Agenda Item	**6.9**
Report No	**PLN/098/21**

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 07 December 2021

Report Title: 21/03695/S36: SSE Generation Limited
Land 2km NE of Glencassley Castle, Rosehall

Report By: Area Planning Manager - North

Purpose/Executive Summary

Description: Achany Extension Wind Farm - Erection and Operation of a Wind Farm for a period of 50 years, comprising of 20 Wind Turbines with a maximum blade tip height 149.9m, access tracks, borrow pits, substation, control building, and ancillary infrastructure

Ward: 01 - North, West and Central Sutherland

Development category: Major

Reason referred to Committee: Major Development

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.

Recommendation

Members are asked to agree the recommendation to **RAISE NO OBJECTION** to the application subject to the removal of two turbines (T10 and T20) as set out in section 11 of the report

1. PROPOSED DEVELOPMENT

1.1 The Highland Council has been consulted by the Scottish Government's Energy Consents Unit (ECU) on an application made under Section 36 of the Electricity Act 1989 (as amended). The proposed development comprises;

- Up to 20 no. Wind Turbine Generators (WTGs) with a tip height of up to 149.9m;
- Crane hardstanding and associated laydown area for each wind turbine;
- On site access tracks (of which approximately 17.3km are new access tracks and approximately 6.6km are existing tracks where upgrades may be required to facilitate delivery of the wind turbine components);
- A new on-site substation, welfare building, and store would be required (see Figures 3.9a and 3.9b for indicative details). An alternative is to extend the existing operations building at Achany Wind Farm by incorporating a store and additional office space (indicative details are shown on Figures 3.10a and 3.10b). If this option is exercised, then a smaller operations and welfare facility without a store or office would be constructed on the proposed site. This decision is dependent on the requirements of the Wind Turbine Supplier who would be appointed post consent.
- A network of underground cabling to connect each wind turbine to the on-site substation; and
- A LiDAR unit to collect meteorological and wind speed data and associated hard standing.

In addition, the construction phase would require the following temporary facilities:

- Site compound areas, including welfare facilities, site cabins, and parking;
- Batching plant facilities for temporary concrete batching plants;
- Temporary telecommunications infrastructure; and
- Borrow pits, comprising both new and reworking of borrow pits used for the existing Achany Wind Farm.

1.2 The grid connection from the on-site substation to the National Grid would be subject to a separate consent application by the Network Operator. Details of the grid connection are undefined at this time, but it is anticipated that the grid connection would connect to Shin Substation, located to the east of the A836.

1.3 To access the site, the proposed development will use the existing access tracks constructed for the Achany Wind Farm and includes the existing site entrance off the A839. A Construction Traffic Management Plan (CTMP) will be prepared and agreed with the Council and Transport Scotland prior to works commencing. The preferred access strategy proposes that all turbine abnormal loads will originate from either Nigg or Invergordon and access the site via the A9 to Loch Fleet and then the A839 passing through Lairg before entering the site from the east.

1.4 The applicant has requested a micro-siting allowance of 50m for site infrastructure (tracks, turbine locations, underground cables and crane hard standing areas) this is to avoid or minimise environmental or engineering constraints identified during pre-construction ground investigation or construction phase excavation works. The final design of the turbines (colours and finish), aviation lighting, substation, welfare and store buildings/compounds/ancillary electrical equipment, landscaping and fencing etc. are expected to be agreed with the Planning Authority and the Energy Consents Unit, by condition, at the time of project procurement. Whilst indicative drawings for these elements are set out in the application, turbine manufacturers regularly update the designs that are available, thereby necessitating the need for some flexibility in the approved design details.

1.5 The applicant had undertaken public exhibition events in the local area in November 2019. Due to the Covid-19 pandemic, a virtual online exhibition was held between 24th and 30th May 2021, this included two online live chat sessions with the applicant on 25th May 2021 (5pm - 7pm) and 27th May 2021 (2pm - 4pm). Online feedback forms were also available for attendees to complete. Online meetings were also held between the applicant and Creich Community Council and Ardgay and District Community Council. Lairg Community Council and Rogart Community Council were also contacted. Feedback on the consultation events is contained within the submitted Pre-Application Consultation Report.

1.6 **Pre-Application Consultation**: No formal pre-application was undertaken between the applicants and the Planning Authority. However, following the Scoping response issued in early 2021, the applicants engaged with the Planning Authority to confirm the study area, location of photomontage viewpoints and the cumulative baseline.

1.7 The application is supported by an Environmental Impact Assessment Report (EIAR) which includes chapters on Planning Policy; Landscape and Visual Impacts (including ZTVs, wireframes and visualisations); Ecology; Ornithology; Hydrology and Hydrogeology; Geology and Carbon Balance, Cultural Heritage; Traffic and Transport; Socio-Economics, Recreation and Tourism, Noise and Vibration, Aviation and other issues. The application is also accompanied by Technical Appendices, a Pre-Application Consultation Report, an EIA Non-Technical Summary (NTS), a Design and Access Statement and a Planning Statement.

1.8 The wind farm has an expected operational life of 50 years. Following this a further planning application would be required to determine any future re-powering proposal the site, which may include retention of the development. If the decision is made to decommission the wind farm, the detailed method and extent of the decommissioning activities would need to be agreed via a decommissioning method statement.

1.9 The applicant anticipates that the wind farm construction period will last 18 months. A Construction Environment Management Document (CEMP) will be in place during the construction phase. This would also include a programme of site reinstatement which would allow for the rehabilitation of disturbed areas as early as possible in order to minimise storage of excavated material on vegetation.

1.10 Variations: No formal variations have been made to the application since submission, however, the applicants have agreed in principle to the following variations suggested by the Planning Authority.

- Removal of turbines 10 and 20 and any associated infrastructure.

The rationale for this request is detailed later in this report.

2. SITE DESCRIPTION

2.1 The application site is located on an upland plateau area between Glen Cassley and Loch Shin. The River Cassley is located approximately 1.5km from the site and runs parallel with the south-western boundary of the site. The site is situated approximately 4.5km to the north of Rosehall Village and 11 km to the west-north-west of Lairg. The proposal is located on land adjacent (north-west) of the operational Achany and Rosehall Wind Farms. The site area measures approximately 979.7ha, the footprint of the development will be approximately 13.29 ha, with an additional 10.95 ha required temporarily but would be reinstated following the construction phase.

2.2 As detailed in the EIAR, to the north-west and west of the application site the land rises into a complex landscape of rugged mountains, moorland and lochs. To the east and south-east, the landscape comprises a range of lower lying, rounded hills and plateaux where dwellings and small villages are more common throughout straths, glens and coastal lands. An extensive pattern of commercial forest plantation characterises the straths which wrap around the Proposed Development site to the south and east. Wind turbines are an established feature within parts of this central and eastern area, mostly focussed around the lower lying ridges and plateaux that flank the main inhabited glens, inland from the immediate coastal ridges. The landscape to the south and east of the application site is characterised by lower, rolling hills, extensive areas of forest plantation and rural settlement within the straths and glens. Wind turbines are a frequent feature of the rounded hills surrounding the straths and glens. The turbines range from 248m (Turbine 16) Above Ordnance Datum (AOD) to 387m AOD (T20).

2.3 The site itself is not covered by any statutory international, national, regional or local landscape-related designations. The closest statutory landscape designation is Assynt – Coigach National Scenic Area NSA, which is Located approximately 9.8km to the north-west of the Proposed Development. There is a further NSA within the wider study area, Dornoch Firth NSA which is located approximately 20.3km to the south-east of the proposed development. The site is located within the southern part of the Reay-Cassely Wild Land Area (WLA). Whilst WLAs are not designated landscapes, they are afforded protection through Scottish Planning Policy (SPP). Also, within the study area is Foinavan-Ben Hee WLA 38, this is located around 11.6km to the north of the proposal. In terms of local landscape designations, the Ben Klibreck and Loch Choire Special Landscape Area is located from 17.2km to the north-east of the site. The Fannichs, Beinn Dearg and Glencalvie SLA is located 15.1km to south-west of the site.

2.4 There are no statutory or non-statutory natural heritage designations within the Site. The Caithness and Sutherland Peatlands SPA does adjoin the Site to the north-east, as does the SPA's underlying Ramsar Site and the Grudie Peatlands SSSI. The SPA is designated for a range of breeding birds. The Ramsar site is designated for its blanket bog and breeding bird assemblage and the SSSI features of interest are blanket bog and three upland breeding waders (dunlin, golden plover and greenshank). The nearest other international sites designated for birds are the Strath Carnaig and Strath Fleet Moors SPA, approximately 15km to the east, Inverpolly, Loch Urigill and nearby Lochs SPA and Lairg and Strath Brora Lochs SPA. These are both approximately 11km from the Site.

2.5 There are no Scheduled Ancient Monuments, Listed Buildings or Conservation Areas within the application site. There are six non-designated heritage assets within the site, within 5km from the Site, there are ten Scheduled Monuments, seven Category B Listed Buildings, six Category C Listed Buildings. Between 5km and 10km from the Site, there are a 21 Scheduled Monuments, one Category A Listed Buildings and an Inventory Battlefield.

2.6 When considering wind farm projects consideration is also given to the issue of cumulative impact of any project with other operational or consented schemes within the surrounding landscape. The following table outlines the schemes within 20km of the site.

Site Name	No. of Turbines	Tip Height (m)	Location and Distance from the Proposed Development
Operational Sites			
Achany Wind Farm	19	100	1.8km to south-east
Rosehall Wind Farm	19	90	2.1km south-east.
Lairg Wind Farm	3	99.5	13.6km south-east.
Consented / Under Construction Sites			
Braemore Wind Farm	18	126	7.5km south-east
Lairg Wind Farm Extension	10	180	13.3km south-east.
Creag Riabhach WF	22	125	17.4km north-east.
Application / Appeal Sites			
Meall Buidhe WF	9	149.5	10.4km to south.
Strath Tirry Wind Farm	4	135	12.1km to north-east.
Lairg 2 WF	10	150/190/200	13.6km to south-east.
Sallachy Wind Farm	9	149.9	8.4km to north.

Garvary Wind Farm	37	180	13.5km to south-east
Scoping Sites			
Chleansaid Wind Farm	20	200	16.0km to north-east.

3. PLANNING HISTORY

3.1	17 April 2015	12/02872/S36: To construct and operate Glencassley Wind Farm - 26No. turbines (78 MW total Output) with 80m (max) hub height and 126.5m tip height complete with anemeometer masts, access tracks, borrow pits, electricity sub-station, cabling, concrete batching plant, construction compound and welfare buildings	REFUSED BY SCOTTISH MINISTERS
3.2	25 Sept 2019	19/03941/SCOP: Glencassley Wind Farm - Construct and operate a 26 turbine wind farm and associated works on Glencassley Estate	SCOPING APPLICATION DECISION ISSUED
3.3	28 Jan 2021	20/05107/SCOP: Achany Extension Wind Farm (formerly known as Glencassley Wind Farm) - Request for Scoping Opinion for a Proposed Wind Farm with Wind Turbines of a up to 149.9m to Blade Tip	SCOPING APPLICATION DECISION ISSUED

4. PUBLIC PARTICIPATION

4.1 Advertised: EIA Development

Date Advertised: The Edinburgh Gazette (30th July 2021); The Herald (30th July 2021) and The Northern Times (30th July 2021 and 6th August 2021).

