

# **Environmental Impact Assessment (EIA) Report**

## ***LT384 Tealing to Westfield Overhead Line (OHL) 400 kV Upgrade***

***November 2024***



## Volume 4: Appendix 6.2 - Scoping Opinion



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**The Scottish Government  
Energy Consents Unit**

**Scoping Opinion on behalf of Scottish Ministers under the  
Electricity Works (Environmental Impact Assessment) (Scotland)  
Regulations 2017**

**Tealing to Westfield Overhead Line 400kV Upgrade  
(Reconductoring) Project**

**Scottish Hydro Electric Transmission Plc**

**13 September 2024**

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## 1. Introduction

1.1 This scoping opinion is issued by the Scottish Government Energy Consents Unit on behalf of the Scottish Ministers to Scottish Hydro Electric Transmission Plc a company incorporated under the Companies Acts with company number SC213461 and having its registered office at 200 Dunkeld Road, Perth PH1 3AQ (“the Company”) in response to a request dated 28 June 2024 for a scoping opinion under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the proposed Tealing to Westfield Overhead Line (“OHL”) 400kV Upgrade (Reconductoring) Project (“the proposed development”). The request was accompanied by a scoping report.

1.2 The proposed development would be located between Tower 182, west of Tealing Substation and the licence boundary with Scottish Power Energy Networks at Westfeild/Glenrothes mid span between Towers 66 and 65. The proposed Development would pass through the local planning authority areas of Angus, Perth and Kinross and Fife.

1.3 The proposed Development would consist of the upgrade of approximately 38km of the existing 275kV OHL which would connect substations at Tealing (Tower 182) and Westfield to enable operation at 400kV. This would consist of the replacement of conductors, insulators and fittings on the existing steel lattice towers. Where required, tower condition works including steelwork and tower leg foundation work to strengthen existing steel lattice towers will also be undertaken. Subject to further engineering and design checks, some modifications to the existing towers may be required, such as the inverting of cross arms to improve clearances, the addition of body extension panels anticipated to be for two towers only, and changes to the insulator set configurations. Two existing suspension towers may need to be replaced with tension towers.

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

- Vegetation clearance
- Access track construction and track upgrades
- Temporary site compounds
- Laydown areas
- Crane pads

1.5 The proposed development is within the planning authority areas of Angus, Perth and Kinross and Fife Council.

## 2. Consultation

2.1 Following the scoping opinion request a list of consultees was agreed between Scottish Hydro Electric Transmission Plc (acting as the Company's agent) and the Energy Consents Unit. A consultation on the scoping report was undertaken by the Scottish Ministers and this commenced on 8 July 2024. The consultation closed on 12 August 2024. An extension to this deadline were granted to Historic Environment Scotland. The Scottish Ministers also requested responses from their internal advisors Transport Scotland and Scottish Forestry. Standing advice from Marine Directorate – Science Evidence Data and Digital (MD-SEDD) has been provided with requirements to complete a checklist prior to the submission of the application for consent under section 37 of the Electricity Act 1989. All consultation responses received, and the standing advice from MD-SEDD, are attached in **ANNEX A Consultation responses** and **ANNEX B MD-SEDD Standing Advice**.

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

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

2.4 To date no response has been received from Angus Council and it has been decided that the Scottish Ministers will provide a scoping opinion at this time based on the consultation responses received. In the event that a response is subsequently received from Angus Council, it will be published on the Energy Consents Unit website as an addendum to this scoping opinion.

2.5 In addition to Angus Council the following organisations were consulted but did not provide a response:

- Transport Scotland
- Scottish Forestry
- Civil Aviation Authority
- Crown Estate Scotland
- Fisheries Management Scotland
- Tay Local District Salmon Fisheries Board
- John Muir Trust
- Mountaineering Scotland
- RSPB Scotland
- ScotWays
- Scottish Wildlife Trust
- Scottish Wild Land Group
- Visit Scotland
- Woodland Trust
- Maritime and Coastguard Agency

- National Grid
- Scottish Canoe Association
- Forth and Tay Navigation Service
- Sustrans
- National Farmers Union
- Tealing Community Council
- Auchterhouse Community Council
- Muirhead, Birkhill and Liff Community Council
- Longforgan Community Council
- Inchtute Community Council
- Errol Community Council
- West Carse Community Council
- Earn Community Council
- Abernethy and District Community Council
- Auchtermuchty and Strathmiglo Community Council
- Newburgh Community Council
- Invergowrie and Kingoodie Community Council

2.6 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.

2.7 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 Perth and Kinross Council and Fife Council, within whose areas the proposed development would be situated, NatureScot (previously “SNH”), Scottish Environment Protection Agency and Historic Environment Scotland, all as statutory consultation bodies, and with other bodies which Scottish Ministers consider likely to have an interest in the proposed development by reason of their specific environmental responsibilities or local and regional competencies.

3.2 Scottish Ministers adopt this scoping opinion having taken into account the information provided by the applicant in its request dated 28 June 2024 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 Perth and Kinross Council, Fife Council and Angus Council for publication on their website. It has also been published on the Scottish Government energy consents website at [www.energyconsents.scot](http://www.energyconsents.scot).

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

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

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

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

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

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



3.12 Potential impacts to Pitmedden Forest should be included within the EIA and woodland protection plans should be undertaken where the proposed Development enters within or above existing areas of woodland as advised by Fife Council.

3.13 A Traffic Assessment should be included within the EIA as advised by Network Rail which will enable them to assess possible impacts to and suitability of rail infrastructure and crossings. Details of any proposed construction and engineering works over or adjacent to the railway should be subject to further discussion with Network Rail.

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. Where a PLHRA is not required clear justification for not carrying out such a risk assessment is required.

3.15 Paragraph 3.2.1 of the scoping report identified that Volume 4 of the EIA Report would contain visualisations from agreed viewpoint locations as required. The production of these visualisations to form part of the Landscape and Visual Impact Assessment should follow discussions on agreed viewpoint locations with Perth and Kinross Council, Fife Council, Angus Council and NatureScot.

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

3.17 The assessment on archaeology and cultural heritage impacts should be carried out in line with relevant legislation and standards as detailed in section 8 of the scoping report and should also include the recommendations by both HES and Perth and Kinross Council within their consultation responses (Annex A).

3.18 The noise assessment should be carried out in line with relevant legislation and standards as detailed in section 11 of the scoping report. As requested by Perth and Kinross Council Environmental Health, an indoor noise assessment should also be incorporated assuming a partially opened window using Noise Rating curve criteria. It is further expected that all noise from construction works would comply with Perth and Kinross Council, Fife and Angus Councils area's guidelines for construction noise.

3.19 It is recommended by the Scottish Ministers that in order to assess the full environmental impact of the development, the Company include within the cumulative impact assessment not only approved EIA development, but also EIA and non EIA OHL or Substation infrastructure that is associated with SSEN Transmission ASTI projects.

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

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

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

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

#### **4. Mitigation Measures**

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

#### **5. Conclusion**

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

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

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

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

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

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

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

**Lee Stirrat**

**Energy Consents Unit  
13 September 2024**

## ANNEX A

### Consultation

#### List of consultees who provided a response.

- Fife Council A1 – A4
- Perth and Kinross Council A5 – A8
- Historic Environment Scotland A9 – A13
- Scottish Environmental Protection Agency A14 – A16
- NatureScot (previously “SNH”) A17 – A19
- British Horse Society A20 – A22
- British Telecommunications plc A23 – A24
- Strathmartine Community Council A25 – A26
- Defence Infrastructure Organisation A27 – A28
- Joint Radio Company Limited A29 – A30
- NATS Safeguarding A31 – A31
- Network Rail A32 – A33
- Office for Nuclear Regulation A34 – A34
- Scottish Gas Networks A35 – A37
- Scottish Water A38 – A41

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

See Section 2.5 above for a list of organisations that were consulted but did not provide a response.

