

Hill of Fare Wind Farm

Technical Appendix 4.2

EIA Scoping Opinion

Author	ECU
Date	October 2022
Ref	

This document (the "Report") has been prepared by Renewable Energy Systems Ltd ("RES"). RES shall not be deemed to make any representation regarding the accuracy, completeness, methodology, reliability or current status of any material contained in this Report, nor does RES assume any liability with respect to any matter or information referred to or contained in the Report, except to the extent specified in (and subject to the terms and conditions of) any contract to which RES is party that relates to the Report (a "Contract"). Any person relying on the Report (a "Recipient") does so at their own risk, and neither the Recipient nor any person to whom the Recipient provides the Report or any matter or information derived from it shall have any right or claim against RES or any of its affiliated companies in respect thereof, but without prejudice to the terms of any Contract to which the Recipient is party.



Scottish Government
Riaghaltas na h-Alba
gov.scot

**The Scottish Government
Energy Consents Unit**

HILL OF FARE WIND FARM

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

Issued to:

**Renewable Energy Systems Ltd in respect of the Hill of Fare Wind
Farm proposal**

14 October 2022

CONTENTS

	page
1. Introduction.....	2
2. Consultation.....	2
3. The Scoping opinion.....	3
4. Mitigation measures.....	9
5. Conclusion.....	9
6. Pre application.....	9

ANNEX A – List of consultees and consultation responses

1. Introduction

This scoping opinion is issued by the Scottish Government's Energy Consents Unit ("the ECU") on behalf of the Scottish Ministers to Renewable Energy Systems Ltd ("the Company"), a company incorporated under the Companies Acts with company number 01589961 and having its registered office at Beaufort Court Egg Farm Lane Station Road Kings Langley Hertfordshire WD4 8LR.

This scoping opinion has been issued in response to a request made by the Company in August 2022 for a scoping opinion under *the Electricity Works (Environmental Impact Assessment)(Scotland) Regulations 2017* ("the Regs") in relation to the proposed Hill of Fare Wind Farm ("the proposed Development"). The request was accompanied by a scoping report and other associated documentation.

The proposed Development would be located approximately 6km north of Banchory in the local authority area of Aberdeenshire Council.

The proposed Development will have a total generating capacity in excess of 50 megawatts and will comprise of up to 17 wind turbines each with a blade tip height of 250m.

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

- foundations supporting each wind turbine;
- associated crane hard standings at each turbine location;
- upgraded and new access tracks;
- underground electricity cables;
- anemometry mast;
- control building and substation;
- energy storage/battery compound;
- signage;
- temporary borrow pits;
- drainage and drainage attenuation measures (as required); and
- temporary construction and storage compounds and laydown areas.

2. Consultation

Prior to the submission of the scoping opinion request, a list of consultees was agreed between the Company and the ECU. Following receipt of the scoping opinion request, a consultation, as required by Regulation 12 of the Regs, was initiated by the ECU on 17 August 2022. The deadline for submitting consultation responses was 16 September 2022 but this was extended until 07 October 2022 to accommodate extension requests from consultees.

As part of the consultation, the ECU also requested responses from their internal advisors Transport Scotland and Scottish Forestry.

Standing advice from Marine Scotland Science (“MSS”) 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 MSS are attached in **ANNEX A – List of Consultees and their responses**.

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 MSS, should be read in full for detailed requirements and for comprehensive guidance, advice and, where appropriate, templates for preparation of the Environmental Impact Assessment report (“EIA report”).

The following consultees did not submit a response:

- British Horse Society;
- Civil Aviation Authority;
- Crathes, Drumoak & Durriss Community Council;
- Fisheries Management Scotland;
- John Muir Trust;
- Mountaineering Scotland;
- North East Raptor Study Group;
- Oban Airport;
- Scottish Forestry;
- Scottish Rights of Way and Access Society (ScotWays);
- Scottish Wildland Group
- Scottish Wildlife Trust;
- VisitScotland.

With regard to those consultees who did not respond, it is assumed that they have no comment to make at this stage but each may be consulted again in the event that an application for section 36 consent is subsequently submitted.

Edinburgh Airport, Glasgow Airport and Glasgow Prestwick Airport each advised that the proposed Development is located outwith their respective consultation zones and as such, there is no requirement to consult them further. Crown Estate Scotland have indicated that there is no need to consult them further.

The Scottish Ministers are satisfied that the requirements for consultation set out in Regulation 12(4) of the Regs have been met.

3. The Scoping Opinion

This scoping opinion has been adopted following consultation with Aberdeenshire Council, within whose area the proposed Development would be situated, NatureScot, Scottish Environment Protection Agency (“SEPA”) and Historic Environment Scotland, all as statutory consultation bodies.

Other bodies which the Scottish Ministers consider likely to have an interest in the proposed Development by reason of their specific environmental responsibilities or local and regional competencies were also consulted.

The Scottish Ministers adopt this scoping opinion having taken into account the information provided by the Company in its request made in August 2022 in respect of the specific characteristics of the proposed Development and the responses received to the consultation undertaken. In providing this scoping opinion, the Scottish Ministers have had regard to current knowledge and methods of assessment and 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.

A copy of this scoping opinion has been sent to Aberdeenshire Council for publication on their website. It has also been published on the ECU website at [Scottish Government - Energy Consents Unit](#).

The Scottish Ministers expect the EIA report which will accompany an application for consent under section 36 of the Electricity Act 1989 to construct and operate the proposed Development to consider in full **all** consultation responses and the MSS standing advice attached in Annex A.

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:

Aviation - lighting

It is recommended by the Scottish Ministers that, as soon as they can, the Company engages with the Civil Aviation Authority to discuss and agree their night-time aviation lighting requirements. The Company should also engage with the Defence Infrastructure Organisation (DIO) to discuss and agree their safety-related lighting requirements especially in relation to low flying aircraft concerns .

It is also recommended by the Scottish Ministers that with regards to impacts of night time aviation lighting, the Company should discuss and agree with Aberdeenshire Council and NatureScot the range (in kilometres from the proposed Development) for night time assessments of the impacts of night-time aviation lighting and receptors therein to be assessed.

As well as the scope, methodology, findings and recommendations of such assessments, full details of all mitigation of aviation lighting impacts subsequently identified should be provided in the EIA report.

Aviation – radar

It is recommended by the Scottish Ministers that the Company has discussions with (NATS Safeguarding) to agree a mitigation scheme regarding the effects of the proposed turbines on Allanshill Radar and Perwinnes Radar.

It is also recommended that the Company has discussions with Aberdeen Airport regarding impacts and mitigation in respect of their primary surveillance radars.

Aviation – other

It is recommended by the Scottish Ministers that the Company engages with Aberdeen Airport with regards to impact assessment of instrument flight procedures.

Battery Storage

With regards to battery storage being included in the proposed Development, full details of what it will entail (scale, dimensions etc), its location in the site, minimum and maximum export capacity of megawatts and megawatt hours of electricity and a full assessment of its impacts and effects and all proposed mitigation should be included in the EIA report. Assessment of operational noise associated with battery storage should also be completed and included in the EIA report.

Bird surveys

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

Borrow pits

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, layout 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 also be appraised as part of the overall impact. Information should cover the requirements set out in ‘PAN 50: Controlling the Environmental Effects of Surface Mineral Workings’.

Cumulative impact assessments

To ensure that cumulative impact assessments are as up-to-date as possible, Developments to be included should be discussed and agreed by the Company and Aberdeenshire Council. Photography and visualisations submitted in the EIA report should reflect the most up-to-date cumulative position.

Description of the proposed Development

In the description of the proposed Development to be included in the EIA report, **all** the specific elements of the proposed Development for which consent under section 36 of the Electricity Act 1989 is applied for must be made clear.

Designated areas protected areas and protected species

The Scottish Ministers recommend that the Company seek the agreement of Aberdeenshire Council, Historic Environment Scotland, NatureScot, RSPB Scotland and the Dee District Salmon Fishery Board regarding the designated sites, protected areas and protected species to be included in the EIA report.

It is recommended by the Scottish Ministers that the Company discusses and agrees protection of the Burn of Corrichie and the Gormack burn with the Dee District Salmon Fishery Board.

Where required, sufficient information should be included in the EIA report regarding Habitat Regulation Appraisals. (also, see Habitats Regulation Assessment ("HRA") below)

Duration of consent applied for

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

Ecology and ornithology and designated and protected areas

The EIA report should provide a baseline survey of the animals (mammals, reptiles, amphibians, etc) and bird interests on site. It needs to be categorically established which species are present on the site, and where they are present, before an application is submitted. Further, the EIA report should provide an account of the habitats present on the site of the proposed Development. It should identify rare and threatened habitats, and those protected by European or UK legislation, or identified in national or local Biodiversity Action Plans.

Fish

Fisheries Management Scotland have developed advice which should be fully considered throughout the planning, construction and monitoring phases of the proposed Development. That advice can be found at: [170412-Guidance-Terrestrial-windfarms.pdf \(fms.scot\)](#)

MSS generic scoping guidelines for onshore wind farm (and overhead line development) is provided at: [Onshore Renewables Interactions - gov.scot \(www.gov.scot\)](#)

How fish populations can be impacted during the construction, operation and decommissioning of a wind farm development should be considered, in relation to freshwater and diadromous fish and fisheries, during the EIA process.

Fish surveys

The Scottish Ministers recommend that the fish surveys to be undertaken should be discussed and agreed by the Company, Marine Science Scotland and the Dee District Salmon Fishery Board.

Forestry and woodland removal

Although they did not submit a response to the scoping consultation the Scottish Ministers recommend that the Company discusses tree felling and woodland removal with Scottish Forestry at the earliest opportunity.

All tree felling and restocking proposals should be given full consideration in assessments of landscape and visual impacts.

Habitats Regulation Assessment (“HRA”)

The Company should note that a HRA **will** be required in respect of the River Dee Special Area of Conservation.

Historic Environment

It is recommended by the Scottish Ministers that the Company discuss and agree with Aberdeenshire Council Archaeology Service and Historic Environment Scotland all the historic environment assets to be impact assessed, both within the context of the proposed Development alone and within a cumulative context with other Developments.

Hydrology, geology, hydrogeology and peat

A full assessment on the impact on peat should be included in the EIA report. The assessment of the impact on peat must include peat probing for all areas where development is proposed. This assessment should include probing not just at the point of infrastructure as proposed by the scheme but also covering the areas of ground which would be subject to micro-siting limits. A Peat Management Plan should also be prepared, as well as an Outline Habitat Management Plan.

Landscape and visual – study area

The study area in kilometres of the proposed Development should be agreed following discussion between the Company, Aberdeenshire Council and NatureScot.

MSS standing advice

Please ensure that the checklist contained in the MSS standing advice is adhered to with regards to the appropriate chapters of the EIA report and is submitted as part of the application documentation.

Noise assessment

It is recommended by the Scottish Ministers that the final list of receptors in respect of noise assessment should be agreed following discussion between the Company and Aberdeenshire Council.

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**”.

Peat landslide hazard and risk assessment

The 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. This will provide the Scottish 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 [Proposed electricity generation developments: peat landslide hazard best practice guide - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/proposed-electricity-generation-developments-peat-landslide-hazard-best-practice-guide/pages/1_to_3.aspx), should be followed in the preparation of the EIA report, which should contain such an assessment and details of mitigation measures. It should be noted by the Company that the Scottish Ministers engage the services of appropriate specialists to assess PLHRAs submitted with an EIA report.

Private water supplies

The Scottish Ministers request that the Company investigates the presence of any private water supplies which may be impacted by the proposed 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.

Transport – abnormal loads

The Scottish Ministers recommend that the Company discuss and agree the scope of the Abnormal Loads Assessment with Transport Scotland prior to it being undertaken.

Transport – construction traffic management plan

The Scottish Ministers recommend that the Company discuss and agree the scope of the construction traffic management plan with Aberdeenshire Council (Infrastructure Services – Roads Department) and Transport Scotland. Local communities which will be impacted by the proposed Development’s construction traffic should also be involved in such discussions.

Viewpoints and visualisations

It is recommended by the Scottish Ministers that the final list of viewpoints and visualisations should be agreed following discussion between the Company, Aberdeenshire Council, Cluny, Midmar & Monymusk Community Council, Echt & Skene Community Council, Historic Environment Scotland, NatureScot and Torphins Community Council.

4. Mitigation Measures

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

This scoping opinion is based on information contained in the scoping report and associated documentation submitted to the Scottish Ministers by the Company in August 2022.

The adoption of this scoping opinion by the Scottish Ministers 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.

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

It is acknowledged that the environmental impact assessment process is iterative and should inform the final layout and design of proposed developments. The 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.

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

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.

6. Pre application

Applicants are encouraged to engage with officials at the ECU at the pre-application stage and before proposals reach design freeze.

It is recommended by the Scottish Ministers that the Company engages with the ECU in relation to pursuing the Gatecheck process.

In advance of an application for consent under section 36 of the Electricity Act being submitted, the Company should liaise with the ECU with regards to statutory arrangements that will have to be made. For example, the provision of hard copies of the EIA report and supporting documentation to the Scottish Ministers and to consultees will have to be discussed and agreed as will public notices and public viewing requirements.

Stephen McFadden
Energy Consents Unit

14 October 2022

ANNEX A – List of Consultees and consultation responses

- Aberdeenshire Council (pages A1-A14)
- Aberdeen International Airport (page A15)
- British Telecommunications plc (pages A16-A17)
- Cluny, Midmar & Monymusk Community Council (pages A18-A20)
- Crown Estate Scotland (page A21)
- Dee District Salmon Fishery Board (pages A22-A27)
- Defence Infrastructure Organisation (pages A28-A30)
- Echt & Skene Community Council (pages A31-A33)
- Edinburgh Airport (page A34)
- Glasgow Airport (page A35)
- Glasgow Prestwick Airport (page A36)
- Historic Environment Scotland (pages A37-A40)
- Highlands and Islands Airports Limited (page A41)
- Joint Radio Company (pages A42-A46)
- Marine Scotland Science (pages A47-A54)
- NATS Safeguarding (pages A55-A65)
- NatureScot (pages A66-A68)
- RSPB Scotland (page A69)
- Scottish Water (pages A70-A72)
- SEPA (pages A73-A80)
- Torphins Community Council (pages A81-A82)
- Transport Scotland (pages A83-A84)

Our Ref: ENQ/2022/1247
Your Ref: ECU00004592

Ask for: James Hewitt
REDACTED

Energy Consents Unit
Scottish Government

26 September 2022

Dear Sir/Madam

**The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017
EIA Screening/Scoping Opinion for Section 36 Consultation- Erection of 17 Wind Turbines (250m High) With Output of 122.40 MW and Battery Storage of 200MW at Hill Of Fare Windfarm, Banchory
Grid Reference: 370204.802714**

I refer to your consultation in relation to a request for a scoping opinion for the above proposal received on 18 August 2022. I am now in receipt of all the necessary internal consultation responses, and I can now offer a response to your consultation.