Representation deadline: 15 October 2021

Representations received by Highland Council	34 representations received – 30 in support, 3 objections, 1 neutral.
Representations received by Energy Consents Unit	60 representations received – 28 in support and 32 objections

4.2 Matters considerations raised by those in support of the development:

- Socio-economic benefit
- Visual impact is acceptable

- As this is an extension the use of existing infrastructure is supported, existing wind farm operates well.
- Responds to climate change emergency and road to net zero
- Benefits to habitat management

Matters considerations raised by those objecting to the development:

- Impact upon wildlife – ornithology and fish within The River Cassley
- Visual and Landscape Impacts – including cumulative and scale of turbines
- Photomontages are not clear and EIAR underestimates landscape and visual impacts.
- Impact upon tourism
- Need to find alternative technologies
- Adverse transportation impacts
- Adverse impact on NSA wild land areas
- Impact on peat
- Policy position does not allow development at any cost to the environment.
- Not in compliance with the Development Plan
- Impact upon amenity
- Provisions of the Electricity Act 1989 are not met.
- The carbon payback model should be independently validated.

4.3 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.

5. CONSULTATIONS

Consultations undertaken by The Highland Council

5.1 **Creich Community Council** did not respond

5.2 **Lairg Community Council** did not respond

5.3 **Historic Environment Team (Archaeology)** do not object to the application but require a planning condition for a watching brief.

5.4 **Flood Risk Management Team** do not object to the application and have no comments to make.

5.5 **Environmental Health** do not object to the application. It considers that given the distance to receptors and the adherence to a Construction Environmental Management Plan (CEMP) construction noise is not likely to be a significant issue. Recommends a planning condition to control operational including cumulative

noise limits based on the simplified criterion described in ETSU-R-97, limiting noise levels at the nearest noise sensitive properties to no more than 35 dB, LA90,10min at 10m wind speeds of up to 10 ms-1.

5.6 **Access Officer** does not object to the application. It states that the new and upgraded tracks for this development will be accessible to the public during the operation of the development. A Recreational Access Management Plan will be required to ensure these access rights can be exercised, giving regard in particular to access control infrastructure (gates/fences etc) and permanent site signage. No public access during the construction phase will be expected, though the existing tracks could be opened for public access upon completion of any upgrading works.

5.7 **Transport Planning Team** do not object to the application. Further clarification on a number of methodological matters was sought and the information submitted by the applicant is considered to be acceptable. It considers that there is capacity for the development traffic to be accommodated on the local road network. It recommends conditions to secure: a construction traffic management plan (CTMP); detailed review of routes and programme of mitigation works; structural assessment of bridges, culverts and other affected structures along the route; a video trial run between the Port of Entry and the site identifying and committing to mitigation that may be required; conclusion of a Section 96 wear and tear agreement under the Roads Scotland Act; a programme of notification of any maintenance which may involve HGV / abnormal load movements during the operational life of the development.

5.8 **Development Plans Team** do not object to the application. It outlines the applicable Development Plan policies and wider policy assessment.

5.9 **Consultations Undertaken by The Scottish Government's Energy Consents Unit (ECU)**

5.10 **British Telecom** do not object to the application. It considers the proposal should not cause interference to BT's current and presently planned radio network.

5.11 **Crown Estate Scotland** do not object to the application. It confirms that the assets of Crown Estate Scotland are not affected by the proposal.

5.12 **Historic Environment Scotland (HES)** do not object to the application. It recognises that there will be significant impacts upon the setting of the Iron Age Dail Langwell broch, HES are content that the severity of this impact does not raise issues of national interest, so do not object to the scheme.

5.13 **Joint Radio Company** do not object to the application and does not foresee any potential problems based on known interference scenarios.

5.14 **John Muir Trust : object** to the application on visual and landscape impacts, in particular the landscape designations and Reay-Cassley Wild Land Area, including cumulative impact. It also raises impacts upon peat**.**

5.15 **The Kyle of Sutherland District Salmon Fishery Board** do not object to the application.

5.16 **Ministry of Defence, Defence Infrastructure Organisation** do not object to the application, but request a condition requiring the submission of an aviation lighting scheme and that they are notification at least 14 days prior to the commencement of the development.

5.17 **Mountaineering Scotland : object** to the application on the grounds of visual impact in particular relating to the Assynt-Coigach National Scenic Area and Reay-Cassley Wild Land Area. It raises concerns with regards to the photomontages which lack clarity from some of the mountain locations, It raises concerns in relate to tourism and recreation.

5.18 **National Air Traffic Services Safeguarding (NATS)** do not object to the application. It notes that the proposal does not conflict with its safeguarding criteria.

5.19 **NatureScot : object** to the application in relation to the impacts upon the Reay-Cassley Wild Land Area. It offers no objection in relation to the Assynt-Coigach National Scenic Area. It also raises no objection to matters regarding peat, ornithology, mammals and wider ecological aspects. However, request planning conditions to ensure the implementation of the outlined mitigation, a finalised Construction Environmental Management Plan (CEMP) and Pollution Prevention Plans and a finalised Habitat Management Plan and pre-commencement surveys.

5.20 **Royal Society for the Protection of Birds Scotland (RSPB)** do not object to the application and are content that the proposal would be unlikely to result in an adverse effect on the integrity of the Caithness and Sutherland Peatlands SPA and SAC, despite the site's proximity to the protected sites boundary. However, RSPB have some concerns regarding potential impacts of this proposal on a number of wider countryside species and due to uncertainties, a precautionary approach is needed and further mitigation and a robust and deliverable detailed Habitat Management Plan should be secured by condition.

5.21 **Scottish Water** do not object to the application. It notes the proposal would not affect any Scottish Water drinking water catchment areas. It provides advice that it would not support surface water drainage connections to the public sewer network.

5.22 **Scottish Environment Protection Agency (SEPA)** do not object to the application following clarification by the applicants regarding the siting of turbines 8 and 9 within the micro-siting allowance of 50m to avoid the deepest area of peat.

In addition, SEPA requested planning conditions requiring the submission of a finalised Peat Management Plan which should demonstrate how micro-siting and other measures such as floating tracks have been used to further minimise peat and good quality peat habitat disturbance, ensure that all tracks on greater than 1m peat are floated. A condition controlling the micro-siting allowance. The implementation of site-specific mitigation where any access track traverses any natural watercourses, ephemeral streams as well as habitat containing natural flows (all potential GWDTE habitats identified in Figure 10.1.5a). The submission and adherence to a finalised Habitat Management Plan which shall deliver no less

than 41.27ha of peatland improvement works. Finally, conditions relating to the type of watercourse crossings, adherence to the mitigation outlined in the Schedule of Mitigation (Volume 2, Chapter 18), borrow pit restoration and a Finalised Decommissioning and Restoration Plan.

5.23 **Scottish Forestry** do not object to the application. They consider that the scheme is likely to have no impact on forests and/or woodlands. The infrastructure of the proposed development is to be located out-with the afforested area, with possible exemption of proposed temporary construction compound, that is to be located at the eastern edge of a forest block near the access track's exit onto A839. It seeks reassurance that the Applicant will take all necessary precautions to avoid tree/woodland removal.

5.24 **Transport Scotland** do not object to the application. It requests conditions to secure details of the final abnormal road route and any traffic management required to be undertaken by a quality assured traffic management consultant.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

28 - Sustainable Design
29 - Design Quality & Place-making
30 - Physical Constraints
31 - Developer Contributions
51 - Trees and Development
53 - Minerals
54 - Mineral Wastes
55 - Peat and Soils
56 - Travel
57 - Natural, Built & Cultural Heritage
58 - Protected Species
59 - Other important Species
60 - Other Importance Habitats
61 - Landscape
63 - Water Environment
64 - Flood Risk
65 - Waste Water Treatment
66 - Surface Water Drainage
67 - Renewable Energy Developments:

- Natural, Built and Cultural Heritage
- Other Species and Habitat Interests
- Landscape and Visual Impact
- Amenity at Sensitive Locations
- Safety and Amenity of Individuals and Individual Properties
- The Water Environment
- Safety of Airport, Defence and Emergency Service Operations
- The Operational Efficiency of Other Communications
- The Quantity and Quality of Public Access

- Other Tourism and Recreation Interests
- Traffic and Transport Interests

68 - “Community” Renewable Energy Developments
69 - Electricity Transmission Infrastructure
72 - Pollution
73 - Air Quality
77 - Public Access

Caithness and Sutherland Local Development Plan 2018 (CaSPlan)

6.2 No policies or allocations relevant to the proposal are included in the adopted Local Development Plan. It does however confirm the boundaries of Special Landscape Areas within the plan’s boundary.

The Highland Council Supplementary Guidance

Onshore Wind Energy Supplementary Guidance, Nov 2016 (OWESG)

6.3 The document provides additional guidance on the principles set out in HwLDP Policy 67 - Renewable Energy Developments and reflects the updated position on these matters as set out in Scottish Planning Policy (SPP). This document forms part of the Development Plan and is a material consideration in the determination of planning applications.

6.4 The document includes a Spatial Framework, which is in line with Table 1 of SPP. The site lies within a Group 2 Area of Significant Protection. The two Group 2 features present are: Wild Land Area 34 Reay - Cassley; and Carbon Rich Soils, Deep Peat and Priority Peatland Habitat (CPP). CPP is a nationally important mapped environmental asset that indicates where the resource is likely to be found with a detailed peat assessment being required to guide development away from the most sensitive areas and help inform potential mitigation.

6.5 The Council is currently in the process of undertaking landscape sensitivity appraisals (and identifying strategic capacity) for wind energy across Highland, including in Sutherland and Ross-shire, a study area which includes the proposed development site. A draft appraisal for this study area is being prepared (although work is currently on hold), following the methodology and format of those studies already adopted. This has not yet been published for consultation, although it is hoped to take the work 'off hold' and to publish a draft appraisal in 2022.

Other Supplementary Guidance

6.7 The following Supplementary Guidance also forms a statutory part of the Development Plan and is considered pertinent to the determination of this application:

- Developer Contributions (November 2018)
- Flood Risk & Drainage Impact Assessment (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)

- Highland's Statutorily Protected Species (March 2013)
- Highland Renewable Energy Strategy & Planning Guidelines (May 2006)
- Managing Waste in New Developments (March 2013)
- Physical Constraints (March 2013)
- Special Landscape Area Citations (June 2011)
- Standards for Archaeological Work (March 2012)
- Trees, Woodlands and Development (Jan 2013)

7. OTHER MATERIAL CONSIDERATIONS

7.1 The Highland-wide Local Development Plan is currently under review and is at Main Issues Report Stage. It is anticipated the Proposed Plan will be published following publication of secondary legislation and National Planning Framework 4.

