Agenda	5.10
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Report	PLN/011/19
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THE HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 22 January 2019

Report Title: 18/05340/FUL: Land 850M SE Of Ar Taig, Achork, Rogart

Report By: Area Planning Manager – North

1. Purpose/Executive Summary

1.1 Applicant: South Kilbraur Wind Farm Ltd

Description of development: Erection of meteorological mast with guy wire supports, maximum height of 80.4m

Ward 04 East Sutherland and Edderton

Category: Local Development

Reasons Referred to Committee: More than 5 representations and Community Council objection

(All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.)

2. Recommendation

2.2 Members are asked to agree the recommendation to grant as set out in section 11 of the report.

3. PROPOSED DEVELOPMENT

- 3.1 The application proposes the installation of an 80.4m high meteorological mast with guy wire supports. The mast is a slim narrow structure which is 22cm in diameter. The mast will record wind speed and direction which will help inform possible future applications for wind energy development. The mast is proposed for a temporary period of 60 months. The site is on land to the south of the main Dunrobin Glen road, approximately 790m east of the road end at Achork.
- 3.2 No pre-application discussions have been undertaken.
- 3.3 No existing infrastructure on the site.
- 3.4 The application has not been accompanied by any supporting documentation.
- 3.5 **Variations**: None

4. SITE DESCRIPTION

4.1 The site is formed from open upland at an elevation of around 215m. To the west of the site is an overhead electricity pylon line, whilst approximately 2km to the north is the operational Kilbraur windfarm. The nearest housing is at Achork to the west.

5. PLANNING HISTORY

5.1 18/05417/SCOP – A scoping decision has been issued for a proposed wind farm development comprising 7 turbines of up to 149.9m to tip height.

6. PUBLIC PARTICIPATION

6.1 Advertised: Schedule 3 development, expiry 21.12.2018

Representation deadline: 21.12.2018

Timeous representations: 22 representations and 17 households

Late representations: 0

6.2 Material considerations raised are summarised as follows:

In relation to this development:

- Noise pollution
- Cumulative visual impact there is another mast in the near vicinity and the development would be intrusive on the landscape
- Impact on archaeological features; hut circles, field systems and ancient peat banks. Thus far Sidhean Clais and Uanain has been largely untouched by modern development and this development sets a dangerous unnecessary precedent
- Impact on birds and bats
- Lighting recommended by MOD is unacceptable
- Three weeks is inadequate in terms of time given for third party objections

Non-material considerations – these relate to the potential of future windfarm development on the site:

- May impact on numerous archaeological features and natural heritage
- Will be intrusive on the landscape
- Engulfed by windfarms
- Area has reached saturation as per the Scottish Government's Reporter's reason for refusing Tressady Wind Farm
- Noise pollution
- Cumulative visual impact
- Proposed threat to birds and bats
- Increased traffic
- Too close to residential properties; an alternative site should be sought
- Inappropriate development in a crofting and growing residential community
- Negative impact on the market value of residential properties and the ability to sell them
- Reduces land available for crofting/grazing
- Will not significantly offset the UK's carbon dioxide emissions
- Power generated by the scheme will be insignificant in terms of daily power required by the UK
- Scheme will provide virtually no benefits
- Use of the word "farm" implies something that one might expect to witness in the natural heritage
- 6.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam. Access to computers can be made available via Planning and Development Service offices.

7. CONSULTATIONS

7.1 **SNH**: This proposal can be progressed with appropriate mitigation. However, because it could affect internationally important natural heritage interests, we object to this proposal unless it is made subject to conditions

This proposal lies within connectivity distance to Lairg & Strath Brora Lochs Special Protection Area (SPA) protected for black-throated diver. It also lies within connectivity distance for osprey and greylag goose linked to the Dornoch Firth & Loch Fleet SPA & Ramsar Site.

The site's status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") apply or, for reserved matters, The Conservation of Habitats and Species Regulations 2017. Consequently, Highland Council is required to consider the effect of the proposal on the SPAs before it can be consented (commonly known as Habitats Regulations Appraisal).

In our view, from the information available, it appears that in this case the proposal is not connected with or necessary for the conservation management of the Lairg & Strath Brora Lochs SPA. Hence further consideration is required.

