

VOLUME 4: APPENDIX V1-4.3: SCOPING OPINION – JUNE 2024



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**The Scottish Government
Energy Consents Unit**

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

Strathy South Wind Farm Grid Connection

Scottish Hydro Electric Transmission Plc

11 June 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 SC189126 and having its registered office at Inveralmond House, 200 Dunkeld Road, Perth, PH1 3AQ (“the Company”) in response to a request dated 07 March 2024 for a scoping opinion under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the proposed Strathy South Wind Farm Grid Connection (“the proposed development”). The request was accompanied by a Scoping Report.

1.2 The proposed development would be located approximately 2 km south of Strathy and 1.5 km south of Melvich, Sutherland, in the Highlands. It is located between Strathy North and Strathy South Wind Farms. The Proposed Development is situated within a wider setting of moorland, scattered with lochs and coniferous forest plantations, and intersected by broad river-valleys running south – north. The Proposed Development would cross an area of open, undulating moorland, between the valleys of River Strathy and Strath Halladale.

1.3 The proposed development would comprise of a 132kV overhead line (OHL), approximately 10.5 km in length, supported by steel structures, from Strathy North ‘T’ (near Dallangwell) to Connagill 275/132kV substation, and, with capacity of operating at 275kV. The Development would facilitate the five windfarm connections in the area, referred to as the ‘Connagill Cluster Grid Connections’. The Proposed Development is illustrated on Figure 1 of the Scoping Report.

1.4 In addition to the over headline (OHL) there will be ancillary infrastructure including:

- Construction of one compound or tower;
- Access tracks to facilitate construction and maintenance;
- Temporary measures to protect road and water crossings;
- Setting up working areas;
- Tree and vegetation clearance; and
- Dismantling the existing 132 kV OHL.

1.5 The Company states the proposed development would not have a fixed operational life. However, should decommissioned occur the site restored in accordance with the decommissioning and restoration plan as indicated at Section 7.5.2 of the Scoping Report.

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

1.7 The purpose of the proposed development is to connect the consented Strathy South Wind Farm to the National Grid and facilitate the 5 Wind Farms. It is also a shared infrastructure to eventually connect the consented Strathy Wood and operational Strathy North Wind Farms to the Nation Grid.

1.8 An alternative route would need to be considered as the Proposed Development passes through the proposed Melvich wind farm, should Melvich wind farm be granted planning consent. An indicative 400 m wide route for the Alternative Development is shown on Figure 1 of the Scoping Report. The Applicant indicates following the outcome of a routeing consultation, the consideration of alternative alignment options will be undertaken.

2. Consultation

2.1 Following the scoping opinion request a list of consultees was agreed between Scottish Hydro Electric Transmission Plc and ASH design+assessment Limited ("ASH") (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 05 April 2024. The consultation closed on 26 April 2024. Extensions to this deadline were granted to The Highland Council, Joint Radio Company, The Royal Society for the Protection of Birds (RSPB), ScotWays, and Bettyhill, Strathnaver and Altnaharra Community Council. The Scottish Ministers also requested responses from their internal advisors Transport Scotland and Scottish Forestry. Standing advice from Marine Directorate – Science Evidence Data and Digital (MD-SEDD) has been provided with requirements to complete a checklist prior to the submission of the application for consent under Section 37 of the Electricity Act 1989. All consultation responses received, are attached in **ANNEX A Consultation responses** and **ANNEX B MD-SEDD Standing Advice**.

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

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

2.4 The following organisations were consulted but did not provide a response: British Horse Society Scotland, Civil Aviation Authority, Crown Estate Scotland, Fisheries Management Scotland, Fisheries Trust Scotland, Highlands & Islands Airports Ltd, John Muir Trust, Mountaineering, National Grid, Northern District Salmon Fisheries Board, Scottish Wildlife Trust, Scottish Wild Land Group (SWLG), The Woodland Trust Scotland, Visit Scotland, West of Scotland Archaeology Service, Stratharmdale Community Council, Bettyhill, Strathnaver and Altnaharra Community Council, Caithness West Community Council, Councillor Hugh Morrison, Councillor Marianne Hutchinson and Councillor Micheal Baird.

2.5 With regard to those consultees who did not respond, it is assumed that they have no comment to make on the Scoping Report, however each would be consulted again in the event that an application for Section 37 consent is submitted subsequent to this EIA scoping opinion.

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

3. The Scoping Opinion

3.1 This scoping opinion has been adopted following consultation with The Highland Council, within whose area the proposed development would be situated, NatureScot (previously “SNH”), Scottish Environment Protection Agency and Historic Environment Scotland, all as statutory consultation bodies, and with other bodies which Scottish Ministers consider likely to have an interest in the proposed development by reason of their specific environmental responsibilities or local and regional competencies.

3.2 Scottish Ministers adopt this scoping opinion having taken into account the information provided by the applicant in its request dated 07 March 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 The Highland Council for publication on their website. It has also been published on the Scottish Government energy consents website at www.energyconsents.scot.

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

3.5 Scottish Ministers are satisfied with the scope of the EIA set out in Section 3 to Section 11 of the Scoping Report.

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

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

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

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

3.13 The Scoping Report identified viewpoints at Section 5.5.13 to be assessed within the landscape and visual impact assessment. Visualisations are proposed to inform and support the LVIA from the following four locations (as illustrated on Figure 3 of the Scoping Report):

- Strathy Cemetery (approximate grid ref 283881 965605) – illustrative of views from Strathy, within the SLA.
- A836 near Bighouse (approximate grid ref 290196 964007) – illustrative of distant views from the A836 north-east of the Proposed Development.
- A897 near Golval (approximate grid ref 289817 961783) – illustrative of views from the A897 within Strath Halladale.
- A897 at Loch Earacha (approximate grid ref 289932 960830) - illustrative of views from the A897 within Strath Halladale.

The company indicates photomontages would be produced to meet current The Highland Council and NatureScot standards.

3.14 Noise and vibration effects will be controlled through the implementation of a noise management plan, which would be developed as part of the Construction Environmental Management Plan as detailed in Section 11.5.2.

3.15 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, RSPB and NatureScot.

3.16 The Proposed and Alternative OHL routes pass through the Caithness and Sutherland Peatlands Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site and the West Halladale Site of Special Scientific Interest (SSSI). The routes are also adjacent to the East Halladale SSSI and within connectivity distance to qualifying features of the Caithness Lochs SPA. Therefore, the EIA Report must include sufficient information to inform an Appropriate Assessment, as required by The Conservation of Habitats and Species Regulations 2017.

3.17 As detailed in Section 2.6.3 materials will be obtained from on-site borrow pits or imported from local quarries. The EIA Report should include detailed information regarding their location, size, and nature. And also, include details of the proposed depth of the excavation compared to the actual topography and water table, proposed drainage and settlement traps, turf and overburden removal and storage for reinstatement, and details of the proposed restoration profile. The impact of such facilities (including dust, blasting and impact on water) should be appraised as part of the overall impact of the working. The Construction Traffic Management Plan should evaluate and include potential cumulative impacts associated with the proposed development and other consented developments in the area to ensure cumulative impacts and borrow pit use to source local materials are considered, and also that the sharing of borrow pit locations are properly considered in order to reduce traffic.

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

4. Mitigation Measures

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

5. Conclusion

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

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

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

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

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

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

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

[REDACTED]

[REDACTED]

Energy Consents Unit
11 June 2024

ANNEX A

Consultation

List of consultees who provided a response.

- The Highland Council
- Historic Environment Scotland
- Scottish Environmental Protection Agency (SEPA)
- NatureScot (previously “SNH”)
- British Telecommunications (BT) Plc
- Defense Infrastructure Organisation (MOD)
- Joint Radio Company Limited
- National Gas
- NATS Safeguarding
- Nuclear Safety Directorate (HSE)
- RSPB Scotland
- Scottish Rights of Way and Access Society (ScotWays)
- Scottish Water

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

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

Please ask for: [REDACTED]
Direct Dial: [REDACTED]
E-mail: [REDACTED]
Our Ref: 24/01442/SCOP
Your Ref: ECU00005081
Date: 21/05/2024

By email only to:

[REDACTED]
[REDACTED]

Dear [REDACTED]

THC PLANNING REFERENCE: 24/01442/SCOP

DEVELOPMENT: UP TO 275KV OVERHEAD ELECTRICITY TRANSMISSION LINE TO SERVE STRATHY SOUTH, ARMADALE, MELVICH AND KIRKTON WIND FARM PROPOSALS, COMPRISING APPROXIMATELY 11KM OF STEEL LATTICE TOWER DOUBLE CIRCUIT LINE FROM THE END OF THE STRATHY WOOD TO STRATHY NORTH STEEL LATTICE CIRCUIT NEAR TO STRATHY NORTH TO CONNAGILL SUBSTATION, INCLUDING REMOVAL OF EXISTING WOOD POLE INFRASTRUCTURE NEAR STRATHY NORTH TO NEAR MELVICH.

LOCATION: LAND BETWEEN STRATHY NORTH AND SOUTH WIND FARMS, STRATHY

Thank you for requesting an Environmental Impact Assessment (EIA) Scoping Response for the above project. This letter constitutes The Highland Council's (THC) Scoping consultation response in relation to the development as described above and supplements advice previously given to the applicant in the Pre-Application Advice Pack 23/03059/PREMAJ issued on 20th September 2023.

That pre-application response should be considered alongside this Scoping response to help inform the content of the forthcoming EIAR. This Scoping Response remains valid for 12 months. Should a planning application not be forthcoming within this period it is advised that you obtain an updated response.

We trust that this helps inform the scope of the EIAR and is helpful to the applicant when formalising any forthcoming application.

SCOPING RESPONSE TO ENERGY CONSENTS UNIT

Applicant:	Scottish Hydro Electric Transmission Plc
Project:	UP TO 275KV OVERHEAD ELECTRICITY TRANSMISSION LINE TO SERVE STRATHY SOUTH, ARMADALE, MELVICH AND KIRKTON WIND FARM PROPOSALS, COMPRISING APPROXIMATELY 11KM OF STEEL LATTICE TOWER DOUBLE CIRCUIT LINE FROM THE END OF THE STRATHY WOOD TO STRATHY NORTH STEEL LATTICE CIRCUIT NEAR TO STRATHY NORTH TO CONNAGILL SUBSTATION, INCLUDING REMOVAL OF EXISTING WOOD POLE INFRASTRUCTURE NEAR STRATHY NORTH TO NEAR MELVICH.
Project Address:	LAND BETWEEN STRATHY NORTH AND SOUTH WIND FARMS, STRATHY
Our / ECU References	24/01442/SCOP/ ECU00005081

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

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

Responses to the internal consultation undertaken are attached. Should any further responses be received from internal consultees, these will be forwarded on in due course.

1.0 Description of the Development

1.1 The description of development for the EIAR must include:

- a description of the physical characteristics of the whole development and the full landuse requirements during the operational and construction phases;
- a description of the main characteristics of the construction processes, for instance, nature and quantity of the materials used;

- the risk of accidents, having regard in particular to substances or technologies used;
- an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, heat, radiation, etc.) resulting from the operation of the development; and
- the estimated cumulative impact of the project with other consented or operation development.
- a detailed schedule of mitigation.

2.0 Alternatives

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

- the range of technologies that may have been considered;
- locational criteria and economic parameters used in site selection;
- options for access; including construction laydown areas and staff / contractors accommodation compounds;
- design and locational options for all elements of the proposed development (including grid connection); and
- the environmental effects of the different options examined. Such assessment should also highlight sustainable development attributes including for example assessment of carbon emissions.

3.0 Environmental Elements Affected

3.1 The EIAR must provide a description of the aspects of the environment likely to be significantly affected by the development. The following paragraphs highlight some principal considerations. The EIAR should fully utilise this understanding to ensure that information provided is relevant and robustly grounded.

Land Use and Policy

3.1 The EIAR should recognise the existing land uses affected by the development having particular regard for THC's Development Plan inclusive of all statutorily adopted Supplementary Guidance (SG). This is not instead of but in addition to the expectation of receiving a Planning Statement in support of the application itself which, in addition to exploring compliance with the Development Plan, should look at Scottish Planning Policy, Planning Advice Notes and which identify the issues that should be taken into account. The purpose of this chapter is to highlight relevant policies not to assess the compatibility of the proposal with policy.

3.2 **The Development Plan comprises the:**

- National Planning Framework 4 (NPF4) adopted in 2023
- Highland-wide Local Development Plan (HwLDP) adopted in 2012
- Caithness and Sutherland Local Development Plan (CaSPlan) (2018) and
- Associated Supplementary Guidance

- 3.3 A range of policies will apply to this scheme from all the above development plan documents. The scope of an EIA should address all the relevant issues covered in NPF4 and HwLDP. The CaSPlan has limited relevance to this type of proposal as their focus is mainly on regional and settlement strategies and identifying specific site allocations. However, certain aspects of the strategies for the local area and settlements may help to inform plans for community engagement and/or community benefit.
- 3.4 The CaSPlan established boundaries (including any refinements) of the Special Landscape Areas (SLAs) across the plan area. The SLA citations webpage summarise key characteristics, qualities, sensitivities, and measures for enhancement and must be used to assess the potential impacts of the proposed development.
- 3.5 The Council began a review of HwLDP, with the publication of the Main Issues Report in September 2015 and subsequent consideration of the comments received in 2016. In December 2017, the Scottish Government published the Planning Bill outlining changes to the Scottish planning system. The Council took the decision to halt the HwLDP Review until more was known about the changes. The Planning (Scotland) Act 2019 was subsequently made. Following the finalisation and adoption of NPF4 in February 2023, Regulations and Guidance for Local Development Planning have been finalised, bringing the new provisions for plan preparation into force
- 3.6 Applicants are advised to monitor the annual Development Plans Newsletter as this provides a timetable of work on the Highland development plan. The March 2023 Development Plans Newsletter is now available on the Council's website. The annual update of the work programme (draft 2024 Newsletter) is expected to be reported to Committee in February 2024. It is the Council's intention to undertake the evidence gathering stage of the new LDP throughout 2023 and into 2024, with the tentative programme including an Evidence Report towards the end of 2024 and subsequent Gate Check, with Proposed Plan stage towards the end of 2025. The HLDP will, once adopted, replace all our current LDPs. As part of this programme of work, the Council will review the coverage and content of its current suite of Supplementary Guidance, to establish which aspects should be covered within the new Local Development Plan itself, which aspects should be covered within non-statutory planning guidance and any aspects no longer required.
- 3.7 Developer Contribution, Community Benefit & Community Wealth Building will all need to be considered as the scheme develops. With Developer Contributions sought towards

Transport (including Active Travel), Green Infrastructure, Water & Waste and Public Art/Realm in compliance with NPF4 Policy 18 (Infrastructure first), HwLDP Policy 31 (Developer Contributions) and Developer Contributions Supplementary Guidance (2018).

- 3.8 Community Wealth Building is intended to encourage, promote, and facilitate a new strategic approach to economic development as set out in NPF4 Policy 25. This Policy indicates examples of what contributions by development proposals to community wealth building could include: improving community resilience and reducing inequalities; increasing spending within communities; ensuring the use of local supply chains and services; local job creation; supporting community led proposals, including creation of new local firms and enabling community led ownership of buildings and assets. However, that is not an exhaustive list.
- 3.9 A Committee report to the meeting of The Highland Council on 29 June 2023 provided an introduction to: the background and principles of Community Wealth Building; the work already being undertaken which contributes towards community wealth building; and an update on the proposed approach being taken to develop a Community Wealth Building Strategy for Highland Council.