7.2 In addition, the Council has further advice on delivery of major developments in a number of documents. This includes Construction Environmental Management Process for Large Scale Projects (Aug 2010) and The Highland Council Visualisation Standards for Wind Energy Developments (Jul 2016).

Scottish Government Planning Policy (SPP) and Guidance

7.3 Scottish Planning Policy (SPP) advances principal policies on Sustainability and Placemaking, and subject policies on A Successful, Sustainable Place; A Low Carbon Place; A Natural, Resilient Place; and A Connected Place. It also highlights that the Development Plan continues to be the starting point of decision making on planning applications. The content of the SPP is a material consideration that carries significant weight, but not more than the Development Plan, although it is for the decision maker to determine the appropriate weight to be afforded to it in each case.

7.4 SPP sets out continued support for onshore wind. It requires Planning Authorities to progress, as part of the Development Plan process, a spatial framework identifying areas that are most likely to be most appropriate for onshore wind farms as a guide for developers and communities. It also lists likely considerations to be taken into account relative to the scale of the proposal and area characteristics (Para. 169 of SPP).

7.5 Paragraph 170 of SPP sets out that areas identified for wind farms should be suitable for use in perpetuity. This means that even though the consent is time limited the use of the site for a wind farm must be considered as, to all intents and purposes, a permanent one. The implication of this is that operational effects should be considered as permanent, and their magnitude should not be diminished on the basis that the specific proposal will be subject to a time limited consent.

7.6 National Planning Framework 4 will, in due course, supersede Scottish Planning Policy and form part of the Development Plan. Draft National Planning Framework 4 was published in November 2021. It comprises four parts, summarised below:

- Part 1 – sets out an overarching spatial strategy for Scotland in the future. This includes priorities, spatial principles and action areas.
- Part 2 – sets out proposed national developments that support the spatial strategy.
- Part 3 – sets out policies for the development and use of land which are to be applied in the preparation of local development plans; local place plans; masterplans and briefs; and for determining the range of planning consents. It is clear that this part of the document should be taken as a whole, and all relevant policies should be applied to each application.
- Part 4 – provides an outline of how Scottish Government will implement the strategy set out in the document.

7.7 The Spatial Strategy sets out that we must embrace and deliver radical change so we can tackle and adapt to climate change, restore biodiversity loss, improve health and wellbeing, build a wellbeing economy and create great places. It makes it clear that new development and infrastructure will be required to meet the net zero targets by 2045. To facilitate this, it sets out that we must rebalance our planning system so that climate change and nature recovery are the primary guiding principles for all our decisions. It sets out that significant weight should be given to the global climate emergency when considering development proposals. The draft sets out that the planning system should support all forms of renewable energy development in principle. Specific to this proposal it states that development proposals to extend and expand existing wind farms should be supported unless the impacts identified (including cumulative effects) are unacceptable. It continues to highlight a range of considerations for renewable energy applications, similar to the existing provisions of Scottish Planning Policy.

Other Relevant National Guidance and Policy

7.8 A range of other national planning and energy policy and guidance is also relevant, including but not limited to the following:

- National Planning Framework for Scotland 3, NPF3
- Scottish Energy Strategy (Dec 2017)
- Historic Environment Policy for Scotland (HEPS, 2019)
- PAN 1/2011 - Planning and Noise (Mar 2011)
- Circular 1/2017: Environmental Impact Assessment Regulations (May 2017)
- PAN 60 – Planning for Natural Heritage (Jan 2008)
- 2020 Routemap for Renewable Energy (Jun 2011)
- Onshore Wind Energy (Statement), Scottish Government (Dec 2017)
- Onshore Wind Energy (Statement) Refresh Consultation Draft, Scottish Government (October 2021)
- Siting and Designing Wind Farms in the Landscape, SNH (Aug 2017)
- Wind Farm Developments on Peat Lands, Scottish Government (Jun 2011)

- Energy Efficient Scotland Route Map, Scottish Government (May 2018)
- Assessing Impacts on Wild Land Areas, Technical Guidance, NatureScot (Sep2020)

8. PLANNING APPRAISAL

8.1 As explained, the application has been submitted to the Scottish Government for approval under Section 36 of the Electricity Act 1989 (as amended). Should Ministers approve the development, it will receive deemed planning permission under Section 57(2) of the Town and Country Planning (Scotland) Act 1997 (as amended). While not a planning application, the Council processes S36 applications in the same way as a planning application as a consent under the Electricity Act will carry with it deemed planning permission.

8.2 Schedule 9 of The Electricity Act 1989 contains considerations in relation to the impact of proposals on amenity and fisheries. These considerations mean the developer should:

- Have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and
- Reasonably mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects.

8.3 It should be noted that for applications under the Electricity Act 1989 that the Development Plan is just one of a number of considerations and Section 25 of the Town and Country Planning (Scotland) Act 1997 which requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise, is not engaged.

Determining Issues

8.4 While this is the case 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.

Planning Considerations

8.5 The key considerations in this case are:

a) compliance with the development plan and other planning policy

b) planning history;

c) energy and economic benefits;

d) construction;

e) transport and access;

f) hydrology, hydrogeology and peat;

g) natural heritage (including ornithology);

h) built and cultural heritage;

i) design, landscape and visual impact (including wild land areas)

j) noise and shadow flicker;

k) telecommunications;

l) aviation;

m) decommissioning, and

n) other material considerations

Development plan/other planning policy

8.6 The Development Plan comprises the adopted Highland-wide Local Development Plan (HwLDP), Caithness and Sutherland Local Development Plan (CaSPlan) and all statutorily adopted supplementary guidance. If the Council is satisfied that the proposal is not significantly detrimental overall, then the application will accord with the Development Plan. The HwLDP was in place at the time of consideration and determination of the original application.

8.7 The principal HwLDP policy on which the application needs to be determined is Policy 67 - Renewable Energy. HwLDP Policy 67 sets out that renewable energy development should be well related to the source of the primary renewable resource needed for operation, the contribution of the proposed development in meeting renewable energy targets and positive/negative effects on the local and national economy as well as all other relevant policies of the Development Plan and other relevant guidance. In that context the Council will support proposals where it is satisfied, they are located, sited and designed such as they will not be significantly detrimental overall, individually or cumulatively with other developments having regard to 11 specified criteria (as listed in HwLDP Policy 67). Such an approach is consistent with the concept of Sustainable Design (HwLDP Policy 28) and aim of SPP to achieve the right development in the right place; it is not to allow development at any cost.

8.8 If the Council is satisfied that the proposal is not significantly detrimental overall, then the application will accord with the Development Plan.

Caithness and Sutherland Local Development Plan

8.9 The Caithness and Sutherland Local Development Plan does not contain any specific land allocations related to the proposed development. Paragraph 74 of the CASPlan sets out that the Special Landscape Area boundaries have been revised for CASPlan to ensure “key designated landscape features are not severed and that distinct landscapes are preserved.” The boundaries set out in CASPlan are supported by a background paper which includes citations for the Special Landscape Areas. Policies 28, 57, 61 and 67 of the HwLDP seek to safeguard these regionally important landscapes. The impact of this development on landscape is primarily assessed in the Design, Landscape and Visual Impact (including Wild Land) section of this report.

8.10 **Onshore Wind Energy Supplementary Guidance (OWESG)**

The Council's OWESG is a material consideration in the determination of planning applications. The supplementary guidance does not provide additional tests in respect of the consideration of development proposals against Development Plan policy. However, it provides a clear indication of the approach the Council towards the assessment of proposals, and thereby aid consideration of applications for onshore wind energy proposals.

8.11 The OWESG contains a Spatial Framework for wind energy as required by SPP. The site lies within a Group 2 Area of Significant Protection. The two Group 2 features present are: Wild Land Area 34 Reay - Cassley; and Carbon Rich Soils, Deep Peat and Priority Peatland Habitat (CPP). CPP is a nationally important mapped environmental asset that indicates where the resource is likely to be found with a detailed peat assessment being required to guide development away from the most sensitive areas and help inform potential mitigation. The development has largely avoided areas of deep peat.

8.12 Further, the OWESG approach and methodology to the assessment of proposals is applicable and is set out in the OWESG Para 4.16 - 4.17. It provides a methodology for a judgement to be made on the likely impact of a development on assessed "thresholds" in order to assist the application of HwLDP Policy 67. The OWESG lists ten landscape and visual criteria that the Council uses as a framework for assessing proposals. They are not absolute requirements but set out key considerations of the Council. Consideration of the proposal against the criteria is contained within Appendix 3 to this report. The applicant has also provided an assessment against these criteria.

National Planning Policy

8.13 National planning policy remains supportive of onshore wind energy development with the framework for assessing wind farm proposals set out in Scottish Planning Policy (SPP). SPP sets out that areas identified for wind farms should be suitable for use in perpetuity. In determining the original application, Ministers considered that impacts had been minimised or mitigated.

Notwithstanding the overarching context of support, SPP recognises that the need for energy and the need to protect and enhance Scotland's natural and historic environment must be regarded as compatible goals. The planning system has a significant role in securing appropriate protection to the natural and historic environment without unreasonably restricting the potential for renewable energy. National policies highlight potential areas of conflict but also advise that detrimental effects can often be mitigated, or effective planning conditions can be used to overcome potential objections to development.

8.14 Criteria outlined within SPP for the assessment of applications for renewable energy developments include landscape and visual impact; effects on heritage and historic environment; contribution to renewable energy targets; effect on the local and national economy and tourism and recreation interests; benefits and dis-benefits to communities; aviation and telecommunications; development with the peat environment, noise and shadow flicker; and cumulative impact. A number of

criteria are set out in SPP against which proposals for on-shore wind energy development should be assessed (paragraph 169). These criteria are primarily reflected in Policy 67 (Renewable Energy) of the Highland-wide Local Development Plan. A failure against one of these criteria does not necessarily mean that a development fails, all these criteria must be given consideration.

8.15 As a statement of the Government's approach to spatial planning in Scotland, National Planning Framework 3 (NPF3) is a material consideration that should be afforded significant weight in the planning balance. NPF3 considers that onshore wind has a role in meeting the Scottish Government's targets to achieve at least an 80% reduction in greenhouse gas emissions by 2050, and to meet at least 30% overall energy demand from renewables by 2020, including generating the equivalent of at least 100% of gross electricity consumption from renewables. However, it should be noted that the targets set out in NPF3 have now been superseded by legislation which sets the legally binding target of net zero by 2045.

8.16 As set out above, National Planning Framework 4 (NPF4) was published in draft form in November 2021. This document is still going through the parliamentary process and consultation, therefore the weight to be attached to the document is not the same as the adopted Scottish Planning Policy, National Planning Framework 3 or the Development Plan. However, it can be given weight in the process of determining applications. It will be up to Scottish Ministers to determine the weight to be afforded to it in reaching their determination depending on the status of the document at the time of reaching their determination on this application.