In our view, this proposal is likely to have a significant effect on black-throated diver. Consequently, The Highland Council, as competent authority, is required to carry out an Appropriate Assessment in view of the site's conservation objectives for its qualifying interest. To help you do this, we advise that in our view, on the basis of the appraisal carried out to date, if the proposal is undertaken strictly in accordance with the following mitigation, then the proposal will not adversely affect the integrity of the site:

 Line marking of guy wires should be carried out, as per Best Practice Guidance (Assessment and mitigation of impacts of power lines and guyed meteorological masts on birds (2016))

The appraisal we carried out considered the impact of the proposal on the following factors:

- Marking the thin metal guy wires of this large met mast will help to reduce flight collision risk to black-throated divers which may be connected to the SPAs.
- 7.2 **Defence Infrastructure Organisation** No safeguarding objections. Request that aviation warning lighting is fitted with a minimum intensity 25 candela omni directional flashing red light or equivalent infra-red light fitted at the highest practicable point of the structure.
- 7.3 **HIAL**: No objections. Development would not infringe the safeguarding surfaces for Inverness Airport.
- 7.4 **Rogart Community Council**: Objection Do not understand how Highland Council can possibly think that erection an 80m mast in the proposed location with a red light flashing on top (as required by MOD) is doing anything to protect or enhance the local environment. Furthermore, the mast is connected to the proposed development of South Kilbraur Wind Farm. Rogart Community Council refer to the Appeal Decision Notice dated 6th August 2014 regarding Tressady Wind Farm (Ref:PPA-270-2103) where the main issues were;
 - The landscape and visual impact of the proposal
 - The impact on residential amenity
 - The impact on the historic environment

In addition to this the reporter stated '...an additional wind farm in this visible location, of this scale and in such proximity to Kilbraur would create a landscape where windfarms become a dominant and defining feature surrounding local roads and houses', and that 'the proposal would be to the significant detriment of the visual amenity and rural setting that local residents currently enjoy'.

Rogart Community Council contend that the reasons for refusal apply equally (if not more so) to both the proposed South Kilbraur Wind Farm and the meteorological mast.

8. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

8.1 Highland Wide Local Development Plan 2012

Policy 28 Sustainable Design

Policy 58 Protected Species

Policy 61 Landscape

Policy 67 Renewable Energy Development

8.2 Caithness and Sutherland Local Development Plan 2018

No site specific policies

9. OTHER MATERIAL CONSIDERATIONS

9.1 Highland Council Supplementary Planning Policy Guidance

Highland's Statutorily Protected Species (March 2013)

9.2 Scottish Government Planning Policy and Guidance

Scottish Government Planning Policy and Guidance which include the following main provisions:

- National Planning Framework for Scotland
- SPP
- 2020 Routemap for Renewable Energy in Scotland Updated October 2012

SPP contains a number of subject specific policy statements, also supported by Planning Advice Notes (PANs) which give additional guidance on topics. SPP policies of note to this development include:

- Rural Development
- Landscape and Natural Heritage
- Transport
- Renewable Energy

10. PLANNING APPRAISAL

- 10.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
- This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

10.3 **Development Plan Policy Assessment**

The development requires to be primarily assessed against Policies 28 (Sustainable Design), 58 (Protected Species) and 61 (Landscape) of the HwLDP. Policy 67 (Renewable Energy Developments) and associated supplementary

guidance is not directly relevant as the proposed mast is a temporary structure to obtain scientific data only. The development will be accommodated within a small area to the west of Loch Farlary within open moorland.

