evaluation of the proposal will be necessary.

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

Dear Carolanne

Planning Ref: ECU00005132

Name/Location: STRATHY WOOD WIND FARM GRID CONNECTION

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

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

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

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

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

Regards

Wind Farm Team

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

Office: [REDACTED]

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

Registered in England & Wales: 2990041

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

We maintain your personal contact details and are compliant with the Data Protection Act 2018 (DPA 2018) for the purpose of 'Legitimate Interest' for communication with you. If you would like to be removed, please contact [REDACTED]

We hope this response has sufficiently answered your query.

If not, please **do not send another email** as you will go back to the end of the mail queue, which is not what you or we need. Instead, **reply to this email by clicking on the link below or login to your account** for access to your co-ordination requests and responses.

<https://breeze.jrc.co.uk/tickets/view.php?id=33503>

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. MD-SEDD aims, through our provision of advice to ECU, to ensure that the installation and maintenance of these OHLs do not have a 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.
<p>1. A map outlining the proposed development area and the proposed location of:</p> <ul style="list-style-type: none"> ○ the towers/poles, ○ permanent and temporary access tracks, including watercourse crossings; ○ buildings including substations; ○ permanent and temporary construction compounds; ○ all watercourses; and contour lines; 			
<p>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.</p> <p>This should be carried out where a Special Area of Conservation (SAC) is present and where salmon are a qualifying feature, and in exceptional</p>			

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.
<p>cases when required in the scoping advice for other reasons. In other cases, developers can assume that fish populations are present;</p>			
<p>3. An outline of the potential impacts on fish populations and water quality within and downstream of the proposed development area;</p>			
<p>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;</p>			
<p>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);</p>			
<p>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.</p> <p>At least 12 months of baseline pre-construction data should be included. The monitoring programme can be secured using suitable wording in a condition.</p>			

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.
<p>7. A decommissioning and restoration plan outlining proposed mitigation/monitoring for water quality and fish populations.</p> <p>This can be secured using suitable wording in a condition.</p>			

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.			

Please ask for: Liam Burnside
e-mail: [REDACTED]
Our Ref: 24/01203/SCOP
Your Ref:
Date: 27 June 2024

SSEN Transmission
Per: Carolanne Brown

By email only to: [REDACTED]

Dear Carolanne Brown,

PLANNING REFERENCE: 24/01203/SCOP

**DEVELOPMENT: REQUEST FOR A SCOPING OPINION FOR PROPOSED SECTION 37
APPLICATION FOR STRATHY WOOD WIND FARM GRID CONNECTION**

LOCATION: LAND 1500M SE OF DALLANGWELL FARMHOUSE, STRATHY

Thank you for requesting this Environmental Impact Assessment (EIA) Scoping Request for the above project. We received the consultation on 20 March 2024 by email and we are grateful for the extension of time to make comments.

Our view on the scope of the assessment may be subject to change on a number of topics within the EIAR if the scale of development, changes. If this is the case, we would require a revised scoping response under the relevant regulations.

The remainder of this letter constitutes THC's Scoping Response. An effort has been made to respond to questions contained within the submitted Scoping Report, however where The Highland Council is not aware of any further helpful information, a direct response to this effect is omitted. We trust this response is helpful to the applicant when formalising any forthcoming application.

SCOPING RESPONSE

Applicant:	SSEN Transmission
Project:	Consent to construct and operate a new 132 kV overhead line (OHL) to connect the consented Strathy Wood wind farm to the electricity transmission network at Connagill 275/132 kV substation via the existing Strathy North 132 kV trident wood pole OHL.
Project Address:	Land 1500m southeast Of Dallangwell Farmhouse, Strathy
Our Reference	24/01203/SCOP

This response is given without prejudice to the Planning Authority's right to request information in connection with any statement, whether Environmental Impact Assessment Report (EIAR) or not, submitted in support of any future application. These views are also given without prejudice to the future consideration of, and decision on, any planning application received by The Highland Council (THC).

THC request that any EIAR submitted in support of an application for the above development take the comments highlighted below into account; many of which are already acknowledged within the Supporting Information. In particular, the elements of this report as highlighted in parts 3, 4 and 5 should be presented as three distinct elements.

Where responses have been received by consultees these are available to view online and should be taken as forming part of the scoping response from THC. If any further responses are received these will be forwarded on in due course.

1.0 Description of the Development

1.1 The description of development for an EIAR is often much more than would be set out in any planning application. An EIAR must include:

- a description of the physical characteristics of the whole development and the full land-use requirements during the operational, construction and decommissioning phases. These might include requirements for borrow pits, local road improvements, infrastructural connections (i.e., connections to the grid), off site conservation measures, etc. A plan with eight figure OS Grid co-ordinates for all main elements of the proposal should be supplied;
- a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used;
- the risk of accidents, having regard in particular to substances or technologies used;
- an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light / flicker, heat, radiation, etc.) resulting from the operation of the development; and,
- the estimated cumulative impact of the project with other consented or operational developments.

2.0 Alternatives

2.1 A statement is required that outlines the main development alternatives studied by the applicant and an indication of the main reasons for the final project choice. This is expected to highlight the following:

- the design chapter should clearly set out the design evolution of the scheme including constraints to the delivery of that scheme;
- the range of technologies that may have been considered – we note that the ‘Planning Context and Background’ statement within the Scoping Report advises that commercial viability issues have arisen while implementing previous permissions for smaller turbines;
- locational criteria and economic parameters used in the initial site selection;
- options for access;
- design and locational options for all elements of the proposed development (including grid connection); and,
- the environmental effects of the different options examined.

The assessment should also highlight sustainable development attributes including, for example, an assessment of carbon emissions / carbon savings.

3.0 Environmental Elements Affected

- 3.1 The EIAR must provide a description of the aspects of the environment likely to be significantly affected by the development. The following paragraphs highlight some principal considerations. There are several similar and wind energy developments in the area, and you are encouraged to use your understanding of these in assessing your development and the potential for cumulative effects to arise. The EIAR should fully utilise this understanding to ensure that information provided is relevant and robustly grounded.

Land Use and Policy

- 3.2 The EIAR should recognise the existing land uses affected by the development having particular regard for THC's Development Plan inclusive of all statutorily adopted Supplementary Guidance (SG). Particular attention should be paid to the provisions of the Onshore Wind Energy SG (OWESG) inclusive of any Landscape Sensitivity Appraisal. This is not instead of but in addition to the expectation of receiving a Planning Statement in support of the application itself which, in addition to exploring compliance with the Development Plan, should look at various Circulars and Planning Advice Notes that identify the issues that should be taken into account when considering significant development. Scottish Government policy and guidance on renewable energy and wind energy should be considered in this section. The purpose of this chapter is to highlight relevant policies, not to assess the compatibility of the proposal with policy.
- 3.3 The Local Development Plan continues to include the Highland-wide Local Development Plan, Local Area Plans, and the Council's adopted Supplementary Guidance, which will continue to be used alongside NPF4 in the assessment of all applications, until they are replaced by a new style Local Development Plan. The Council acknowledges that legislation and planning law indicate that if there is any incompatibility between NPF4 and the provisions of the Local Development Plan published prior to NPF4 the more recent document shall prevail. However, it is the Council's position that, where there is conflict, this requirement does not eliminate the provisions of the HwLDP, Local Area Plans, or Supplementary Guidance in their entirety whilst these documents remain a part of the adopted Local Development Plan.
- 3.4 The overall Planning Policy section (4) of the report covers the general policy context well. Caithness and Sutherland Local Development Plan (CaSPlan) is mentioned, however it has limited relevance to this kind of proposal. It should be acknowledged that this policy context is evolving and as such the applicant is advised to review recent Reports of Handling for similar national section 37 applications relating to wind farm grid connection developments to further inform the policy section. Attention is particularly drawn also to NPF4 Policy 3(b):

Development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria:

- i. the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;
- ii. wherever feasible, nature-based solutions have been integrated and made best use of;
- iii. an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;
- iv. significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their long-term retention and monitoring should be included, wherever appropriate; and
- v. local community benefits of the biodiversity and/or nature networks have been considered.