8.17 A number of matters of relevance arise out of the draft NPF4 in relation to this proposal and these are explored further below:

- Draft NPF4 identifies electricity generation from renewable sources of, or exceeding 50MW as national development. The proposed development would therefore be classed as a national development as it would have a capacity of 80MW. Such developments have been identified as national developments due to the need an increase in renewable energy production in order to meet net zero targets. It also highlights that Generation is for consumption domestically as well as for export to the UK and beyond, with new capacity helping to decarbonise heat, transport and industrial energy demand. It notes that this has the potential to support jobs and business investment, with wider economic benefits.
- For the first time in a planning policy document, confirmation has been provided that when considering all developments significant weight should be given to the Global Climate Emergency. As a development that generates renewable energy this proposal has inherent support from this aspect of NPF4, however the impact on the carbon resource as a result of the development will require further consideration to determine whether the impact of the proposed development is positive or negative in this regard. This aspect is outlined later in this report, the overall carbon payback period is considered to be acceptable.

- Recognising the Ecological Emergency, the draft NPF4 also sets out that proposals should contribute to the enhancement of biodiversity. The proposed development includes provision for peatland restoration which meets with the provisions of the proposed approach in draft NPF4 for the restoration of degraded habitats and the strengthening of nature networks.

Considerations for green energy applications have been updated and there is no longer an explicit spatial framework for onshore wind energy developments. Instead, it sets out that proposals for new development, extensions and repowering of existing renewable energy developments should be supported. The proposal subject to this application would be considered an extension so would benefit from this in principle support. However, it goes on to set out that such proposals should be supported unless the impacts identified (including cumulative effects), are unacceptable. The impacts of the change to the proposal are assessed in relation to this application later in this report. Draft NPF4 also highlights a number of matters which must be taken into account in reaching a determination on an application for renewable energy. Subject to some minor wording changes, this is largely reflective of the considerations set out in SPP paragraph 169.

8.18 A number of publications relating to national energy policy have been published by the Scottish Government. In short, none indicate a relevant distinct policy change. Most relevant to this application are as follows:

- Scottish Energy Strategy: The future of energy in Scotland (Dec 2017)
- On-shore Wind Policy Statement (Dec 2017)
- Scottish Government, Securing a Green Recovery on a Path to Net Zero: Climate Change Plan 2018–2032 – update, December 2020;
- Committee on Climate Change, The Sixth Carbon Budget, *The UK's Path to Net Zero*. (including Policy and Methodology) December 2020;
- National Audit Office, Net Zero Report, December 2020;
- HM Government, Energy White Paper, Powering our Net Zero Future, December 2020.

8.19 Further to the above, in late 2019 the Scottish Government's targets for reduction in greenhouse gases were amended by The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019. This sets targets to reduce Scotland's emissions of all greenhouse gases to net-zero by 2045 at the latest, with interim targets for reductions of at least 56% by 2020, 75% by 2030, 90% by 2040.

8.20 The statements of continued strong support relating to onshore wind contained within these documents are acknowledged. Support for onshore wind is anticipated to meet with the continued aspiration to decarbonise the electricity network, enable communities to benefit more directly in their deployment and to support the renewables industry and wider supply chain. Larger, more optimal turbines are anticipated as is the expectation that landscapes already hosting wind energy schemes will continue to do so beyond the lifetime of current consents/permissions.

8.21 However, it is also recognised that such support should only be given where justified. The Onshore Wind Policy Statement sets out the need for a more strategic approach to new development that acknowledges the capacity that landscapes have to absorb development before landscape and visual impacts become unacceptable. With regard to planning policy, these statements largely reflect the existing position outlined within NPF3 and SPP, a policy framework that supports development in the justified locations. In addition, it must be recognised that the greenhouse gas reduction targets and the targets in the Energy Strategy are related not just to production of green energy but also related to de-carbonisation of heat and transportation.

8.22 The Scottish Government published Onshore Wind Policy Statement Refresh 2021: Consultative Draft in October 2021. This set out that onshore wind remains vital to Scotland's future energy mix and that we will need additional onshore wind energy toward the target of net zero. However, in doing so it was clear that additional capacity is not at any cost and it needs to be balanced and aligned with protection of natural heritage, native flora and fauna. The document also highlights the challenges and opportunities faced by the deployment of additional onshore wind energy capacity as well as consulting on a target of an additional 8-12GW of onshore wind energy capacity being delivered. Importantly it notes that the matter of landscape and visual impacts of onshore wind development remains an evolving area. As part of this evolution, it considers that while decisive action to tackle climate change will change how Scotland looks Scotland's most cherished landscape are a key part of natural and cultural heritage and must be afforded the necessary protection.

Planning History

8.23 As detailed in section 3 above, there was a previous application to construct a 26 turbine (126.5m to tip height) wind farm in the area - 12/02872/S36 ('Glencassley Wind Farm'). The Highland Council North Planning Applications Committee raised no objection to this application in 2013, subject to the removal of three turbines. However, the scheme was refused by Scottish Ministers in 2015 for the following reasons:

"Whilst Ministers are satisfied that many of the environmental issues have been appropriately addressed by way of the design of the proposal and mitigation, the impacts which remain, most particularly in respect of the impacts of the Development on the NSA and on wild land, are not acceptable and are not outweighed by any wider policy benefit. Scottish Ministers consider that the balance is not in favour of the Development, and consent under section 36 of the Electricity Act 1989 is therefore refused".

8.24 In response, the applicants have sought to address and overcome the reasons for refusal through design iteration with an initial focus on moving the development further from the NSA boundary, closer to the operational Achany Wind Farm and limit the extent of the site boundary which is within the WLA.

Energy and Economic Benefits

8.25 The Council continues to respond positively to the Government's renewable energy agenda. The government's recent Onshore Wind Energy Statement Consultation Draft states that there is currently 8.4 GW of installed capacity in Scotland, with a further 4.69 GW in the planning/consenting process, 4.64 GW are awaiting construction and 0.43 GW under construction. Highland onshore wind energy projects currently have an installed capacity of 2.5 GW, there is a further 1.18 GW of generation permitted but not yet built and 1.3 GW currently under construction. Onshore wind in Highland therefore account for around 29.8% of the national installed onshore wind energy capacity. There is also a further 1.326GW of onshore wind farm proposals currently in planning pending consideration in Highland, and 1.7GW of off-shore wind when accounting for all installed, under-construction or consented schemes around the coast of Highland.

8.26 While Highland Council has effectively met its own target, as previously set out in the Highland Renewable Energy Strategy, it remains the case that there are areas of Highland capable of absorbing renewable developments without significant effects. However, equally the Council could take a more selective approach to determining which wind farm developments should be supported, consistent with national and local policy. This is not treating targets as a cap or suggesting that targets cannot be exceeded, it is simply a recognition of the balance that is called for in both national and local policy.

8.28 The scheme has the potential to generate up to 80 MW, with each turbine expected to have the potential to generate up to 4MW. The existing 19 turbine Achany Wind Farm has an installed capacity of 38 MW. Later in this report further visual impact mitigation will be outlined which will recommend the removal of two turbines from the scheme. If accepted by Ministers, this will reduce the energy yield by 8 MW. However, even with this reduction, the yield from this development would be significant. Therefore, notwithstanding any significant impacts that this proposal may have upon the landscape resource, amenity and heritage of the area, the development could be seen to be compatible with Scottish Government policy and guidance and increase its overall contribution to the Government, UK and European energy targets

8.29 The proposed development anticipates a construction period of 18 months, 50 years of operation prior to decommissioning or repowering. Such a project can offer significant investment/opportunities to the local, Highland, and Scottish economy including businesses ranging across construction, haulage, electrical and service sectors. The application has been accompanied by a socio-economic, recreation and tourism impact study (see EIAR chapter 14) which looks at both the construction and operational phases for the development.

8.30 The applicant estimates that approximately £80 million could be invested into the Proposed Development in capital expenditure during the construction phase, with £9.6million directly into the Highlands. It is further predicted that the construction phases of the development could support a total of 204.7 job years (equivalent to 20.5 FTEs) in Scotland including 74.6 (7.4 FTEs) in the Highlands. In terms of the operational phase, it is estimated that the Proposed Development could support an

additional 28.5 FTE jobs in Scotland per annum, of which 18.7 could be in the Highlands. In Gross Value Added (GVA) terms the construction phase has the potential to provide £4.1 million into the Highlands economy and £11.7 million to the Scottish economy. The operational phase has the potential to provide £1.14 million per annum into the Highlands economy and £1.43 million to the Scottish economy.

8.31 Additional wider benefits associated with the proposed development will be via a Community Fund, this will provide funding to local communities and community projects. The effect of economic multipliers during the construction phase is expected to generate in total 163.8 job years (16.4 FTEs) and £10.51m in addition to the direct impacts. As part of this, the Highland region can expect to benefit from the multiplier effect too, with an additional 30 job years (3 FTE jobs) and £2.46 million in GVA. Looking separately at the wider impacts of employee spend, the construction phase is expected to generate 47.84 job years (47.8FTEs) in Scotland, including 9.17 (9.2FTEs) in the Highlands, and £2.76 million in GVA in Scotland, including £0.53 million in the Highlands. In terms of the operational phase, when adding in the potential multiplier effect and employee spend which would boost the economy further. The effect of economic multipliers per annum during the operations and maintenance phase is expected to generate annually 19.93 FTE jobs in Scotland, as well as £0.72 million in GVA. As part of this multiplier impact, the Highland region can expect an additional 6.54 FTE jobs and £0.29 million in GVA. Looking separately at the wider impacts of employee spend, the operations and maintenance phase is expected to generate, annually, 6.65 FTE jobs in Scotland, including 2.30 in the Highlands, and £0.38 million in GVA in Scotland, including £0.13 million in the Highlands.

8.32 The applicant notes that there will be economic benefits to the local community and economy arising from the community benefit fund and additional expenditure in the local economy. The economic benefits of the development are highlighted in many of the letters of support for the development

8.33 However, there is also likely to be some adverse effects caused by construction traffic and disruption, these will be temporary in nature and managed through the identified mitigation. In terms of impact upon tourism, the applicant's socio-economic assessment of impact identifies that the application site itself has low recreational and tourism value, other than some game shooting activity and fishing through the estates. There is potential that this activity could be disrupted during the construction phase, however, this would be short-term and temporary in nature. In terms of operational effects, the EIAR cites a number of studies which conclude that there is no empirical evidence linking wind farm development and the number of visitors and tourism related employment. The EIAR concludes that the development is unlikely to have a significant adverse impact on tourism.

