

Appendix 2.2

Deucheran Hill 2 Wind Farm Scoping Opinion



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**The Scottish Government
Energy Consents Unit**

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

**Deucheran Hill 2 Wind Farm
Koehler Renewable Energy UK Limited**

07 January 2025

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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 RWE Renewables UK Ltd (RWE) (“the Company”) a company incorporated under the Companies Acts with company number 03758404 and having its registered office at Windmill Hill Business Park, Whitehill Way, Swindon, Wiltshire, England, SN5 6PB in response to a request dated 23 August 2024 for a scoping opinion under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the proposed Deucheran Hill 2 Wind Farm (“the proposed Development”). The request was accompanied by a scoping report.

1.2 The proposed Development would be located on an area of land on the Kintyre Peninsula in Argyll and Bute, 7 Kilometres (km) northwest of Carradale.

1.3 The proposed Development would comprise up to 23 wind turbines with a maximum height of up to 220m, a Battery Energy Storage System (“BESS”), and associated infrastructure, with a combined generating capacity exceeding 50 megawatts (“MW”).

1.4 In addition to the wind turbines and BESS there will be ancillary infrastructure including, but not limited to:

- Turbine foundations and hardstandings;
- External transformer housing;
- Crane pads;
- Access tracks;
- Underground electricity cables;
- Permanent anemometry mast;
- Temporary borrow pits;
- Temporary construction and storage compounds and ancillary infrastructure;
- Site signage;
- Onsite substation and control building;
- Office and welfare facilities;
- Habitat Management Area;
- Temporary construction gatehouse;
- Waste water and drainage attenuation measures (as required).

1.5 The Company indicates the proposed Development would be decommissioned after 40 years.

1.6 The proposed Development is solely within the planning authority of Argyll & Bute Council.

2. Consultation

2.1 Following the scoping opinion request a list of consultees was agreed between Natural Power Consultants Limited (Natural Power) (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 09 September 2024. The consultation closed on 27 September 2024. Extensions to this deadline were granted to:

- Historic Environment Scotland;
- NatureScot; and
- Defence Infrastructure Organisation

2.2 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**.

2.3 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.

2.4 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.

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

- Argyll & Bute Council
- Aberdeen Airport
- Civil Aviation Authority
- Crown Estate Scotland
- Fire & Rescue Service
- Argyll Fisheries Trust
- John Muir Trust
- Mountaineering Scotland
- Oban Airport
- ScotWays
- Scottish Power Energy Networks (SPEN)
- Visit Scotland
- West Kintyre Community Council

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

2.7 To date, Argyll & Bute Council has not submitted a response to the scoping consultation. The Scottish Ministers have decided that a scoping opinion based on the consultation responses received to date should be issued and in the event that a response is subsequently received from Argyll & Bute Council, it will be accepted and issued as an addendum to this scoping opinion.

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

3. The Scoping Opinion

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

3.2 The Scottish Ministers adopt this scoping opinion having taken into account the information provided by the applicant in its request dated 23 August 2024 in respect of the specific characteristics of the proposed Development and responses received to the consultation undertaken. In providing this scoping opinion, the Scottish Ministers have had regard to current knowledge and methods of assessment; have taken into account the specific characteristics of the proposed Development, the specific characteristics of that type of development and the environmental features likely to be affected.

3.3 A copy of this scoping opinion has been sent to Argyll & Bute Council for publication on their website. It has also been published on the Scottish Government energy consents website at www.energyconsents.scot.

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

3.6 In addition to the consultation responses, the Scottish 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 generating 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)
- components required for each generating station
- minimum and maximum export capacity of megawatts and megawatt hours of electricity for battery storage.

3.8 When the application is submitted, the duration of consent applied for must be stated in the EIA report and in the application covering letter.

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

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

3.11 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 The Scottish Ministers recommend that the Company consider comments made by Argyll District Salmon Fisheries Board with regards to the proposal's locality to headwaters of Carradale Water and populations of Atlantic salmon.

3.15 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.

3.16 The scoping report identified viewpoints at Table 10.5 to be assessed within the landscape and visual impact assessment ("LVIA"). The Scottish Ministers note that NatureScot, Historic Environment Scotland and East Kintyre Community Council have made a number of comments on the proposed viewpoints and requested additional viewpoints. It is recommended the Company consult with the Argyll & Bute Council, NatureScot, Historic Environment Scotland and East Kintyre Community Council to determine the final viewpoint selection.

3.17 It is recommended by the Scottish Ministers that the Company have regard to the advice from Historic Environment Scotland (HES) in relation to the viewpoints required to support the cultural heritage impact assessment.

3.18 It is also recommended by the Scottish Ministers that the Company seek further engagement with HES to determine the full list of scheduled monuments for inclusion in the EIA and to address the concerns raised regarding the specific scheduled monuments listed in their response.

3.19 The noise assessment should be carried out in line with relevant legislation and standards as detailed in section 15 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.". Assessment of operational noise associated with battery storage should also be completed and included in the EIA report.

3.20 As the maximum blade tip height of turbines exceeds 150m the LVIA as detailed in section 3.2 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.

3.21 To ensure that cumulative impact assessments are as up-to-date as possible, other developments to be included should be discussed and agreed by the Company and Argyll & Bute Council. Assessments, photography and visualisations submitted in the EIA report should reflect the most up-to-date position.

3.22 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, NatureScot and RSPB. The Company should pay particular attention to NatureScot and RSPB's comments in relation to Kintyre Goose Roosts and impacts to Red-Throated Divers.

3.23 The Scottish Ministers recommend that the Company have regard to NatureScot's comments regarding National scenic Areas (NSAs) and Special Protection Areas (SPAs) to be included in the EIA report.

3.24 The Scottish Ministers recommend that the Company has discussions with the Defence Infrastructure Organisation to resolve their concerns regarding the proposed Development's potential to create a physical obstruction to air traffic movements of low flying aircraft.

3.25 The Scottish Ministers recommend the Company consider the comments provided by Highlands & Islands Airports Limited (HIAL) with regards to Campbeltown and Islay Airports, specifically the request that an Aviation Impact Feasibility Study is undertaken. The Company should also have regard to comments made by NATS Safeguarding in relation to the proposed development resulting in an unacceptable technical impact at Prestwick Centre Air Traffic Control.

3.26 The Scottish Ministers recommend the Company consider comments provided by Joint Radio Company (JRC) with regards to concerns that the development may interfere with one or more radio system links.

3.27 The Scottish Ministers advise the Company to consider concerns raised by RSPB and Woodland Trust regarding ancient woodland and the Woodland Trust's recommendation for an Aboricultural Impact Assessment.

3.28 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](#)'.

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

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

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

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 EIA 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 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.

5.6 In advance of the application for section 36 consent being submitted – ideally before design freeze – the Company should liaise with the ECU with regards to the Gatecheck process and the statutory arrangements that will have to be made when the application is ready to be submitted. For example, the provision of hard copies of the EIA report and supporting documentation to the Scottish Ministers will have to be discussed and agreed as will public notices and public viewing arrangements.

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).

Christopher Devenny
Energy Consents Unit
07 January 2025

ANNEX A

Consultation

List of consultees who provided a response.

• Argyll District Salmon Fishery Board	A1
• British Horse Society	A2 – A4
• BT Group	A5 – A7
• The Coal Authority	A8
• Defence Infrastructure Organisation	A9 – A11
• East Kintyre Community Council	A12 – A13
• Edinburgh Airport	A14
• Fisheries Management Scotland	A15
• Glasgow Airport	A16
• Historic Environment Scotland	A17 – A23
• Highlands and Islands Airports Limited	A24 – A25
• Health and Safety Executive	A26 – A27
• Joint Radio Company	A28 – A30
• Met Office	A31
• National Gas Transmission	A32
• NATS Safeguarding	A33 – A41
• NatureScot	A42 – A52
• Network Rail	A53
• Oban Airport	A54
• Office for Nuclear Regulation	A55
• RSPB	A56 – A59
• Scottish Forestry	A60 – A63
• Scottish Gas Networks	A64
• Scottish Water	A65 – A68
• Scottish Environment Protection Agency	A69 – A79
• Scottish & Southern Electricity Networks	A80
• Transport Scotland	A81 – A83
• Woodland Trust	A84 – A85

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

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

ARGYLL DISTRICT SALMON FISHERY BOARD

Cherry Park, Inveraray, Argyll, PA32 8XE

Christopher Devenny
Case Officer
Energy Consents Unit
The Scottish Government

27th September 2023

Dear Christopher,

ECU00005208

Thank you for your correspondence concerning the Scoping exercise for the proposed Deucheran Hill Wind Farm.

Argyll District Salmon Fishery Boards (DSFBs) have a statutory responsibility to protect and improve salmon and sea trout fisheries and is advised by Argyll Fishery Trusts who provide a research and monitoring role for all freshwater fish in the Board's area.

We note that the proposed wind farm is located within the headwaters of the Carradale Water which support important populations of Atlantic salmon and other smaller catchments draining west that also support populations of sea trout. Chapter 11 of the Scoping Report rightly highlights the likely presence of fish within and downstream of the site, and we expect that surveys of fish habitats and fish populations are undertaken so that the developer and Argyll DSFB are fully informed prior to the next phase of the planning cycle. We also request that pre and post construction monitoring of fish populations and macroinvertebrates in these watercourses (as prescribed by Marine Directorate) should be undertaken if the site is given permission to be developed. We would strongly recommend that these guidelines are fully considered throughout the proposed development to demonstrate that the interests of Argyll DSFB have been protected.

We hope you find these comments useful.

Yours,

Robert Younger
Clerk to the Argyll District Salmon Fishery Board

Patron His Majesty The King

The British Horse Society

Email catriona.davies@bhs.org.uk

Scotland

Website www.bhs.org.uk

Suite A3

Tel 02476 840749

Stirling Agricultural Centre

Mob [REDACTED]

Bringing horses and people together

Stirling FK9 4RN

By email to: christopher.devenny@gov.scot9th October 2024

Dear Sir/Madam,

Re: Request for scoping opinion for proposed Deucheran Hill 2 Wind Farm ECU00005208

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

Outdoor Access

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

Core Path C094, which forms part of the Kintyre Way, one of Scotland's Great Trails, passes through the site. In addition, forest tracks and rides, like those within and close to the site, are often ideal routes for equestrians and are likely to be used by local and visiting equestrians. Consideration should therefore be given to how access for all users, including equestrians, will be managed both during the construction phase and when the wind farm is operational. The creation of tracks within wind farms can be an opportunity to improve outdoor access and provide the local community with additional amenity, especially if tracks can offer circular routes for walkers, cyclists, horse riders and others. Obstructions to access like deer grids with no side gate should be avoided.

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

The Importance of Off-Road Riding

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

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

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

The British Horse Society is an Appointed Representative of South Essex Insurance Brokers Limited who are authorised and regulated by the Financial Conduct Authority.

Registered Charity Nos. 210504 and SC038516. A company limited by guarantee. Registered in England & Wales No. 444742

The Horse and the Rural Economy

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

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

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

Kind regards,



Catriona Davies
Scotland Access Officer
The British Horse Society

Guidance to Drivers of Large Vehicles

The
British
Horse
Society
Scotland

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

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

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

How can you help?

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

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



Demi Gray

From: debra.baldwin@bt.com
Sent: 16 September 2024 14:05
To: Devenny C (Christopher)
Cc: radionetworkprotection@bt.com; Econsents Admin
Subject: WID13567 - Deucheran Hill 2 Wind Farm - Scoping Consultation - ECU00005208



OUR REF: WID13567T1-T23

Thank you for your email dated 06/09/2024.

-
We have studied this proposal for 23 Wind Turbines for Deucheran Hill Wind Farm on a development located on an area of land on the Kintyre Peninsula in Argyll and Bute, 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.