- 10.4 Policy 28 aims to ensure that development is sustainable and states that proposals should be assessed on the extent to which they 'impact upon individual and community residential amenity' and 'demonstrate sensitive siting and high quality design in keeping with local character'. Proposals which are judged to be significantly detrimental in terms of Policy 28 will not accord with the development plan. Policy 61 requires design of new developments to reflect landscape characteristics. The aim is to ensure that the landscape has the capacity for development whilst promoting sustainable growth. Whilst the physical scale of the mast is considerable, it should be noted that it is proposed to be sited for a temporary period only (60 months) and accordingly it is considered that it will not have a significant impact on the landscape quality of the area and therefore would not be injurious to Policy 61.
- 10.5 Consideration is therefore focussed substantially upon visual and landscape impact and the resultant impacts on individual and community residential amenity. The mast is a narrow, slimline tubular structure with a 22 cm diameter base. The mast is proposed approximately 790 metres to the south east of the nearest house 'Ar Taigh', Achork and approximately 785 metres from Achork Road. The site is located on the open upland and will be visible from the public roads known as Achork Road and Dunrobin Glen Road. There are overhead pylons running adjacent to the site. The proposed mast will be sited within the visual context of existing overhead pylons and in this regard given its narrow slimline structure and its separation distance to the nearest houses and public road it is considered that tis visual and landscape impact will be negligible with the existing pylons being more prominent features in this setting.

It is considered that the overall visual and landscape impact of a temporary mast (for 60 months) will not be significant and accordingly that the development will be compatible with Policies 28 and 61.

10.6 **Representations** relate to:

- Cumulative visual impact, with the proposed mast being highly visible, particularly considering its context and relationship to the Kilbraur wind farm to the north of the site *Planning response* Assessment of the proposal is that the slender and lightweight nature of the proposed mast will ensure that it will not be highly visible, and that the surrounding landscape does have the capacity to absorb the development.
- Lighting requested by the MOD is acceptable due to the temporary nature of the development and the fact that it can be infa-red lighting and therefore invisible to the human eye – *Planning response* - Such lighting details can be controlled by condition.
- Noise pollution Planning response it is not considered that the anemometer mast will increase noise levels in the area.

• Impact on birds and bats – *Planning response* - the mast guy wires will be fitted with visible bird deflectors. SNH have not advised of any concerns regarding the presence of bats.

10.7 Material Considerations

10.8 **Aviation Safety**

As noted in Section 7, no consultees have raised any objections in terms of air safety, however the MOD have stated that there is a need for aviation warning lighting.

10.9 Nature Conservation

Objections have expressed concerns that the site may impact on protected species such as birds and bats. In regard to this appropriate mitigation (bird deflectors) will be secured through condition to reduce the risk of collision.

10.10 Other Considerations – not material

The time scale allowed to make public comment on applications (3 weeks) is not sufficient – *Planning response* - This is the statutory period. The application was advertised in the local press allowing a two week period for third party representations. As the proposal is for a 'local' development, no formal preapplication public consultation by the developer is required.

Many of the third party objections refer to a proposal for a wind farm development. However this is not what is under consideration at this time and is therefore not relevant to the assessment of this application. This proposal is for a meteorological mast and this is what has to be considered by the Planning Authority at this time. Any future proposals for other developments would be subject to a separate planning application and require to be considered on their respective merits.

10.11 Appropriate Assessment

An Appropriate Assessment is included as an Appendix to this report (Appendix 2). These are required as the site is within connectivity distance to Lairg & Strath Brora Lochs Special Protection Area (SPA) and the Dornoch Firth & Loch Fleet SPA. Therefore Habitat Regulations apply which triggers the need for an Appropriate Assessment.

11. CONCLUSION

11.1 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

12. IMPLICATIONS

12.1 Resource – Not applicable

- 12.2 Legal –Not applicable
- 12.3 Community (Equality, Poverty and Rural) –Not applicable
- 12.4 Climate Change/Carbon Clever –Not applicable
- 12.5 Risk Not applicable
- 12.6 Gaelic Not applicable

13. RECOMMENDATION

Action required before decision issued N

Notification to Scottish Ministers N

Notification to Historic Scotland N

Conclusion of Section 75 Agreement N

Revocation of previous permission

Subject to the above, it is recommended the application be **Granted** subject to the following conditions and reasons / notes to applicant:

Ν

1. This permission is temporary and shall expire five years (sixty months) from the date of consent, by which time it shall cease being used, and the mast, guy lines and all associated equipment shall have been completely removed from site by the developer.

Reason: In accordance with the temporary use applied for and to allow the Planning Authority effective control over the development and to minimise longer term visual impacts.