8.34 EIAR Chapter 11 and Technical Appendix 11.4, state that the net emissions of carbon dioxide from the development are predicted to be 168,549 tonnes of CO2. Over its 50-year lifetime the project is expected to generate over 10.5 million MWh of electricity, this represents a savings of carbon dioxide for each unit of electricity generated by the project which otherwise would have been generated by other sources. Once the wind farm is operational, it is expected to result in an annual savings of 53,490 tonnes of CO2e versus grid-mix electricity generation. As such,

the project has a payback time of 3.2 years compared to grid-mix electricity generation. These savings are even greater (and payback time faster) when compared to fossil fuel-mix electricity and coal-fired electricity. Further elements of the carbon offsetting will come in the form of peatland restoration which will occur as part of the habitat management plan.

Construction

8.35 It is anticipated that the construction period for this scale of development would be 18 months. The proposed working hours are 07.00 – 19.00 Monday to Friday, 07.00 – 14.00 on Saturday with no Sunday of Bank Holiday working. Developers have to comply with reasonable operational practices with regard to construction noise so as not to cause nuisance. Section 60 of the Control of Pollution Act 1974 sets restrictions in terms of hours of operation, plant and equipment used and noise levels etc. and is enforceable via Environmental Health. The applicant is committed to ensuring that best practice mitigation measures are adopted to manage noise emissions during construction, including restrictions on construction working hours. These will be form part of the Construction Environmental Management Plan (CEMP). Environmental Health are content that given the distance from receptors and the commitments controlled through the CEMP that construction noise is not likely to be a significant issue.

8.36 The applicant has stated they will utilise a Construction Traffic Management Plan (CTMP) that will be used in conjunction with a Construction Environment Management Plan (CEMP) throughout the construction period. It is recommended that the final versions of these documents should be secured via planning conditions. These should be “plan based” highlighting the measures being deployed to safeguard specific local environmental resources and not simply re-state best practice manuals. Due to the scale of the development SEPA will control pollution prevention measures relating to surface water run-off via a Controlled Activities Regulations Construction Site Licence.

8.37 In addition to the requirement for submission and agreement of the above, the Council will require the applicant to enter into legal agreements and provide financial bonds with regard to its use of the local road network (Wear and Tear Agreement) and final site restoration (Restoration Bond). In this manner the site can be best protected from the impacts of construction and for disturbed ground to be effectively restored post construction and operational phases.

8.38 The applicant has requested a micro-siting allowance of 50m for site infrastructure (tracks, turbine locations, underground cables and crane hard standing areas) this is to avoid or minimise environmental or engineering constraints identified during pre-construction ground investigation or construction phase excavation works. This is considered to be a reasonable allowance to address unforeseen onsite constraints, anything in excess of 50m may have a significant effect on the composition of a development. SEPA are content with this distance subject to any siting within this allowance not being located on peat deeper than presented in this submission. RSPB note that turbines 17, 18 and 20 are located within 100m of the

SPA, SAC, SSSI and Ramsar sites boundaries, T18 being only 45m from the boundary. If consent is granted, RSPB consider that micro-siting should not be permitted which would result in these turbines being any closer to the designed sites and this should be controlled by a suitably worded condition.

8.39 The applicants are committed to ongoing engagement with the community, through a Community Liaison Group, this will ensure that the community council and other stakeholders are kept up to date and consulted before and during the construction period.

Transport and Access

8.40 The application has been supported by a Transport Assessment; the results is contained within Chapter 13 of the EIAR. The existing Achany Wind Farm site access will be used. It has also been assumed in the applicant's Transport Assessment that the bulk of stone (80%) required for the development would be sourced from onsite borrow pits but for the purposes of the assessment a small allowance has been made for the use of local quarried. Further concrete batching will take place on site. The preferred access strategy proposes that all turbine abnormal loads will originate from either Nigg or Invergordon and access the site via the A9 to Loch Fleet and then the A839 passing through Lairg before entering the site from the east.

8.41 The EIAR anticipates that the maximum traffic movements associated with construction of the Proposed Development are predicted to occur during months 7 to 8 of the programme. During these months, an average of 93 HGV movements is predicted per day and it is estimated that there would be a further 52 car and minibus / LGV movements per day to transport construction workers to and from the Proposed Development. The applicant's Transport Assessment has found that there would not be significant effects as a result of increased vehicle movements. The applicant proposes a range of mitigation such as the delivery of a Construction Traffic Management Plan. In principle this type of mitigation is accepted subject to detailed consideration of the plan in due course.

8.42 Both Trunk Road Authority and the Council Transport Planning Team has confirmed that development traffic can be accommodated on the road network, subject to conditions and a requirement for a s96 legal agreement to address "wear and tear" provisions. These will be consistent with current best practice. These need to highlight potential cumulative impacts arising with other major developments. The conditions are to secure:

- A Construction Traffic Management Plan (CTMP) to include matters such as the confirmation that no traffic will use the A937, risk assessment for the abnormal loads, with traffic management and mitigation measures,
- Road Mitigation Schedule of Works including any upgrades to roads, drainage, site access, the use of a videoed trial run, and a structural assessment of bridges, culverts and any other affected structures along the route.

8.43 The site, like most land in Scotland, is subject to the provisions of the Land Reform (Scotland) Act 2003. The Councils Access Officer does not object to the application and states that the new and upgraded tracks for this development will be accessible to the public during the operation of the development. A Recreational Access Management Plan will be required to ensure these access rights can be exercised, giving regard in particular to access control infrastructure (gates/fences etc) and permanent site signage. No public access during the construction phase will be expected, though the existing tracks could be opened for public access upon completion of any upgrading works.

Hydrology, Hydrogeology and Peat

8.44 The EIAR has identified, assessed impacts and offered mitigation measures on Hydrology, Hydrogeology and Peat. The results of the applicant's assessment are outlined in Chapters 10 and 11 of the EIAR and a summary of the mitigation measures are detailed in Chapter 18. In addition, the applicant is committed to ensuring that a finalised Construction Environment Management Plan (CEMP) will be in place to ensure that potential sources of pollution on site can be effectively managed throughout construction and in turn during operation. A draft CEMP has been submitted with the application.

8.45 The Proposed Development is located within the River Cassley hydrological catchment which forms part of the River Oykel SAC. Several smaller named and unnamed watercourses flow directly from the Site to the River Cassley. In order to protect the water environment a number of measures have been highlighted by the applicant for inclusion in the CEMP, including the adoption of sustainable drainage principles, measures to mitigate against effects of potential chemical contamination, sediment release and alteration to surface water run-off and flows. This includes setbacks from water courses, employment of an Ecological Clerk of Works (ECoW) and undertaking a programme of baseline water quality and quantity monitoring surveys prior to construction and during construction and operation of the wind farm. SEPA have no objection but require the adherence to mitigation outlined in the Schedule of Mitigation in Chapter 18 of the EIAR. In addition, SEPA request a condition which requires all watercourse crossings shall be oversized bottomless arched culverts or traditional style bridges. The Councils Flood Risk Management Team have offered no objection to the application.

8.46 Peat is present to a greater or lesser extent across the application site. There are areas affected by this development that are characterised by deep peat and priority peatland habitat. These form part of the nationally important peatland resource as identified within Scottish Planning Policy (SPP). SPP recognises that significant effects on peatland should be overcome by either siting, design or other mitigation. The application has been accompanied by a peat depth survey, a Habitat Management Plan (HMP) Peat Management Plan and a Peat Landslide Hazard and Risk Assessment. The design of the wind farm layout has evolved to avoid the deepest pockets of peat on the site.

8.47 The applicant's Peat Slide Risk Assessment analysed 4069 peat probe locations and the EIAR identifies negligible/ low risk of peat instability over the majority of the site. The peat probing has indicated that the peat thickness across the Site varies

from 0.0m to 5.8m. The majority of the Site is covered in shallow peat (<1.0m). The average peat thickness across the Site from all peat probes carried out to date is 0.6m. Peat thicknesses in excess of 1.0m have been identified within the vicinity of 3 no. proposed turbines locations; T04, T07 and T08 with the maximum peat depth being 1.73m at T8. The EIAR anticipates that a total of 244,307m3 of peat shall be excavated during construction and that 244,463m3 shall be used for reinstatement purposes, demonstrating an overall deficit of -157m3. In order to balance out this deficit, less peat can be re-used in places but given the very low difference between the extraction and re-use of peat, this demonstrates that a good balance can be achieved during construction of the proposed development.

8.48 SEPA originally submitted a holding objection to the scheme related to the impact of turbines 8 and 9 on peat. However, this has been removed following clarification by the applicants regarding the siting of turbines 8 and 9 within the micro-siting allowance of 50m to avoid the deepest area of peat. SEPA require that all tracks on greater than 1m peat to be floated, together with a finalised Peat Management Plan which should demonstrate how micro-siting and other measures such as floating tracks have been used to further minimise peat and good quality peat habitat disturbance. SEPA accept the requested micro-siting allowance of up to 50m but require that the re-sting is not onto peat deeper than currently shown in the submission. However, RSPB are concerned about the section of track between T6 and T4, although the track is floating which leads to much lower impact on peat, no explanation is provided as to why it cannot avoid the area.

8.49 A Habitat Management Plan (HMP) will be implemented as part of the proposed development to compensate for the loss of blanket bog habitat as a result of the proposal. The central aim of the habitat management plan is to restore and enhance degraded or modified blanket bog and wet heath habitats both within the Site boundary and in other areas of Glencassley Estate. NatureScot welcome this and recommend that the Habitat Management Plan (HMP) and associated bog restoration in addition to the Deer Management Plan (DMP), are taken forward through planning conditions to help offset the impacts to wider countryside peatland. They also encourage more integration between the finalised HMP and DMP, both of which* aim to provide environmental benefits to peatland habitats. Similarly, SEPA require that a finalised Habitat Management Plan is controlled which is based on the Outline Plan provided with this application and include the final details of the peat restoration works outlined in the Peat Management Plan. Adherence to a finalised Habitat Management Plan which shall deliver no less than 41.27ha of peatland improvement works. RSPB also make several recommendations towards securing an effective HMP.

8.50 To protect and where possible enhance wetland and peatland habitats and to improve carbon sequestration. SEPA have requested that all-natural watercourses, ephemeral streams as well as habitat containing natural flows and all potential GWDTE identified habitats shall be provided with site specific mitigation where an access track traverses these features. This will ensure that the habitats either side of the proposed track continue to function with uninterrupted hydrological connectivity.

8.51 Five potential borrow pits areas have been identified. To ensure that reinstatement and decommission works are carried out in a way that is sensitive to the environment, SEPA have requested that further details of the borrow pit restoration be secured by a planning condition. In addition, SEPA require a finalised Decommissioning and Restoration Plan with proposals in line with their Guidance on the life extension and decommissioning of onshore wind farms.

8.52 There are no Private Water Supplies (PWS) within 250m of the Site, however the catchment area of one PWS extends into the Site and this has been used to inform the sensitivity of surface watercourses.

8.53 Surface water management and risks of pollution as a result of these workings will be addressed via the Controlled Activities Regulations (CAR) Construction Site Licence.