Proposed Locations T1-T23

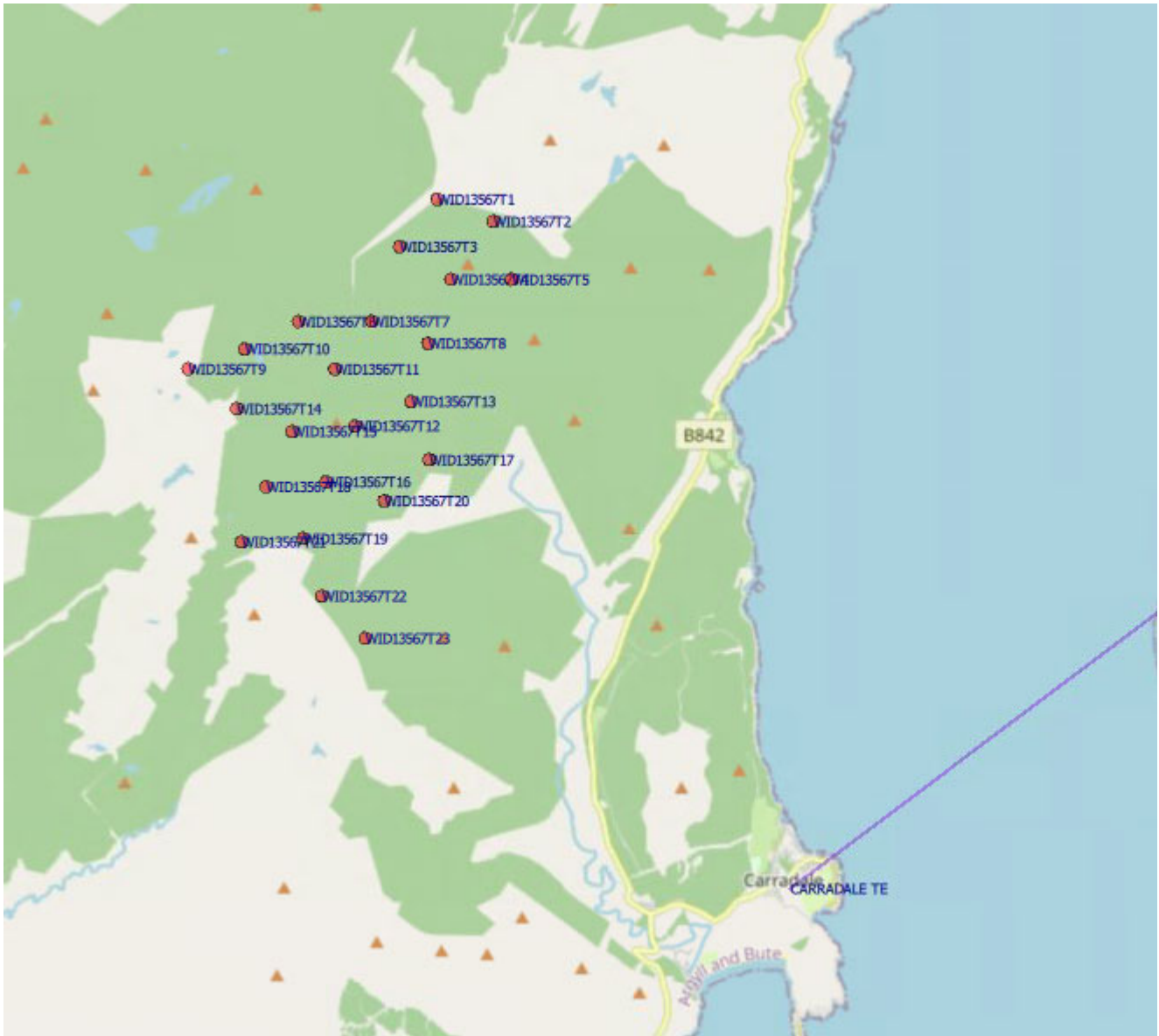


Table 3.1: Proposed Turbine Coordinates

Turbine	Eastings	Northings
1	177562	646965
2	178240	646656
3	177069	646405
4	177681	645971
5	178430	645931
6	175774	645548
7	176679	645504
8	177360	645197
9	174384	645036
10	175095	645246
11	176193	644941
12	176407	644227
13	177112	644493
14	174956	644514
15	175628	644200
16	176011	643558
17	177299	643764
18	175271	643537
19	175691	642875
20	176719	643287
21	174933	642873
22	175888	642154
23	176397	641608

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

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

Please direct all queries to radionetworkprotection@bt.com

Debra Baldwin
National Radio Planner
Network Planning



The Coal
Authority

A 8

200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG

T: 01623 637 119 (Planning Enquiries)

W: www.gov.uk/coalauthority

For the attention of: Christopher Devenny

Energy Development

13 September 2024

Dear Christopher Devenny

Re: ECU00005208 Deucheran Hill 2

Scoping Opinion Request - Deucheran Hill 2 Wind Farm proposal; THE DEUCHERAN HILL 2 WIND FARM, LOCATED ON AN AREA OF LAND ON THE KINTYRE PENINSULA, IN ARGYLL AND BUTE, 7 KILOMETRES (KM) NORTHWEST OF CARRADALE

Thank you for your notification of 6 September 2024 seeking the views of the Coal Authority on the above.

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The site to which this submission relates is not located within the defined coalfield. On this basis we have no specific comment to make.

Yours

The Coal Authority Planning Team



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: ECU00005208

Telephone [MOD]: [REDACTED]

Our Reference: DIO10064370

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

Christopher Devenny
Energy Consents Unit
Scottish Government
4th Floor
5 Atlantic Quay
150 Broomielaw
G2 8LU

By email only

24 October 2024

Dear Christopher,

**THE ELECTRICITY ACT 1989. THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)
(SCOTLAND) REGULATIONS 2017. SCOPING OPINION REQUEST– DEUCHERAN HILL 2 WIND FARM PROPOSAL.**

Thank you for consulting the Ministry of Defence (MOD) in relation to the scoping through your communication dated 06 September 2022.

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 23 turbines with maximum blade tip heights of 220.00 metres above ground level. The proposed development has been assessed using the location data (Grid References) below provided in the developers Scoping Report dated 23 August 2024.

Turbine no.	Easting	Northing
1	177562	646965
2	178240	646656
3	177069	646405
4	177681	645971
5	178430	645931
6	175774	645548

7	176679	645504
8	177360	645197
9	174384	645036
10	175095	645246
11	176193	644941
12	176407	644227
13	177112	644493
14	174956	644514
15	175628	644200
16	176011	643558
17	177299	643764
18	175271	643537
19	175691	642875
20	176719	643287
21	174933	642873
22	175888	642154
23	176397	641608

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 Low Flying Area 14 (LFA 14), an area within which fixed wing aircraft may operate as low as 250 feet or 76.2 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.

The development proposed includes wind turbine generators that exceed a height of 150m agl and are therefore subject to the lighting requirements set out in the Air Navigation Order 2016. In addition to CAA requirements, the MOD will require the submission, approval, and implementation of an aviation safety lighting specification that details the installation of MOD accredited aviation safety lighting.

As a minimum the MOD would request that the perimeter turbines are lit with 25cd and infrared COMBI lighting.

Summary

The MOD has concerns with this proposal due to the potential impact 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 document titled "Scoping Report" dated 23 August 2024. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining

authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

I 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

A solid black rectangular box used to redact the signature of Teena Oulaghan.

Teena Oulaghan
Safeguarding Manager

From: [ian brodie](#)
To: [Christopher Devenny](#)
Subject: Deucheran hill 2 Windfarm
Date: 09 September 2024 12:03:17

The East Kintyre Community Council wish to lodge the following response to the below scoping request for Deucheran Hill 2 Windfarm ref: ECU00005208.

The large number of windfarms already operational, consented, under construction or in planning means we are extremely concerned about the cumulative impact of this application within the current landscape. The current Deucheran Hill windfarm is barely visible since it comprises of 9 turbines with tip heights of 76m situated in the side of the interior valley – the proposed DH2 development has over twice as many turbines, reaching 3x the height spread over a far wider area and cresting the hill shoulders of the Upland Mosaic. This is counter to the Landscape Wind Energy Capacity 2017 study.

Specifically, this application with its off-shore sized turbines (220m) placed outside of the interior Kintyre valleys and on top of the hill shoulders in a highly visible landscape will change the visual and landscape balance within East Kintyre from that of a landscape with windfarms to that of an industrialised windfarm landscape. To underline the nature of this impact – the proposed development will host turbine tip heights (>500m) greater than the highest point on the Kintyre peninsula (Beinn an Tuirc at 454m).

East Kintyre is home to coastlines designated Areas of Panoramic Quality within the LLA NatureScot designation, and within these APQ's has a number of Scheduled Monuments.

Viewpoints:

Carradale Point & Fort is part of the East Kintyre APQ and a scheduled monument and visitor attraction. We therefore request that a viewpoint from the top of Carradale Point fort be added/included in the assessment of the impact that this development may have and also that the cumulative impact including the other windfarms (present & in pipeline, such as West Torrisdale) be included in any planning application submitted.

Assessments:

*We request a full assessment of the economic impact of the windfarm **using a survey based on Kintyre tourists** and encompassing the impact of this windfarm as a stand-alone and in conjunction with the other consented and scoped windfarms (of which 7 are being proposed at 180-230m) on tourism attractions such as the Kintyre Way, Route 66, West Coast Water and the area's 'Dark Skies'. Expanding tourism is a major part of the published East Kintyre Local Development plan in order to bring jobs and resilience back to the area. To date, despite repeated requests from the Community Councils, no current survey or assessment has been done by developers, who have either a) relied upon surveys and assessments that are a decade or more old, from other parts of Scotland, using turbine heights at less than 150m, b) desk based and show no understanding of what is visible (and*

thus impactful) at the tourist hubs. These old surveys and desk assessments are not a fair representation of what is being proposed for Kintyre – 8 developments at heights which breach Argyll and Bute Councils 2017 150m limit (which was introduced to balance the profitability of windfarm developers against the requirement to maintain/expand local tourism) and thus the need for a current Kintyre based economic assessment and survey of the cumulative effect of these 180-230m proposals upon local tourism is of paramount importance.

Kintyre only has two major employers - tourism and forestry, with a couple of minor employers - fishing and farming and the Kintyre peninsula is desperately trying to boost its tourism economy through new distilleries and Dark Skies etc. Given the large size of the sector, any assessment needs to be in-person (not desk based) and specific to Kintyre.

Sent from brods iPad pro.

Stewart Fitzgerald

From: Safe Guarding <safeguarding@edinburghairport.com>
Sent: 26 September 2024 13:55
To: Econsents Admin; Christopher Devenny
Cc: Safe Guarding
Subject: ECU00005208 - Deucheran Hill 2 Wind Farm

Good afternoon,

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



t: +44 (0)131 344 3845 m: [REDACTED]

My working hours are Monday-Friday

www.edinburghairport.com

Edinburgh Airport Limited
Room 3/54, 2nd Floor Terminal Building
EH12 9DN, Scotland

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From: Brian Davidson <brian@fms.scot>
Sent: Thursday, September 19, 2024 2:42 PM
To: Christopher Devenny <Christopher.Devenny@gov.scot>
Cc: [REDACTED]

Subject: RE: Deucheran Hill 2 Wind Farm - Scoping Consultation

Dear Christopher,

Thank you for your correspondence concerning the proposed Deucheran Hill 2 wind farm.

Fisheries Management Scotland (FMS) represents the network of 40 Scottish District Salmon Fishery Boards (DSFBs) including the River Tweed Commission (RTC), who have a statutory responsibility to protect and improve salmon and sea trout fisheries and the 26 fishery trusts who provide a research, educational and monitoring role for all freshwater fish.

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

The proposed development falls within the catchment relating to the Argyll District Salmon Fishery Board and Argyll Fisheries Trust. It is important that the proposals are conducted in full consultation with these organisations (see link to FMS member DSFBs and Trusts below). We have also copied this response to the relevant organisations.

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

- [LINK TO ADVICE ON TERRESTRIAL WINDFARMS](#)
- [LINK TO FMS MEMBER NETWORK CONTACT DETAILS](#)

Kind regards,

Brian

Brian Davidson | Director of Operations
Fisheries Management Scotland
11 Rutland Square, Edinburgh, EH1 2AS
Tel: [REDACTED]
www.fms.scot

FAO Christopher Devenny
Energy Consents Unit
By Email

25th September 2024

Dear Christopher

SCOPING OPINION REQUEST– DEUCHERAN HILL 2 WIND FARM PROPOSAL
Our reference: GLA4537

I refer to your request for scoping opinion received in this office on 6th September 2024.

The scoping report submitted has been examined from an aerodrome safeguarding perspective and we would make the following observations:

- The site is outwith the obstacle limitation surfaces and radar consultation area for Glasgow Airport;
- It is within instrument flight procedures safeguarding area, however, further assessment in this location will only be required for obstacles exceeding 300m AGL.

Our position with regard to this proposal will only be confirmed once the turbine details are finalized and we have been consulted on a full planning application, if necessary. At that time we will carry out a full safeguarding impact assessment and will consider our position in light of, inter alia, operational impact and cumulative effects.

Yours sincerely

[Redacted Signature]
Kirsteen MacDonald
Safeguarding Manager
Glasgow Airport
[Redacted]

Kirsteen.MacDonald@agsairports.co.uk

+44 (0)344 481 5555
info@glasgowairport.com
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Glasgow Airport, Erskine Court, St Andrews Drive,
Paisley, PA3 2SW

Glasgow Airport Limited. Registered in Scotland No: SC096624.
Registered Office: St Andrews Drive, Glasgow Airport, Paisley, PA3 2SW.



By email: christopher.devenny@gov.scot

Christopher Devenny
Senior Case Officer
Energy Consents Unit

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

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

Our case ID: 300075483
Your ref: ECU00005208

11 October 2024

Dear Christopher Devenny

**The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Deucheran Hill Wind Farm 2 – scoping consultation**

Thank you for consulting us on this Environmental Impact Assessment (EIA) scoping report, which we received on 06 September 2024. We have reviewed the details in terms of our historic environment interests. This covers World Heritage Sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and Historic Marine Protected Areas.