Sustainability

- 3.5 The Council's Sustainable Design Guide SG provides advice and guidance on a range of sustainability topics, including design, building materials, and minimising environmental impacts of development. A Sustainable Design Statement is required. The Council will need to be satisfied in reaching a conclusion on any consultation or application that the development in its entirety is in fact sustainable development. In order for us to do so we recommend that matters related to the three pillars of sustainable development are fully assessed in the information that supports the application. The developer needs to consider the impact of the installation and the prospective long-term use of the energy to accommodate the requirements of a decarbonised energy provision for Scotland and the Highlands. The application should include a statement on how the development is likely to contribute to the Scottish Government Energy Efficient Scotland roadmap and provide the Highlands with secure and clean electricity supplies.

Landscape and Visual

- 3.6 The Council expects the EIAR to consider the landscape and visual impact of the development, which should conform with the overall methodology set out in GLVIA3 – Section 5.5.1 of the submitted Scoping Report states that methodology would accord with this document. The Council makes a distinction between the two. While not mutually exclusive, these elements require separate assessment and therefore presentation of visual material in different ways. It is the Council's position that it is not possible to use panoramic images for the purposes of visual impact assessment.
- 3.7 Viewpoints for the assessment of effects of a proposed development must be agreed in advance of preparation of any visuals with The Highland Council. We are generally content with the viewpoints proposed but appreciate there will be some micro-siting of the viewpoints to avoid intervening screening of vegetation boundary treatments etc. We would recommend that the photographer has in their mind whether the VP is representative or specific and also who the receptors are when taking photographs. We have also found that

if the photographer has a 3D model on a laptop when they visit sites, it helps the orientation of their photography.

- 3.8 The Council, while not precluding the use of panoramic images, requires single frame images with different focal lengths taken with a 35mm format full frame sensor camera – not an ‘equivalent.’ The focal lengths required are 50mm and 75mm.
- 3.9 The former gives an indication of field of view and the latter best represents the scale and distance in the landscape i.e., a more realistic impression of what we see from the viewpoint. These images should form part of the EIAR and not be separate from it. Photomontages should follow the Council’s Visualisation Standards:
https://www.highland.gov.uk/downloads/file/12880/visualisation_standards_for_wind_energy_developments
- 3.10 Separate volumes of visualisations should be prepared to both Highland Council Standards and NatureScot guidance. These should be provided in hard copy. **It would be beneficial for THC’s volume to be provided in an A3 ring bound folder for ease of use.** The use of monochrome for specific viewpoints is useful where there are a number of different developments such as wind farms in view. We are happy to provide advice on this matter going forward. All existing turbines should be re-rendered even if they appear to be facing the viewer in the photograph to ensure consistency.
- 3.11 All elements of a development are important to consider within any EIAR, including the visual impact of the tracks, substations, battery storage and on-site borrow pits etc. Therefore, the assessment should include the expected impact of these elements, which should have their own site layout and elevation plans, notwithstanding that the principal structures will be a primary concern.
- 3.12 As far as possible, the viewpoints should correspond with the viewpoints used for existing schemes within the area. The detailed location of viewpoints will be informed by site survey, mapping and predicted ZTVs. Failure to do this may result in abortive work, requests for additional visual material and delays in processing applications/consultation responses. Community Councils may request additional viewpoints and it would be recommended that any pre-application discussions with the local community, and associated reporting on consultation undertaken, take this into account.
- 3.13 We acknowledge that there will be some micro-siting of the viewpoints to avoid intervening screening of vegetation boundary treatments etc. We would recommend that the photographer has in their mind whether the VP is representative or specific and also who the receptors are when they are taking the photos. We have also found that if the photographer has a 3D model on a laptop when they go out on site, it helps the orientation of the photography. Please note that the Council does not consider forestry a permanent fixture in the landscape and therefore expects LVIA’s to assume bare earth, along with ‘permanent’ physical infrastructure, baseline conditions, in order that effects are understood based on worst case scenarios.
- 3.14 The purpose of the selected and agreed viewpoints shall be clearly identified and stated in the supporting information. For example, it should be clear that the VP has been chosen for landscape assessment, or visual impact assessment, or cumulative assessment, or sequential assessment, or to show a representative view, or for assessment of impact on designated sites, communities, or individual properties.

- 3.15 Furthermore, the LVIA Chapter of the EIAR should clearly set out the methodology including:
- Definitions of each point on the scale of magnitude of change which is used by the applicant in reaching a conclusion on the magnitude of change;
 - Definitions of each point on the scale of sensitivity of receptor which is used by the applicant in reaching a conclusion on the sensitivity of receptor;
 - The threshold to which the applicant considers a significant effect is reached. For the avoidance of doubt the Council consider that Moderate impacts can be significant, and it is recommended that the EIAR takes this approach as well;

A clear matrix approach supported by descriptive text setting out how you have reached your conclusion of effect on landscape character, designated landscapes, visual receptors, and residential amenity.

- 3.16 When assessing the impact on recreational routes please ensure that all core paths and long-distance trails, are assessed. The assessments of these routes should include a sequential assessment of how the development will be experienced in relation to existing and consented wind farms. We expect an assessment of the development's visual impacts on surrounding settlements.
- 3.17 We expect any Landscape Impact Assessment to refer to the Council's Onshore Wind Energy Supplementary Guidance and expect an assessment of the proposal against the criterion set out in the Council's OWESG at pages 19 and 20 to be included within the LVIA chapter of the EIAR. The site is situated wholly within Sweeping Moorland and Flows.
- 3.18 An assessment of the impacts of the proposal on landscape should assess the impacts on any landscapes designated at a national and local scale. NatureScot draft guidance on assessing the impacts on Special Landscape Qualities should be followed and NatureScot would welcome consultation over which qualities should be scoped in for detailed assessment once the full list of VPs is finalised.
- 3.19 In addition, the assessment of Special Landscape Areas (SLA) must be undertaken using the SLA citations available from the Council's website. The Council considers it appropriate to include assessments of the development's impacts on the special qualities of the Farr Bay, Strathy and Portskerra Special Landscape Area (SLA), which lies over 4.5km from the proposed development.
- 3.20 We expect an assessment of the impact on all potentially effected WLAs to be included within the EIAR given the proximity to a number of WLAs and the theoretical visibility of the scheme from within WLAs. NatureScot will provide further assessment advice on WLAs.
- 3.21 The residential visual amenity should be assessed for all properties, settlements, housing groups within 2km of the development proposed within the LVIA.

5.6.1 Given its derelict status and as it is anticipated to be demolished to enable construction of the consented Strathy Wood substation, it is proposed that potential visual receptors at Braerathy Lodge would not be included in the visual assessment.

Given that the property is derelict and is to be demolished to enable the installation of the consented Strathy Wood substation, on this occasion the suggested scoping out arrangements appear acceptable.