Natural Heritage (including Ornithology)

8.54 The EIAR has identified and assessed impacts on protected species, ornithology, ecology and designated sites. The results of the applicant's assessment are outlined in Chapters 8 and 9 of EIAR and a summary of the mitigation measures are outlined in Chapter 18. The application is also supported by a Phase 1 Habitat Survey, National Vegetation Classification Survey, bird surveys, an otter and water vole survey, a bat survey, a GWDTE survey and aquatic ecology and freshwater fish surveys. In addition, a draft Peat Management Plan, CEMP and Habitat Management have been submitted.

8.55 The site is adjacent to part of the Caithness & Sutherland Peatlands Special Protection Area (SPA), Ramsar Site and Special Area of Conservation (SAC) protected for its range of upland birds, peatland habitats and otter. Grudie Peatlands SSSI and Strath an Loin SSSI are protected for their blanket bog habitats and are both component parts of the above SPA, SAC and Ramsar site. Grudie Peatlands SSSI is also protected for its breeding population of waders, including golden plover, greenshank and dunlin. NatureScot have no objection to the proposal subject to appropriate mitigation/ planning conditions being secured. However, 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, Scottish Government is required to consider the effect of the proposal on the SPA and SAC before it approves any application (commonly known as Habitats Regulations Appraisal).

8.56 With regards to the Caithness & Sutherland Peatlands SPA/Ramsar site, NatureScot advise that the development is not likely to affect the integrity of the site in relation to black & red-throated divers, hen harrier, golden eagles and merlins. With specific reference to golden eagles, NatureScot are content that no breeding birds have been found, however, the site is occasionally used by young, non-breeding birds for foraging, but there was a low number of recorded flights and subsequent low collision risk, this would indicate that the level of impacts will be at a very low level and within acceptable thresholds. RSPB, consider that that the mean collision risk rate of 0.12 (6 birds over the 50-year lifetime of the project) is

relatively high for such a small, recovering population. Whilst not objecting, RSPB consider that as some foraging area will be lost to the development and there is a relatively high collision risk, that the HMP should include a suitable area is identified to leave deer-stalking grallochs or carcasses outwith the windfarm development area, this will provide suitable foraging opportunities for sub-adult golden eagles that could be displaced as a result of this proposal and help to safe-guard long-term recruitment to the golden eagle population in this area.

8.57 In relation to greenshank, dunlin & golden plover, subject to a pre-construction bird survey and A Bird Protection & Mitigation Plan then the proposal should not adversely affect the integrity of the SPA/Ramsar designation. Overall, both NatureScot and RSPB are content that subject to the identified mitigation, the development is unlikely to result in an adverse effect on the integrity of the designation. Whilst RSPB consider that the potential displacement during construction for these species is high, the impacts on the SPA and Natural Heritage Zone NHZ populations of these species are not likely to be significant, particularly because mitigation for loss of breeding pairs via displacement and habitat loss has been suggested through habitat restoration.

8.58 In relation to Caithness & Sutherland Peatlands SAC, NatureScot advise that if the identified mitigation by the applicant for otters is secured then the proposal will not adversely affect the integrity of the site. This is subject to an Otter Species Protection Plan (SPP), being agreed by NatureScot & Scottish Government and informed by a pre-construction otter survey. In relation to blanket bog & wet heath, NatureScot advise that subject to mitigation relating to the restriction in micro-siting of infrastructure within 100m of the SAC boundary, the use of protective temporary fencing if any infrastructure is proposed to be within 100m of the SAC boundary and a Deer Management Plan (DMP) then the proposal will not adversely affect the integrity of the SAC designation. The mitigation measures outlined here are also relevant for the blanket bog with the Strath an Loin SSSI and Grudie Peatlands SSSI. RSPB are also content that the development is unlikely to result in an adverse effect on the integrity of the SAC.

8.59 For the Atlantic salmon and freshwater pearl mussel within the River Oykel SAC, NatureScot have advised that the CEMP and Pollution Prevention Plans, etc is required to state that any temporary drainage during construction should be designed to accommodate a 1 in 200-year storm event so adequate to prevent pollution (eg. excessive silt) which may affect this SAC. Subject to this mitigation, NatureScot consider that the proposed development should not adversely affect the integrity of the SAC.

8.60 For golden plover at the Grudie Peatlands SSSI, NatureScot consider that there are three golden plover territories within this SSSI may be affected by post-construction displacement, as they fall within a 500m distance from turbines. However, they consider that the number affected is too small to undermine the overall golden plover population.

8.61 With regards to white-tailed eagles, NatureScot consider there to be a low collision risk so the development is unlikely to affect the conservation status of each species at a Natural Heritage Zone (NHZ) level. However, RSPB, state that there was a successful breeding pair was recorded for the first time within the wider area in

2021. Although the NatureScot published core foraging distance during the breeding season for this species is 5km, with a maximum range of 13km, breeding birds are known to range much further from nest sites if there are no neighbouring territorial pairs and when populations are sparse or expanding like in Sutherland. Birds will fly 10-20km to exploit the easiest sources of food available at different times of the year. RSPB are concerned that this pair could cross the turbine array to hunt at lochs on the SPA and at Loch Shin, which could increase the likelihood of collision. Whilst not objecting, RSPB recommend that further Vantage Point surveys are undertaken to establish movement of this newly established breeding pair and to potentially inform any collision risk assessment, which in turn, would inform future cumulative assessments.

8.62 NatureScot also recommend the blade feathering on turbines 5, 8 & 17 to prevent collision risk posed to bats. A pre-construction surveys for water voles is recommended which will in turn inform a Species Protection Plan. With regards to ospreys, there is considered to be a low collision risk so the development is unlikely to affect the conservation status this species at a NHZ level. However, a pre-construction bird surveys should also be undertaken to include the existing access track to the Achany Wind Farm and any additional laydown/welfare areas in that vicinity. Any additional protection measures for birds should be included within the Bird Protection and Mitigation Plan covering the full development boundary. RSPB also note that the proposed access track will intersect the territory centre of one breeding curlew pair which could therefore be lost during construction and operation. We recommend that this section of track is constructed outside the bird breeding season (April to July inclusive) and that actions to maintain curlew breeding habitat away from infrastructure is included within the HMP.

Built and Cultural Heritage

8.63 The results of the applicant's assessment are outlined in EIAR, Chapter 12. A walk over survey of the site has been undertaken and the application is supported by a Cultural Heritage Impact Assessment. This looked at direct impacts of up to 1km around the site boundary, indirect impacts upon the setting of all designated heritage assets within 5km and a targeted assessment of national features up to 10km.

8.64 In terms of direct impacts, there are no designated sites within the development site, but there are six sites of non-designated heritage features which have been identified. These assets are primarily post-medieval or modern in date and relate to management of the estate. The proposed development has been designed to avoid direct impacts, however, the remains of two boundary features could potentially be affected. However, the disturbance will be minor in nature. In addition, given the nature of the ground conditions which for large parts is relatively shallow peat moorland, the EIAR considers that there is a low probability that current unknown subterranean features might be affected by the construction phase. However, for the areas with greater archaeological potential the EIAR recommends an archaeological watching brief is secured by a planning condition. This recommendation is supported by the Councils Historic Environment Team (HET).

8.65 There are a number of heritage assets within the wider study area and as such there is potential for indirect impacts. Within 5km from the Site, there are ten Scheduled Monuments, which include brochs, settlement, chambered cairns and stone circles. There are seven Category B Listed Buildings and six Category C Listed Buildings. Between 5km and 10km from the Site, there are a further 21 Scheduled Monuments which include prehistoric dwellings and burial monuments, a dun, stone circles, and post-medieval settlement, enclosures, and field systems. There is also one Category A Listed Buildings and an Inventory Battlefield.

8.66 The EIAR considers that there will be moderate and significant effects upon the setting of one monument, which is the Iron Age Dail Langwell broch. The broch is a scheduled monument (SM1852), which is located 2km south-west of the site, and is situated on the southern side of Glen Cassley and on a steep slope above the River Cassley, so in a highly prominent position. The high visual prominence was designed to mark their control over the area. Wider views are therefore important to the setting of the monument. HES have assessed the EIAR and consider that the turbines will have an adverse impact on the setting of the monument, the impact would be reduced by the removal or relocation of Turbines 2 and 8. However, they contend that the severity of this impact does not raise issues of national interest, so do not object to the scheme. They consider that whilst the turbines would represent the introduction of modern industrial elements on a scale that currently is not present within the landscape, and hence represent a significant alteration to the character of the landscape surrounding the broch, the distance between the proposed turbines and the monument and the topographical separation between the turbines over the ridgeline and the broch on the floor of the strath is such that the prominence and dominance of Dail Langwell would remain appreciable. In addition, the Councils HET have stated that although effects are predicted, these have been reduced during the design stage. The predicted effects are not such that an objection would be raised by HET in regard to this asset. The Planning Authority concur with this assessment.

8.67 Negligeable or minor and therefore not significant effects have been predicted upon the settings of the remaining heritage assets identified in the EIAR, HET and the Planning Authority agree with this conclusion.

Design, Landscape and Visual Impact (including Wild Land Areas)

8.68 The applicant has presented a number of submissions to illustrate the impact of the development upon the surrounding landscape and receptors. The results of the applicant's Landscape and Visual Impact Assessment (LVIA) are outlined in Chapter 7 of the EIAR.

8.69 A total of 21 viewpoints across a 40km study area have been assessed with regard to landscape and visual impact. In addition, to the wider study area a more detailed study area of 20km has been adopted for a more targeted and detailed assessment of effects on residential areas and landscape character. The viewpoints are representative of a range of receptors including residents, recreational users of the outdoors and road users. The expected bare earth visibility of the development can be appreciated from the ZTV to Blade Tip with Viewpoint Locations (Figure 7.4.1 – Viewpoints with ZTV) in the EIAR. Sufficient

information has been provided to undertake an assessment of landscape and visual impact and the quality of the visual information provided is considered to be sufficient.

8.70 The methodology for the Landscape and Visual Impact Assessment generally follows that set out in Guidelines for Landscape and Visual Impact Assessment Third Edition (GLVIA3). Technical Appendix 7.1 of the EIAR sets out the methodology in greater detail. The significance of effect is categorised as 'significant' or 'not significant' and is assessed by combining all of the considerations and criteria outlines in Technical Appendix 7.1. As set out at GLVIA3 Para 3.32 "LVIA should always clearly distinguish clearly between what are considered to be significant and non-significant effects." The threshold for both landscape and visual impact is for a negligible or minor level of effect this is generally taken as not significant, and a moderate or major level of effect is generally taken as significant. This is in line with the approach taken by Highland Council in the identification of significant effects.