The following observations are made in respect of the EIA Scoping report:

- 3.10
- The identification of NPF4 as a key planning consideration and outline of policies is welcomed. In particular Policy 3 Biodiversity requires all forms of development to include appropriate measures to conserve, restore and enhance biodiversity proportionate to the nature and scale of development. It is worth noting that Highland Council Draft Biodiversity Planning Guidance (BPG) was taken to the meeting of the Economy and Infrastructure Committee on 16 November 2023 where it was agreed that it would be subject to public consultation. The BPG is intended for use by the Planning Authority, applicants and agents to ensure the consistent and proportionate implementation and interpretation of National Planning Framework 4 (NPF4) Policy 3. The BPG aims to provide certainty and clarity for applicants and agents and sets out what supporting information is required to be submitted to demonstrate the conservation, restoration and enhancement of biodiversity as required by NPF4 Policy 3. The Draft Biodiversity Guidance consultation is currently out on consultation. It is recommended that the applicant keep abreast of the progress of this document. Scottish Government has also recently published draft biodiversity planning guidance setting out the Scottish Ministers' expectations for implementing NPF4 policies which support the cross-cutting NPF4 outcome 'improving biodiversity'.
- 3.11
- The identification of HwLDP and the policies therein is again welcomed and appropriate and whilst NPF4 is now adopted, HwLDP will continue to be used alongside it, until it is replaced by a new style LDP. The Council notes that legislation and planning law indicates that if there is incompatibility between the LDP and the NPF, whichever is the more recent shall prevail. That requirement does not take

away from the fact that the HwLDP must, whilst still part of the adopted Development Plan, be part of the consideration.

- 3.12 • Reference is made to Biodiversity Net Gain (BNG) and it is noted that SSEN Transmission has developed a BNG toolkit, the use of this metric is welcomed.

Sustainability

- 3.13 The Council's Sustainable Design Guide SG provides advice and guidance on a range of sustainability topics, including design, building materials and minimising environmental impacts of development. A Sustainable Design Statement is required.

Landscape and Visual

- 3.14 The Council expects the EIAR to consider the landscape and visual context of the development. The Council makes a distinction between the two. While not mutually exclusive, these elements require separate assessment and therefore presentation of visual material in different ways. It is the Council's position that it is not possible to use panoramic images for the purposes of visual impact assessment.
- 3.15 Assessments should cover impacts of all elements of the development, including security fencing, any tree felling and any lighting.
- 3.16 The LVIA should provide Zone of Theoretical Visibility analysis and identify key viewpoints to represent the most sensitive surrounding visual receptors with a series of single frame images with different focal lengths taken with a 35mm format full frame sensor camera – not an 'equivalent.' The focal lengths should be 50mm and 75mm. The former gives an indication of the field of view and the latter best represents the scale and distance in the landscape i.e. a more realistic impression of what we see from the viewpoint. This imagery should be used to provide existing and proposed photomontages to assist with the assessment and determination of the application. The timing of the visualisation photography should reflect the worst-case scenario when existing deciduous trees and vegetation is not in full leaf. Similarly, should any additional planting be proposed, visualisations should represent the development at the point of completion, and with 10 years of landscape planting growth. Whilst this proposal is not for a wind farm, the applicant's commitment to producing photomontages to the Councils standards in addition to those of NatureScot is welcomed and will be a requirement for any future application. The photomontages should be provided in hard copy in a A3 lever arch ring bound folder for ease of use.
- 3.17 It is noted that a Zone of Theoretical Visibility (ZTV) has been generated for the proposed development which is based on the current heights of the L7 and L8 tower series, but not for the alternative development. It is noted that the Scoping Report includes four VPs for the proposed development and five VPs for the alternative development. These are generally considered appropriate. However, our experience in determining other

applications in the area would suggest that further consideration should be given to providing a VP from the path to the lighthouse at Strathy Point as there appears to be the potential for visibility of up to 18 towers. Visibility is likely to increase with the alternative development proposal. This possible VP location was important in the consideration of the Melvich and Kirkton windfarms as it is looking back towards the mainland across the Farr Bay, Strathy and Portskerra SLA. Whilst it is noted that this location is just out with the suggested study area of 5km for the proposed development (although not the alternative development), we consider that it merits further consideration. We would be happy to review wireframes in the first instance to confirm whether this would be beneficial for inclusion in the EIAR.

- 3.18 We acknowledge that there will be some micro siting of the viewpoints to avoid intervening screening of vegetation boundary treatments etc. We would recommend that the photographer has in their mind whether the viewpoint is representative or specific and also who the receptors are when they are taking the photos it would be helpful. We have also found that if the photographer has a 3D model on a laptop when they go out on site it helps the orientation of the photography.
- 3.19 The purpose of the selected and agreed viewpoints should be clearly identified and stated in the supporting information. For example, it should be clear that the viewpoint has been chosen for landscape assessment, or visual impact assessment, or cumulative assessment, or sequential assessment, or to show a representative view or for assessment of impact on designated sites, communities or individual properties.
- 3.20 When considering the impact on recreational routes please ensure that all core paths, the national cycle network, long distance trails are assessed. It should be noted that these routes are used by a range of receptors.
- 3.21 A landscaping, management and maintenance scheme for the site is required and as this will have wider habitat and biodiversity interest. Using planting material sourced locally should be explored and there may be scope to replicate this in a controlled manner in landscaping for the new sites and in restoration of the old.
- 3.22 Whilst the proposal does not sit within a Wild Land Area, the following is within close proximity of the proposed development: WLA 39 East Halladale Flows. The Scoping Report states it is intended to scope out WLA 19 from the EIA. Whilst NPF4 does not require a Wild Land Assessment to be carried out if a proposal sits outwith a Wild Land Area, it is recommended that regard still be given to Wild Land considerations. It is anticipated that NatureScot will provide further guidance on this.

Ecology, Habitats and Ornithology

- 3.23 An EIAR chapter covering ecology, habitats and ornithology will be required. This must provide a baseline survey of the bird and animals (mammals, reptiles, amphibians, etc) interest on site. It needs to be categorically established which species are present on the

site, and where, before a future application is submitted. Further the EIAR should provide an account of the habitats present on the proposed development site. It should identify rare and threatened habitats, and those protected by European or UK legislation, or identified in national or local Biodiversity Action Plans. Habitat enhancement and mitigation measures should be detailed, in the contexts of both biodiversity and conservation. Details of any habitat enhancement should be provided. It is expected that the EIAR will address whether or not the development could assist or impede delivery of elements of relevant Biodiversity Action Plans.

- 3.24 The presence of protected species such as Schedule 1 Birds or European Protected Species must be included and considered as part of the application process, not as an issue which can be considered at a later stage. Any consent given without due consideration to these species may breach European Directives with the possibility of consequential delays or the project being halted.
- 3.25 The EIAR should address the likely impacts on the nature conservation interests in the vicinity of the proposed development. It should provide proposals for any mitigation that is required to avoid these impacts or to reduce them to a level where they are not significant.
- 3.26 It is noted that you wish to scope out marsh saxifrage which is a qualifying feature of the Caithness and Sutherland Peatland SAC and the potential impacts on the Strathy Point SAC, the North Caithness Cliffs SPA (scoped in for the alternative development) and the North Sutherland Coastal Islands SPA. It is anticipated that NatureScot can also provide specific advice in respect of designated sites. NatureScot will also advise further regarding Habitat Regulations Assessment considerations. If an Appropriate Assessment is likely to be required and based on NatureScot's advice, the Planning Authority would encourage the applicant to provide a Shadow Habitats Regulation Appraisal and Appropriate Assessment with their application.
- 3.27 Whilst the Councils Ecology Officer has been unable to comment on this Scoping Report, comments were made at the pre-application stage. Particular attention is drawn to the advice provided regarding the candidate Flow Country World Heritage Site (WHS).
- 3.28 NatureScot will lead on priority peatland and protected species. NatureScot advise that on peatland carbon-rich soils and priority peatland habitats, the restoration of peatland should be a 1:10 restoration level with an additional 10% to provide enhancement measures. In relation to protected species it is noted in section 6.3.4 of the Scoping Report that through consultation with NatureScot it has been agreed that no further surveys for protected species are required. It will be for NatureScot to confirm this in their response.
- 3.29 NPF4's commitment to deliver positive effects for biodiversity through development. Policy 3 states that, 'Development proposals for national, major and of EIA development should only be supported where it can be demonstrated that the proposal will conserve and enhance biodiversity, including nature networks within and adjacent to the site, so that they are in a demonstrably better state than without intervention, including through future

management.' A draft or outline Habitat Management Plan (HMP) and Species Protection Plan (SPP) should be produced as part of the EIA, including any proposals for mitigation and enhancement in relation to important habitats and species. Any compensatory planting plans should be carefully considered and included in the HMP. It is noted that the application will be supported by a Biodiversity Net Gain Metric, this is supported.

- 3.30 The EIAR needs to address the aquatic interests within local watercourses, including downstream interests that may be affected by the development, for example increases in silt and sediment loads resulting from construction works; pollution risk / incidents during construction; obstruction to upstream and downstream migration both during and after construction; disturbance of spawning beds / timing of works; and other drainage issues.

Water Environment

- 3.31 The EIAR needs to address the nature of the hydrology and hydrogeology of the site, and of the potential impacts on water courses, water supplies including private supplies, water quality, water quantity and on aquatic flora and fauna. Impacts on watercourses, groundwater, other water features and sensitive receptors, such as water supplies, need to be assessed. Measures to prevent erosion, sedimentation or discolouration will be required, along with monitoring proposals and contingency plans. Assessment will need to recognise periods of high rainfall which will impact on any calculations of run-off, high flow in watercourses and hydrogeological matters.
- 3.32 If culverting should be proposed, then it should be noted that SEPA has a general presumption against modification, diversion or culverting of watercourses. Schemes should be designed to avoid crossing watercourses, and to bridge watercourses where this cannot be avoided. The EIAR will be expected to identify all water crossings and include a systematic table of watercourse crossings or channelising, with detailed justification for any such elements and design to minimise impact. The table should be accompanied by photography of each watercourse affected and include dimensions of the watercourse. It may be useful for the applicant to demonstrate choice of watercourse crossing by means of a decision tree, taking into account factors including catchment size (resultant flows), natural habitat and environmental concerns. Further guidance on the design and implementation of crossings can be found on SEPA's Construction of River Crossings Good Practice Guide.

Flood Risk and Surface Water Drainage

- 3.33 The Council's Flood Risk Management Team have confirmed that they have no comments to make at this stage. However, there are a number of watercourses and waterbodies on the site therefore the following applies:
- A minimum of a 50m buffer of all watercourses / bodies and turbines/crane hard-standings, which should be shown on a suitably scaled drawing;

- All tracks should be kept a minimum 10m away from any waterbody except water crossings;
- Access tracks not acting as preferential pathways for runoff and efforts being made to retain existing natural drainage wherever possible;
- Natural flood management techniques should be applied to reduce the rate of runoff where possible; use of SuDS to achieve pre-development runoff rates and to minimise erosion on existing watercourses;
- Water crossings in the form of culverts or bridges, or upgrades to existing crossings must be designed to accommodate to 1 in 200 year flood event, plus climate change;
- Land rising within any floodplain to be avoided; if ultimately required, compensatory storage must be provided; and,

The EIAR should be informed by the Council's Flood Risk and Drainage Impact Assessment SG.

- 3.34 The drainage strategy for the site should divide up the area into different catchments depending on the risks identified. Drainage from areas of highest risk will be considered as a trade effluent and will need to be contained, treated and disposed of appropriately. Areas of less risk should be provided with SUDS. Proposals must meet the treatment requirements of the Ciria SuDS Manual C753. A site plan showing the proposed SUDS treatment train should be submitted. The Simple Index Approach calculation (Section 26.7.1 of the guidance) must also be submitted in support of the site plan, and the online tool may be used to assist in this.
- 3.35 It is anticipated that detailed comments will be provided on impacts on the water environment, in particular on buffers to water courses, by SEPA. However, please note, SEPA does not consider the water quantity aspects of surface water drainage schemes. Therefore, comments from the Local Authority Roads Department and the Local Authority Flood Prevention Unit should be sought on the drainage strategy in terms of water quantity/flooding and adoption issues.

Private Water Supplies

- 3.36 The need for, and information on, abstractions of water supplies for concrete works or other operations should also be identified. The EIAR should identify whether a public or private source is to be utilised. If a private source is to be utilised, full details on the source and details of abstraction need to be provided.
- 3.37 The applicant will be required to carry out an investigation to identify any private water supplies, including pipework, which may be adversely affected by the development and to submit details of the measures proposed to prevent contamination or physical disruption. Highland Council has some information on known supplies but it is not definitive. An on-site survey will be required.

Noise

- 3.38 Highland Council's Environmental Health Team note that consideration has been given to noise from the construction phase and confirm they will make comment on the construction noise mitigation when the noise management plan is submitted as part of the CEMP as described. In relation to operational noise, Environmental Health are not content to currently scope this aspect out until the applicant confirms whether consideration has been given to Document 5.3.14H ES Chapter 14 Appendix 14H - National Grid Technical Guidance Note TGN(E)322 (2021) during their determination of operational noise.

Cultural Heritage

- 3.39 It is anticipated that Historic Environment Scotland (HES) will provide comments on the assessment methodology for heritage assets within their remit including the scope of the assessment and their requirements for any supporting information (including visualisations) and the potential impacts on heritage assets.
- 3.40 The Council's Historic Environment Team have confirmed that they are satisfied with the process and the study area detailed in the Scoping Report and are content that this will adequately address the required impact assessment for this proposal.

Traffic and Transport

- 3.41 The Council's Transport Planning Team have provided the following comments. They confirm that the operational phase can be scoped out of the EIAR and agree that the impact of decommissioning, although not 'scoped out', will be less than that of construction.
- 3.42 The Transport Planning Team also consider that in addition to the EIA a standalone Transport Assessment will be required. This is because the environmental assessments do not cover the impact on the remaining lifespan, structural integrity and the operational considerations of the road asset (including road related structures). Prior to its preparation, it is recommended that the applicant undertake a detailed scoping exercise in consultation with the Council's Transport Planning Team. To assist at this stage Transport Planning have offered the following advice:
- The items for consideration in the detailed scoping agreement are set out in the response given to 23/03059/PREMAJ. Key elements are the haulage routes on the public road and the number of and type of HGV movements proposed. Structural assets should be identified and may need assessment for C&U traffic where the increase in traffic is significant (and for any abnormal crane movements). Upgrading and construction of private access routes to construct an OHL often results in an 'extra-ordinary' (S96 Roads Scotland Act) increase of HGV movements on the public road in quieter rural areas such as this. The routes proposed and the location of counts required should be agreed before the TA is submitted or any counts undertaken (this can be done as part of the detailed scoping agreement). Although

the capacity of key junctions may need to be considered road link capacity is unlikely to be a factor and use of the DMRB standard capacity calculations are not appropriate on historic local roads of varying width.