Cultural Heritage

3.22 The EIAR needs to identify all designated sites which may be affected by the development either directly or indirectly. This will require you to identify:

- the architectural heritage (Conservation Areas, Listed Buildings);
- the archaeological heritage (Scheduled Monuments);
- the landscape (including designations such as National Parks, National Scenic Areas, Special Landscape Areas, Gardens and Designed Landscapes and general setting of the development; and,
- the inter-relationship between the above factors.

3.23 We would expect any assessment to contain a full appreciation of the setting of these historic environment assets and the likely impact on their settings. It would be helpful if, where the assessment finds that significant impacts are likely, appropriate visualisations such as photomontage and wireframe views of the development in relation to the sites and their settings could be provided. Visualisations illustrating views both from the asset towards the proposed development and views towards the asset with the development in the background would be helpful.

3.24 Historic Environment Scotland (HES) were consulted on this scoping application however a response was not received.

3.25 The application boundary may contain a number of historic environment assets, which may not be accurately represented on the HER so all upstanding remains should be identified by survey and the potential for buried features or deposits to be present should be stated in the report. Where impacts are unavoidable, methods to mitigate this impact are expected to be discussed in detail.

3.26 In regard to the specific issues to be scoped out:

9.5.1 It is not considered that the Proposed Development would give rise to any significant direct or indirect effects on designated heritage assets and as such it is proposed to scope these out of an assessment in the EIA Report.

In response, the Planning Authority is content to scope out the impact of the proposal on designated heritage assets given that there are no designated assets both within and immediately surrounding the site. However, the noted Cultural Heritage Assets require to be assessed at application stage given that these are located in the vicinity of the proposal. In addition, the application site is found to be located within the Candidate Flow Country World Heritage Site, with perceived impacts on this designation required to be assessed within any future submission.

Ornithology

3.27 The presence of Schedule 1 Birds and qualifying interests of Special Protection Areas and other areas designated for aviary interests must be included and considered as part of the

planning application process; not as an issue that can be considered at a later stage. Any consent given without due consideration to these species may breach European Directives with the possibility of consequential delays or the project being halted by the EC. Please refer to any comments from NatureScot and The Highland Council's Ecology Officer in this respect.

- 3.28 An assessment of the impacts to birds through collision, disturbance, electrocution and displacement from foraging / breeding / roosting habitat will be required for both the proposed development site and cumulatively with other proposals. The EIAR should be clear on the survey methods and any deviations from guidance on ornithology matters.

7.6.1 It is proposed that potential impacts on the North Caithness Cliffs SPA are scoped out, based on the separation distance and qualifying features, the majority of which are breeding seabird species not expected to make regular use of the Proposed Development site. Although the Proposed Development is located within suitable foraging habitat for peregrine, the Proposed Development site is located outwith the core foraging range for breeding peregrine (2 km; NatureScot, 201638). As such, there is not considered to be any pathway for effects between the Proposed Development site and the SPA.

Given the level of protection of these species within a designated site, these require to be scoped in within any EIA submission unless confirmed by NatureScot.

7.6.2 It is further proposed that potential impacts on the North Sutherland Coastal Islands SPA are scoped out. The SPA is designated for wintering barnacle goose, which has a core foraging range of 15 km (NatureScot, 201638). As the SPA is located 18.82 km from the Proposed Development (at the closest point), there is not considered to be any pathway for effects.

Given the level of protection of these species within a designated site, these require to be scoped in within any EIA submission unless confirmed by NatureScot.

Ecology and Designated Sites

- 3.29 The EIAR should provide a baseline survey of the bird and animals (mammals, reptiles, amphibians, etc.) interest on site. It needs to be categorically established what species are present on the entirety of the site (and its buffer zone), and where, before a future application is submitted. Further the EIAR should provide an account of the habitats present on the proposed development site. It should identify rare and threatened habitats, and those protected by European or UK legislation, or identified in national or local Biodiversity Action Plans. Habitat enhancement and mitigation measures should be detailed, particularly in respect to blanket bog, in the contexts of both biodiversity conservation and the inherent risk of peat slide (see later). Details of any habitat enhancement programmes (such as native tree planting, stock exclusion, etc.) for the proposed site should be provided – it is noted that provision of appropriate biodiversity enhancement is mandatory under NPF4 Policy 3. It is expected that the EIAR will address whether or not the development could assist or impede delivery of elements of relevant Biodiversity Action Plans.

- 3.30 The developer should submit a Peat Management Plan to overcome significant effects on peatland and Carbon Rich Soils, Deep Peat, and Priority Peatland Habitat (CPP). Attention is drawn to paragraph 4.34 on page 24 of the OWESG, which discusses peat and CPP. We also expect an up to date National Vegetation Classification (NVC) survey and a commitment to undertake peatland restoration on an area of increased size to that of the

application site. The Environmental Impact Assessment Report (EIAR) should provide details of all direct, indirect, permanent, and temporary impacts to any bog habitat present on the site.

- 3.31 The EIAR should address the likely impacts on the nature conservation interests of all the designated sites in the vicinity of the proposed development. It should provide proposals for any mitigation that is required to avoid these impacts or to reduce them to a level where they are not significant. NatureScot can also provide specific advice in respect of the designated site boundaries for SACs and SPAs and on protected species and habitats within those sites. The potential impact of the development proposals on other designated areas such as SSSI's should be carefully and thoroughly considered and, where possible, appropriate mitigation measures outlined in the EIAR. NatureScot provides advice on the impact on designated sites.
- 3.32 If wild deer are present or will use the site an assessment of the potential impact on deer will be required. This should address deer welfare, habitats, and other interests.
- 3.33 The EIAR needs to address the aquatic interests within local watercourses, including downstream interests that may be affected by the development, for example increases in silt and sediment loads resulting from construction works; pollution risk / incidents during construction; obstruction to upstream and downstream migration both during and after construction; disturbance of spawning beds / timing of works; and other drainage issues. The EIAR should evidence consultation input from the local fishery board(s) where relevant.
- 3.34 Further advice can be found in NatureScot's consultation response on ecology in relation to the surveys required and the adequacy of the work already undertaken.
- 3.35 The EIAR should include a map and assessment of impacts upon Groundwater Dependent Terrestrial Ecosystems (GWDTE) and buffers, these habitats are easily damaged by insensitive drainage.
- 3.36 NPF4 is committed to delivering positive effects for biodiversity through development. Policy 3(b) states that, 'Development proposals for national, major and of EIA development should only be supported where it can be demonstrated that the proposal will conserve and enhance biodiversity, including nature networks within and adjacent to the site, so that they are in a demonstrably better state than without intervention, including through future management.' A draft or outline Habitat Management Plan (HMP) and Species Protection Plan (SPP) should be produced as part of the EIA, including any proposals for mitigation and enhancement in relation to important habitats and species. Any compensatory planting plans should be carefully considered and included in the HMP. The HMP should include a comprehensive monitoring programme for all habitat improvements, and breeding birds on the site. Remote sensing using radar or infra-red cameras should be considered, to help inform future development and decision making within the industry with regards to eagles. Lastly, the HMP (or other document) should also include a protocol for reporting collisions to NatureScot.

6.7.1 It is proposed that potential effects of the Proposed Development on marsh saxifrage, which is a qualifying feature of the Caithness and Sutherland Peatland SAC, are scoped out of the assessment. Marsh saxifrage colonies are found in wet flushes within the blanket bog in two parts of the SAC (one within Shielton Peatlands SSSI and one near Loch Ruard

on the boundary of Blar nam Faoileag SSSI and Coire na Beinne Mires SSSI) both of which are more than 30 km to the southeast of the Proposed Development (NatureScot, 202125).