Schedule 4 of the Electricity Works (Environmental Impacy Assessment) (Scotland) Regulations 2017 states the information which should be included in an Environmental Impact Assessment Report (EIA Report). These guidelines offer the backbone to the structure of an EIA Report and should be used as the basis for your submission.

In order to make an assessment of the above information there are specific criteria and guidance set out in Schedule 4 of the Regulations. In particular these include characteristics of the development, an outline of any alternative options/sites and the main reasons for the options/sites chosen. Environmental issues are of obvious key importance such as those aspects of the environment that would be likely to be significantly affected. Detailed survey work would be required to inform the EIA Report. Following analysis of the aspects of the environment which would be likely to be significantly affected, a detailed assessment of the effects themselves would be required along with mitigation measures proposed.

Scoping Report

A review of the Scoping report has been undertaken, with commentary offered in respect of each chapter (where appropriate).

Policy

The Proposed Aberdeenshire Local Development Plan 2022 was agreed at the Aberdeenshire Council Meeting on 21 September 2022. The Plan is expected to be formally in place by Late October 2022. Therefore, the EIA should refer to this plan as opposed to the 2017 plan (unless otherwise agreed).

Landscape and Visual Impact

The Landscape and Visual Impact (LVI) section of the scoping report contained a number of questions, which have been answered below:

- Do you agree with the proposed Study Areas?
 - Yes
- Do you agree with the proposed viewpoint locations?
 - Viewpoints appear to be almost exclusively clustered within 10.0km of the development site and therefore risk omitting impacts upon several large population centres in Aberdeenshire. As such the inclusion of viewpoints to represent the likely impact upon towns such as Banchory, Inverurie, Kintore, Kemnay, Alford and Aboyne should be explored. Whilst further investigation may discount the need for viewpoints from these locations, this exercise should be documented.
 - Similarly, other prominent locations which should be considered are Bennachie and Cairn O'Mount. Once again whilst further investigation may discount the need for viewpoints from these locations, this exercise should be documented.
- Do you agree that the proposed scope of the assessment is appropriate?
 - As summarised in 3.19 of the scoping report, largely yes. See comments re viewpoint selection.
 - Details of any borrow pits must be provided (including maximum extraction depth, sections, indicative restoration), and must be reflected in any viewpoints.
- Are there any other wind farms you are aware of within the 20km study area to be included in the cumulative assessment?
 - Glendye Wind Farm may partially fall within the 20km study. This is at the consenting stage, with a PLI held in August 2022.
 - Fetteresso Wind Farm was approved by ministers in Sept 2022

Additional discussion around viewpoint selection is to be welcomed.

Cultural Heritage

The Cultural Heritage section of the scoping report contained a number of questions, which have been answered below:

- Do consultees agree with the methodology set out?
 - Yes
- Do consultees agree with assets and matters scoped out?

- No, Archaeology has requested that reference be made to the Aberdeenshire HER in order to ensure all assets are identified (see appended Archaeology Consultation Response)
- Are there any assets, not listed in the appraisal, that key consideration should be given to?
 - No, see above commentary.
- Do consultees have any specifications on visualisations and their locations?
 - See commentary from Environment Team and Archaeology. The overarching view is that consideration of the wider landscape effect and the impact that this has on the understanding of the historic environment must be addressed.

Ornithology

The Ornithology section of the scoping report contained a number of questions, which have been answered below:

- Do consultees agree that the methodology and scope of the assessment is appropriate?
 - Cognisance must be given to the emerging Scottish Biodiversity Strategy (2023 onwards) and associated draft guidance. It is suggested that a Biodiversity Net Gain (BNG) assessment be undertaken in order to identify, inform and secure enhancement measures.
 - The Habitat Management Plan (para of scoping report 5.23) should include mitigation and enhancement measures (informed by BNG assessment) for important ornithological features. The Habitat Management Plans must consider construction, operation and decommissioning phases, it must include the long-term management of any biodiversity enhancement features which are to be created.
- Are there any other relevant consultees who should be contacted, or other sources of information that should be referenced with respect to the ornithology assessment?
 - NatureScot and RSPB will almost certainly have been consulted at scoping. Commentary will be key to this chapter.
- Do consultees agree with the features proposed to be scoped out of the assessment?
 - As stated above, commentary from NatureScot and the RSPB would be key to this aspect of the EIA.

Ecology

The Ecology section of the scoping report contained a number of questions, which have been answered below:

- Do you agree that the proposed scope of assessment is appropriate?

- Largely yes, see commentary in ornithology section in relation to Biodiversity Net Gain Assessment and Habitat Management Plan.
- Do you agree that it is appropriate to scope out HRA?
 - No, development site lies almost entirely within River Dee SAC catchment area. Discussion should be undertaken with NatureScot in respect of HRA

Hydrology

The Scoping report has asked no questions in relation to this chapter; therefore, the following observations have been made:

- The intention to include a Drainage Impact Assessment is welcome.
- Surface Water Drainage must be considered within the application.
- It is noted that there is little commentary in relation to peat, other than a confirmation that some may be present on site. This will require further investigation, with disturbance of peat avoided wherever possible.

Noise

Noise is addressed through the attached response(s) from Environmental Health.

Transport and Traffic

The Scoping report has asked no questions in relation to this chapter; therefore, the following observations have been made:

- Visibility Splays must be included within the site boundary.
- A S56 agreement would be required if works to public road in excess of £20k are to be undertaken.
- A Construction Traffic Management Plan (CTMP) would be required.

Aviation

The Council has no specific comment to make in relation to aviation, other than to highlight the key role of statutory consultees in this field. This is likely to include the Ministry of Defence, Civil Aviation Authority, NATS and Aberdeen International Airport, amongst others.

Forestry

It is noted that the Scoping Report indicates a limited opportunity for forestry impacts to occur, however some tree loss may be unavoidable.

Where tree loss does occur, this should be addressed through compensatory planting. A sequential approach to compensatory planting should be utilised, favouring on site replacement, site adjacent, within Aberdeenshire and (only then) external to Aberdeenshire. This approach would be consistent with the use of the aforementioned

Biodiversity Net Gain Assessment and seeks to ensure the enhancement of not only woodland cover, but also biodiversity within Aberdeenshire.

Conclusion

This advice is based on the Regulations and the consultation responses (appended) of the following:

Archaeology
Environment Team – Built Heritage
Environment Team – Natural Heritage
Environmental Health
Flood Risk and Coastal Protection
Roads Development (including Transportation comments)

I hope the above information is of assistance as a response to scoping opinion consultation. Obviously during the processing of any associated planning application other issues may become obvious following public consultation and consultations with statutory consultees.

Should you have any queries, please contact the officer named at the head of this letter.

Yours faithfully

REDACTED

Paul Macari
Head of Planning and Economy

From: [Bruce Mann](#)
To: [James Hewitt](#)
Cc: [Claire Herbert](#)
Subject: For Action - ENQ/2022/1247 - Hill of Fare Scoping Report - Archaeology Service Comments
Date: 26 September 2022 11:45:32

Dear James,

ENQ/2022/1247 - Hill of Fare Scoping Report - Archaeology Service Comments

Thank you for your consultation regarding the above proposal for the erection of 17 wind turbines with a maximum turbine height of 250m each. Having reviewed the Scoping Report which has been submitted in relation to this stage of the application process, and specifically Section 4 'Cultural Heritage', I can make the following comments.

1. The initial check by the consultant of Pastmap, rather than the Aberdeenshire HER, has resulted in an incomplete list of HER sites within the proposed development area as listed within Table 4.1 of the Scoping Report. Notably site NJ60SE0004, the remains of two longhouses and a hexagonal enclosure which are currently classed as being of Regional Significance, is missing and due consideration of this site, including visual impact upon it, needs to be added to the list for detailed setting assessment.
2. Outwith the site boundary I am minded to agree with the list of key assets as identified (beyond the missing one noted above) for detailed setting assessment, and with the overall methodology as set out within this document.
3. In Section 4.14 'Consultation' it notes that consultation will be undertaken with Aberdeenshire Council Archaeology Service (ACAS) for designated heritage assets of regional and local significance, and any undesignated assets they consider to be of higher significance. It should be noted that ACAS will also comment on designated assets of national importance, as the local authority has an established remit in commenting on the wider setting impact for scheduled monuments as well as HES's role in commenting on setting impacts that affect the original criteria for scheduling.
4. With regard to the question of whether we agree with the matters and assets that have been scoped out at this stage, I can confirm that from a technical, individual, asset point of view, yes. However, given the scale of the proposed turbines, and their location on top of a highly visible massif within this part of Aberdeenshire, some consideration of the overall visual impact upon the landscape as a whole should be considered within the document as it will change the sense of what constitutes the background landscape to the local heritage in the area.

Should either yourself or the Applicant have any questions regarding the above then please do not hesitate to contact me.

Best wishes
Bruce

Bruce Mann MA MCIfA FSA Scot FRSA

Archaeologist
Aberdeenshire Council Archaeology Service
Planning & Economy
Aberdeenshire Council

Archaeology Service for Aberdeenshire, Moray, Angus, and Aberdeen City Councils
REDACTED

Web Site - <https://www.aberdeenshire.gov.uk/leisure-sport-and-culture/archaeology/>
Your feedback is important to us and helps us to improve our service – we value your [comments](#).

Environment Consultation Response

Planning Reference No:	ENQ/2022/1247
Environment Planner:	JD, EM, VG, CT
Date of Response:	08/09/2022

- Acceptable
- Objection
- Acceptable Subject to Following Action
- No Comments
- Further Information Required

1.	Issue:	Ornithology/Ecology
	Actions:	
	a)	Section 5.14 and 6.4 please add consideration of emerging Scottish Biodiversity Strategy (2023 onwards) and associated draft guidance on 'positive effects for biodiversity' we would suggest a Biodiversity net gain (BNG) assessment should be carried out for this proposal to secure enhancement measures.
	b)	<p>Proposed mitigation (5.23) includes a Habitat Management Plan which should include mitigation and enhancement measures (informed by BNG assessment) for important ornithological features (IOMs). HMP should include construction, operation and decommissioning phases and future long-term management of features created.</p> <p>Mitigation and compensation (6.31) does not provide a firm commitment to the HMP covering ecology and there is no commitment to enhancement. Any proposal should include a BNG assessment and enhancement measures with a HMP.</p>
	c)	Section 6.10 – please note the SINCS sites system has been replaced by Aberdeenshire Local Nature Conservation Sites (LNCS) and details of sites locally can be obtained from NESBReC NESBReC Biological records for the North East of Scotland .
	d)	River Dee SAC – the site lies almost entirely within the catchment of the River Dee. It is not clear whether the decision to scope out a HRA has been discuss in preliminary consultation with NatureScot and their advice should be followed here.
	Justification:	
		<p>ALDP 2017 E1: Natural Heritage (Nature Conservation Sites, Protected Species)</p> <p>ALDP 2017 P1: Layout, Siting and Design (Biodiversity Enhancement)</p>

	Supporting Statement
--	----------------------

2.	Issue:	Public access
	Actions:	
	a)	The proposed development area, particularly the east side, is a well-used public access resource as the document identifies. There is no detail in the document of how impacts to public access will be assessed as part of the EIA. It is likely there will be effects during the construction and operational phases that need to be assessed and mitigated. As part of any application a public access plan would be required to ensure both continued access and public safety.
	b)	Indications that new public access infrastructure will be considered for inclusion as part of development proposals are welcomed and encouraged.
	Justification:	
		ALDP 2017 P2 Open Space and Access in New Developments
	Supporting Statement:	

3.	Issue:	Built Heritage
	Actions:	
	a)	Impact of those historic assets identified in the scoping report within the zone of theoretical visibility and an assessment made as to whether there is an impact as a result of the wind turbines
	b)	
	Justification:	
		ALDP 2017 Policy HE1: Protecting historic buildings, sites, and monuments and HE2: Protecting historic and cultural areas Historic Environment Policy for Scotland HES Guidance - Managing Change in the Historic Environment: Setting (February 2020)

Supporting Statement:

We would expect any application to carry out an assessment of the potential impacts from the proposed development on the setting of the historic assets which have been identified in the scoping report. Detailed assessment supported by visualisations will be required as we would need to understand the impact when you are at the historic assets, in terms of what can you see from it and what is the impact when you view the wind turbines in context with the historic assets. Understanding changes in setting through time is important to understanding the history of the asset or place. Historic landscape assessment, including historical maps, would be useful for identifying these changes.

We would advise that the above detailed assessment is undertaken (and supported with visualisations) to ensure the ability of the landscape, which comprises various historic asset, to absorb new development without eroding the key characteristics. Further guidance on setting can be found in Historic Environment Scotland Managing Change in the Historic Environment: Setting (February 2020)

<https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=80b7c0a0-584b-4625-b1fd-a60b009c2549>



PLANNING ENQUIRY CONSULTATION

APPLICATION REF: ENQ/2022/1247
CASE OFFICER: Lindsey Geddes
PROPOSAL: Section 36 Consultation- Erection of 17 Wind Turbines (250m High) With Output of 122.40 MW and Battery Storage of 200MW
LOCATION: Hill Of Fare Windfarm, Banchory
APPLICANT: RES

This advice is provided without prejudice

Environmental Health is in general agreement with the proposed noise impact assessment methodology, however I would draw the applicant's attention to the observations made below.

Noise Predictions

At 8.6, the following statement is made "*The operational noise assessment will be carried out on the basis of the broadband noise level with penalties applied for tonality if applicable.*" For clarity, I would ask that the noise consultant ensures that predictions are based on octave band frequency data as per the advice provided in Chapter 4 of the [loA Good Practice Guide](#)

Background Noise Monitoring Locations

Based on the information provided in Appendix 8.1, the proposed background noise monitoring locations appear reasonable. Environmental Health would be willing to assist in constructive dialogue with any resident who may be reluctant to provide consent for monitoring, if this would be useful.