- For the Transport Assessment where the public road affected is considered 'vulnerable' by the Roads Authority the threshold value will be 10% for the impacts relating to infrastructure rather than environment (where the IEMA thresholds apply).
- There is a large number of significant developments proposed in this area. The Transport Assessment will need to propose a method for assessing or controlling the impact of these developments wishing proceed to the construction phase at the same time. The cumulative schemes should be agreed in advance with Transport Planning and Planning Officers.
- Transport Planning representing the Council as Road Authority aim to work with the planning authority and those constructing consented development to ensure the public road is suitable for construction traffic whilst safeguarding our local communities and the valuable road asset. On quieter routes of historic construction rather than a modern designed road we observe that a practical focus at an early stage on identifying the necessary mitigation along appropriate routes to support the construction traffic required enables effective and efficient decision making at the planning stage to the benefit of all parties.

Abnormal Loads

- 3.43 It is noted that you wish to scope out Abnormal Loads. However, the Transport Planning Team have stated that from recent experience of OHL projects they consider that crane movements are likely be required and that these vehicles are usually abnormal. Before this can be scoped out the applicant is advised to contact the Transport Planning Team to further discuss this matter.

Travel Plan

- 3.44 The inclusion of a framework Travel Plan (TP) is recommended to encourage more sustainable travel modes and, as far as possible, discourage single occupancy car journeys to and from the development.

Construction Traffic Management Plan

- 3.45 A Framework Construction Traffic Management Plan (CTMP) shall be submitted this shall be developed into an operational CTMP when a contractor for the works has been appointed. The CTMP shall include measures to ensure that construction traffic adheres to approved routes and propose measures to mitigate the impact of such traffic. Depending on the level of traffic to be generated, consultation with stakeholders, including local

community representatives, may be necessary regarding the detailed content and implementation of the CTMP.

Section 96 Agreement

- 3.46 Notwithstanding the above requirements, there could remain a risk of damage to Council maintained roads from development related traffic. To protect the interests of the Council, as roads authority, a suitable agreement relating to Section 96 of the Roads (Scotland) Act and appropriate planning legislation may be required.

Site Compound

- 3.47 The intended location of site compounds/offices, material stores, loading and unloading areas, workforce parking areas and the routes connecting them to the public road network should be clearly identified. Off-road access routes that will be used to access the site, clearly defining which routes are intended to be left in-place and which will be removed when no longer required shall be defined. The finished form of any routes being left in-place should be clarified with justification why they will be needed in that form going forward.

Waste Management

- 3.48 Details of arrangements for the storage and collection of waste and recyclable materials shall be provided in accordance with the Council's supplementary planning guidance, Managing Waste in New Developments.

Socio-Economic, Tourism and Recreation

- 3.49 It is noted that you wish to scope out socio-economic factors from the EIAR. Whilst this can be accepted technical note in support of the application would still be required. This is expected to include relevant economic information connected with the project, including the potential number of jobs, and economic activity associated with the procurement, construction and operation of the development.
- 3.50 It is noted that the potential for effects on visual amenity of the recreational and tourist receptors as a result of the proposed and alternative development would be fully considered through the LVIA, this is supported.

Public Access

- 3.51 Comments are yet to be received from the Council's Access Officer, however advice was given and made available at the pre-application stage. An access management plan is required that comprehensively assesses the impact of the proposed development on outdoor access and identifies adequate mitigation measures which will form the basis of that plan. The access management plan should seek to minimise any negative impacts on outdoor access, including the construction phase, and look to maximise any benefits. The assessment should include an investigation into the proposal's effects on the quality of the

settings where recreation takes place with safeguards and enhancements to long distance routes and their settings.

Health and Safety

- 3.52 EIARs are not expected to include general health and safety at work however they take this opportunity to point out that it may be beneficial for employer(s) to undertake a risk assessment as early as possible to satisfy themselves that their design and operation will meet requirements of relevant health and safety legislation as the project progresses.
- 3.53 A number of the aforementioned matters could be addressed by a Construction Environmental Management Document (CEMD) for the proposal. While acceptable in principle we would request that an Outline CEMD is included with the EIAR.

Forestry

- 3.54 Comments are yet to be received from the Council's Forestry Officer. As it stands, a specific chapter on Forestry would not be required, this may change if the layout alters going forward. However, information in support of the application will be required. This should outline areas of woodland / forestry plantation which may be felled to accommodate new development. Compensatory planting of new woodland is a clear expectation of any proposals for felling, and thereby such mitigation needs to be considered within any assessment. If trees are removed, then compliance with the Scottish Government's Control of Woodland Removal Policy must be demonstrated.

4.0 Significant Effects on the Environment

- 4.1 Leading from the assessment of the environmental elements the EIAR needs to describe the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development, resulting from:
- the existence of the development;
 - the use of natural resources; and
 - the emission of pollutants, the creation of nuisances and the elimination of waste.
- 4.2 The potential significant effects of development must have regard to:
- the extent of the impact (geographical area and size of the affected population);
 - the trans-frontier nature of the impact;
 - the magnitude and complexity of the impact;
 - the probability of the impact; and
 - the duration, frequency and reversibility of the impact.

- 4.3 The effects of development upon baseline data should be provided in clear summary points.
- 4.4 The Council requests that when measuring the positive and negative effects of the development a four point scale is used advising any effect to be either strong positive, positive, negative or strong negative.
- 4.5 The applicant should provide a description of the forecasting methods used to assess the effects on the environment.

5.0 Mitigation

- 5.1 Consideration of the significance of any adverse impacts of a development will of course be balanced against the projected benefits of the proposal. Valid concerns can be overcome or minimised by mitigation by design, approach or the offer of additional features, both on and off site. A description of the measures envisaged to prevent, reducing and where possible offset any significant adverse effects on the environment must be set out within the EIAR statement and be followed through within the application for development.
- 5.2 The mitigation being tabled in respect of a single development proposal can be manifold. Consequently the EIAR should present a clear summary table of all mitigation measures associated with the development proposal. This table should be entitled draft Schedule of Mitigation. As the development progresses to procurement and then implementation this carries forward to a requirement for a Construction Environmental Management Document (CEMD) and then Plan (CEMP) which in turn will set the framework for individual Construction Method Statements (CMS). Further guidance can be obtained at:

http://www.highland.gov.uk/NR/rdonlyres/485C70FB-98A7-4F77-8D6B-ED5ACC7409C0/0/construction_environmental_management_22122010.pdf

 This is currently under review by a working party led by SEPA working through Heads of Planning Scotland but for the time being remains relevant.
- 5.3 The implementation of mitigation can often involve a number of parties other than the developer. In particular local liaison groups involving the local community are often deployed to assist with phasing of construction works – abnormal load deliveries, construction works to the road network, borrow pit blasting. It should be made clear within the EIAR or supporting information accompanying a planning application exactly which groups are being involved in such liaison, the remit of the group and the management and resourcing of the required effort.

If you would like to discuss this scoping response, please contact the undersigned.



Team Leader – Strategic Projects Team

By email to [REDACTED]

[REDACTED]
Case Officer
Onshore Electricity, Strategy and Consents
Energy Consents Unit

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line [REDACTED]

Our case ID: 300072380
Your ref: ECU00005081

26 April 2024

Dear [REDACTED]

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

Thank you for your consultation which we received on 05 April 2024 about the above scoping report. We have reviewed the details in terms of our historic environment interests. This covers World Heritage Sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas (HMPAs).

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

Proposed Development

I understand that the proposed development comprises approximately 10.5 km of double circuit 132kV overhead line (OHL) supported by steel structures from Strathly North 'T' (near Dallangwell) to a cable sealing end (CSE) compound, prior to entering into Connagill 275/132 kV substation via a short section of underground cable (UGC).

Scope of assessment

Potential direct impacts

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

Potential impacts on the setting of assets

There are a number of nationally important historic environment assets within our remit in the vicinity of the development which have the potential to receive adverse impacts to their setting. The annex to this letter gives details of a number of assets which appear

likely to experience impacts. This list should not be treated as exhaustive and is only intended as a reference to those assets which at this stage appear most likely to be significantly impacted.

Scoping report

We welcome that cultural heritage effects are scoped in to the assessment. We welcome that the operational effects of the proposal on the setting of cultural heritage assets as well as direct impacts from construction will be assessed; we have provided further comments in the attached annex. We strongly recommend that our [Managing Change Guidance Note on Setting](#) is used to inform setting assessments and further information on good practice in cultural heritage assessment can be found in [Appendix 1 of the EIA Handbook](#).

Further information

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

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

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

Yours sincerely

Historic Environment Scotland

Annex

Historic Environment Scotland's interest

The following designated historic environment asset is in the vicinity of the development and has the potential to receive adverse impacts to its setting. This list is not considered to be exhaustive, and we would recommend that a wider search is undertaken of the surrounding area for potential impacts in the first instance. It is important to note that some assets have settings that are particularly sensitive to impacts, and the likely sensitivity of the setting should be used to help determine which sites are assessed in more detail in the EIA Report. We welcome that a ZTV will be used to identify potential setting impacts in the first instance.

We note that should the proposed Melvich Wind Farm be consented it will not be possible to use the Proposed Route and therefore an Alternative Route option is also being considered which would have different impacts on the setting of assets in comparison to the current Proposed Route.

- Bighouse, garden pavilion and walled garden (LB7160)

The pavilion building is aligned with the walled garden gatepiers and entrance on a southwest – northeast axis. Key views into the walled garden through this entrance and to the pavilion's west elevation appear to be intended from the front of Bighouse House. These views are important to the significance of the pavilion because they allow the original design of the garden and pavilion to be appreciated. They also provide a sense of enclosure in the walled garden. This view would be in the opposite direction to the proposed development.

The corresponding axial view back from the pavilion includes the walled garden in the foreground, with the house beyond and backdropped by the hills beyond Melvich. This view is also important as it would have been part of the original design and allows an appreciation of the pavilion and garden's relationships with the wider complex of buildings.

The Alternative Route option in particular has the potential to impact the east-west axial view from the garden pavilion. There may also be potential for cumulative impacts alongside the proposed Melvich Wind Farm which should be taken into consideration. It is not yet clear whether these impacts on the setting of the category A listed building would be significant. A photomontage showing the view from the garden pavilion looking west along the axial view towards the proposed OHL will be required to assist with the understanding of potential impacts on the setting of the buildings. It would be helpful if visualisations could also include the proposed Melvich Wind Farm to demonstrate potential cumulative impacts.

Scoping report

We welcome that potential impacts on the historic environment has been scoped in to the assessment. We welcome that the assessment will include the potential for direct impacts, impacts on the setting of assets and the potential cumulative impact of the

proposals. We welcome that the report indicates that the proposed methodology will reference the EIA Handbook and we are happy to provide further advice on methodology if that would be helpful.

We are content that the 3km study area for identifying assets within our remit which may receive impacts to their setting is adequate given the scale of the proposed development. We are also satisfied with the lists of assets within our remit to be scoped in and scoped out of further detailed assessment.

We welcome that the report indicates that recommendations for mitigation measures to prevent, reduce or offset significant adverse effects will be provided where necessary (paragraph 9.5.4). Should mitigation measures be required we will be happy to discuss this further if that would be helpful.

As indicated above, visualisations may be required to demonstrate impacts on the setting of historic environment assets within our remit and we will also be happy to provide further advice on this aspect of the assessment.

Historic Environment Scotland
26 April 2024

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: PCS-20001151 SEPA Response to ECU00005081
Date: 12 April 2024 09:08:52
Attachments: [image.png](#)
[PCS-20001151 SEPA Response.docx](#)

To Whom It May Concern,

Electricity Works (Environmental Impact Assessment) (Scotland) Regulations
2017

ECU00005081

Strathy South Wind Farm Connection - Overhead Power Line (Section 37 EIA
OHL with a Total Distance 15km)
Highland

Please find attached our response letter.

I trust these comments are of assistance - please do not hesitate to contact me if
you require any further information.

Kind regards,

[REDACTED]
Senior Planning Officer



Disclaimer

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Dh'fhaodadh gum bi am fiosrachadh sa phost-d seo agus ceanglachan sam bith a tha na chois dìomhair, agus cha bu chòir am fiosrachadh a bhith air a chleachdadh le neach sam bith ach an luchd-faighinn a bha còir am fiosrachadh fhaighinn. Chan fhaod neach sam bith eile cothrom fhaighinn air an fhiosrachadh a tha sa phost-d no a tha an cois a' phuist-d, chan fhaod iad lethbhreac a dhèanamh dheth no a chleachdadh arithist. Mura h-ann dhuibhse a tha am post-d seo, feuch gun inns sibh dhuinn sa bhad le bhith cur post-d gu postmaster@sepa.org.uk. Togalach Aonghais Mhic a' Ghobhainn, 6 Craobhraid Parklands, Eurocentral, Baile a' Chuilinn, Siorrachd Lannraig a Tuath, ML1 4WQ. Faodar conaltradh còmhla ri SEPA a sgrùdadh no a chlàradh no a sgaoileadh gus obrachadh èifeachdach an t-siostaim a ghlèidheadh agus airson adhbharan laghail eile.

[REDACTED]
Strategy and Consenting
Scottish Government

Our Ref: PCS-20001151

Your Ref: ECU00005081

SEPA Email Contact:

Planning.north@sepa.org.uk

By email only to: [REDACTED]

12 April 2024

Dear Jennifer Gessler

ELECTRICITY ACT 1989

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

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

Thank you for consulting SEPA for an Environmental Impact Assessment (EIA) scoping opinion in relation to the above development on 5 April 2024.

We would welcome further pre-application engagement from the developer once the layout has developed further in relation to the location of towers and supporting infrastructure.

Advice for the determining authority

Appendix 1 is our generic scoping advice for windfarm developments, nearly all of which is also relevant to a project such as this. We have however supplemented it with the following more specific advice.

1. Site specific comments

- 1.1 Figure 12 indicates that there will be peat or peaty soils over all of the route and therefore from our perspective demonstrating that the proposals meet the requirements of Policy 5 of NPF4 will be of most significance and in this regard we refer the developer to section 3 of the appendix. Peat probing information should be provided so that it is ensured that there is depth information available for all locations where infrastructure – including all temporary construction infrastructure and any borrow pits – is proposed. It should be clearly demonstrated that the cable route corridor, location of individual tower hardstandings and supporting infrastructure such as tracks avoids the areas of deepest peat and any near natural condition habitat. Proposals for peatland compensation/offsetting should be outlined, and in addition proposals for biodiversity gain.
- 1.2 Please make sure that drawings are submitted at a scale that allows the relationship between baseline information - such as buffers to watercourses, habitat type, peatland condition, peat depth - and the infrastructure to be clearly understood. An overarching plan followed by a series of more detailed drawings usually works well.
- 1.3 The submitted habitat survey (which the text of the report suggests is to National Vegetation Classification Standard – but is a Phase 1 Habitat Survey) indicates that the development will have an impact on habitats that are potentially groundwater dependant. The final submission should provide an assessment of whether the habitats are actually groundwater dependant in the area, and mitigation measures to maintain local hydrology where necessary.
- 1.4 In view of the comment in section 6.5.1 of the report we highlight that a buffer of 50 m should be aimed for to protect local water features; we do not consider 10 m suitable.
- 1.5 Please ensure that clear information is provided on the type of access proposed to be used in each area e.g. boards, temporary floating tracks, temporary cut tracks, permanent floating tracks, permanent cut tracks. When there is any doubt, the impact should be assessed based on the poorest environmentally option. Proposals to use existing tracks, or previously disturbed routes is welcome and should be marked on the plans.
- 1.6 To avoid doubt, we defer to NatureScot in relation to advice on impacts on the local designated site.

2. Regulatory advice for the applicant

2.1 Details of regulatory requirements and good practice advice, for example in relation to private drainage, 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: NHNI@sepa.org.uk

If you have queries relating to this letter, please contact us at the email above including our reference number in the email subject.

