

Hill of Fare Wind Farm

Technical Appendix 4.4

Further Consultation

Author	Various
Date	May / June 2023
Ref	

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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.



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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](#).

Stephen McFadden
Consents Manager
Energy Consents Unit
Scottish Government
By email: stephen.mcfadden@gov.scot

29 May 2023

Our ref: CEA171050

Dear Stephen,

HILL OF FARE WIND FARM PROPOSAL - GATECHECK REPORT

Thank you for your consultation dated 16 May 2023 on the above.

We are generally content that that the applicant has considered the advice we provided in our scoping response (dated 16 September 2022) and follow-up advice regarding viewpoints (dated 23 March 2023).

We have some additional comments:

Site boundary

In Table 2.1 it states that the site boundary has been extended. From Figures 2.1, 2.2 and 2.3 it appears the site boundary is the same and it is not clear where this has been extended. The applicant should consider the need for bird or other species surveys in this additional area. We note that additional peat probing and habitat surveys will be undertaken.

Demonstrating positive effects for biodiversity

National Planning Framework 4 (NPF4) sets out new requirements for development to deliver positive effects, primarily under Policy 3. For national and major developments, or those subject to Environmental Impact Assessment (EIA), Policy 3b notes that proposals will only be supported where it can be demonstrated that it will conserve, restore and enhance biodiversity, including nature networks, so they are in a demonstrably better state than without intervention. The policy requires that significant biodiversity enhancements are provided, in addition to any proposed mitigation. Only when actions result in biodiversity being left in a better state than before development are positive effects secured. Information on predicted losses and proposed offsetting and delivery of positive effects should be clearly summarised in the EIA report.

These are new requirements and our guidance will be updated in due course, noting for example, that the Scottish Government is exploring options for measuring biodiversity specifically for use in Scotland.

Peatland

The applicant has indicated that the EIA report will include an assessment of the impacts on peatland habitat, a Peat Management Plan and outline Habitat Management Plan (HMP). Where peatland is affected, there will need to be sufficient peatland restoration in order to mitigate losses and deliver biodiversity enhancement. The outline HMP should contain enough detail to demonstrate that proposals for peatland restoration are likely to be effective.

Part of the site has undergone Peatland Action restoration works in 2020. From Figure 2.2 it appears T11, T12 and associated access tracks are either on or adjacent to this area. It is important that this Peatland Action area is fully considered in the EIA report. We advise that if the Peatland Action restoration footprint is affected, the applicant should clearly explain the implications, including in terms of Peatland Action funding and additional restoration works.

Aviation lighting

We encourage the applicant to consider the full range of available mitigation measures, which would currently appear to encompass:

- Reduced lighting, i.e. agreement from the CAA that selected turbines, rather than all, can be fitted with visible lighting.
- Dimming mitigation, i.e. lighting that allows for a reduction in brightness to 10%, that is, from 2000 cd to 200 cd, when meteorological visibility in all directions from the turbines is more than 5 km.
- Directional intensity mitigation (sometimes called 'narrow vertical beam spread'), i.e. a design of lighting that allows for reduction in brightness when viewed from certain elevations below the horizontal plane.
- Openness towards use of a 'suitably worded planning condition', incorporating a review element, to allow for the retrospective installation/activation of a transponder-activated lighting system, should this be approved for use by the CAA at a future date.

Concluding remarks

At this stage there is no opportunity to comment on the quality of the work or the findings of studies undertaken. Therefore, our advice is given without prejudice to a full and detailed consideration of the impacts of the proposal if it is submitted for formal consultation as part of the EIA or planning process.

We look forward to giving detailed consideration to the proposal when consulted on the application and EIA.

The advice in this letter is provided by NatureScot, the operating name of Scottish Natural Heritage.

Yours sincerely,

Sophia Irvine
Renewable Energy Casework Adviser
sophia.irvine@nature.scot



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

29th May 2023

Stephen McFadden
Consents Manager
Energy Consents Unit
The Scottish Government

Dear Mr McFadden,

HILL OF FARE WIND FARM PROPOSAL – GATE CHECK REPORT COMMENTS

RESPONSE FROM TORPHINS COMMUNITY COUNCIL

Introduction

Torphins Community Council (TCC) has reviewed the Hill of Fare Wind Farm Proposal Gate Check Report and considered the plan of action and level of engagement by the Developer. TCC has the following comments for your consideration.

