

Onshore Wind Energy: Supplementary Guidance

Strategic Environmental Assessment

Post Adoption Statement
November 2016

CONTENTS

[Submission Form]

Introduction

Key facts about the On-shore Wind Energy: Supplementary Guidance

Strategic Environmental Assessment Process

How environmental considerations have been integrated into the Onshore Wind Energy Supplementary Guidance and How the Environmental Report has been taken into account

How Consultation Responses on versions of the Environmental Report have been taken into account

The reasons for choosing the Onshore Wind Energy Supplementary Guidance as adopted, in the light of the other reasonable alternatives considered

Monitoring Measures

Conclusions

Onshore Wind Energy Supplementary Guidance

Strategic Environmental Assessment

Post-Adoption Statement

PART 1

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PART 2

A post-adoption SEA statement is attached for the PPS entitled:

Onshore Wind Energy Supplementary Guidance

The Responsible Authority is:

The Highland Council

PART 3

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Introduction

This document (referred to here as the post-adoption SEA statement) has been prepared in accordance with Section 18 of the Environmental Assessment (Scotland) Act 2005.

This is the Post-Adoption Statement for the Onshore Wind Energy Supplementary Guidance which was adopted on 24 November 2016 by The Highland Council which is the Responsible Authority.

The Onshore Wind Energy Supplementary Guidance and the accompanying Strategic Environmental Assessment can be viewed online at:

<http://www.highland.gov.uk/onshorewind>

The SEA includes a [Finalised Environmental Report](#), to which this Post-Adoption Statement refers and of which it includes extracts.

The documents can also be viewed at:

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Key facts about the On-shore Wind Energy: Supplementary Guidance

Name of Responsible Authority

The Highland Council (THC)

Title of Plan, Programme or Strategy

On-shore Wind Energy: Supplementary Guidance

Subject (e.g. transport)

On-shore Wind Energy

Purpose and or objectives of the PPS

The purpose of the guidance is to provide a spatial framework and guidance for assessing applications for On-shore wind energy developments as a supplement in particular to Policy 67 – Renewable Energy of the Highland-wide Local Development Plan (HwLDP).

What prompted the On-shore Wind Energy: Supplementary Guidance (e.g. legislative, regulatory or administrative provision)

Scottish Planning Policy 2014 (SPP) states that “planning authorities should set out...a spatial framework identifying those areas that are likely to be most appropriate for onshore wind farms...”, and that “development plans should also set out criteria that will be considered in deciding all applications for wind farms of different scales”.

The Highland Council set out to respond to the increasing need and development of renewable energy by setting out a vision in the Highland Renewable Energy Strategy (May, 2006). With the modernisation of the Scottish planning system, national and Highland policy evolved, and the onshore wind energy industry in the region grew. Therefore the Council developed guidance dealing specifically with onshore wind energy. The Onshore Wind Energy Interim Supplementary Guidance was approved as a material consideration in March 2012, supplementing the HwLDP and superseding certain parts of the Highland Renewable Energy Strategy. This Guidance ensured regulatory compliance with the then current National Planning Framework 2 (NPF) and Scottish Planning Policy (SPP). Since that Interim SG was prepared, a new NPF and SPP have been published (June, 2014), the onshore wind energy industry in the region has grown, and the need to provide up to date, relevant and specific guidance has become increasingly important. Therefore the new Draft SG has been prepared to ensure Highland Council policy is compliant with NPF3 and SPP 2014, deals with the contemporary issues and challenges of the industry (including potential impacts, as well as supporting the industry during a time of shifting economic support mechanisms), and provides a clear vision and strategy for the development of onshore wind energy in Highland to continue to make a growing contribution to achievement of national targets for renewable energy generation.

Period covered by PPS

2015 onwards – as a Draft it was a material consideration in decision-making but only became part of the Development Plan once the finalised version was statutorily adopted, on 24 November 2016.

Frequency of updates

The Supplementary Guidance will be updated as required and at least every 5 years inline with the Highland-wide Local Development Plan.

Area covered by PPS

The guidance will be applicable to all planning applications, and applications under Section 36 of the Electricity Act 1989 for on-shore wind energy developments in the Highland Council's development planning area (the area covered by the Highland-wide Local Development Plan).



Strategic Environmental Assessment Process

This section of the Post Adoption Statement sets out the SEA process followed as part of the preparation of the Supplementary Guidance.

[The following is from the section “SEA activities to date” on pages 8-10 of the Finalised Environmental Report]

The table below summarises the SEA activities to date in relation to the Onshore Wind Energy: Supplementary Guidance, together with some key stages in evolution of the SG.

SEA Action/Activity	When carried out	Evolution Stages of SG
		Draft Onshore Wind Energy SG consulted on April to June 2011.
Screening to determine whether the PPS is likely to have significant environmental effects	N/A – The PPS falls under the scope of Section 5(3) of the Act and requires an SEA under the Environmental Assessment (Scotland) Act 2005. No Screening was undertaken and it moved straight to scoping	
Scoping the consultation periods and the level of detail to be included in the Environmental Report	A Scoping Report was submitted in July 2011	
		Interim Onshore Wind Energy SG (March 2012), informed by ongoing SEA.
Outline and objectives of the PPS	An Environmental Report was published and consulted on with the Consultation Authorities and the public from 23 August to 4 October 2012.	Draft Small Scale Wind Turbine Proposals SG consulted on from 23 August to 4 October 2012, informed by ongoing SEA.
Relationship with other PPS and environmental objectives	See above.	
Environmental baseline established	See above.	
Environmental problems identified	See above.	
Assessment of future of area without the PPS	See above.	
Alternatives considered	See above.	
Environmental assessment methods established	See above.	
Selection of PPS alternatives to be included in the environmental assessment	See above.	

Identification of environmental problems that may persist after implementation and measures envisaged to prevent, reduce and offset any significant adverse effects	See above.	
Monitoring methods proposed	See above.	
Consultation timescales <ul style="list-style-type: none"> • Timescale for Consultation Authorities • Timescale for public consultation 	See above.	
Notification/publicity action	See above.	
		Interim Small Scale Wind Turbine Proposals SG (November 2012), informed by ongoing SEA.
		Pre-Consultation on wind energy issues “Planning for Onshore Wind Energy” (carried out alongside the Caithness and Sutherland Local Development Plan Main Issues Report consultation, November 2014 to February 2015).
		Spatial Planning for Onshore Wind Energy in Highland – Consultation Paper, informed by ongoing SEA including comments on Environmental Report, consulted on 16 March to 22 May 2015.
Preparation of Revised Environmental Report, including consideration of comments received on earlier Environmental Report.		
	Revised Environmental Report published and consulted on with the Consultation Authorities and the public from 25 September 2015 to the extended deadline of 29 January 2016.	Draft SG (covering both larger and smaller wind energy developments), informed by SEA, published for consultation from 25 September 2015 to the extended deadline of 29 January 2016.
Preparation of Finalised Environmental Report (for publication alongside SG intended for adoption), including consideration of comments received on earlier Revised Environmental Report.	February 2016 to September 2016.	
		Finalised Supplementary

		<p>Guidance prepared February 2016 to September 2016, including consideration of comments received on Draft SG and implications of SEA and HRA – approved for submission to adoption process.</p>
<p>Drafting of SEA Post-Adoption Statement.</p>	<p>September 2016.</p>	

How environmental considerations have been integrated into the Onshore Wind Energy Supplementary Guidance and How the Environmental Report has been taken into account

This section of the Post Adoption Statement sets out how environmental considerations have been taken into consideration when producing the Onshore Wind Energy Supplementary Guidance. It contains information on how the following has been addressed in the Supplementary Guidance:

- Environmental Problems
- Significant negative effects
- Mitigation
- Significant positive effects

• Environmental Problems

The table below outlines the environmental problems which were identified in the Environmental Report and implications for the Onshore Wind Energy Supplementary Guidance, which have been taken into account in the preparation of it.

[\[The following is from the section “Environmental Problems” on pages 23-25 of the Finalised Environmental Report\]](#)

Environmental Problems Relevant to On-shore Wind Energy: Supplementary Guidance

SEA Issue	Potential Environmental Impact resulting from On-shore Wind Energy: Supplementary Guidance	Implications for On-shore Wind Energy: Supplementary Guidance
Biodiversity, flora, fauna	Dependant on proposals for wind energy coming forward, less stress on biodiversity and loss of habitat resulting from on-shore wind energy development as they will be steered away from areas where there would be significant constraints. Renewable energy development can reduce green house gases and in turn vulnerability of rare and endangered flora and fauna to changes in climate should be reduced in the longer term. Impact on birds through potential disturbance to breeding or roosting/feeding areas and potential collision risk.	The guidance needs to ensure that it aims for protection and enhancement of Biodiversity, Flora and Fauna. Sites of specific importance should be included in the mapping exercise of the spatial framework. It is likely that there will be a significant impact on this SEA issue.
Population and human health	Population potentially given greater opportunity to access the outdoors through improved access (or at least safeguarding existing access) which may be brought forward through on-	On-shore wind farm development can provide opportunities to come into contact with the natural environment through better recreational access. It is likely that in time there will be a

shore wind energy development guidance. significant impact on this SEA issue.