[REDACTED]
Senior Planning Officer
Planning Service

Ecopy to: [REDACTED]

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/).

Appendix 1: Detailed scoping requirements

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

1. Site layout

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

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

2.1 The site layout should be designed to minimise watercourse crossings and avoid other direct impacts on water features. The submission must include a map showing:

- a) All proposed temporary or permanent infrastructure overlain with all lochs and watercourses.
- b) A minimum buffer of 50m around each loch or watercourse. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse and drawings of what is proposed in terms of engineering works. Measures should be put in place to protect any downstream sensitive receptors.

2.2 Further advice and our best practice guidance are available within the water [engineering](#) section of our website. Guidance on the design of water crossings can be found in our [Construction of River Crossings Good Practice Guide](#).

2.3 Refer to our [Flood Risk Standing Advice](#) for advice on flood risk. Crossings must be designed to accommodate the 0.5% Annual Exceedance Probability flows (with an appropriate allowance for climate change), or information provided to justify smaller structures. If it is considered the development could result in an increased risk of flooding to a nearby receptor then a Flood Risk Assessment (FRA) must be submitted. Our [Technical flood risk guidance for stakeholders](#) outlines the information we require to be submitted in an FRA. Please also refer to [Controlled Activities Regulations \(CAR\) Flood Risk Standing Advice for Engineering, Discharge and Impoundment Activities](#).

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

3.1 Where proposals are on peatland or carbon rich soils the following should be submitted to address the requirements of NPF4 Policy 5:

- a) layout plans showing all permanent and temporary infrastructure, with extent of excavation required, which clearly demonstrates how the mitigation hierarchy outlined in NPF4 has been applied. These plans should be overlaid on:
 - i. peat depth survey (showing peat probe locations, colour coded using distinct colours for each depth category and annotated at a usable scale)
 - ii. peat depth survey showing interpolated peat depths
 - iii. peatland condition mapping
 - iv. National Vegetation Classification survey (NVC) habitat mapping.
- b) an outline Peat Management Plan (PMP).
- c) an outline Habitat Management Plan (HMP)

Detailed advice on (a) above - Development design in line with the mitigation hierarchy

3.2 In order to protect peatland and limit carbon emissions from carbon rich soils, the submission should demonstrate that proposals:

- Avoid peatland in near natural condition, as this has the lowest greenhouse gas emissions of all peatland condition categories;

- Minimise the total area and volume of peat disturbance. Clearly demonstrate how the infrastructure layout design has targeted areas where carbon rich soils are absent or the shallowest peat reasonably practicable. Avoid peat > 1m depth;
- Minimise impact on local hydrology; and
- Include adequate peat probing information to inform the site layout and demonstrate that the above has been achieved. As a minimum this should follow the requirements of the [Peatland Survey – Guidance on Developments on Peatland \(2017\)](#).

3.3 [The Peatland Condition Assessment](#) photographic guide lists the criteria for each condition category and illustrates how to identify each condition category. This should be used to identify peatland in near natural condition and can be helpful in identifying areas where peatland restoration could be carried out.

3.4 In line with the requirements of Policy 5d of NPF4, the development proposal should include plans to restore and/or enhance the site into a functioning peatland system capable of achieving carbon sequestration.

Detailed advice on (b) above - The outline PMP should also include:

- Information on peatland condition.
- Information demonstrating avoidance and minimisation of peat disturbance.
- Excavation volumes of acrotelmic, catotelmic and amorphous peat. These should include a contingency factor to consider variables such as bulking and uncertainties in the estimation of peat volumes.
- Proposals for temporary storage and handling.
- Reuse volumes in different elements of site reinstatement and restoration.

3.5 Handling and temporary storage of peat should be minimised. Catotelmic peat should be kept wet, covered by vegetated turves and re-used in its final location immediately after excavation. It is not suitable for use in verge reinstatement, re-profiling/ landscaping, spreading, mixing with mineral soils or use in bunds.

3.6 Disposal of peat is not acceptable. It should be clearly demonstrated that all peat disturbed by the development can be used in site reinstatement (making good areas which have been disturbed by the development) or peatland restoration (using disturbed peat for habitat restoration or improvement works in areas not directly impacted by the

development, which may need to include locations outwith the development boundary).

- 3.7 The faces of cut batters, especially in peat over 1m, should be sealed to reduce water loss of the surrounding peat habitats, which will lead to indirect loss of habitat and release of greenhouse gases. This may be achieved by compression of the peat to create an impermeable subsurface barrier, or where slope angle is sufficiently low, by revegetation of the cut surface.

Detailed advice on (c) above - The outline HMP should include:

- Proposals for reuse of disturbed peat in habitat restoration, if relevant.
 - Details of restoration to compensate for the area of peatland habitat directly and indirectly impacted by the development.
 - Outline proposals for peatland enhancement in other areas of the site.
 - Monitoring proposals.
- 3.8 To support the principle of peat reuse in restoration the applicant should demonstrate that they have identified locations where the addition of excavated peat will enhance the wider site into a functional peatland system capable of achieving carbon sequestration. The following information is required:
- Location plan of the proposed peatland re-use restoration area(s), clearly showing the size of individual areas and the total area to be restored.
 - Photographs, aerial imagery, or surveys to demonstrate that the area identified is appropriate for peat re-use and can support carbon sequestration. This should include consideration of an appropriate hydrological setting and baseline peatland condition.
- 3.9 In addition, if any proposed re-use restoration areas are outwith the ownership of the applicant, information should be provided to demonstrate agreement in principle with the landowner, including agreed timescales for commencement of the works, and proposed management measures to ensure the restored areas can be safeguarded in perpetuity as a peatland.
- 3.10 NatureScot's [technical compendium of peatland restoration techniques](#) provides a useful overview of the procedural and technical requirements for peatland restoration.

4. Disruption to GWDTE and existing groundwater abstractions

4.1 Groundwater Dependent Terrestrial Ecosystems (GWDTE) are protected under the Water Framework Directive. Excavations and other construction works can disrupt groundwater flow and impact on GWDTE and existing groundwater abstractions. The layout and design of the development must avoid impacts on such areas. A National Vegetation Classification survey which includes the following information should be submitted:

- a) A map demonstrating all GWDTE and existing groundwater abstractions are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. The survey needs to extend beyond the site boundary where the distances require it.
- b) If the minimum buffers cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. Please refer to [Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems](#) for further advice and the minimum information we require to be submitted.

5. Forest removal and forest waste

5.1 If forestry is present on the site, we prefer a site layout which avoids large scale felling as this can result in large amounts of waste material and a peak in release of nutrients which can affect local water quality. The submission must include a map with the boundaries of where felling will take place and a description of what is proposed for this timber in accordance with [Use of Trees Cleared to Facilitate Development on Afforested Land – Joint Guidance from SEPA, SNH and FCS](#).

6. Borrow pits

6.1 The following information should also be submitted for each borrow pit:

- a) A map showing the location, size, depths and dimensions.
- b) A map showing any stocks of rock, overburden, soils and temporary and permanent infrastructure including tracks, buildings, oil storage, pipes and drainage, overlain with all lochs and watercourses to a distance of 250m. You need to demonstrate that a site specific proportionate buffer can be achieved. On this map, a site-specific buffer must be drawn around each loch or watercourse proportionate to the depth of excavations and at least 10m from access tracks.

- c) Sections and plans detailing how restoration will be progressed including the phasing, profiles, depths and types of material to be used.

7. Pollution prevention and environmental management

- 7.1 A schedule of mitigation supported by the above site specific maps and plans must be submitted. These must include reference to best practice pollution prevention and construction techniques (for example, limiting the maximum area to be stripped of soils at any one time) and regulatory requirements. They should set out the daily responsibilities of Ecological Clerk of Works, how site inspections will be recorded and acted upon and proposals for a planning monitoring enforcement officer. Please refer to the [Guidance for Pollution Prevention](#) (GPPs) and our [water run-off from construction sites webpage](#) for more information.

[REDACTED]
Energy Consents Unit

By Email: [REDACTED]

26 April 2024

Your Ref: 05081

Our Ref: CEA 174960

Dear Ms Gessler

Electricity Act 1989

**The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Strathy South Wind Farm / Connagill Cluster – 132/275kV OHL - Section 37 Scoping**

Thank you for email dated 5 April 2024, requesting our comments on this scoping consultation.

1. Summary

The proposed Overhead Line (OHL) route could have adverse impact on site integrity for European Protected Areas, therefore we may object. However, the alternative OHL route could avoid these impacts, but both routes fall within the proposed Flow Country World Heritage Site.

The key issues to address within the Environmental Impact Assessment (EIA) include:

- The likely adverse impacts upon [REDACTED] linked to the Caithness & Sutherland Peatlands SPA/Ramsar Site.
- Possible impacts on the Caithness & Sutherland Peatlands SAC (e.g. otter and peatland habitats)
- Flow Country World Heritage Site (proposed)
- Peatland (wider countryside)

2. Background

We responded to an SSEN pre-application request on the Connagill Cluster in February 2024, providing pre-application scoping comments, which usefully feature as Annex A to this response. We are not aware that this development was presented or discussed at Highland Council Major Pre-apps, in advance of formal scoping.

Although the OHL is to facilitate 132kV, there is some indication that it may support a 275kV line instead which requires much taller pylons, which we believe could be up to 60m in height, see further comments below.

3. Our comments on Scoping

3.1 Protected Areas

The development abuts the boundary of the Caithness & Sutherland Peatlands SPA protected for its upland birds. Most of the preferred OHL route abuts the boundary of the Caithness & Sutherland Peatlands SAC protected for otter and peatland habitats, etc, with a small proportion falling within the boundary (see Annex A).

This proposal also lies directly adjacent to the north end of West Halladale Site of Special Scientific Interest (SSSI), protected for its blanket bog, black-throated diver, common scoter and breeding bird assemblage. The Caithness & Sutherland Peatlands Ramsar Site is protected for its bog habitat, breeding birds and dunlin.

a) Caithness & Sutherland Peatlands SPA/Ramsar Site

Divers:

We recommend that barrier and displacement effects are scoped in for assessment, in addition to an assessment of collision potential. A bespoke appraisal of diver risk¹ could be conducted to inform a shadow Habitats Regulation Appraisal, but this may just show that using the alternative route would avoid potential risks to SPA [REDACTED]. We can provide more detailed advice on this in due course.

The favoured OHL route has potential to cause barrier and displacement effects [REDACTED] within the SPA, all of which are close to the favoured OHL route (c. <750m distance); this involves four lochans between Loch Baligill and Lochan Coulbackie. Figure 6 provided within this Scoping Report shows only [REDACTED], but by adding knowledge from other wind farms nearby (as intimated within previous advice, see Annex A), it provides a much clearer picture of use, involving more SPA [REDACTED] and their supporting habitats that could potentially be affected.

The maximum potential height of the proposed OHL pylon towers will create a new infrastructure feature close to SPA lochs which [REDACTED] may not be able to cope with, compared to the existing low scale 132kV trident line. As an example, [REDACTED] will need to gain height before attempting to fly north over the OHL (towards the sea), combined with any topographical features, which may raise its relative height further. Therefore, due to the closeness of SPA lochs, there is uncertainty whether they can gain enough height quick enough (in varying weather conditions) to clear the lines. This has the potential to make breeding lochs less favoured or just unsuitable for future use, as result of the proposed development.

We recommend greater clarity within the EIA report of pylon towers to be used for this proposal. For example, the L8 type pylon within the Scoping Report is shown at a height of 46m. Yet, we believe that new 275kV pylons could be 44-60m in height, with 132kV's typically between 25-40m. Therefore, does this mean that L8 type pylons could be up to a maximum of 60m in height, or will their maximum height be 46m? We recommend that pylon dimensions are clarified, including any range variability with maximum height provided as part of SPA appraisals, [REDACTED]

It does not appear to be overly clear if Vantage Point surveys have been undertaken as part of survey work mentioned within 7.2.3. We note there is no viewshed map presented showing the extent of coverage along both the proposed and alternative development. Clarity on this issue will be important during this pre-application stage. We can provide further advice on this if required. We note that no/little survey information has been provided for the alternative route, unfortunately. We assume that ecological information will underpin an assessment for both routes within the EIA Report.

¹ For example, see *Lairg to Loch Bhuidhe (132kV) OHL: Appraisal of Black-throated diver collision risk (July 2019)*.

Best Practice Guidance indicates that compared to collision potential, the effects of disturbance and displacement effects from power line developments is poorly understood. In addition, best practice measures also recommend that Protected Areas for their birds should be avoided through careful routing to minimise impacts wherever possible. See *Assessment and mitigation of impacts to powerlines and guyed meteorological masts on birds*; <https://www.nature.scot/doc/guidance-assessment-and-mitigation-impacts-power-lines-and-guyed-meteorological-masts-birds#3.+Pre-Survey+Considerations+for+Power+Line+Routing>.

Common scoter:

Therefore, there is potential for them to be used again in the near future. For example, we are aware that common scoter has very recently bred [REDACTED]. Therefore, this species should not necessarily be discounted at northern component SPA sites, such as this one.

On the above basis, we recommend that common scoters & their lochans are thoroughly assessed through the HRA process for this development. This should include collision potential, potential barrier effects, displacement effects and disturbance in context to a new overhead pylon line.

The Conservation Objectives and other standard information for this SPA can be found on Site Link, see: <https://sitelink.nature.scot/site/8476>.

b) Caithness & Sutherland Peatlands SAC

Otter:

We note that most of the otter survey results have hydrological connectivity to this SAC. Therefore, any otters and their shelters, which might be affected are most likely to be linked with this SAC, even if they are found outwith it. We note that no otter survey information has been provided for the alternative route, unfortunately.

Assessments should be carried out to inform the level of impact to otters, ensuring works do not undermine the potential for SAC otter restoration, see <https://apps.snh.gov.uk/sitelink-api/v1/sites/8218/documents/66>. Holts and lie-up sites close to the OHL route should be protected within the concept of a Species Protection Plan (SPP). See our otter guidance for further information and feel free to contact us, should you need more site specific advice for any monitoring/camera trap work at holt sites; <https://www.nature.scot/doc/standing-advice-planning-consultations-otters>.

Peatland habitats (e.g. wet heath, etc.) & bog:

See our previous comments within Annex A. In addition, we recommend that deer are taken into consideration in context to any potential increase in trampling effects to peatland SAC habitats, because of construction works. This should feature within the shadow HRA. For more information, see <https://www.nature.scot/doc/guidance-planning-and-development-what-consider-and-include-deer-assessment-and-management>.

Clear-water lakes or lochs:

We welcome that this SAC feature is to be scoped-in due to the proximity of qualifying lochs relatively close to the favoured OHL route. This SAC feature has potential to be scoped-out if the alternative OHL route is progressed. We can provide further advice on this if required.

For more information on SAC features, and updated restoration Conservation Objectives (e.g. for blanket bog, wet heath and otter), see the Conservation Advice document; <https://apps.snh.gov.uk/sitelink-api/v1/sites/8218/documents/66>.

c) Flow Country World Heritage (WHS) Site (proposed)

We note that many of the wind farm developments which have generated the need for this proposal also fall firmly within the WHS too, which may potentially negate the need for this project if they are refused planning permission. We have a remit to advise on the WHS but any decision of approval, or not, rests with the decision maker, so SSEN should be fully aware of project viability and risk in this regard.