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

Proposed development

We understand that the proposed development comprises the repowering of the existing Deucheran Hill Wind Farm with 23 turbines up to 220m high, access tracks, battery energy storage system and associated infrastructure.

Scope of assessment

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

We have identified likely significant effects on our historic environment interests. Our advice on the nature of these impacts, and any potential mitigation measures, are included in the annex to this covering letter. This also includes our requirements for information to be included in the EIA Report.

We would be happy to have pre-application discussions with the applicants, in particular about setting assessment and visualisations.



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Further information

Decisions that affect the historic environment should take the [Historic Environment Policy for Scotland](#) (HEPS) into account as a material consideration. HEPS is supported by our [Managing Change guidance series](#). In this case we recommend that you consider the advice in the Setting guidance note.

We hope this is helpful. If you would like to submit more information about this or any other proposed development to us for comment, please send it to our consultations mailbox, hmconsultations@hes.scot. If you have questions about this response, please contact Dr Mary MacLeod Rivett at mary.macleod@hes.scot.

Yours sincerely

Field Code Changed

Historic Environment Scotland



ANNEX

The Scoping Report

We note the scoping report does not mention the Argyll and Bute Historic Environment Record as a source in the baseline description (section 13.2). This record is held by West of Scotland Archaeology Service (WoSAS). We recommend that they should be consulted for advice on historic environment interests.

We also note that an internal system of numbering historic environment assets has been used, and that these numbers are only cross-referenced in the Gazetteer. We recommend that the national designation numbers are used for all designated assets to reduce the chance of errors.

In the methodological discussion in the report (section 13.4), nationally important assets have been considered to 10km distance. Assets beyond this were considered and scoped out. However, we recommend that assets beyond 10km where long-distance views are relevant to their setting should be assessed, and where these are scoped out, written justification should be provided.

Where assessment of an asset's setting indicates that there could be significant impacts from the proposed development, wireframes should be produced to help assess those impacts. Where the impacts are identified as significant, photomontages should be produced to illustrate the impacts. We have discussed appropriate visualisations further in our site-specific comments, below. We note that the report states that 'the final list of visualisations will be informed by ZTV analysis, consultation with relevant consultee's and if possible, site visits'. Appropriate assessment of setting impacts will require site visits to assets where impacts may be possible. Please also note that setting impacts are possible for assets which are not in the ZTV, but where views towards the asset may include the development.

Historic Environment Assets

From the information provided so far, the proposals are likely to have a significant impact on several designated assets. At this early stage, however, with the current level of information, it is not possible to come to an informed view and more information will be required.

Visualisations should be produced to allow for further assessment on the level of impact of the following monuments' settings. All visualisations should also take into account cumulative effects from nearby consented, operational, and proposed windfarms.

Killean, fort NE of (SM3179)

The monument comprises a small oval fort of probable Iron Age date. The fort is on a knoll on the south side of and overlooking the gorge of the Killean Burn. An existing



access track is runs on the north side of the burn. The fort and track are at a similar altitude, with the track rising further as it heads east.

The track is the proposed access road to the development site. We welcome the commitment to fence off the scheduled area during any road works. However, whilst this means that any physical impacts are likely to be avoided upgrades of the road may still have an impact on the fort's setting.

The scoping report suggests the production of a wireframe looking from the fort towards the proposals. The submitted ZTV projection, however, suggests that the fort is not within the zone of theoretical visibility of the turbines. This should be clarified in further assessment, bearing in mind potential impacts from the development in views towards the fort. The impact any upgrades of the road would have on the setting of the fort should also be assessed. Care should be taken to reduce the level of upgrades to the existing track and photomontages should be provided if significant upgrades are proposed.

Carragh an Talaidh, chambered cairn, Brackley (SM189)

The monument comprises the remains of a Clyde group chambered cairn. The entrance faces east between two portal stones flanking the passage. The cairn is approximately 10m in diameter and 1m high. The north portal is the most prominent feature of the site, standing at approximately 2.85m.

The cairn stands on the east side of the Carradale Water on the flat base of a fertile glen, most likely at the heart of the agricultural landscape in which the builders of the monument lived and farmed. The cairn was placed in a prominent position to be conspicuous and possesses views up and down the glen. It may have also been sited at a key communication route through the surrounding area. The monument's location and views both to and from it are significant aspects of its setting and contribute to how the cairn is appreciated, experienced, and understood today. Consequently, views up the glen make a significant contribution to the monument's setting. The proposals would be likely to have a significant impact on these views.

A photomontage should be produced looking from the monument up the glen towards the proposals and a second one from the approach (at 17591 E 641750 N), looking towards the dun with the turbines in the background.

Grogport Old Manse, dun 180m ENE of (SM3649) & Sundale, dun 275m NE of (SM3643)

Grogport Old Manse, dun is located on a rocky boss at the higher end of ridge overlooking the shore of Kilbrannan Sound. The dun wall clings to the edge of the boss and encloses an area measuring 12m by 9.5m. A gap in the middle of the southwestern side probably marks the site of the original entrance.

Approximately 1 km further north along the coastline, on the opposite side of Grogport is the Sundale, dun. It consists of a small dun on the summit of a pillar of rock. The dun is defined by traces of a wall, which survive in places up to 3m in thickness. The wall on the



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southwestern side stands to a height of three course with a visible entrance. Access to the entrance is up a steep slope to the west of the dun.

The setting of the duns includes their relationship with the lands immediately surrounding them and wider views from and over the Kilbrannan Sound. The proposals would be in the background of these monuments when viewed from the sea and across from Arran. Due to the proximity of the nearest turbines and their height, they may also dominate the setting of the duns.

In the first instance wireframes should be produced from both monuments looking towards the proposals and a third one looking towards the duns from the sea (at 183000 E 644001 N), showing the proposals in the background. If these demonstrate that significant impacts might result from these proposals, photomontages may be required.

Garvalt, dun 500m SW of (SM3740)

This monument comprises the remains of an Iron Age dun with adjacent later remains including field banks and a possible kiln. The dun encloses a small area approximately 6m in diameter. To the west of the dun is a substantial stone-built structure, possibly a corn-drying kiln. There are further remains of structures and enclosures in the vicinity of the dun, possibly remains of shielings or more permanent settlement.

The dun is one of a series of duns positioned above the Barr Water in the Barr Glen. Though not built in particularly defensive locations, they do occupy commanding positions which allow unobstructed views over the course of the Water and up and down the glen in both directions. Moving up the glen, it is also clear that these duns have been constructed in order to maintain clear views of one another. From their positions, the duns are afforded excellent views over the land in which their inhabitants lived and worked, the flat, fertile land of the glen floor and the gentle slopes of the sides of the glen, which would likely have been used as farmland and pasture.

Garvalt Dun is the highest of the duns in Barr Glen. It is sited on considerably higher ground than Blary Dun (SM3077), 1.5km lower down the glen and An Dunan, Dun (SM3111) approximately 3.7km to the southwest. It is located on the northern slopes above Barr Water and holds clear views deeper into the glen, as well as across the glen to the uplands on the southern slopes. The proposals are located in the uplands northeast of the monument and would likely appear in key views from the dun up the glen.

A wireframe visualisation should be produced in the first instance, looking from Garvalt Dun up Barr Glen towards the proposals and a second one from lower down the glen (at 168048 E 636406 N), showing the three duns and the turbines in the background.

Auchengallon, cairn 150m WSW of (SM90023)

Auchengallon cairn comprises a Bronze Age kerbed cairn (sometimes also described as a stone circle), situated on a slight west-facing terrace overlooking the north end of Machrie Bay on the west coast of Arran. The cairn is likely to have been sited to have clear views over the Kilbrannan sound and across to the Kintyre Peninsula, as well as to



have intervisibility with other prehistoric monuments on Machrie Bay. It also forms part of a complex of prehistoric ritual monuments around Machrie Moor, many of which have intended specific views west and over Kintyre.

Wireframes should be provided looking across the sound, from the monument towards the proposals, to assess the impact the turbines would have on key long-distance views from the cairn. Whilst wider impacts on the Machrie Moor monuments should be considered, a visualisation from Auchengallon may help as a proxy for all of them at this stage. However, further assessment may reveal that additional visualisations, potentially in the form of photomontages, will be required to assess impact on the cairn and on the setting of other prehistoric monuments in Machrie Bay and on Machrie Moor.

Airds Castle, 235m SE of Barncluith, Carradale (SM3177)

The monument is the remains of a medieval castle located on the summit of a rock outcrop looking east over Kilbrannan Sound towards Arran. The visible remains comprise the fragments of a stone curtain wall that appears originally to have enclosed the entire summit, an irregular pentagonal area measuring 67m north-south by 24m transversely. The curtain wall has a thickness of about 1.5m and now rises to a maximum height of 3.4m where it acts as a retaining wall on the eastern side of the site. The ground falls away steeply from the summit on all sides except the northwest, where there is a hollow that probably represents a broad flat-bottomed ditch.

The castle would have been sited on the coastline to be visible to those who travelled along the Kilbrannan Sound and probably to exert control over landing places at Port Rich and Port Crannaich. It would have been highly visible from a considerable distance along the sound and from the west coast of Arran.

While the monument is not within the submitted ZTV projection, the proposals would form the backdrop to the monument when viewed from the west and southwest. Wireframe visualisations should be produced looking from sea towards the castle (at 184002 E 637007 N) to allow for an assessment of the impact the turbines would have on its setting.

Dunan Muasdale, dun (SM3223)

The monument comprises an almost circular dun of likely Iron Age date. It measures over 12m in diameter internally, with no apparent entrance. It is located in a commanding position on the north facing slope of an east-west aligned valley rising up from the coast towards the development site. The monument is defensive yet domestic in nature, and it is carefully positioned within its surroundings to afford wide-ranging views in all directions, including up Clachaig Glen. These views are integral to the setting of the monument and how it is experienced and understood today. The proposals are approximately 6km to the east and northeast of the dun and would probably have a significant impact on views from the dun up the glen.

A wireframe visualisation should be produced looking from the monument, along the glen towards the proposed development. A photomontage is likely to be required in due course, if the wireframes suggest significant impacts might be possible.



Carradale, fort, Kilbrannan Sound (SM2180)

The monument comprises the remains of a vitrified fort on the summit area of the rocky tidal promontory of Carradale Point. The fort is centrally positioned on the promontory and is roughly oval in outline enclosing an area some 55m north-south by 23m east within a single wall still surviving to over 1.5m high in places. On the east the ground drops away sharply down a 10m cliff and on the west, it falls away in a series of lesser drops. The fort is sited to have clear views across the sound and likely to exert control over landing places in Carradale Bay. It will have been highly visible from routeways along the Kilbrannan Sound as well as from the west coast of Arran, from Machrie Bay and Drumadoon Point.

A wireframe visualisation should be produced from the monument looking towards the proposed development to assess the impact the turbines will have on views from the fort inland. To assess the proposal's impact on views towards the monument from the southwest a wireframe visualisation should be produced from sea (at 184002 E 635019 N). A photomontage is likely to be required in due course, if the wireframes suggest significant impacts are likely.

On the basis of the information currently provided we recommend the following assets are also scoped into further the assessment and appropriate visualisations provided where significant impacts are predicted:

- **Skipness Castle and Kilbrannan Chapel (SM13225)**
- **Moss Farm, Machrie Moor, stone circles, cairns, hut circles and fields (SM90207)**
- **Machrie Farm, cairn, hut circles and cultivation remains 800m S of (SM4576)**
- **Moss Farm, cairn 870m WNW of (SM90222)**
- **Torr Righ Mor, hut circles and cultivation remains S of (SM4414)**
- **The Doon, fort and standing stones (SM4415)**

This list is not comprehensive and includes only those designated historic environment assets which we are currently able to identify as suffering potentially significant setting impacts as a result of the proposed development. We expect that all designated assets within the study area should be assessed, and that if an asset is scoped out of more detailed assessment, the reasons for this should be presented in the written report. The process of environmental impact assessment will identify other assets which will be affected.

Historic Environment Scotland
10 October 2024

From: [Safeguarding](#)
To: [Christopher Devenny](#)
Subject: RE: Deucheran Hill 2 Wind Farm - Scoping Consultation
Date: 25 September 2024 17:23:25

OFFICIAL

Your reference: ECU00005208

Our reference: 2024/245/CAL

Dear Christopher,

Proposal: SCOPING OPINION REQUEST– DEUCHERAN HILL 2 WIND FARM PROPOSAL

Location: Kintyre Peninsula in Argyll and Bute, 7 Kilometres (km) northwest of Carradale

Thank you for your e-mail, consulting Highlands and Islands Airports Limited on the above proposed development, received by this office on Friday 6 September 2024. The development has been assessed using the criteria in Table 3.1 of the Scoping Report:

With reference to the above proposal, our preliminary assessment shows that, at the position and heights given in the scoping report, the proposed wind farm may impact the safeguarding criteria and operation of **Campbeltown and Islay Airports**.