	Potential for additional noise, shadow flicker and other risks associated with on-shore wind farm developments.	The guidance will seek to ensure that amenity impact of wind farms is taken into consideration during the consideration of planning application for on-shore wind energy developments.
Soil	Any on-shore wind energy development will have some impact on soil and geology however this is likely to vary across areas where more significant features are present (i.e. peat).	The guidance will seek to guide developments away from areas where there are valuable features which are likely to be significantly negatively impacted by on-shore wind energy development.
Water	Development of on-shore wind energy is likely to have some impact on water. The guidance has a role to play in promoting early consideration of the issue.	The guidance will highlight the need to protect and where possible enhance the water environment where ever possible.
Climatic factors	On-shore wind energy development can significantly contribute to the targets for proportion of energy demand to be met from renewable sources.	The guidance will provide a framework for the development of on-shore wind energy in Highland, guided by principles in Scottish Planning Policy helping identify capacity for more wind farms.
Material assets	Development may have an effect (both positive and negative depending on the location/scale of development) on material assets including access to the outdoors, transport and forestry.	The guidance will aim to guide development to areas where there will be limited negative impact and attempt to deliver positive impact on material assets.
Cultural heritage	Reduced risk of impact on the setting for cultural heritage features.	The spatial framework should generally steer development from areas which may have an adverse effect on cultural heritage features.
Landscape	Avoid the degradation of local and regional landscape character which may occur through the development of on-shore wind energy developments and maintain local distinctiveness. This may include impacts on wildland, areas with limited landscape capacity, designated landscape areas, settlements and the cumulative impact on these issues.	The guidance should be used as a positive tool to steer on-shore wind energy developments to areas where they will not have a significant adverse impact on the local and regional landscape character and local distinctiveness.

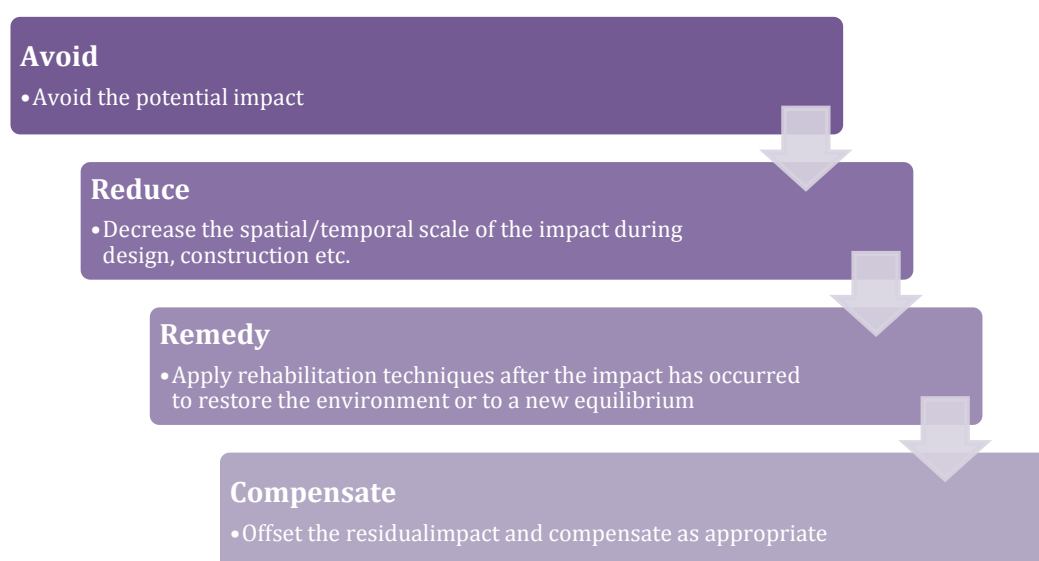
- **Significant negative effects identified in the Environmental Report and whether / how these have been dealt with in the Onshore Wind Energy Supplementary Guidance**

Within the Strategic Environmental Assessment context, no “significant negative” effects (-- in the assessment tables) have been identified in the Finalised Environmental Report.

- **Mitigation**

[The following is from the section “Mitigation Measures” on pages 33-34 of the [Finalised Environmental Report](#)]

An important feature of the Strategic Environmental Assessment is to assess any environmental impacts from development and identify relevant mitigation. Schedule 3 paragraph 7 of the Environmental Assessment (Scotland) Act 2005 requires an explanation of “the measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme.” Our approach to mitigation is based on the following recognised hierarchy:



In the first instance the guidance seeks to **avoid** significant adverse effects on the environment. This represents the cheapest and most effective form of impact mitigation. It has mainly been achieved through either not preferring particular uses on a site or not preferring the site as a development opportunity. Where this has not been achieved, the provision of the Plan seeks to **reduce** the severity of impact, identify ways to **remedy** or restore the environment, as the last resort, **compensate** for the adverse effect so there is no net loss. An additional approach has been to identify potential mitigation which will **enhance** the environment and achieve a net positive gain.

During the evolution of the Draft SG from earlier versions, including those from April 2011 and March 2012, a range of mitigation was identified through the SEA process, including in the form of comments and suggestions from consultation authorities and other stakeholders. These suggestions were taken on board and incorporated into the Draft SG. For information on how previous versions were modified as a result of mitigation identified through the SEA process, please see Table 7 of the [Environmental Report](#) accompanying the Onshore Wind Energy Interim Supplementary Guidance.

(Table 7 of the Environmental Report accompanying the Onshore Wind Energy Interim Supplementary Guidance:

It is recognised by the Council that the best form of mitigation can be making changes to the plan, programme or strategy to either reduce negative effects or increase positive effects. This section will focus on the changes that have been brought forward into the guidance from the April 2011 version to the latest version of the guidance (March 2012). While many of these changes were borne out of the strategic environmental assessment there are others which have been brought forward to enable the Council to have a robust framework for decision making.

Table 7 below summarises and explains the changes that have been made to the document and if they have been led by the SEA process or other reasons.

Table 7 – Mitigation in the form of changes to the Guidance

Revision Number	Summary of Revision	Has this revision come about as a result of SEA?	Explanation/Implications
Introduction			
1	Addition of very large category – over 100MW, turbines above 100m hub height or 140m tip height or groupings of 45+ turbines	Y	By having a new category it provides an opportunity to consider relative compatibility of different scales of proposals within the landscape in providing planning guidance. This is anticipated to have a positive effect on the landscape.
2	Clarification that the terms ‘community’ and ‘commercial’ do not imply difference of handling	N	This clarity confirms that community wind farm proposals will not be dealt with to a lesser standard than commercial turbines. However it is noted that there may be potential for a “relaxation” for community schemes in respect of impacts on amenity – this would be dealt with on a case by case basis in line with HWLDP Policy 68.

3	Potential further amendment of categories as outstanding work moves forward	N	This will provide greater clarity in due course
Spatial Framework			
4	Change to the 3-stage approach as per national advice and relying on HwLDP policies	N	By making this change it gives the guidance a greater level of robustness. However, this approach does leave a greater number of considerations which will need to be addressed at a planning application stage but it is inline with national policy and guidance.
5	Detail: revised approach to Historic Gardens and Designed Landscapes and to small 'point' features e.g. listed buildings	Y	This approach will now demand a detailed check of all of these small point features rather than them being potentially overlooked. It is considered that this will have a positive effect on cultural heritage.
6	More specific areas for Airport Safeguarding	N	This allows for greater robustness in decision making as the safeguarding areas are more accurately defined.
7	Landscape and visual cumulative and other areas not included in this version – pending further consideration – though issues still covered by general plan policies	N	See explanation of revision 20
8	Project viability considerations removed – useful information may be provided separately	N	Consideration of project viability discouraged long access tracks through spatial framework rather than just considering impacts of a specific proposal. This change has been made to ensure accordance with national advice on methodology.
Development Guidelines			
9	Natural, built and cultural heritage and other species and habitat	Y	This change ensures there is a firm link to the parent policies as

	interests – better referencing of legal tests and procedures, interim approach for wild land assessment, reference to RSPB/SNH bird species sensitivity map		set out in the Highland-wide Local Development Plan. This is considered to have positive effects on biodiversity, flora and fauna, as well as, indirectly providing better opportunities for people to come into contact with and appreciate nature.
10	Public health and safety section deleted as per Reporter's recommendations for HwLDP	N	While this has been removed there are still some issues related to noise and amenity covered in the guidance which may have an effect on population and human health.
11	Landscape and Visual impact – added reference to the value of Highland landscape to people and industries, explanation of what our visualisation standards require and clarifying of assessment of impact on the spatial framework.	Y	By modifying this section we are partially reflecting the Reporters' recommendations on HwLDP but we are also seeking to reinforce the standards that require. visuals which are genuinely useful for public, community councils and landscape professionals in coming to a view on proposals. It is considered that in the longer term this will have a positive impact on the landscape.
12	Amenity at sensitive locations – reference to not supporting significant long-term detrimental impact on residential amenity, explaining the Council's practice with respect to noise assessment including interpretation of ETSU-R-97 and referencing our on-going work to develop a technical appendix on noise issues.	Y	The Council is seeking through good planning to achieve/maintain good standards of amenity. Addition of these references is a firm statement of position on protection of amenity. It is considered that this may have a neutral effect on population and human health.
13	The water environment – expanded reference to requirements under the Water Framework Directive and peatland issues	Y	This change ensures there is a firm link to the parent policies as set out in the Highland-wide Local Development Plan. It is considered that this will have a positive effect on the water