**From:** Martin McGroarty <Martin.McGroarty@fife.gov.uk>  
**Sent:** Monday, August 26, 2024 1:04 PM  
**To:** Muckley, Albert <Albert.Muckley@sse.com>  
**Cc:** PlanningConsultations@scottishwater.co.uk  
**Subject:** [EXTERNAL] 24/01865/CON - CD - DSCAS-0113868-H2N - DD4 0QZ- Tealing to Westfield OHL 400kV Upgrade (Reconductoring) Project

Albert,

Good afternoon, I hope you are well.

With regard to the above matter I have consulted with colleagues in our Natural Heritage, Trees, Archaeology and Built Heritage teams and we have the following comments to make on the EIA Scoping Report:

**Natural Heritage:**

- The chapter structure of the EIA follows the standard approach. This includes covering “Ecology” and “Ornithology”, plus “Forestry” (and fitting in with NPF4 Policies 3, 4 and 6). NPF4 Policies 5 and 20 priorities will be accounted for within the “Hydrology, Hydrogeology, Geology and Soils” chapter.
- It is noted that access (i.e. relating to the Core Path Network and related public access within the Pitmedden Forest) is to be considered under the chapter heading “Traffic and Transport”.
- The scope of the EIA and the information already provided, covering the various natural heritage interests of the route, is deemed appropriate. This includes those items scoped in and out of consideration within the EIA.

#### **Trees:**

Where are the high value areas with potential impacts to woodlands across Fife –

- Upgrading overhead line assumedly comes with a degree of requirements for machinery and movement of materials, and with this comes a degree of risk to extant woodlands through foot and vehicle (especially heavy plant) traffic, and associated biosecurity risk (risk of transmission of arboricultural (and otherwise) pest and disease).
- Extent of powerline through Fife has been assessed up to the point it crosses the River Tay.
- From the route shown in the provided maps, there are two areas of woodland listed in the NatureScot’s Ancient Woodland Inventory, which may be impacted by this proposal. According to NPF4 Policy 6, section b)i. 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. Accordingly, any environmental impact assessment should encompass affected ancient woodland areas.
- Additionally, a large part of the given route ostensibly passes through Pitmedden Forest. Although this woodland is not listed specifically in the Ancient Woodland Inventory, it still holds great ecological and social value and protection must be ensured. Once again referring to NPF4 Policy 6, b 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. Accordingly, potential impact to this forest should also be included in the scope of an environmental impact assessment.
- Further, with regards to the broad environmental impact assessment, where development will be required within or above existing areas of woodland, protection plans should also be undertaken in order to demonstrate that all necessary steps have been taken to ensure woodland and tree protection (with reference to BS5837:2010).

#### **Archaeology:**

- The proposal will generate no significant new historic environment implications.

#### **Built Heritage:**

- The EIA Scoping Report does not raise any major concerns from a Built Heritage standpoint. Chapter 8 of the Scoping Report appears to capture everything we would wish the applicant to address in terms of identifying different heritage assets and the assessments of impacts that will be submitted in due course. We have no further comments at this stage.

I trust that these comments are helpful at this stage.

Kind regards,

Martin

**Martin McGroarty**

Lead Professional (Minerals)

Development Management

Planning Services

Fife Council

Fife House

North Street

GLENROTHES

Fife

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

**REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37  
APPLICATION FOR TEALING TO WESTFIELD OHL 400KV UPGRADE  
(RECONDUCTORING)**

**RESPONSE OF PERTH AND KINROSS COUNCIL AS PLANNING AUTHORITY  
REGARDING SCOPE OF THE FORTHCOMING EIA FOR THIS PROPOSAL**

PKC Ref No	24/00018/CONSUL	
ECU Ref No	ECU00005168	
Ward No	P1- Carse Of Gowrie	
Due Determination Date	31st July 2024	
Draft Report Date	12th August 2024	
Report Issued by	John Cooney	Date 12th August 2024

**PROPOSAL:** Upgrading of overhead lines (EIA Scoping)

**LOCATION:** Land 230 Metres North West of The Steading  
Inchcoonans Errol Perth PH2 7RB Errol

**RESPONSE TO REQUEST FOR COMMENTS REGARDING EIA SCOPING  
CONSULTATION RESPONSES**

**1. Transportation And Development**

No comments received.

**2. Biodiversity/Tree Officer**

No comment at this stage.

**3. Conservation Team**

The proposed scoping for heritage assets is acceptable.

The EIA for heritage assets should be undertaken on the 'Worst Case Access Strategy' map.

**4. Environmental Health (Noise Odour)**

Wood noise consultants have been in contact with this Service to agree the methodology for the Noise Impact Assessment (NIA) which will be submitted as part of the EIA. Guidance has been taken from British Standard 4142:2014+A1:2019: Methods for rating and assessing

industrial and commercial sound (BS 4142), Planning Advice Note (PAN) 1/2011: 'Planning and Noise', National Grid Technical Report TR(E)564 (2021) - Development of a Method for Assessing the Impact of Noise from Overhead Lines (New Build, Reconductoring, Diversion and Uprating) and TGN(E)322 - Operational Audible Noise Assessment Process For Overhead Lines. They have advised that the criteria will be such that operational noise of the overhead line does not result in over +4 dB excess in a TGN(E)322 assessment. Additionally at the request of this Service, they have confirmed that they will incorporate an indoor noise assessment, assuming a partially opened window (NANR116), using NR curve criteria in this application. However, should the noise meet the external TGN322 criteria, this may be something that is scoped out in the future.

#### **5. Environmental Health (Contaminated Land)**

No adverse comments to make

#### **6. Structures And Flooding (Structures)**

No further comment.

#### **7. Structures And Flooding (Flooding)**

No comments received.

#### **8. Development Plan**

LDP Policy 50 Prime agricultural land  
NPF4 Policy 5 Soils

The Development Plan Team recommend including consideration of prime agricultural land.

The EIA scoping report omits prime agricultural land but some of the land on/under the proposed development is Class 2 or Class 3.1 - Prime under the land capability for agriculture classification. The remainder of the land is Class 3.2 or lower - non-prime, or not classified.

LDP Policy 50 Prime agricultural land presumes against development on prime agricultural land unless it is necessary to meet a specific established need

LDP Policy 33A Renewable and Low-Carbon Energy part (f) requires consideration of the effects of proposed development on soils including prime agricultural land

NPF Policy 5 Soils, also limits support for development proposals on prime agricultural land to criteria set out in part (b) of the policy, but these criteria include essential infrastructure

It is appreciated that the proposed development may be expected to have little direct effect on soils (including prime agricultural land) however it is important that this is given consideration as the agricultural soil under the line may or may not be indirectly affected as it may become unavailable for use while the line is being upgraded or in use.

## **9. Perth And Kinross Heritage Trust (PKHT)**

Firstly, as part of the EIA process and as per 8.5.3 PKHT recommend that a data extract for the scheme is requested from the Perth and Kinross Historic Environment Record (PKHER) as the most detailed and dynamic record available for undesignated historic assets.

In general, the archaeological resource for this area is vast with a multitude of known sites both of nationally and regional significance, alongside potential for unknown assets yet to be discovered. PKHT are aware that the scheme is in the early stages of design and in part looks to reduce impacts wherever possible. However, given the nature of the development, PKHT do have some recommendations for the historic environment. This is not definitive, and more will likely become apparent with a focussed design and further information.

PKHT are broadly in agreement with 8.4 regarding potential impacts however PKHT would also suggest consideration of potential for impacts on unknown buried archaeology on certain areas that are sensitive through geography or indeed blank spots in the record. As such PKHT would expect the EIA to fully consider these with regards to where works look to have physical impacts such as new access tracks. PKHT are also aware that compounds and lay down areas are often large areas that don't always get specified. PKHT would ask this is included to allow the impacts to be fully considered and we recommend compound and laydown areas to be sited in areas without archaeological potential.

The development proposes upgrade to the current line infrastructure, alongside existing towers with the replacement of some which will require extension to foundations. The renewal of existing infrastructure and reuse of access tracks reduces most negative impacts on known archaeology and is therefore the first line in any mitigation. Regarding tracks PKHT understand these will be dependent on tower upgrades but for non-invasive tracks PKHT would expect pre and post condition surveys in areas of known archaeological sensitivity i.e. adjacent to SMs).