Highlands and Islands Airports Limited (HIAL) would request that an Aviation Impact Feasibility Study (AIFS), of the proposed Wind Farm, is undertaken to understand any impact on the infrastructure and operation of **Campbeltown and Islay Airports**. The following are required to be assessed by the applicant:

Safeguarding Assessment		
Hazard	Impact	Additional Information
Air Traffic Control Surveillance Minimum Altitude Chart (ATCSMAC)		Please see CAP777 requirement.
Safeguarding of technical sites		Please see CAP670 & CAP764 requirements (NAVAIDS)
Instrument Flight Procedures (IFPs)	☒	Please see CAP785 requirement. The IFP Assessment MUST be produced by an Approved Procedure Design Organisation (APDO). A list of APDO can be found on the CAA website: Approved procedure design organisations Civil Aviation Authority (caa.co.uk) *The IFP impact assessment should include the currently published procedures, as available in the UK AIP, and the Discrete IFPs (applicable to Barra, Campbeltown, Tiree & Islay). The Discrete IFPs are available from this office.
Primary Surveillance Radar		Please see CAP670 & CAP764 inc. Optical Line of Site assessment. Please consider the Thales STAR PSR & Terma Scanter Radar. Contact this office for details of the location and electronics height.
New Airspace and Instrument Flight Procedures (Inverness)		It should be noted that Inverness Airport are in the process of developing new

Airport only)		airspace and instrument flight procedures; this work is relatively mature and should be included in the AIFS. Data and information can be found: Inverness Airport Civil Aviation Authority (caa.co.uk)
Lighting Requirement	☒	For further information please refer to Advice Note 2 'Lighting' (available at http://www.aoa.org.uk/policy-campaigns/operations-safety/). Please also consider the lighting requirements as documented in The Air Navigation Order 2016, Article 222.
Crane Permit		Please see CAP1096, British Standard Code of Practice for the safe use of Cranes and Advice Note 4, 'Cranes' (available at http://www.aoa.org.uk/policy-campaigns/operations-safety/). A crane permit must be completed and submitted to HIAL. Please contact the HIAL safeguarding for a crane permit application.
Glint and Glare Assessment		A glint and glare assessment must be submitted for the proposed development. More information can be found: https://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-5-Renewable-Energy-2016.pdf
Construction Management Strategy	☒	A construction management strategy must be submitted for the proposed development. This should include the following details: • Details of the construction of the Wind Turbines onshore

It should be noted that HIAL would work with the developer towards a resolution. However, HIAL would currently submit a holding objection until an AIFS has been submitted to and reviewed by HIAL.

Best regards,

Safeguarding Team

Highlands and Islands Airports Limited

safeguarding@hial.co.uk

Dear Mr Devenny,

Thank you for your consultation of 6th September 2024 for a scoping opinion from the Scottish Ministers for HSE's view on the information which ought to be provided in the Environmental Impact Assessment Report for Deucheran Hill 2 Wind Farm and battery energy storage system ahead of the submission for application for consent under section 36 of the Electricity Act 1989.

Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 – regulation 12

- HSE's response is limited to our role in the land use planning system for the control of major industrial hazards involving hazardous substances.
 - HSE is not responding in our regulatory role in the health and safety system
1. The proposed development, being a wind farm and battery energy storage system, is not a type that would store or process hazardous substances in quantities relevant to the potential for industrial major accidents with respect to The Planning (Hazardous Substances) Regulations 2015.

2. The development is not located within a safeguarding zone of an Explosives site licensed under the Explosives regulations 2014 or the Dangerous goods in harbour area regulations 2016.

3. The development is not located within HSE's land-use-planning consultation zones for major accident hazard pipelines and hazardous substances consented sites (licensed explosives sites are covered in the previous paragraph).

Due to the above 3 points, HSE have no views on the information to be included in an Environmental Impact Assessment Report.

4. If there is a major accident hazard establishment with no HSE consultation zones, in the vicinity of the proposed development, and you are concerned that the proposed development might increase the risk or consequences of a major accident at the existing establishment then please directly consult the operator of the establishment, as appropriate.

5. General health and safety at work

HSE realises that Environmental Risk Assessments are not expected to include general health and safety at work however we take this opportunity to point out that it may be beneficial for employer(s) to undertake a risk assessment as early as possible to satisfy themselves that their design and operation will meet requirements of relevant health and safety legislation as the project progresses.

Kind regards,
Berdine Clews

HSE's Land Use Planning Support Team
Health and Safety Executive | Chemicals, Explosives and Microbiological Division 5
lupenquiries@hse.gov.uk



For HSE's Land Use Planning Advice Terms and Conditions, please click on the following link [HSE's Planning Advice Web App - Login \(hsl.gov.uk\)](https://hsl.gov.uk) and then click on 'terms and conditions'.

Dear Christopher,

A Windfarms Team member has replied to your co-ordination request, reference **WF278400** 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 Christopher ,

Planning Ref: ECU00005208

Name/Location: Deucheran Hill 2

Turbines at NGR:

(FROM: Table 3.1: Proposed Turbine Coordinates)

Turbine	Eastings	Northings
---------	----------	-----------

1	177562	646965
2	178240	646656
3	177069	646405
4	177681	645971
5	178430	645931
6	175774	645548
7	176679	645504
8	177360	645197
9	174384	645036
10	175095	645246
11	176193	644941
12	176407	644227
13	177112	644493
14	174956	644514
15	175628	644200
16	176011	643558
17	177299	643764
18	175271	643537
19	175691	642875
20	176719	643287
21	174933	642873
22	175888	642154

23 176397 641608

Hub Height: 135m

Rotor Radius: 85m

Micrositing: 100m

JRC analyses proposals for wind energy developments on behalf of the UK Energy Industry. We assess the potential of such developments to interfere with radio systems operated by UK and Irish Energy Industry companies in support of their regulatory operational requirements.

The Energy Industry considers that any wind energy development within:

- * 1000m of a link operating below 1GHz; or
- * 500m of a link operating above 1GHz, requires detailed coordination.

For turbines with a blade diameter of 32m or less this distance is reduced to:

- * 500m for links below 1GHz; and
- * 300m for links above 1GHz before a detailed coordination is required.

There is an EXCLUSION ZONE around most Base Station sites of 500m, i.e. no development is permitted. This will be evaluated on a case by case basis for smaller turbines.

Unfortunately, part (or all) of the proposed development breaches one or more of these limits.

The affected links are:

460MHz Telemetry and Telecontrol:

JEPRAS1-JEPRA01

Operated by: E.ON (PowerGen Renewables)

Although JRC hold the licence for this link, we do not protect this link. It is advised that the DNO should be contacted directly by the applicant in the first instance prior to the determination date, as they may need to object. The DNO contact has been CC'd this response for information.

The applicant may need to re-arrange the turbine layout prior to a Section 36 Application for consent, or arrange for mitigation in the form of re-routing the link.

JRC can provide consultancy services to assess the impact of this development and find mitigation solutions if required, and can provide a quote for ongoing protection of links: please contact sara.tappenden@jrc.co.uk and/or alessandra.lees@jrc.co.uk in the first instance.

NOTE:

The protection criteria determined for Energy Industry radio systems can be found at [Wind Farm Coordination | Joint Radio Company | JRC](#)

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.

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=34068>

From: Tim Allott <tim.allott@metoffice.gov.uk> **On Behalf Of** metofficesafeguarding
Sent: Friday, September 6, 2024 3:40 PM
To: Christopher Devenny <Christopher.Devenny@gov.scot>
Subject: RE: Deucheran Hill 2 Wind Farm - Scoping Consultation

OFFICIAL

Dear Christopher,
Thanks for consulting the Met Office regarding the above proposal. The windfarm location isn't inside any of our consultations zones and will have little or no impact on the data or services from our weather radar network. Therefore we have no objections and wouldn't expect to be consulted if a planning application was submitted.

Kind regards,

Tim Allott

Upper Air Observations

Met Office, FitzRoy Road, Exeter, Devon, EX1 3PB, United Kingdom

E-mail: metofficesafeguarding@metoffice.gov.uk

Web: <https://www.metoffice.gov.uk/services/business-industry/energy/safeguarding>

From: box.assetprotection <box.assetprotection@nationalgas.com>
Sent: Tuesday, September 10, 2024 9:29 AM
To: Christopher Devenny <Christopher.Devenny@gov.scot>
Subject: RE: [EXTERNAL] Deucheran Hill 2 Wind Farm - Scoping Consultation

Hi,

Thank you for your email.

Regarding planning application **ECU00005208** , there are no National Gas Transmission gas assets affected in this area.

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

Kind regards

Jordane Maples
Asset Protection Assistant
Asset Protection

0800 970 7000
Jordane.maples@nationalgas.com



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

Please consider the environment before printing this email.

Prepared by:
NATS Safeguarding Office



Technical and Operational Assessment (TOPA)

For Deucheran Hill 2 Wind Farm
Wind Farm Development

NATS ref: SG38075

Scottish Government ref: ECU00005208

Issue 1

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Publication History

Issue	Month/Year	Change Requests and summary
1	September 2024	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 Deucheran Hill 2 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	55.6651	-5.5383	177562	646965	135	220
2	55.6626	-5.5273	178240	646656	135	220
3	55.6598	-5.5457	177069	646405	135	220
4	55.6562	-5.5356	177681	645971	135	220
5	55.6562	-5.5237	178430	645931	135	220
6	55.6516	-5.5655	175774	645548	135	220
7	55.6516	-5.5511	176679	645504	135	220
8	55.6491	-5.5401	177360	645197	135	220
9	55.6463	-5.5871	174384	645036	135	220
10	55.6485	-5.5760	175095	645246	135	220
11	55.6463	-5.5584	176193	644941	135	220
12	55.6400	-5.5544	176407	644227	135	220
13	55.6427	-5.5434	177112	644493	135	220
14	55.6419	-5.5776	174956	644514	135	220
15	55.6394	-5.5667	175628	644200	135	220
16	55.6338	-5.5601	176011	643558	135	220
17	55.6363	-5.5399	177299	643764	135	220
18	55.6333	-5.5719	175271	643537	135	220
19	55.6276	-5.5647	175691	642875	135	220
20	55.6317	-5.5487	176719	643287	135	220
21	55.6272	-5.5767	174933	642873	135	220
22	55.6212	-5.5609	175888	642154	135	220
23	55.6165	-5.5524	176397	641608	135	220

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
Great Dun Fell Radar	54.6841	-2.4509	120.6	223.3	299.6	CMB
Lowther Hill Radar	55.3778	-3.7530	62.7	116.1	285.3	CMB
Perwinnes Radar	57.2123	-2.1309	146.5	271.4	231.8	CMB
Tiree Radar	56.4556	-6.9230	66.2	122.7	136.1	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 (T16, T18-T23)

Using the theory as described in Appendix A and turbines specific propagation profiles it has been determined that the terrain screening available will not adequately attenuate the signal for 7 of the turbines (T16, T18-T23), 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. 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 σ , this can be treated as if the object re-radiates the pulse with a gain of σ 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 λ 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

