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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**

**Blair Hill Wind Farm  
Renewable Energy Systems (RES) Ltd**

**13 November 2023**

# CONTENTS

1. Introduction .....	3
2. Consultation.....	4
3. The Scoping Opinion .....	5
4. Mitigation Measures.....	7
5. Conclusion.....	8

ANNEX A

ANNEX B

## 1. Introduction

1.1 This scoping opinion is issued by the Scottish Government Energy Consents Unit on behalf of the Scottish Ministers to Renewable Energy Systems (RES) Ltd, a company incorporated under the Companies Acts with company number 01589961 and having its registered office at Beaufort Court, Egg Farm Lane Station Road, Kings Langley, Hertfordshire, WD4 8LR (“the Company”) in response to a request by the Company dated 27 July 2023 for a scoping opinion under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the proposed Blair Hill Wind Farm (“the proposed development”). The request was accompanied by a scoping report.

1.2 The proposed development would be located within Dumfries and Galloway, approximately 400 m east of the River Cree and 2.3 km north of Newton Stewart.

1.3 The proposed development is anticipated to comprise up to 22 wind turbines with a tip height of approximately 250m. Including battery storage infrastructure with the capacity of the energy storage facility still to be determined.

1.4 In addition to wind turbines there will be ancillary infrastructure including:

- temporary construction compound(s);
- crane pads;
- temporary laydown areas adjacent to the turbines;
- access tracks;
- watercourse crossings;
- underground cables between turbines;
- electrical switching station;
- on-site substation and control building;
- a gatehouse compound;
- telecoms mast;
- concrete batching plant;
- drainage and drainage attenuation measures (as required); and
- potential excavations/borrow workings

1.5 The Company indicates the proposed development would be decommissioned after 50 years and the site restored in accordance with the decommissioning and restoration plan.

1.6 The proposed development is solely within the planning authority of Dumfries & Galloway Council.

## 2. Consultation

2.1 Following the scoping opinion request a list of consultees was agreed between ITP Energised (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 18 August 2023. The consultation closed on 08 September 2023. Extensions to this deadline were granted to Dumfries & Galloway Council, NatureScot, Historic Environment Scotland, RSPB Scotland, Scottish Rights of Way and Access Society (ScotWays) and Cree Valley 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 36 of the Electricity Act 1989. All consultation responses received, and the standing advice from MD-SEDD, are attached in **ANNEX A Consultation responses** and **ANNEX B MD-SEDD Standing Advice**.

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

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

2.4 The following organisations were consulted but did not provide a response:

- Ayrshire Rivers Trust;
- Bladnoch DSFB;
- British Horse Society Scotland;
- Civil Aviation Authority - Airspace;
- Cree DSFB;
- Dee DSFB (Kirkcudbrightshire);
- Doon DSFB;
- Fisheries Management Scotland;
- Galloway and Southern Ayrshire Biosphere;
- Galloway Fisheries Trust;
- John Muir Trust;
- Kirkcowan Community Council;
- Scottish Canoe Association;
- Scottish Rights of Way and Access Society (ScotWays);
- Scottish Wildlife Trust;
- Scottish Wild Land Group (SWLG);
- Visit Scotland;
- West of Scotland Archaeology Service; and
- Woodland Trust

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

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

### 3. The Scoping Opinion

3.1 This scoping opinion has been adopted following consultation with Dumfries & Galloway 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 27 July 2023 in respect of the specific characteristics of the proposed development and responses received to the consultation undertaken. In providing this scoping opinion, the Scottish Ministers have had regard to current knowledge and methods of assessment; have taken into account the specific characteristics of the proposed development, the specific characteristics of that type of development and the environmental features likely to be affected.

3.3 A copy of this scoping opinion has been sent to Dumfries & Galloway Council for publication on their website. It has also been published on the Scottish Government energy consents website at [www.energyconsents.scot](http://www.energyconsents.scot).

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

3.5 Scottish Ministers are satisfied with the scope of the EIA set out in the scoping report.

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

3.7 The proposed development set out in the scoping report refers to wind turbines and other technologies including battery storage. Any application submitted under the Electricity Act 1989 requires to clearly set out the generation station(s) that consent is being sought for. For each generating station details of the proposal require to include but not limited to:

- the scale of the development (dimensions of the wind turbines, solar panels, battery storage, other technologies)
- components required for each generating station ( type of technologies )
- minimum and maximum export capacity of megawatts and megawatt hours of electricity for battery storage

3.8 Scottish Water advised that there were 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 development. Scottish Water also provided general advice which should be addressed in the EIA report, including any relevant mitigation measures required.

3.9 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.

3.10 The Company should take note of the requirements of Policy 3b of National Planning Framework 4 whereby biodiversity enhancements are to be provided in addition to any proposed mitigation. Information on predicted losses and proposed offsetting and delivery of positive effects on biodiversity should be clearly set out in the EIA report.

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

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

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

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

3.15 The scoping report identified viewpoints in chapter 5 to be assessed within the landscape and visual impact assessment. Mountaineering Scotland and Cree Valley Community Council have requested additional viewpoints.

3.16 The noise assessment should be carried out in line with relevant legislation and standards as detailed in section 11 of the scoping report. The noise assessment report should be formatted as per Table 6.1 of the IOA “A Good Practice Guide to the Application of ETSU-R-97 for the Assessment and Rating of Wind Turbine Noise

3.17 As the maximum blade tip height of turbines exceeds 150m the LVIA as detailed in chapter 5 of the scoping report must include a robust Night Time Assessment with agreed viewpoints to consider the effects of aviation lighting and how the chosen lighting mitigates the effects.

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

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

3.20 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 36 consent for the proposed development.

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

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

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

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

5.6 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).

**Nicola Ferguson**

**Energy Consents Unit  
13 November 2023**



## ANNEX A

### Consultation

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

- Dumfries & Galloway Council; A1-A4
- SEPA; A5-A11
- NatureScot; A12-A15
- Historic Environment Scotland; A16-A25
- Scottish Forestry; A26
- Transport Scotland; A27-A29
- BT; A30
- Defence Infrastructure Organisation; A31-A33
- Edinburgh Airport; A34
- Glasgow Airport; A35
- Glasgow Prestwick Airport; A36
- Joint Radio Company; A37-A39
- Mountaineering Scotland; A40
- NATS Safeguarding; A41-A51
- Office for Nuclear Regulation; A52
- Royal Burgh of Wigtown and District Community Council; A53
- RSPB Scotland; A54-A56
- Scottish Water; and A57-A58
- Cree Valley Community Council A59-A63

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

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

**Proposal: CONSULTATION REQUEST FROM SCOTTISH MINISTERS IN CONNECTION WITH REQUEST FOR SCOPING OPINION UNDER ENVIRONMENTAL IMPACT ASSESSMENT (SCOTLAND) REGULATIONS 2017 FOR PROPOSED WIND FARM CONSISTING OF 22 WIND TURBINES (MAXIMUM HEIGHT TO BLADE TIP 250 METRES) WITH ASSOCIATED INFRASTRUCTURE AND ENERGY STORAGE SYSTEM**

**Location: Blair Hill Wind Farm, Newton Stewart**

**Application Type: Scoping Opinion**

**Ref. No.: 23/1768/ENQ**

1. This scoping request from the Scottish Government Energy Consents Unit relates to a proposal to construct and operate a wind farm on land located approximately 2.3 kilometres to the north of the town of Newton Stewart, Dumfries and Galloway. The applicant seeks consent for the erection of up to 22 wind turbines up to 250 metres to tip height. In addition to this, the applicant seeks consent for formation of temporary construction compounds, crane pads, temporary laydown areas, access tracks, water crossings, underground cables, onsite substation and switching building, battery storage infrastructure, concrete batching plant, telecomms mast and borrow pits. The application site lies within the Dumfries and Galloway Council area, and as the expected output of the wind farm will be up to 145 MW (based on a turbine average output of 6.6MW), the proposed works will be sought under Section 36 of the Electricity Act 1989, with the application being made to the Scottish Governments Energy Consents Unit.

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

To date responses have been received from the following:

**3 Council Roads Officer**

3.1 This request for scoping opinion proposes the erection of 22no. wind turbines of maximum height to blade tip of up to 250m along with associated infrastructure and energy storage system at Blair Hill Wind Farm, Newton Stewart. It is noted that the 'Scoping Report' submitted with this application identifies that: -

- The proposal is for 22 wind turbines, with a height of up to 250m (blade tip)
- A battery storage facility is included as part of the proposed development.
- The expected operational life of the development is 50 years.
- Limited details have been provided in respect of any proposed access routes, though it appears the site would be accessed via the A75(T) and A712 to an existing forestry haul road.
- No details have yet been provided in respect of the trip generation by construction traffic or predicted number of AILs.
- The expected duration of the project construction phase has not been given.

- The EIA will be supported by an Abnormal Loads Routes Assessment and CTMP.

3.2 Whilst I have no objections in principle to the proposal and have no issues with the proposed assessment scope or methodology outlined in the Scoping Report, I would offer the following observations that should be considered and addressed by any future submission/ES: -

- It would be appropriate that Transport Scotland be consulted with regard to any access route utilising the Trunk Road network.
- The supplied supporting information indicates that access and egress to this site is to be via A712 and internal forest haul route which crosses the U244w public road.
- Where the proposed access route crosses or utilises a public road or path, it's anticipated that strengthening and widening works may be required, as well as appropriate signage and mitigation measures to ensure no conflict between construction traffic and public road users.
- It should be noted that whilst the A712 is a public road which is utilised by forestry traffic and suitable for the use by HGVs, it should be noted that there have been no wind farm developments along this stretch of road. As such it will require strengthening and widening in sections to allow for use during AIL movements. There are several sections along the A712 between the A75(T) and the forestry haul road which are severely restricted in geometry, width and forward visibility. Therefore, it would be appropriate that accommodation works would be necessary (including widening and carriageway strengthening), which may require the use of 3rd party land, out with the public road boundary.
- Routes leading to the site cross a number of bridges/structures, many of which may be unsuitable for heavy HGVs and larger AILs, and that have limitations on safe axle loadings and/or restricted parapet widths. Where a proposed access route crosses bridges and culverts, the applicant will require to get approvals and safe axle loadings (in respect of those structures) from the Council's Engineering Services (Bridges and Structures) unit.
- The Council's Bridges and Structures unit have advised that Abnormal Loads require to be assessed on an individual basis, proposed axle load configurations should be supplied and agreed at earliest opportunity. Any proposal or requirement to carry out amendments to any bridge or culvert will require to be addressed via an AIP process.
- It would be appropriate that any future application confirm the access route(s) and identify the full extent of proposed off-site road accommodation and mitigation works including passing place provision, carriageway strengthening, widening and alterations to road boundaries all along any proposed access route(s) necessary to permit 2-way construction traffic and the passage of cranes and component delivery vehicles (this may require land out with the public road boundary and a separate planning consent may be required in respect of these works).
- Proposals for access routes, site access and all accommodation works must be supported by swept path tracks.

- All accommodation works must be designed and constructed to the satisfaction of the Planning Authority in consultation with the Roads Authority and will require appropriate permits and consents to have been issued.
- Where public road boundaries are to be altered either for the formation of temporary accesses or for accommodation works, these should be reinstated in their original position at the conclusion of construction works (unless prior agreements have been secured with the Planning and Road Authorities).
- The TMP should include a programme of delivery types/numbers by month, details of all proposed mitigation measures to minimise the impact on local communities and businesses, agreed and excluded access routes and details of measures that will be implemented to ensure that (a) no stacking of delivery vehicles occur on any part of the public road network (b) the safety of the public using 'core' paths is maintained; and is to be agreed in writing with the Police, Transport Scotland and Dumfries and Galloway Council Roads Authorities prior to any works commencing on site. Access and excluded routes should be identified and agreed for all types of vehicles and a system of visible vehicle tagging/badging employed to ensure compliance with agreed routes and driver behaviour standards which should be supported by a Driver Code of Conduct.
- Whilst it is accepted that the intention is that normal and abnormal loads will take access and egress via an 'agreed' route, there is likely to be some increase in traffic using other minor roads. There is also the possibility of other unrelated windfarm projects being constructed in the vicinity concurrently with this project. Therefore, it would be appropriate that the TMP acknowledge that co-ordination phasing may be required to mitigate against the cumulative traffic impact.
- In the event that suitable and sufficient aggregate is not available from on-site Borrow Pits, any future submission/ES/TMP should also identify worst case scenario that 100% of the aggregate required for construction shall be imported to site and identify the potential number of movements in that event .so that the potential impact of importing aggregate from elsewhere via the public road network be assessed.
- Creation of windfarm access tracks and turbine placements will likely generate accelerated timber extraction. All extracted timber must only travel agreed haulage routes.
- It would be appropriate that there should be consultation with nearby forest managers and timber hauliers through the office of the South of Scotland Timber Transport Officer to co-ordinate timber haulage operations that may use the access route(s) during the construction period to minimise the cumulative impact on communities and road users.
- The developer will be held responsible for the immediate execution of any repairs and will be required to meet the cost of above average maintenance to the public road network arising from the concentration of heavy traffic associated with this development. This to be secured by legal agreement (Section 96).
- The installation of the grid connection will have an impact upon public roads where the route follows a road, crosses a road or crosses a bridge on the road.