The Outstanding Universal Value (OUV) of the site encompasses several attributes, such as bog habitat and bird assemblage. More details on this are available from the Highland Council website, including their Planning Position Statement, see:

https://www.highland.gov.uk/directory_record/1979671/flow_country_candidate_world_heritage_site_planning_position_statement. See Annex A for more information.

d) West Halladale SSSI

Any potential impacts to the SSSI bog habitat, black-throated diver, common scoter and breeding bird assemblage, should be assessed and presented within the EIAR. The breeding bird assemblage species list to be considered is “Upland moorland with water bodies”, see <https://hub.jncc.gov.uk/assets/16bd76ad-bb74-4724-9e06-5df02b459524>. At present, all the SSSI features, other than common scoter, have favourable condition status.

An assessment of effects should be undertaken for all SSSI features (as above), indicating any potential impacts and the likely duration of these. We would welcome avoidance and mitigation measures to reduce any potential impacts to nationally important interests.

3.2 Peatland & priority peatland habitats – wider countryside

In context to NPF4 (policy 3), it will be important for applications to clearly distinguish between those actions mitigating / compensating for adverse impacts (i.e. within an HMP), and actions proposed to enhance (i.e. within a NEMP).

Annex 1 of our Peatland Guidance (updated Nov 2023) provides a template for inclusion within the EIAR to help provide an understanding on peatland quality that may be impacted by the development. We recommend that this is completed and included, see;

<https://www.nature.scot/doc/advising-peatland-carbon-rich-soils-and-priority-peatland-habitats-development-management>. Annex 2 presents some useful information on restoration that can be included within a Habitat Management Plan, or BNG Plan.

3.3 Enhancement / Biodiversity Net Gain

We welcome SSEN’s biodiversity commitment to protect and enhance the environment and look forward to seeing enhancement measures in due course. Any enhancement plans should be presented in full within the EIA, allowing complete assessments to be undertaken in context to Habitat Regulation Appraisals (HRAs).

For SSEN’s interest, latest published research (December 2023) on breeding common scoter (SPA/SSSI) identifies ‘lowering predation risk’ to nesting females as being an important factor to help healthy scoter populations. Other ground nesting peatland breeding birds (SSSI) may also benefit from similar outcomes, such as divers, hen harrier, golden plover and curlew, for example.

3.4 Landscape

We support further exploration of the Alternative Development route option. At this stage, we consider the Alternative Development may result in adverse landscape and visual effects on the north coast between Melvich and Strathy, in particular where the line is sited in close proximity to the A836, Melvich and the Farr Bay, Strathy and Portskerra SLA. However, we do not consider the effects would be of a magnitude as to significantly erode the distinctive character of Scotland’s North Coast.

We advise that careful siting and design is required due to the sensitivity of this landscape and would like to be notified of further options/changes if Melvich Wind Energy Hub is not granted consent, as this may merit further advice from us.

Proposed development: This development is sited further inland than the alternative route option and would not encroach on the narrow band of transition between intimate, settled coast and sweeping moorland which we consider to be of high sensitivity to developments of this type.

Though the ZTV shows some visibility from Melvich and the A836, the development would be viewed at distances of 1.5km and above. Thus, the landscape and visual impacts effects on the distinctive coastline are not expected to be significant.

Alternative development: The alternative route is expected to be visible from the A836 due to the open nature of the landscape (though there is no ZTV to confirm), impacting on views along the coast and the experience of the popular NC500. We consider the alternative overhead line would intensify the influence of energy infrastructure where it is sited within proximity to the A836; Melvich and the Farr Bay, Strathy and Portskerra SLA. Furthermore, the routing of the alternative development would be likely to result in a more visually complex line where it 'turns' at Alltan Domhaich and may appear to overlap (from the A836), eroding the simplicity of the moorland backdrop.

We therefore consider that the Alternative Development, subject to Melvich Energy Hub gaining consent, would be likely to result in some significant landscape and visual effects though these would not be of a degree to erode the distinctive character of Scotland's North Coast². We previously advised that Melvich Wind Farm would significantly affect the distinctive landscape of Scotland's 'North Coast', eroding both its distinctive character and the strong sense of place provided by this coastal landscape.

4. Concluding comments

Although produced mainly for wind farm developments, we recommend that our updated Pre-application Advice (Feb, 2024); <https://www.nature.scot/doc/naturescot-pre-application-guidance-onshore-wind-farms>, can usefully inform this proposal going forward.

Please let me know if you need clarification or any further information following our advice.

Yours sincerely


Operations Officer - North.

[Please see Annex A & B below]

² See our comments on the alternative route in context to European Protected Areas.

Annex A – Pre-application Scoping comments to SSEN (Feb 2024)

Consents and Environment Manager
SSEN Transmission

Your ref: Consultation Document
Our ref: CDM173555
7 February 2024

Dear Mr Harris,

Connagill Cluster Grid Connections – Consultation Document LT230 / LT319 / LT559 / LT560 / LT000421

Thank you for your consultation document of December 2023 requesting comments on the proposals to construct new transmission infrastructure to connect five consented and/or proposed wind farms to the existing transmission network at Connagill substation. Thank you for agreeing to an extension to the consultation.

NatureScot comments and feedback

In answer to the consultation questions we have the following comments:

- We consider that the need for these Projects has been adequately explained.
- We consider that sufficient information has been provided to enable us to understand what is being proposed and why.
- We are satisfied that your approach taken has been adequately explained.

With respect to the last two consultation questions, we have the following advice/comments regarding development advice, protected areas, and the proposed Flow Country World Heritage Site.

NatureScot guidance

We refer to our planning and development advice on our website for ‘Advising on peatland, carbon-rich soils and priority peatland habitats in development management’ and ‘Enhancing biodiversity’ which you may find helpful:

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

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

Protected Areas

Caithness and Sutherland Peatlands Special Area of Conservation (SAC)

The most likely habitats to be affected are wet heathland with cross-leaved heath and blanket bog. There are several options for the location of the proposed overhead line (OHL) at Strathy Wood, with one avoiding the SAC and others within it. In principle, we would advise any disturbance to take place outside the SAC (i.e. Route Option SS-SN3) in order to maintain the SAC Conservation Objectives (see below). Proposed OHL through the SAC would be very challenging and we would encourage alternative routes.

Conservation Objectives:

ANNEX I HABITATS

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

Qualifying feature	2a. Extent and distribution	2b. Structure, function and supporting processes	2c. Distribution and viability of typical species
Clear-water lakes or lochs with aquatic vegetation	Maintain	Restore	Restore

and poor to moderate nutrient levels [H3130]			
Acid peat-stained lakes and ponds (also known as 'dubh lochans') [H3160]	Maintain	Maintain	Maintain
Wet heathland with cross-leaved heath [H4010]	Maintain	Restore	Restore
Blanket bog* [H7130]	Maintain	Restore	Restore
Very wet mires often identified by an unstable 'quaking' surface (also known as 'ladder fen') [H7140]	Maintain	Restore	Restore
Depressions on peat substrates [H7150]	Maintain	Restore	Maintain

* Indicates a Habitats Directive Priority Habitat

ANNEX II SPECIES

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

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

Additional Information

For us to consider the proposals further we will require the following information so that we can comment with regards to NPF4 and our remit for protected areas. The information we require will include:

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

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

Caithness and Sutherland Peatlands Special Protection Area (SPA)

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

We advise that the proposed and consented wind farms which are to be connected by this project will provide useful information with respect to SPA species distribution and movement and recommend that they are consulted.

Conservation Objectives:

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

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

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

Proposed Flow Country World Heritage Site (WHS)

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

As the proposals lie within Class 1 and Class 2 peatland habitats we advise that:

- The proposed projects may result in loss of blanket bog and wet heath habitat within the proposed WHS.
- The proposal may result in impacts on the population and distribution of birds within the proposed WHS without mitigation.

We advise that NVC habitat survey within the connection projects route corridors will provide a greater understanding of likely impacts with respect to the proposed WHS.

Again, we advise that the proposed and consented wind farms which are to be connected by this project will provide useful information with respect to bird distribution and movement in their vicinities and recommend that they are consulted.

The Highland Council has produced a toolkit for developers to use in assessments to consider impacts to the WHS. The toolkit may be found at:

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

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

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

We hope that the above is useful to you and would be happy to discuss further. Please let me know if you require any further information or advice in relation to this proposal.

Yours sincerely,

Operation Officer – North

Annex B – Key Scoping Questions – Section 12 of Scoping Report***i. What environmental information do you hold or are aware of that will assist in the EIA described here?***

It is likely that neighbouring wind farm development survey work, already mentioned within the Scoping Report, will form a useful baseline assessment (including relevant confidential information). This will also provide slightly wider spatial context along the linear route for ornithological sensitivity, ensuring a better understanding of breeding [REDACTED]

[REDACTED] I believe that we do hold some common scoter data, but this may already be presented confidentially within nearby wind farm EIA Reports.

ii. Do you agree with proposed approach for baseline collection and that the range of surveys is sufficient to inform the assessment of effects?

The Scoping Report is light on detail to inform the level of bird survey work undertaken to date for both the proposed development and the alternative; see our comments above. We would welcome greater clarity on this in due course.

iii. Is there any other relevant existing baseline data that should be taken into account?

See our comments in i) as above.

iv. Are there key issues or possible effects which have been omitted?

See our comments on assessing the potential barrier and displacement effects to SPA [REDACTED] This will be critical and already indicates more emphasis should be considered for the alternative development, if indeed there is a requirement for this development proposal at all.

It's not clear if the development will result in an access track being formed around the top edge of the West Halladale SSSI which may have potential to cause residual disturbance issues and may even inadvertently provide an 'easy' access route to SPA lochs by ground predators (e.g. pine marten). Clarity on this issue would be welcomed.

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

For the alternative route, we agree that North Caithness Cliffs SPA (for peregrine) is scoped in for assessment. The topics to be scoped out (Section 11) do not fall within our remit.

From: [REDACTED]
To: [REDACTED]
Subject: Request for Scoping Opinion for proposed section 37 application Strathy South Wind Farm Connection, ECU00005081 WID13398
Date: 10 April 2024 12:10:26
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

OUR REF:- WID13398

Good afternoon [REDACTED]

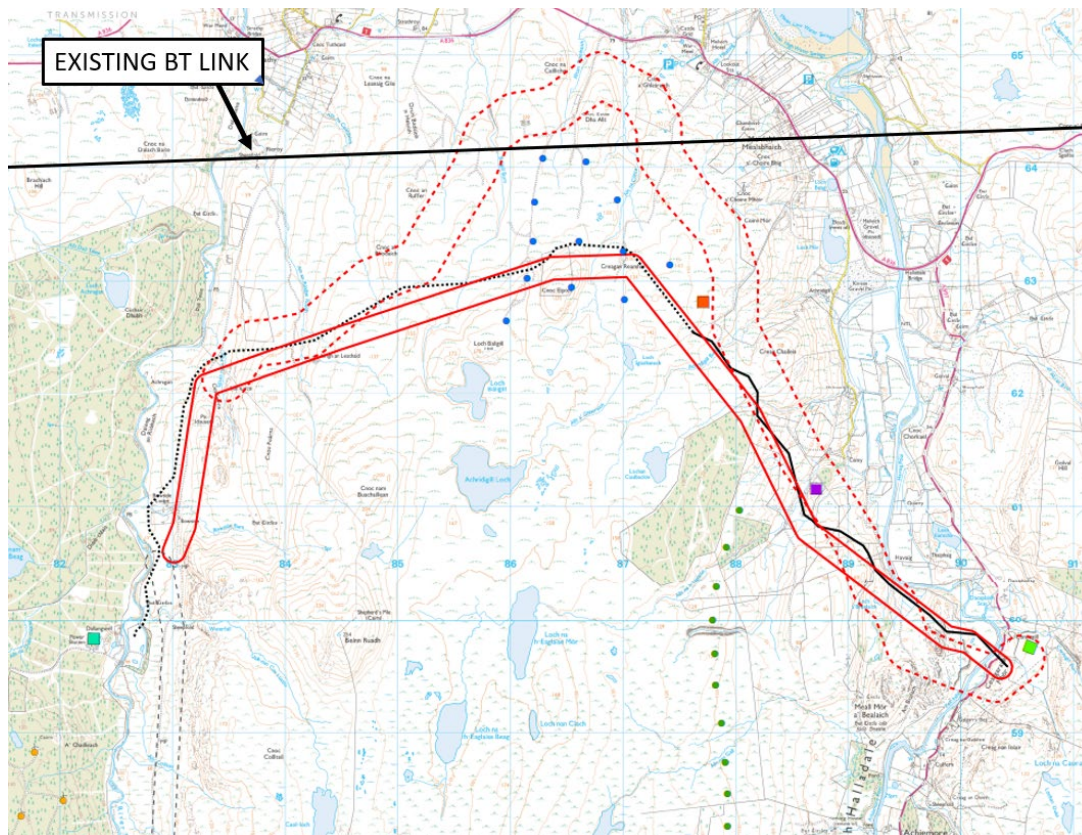
Thank you for your email dated 05/04/2024