			environment.
14	The quantity and quality of public access – expanded reference to rights of way, improvement of and creation of new access, information for public, maintaining the right of responsible access.	Y	These references help to balance competing interests, safeguard existing accesses, provide opportunities for enhancement as well as creating additional access opportunities. It is considered that this may have a positive effect on human health and material assets.
15	Other tourism and recreation interests – reference to film industry - deleted as per Reporter’s recommendations for HwLDP	N	By modifying this section we are partially reflecting the Reporters’ recommendations on HwLDP but we are also seeking to reinforce the standards that require. visuals which are genuinely useful for public, community councils and landscape professionals in coming to a view on proposals.
16	Traffic and transport interests – expanded reference to roads requirements including mitigation, need for transport assessment and pre-application discussion	N	This change ensures there is a firm link to the parent policies as set out in the Highland-wide Local Development Plan.
Additional Guidance			
17	Design and layout of wind farms – expanded to better reference considerations and balancing of the cumulative impact, infrastructure, design iteration and SNH Guidance.	Y	This change ensures there is a firm link to the parent policies as set out in the Highland-wide Local Development Plan as well as providing a more robust level of guidance on the subject to remove some subjectivity out of the decision making process. It is considered that in the long term this will deliver a positive effect on the landscape.
18	Peat – expanded to better reference peatland habitat issues expectations for S36 applications, assessment, published peatland mapping and	Y	This change ensures there is a firm link to the parent policies as set out in the Highland-wide Local Development Plan and provides robustness in the

	guidance.		decision making process. It is considered that this will facilitate a positive effect on soil.
19	Electricity Transmission cables and lines and Gas Transmission Underground pipelines – edited together to reference general responsibilities of the developer.	N	This was carried out to help streamline the guidance as there is significant overlap between the issues and reflects concerns that the guidance was trying to address issues covered by other regulatory systems.
Appendix 1 – Landscape and Visual Guidance			
20	The pilot work remain as useful tool but it is not included within the revised guidance.	N	The Council will continue to work on this section with key partners- particularly on the robust identification of areas requiring protection due to cumulative impact, both within and outwith the two pilot areas. Landscape and visual (including cumulative) impacts are in any case a consideration for planning applications under HwLDP policy.

) [The section “Mitigation Measures” on pages 33-34 of the [Finalised Environmental Report](#) continues:]

By undertaking a detailed assessment for each of the sections of the Draft SG, in some cases we identified further mitigation measures in the Revised ER. These mitigation measures (summarised in the table below) have been taken into account when preparing the final SG. With regard to these and to changes made to the SG between Draft and Final versions, the following may be noted:

- The review of the HwLDP is ongoing and, whilst the timetable for the review has been lengthened to enable progression of other Local Development Plan work (see Development Plans Scheme 2016 – September update) it will be progressed, enabling us to ensure that HwLDP2 policies continue to cover all the SEA topics and in the meantime the spatial framework has been included in the final SG and the HwLDP (2012) provides relevant and adopted general policies;
- As noted below, the finalised SG includes amendments to improve its environmental performance in respect of soils;
- The finalised SG includes amendments to the Loch Ness area study in response to comments received and to reflect amendments to the methodology for that work, which is also now more fully explained; draft outputs for other study areas will be subject of public consultation before they are

finalised (noting that in the meantime the SG is being adopted as it currently stands, without those other studies);

- The Council has ensured that the finalised SG for adoption is up-to-date with respect to procedures.

SUMMARY OF FURTHER MITIGATION IDENTIFIED		
Section of Draft SG	Further mitigation identified	Relevant SEA Objectives
Key Development Plan Considerations	Ensure HwLDP2 policies continue to cover all these topics [NB. Amendments have been made in the finalised SG to improve its environmental performance in respect of SEA objective 3 (soils) – see paragraphs 4.34 and 4.35 (Peat) and 4.60 and 4.61 (Construction Environmental Management Plans).]	All
Highland Strategic Capacity	Further consultation on study areas output.	All
Advice for Small-scale Developments	Ensure any updates to procedure are included in future version of the SG	All
Further Technical Information	Ensure any updates to procedure are included in future version of the SG	All
Cumulative Assessment	Ensure HwLDP2 policies continue to cover all these topics [NB. Amendments have been made in the finalised SG to improve its environmental performance in respect of SEA objective 3 (soils) – see paragraphs 4.34 and 4.35 (Peat) and 4.60 and 4.61 (Construction Environmental Management Plans).]	All

- **Significantly positive effects identified in the Environmental Report and whether / how these have been dealt with in the Onshore Wind Energy Supplementary Guidance**

Within the Strategic Environmental Assessment context, no “significant positive” effects (++ in the assessment tables) have been identified in the Finalised Environmental Report.

How Consultation Responses on versions of the Environmental Report have been taken into account

Three versions of the Environmental Report have been published:

- Environmental Report (2012) – consulted on;
- Revised Environmental Report (2015) – consulted on; and
- Finalised Environmental Report (2016) – for information and for reference going forward.

Tables follow that record the consideration of comments on the consultation versions.

[The following is from the sections “Appendix 1” on pages 37-54 and “Appendix 4” on pages 99-101 of the [Finalised Environmental Report](#)]

Appendix 1– THC Response to Comments on Environmental Report (2012)

Historic Scotland

Comment	Already taken account of in Onshore Wind Energy Consultation Paper (2015)?	THC Response
Welcome that the comments we provided on the Scoping Report on 23 August 2011 have been generally taken into account during the preparation of the Environmental Report. My focus in reviewing the Environmental Report is on the potential for significant environmental impacts on the historic environment that may arise from the SPG.	N/A	Noted.
The Environmental Report provides a clear account of the steps undertaken during the environmental assessment process and presents these in a logical structure. In general I am content to agree with the findings of the assessment and in particular welcome the manner in which revisions to the guidance as a result of the strategic environmental assessment process have been reported. In terms of the proposed monitoring framework I note that this is yet to be confirmed in relation to the historic environment. Monitoring is a useful tool in gauging the success of any strategy and any unforeseen effects. The performance of this guidance could be measured against such information as the number of applications that have been granted permission where there are significant effects on the historic environment. However, the post-adoption statement for this guidance should set out how the monitoring is intended to be carried out.	N/A	Noted.

SEPA

Comment	Already taken account of in Onshore Wind Energy Consultation Paper (2015)?	THC Response
We are generally satisfied with the content of ER.	N/A	Noted.
Measures recommended through ER We have reviewed the submitted ER and in terms of our interests welcome the measures detailed on Pages 74 to 78 of the ER which have	The Consultation Paper includes peat and soils within Section 4 - Larger Scale Wind Energy Proposals – it is not part of the policy guidance.	Noted. This approach from the Interim SG has been carried forward into the Draft SG.

<p>been incorporated into the SG to offset significant environmental effects in terms of the water environment and peatlands. It is good to see the measures that have been incorporated clearly set out in this format as it helps to demonstrate how the SEA has informed the SG. We note that SEA Objective 4 is scored as = in terms of the development guidelines. We consider that the SG could be improved as detailed in Section 3 below in order to improve the effects of the SG on this objective.</p>		
<p>In addition we notice that Sections 2.8 and 2.14 of the March 2012 SG imply that developers do not need to have regard for the Additional Guidance section of the SG. It is unclear what weight is to be given to the Additional Guidance section and therefore we are unclear about the + scoring under SEA Objective 4 regarding peat for the Additional Guidance. We have made a number of recommendations in terms of peat issues on the SG itself which could have positive implications for the SEA process if incorporated into another iteration of the SG.</p>	<p>The 2015 Consultation Paper contains section 4 Larger Scale Wind Energy Proposals – this includes peat and in particular the SNH CPP mapping as a consideration for larger scale development.</p>	<p>The SEA assessment was based on the 2011 version of the draft Supplementary Guidance, hence why peat was scored +ve as Additional Guidance was part of that draft SG.</p>
<p>SEA Monitoring We welcome the proposed monitoring set out in Table 7 on Page 79 of the ER. We are unclear of the links between some of the indicators and windfarm development so have made a number of suggestions for alternate monitoring which may more directly reflect affects of the SG. On many of the issues relating to this SG is may be hard to collect meaningful quantitative data and instead it may be that sampling of qualitative data would give you a more meaningful picture of the effects of the SG. Through collecting this information it could help inform any future iterations of the SG.</p>	<p>N/A</p>	<p>The monitoring data has been updated for the revised ER and is based on a more pragmatic and realistic monitoring approach.</p>
<p>In terms of water quality whilst we appreciate that bathing water monitoring is already carried out so it would not represent an additional monitoring burden, we do not consider this would have a direct link to environmental effects relating to windfarm developments. The bathing water quality monitoring carried out is in terms of faecal matter as opposed to silt, peat or oil pollution from wind farm developments. We do keep records of the number of pollution incident complaints we receive generally and it may be that this information could form a more relevant data set in terms of the SG. For example perhaps taking a sample of 10 or wind farm developments across Highland and seeing whether SEPA received any substantiated pollution complaints may be a proportionate way of monitoring this or least this would give an flavour of the types of problems which developers are struggling to address and</p>	<p>N/A</p>	<p>Noted. The monitoring data has been updated for the revised ER and is based on a more pragmatic and realistic monitoring approach.</p>

whereby further guidance may help.		
<p>Our waterbody classification work does monitor water quality generally and we note that you have included this as an indicator. This is a very general indicator which would be unlikely to pick up the short term pollution caused by soil, oil or peat pollution and therefore the above pollution incident sampling may give a more accurate picture in terms of the SG itself. In terms of the monitoring indicator the “C” classification is no longer in use so this should be revised to whether a waterbody is classified as moderate, poor or bad ecological potential and any changes within that each year. This data is available from SEPA.</p>	N/A	Noted. The monitoring data has been updated for the revised ER and is based on a more pragmatic and realistic monitoring approach.
<p>Another key issue for us in terms of windfarms is the impacts upon water body morphology. In terms of wind farms this would often relate to the number of new watercourse crossings, proximity to water bodies or impacts upon wetlands. It would be onerous to monitor these for every wind farm in Highland but again perhaps taking a sample of wind farm planning application responses from us across the 5 size categories of windfarms and assessing how often we objected on these grounds would highlight whether this was an issue developers were not addressing in their planning submissions and thus not adhering to the SG. By doing this across each size category you may get a picture of which issues are particular to different scales of development or whether some key issues related to all development and therefore whether certain criteria should apply to all scales of wind farms.</p>	N/A	Noted. The monitoring data has been updated for the revised ER and is based on a more pragmatic and realistic monitoring approach.
<p>We would recommend this type of monitoring would also be a good way of capturing how developers are addressing peat management issues. This could form part of the monitoring for impacts upon material assets or climatic factors. Both SEPA’s and SNH responses would touch on these issues from different aspects and again highlight policy gaps or where developers were not adhering to policies. For example we will often advise on how the layout of a site can be redesigned to avoid the disturbance of peat or comment on the legitimate re-use of peat for peatland restoration works.</p>	N/A	Noted. The monitoring data has been updated for the revised ER and is based on a more pragmatic and realistic monitoring approach.
<p>By carrying out focussed meaningful qualitative monitoring you may be able gain a picture on a number of policy issues. This type of monitoring could usefully involve the Consultation Authorities but perhaps more importantly development management teams who are implementing the policies. We would welcome any feedback you have on the above monitoring suggestions in terms of practicalities or meaningfulness as we</p>	N/A	Noted.