2 Design Iterations

The developer reports at 2.4 that “turbine tip heights have been reduced in order to mitigate.....impacts.”

We think the proposed reduction of turbine tip heights has very minimal beneficial impact in this regard.

3.5 EIA Report Requirements Table 3.4

TCC looks forward to the response regarding the site selection process.

3.6 Landscape and Visual Table 3.5

TCC supports the statements of other community councils that the Strategic Landscape Capacity Assessment remains entirely valid today, particularly in regard to the high visual sensitivity of the Hill of Fare.

3.7 Cultural Heritage Table 3.6

Regarding the comments by HES we believe all the sites requested for assessment should be assessed as requested, while the additions are welcome. Also the Battle of Corrichie Castle is an important site that should be included in the assessment even if designation is not finalised at this time.

TCC looks forward to the report on the visit by the assessor to Learney House and associated assets, and to the production of appropriate visualisations.

3.8 Ornithology Table 3.7

TCC notes the valued comments by various consultees. We add our concern that Ospreys recently sighted in the area would be exposed to the wind turbines as travel across the site between nesting and feeding areas to the north of the site is a danger.

3.10 Hydrology, Geology & Hydrogeology Table 3.9

TCC rates the potential risks to the large number of private water supplies across the wider community area surrounding the site as a very high priority to be fully understood and addressed to eliminate risks.

3.11 Acoustics Table 3.10

TCC repeats that we are not content all properties likely impacted by noise from the wind turbines are considered. Specifically the site map is cut off in the west close to the site boundary, thus not disclosing the many houses situated to the west, relative to the large numbers reported in the north, east and west where a much wider map area has been illustrated relative to the site boundary. We would like to see the houses to the west properly reported and assurance provided regarding acoustic assessments.

3.13 Aviation and Infrastructure Table 3.13

TCC does not find the response to its comment acceptable viz. “ensure that public access is maintained where possible.” Existing public access should be preserved as a right.

Regarding the comment that “The Proposed Development design will consider opportunities to enhance current recreational access facilities on the site” we want to see clear statements and actions to identify and deliver on all opportunities that will enhance access.

3.16 Other Issues Table 3.15

TCC is concerned icing as reported by Cluny, Midmar & Monymusk CC remains a risk. The experience on more northerly wind farms actually in milder more maritime areas should not be assumed to apply to inland Aberdeenshire.

4 Programme to Submission 3.19

Adverts must be placed in the Press and Journal in addition to the listed publications. The Press and Journal is the widely read daily paper in the local and wider area.

Appendix 1 LVIA Viewpoints

Viewpoint Number 6 - Please check if this is correctly described as B993 – near Hillend or if it should be B993 near Hillhead. The grid reference would be helpful.

Aberdeenshire Council requested Cairn O'Mount as a viewpoint however it is not listed. We support the request. Arriving from the south by this route there is a wide view to the north from the higher sections of this tourist route, which is also a vital road connection for mid Deeside.

Other Matters

Wind Farm Decommissioning

We note decommissioning is not covered at all within the RES proposals. This matter should be addressed in some detail to explain the responsibility along with the plan and process.

Developer Engagement

RES has not maintained engagement with the local community and Torphins Community Council as promised at the commencement of the process. The focus has been entirely on the public exhibition and only two Newsletters with no engagement whatsoever about benefits and compensation to the community.

Within TCC's feedback to the scoping report and public exhibition was an invitation to develop the Community Benefit however, neither the developer or the Landowner has made contact and this has not been covered in the Gatecheck report. The Onshore Wind Policy Statement issued by the Scottish Government published in December 2022 contains a prerequisite for offering Shared Ownership as part of the Community Benefit offering as standard on all new renewable energy projects. The 'Good Practice Principles of Community Benefits from Onshore Renewable Energy Developments' states that this offering should be developed with Community Groups in advance of the planning application. The TCC like to reiterate its invitation to

engage in discussions about how financial and shared ownership agreements could be reached as part of the Scottish Government's Just Transition Outcomes.

Yours Sincerely

Will Maclean
Secretary
Torphins Community Council

CC Peter Argyle, Chairman
Eric Day, Treasurer & Planning Officer
All other members