8.71 In the assessment of each viewpoint, the applicant has come to a judgement as to whether the effect is significant or not. In assessing visual impacts in particular, it is important to consider that the viewpoint is representative of particular receptors i.e. people who would be at that point and experiencing that view of the landscape not just in that single view but in taking in their entire surroundings. It is noted that the applicant has not applied susceptibility of receptor consistently to hill walkers. For example, it is noted for Cul Mor (VP 20) the susceptibility of the receptor has been identified as high, where for Ben Hee (VP5) and Ben More Assynt (VP10), the susceptibility has been identified as medium. In general terms the Council would consider all hill walkers as highly susceptible to development given the activity of hill walking is focussed on an appreciation of ones surroundings.

Design and Layout Evolution:

8.72 In line with the EIA, and OWESG requirement, the applicant has illustrated and explained the steps, rationale and influences for the sites evolution and design rationale. As detailed above the current application follows the refusal by Scottish Ministers in 2015 to grant planning permission for a 26-turbine scheme turbine (126.5m to tip height) wind farm in the area - 12/02872/S36 ('Glencassley Wind Farm'). It was refused on the grounds of perceived impacts upon the Assynt-Coigach National Scenic Area (NSA) and on the Reay-Cassley Wild Land Area (WLA). Chapter 2 of the EIAR and Technical Appendix 2 (Design and Access Statement) provides an overview of how the applicants have sought to overcome the reasons for refusal with a summary of the design evolution of the scheme, in terms of turbine numbers, heights and layouts. The potential landscape and visual impacts on receptors and how the development would relate to the existing landscape character and wind farms together with ecological matters were key elements in the evolution of the turbine layout.

- The 2012, 26 turbine scheme was located on the western edge of the plateau between Glen Cassley and Loch Shin, to the west of Beinn Sgeireach. It stretched 5.6km from the southernmost turbines on Carn nam Bó Maola to the northernmost turbine west of Beinn Sgreamhaidh. The northernmost turbines were approximately 8km to the east of the boundary with the Assynt Coigach NSA.
- Following the refusal, the applicants sought to reduce the limit of the site boundary and move it further to south and closer to the existing Achany Wind Farm. This set the site to the south and west of Beinn Sgeireach.
- The applicants engaged with landscape consultants with the aim of reducing potential effects on the WLA and NSA. The conclusion was to confine proposed turbine locations to the south of Beinn na Sgeireach. Turbines up to 200m to tip were considered, but it was considered appropriate to limit the turbine height to 149.9m to tip to minimise landscape and visual effects and to avoid requirements for visible aviation lighting.
- The site boundary, layout and numbers evolved following more detailed environmental and technical survey work and peat probing.
- The final layout presented in this application comprises 20 turbines, 6 less than the 2021 application, although with a greater tip height than the 2012 application which was refused by Scottish Ministers (THC Reference: 12/02872/S36).

The EIAR states that the design iterations for the proposal have resulted in the turbine footprint being pushed as far south as possible, to the periphery of the WLA to minimise the extent and range of intervisibility and maximise the distance between the proposed turbines and the NSA and areas exhibiting the greatest degree of wildness. In terms of site boundary and turbine siting the presented scheme has resulted in an overall movement away from the Assynt-Coigach NSA by approx. 2km. The site is closer to the existing Achany Wind Farm. A plan detailing the comparative site boundaries between the 2012 and present applications is shown in Volume 4 Technical Appendix 2:1 page 4.

8.73 The EIAR contends that it is considered that the theoretical visibility of the Proposed Development would now largely be limited to areas where there are already existing external influences on the WLA, including existing wind turbines in close proximity and other features and associated infrastructure. The applicant further contends that in moving the turbines closer to the existing Achany Wind Farm also brings operational benefits and maximises the use of shared infrastructure and facilities and now forms an extension to the existing operational Achany Wind Farm. The number of turbines has also been reduced from 26 under the 2012 scheme to 20 as submitted with this application, however, the height of the turbines has increased from up to 126.5m to 149.9m to tip.

8.74 It is noted through the NatureScot Siting and Designing Wind Farms in the Landscape Guidance, that it can be particularly challenging to accommodate multiple wind farms in an area, but design objectives centred on reducing the impact upon the NSA and WLA. In addition, the Planning Authority consider that

the design should also seek to limit visual confusion, reinforce the appropriateness of each development for its location and present a balanced and rationale composition. In this regard officers raised concerns that particular turbines were likely to be dominant in the view and stand out from the rest of the scheme either by virtue of their location as an outlier or due to the elevation of the landform on which they would be positioned.

8.75 To mitigate these matters officers held discussions with the applicant on a further design iteration which would seek to reduce effects further. In this regard the Authority sought the removal of turbines 9, 10 and 20 and all associated infrastructure. In doing so it is considered that the removal of the turbines will enhance the design of the development and reduce the visual impacts through the removal of turbines that were creating a dominating effect on receptors at a range of viewpoints in comparison to the remainder of the scheme. In response the applicant highlighted that any changes to the scheme to address the matters of design concern raised would not change the findings of the landscape and visual assessment. The Planning Authority do not dispute this and acknowledged that this request was unlikely to change the level of significance of the identified effects from an EIA perspective. However, it is considered a more appropriate design composition could, and should be delivered on the site given the identified significant effects and the location of the proposed development. Further discussions were held between the applicant and the Planning Authority. This has resulted in the applicants agreeing in principle to the removal of turbines 10 and 20 from the scheme. The applicant has not however agreed to remove turbine 9. This is due to the effect that this may have on project viability and the lack of improvement that this would make once the turbine 10 is removed. It is agreed that the removal of turbine 10 is more effective mitigation in relation to the concerns of dominance of turbines within the scheme and overall design rationale.

8.76 In addition, the submission also proposes the following design mitigation measures which are supported by the Councils OEWSG.

- Access Tracks - the overall requirements for these have been reduced by the use of the existing tracks for Achany Wind. If the identified design mitigation is accepted (removal of T10 and T20) then this will remove the track to turbine 10. When appropriate tracks will be floated to minimise the impact upon peat.
- Up to five borrow pits are envisaged as part of the Proposed Development. This includes the re-working of previously worked borrow pit for the Achany Wind Farm.
- Turbine Design - the colour/finish on the turbines will be controlled by a planning condition.
- Building Design – the indicative scale and design for the substation building is commensurate with an agricultural building and the final details and finish will be controlled by a planning condition.
- Other infrastructure - the cables to the substation will be grounded and the transformers for the individual turbines will be enclosed within the turbine mast.

Landscape Impacts

8.77 Nine individual Landscape Character Types (LCTs) are identified within the study area. However as detailed in Technical Appendix 7.2: Landscape and Visual Scoping Appraisal following a scoping exercise, two of the LCTs were excluded from detailed assessment due to no or very limited predicted effects. The seven LCTs taken forward as part of the detailed assessment.

Landscape Character Types (LCT)	Distance to nearest turbine	EIAR Assessment – Significance of effect
LCT 134: Sweeping Moorland and Flows	6.9km	Minor to Moderate (not significant) for the western sub-area and Minor (not significant) for the eastern sub-area during construction and operation
LCT 135: Rounded Hills – Caithness and Sutherland	site is located within this LCT	Moderate (significant) effect in and around the Proposed Development and within the surrounding context up to around 8km from the Proposed Development and locally up to 10km to the west of Glen Cassley.
LCT 138: Lone Mountains	18.1km	Minor during both construction and operation (not significant).
LCT 139: Rugged Mountain Massif– Caithness and Sutherland	10.8km	The resultant effect on the landscape character of the Ben More Assynt sub-area during construction and operation is anticipated to be Minor (not significant) within around 15km of the Proposed Development around Ben More Assynt, rising to a localised Minor to Moderate (not significant) effect at the closest point around Meall an Aonaich. Elsewhere effect would be Negligible
LCT 142: Strath – Caithness and Sutherland	1.1km	Moderate (significant) affecting a small area of Glen Cassley between Badintagairt and Glenmuick. The transitional area between Glen Cassley, Strath Oykel and Kyle of Sutherland, and in Strath Tirry, a Minor (not significant) effect to landscape character is anticipated. In all other areas, the landscape effect would be Negligible (not significant), during construction and operation
LCT 145: Farmed and Forested Slopes with Crofting	8.7km	Minor (not significant) for the Lairg sub-area during construction and operation and Negligible for the Dornoch Firth sub-area.
LCT 329: Rounded Mountain Massif	20.4km	Negligible (not significant) during construction and operation.

As summarised above, the EIAR has identified significant effects for two of the LCTs: LCT 135: Rounded Hills - Caithness & Sutherland; and LCT 142: Strath - Caithness & Sutherland (localised to the Glen Cassley sub-area).

8.78 LCT 135: Rounded Hills – Caithness and Sutherland – the site is located wholly within the LCT. It is characterised by mostly heather clad broad hills with rounded summits which provides a backdrop to straths and coastal lands. The EIAR presents a sensitivity range from low to high, this is a reflection of whether the area is already strongly characterised by wind development, such as the southern part of the site with the Achany and Rosehall Wind Farms. A Medium sensitivity is attributed where there is a closer association with settlement and communities, and High in areas where wild land characteristics predominate, such as the northern part of the site, to the north of Càrn nam Bò Maola and particularly in Coire Buidhe, would be located in a localised area where there is no influence from existing wind turbines and therefore, in this area the effect would be greater.

8.79 In terms of magnitude of change this is anticipated to be High within areas directly affected and to north, east and west of the more northerly turbines within around 2km of the Proposed Development and more widely, Medium. The EIAR concludes that there would very localised Major (significant) effects within the immediate confines of the Proposed Development at its northern end within Coire Buidhe where the wind turbines would become the main character defining feature of the landscape. Moderate (although still significant) effects are predicted up to 8km from the site where it is considered that the turbines would form a new focus within the landscape and very locally up to 10km to the west of Glen Cassley where wild land characteristics may be affected.

8.80 LCT 142: Strath – Caithness and Sutherland this LCT covers a variety of Strath Areas which area characterised by openness and enclosure, woodland, agricultural improvement or otherwise and degrees of development. The EIAR has identified a significant effect on the landscape character of the Glen Cassley, which is a remote glen, with notable areas of woodland cover in its lower reaches, and a more open, broad character in its upper reaches. It is anticipated to appear noticeably on the south-east skyline of a localised section of upper Glen Cassley between Badintagairt and Glenmuick. The EIAR acknowledges that this may distract from the remote qualities and diminish the perceived scale of the hills enclosing the eastern side of the glen but would not affect the western side of the glen, or the perception of the mountainous landscape up the glen to the north-west.

8.81 Whilst significant effects have been identified, the applicant contends that these effects would be localised to parts of the landscape up to 10km from the Proposed Development. NatureScot have commented that the assessment of LCTs has identified the key areas of potential effect within the NSA as relating to an increased influence of infrastructure on perceptions wildness and remoteness and the intrusion of proposed development in valued views to and from mountains. The Planning Authority accept the EIAR findings and are content that the development would not create a significant effect on the majority of landscape character types within the study area.