I trust the above information, which is given without prejudice to any future decision of the Council, is of assistance.

#### **4 Council Flood Risk Management Team**

4.1 With reference to planning application 23/1768/ENQ, the Flood Risk Management Team (FRMT) have no objection after reviewing the information provided and held.

4.2 As an internal consultee, this is a response to assist the Planning Authority's decision in this application. All queries from the applicant regarding information supplied by the FRMT should, in the first instance, be directed to the appropriate Planning Officer.

#### **5 Outstanding Responses**

5.1 There is still an outstanding response from the Council's Environmental Health Officer, Council Architect, Landscape Architect and Access Officer which will be forwarded on to the applicant once it has been received by the Planning Service.

#### **6 Other Matters**

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

6.2 In respect of noise, any site-specific noise impact assessment should be carried out following the principles detailed in the Assessment & Rating of Noise from Wind Farms ETSU Report ETSU-R-97, 1996 and BS 4142:2014+A1:2019 as appropriate.

Nicola Ferguson  
Energy Consents Unit  
The Scottish Government

Our Ref: 10216  
Your Ref: ECU00004878

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

22 August 2023

Dear Nicola

**The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017  
Proposed Blair Hill Wind Farm, 2.3 km north of Newton Stewart, Dumfries and Galloway**

Thank you for consulting SEPA for an EIA scoping opinion for the above project on 18 August 2023. We would welcome engagement with the applicant to discuss any of the issues raised in this letter.

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

To **avoid delay and potential objection** the EIA must contain a scaled plan of sensitivities, for example peat, GWDTE, proximity to watercourses, overlain with proposed development. This is necessary to ensure the EIA process has informed the site layout to firstly avoid, and then reduce then mitigate significant impacts on the environment. We consider the issues covered in Appendix 1 below must be addressed to our satisfaction in the EIA process. This provides details on our information requirements and the form in which they must be submitted.

**1. Site specific comments**

- 1.1 National Planning Framework 4 (NPF4) has recently been published. The guidance referenced in this response is being reviewed and updated to reflect the new policies. It will still provide useful and relevant information but some parts may be updated further in the future. Please refer to our [website](#) for the most up to date information requirements.
- 1.2 We support the completion of a National Vegetation Classification surveys to support the identification of GWDTEs but note there is no details regarding the peat probing planned to inform the development design. This should follow the requirements of [Peatland Survey – Guidance on Developments on Peatland \(2017\)](#). Peat condition assessment is also required to identify peatland in near natural condition and to help identify areas where peatland restoration could be carried out.
- 1.3 We support the scoping of impacts on peat, watercourses, GWDTE and private water supplies into the EIA as discussed in Section 9 of the Scoping Report. Please note in relation to peat, the development must avoid peatland in near natural condition and peat > 1m depth.



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- 1.4 While there is limited site specific advice we can offer at this stage on development design until survey work becomes available and the layout further developed, we note from Figure 9.1 – Hydrological Features that a number of wind turbines are proposed within the 50m watercourse buffer. We request as the development design is progressed it be modified to remove infrastructure from these areas. We also note there are a number of existing access tracks across the site and request these are reused and / or upgraded wherever possible to minimise the extent of new works on previously undisturbed ground.
- 1.5 We would further pre-application engagement once initial peat probing and habitat survey work has been completed and the layout developed further as a result. Please refer to Appendix 1 enclosed for further advice on our information requirements.

## 2. Regulatory advice for the applicant

- 2.1 Details of regulatory requirements and good practice advice 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: [SWS@sepa.org.uk](mailto:SWS@sepa.org.uk).

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

Kind regards,

Simon Watt  
Senior Planning Officer  
Planning Service

Ecopy to: [Nicola.Ferguson@gov.scot](mailto:Nicola.Ferguson@gov.scot)

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

3.2 We have included more detailed advice on these requirements below.

a) Development design in line with the mitigation hierarchy

3.3 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 \(2017\)](#).

3.4 [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.

3.5 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.

b) The outline PMP

3.6 In addition to the above the 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.

- 3.7 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.
- 3.8 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).
- 3.9 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.

c) The outline HMP

3.10 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.

3.11 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.

3.12 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.

3.13 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 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.
  - 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 map showing the location, size, depths and dimensions.
  - 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.
  - 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.

## 8. Life extension, repowering and decommissioning

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



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

Our ref: CNS/REN/WF/DG/BH  
Your ref: ECU00004878

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

3 October 2023

Dear Sir

**ELECTRICITY ACT 1989 SECTION 36  
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)  
REGULATIONS 2017  
SCOPING OPINION REQUEST FOR BLAIR HILL WIND FARM, DUMFRIES & GALLOWAY**

Thank you for consulting us on the scope of the environmental impact assessment (EIA) in relation to our interests for the proposed Blair Hill Wind Farm, north of Newton Stewart.

Please note we would like to receive a paper copy of the landscape and visual impact assessment figures and zone of theoretical visibility (ZTV) maps of the EIA Report when consulted on the application. We will provide an address for these to be sent to at that time.

Our advice is based on the Blair Hill Wind Farm EIA Scoping Report, dated July 2023, prepared by RES.

**The Proposal**

This development, located 2.3 km north of Newton Stewart, would comprise up to 22 wind turbines with a height of up to 250m to blade tip and associated infrastructure, plus energy storage infrastructure, for an operational period of 50 years.

Current land use is commercial forestry and open moorland.

**NatureScot Advice**

The Scoping Report appears comprehensive in its approach to EIA.

Please refer the applicant to our [scoping and pre-application guidance for onshore wind farms](#). This guidance aims to assist developers and consultants involved in preparing wind farm applications and EIA reports. It presents our general pre-application and scoping advice, contains links to more detailed guidance, and outlines the type of survey and assessment work that developers may need to undertake to support their application.

Where the guidance is not followed in the EIA process we would expect explanations to be given in the EIA Report accompanying the application.

## **Landscape and Visual Impacts**

Landscape and visual impacts of the proposed development are a key concern, including cumulative impacts with other wind farms in the wider area, and impacts from the visible aviation lighting that will be required due to turbine height.

The site of the proposal is bordered on two sides by the Galloway Forest Park which, since 2009, has been designated as the Galloway International Dark Sky Park. These are places where people have committed to keeping the skies dark, primarily by controlling light pollution. An assessment of the impacts of turbine lighting on the Dark Skies Park, particularly its core area, should be carried out, and include night time photomontages from key locations.

We are content for the variation applications for Cornharrow and Fell Wind Farm proposals to be used in the assessments.

## **Designated Sites**

### **Galloway Oakwoods Special Area of Conservation (SAC)**

This SAC is designated for the qualifying interest Western Acidic Oakwood.

The south-west boundary of the development site marches with this SAC.

It is possible that construction and decommissioning activities could be connected to this designated site, depending on what activities take place close to the SAC. Of particular concern would be the potential for aerial pollutants arising from construction activities to affect sensitive lichen species, especially dust.

At this stage in our understanding of the proposal and information given in the Scoping Report, our advice is that the proposal is unlikely likely to affect the SAC directly or indirectly. The built elements of the wind farm and associated infrastructure would be located around 2 km north east of the SAC, meaning that connectivity with the SAC is unlikely.

However, the nature of the proposal may change as the project develops, making connectivity with the SAC likely.

If connectivity is considered likely, a Habitats Regulations Assessment (HRA) may be required and we advise that sufficient information is provided in the EIA Report to enable the competent authority to carry out an appraisal of the likely impact of the proposed development on the qualifying interests of the SAC. This should include details of mitigation measures that could be used to avoid an adverse impact on the qualifying interests. Should there be no likelihood of connectivity, then an HRA will not be required.

Potential impacts can be addressed by good wind farm design, including embedded mitigation, by commitment to the employment of good construction and pollution prevention methods, the preparation and implementation of a Construction Environmental Management Plan (CEMP) or similar and having an Ecological Clerk of Works (ECoW) on site at appropriate stages of the development. Reference should be made to our guidance 'Good practice during windfarm construction', available on our website.

### **Wood of Cree Site of Special Scientific Interest (SSSI) and Glentroll Oakwoods SSSI**

These SSSIs are components of the Galloway Oakwoods SAC.

Wood of Cree SSSI is located adjacent to the south west boundary of the proposed wind farm site, with Glentroll Oakwoods located just over 2 km from its northern boundary.

It is possible that construction and decommissioning activities could affect the notified features of these SSSIs, particularly Wood of Cree SSSI. The assessment of impacts on these SSSIs will be

adequately addressed by the assessment of impacts on the Galloway Oakwoods SAC, as advised above.

### **Solway Firth Special Protection Area (SPA) and Loch Ken and River Dee Marshes SPA**

As stated in section 8.2.2, there is potential for the proposal to have connectivity with the non-breeding geese interests of these SPAs due to the distance foraging geese can make from their winter roosts to their feeding areas. Whilst we agree that connectivity is likely to be limited due to the habitats present on the site and the location of the site in relation to the SPAs, we advise that sufficient information is presented in the EIA Report to enable the competent authority to carry out an appraisal of the likely impact of the proposed development on the qualifying interests of the SPAs, should the results of the bird surveys indicate there is connectivity.

### **Ecology**

The habitat and species surveys proposed and the approach to the assessment of impacts appear appropriate. Where impacts on protected species are identified, mitigation measures should be outlined within a species protection plan. Reference to our [standing advice notes for protected species](#) may be helpful.

In addition to the baseline sources listed, information should also be sought from the local records centre – South West Scotland Environmental Information Centre (SWSEIC) [www.swseic.org.uk](http://www.swseic.org.uk).

Advice in relation to relevant designated sites is given above. We agree that the other sites listed in the Scoping Report can be scoped out, for the reasons given.

### **Habitat Management**

We support the use of positive management and enhancement of habitats across the development site to benefit biodiversity and not just mitigate impacts. We note that an Outline Biodiversity Ecological Management Plan (OBEMP) will be included in the EIA Report.

### **National Planning Framework 4 (NPF4) - Biodiversity**

NPF4 introduces a new requirement for all developments to contribute to the enhancement of biodiversity. Scottish Government is committed to preparing guidance on this policy. Meanwhile, we have advice on our website at [Planning and development: Enhancing biodiversity](#), and guidance in our [Developing with Nature](#) publication. We note that a Biodiversity Net Gain (BNG) assessment of the proposal will be included in the EIA Report for this development.

### **Construction Environment Management Plan**

We note the intention for the EIA Report to include an outline Construction Environment Management Plan (CEMP) that would be worked up into a final CEMP post-consent. We would expect this to be in accordance with [SEPA guidelines for pollution prevention](#). The CEMP may need to include measures to minimise the impact of dust on sensitive species within Galloway Oakwoods SAC and its component SSSIs.

### **Ornithology**

In addition to the baseline sources listed, information should also be sought from the local records centre – South West Scotland Environmental Information Centre (SWSEIC)

[www.swseic.org.uk](http://www.swseic.org.uk) and the South of Scotland Golden Eagle Project (SSGEP)  
[www.goldeneaglessouthofscotland.co.uk](http://www.goldeneaglessouthofscotland.co.uk)

The surveys proposed and the approach to the assessment of impacts appear appropriate and in line with our guidance. We are content with the approach proposed for the baseline surveys of the additional area, for the reasons given. This should be explained in the EIA Report.