For new access tracks requiring excavation PKHT would be expecting any archaeological requirements to be targeted via proximity to other monuments or as outlined above potential for unknown buried remains to survive (geography etc).

Protective fencing and buffers should also be considered as measures to avoid accidental damage during works to both designated and undesignated monuments.

In summary, PKHT are happy with the content of the heritage assessment however as the final details have not been agreed, PKHT are unable to fully respond to the potential impacts on the historic environment. Therefore, PKHT would still require consultation in advance of any works and may recommend further programmes of works to those addressed in the EIA report.

It's likely PKHT would propose that a condition for a programme of archaeological works would need attached to any future application and potentially a requirement for an Archaeological Clerk of Works to manage the impacts on unknown archaeological remains and protect known archaeology along the route.

**By email:** [jennifer.gessler@gov.scot](mailto:jennifer.gessler@gov.scot)

Jennifer Gessler  
Case Officer | Onshore Electricity,  
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Enquiry Line: 0131-668-8716  
[HMConsultations@hes.scot](mailto:HMConsultations@hes.scot)

Our case ID: 300071620  
Your ref: ECU00005168  
26 August 2024

Dear Jennifer Gessler

**The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017**  
**Tealing to Westfield OHL 400kV Upgrade (Reconductoring) Project**  
**Comments on scope of proposed Environmental Impact Assessment**

Thank you for consulting us on this Environmental Impact Assessment (EIA) scoping report, which we received on 8 July 2024. We have reviewed the details in terms of our historic environment interests. This covers World Heritage Sites, scheduled monuments and their settings, category A listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and Historic Marine Protected Areas.

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

### Proposed development

The proposal would comprise alterations to existing overhead line infrastructure including repair and reinforcement of existing tower elements, replacement of fittings etc. plus supporting infrastructure and activities such as the construction of access tracks and welfare facilities.

### Scope of assessment

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

## Further information

Decisions that affect the historic environment should take the [Historic Environment Policy for Scotland](#) (HEPS) into account as a material consideration. HEPS is supported by our Managing Change guidance series. In this case, the advice in the [Setting](#) and [Gardens and Designed Landscapes](#) guidance notes is particularly relevant.

We also recommend that the applicant refers to the [EIA Handbook](#) for best practice *advice* on assessing cultural heritage impacts.

We hope this is helpful. If you would like to submit more information about this or any other proposed development to us for comment, please send it to our consultations mailbox, [hmconsultations@hes.scot](mailto:hmconsultations@hes.scot) .If you have questions about this response, please contact Deirdre Cameron at [deirdre.cameron@hes.scot](mailto:deirdre.cameron@hes.scot)

Yours sincerely

**Historic Environment Scotland**

## ANNEX: Our Detailed Comments

### Background

HES was consulted during pre-application processes undertaken by Scottish and Southern Energy Networks earlier this year. Our responses highlighted potential impacts on designated cultural heritage assets but we also noted the consideration of these potential impacts in the preliminary assessments and the clear commitment to mitigation.

### Legislative Policy and Guidance context

In addition to the background context outlined in section 8.1 of the report, the following documents will also be useful in considering the proposed development –

- [The Environmental Impact Assessment Handbook](#)
- [Managing Change in the Historic Environment: Gardens and Designed Landscapes](#)

### Scoping Report

We note and welcome the consideration of cultural heritage interests in the scoping report and we are generally content with the assessment methodology proposed. The report does not provide much detail on the works themselves, but we note the clear understanding of appropriate mitigation principles displayed in the cultural heritage chapter. We recommend that archaeological mitigation measures should be incorporated within the proposed Construction Environmental Management Plan to ensure they are not accidentally overlooked; this is a particular risk if excavation or monitoring by an archaeological contractor is required as responsibilities on site can become confused.

We note that the creation and use of the main site compound is not included in the EIA process as it is the responsibility of the main contractor. That contractor should be made aware of the mitigation requirements for cultural heritage assets and ensure they are followed.

### Our interest

The proposed works have the potential to result in direct physical impacts on one designated cultural heritage asset:

#### **Megginch Castle Designated Landscape ([GDL00278](#))**

The designed landscape at Megginch has its origins in a monastic garden dating from the 1500s. Subsequent phases of planting and design have resulted in a landscape with an outstanding level of scenic value and a high level of horticultural and artistic interest.

The existing route passes through the Megginch Castle Inventory Garden and Designed Landscape, crossing through flat agricultural land in outer areas on the east and south sides of the Inventory site.

We advised in our pre-application response (April 2024) that we are satisfied with the principle of the proposed development as it involves upgrading an existing line with no change to its route. The current Scoping Report explains future assessments will address physical impacts within the designed landscape, which we welcome.

To allow a fully informed decision to be made on the scheme proposals the Environmental Impact Assessment Report (EIAR) should address the following matters:

1. Access – the access plan provided in the scoping report is small-scale (Figure 2.2) but the proposed route appears to follow the route of the tree-lined east drive, a significant element of the designed landscape dating from the mid-19th century. The EIAR should describe clearly what physical or visual impacts this might have on the drive, and any mitigation measures necessary to avoid or reduce any long-term or permanent effects.
2. Tower/foundation strengthening – it is unclear which towers this applies to, and what might be involved. The EIAR should make this clear. Again, we advise mitigating any adverse impacts where appropriate.
3. Reprofiling – it would be helpful to clarify if/where earthmoving is proposed and how any potential impacts will be mitigated.
4. Tree felling – for example, associated with creating a 400kV operational corridor.

### **General comments**

We agree with the list of scheduled monuments to be scoped in, as identified in Appendix C.

We are content for permanent setting impacts on designated cultural heritage assets to be scoped out, due to the nature of the development.

In addition to Megginch Castle designed landscape, Section 8.2.10 of the Scoping Report notes that there are a number of other designated assets within the 500m study area. Based on the information supplied, it appears there should be no direct physical impacts on these sites from the proposed works and the commitment to mitigation through design shown in the scoping report should ensure that these assets are avoided by elements of the works such as access routes, storage areas, vehicular movement etc. However, on large-scale projects such as this there is always a small risk of accidental damage. The Environmental Impact Assessment Report (EIAR) should detail the embedded mitigation measures that will be used to minimise or remove that risk. This could range from “toolbox talks” to ensure employee awareness, to Site Protection Plans to avoid accidental damage to assets identified as being at particular risk. These mitigation measures should form part of the Construction Environmental Management Plan.



We also note the commitment to biodiversity enhancement as part of the project. While this is welcome, any such schemes should be designed to ensure they do not create inadvertent adverse impacts on cultural heritage assets.

### Our position

Although the proposed works outlined in the scoping report have the potential to result in significant impacts on a designed landscape, we are content that those impacts could be mitigated to an acceptable level, allowing the development to proceed. The environmental impact assessment process should identify and document suitable mitigation measures. We would be happy to offer further information and advice on this matter.

Historic Environment Scotland  
26 August 2024

Jennifer Gessler  
Onshore electricity, Strategy and Consents  
Scottish Government

Our Ref: PCS-20002219  
Your Ref: ECU00005168

By email only to: [Econsents\\_Admin@gov.scot](mailto:Econsents_Admin@gov.scot)

SEPA Email Contact:  
[planning.north@sepa.org.uk](mailto:planning.north@sepa.org.uk)

07 August 2024

Dear Jennifer Gessler

**Electricity Act 1989 - Section 37**

**ECU00005168**

**REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION  
FOR TEALING TO WESTERFIELD OHL 400KV UPGRADE (RECONDUCTORING)**

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

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

## **Advice for the planning authority / determining authority**

After reviewing the submitted documents, we consider all elements can be covered by our standing advice: [sepa-triage-framework-and-standing-advice.pdf](#).