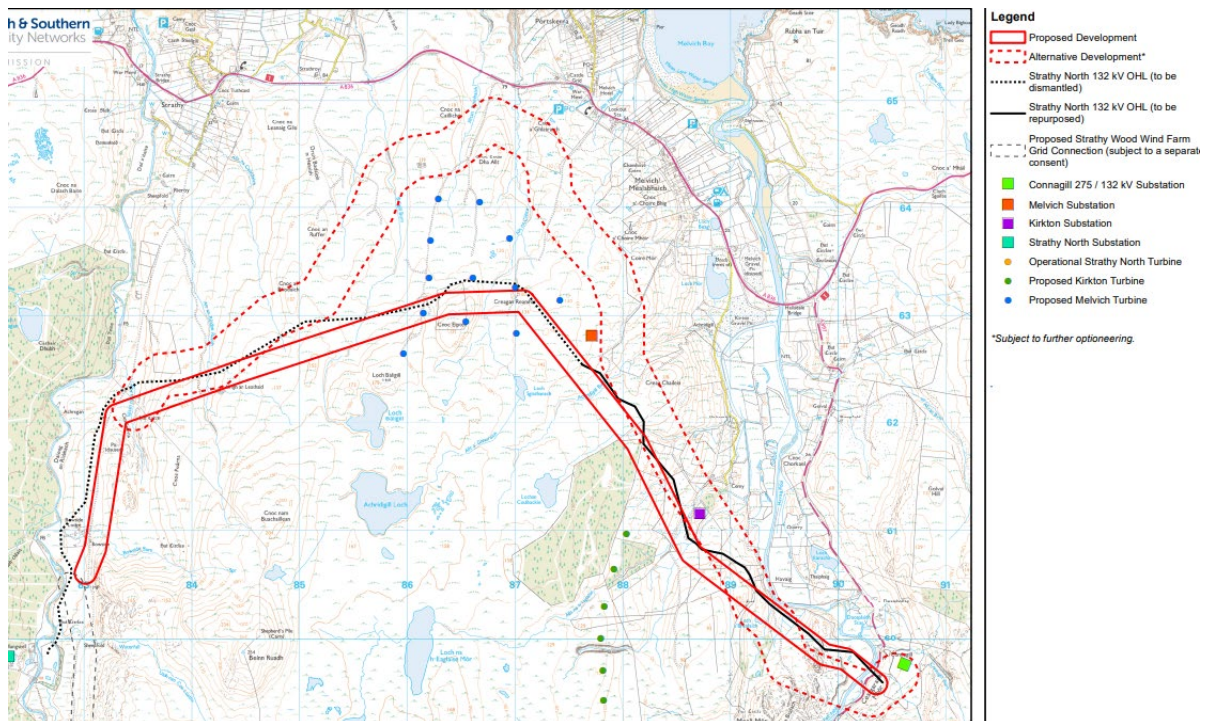
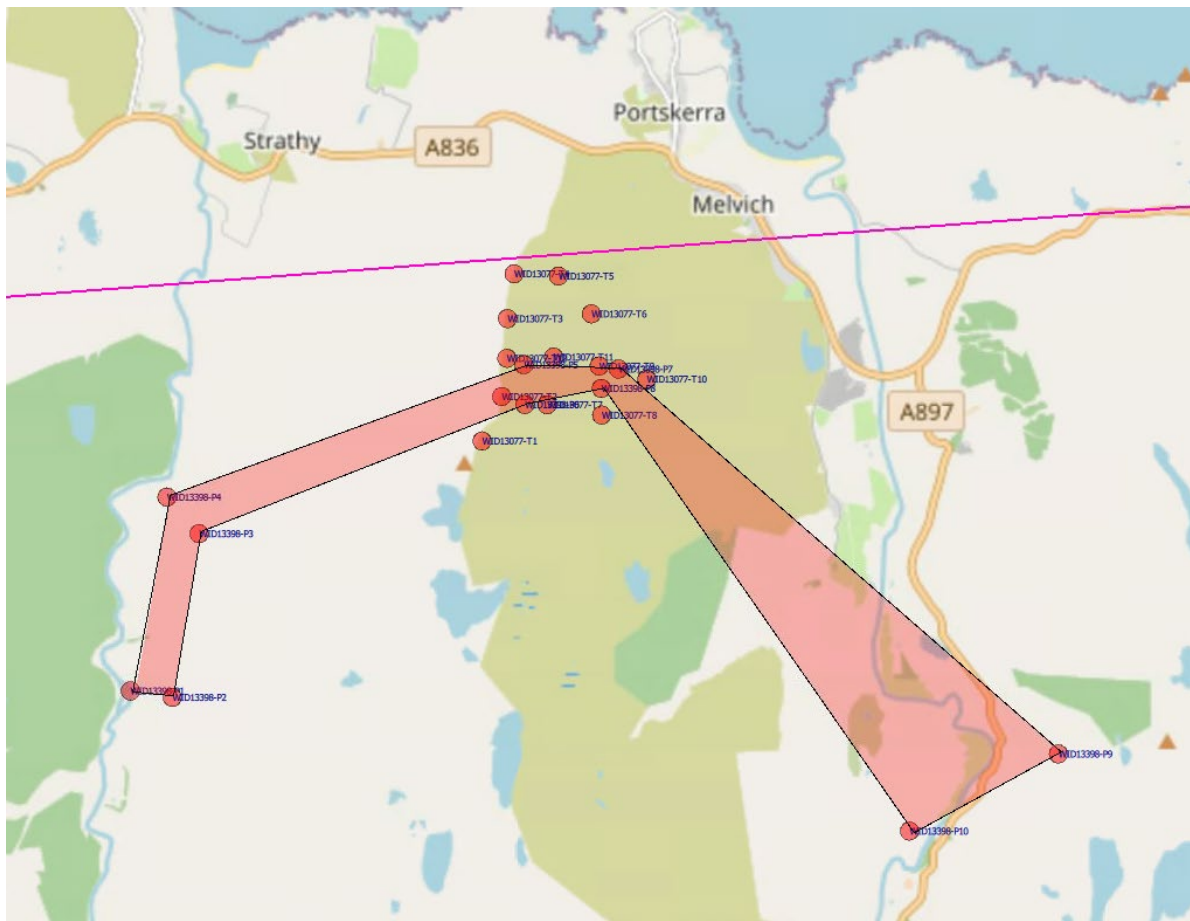
We have studied the proposed development for the installation of OHL with respect to EMC and related problems to BT point-to-point microwave radio links.

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

However, the proposed 'alternative' development could cause interference, therefore if the alternate route is adopted, then please provide grid-ref's of all proposed structures of height and we'll happily re-assess

Kind Regards





From: [REDACTED]
Sent: Friday, April 5, 2024 11:45 AM
Subject: Request for Scoping Opinion for proposed section 37 application Strathy South Wind Farm Connection, ECU00005081

From: [REDACTED]
To: [REDACTED]
Subject: Additional information - Scoping Opinion for proposed section 37 application Strathy South Wind Farm Connection, ECU00005081 WID13398
Date: 02 May 2024 16:07:23
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

OUR REF:- WID13398

Good afternoon [REDACTED]

Thank you for your email dated 25/04/2024

Using the 57 co-ordinates provided we have studied the proposed development with respect to EMC and related problems to BT point-to-point microwave radio links.

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

However, structure 48, grid-ref 287210/964242 will be 60m from a BT fixed link.

Taking into account the L8 lattice tower has an arm of 17m, then 8.5m would further reduce the buffer zone, leaving 51.5m

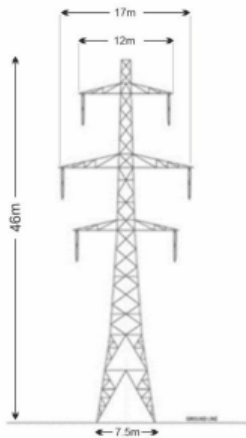
The ground altitude at structure 48 is 102m + 46m tower height = 148m

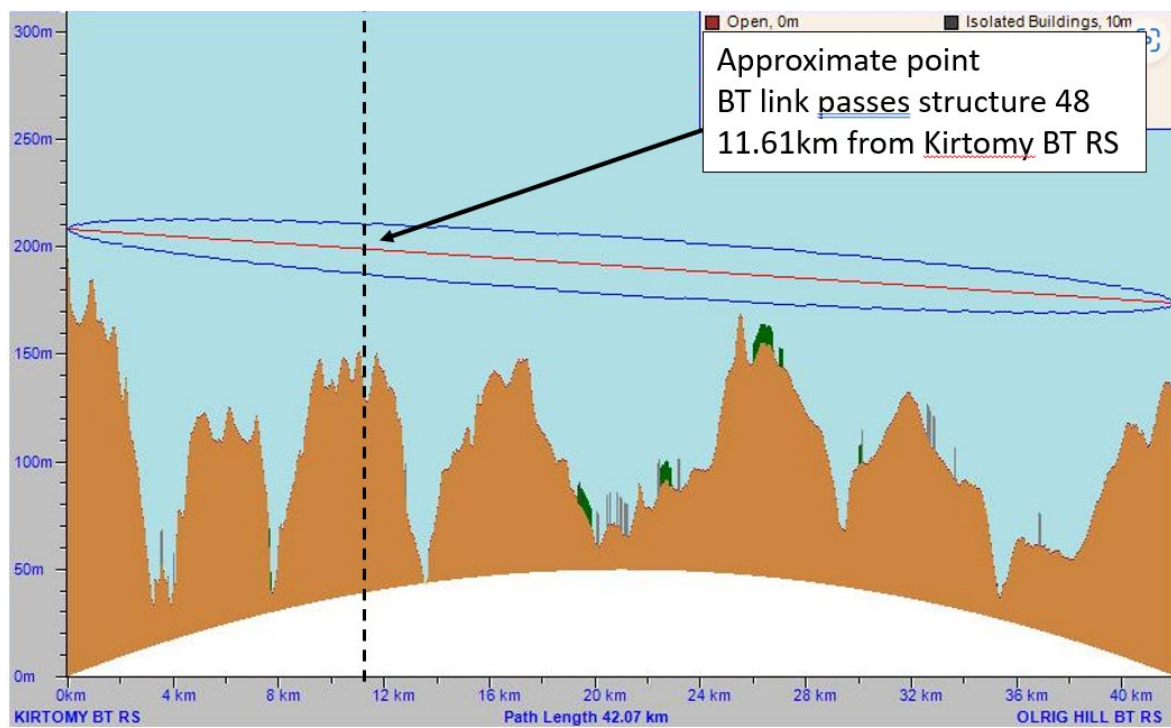
BT's fixed link passes above this height.

If the proposed grid-ref's do change at all, please inform us so we can re-assess

Kind Regards

[REDACTED]





From: [REDACTED]
Sent: Thursday, April 25, 2024 4:59 PM
To: radionetworkprotection <[REDACTED]>
Subject: Additional information - Scoping Opinion for proposed section 37 application Strathly South Wind Farm Connection, ECU00005081 WID13398

From: [REDACTED]
Sent: Wednesday, April 10, 2024 12:09 PM
To: [REDACTED]
Subject: Request for Scoping Opinion for proposed section 37 application Strathy South Wind Farm Connection, ECU00005081 WID13398

OUR REF:- WID13398

Good afternoon [REDACTED]

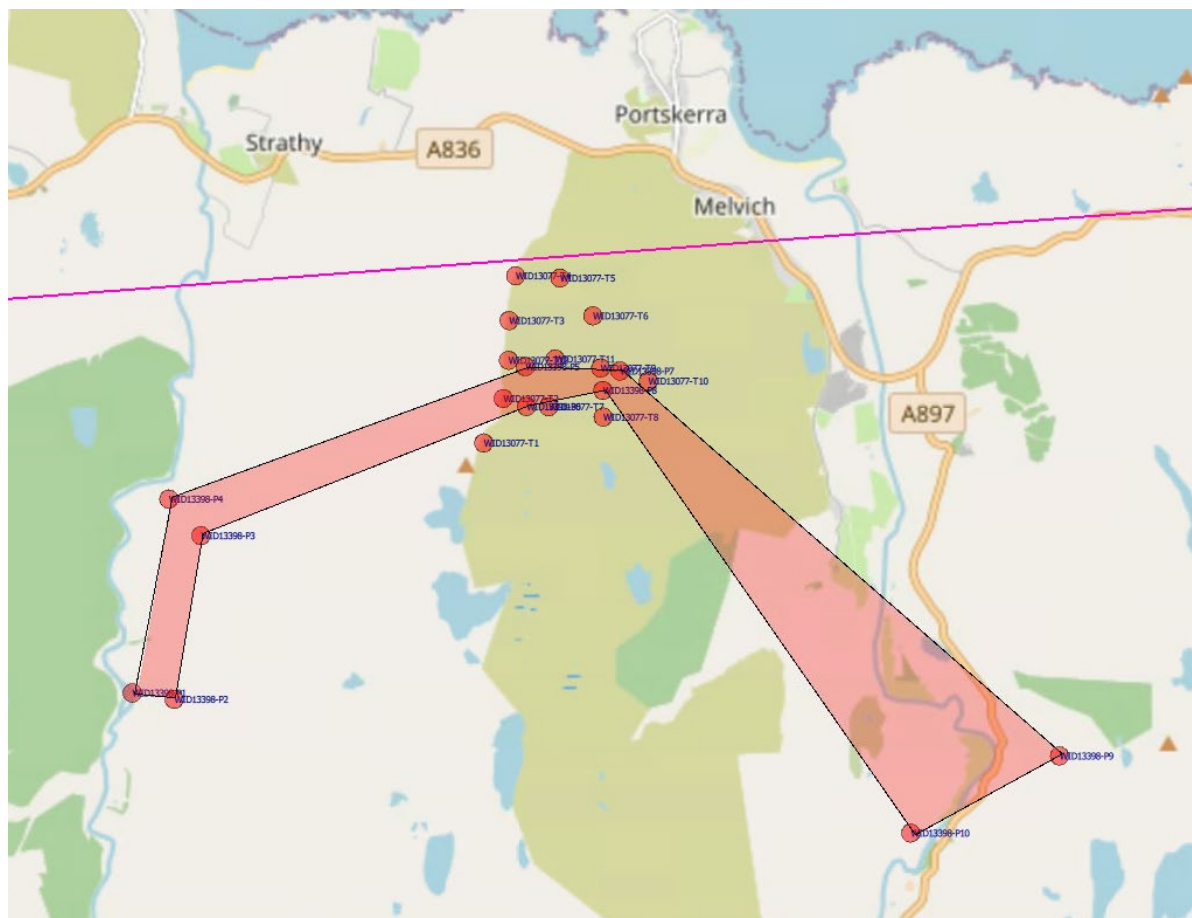
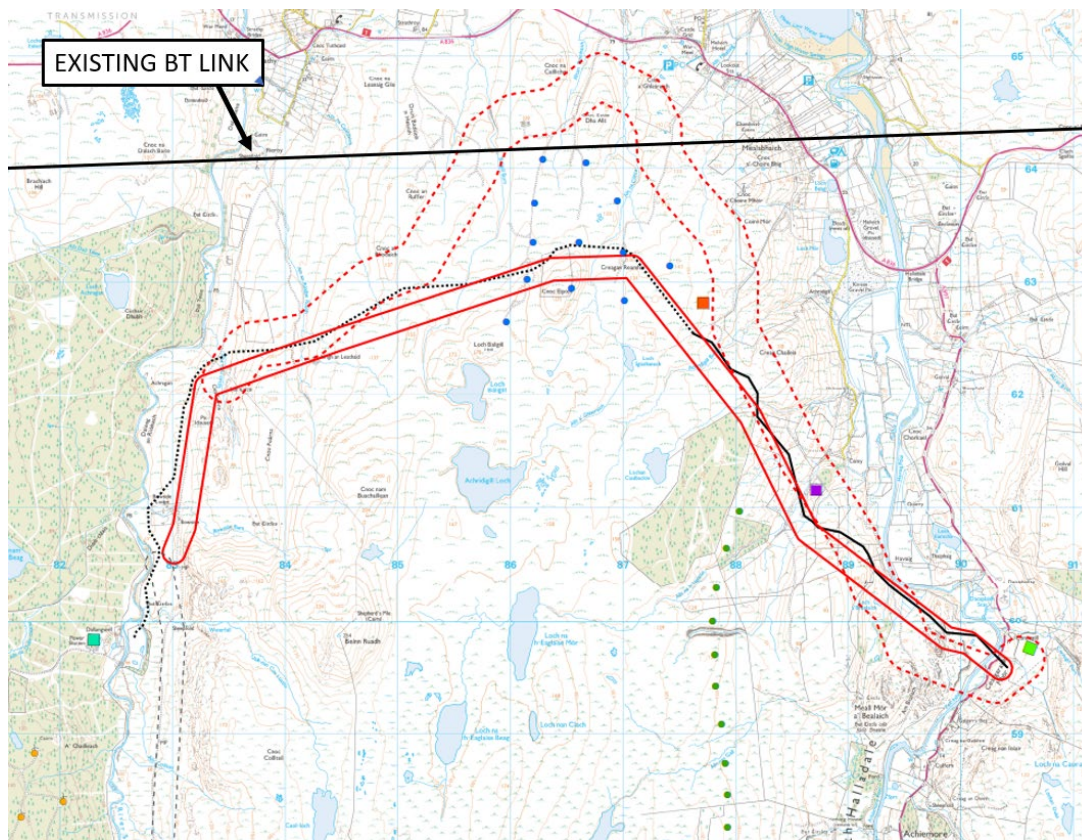
Thank you for your email dated 05/04/2024