recognise that monitoring is a currently an evolving area of SEA.		
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SNH

Comment	Already taken account of in Onshore Wind Energy Consultation Paper (2015)?	THC Response
<p>We have identified five details emerging from this SEA exercise which you may wish to consider as mitigation measures that could be taken across to a revised version of this (March 2012) guidance –</p> <ol style="list-style-type: none"> 1. Add a cross reference in paragraph 2.91 to the Council’s ‘Construction Environmental Management Process for Large Projects’ guidance (which was cross-referenced in the April 2011 version but not in the March 2012 version) 2. Add a cross-reference in paragraph 2.18 to SNH’s ‘Assessing Connectivity with Special Protection Areas’ guidance. 3. Add a note to the map of Stage 3 Areas of Search to indicate that they do not imply a presumption in favour of planning approval; and that constraints may exist as set out in the Development Guidelines, Additional Guidance and Development Plan Policies. 4. Add a comment in paragraph 2.11 that constructed and approved windfarms will be monitored with a view to potentially identifying Stage 1 areas where cumulative impact limits further development 5. Amend paragraphs 2.8, 2.12 and 2.14 to refer to the Additional Guidance as well as the Development Guidelines sections of the guidance, in order that this material (e.g. peat) is accorded sufficient weight. 	<ol style="list-style-type: none"> 1. There is no cross-reference to the Council’s ‘Construction Environmental Management Process for Large Projects’ guidance in the Consultation Paper. 2. There is no cross-reference to SNH’s ‘Assessing Connectivity with Special Protection Areas’ guidance in the Consultation Paper. 3. The Spatial Framework has now changed however under the new approach, Group 3 – Areas with potential for wind farm development – say proposals are likely to be supported subject to detailed consideration against HwLDP in particular policies 57 and 67 and other sections of this interim guidance. 4. Cumulative impact remains a planning consideration and, national policy and advice indicates, that it can be taken into account when identifying strategic capacity and areas of greatest potential for wind energy development, but national policy does not allow us to identify it within the spatial framework. There is also an interactive map on the Council’s website of wind turbine development which shows the location of each turbine consented. 5. In the Consultation Paper all sections carry equal levels of importance/weight. 	<p>Noted. Relevant guidance is now cited in the Draft SG.</p>
<p>We note that as part of this Environmental Report the proposed Appendix on Small Scale Wind Turbine Proposals has been screened out</p>	<p>The Small Scale Wind Turbine SG is now being amalgamated with the interim onshore wind</p>	<p>Noted. Actioned in the revised ER.</p>

of SEA. This document is viewed by the Council as purely comprising advice on planning process and information requirements to accompany planning applications. We feel however the section on Siting and Design goes further than this, but we have provided separate comments on this document with regard to guidance we believe should be added for biodiversity, flora and fauna.	energy SG so it will be subject to SEA.	
These comments do not reflect the ongoing discussions we are having with your colleagues on how both wildness and cumulative impact might be incorporated into the Stages 1-3 mapping of the Spatial Framework. Once these discussions have concluded there may be a need to revise the Supplementary Guidance further.	Work on wild land areas and cumulative impacts have progressed and are incorporated into the Consultation Paper.	Noted. Actioned in the revised ER.
Non Technical Summary Page 5 under biodiversity – in the table RAMSAR should be lower case. Maybe the percentage area covered by designated areas could be added to the table.	N/A	Noted.
Page 6 under climate change – could perhaps be some information on the current extent of wind farms in Highland.	The background section of the Consultation Paper provides some information on the current extent of turbines of hub height over 50m.	Noted, however current information on renewables in Highland are not included as they will become rapidly out dated. Alternatively reference is now made to the Council's interactive wind map that will continue to provide an up to date picture of onshore wind energy development.
Page 7 under landscape – perhaps the percentage area covered by designated areas could be added to the table. For Wild Areas the availability of the map of Relative Wildness could be mentioned.	Wild Land Areas mapping is referred to in Consultation Paper.	Noted.
Page 8 Assessing the options – we recommend it should be made clearer that this assessment is of the April 2011 version and not of the March 2012 version. In particular the Spatial Framework and Appendix 1 (Landscape and Visual) significantly differ between these versions.	N/A	Noted.
In places the NTS refers to the main body of the ER for more details, whereas it would be preferable if the NTS could be read by someone as a stand alone document.	N/A	Noted. Actioned in the revised ER.
Page 11 Key Facts The title of the guidance should make clearer that it is the April 2011 Consultation Draft version that is the subject of this SEA. This is because it is stated below that it was prepared with reference to the 2008 version of PAN 45 Annex 2 rather than the 2011 version of PAN 45 Annex 2.	N/A	Noted.
We recommend the intention to add as an appendix the more recent	The Interim Small Scale Wind Turbine Proposals	Noted.

draft guidance on Small Scale Wind Turbine Proposals should be discussed here.	SG is now going to be within the Draft Inshore Wind Energy SG, rather than a separate document.	
Page 13 SEA activities to date Perhaps this table could be expanded by showing alongside the stages of development of the guidance itself.	N/A	Noted. The revised ER outlines activities to date.
Pages 14-15 Relationship with other PPS 24 EC Birds Directive – You may wish to note that as a result of The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2012 (which came into force in August 2012), local authorities must take such steps in the exercise of their functions as they consider appropriate to contribute to the achievement of the objective of the preservation, maintenance and re-establishment of a sufficient diversity and area of habitat for wild birds in Scotland. In considering which measures may be appropriate for the purpose of securing or contributing to this objective, regard may be had to economic and recreational requirements. In addition, so far as lies within its powers, a competent authority must use all reasonable endeavours to avoid pollution or deterioration of habitats of wild birds in Scotland.	N/A	This section of the Revised ER has been updated to reflect the more recent approach that THC has agreed with the Consultations Authorities.
31 Wildlife and Countryside Act 1981 – This is relevant for protected species as well as SSSIs in terms of onshore wind energy, especially birds.	N/A	This section of the Revised ER has been updated to reflect the more recent approach that THC has agreed with the Consultations Authorities.
83 Interim Guidance on European Protected Species – This refers to HRA, but any impact on EPS is not an issue for HRA. Any impact on bats for example should be mitigated through the SEA rather than the HRA.	N/A	This section of the Revised ER has been updated to reflect the more recent approach that THC has agreed with the Consultations Authorities.
92 Assessing Impacts on Wild Land - We recommend that entry no's 249 (Wildness Quality Map) and 250 (Wildness in Scotland's Countryside) later under 'Regional' are moved up to appear here under 'Scotland National'.	N/A	This section of the Revised ER has been updated to reflect the more recent approach that THC has agreed with the Consultations Authorities.
89-96 Relevant SNH Guidance — other SNH guidance regarding onshore wind energy that should be added are <ol style="list-style-type: none"> 1. Assessing Connectivity with Special Protection Areas (2012) 2. Siting and Design of Small Scale Wind Turbines of between 15 and 50 metres in height (2012) 3. Assessing the impact of small scale wind energy 	N/A	This section of the Revised ER has been updated to reflect the more recent approach that THC has agreed with the Consultations Authorities.