Noise Limits

Please note that Aberdeenshire Council take an "Apportionment" approach to noise limits for all new wind farm development, applying "a portion" of the theoretical ETSU-R-97 noise limit based on the predicted noise level (generally rounded up plus 1dB).

Please also note that for existing wind turbine development where full ETSU-R-97 noise limits have been applied, for the purposes of cumulative assessment it should be assumed that the full ETSU-R-97 noise limit is used by that wind turbine development, and is therefore unavailable for use by new development.

The applicant's acoustic consultant is encouraged to contact environmental@aberdeenshire.gov.uk prior to the carrying out of any background noise survey with a view to reaching agreement on the final details. I can confirm that Aberdeenshire Council Environmental Health are willing to work constructively with the acoustic consultant in all aspects of the noise impact assessment.

Lyn Farmer
Senior Environmental Health Officer

Date: 07 September 2022

Beverley Robertson

From: Nick Rae
Sent: 25 August 2022 16:48
To: Planning Online
Cc: Lindsey Geddes
Subject: Consultee Response for Planning Reference ENQ/2022/1247

Consultee: Flood Risk & Coast Protection
Planning Reference: ENQ/2022/1247
Planning Case Officer: Lindsey Geddes

Proposal: Pre-Application Advice Request - Section 36 Consultation- Erection of 17 Wind Turbines (250m High) with Output of 122.40 MW and Battery Storage of 200MW
Address: Hill of Fare Winfarm, Banchory, Aberdeenshire
Grid Reference: 369414.803633

Thank you for consulting *Flood Risk & Coast Protection* on this pre-application enquiry.

Having reviewed the Scoping Report, we welcome that the EIA will consider flood risk in detail and present the findings within the hydrology section of the report.

In addition, we would expect surface water drainage relating to the proposed development to also be considered within the EIA.

We have no further comments at this stage.

Regards,

Nick Rae
Civil Engineer

Flood Risk & Coast Protection
Environment & Infrastructure Services



REDACTED

A: Viewmount, Arduthie Road, Stonehaven, AB39 2DQ

www.aberdeenshire.gov.uk

Follow us at:



Technical Consultation No 1 for Planning Application Ref: ENQ/2022/1247

Application type: **ENQ (Pre-Application Enquiry)**

Proposal: **Erection Of 17 Wind Turbines (250m High) With Output Of 122.40 MW And Battery Storage Of 200MW**

Location: **Hill Of Fare Winfarm, Banchory**

Date consultation request received: **25/08/2022**

Planning Officer: **L G**

Roads Officer: **E M**

1. Visibility Requirements (See Section 4)

Speed Limit at site: **60 mph**

Design speed: **60 mph (assessed for north approach)**
50mph (assessed for south approach)

Based on the minimum visibility requirements within Aberdeenshire Council's current standards and on the design speed a visibility of **2.4** metres by **215** metres will be required **To the north and 2.4m x 160m to the south**

Does current application provide this? Yes No **(See Section 4)**

2. Parking Requirements:

From Aberdeenshire Council's Parking Standards the required parking provision is
Spaces made up of: Operational and Non-Operational.

Is shown provision of spaces acceptable Yes No

Note:

Any construction parking should be accommodated fully within the limits of the site.

3. Road Layout:

- Is a Traffic Assessment required? Yes No
- Access onto Public Road Network? Direct Indirect
- Will the Shown Layout Require RCC? Yes No
- Does the Shown Layout Appear to Comply with RCC? Yes No

If No, What are Main Items of Non-Compliance?

4. Other Comments:

The comments provided relate to a pre application enquiry and are based on a desk top assessment of the information provided. No site visit has been undertaken at this time.

As part of any future application, applicants should detail on the plan(s) visibility splays as indicated in section 1 (splays must be clear of all permanent obstructions above adjacent carriageway level), first 15m surfaced in bituminous material (max gradient 1:20).

A Construction Traffic Management Plan will be required to be submitted and approved, if any works are required to the existing public road costing more than £20,000 a S56 Agreement will be required.

This list may not be exhaustive.

5. Recommendations:

- This Service objects to this application for the following reasons:-**
- Insufficient Visibility** **Insufficient Parking Provision**
 - Road Safety (see comments in Section 4)**
 - Insufficient information has been submitted to comment on this application. Please treat this response as a holding objection until the required information has been submitted. (See Section 4)**
- This Service has the above comments to make on this enquiry .**
- This Service does not object to this application subject to the following conditions and advisories being applied should planning permission be granted:-**

REDACTED

Initialed by: REDAC
TED

Date: 02/09/2022

02/09/2022

FAO Stephen McFadden
Energy Consents Unit
Scottish Government

Via Email

ABZ Ref: ABZ3067

25th August 2022

Dear Stephen

Ref: SCOPING OPINION REQUEST– HILL OF FARE WIND FARM PROPOSAL

I refer to your request for scoping opinion received in this office on 17th August 2022.

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

- The proposed site is located within the wind farm consultation zone for Aberdeen Airport and as such aviation impacts should be considered as part of the EIA. As the scoping report acknowledges it is likely visible to primary surveillance radars used by Aberdeen Airport and mitigation would be required.
- It is also likely to impact upon instrument flight procedures. Detailed assessments will be required.

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. At that time we will carry out a full safeguarding impact assessment and will consider our position in light of, inter alia, operation impact and cumulative effects.

Yours Sincerely
REDACTED

Kirsteen MacDonald

Safeguarding Manager
Aberdeen Airport
REDACTED

abzsafeguard@aiairport.com



From: radionetworkprotection@bt.com <radionetworkprotection@bt.com>
Sent: 22 August 2022 10:50
To: McFadden S (Stephen) <Stephen.McFadden@gov.scot>
Cc: radionetworkprotection@bt.com
Subject: WID11941 - Hill of Fare Wind Farm proposal - scoping consultation

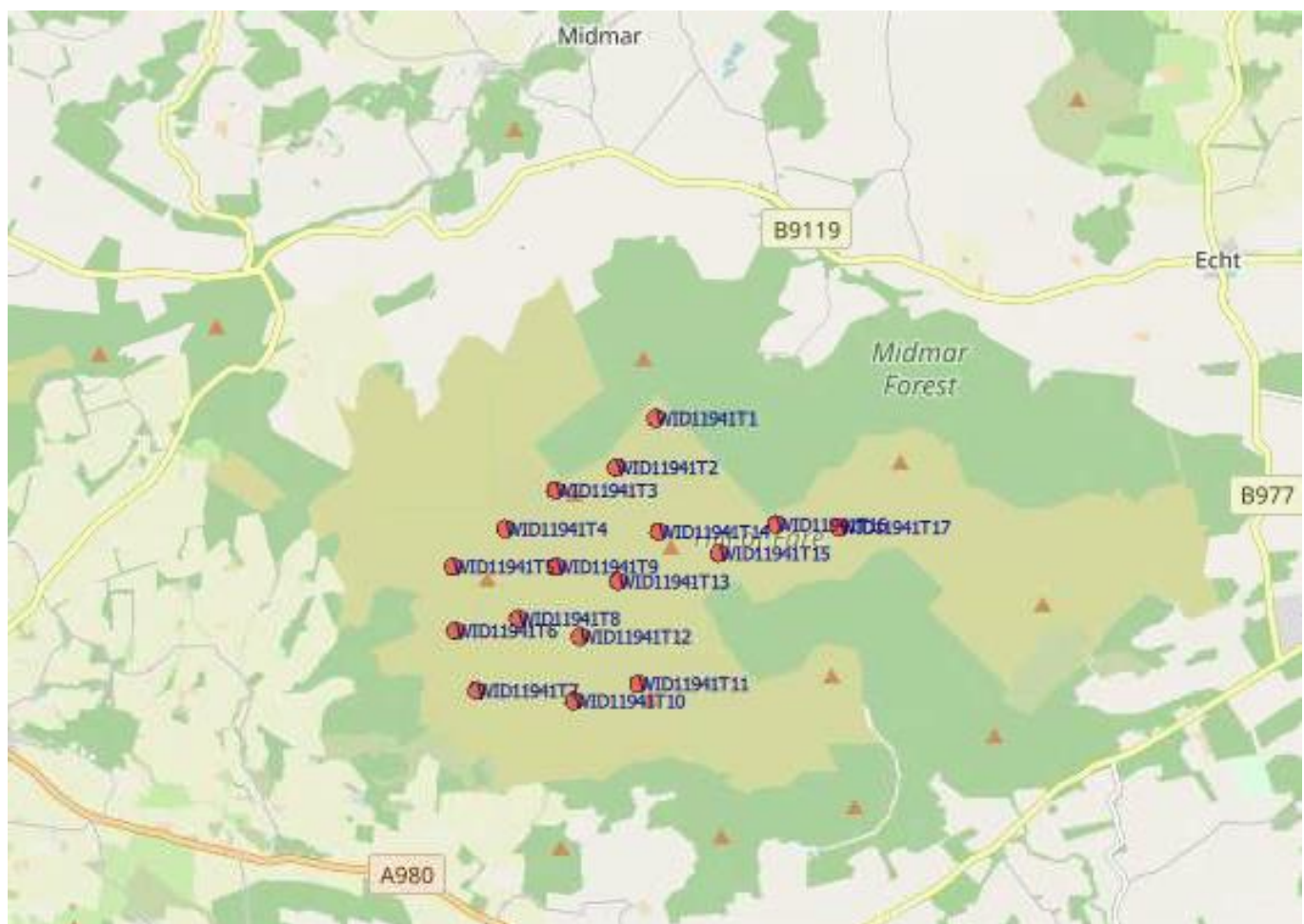


OUR REF: WID11941T1-T17

Thank you for your email dated 17/08/2022.

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

The conclusion is that, the grid references provided as per Table 1.1 of the Scoping report for the 17 proposed Turbine locations should not cause interference to BT's current and presently planned radio network



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

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

Please direct all queries to radionetworkprotection@bt.com

Regards

Debra Baldwin

Engineering Services - Radio Planning
Networks



Hill of Fare Windfarm

Cluny, Midmar and Monymusk Community Council response to scoping report.

Dear Stephen

On behalf of Cluny, Midmar & Monymusk Community Council our response to the scoping report for the proposed Hill of Fare Windfarm is as follows:

1. Landscape and Visual Impact Assessment
 - a) 3.13 The developer implies that the Strategic Landscape Capacity Assessment relevant in Aberdeenshire may be out of date. We believe that this is not the case for the Hill of Fare and that there is unlikely to be a change in the new Local Development Plan. Due to its prominence from all sides it has a high visual sensitivity.
 - b) 3.15 The principles of best practice according to which the LVIA will be carried out appear to be dated from 2013. This seems a very long time ago, considering how technology and in particular size of turbines have altered so much since that date. There is concern that they are not fit for purpose with such an intended project.
 - c) 3.20 In terms of the distinction between landscape and visual effects we believe that such is the scale of the intended turbines that it will be impossible to engineer protected views, therefore the two individual scoping elements may not be relevant.
 - d) 3.27 The Residential Visual Amenity Assessment for all properties within 2 km of all proposed turbines and the screening discussed within this, does not negate the sound elements to the turbine effects, even if flicker can be reduced or ruled out.
 - e) 3.29 As well as the 15 viewpoints the developer is proposing for landscape and visual impact assessments, we believe that due to the proposed scale of the turbines there should be other viewpoints such as Mither Tap (NJ 682 224), Westhill (NJ 814 073), North Monymusk (NJ 682 177), Clachnaben (NJ 616 865).
 - f) 3.40 To imply that there will be no significant effects on landscape character is incorrect and therefore all necessary visuals of a high quality need to demonstrate this from all directions. There is already a large demand for such visuals.
 - g) 3.44 In terms of the scoping points regarding aviation warning lighting we believe that there is not already a significant artificial lighting effect on the Hill of Fare, certainly from the north side and therefore it would be wrong to discount the hugely significant effect that lighting on all 17 turbines would have not only on the immediate but also further afield landscape. Scoping points for this and visual illustrations should take into account the size of these turbines.

- h) 3.47 In terms of the cumulative effect we do believe that the 4 turbines in Midmar which are under 50m in height should however be included in the cumulative impact assessment. They already effect people who are going to be further affected, so are important to those in the immediate vicinity.
2. a) 5.32 Ornithology - Based on local information we would request that Curlew are scoped in to the assessment
3. a) 6 Ecology - The Environmental Impact Assessment should include fish and therefore a habitats regulation assessment, as this area is so close to the River Dee Special Area of Conservation (SAC). From experience with other significant development projects within the Dee and Don Catchments, this is in our opinion a very important conservation safety measure.
- b) Ice Throw from Turbine Blades – We do believe that ice build-up has proved to be a major issue in winter months, on blades, following on from which ice throw has great implications from such large turbines. We would request that this is a part of the scoping report.
4. a) 7 Hydrology - Due to the large number of private water supplies to the north of the Hill of Fare, some of which may run further than 2km from the Hill itself, we believe that there is a requirement for the scope of monitoring to be out with the 2km described.
5. Noise
- a) We note again that the “best practice” guidelines in considering the potential noise issues caused by the proposed development are once again taken from material produced as far back as 2013 and even 2011. This concerns us.
- b) 8.6 It is not intended to look into specific frequencies in relation to noise caused by the Turbines, for instance low frequency. This concerns us, as continuing low frequency noise, as is produced by turbines, causes huge stress to people living in the vicinity. We would suggest that this be included in the scoping measures.
- c) We would suggest that the Planned Acoustic Assessment, which includes proposed locations for background noise measurement surveys, must make sure that these are not carried out within the range of area affected by the turbines already located in Midmar. (H138)
- d) Assessment of cumulative noise impacts caused by the development should also take into account the areas already having to deal with turbine noise, such as at grid points NJ 666 059 and NJ 664 064
6. Infrastructure

- a) Onward travel of generated power into the Grid. We would like to see visuals of the intended infrastructure required to transport the energy created into the local or national grid. This is of course specifically in the area on and surrounding the Hill of Fare itself, which will have a major effect on the neighbourhood. We understand that the application for access to the Grid, is separate to the planning application, however they are both very much a part of the eventual physical changes which will be felt by the local communities and must be factored into scoping for the project.

These are the points which we wished to bring to your attention at this stage, on behalf of Cluny, Midmar and Monymusk Community Council.

The thrust of this is not to support or object to the project proposal, but a list of observations on the proposed scoping.

Regards

Richard Fyffe

From: Olivia Morrad <olivia.morrad@crownestatescotland.com>
Sent: 02 September 2022 11:51
To: McFadden S (Stephen) <Stephen.McFadden@gov.scot>
Subject: 20220902 Hill of Fare Wind Farm proposal - scoping consultation

Good morning,

Thank you for your email.