6.7.2 Marsh saxifrage is only found where green flushes of vegetation form within this SAC. This habitat is unusual within the SAC and is markedly different from the surrounding, heathery vegetation. There is not considered to be any pathway for any effect on marsh saxifrage colonies within the SAC due to direct or indirect impacts from the Proposed Development.

Given the protection of Marsh Saxifrage and the fact it is a qualifying feature of the Caithness and Sutherland Peatland SAC, it is the Planning Authority's view, that unless confirmed by NatureScot this shall be included within any EIA submitted.

6.7.3 It is further proposed that potential impacts on the Strathy Point SAC are scoped out as, based on the separation distance and qualifying features of the SAC, there is not considered to be any pathway for effects.

Unless confirmed by NatureScot, potential impacts on the Strathy Point SAC shall be included within any submitted EIA.

6.7.4 Additionally, all IEFs identified in the EclA as being of Local or lower importance, and/or for which there is not considered to be any potential for significant effects from the Proposed Development, will be scoped out of the assessment.

This should be scoped in and demonstrated within any EIA submitted.

6.7.5 As noted in Section 6.3.14, there is not considered to be any pathway for direct or indirect effects of the Proposed Development on aquatic species, including fish species and freshwater pearl mussel. It is therefore proposed that potential effects of the Proposed Development on aquatic ecological features, including those that are qualifying features of the Caithness and Sutherland Peatlands SAC and Ramsar site, are scoped out of the assessment.

As detailed above, given this is a protected designation with qualifying interests it is considered by the Planning Authority, unless confirmed by NatureScot, this shall be included within any future submission.

It is encouraged by the Planning Authority for the applicant to review the consultation response provided by NatureScot with regards to this scoping request.

Noise

Operational Noise

- 3.37 The applicant will be required to submit a noise assessment with regard to the operational phase of the development. Although the scoping report suggests no operational noise effects are expected due to the location of the proposal, a noise assessment shall still be included within the EIAR to confirm this.
- 3.38 In consultation with the councils Environmental Health Team: The operational noise has been scoped out as they state that the nearest residential development is 575m away so the main impact will be visual. However, can the applicant confirm that they have given consideration to the Document 5.3.14H ES Chapter 14 Appendix 14H - National Grid Technical Guidance Note TGN(E)322 (2021) during their determination of operational noise?

Therefore, the details requested with regards to Operational Noise will be required to be submitted within the EIAR.

Cumulative Noise

- 3.39 The noise assessment must take into account the potential cumulative effect from any other existing or consented developments. Where applications run concurrently, developers and consultants are advised to consider adopting a joint approach with regard to noise assessments. The noise assessment must take into account predicted and consented levels from such developments. The good practice guide offers guidance on how to deal with cumulative issues. Where existing development has consented limits higher than suggested above, the applicant should agree appropriate limits with the Council's Environmental Health Officer.

Background Noise Measurements

- 3.40 Any background noise survey required should be undertaken in accordance with ETSU-R-97 and the Good Practice Guide. It is recommended that monitoring locations be agreed with the Council's Environmental Health Officer. Where a monitoring location is to be used as a proxy location for another property, particular care must be taken to ensure it is not affected by other noise sources such as boiler flues, wind chimes, etc. which are not present at that other property.
- 3.41 Difficulties can arise where a location is already subject to noise from an existing development, including wind turbine development. ETSU states that background noise must not include noise from an existing wind farm. The GPG offers advice on how to approach this problem and in some cases, it may be possible to utilise the results from historical background surveys.
- 3.42 It is recommended that the developer's noise consultant liaises with Environmental Health at an early stage to finalise the proposed methodology.

Construction Noise and Vibration

Construction noise and vibration would be short term and intermittent and could be controlled through the implementation of a noise management plan, which would be developed as part of the CEMP prepared by the Principal Contractor. As such, and given the remoteness of construction activity for much of the project, no detailed assessment of construction noise and vibration associated with plant noise or traffic is proposed as part of the EIA.

In response, it is the Planning Authority's view that an assessment of construction noise and vibration shall be included within any future submission to ensure this can be appropriately assessed.

- 3.43 If the applicant intends to undertake noisy work out-with the aforementioned times, they will be required to submit a detailed construction noise assessment for the written approval of the planning authority. For the avoidance of doubt, this would include any proposal to run compound generators overnight for the purposes of lighting or drying of PPE etc. The assessment should include:

1. A description of construction activities with reference to noise generating plant and equipment.
2. A detailed plan showing the location of noise sources, noise sensitive premises and any survey measurement locations.
3. A description of any noise mitigation methods that will be employed and the predicted effect of said methods on noise levels.
4. A prediction of noise levels resultant at the curtilage of noise sensitive receptors.
5. An assessment of the predicted noise levels in comparison with relevant standards.

3.44 If an assessment is submitted, it should be carried out in accordance with BS 5228-1:2009 "Code of practice for noise and vibration control on construction and open sites – Part 1: Noise". Details of any mitigation measures should be provided including proposed hours of operation.

3.45 Regardless of whether a construction noise assessment is required, it is expected that the developer/contractor will employ the best practicable means to reduce the impact of noise from construction activities. The applicant will be required to submit a scheme demonstrating how this will be implemented. Attention should be given to construction traffic, in particular ground compaction plant and the use of tonal reversing alarms.

Traffic and Transport

3.46 The Highland Council's Transport Planning Team's interests will relate largely to the impact of development traffic on the Council-maintained road network and its users during the construction phase of the project. Transport Scotland's interest will relate to the impact of development on the trunk road network.

3.47 In addition to the Policy, Guidance and Legislation documents listed, we recommend that reference is made to the following documents:

- Roads and Transport Guidelines for New Developments
- Guidance on the Preparation of Transport Assessments

3.48 Feedback on the approach to assessing the implications to the Trunk Road network been sought from Transport Scotland, which declined to comment in a statutory capacity.

3.49 The noted A9 trunk road is designated as an Agreed Route on the Timber Transport Forums Agreed Route Map. This means it is used for timber haulage without restriction as regulated by the Road Traffic Act 1988. A-roads are classified as Agreed Routes by default unless covered by another classification. Any local public road improvements deemed necessary should be designed in accordance with our published Roads and Transport Guidelines for New Developments.

3.50 We recommend that the route assessment process includes early consultation with the Highland Council Structures Team for implications to structures along Council maintained roads. A point of contact for that would be Simon Farrow, Principal Engineer [REDACTED]. The assessment process should also consider the implications to vulnerable road users that could be impacted by the proposed works.

10.6.1 Once operational, it is envisaged that the level of traffic associated with the Proposed Development would be minimal. It is considered that the effects of operational traffic would be negligible and it is proposed that the assessment of the operational phase is scoped out of the assessment.

Given the amount of transport and traffic associated to the development when operational, the Planning Authority are content for this to remain out with any future assessment however it is worth noting that a comment from Transport Planning and Transport Scotland has not been received, and this situation may change.

10.6.2 As there are no Abnormal Indivisible Load (AIL) access required, an AIL assessment would be scoped out of the assessment.

The Planning Authority are content with this.