Where impacts on protected species are identified, mitigation measures should be outlined within a species protection plan. Reference to our [standing advice notes for protected species](#) may be helpful.

Advice in relation to relevant designated sites is given above. We agree that the other sites listed in the Scoping Report can be scoped out, for the reasons given.

## **Peatland**

In relation to peatland, we note that infrastructure is currently not proposed to be located on the Class 1 peatland within the site, therefore direct impacts are avoided. The design of the wind farm should ensure that there are no indirect hydrological impacts on Class 1 peatland from the construction of the development.

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

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

Please contact me should you wish to discuss our response.

Yours faithfully

By e-mail

**Anne Brown**  
**Operations Officer - South**

Copy: Planning, Dumfries & Galloway Council

Julia Gallagher, RSPB - Scottish Lowlands and Southern Uplands





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

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Our case ID: 300063899  
Your ref: ECU00004878

06 October 2023

Dear Nicola Ferguson

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017  
Blair Hill Wind Farm  
Scoping Report

Thank you for your consultation which we received on 18 August 2023 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 up to 22 wind turbines of up to 250m maximum blade tip height plus associated ancillary infrastructure including access tracks, substation & control building, battery storage, underground cable network, possible borrow pits and telecoms mast. A 75m micro-siting allowance is being requested in all directions for turbines and infrastructure.

### **Scope of assessment**

We consider that, based on the information provided so far, there is the potential for significant adverse impacts on the setting of historic environment assets in the vicinity of the proposed development. At this stage we consider that there is the potential that we may object to the development based on the current design of the proposal.

### Potential physical impacts

There are four scheduled monuments located within the development boundary. While we note that the current layout has turbines in locations which would avoid direct physical



impacts on the scheduled monuments and that a 250m buffer has been applied to these sites, the micro-siting allowance of 75m could place turbines within topple distance of these assets. There remains the potential therefore for physical impacts on these assets. We have provided further detailed comments in the attached annex.

We can confirm that there are no category A listed buildings, Inventory battlefields, gardens and designed landscapes or World Heritage Sites within the proposed development boundary.

#### Potential impacts on the setting of assets

There are a large number of nationally important historic environment assets within our remit in the vicinity of the development whose settings have the potential to be significantly adversely impacted by it. 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.

#### Potential cumulative impacts

We recommend that the potential cumulative impacts of the proposed development in combination with other developments in the vicinity be assessed. This should assess the incremental impact or change when the proposed development is combined with other present and reasonably foreseeable developments.

#### 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 physical impacts from construction will be assessed; we have provided further comments in the attached annex.

We 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](http://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/>.



HISTORIC  
ENVIRONMENT  
SCOTLAND

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**A18**

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 0131 668 8730 or by email on [Victoria.Clements@hes.scot](mailto:Victoria.Clements@hes.scot).

Yours sincerely

**Historic Environment Scotland**



## Annex

### Historic Environment Scotland's interest

The following designated historic environment assets are in the vicinity of the development and have the potential to be impacted by it. 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; any impacts to the settings of assets should be assessed appropriately to determine whether these will be significant.

We recommend that an appropriately detailed ZTV should be used to identify potential setting impacts in the first instance. We welcome that the scoping report indicates that a ZTV will be used.

### Scheduled monuments

Given the large scale of the turbines being proposed for the wind farm and the current layout, there is the potential that significant adverse effects on both the site and the setting of scheduled monuments may result. Of particular concern are potential physical impacts and impacts on the integrity of the setting of the scheduled monuments which are located within the development boundary. There are also a large number of scheduled monuments in the surrounding area which have the potential to receive significant adverse impacts to the integrity of their setting. The current proposals have the potential for significant adverse impacts on the setting of scheduled monuments such that HES may object.

#### Physical impacts

We recognise that the scoping report indicates that the design for the development will ensure all infrastructure is located to avoid scheduled monuments with a 250m buffer proposed for these sites. However, based on the information currently provided, there is the potential for direct physical impacts on the four scheduled monuments located within the proposed development boundary:

- Dalvaired, cairn 320m NNE of (SM1015)
- The Thieves, standing stones, Blair Hill (SM1044)
- Drumfern, cairn and remains of stone circle (SM1019)
- Napper's Cottage, chambered cairn (SM5676)

We note that the scoping report indicates that a 75m micro-siting allowance in all directions will be sought for turbines and all associated infrastructure on site. Given the scale of the turbines proposed this potentially allows for the turbines to be micro-sited within topple distance of the scheduled monuments. Any future application and EIA Report should therefore clarify if the buffer zone would also relate to the micro-siting allowance. There is as yet no indication of other associated infrastructure such as



access tracks, borrow pits etc. which may also have physical impacts on these monuments without careful design.

### Impacts on setting

From the proposed scoping layout and given the large scale of the proposed turbines for this wind farm, there is the potential for this proposed development to have significant adverse effects on the setting of the scheduled monuments within the site boundary and within the wider area.

- [The Thieves, standing stones, Blair Hill \(SM1044\)](#)

This scheduled monument includes two standing stones approximately 2m in height and aligned north-east/south-west. A third stone lies prostrate in the south-east of the oval enclosure which surrounds the stones. The monument is located in open, grass moorland on a ridge overlooking the valley of the Cordorcan Burn to the north-west with clear views across the moorland landscape and out towards the Cree valley.

Stone alignments together with individual standing stones and stone circles, form part of ritual prehistoric landscapes, sometimes of great complexity. Within 1km of the standing stones are the remains of stone circle at Drumfern (SM1019) at approximately 0.71km to the south-west, a chambered cairn at Napper's Cottage (SM5676) approximately 0.4km to the south-east, and between the standing stones and these monuments are three undesignated burial cairns. These monuments are all within the centre of the development site boundary.

The key characteristics of the setting of the scheduled monument include its relationship with, and views out to, the Cree valley to the west, and the spatial and visual relationships with the other surrounding prehistoric monuments both within and outwith the development site.

The proposed development includes several turbines in close proximity to this monument and directly within key views to other prehistoric monuments, interrupting the visual and spatial relationship between them. The proposed development would have a significant adverse impact on the setting of the monument due to the introduction of clearly visible large-scale turbines in the key views out from and towards the standing stones.

- [Drumfern, cairn and remains of stone circle \(SM1019\)](#)

This scheduled monument comprises a cairn and the remains of a stone circle on a south-west facing slope. Several small cairns lie scattered around the larger cairn and the circle. The monument is of national importance as an unusual pairing of cairn and stone circle which taken together have the potential to provide information about Bronze Age burial practices and ritual beliefs. The importance of each site is enhanced by the proximity of the other, and the possibility of investigating their inter-relationship.



The key characteristics of the setting of the monument include its relationship with and views out to the Cree valley to the west, and the clear relationship with and views to the other surrounding prehistoric monuments, including The Thieves standing stones (SM1044) and chambered cairn at Napper's Cottage (SM5676) to the north-east.

The proposed development includes several turbines in close proximity to this monument and directly within key views to other prehistoric monuments, interrupting the visual and spatial relationship between them. The proposed development would have a significant adverse impact on the setting of the monument due to the introduction of clearly visible large-scale turbines in the key views out from and towards the cairn and stone circle.

- [Napper's Cottage, chambered cairn \(SM5676\)](#)

This scheduled monument comprises a chambered cairn of Neolithic date, belonging to the group known as Clyde cairns. The cairn survives to a height of approximately 1.5m above the surrounding ground surface, and this, together with quantities of loose stone on its upper surface, make it a clearly visible feature in the surrounding area. The cairn is one of the most visible and best-preserved chambered cairns of Clyde type. Evidence may also survive, under and around the visible monument, relating to earlier activity on the site and any earlier phases of cairn construction which might have preceded the visible structure.

The monument is located on a south-west facing slope. As with the other prehistoric monuments in the area which make up this group of important ritual features in the open landscape, the key characteristics of the setting of the monument are its relationship with, and clear and expansive views out to, the Cree valley to the west, and the strong visual and spatial relationships with the other surrounding prehistoric monuments within and outwith the development site.

The proposed development includes several turbines in close proximity to this monument and directly within key views to other prehistoric monuments, interrupting the visual and spatial relationship between them. The proposed development would have a significant adverse impact on the setting of the monument due to the introduction of clearly visible large-scale turbines in the views out from and towards the cairn and stone circle.

- [Dalvaird, cairn 320m NNE of \(SM1015\)](#)

This scheduled monument is the remains of a prehistoric burial cairn, visible as an upstanding mound. The cairn is situated in rough moorland with an open aspect, overlooking the Cordorcan Burn and Black Burn with clear views out to the south-west towards the Cree valley. The cairn is overlooked from the east by a number of undesignated cairns on the slope above Black Burn.



The key characteristics of the setting of the monument are its relationship with and views out to the Cree valley to the south-west, and the spatial and visual relationship with the other prehistoric monuments in the development site.

The proposed development includes several turbines in close proximity to this monument and directly within key views to other prehistoric monuments, interrupting the visual and spatial relationship between them and disturbing views towards the Cree valley. The proposed development would have a significant adverse impact on the setting of the monument due to the introduction of clearly visible large-scale turbines in the views out from and towards the cairn.

- [Cordorcan, cairn 750m NE of \(SM10385\)](#)

This scheduled monument comprises the remains of a prehistoric burial cairn, visible as an upstanding mound. The cairn is situated in open ground, 300m west of Cordorcan Burn. The cairn is considered to be of national importance for its potential to enhance our knowledge of prehistoric funerary and ritual practices.

The key characteristics of the setting of the monument are its relationship with and views out to the Cree valley to the south-west, and the spatial and visual relationship with the other prehistoric monuments within the development site.

The monument is located just outwith the development site boundary; however, the proposed development includes several turbines directly within key views to other prehistoric monuments from the cairn, interrupting the visual and spatial relationship between them. The proposed development would have a significant adverse impact on the setting of the monument due to the introduction of clearly visible large-scale turbines in the views out from and towards the cairn.

- [Garlies Castle \(SM7916\)](#)

This scheduled monument comprises the substantial remains of Garlies Castle, a tower house of late-15th/early-16th-century date with extensive later additions. The monument occupies a position of natural strength above a steep south-east facing slope above Castle Burn. Although the monument is currently situated within woodland, its elevated position still affords long distance and wide sweeping views out over the surrounding landscape, particularly towards the south and these views are a key contributor to its cultural significance.

The proposed development includes several turbines in close proximity to this monument (T20, T21 and T22) and they are likely to be visible behind the monument in key views of the tower from the south. Therefore, these three turbines could detract from the monument as a prominent defensive feature in the landscape. The proposed development therefore has the potential for significant adverse impacts on the setting of



the monument due to the introduction of clearly visible large-scale turbines in the views towards the monument, in particular views of the tower.

- [Skaith Mote, motte 700m SSW of Challoch \(SM2023\)](#) and [Cairn Kinna, two cairns 960m ESE of Corrafeckloch \(SM1008\)](#)

In this instance we are content that although there is likely to be some visibility of the proposed development from both of these scheduled monuments, the impacts on the setting of the assets are unlikely to be significantly adverse. We are therefore content to agree that these two scheduled monuments can be scoped out of further detailed assessment at this stage.

#### Mitigation

Given the scale and location of the proposed development it is difficult to suggest potential mitigation other than further significant redesign of the scheme. It may be possible to accommodate a limited number of wind turbines in the north-west and north-east edges of the proposed development site without causing similar significant adverse impacts on the integrity of the setting of the scheduled monuments within and adjacent to the site boundary. However, further information would need to be provided to assist with the identification of any areas which may accommodate wind turbines without significant adverse impacts on the setting of designated historic environment assets. We would be happy to provide further advice on any alterations to the proposed design.

#### Visualisations

We are content with the list of visualisations provided in Table 6.5 of the scoping report. We are satisfied with the types of visualisations identified for the scheduled monuments listed in this table. We recommend that we are given early sight of draft visualisations for this proposal to allow us to provide detailed advice on potential impacts on setting and any possible mitigation by design.