I write to confirm that the assets of Crown Estate Scotland are not affected by this proposal and we therefore have no comments to make.

Kind regards

Olivia

Olivia Morrad
Assistant Portfolio Co-ordinator
Crown Estate Scotland



Dee District Salmon Fishery Board

Stephen McFadden

Consents Manager
Energy Consents Unit
The Scottish Government

By email to stephen.mcfadden@gov.scot
16th September 2022

Dear Stephen

THE ELECTRICITY ACT 1989

**THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)(SCOTLAND) REGULATIONS 2017
SCOPING OPINION REQUEST– HILL OF FARE WIND FARM PROPOSAL**

On behalf of the Dee District Salmon Fishery Board (Dee DSFB) we welcome the opportunity to respond to the above scoping report.

Designations & Conservation Status

As a statutory body charged with the protection of Atlantic salmon and sea trout stocks within its district, the Dee DSFB has a duty to ensure that there are no significant adverse impacts upon the populations of these species.

The Dee has been designated as a Special Area of Conservation under the EC Habitats Directive 92/43 EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna for Atlantic salmon (the principal species for which it receives this designation). The Dee District also supports populations of trout, eels and brook, river and sea lampreys.

Sea trout, common to all the rivers within the Dee District, are a priority species under the United Kingdom's Biodiversity Action Plan (UKBAP).

All lamprey species are protected under the EC Habitats Directive whilst river and sea lampreys are additionally protected under the UKBAP priority list.

Eels are a UKBAP priority species, critically endangered under the IUCN red list and protected under CITES.

Conservation regulations

Scottish Government produced a Wild Salmon Strategy in early 2022, stating that "there is sadly now unequivocal evidence that populations of Atlantic salmon are at crisis point". Salmon numbers returning to the Scottish coasts are now around a third of what they were in the 1970s. 2021 saw the worst Scottish salmon catches on record.

The data from Marine Scotland Science's fish traps on two River Dee Spring salmon tributaries – Girnock and Baddoch – show that in 2021, only three female salmon were caught in the Girnock trap and four in the Baddoch trap. These were the lowest returns on record and represent only 6% and 10% of the numbers required to maximise emigrant production from the two catchments.

Juvenile salmon stocks have been assessed by Marine Scotland Science as being a Category 2 status. A category 2 grading defines the stock as requiring further management action to reduce exploitation. The Dee became a catch and release fishery in 1995 and has had a release rate of over 99% in the last decade. The Dee Board has also bought out and closed all coastal and in-river netting stations to reduce exploitation of salmon and sea trout stocks. Despite all of the effort to ease pressure on the salmon stocks, adult stocks are at their lowest abundance. Extra measures are urgently needed to protect this declining stock.

One pressure highlighted by Scottish Government in the Wild Salmon Strategy is the risk to salmon stocks from poor water quality resulting from pollution which can directly impact salmon and negatively alter their habitats.

Site Specific comments

There are two named watercourses of interest to the Dee DSFB which run through the Hill of Fare Wind Farm (HoFWF) area. Namely the Burn of Corrichie and the Gormack burn. These watercourses eventually drain into the Bo Burn and Culter Burn respectively, and then to the Dee SAC.

These tributaries are not currently part of the SAC designation. The extent of the SAC designation was established by the presence of juvenile salmon in the Dee catchment in the early 2000s. The reason for both these streams not being designated within the SAC is that they both had man made obstacles to salmon at the time of designation. These obstacles were made passable in 2008 (Coy dam) and 2014 (Culter Dam) therefore enabling migratory salmonid access to both tributaries.

We know that these tributaries both provide suitable juvenile and adult habitat for populations of salmon, sea trout, brown trout, lampreys and eels as recorded through a catchment wide habitat surveys, electrofishing and spawning count surveys by the Dee DSFB and the River Dee Trust (RDT).

Little is known about the fish communities present in the Burn of Corrichie and Gormack Burn within the HoFWF area, but salmon have been recorded within the buffer zone on both tributaries.

Responses to questions of relevance in scoping report

Chapter 6 Ecology

In chapter 6 Ecology, section 6.30 It states that *“The River Dee SAC is located c.2.5km southwest of the wind turbine development area at its nearest point and is separated from the Site by woodland and agricultural habitats. Significant effects on the qualifying features, i.e. Atlantic salmon, freshwater pearl mussel and otter, are therefore very unlikely, and we do not consider that a Habitats Regulation Assessment (HRA) will be required.”*

We do not agree with this statement and the intention to scope out the HRA assessment. There should be a clear recognition of the sensitivity of the Burn of Corrichie and the Gormack Burn to sedimentation, habitat fragmentation and disturbance with the potential negative impact upon Atlantic salmon populations present within and out with the HoFWF area.

The following headings illustrate some of our potential concerns for the Atlantic Salmon populations of River Dee SAC with a development of this scale and location. All these concerns are relevant during and post construction and through any decommissioning phase. *‘Sediment and pollution, Fish Habitat Degradation or Removal, Altered hydrological pathways, Clear felling’*. See Appendix 1 for more information upon potential impacts from each heading.

Chapter 7 Hydrology

We are concerned by the willingness to scope out the HRA in Chapter 6 Ecology yet in *‘Table 7.1 Summary of Potential Effects’* it is suggested that hydrological receptors were at risk to effects of flow alterations, flooding, increased sediment discharges and contaminant discharges. This seems contrary to the reasons for scoping out the HRA in relation to the Dee SAC qualifying species with specific reference to Atlantic salmon who rely upon clean unpolluted water.

We would therefore agree that the potential significant effects in table 7.1 are scoped into the Environmental Impact Assessment (EIA).

Recommendations

To establish the potential impact a development of this scale could have on the Dee SAC its habitats and qualifying species with specific consideration for Atlantic salmon, we would propose that a suite of baseline monitoring is undertaken for fish, water quality and macroinvertebrates.

Therefore, we would request further consultation with the Dee DSFB (with technical input from the RDT) in relation to fish and water quality monitoring programmes and suggest that they closely follow guidance establish by Marine Scotland Science (MSS) *‘Generic monitoring programme for monitoring watercourses in relation to onshore wind farm developments, April 2018’*. We would also request the monitoring of macroinvertebrate communities is undertaken pre, during and post construction to assess the potential impacts from the development again in line with MSS guidance.

Depending upon the findings of fish surveys during monitoring activities we would also point out that the Dee DSFB requires fish rescues prior to the installation and removal of any temporary or permanent watercourse crossings or diversions across any of the catchments which drain into the Dee SAC.

The Salmon and Freshwater Fisheries Consolidation Act 2003 requires any persons undertaking electrofishing activities within a salmon fishery district where there is an active fishery board, to request permission in writing. The Dee DSFB, therefore, require any fish rescues or further monitoring associated with the HoFWF complies with this component of the legislation.

Opinion

The Dee DSFB does not agree with the intention to scope out the HRA assessment in section 6.30, on the basis that there should be a clear recognition of the sensitivity of the Burn of Corrichie and the Gormack Burn to sedimentation, habitat fragmentation and disturbance with the potential for a significant negative impact upon Atlantic salmon populations of the Dee SAC.

For the Atlantic Salmon which is described by Scottish Government as '*at crisis point*', it cannot be assumed that there will be no impact from a development of this scale or location.

We would therefore request that the HRA is included and potential impacts of this proposed development upon Atlantic salmon are fully considered and assessed by appropriate monitoring for fish, water quality and macroinvertebrates.

If you require any further information, please do not hesitate to contact me.

Yours sincerely

REDACTED

Dr Lorraine Hawkins
River Director, Dee District Salmon Fishery Board

Appendix 1 – Detailed information on potential significant impacts.

During construction

Due to the scale of the proposed development, which includes watercourse crossings and clear felling of existing commercial plantation to create access and a connection to the grid, our main concern is sediment and other pollution entering the Dee SAC, during the various construction phases of this development. Our second concern is the fragmentation or disruption of habitats through the installation of watercourse crossings which may impact habitat quality and fish migration.

Sediment and pollution

Construction operations such as creation of turbine foundations, access tracks, watercourse crossings, cable laying and the excavation of borrow pits could result in increased sediment loading to adjacent watercourses in the absence of suitable mitigation. Increased sediments loads can cause damage to aquatic invertebrates and fish through a smothering effect, reducing habitat availability and by interference with feeding and respiratory apparatus.

Previous experience from large scale developments within the Dee catchment, for example the Aberdeen Western Peripheral Route and Transco Gas Pipeline, shows that although their initial assessments indicated that they would be able to control run off and had the capacity to manage sediment effectively, during construction, even with high level mitigation measures in place, pollution was still prevalent and at a significant level. Both developments contributed substantial mitigation payments to redress the impact to the river that they were unable to avoid.

During this proposed development other risks are posed by pollution from hydrocarbons such as vehicle fuels and oils from plant operations or from cement-type materials during construction of the turbine bases and substation structure.

Therefore, strict adherence to SEPA's Pollution Prevention Guidelines (PPG's) for work near watercourses is required. CIRIA guidance on the Control of Water Pollution from Construction Sites (SP156) should also be followed. Sediment and pollution control measures must always remain effective, all temporary detention ponds, swales, silt traps and other pollution prevention measures must be checked and maintained on a regular basis and particularly if periods of rain are forecast. This is relevant during and post construction.

Fish Habitat Degradation or Removal

The construction and removal of watercourse crossings of both a temporary and permanent nature can impact on the fish habitat and the fish and invertebrate communities present. Depending upon the style of watercourse crossing the structure could result in the loss of habitat at the immediate site and may have implications upon the habitat both upstream and downstream. Where possible we would request that the design of any watercourse crossing would span the channel and not impact the bed and banks of the watercourse.

Further to this the design and location of the structure may create an obstacle to fish migration by restricting or preventing fish passage in either direction at the site. Again, we would like to see that appropriate guidance on the design and construction of culverts and watercourse crossings are followed (CIRIA: Culvert design and operation guide (C689)).

Any temporary watercourse diversions within the Dee DSFB catchment should be consulted upon with the Dee DSFB in advance of any physical action.

Altered hydrological pathways

Consideration must be given to the potential changes to the hydrological pathways associated with the construction of the access tracks, borrow pits and hard standings. Specifically, the stripping or clearing of vegetation and substrate to create the access tracks will alter the flow regime at several sites and could lead to increased risk of sediment pollution. The development of site drainage will also add to this risk and increase the likelihood of sediment transportation and deposition through the increased flow rate and altered direction of flow.

We would like to see that there is appropriate consideration given to the design and construction of the access tracks, borrow pits, hard standings and site drainage to minimise impacts to the hydrological pathway within the FWF area. We would expect the developer to follow best practice as identified in the Scottish Natural Heritage document 'Constructed Tracks in the Scottish Uplands' 2013.

Clear felling

The Dee DSFB would remind the developer that all forestry activities should conform to the Forest and Water Guidelines (FWG's) and all measures should be in place to minimise the impact associated with these activities.

Post construction and Decommissioning

The Dee DSFB require elements of monitoring and maintenance to continue post construction. The specific elements of these monitoring and maintenance plans can be discussed in more detail through further consultation should the development be approved however; typical activities would include the monitoring of fish and macroinvertebrates and the maintenance of watercourse crossings, sediment traps and soakaways.

Decommissioning of the development, should it be approved, would also create a significant risk to the Dee SAC. The Dee DSFB requests further consultation on any proposed decommissioning plan in the future.



**Defence
Infrastructure
Organisation**

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

Your Reference: ECU00004592

Telephone [MOD]: 0792005 6607

Our Reference: DIO10056037

E-mail: Jillian.roberts156@mod.gov.uk

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

By email only

16 September 2022

Dear Stephen,

Application reference: ECU00004592

Site Name: Hill of Fare Wind Farm.

Proposal: Electricity Act 1989 The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 Request for scoping opinion for proposed Section 36 application for Hill of Fare Wind Farm.

Site address: 6km north of Banchory in the local authority area of Aberdeenshire Council.

Thank you for consulting the Ministry of Defence (MOD) in relation to the scoping through your communication dated 17 august 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 may have concerns with the proposal.

The proposal concerns a development of 17 wind turbines with maximum blade tip heights of 250.00 metres above ground level. The proposed development has been assessed using the location data (Grid References) below provided in Scoping Report dated August 2022.

Turbine no.	Easting	Northing
1	368773	804289
2	368409	803846
3	367860	803645
4	367401	803300
5	366925	802962
6	366942	802382
7	367131	801839
8	367512	802490
9	367861	802954
10	368011	801741
11	368595	801890
12	368072	802323
13	368422	802818
14	368791	803264
15	369337	80,064
16	369855	803321
17	370428	803291

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, as a minimum the MOD would require that the development be fitted with MOD accredited aviation safety lighting in accordance with the Air Navigation Order 2016.+

The MOD must emphasise that the advice provided within this letter is in response to the information detailed in the developer's document titled consultation dated August 2022 sourced from Energy Consents unit. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

I hope this adequately explains our position on the matter. If you require further information or would like to discuss this matter further, please do not hesitate to contact me.