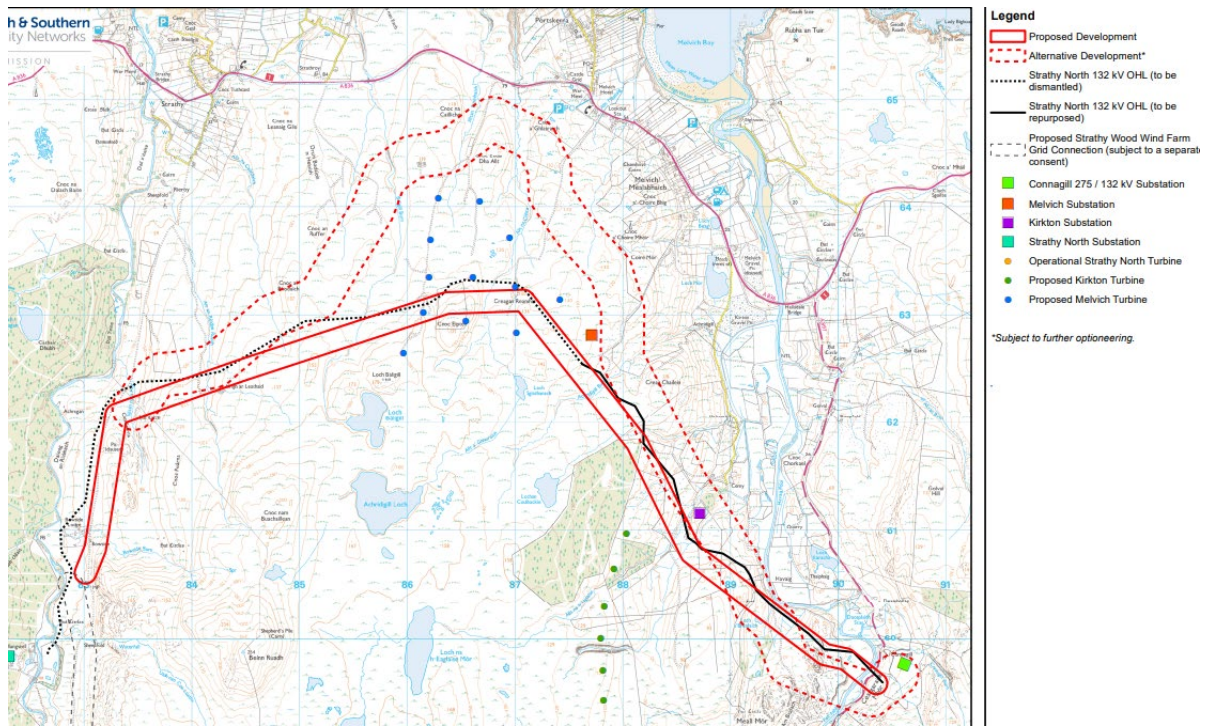
We have studied the proposed development for the installation of OHL with respect to EMC and related problems to BT point-to-point microwave radio links.

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

However, the proposed 'alternative' development could cause interference, therefore if the alternate route is adopted, then please provide grid-ref's of all proposed structures of height and we'll happily re-assess

Kind Regards
[REDACTED]







Defence Infrastructure Organisation

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

Your Reference: ECU00005081

MoD Telephone [REDACTED]

Our Reference: DIO10062487

[REDACTED]
Scottish Government (Energy Consents Unit)
5 Atlantic Quay
150 Broomielaw
GLASGOW
G2 8LU

16 April 2024

Dear [REDACTED]

MOD Safeguarding – SITE OUTSIDE SAFEGUARDING AREA (SOSA)

Proposal: Development will comprise approximately 11km of Steel Lattice double circuit from the end of the Strathy Wood to Strathy North Steel Lattice circuit near to Strathy North to Connagill substation. One side of this circuit will carry Strathy North and Strathy Wood and the other Strathy South and Armadale (which will be T connected near to a new Switching Station). Additionally, it will include the removal of the existing WP from near Strathy North to near Melvich following energisation of the new Steel Lattice. Some of this circuit may be built to 275kV specification but initially operated at 132kV. This will facilitate the connection of Strathy South, Armadale, Melvich and Kirkton.

Location: Approximately 2 km south of Strathy and 1.5 km south of Melvich, Sutherland, in the Highlands of Scotland

Grid Ref:	Strathy North "T"	Easting: 283012	Northing: 960607
	North west point	Easting: 283339	Northing: 962284
	North east point	Easting: 286787	Northing: 963255
	Connagill substation	Easting: 290632	Northing: 959804

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 proposed introduction of approximately 10.5km of 132kV Overhead Powerline (for futureproofing some of which will be capable of operating at 275kV) supported on 28m and 46m electricity towers.

Low Flying

In this case the development falls within Low Flying Area 14 (LFA 14), an area within which military aircraft may conduct low level flight training. The addition of a development featuring tall or narrow profile structures such as electricity towers in this locality has the potential to introduce a physical obstruction to low flying aircraft operating in the area.

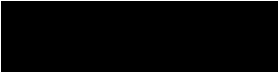

To address this impact, and given the location and scale of the development, the MOD will require that a condition is added to any consent issued requiring that sufficient data is submitted to ensure that structures can be accurately charted to allow deconfliction.

At this consultation stage, where details for the final route, design and/or maximum height of the proposed development have not been determined, MOD representations are limited to the principle of the development only. In summary the MOD has concerns, and 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 "Strathy South Wind Farm Grid Connection Environmental Impact Assessment: Scoping Report" and "Figure 1 – Site Context with Proposed and Alternative Developments" dated March 2024 and February 2024 respectively. 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



Assistant Safeguarding Manager
DIO Safeguarding

From: [JRC Windfarm Coordinations Old](#)
To: [REDACTED]
Subject: Strathy South Wind Farm OHL Connection, ECU00005081 - Request for Scoping Opinion for proposed section 37 application [WF579004]
Date: 30 April 2024 10:44:48

Dear Jennifer,

A Windfarms Team member has replied to your co-ordination request, reference **WF579004** with the following response:

Hi Jennifer,

Many thanks for sending across the positions. I can confirm we do not have any concerns and are happy to clear this.

Kindest Regards,

Heather Willoughby

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?auth=olxhygqaaguqaaaaJojKUj7DIHNSRw%3D%3D>

From: [.Box.Assetprotection \(National Gas\)](#)
To: [REDACTED]
Subject: FW: [EXTERNAL] Request for Scoping Opinion for proposed section 37 application Strathy South Wind Farm Connection, ECU00005081
Date: 08 April 2024 14:26:37
Attachments: [image001.png](#)
[image002.png](#)

Good Afternoon Jennifer,

Thank you for your email.

Regarding Scoping Opinion for proposed section 37 application Strathy South Wind Farm Connection, ECU00005081 there are no National Gas assets affected in this area.

If you would like to view if there are any other affected assets in this area, please raise an enquiry with www.lsbud.co.uk. Additionally, if the location or works type changes, please raise an enquiry.

Kind regards

[REDACTED]
nt

+44 (0)7543312793
hayley.white@nationalgas.com



National Gas Transmission, Warwick Technology Park, Gallows Hill, Warwick, CV34 6DA
nationalgas.com | [Twitter](#) | [LinkedIn](#)

Please consider the environment before printing this email.

From: .box.assetprotection <assetprotection@nationalgrid.com>
Sent: 05 April 2024 11:55
To: .Box.Assetprotection (National Gas) <box.assetprotection@grid.nationalgas.com>
Subject: FW: [EXTERNAL] Request for Scoping Opinion for proposed section 37 application Strathy South Wind Farm Connection, ECU00005081

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe. If you suspect this email is malicious, please use the 'Report Phish' button.

From: [NATS Safeguarding](#)
To: [REDACTED]
Cc: [Econsents Admin](#)
Subject: RE: Request for Scoping Opinion for proposed section 37 application Strathy South Wind Farm Connection, ECU00005081 [SG37212]
Date: 10 April 2024 12:44:10
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

Our Ref: SG37212

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
[REDACTED]

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



From: [ONR Land Use Planning](#)
To: [Econsents Admin](#)
Subject: ONR Land Use Planning - Application ECU00005081
Date: 30 April 2024 12:27:35
Attachments: [image001.png](#)
[image001.png](#)

Dear Sir/Madam,

The proposed development does not present a significant external hazard to the safety of the nuclear site.

Therefore, ONR does not advise against this development.

Kind regards,

Land Use Planning
Office for Nuclear Regulation



Jennifer Gessler
Energy Consents Unit
Directorate for Energy and Climate Change
Scottish Government

Email [REDACTED]

31st May 2024

Dear [REDACTED]

**RE: REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37
APPLICATION FOR STRATHY SOUTH WIND FARM CONNECTION.**

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

RSPB Scotland responded to SSEN's Connagill Cluster public consultation, in which we agreed that consolidating the routing for the multiple wind farm grid connections in the area was likely to reduce environmental impacts. We note that we have objected or expressed concern on all of the wind farms that require these grid connections, primarily due to impacts on the qualifying features of the Caithness and Sutherland Peatlands SPA and other species of high conservation concern. We objected to Strathy South Wind Farm, and were involved in the inquiry, and then objected again to the now consented Section 36c variation. We have the following comments which we hope will help inform the EIA for the proposed development.

Bird Species of Conservation Concern and Designated Sites

The Proposed and Alternative OHL routes pass through the Caithness and Sutherland Peatlands Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site and the West Halladale Site of Special Scientific Interest (SSSI). The routes are also adjacent to the East Halladale SSSI and within connectivity distance to qualifying features of the Caithness Lochs SPA.

Due to likely significant effects on European Sites, the EIA Report must include sufficient information to inform an Appropriate Assessment by the competent authority, as required by The Conservation of Habitats and Species Regulations 2017. As the proposed development has the potential to impact on a number of qualifying features of these designated sites, we welcome the commitment in Section 3.5.1 of the Scoping Report that a shadow Habitats Regulation Appraisal (HRA) will be provided in the EIA Report.

Common Scoter

In the UK, Common Scoters are extremely rare and only breed at a few locations in the Flow Country of Caithness and Sutherland and a small number of other sites. The population is decreasing and is at risk of loss as a breeding bird in the UK. We have particular and significant concerns regarding the uncertainty around the effects on Common Scoter from this proposal.

This species is one of the qualifying features of the Caithness and Sutherland SPA and this area is important for the small breeding population. We have objected to a number of wind farm applications in the Flow Country due to potential impacts and lack of knowledge of this species. We have historic records of Common Scoter breeding in the Lochans to the South of this proposal. This breeding season, May to August 2024, we are conducting a Flow Country wide Common Scoter survey, which will provide up to date presence data for this species in these areas. Notwithstanding this, we recommend that appropriate surveys are conducted at this site by the developer to inform assessments. Common Scoter can be particularly elusive when breeding, and surveys need be intensive and timed precisely to ensure breeding behaviour is recorded. Indeed, the males will disappear from breeding lochs in June while females attend the nest, and this is a time when their presence can be easily missed. Intensive surveys are required to confirm or discount breeding attempts and productivity. Further detail is provided in the Survey Methodology section below.

Red-throated and Black-throated Divers

We believe this OHL could create a barrier and/or a risk of collision to both Red-throated and Black-throated Divers as there are commuting routes between their breeding lochans and where they forage at sea through the proposed development. This concern is based on data from the Melvich Wind Energy Hub (ECU00004514) and on which both we and NatureScot objected. Risk of collision and barrier effects should be assessed, and data should be requested from the Melvich Wind Energy Hub developer.

OHL Infrastructure

The infrastructure required for both the Proposed and Alternative OHL is extensive. As well as the 10.5km of double circuit 132 kV OHL for the Proposed Development, or the 12.5 km of double circuit 132 kV OHL for the Alternative Development, each requiring L7 or L8 steel lattice towers placed every 200-280m which will require new access tracks, new 4m wide stone tracks and working areas of up to approximately 50m x 50m. The creation of these towers, working areas and tracks could lead to significant areas of peatland loss, habitat loss and disturbance to qualifying species of designated sites. This needs to be surveyed and assessed before any route decisions are finalised.

Survey and assessment requirements

In section 7.2.3 it is stated that "The survey areas were based on the optimal route at the time and also included surrounding areas relevant to the Proposed Development."

As maps are not provided that show the “optimal route at the time” it is unclear whether this area and the buffers cover both the Proposed route and the Alternative. Therefore, due to the importance of the designated sites for bird species and habitats that this proposal passes through, and the lack of clarity of the surveys conducted and the areas and buffers covered, we cannot confirm whether the current surveys (7.2.3) are sufficient for determining impact.

Further to this, in section 7.2.3 it is stated that “Ornithology surveys were carried out between October 2018 and August 2023”, but in the footer it is included that “a moorland fire occurred in the Strathy area on 13/05/2019 and burned for approximately five days; this directly affected the eastern half of the Strathy Wood baseline ornithology survey area”. This impact is not further discussed and the potential impacts of this on surveys and data should be included in the EIAR.

We are pleased that data from other existing, consented and proposed developments in the area are being used but cannot further comment on the sufficiency of these as the extent of the developments consulted or surveys used, are not provided. We suggest, if not already done so, that this data sharing is extended to other developments in the area, especially Melvich Wind Energy Hub, as it significantly overlaps the proposed line.

For the proposed route options, we recommend either undertaking two years of field surveys for all of the Caithness and Sutherland SPA qualifying species in line with NatureScot guidance¹. Alternatively, we would suggest one full year of surveys in line with guidance², plus the use of all other available data from surrounding wind farms.

We recommend that surveys will need to consider particular breeding patterns of qualifying species, as standard surveys may not be adequate in determining impact, this includes Common Scoter.

Common Scoter

It is RSPB Scotland’s opinion that a minimum of three surveys between 23rd April and 3rd June would be needed to confirm presence and numbers of Common Scoter. Vantage point (VP) watches during June are best for gathering data on movement and nesting areas to avoid influencing or disturbing the birds. However, during June it can be a very difficult to observe female birds as they only appear on the water for an hour or so when on ‘recess’ (leaving the nest to feed) and the time of day for that can vary widely. In addition, unless a nest is found, the location of scoter activity should also not be interpreted as showing the location of a nest. Ducklings can appear any time from early July onwards, but this is dependent on nest survival and ducklings reaching the water successfully from their nest sites. Therefore, a lack of duckling observations does not necessarily equate with no breeding having taken place.

Raptors

We strongly recommend that eagle data for both species within 6km and other raptor data within 2km of the OHL is requested from the Highland Raptor Study Group. Specific raptor surveys should also be undertaken to identify breeding territories. These surveys should consider eagle breeding behaviour as this may not be captured in standard surveys. The eagle breeding season is considered as February to August inclusive¹.

¹ <https://www.nature.scot/doc/recommended-bird-survey-methods-inform-impact-assessment-onshore-windfarms>

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

Further required surveys

Wintering bird surveys are also required. Caithness Lochs SPA is in connectivity distance of the Development as Greylag geese have a core range of 15-20km. Further to this, although wintering birds are not qualifying species of the Caithness and Sutherland Peatlands SPA, undertaking these surveys is considered best practice and the site may be important for wintering species such as Schedule 1A³ protected Hen Harrier. The summary data provided in Table 7.2 shows winter VP results for Pink-footed Goose, Golden Eagle, Hen Harrier, Merlin and Peregrine.

As well as SPA species, we also have records of Red and Amber listed bird of concern Curlew, Lapwing, Common Sandpiper, Oystercatcher and Snipe in the vicinity of the proposed development, and these should be included in any surveys.

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

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

Potential Effects

Disturbance, displacement (including barrier effects), loss of suitable habitat (breeding, wintering and foraging) electrocution and collision risk should be assessed for all scoped in species. This should not only include impacts from both the Proposed and Alternative OHL routes, but also the increased height of the towers, the working areas, the new tracks and infrastructure as well as any existing road widening or upgrades.