We provide answers the specific questions asked in section 18.2.1 of the Scoping Report below:

### **1. Consultee questions**

- 1.1 Environmental information - most of our data is available directly from the SEPA website. Where any data cannot be found please submit a data request via our online form - [Environmental data | Scottish Environment Protection Agency \(SEPA\)](#)
- 1.2 Baseline collection and surveys – the baseline data and surveys required to submitted is set out in the attached Appendix.
- 1.3 Additional baseline data – please see 1.1 above.
- 1.4 Key issues or possible effects omitted – No.
- 1.5 List of issues to be scoped out - Yes. And provided watercourse crossings are designed to accommodate the 1 in 200-year event plus climate change and other infrastructure is located well away from watercourses we do not foresee from current information a need for detailed information on flood risk. However, However, should any of the track upgrades and new temporary tracks require landraising within a flood extent then a detailed flood risk assessment and appropriate mitigation maybe required.

### **2. Regulatory advice for the applicant**

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

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

Yours sincerely,

Zoe Griffin  
Senior Planning Officer  
Planning Service

Ecopy to: Case officer, [jennifer.gessler@gov.scot](mailto:jennifer.gessler@gov.scot), Applicant, [albert.muckley@sse.com](mailto:albert.muckley@sse.com)

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

**Jennifer Gessler**  
**Onshore Electricity, Strategy and Consents**  
Directorate for Energy and Climate Change  
Scottish Government  
5 Atlantic Quay  
150 Broomielaw  
Glasgow G2 8LU

Sent by email to [Econsents\\_Admin@gov.scot](mailto:Econsents_Admin@gov.scot)

23 July 2024  
Our ref: CDM176256

Dear Ms Gessler,

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

**Request for Scoping Opinion for Proposed Section 37 Application for Tealing to Westfield  
Overhead line Upgrade (Reconductoring) – ECU00005168**

Thank you for your consultation request. The Applicant has engaged with us throughout the earlier planning stages of this proposal. We have provided feedback to them, primarily focused on statutory protected areas where the work associated with the upgrading of the OHL has potential to affect the protected natural features of protected areas.

**NatureScot comments on Scoping Report**

SSEN's ongoing approach to consultation does afford us the confidence that the right level of information is being gathered to inform their Environmental Impact Assessment (EIA).

We agree with the topics and issues proposed to be scoped in and out and we are not aware of any further information we hold that could assist with the production of their EIA.

## NatureScot advice on key issues identified at Scoping stage

### **Protected areas**

The OHL project has potential to impact on protected areas. However, it is envisaged that significant adverse effects on protected areas can be avoided through the implementation of standard mitigation measures during the construction work, including compliance with both project wide and site-specific environmental management procedures, with reference to SSEN Transmission General Environmental Management Plans (GEMPs) and Species Protection Plans (SPPs).

A Construction Environment Management Plan (CEMP) will be developed for the project and adopted by the Principal Contractor during the construction phase. The implementation of the CEMP would be managed on site by a suitably qualified and experienced Environmental Clerk of Works (ECoW), with support from other environmental professionals as required.

### River Tay Special Area of Conservation (SAC)

The existing OHL crosses the River Tay within the SAC near St Madoes. The protected features of the SAC that could be present in these locations are Atlantic salmon, lamprey species (sea, river and brook) and otter. The watercourse is currently spanned by the OHL and all existing towers are just outwith the SAC. The standard measures referred to above should ensure that the aquatic environment is protected against pollution, excessive sediment run off and accidents.

Whilst freshwater pearl mussels are not a qualifying interest of the SAC, it is possible that they may be present, and they are a protected species.

### Firth of Tay and Eden Estuary SAC (also Inner Tay Estuary SSSI)

Designated for estuarine habitats and located 650 m from the OHL at its closest point, it is envisaged that standard mitigation practices, as referred to earlier, would avoid any significant impacts.

### Special Protection Areas for ornithological interests

Potential connectivity to Special Protection Areas (SPAs) designated for the bird interests needs to be considered. The existing OHL is in proximity to the Firth of Tay and Eden Estuary SPA and the potential to impact on non-breeding waterfowl and waders and breeding marsh harrier will be considered. Other SPAs are also to be considered as detailed in the Scoping Report.

### Turflundie Wood SAC & SSSI

Designated for great-crested newt and situated approximately 1.6 km south-west of the OHL, there is the potential for suitable ponds to be present between the SAC and the OHL which could facilitate the dispersal of great crested newt. Survey work and assessment of the potential to affect this species is being carried out.

### Lochmill Loch SSSI

The SSSI is designated for lowland dry heath and mesotrophic loch. The OHL is upstream of the loch but could potentially impact on wetlands that feed into the loch and this could have implications for freshwater interests within the SSSI.

The worst-case access scenario (presented in support of the Scoping Report) indicates the upgrading of an existing track that runs adjacent to the SSSI boundary at Lumbennie Hill. There is also a new stone temporary track required close to the area marked 'springs' on the OS mapping which could impact the wetlands feeding into the loch. Careful planning will be required to avoid direct effects to the SSSI during track upgrading and indirect effects resulting from work on or near wetlands upstream of the loch.

### **Concluding remarks**

The advice in this letter is provided by NatureScot, the operating name of Scottish Natural Heritage and is given without prejudice to a full and detailed consideration of the impacts of the proposal if submitted for formal consultation as part of the EIA or planning process.

Please contact us if you require any further information or advice.

Yours sincerely

Jennifer Heatley  
Operations Officer - North  
[jennifer.heatley@nature.scot](mailto:jennifer.heatley@nature.scot)

cc. Albert Muckley, SSEN Transmission

By email to: [Econsents\\_Admin@gov.scot](mailto:Econsents_Admin@gov.scot)

8<sup>th</sup> August 2024

Dear Sir/Madam,

**Re: Tealing to Westfield OHL 400KV upgrade ECU00005168**

Thank you for the opportunity to respond to this request for scoping opinion. The British Horse Society (The BHS) represents the interests of the 3.4 million people in the UK who ride or who drive horse-drawn vehicles and is the largest and most influential equestrian charity in the UK. The BHS is committed to protecting and promoting the interests of all horses and the people who care for them through our work in education, welfare, safety and access.

**Outdoor Access**

Access to safe off-road riding routes is vital to the health and wellbeing of horses and their riders. Under the terms of the Land Reform (Scotland) Act 2003, equestrians have the same rights of access to the outdoors as other non-motorised users, such as pedestrians and cyclists. Equestrian use should therefore be included when planning and designing energy infrastructure proposals. Considering all access takers, including equestrians, in the early stages helps to avoid problems down the line and ensures that projects like this are an opportunity to preserve and improve access for all, rather than curtail it or restrict it to certain groups.

I note there are several core paths close to and intersecting with the OHL and access tracks. These are likely to be used by equestrians as well as walkers and cyclists. In addition, other paths, tracks and informal routes are likely to be used by all access takers. Quiet, informal routes, such as field margins and forest rides, are especially valuable to equestrians and can lead to them passing closer to work sites than anticipated.

The BHS is here to help and can provide guidance on suitable surfaces and infrastructure to accommodate equestrians and other access takers. We would be very willing to work with the applicant on these aspects.

**The Importance of Off-Road Riding**

Access to safe off-road riding routes is vital to the health and wellbeing of horses and their riders. Equestrian road users are classed as vulnerable as they are more likely to be involved in a road accident and more likely to suffer the worst consequences.

Most riding accidents happen on minor roads and with increasing numbers of horses and riders seeking to access the countryside, adequate access to off-road riding should be a priority, especially in rural and semi-rural areas, and areas of high horse ownership; Angus, Perth & Kinross and Fife are all areas of high horse ownership. Few riders access busy roads by choice (although the horse has as much right to be on public roads as cars, bikes and pedestrians) - but they often have few other places to ride or no other way to access their safe off-road riding.

Vehicles travelling two and from the OHL construction sites are likely to meet equestrians on the road and drivers should be advised of this risk. I have enclosed a copy of our "*Guidance to drivers of large vehicles*" document.



**The Horse and the Rural Economy**

Scotland's equestrian industry is worth over £300 million to the Scottish economy annually. This figure excludes the value of the horse racing industry, which is worth a further £300 million. Angus, Perth & Kinross and Fife are all areas of high horse ownership, so equestrianism is an important part of the rural economy of these areas. Recent joint research between SRUC and The BHS showed current trends in the sector point to a continued increase in horse numbers and riding activity in all geographical areas of Scotland and across a wide cross section of society, leading to growth in the sector.