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

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

Yours sincerely

REDACTED

Jill Roberts
DIO Safeguarding

From: REDACTED
To: [McFadden S \(Stephen\)](#)
Cc: [escs councillors](#)
Subject: Hill of Fare Wind Farm proposal - scoping consultation
Date: 21 September 2022 23:46:50

Dear Stephen,

Further to your email of 17th August, Echt and Skene Community Council (ESCC) has reviewed the Hill of Fare Wind Farm Scoping Report and has the following comments:

1) Chapter 3 Landscape and Visual Impact Assessment

a) Landscape Character:

The developer refers to the Strategic Landscape Capacity Assessment for Wind Energy in Aberdeenshire (SLCA) and asserts in paragraph 3.13 that elements of this report may be out of date. This report is referred to in the Aberdeenshire LDP 2017 and the proposed Aberdeenshire LDP 2020, as providing detailed guidance on the appropriate siting of wind energy developments in Aberdeenshire. Whilst some parts of the Moorland Plateau have seen change since 2014 through subsequent wind farm developments, this is not the case for the Hill of Fare. No industrial-scale wind turbines have been erected on or around it since the SLCA was published. The SLCA's conclusions therefore remain as valid today as they were in 2014 in respect of the very high visual sensitivity of the Hill of Fare.

b) Proposed LVIA Viewpoint Locations:

The developer has proposed 15 viewpoints around the Hill of Fare for detailed landscape and visual impact assessments. In our view, these will not be fully representative of the views that very large numbers of people in the area will experience. We would suggest that additional viewpoints should be included in the assessment as follows:

Location	OS Grid Reference	Comment
Junction of Old Skene Road and Strawberryfield Road, Westhill	NJ 814 073	Westhill is the second largest settlement in the Garioch Area of Aberdeenshire, built on south-facing slopes with multiple clear views of Hill of Fare. The view from this location will be representative of the view from many Westhill residents' homes
Lyne of Skene Playpark	NJ 762 107	Whilst Lyne of Skene is a small settlement the visual impact for residents will be significant and this viewpoint will also be representative of the views seen by travellers using the B977 from Kintore and Inverurie.
Millstone Hill or Mither Tap	NJ 677 202 or NJ 682 224	These are both extremely popular hill walking destinations
A944 west of junction	NJ 790 079	The A944 is part of the recognised

with B9126		Highland Tourist Route to the Cairngorms and Highlands via Strathdon, and the Lecht. This viewpoint will also illustrate the effect on the Loch of Skene designed landscape
------------	--	---

c) Cumulative Assessment

The developer states in paragraph 3.54 that it intends to ignore existing wind turbines less than 50m in height in assessing cumulative impacts. However, the list of Cumulative Sites within 20km in Table 3.2 includes the 46m turbine at Upper Sauchen Farm. ESCC believes that the cumulative impact of the Hill of Fare Wind Farm should be assessed with all existing turbines within 10km of the Hill of Fare site, and this should therefore include two 49m turbines at Auchmore Farm and two 46m turbines at Auchorie Farm. These four turbines are on the northern side of the Hill of Fare, within 5km of the site and will be seen in combination with the Hill of Fare turbines by residents in Midmar amongst others.

2) Chapter 7 Hydrology

The developer proposes conducting baseline surveys and assessing potential effects on private water supplies (PWS) and abstractions in terms of flow and levels, increased sediment discharges and contaminant discharges. The developer proposes including those such receptors that lie within 2km of the wind farm boundary only.

ESCC is aware that some other wind farm developments in Scotland have had long-lasting, detrimental effects on contaminant levels in neighbouring PWS, which are not necessarily connected to specific pollution events of oils, fuels and hydraulic fluids during the construction phase as referred to in paragraph 7.31 of the Scoping Report. We are also aware of properties that are more than 2km from the Hill of Fare site boundary but which nonetheless source their water from Hill of Fare. In our view the potential effects and the scope of monitoring before, during and after construction should not be limited to 2km, but should instead cover a wider area and include all private water supplies derived directly from run-off and/or ground water/springs from the Hill of Fare. This should include all properties on the slopes of the Hill of Fare, and potentially also properties within the policies of Dunecht House or elsewhere, which receive water piped from the Hill of Fare. Paragraph 10.12 of the Scoping Report makes reference to PWS to the eastern end of the site – we are aware of PWS on the northern and western sides as well, and would expect there to be PWS on all sides of the hill.

3) Chapter 8 Noise Assessment

The Scoping Report includes as Appendix 8.1 a report titled “Planned Acoustic Assessment at the Proposed Hill of Fare Wind Farm”. This report sets out proposed locations for conducting background noise measurement surveys. ESCC notes that one of these proposed locations, H138, lies only 900m away from the two existing wind turbines at Auchmore Farm. This makes site H138 unsuitable for a background noise measurement survey since it will be contaminated by noise from existing turbines.

Any assessment of cumulative noise impacts due to the Hill of Fare development must extend to the consideration of cumulative wind turbine noise on residential properties that lie in proximity

to the Auchorie Farm and Auchmore Farm turbines, which would include receptors H147, H148 and H228 – 232 identified in Figure 1 of Appendix 8.1, and also residential properties at Auchorrie (OS Grid Reference NJ 666 059) and South Bandodle (OS Grid Reference NJ664 064).

We would expect the detailed noise assessment also to take account of topographic effects which are likely to concentrate the turbine noise into geographical areas such as the Midmar Castle bowl on the north side of the hill.

We trust the matters raised above will be fully reflected in the Scoping Opinion.

Yours sincerely,

Fiona Bick
Chair Echt & Skene Community Council
REDACTED

From: [Safe Guarding](#)
To: [McFadden S \(Stephen\)](#)
Cc: [Safe Guarding](#)
Subject: ECU00004592 - Hill of Fare Wind Farm
Date: 31 August 2022 12:51:45
Attachments: [image001.png](#)

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



REDACTED

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

From: Glasgow Airport - Safeguarding
Sent: 25 August 2022 12:32
To: McFadden S (Stephen) Stephen.McFadden@gov.scot

Subject: RE: Hill of Fare Wind Farm proposal - scoping consultation

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

Kind regards

Kirsteen



CURRENT HOLDER OF FOLLOWING AWARDS



#GLA Safeguarding
#GLA Safeguarding

REDACTED

✉ glasafeguard@glasgowairport.com

🌐 www.glasgowairport.com

📍 Glasgow Airport, Erskine Court, St Andrews Drive, Paisley, PA3 2TJ

• Scottish Airport of the Year 2019 & 2020

From: Ian Hutchinson <ihutchinson@glasgowprestwick.com>
Sent: 12 September 2022 12:02
To: McFadden S (Stephen) <Stephen.McFadden@gov.scot>
Cc: Econsents Admin <Econsents_Admin@gov.scot>; Safeguarding <safeguarding@glasgowprestwick.com>; Steve Thomson <sthomson@glasgowprestwick.com>

Subject: Hill of Fare Wind Farm proposal - scoping consultation response

Stephen,

We have examined the scoping consultation documents available on the Energy Consents Unit (ECU) Portal under ECU00004592 in respect of Hill Of Fare wind farm scoping proposal.

On behalf of Glasgow Prestwick Airport (GPA) – the proposed development lies outwith the Airport’s safeguarding area and as such GPA have no comment to make on the scoping consultation and would have no aviation grounds to object to this proposal should it come to a full Section 36 Planning Application.

With Kind Regards,

Ian Hutchinson



Glasgow Prestwick Airport
Ltd.
Aviation House
Prestwick
KA9 2PL
Scotland
United Kingdom

Ian Hutchinson

Safeguarding Manager

REDACTED

ihutchinson@glasgowprestwick.com

www.glasgowprestwick.com



By email to: stephen.mcfadden@gov.scot

Mr Stephen McFadden
Energy Consents Unit
4th Floor
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

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

Our case ID: 300060341
Your ref: ECU00004592

07 October 2022

Dear Mr McFadden

[The Electricity Act 1989](#)
[The Electricity Works \(Environmental Impact Assessment\) \(Scotland\) Regulations 2017](#)
[Hill of Fare Wind Farm - Scoping Report](#)

Thank you for your consultation which we received on 17 August 2022 about the above scoping report. We have reviewed the details in terms of our historic environment interests. This covers world heritage sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas (HMPAs).

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

Proposed Development

I understand that the proposed development comprises up to 17 wind turbines of up to 250m to blade tip and associated infrastructure, approximately 6km north of Banchory, Aberdeenshire.

Scope of assessment

Without prejudice and based on the information provided, we can indicate that we have some concerns at this stage about a wind farm development in this location. This is because it would be located on elevated ground on the Hill of Fare and could therefore be highly prominent in views looking both from, and towards, a number of nationally important heritage assets. It is difficult at present to give a definitive view on this due to the limited information contained in the EIA Scoping Report. However, we would be happy to advise further as the development progresses and to comment on any provisional cultural heritage assessment in advance of an EIA Report and planning application being submitted.



Heritage assets should be assessed using our [Managing Change Guidance Note on Setting](#) and further information on good practice in cultural heritage assessment is available in Appendix 1 of the [EIA Handbook \(2018\)](#). Mitigation measures to lessen potential adverse impacts should be considered in line with this guidance.

Potential impacts on scheduled monuments

The EIA Scoping Report includes a provisional assessment which has used a ZTV to help identify heritage assets which are likely to have views of the proposed development. As well as investigating the ZTV for potential visibility of the proposed turbines, the assessment should also consider whether any turbines might appear in views looking towards heritage assets.

We note that the following sites have been highlighted for detailed setting assessments as there is the potential for the proposed development to have a significant impact on their setting:

Sunhoney, stone circle 240m NW of (SM44)

The monument comprises a recumbent stone circle that dates to the Bronze Age (c. 2500 BC to c. 800 BC). It is 25m in diameter and consists of eleven stones including the recumbent, two flanking pillars/orthostats and nine other standing stones. The recumbent stone and one of the uprights contain rock art in the form of cupmarks, and within the circle is a raised platform measuring 7m across which is probably the remains of a ring cairn. The monument is bounded by a 19th century plantation wall. The monument is located on a low hill shoulder at 125 m AOD and the views looking out from and towards this ritual and funerary monument and its sense of place, are important parts of its setting.

The ZTV suggests that the majority of the proposed turbines would be visible to the south of the monument and Figure 4.3 is a wireframe showing the potential impact at a distance of approximately 2.9km from the nearest turbine. Although mature deciduous trees surrounding the monument currently provide some screening of views looking from and towards the monument, there are gaps in these trees and long-distance views from it are still possible. The cultural heritage assessment should therefore consider that views towards the proposed development could open up in future. As our [Managing Change Guidance Note on Setting](#) explains, this is because 'trees are subject to environmental and other factors (e.g. wind blow, felling and seasonal changes which affect leaf cover) and cannot necessarily be relied upon to mitigate adverse impacts of a development'. We welcome that a detailed assessment will be undertaken and advise that photomontages as well as wireframes are produced to demonstrate the potential impact on the setting of the monument.



Barmekin of Echt, fort, Barmekin Hill (SM57)

The monument comprises a hillfort which is characteristic of the late Bronze Age and Iron Age (First Millennium BC). The monument comprises a multi-vallate hillfort composed of five roughly concentric ramparts and five entrances. The hillfort is situated within moorland on the summit of Barmekin Hill at about 275m OD. This strategic location on elevated ground would have allowed the monument to control movement as it affords good, long-distance views in all directions. The monument is also a prominent feature within its surrounding landscape as a centre of power, meaning that view towards it are equally important. These views contribute to the setting of the monument.

The ZTV suggests that all of the proposed turbines would be visible from the monument and Figure 4.2 is a wireframe demonstrating the potential impact at a distance of approximately 4.4km to the nearest turbine. We welcome that a detailed assessment will be undertaken and would advise that photomontages as well as wireframes are produced to demonstrate the potential impact on the setting of the monument.

Other scheduled monuments

We note from Appendix 4.1 that a number of other scheduled monuments have been scoped in and would recommend that further consideration is given to whether a more detailed assessment is required for these sites. Those closest to the development proposal include the following and we would welcome wireframes from these sites to demonstrate potential setting impacts (NB please note that this is not an exhaustive list):

- Christchurch, stone circle and standing stone, Midmar (SM32)
- Midmar, Church, settlement and (Cunningar) motte (SM100)
- Cothill, symbol stone 600m NE of Craigmyle House (SM68)
- Glassel, stone circle, Bogarn Wood (SM978)

Potential impacts on Category A-listed buildings

Midmar Castle

We welcome that a detailed assessment will be undertaken for this heritage asset. We note the wireline which has already been produced for this category A-listed building. The wireline indicates that there is potential for significant impact on the castle's setting. We advise that photomontages are also produced to demonstrate the significance of the potential impact on the setting of this heritage asset more fully.

We suggest visualisations are prepared using photos taken from both the inside and outside of the castle. We would be happy to review any photographs and photomontage visualisations prepared from this Category A listed building and provide further advice on mitigation measures where necessary.



We would also wish to have a better understanding of how the turbines would impact the following two heritage assets and see wirelines for them:

- LB2959 Tyllicairn Castle
- LB38 Tilquhillie Castle

It would be helpful to understand views from the buildings but also view of the buildings with the backdrop of the windfarm.

Potential impacts on Inventory Battlefields

Please be aware that we are likely to be considering the Battle of Corrichie for designation as it has been proposed by a member of the public.

Further information

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes. Technical advice is available on our Technical Conservation website at <https://conservation.historic-scotland.gov.uk/>.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Urszula Szupszynska and they can be contacted REDACTED by email on Urszula.Szupszynska@hes.scot.

Yours sincerely

Historic Environment Scotland

From: Safeguarding <Safeguarding@hial.co.uk>
Sent: 19 August 2022 13:26
To: McFadden S (Stephen) <Stephen.McFadden@gov.scot>
Subject: RE: Hill of Fare Wind Farm proposal - scoping consultation

Your Ref: ECU00004592

Our Ref: 2022/289/INV

Dear Sir/Madam,

Proposal: Hill of Fare Wind Farm proposal.

Location: To be located approximately 6km north of Banchory in the local authority area of Aberdeenshire Council.

With reference to the above, our assessment shows that, at the given position and height, this development would not infringe the safeguarding criteria for Inverness Airport.

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

Kind regards,

Nyree

Nyree Millar-Bell

**Safeguarding Officer and Operational Assistant
Highlands and Islands Airports Limited**

✉ NBell@hial.co.uk 🌐 Visit our Website at www.hial.co.uk

From: [JRC Windfarm Coordinations](#)
To: [McFadden S \(Stephen\)](#)
Subject: Hill of Fare Wind Farm proposal - scoping consultation [WF343810]
Date: 21 August 2022 10:39:42

Dear stephen,

A Windfarms Team member has replied to your co-ordination request, reference **WF343810** 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 Sir,

Name/Location:

Hill of Fare

Site Centre/Turbine at NGR/IGR:

*T1 368773 804289
T2 368409 803846
T3 367860 803645
T4 367401 803300
T5 366925 802962
T6 366942 802382
T7 367131 801839
T8 367512 802490
T9 367861 802954
T10 368011 801741
T11 368595 801890
T12 368072 802323
T13 368422 802818
T14 368791 803264
T15 369337 803064
T16 369855 803321
T17 370428 803291*

Hub Height: 169m Rotor Radius: 81m

JRC analyses proposals for wind energy developments on behalf of the UK Energy Industry. We assesses 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:

JESHAGS1-JESHAGO7

Operated by:

S&S Scottish Hydro

Therefore JRC OBJECTS TO THE PROPOSED DEVELOPMENT.

Unfortunately, since these links form part of our critical national infrastructure, no details apart from the link identifiers can now be supplied, due to previous breaches in confidentiality.