<p>proposals on the natural heritage (2012)</p> <p>4. Visual Representation of Wind Farms (under review) (2006)</p> <p>5. Visual Assessment of Wind Farms Best Practice (2002)</p> <p>6. See our website at - http://www.snh.gov.uk/planning-and-development/renewable-energy/onshore-wind/</p>		
<p>A cross-reference can be added to our 'Connectivity' guidance in para 2.18 of the Interim Supplementary Guidance upon any future update.</p>	<p>There is no cross-reference to SNH's 'Assessing Connectivity with Special Protection Areas' guidance in the Consultation Paper.</p>	<p>Noted. This guidance is now referred to in the Draft SG.</p>
<p>98 Cumulative Effects of Wind Farms (2005) - This SNH guidance has been updated — (2012) — 'Assessing the Cumulative Impact of Onshore Wind Energy Developments'</p>	<p>N/A</p>	<p>This section of the Revised ER has been updated to reflect the more recent approach that THC has agreed with the Consultations Authorities.</p> <p>Relevant SNH guidance has been added.</p>
<p>165 Good Practice During Wind Farm Construction and 166 Calculating carbon savings from wind farms on Scottish peatlands — A New Approach — These would be more appropriately listed under Scotland National than Scottish National Planning Policy.</p>	<p>N/A</p>	<p>This section of the Revised ER has been updated to reflect the more recent approach that THC has agreed with the Consultations Authorities.</p>
<p>245 Guidance Note on Construction Environmental Management Process for Large Scale Projects - This very relevant piece of guidance does not appear to be cross-referenced within the later March 2012 version of the Supplementary Guidance, although a cross-reference was included in Appendix 2 of the April 2011 version. It would for example appear still to be relevant to the 'Additional Guidance' under para 2.91 ('Mitigation'). We recommend this is picked up in any future revision of the SG subsequent to this consultation by adding a cross-reference in para 2.91.</p>	<p>There is no cross-reference to the Council's 'Construction Environmental Management Process for Large Projects' guidance in the Consultation Paper.</p>	<p>Noted. This guidance is now referred to in the Draft SG.</p>
<p>248 Special Qualities of NSAs - This entry under 'Regional' duplicates an earlier entry (no 91) under 'Scotland National'</p>	<p>N/A</p>	<p>This section of the Revised ER has been updated to reflect the more recent approach that THC has agreed with the Consultations Authorities.</p>
<p>249 and 250 — see comments above under 92.</p>	<p>N/A</p>	<p>This section of the Revised ER has been updated to reflect the more recent approach that THC has agreed with the Consultations Authorities.</p>
<p>pp44-51 - Relevant aspects of the current state of the environment</p>	<p>N/A</p>	<p>This section of the Revised ER has been</p>

Species - This list from UKBAP might usefully focus on those species more likely to be affected by wind energy developments, and their current state in Highland — e.g: birds, bats, otter, water vole, wildcat.		updated to reflect the more recent approach that THC has agreed with the Consultations Authorities.
Climate change - The present extent of wind farms in Highland could be added here as a baseline feature of the current state of the environment; this would help lead to a consideration of the current cumulative state.	N/A	This section of the Revised ER has been updated to reflect the more recent approach that THC has agreed with the Consultations Authorities.
Landscape - We recommend the commentary on wild areas is augmented with reference to an additional map in Appendix 1 of the quality of wildness in Highland drawn from the map on the SNH website, to indicate the importance of Highland for this resource: http://www.snh.gov.uk/protecting-scotlands-nature/looking-after-landscapes/landscape-policy-and-guidance/wild-land/mapping/	N/A	This section of the Revised ER has been updated to reflect the more recent approach that THC has agreed with the Consultations Authorities.
Assessment of environmental effects pp55-56 — scoping of the Spatial Framework — this omits an entry for Stage 4, which was a part of the April 2011 version (although not a part of the March 2012 version). p59 — scoping of Appendices — this includes 'Appendix 6 – Small Scale Wind Turbine Proposals' which didn't feature in the April 2011 version but which is presumably intended as an appendix to the guidance following the current consultation on a draft document. We note here that the whole of this guidance is screened out on the basis that it purely gives advice on planning process and information requirements. However there is a section on siting and design, which we feel goes further than this. Therefore we have commented in the separate consultation on additional guidance (e.g. with regard to biodiversity, flora and fauna) which could be included here.	The Small Scale Wind Turbine SG is now being amalgamated with the interim onshore wind energy SG so it will be subject to SEA.	Noted. The Draft SG has been revised to reflect SPP so the spatial framework referred to in this comment has been superseded.
pp 63-64 and Appendix 3 pp125-1 32 - Assessment of Spatial Framework We would query the '+' score given for biodiversity, flora and fauna (Objective 1). The Spatial Framework may include within the Broad Areas of Search locations that are sensitive for 'wider countryside' habitats and species, and may also include locations with connectivity to SPAs. Therefore while agreeing the Spatial Framework protects designated areas and important woodland, given it does not allow for these other potential interests, we feel a '+/?' score would be more appropriate.	N/A	The Revised ER includes revised assessments.
We would similarly query the '+' score given for reducing impact on	N/A	The Revised ER includes revised

<p>peatland (Objective 4). While inclusion of SSSIs and SACs as part of the Spatial Framework will protect peatland in these designated areas, other areas of deep peat not in designated areas may be included in the Broad Areas of Search. Therefore again we feel a '+/?' score would be more appropriate.</p>		<p>assessments.</p>
<p>In terms of landscape (Objective 10), the '+' (or even '++' in one case) scoring is based on the approach envisaged in the April 2011 version of the guidance, where detailed landscape and visual (including cumulative analysis) work had been commenced for two pilot areas and would be rolled out for other areas, to spatially inform the Spatial Framework. However this is tempered to a degree by the present lack of inclusion of wild land in the sieve mapping (such as SNH's Search Areas for Wild Land). So given some of the Broad Areas of Search indicated may include areas with wildness qualities, it is suggested a '+/?' score would reflect this important landscape component for wind energy. (We pick up below the fact that in any case this pilot landscape and visual work was omitted from the later March 2012 interim-approved guidance, so presumably reducing the positive effects for this objective).</p>	<p>N/A</p>	<p>The Revised ER includes revised assessments.</p>
<p>Possible mitigation in any future update — subject to other further more detailed analysis - could be the addition of a caveat to the map of Areas of Search, although we appreciate a caveat is in the text of the March 2012 version. For example the following caveat appears on the map of search areas within the Moray Draft Wind Energy Guidance (July 2012) — “Preferred search areas are areas with the greatest scope for further investigating the feasibility of developing a wind farm. Preferred search area status does not imply a presumption in favour of granting planning consent within these areas. When assessing planning proposals, regard will be had to the Development Plan policies, spatial frameworks, development guidelines, additional guidance and the Moray Wind Turbine Landscape Capacity Study”.</p>	<p>The Spatial Framework has now changed however under the new approach, Group 3 – Areas with potential for wind farm development – say proposals are likely to be supported subject to detailed consideration against HwLDP in particular policies 57 and 67 and other sections of this interim guidance.</p>	<p>Noted.</p>
<p>In terms of alternatives, given that landscape and visual capacity work (including cumulative limits) does not feature in the revised March 2012 version of the guidance, it would have been helpful if this later version of the Spatial Framework had been assessed as an 'alternative' to the April 2011 version, so that such differences could be assessed and noted.</p>	<p>The spatial framework is now superseded.</p>	<p>Noted.</p>

With regard to the alternative assessed which we take to be no Spatial Framework at all being mapped, with reliance instead on the policies in the Highland wide LDP, for clarity it would have been helpful to explain whether this is in addition to the rest of the Guidance (i.e. the Development Guidelines and Additional Guidance), which seems logical.	The spatial framework is now superseded.	Noted.
Another possible alternative leading on from the comments above re species (especially birds), peat and wild land would have been an alternative based on greater mapping of such sensitivities as part of the Spatial Framework. However we accept that this is complicated by the change from a 4-stage methodology to a 3-stage methodology between the April 2011 and March 2012 versions of the Guidance.	The spatial framework is now superseded.	Noted.
pp65-66 and Appendix 3 pp1 33-140 - Assessment of Development Guidelines Please see above comments re the alternative — to distinguish between the two, we suggest it could have been made clearer that this alternative is reliance only on policies in HwLDP, while the above alternative is reliance on policies in HwLDP plus these Development Guidelines.	N/A	Noted.
With regard to the Alternative, for peat (Objective 4), the '-' score is unclear given that Policy 55 of HwLDP relates to peat and that peat is not an issue included in the first place in the Development Guidelines. A '=' score (as for other issues) seems more appropriate.	N/A	The Revised ER includes revised assessments.
pp67-68 and Appendix 3 pp141-146 — Assessment of Additional Guidance The weight that may be attached to the Additional Guidance (and hence the ability to assign '+' scores here) has changed from the April 2011 to the March 2012 version. The April 2011 version refers to regard being had to the additional guidance in para 4.2. However this is omitted from the March 2012 version, e.g. paras 2.8, 2.12 and 2.14. We strongly recommend a future revision of the guidance should rectify this, given for example important material relating to peat (SEA Objective 4) in the Additional Guidance.	N/A	The Revised ER includes revised assessments.
pp68-69 and Appendix 3 pp147-148 - Assessment of Appendix 1 Landscape and Visual This assessment is for Appendix 1 of the April 2011 version which does not feature in the March 2012 interim-approved version. While it scores very positively in landscape terms, it is unable to be compared with the alternative in reality of the March 2012 interim-approved guidance,	N/A	Noted.

<p>which omitted Appendix 1. An alternative of not having Appendix 1 but relying instead on the rest of the Guidance plus HwLDP policies would have seemed appropriate to assess for comparison. This would have been unlikely to have scored so well, given the absence of detailed spatial information on landscape capacity, cumulative limit, wildness, visual sensitivities.</p>		
<p>The alternative to Appendix 1 actually considered is however unclear. It is quoted in Appendix 3 as being reliance on HwLDP policies, but on p59 it is quoted as being landscape and visual assessment for the whole of Highland, rather than the two pilot areas. The scoring (even more positive for landscape) implies the latter. However as noted above, it would have been helpful if this alternative was accompanied by the opposite alternative (as evidenced by the March 2012 version) of no detailed landscape and visual assessment at all as part of the Spatial Framework.</p>	N/A	Noted.
<p>pp70-72 and Appendix 4 pp149-169 - Assessment of cumulative effects With reference to Objective 2 (people coming into contact with and appreciating natural environments), the cumulative '+' score seems at odds with the component scores of '=', '+' and '='. An overall '=' score may be more appropriate.</p>	N/A	The Revised ER includes revised assessments.
<p>The alternative assessed is unclear. It is quoted in Appendix 4 as being reliance on HwLDP policies, but on p71 as being the Spatial Framework from the March 2012 Interim-approved Guidance plus consideration of some suggestions made to the Council after consultation on the April 2011 version but with no additional guidance, and no Development Guidelines. This seems very unclear, and in any case the scoring given would appear to tally with the individual scores for components of the April 2011 version (based on the alternative assessed individually of reliance on HwLDP).</p>	N/A	The Revised ER includes revised assessments.
<p>A further consideration under cumulative effects could have been the cumulative effect of wind farms in the Broad Areas of Search in the Spatial Framework. Mitigation could then have been considered to the general effect of reviewing future development of wind farms in the Broad Areas of Search with a view if necessary to identifying Stage 1 areas in the Spatial Framework where the cumulative impact of wind farms limits further development. If the Interim-Approved Guidance is amended following this consultation, such a sentence could be added to para 2.11.</p>	N/A	The Revised ER includes revised assessments.