10.6.3 The application is for permission in perpetuity and as such no decommissioning phase is included. Should the Proposed Development ever be decommissioned, the traffic generation levels associated with the dismantling phase would be less than those associated with the construction phase as some elements such as access roads would be left in place on the site. As such, the construction phase is considered the worst-case assessment to review the impact on the study area. An assessment of the decommissioning phase would therefore be scoped out of the assessment.

The Planning Authority are content with this approach, with any decommissioning transport related assessment potentially secured by condition.

- 3.51 To enable consideration of construction traffic, as a minimum the following information should be included with any subsequent planning application:
- The number and type of vehicle movements that will be generated during the construction phase of the development and details of the access routes that will be taken.
 - A review the preferred access route for abnormal loads from Port of Entry to the site and details of mitigation measures proposed. The review shall include, as necessary, an assessment - in consultation with the Council's Structures Section - of structures on any of the Council maintained sections of the route.
 - A similar review of the routes to site for general construction traffic and details of mitigation measures proposed.
 - A framework Construction Traffic Management Plan that sets out how the impact of construction traffic is to be minimised and mitigated.
- 3.52 When compiling data on predicted traffic movements serving this development, the assessment should set out and justify all assumptions made in support of the trip levels used. This includes for example any assumptions made about the amounts of material that could be obtained from borrow pits within or close to the site. However, if insufficient information has been gathered to determine the appropriateness of any material within the site for use in the works, we'll expect the assessment process to have reviewed the worst-case scenario of no such suitable materials being found within the site.
- 3.53 It would be preferred if some effort could be made to identify and determine the implications of other committed developments in the area. This should include other committed developments that have the potential to influence traffic levels on the proposed construction

access route(s), including other energy generation and distribution schemes proposed in the area. The Highland Council's Planning Service should be able to review and comment on any committed developments that the assessment may need to take into account. It is important to recognise that the public (trunk) roads serving this site are heavily influenced by tourist traffic during the busier summer season. Any submission should recognise this and clearly set out how this has been recognised in the assessment process. Also, the predicted traffic generated by any timber extraction required in connection with this development should be recognised in the assessment.

3.54 We note the intention for a Construction Traffic Management Plan (CTMP) to be provided as a form of mitigation for the predicted impacts of construction traffic. We see the measures in a CTMP being supplementary and complementary to any physical road improvements deemed necessary through the above referenced assessments. The measures in a final CTMP should be developed using feedback from engagement undertaken with local community groups (eg Local Community Councils), with consideration given to the following:

- Avoidance of HGV routing past schools during their opening and closing times.
- No convoying of HGV or site staff vehicles. Drivers will be asked to resolve convoys by spacing out if this arises during routing to/from the site.
- Agreed routes to be used by all site staff, contractor, sub-contractor and deliveries unless origin/destination from elsewhere within the local area.
- Steps to be taken for deterring / preventing construction traffic using non-designated routes to and from the site.
- Providers of products and materials to this development (e.g. aggregate or concrete, staff minibuses if used etc) should consider marking their vehicles with a unique number identifier on the front, sides and rear of the vehicles. This enables easy identification in the event of problems arising, such as speeding or discourteous driving, as registration number plates are difficult to obtain. This is a well-established practice in other parts of the Highlands and has been found to be effective. It also helps to avoid issues with traffic from other developments being wrongly associated with this proposal.
- Set up a single point of contact for local residents to use in the event of problems or concerns, such as in the above bullet point. This should be telephone and website details as a minimum, with consideration of X (formerly Twitter) and Facebook as appropriate. All such details should be provided to Community Councils for their notice boards and websites.
- Toolbox talks established with all suppliers, contractors, site staff etc to encourage careful and courteous driving at all times. Particular attention should be made to driving through villages and settlements, with cognisance of relevant speed restrictions and local conditions/limitations.

3.55 We would expect any submission to clarify the willingness to enter into a formal 'Wear & Tear' Agreement (Section 96 of the Roads (Scotland) Act 1984) with Highland Council. This is to protect The Council from any extraordinary expenses in having to repair the local public roads from any damage inflicted by the construction traffic activities of this development. As with CTMP's, we would see this as supplementary to any physical improvements

deemed necessary to make the local public roads safe and usable by all when being used for construction access to this development.

- 3.56 Any submission should set out the intended arrangements for surveying and recording the existing condition of the local public roads impacted by the proposed construction access route(s) prior to any works commencing at this site. It should then clarify how the condition of those roads will be reviewed during and at the end of the proposed development, along with how any repairs deemed necessary will be undertaken.
- 3.57 Depending on the construction routes settled on, The Council is likely to require some form of financial security / road bond that it would be able to utilise in the event of the Developer not being able to repair damage inflicted to the roads by their construction activities to the satisfaction of The Council as the Local Roads Authority. Again, any submission should clarify the Promoter's willingness to consider some form of road bond or other financial security linked to a 'Wear and Tear' agreement.
- 3.58 When undertaking pre-works condition surveys, the Promoter may want to use that data to consider whether any works are required to repair or stabilise the existing roads forming the proposed construction access route(s) before their construction traffic starts to make use of them. It could be of benefit to the Promoter to work with The Highland Council on such up-front repairs, as this could limit or remove the need for temporary restrictions to their proposed construction access arrangements during their works whilst emergency road repairs are undertaken.
- 3.59 Some demonstration of the adequacy of achievable visibility splays from the proposed access is required. We would also expect the proposals to clarify whether the form of the access will change after all AIL's have taken their necessary access during the construction of the development and if so, how the access will be changed. We would not want a large commercial access capable of accommodating AIL vehicles to be left in-place for the anticipated life of the proposed development.
- 3.60 **Transport Assessment Methodology:**
1. Identify all public roads affected by the development, including routes from any ports used to receive and/or store component parts. It is expected that the developer will submit preferred access route(s) for the development, both for abnormal loads and for general construction traffic, staff and suppliers. All other possible access route options should be identified, having been investigated in order to establish their feasibility. This should clearly identify the pros and cons of all the route options and therefore provide a logical selection process for arriving at the preferred route(s). The size of the proposed components/structures may require an assessment for getting out of the preferred port, when chosen, as ports in the area may not have accommodated such large components before.
 2. Set out the existing nature and condition of the public roads, including:
 - The road name and number, where applicable.
 - Road widths, including any pinch points.

- The nature of their horizontal and vertical alignments, including any known steep gradients.
- An appraisal of the carriageway strength including, where necessary, construction depths and road formation where there is likely to be significant impacts.
- The location of any structures either spanning or supporting the roads, including a description of their nature (eg bridge, culvert etc), any width, and height or weight restrictions and where necessary, an assessment of their load carrying capability. This work should be undertaken by a suitably capable and qualified consulting engineer acceptable to The Highland Council.
- The nature and quantum of properties and other development types serviced by the roads. In addition to the quantum of residential properties, specific recognition should be made of any sensitive facilities such as schools, businesses or other community facilities along the roads.
- The nature and quantum of existing traffic flows on these roads. This should include reference to how often the roads are used by school or commercial bus services and whether the routes are used by pedestrians, cyclists and equestrians. Our Public Transport Team may be able to assist with info on school and scheduled bus services ([REDACTED])
- The historic pattern of road safety collision data (minimum 5-years' worth of data) along the access route(s), identifying any locations where clusters of incidents could warrant specific road safety mitigation to safely manage the impacts of development-related traffic.