#### **Category A listed buildings**

The following category A listed buildings should be scoped in to further detailed assessment:

- [Challoch, All Saints Episcopal Church \(LB19190\)](#)

This category A listed church has a rural setting and there would likely be visibility of the development when leaving the grounds of the church to the east, on approach to it along the B7027 and when travelling along the A714. This visibility has the potential to have adverse impacts on the setting of the church and the level of these impacts should be confirmed by assessment and potentially supported by visualisations if significant impacts are identified.





- [Cumloden House \(LB17052\)](#)

The building is an early 19<sup>th</sup> century Gothick cottage house. According to Appendix 6.1 of the scoping report, 21 or 22 turbines would be visible from the house and its grounds. The development site is located in close proximity to the north of the house, and when approaching the house from the south, turbines may be visible and cause adverse impacts on its setting. These potential impacts should be assessed and we recommend that a visualisation from within the clearing to the south of the house looking toward the house and development site be produced to demonstrate the potential visibility and impact of the turbines. We would be happy to provide further advice regarding visualisations if that would be helpful.

We are content to agree with the scoping report that the following assets can be scoped out of further assessment:

- Monigaff Church graveyard (LB19313)
- Former Douglas school (LB38672)
- Cree Bridge (LB38667)
- Penninghame Church (LB38663)

### Scoping report

We welcome that section 6 of the scoping report states that direct physical impacts, impacts on the setting of assets and cumulative impacts will be assessed. We recommend that an appropriate cultural heritage assessment methodology such as that laid out in Appendix 1 of the [EIA Handbook](#) is used for the assessment. We welcome that site visits will be carried out to assess the potential impacts on the settings of sites.

Section 6.3.1 indicates that a 10km study area is being proposed for the identification of assets which may receive impacts to their settings. We do not generally recommend the use of a specific radius for this purpose. As indicated above, we generally recommend that a ZTV is used in the first instance to identify assets which may receive impacts and any assets which might themselves fall outwith the ZTV but where important views towards them may have visibility of the turbines in the background of the asset. We welcome that section 6.3.3 confirms that a ZTV will be used for this purpose.

We would expect that the EIA Report should provide a brief justification for any designated assets within our remit which fall within the ZTV but have been scoped out of the detailed assessment in a similar format to Appendix 6.1 of the scoping report.

We note that section 6.3.5 refers to impacts on the setting of assets as being indirect. As identified in Appendix 1, paragraph 44 of the [EIA Handbook](#) setting impacts are generally direct as they directly affect the cultural significance of the asset. We also note that Section 6 of the scoping report in general identifies the potential physical impacts of the construction of the proposed development on assets and the potential non-physical



operational impacts to the setting of asset. It may be more helpful to identify these impacts as physical impacts and impacts to setting rather than using the less specific terminology of direct and indirect impacts.

We welcome that section 6.3.10 identifies potential options for both physical impacts and impacts to the setting of assets, including micro-siting away from assets, fencing off assets to prevent damage and redesign by alteration of turbine layout or reduction in height of turbines.

We note that section 6.6 refers to the scoping out of assets which fall outwith the ZTV and whose approaches are also outwith the ZTV. We recommend that any views towards an asset which contribute to its cultural significance are considered rather than just its approaches, this could include views towards an asset from another inter-visible asset for example. We recommend that the scoping out of impacts on Conservation Areas and category B and C listed buildings should be discussed with the Local Authority cultural heritage advisors.

### **Summary**

Overall, based on the available information on the proposed turbine size and locations, there is the potential for very large turbines to be visible in close proximity to a number of scheduled monuments. Turbines of this scale in this proximity are likely to have a significant adverse impact on the setting of the group of prehistoric monuments within the development site as they would impact on the distinct sense of place afforded to them by their remote and open upland rural location and on key characteristics of their settings as identified above.

The proposals would give rise to potentially significant adverse impacts on the setting of a large number of scheduled monuments located within and in the vicinity of the proposed development and potentially physical impacts. Based on the information available, it appears likely that the proposed development would raise issues in the national interest such that we would object should it come forward as currently designed.

The only mitigation likely to be sufficient to reduce the level of impacts on the setting of these scheduled monuments would be a significant redesign of the scheme which may also involve a reduction in the number of turbines. We would be happy to provide further advice on any further redesign of the proposed development and we recommend further consultation with us should the proposal move forward.

### **Historic Environment Scotland**

06 October 2023

**From:** [Doug Howieson](#)  
**To:** [Nicola Ferguson](#)  
**Subject:** FW: REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR BLAIR HILL WIND FARM  
**Date:** 21 August 2023 16:51:26  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image004.png](#)

---

Thank you for the chance to comment Nicola.

I agree with the measures suggested for the EIA chapter on Forestry.

Doug.

Name: Doug Howieson MICFor  
Job Title: Conservator, South Scotland  
Scottish Forestry  
Greystone Park | 55/57 Moffat Road | Dumfries | DG1 1NP  
Direct: 0131 370 5262  
Mobile: REDACTED  
Email: [doug.howieson@forestry.gov.scot](mailto:doug.howieson@forestry.gov.scot)

[forestry.gov.scot](https://forestry.gov.scot)  
[@scotforestry](https://www.facebook.com/scottishforestry)

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

[BRAVE values](#) are the roots that underpin Scottish Forestry, to create a workplace where our staff, and the people we work with, feel valued, supported and respected.

**B**e professional, **R**espect others, **A**ct with honesty and integrity, **V**alue teamwork and collaboration and **E**ncourage innovation and creativity.

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

Your ref:  
ECU00004878

Our ref:  
GB01T19K05

Date:  
31/08/2023

[econsents\\_admin@gov.scot](mailto:econsents_admin@gov.scot)

Dear Sirs,

## **ELECTRICITY ACT 1989**

### **THE ELECTRICITY (APPLICATIONS FOR CONSENT) REGULATIONS 2017**

#### **REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR BLAIR HILL WIND FARM**

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

This information has been passed to SYSTRA Limited (SYSTRA) 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 of Blair Hill Wind Farm will comprise 22 turbines with a blade to tip height of 250m, located on a site approximately 2.3km north of Newton Stewart. The nearest trunk road to the site is the A75(T) which lies approximately 7.5km to the south (as the crow flies).

#### **Assessment of Environmental Impacts**

Chapter 10 of the SR presents the proposed methodology for the assessment of Transport and Access. We note that the thresholds as indicated within the Institute of Environmental Management and Assessment (IEMA) Guidelines for the Environmental Assessment of Road Traffic are to be used as a screening process for the assessment. Transport Scotland is in agreement with this approach.

The SR also indicates that potential environmental impacts such as severance, driver delay, pedestrian delay, pedestrian amenity and accidents and safety etc will be considered and assessed where the IEMA Guideline thresholds for further detailed assessment are breached.

These specify that road links should be taken forward for detailed assessment if:

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

The SR states that the proposed Study Area will comprise the M8, M74 / A74(M) and M6, as well as the A75(T) and the A712. We note that base traffic data for these routes will be obtained from the Department for Transport (DfT) website and supplemented by an Automatic Traffic Count (ATC) survey on the A712. This is considered appropriate, however, we would add that an alternative source of traffic data is Traffic Scotland's National Traffic Data System.

Transport Scotland would add that base traffic data will require to be factored to the peak construction year flows using National Road Traffic Forecasts (NRTF) Low Growth.

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

### **Abnormal Loads Assessment**

We understand that the proposed Port of Entry for Abnormal and Indivisible Load deliveries is King George V Docks in Glasgow.

The SR states that an Abnormal Loads Routes Assessment (ALRA) Report for Abnormal Indivisible Loads (AIL) will be provided. Transport Scotland will require to be satisfied that the size of turbines proposed can negotiate the selected route and that their transportation will not have any detrimental effect on structures within the trunk road route path.

The ALRA should identify key pinch points on the trunk road network and swept path analysis should be undertaken with details provided with regard to any required changes to street furniture or structures along the route. We would also state that any proposed changes to the trunk road network must be discussed and approved (via a technical approval process) by the appropriate Area Managers prior to the movement of any abnormal loads.

To assist your planning of the abnormal load route I would make you aware that Transport Scotland is currently undertaking essential investigatory works on the Woodside Viaduct on the M8 northern flank. Temporary traffic management measures and weight restrictions are in force. The route is therefore not appropriate for abnormal loads at this time, with all HGV traffic encouraged to use the M74 and M73 as an alternative. At this time, there is no timeframe for completion of the works.

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 who can be reached on 0141 343 9636.

Yours faithfully,

**REDACTED**

**Iain Clement**

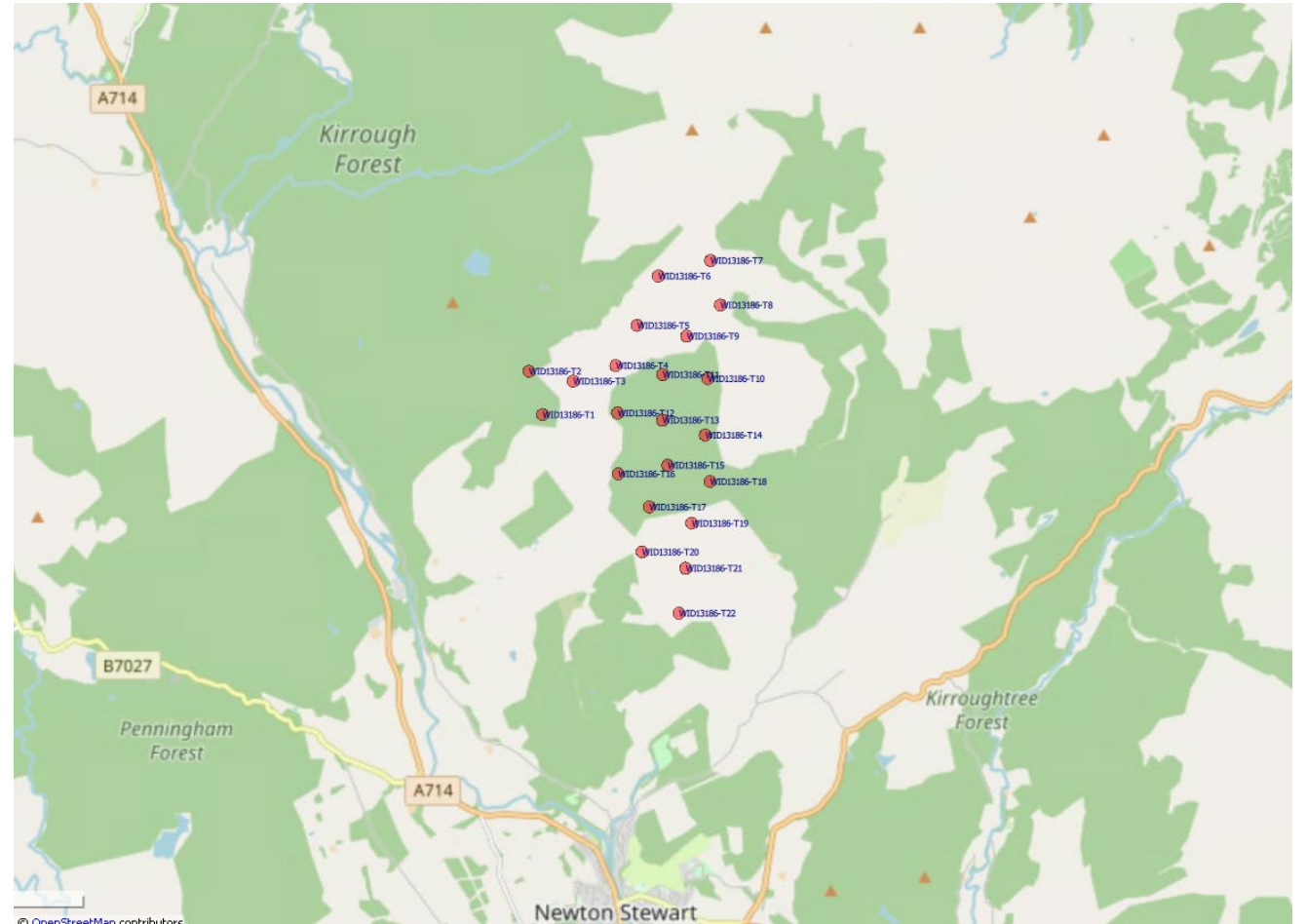
**Transport Scotland  
Roads Directorate**

cc Alan DeVenny – SYSTRA Ltd.