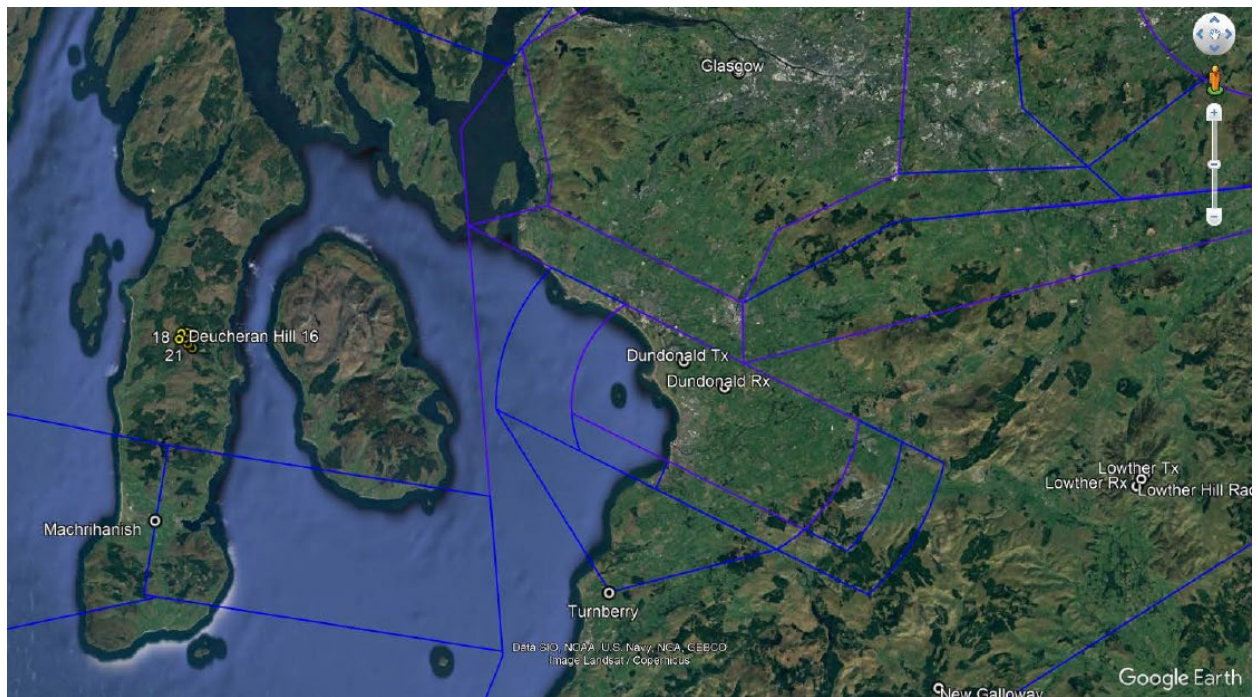


Figure 1: Proposed development location shown on an airways chart

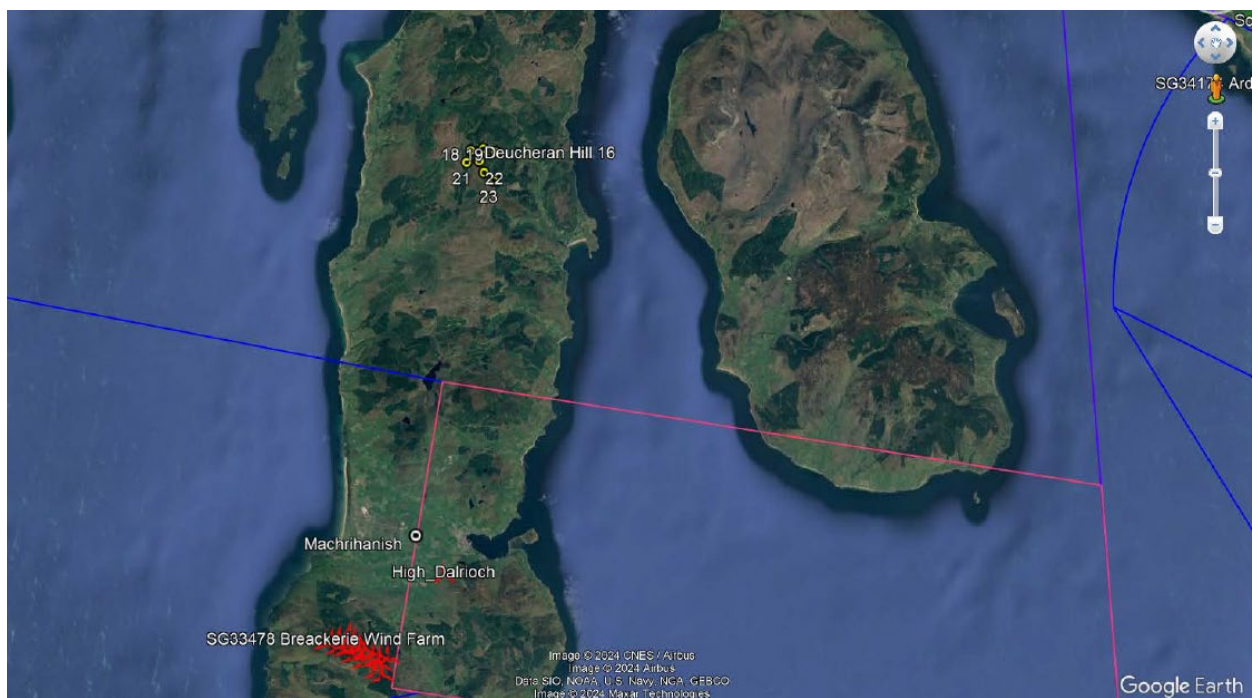


Figure 2: Proposed development shown alongside other recently assessed applications





Christopher Devenney
Senior Case Officer
Energy Consents Unit
Scottish Government
By email: christopher.devenny@gov.scot

27 November 2024
Your ref: ECU00005208
Our ref: CEA177036

Dear Christopher

**THE ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS
2017
SCOPING OPINION REQUEST – DEUCHERAN HILL 2 WIND FARM PROPOSAL**

Thank you for seeking the Scoping Opinion of NatureScot in respect of the above development proposal and your subsequent help in providing us with additional information that assists us in providing our advice.

SUMMARY

Landscape & Visual Impacts

The proposed development would represent a step change in the pattern of existing and emerging wind farm development on the Kintyre peninsula accounting for the number (23 proposed turbines) at up to a blade tip height of 220 m. The proposed development individually and cumulatively may result in significant adverse effects on the North Arran National Scenic Area and could result in a coalescence of wind farm development along the central spine of the Kintyre peninsula. **The proposed development in its current form may raise issues of national interest that may merit a NatureScot objection.**

Kintyre Goose Roosts SPA

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

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

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

DETAILED ADVICE

In terms of the scope of our advice presented here, this is based on the information that has been provided to date, which is largely focussed on the turbine array itself within the wind farm. We note that there is a variety of ancillary infrastructure proposed, including battery energy storage and the route of the access track, for which little information has been submitted or survey work has not yet been undertaken/submitted. This limits our ability to provide any meaningful advice at this time and we reserve our position in respect of these matters until further information is available.

1. LANDSCAPE & VISUAL IMPACTS

1.1 The Proposal

The site is occupied by the existing Deucheran Hill wind farm, which comprises nine turbines, 76 m to 93 m blade tip height, located approximately 7 km northwest of Carradale. The proposed development would comprise the removal of the existing turbines and repowering with up to 23 wind turbines up to a blade tip height of 220 m, permanent anemometry mast, potential for battery energy storage, new and upgraded access tracks and associated infrastructure. Access is anticipated to be from the A83 west of Killean.

Landform largely rises from approximately 60 m to the high point of Deucheran Hill at 330 m within the centre of the site. The proposed turbines would be located within an area of upland plateau with a forest and moorland mosaic land cover already influenced by the presence of Deucheran Hill wind farm.

The site including Deucheran Hill forms part of the wider setting of the Kintyre peninsula experienced from sections of the west and eastern coasts, northern parts of the Mull of Kintyre and from surrounding islands including Arran 9.1 km to the east and Gigha 9.8 km to the west.

The closest National Scenic Area (NSA) is the North Arran NSA which is located approximately 6.7 km to the east of the proposed development. The sensitivity of other nearby landscapes is

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

reflected by the locally designated Argyll and Bute Council Local Landscape Areas (LLAs) including the West Kintyre Coast LLA at 3.8 km west, the East Kintyre Coast LLA at 5.2 km east, the North Arran SLA at 8.7 km east; and the Knapdale/Melfort LLA at 11.5 km north.

Existing electricity infrastructure includes the Crossaig to Carradale overhead line approximately 3.1 km east. Operational wind farms within 15 km include Cour (ten turbines 110 m blade tip height) and Freasdail (11 turbines 100 m blade tip height) to the north, and the cluster of Auchaduie (three turbines 100 m blade tip height) and Beinn an Turic (cluster 62.5 to 126 m blade tip height) to the south. Consented wind farms within 15 km include High Constellation (ten 149.9 m blade tip height) and Eascairt (13 turbines 100 m blade tip height) to the north, Clachaig Glen (14 turbines 126.5 m to blade tip height) to the west and Tangy IV (16 turbines 149.9 m to blade tip height) turbines to the south.

Given that the proposed turbines are 220 m to blade tip, several turbines within the layout would be either taller or a similar height to the underlying landform. The height of the proposed wind farm could affect the perceived scale of the host plateau moor and forest. It should be noted that the proposed turbines would be 70.1 m taller than consented High Constellation and Tangy IV. As the turbines would be over 150 m in height visible aviation lighting would be required².

Previous planning applications close to the site include application Narachan wind farm³ directly northwest of the site which comprised 11 turbines with a blade tip height of up to 180 m. The NatureScot response from 24th July 2022 objected to the proposal due to the potential for significant adverse effects on the Special Landscape Qualities (SLQs) of the North Arran NSA in relation to both daytime and night-time effects. The Energy Consents Unit determination for Narachan wind farm 8th March 2024 was a refusal with some of the main determining issues relating to potential for significant adverse effects from visible aviation lighting on the North Arran NSA.

1.2 North Arran NSA

The North Arran NSA is located 6.7 km east of the site, we request that an Assessment of Effects on the Special Landscape Qualities (AESLQ)⁴ of the NSA is provided as part of the LVIA. SLQs of the North Arran NSA likely to be affected by the proposed development include but may not be limited to:

- SLQ 5 *A distinctive coastline with a rich variety of forms;*
- SLQ 7 *An exceptional area for outdoor recreation; and*
- SLQ 8 *The experience of highland and island wildlife at close hand.*

² Civil Aviation Authority Air Navigation Order 2016

³ Energy Consents Unit (ECU) Reference: ECU00001884

⁴ <https://www.nature.scot/doc/guidance-assessment-effects-special-landscape-qualities-aeslq>

1.3 Locally Designated Landscapes

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

1.4 Aviation Lighting

Paragraph 10.4.11 outlines the approach to the Night-Time Assessment of visible aviation lighting. However, it is unclear from the scoping report what the lighting strategy is in terms of mitigating potential landscape and visual effects, particularly potential for adverse night-time effects on the North Arran NSA. Outside of settlements associated with coastal fringes and Campbeltown, landscapes within the study area have relatively low baseline lighting levels with coastal qualities and scattered settlement. We consider that lighting affects both landscape character and visual receptors. The lighting assessment should be carried out in accordance with our recently published Guidance on Aviation Lighting Impact Assessment⁵.

We consider that effects of visible aviation lighting on the SLQs of the North Arran NSA would be a key consideration of the AESLQ.

1.5 Cumulative Effects

We note that application Killean Wind Farm⁶ would be located in close proximity to the southwest of the site.

The proposed development would extend wind farm development to the north towards the operational Cour and consented High Constellation wind farms, and south and west towards the applications of Killean, Clachaig Glen and the operational Beinn an Turic cluster. Where there is currently an existing gap between the current Deucheran Hill wind farm and the operational and consented wind farms to the north, the proposed turbines within the northern part of the site would largely bridge the gap to the operational Cour wind farm and would bring wind farm development closer to consented Clachaig Glen and the Beinn an Tuirc cluster to the south.

When considering which other wind farm developments to include within the cumulative assessment, we consider that Argyll and Bute Council are best placed to advise.

1.6 Questions for Consultees

Question 2: *Do consultees agree a micrositing allowance of 100 m to allow flexibility within the project design?*

Developers should seek to minimise the need for micrositing during the construction phase by conducting thorough site investigation during the design process. Micrositing during construction

⁵ <https://www.nature.scot/doc/guidance-aviation-lighting-impact-assessment>

⁶ Energy Consents Unit reference: ECU00004927

can have a significant effect on the appearance of a wind farm. Any significant changes in layout should be assessed to ensure that the overall design objectives for the site are not compromised.

Question 7: Do consultees agree with the proposed proportionate approach to the LVIA using a 45 km initial study area and focussing on a 20 km detailed study area?

We agree that a focused 20 km study area would be proportionate for the assessment of landscape and visual effects. Although we note that a number of viewpoints are beyond 20 km and request that full consideration of potential effects is reported from these locations.

Question 8: Do consultees agree with the proposed assessment viewpoints that will be used in the LVIA?

We request additional viewpoints from within the North Arran NSA from:

- Imachar Point (NR864402);
- Lochranza Ferry (Lochranza to Claonaig, Kilbrannan Sound); and
- Beinn Nuis (NR955399).

To help understand potential for night-time effects we request an additional night-time viewpoint from within the North Arran NSA for LVIA Viewpoint 11 Mullach Buidhe.

We note that Scoping Figure 10.3 ZTV to Blade Tip With Bare Ground appears to indicate screening by woodland and buildings (which are not mapped) rather than a bare earth/ground ZTV. It would be helpful if ZTVs are provided based on bare earth topography as this represents a worst-case scenario.

Given the number size and scale of the proposed turbines and potential for significant adverse effects on the North Arran NSA it would be beneficial if wirelines for the North Arran NSA viewpoints could be provided at this stage to help us gain some understanding of potential effects. We could then provide further consideration of the layout of the proposed development.

Question 9: Do consultees agree with the proposed approach to day-time and night-time photography and visualisations?

We agree with the proposed methodology.

Question 10: Do consultees agree with the proposed scope of the cumulative assessment including a 45 km initial search area and inclusion of turbines under 50 m in height only within 5 km of the Proposed Development?

We agree with this approach and defer to Argyll and Bute Council on the consideration of cumulative schemes within the cumulative assessment.

Question 11: Do consultees agree with the proposed approach to night-time assessment and the proposed night-time viewpoints?

Paragraph 10.4.11 outlines the approach to Night-time Assessment. However, it is unclear from the scoping report what the lighting strategy is in terms of mitigating potential landscape and visual effects, particularly potential for adverse effects on the North Arran NSA, which would be a key consideration of the assessment. To provide a considered response we would need some further understanding of the proposed lighting strategy. When available as the assessment progresses, it

would be beneficial to have access to a preliminary visible aviation lighting ZTV. As noted for Question 8 we request an additional night-time viewpoint from within the North Arran NSA for LVIA Viewpoint 11 Mullach Buidhe.