The Proposed and Alternative OHLs are located between the Caithness and Sutherland Peatlands SPA and the sea. It is known that Red-throated and Black-throated Divers commute from breeding lochs on the SPA northwards to the sea to feed and the proposal could create a barrier for these species, this behaviour is also thought to be possible for Common Scoter. This potential barrier impact should be addressed in the assessment for the Proposed and Alternative OHL alone, and as part of the cumulative assessment.

In section 7.3 the "Potential effects of the Proposed Development (including dismantling of the Strathy North OHL) on Important Ornithological Features (IOFs)" include a list of impacts. Although barrier effects are included here in the construction phase, they are omitted in the operational phase.

If the Proposed route is consented, then it will require replacing the existing Strathy North grid connection wood pole OHL (14-16m in height and a span of 60-80m) with a steel lattice L7 or L8 OHL (28-46m in height and a span of up to 280m). This would increase the height of the OHL and therefore has the potential for increased barrier

³ <https://www.nature.scot/doc/implications-additional-protection-hen-harrier-red-kite-and-golden-eagle-under-schedules-a1-1a>

effects. It is stated in Section 2.3.3 that the height of the towers above ground level will be confirmed through the EIA process, this should consider barrier and collision effects.

Cumulative Impacts

We support the commitment in section 7.5.1 that the EIA Report will include an Ornithological Impact Assessment (OIA), which will “consider the potential direct, indirect and cumulative effects that the construction (including dismantling of the Strathy North OHL) and operation of the Proposed Development could have on any identified IOFs scoped into the assessment.”

However, the developments considered in Section 3.3, Table 3.1 are, in our opinion, insufficient in scope. Table 3.1 only contains those wind developments and grid connections in the Connagill Cluster and does not include all relevant developments at the appropriate SPA or NHZ level.

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

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

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

Peatland and habitats

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

We support the following statement in Section 8.5.12: “Regarding peat, in accordance with NPF4, the mitigation hierarchy would be applied so that impacts are avoided, or minimised as far as possible, and where they cannot be avoided appropriate measures would be proposed to safeguard peat and carbon rich soils.” Data from the peat depth survey should be used to inform siting, in order to minimise impacts on peat by helping to avoid areas deeper than 0.5m. Horizontal directional drilling through bedrock should be considered for sensitive peatland habitats that cannot be avoided.

Alignment finalisation must consider minimising impacts on peat by appropriate micro-siting or HDD. We note that, “a 100m LOD (50 m either side of the centre line of the OHL alignment) would be sought to allow for micro-siting of the OHL during construction” and “a 50 m LOD will be sought for the construction of new access tracks” (section 2.3.2 of the Scoping Report). This should also be considered in assessments.

Section 11.6.8 states that climate change is scoped out of the EIA assessment. Although, we understand that the proposed development, would support the renewable network, an assessment of carbon emissions in line with Policy 5d)iii) of NPF4 which requires, a detailed site specific assessment to identify ‘the likely net effects of the development on climate emissions and loss of carbon’.

World Heritage Site

This site overlaps the candidate Flow Country World Heritage Site. In section 6.3.4, it is stated that there is a “small overlap between the Proposed Development footprint and the WHS”. In fact there seems to be what would generally be considered as a large overlap between the WHS and both the Proposed Development (approximately 5km) and the Alternative (approximately 6.7km). No proposals have been set out for assessing the impacts on the candidate World Heritage Site. The Highland Council’s Flow Country Candidate World Heritage Site Planning Position Statement (April 2023)⁴, states that, developments within the WHS, should be assessed utilising the UNESCO Impact Assessment Guidance Toolkit (section 5.14). Therefore, we recommend that this is undertaken alongside the EIA.

Mitigation

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

Flight activity data from vantage point surveys should be used in conjunction with NatureScot guidance on powerline developments to best minimise impacts on birds through design.

RSPB Scotland is concerned that there is insufficient evidence that power line bird diverters are effective in protecting rare and protected species, such as raptors, divers and Common Scoters from collisions. Many bird species are unable to perceive fine detail in flight. This is true in all weather conditions but is particularly pertinent to adverse weather and nocturnal conditions⁵ when the birds’ perception of diverter objects, and the cables to which they are attached, will be poor at best. It is highly likely that such fast flying birds with low manoeuvrability will have insufficient response time to take evasive action.

⁴ [The Flow Country Candidate World Heritage Site Planning Position Statement](#)

⁵ <https://www.sciencedirect.com/science/article/pii/S0960982222010272>

Avian Vision: Graham R Martin

Where high risks of collision are predicted i.e., where there is high flight activity, we request that undergrounding or HDD is considered (depending on the extent and quality of peatland habitats present) over line-marking, to reduce impacts to these species.

Biodiversity Net Gain (BNG) / Biodiversity Enhancement and HMP

We welcome the Applicant's commitment to Biodiversity Net Gain (Section 2.10.3 of the Scoping Report). NPF4 was adopted in February 2023, is now part of the Statutory Development Plan and Policy 3 Biodiversity requires developments to leave nature in a better state than before they took place.

Scottish Government draft guidance on Biodiversity and the implementation of policy 3b) was issued on 30 November 2023 and should be referred to.

Only after impacts are avoided, mitigated then compensated for, can opportunities to enhance biodiversity be identified and taken.

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

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

We support the overall aim of the Applicant in section 6.5.4 of enhancing biodiversity and achieving biodiversity net gain and the preparation of an outline Habitat Management Plan (HMP), which will take into account HMPs for other developments in the surrounding area. We suggest this HMP contains detailed ecological justification for any habitat management proposals and seek to enhance key habitats, such as blanket bog, occurring within the area.

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

Yours sincerely,

Redacted


Conservation Officer


[REDACTED]
[REDACTED]
Case Officer
Onshore Electricity, Strategy and Consents
Directorate for Energy and Climate Change
The Scottish Government

Our Ref: 10059
15/05/2024

Dear Ms Gessler,

ECU ref: ECU00005081

ELECTRICITY ACT 1989

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

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

Thank you for your email of 5 April 2024 seeking observations on the above. We gratefully acknowledge the additional time allowed for our response.

[ScotWays records](#)

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

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

[Other Access to Land](#)

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

Comment

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

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

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

Yours sincerely,

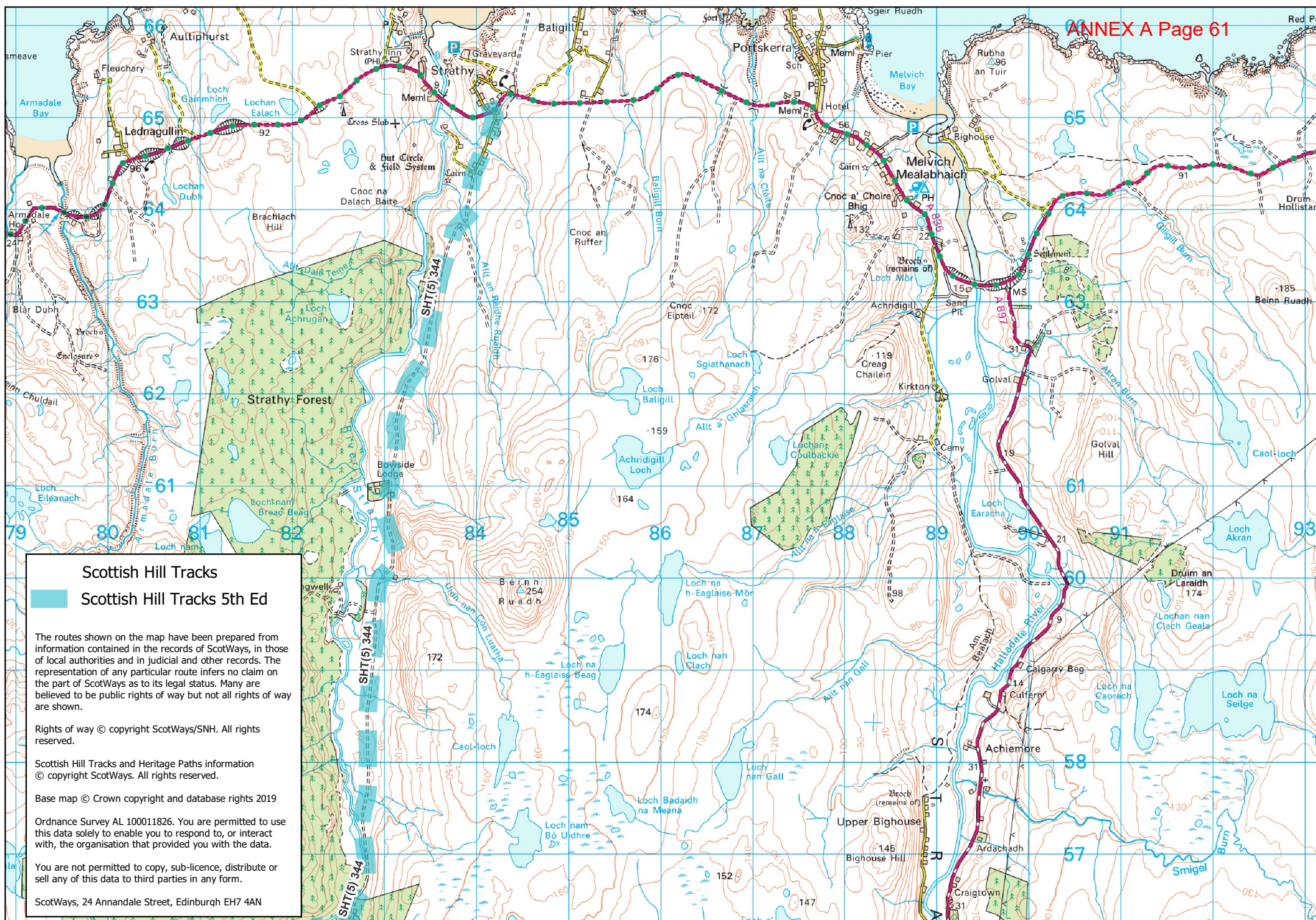
[Redacted Signature]

[Redacted Name]

Access Officer

CC

[Redacted CC Recipient]





Catalogue of Rights of Way Planning Comment Guidance Notes

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

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

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

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

What is a Recorded Right of Way?

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

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

What is an Other Route?

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

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

What is a Heritage Path?

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

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

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

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

What is a Scottish Hill Track?

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

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

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

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

Disclaimer

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

Other Public Access Information

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

Unrecorded Rights of Way

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

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

Core Paths

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

The General Right of Access

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

Other Promoted Routes

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

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

Public and Private Roads

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

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

More Information on Outdoor Access Law

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

Development and Planning Applications

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

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

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

Monday, 15 April 2024



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

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

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



Dear Customer,

Strathy South Wind Farm Connection, Portskerra, KW13 6AB
Planning Ref: ECU00005081
Our Ref: DSCAS-0107773-P9D
Proposal: Development will comprise approximately 11km of Steel Lattice double circuit from the end of the Strathy Wood to Strathy North Steel Lattice circuit near to Strathy North to Connagill substation

Please quote our reference in all future correspondence

Audit of Proposal

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

Asset Impact Assessment

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

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

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

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

Drinking Water Protected Areas

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

Surface Water

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

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

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

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:

- ▶ Site Investigation Services (UK) Ltd



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

Yours sincerely,

[REDACTED]

Development Services Analyst

[REDACTED]

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."

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

Your ref:
ECU00005081

Our ref:
GB01T19K05

Date:
25/04/2024

[REDACTED]

Dear Sirs,

ELECTRICITY ACT 1989

THE ELECTRICITY (APPLICATIONS FOR CONSENT) REGULATIONS 2017

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

With reference to your recent correspondence on the above development, we acknowledge receipt of the Environmental Impact Assessment Scoping Report (SR) prepared by ASH design+assessment Limited in support of the above development.

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

Proposed Development

The proposed development comprises approximately 10.5km of new 132kV overhead line (OHL) which would connect the consented Strathy South wind farm to the National Grid, to be located approximately 2km south of Strathy and 1.5km south of Melvich. The nearest trunk road to the site is the A9(T) at Thurso, approximately 26km east of Melvich. We understand that the proposal also involves dismantling of the Strathy North 132kV OHL.

Assessment of Environmental Impacts

Chapter 10 of the SR present the proposed assessment methodology for Traffic and Transport associated with the construction of the OHL. This states that the assessment will be carried out in accordance with the Transport Assessment Guidance (Transport Scotland, 2012) and the guidance contained in the Environmental Assessment of Traffic and Movement (Institute of Environmental Management and Assessment (IEMA) 2023). These specify that road links should be taken forward for further assessment where the following two rules are breached:

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

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

This is considered appropriate.

The study area for the assessment is identified as the A836 between Thurso and Strathy. Traffic survey data for use in the assessment would be obtained from the UK Department of Transport (DfT) traffic survey database, and will include the A9 at Thurso. We would confirm that we are happy with the study area and would note that traffic data is available for the trunk road network via Transport Scotland's database.

Transport Scotland would seek a threshold assessment at the A9, to determine if there will be any need for further assessment of potential environmental effects associated with both the dismantling of the Strathy North OHL and the construction of the new OHL. In the event that the IEMA thresholds are not exceeded, no further trunk road assessment is required.

Abnormal Loads Assessment

The SR states that there are no Abnormal Indivisible Load (AIL) deliveries required during the construction of the development, therefore, no AIL assessment will be included in the assessment. This is considered acceptable.

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

Yours faithfully

[REDACTED]

**Transport Scotland
Roads Directorate**

[REDACTED]

22nd April 2024

[REDACTED]
Scottish Forestry

by email: [REDACTED]

Dear Jennifer,

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

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

Ref: ECU00005081

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

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

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

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

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

- ***Woodlands with a strong presumption against removal***

Only in exceptional circumstances should the strong presumption against woodland removal be overridden. Proposals to remove these types of woodland should be judged on their individual merits and such cases will require a high level of supporting evidence. Where woodland removal is justified, the Compensatory Planting (CP) area must exceed the area of woodland removed to compensate for the loss of environmental value.

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

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

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

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

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

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

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

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

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

Conclusion

Scottish Forestry notes that the development may result in the loss of woodland including commercial and native woodlands, woodland is also impacted by the alternative development.

Section 11.2.7 is of particular concern: *While small areas of woodland would be lost to the Proposed Development, this would not have any significant effect on the overall woodlands in the area. There is therefore no requirement for a forestry assessment to be undertaken.*

It is a concern that the developer has not committed to assess the impacts on forestry and woodlands. In addition the developer has not committed to the control of woodland removal policies set out in this letter.

Scottish Forestry advise the planning authority to address this concern with the developer and ensure the policies set out in this response are considered and within the scope of the EIA report.

Scottish Government's policy on control of woodland removal: implementation guidance February 2019 <https://forestry.gov.scot/support-regulations/control-of-woodland-removal> provides guidance on the level and detail of information Scottish Forestry will expect within the EIA Report, to help us reach an informed decision on the potential impact of the proposed development.

Scottish Forestry strongly advises the developer to include detailed information on the types and areas of forestry to be felled and restocked as a result of the proposed development. Detailed information on any compensatory planting proposals should also be provided. All felling, restocking and compensatory planting proposals must be compliant with the UK Forestry Standard. <https://forestry.gov.scot/sustainable-forestry/ukfs-scotland>


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

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

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

Yours sincerely

Redacted


Operations Manager (Regulations and Development)
Highland and Islands Conservancy