OUR REF:- WID13186

We have studied the proposed windfarm 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.





# Defence Infrastructure Organisation

Teena Oulaghan  
Safeguarding Manager  
Ministry of Defence  
Safeguarding Department  
St George's House  
DIO Headquarters  
DMS Whittington  
Lichfield  
Staffordshire  
WS14 9PY

Your Reference: ECU00004878

Telephone [MOD]: 07970 170934

Our Reference: DIO10059611

E-mail: teena.oulaghan100@mod.gov.uk

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

**By email only**

14 September 2023

Dear Nicola,

Application reference: ECU00004878  
Site Name: Blair Hill Wind Farm  
Proposal: ELECTRICITY ACT 1989 THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017. REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR BLAIR HILL WIND FARM  
Site address: Located approximately 400m east of the River Cree and 2.3 km north of Newton Stewart.

Thank you for consulting the Ministry of Defence (MOD) in relation to the scoping through your communication dated 18 August 2023.

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

I am writing to advise you that the MOD has concerns with the proposal.

The proposal concerns a development of 22 turbines with maximum blade tip heights of 250metres above ground level. The proposed development has been assessed using the location data (Grid References) below provided in the developers 'Scoping Report' dated 27 July 2023.

Turbine no.	Easting	Northing
1	240343	572071



2	240185	572644
3	240761	572494
4	241327	572678
5	241624	573194
6	241925	573827
7	242616	574005
8	242726	573420
9	242270	573031
10	242527	572466
11	241937	572538
12	241328	572058
13	241912	571944
14	242467	571728
15	241960	571351
16	241308	571261
17	241701	570815
18	242508	571119
19	242249	570583
20	241584	570231
21	242149	569997
22	242040	569412

The principal safeguarding concerns of the MOD with respect to this development of wind turbines relates to their potential to create a physical obstruction to air traffic movements.

### **Physical Obstruction**

In this case the development falls within Tactical Training Area 20T (TTA 20T), an area within which fixed wing aircraft may operate as low as 100 feet or 30.5 metres above ground level to conduct low level flight training. The addition of turbines in this location has the potential to introduce a physical obstruction to low flying aircraft operating in the area.

To address the impact up on low flying given the location and scale of the development, the MOD would require that conditions are added to any consent issued requiring that the development is fitted with aviation safety lighting and that sufficient data is submitted to ensure that structures can be accurately charted to allow deconfliction.

As a minimum the MOD would require that the development be fitted with MOD accredited aviation safety lighting in accordance with the Air Navigation Order 2016. It is likely that the CAA specified lighting will exceed that required by the MOD but to ensure the safeguarding of any low flying/rotary military aircraft, the MOD would request the wind farm is lit with no less than 25cd visible/IR Combi lighting on perimeter turbines.

### **Summary**

The MOD has concerns with this proposal due to the potential impact on aviation safety as a result of introducing an obstacle or obstruction to low flying aircraft operating in the development area.

The MOD must emphasise that the advice provided within this letter is in response to the information detailed in the developer's 'Scoping Report' dated 27 July 2023. 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 hope this adequately explains our position on the matter. If you require further information or would like to discuss this matter further, please do not hesitate to contact me.

Further information about the effects of wind turbines on MOD interests can be obtained from the following websites:

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

Yours sincerely

**REDACTED**

Teena Oulaghan  
Safeguarding Manager

**From:** [Safe Guarding](#)  
**To:** [Econsents Admin](#)  
**Cc:** [Safe Guarding](#); [Nicola Ferguson](#)  
**Subject:** ECU00004878 - Blair Hill Wind Farm  
**Date:** 24 August 2023 10:29:09  
**Attachments:** [image003.png](#)

---

Good morning,

In respect of the above, I can confirm the location of this development falls out with our Aerodrome Safeguarding zone for Edinburgh Airport therefore we have no objection/comment.

With best regards,  
Claire

**Claire Brown**  
Aerodrome Safeguarding & Compliance Officer



  
**Our values**

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EH12 9DN, Scotland

---

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---

**From:** [#GLA Safeguarding](#)  
**To:** [Nicola Ferguson](#)  
**Subject:** RE: REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR BLAIR HILL WIND FARM  
**Date:** 04 September 2023 12:10:14  
**Attachments:** [image001.png](#)  
[image873457.png](#)  
[image867558.png](#)  
[image580014.png](#)  
[image215636.png](#)  
[image062314.png](#)  
[image086886.png](#)

---

This proposal is located outwith the consultation area for Glasgow Airport. As such we have no comment to make and need not be consulted further.

Kind regards

Kirsteen



**#GLA Safeguarding**  
**#GLA Safeguarding**

☎ 07808 115 881

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---

**From:** [Ian Hutchinson](#)  
**To:** [Nicola Ferguson](#); [Econsents Admin](#)  
**Cc:** [Safeguarding](#)  
**Subject:** RE: External - REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR BLAIR HILL WIND FARM  
**Date:** 22 August 2023 13:35:20  
**Attachments:** [image001.png](#)

---

Hi Nicola,

On behalf of Glasgow Prestwick Airport, I have reviewed the documentation available on the ECU portal for Blair Hill Wind Farm (ECU00004878)

The proposed development benefits from a substantial level of terrain shielding from the GPA Primary Surveillance Radar and is well clear of the GPA Instrument Landing System and all Instrument Flight Procedures and protected surfaces.

Consequently, we would have no comment or valid objection to make regarding the proposal.

Kind regards,

Ian

---

Glasgow Prestwick Airport  
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**From:** [JRC Windfarm Coordinations Old](#)  
**To:** [Nicola Ferguson](#)  
**Cc:** [Econsents Admin](#); [WindSPEN](#)  
**Subject:** BLAIR HILL WIND FARM - Proposal (SCOTGOV) [WF698599]  
**Date:** 07 September 2023 10:34:55

---

Dear nicola,

A Windfarms Team member has replied to your co-ordination request, reference **WF698599** with the following response:

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

---

Dear Nicola,

**Site Name:** Blair Hill Wind Farm (ECU00004878)

**Turbine(s) at NGR:**

*Turbine Number X Coordinate Y Coordinate*

1 240343 572071  
2 240185 572644  
3 240761 572494  
4 241327 572678  
5 241624 573194  
6 241925 573827  
7 242616 574005  
8 242726 573420  
9 242270 573031  
10 242527 572466  
11 241937 572538  
12 241328 572058  
13 241912 571944  
14 242467 571728  
15 241960 571351  
16 241308 571261  
17 241701 570815  
18 242508 571119  
19 242249 570583  
20 241584 570231  
21 242149 569997  
22 242040 569412

**Hub Height:** 165m **Rotor Radius:** 85m

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

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

*In the case of this proposed wind energy development, JRC does not foresee any potential problems based on known interference scenarios and the data you have provided. However, if any details of the wind farm change, particularly the disposition or scale of any turbine(s), it will be necessary to re-evaluate the proposal. Please note that due to the large number of adjacent radio links in this vicinity, which have been taken into account, clearance is given specifically for a location within the declared grid reference (quoted above).*

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

*It should be noted that this clearance pertains only to the date of its issue. As the use of the spectrum is dynamic, the use of the band is changing on an ongoing basis and consequently, you are advised to seek re-coordination prior to submitting a planning application, as this will negate the possibility of an objection being raised at that time as a consequence of any links assigned between your enquiry and the finalisation of your project.*

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

*Regards*

*Wind Farm Team*

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

*Office: 02476 932 185*

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

*Registered in England & Wales: 2990041*

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

***We maintain your personal contact details and are compliant with the Data Protection Act 2018 (DPA 2018) for the purpose of 'Legitimate Interest' for communication with you. If you would like to be removed, please contact [anita.lad@jrc.co.uk](mailto:anita.lad@jrc.co.uk).***

We hope this response has sufficiently answered your query.

If not, please **do not send another email** as you will go back to the end of the mail queue, which is not what you or we need. Instead, **reply to this email by clicking on the link**

**below or login to your account** for access to your co-ordination requests and responses.

<https://breeze.jrc.co.uk/tickets/view.php?id=31226>



**From:** [Davie Black](#)  
**To:** [Econsents Admin](#)  
**Subject:** Blair Hill windfarm ECU00004878  
**Date:** 01 September 2023 14:15:12  
**Attachments:** [image001.png](#)

---

Mountaineering Scotland suggests that the viewpoints could be improved to provide better assessment of impact on hillwalkers as a key receptor.

The scoping for Blair Hill proposes four viewpoints at over 30km distance yet ignores hills in close proximity to the proposed development. Viewpoints would benefit from including Lamachan Hill (c.3km distance), Millfore (c.5km) and Corserine (c.15km). Mountaineering Scotland endorses viewpoints 6, 7 and 11.

With kind regards

**Davie Black** | Access & Conservation Officer

**Tel:** REDACTED | **Email:** [access@mountaineering.scot](mailto:access@mountaineering.scot)

**Website:** [www.mountaineering.scot](http://www.mountaineering.scot) | **Instagram:** [@mountaineeringscotland](https://www.instagram.com/mountaineeringscotland)

**Facebook:** [@MountaineeringScotland](https://www.facebook.com/MountaineeringScotland) | **Twitter:** [@Mountain\\_Scot](https://twitter.com/Mountain_Scot)

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**From:** [NATS Safeguarding](#)  
**To:** [Nicola Ferguson](#)  
**Cc:** [Econsents Admin](#)  
**Subject:** RE: REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR BLAIR HILL WIND FARM [SG35971]  
**Date:** 01 September 2023 09:32:56  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[SG35971 Blair Hill Wind Farm - TOPA Issue 1.pdf](#)

---

Our Ref: SG35971

Dear Sir/Madam

We refer to the application above. The proposed development has been examined by our technical safeguarding teams and conflicts with our safeguarding criteria.

Accordingly, NATS (En Route) plc objects to the proposal. The reasons for NATS's objection are outlined in the attached report TOPA SG35971.

We would like to take this opportunity to draw your attention to the legal obligation of local authorities to consult NATS before granting planning permission. The obligation to consult arises in respect of certain applications that would affect a technical site operated by or on behalf of NATS (such sites being identified by safeguarding plans that are issued to local planning authorities).

In the event that any recommendations made by NATS are not accepted, local authorities are obliged to follow the relevant directions within Planning Circular 2 2003 - Scottish Planning Series: Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) (Scotland) Direction 2003 or Annex 1 - The Town And Country Planning (Safeguarded Aerodromes, Technical Sites And Military Explosives Storage Areas) Direction 2002.

These directions require that the planning authority notify both NATS and the Civil Aviation Authority ("CAA") of their intention. As this further notification is intended to allow the CAA to consider whether further scrutiny is required, the notification should be provided prior to any granting of permission.

It should also be noted that the failure to consult NATS, or to take into account NATS's comments when determining a planning application, could cause serious safety risks for air traffic.

Should you have any queries, please contact us using the details below.

Yours faithfully

**NATS**

NATS Safeguarding  
E: [natssafeguarding@nats.co.uk](mailto:natssafeguarding@nats.co.uk)  
4000 Parkway, Whiteley,  
Fareham, Hants PO15 7FL  
[www.nats.co.uk](http://www.nats.co.uk)



Prepared by:  
NATS Safeguarding Office



# Technical and Operational Assessment (TOPA)

For Blair Hill  
Wind Farm Development

NATS ref: SG35971  
LPA ref: ECU00004878

Issue 1

## Contents

1.	Background	4
1.1.	En-route Consultation	4
2.	Scope	4
3.	Application Details	5
4.	Assessments Required	5
4.1.	En-route RADAR Technical Assessment	6
4.1.1.	Predicted Impact on Lowther RADAR (T4, T7, T8, T9, T10, T11, T12)	6
4.1.2.	Predicted Impact on Great Dun Fell RADAR (T6, T7, T8, T9)	6
4.1.3.	En-route operational assessment of RADAR impact	6
4.2.	En-route Navigational Aid Assessment	7
4.2.1.	Predicted Impact on Navigation Aids	7
4.3.	En-route Radio Communication Assessment	7
4.3.1.	Predicted Impact on the Radio Communications Infrastructure	7
5.	Conclusions	7
5.1.	En-route Consultation	7

## Publication History

Issue	Month/Year	Change Requests and summary
1	September 2023	Scoping Request

## Document Use

External use: Yes

## Referenced Documents

## 1. Background

### 1.1. En-route Consultation

NATS en-route plc is responsible for the safe and expeditious movement in the en-route phase of flight for aircraft operating in controlled airspace in the UK. To undertake this responsibility it has a comprehensive infrastructure of RADAR's, communication systems and navigational aids throughout the UK, all of which could be compromised by the establishment of a wind farm.