A national survey of riders who had recently given up their horse found that 27% of them had done so because they had lost access and had nowhere to ride. Failing to accommodate horses on our local path networks may lead to riders being forced to give up their horses, which in turn may damage the local economy.

I trust that the above information is of assistance. If you have any questions or would like to discuss the needs of equestrians further, please do contact me.

Kind regards,

Redacted

Catriona Davies  
Scotland Access Officer  
The British Horse Society

Horses are normally nervous of large vehicles, particularly when they do not often meet them. They can run away in panic if they are really frightened. Whilst their riders will do all they can to prevent this, should it happen, it could cause a serious accident for other road users, as well as for the horse and rider.

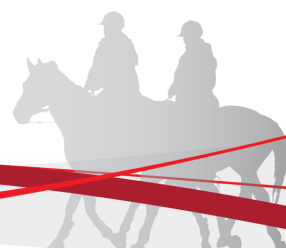
In such a situation, the main factors causing the fear are:

- Being approached by something which is unfamiliar to them and intimidating
- A large moving object, especially if it is noisy
- Lack of space between the horse and the vehicle
- The sound of the vehicles air brakes
- Anxiety on the part of the rider

#### How can you help?

- On seeing a rider, or riders, approaching – please slow down and be prepared to stop if necessary.
- Be aware that the sound of your airbrakes may spook the horse.
- If the horse, or horses, show signs of nervousness as you get closer, please turn the engine off and allow them to pass.
- Please don't move off again until the riders are well clear of the rear end of the vehicle.
- If you are approaching riders and wishing to overtake them, please approach slowly, or even stop to give the rider's time to find a gateway, or other place off the road, where they can take refuge and create sufficient space between the horse and vehicle. Horses are very aware of things coming from behind, due to the position of their eyes.
- Please be patient. Most riders will do their best to reassure their horses even though they may be feeling a high degree of anxiety themselves.
- Note: the safest place for the rider's hands is on the reins, so if they are anxious, they may only be able to nod their thanks to you – but please do be assured that they will be very, very grateful for your consideration of their situation.

**THE BRITISH HORSE SOCIETY IS VERY GRATEFUL TO ALL DRIVERS WHO ARE WILLING TO FOLLOW THESE GUIDELINES.**



**From:** [radionetworkprotection@bt.com](mailto:radionetworkprotection@bt.com)  
**To:** [Jennifer Gessler](#); [Econsents Admin](#)  
**Cc:** [radionetworkprotection@bt.com](mailto:radionetworkprotection@bt.com)  
**Subject:** WID13485 Request for Scoping Opinion Tealing to Westfield OHL 400kV Upgrade (Reconductoring) Project  
**Date:** 12 July 2024 12:25:03  
**Attachments:** [image002.png](#)  
[image004.png](#)  
[image001.png](#)

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## BT Group



### OUR REF: WID13485

Thank you for your email dated 08/07/2024.

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

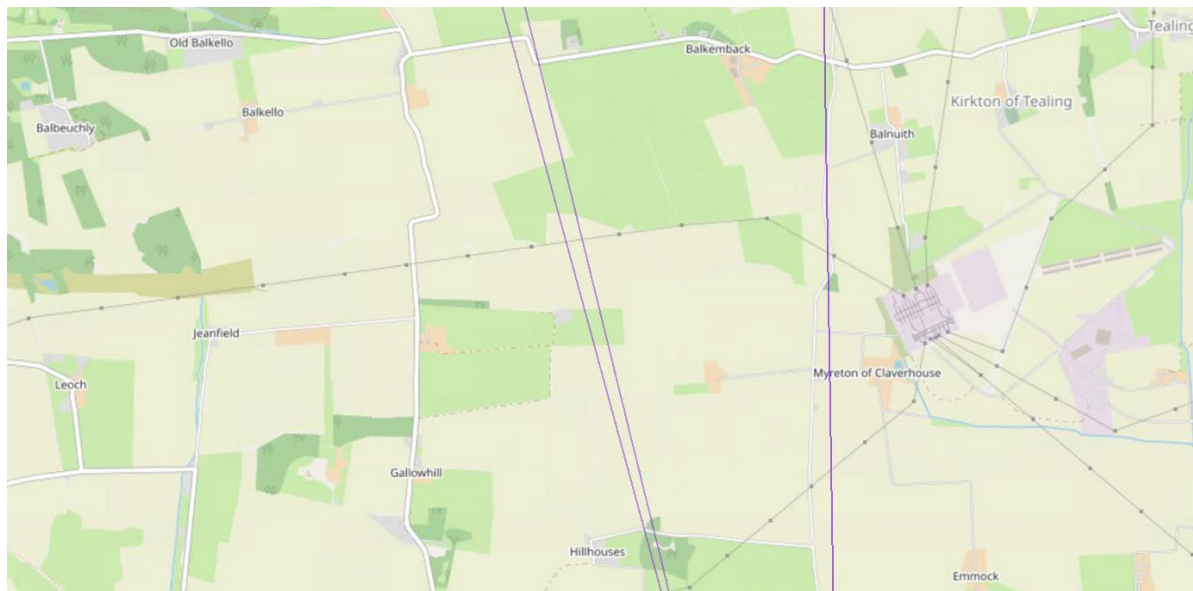
The conclusion is that the project indicated will not cause interference to BT's current and presently planned radio network.

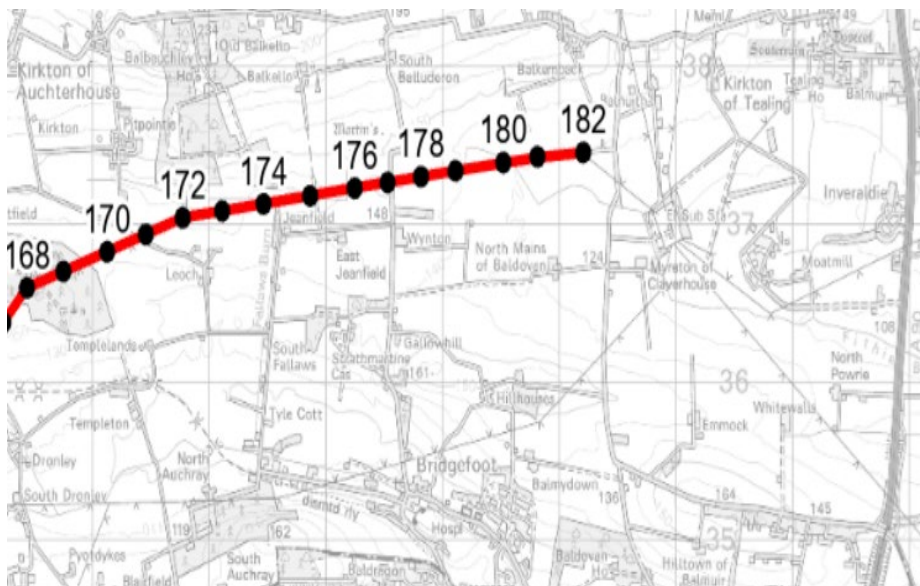
Please see below where we have active radio links near the towers below. As these are being replaced and no mention of any changes to their height these are approved. If there are any changes, please let us know. The only changes I could see are: **to mitigate a 132kV clearance constraint, Towers 155 and 156 may need to be extended in height by using a 3m long body extension or possibly inverting tower cross arms and/ the use of suspended tension sets may suffice; and o Due to constraints associated with the conductor type, coupled with an inability to utilise mid-span joints, it may be the case that between Towers 156 and 167 and between Towers 119 and 136 a suspension tower may need to be replaced with a tension tower of a similar size within the vicinity (approximately 80m) of the existing tower.** These towers are clear of any active/planned radio links.

BT requires 100m minimum clearance from any structure to the radio link path. If any changes are proposed to the information supplied, please let us know and we can reassess this for you.

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

Please direct all queries to [radionetworkprotection@bt.com](mailto:radionetworkprotection@bt.com)





**Kind Regards**

**Lisa Smith**  
National Radio Planner  
Network Planning

**BT Group**

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

We monitor our email systems and may record all our emails.