However, JRC are still willing to work with developers in order to clear as many turbines as possible, including those that may initially fall within the coordination zone. For more information about what to do next, please contact us using the link at the bottom of this email.

The JRC objection shall be withdrawn after simple analysis shows no issues; when a satisfactory coordination has been achieved and the zone of protection is implemented; or when an appropriate mitigation agreement is in place.

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*

REDACTED

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

Registered in England & Wales: 2990041

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

REDACTED

We hope this response has sufficiently answered your query.

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

<https://breeze.jrc.co.uk/tickets/view.php?auth=o1xz2bqaabunuaaazIK%2F469XS%2BUjwg%3D%3D>

From: [JRC Windfarm Coordinations](#)
To: [McFadden S \(Stephen\)](#)
Subject: Hill of Fare Wind Farm proposal - scoping consultation [WF343810]
Date: 09 September 2022 13:03:37

Dear stephen,

A Windfarms Team member has replied to your co-ordination request, reference **WF343810** 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 Sir,

Name/Location:

Hill of Fare

Site Centre/Turbine at NGR/IGR:

*T1 368773 804289
T2 368409 803846
T3 367860 803645
T4 367401 803300
T5 366925 802962
T6 366942 802382
T7 367131 801839
T8 367512 802490
T9 367861 802954
T10 368011 801741
T11 368595 801890
T12 368072 802323
T13 368422 802818
T14 368791 803264
T15 369337 803064
T16 369855 803321
T17 370428 803291*

Hub Height: 169m Rotor Radius: 81m

Further to the proposal below which has failed our published threshold for approval, I am pleased to inform you that following further calculations and a more detailed examination, we are able to recommend to the licence operator that we have no objection. This clearance is based on the detail as presented to us in your application and any deviation from this information may require further analysis.

By examining the additional protection that should be obtained from various factors including (but not limited to) antenna discrimination and the predicted pathlosses between the scanner, turbine and target outstation, we are able to determine that

[whilst this proposal will cause some degradation to the protection threshold for the target outstation, it is within acceptable limits.

Or

we are able to determine that this proposal will not cause significant degradation to the protection threshold for the target outstation.]

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 in accordance with GDPR requirements for the purpose of 'Legitimate Interest' for communication with you. However, you have the right to be removed from our contact database. 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?auth=o1xz2bqaabunuaaazIK%2F469XS%2BUjwg%3D%3D>

ANNEX B

Marine Scotland Science advice on freshwater and diadromous fish and fisheries in relation to onshore wind farm developments.

July 2020 updated April 2022

Marine Scotland Science (MSS) 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 MSS 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. MSS 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 MSS, 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, MSS 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, MSS 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.

MSS 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.

MSS provision of advice to ECU

- MSS should not be asked for advice on pre application and application consultations (including screening, scoping, gate checks and EIA applications). Instead, the MSS 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, MSS 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, MSS can be asked to provide advice on suitable wording, within a planning condition, to secure proposed monitoring programmes, should the development be granted consent;
- MSS 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, MSS should be contacted.

MSS Standing Advice for each stage of the EIA process

Scoping

MSS 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 MSS generic scoping guidelines then ECU should be informed who will then co-ordinate a response from MSS.

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

MSS 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

MSS 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.

MSS 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

MSS 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 MSS is consulted on these programmes.

Wording suggested by MSS 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 Scotland Science and any such other advisors or organisations.
2. The WQFMP must take account of the Scottish Government's Marine Scotland Science's 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 Marine Scotland Science.
3. Thereafter, the WQFMP shall be implemented within the timescales set out to the satisfaction of the Planning Authority in consultation with Marine Scotland Science 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, MSS 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

Marine Scotland Science advice on freshwater and diadromous fish and fisheries in relation to onshore wind farm developments.

July 2020, updated April 2022

MSS – 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:

MSS 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 MSS advice, please set out reasons.	ECU/MSS use - comments
<p>1. A map outlining the proposed development area and the proposed location of:</p> <ul style="list-style-type: none"> ○ 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;				
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 MSS 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 MSS and accompanied by a map outlining the proposed sampling and control sites in addition to the location of all turbines and associated infrastructure (see wording suggested by MSS for planning conditions).				
7. A decommissioning and restoration plan outlining proposed mitigation/monitoring for water quality and fish populations.				

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 MSS advice, please set out reasons.	ECU/MSS use - comments
8. Any designated area (i.e. SAC), for which fish is a qualifying feature, within and/or downstream of the proposed development area;				
9. The presence of a large density of watercourses;				
10. The presence of large areas of deep peat deposits;				
11. Known acidification problems and/or other existing pressures on fish populations in the area; and				
12. Proposed felling operations.				

From: NATS Safeguarding <NATSSafeguarding@nats.co.uk>
Sent: 09 September 2022 14:44
To: McFadden S (Stephen) <Stephen.McFadden@gov.scot>
Cc: Econsents Admin <Econsents_Admin@gov.scot>
Subject: RE: Hill of Fare Wind Farm proposal - scoping consultation [SG33890]

Our Ref: SG33890

Dear Sir/Madam

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

Accordingly, NATS (En Route) plc **objects to the proposal**. The reasons for NATS's objection are outlined in the attached report TOPA SG33890.

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

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

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

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

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

Yours faithfully

NATS

NATS Safeguarding
E: natssafeguarding@nats.co.uk
4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk



NATS Public

Prepared by:
NATS Safeguarding Office



Technical and Operational Assessment (TOPA)

For Hill of Fare
Wind Farm Development

NATS ref: SG33890

Scot Gov ref: ECU00004592

Issue 1

Contents

1.	Background	4
1.1.	En-route Consultation	4
2.	Scope	4
3.	Application Details	5
4.	Assessments Required	5
4.1.	En-route RADAR Technical Assessment	6
4.1.1.	Predicted Impact on Allanshill RADAR	6
4.1.2.	Predicted Impact on Perwinnes RADAR	6
4.1.3.	En-route operational assessment of RADAR impact	6
4.2.	En-route Navigational Aid Assessment	7
4.2.1.	Predicted Impact on Navigation Aids	7
4.3.	En-route Radio Communication Assessment	7
4.3.1.	Predicted Impact on the Radio Communications Infrastructure	7
5.	Conclusions	7
5.1.	En-route Consultation	7

Publication History

Issue	Month/Year	Change Requests and summary
1	September 2022	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 Hill of Fare 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	Tip Height (m)
1	57.1285	-2.5174	368773	804289	250
2	57.1244	-2.5234	368409	803846	250
3	57.1226	-2.5324	367860	803645	250
4	57.1195	-2.5400	367401	803300	250
5	57.1164	-2.5478	366925	802962	250
6	57.1112	-2.5474	366942	802382	250
7	57.1063	-2.5442	367131	801839	250
8	57.1122	-2.5380	367512	802490	250
9	57.1164	-2.5323	367861	802954	250
10	57.1055	-2.5297	368011	801741	250
11	57.1069	-2.5201	368595	801890	250
12	57.1107	-2.5288	368072	802323	250
13	57.1152	-2.5231	368422	802818	250
14	57.1192	-2.5170	368791	803264	250
15	57.1175	-2.5080	369337	803064	250
16	57.1198	-2.4995	369855	803321	250
17	57.1196	-2.4900	370428	803291	250

Table 1 – Turbine Details

4. Assessments Required

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

En-route Surv	Lat	Long	nm	km	Az (deg)	Type
Alanshill Radar	57.6431	-2.1655	33.0	61.1	200.4	CMB
GDF Radar	54.6841	-2.4509	145.6	269.6	359.0	CMB
Lowther Hill Radar	55.3778	-3.7530	111.5	206.5	20.9	CMB
Perwinnes Radar	57.2123	-2.1309	13.0	24.1	246.0	CMB
Tiree Radar	56.4556	-6.9230	149.7	277.2	72.9	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 Allanshill RADAR

Using the theory as described in Appendix A and development specific propagation profile it has been determined that the terrain screening available will not adequately attenuate the signal, and therefore this development is likely to cause false primary plots to be generated. A reduction in the RADAR's probability of detection, for real aircraft, is also anticipated.

4.1.2. Predicted Impact on Perwinnes RADAR

Using the theory as described in Appendix A and development specific propagation profile it has been determined that the terrain screening available will not adequately attenuate the signal, and therefore this development is likely to cause false primary plots to be generated. A reduction in the RADAR's probability of detection, for real aircraft, is also anticipated.

4.1.3. En-route operational assessment of RADAR impact

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

Unit or role	Comment
Prestwick Centre ATC	Unacceptable
Aberdeen 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.

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

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

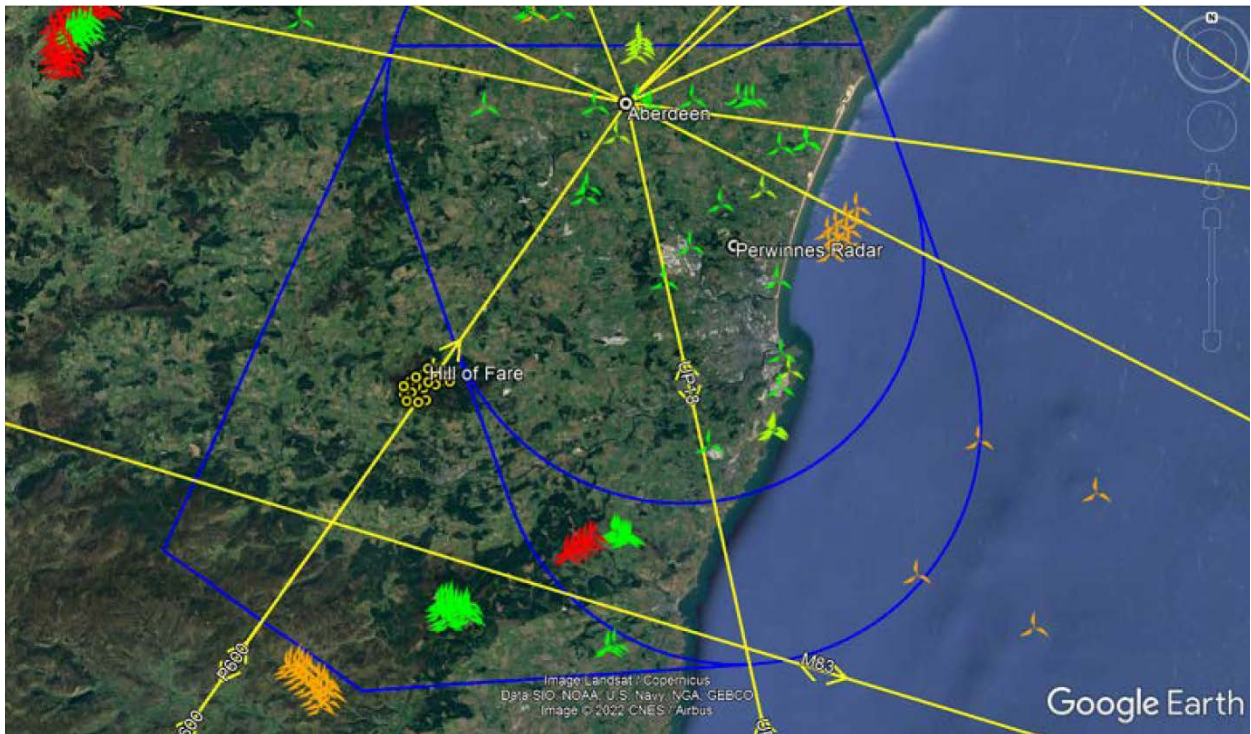


Figure 1: Proposed development location shown on an airways chart

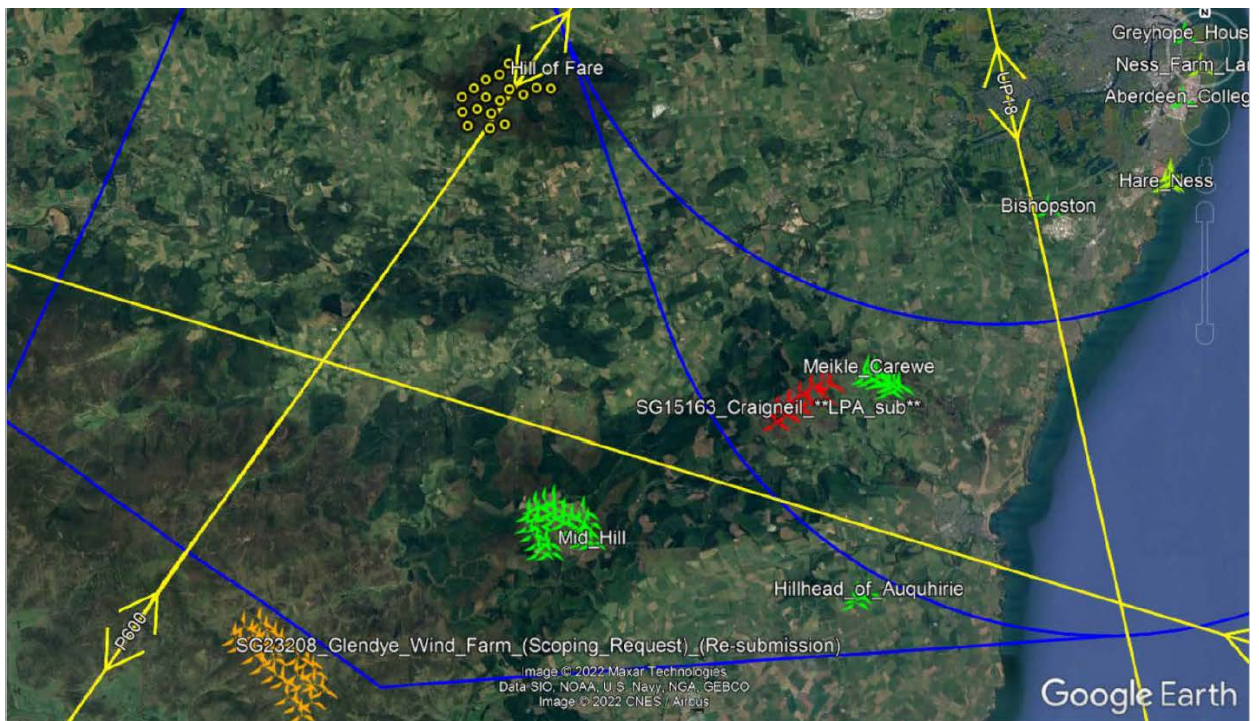


Figure 2: Proposed development shown alongside other recently assessed applications

- | | | | |
|--|--|---|---|
|  consented/built |  impact –accepted |  impact –objection |  mitigated |
|  mitigation –proposed |  no impact |  refused/withdrawn | |



Stephen McFadden
Energy Consents Unit
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

16 September 2022

Our ref: A3827812

Econsents_Admin@gov.scot

Dear Mr McFadden

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

SCOPING OPINION REQUEST– HILL OF FARE WIND FARM PROPOSAL

1. Summary

This proposal has the potential to adversely affect a number of important natural heritage interests. Please find further details below.