In this respect NATS is responsible for safeguarding this infrastructure to ensure its integrity to provide the required services to Air Traffic Control (ATC).

In order to discharge this responsibility NATS is a statutory consultee for all wind farm applications, and as such assesses the potential impact of every proposed development in the UK.

The technical assessment sections of this document define the assessments carried out against the development proposed in section 3.

## 2. Scope

This report provides NATS En-Route plc's view on the proposed application in respect of the impact upon its own operations and in respect of the application details contained within this report.

Where an impact is also anticipated on users of a shared asset (e.g. a NATS RADAR used by airports or other customers), additional relevant information may be included for information only. While an endeavour is made to give an insight in respect of any impact on other aviation stakeholders, it should be noted that this is outside of NATS' statutory obligations and that any engagement in respect of planning objections or mitigation should be had with the relevant stakeholder, although NATS as the asset owner may assist where possible.

### 3. Application Details

Scottish Government submitted a request for a NATS technical and operational assessment (TOPA) for the development at Blair Hill Wind Farm. It will comprise turbines as detailed in Table 1 and contained within an area as shown in the diagrams contained in Appendix B.

Turbine	Lat	Long	East	North	Hub (m)	Tip (m)
1	55.0175	-4.4987	240343	572071	165	250
2	55.0226	-4.5015	240185	572644	165	250
3	55.0214	-4.4924	240761	572494	165	250
4	55.0233	-4.4836	241327	572678	165	250
5	55.0280	-4.4793	241624	573194	165	250
6	55.0338	-4.4749	241925	573827	165	250
7	55.0356	-4.4642	242616	574005	165	250
8	55.0304	-4.4622	242726	573420	165	250
9	55.0267	-4.4691	242270	573031	165	250
10	55.0217	-4.4648	242527	572466	165	250
11	55.0222	-4.4740	241937	572538	165	250
12	55.0177	-4.4833	241328	572058	165	250
13	55.0168	-4.4741	241912	571944	165	250
14	55.0151	-4.4653	242467	571728	165	250
15	55.0115	-4.4730	241960	571351	165	250
16	55.0105	-4.4832	241308	571261	165	250
17	55.0066	-4.4768	241701	570815	165	250
18	55.0096	-4.4643	242508	571119	165	250
19	55.0047	-4.4681	242249	570583	165	250
20	55.0014	-4.4783	241584	570231	165	250
21	54.9994	-4.4693	242149	569997	165	250
22	54.9942	-4.4707	242040	569412	165	250

**Table 1 – Turbine Details**

### 4. Assessments Required

The proposed development falls within the assessment area of the following systems:

En-route Surv	Lat	Long	nm	km	Az (deg)	Type
Clee Hill Radar	52.3983	-2.5975	169.7	314.2	337.7	CMB
GDF Radar	54.6841	-2.4509	72.5	134.3	286.7	CMB
Lowther Hill Radar	55.3778	-3.7530	32.0	59.2	229.2	CMB
Perwinnes Radar	57.2123	-2.1309	152.5	282.4	211.8	CMB
Tiree Radar	56.4556	-6.9230	119.0	220.4	135.2	CMB
En-route Nav	Lat	Long	nm	km	Az (deg)	Type
None						
En-route AGA	Lat	Long	nm	km	Az (deg)	Type
None						

**Table 2 – Impacted Infrastructure**

## 4.1. En-route RADAR Technical Assessment

### 4.1.1. Predicted Impact on Lowther RADAR (T4, T7, T8, T9, T10, T11, T12)

Using the theory as described in Appendix A and turbine specific propagation profiles it has been determined that the terrain screening available will not adequately attenuate the signal for turbines T4, T7, T8, T9, T10, T11 & T12, and therefore these turbines are likely to cause false primary plots to be generated. A reduction in the RADAR's probability of detection, for real aircraft, is also anticipated.

### 4.1.2. Predicted Impact on Great Dun Fell RADAR (T6, T7, T8, T9)

Using the theory as described in Appendix A and turbine specific propagation profiles it has been determined that the terrain screening available will not adequately attenuate the signal for turbines T6, T7, T8, & T9, and therefore these turbines are likely to cause false primary plots to be generated. A reduction in the RADAR's probability of detection, for real aircraft, is also anticipated.

### 4.1.3. En-route operational assessment of RADAR impact

Where an assessment reveals a technical impact on a specific NATS' RADAR, the users of that RADAR are consulted to ascertain whether the anticipated impact is acceptable to their operations or not.

Unit or role	Comment
Prestwick Centre ATC	Unacceptable
Military ATC	Acceptable

*Note: The technical impact, as detailed above, has also been passed to non-NATS users of the affected RADAR, this may have included other planning consultees such as the MOD or other airports. Should these users consider the impact to be unacceptable it is expected that they will contact the planning authority directly to raise their concerns.*



## 4.2. En-route Navigational Aid Assessment

### 4.2.1. Predicted Impact on Navigation Aids

No impact is anticipated on NATS' navigation aids.

## 4.3. En-route Radio Communication Assessment

### 4.3.1. Predicted Impact on the Radio Communications Infrastructure

No impact is anticipated on NATS' radio communications infrastructure.

## 5. Conclusions

### 5.1. En-route Consultation

The proposed development has been examined by technical and operational safeguarding teams. A technical impact is anticipated, this has been deemed to be unacceptable.

## Appendix A – Background RADAR Theory

### Primary RADAR False Plots

When RADAR transmits a pulse of energy with a power of  $P_t$  the power density,  $P$ , at a range of  $r$  is given by the equation:

$$P = \frac{G_t P_t}{4\pi r^2}$$

Where  $G_t$  is the gain of the RADAR's antenna in the direction in question.

If an object at this point in space has a RADAR cross section of  $\sigma$ , this can be treated as if the object re-radiates the pulse with a gain of  $\sigma$  and therefore the power density of the reflected signal at the RADAR is given by the equation:

$$P_a = \frac{\sigma P}{4\pi r^2} = \frac{\sigma G_t P_t}{(4\pi)^2 r^4}$$

The RADAR's ability to collect this power and feed it to its receiver is a function of its antenna's effective area,  $A_e$ , and is given by the equation:

$$P_r = P_a A_e = \frac{P_a G_r \lambda^2}{4\pi} = \frac{\sigma G_t G_r \lambda^2 P_t}{(4\pi)^3 r^4}$$

Where  $G_r$  is the RADAR antenna's receive gain in the direction of the object and  $\lambda$  is the RADAR's wavelength.

In a real world environment this equation must be augmented to include losses due to a variety of factors both internal to the RADAR system as well as external losses due to terrain and atmospheric absorption.

For simplicity these losses are generally combined in a single variable  $L$

$$P_r = \frac{\sigma G_t G_r \lambda^2 P_t}{(4\pi)^3 r^4 L}$$

## Secondary RADAR Reflections

When modelling the impact on SSR the probability that an indirect signal reflected from a wind turbine has the signal strength to be confused for a real interrogation or reply can be determined from a similar equation:

$$P_r = \frac{\sigma G_t G_r \lambda^2 P_t}{(4\pi)^3 r_t^2 r_r^2 L}$$

Where  $r_t$  and  $r_r$  are the range from RADAR-to-turbine and turbine-to-aircraft respectively. This equation can be rearranged to give the radius from the turbine within which an aircraft must be for reflections to become a problem.

$$r_r = \sqrt{\frac{\lambda^2}{(4\pi)^3}} \sqrt{\frac{\sigma G_t G_r P_t}{r_t^2 P_r L}}$$

## Shadowing

When turbines lie directly between a RADAR and an aircraft not only do they have the potential to absorb or deflect, enough power such that the signal is of insufficient level to be detected on arrival.

It is also possible that azimuth determination, whether this done via sliding window or monopulse, can be distorted giving rise to inaccurate position reporting.

## Terrain and Propagation Modelling

All terrain and propagation modelling is carried out by a software tool called ICS Telecom (version 11.1.7). All calculations of propagation losses are carried out with ICS Telecom configured to use the ITU-R 526 propagation model.

Appendix B – Diagrams

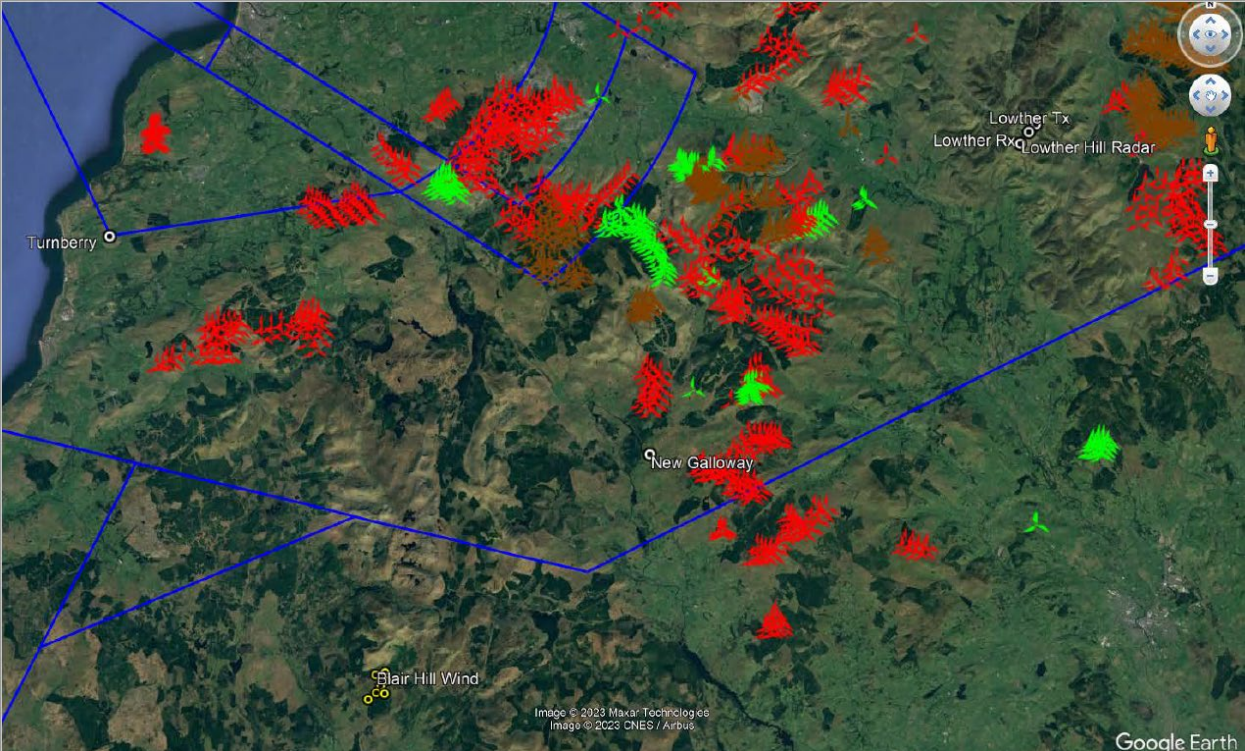


Figure 1: Proposed development location shown on an airways chart

**From:** [ONR Land Use Planning](#)  
**To:** [Econsents Admin](#)  
**Subject:** ONR Land Use Planning - Application ECU00004878  
**Date:** 25 August 2023 12:23:11  
**Attachments:** [image001.png](#)  
[image001.png](#)

---

Dear Sir/Madam,

ONR land use planning processes are published here: <http://www.onr.org.uk/land-use-planning.htm>.