Line marking of guy wires, including the use of bird deflectors, shall be carried out by the developer as part of the erection of the mast, to the satisfaction of the Planning Authority in consultation with SNH (as per Best Practice Guidance, see; Assessment and mitigation of impacts of power lines and guyed meteorological masts on birds (2016), https://www.nature.scot/professional-advice/planning-and-development/natural-heritage-advice-planners-and-developers/planning-and-development-birds). Any guy wire markings, or deflectors, which are damaged during the operational period of the mast, shall be replaced by the developer before the commencement of the following bird nesting season, to the satisfaction of the Planning Authority in consultation with SNH.

Reason: To ensure that any potential impacts on birds are minimised in the interests of nature conservation.

3. A scheme of aviation lighting (to be infrared unless technically impracticable, which would require to be demonstrated) shall be submitted within 1 month of the date of this consent for the approval in writing by the Planning Authority in consultation with the Ministry of Defence. Thereafter, the approved scheme of aviation lighting shall be fully implemented on site, unless otherwise agreed in writing with the Planning Authority.

Reason: In the interest of aviation safety.

REASON FOR DECISION

The proposals accord with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application.

TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

FOOTNOTE TO APPLICANT

Initiation and Completion Notices

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

- 1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
- On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

Accordance with Approved Plans and Conditions

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those

requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as road construction consent, dropped kerb consent, a road openings permit, occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at: http://www.highland.gov.uk/yourenvironment/roadsandtransport

Application forms and guidance notes for access-related consents can be downloaded from:

http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_or_working_on_public_roads/2

Mud and Debris on Road

Please note that it an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

Protected Species – Halting of Work

You are advised that work on site must stop immediately, and Scottish Natural Heritage must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from SNH: www.snh.gov.uk/protecting-scotlands-nature/protected-species

Protected Species - Contractors' Guidance

You must ensure that all contractors and other personnel operating within the application site are made aware of the possible presence of protected species. They must also be provided with species-specific information (incl. guidance on identifying their presence) and should be made aware of all applicable legal requirements (incl. responsibilities and penalties for noncompliance).

Protected Species - Ground Nesting Birds

Construction/demolition works have the potential to disturb nesting birds or damage their nest sites, and as such, checks for ground nesting birds should be made prior to the commencement of development if this coincides with the main bird breeding season (April - July inclusive). All wild bird nests are protected from damage, destruction, interference and obstruction under the Wildlife and Countryside Act 1981 (as amended). Some birds (listed on schedule 1 of the Wildlife and Countryside Act) have heightened protection where it is also an offence to disturb these birds while they are in or around the nest. For information please see: www.snh.org.uk/publications/online/wildlife/law/birdseggs.asp

Schedule 3 Development Site Notice

Prior to the commencement of this development, the attached Site Notice must be posted in a publicly accessible part of the site and remain in place until the development is complete. This is a statutory requirement of the Town and Country Planning (Scotland) Acts and associated regulations.

Aeronautical Hazard

The applicant should consult both the Civil Aviation Authority and the Ministry of Defence regarding hazard lighting in the interests of aircraft safety.

Defence Infrastructure Organisation (DIO) Safeguarding

The developer must notify UK DVOF & Powerlines at the Defence Geographic Centre with the following information upon receipt of this consent:

- a. Precise location of the development
- b. Date of commencement of construction
- c. Date of completion of construction
- d. The height above ground level of the tallest structure
- e. The maximum extension height of any construction equipment
- f. Details of aviation warning lighting to be fitted to the structure(s)

This information should be sent by e-mail to UK DVOF & Powerlines at icgdgc-prodaisafdb@mod.uk or posted to:

D-UKDVOF & Power Lines, Air Information Centre, Defence Geographic Centre, DGIA, Elmwood Avenue, Feltham, Middlesex TW13 7AH

Designation: Area Planning Manager - North

Author: Claire Farmer

Background Papers: Documents referred to in report and in case file.