3. Identify the anticipated impacts from the proposed development, including any cumulative impacts from other developments that have the potential to be happening at the same time. These impacts should include:

- The quantum of new traffic impacting on these roads throughout the construction period of this development. This should cover:
 - numbers of light and heavy vehicles (differentiated)
 - numbers of abnormal loads
 - profiles of anticipated new traffic movements throughout the duration of the works
- Any impacts to existing carriageways, structures, verges or other aspects of these public roads. This should include information on swept paths and gradient analysis where it is envisaged that the passage of traffic could be problematic.
- Trial Runs for abnormal loads to be carried out in order to prove the route is achievable and/or to establish the extent of works required to facilitate transportation.

- The location of any new or changes to existing accesses off these public roads to be used for accessing this development. This should include the extent of existing visibility from each of the accesses onto the public roads.
- Any impacts or restrictions needing to be imposed on existing road users.
- Any impacts or restrictions needing to be imposed on adjacent properties or local communities serviced by these public roads.

4. Set out the proposed mitigation measures needed to tackle the anticipated impacts set out above. This should include:

- The location and nature of any carriageway widening or strengthening.
- Works to improve the visibility at proposed access points with public roads and at junctions along the proposed access routes.
- The location and nature of any strengthening or widening needed to existing structures.
- The provision of new or enhanced passing places on single track roads.
- Road safety measures deemed necessary to effectively manage the impacts of any identified road safety issues.
- Traffic management proposals deemed necessary to enhance compliance with the traffic management plan associated with the construction and ongoing operation of this development.

It should be noted that any such mitigation may need to be specifically considered within the wider considerations of the EIA, depending on the form, scale and location of the works proposed and their potential impacts to any existing environmentally sensitive sites.

5. Details of any residual effects on the road network and its users following the implementation of the proposed mitigation outlined above and any actions proposed associated with those residual effects.

3.61 The above information is not exhaustive and shall be used as a guide for submission of all relevant information in relation to roads, traffic and transport matters arising from the development proposals, which shall be in the form of a Transport Statement/Assessment forming part of the Environmental Statement submission. The EIAR must also consider the implications on the Trunk Road network as part of the EIAR process.

Geology, Soils and Water Environment

3.62 The EIAR must consider the risks of engineering instability relating to presence to peat on the site. A comprehensive peat slide risk assessment in accordance with the Scottish Government Best Practice Guide for Developers will be expected. Assessment should also address pollution risk and environmental sensitivities of the water environment. It should include a detailed map of peat depth and evidence that the scheme minimises impact on

areas of deep peat. The EIAR should include site-specific principles on which construction method statements would be developed for engineering works in peat land areas, including access roads, pylon bases and hard standing areas, and these should include particular reference to drainage impacts, dewatering and disposal of excavated peat.

- 3.63 As previously noted, the EIAR should include a full assessment on the impact of the development on peat. Policy 55 Peat and Soils, of the Highland-Wide LDP, states that development proposals should demonstrate how they have avoided unnecessary disturbance, degradation or erosion of peat and soils. The mitigation hierarchy must be followed, with impacts avoided and minimised where possible.
- 3.64 SEPA can provide detailed advice on methodology for peat probing and the peat assessment. The peat depth survey should be presented as a table detailing re-use proposals.
- 3.65 The EIAR should fully describe the likely significant effects of the development on the local geology including aspects such as borrow pits, earthworks, site restoration and the soil generally including direct effects and any indirect. Proposals should demonstrate construction practices that help to minimise the use of raw materials and maximise the use of secondary aggregates and recycled or renewable materials. Where borrow pits are proposed the EIAR should include information regarding the location, size and nature of these borrow pits including information on the depth of the borrow pit floor and the borrow pit final reinstated profile, Site Management Plan and pollution prevention measures. Borrow pits should be located in an area demonstrating the least environmental impact, while any aggregate sourced from offsite should not impact on the chemistry of the existing groundwater and must be of a high enough quality not to cause siltation to waterbodies or wetlands. Including this information can avoid the need for further applications.
- 3.66 The EIAR needs to address the nature of the hydrology and hydrogeology of the site, and of the potential impacts on water courses, water supplies including private supplies, water quality, water quantity and on aquatic flora and fauna. Impacts on watercourses, lochs, groundwater, other water features including bog pools surrounding the proposed infrastructure, and sensitive receptors such as water supplies, need to be assessed and it demonstrated will not be degraded by site drainage and excavations.
- 3.67 Measures to prevent erosion, sedimentation or discolouration will be required, along with monitoring proposals and contingency plans. Assessment will need to recognise periods of high rainfall that will impact on any calculations of run-off, high flow in watercourses and hydrogeological matters. The applicant is strongly advised at an early stage to consult Scottish Environment Protection Agency (SEPA) as the regulatory body responsible for the implementation of the Controlled Activities (Scotland) Regulations 2005 (CAR), however it is likely that a map and assessment of all engineering activities in or impacting on the water environment including proposed buffers, details of any flood risk assessment, and details of any related CAR applications will be required to be included with the EIAR – SEPA will identify whether a CAR license is necessary and the extent of information required to assess any license application. We would welcome a full hydrological assessment being scoped in, to avoid direct and indirect impacts to any peatland habitats and/or ground water dependent terrestrial ecosystems.
- 3.68 If culverting should be proposed, either in relation to new or upgraded tracks, then it should be noted that SEPA has a general presumption against modification, diversion or culverting

of watercourses. Schemes should be designed to avoid crossing watercourses, and to bridge watercourses where this cannot be avoided. The EIAR will be expected to identify all water crossings and include a systematic table of watercourse crossings or channelising, with detailed justification for any such elements and design to minimise impact. The table should be accompanied by photography of each watercourse affected and include dimensions of the watercourse. It may be useful for the applicant to demonstrate choice of watercourse crossing by means of a decision tree, taking into account factors including catchment size (resultant flows), natural habitat and environmental concerns. Further guidance on the design and implementation of crossings can be found on SEPA's Construction of River Crossings Good Practice Guide.

The Council's Flood Risk Management Team had no comments to make at this stage. However, the following applies where the site interacts with any watercourses:

- A minimum of a 50m buffer of all watercourses / bodies and turbines/crane hard-standings, which should be shown on a suitably scaled drawing;
- All tracks should be kept a minimum 10m away from any waterbody except water crossings;
- Access tracks not acting as preferential pathways for runoff and efforts being made to retain existing natural drainage wherever possible;
- Natural flood management techniques should be applied to reduce the rate of runoff where possible; use of SuDS to achieve pre-development runoff rates and to minimise erosion on existing watercourses;
- Water crossings in the form of culverts or bridges, or upgrades to existing crossings must be designed to accommodate to 1 in 200 year flood event, plus climate change;
- Land rising within any floodplain to be avoided; if ultimately required, compensatory storage must be provided; and,
- The EIAR should be informed by the Council's Flood Risk and Drainage Impact Assessment SG.

The need for, and information on, abstractions of water supplies for concrete works or other operations should also be identified. The EIAR should identify whether a public or private water supply is to be utilised. If a private source is to be utilised, full details on the source and details of abstraction need to be provided.

The applicant will be required to carry out an investigation to identify any private water supplies, including pipework, which may be adversely affected by the development and to submit details of the measures proposed to prevent contamination or physical disruption. This information should be in the form of a map and assessment of impacts upon groundwater abstractions and buffers. The Highland Council has some information on known supplies, but it is not definitive. An on-site survey will be required.

8.6.1 It is proposed that the following elements are scoped out of the geology, soils and water environment assessment:

- *Effects on geology as, with the exception of peat, no sensitive geological features have been identified within the proposed study area.*

It is the Planning Authority's view that effects on geology should be scoped in to ensure this is appropriately assessed and considered, given the location of the proposal within the Candidate Flow Country World Heritage Site.