ONR has no comment on planning application reference: ECU00004878 as it does not meet ONR's consultation criteria:

<b>DEPZ</b>	<p>Any new development, re-use or re-classification of an existing development that could lead to an increase in residential or non-residential populations thus impacting on the off-site emergency plan.</p> <p>Any new development, re-use or re-classification of an existing development that could pose an external hazard to the site.</p> <p>Any re-use or re-classification of an existing development that could introduce vulnerable groups to the DEPZ.</p>
<b>Outer Zone</b>	<p>Any new residential development of 200 dwellings or greater.</p> <p>Any re-use or re-classification of an existing development that will lead to a material increase in the size of an existing development (greater than 500 persons).</p> <p>Any new non-residential development that could introduce vulnerable groups to the OCZ.</p> <p>Any new development, re-use or re-classification of an existing development that could pose an external hazard to the site.</p>

Kind regards,

Vicki Enston  
 Land Use Planning  
 Office for Nuclear Regulation  
[ONR-Land.Use-planning@onr.gov.uk](mailto:ONR-Land.Use-planning@onr.gov.uk)

Royal Burgh of Wigtown & District Community Council

Duncan Cottage  
Wigtown  
Newton Stewart  
DG8 9JD



9 October 2023

Energy Consents Unit  
5 Atlantic Quay  
150 Broomilaw  
GLASGOW  
G2 8LU

Dear Sirs

Blair Hill (ECU00004878)  
Glenvernoch (ECU00004892)

RES held a public exhibition to display the outline of their proposed turbines at Blair Hill and to engage with residents of Wigtown on 4 October 2023. Energiekontor UK Ltd has not engaged with Wigtown at all in relation to Glenvernoch and North British Wind has not made contact either in relation to Balunton Hill.

The Community Council discussed this at our meeting on 9 October and we write to make three points:

1. The turbines are all much larger than any now operating in Galloway and their impact on the landscape and the Wild Land (designated by Dumfries and Galloway Council) will be significant. They will be visible from many places and, particularly for us, on the road from Wigtown to Newton Stewart.
2. We support the submissions made to you by the Cree Valley Community Council.
3. We are particularly concerned about the total impact of these three wind farms if they are permitted. 47 enormous turbines will have an impact across this part of Galloway – looming large in the open landscape, creating noise and flicker, and in its impact on the wildlife.
4. These turbines are probably twice the height of the turbines in operation when the parameters for the EIA rules were set and they need to be adjusted accordingly.

Please ensure that all these matters are covered when setting out the scope of the EIA, and that it covers a large geographical area.

Yours faithfully,

Redacted

Sandra McDowall  
Convenor  
Royal Burgh of Wigtown and District Community Council

Colin Abernethy,  
Case Manager,  
Energy Consents Unit,  
The Scottish Government

Sent by email: [Colin.Abernethy@gov.scot](mailto:Colin.Abernethy@gov.scot)

13 October 2023

Dear Colin,

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

**REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION  
FOR BLAIR HILL WIND FARM**

Thank you for consulting RSPB Scotland on the Scoping Report for the above-named project in Dumfries and Galloway planning authority (ECU00004878) and for allowing us an extension of time to consider the Scoping Report. RSPB Scotland is supportive of the use of renewable energy, but wind farms must be carefully sited to avoid negative impacts on sites and species of conservation importance.

We have the following comments to make in answer to the applicant's questions in Chapter 8 of the Scoping Report; we hope that our comments will be useful to the applicant in preparing any EIA Report.

8.7 Questions for Consultees

**• Do consultees agree that, subject to further information becoming available from the field surveys and desk study, the scope of IOFs (including designated sites) to be included in the assessment is appropriate?**

No comment, see answers to further questions in this consultation.

**• Do consultees agree that the desk study and the field surveys (April 2022 to March 2024) will provide sufficient data to inform a robust impact assessment?**

We note that the survey area within 1.5km of the project boundary including the south-east of the site where turbines 19-22 are proposed, was only surveyed for lekking Black

**Dumfries & Galloway Office**  
The Old School  
Crossmichael  
Castle Douglas  
Kirkcudbrightshire  
DG7 3AP

**Tel:** 01556 670 464  
**Facebook:** RSPBDumfriesandGalloway  
**Twitter:** @RSPBDandG  
**rspb.org.uk/Scotland**



The RSPB is part of Bird Life International, a Partnership of conservation organisations working to give nature a home around the world.

Grouse in year two. Since our data confirms current and historical Black Grouse lek sites within the development footprint including in the area proposed for the above turbines and in the wider area, we advise that survey effort for Black Grouse should ideally include two years of survey work across the 1.5km buffer of the whole project boundary. We also note that desk-based study did not include data search for Black Grouse which we suggest further supports the need for two-years of survey within 1.5km of the current project boundary to inform the potential impact of this project.

In addition, vantage point survey did not appear to cover the location of turbines 7, 8, 21, 22 in year one (Figure 8.1) and turbines 2 and 8 in year two (Figure 8.2). We recommend that this omission should be factored into the EIA for this project in relation to its potential impact to Black Grouse and other IOFs identified for assessment.

The Scoping Report confirms that Black Grouse was recorded through survey effort and included lekking males and birds (male/female) in the non-breeding season and birds in flight, although there is no locational reference for these records. We would be prepared to revise our advice on the need for two-years of survey within 1.5km buffers of the current project boundary pending confirmation of the location of the lek recorded through survey effort in year two and providing that a data search for Black Grouse is requested from the relevant consultees to inform the baseline data for this project (see data search contacts below).

**• Do consultees agree that the methodology and scope of the assessment is appropriate?**

No, we do not agree based on reasons raised above. In addition, we note that cumulative assessment will be assessed for each IOF in relation to projects and activities in relation to this proposal. We recommend that these projects should include new forestry proposals. We also note that assessment of impact will be based on NHZ populations where relevant. However, we recommend that for Black Grouse, impact should be assessed relating to more recent assessments of its status regionally and locally. This information is available from GWCT and RSPB Scotland.

**• Are there any other relevant consultees who should be contacted, or other sources of information that should be referenced with respect to the ornithology assessment?**

Data on regional and local populations of lekking Black Grouse is available from multiple sources including:

- RSPB Scotland ([dataunit@rspb.org.uk](mailto:dataunit@rspb.org.uk))
- Game and Wildlife Conservation Trust (GWCT) (trends as part of national status).
- the Southern Upland Partnership (Scottish Borders).
- Forestry and Land Scotland (Galloway Forest Park)

**• Do consultees agree with the features proposed to be scoped out of the assessment?**

At paragraph 8.2.2, the Scoping Report highlights potential connectivity with geese species Pink-footed and Greylag associated with the Solway Firth SPA, and Loch Ken and River Dee Marshes SPA, respectively, due to the proposed development site being within core foraging range of these species, as per [NatureScot guidance \(2018\)](#). As such, we support the carrying out of a Habitats Regulations Appraisal (HRA) under the Conservation of Habitats and Species Regulations 2017.



- **Further comments**

NPF4 was adopted in February 2023, which includes a requirement in Policy 3 that development proposals contribute to the enhancement of biodiversity. Any potential adverse impacts including cumulative impacts on biodiversity, nature networks, and the natural environment should be minimised through careful planning and design. In particular policy 3(b) states development proposals (for major, national or those that require EIA) will only be supported where it can be demonstrated the proposal will conserve, restore and enhance biodiversity to ensure it is left in a demonstrably better state than without intervention.

We welcome the proposal to include a Biodiversity Enhancement Management Plan (BEMP) in paragraph 8.5 of the Scoping Report, but note that, as per the mitigation hierarchy, mitigation and enhancement are to be treated separately, the latter to go above and beyond achieving 'no net loss' and deliver positive effects in line with NPF4.

Yours sincerely,

REDACT

Julia Gallagher  
Senior Conservation Officer – Scottish Lowlands & Southern Scotland

Tuesday, 22 August 2023



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

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

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



Dear Customer,

**Blair Hill Wind Farm, Dumfries, DG8 6DA**  
**Planning Ref: ECU00004878**  
**Our Ref: DSCAS-0092825-X83**

**Proposal: Construction and operation of a wind farm development comprising up to 22 wind turbines with associated infrastructure including energy storage system. The total generating capacity will be in excess of 50 MW.**

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

### **Audit of Proposal**

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

### **Drinking Water Protected Areas**

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

### **Surface Water**

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

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

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

### General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
  - ▶ Site Investigation Services (UK) Ltd
  - ▶ Tel: 0333 123 1223
  - ▶ Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)
  - ▶ [www.sisplan.co.uk](http://www.sisplan.co.uk)

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

Yours sincerely,

**Ruth Kerr.**

Development Services Analyst

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

### Scottish Water Disclaimer:

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

# BLAIR HILL WIND FARM SCOPING

## CREE VALLEY COMMUNITY COUNCIL

### Submission in response to the consultation.

The proposed Blair Hill Wind Farm Development is situated in the centre of the Cree Valley Community Council Area.

According to the Blair Hill Wind Farm site layout plan provided by RES, the closest wind turbine to Newton Stewart will sit 2.3 km from the Newton Stewart settlement boundary as defined in the current Local Development Plan. Cumloden Manor Residential Care Home is only 2.5 km from the same turbine. Additionally, there are more than 20 houses shown on the RES site location plan, (situated out-with the Newton Stewart settlement boundary) which lie less than 2km from the wind farm boundary as outlined in the site layout plan.

It is an understatement to say that many local people are deeply concerned about this Development. We respectfully request the Energy Consents Unit to carefully consider the following.

With regard to landscape and visual matters. We do not agree with the approach suggested. The proposed Development is a Windfarm in a Regional Scenic Area on the edge of the Galloway Forest Park. The site is contiguous with the large tract of unspoilt wild land which forms the Minnigaff Hills. The Minnigaff Hills are the uplands of Minnigaff Parish, Scotland's largest Parish, and include the Merrick. The wind farm site is 6km from the Merrick WLA, being conjoined to it by unpopulated wild upland, identical in landscape character to the Merrick WLA. The Minnigaff Hills are perceived by both locals and visitors as being a single tract of wild land. The wild undesignated hills of Larg, Lamachan and Curleywee are not perceived as either separate or different to the WLA designated hills of Benyellary and Craignaw. The EIAR cannot ignore this reality. If consented the Blair Hill Windfarm Farm has the potential to have significant adverse effects on the visual amenity of the Minnigaff Hills and the Merrick WLA with consequent significant adverse effects on the local tourist economy and the quality of life of local residents.

The impacts on the Merrick WLA must be included in the EIAR.

With regard to the study areas, we do not agree that a zone of 3km radius is sufficient for the RVAA study area for this Development.

The 22 Turbines are described as being up to 250 m tall. Turbines of this height are almost double the size of the largest that were envisioned at the time when the current local development plan was drafted. Official planning guidance classifies a wind turbine of

between 100m and 150m in height as large. It offers no separate classification at all for turbines with an overall height of greater than 150m.

The extra-large size of the 250m wind turbines proposed for Blair Hill is significant because it dictates, (for the principle of proportionality inherent in EIA to be respected), that the zones around Blair Hill where residential visual amenity is required to be assessed extend a greater distance from the proposed turbines than would be the case if the proposed turbines were much smaller.

It is proportionate to state that any house with a clear view of the Blair Hill Wind farm and situated within 5km of any turbine will require a RVAA to be carried out otherwise the Blair Hill EIAR will be incomplete and not fit for purpose.

The zone for RVAA should be set at 5 km.

With regard to the list of Viewpoints provided by RES. The official guidance contained in both "Visual Representations of Windfarms, SNH/Nature Scot 2017", and "Guidelines for Landscape and Visual Impact Assessment, LEMA" indicates that the list of viewpoints selected by RES for LVIA is inadequate and requires to be revised. We suggest that the following list of viewpoints is much more in keeping with the official guidance and is appropriate if the significant visual impacts of the Blair Hill Wind Farm are to be properly understood.

VP1- Drumwhirn Cairn.

VP2- Monigaff Parish Church car park. This is a spot frequented by parishioners, walkers to Knockman Wood, visitors to the Wood of Cree and RSPB nature reserves, and cyclists on both National Cycle Route 7 and the 7stanes Big Country Route.