Question 12: Do consultees agree with the matters proposed to be scoped out of the LVIA?

We agree that other NSAs and WLAs can be scoped out of the assessment given the intervening distance and unlikely potential for significant adverse effects. We would defer to Argyll and Bute Council with regards to locally designated landscapes to be considered in the LVIA.

2. ORNITHOLOGY

2.1 Kintyre Goose Roosts SPA

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

The site's status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the 'Habitats Regulations') apply or, for reserved matters, The Conservation of Habitats and Species Regulations 2017. Consequently, The Scottish Government is required to consider the effect of the proposal on the SPA before it can be consented (commonly known as Habitats Regulations Appraisal). The NatureScot website has a summary of the [legislative requirements](https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species/legal-framework/habitats-directive-and-habitats-regulations)⁷.

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

Use of roost lochs by Greenland white-fronted geese within the Kintyre Goose Roosts SPA varies, both between winters and within winters, and geese may also move to undesignated lochs in the wider local area. Loch na Naich has historically been used for roosting by wintering Greenland white-fronted geese that are part of the SPA population.

The suggested access route for the proposed development is the existing access track from Killeen on the A83, following the Kintyre Way. This track passes within c. 80 metres of Loch na Naich. Vehicle and pedestrian movements, within both the construction, operational and decommissioning phases of the proposed development, could cause disturbance to Greenland white-fronted geese that form part of the Kintyre Goose Roosts SPA population.

Suggested mitigation that could be implemented so that the proposal will not adversely affect the integrity of the site might include:

Required mitigation: Within the wintering period for Greenland white-fronted geese (October – March), no vehicle or pedestrian movements will take place past Loch na Naich

⁷ <https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species/legal-framework/habitats-directive-and-habitats-regulations>

or within 600 metres either side of the loch during the period from one hour before sunset to one hour after sunrise.

Reason: To avoid disturbance to Greenland white-fronted geese roosting at Loch na Naich, which form part of the Kintrye Goose Roosts Special Protection Area population.

2.2 Sound of Gigha SPA

The proposal is located approximately 5 km east of Sound of Gigha, a SPA protected for its wintering eider, great northern diver, red-breasted merganser and Slavonian grebe.

Our advice is that it is unlikely that the proposal will have a significant effect on any qualifying interests of Sound of Gigha SPA either directly or indirectly. An appropriate assessment is therefore not required. We agree that this site can be scoped out for the purposes of the EIA.

2.3 Other Bird Species

Red-throated Diver

Red-throated diver are known to breed at both Loch a' Chromain and Loch a' Ghlinn Bhig. There are turbine locations proposed immediately adjacent to these lochs, with T10 c. 120 metres from Loch a' Chromain and T9 c. 220 metres from Loch a' Ghlinn Bhig. Breeding red-throated diver are highly sensitive to disturbance, with a breeding season disturbance distance of 500 to 750 metres. These turbines should be moved further away from these lochs in order to reduce the potential for impacts on breeding red-throated diver. We recommend that turbines 9 and 10, and any infrastructure associated with them, are relocated so they are at least 750 metres from these lochs. Any turbines that might include red-throated diver flights at collision risk height, including T22 and T23 for example, should also be reconsidered for relocation, to avoid potential mortality.

Golden Eagle

The submitted bird survey reports have correctly identified a golden eagle nest site less than 1 km from the site boundary and T21, but this was vacant when the surveys were carried out (March 2021 to February 2023). However, information submitted with the application for Killeen Wind Farm immediately to the west identified a nesting attempt at this eyrie in 2023. The surveys picked up some golden eagle flights, and whilst largely showing avoidance of the existing turbine array at Deucheran Wind Farm, future nesting attempts could lead to a greater frequency of flights through the turbine envelope of the proposed Deucheran Hill 2 Wind Farm than evidenced so far.

We note that GET modelling is proposed. The site is largely covered in forestry of varying age classes, but there are some open ridges to the southwest.

Hen harrier

Hen harrier are nesting at a number of locations within the site, with flightlines within the proposed turbine envelope. These nest sites appear to be located within areas of young forestry plantation, which at certain growth stages can provide suitable nesting habitat for hen harrier when it replicates their usual preferred habitat of tall leggy heather. These nesting sites will presumably become less favourable as the forestry plantings grow up and form a closed canopy. However, habitats may

remain or become suitable for nesting hen harrier if forestry is felled as part of the proposed development. Such effects could be addressed through a Habitat Management Plan for the site, that includes consideration of nesting hen harrier. The submitted EIA should provide clarity on where forestry cover will be retained and allowed to mature, where it will be felled and how subsequent habitats will be managed after felling.

Black Grouse

Black grouse, including active lek sites have been recorded near the southwest boundary of the site. Potential impacts could be addressed through a Habitat Management Plan for the site, that includes consideration of breeding black grouse.

2.4 Questions for Consultees

Question 16: *Do consultees have any comments regarding the EIA only concentrating on those receptors which may be subject to significant effects from the Proposed Development (either directly or indirectly)?*

We agree that the EIA should concentrate on those receptors that may be subject to significant effects from the proposed development, either directly or indirectly, alone or in combination with other projects.

Question 17: *Table 12.3 notes the receptors and potential impacts proposed to be included within the EIA. Do consultees agree with the list of receptors and impacts to be included within the EIAR?*

The list of receptors and impacts to be included within the EIAR should include Kintyre Goose Roosts SPA. As detailed in our advice above and at Annex 1, Kintyre Goose Roosts Special Protection Area should be scoped in due to the potential for disturbance effects on the qualifying feature Greenland white-fronted goose. An appropriate assessment will be required.

Question 18: *Are consultees satisfied that ornithological survey effort completed to date is suitable in order to provide a robust assessment of effects?*

The ornithological fieldwork survey effort completed to date appears to be in accordance with the recommendations set out in our guidance.

3. ECOLOGY

3.1 Surveys and Guidance

We note that there have not yet been any surveys undertaken for the route of the proposed access track, groundwater dependent terrestrial ecosystems or for freshwater interests, i.e. fish (especially salmonids) and freshwater pearl mussel, and the location for the potential battery energy storage is unclear. Until further information is provided in respect of these matters, we can only offer general advice at this stage.

In respect of fish and freshwater pearl mussel, we note that the section of the Scoping Report dealing with these (pages 50-51) makes reference to these only in relation to their presence within the Turbine Development Envelope. Impacts on aquatic species can be experienced at significant

distances downstream of their point sources. In considering these species, due regard must be had for any habitats supporting these species that are in ‘hydrological connectivity’ with the development proposal, whether they are distributed within or outwith the Turbine Development Area, including the full route of the proposed access track. Detailed advice for the survey and assessment of effects on salmonids⁸ and freshwater pearl mussel⁹ is available online.

Standing advice for protected species in development management can also be found on our website¹⁰.

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

3.2 Questions for Consultees

Question 13: *Do consultees have any comments regarding the EclA only concentrating on those receptors which may be subject to significant effects from the proposed development (either directly or indirectly)?*

We agree that the EclA should concentrate on those receptors that may be subject to significant effects from the proposed development, either directly or indirectly, alone or in combination with other projects.

Question 14: *Table 11.5 above notes the receptors and potential impact proposed to be included within the EclA. Do consultees have any comment regarding this sufficiently covering the potential impacts on features from the proposed development and what is proposed to be scoped out?*

We consider that operational effects on fish and freshwater pearl mussel should also be scoped in. Maintenance and use of the turbines, access track and water crossings during the operational phase of the proposed development may have potential to impact on fish and freshwater pearl mussel populations.

Question 15: *If Ecobat remains offline at the time of the EIAR, are consultees happy with the proposed method of assessment (a comparison with publicly available data from nearby proposals) for bat activity?*

We note that Ecobat is currently offline for essential maintenance. Users should check the Mammal Society’s Ecobat website for further updates and hopefully the application will relaunch in the near future. In the interim, we suggest that EIA reports might explain the unavailability of EcoBat and that alternative analysis should attempt to reasonably infer the level of relative bat activity, for example by comparing target site activity data with that from similar surveys in comparable geographic locations and habitat types. Regardless of the analytical approach, we advise that data is still presented in the format suggested at Appendix 1 of the guidance, which can be found on our website¹¹.

⁸ <https://www.gov.scot/publications/onshore-renewables-interactions/>

⁹ <https://www.nature.scot/doc/standing-advice-planning-consultations-freshwater-pearl-mussels>

¹⁰ <https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-protected-species>

¹¹ <https://www.nature.scot/doc/bats-and-onshore-wind-turbines-survey-assessment-and-mitigation>

4. HYDROLOGY & PEAT

4.1 Guidance

Guidance on the assessment and mitigation of impacts of wind farm development on peat, carbon rich soils and priority peatland habitats can be found on our website¹².

4.2 Questions for Consultees

Question 23: Do consultees agree with the proposed scope of the Hydrology, Hydrogeology, Geology and Peat assessment as summarised in Section 14.3?

For features within or dependent upon surface waters of groundwater, we consider that the spatial scope of the study area should be based on an assessment of ‘hydrological connectivity’ rather than a standard 2 km buffer around “The Site”. For example, aquatic species such as fish and freshwater pearl mussel can be impacted by downstream effects at significant distances from their point sources. In addition, we are unclear if the definition of “The Site” includes the route of the proposed access track.

5. Enhancing Biodiversity

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

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

The Scottish Government Draft Planning Guidance on Biodiversity¹³ (published November 2023) provides further advice on delivering biodiversity enhancement to clarify understanding of NPF4 Policy 3. Although labelled as “Draft Guidance” it is intended that it should be used now to assist in implementation and delivery of Policy 3.

We advise that:

- Development proposals should clearly set out the type and scale of enhancement they will deliver, ensuring that applications clearly distinguish between those elements mitigating or compensating for adverse effects and those delivering enhancement.
- Developers should prioritise on-site enhancement before off-site delivery. Where purely on-site enhancement is not possible, the Scottish Government draft guidance sets out further considerations for off-site delivery.

¹² <https://www.nature.scot/doc/advising-peatland-carbon-rich-soils-and-priority-peatland-habitats-development-management>

¹³ <https://www.gov.scot/publications/scottish-government-draft-planning-guidance-biodiversity/>

- It is also important that applications demonstrate that the enhancement is to be secured within a reasonable timescale and with reasonable certainty, including appropriate management and monitoring arrangements, and sustained for the future (preferably in perpetuity) in order to deliver a lasting legacy.
- Information on predicted losses, and the proposed mitigation, compensation and enhancement should be clearly set out, and also concisely summarised, in any application, so that this can be easily understood by decision makers.
- Enhancement requires consideration of all biodiversity, not just the significant effects that are the focus of EIA.

Our Developing with Nature¹⁴ guidance has been prepared, in discussion with Scottish Government, to support local development applications. It sets out a number of common measures to enhance biodiversity that are widely applicable. For national, major and EIA developments, more detailed assessment and more ambitious measures are likely to be required, but elements of our Developing with Nature guidance may still be helpful.

For further information and updates, please see our enhancing biodiversity webpage¹⁵.

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

If you have any questions about our advice presented here, or require any further information, please contact me on the details below.

Yours sincerely

Matthew Topsfield

Operation Officer West

matthew.topsfield@nature.scot

0131 314 4161

¹⁴ <https://www.nature.scot/doc/developing-nature-guidance>

¹⁵ <https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-enhancing-biodiversity>



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

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

Martin Henderson
Town Planning Technician

Planning reference: ECU00005208
Case Officer: Christopher Devenny

E-Mail:

Network Rail ref: 269 2024
09/09/2024

Dear Mr Devenny,

**THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)
(SCOTLAND) REGULATIONS 2017
SCOPING OPINION REQUEST- DEUCHERAN HILL 2 WIND FARM PROPOSAL**

Thank you for consulting Network Rail regarding the above development.

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

- A Traffic Assessment should be included to assess the effects of construction traffic on existing traffic flows and the public road network. Preferred construction traffic routes should be indicated. This will enable Network Rail to assess the possible impacts where/if the traffic crosses over/under our infrastructure and the suitability of these crossings.

Yours sincerely

Martin Henderson
Town Planning Technician

From: obanairport <obanairport@argyll-bute.gov.uk>
Sent: Wednesday, October 2, 2024 12:40 PM
To: Christopher Devenny <Christopher.Devenny@gov.scot>
Subject: RE: Deucheran Hill 2 Wind Farm - Scoping Consultation [NOT PROTECTIVELY MARKED]

Classification: NOT PROTECTIVELY MARKED

Good Afternoon Christopher,

This is out with the airport area of interest so have no comments to add.

Kind Regards,

Jon

Dear Sir/Madam,

With regard to planning application ECU00005208 - DEUCHERAN HILL, ONR makes no comment on this proposed development as it does not lie within a consultation zone around a GB nuclear site.