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**From:** [Strathmartine Council](#)  
**To:** [Econsents Admin](#)  
**Subject:** Tealing sse  
**Date:** 07 August 2024 15:44:11

---

Dear Jennifer,

Thank you for the opportunity to comment on the Scoping Request submitted by SSEN in relation to the Tealing to Westfield Overhead Line 400kv Upgrade (ECU00005168).

I believe that this request raises at least a couple of issues that it would be of benefit to resolve at this stage, rather than later.

Firstly, the partial scope proposed by SSEN in relation to Cumulative Impact. It is clear from SSEN's own account that this project was identified as part of the ESO's Holistic Network Design and is an interdependent element of the wider project to upgrade transmission infrastructure across the UK (see Para 1.1.5). This application relates to one part of what is clearly a much wider project. Considered against the principles that help our understanding of what should be regarded as a project (namely whether different elements of the project are owned by the same developer; the obvious dependence of each element of the project in order for it to fulfil its purpose; and that the applications will be dealt with more or less concurrently) it is reasonable to conclude that SSEN should be required to take the widest view of cumulative impact in assessing this small part of a much wider project (ie Pathway to 2030).

It appears that there has been no Strategic Impact Assessment carried out under the Environmental Assessment (Scotland) Act 2005 on any of SSEN's proposed infrastructure development and therefore SSEN should be required to take a more inclusive approach to their analysis of the impacts during the piecemeal approach they are taking to the application process. At the very least, the cumulative impact assessment for this project should also include the impacts of the entire TKUP project, without which this application can not make even a basic case for need.

If such a point were taken it would cast serious doubt on the manner in which Socio-Economic and EMF impacts, for example, have been simply scoped out of the proposal by SSEN.

My second point relates to the scoping out of Climate Change in the request. This will, I imagine, be one of the first scoping requests dealt with by the Energy Consents Unit since the landmark ruling in Finch vs Surrey County Council in the Supreme Court in June. Whilst this judgement relates in its detail to oil and gas development, the principles will be applicable across all large infrastructure development proposals that carry potentially

significant carbon footprints. It cannot be enough for SSEN simply to continue asserting that this project needs no assessment because it is helping the UK meet its climate targets. The judgement appears implicitly to call for a reappraisal of the requirements imposed under NPF4. This scoping request represents an early opportunity for ECU to make a clear public statement about how it expects upstream, downstream and supply chain emissions to be quantified in the context of electricity infrastructure applications. For example, are such developments now required to include an assessment of the GHG footprint of individual generating/storage infrastructure projects that will only be possible if such a line upgrade were to go ahead? Such clarity on the implications of the judgement at this stage may prevent the whole system becoming bogged down in further legal argument at the point where applications are submitted.

I hope my observations are helpful. I would be grateful please for an update in due course on the detail of your consideration in respect of both these matters.

Thanks

Strathmartine CC

Sent from [Outlook for iOS](#)



# Defence Infrastructure Organisation

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

Your Reference: ECU00005168

MoD Telephone: 07977410762

Our Reference: DIO10062097

E-mail: [DIO-safeguarding-statutory@mod.gov.uk](mailto:DIO-safeguarding-statutory@mod.gov.uk)

Jennifer Gessler  
Scottish Government  
Directorate for Energy and Climate Change  
5 Atlantic Quay  
150 Broomielaw  
GLASGOW  
G2 8LU

30 July 2024

Dear Jennifer

## **MOD Safeguarding – SITE OUTSIDE SAFEGUARDING AREA (SOSA)**

**Proposal:** Request for a scoping opinion from the Scottish Ministers for the proposed section 37 application for the Tealing to Westfield OHL 400kV Upgrade (Reconductoring) Project. The proposed development is for to upgrade approximately 38 kilometres of an existing 275 kilovolts overhead line, connecting substations at Tealing (Tower 182) and Westfield, to enable operation at 400kV.

**Location:** Between tower 182 (west of Tealing Substation) and the licence boundary with Scottish Power Energy Networks (SPEN) OHL network (Westfield/Glenrothes) (mid span towers 66 and 65)

### **Grid Ref:**

Number	Easting	Northing
Tealing substation	339937	737055
2	339211	737447
3	334444	736590
4	331049	734796
5	330549	730226
6	329467	728668
7	324739	725559
8	324519	724276
9	320861	721440
10	320728	720918

11	318344	718995
12	319997	716923
SSEN boundary with SPEN	322557	714558

Thank you for consulting the Ministry of Defence (MOD) on the above proposed development which was received by this office.

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 application is a request for a Scoping Opinion on the reconductoring of approximately 38km of existing 275kV lattice electricity towers between Tealing and Westfield to enable their use in the transmission of 400kV.

This application relates to a site outside of Ministry of Defence safeguarding areas. Having reviewed the proposals, I can confirm the MOD has no concerns in principle with regard to the scale and massing of the proposed development indicated on the submitted plans.

At this consultation stage, where the proposal is based on existing electricity towers being refurbished and the introduction of no new electricity towers, MOD representations are limited to the principle of the development only. In summary the MOD has no concerns, 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 (EIA) Scoping Report – Tealing to Westfield 400kV Upgrade" and "Location of Proposed Development" dated June 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

*Redacted*

Wendy Talbot  
Assistant Safeguarding Manager  
DIO Safeguarding



**From:** [JRC Windfarm Coordinations Old](#)  
**To:** [Jennifer Gessler](#)  
**Cc:** [Econsents Admin](#); [Wind SSE](#)  
**Subject:** Tealing to Westfield OHL 400kV Upgrade (Reconductoring) Project - Request for Scoping Opinion [WF879735]  
**Date:** 10 July 2024 13:47:14

---

Dear Jennifer,

A Windfarms Team member has replied to your co-ordination request, reference **WF879735** with the following response:

*Dear Jennifer*

**REF: ECU00005168**

*Thank you for your advisory regarding the **Tealing to Westfield OHL 400kV Upgrade (Reconductoring) Project***

***Having determined from the documentation provided that the pylons carrying this section of the OHL are not moving (and that existing pylons are being re-used), JRC has no comment to make on this application at this time.***

*In the case of this proposed development, JRC does not foresee any potential problems based on known interference scenarios and the data you have provided.*

\*\*\*\*\*

***Please note that due to the large number of adjacent radio links in this vicinity, which have been taken into account, clearance is given specifically for the proposed re-use of in-situ pylons.***

***However, if any details of the development change, particularly the grid location or scale of any towers, 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, you are advised to seek re-coordination prior to submitting a planning application, as this will negate the possibility of an objection being raised at that time as a consequence of any links assigned between your enquiry and the finalisation of your project.*

*JRC offers a range of radio planning and analysis services. If you require any assistance, please contact us by phone or email.*

*With best wishes*

*The Windfarm Team.*

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

*Office: 02476 932 185*

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

***Registered in England & Wales: 2990041***

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

We 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=33685>

**From:** [NATS Safeguarding](#)  
**To:** [Jennifer Gessler](#)  
**Cc:** [Econsents Admin](#)  
**Subject:** RE: Request for Scoping Opinion Tealing to Westfield OHL 400kV Upgrade (Reconductoring) Project [SG37753]  
**Date:** 09 July 2024 12:24:50  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)

---

Our Ref: SG37753

Dear Sir/Madam

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

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

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

Yours faithfully

**NATS**

NATS Safeguarding

E: [natssafeguarding@nats.co.uk](mailto:natssafeguarding@nats.co.uk)

4000 Parkway, Whiteley,  
Fareham, Hants PO15 7FL  
[www.nats.co.uk](http://www.nats.co.uk)





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

Network Rail  
Town Planning  
151 St Vincent Street  
Glasgow  
G2 5NW

Martin Henderson  
Town Planning Technician

Planning reference: ECU00005168  
Case Officer: Jennifer Gessler

E-Mail:  
[TownPlanningScotland@networkrail.co.uk](mailto:TownPlanningScotland@networkrail.co.uk)

Network Rail ref: 209 2024  
30/07/2024

Dear Ms Gessler,

**THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)  
(SCOTLAND) REGULATIONS 2017  
REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37  
APPLICATION FOR TEALING TO WESTFIELD OHL 400KV UPGRADE  
(RECONDUCTORING) PROJECT**

Thank you for consulting Network Rail regarding the above development.