2. Appraisal

Landscape and Visual effects

The proposal would be located in a prominent, elevated position resulting in likely significant adverse landscape and visual effects across an area of Aberdeenshire with a number of sensitivities.

The design and scale of the development in relation to the receiving Hill of Fare landscape is a key issue. The proposed development, as currently described in the scoping document, is contrary to our wind farm siting and design guidance due to the size and scale of the turbines in relation to the underlying Hill of Fare. Hill of Fare at only 471m is a relatively small hill yet still a prominent landmark in this part of Aberdeenshire. Turbines at the size and scale proposed could dominate the area resulting in a range of significant adverse effects.

The LVIA should include assessment of the following, which are key sensitivities in the area:

- The Hill of Fare as a landscape feature in its own right in this part of Aberdeenshire
- The effects on the setting of a number of settlements surrounding the Hill of Fare
- The A93 as a popular tourist route and a gateway to the Cairngorms National Park

Silvan House, 3rd Floor East, 231 Corstorphine Road, Edinburgh EH12 7AT
Taigh Silvan, 3mh Làr an Ear, 231 Rathad Chros Thoirphin, Dùn Èideann EH12 7AT

0131 316 2600 nature.scot

- Effects on the Special Landscape Qualities of the Cairngorms National Park including the effects on lighting on Dark Skies.

Due to the height of the turbines a full lighting assessment should be provided as described in Annex 1 of our guidance document¹. The lighting assessment should include lowlight photomontages.

We request a high resolution version of the ZTV with an OS 1:50k basemap, the ZTVs provided with the scoping report do not follow our visual representation of wind farm guidance. We will then be able to comment on viewpoints including the lowlight/night time viewpoints.

We strongly encourage further design work is undertaken to address the potential effects outlined above.

Ecology

River Dee Special Area of Conservation (SAC)

The development site is within the catchment of the River Dee. The River Dee and many of its tributaries are designated as a Special Area of Conservation (SAC) designated for its Atlantic salmon, freshwater pearl mussels, and otter.

The designated site is downstream of the development, thus any changes to the water quality of the burns draining to the River Dee may have an impact on the SAC. The EIA should include details of any mitigation measures, such as pollution prevention measures, to prevent any run off or spillages entering water courses connected to the SAC. It is likely that mitigation measures will require to be secured via condition to enable us to conclude there will not be adverse effects on the integrity SAC.

Habitats and other Ecology

We note and agree with the extent of mammal surveys proposed in the scoping report.

Please see our general pre-application guidance¹ for what to survey and include with regards to peatlands and habitats.

Ornithology

The scoping report does not provide details of the surveys to be undertaken and if a second breeding season was undertaken in 2022. All surveys should be in accordance with our guidance document². We note the vantage point watches do not cover all of the required study area and only just include many of the turbines. Any changes to the wind farm layout may require additional areas to be surveyed.

We agree there is no connectivity with the Cairngorms Massif and Glen Tanner Special Protection Areas (SPA) and there are unlikely to be significant adverse effects on the integrity of the Loch Skeen SPA.

¹ <https://www.nature.scot/doc/general-pre-application-and-scoping-advice-onshore-wind-farms>

² <https://www.nature.scot/doc/recommended-bird-survey-methods-inform-impact-assessment-onshore-windfarms>

We recommend contacting the local raptor study group to gather records of breeding birds in vicinity of the site.

3. Concluding remarks

If you have any questions in relation to any of the above, please do not hesitate to contact me.

Yours sincerely,

[By email]

Matt Burnett

Renewables Energy Casework Adviser

matt.burnett@nature.scot

From: Karen Cunningham <Karen.Cunningham@rspb.org.uk>
Sent: 16 September 2022 17:05
To: McFadden S (Stephen) <Stephen.McFadden@gov.scot>

Subject: FW: Hill of Fare Wind Farm proposal - scoping consultation

Dear Stephen

SCOPING OPINION REQUEST– HILL OF FARE WIND FARM PROPOSAL

Thank you for consulting RSPB Scotland on the above request for a scoping opinion.

We are generally content that the report covers the key sensitivities and that the completed surveys should be adequate for the purposes of informing the EIA. However, we have the following comments:

- We recommend approaching the North East Scotland Biological Records Centre for additional records that can inform the baseline conditions on the site.
- We note in Section 5.4: Baseline surveys, that it is acknowledged that three turbines (T2, T4, T11) are out with the viewshed area. If these turbines remain in the final design collision risk must be accurately assessed in the EIA Report.
- We note that the turbines proposed are 250m in height. Following NatureScot guidance (*Scottish Natural Heritage (2017). Recommended bird survey methods to inform impact assessment of onshore wind farms*), we would expect that observers are fully trained in recording and assessing the flying height of birds in order to accurately assess collision risk.
- We agree that cumulative impacts must be fully considered, especially given the increasing number of windfarms proposed and operational within this part of Aberdeenshire.

Please do not hesitate to contact me if you require further information.

Kind regards,

Karen Cunningham

Senior Conservation Officer – NE Scotland & Shetland



RSPB Aberdeen

10 Albyn Terrace

Aberdeen

AB10 1YP

Monday, 29 August 2022



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,

Hill of Fare Wind Farm, Banchory, AB31 5AP
Planning Ref: ECU00004592
Our Ref: DSCAS-0070977-KBX
Proposal: Renewable electricity generating station including wind farm and battery at the Hill of Fare, Aberdeenshire.

Please quote our reference in all future correspondence

Audit of Proposal

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

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

Drinking Water Protected Areas

A review of our records indicates that the proposed activity falls within a drinking water catchment where a Scottish Water abstraction is located. Scottish Water abstractions are designated as Drinking Water Protected Areas (DWPA) under Article 7 of the Water Framework Directive. The River Dee (Inchgarth) supplies Mannofield 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**.

Some of the soils in this catchment appear to be peats and peaty gleys. Peat that is in unfavourable condition or disturbed can exacerbate the release of organic material into the

water environment. Water containing a high organic content can affect WTW processes and water supply. Just before lockdown SNH undertook some peatland restoration in this area.

The turbines all seem to surround the restoration area with turbine T13 sitting directly on top of or adjacent to a grip that was blocked when SHN undertook this work. It would be advisable to liaise further with SNH on this and look to relocating T13 in particular.

Also, the underground cable is sited quite close to the Burn of Lythebauds, and this also appears to go through an area of deep peat.

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 catchment where a Scottish Water abstraction is located.

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.

We would request further involvement at the more detailed design stages, to determine the most appropriate proposals and mitigation within the catchment to protect water quality and quantity and to understand further what actions will be taken to mitigate against siting turbines and other infrastructure within areas of deep peat or where peatland has been restored.

We would also like to take the opportunity, to request that 3 months in advance of any works commencing on site, Scottish Water is notified at **protectdwsources@scottishwater.co.uk**. This will enable us to be aware of activities in the catchment and to determine if a site meeting would be appropriate and beneficial.

Surface Water

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

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

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection

request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

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

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

Yours sincerely,

Angela Allison

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."

Stephen McFadden
Energy Consents Unit

Our Ref: 6226
Your ECU00004592
Ref:

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

8 September 2022

By email only to stephen.mcfadden@gov.scot

Dear Stephen McFadden

Electricity Act 1989 - Section 36
Scoping consultation
Hill of Fare Wind Farm, Aberdeenshire – 17 turbines
SEPA Reference: 6226

Thank you for consulting SEPA on the scoping opinion for the above development proposal.

Advice to the planning authority/determining authority

We note that the Proposed Development is likely to comprise:

- 17 wind turbines, approximately 250m tall & associated turbine foundations & crane pads
- upgraded and new access tracks
- underground electricity cables
- anemometry mast
- control building and substation
- energy storage/battery compound
- temporary borrow pits
- drainage and drainage attenuation measures (as required)
- temporary construction and storage compounds, laydown areas
- forestry felling (may be required in limited amounts to facilitate access to the wind farm array).

We consider that the following key issues must be addressed in the Environmental Impact Assessment process. The information outlined below and in the attached appendix must be submitted in support of the application.

- a) **Map and site layout including borrow pits with environmental constraints mapping.**
Figure 1.2: Preliminary Site Constraints & Layout: It is noted that only turbine locations are indicated and not other required infrastructure including access tracks and borrow pits. How will turbines T1, T2, T3 be accessed? It would be helpful to see a plan of all infrastructure (existing and proposed clearly shown) in relation to the detailed peat probing (Figure 7.2) and also NVC assessment. It is not clear if there is an existing underground cable (through an area of deep peat) or if this is proposed.



Chairman
Bob Downes
Acting Chief Executive
Jo Green

Angus Smith Building
6 Parklands Avenue, Eurocentral,
Holytown, North Lanarkshire ML1 4WQ
tel 01698 839000 fax 01698 738155
www.sepa.org.uk • customer enquiries 03000 99 66 99

b) **Peat depth survey and site specific peat management plan including table detailing re-use proposals.**

Peat depth survey results are shown in Figure 7.2. It would be helpful to see a plan of all infrastructure (existing and proposed clearly shown) in relation to the detailed peat probing (Figure 7.2).

Where possible, the infrastructure and access tracks should avoid areas of peat and particularly deeper (> 1 m) peat. This reduces the volume of peat required to be excavated and also has benefits for ecological interests and for the overall carbon balance of the Proposed Development, as well as reducing the potential to interrupt localised shallow subsurface flow-paths. Access tracks that cannot avoid areas of deeper peat (>1m) should be designed as floating tracks to minimise impacts on the peatlands. Where possible, and where not constrained by slope, floating track will also be specified on shallower peat in order to further minimise excavation. **We highlight that peat greater than 1m in depth is considered deep peat, and that the submission must demonstrate how the layout has been designed to avoid areas of deep peat. In order to minimise disturbance, existing tracks around the site must be utilised wherever possible, and any tracks that are no longer required must be suitably restored. It must be demonstrated that all infrastructure components including access tracks are designed to avoid deeper peat and priority peatland habitats. We welcome the opportunity to review proposed layouts and peat probing/NVC data in advance of the finalised EIA Report.**

We note that proposals will be outlined for a Habitat Management Plan (HMP). The scope of an outline HMP will be defined once baseline surveys are complete and the EclA has been undertaken.

The peat survey results should also be used to inform the preparation of a peat management plan. The peat management plan should follow relevant guidance and identify potential excavation volumes of peat. Early calculations can be used to optimise infrastructure locations with respect to peat depth (in balance with other constraints). Detailed calculations of excavation and reuse of acrotelmic and catotelmic peat should be undertaken using the design-freeze layout and opportunities to reuse peat explored based on infrastructure and site conditions. This may include integration of peat reuse measures with habitat management proposals to improve site conditions where there is benefit in so doing.

c) **Map based on NVC survey**

We note that no habitat/NVC information is provided in the scoping report and *“an extended National Vegetation Classification (NVC) survey will be undertaken within the footprint of proposed development and a minimum 250 m buffer (access permitting) and will include an assessment in terms of potential groundwater dependence (SEPA, 2017). If the layout of the wind farm results in turbines or borrow pits being proposed within 250 m of a potential GWDTE, or other wind farm infrastructure being proposed within 100 m of a potential GWDTE, then further assessment will be undertaken to verify if the potential GWDTE is indeed groundwater dependent.”* We note that the layout may require alteration and amendment.

We note that although aquatic or fisheries surveys are not included within the scope of assessment, this will be re-evaluated during the survey work.

d) **Map and assessment of all engineering works within and near the water environment including buffers and details of any related CAR applications.**

We note that surface water features are shown in Figure 7.1: Hydrological Overview. Where possible, a 50 m buffer for the location of any infrastructure should be applied to all watercourses

and water features identified on 1:50,000 Ordnance Survey mapping to minimise the risk of potential impacts due to changes in runoff, sedimentation, or water quality. It should also be demonstrated that smaller watercourses and waterbodies are avoided in so far as possible and the number of watercourse crossings has been minimised. The 50 m buffer may need to be encroached for watercourse crossings for the access track but this should be kept to a minimum and crossed perpendicular to the watercourses. **If a minimum buffer of 50m 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**

All components of the Proposed Development should be kept outwith the estimated 1 in 200-year fluvial flood extent. Watercourse crossings should be designed to accommodate the 1 in 200-year flow plus climate change.

e) Map and assessment of impacts upon existing groundwater abstractions and buffers.

It is requested that SEPA provide the Developer with details of licenced abstractions within 2km of the Site Boundary. The Developer should visit [Access to Information | Scottish Environment Protection Agency \(SEPA\)](#) in order to establish information directly available and to request any additional information from SEPA.

Regulatory advice for the applicant

Proposed engineering works within the water environment will require authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended). Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes. Details of regulatory requirements and good practice advice can be found on the [regulations section](#) of our website.

If you have queries relating to this letter, please contact planning.north@sepa.org.uk including our reference number in the email subject. We welcome engagement with the applicant at an early stage to discuss any of the issues raised in this letter.

Yours sincerely

Clare Pritchett
Senior Planning Officer
Planning Service

Disclaimer

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

Appendix 1: Detailed scoping requirements

This appendix sets out our scoping information requirements. 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 delay between scoping and the submission of the application then please refer to our website for our latest information requirements as they are regularly updated; current best practice must be followed.

We would welcome the opportunity to comment on the draft submission. As we can process files of a maximum size of only 25MB the submission must be divided into appropriately named sections of less than 25MB each.

1. Site layout

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

2. Borrow pits

- 2.1. Scottish Planning Policy states (Paragraph 243) that “Borrow pits should only be permitted if there are significant environmental or economic benefits compared to obtaining material from local quarries, they are time-limited; tied to a particular project and appropriate reclamation measures are in place.” The submission must provide sufficient information to address this policy statement.
- 2.2. In accordance with Paragraphs 52 to 57 of Planning Advice Note 50 Controlling the Environmental Effects of Surface Mineral Workings (PAN 50) a Site Management Plan should be submitted in support of any application.
- 2.3. The following information should also be submitted for each borrow pit:
- a) A map showing the location, size, depths and dimensions.
 - b) A map showing any stocks of rock, overburden, soils and temporary and permanent infrastructure including tracks, buildings, oil storage, pipes and drainage, overlain with all lochs and watercourses to a distance of 250 metres. You need to demonstrate that a site specific proportionate buffer can be achieved. On this map, a site-specific buffer must be drawn around each loch or watercourse proportionate to the depth of excavations and at least 10m from access tracks. 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, drawings of what is proposed in terms of engineering works.