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

Kind regards,

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



By email only to: christopher.devenny@gov.scot

27th September 2024

Dear Christopher,

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

SCOPING OPINION REQUEST – DEUCHERAN HILL 2 WIND FARM PROPOSAL

Thank you for consulting RSPB Scotland in respect of the above-named scoping opinion. RSPB Scotland welcomes the siting of the majority of the Proposed Development's infrastructure within commercial forestry plantation (a habitat generally considered to be of low biodiversity value).

COMMENTS

Grid Connection Route

In relation to overhead grid connections, it is important to ensure a feasible route that does not present issues for bird species exists at the earliest possible stage. It is noted that the grid connection for the Proposed Development will be the subject of a separate application; however, RSPB Scotland recommends that an indicative route is established and consulted on as soon as possible to enable a full assessment of impacts associated with this wind farm proposal and its connecting infrastructure.

In particular, we would be keen to ensure that this infrastructure avoids areas of sensitive open ground habitat predicted as being of high value to Golden Eagle *Aquila chrysaetos* (Annex 1 & Schedule 1/A1/1A) in the Applicant's Golden Eagle Topography model outputs.

Cumulative Impact Assessment

A Natural Heritage Zone-level assessment of cumulative bird impacts in relation to consented projects and other developments in the planning system should be undertaken, in accordance with NatureScot¹ guidance. With regard to carrying out a cumulative impact assessment of the Proposed Development on birds, NatureScot guidance advises that the following should be considered:

"...all plans or projects in the area, such as mineral extraction, built development, power lines, telecommunications masts, forestry or recreational pressures...".

Land use in Kintyre is now dominated by commercial forestry and wind energy developments. The need to consider cumulative impacts is therefore paramount in order to meet vital targets for net-zero and nature recovery. Given the pressures on the Kintyre landscape due to forestry and wind farms, a holistic planning approach is required to avoid conflicts between renewables, associated grid infrastructure and Habitat Management Plan (HMP) areas.

Protected Species

Red-throated Diver *Gavia stellata*

RSPB Scotland is presently concerned that under the draft Scoping layout, turbine infrastructure will require to be pulled back from traditional Red-throated Diver (Annex 1 & Schedule 1) breeding lochans in the west and south of the red line boundary.

It is noted that the requirement to buffer breeding sites for this species and others has been flagged to the Applicant in *Appendix B: Confidential Ornithology Report*. We therefore look forward to providing comment on an updated layout in due course.

RSPB Scotland recommends that survey work for key species continues throughout the consultation and consenting process.

¹NatureScot. 2018. [Assessing the cumulative impacts of onshore wind farms on birds](#).

Fourth National planning Framework (NPF4)

NPF4 Policy 3 requires development to deliver Biodiversity Enhancement, ensuring that nature is in a demonstrably better state than without intervention. It is essential that measures proposed as mitigation, compensation and Biodiversity Enhancement for this proposal are clearly defined and set out by the Applicant at Application

Biodiversity Enhancement under NPF4

It is noted that the Applicant proposes to deliver Biodiversity Enhancement activity within the redline boundary for this site. RSPB Scotland considers that measures to support Argyll's declining Black Grouse *Lyrurus tetrix* population (UK Biodiversity Action Plan species), Golden Eagle population and scarce breeding Red-throated Diver population would be appropriate and welcome in the context of the Proposed Development.

The provision of an outline Habitat Management Plan (oHMP) for stakeholder consideration would be welcome at Application, and RSPB Scotland would be pleased to provide feedback on draft versions of this as required.

Further, given that this proposal is for repowering, RSPB Scotland considers that a summary of the aims, activities, outcomes and lessons-learned from biodiversity work delivered in association with the Operational Deucheran Hill Wind Farm Development would also be useful, to further inform the oHMP and Biodiversity Enhancement activity for the Proposed Development.

Scotland's Rainforest

According to mapping conducted for the [Argyll and the Isles Rainforest Strategy](#), the red line boundary for the Proposed Deucheran Hill 2 Wind Farm is located within a core rainforest zone, with areas of Ancient Woodland of Semi-Natural and Long Established Plantation Origin situated within the Proposed Development's red line boundary.

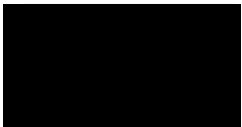
The Atlantic oak, ash and hazel woodland found in the west of Scotland is often termed Scotland's Rainforest because of the richness of oceanic bryophyte and lichen species it supports. The Argyll and Bute Local Authority Area contains a significant amount of the UK's temperate rainforest, and the oceanic climate produces a characteristic array of biodiversity of national and international importance. RSPB Scotland is a partner in the [Alliance for Scotland's Rainforest](#) (ASR) which works collaboratively to conserve Scotland's Rainforest at the landscape scale.

Our rainforest is, however, fragmented and declining in area. Almost all of the remaining habitat is under significant pressure; with designated sites in unfavourable conservation status as a result of invasion by *Rhododendron ponticum* (which impacts on c. 50% of the residual habitat) and over-grazing by deer and livestock (which impacts on c. 100% of the residual habitat, with c. 40% of this grazed at a level preventing woodland regeneration). Restoring and expanding Scotland's Rainforest is a top conservation priority.

Improving connectivity between rainforest fragments is a key objective of the Argyll and the Isles Rainforest Strategy. The restoration of the south and east of the red line boundary area from commercially planted ground to a mosaic of high-quality open ground habitats and low-density native woodland (ideally through natural regeneration where Ancient Woodland seed sources are available), would offer a valuable opportunity to connect Ancient Woodland fragments in the centre of the red line boundary with those in the east of the red line boundary.

I trust you find these comments helpful. Please do not hesitate to contact me should you require further information or clarification.

Yours sincerely,



Stephanie Cope

RSPB Scotland Conservation Officer for Argyll, Arran, Ardnamurchan.

Cc: Andy Robinson, RSPB Scotland Senior Conservation Officer for Argyll, Arran, Ardnamurchan.

Niamh Coyne, RSPB Scotland Conservation Planner.

Scottish Forestry

Scoping Opinion – DEUCHERAN HILL 2 WIND FARM PROPOSAL- Sept 2024

- Question 40: Do consultees agree with the process and methodology proposed regarding forestry and woodland in this chapter?

The applicant proposes to address forestry under ‘Other Issues’ chapter and not to regard forestry as a receptor for EIA purposes.

This is broadly acceptable assuming Scottish Forestry’s standard scoping (included below) is fully considered.

It is essential Forestry is given its own section / chapter and that where relevant information included elsewhere in the EIA is clearly referenced within the forestry section. Specific paragraphs should be referenced rather than chapters and all relevant information should be summarised within the forestry section / chapter.

Forestry and Woodlands

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

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

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

The criteria for determining the acceptability of woodland removal is explained in the policy and the applicant should take them into account when preparing the proposal. Beyond this, the applicant should refer to guidance documents issued

by Scottish Forestry (and previously by Forestry Commission- FC) in relation to good forestry practice and sustainable forest management.

Woodland Management and tree felling

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

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

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

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

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

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

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

- trees felled must be replanted on-site or compensated for (off-site planting) and these areas must be clearly identified in the plan. On-site replanting must always be considered first. The replanting operations must be appropriately described, including changes to the species composition, age class structure, timber production and traffic movements. Tree/shrub species must be suited to the site and the objectives of management;
- areas of open ground in the forest that are designed for biodiversity or landscape enhancement or for recreation opportunities should not be considered for on-site replanting (to compensate for woodland removal in other parts of the forest).

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

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

UK Forestry Standard

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

Scottish Forestry

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

It is important that pre-application discussions takes place with the local Scottish Forestry Conservancy office, the planning authority and other relevant key

agencies, at the earliest possible stage of the project, to ensure all parties have a shared understanding of the nature of the proposed development, information requirements and the likely timescale for determination. This collaborative approach will ensure that all forestry issues are identified and mitigated at the earliest opportunity. The applicant should allow sufficient time in their project plan to accommodate such advice.

Good morning,

SGN have no High Pressure assets within the vicinity of the above scoping consultation and as such would have no comment/objection.

Kind regards

Bryan Young
Pipeline Officer

Bryan.young@sgn.co.uk

Axis House Edinburgh

sgn.co.uk

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



Smell gas? Call 0800 111 999

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

Wednesday, 18 September 2024



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

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

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



Dear Customer,

DEUCHERAN HILL 2 WIND FARM, 7 km NW Carradale at Kintyre Peninsula, Argyll and Bute, PA28 6QJ
Planning Ref: ECU00005208
Our Ref: DSCAS-0117416-G3N
Proposal: 23 wind turbines up to 220 m to tip height. The site comprises the existing Deucheran Hill Windfarm (due to be decommissioned in 2026) and lies approximately 7 km NW of Carradale on the Kintyre Peninsula in Argyll and Bute.

Please quote our reference in all future correspondence

Audit of Proposal

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

Drinking Water Protected Areas

A review of our records indicates that the proposed activity falls within drinking water catchments where Scottish Water abstractions are located. Scottish Water abstractions are designated as Drinking Water Protected Areas (DWPA) under Article 7 of the Water Framework Directive. The Carradale Borehole supplies Carradale Water Treatment Works (WTW) and it is essential that water quality and water quantity in the area are protected. In the event of an incident occurring that could affect Scottish Water we should be notified immediately using the Customer Helpline number **0800 0778 778**.

The new turbines would be located within the upper catchment of the Carradale Water, upstream of our boreholes that tap into the superficial aquifer of the floodplain below. 23 turbines would be installed, which is quite a high number. However, any contaminants released at the wind farm would have to migrate for at least 8 km before reaching our boreholes, with significant natural attenuation expected along the way, especially thanks to

the woodland that would surround the turbines. The access tracks have not been defined yet, and depending on their layout, we would rate the risk of the wind farm project to our boreholes as low or medium risk.

It would be useful to receive the shapefiles of the access track to further assess the risk in real terms.

It would also be useful if you could confirm if PFAS will be present on any of the turbine coatings or associated infrastructure. It would be our preference if all could be PFAS free. PFAS is something we are now monitoring for and is of interest to the DWQR.

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

We welcome receipt of this notification about the proposed activity within a drinking water catchments where Scottish Water abstractions are located.

We would also like further notification as the application progresses.

The fact that this area is located within a drinking water catchment should be noted in future documentation. Also anyone working on site should be made aware of this during site inductions.

Further communication about this development and commencement of operations should be notified to us at protectdwsources@scottishwater.co.uk 3 months in advance of the start date on site.

Surface Water

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

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

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

Next Steps:

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

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

Yours sincerely,

Ruth Kerr

Development Services Analyst

PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

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

Supplementary Guidance

- Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - Site Investigation Services (UK) Ltd
 - Tel: 0333 123 1223
 - Email: sw@sisplan.co.uk
 - www.sisplan.co.uk
- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Development Operations department at the above address.
- If a connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.

- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or a Sustainable Drainage System (SUDS) proposed to vest in Scottish Water is constructed.
- Please find information on how to submit application to Scottish Water at our Customer Portal.

Christopher Devenny
Planning Department
ECU

Our Ref: PCS-20002922
Your Ref: ECU00005208

By email only to:
christopher.devenny@gov.scot

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

26 September 2024

Dear Christopher Devenny

**Town and Country Planning (Environmental Impact Assessment) (Scotland)
Regulations 2017**

ECU00005208

**SCOPING OPINION REQUEST Deucheran Hill 2 - The Proposed Development
comprises up to 23 wind turbines up to 220 m to tip height. The site comprises the
existing Deucheran Hill Windfarm (due to be decommissioned in 2026)
approximately 7 km NW of Carradale on the Kintyre Peninsula in Argyll and Bute**

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

Our position and advice, given below, is based on the determining authority ultimately determining that the proposal is classed as development that could be supported for the



Chair
Lisa Tennant

CEO
Nicole Paterson

SEPA
Unit 6
4 Parklands Avenue
Holytown
Motherwell
ML1 4WQ

Tel: 03000 99 66 99
www.sepa.org.uk

purposes of assessment under Policies 5 and 22, as defined in National Planning Framework 4. If this is not the case, please advise so we can re-consider our position and advice.

Advice for the planning authority / determining authority

To **avoid delay and potential objection** the EIA submission must contain a series of scale drawings of sensitivities, for example peat depth, peat condition, Groundwater Dependent Terrestrial Ecosystems (GWDTE) and proximity to watercourses, overlain with proposed development. This is necessary to ensure the EIA process has informed the layout of the development to firstly avoid, then reduce and then mitigate significant impacts on the environment. We request that the issues covered in Appendix 1 below, 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.

We have also provided site specific comments and response to Scoping Questions for Consultees numbered 1, 2, 4, 5, 6 and 23 – 26 in the following section which provides pre-application advice and can help the developer focus the scope of the assessment.

1. Site specific comments

- 1.1 In this case, where much of the site is on peat, we expect the application to be supported by a comprehensive site-specific peat management plan.
- 1.2 Provided watercourse crossings are designed to accommodate the 1 in 200 year event plus climate change and other infrastructure is located well away from watercourses we do not foresee from current information a need for detailed information on flood risk.
- 1.3 Clarification on whether the decommissioning of the existing Deucheran Hill Wind Farm will form part of the Proposed Development or separately as part of the original consents would be helpful.