- *A detailed Flood Risk Assessment (FRA). It is proposed a screening assessment of all flooding sources is presented in the assessment and areas shown to be at potential flood risk are shown on supporting drawings to the assessment.*

It would be the preference of the Planning Authority that a full flood risk assessment is provided.

- *A Drainage Impact Assessment (DIA) whereby measures that would control the rate and quality of runoff would be specified in the assessment, with specific drainage measures provided in the CEMP.*

This arrangement seems suitable given drainage measures will still be provided.

- *Water quality monitoring as water quality data is published by SEPA and can be used to characterise baseline water quality. However, if the assessment concludes that water quality monitoring is required prior to, during and post construction, this would be specified in the assessment.*

This arrangement seems suitable.

- *A Geomorphological Assessment, as photographs and records of key existing or baseline water features would be recorded and presented in the assessment.*

Given potential impacts on the Candidate Flow Country World Heritage Site, this should be scoped in any future assessment.

- *An assessment of potential cumulative effects. Regarding the Proposed Development, it is likely that mitigation measures would be proposed that would have a neutral effect or provide betterment compared to baseline conditions. Other developments would also be designed, developed, and managed in accordance with best practice, industry standards and relevant legalisation, planning policy and guidance regulated by statutory consultees. These standards ensure, with respect to the water environment, potential impacts are mitigated and controlled at source and therefore it is considered unlikely that there would be any significant cumulative impacts to report.*

The assessment of cumulative effects shall be scoped in within any submission to ensure this can be appropriately considered within the planning assessments as required.

Candidate Flow Country World Heritage Site

The proposed connection project lies within this proposed WHS. The site is being considered for WHS status due to it being the most outstanding example of a blanket bog ecosystem globally. The Outstanding Universal Value (OUV) of the site encompasses a number of attributes including: the blanket bog habitats, ecosystem processes and the bird and plant assemblages it supports. Where a proposal affects one or more of these attributes, this could result in impacts on the site's OUV.

NatureScot note that the proposal lies within Class 1 and Class 2 peatland habitats. From the information provided, NatureScot advise that the proposal for grid connection is likely to result in a loss of size of blanket bog habitats, loss in ability to actively sequester carbon and potentially an ability to reduce water quality. NatureScot advise that the proposal is likely to have a significant effect on the proposed WHS. NatureScot also advise that the proposal may result in impacts on the population and distribution of birds within the proposed WHS without mitigation.

The Highland Council has produced a toolkit for developers to use in assessments to consider impacts to the WHS.

The toolkit may be found at:
https://www.highland.gov.uk/directory_record/1979671/flow_country_candidate_world_heritage_site_planning_position_statement

The Highland Council has also produced a Planning Position Statement which can be found at:

https://www.highland.gov.uk/directory_record/1979671/flow_country_candidate_world_heritage_site_planning_position_statement

Air Quality and Climate

3.69 *11.6.6 The Proposed Development has limited potential to impact upon air quality. There is a potential to give rise to some localised and temporary construction related releases associated with dust and construction traffic exhaust emissions. However, the nature of construction activities means these would be localised, short term and intermittent. Potential effects would further be minimised through the implementation of mitigation measures, in particular the project CEMP and relevant GEMPs.*

11.6.7 The Proposed Development would contribute to connecting renewable electricity generation capacity to the transmission network, in turn displacing emissions associated with fossil fuel-based electricity generation elsewhere.

11.6.8 As such, this issue is proposed to be scoped out of the EIA and no assessment of air quality and climate change is proposed as part of this EIA Report.

Given the adoption of the National Planning Framework 4 and emphasis on addressing the current climate and nature crises, it is the Planning Authority's view that the impact on air quality and climate change shall be included within any future EIA.

Forestry

11.2.4 As the Proposed Development would require felling of a minimal number of regenerated conifer trees and some planted broadleaved trees with no felling commercial forestry plantation, there is no requirement for a forestry assessment to be undertaken.

3.70 Given that the proposed development runs through an area, although small of designated native woodland, even though this is classified as open land, due to the biodiversity levels associated with this it is the Planning Authority's view that Forestry shall be included within any future assessment. The EIAR should indicate all the areas of woodland / trees that would be felled to accommodate the development, including any off-site works / mitigation. Compensatory woodland is a clear expectation of any proposals for felling, and thereby such mitigation needs to be considered within any assessment. If so minded, permission is only likely to be granted on the basis that compensatory planting proposals are identified in advance. Compensatory planting should be within the Highland area and not form part of an already approved forestry plan/proposal that has gained FC funding. Any proposed compensatory planting areas will be the subject of the Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017, and therefore a separate application will be required to be submitted to Scottish Forestry for a formal opinion on whether consent is required. For more information please see: <https://forestry.gov.scot/support-regulations/environmental-impact-assessment>. Areas of retained forestry or tree groups should be clearly indicated and methods for their protection during construction and beyond clearly described. If timber is to be disposed of, details of the methodology for this should be submitted.

- 3.71 The development, if granted consent, would likely release carbon throughout the construction period. While the Council notes that over time the carbon release on the site will be balanced by the generation of electricity, it is considered that native woodland could be created to offset the carbon release in the construction period. This should be on an appropriate site located within THC's area and as close as possible to the application site.

Land Use and Agriculture

- 3.72 *11.4.3/11.4.4 As construction effects would be minimal, and it would remain possible for grazing to continue around and under towers during their operational lifetime, it is thus proposed that this topic is scoped out of the EIA in its entirety. Dialogue would be maintained by the Applicant and the Principal Contractor with landowners throughout the construction period to ensure any potential disruption as a result of the proposed works is kept to a minimum.*

Given that there remains a potential impact on neighbouring landowners in relation to the proposed works, even if this is considered minimal it is the Planning Authority's view that this matter should not be scoped out of any future EIA, in order to allow the level of adverse impact to be assessed at the relevant stage to ensure appropriate mitigation is undertaken to alleviate this.

Contaminated Land

- 3.73 The Council's Contaminated Land Service have been consulted – Having checked our database, historical Ordnance Survey maps and aerial photos, there does not appear to be a potential source of contamination onsite. Therefore, further information is not required to support the application.

Aviation, Radar and Telecoms

- 3.74 The EIA needs to recognise community assets that are currently in operation for example TV, radio, tele-communication links, aviation interests including radar, MOD safeguards, etc. In this regard the applicant, when submitting a future application, will need to demonstrate what interests they have identified and the outcomes of any consultations with relevant authorities such as Ofcom, NATS, BAA, CAA, MOD, Highlands and Islands Airports Ltd, etc. through the provision of written evidence of concluded discussions / agreed outcomes. We consider the results of these surveys should be contained within the EIA to determine whether any suspensive conditions are required in relation to such issues. If there are no predicted effects on communication links as a result of the development, the EIA should still address this matter by explaining how this conclusion was reached.

Electromagnetic interference to medium and long wave (AM) radio signals at properties within close proximity to OHLs can be known to occur. Corona discharge is unlikely to cause significant interference to VHF reception (i.e. FM radio or digital radio and television which operate in the UHF range). Micro-gap discharge can affect digital television and radio reception but is not considered to be a source of long term annoyance as equipment is built and maintained to high standards and any such discharge would be the subject of remedial action. It is therefore proposed to scope out impacts to digital television, digital radio and FM radio reception from the EIA.

This arrangement seems suitable.