- c) You need to provide a justification for the proposed location of borrow pits and evidence of the suitability of the material to be excavated for the proposed use, including any risk of pollution caused by degradation of the rock.
- d) A ground investigation report giving existing seasonally highest water table including sections showing the maximum area, depth and profile of working in relation to the water table.
- e) A site map showing cut-off drains, silt management devices and settlement lagoons to manage surface water and dewatering discharge. Cut-off drains must be installed to maximise diversion of water from entering quarry works.
- f) A site map showing proposed water abstractions with details of the volumes and timings of abstractions.
- g) A site map showing the location of pollution prevention measures such as spill kits, oil interceptors, drainage associated with welfare facilities, recycling and bin storage and vehicle washing areas. The drawing notes should include a commitment to check these daily.
- h) A site map showing where soils and overburden will be stored including details of the heights and dimensions of each store, how long the material will be stored for and how soils will be kept fit for restoration purposes. Where the development will result in the disturbance of peat or other carbon rich soils then the submission must also include a detailed map of peat depths (this must be to full depth and follow the survey requirement of the Scottish Government's Guidance on [Developments on Peatland - Peatland Survey \(2017\)](#)) with all the built elements and excavation areas overlain so it can clearly be seen how the development minimises disturbance of peat and the consequential release of CO2.
- i) Sections and plans detailing how restoration will be progressed including the phasing, profiles, depths and types of material to be used.
- j) Details of how the rock will be processed in order to produce a grade of rock that will not cause siltation problems during its end use on tracks, trenches and other hardstanding.

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

- 3.1. Scottish Planning Policy states (Paragraph 205) that "Where peat and other carbon rich soils are present, applicants must assess the likely effects of development on carbon dioxide (CO2) emissions. Where peatland is drained or otherwise disturbed, there is liable to be a release of CO2 to the atmosphere. Developments must aim to minimise this release."
- 3.2 The planning submission must a) demonstrate how the layout has been designed to minimise disturbance of peat and consequential release of CO2 and b) outline the preventative/mitigation measures to avoid significant drying or oxidation of peat through, for example, the construction of access tracks, drainage channels, cable trenches, or the storage and re-use of excavated peat. There is often less environmental impact from localised temporary storage and reuse rather than movement to large central peat storage areas.
- 3.3 If floating roads are to be proposed, please see [FCE-SNH-Floating-Roads-on-Peat-report.pdf \(roadex.org\)](#).
- 3.4 The submission must include:

- a) A detailed map of peat depths (this must be to full depth and follow the survey requirement of the Scottish Government's Guidance on [Developments on Peatland - Peatland Survey \(2017\)](#)) with all the built elements (including peat storage areas) overlain to demonstrate how the development avoids areas of deep peat and other sensitive receptors such as Groundwater Dependent Terrestrial Ecosystems.
 - b) A table which details the quantities of acrotelmic, catotelmic and amorphous peat which will be excavated for each element and where it will be re-used during reinstatement. Details of the proposed widths and depths of peat to be re-used and how it will be kept wet permanently must be included.
- 3.5 To avoid delay and potential objection proposals must be in accordance with [Guidance on the Assessment of Peat Volumes, Reuse of Excavated Peat and Minimisation of Waste](#) and our [Developments on Peat and Off-Site uses of Waste Peat](#).
- 3.6 Dependent upon the volumes of peat likely to be encountered and the scale of the development, applicants must consider whether a full Peat Management Plan (as detailed in the above guidance) is required or whether the above information would be best submitted as part of the schedule of mitigation.
- 3.7 Please note we do not validate carbon balance assessments except where requested to by Scottish Government in exceptional circumstances. Our advice on the minimisation of peat disturbance and peatland restoration may need to be taken into account when you consider such assessments.

4 Disruption to Groundwater Dependent Terrestrial Ecosystems (GWDTE)

- 4.1 GWDTE are protected under the Water Framework Directive and therefore the layout and design of the development must avoid impact on such areas. The following information must be included in the submission:
- a) A map demonstrating that all GWDTE are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.
 - b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all GWDTE affected.
- 4.2 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 Engineering activities which may have adverse effects on the water environment

- 5.1 The site layout must be designed to avoid impacts upon the water environment. Where activities such as watercourse crossings, watercourse diversions or other engineering activities in or impacting on the water environment cannot be avoided then the submission must include justification of this and a map showing:

- a) All proposed temporary or permanent infrastructure overlain with all lochs and watercourses.
 - b) A minimum buffer of 50m around each loch or watercourse. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse and drawings of what is proposed in terms of engineering works.
 - c) Detailed layout of all proposed mitigation including all cut off drains, location, number and size of settlement ponds.
- 5.2 If water abstractions or dewatering are proposed, a table of volumes and timings of groundwater abstractions and related mitigation measures must be provided.
- 5.3 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](#).
- 5.4 Refer to our flood risk [Standing Advice](#) for advice on flood risk. Watercourse crossings must be designed to accommodate the 0.5% Annual Exceedance Probability (AEP) flows, or information provided to justify smaller structures. If it is thought that the development could result in an increased risk of flooding to a nearby receptor then a Flood Risk Assessment must be submitted in support of the planning application. Our [Technical flood risk guidance for stakeholders](#) outlines the information we require to be submitted as part of a Flood Risk Assessment. Please also refer to Controlled Activities Regulations (CAR) Flood Risk Standing Advice for Engineering, Discharge and Impoundment Activities.

6 Existing groundwater abstractions

- 6.1 Excavations and other construction works can disrupt groundwater flow and impact on existing groundwater abstractions. The submission must include:
- a) A map demonstrating that all 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. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.
 - b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all existing groundwater abstractions affected.
- 6.2 Please refer to [Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems](#) for further advice on the minimum information we require to be submitted.

7 Forest removal and forest waste

- 7.1 Key holing must be used wherever possible as large scale felling can result in large amounts of waste material and in a peak release of nutrients which can affect local water quality. The supporting information should refer to the current Forest Plan if one exists and measures should comply with the Plan where possible.

- 7.2 Clear felling may be acceptable only in cases where planting took place on deep peat and it is proposed through a Habitat Management Plan to reinstate peat-forming habitats. The submission must include:
- a) A map demarcating the areas to be subject to different felling techniques.
 - b) Photography of general timber condition in each of these areas.
 - c) A table of approximate volumes of timber which will be removed from site and volumes, sizes of chips or brash and depths that will be re-used on site.
 - d) A plan showing how and where any timber residues will be re-used for ecological benefit within that area, supported by a Habitat Management Plan. Further guidance on this can be found in [Use of Trees Cleared to Facilitate Development on Afforested Land – Joint Guidance from SEPA, SNH and FCS](#).

8 Pollution prevention and environmental management

- 8.1 One of our key interests in relation to developments is pollution prevention measures during the periods of construction, operation, maintenance, demolition and restoration.
- 8.2 A schedule of mitigation supported by the above site specific maps and plans must be submitted. These must include reference to best practice pollution prevention and construction techniques (for example, limiting the maximum area to be stripped of soils at any one time) and regulatory requirements. They should set out the daily responsibilities of ECOWs, how site inspections will be recorded and acted upon and proposals for a planning monitoring enforcement officer. Please refer to [Guidance for Pollution Prevention](#) (GPPs).

9 Life extension, repowering and decommissioning

- 9.1 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.
- 9.2 The submission needs to demonstrate that there will be no discarding of materials that are likely to be classified as waste as any such proposals would be unacceptable under waste management licensing. Further guidance on this may be found in the document [Is it waste - Understanding the definition of waste](#).



Torphins Community Council
Serving the Electoral Districts of Torphins, Campfield and Tornaveen
<http://www.torphins.net> & <https://www.facebook.com/TorphinsCommunity>

Torphins Community Council
wmaclean.tcc@gmail.com
16th September 2022

Stephen McFadden
Consents Manager
Energy Consents Unit
The Scottish Government

Dear Mr McFadden,

SCOPING OPINION REQUEST– HILL OF FARE WIND FARM PROPOSAL

RESPONSE FROM TORPHINS COMMUNITY COUNCIL

Introduction

Torphins Community Council has reviewed the Hill of Fare Scoping Report and has the following comments for your consideration. Many of the matters in the Scoping Report would benefit from specialist professional input which is not available to our community council nevertheless our comments have been developed to highlight matters of concern that must be addressed.

Chapter 1 – Introduction – Proposed Development

We would appreciate more explanation of how the developer arrived at the size and number of turbines to be located at the top of Hill of Fare, given this proposal would result in exceptionally large turbines on a very prominent hilltop seen from a very wide area.

Chapter 3 Landscape and Visual Impact Assessment

The number of viewpoint locations should be expanded to include at a minimum the following suggested additional locations within the area of Torphins.

Torphins Golf Course E 361951 N 802463

The Torphins Golf Course is a popular rural golf course famous for its views around the whole area, including the Hill of Fare.

Torphins Public Park E 362289 N 802010

The Torphins Public Park will have views of proposed turbines of this size.

Easter Beltie river restoration site and access to Mains of Easter Beltie E 363911 N 800097

This road supports rural walking and cycling as well as access to housing, and skirts the Easter Beltie River Restoration site where a new multi user path has planning permission and IPA financing along the northern side of the River Beltie.

Layby/Viewpoint on minor road south of Pitmurchie House E 359767 N 801921

This location provides fabulous views of the setting of Torphins, with the Hill of Fare the prominent backdrop across the whole panorama.

Area of The Cowshed on A980 E 369913 N 797262
Heading north from Banchory the view looks directly to Hill of Fare skyline

View from A980 heading west from Raemoir E 368634 N 799321
As one drives westward on A980 toward Torphins the view towards Hill of Fare is revealed.

At section 3.35 the Report refers to the models for the viewpoints being developed into photomontages. We request that these photomontages include a visualisation of a well-known tall landmark to promote understanding, for example by incorporating a scale image of a Queensferry crossing tower.

Explanations and visualisations of the lighting on the proposed turbines need to be provided to understand the impact during darkness.

The site of the proposed batteries needs to be identified and explained with information about the daytime appearance and the extent and appearance of lighting in times of darkness.

The power export transmission lines may be a separate application however explanation of this feature is needed

Chapter 4 Cultural Heritage

Views from Learney House, associated assets and estate are clearly impacted and should be visualised for full understanding of impact on the views from the popular areas within the estate.

Chapter 8 Noise

The map depicted in Figure 1.2 Combined Constraints and Turbine Layout should be expanded westward to include the houses in the vicinity of the development to the west of Hill of Fare, which should be identified as with others on the map. There are in fact houses on the western side that are even closer than some others identified elsewhere.

Chapter 10 Aviation & Infrastructure – Infrastructure – Public Access

The western end of Hill of Fare is a very popular walking and cycling area with access from an existing informal parking area on B993 at the disused Quarry E 365058 N 804738. From there the existing forest tracks and paths provide a network of walking and cycling routes around the western end of the hill and traversing to the summit and to the northern side of the hill. A proposed woodland development in the area includes protection of these paths and provides viewpoint access, including to the viewpoint near the summit of Hill of Fare. Whatever the proposed wind farm development outcome public access must be maintained for the support of outdoor exercise and for the fabulous views of all of Deeside from these locations.

Chapter 11 Socio-Economics

Aberdeenshire objectives to develop Tourism and Active Tourism should not be negatively impacted.

Chapter 12 Forestry

The proposed native woodland development to the west of the proposed wind farm site must not be impacted, and other woodland areas should be protected.

Yours Sincerely

Will Maclean
Secretary
Torphins Community Council

CC Andrew Macpherson, Chairman
Eric Day, Treasurer & Planning Officer
All other members

Development Management and Strategic Road Safety
Roads Directorate

Buchanan House, 58 Port Dundas Road, Glasgow G4 0HF
REDACTED

lain.clement@transport.gov.scot



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

Your ref:
ECU00004592

Our ref:
GB01T19K05

Date:
15/09/2022

stephen.mcfadden@gov.scot

Dear Sirs,

ELECTRICITY ACT 1989

THE ELECTRICITY (APPLICATIONS FOR CONSENT) REGULATIONS 2017

SECTION 36 APPLICATION - SCOPING OPINION REQUEST

HILL OF FARE WIND FARM PROPOSAL

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

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

Proposed Development

The proposed development comprises 17 turbines at 250m in height, located at a site approximately 6km north of Banchory, Aberdeenshire. The nearest trunk road to the site is the A90(T) which lies approximately 15km to the east.

Assessment of Environmental Impacts

Chapter 9 of the SR presents the proposed methodology for the assessment of Traffic and Transport. This indicates that the assessment will consider the following:

- Baseline conditions on the adjacent public highways including suitability for construction traffic, estimated or recorded current traffic flows of ordinary and HGV traffic and identification of bottlenecks;
- Traffic movements generated during construction, operation and decommissioning;
- Magnitude and significance of impact of traffic movements and traffic management; and
- Management or mitigation measures, as applicable.

While Transport Scotland considers this approach acceptable, we would add that the thresholds as indicated within the Institute of Environmental Management and Assessment (IEMA) Guidelines for the Environmental Assessment of Road Traffic will require to be used as a screening process for the assessment. Potential trunk road related environmental impacts such as driver delay, pedestrian amenity, severance, safety etc will require to be considered and assessed where appropriate (i.e. where IEMA Guidelines for further assessment are breached). These specify that road links should be taken forward for assessment if:

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

Where significant changes in traffic are not noted for any link, no further assessment needs to be undertaken.

Abnormal Loads Assessment

The SR states that the EIAR will include an abnormal loads assessment (ALA) which will identify key pinch points and include swept path analysis to determine any need for road improvements and/or traffic management. It should be noted that Transport Scotland will require to be satisfied that the size of turbines proposed can negotiate the selected trunk road route and that their transportation will not have any detrimental effect on structures within the trunk road route path.

The ALA should 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.

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 on 0141 343 9636.

Yours faithfully

REDACTED

Iain Clement

**Transport Scotland
Roads Directorate**

cc Alan DeVenny – SYSTRA Ltd.