2. Scoping Questions Response

- 2.1 Question 1: Yes.
- 2.2 Question 2: Yes, a condition can be imposed at application stage specifying circumstances where the micro-sitting allowance be restrained or not applied.
- 2.3 Question 4: Yes.
- 2.4 Question 5: Yes.
- 2.5 Question 6: Yes.
- 2.6 Question 23: Yes.
- 2.7 Question 24: SEPA do not hold records of private water supply sites.
- 2.8 Question 25: Yes.
- 2.9 Question 26: The local authority can advise on developments or infrastructure schemes that should be taken into account when considering potential cumulative impacts.

3. Regulatory advice for the applicant

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

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

Yours sincerely

Georgia Burborough

Senior Planning Officer

Planning Service

Ecopsy to: christopher.devenny@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

Please note that some of the planning guidance referenced in this response is being reviewed and updated to reflect the [National Planning Framework 4](#) (NPF4) policies. For example the [Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems](#). It still provides useful and relevant information, but some parts may be updated further in the future.

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

1. Site layout

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

2. Water environment

- 2.1 The proposals should demonstrate how impacts on local hydrology have been

minimised and the site layout designed to minimise watercourse crossings and avoid other direct impacts on water features. Measures should be put in place to protect any downstream sensitive receptors.

2.2 The submission must include a set of drawings 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;
- c) A map showing the location, size, depths and dimensions of all borrow pits overlain with all lochs and watercourses within 250m and showing a site-specific buffer around each loch or watercourse proportionate to the depth of excavations. The information provided needs to demonstrate that a site specific proportionate buffer can be achieved.

2.3 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](#).

3. Flood risk

- 3.1 Advice on flood risk is available at [Flood Risk Standing Advice](#) and reference should also be made to [Controlled Activities Regulations \(CAR\) Flood Risk Standing Advice for Engineering, Discharge and Impoundment Activities](#).
- 3.2 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.
- 3.3 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.

4. Peat and peatland

- 4.1 Where proposals are on peatland or carbon rich soils (CRS), the following should be submitted to address SEPA's requirements in relation to NPF4 Policy 5 to protect CRS and the ecosystem services they provide (including water and carbon storage). Peatland in near natural condition generally experiences low greenhouse gas emissions, is accumulating and may be sequestering carbon, has high value for supporting biodiversity, helps to protect water quality and contributes to natural flood management, irrespective of whether that peatland is designated for nature conservation purposes or not.
- 4.2 It should be clearly demonstrated that the assessment has informed careful project design and ensured, in accordance with relevant guidance and the mitigation hierarchy in NPF4, that adverse impacts are first avoided and then minimised through best practice.
- 4.3 The submission should include a series of layout drawings at a usable scale showing all permanent and temporary infrastructure, with extent of excavation required. These plans should be overlaid on the following:
- a) Peat depth survey showing peat probe locations, colour coded using distinct colours for each depth category. This must include adequate peat probing information to inform the site layout in accordance with the mitigation hierarchy in NPF4, which may be more than that outlined in the [Peatland Survey – Guidance on Developments on Peatland \(2017\)](#);
 - b) Peat depth survey showing interpolated peat depths;
 - c) Peatland condition mapping – the [Peatland Condition Assessment](#) photographic guide lists the criteria for each condition category and illustrates how to identify each condition category.
- 4.4 The detailed series of layout drawings above should clearly demonstrate that

development proposals avoid any near natural peatland and that all proposed excavation is on peat less than 1m deep.

- 4.5 The layout drawings should also demonstrate that peat excavation has been avoided on sites where this is possible. On other sites where complete avoidance of peat and carbon rich soils is not possible then it should be clearly demonstrated that the deepest areas of peat have been avoided and the volumes of peat excavated have been reduced as much as possible, first through layout and then by design making use of techniques such as floating tracks.
- 4.6 The Outline Peat Management Plan (PMP) must include:
- a) A table setting out the volumes of acrotelmic, catotelmic and amorphous peat to be excavated. These should include a contingency factor to consider variables such as bulking and uncertainties in the estimation of peat volumes;
 - b) A table clearly setting out the volumes of acrotelmic, catotelmic and amorphous excavated peat: (1) used in making good site specific areas disturbed by development, including borrow pits (quantities used in making good areas disturbed by development must be the minimum required to achieve the intended environmental benefit and materials must be suitable for the proposed use), (2) used in on and off site peatland restoration, and (3) disposed of, and the proposed means of disposal (if deemed unavoidable after all other uses of excavated peat have been explored and reviewed);
 - c) Details of proposals for temporary storage and handling of peat - [Good Practice during Wind Farm Construction](#) outlines the approach to good practice when addressing issues of peat management on site and minimising carbon loss;
 - d) Suitable evidence that the use of peat in making good areas disturbed by development, including borrow pits, is genuine and not a waste disposal operation, including evidence on the suitability of the peat and evidence that the quantity used matches and does not exceed the requirement of the proposed

use. If peat is to be used in borrow pits on site, SEPA will require sections and plans including the phasing, profiles, depths and types of material to be used;

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

5. GWDTE and existing groundwater abstractions

- 5.1 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.
- 5.2 A National Vegetation Classification (NVC) survey should be submitted which includes the following information:
 - a) A set of drawings demonstrating all GWDTE and existing groundwater abstractions are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater

abstractions. The survey needs to extend beyond the site boundary where the distances require it.

- b) If the minimum buffers cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. Please refer to [Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems](#) for further advice and the minimum information we require to be submitted.

5.3 Please note that due to discrepancies in habitat definition and ambiguity in correspondence with NVC types we do not accept the use of The UK Habitat Classification System (UKHab) as an alternative to NVC.

6. Forest removal and forest waste

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

7. Pollution prevention and environmental management

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

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 discarding of materials as waste should be avoided. However, if there is an intention to discard materials then further guidance on this may be found in the document [Is it waste - Understanding the definition of waste](#).

Morning Christopher,

Thank you very much for consulting us on this pre-application EIA Scoping Opinion proposal.

Upon review of the detail, given our Carradale to Crossaig 132kV (soon to be upgraded to 275kV capacity) overhead line runs through the red line site area we'd be grateful if this could be included within the scope of the forthcoming EIA. Although, based on the current turbine layout it is unlikely the development would have any significant adverse affects on the operation of our critical national infrastructure transmission assets.

Trust this is of use.

Kind regards,

Jamie

Jamie Leadbeater BA (Hons) DipTP MSc MRTPI
Senior Town & Country Planner

SSEN Transmission - Land Team



Data Privacy Notice:

For information on how Scottish and Southern Electricity Networks uses any of your personal data please refer to the Privacy Notice found at <https://www.ssen.co.uk/privacy-notice/> and for any data used by Scottish Hydro Electric Transmission plc, this can be found at <https://www.ssen-transmission.co.uk/information-centre/privacy-notice/>

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

Your ref:
ECU00005208

Our ref:
GB01T19K05

Date:
25/09/2024

christopher.devenny@gov.scot

Dear Sirs,

ELECTRICITY ACT 1989

THE ELECTRICITY (APPLICATIONS FOR CONSENT) REGULATIONS 2017

SCOPING OPINION REQUEST– DEUCHERAN HILL 2 WIND FARM PROPOSAL

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

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

Proposed Development

The proposed development comprises the repowering of the existing Deucheran Hill Wind Farm, located on the Kintyre Peninsula approximately 7km northwest of Carradale, which has been operational since December 2001. The operational wind farm comprises of 9 turbines with tip heights in the 76m to 93m range. The wind farm is due to be decommissioned in 2026.

The proposed Deucheran Hill 2 Wind Farm will comprise 23 turbines with a maximum tip height of 220m, as well as a Battery Energy Storage System (BESS). It is proposed that the wind farm will be accessed from the A83(T) at Killeen.

Assessment of Environmental Impacts

Chapter 16 of the SR presents the proposed methodology for the assessment of Traffic and Movement. This states that the assessment will be carried out in accordance with the Institute of Environmental Management and Assessment (IEMA) Guidelines, entitled Environmental Assessment of Traffic and Movement (July 2023).

These guidelines specify that road links should be taken forward for further assessment where the following two rules are breached:

- Rule 1: Include road links where traffic flows will increase by more than 30% (or the number of heavy goods vehicles will increase by more than 30%)
- Rule 2: Include road links of high sensitivity where traffic flows have increased by 10% or more.

The SR states that the proposed study area will comprise the links between Tarbert on the A83(T) and the proposed site entrance. We also note that baseline traffic flow data will be established on each link from 1-week automatic traffic counts, to be undertaken during a neutral month and then factored to the year of construction using National Road Traffic Forecast (NRTF) factors. Transport Scotland is satisfied with this approach and would add that an alternative source of traffic data is Traffic Scotland's National Traffic Data System.

It is noted that any impacts associated with the operational and decommissioning phases of the proposed development are to be scoped out of the EIA. We would consider this to be acceptable in this instance, however, we note that the SR does not make it clear if the decommissioning of the existing Deucheran Hill Wind Farm will form part of the application for the proposed development, or if this will be a separate application. We would, therefore, state that the traffic generation associated with the removal of the existing turbines should be identified in the forthcoming assessment along with the programme of activities so that it is possible to see the traffic generation of both elements together.

Abnormal Loads Assessment

The SR states that the assessment will be supplemented by an Abnormal Indivisible Load (AIL) Assessment for delivery of the wind turbine components. We note that the AIL assessment will consider the full AIL route from the port of delivery to the site entrance. We consider this to be appropriate and would add that Transport Scotland will require to be satisfied that the size of turbines proposed can negotiate the selected route and that transportation will not have any detrimental effect on structures within the trunk road route path.

The AIL assessment will require to identify key pinch points on the trunk road network. Swept path analysis should be undertaken and details provided with regard to any required changes to street furniture or structures along the route.

Access Junction

With regard to the proposal to utilise the A83(T) Killeen junction, we would add that any proposed changes to the trunk road network must be discussed and approved (via a technical approval process) by the appropriate Area Manager, who in this instance is Ian Woodcock who can be contacted at Ian.Woodcock@transport.gov.scot. If any modifications are to be made to the existing junction then 1:500 scale plans should be provided with the application showing the modifications and a roads safety audit may also be required depending on the scale of improvements.

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

Yours faithfully

George Smith

George Smith

**Transport Scotland
Roads Directorate**

cc Alan DeVenny – SYSTRA Ltd.

Energy Consents Unit
Directorate for Energy and Climate Change
Scottish Government

27th September 2024

Dear Christopher Devenny

Reference: ECU00005208

Proposal: Request for Scoping Opinion for proposed Section 36 application for Deucheran Hill 2 Wind Farm

The Woodland Trust is the UK's leading woodland conservation charity. We have four main aims: ensuring no further loss of ancient woodland, restoring and improving woodland biodiversity, increasing new native woodland creation and increasing people's understanding and enjoyment of woodland.

We own over 1,000 sites across the UK, covering over 30,000 hectares (ha). In Scotland we own and care for around 60 sites covering in excess of 11,300ha which include the 4,000ha Glen Finglas estate and significant urban forestry holdings in Glenrothes and Livingston. We combine the promotion of public access with forestry, farming and conservation of the natural and cultural heritage. We have over 500,000 members and supporters.

We are an evidence-led organisation, using existing policy and our conservation and planning expertise to assess the impacts of development on ancient woodland and ancient and veteran trees.

The Trust would like to ensure that ancient woodland, and ancient and veteran trees, are appropriately considered as part of the Environmental Impact Assessment (EIA) for this development. Ancient woodland and ancient and veteran trees are afforded protection within the Scottish Government's National Planning Framework 4 (Policy 6 - Forestry, woodland and trees).

There are a number of areas of ancient woodland within the site boundary and we are pleased to see that the presence of ancient woodland has been acknowledged. The applicant should commit to a full assessment of potential direct and indirect impacts on ancient woodland along with proposals for mitigation. In addition to the location of the turbines the assessment should address any associated infrastructure or works.

Additionally, we recommend that an Arboricultural Impact Assessment is undertaken to inform the EIA to ensure that any important trees (including any ancient or veteran trees) are identified and accounted for ahead of the full planning application. We note that two trees

registered on the Ancient Tree Inventory¹ (ATI) appear to be adjacent to the site boundary (approximate grid reference NR 79367 41840). As part of the assessment the applicant should review the ATI in addition to identifying other ancient or veteran trees that may not be recorded on the ATI. Please note that the ATI is a live database so new tree records are added and updated regularly.

We hope you find these comments helpful - if you would like to discuss any of the points raised, please contact us at planningcasework@woodlandtrust.org.uk

Kind regards

Cathy Johannesen
Programme Officer – Woods Under Threat
Woods Under Threat team

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.
1. A map outlining the proposed development area and the proposed location of: ○ the turbines, ○ associated crane hard standing areas, ○ borrow pits, ○ permanent meteorological masts, ○ access tracks including watercourse crossings, ○ all buildings including substation, battery storage; ○ permanent and temporary construction compounds; ○ all watercourses; and ○ contour lines;			

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

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

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