VP3- Risk Road/ Auchenleck Road junction at Glenhoise. "Roon the Risk" which passes this location is a popular walking, jogging, and cycling circuit for the people of Minnigaff. It is also a way point on a scenic section of National Cycle Route 7 and the 7stanes Big Country Cycle route.

VP4- The entrance gate to the DEHS playing fields. The view from here is experienced by schoolchildren enjoying outdoor sport, local residents recreationally walking to Blairmount Park, and the staff and members of the public travelling to make use of the facilities at the Merrick Leisure Centre, as well as the staff and pupils of the DEHS travelling to and from the school. The view is very similar to that experienced from home by the many residents of the Viewhills Road/ Corsbie Road/Doonhill area of Newton Stewart.

VP5- The A75 at Knockbren Toll. The 19th century Toll house was built here because all road traffic using the A75 to the west of Newton Stewart must pass by. The minor roads heading north and south from this busy crossroads are also popular with walkers, cyclists, and tourers seeking to enjoy the local scenery.

VP6- All Saints Church, Challoch. The popular tourist route, the A714, from Ayrshire and Glentroll to the north, and Newton Stewart and Wigtown to the south passes this location. The view from it, with the River Cree in the foreground and the hills as the backdrop, is stunning.

VP7- The cycle path adjacent to the A714 at the entrance to the Nether Barr Steading Self Catering Holiday Lodges. The cycle path is particularly popular with local families.

VP8- The Glentroll Visitor Centre Carpark (eastern Pay and Display point) The Glentroll Visitor Centre Carpark is the busiest place in the Glentroll area. The visitor centre is one of the 7stanes. It is the start point for several scenic, world renowned mountain bike trails. It is also the start point for half a dozen colour graded forest paths and the site of the busy tearoom/visitor centre. Hill walkers en route to climb the Merrick, tourists on their way to visit Bruce's Stone, and cyclists on the National Cycle Route must pass by and often stop here.

VP9- The trig point at the high point of the Hill of Ochiltree. The Southern Upland Way passes through this point. This location has historical importance being the site of a main fort on the ruined Deil's Dyke, a rampart constructed by the Novantae to demarcate their territory in the period after Roman influence ended in Galloway.

VP10- The A75 parking area south of Creetown

VP11- The junction of the B7005 with the A714 at Culquhirk just north of Wigtown, Scotland's National Book Town. This is a location that all visitors to and residents of Wigtown and the Machars regularly pass through.

VP12- The A714 at Whitecairn, the "Orangerie Restaurant" one mile north of Bargrennan.

VP13- The summit of the Merrick.

VP14- The summit of Cairnsmore of Fleet. Climbing Cairnsmore is the most popular recreational hill walk in the area for local people and visitors seeking to enjoy a panoramic view. The view from it is seen by thousands of people each year.

VP15- Garlick Hill.

VP16- Benninguinea Lookout.

VP17- Kirkcowan Church.

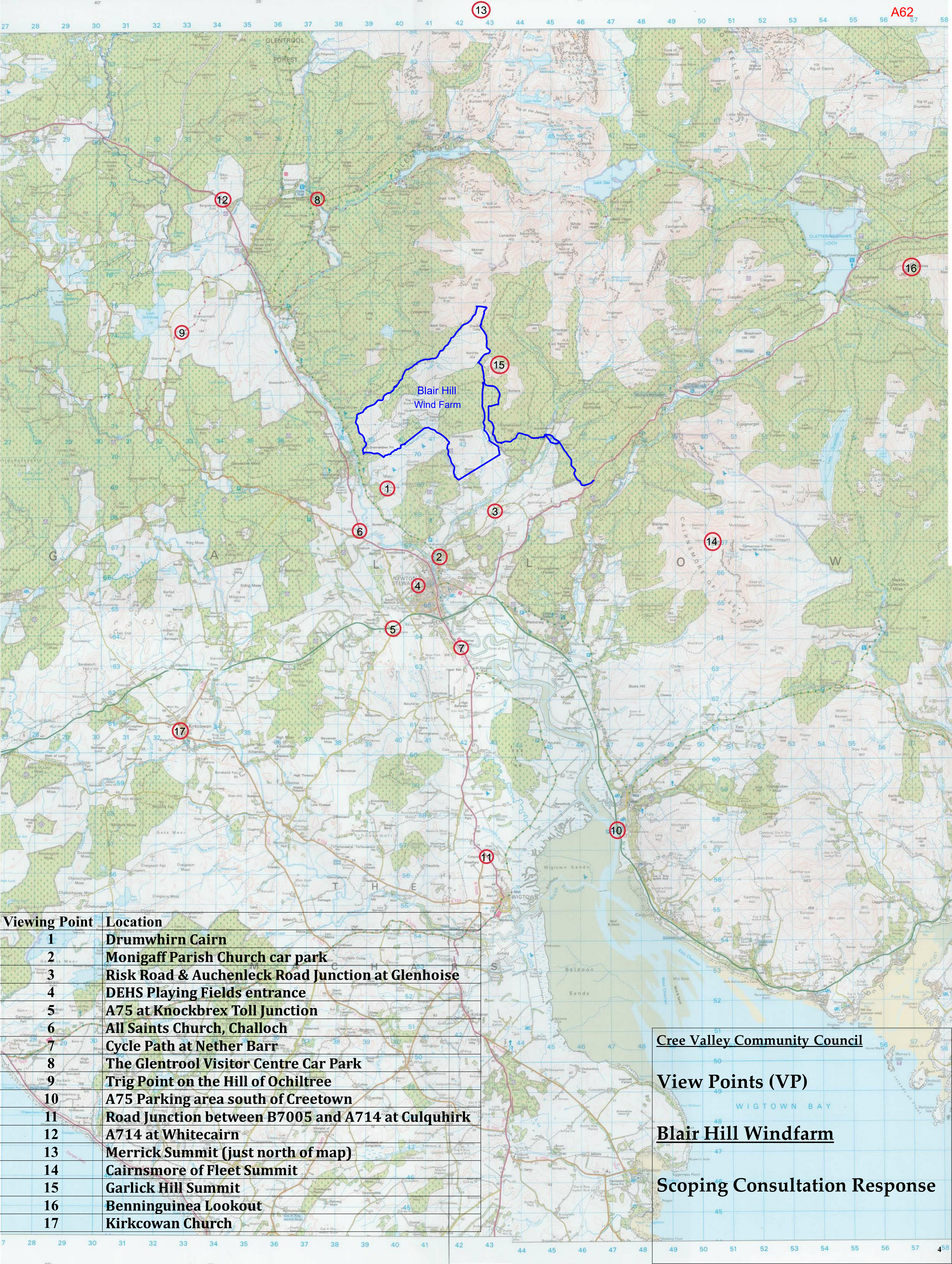
VP18- Southern Upland Way at Artfield Fell.

VP19- Barrhill Station.

VP20- Southern Upland Way above Stranraer.

VP21 - A714 North of Whithorn.

VP22- Sandhead.



Viewing Point	Location
1	Drumwhirn Cairn
2	Monigaff Parish Church car park
3	Risk Road & Auchenleck Road Junction at Glenhoise
4	DEHS Playing Fields entrance
5	A75 at Knockbren Toll Junction
6	All Saints Church, Challoch
7	Cycle Path at Nether Barr
8	The Glentool Visitor Centre Car Park
9	Trig Point on the Hill of Ochiltree
10	A75 Parking area south of Creetown
11	Road Junction between B7005 and A714 at Culquhirk
12	A714 at Whitecain
13	Merrick Summit (just north of map)
14	Cairnsmore of Fleet Summit
15	Garlick Hill Summit
16	Benninguinea Lookout
17	Kirkcowan Church

Cree Valley Community Council

**View Points (VP)**

**Blair Hill Windfarm**

**Scoping Consultation Response**

The consultation asks, “Do consultees agree that there is no potential for connectivity, or potentially significant effects, between the proposed Development and the designated sites present within 5 km of the Site, and that consequently effects related to all designated sites can be scoped out of the assessment? “.

We wholeheartedly disagree with the above. The question tacitly acknowledges that the effects it alludes to are linked to the Development. Hence, they must be identified and properly assessed in the EIAR. Clearly the various effects will decline as distance from the site increases. However, 5km is a very small distance when the size of the site, 12km<sup>2</sup>, is considered. 12 km would be more appropriate.

No designated site within 12km of the Development should be scoped out of the EIAR.

The Deil’s Dyke, linear earthwork, Hill of Ochiltree (SM1966), is identified as a Cultural Heritage Asset. This linear earthwork is shown, on the first edition Ordnance Survey map, continuing to the west of Ochiltree, crossing the Moor of Drannadow. It bisects the Blair Hill site. The national importance of the Deil’s Dyke has been hitherto overlooked. The EIAR must not ignore it.

The Glenvernoch Wind Farm which is in the pre application stage must be included in the Cumulative Assessment.

Finally, the Blair Hill EIA Scoping Report erroneously states that the Killgallioch Extension is 18.9 km west of the site. It is 11km west of the site. We have not checked the rest of the Scoping Report for errors. We trust that there are no more mistakes in it.

Cree Valley Community Council

October 2023



## **Marine Directorate – Science Evidence Data and Digital (MD-SEDD) advice on freshwater and diadromous fish and fisheries in relation to onshore wind farm developments.**

**July 2020 updated September 2023**

Marine Directorate – Science Evidence Data and Digital (MD-SEDD) provides internal, non-statutory, advice in relation to freshwater and diadromous fish and fisheries to the Scottish Government’s Energy Consents Unit (ECU) for onshore wind farm developments in Scotland.

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

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

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

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

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

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

#### MD-SEDD provision of advice to ECU

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

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

##### Scoping

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

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

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

## Gate check

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

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

## EIA Report

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

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

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

## Post-Consent Monitoring

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

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

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

### Planning Conditions

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

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

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

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

### Sources of further information

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

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

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

**Annex 1 (revised September 2023)**

**Marine Directorate – Science Evidence Data and Digital (MD-SEDD) – EIA Checklist**

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

MD-SEDD Standard EIA Report Requirements	Provided in application YES/NO	If YES – please signpost to relevant chapter of EIA Report	If not provided or provided different to MD-SEDD advice, please set out reasons.
<p>1. A map outlining the proposed development area and the proposed location of:</p> <ul style="list-style-type: none"> <li>○ the turbines,</li> <li>○ associated crane hard standing areas,</li> <li>○ borrow pits,</li> <li>○ permanent meteorological masts,</li> <li>○ access tracks including watercourse crossings,</li> <li>○ all buildings including substation, battery storage;</li> <li>○ permanent and temporary construction compounds;</li> <li>○ all watercourses; and</li> <li>○ contour lines;</li> </ul>			

<p>2. A description and results of the site characterisation surveys for fish (including fully quantitative electrofishing surveys) and water quality including the location of the electrofishing and fish habitat survey sites and water quality sampling sites on the map outlining the proposed turbines and associated infrastructure.</p> <p><b>This should be carried out where a Special Area of Conservation (SAC) is present and where salmon are a qualifying feature, and in exceptional cases when required in the scoping advice for other reasons. In other cases, developers can assume that fish populations are present;</b></p>			
<p>3. An outline of the potential impacts on fish populations and water quality within and downstream of the proposed development area;</p>			
<p>4. Any potential cumulative impacts on the water quality and fish populations associated with adjacent (operational and consented) developments including wind farms, hydro schemes, aquaculture and mining;</p>			

<p>5. Any proposed site specific mitigation measures as outlined in <b>MD-SEDD</b> generic scoping guidelines and the joint publication “Good Practice during Wind Farm Construction” (<a href="https://www.nature.scot/guidance-good-practice-during-wind-farm-construction">https://www.nature.scot/guidance-good-practice-during-wind-farm-construction</a>);</p>			
<p>6. Full details of proposed monitoring programmes using guidelines issued by <b>MD-SEDD</b> and accompanied by a map outlining the proposed sampling and control sites in addition to the location of all turbines and associated infrastructure.</p> <p><b>At least 12 months of baseline pre-construction data should be included. The monitoring programme can be secured using suitable wording in a condition.</b></p>			
<p>7. A decommissioning and restoration plan outlining proposed mitigation/monitoring for water quality and fish populations.</p> <p><b>This can be secured using suitable wording in a condition.</b></p>			



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