We would strongly suggest that reference to the issues below are included in the Scoping Opinion to ensure that potential impacts of both the construction and completed development on the current and future safe and efficient operation of the railway are assessed:

- A Traffic Assessment should be included to assess the effects of construction traffic on existing traffic flows and the public road network. Preferred construction traffic routes should be indicated. This will enable Network Rail to assess the possible impacts where/if the traffic crosses over/under our infrastructure and the suitability of these crossings.
- Details of proposed construction and engineering works in the vicinity of the railway line. Any works over/adjacent to the railway corridor will be subject to further discussion and agreement with Network Rail.

Yours sincerely

Redacted

**Martin Henderson**  
**Town Planning Technician**

Dear Sir/Madam,

With regard to planning application ECU00005168 - Tealing to Westfield OHL, ONR makes no comment on this proposed development as it does not lie within a consultation zone around a GB nuclear site.

You can find information concerning our Land Use Planning consultation process here: (<http://www.onr.org.uk/land-use-planning.htm>).

Kind regards,

Land Use Planning  
Office for Nuclear Regulation  
ONR-Land.Use-planning@onr.gov.uk

**From:** [Young, Bryan](#) on behalf of [Plant Protection And Pipelines North](#)  
**To:** [Jennifer Gessler](#)  
**Cc:** [Irvine, Jordan](#)  
**Subject:** RE: Request for Scoping Opinion Tealing to Westfield OHL 400kV Upgrade (Reconductoring) Project  
**Date:** 08 July 2024 15:57:20  
**Attachments:** [image003.png](#)

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Classified as Internal

Good afternoon,

SGN would have no formal objection to the above development but would ask to be contacted by the developer before works begin to ensure any plant/machinery intending to cross over the High Pressure pipelines is either under the safe weight limit to cross the pipeline or to ensure adequate ground protection is installed.

Kind regards

**Bryan Young**  
**Pipeline Officer**

[Bryan.young@sgn.co.uk](mailto:Bryan.young@sgn.co.uk)

Axis House Edinburgh

[sgn.co.uk](http://sgn.co.uk)

Find us on [Facebook](#) and follow us on Twitter: [@SGNgas](#)



Smell gas? Call 0800 111 999

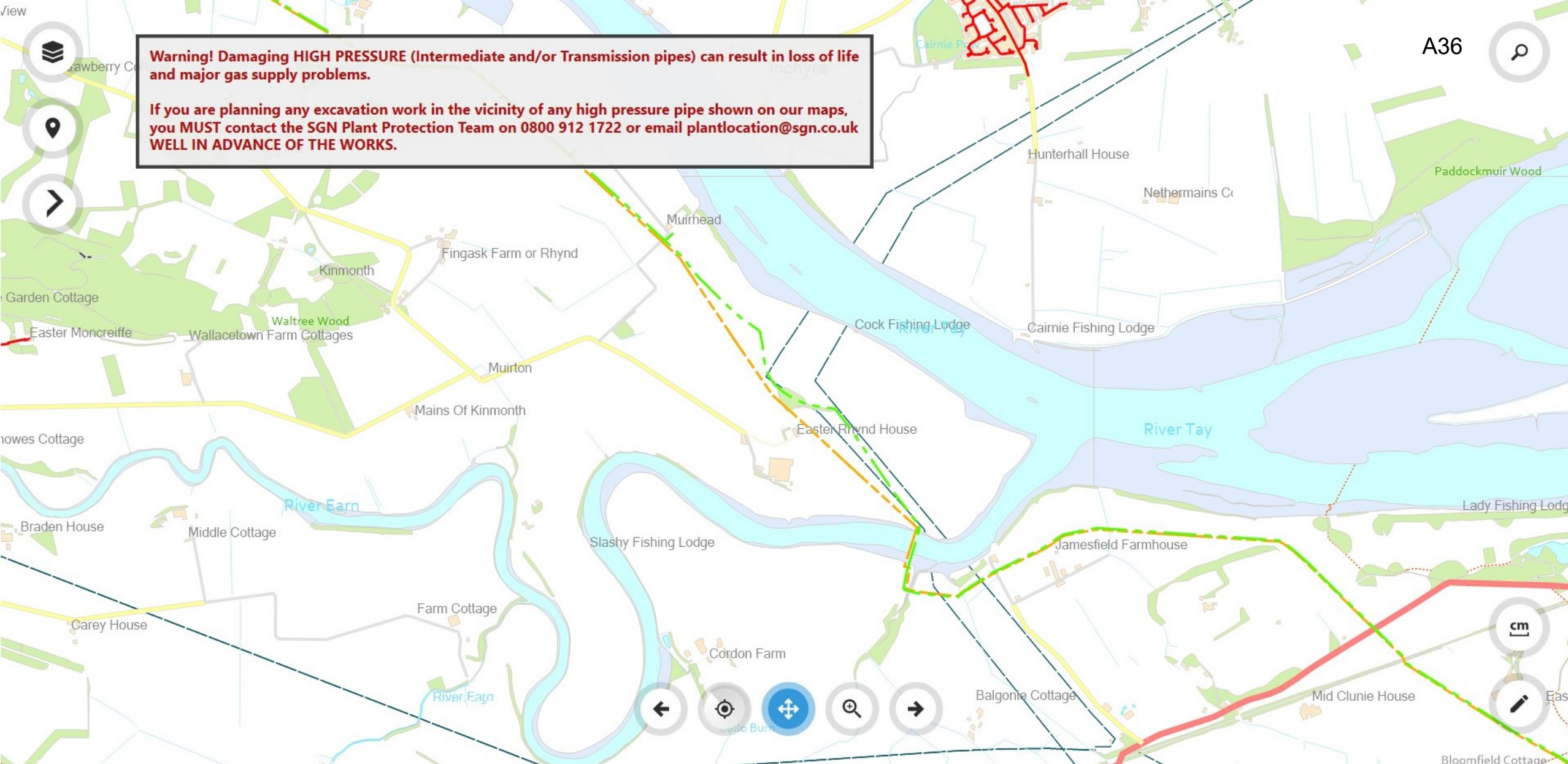
[Find out how](#) to protect your home from carbon monoxide

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**Warning! Damaging HIGH PRESSURE (Intermediate and/or Transmission pipes) can result in loss of life and major gas supply problems.**

**If you are planning any excavation work in the vicinity of any high pressure pipe shown on our maps, you MUST contact the SGN Plant Protection Team on 0800 912 1722 or email [plantlocation@sgn.co.uk](mailto:plantlocation@sgn.co.uk) WELL IN ADVANCE OF THE WORKS.**