<p>pp73 — Assessment of alternatives compatibility with other PPS The purpose of this section is unclear. It consider three other PPS in particular (SOA2, HwLDP and HRES) but this has already been covered by the earlier section on the relationship with other PPS (pp16-4 3). It is suggested these sections are brought together.</p>	N/A	Noted.
<p>pp74-77 - Mitigation measures This lists the revisions made to the April 2011 version when producing the March 2012 version. As such it includes measures that arose from the consultation on the April 2011 version as well as measures that arose out of the SEA process. Perhaps those changes made to the April 2011 version that did not arise from the SEA should have been assessed for their environmental effects (positive and negative), and mitigation identified if necessary.</p>	N/A	Noted. The revised ER has an updated mitigation section.
<p>pp78-80 – Monitoring Biodiversity - Wind turbines affecting designated areas —not just within them — should be monitored.</p> <p>We do not have annual monitoring reports on disturbance to protected species. Future relevant data may be applicable from applications to SNH for species licenses. Displacement and collision risk data per protected bird species could be collated</p>	N/A	The monitoring data has been updated for the revised ER and is based on a more pragmatic and realistic monitoring approach.
<p>Landscape – The impact of wind turbines on areas of Highland with strong qualities of wildness should be monitored.</p> <p>Wind turbines affecting NSAs (i.e not just within them) should be monitored.</p> <p>We recommend there should be monitoring with a view to identifying cumulative impacts from other sensitive receptors as well as settlements.</p>	N/A	The monitoring data has been updated for the revised ER and is based on a more pragmatic and realistic monitoring approach.
<p>pp82-120 - Appendix 1 — Baseline Information and Maps Material Assets - p91 — It is unclear why the map of Tourist and Recreation Routes does not include the roads to Skye, Ullapool, Gairloch or Mallaig</p>	N/A	A map is provided in the Revised ER which shows: Core Paths, Long Distance Routes and National Cycle Network.
<p>Soil and waste - The Council may be able to obtain further spatial data from the Scottish Government — access to the Scottish Government data should be requested directly to SG. An end-user license for access to soil data covered by the SG/JHI licensing agreement may be granted by SG</p>	N/A	Baseline data has been updated.

<p>strictly for non commercial to Scottish institutions. Digital dataset available include:</p> <ul style="list-style-type: none"> · Land Capability for Agriculture maps 1:250,000 · Land Capability for Agriculture map 1:50,000 · Soil of Scotland 1:250,000 · Soil of Scotland 1:25,000 · Recorded peat depth <p>The person responsible for SG soil data licensing is Phil Balls, Head of Science and Knowledge Management in RESAS: philip.balls@scotland.gsi.gov.uk</p> <p>Geodiversity should be considered under this section. Baseline data should include distribution of GCR and Local Geodiversity Sites.</p>		
<p>Landscape - pp108-109 - Data re peatlands, forest/woodlands, agricultural land, croft land and coast does not seem to fit here — we recommend these are moved to more relevant sections of baseline information.</p> <p>The Reports on the Special Qualities of NSAs are not included here - http://www.snh.gov.uk/protecting-scotlands-nature/protected-areas/national-designations/nsa/special-qualities/</p> <p>Spatial data on relative wildness should be included here pending more detailed mapping — http://www.snh.gov.uk/protecting-scotlands-nature/looking-after-landscapes/landscape-policy-and-guidance/wild-land/mapping/</p>	N/A	Baseline data has been updated.
<p>Biodiversity, flora and fauna - Details of designated sites (including site condition) can be found on our website under SNHi/SiteLink — http://www.snh.gov.uk/publications-data-and-research/snhi-information-service/sitelink/</p> <p>Details of species can be found via the NBN Gateway – http://www.nbn.org.uk/</p> <p>Details from the Ancient Woodland Inventory could be added here, e.g. Category 1a, 1b, 2a, 2b and 3 woodland p118 — the map of Special Protection Areas is incomplete; the following SPAs should be added —</p>	N/A	Baseline data has been updated.

<ul style="list-style-type: none"> · Foinaven · Glen Affric to Strathconon · Moidart and Ardour · Glen Etive and Glen Fyne · Cairngorms Massif 		
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Douglas S Brodie

Comment	Already taken account of in Onshore Wind Energy Consultation Paper (2015)?	THC Response
<p>The Environmental Report refers to the Aarhus Convention in section 9 of Table 2. The stated requirements are:</p> <p style="padding-left: 40px;">“Acknowledges the need for public participation in environmental issues and grants the public rights to access to justice and information on the environment.”</p> <p>I don’t think this is strong enough as it makes no mention of the need for transparency, accountability and responsiveness. You are no doubt aware that UNECE has recently ruled (late August 2012, see press release), that the EU has failed to comply with the Aarhus Convention in relation to the renewable energy programme. I understand that this means the entire renewable energy programme is illegal, as the Aarhus Convention is an integral part of EU law. This applies to all 27 Member States. I trust you will re-consider your guidance to take account of this. The recent behaviour of the Scottish Government in overruling wind farm proposals rejected by local councils is surely a further breach of the Convention.</p>	N/A	This section of the Revised ER has been updated to reflect the more recent approach that THC has agreed with the Consultations Authorities.
<p>The Environmental Report refers to Scotland and UK Energy Policy in section 35 of Table 2 with the stated requirement:</p> <p style="padding-left: 40px;">“... to reduce carbon emissions, and so tackle climate change”</p> <p>With regard to the first clause of this requirement, i.e. “... to reduce carbon emissions”, I submit that the guidance should give calculations for wind energy <u>net</u> CO2 emission reductions, taking account of:</p> <ul style="list-style-type: none"> • construction and installation of the wind turbines; • powering the rotors during predicted very low wind periods; • de-frosting during predicted freezing conditions; • the CO2 emissions generated by the reserve plant needed when the wind is too low or too high, spinning in stand-by or operating 	N/A	This section of the Revised ER has been updated to reflect the more recent approach that THC has agreed with the Consultations Authorities.

<p>in a variable mode rather than on a steady power output and hence less efficient and burning more fuel.</p>		
<p>With regard to the second clause of the previous comment, i.e. “and so tackle climate change”, I note that the very first sentence of the 27-page Interim Supplementary Guidance document refers to “combating climate change”, yet “climate change” is not mentioned again in the rest of the document. This indicates to me that “combating climate change” is just a platitude. I submit that the guidance should quantify the predicted amelioration of climate change that the wind energy development will achieve. By this I <u>don’t</u> mean what weight of emissions would be saved. I want an explanation of how, and by how much, it would actually combat (or “tackle”) climate change.</p>	<p>N/A</p>	<p>The purpose of the draft SG is to set out how the Council will manage onshore wind energy development in the Highlands as set out in Scottish Planning Policy. It is not a document on climate change.</p>
<p>The Environmental Report refers to Scotland and UK Energy Policy in section 35 of Table 2 with the further stated requirement: “... to deliver energy at an affordable price for both individuals and businesses”</p> <p>The Scottish Government calculates that in 2010, currently the last year for which full figures are available, almost 36% of Scottish households were living in fuel poverty. However adding “free” wind power to the energy system only seems to be making things worse. I submit that the guidance should give calculations for the wind energy impact on the cost to the consumer, taking account of:</p> <ul style="list-style-type: none"> • the feed-in tariffs for the predicted range of output power; • the consumer price “double whammy” created by heavy reliance of wind power (see Poyry Report on Wind Intermittency), i.e. because wind power has priority over thermal power, when the wind blows the high wind power feed-in tariff has to be paid and when the wind doesn’t blow, the reserve thermal plant spot price is higher than it would otherwise have been without all the wind turbines; • the relatively high operating and maintenance costs and the relatively short operating lives of wind turbines; • the cost share of building and running the reserve plant needed to provide electricity when, worst case, the entire country has feeble wind for several days on end (which tends to happen in winter when demand is at its highest); • the cost share of upgrading the grid to handle the extra wind capacity. 	<p>N/A</p>	<p>The purpose of the draft SG is to set out how the Council will manage onshore wind energy development in the Highlands as set out in Scottish Planning Policy.</p>

Appendix 4 – THC Response to Comments on Revised Environmental Report (2015)

SNH

Comment	THC Response
The report provides a comprehensive assessment of the potential environmental impacts relating to the Supplementary Guidance and overall we are satisfied with the level of assessment.	Noted.
The Monitoring Table on page 33 currently suggests that SNH will be responsible for monitoring the “ <i>Number of onshore wind energy developments permitted on areas of CPP – confirming schemes are actually in areas of CPP by reviewing ESs for proposals.</i> ” We agree it would be useful to monitor this and also to record the area of CPP lost to development. However this is a role for THC, not SNH. We would of course be happy to provide advice in relation to this, should there be any dubiety over the extent of CPP affected by a particular development.	Noted. However, the monitoring framework has been revised in the finalised Environmental Report to indicate that the Council will undertake a trial monitoring exercise involving a sample of wind energy proposals which will be looked at in some detail with regard to the planning issues raised and how they have been assessed and considered in the context of application of the Supplementary Guidance. The sample of proposals will include a range of types, sizes and locations. This will be a focussed quantitative and qualitative assessment. The SEA Consultation Authorities may be asked to provide advice to assist the exercise. The trial will feed in to an initial report to be prepared by the Council, scheduled for August 2017, reflecting on how effective the Supplementary Guidance had been. The Council will then reflect on the value and effectiveness of the trial method as a means of monitoring and consider whether to continue, amend or replace it and whether to continue or amend the sample size or include all proposals going forward, having regard to resource issues.
We note your reference to the need for Habitats Appraisal as part of the overall process in both preparing this Supplementary Guidance and we look forward to working with you in undertaking this appraisal process.	Habitats Regulations Appraisal has subsequently been completed and signed off by SNH prior to adoption of the finalised SG.