Potential effects from OHLs on TV signals can occur due to physical obstruction of the signal. The Proposed Development would not represent a significant obstruction and it is not anticipated that any adverse effects on TV reception would be experienced. The operation of high voltage OHLs can generate electromagnetic fields over a wide range of frequencies, from power (50 Hz) to radio frequencies. It is anticipated that the Proposed Development would emit low-level radio frequency interference (RFI) but that in practice little radio and television interference would arise, except when directly beneath the OHL. Therefore, this topic would be scoped out of the EIA in its entirety.

This arrangement seems suitable.

Socio-Economic, Recreation and Tourism

3.75 We consider that this should have its own chapter in the EIAR to ensure that these matters are appropriately addressed and not lost in other assessments. The EIAR should estimate who may be affected by the development, in all or in part, which may require individual households to be identified, local communities or a wider socio-economic groupings such as tourists and tourist related businesses, recreational groups, economically active, etc. The application should include relevant economic information connected with the project, including the potential number of jobs, and economic activity associated with the procurement, construction, operation and decommissioning of the development.

3.76 Estimations of who may be affected by the development, in all or in part, which may require individual households to be identified, local communities or a wider socio-economic groupings such as tourists and tourist related businesses, recreational groups, economically active, etc. should be included. The application should include relevant economic information connected with the project, including the potential number of jobs, and economic activity associated with the procurement, construction, operation and decommissioning of the development. In this regard wind farm development experience in this location should be used to help set the basis of likely impact. This should set out the impact on the regional and local economy, not just the national economy. Any mitigation proposed should also address impacts on the regional and local economy.

11.3.8 As the Proposed Development's potential effects on socio-economic factors would be related to the construction phase, there is no requirement for an assessment to be undertaken.

As per the advice detailed above, it is the Planning Authority's view that the potential effects on socio-economic factors, although related to the construction phase, shall be scoped in within any future application.

Public Access

Access Management Plan

3.77 The EIAR should include an Access Management Plan to be developed in consultation with the Highland Council as Access Authority and other relevant stakeholder groups including neighbouring Community Councils, Companies, and Development Trusts. The AMP should accord with NPF4 Policies 11 (Energy) and 20 (Blue and Green Infrastructure) as well as HwLDP Policy 77 for Outdoor Access. The AMP should cover existing access and how that will be dealt with during the development, and future access provision within and linking to

the development. The AMP should be clearly referred to in the EIAR Contents so that the Council's Access Officer can readily find it.

- 3.78 As a point of note, any vehicular gates that may be locked for security purposes, must have access compliant bypass gates alongside them at the time of installation.
- 3.79 The Council's Access Officer would welcome further discussion to assist you with your Access Management Plan.

Miscellaneous: Population and Human Health , Major Accidents and Disasters

- 3.80 The EIAR needs to address all relevant climatic factors which can greatly influence the impact range of many of the preceding factors on account of seasonal changes affecting, rainfall, sunlight, prevailing wind direction etc. From this base data information on the expected impacts of any development can then be founded recognising likely impacts for each phase of development including construction, operation, and decommissioning. Issues such as dust, air borne pollution and / or vapours, noise, light, shadow-flicker can then be highlighted. Consideration must also be given to the potential health and safety risks associated with lightning strikes and ice throw given the proximity of recreational routes through the site.
- 3.81 Depending on the proximity of the working area to houses etc. the applicant may require to submit a scheme for the suppression of dust during construction. Particular attention should be paid to construction traffic movements.
- 3.82 A number of the aforementioned matters should be addressed by a CEMD for the proposal.

Electric and Magnetic Fields : EMFs arise from electric charges and current flow. Transmission lines comply with the government policy of adopting the guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP) on exposure to EMFs. SSEN believe that compliance with government policy on levels of exposure to EMFs, which in turn is based on the advice of the government's independent scientific advisers, the National Radiological Protection Board (NRPB) (now part of the Health Protection Agency), ensures the appropriate level of protection for the public from these fields. The NRPB keeps the results of EMF health studies under constant review to ensure that the guidelines for limiting exposure are based on the Strathy Wood Wind Farm Grid Connection: Scoping Report Page 61 January 2024 best available scientific information. It is therefore concluded that no likely significant effect on human health associated with EMFs is predicted, and it is therefore proposed to scope this out of the assessment in its entirety from the EIA.

Given that the proposals will be required to comply with appropriate legislation, human health impact associated with EMF shall be scoped out of any submitted EIA, however, details of the relevant compliance with government policy shall still be detailed within the submission.

11.7.2 Given the nature of the Proposed Development, the potential for effects related to the vulnerability to accidents and disasters are likely to be limited to those associated with unplanned power outages, due to extreme weather or structural damage. Crisis management and continuity plans are in place across the SSE Group. These are tested regularly and are designed for the management of, and recovery from, significant energy

infrastructure failure events. Where there are material changes in infrastructure (or the management of it) additional plans are developed.

11.7.3 Furthermore, the Principal Designer would need to fully assess risks and mitigate as appropriate during the construction stage as part of the requirements of the Construction (Design and Management) Regulations (2015).

11.7.4 Potential significant effects relating to the vulnerability of the Proposed Development to accidents and disasters is therefore proposed to be scoped out of the EIA in its entirety.

It is the Planning Authority's view that this can be scoped out of the EIA submission, although details of crisis managements plans and continuity plans shall be included within the submission given the potential for this to impact on residential wellbeing and services within the area.

4.0 Significant Effects on the Environment

4.1 Leading from the assessment of the environmental elements the EIAR needs to describe the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium, and long-term, permanent and temporary, positive and negative effects of the development, resulting from:

- the existence of the development;
- the use of natural resources; and,
- the emission of pollutants, the creation of nuisances and the elimination of waste.

4.2 The potential significant effects of development must have regard to:

- the extent of the impact (geographical area and size of the affected population);
- the trans-frontier nature of the impact;
- the magnitude and complexity of the impact;
- the probability of the impact; and,
- the duration, frequency, and reversibility of the impact.

4.3 The effects of development upon baseline data should be provided in clear summary points.

4.4 The Council requests that when measuring the positive and negative effects of the development a four-point scale is used advising any effect to be either strong positive, positive, negative, or strong negative.

4.5 The applicant should provide a description of the forecasting methods used to assess the effects on the environment.

5.0 Mitigation

5.1 Consideration of the significance of any adverse impacts of a development will of course be balanced against the projected benefits of the proposal. Valid concerns can be

overcome or minimised by mitigation by design, approach, or the offer of additional features, both on and off site. A description of the measures envisaged to prevent, reducing and where possible offset any significant adverse effects on the environment must be set out within the EIAR statement and be followed through within the application for development.

- 5.2 The mitigation being tabled in respect of a single development proposal can be manifold. Consequently, the EIAR should present a clear summary table of all mitigation measures associated with the development proposal. This table should be entitled draft Schedule of Mitigation. As the development progresses to procurement and then implementation this carries forward to a requirement for a Construction Environmental Management Document (CEMD) and then Plan (CEMP), which in turn will set the framework for individual Construction Method Statements (CMS).
- 5.3 The implementation of mitigation can often involve a number of parties other than the developer. In particular local liaison groups involving the local community are often deployed to assist with phasing of construction works – abnormal load deliveries, construction works to the road network, borrow pit blasting. It should be made clear within the EIAR or supporting information accompanying a planning application exactly which groups are being involved in such liaison, the remit of the group and the management and resourcing of the required effort.

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