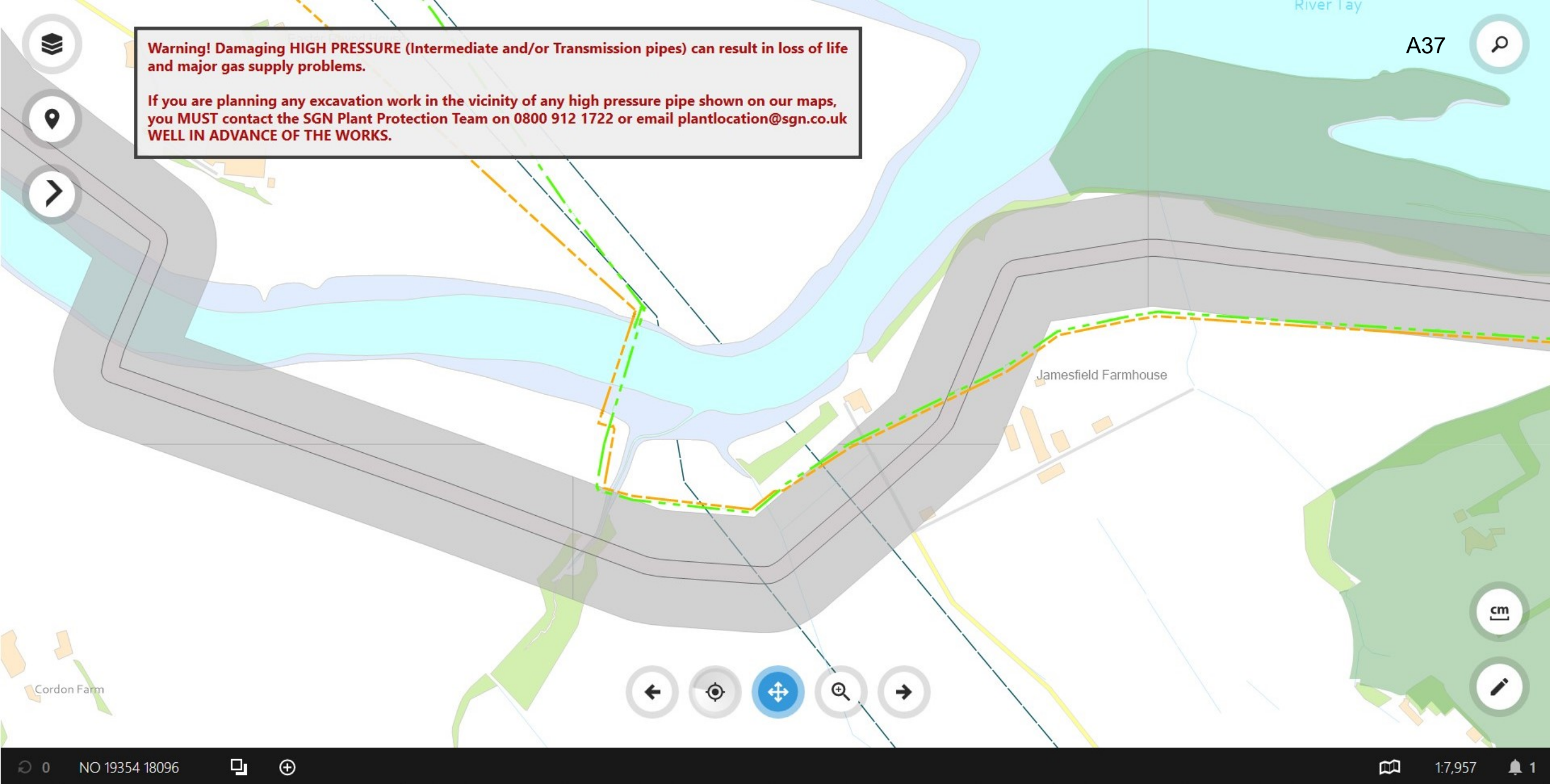






**Warning! Damaging HIGH PRESSURE (Intermediate and/or Transmission pipes) can result in loss of life and major gas supply problems.**

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Cordon Farm

Jamesfield Farmhouse

1m

Thursday, 12 September 2024



Local Planner  
Fife House  
North Street  
Glenrothes  
KY7 5LT

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

Development Operations  
Freephone Number - 0800 3890379  
E-Mail - [DevelopmentOperations@scottishwater.co.uk](mailto:DevelopmentOperations@scottishwater.co.uk)  
[www.scottishwater.co.uk](http://www.scottishwater.co.uk)



Dear Customer,

## Tealing to Westfield OHL 400kV, Upgrade (Reconductoring) Project, Tealing, DD4 0QZ

Planning Ref: ECU00005168

Our Ref: DSCAS-0113868-H2N

**Proposal: The Proposed Development consists of the upgrade of approximately 38 km of Overhead Line between tower 182 (west of Tealing Substation) and the licence boundary with Scottish Power Energy Networks (SPEN) OHL network (Westfield/Glenrothes) (mid span towers 66 and 65), to enable operation at 400kV.**

**Please quote our reference in all future correspondence**

## Audit of Proposal

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

## Drinking Water Protected Areas

A review of our records indicates that the proposed activity falls within a drinking water catchment where a Scottish Water abstraction is located. Scottish Water abstractions are designated as Drinking Water Protected Areas (DWPA) under Article 7 of the Water Framework Directive. The overhead powerlines pass through multiple sources listed in the table below:

CATCHMENT	Water Treatment Works (WTW)
River Tay	Perth WTW
Knowhead and Newton of Lathrisk Boreholes	Straight to supply
Arnott Reservoir	Compensation Reservoir but can Augment Lomond Hills WTW

It is essential that water quality and water quantity in the area are protected. In the event of an incident occurring that could affect Scottish Water we should be notified without delay using the Customer Helpline number **0800 0778 778**.

Scottish Water have produced a list of precautions for a range of activities. This details protection measures to be taken within a DWPA, the wider drinking water catchment and if there are assets in the area. Please note that site specific risks and mitigation measures will require to be assessed and implemented. These documents and other supporting information can be found on the activities within our catchments page of our website at [www.scottishwater.co.uk/slm](http://www.scottishwater.co.uk/slm).

Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

### **Scottish Water Assets**

A review of our records indicates that there are Scottish Water assets in the area.

#### **ALYTH TO TEALING**

2x40" steel raw mains and a 1000mm steel raw water main cross the route. There are also a number of small diameter potable water distribution mains along the route.

#### **TEALING TO WESTFIELD**

Large number of assets affected – too many to list. Both water and wastewater assets.

This should be confirmed however through obtaining plans from our Asset Plan Providers. Details of our Asset Plan Providers are included in the SW list of precautions for assets, which can be found on the activities within our catchments page of our website at [www.scottishwater.co.uk/slm](http://www.scottishwater.co.uk/slm).

All Scottish Water assets potentially affected by the activity should be identified, with particular consideration being given to access roads and pipe crossings. If necessary, local Scottish Water personnel may be able to visit the site to offer advice. All of Scottish Water's processes, standards and policies in relation to dealing with asset conflicts must be complied with.

In the event that asset conflicts are identified then early contact should be made with the Highway Authorities and Utilities Committee (HAUC) at [Hauc.diversions@scottishwater.co.uk](mailto:Hauc.diversions@scottishwater.co.uk). All detailed design proposals relating to the protection of Scottish Water's assets should be submitted to the HAUC for review and written acceptance. Works should not take place on site without prior written acceptance by Scottish Water.

Scottish Water have produced a list of precautions for a range of activities. The list of precautions for assets details protection measures to be taken if there are assets in the area. Please note that site specific risks and mitigation measures will require to be assessed and implemented. The document/s and other supporting information can be found on the activities within our catchments page of our website at [www.scottishwater.co.uk/slm](http://www.scottishwater.co.uk/slm).

It should be noted that the proposals will be required to comply with Sewers for Scotland and Water for Scotland 4<sup>th</sup> Editions 2018, including provision of appropriate clearance distances from Scottish Water assets.

## Surface Water

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

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

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

### Next Steps:

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

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

Yours sincerely,

### Ruth Kerr

Development Services Analyst  
[PlanningConsultations@scottishwater.co.uk](mailto:PlanningConsultations@scottishwater.co.uk)

### Scottish Water Disclaimer:

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

## Supplementary Guidance

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

## **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"> <li>○ the towers/poles,</li> <li>○ permanent and temporary access tracks, including watercourse crossings;</li> <li>○ buildings including substations;</li> <li>○ permanent and temporary construction compounds;</li> <li>○ all watercourses; and contour lines;</li> </ul>			
<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><b>This should be carried out where a Special Area of Conservation (SAC) is present and where salmon are a qualifying feature, and in exceptional</b></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><b>cases when required in the scoping advice for other reasons. In other cases, developers can assume that fish populations are present;</b></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” (<a href="https://www.nature.scot/guidance-good-practice-during-wind-farm-construction">https://www.nature.scot/guidance-good-practice-during-wind-farm-construction</a>);</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><b>At least 12 months of baseline pre-construction data should be included. The monitoring programme can be secured using suitable wording in a condition.</b></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><b>This can be secured using suitable wording in a condition.</b></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 ( <b>e.g. SAC</b> ), 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.			