Historic Environment Scotland

Comment	THC Response
The environmental report clearly sets out the approach to assessment and identifies an appropriate baseline for the historic environment. We are generally content to agree with the findings of the assessment and would offer the following comments.	Noted.
In terms of monitoring the effects of the guidance we note that the proposed monitoring framework for the historic environment is based on Buildings at Risk numbers. We would note that the Buildings at Risk Register is no longer maintained by the Scottish Civic Trust but by Historic Environment Scotland. However, it should be noted that this proposed approach to monitoring the effects of the guidance is unlikely to provide meaningful information regarding its performance. In our response the environmental report for the Interim Onshore Wind Energy Supplementary Guidance we suggested that “Monitoring is	Noted. However, the monitoring framework has been revised in the finalised Environmental Report to indicate that the Council will undertake a trial monitoring exercise involving a sample of wind energy proposals which will be looked at in some detail with regard to the planning issues raised and how they have been assessed and considered in the context of application of the Supplementary Guidance. The sample of proposals will include a range of types, sizes and locations. This will be a focussed quantitative and

<p>a useful tool in gauging the success of any strategy and any unforeseen effects. The performance of this guidance could be measured against such information as the number of applications that have been granted permission where there are significant effects on the historic environment.” This monitoring approach could also consider the overall performance of the mitigation of significant effects on the historic environment. We would advise that such an approach is considered when finalising the monitoring framework for the Post Adoption Statement.</p>	<p>qualitative assessment. The SEA Consultation Authorities may be asked to provide advice to assist the exercise. The trial will feed in to an initial report to be prepared by the Council, scheduled for August 2017, reflecting on how effective the Supplementary Guidance had been. The Council will then reflect on the value and effectiveness of the trial method as a means of monitoring and consider whether to continue, amend or replace it and whether to continue or amend the sample size or include all proposals going forward, having regard to resource issues.</p>
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SEPA

Comment	THC Response
<p>We note that a very similar approach was taken to the assessment to that which was carried out previously and insofar as it is still relevant we have used our previous ER consultation response to consider the adequacy of this new ER.</p>	<p>Noted.</p>
<p>We are generally content with the assessments presented. For example, we agree that the key development considerations are likely to have mixed impacts in relation to SEA objective 3 (soils) and, as outlined in our separate response to the guidance itself, suggest this means that amendments should be made to improve its environmental performance.</p>	<p>Amendments have been made in the finalised SG to improve its environmental performance in respect of SEA objective 3 (soils) – see paragraphs 4.34 and 4.35 (Peat) and 4.60 and 4.61 (Construction Environmental Management Plans). The inclusion of this additional mitigation is noted in the Finalised Environmental Report under the assessment of Key Development Plan Considerations and under the Cumulative assessment.</p>
<p>As outlined in our previous response we appreciate that it can be difficult to find monitoring indicators which are meaningful. We consider that the list put forward now is an improvement on what was included in the last ER, however, we still consider that a focused qualitative assessment of a defined number of planning applications may provide more useful information and in this regard, and in relation to the limitations of our water body classification, we refer you to the advice our previous response.</p>	<p>Noted.</p> <p>However, the monitoring framework has been revised in the finalised Environmental Report to indicate that the Council will undertake a trial monitoring exercise involving a sample of wind energy proposals which will be looked at in some detail with regard to the planning issues raised and how they have been assessed and considered in the context of application of the Supplementary Guidance. The sample of proposals will include a range of types, sizes and locations. This will be a focussed quantitative and qualitative assessment. The SEA Consultation Authorities may be asked to provide advice to assist the exercise. The trial will feed in to an initial report to be prepared by the Council, scheduled for August 2017, reflecting on how effective the Supplementary Guidance had been. The Council will then reflect on the value and effectiveness of the trial method as a means of monitoring and consider whether to continue, amend or replace it and whether to continue or amend the sample size or include all proposals going forward, having regard to resource issues.</p>
<p>We have no other specific comments to make in this case.</p>	<p>Noted.</p>
<p>As the guidance is finalised, The Highland Council as Responsible Authority, will be required to take account of the findings of the Environmental Report and of views expressed upon it during this consultation period. As soon as reasonably practical after the adoption of the plan, the Responsible Authority should publish a statement setting out how this has occurred. We normally</p>	<p>Noted. The Revised Environmental Report and comments on it have been taken into consideration in finalising the SG. The Finalised Environmental Report and SEA Post-Adoption Statement have been prepared.</p>

expect this to be in the form of an "SEA Statement" similar to that advocated in the Scottish Government SEA Guidance . A copy of the SEA statement should be sent to the Consultation Authorities via the Scottish Government SEA Gateway on publication.	
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The reasons for choosing the Onshore Wind Energy Supplementary Guidance as adopted, in the light of the other reasonable alternatives considered

The Onshore Wind Energy Supplementary Guidance, as adopted, has the potential to:

- increase positive impacts on the environment; and
- decrease or avoid negative impacts on the environment.

as, when read alongside the Highland-wide Local Development Plan, it contains measures which will help to achieve the Strategic Environmental Assessment Objectives, whilst acknowledging that there will often be some balance necessary with social and economic objectives.

A number of related plans, policies and strategies were identified and have been used to better the content of the adopted Onshore Wind Energy Supplementary Guidance.

Provided below is the commentary on potential implications if the Council had not produced the Supplementary Guidance. In assessing sections of the Supplementary Guidance during its preparation, alternatives were also considered and the commentary for that is also provided below.

[The following is from the section “Potential Environmental Implications without On-shore Wind Energy: Supplementary Guidance” on page 25 of the [Finalised Environmental Report](#)]

The Supplementary Guidance will set out how the Highland Council will manage proposals for onshore wind energy developments. It will form part of the Highland Wide Local Development Plan (HwLDP), supplementing key principles that are set out in policy. It provides a fuller interpretation of HwLDP policies as they relate to onshore wind energy development. Without the Supplementary Guidance, onshore wind energy developments would be assessed against HwLDP policies with no extra interpretation. As a result, it would be less clear for applicants about what is expected from them and development may have detrimental and unsustainable impacts on the environment and will not help to address existing environmental problems.

[The following is from the section “Appendix 3 – Assessments” on pages 79-97 of the [Finalised Environmental Report](#)]

Key Development Plan Considerations

The key development plan considerations section should not be read or applied in isolation.

Commentary: The key development plan considerations section provides a fuller interpretation of how important features and assets safeguarded through policies in HwLDP are expected to be safeguarded in relation to wind energy development. Whilst it is anticipated that this section will have a number of positive effects there may still be localised detrimental impacts of individual proposals, but it ensures that important features and assets are considered at planning application stage, with the extra detail provided in this section and not just relying on HwLDP policies. [NB. Amendments have been made in the finalised SG to improve its environmental performance in respect of SEA objective 3 (soils) – see paragraphs 4.34 and 4.35 (Peat) and 4.60 and 4.61 (Construction Environmental Management Plans).]

Key Development Plan Considerations: Alternative

Continue with approach set out in 'Onshore Wind Energy Interim Supplementary Guidance- Development Guidelines'

Commentary:

Some SEA objectives are not met in this section. Moreover, due to the age of the interim SG, a lot of the content is not up to date, not compliant with national policy, and does not take account of the ever-changing development pattern in Highland. Therefore the Draft SG addresses these issues, and provides more relevant and effective guidance.

Highland Strategic Capacity

The Highland Strategic Capacity section should not be read or applied in isolation. It should be noted that it is the methodology that is being assessed and not the output of any study area.

Commentary: The assessment is based on the approach that will be taken to study areas rather than the outputs of any analysis of study areas. It is anticipated that there could be positive effects on SEA Objectives 2 (human health) and 8 (landscape) in the medium and longer term once work is carried out on study areas.

Highland Strategic Capacity: Alternative

No reasonable alternative is identified

Commentary:

This section of the Draft SG is new, and it is considered that there is no reasonable alternative approach.

Advice for Small-scale Developments

The advice for Small-scale Developments section should not be read or applied in isolation.

Commentary: The Advice for Small Scale Developments section provides further advice for small scale development. It is anticipated that it will have a mostly neutral effect on the SEA Objectives but that there would be positive effects on SEA Objectives 2 (human health) and 5 (climate change).

Advice for Small-scale Developments: Alternative

Use the 'Key Development Plan Considerations' section to guide all development.