Relevant Plans: Plan 1 – Committee Map

Plan 2 – Location Plan 40402-MR-088 REV A Plan 3 – Location Plan 40402-SL-089 REV A

Plan 4 – Elevation Plan 80M Mast 20180308 REV A

Appendix 2

Appropriate Assessment

Erection of meteorological mast with guy wire supports, maximum height of 80.4m 18/05340/FUL

CONSIDERATION OF PROPOSALS AFFECTING EUROPEAN SITES

Dornoch Firth and Loch Fleet Special Protection Area

Mound Alderwoods Special Area of Conservation

Strath Carnaig and Strath Fleet Moors Special Protection Area

Lairg and Strath Brora Lochs Special Protection Area

Moray Firth Special Area of Conservation

Moray Firth proposed Special Protection Area

The status of <u>Dornoch Firth and Loch Fleet Special Protection Area, the Mound Alderwoods Special Area of Conservation, the Strath Carnaig and Strath Fleet Moors Special Protection Area, the Lairg and Strath Brora Lochs Special Protection Area; the Moray Firth Special Area of Conservation and the Moray Firth proposed Special Protection Area means that the requirements of the Conservation (Natural Habitats, & c.) Regulations 1994 as amended (the 'Habitats Regulations') or, for reserved matters the Conservation of Habitats and Species Regulations 2017 as amended apply.</u>

The status of the Moray Firth proposed Special Area of Conservation (SAC) under the EC Directive 92/43/EEC, the 'Habitats Directive' means that the Conservation (Natural Habitats, etc.) Regulations 1994 (as amended), and, for reserved matters, The Conservation of Habitats and Species Regulations 2017 apply, as Scottish Planning Policy 2014 (para 210) requires proposed SACs to have the same level of protection as designated ones.

This means that where the conclusion reached by the Council on a development proposal unconnected with the nature conservation management of a Natura 2000 site is that it is likely to have a significant effect on those sites, it must undertake an Appropriate Assessment of the implications for the conservation interests for which the areas have been designated. The need for Appropriate Assessment extends to plans or projects out with the boundary of the site in order to determine their implications for the interest protected within the site.

This means that the Council, as competent authority, has a duty to:

- Determine whether the proposal is directly connected with or necessary to site management for conservation; and, if not,
- Determine whether the proposal is likely to have a significant effect on the site either individually or in combination with other plans or projects; and, if so, then
- Make an Appropriate Assessment of the implications (of the proposal) for the site in view of that site's conservation objectives.

The competent authority can only agree to the proposal after having ascertained that it will not have an adverse effect on the integrity of the sites. If this is not the case and there are not alternative solutions, the proposal can only be allowed to proceed if there are imperative reasons of overriding public interest, which in this case can include those of a social or economic nature.

Screening in Likely Significant Effects

It is evident that the proposal is not connected with or necessary to site management for conservation, hence further consideration is required. The proposed met mast has the

potential to have a likely significant effect on the qualifying interests. The Council is therefore required to undertake an appropriate assessment of the implications of the proposal on the above named SPAs and SACs. The qualifying features which it is considered would be impacted are black-throated diver that lies within connectivity distance to Lairg and Strath Brora Lochs SPA. The site also lies within connectivity distance for osprey and greylag goose which are linked to the Dornoch Firth and Loch Fleet SPA.

Due to the nature of the proposal and the distance from the following relevant SPA or SAC, there are unlikely to be any significant adverse effects on the qualifying features of the <u>Mound Alderwoods Special Area of Conservation and the Moray Firth Special Area of Conservation</u> therefore they are hereby screened out and therefore do not require any further consideration.

SNH have not provided any comment on the <u>Strath Carnaig and Strath Fleet Moors Special Protection Area, designated for Hen Harrier, therefore it is concluded there are unlikely to be any significant effects on this species from the proposal so it can also be screened out.</u>

Furthermore SNH have provided no comments on the <u>Moray Firth SPA or Moray Firth</u> Proposed SPA. These SPAs have therefore been screened out.

APPROPRIATE ASSESSMENT

While the responsibility to carry out the Appropriate Assessment rests with the Council, advice contained within Circular 6/1995 is that the assessment can be based on the information submitted from other agencies. In this case, the Appropriate Assessment is informed by information supplied by SNH.

Appraisal Summary

In its response to the Council, SNH advised that the proposal is likely to have a significant effect on the qualifying interests of the Lairg and Strath Brora Lochs SPAin relation to black-throated diver. SNH also advised that the site lies within connectivity distance for osprey and greylay goose linked to the Dornoch Firth and Loch Fleet SPA.