Commentary: The alternative approach to Advice for Small Scale Developments, which is not have any additional guidance for small scale developments, would have a mostly neutral impact on the SEA Objectives however it is anticipated that there could be a negative impact on SEA Objective 5 (climate change).

Further Technical Information

The further technical information section should not be read or applied in isolation.

Commentary: The majority of the further technical information section contains advice on planning process and information requirements to accompany planning applications. This material has not been included in the assessment. Only the text on Community Renewable Energy Developments is subject of this assessment. It is anticipated that there could be positive effects on SEA Objectives 2 (human health) and 5 (climate change).

Further Technical Information: Alternative

No reasonable alternative is identified

Commentary:

It is considered that there is no reasonable alternative approach.

Cumulative Assessment

It is assumed that the Draft Supplementary Guidance will be read alongside HwLDP.

Commentary: It is anticipated that on a cumulative basis, the draft Supplementary Guidance as a whole, would have a positive environmental effect on all of the SEA Objectives apart from Objective 3 (soil). [NB. Amendments have been made in the finalised SG to improve its environmental performance in respect of SEA objective 3 (soils) – see paragraphs 4.34 and 4.35 (Peat) and 4.60 and 4.61 (Construction Environmental Management Plans).]

Cumulative Assessment: Alternative

Use the 'Key Development Plan Considerations' section to guide all development.

Commentary: Overall it is anticipated that by continuing to rely on the interim Supplementary Guidance, there would be positive environmental effects for the environment against SEA Objectives 1, 2, 3, 5, 7 and 8, in the short term. However as the spatial framework used in it is now out of date, not aligning with SPP, 2014, once HwLDP2 is adopted with the 2014 SPP spatial framework, the interim SG would be superseded. The Council would then be left in a position where there would be no Supplementary Guidance to support the HwLDP2 policy. This could potentially lead to negative environmental effects in the medium to long term.

Monitoring Measures

[The following is from the section “Monitoring” on pages 35-36 of the [Finalised Environmental Report](#)]

Section 19 of the Environmental Assessment (Scotland) Act 2005 requires the Responsible Authority to monitor significant environmental effects of the implementation of the SG. This must be done in such a way as to also identify unforeseen adverse effects and to take appropriate remedial action.

It is considered good practice that monitoring is based on a pre-defined purpose, helping to solve problems, and address key issues. Monitoring should include practical measures customised to the PPS, the findings of which should be transparent and readily accessible to the public. Monitoring is also seen as a reflexive learning process relating closely to the collation of environmental baseline information.

For this monitoring to be effective it will need to be linked to both the SEA Objectives and the objectives of the Supplementary Guidance. The baseline data set out earlier in this report sets the scene for any monitoring which is to take place.

The two tables below set out the relevant monitoring framework.

Monitoring Exercise	Monitoring Report	Responsible for Data Collection and Analysis
<p>The Highland Council will undertake a trial monitoring exercise involving a sample of wind energy proposals which will be looked at in some detail with regard to the planning issues raised and how they have been assessed and considered in the context of application of the Supplementary Guidance. The sample of proposals will include a range of types, sizes and locations. This will be a focussed quantitative and qualitative assessment.</p>	<p>The trial will feed in to an initial report to be prepared by the Council, scheduled for August 2017, reflecting on how effective the Supplementary Guidance had been. The Council will then reflect on the value and effectiveness of the trial method as a means of monitoring and consider whether to continue, amend or replace it and whether to continue or amend the sample size or include all proposals going forward, having regard to resource issues.</p>	<p>THC. The SEA Consultation Authorities may be asked to provide advice to assist the exercise.</p>

Environmental Parameter and SEA Objective	Monitoring Indicator	Remedial Action
<p>1 - Biodiversity, Flora & Fauna</p> <p>To conserve and where possible enhance biodiversity and accord to the protection of valued nature conservation habitats and species.</p>	<p>The trial described above will aim to include the following, with reference to the environmental parameters and SEA Objectives:</p> <ul style="list-style-type: none"> • Use of the SG in pre-application advice. 	<p>Remedial Action with respect to any particular parameter may include, where appropriate:</p> <ul style="list-style-type: none"> • Review application of SG in pre-application, application and post-decision phases.
<p>2 - Population & Human Health</p> <p>To improve the living environment for all communities and promote improved health of the human population.</p>	<ul style="list-style-type: none"> • Use of the SG in assessment of planning applications. • Progress with totals for consented onshore wind energy generation and for the amount deployed. 	<ul style="list-style-type: none"> • Seek additional or alternative (more effective) mitigation measures. • Seek review of national policy.
<p>3 - Soil & Peat</p> <p>Safeguard the soil quality, geo-diversity and improve contaminated land.</p>	<ul style="list-style-type: none"> • The number of applications that have been granted permission where there are significant effects on the environment. 	<ul style="list-style-type: none"> • Consider review of local policy/ guidance.
<p>4 - Water</p> <p>Avoid, manage and reduce flood risk and protect the water environment.</p>	<ul style="list-style-type: none"> • Delivery and effectiveness (performance) of plans for the mitigation of significant effects on the environment, with a particular focus on features formally identified for safeguarding (e.g. statutorily designated). 	<ul style="list-style-type: none"> • Draw up and implement a strategy and action plan for increasing effectiveness of mitigation, which may include coordination and delivery of mitigation between schemes in an area.
<p>5 – Air</p> <p>Maintain and, where possible, improve air quality.</p>	<ul style="list-style-type: none"> • Loss of resource and compensatory provision. 	
<p>6 - Climatic Factors</p> <p>Reduce greenhouse gases and contribute to the adaptation of the area to climate change.</p>	<ul style="list-style-type: none"> • Compliance with spatial framework. • Emergent pattern of decisions and degree of fit with guidance e.g. with guidance for the Loch Ness study area. 	
<p>7 - Material Assets</p>		

<p>Manage, maintain and promote sustainable use of material assets.</p>		
<p>8 - Historic Environment & Cultural Heritage</p> <p>Protect and where appropriate enhance the historic environment.</p>		
<p>9 – Landscape</p> <p>Protect and enhance the character, diversity and unique qualities of the landscape.</p>		

Additional monitoring of specific aspects of onshore wind energy development, as they relate to the Environmental Parameters in the table above, may also be investigated further and used to inform future reviews of the SG.

Conclusions

Summary information on the assessment approach and key findings, extracted from the Finalised Environmental Report, are provided at the bottom of this section. There follow additional observations made as part of the conclusion of this SEA.

Evolution of the Supplementary Guidance

It may be noted that the preparation of the Onshore Wind Energy Supplementary Guidance was protracted as a consequence of its complexity and due to the relevant national planning policy and advice changing during its preparation.

Evolution of the Monitoring Measures

The monitoring measures have changed significantly since those proposed at earlier stages, in response to the consideration of consultation feedback and taking into account resource constraints and a need to ensure that monitoring undertaken will be useful.

Landscape Sensitivity Appraisals

As recorded in the section “Assessment of Environmental Effects” on page 26 of the [Finalised Environmental Report](#), the section of the Supplementary Guidance setting out the Loch Ness Landscape Sensitivity was scoped out of SEA, for the following reasons:

The methodology followed which is set out within the section “Highland Strategic Capacity”, together with the criteria set out in the section “Further Technical Information”, will both be subject to SEA. On that basis therefore, the area-specific landscape sensitivity assessment will not be subject to SEA.

It may be noted therefore that for the same reasons the Council will not be undertaking SEA in respect of the Landscape Sensitivity Appraisals that it is undertaking (or intends to undertake) using the same methodology and for the same purposes, for other study areas within Highland as referred to in paragraph 5.3 of the adopted Supplementary Guidance.

Habitats Regulations Appraisal

It may be noted that alongside this SEA and preparation of the Supplementary Guidance, an associated Habitats Regulations Appraisal was undertaken, the Record of which is published on www.highland.gov.uk/onshorewind.

[The following is from the section “Non-Technical Summary” on pages 3-4 of the [Finalised Environmental Report](#)]

Assessment approach and key findings

SEA objectives relating to the key topics were identified and are shown below:

SEA Topic	SEA Objectives
Biodiversity, Flora and Fauna	To conserve and where possible enhance biodiversity and accord to the protection of valued nature conservation habitats and species
Population and Human Health	To improve the living environment for all communities and promote improved health of the human population
Soil	Safeguard the soil quality, geodiversity and improve contaminated land
Water	Manage and reduce flood risk and protect the water environment
Climatic Factors	Reduce greenhouse gases and contribute to the adaptation of the area to climate change
Material Assets	Manage, maintain and promote sustainable use of material assets
Historic Environment and Cultural Heritage	Protect and where appropriate enhance the historic environment
Landscape	Protect and enhance the character, diversity and unique qualities of the landscape

The guidance has been broken down into sections and the following sections of the Draft SG and their reasonable alternatives have been assessed against these objectives using an assessment matrix:

- Key Development Plan Considerations
- Highland Strategic Capacity
- Advice for Small-scale Developments
- Further Technical Information

[NB. The structure of the finalised SG document differs in some respects.]

The results of this are summarised in the Environmental Report and can be found in full in Appendix 3. The guidance has also been assessed as a whole to look at the effects the guidance will have when it is applied as a whole rather than each part individually this is called the cumulative assessment. This is summarised in the Environmental Report but can be found in full in Appendix 3.

Baseline information on each of the SEA topics, shown in Appendix 2, has helped to inform the preparation of the Supplementary Guidance and the assessment process.

As part of the assessment of environmental impacts we also identified relevant mitigation measures. Our approach to mitigation is based on the hierarchy of avoid, reduce, remedy and compensate. Where appropriate we also look to enhance environmental features.