The main risk relate to potential for collision with key bird species.

SNH have advised that this proposal should be conditioned so that works are done strictly in accordance with the appropriate mitigation below:

Line marking of guy wires should be carried out, as per Best Practice Guidance, see; Assessment and mitigation of impacts or power lines and guyed meteorological masts on birds (2016), https://www.nature.scot/professional-advice/planning-and-development-development/natural-heritage-advice-planners-and-developers/planning-and-development-birds.

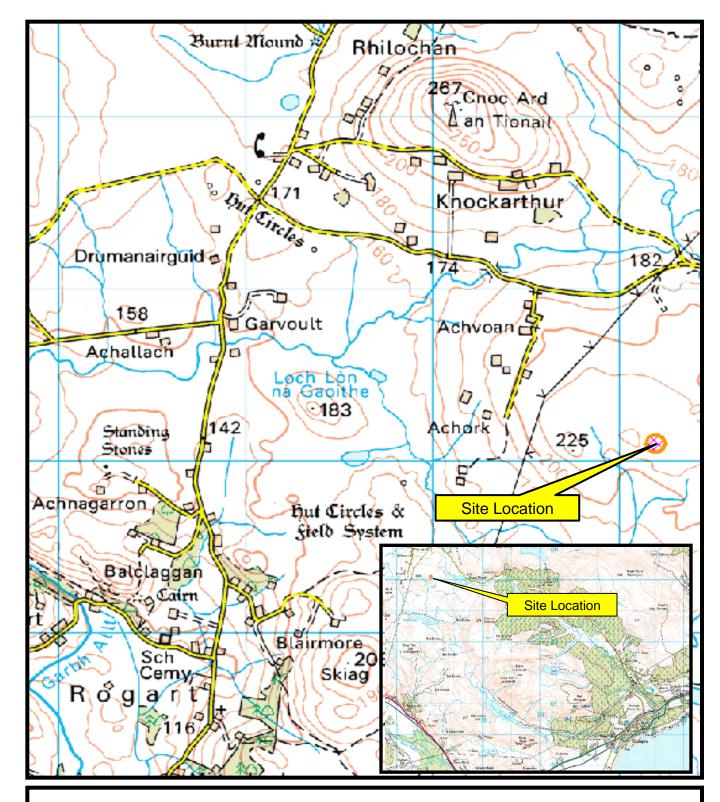
It is concluded that by marking the thin mental guy wires of this met mast will help to reduce flight collision risk to black-throated divers which may be connected to this Special Protection Area and will therefore not adversely affect the integrity of the both Lairg and Strath Brora Lochs Special Protection Area or the Dornoch firth and Loch Fleet Special Protection Area.

HIGHLAND COUNCIL APPRAISAL OF THE PROPOSAL

- The proposal is not directly connected with or necessary to site management for conservation;
- The proposal is likely to have a significant effect on the site either individually or in combination with other plans or projects; therefore;
- An Appropriate Assessment of the implications (of the proposal) for the site in view of that site's conservation objectives is provided below.

The impacts on the Lairg and Strath Brora Lochs Special Protection Area or the Dornoch firth and Loch Fleet Special Protection Area are considered in terms of the different components of the development which may impact on the qualifying interests, i.e. the construction phase; operational phase and the decommissioning phase. The mitigation proposed by SNH should be sufficient to address any significant risk. Although the Dornoch Firth and Loch Fleet SPA is designated for many bird species, SNH advise that the mitigation identified for the Lairg & Strath Brora Lochs SPA will also reduce potential impacts to birds linked to the Dornoch Firth and Loch Fleet SPA.

Due to the nature and scale of the proposal and as it is for a temporary structure, 60 months duration; any impacts would correspondingly be temporary. Overall, it can be therefore concluded that there will be no adverse effect on site integrity of the <u>Lairg and Strath Brora Lochs</u> and the Dornoch Firth and Loch Fleet SPAs.





18/05340/FUL

Erection of meteorological mast with guy wire supports, maximum height of 80.4m at Land 850m SE of Ar Taigh, Achork, Rogart.

Development & Infrastructure
Service

January 2019