National Scenic Areas (NSAs)

8.82 The Assynt-Coigach NSA is located approximately 9.8km to the north-west of the nearest turbine. One of the reasons outlined in the Scottish Minsters reason for refusal of the 2012 application were the perceived impacts upon this NSA. Following the mitigation through siting and design outlined above the EIAR and Technical Appendix 7.4 concludes that the effects upon this NSA would be minor so not significant. NatureScot have offered no objection on the grounds of the impact upon the NSA.

8.83 The NatureScot (formerly SNH) guidance, 2010, outlines 10 Special Landscape Qualities (SLQ) of the Assynt-Coigach National Scenic Area.

1) Spectacular scenery of lone mountains
2) Rocky topography of great variety
3) Settlements nestled within a wider landscape of mountain peaks, wild moorlands, and rocky seascapes
4) Extensive cnocan landscapes
5) A coastline of endless drama
6) An intricate multitude of lochs and lochans
7) A landscape of vast open space and exposure
8) Significant tracts of wild land
9) Unexpected and extensive tracts of native woodland
10) A still, quiet landscape under a constantly changing sky

The overall sensitivity of each of the ten SLQs of the NSA has been assigned as High as a whole, therefore the variable is susceptibility which has been determined as between Medium and High. NatureScot are in agreement with these sensitivity ratings. A Low magnitude of change has been identified for the following three SLQs 2, 7 and 8. NatureScot agree with the magnitude rating. The EIAR concludes that “The effect on the NSA is therefore considered to be Minor (not significant) during construction and operation and the integrity of the NSA would not be affected.” Whilst NatureScot offer no objection and are in agreement that the integrity of the designation will not be compromised, they consider that there is an underestimation of significant effects.

8.84 As summarised by NatureScot the submitted ZTV demonstrates that the proposed turbines would predominantly affect the expansive eastern views from the Ben More Assynt area, including the summit and eastern slopes of Braebag in the east of the NSA; and the isolated summit and eastern slopes of Cul Mor in the south of the NSA. The rugged mountain massif of Ben More Assynt (Viewpoint (VP) 10) is separated from rounded hills LCT of Glen Cassley by the sweeping moorland and flow LCT which form the lower eastern slopes of the mountain. It is this massif which largely limits the extent of visibility further west.

8.85 The EIAR states that this will not lead to a significant effect on the NSA because the expansive vistas to north, west and south-west across the mountains of the NSA which form a greater contribution to the Special Qualities of the NSA would be unaffected. NatureScot and the Planning Authority are in agreement that the expansive vistas experienced to north, west and south-west across the mountains of the NSA would be unaffected. The main effects will be towards the east, with NatureScot focusing their response on the hills of Coigach and Cul Mor (VP20) in the south (west of the A835), and the Ben More Assynt (VP10) area to the east of the NSA (east of the A837). Consequentially, the EIAR considers that the effects may be significant from some of the closer isolated summits in this area such as VP21, Meall an Aonaich.

8.86 When looking east across and beyond the NSA in the direction of the proposed development, the landscape is more open and at times expansive in character (VP Meall an Aonaich). The scheme is viewed in the context of the existing wind farms. The EIAR does acknowledge that the turbines would appear closer and larger than existing turbines of Achany and Rosehall, with NatureScot noting that the scheme would physically encroach into the open space that is currently defined to the east of the NSA and effect the identified SLQs.

8.87 NatureScot are broadly in agreement with the assessment and consider that whilst there may be some reduction in the sense of expansiveness to the south, there are already limitations of this area due to existing development. In addition, the in-construction Creag Riabhach wind farm (21km to the north of Ben More Assynt) will have some further effect on the current openness and exposure experienced from within the NSA, albeit at greater distance, as it will appear as a new feature interrupting the open view to the north towards Ben Klibreck. NatureScot consider that the effects of the proposal, in addition to those of other wind farms in the baseline on the SLQ A landscape of vast open space and exposure, would not be significant. In terms of effects on the SLQ Significant tracts of wild land, NatureScot consider that whilst there would be some significant adverse effects for the Assynt-Coigach NSA, these are moderated both by the distance of the proposal from the NSA and by its proximity to existing wind farms, so would not adversely affect the integrity of the NSA. The Planning Authority agree with this assessment but note that the additional mitigation agreed with the applicant will likely reduce the impacts further by reducing the intensity of wind energy development in the views towards the development from the NSA.

8.88 *Dornoch Firth NSA* is located approximately 20.3km to the south-east of the proposed development. The proposal would be theoretically visible from parts of the western end of this NSA including low lying coastal areas and some of the surrounding hills. However, it would always be seen to the rear of existing turbines at Achany and Rosehall Wind Farms. In this context together with the distance to the scheme, the EIAR concludes that proposal is unlikely to lead to an indiscernible level of change to the landscape characteristics and Special Qualities of the NSA and the effect would therefore be Negligible. NatureScot have confirmed that they are content that the effects on the Dornoch Firth NSA are unlikely to be significant. The Planning Authority confirm that they agree with this assessment.

Wild Land (WLA)

8.89 The site is located within south-eastern boundary of Wild Land Area 34 Reay-Cassley and as such the proposal needs to be assessed against para 215 of Scottish Planning Policy (SPP). This states 'that in areas of wild land…development may be appropriate in some circumstances. Further consideration will be required to demonstrate that any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation'. Impacts upon Wild Land Area 34 was the reasons that NatureScot (then SNH) objected to the 2012 application which was subsequently refused by Scottish Ministers. This was one of the main focus points for the design evolution process made by the applicants and summarised in previously in this report.

8.90 NatureScot published descriptors for each of the 42 Wild Land Areas across Scotland in January 2017. In addition, new guidance on assessing wild land impacts has been published. These descriptors set out wild land qualities for each of the Wild Land Areas and are based on the particular combinations of the wild land attributes and influence when experienced. Technical Appendix 7.5 of the EIAR contains a wild land assessment and considers overall that the development would not have a significant adverse impact upon the key qualities and attributes of the WLAs.

8.91 In relation to the Reay – Cassley WLA NatureScot have identified four Wild Land Qualities (WLQ).

1) A range of large, irregular, rocky mountains with steep, arresting slopes and a variety of lochs and lochans, possessing a strong sense of naturalness, remoteness and sanctuary.
2) An awe-inspiring, broad scale expanse of cnocan in which there is a complex pattern of features at a local level that contribute to the sense of naturalness and sanctuary.
3) A variety of spaces created by irregular landforms in which there is perceived naturalness, as well as a strong sense of sanctuary and solitude.
4) Extensive, elevated peatland slopes whose simplicity and openness contribute to a perception of awe, whilst highlighting the qualities of adjacent mountains.

8.92 The EIAR has identified that potential significant effects to strength of wildness within the WLA may occur within a localised area to the east and west of Glen Cassley, potentially affecting some parts at the southern extremity of the mountain core. This is anticipated to be

- Moderate - Major (significant) within up to around 2km of the site.
- Moderate (significant) effects are anticipated to extend to around 5-6km from the site on the east side of Glen Cassley.
- This would extend up to 8-10km from the Proposed Development to the west of Glen Cassley. However, this would be limited to localised parts of the plateaux above the immediate confines of Glen Cassley where human influences are less prevalent.

- Within the more mountainous core at the head of Glen Cassley, up to a distance of around 15-17km, Minor (not significant) effects are anticipated as the proposal would normally be seen in the context of existing contemporary land uses and human influenced landscapes.
- No effect is predicted to the north and west where the greater sense of wildness is experienced.

8.93 NatureScot have assessed the application and agree with the applicants' assessment that the development would not have a significant impact upon WLQ1, WLQ2 and WLQ3. However, they disagree with the applicants' assessment in relation to WLQ4 and consider that the impact upon this quality indicator would be significant. Therefore, NatureScots objection focuses on the perceived significant effect on WLQ 4 as a result of this proposed development. Its assessment is that the proposal will affect an extensive area of wild land to such a degree as to adversely affect the wild land character of this area. Consequentially, NatureScot consider that the current submission has not demonstrated that these effects would be overcome by siting, design or other mitigation and therefore is contrary to para 215 of SPP. The position adopted is reflected in the objections from the Scottish Wild Land Group, John Muir Trust, Scottish Council for Mountaineering, nearby Estates and other third-party representations against this application. NatureScot have also raised concerns that the applicant has overcomplicated the appropriate methodology and as a result, both downplays the importance (value) and strength of wild land, in addition to understating the degree of effects on the special qualities. The applicant considers that their methodology is sound.

8.94 As detailed above, WLQ4 relates to the extensive, elevated peatland slopes whose simplicity and openness contribute to a perception of awe, whilst highlighting the qualities of adjacent mountains. NatureScot consider that the peatland slopes that flank Glen Cassley are an important component of this WLA, and without them this WLA would be less diverse in character and its range of wild land qualities would be diminished. The WL description states that 'from the peatland slopes within the south of the WLA, human artefacts and contemporary land use can be clearly seen extending around the south east, south and south western edges. Human elements that are visible include extensive estate buildings, conifer plantations, roads, a hydro-electric scheme (with above surface pipes) and wind farms outside the WLA and telecom mast and grazing within the area. These elements tend to be visible over long distances due to the openness and simplicity of the peatland. They are also clearly noticeable within elevated views from the adjacent mountains and ridges to the north and west'. Currently the wind farms of Rosehall and Achany delineate the limits of the WLA to the east, and their presence in relation to the WLA description is noted. However, NatureScot contend that their influence is limited because of their height (90 - 100m) and location within the folds of the east facing slopes that appear to contain them. In contrast, the proposal would visually intrude into a far more extensive area of the WLA.

8.95 The Planning Authority whilst acknowledging the effects, some of which are significant, do consider that the proposal is relatively contained within the visual envelope from the majority of the WLA. The boundary of the site has been moved towards the existing Achany wind farm which restricts the encroachment into the designation.

8.96 Recognising the significant effects, for the above reasons the Planning Authority consider that the siting and design of the wind farm, inclusive of the mitigation secured by officers, can be seen to substantially mitigate the impacts on Wild Land Quality 4. Therefore, it is considered that it would not lead to an unacceptable impact upon the WLA as a whole.

8.97 The other WLA scoped into the applicant's WLA assessment is WLA 37 Foinaven - Ben Hee. The proposed development is located 11.5km to the south of this WLA. The EIAR envisages that there will be a limited and localised effect to the WLA Key Quality 6 "Extensive peatland slopes that appear awe-inspiring in their simplicity and contrast to neighbouring mountains, and allow wide open views of the surrounding area," due to a potential small reduction in the perceived scale of the open peatlands in localised areas, where the slightly increased scale of the Proposed Development in relation to existing wind turbines in the southern context would be perceived. Similarly, a localised effect is also anticipated to the WLQ1 "Towering, rugged mountains, highlighted by their prominent rock covering, that appear awe-inspiring and contribute to a strong sense of naturalness," across high ground around Ben Hee, due to the slightly increased focus of turbines within the extensive southerly views obtained from this area. The EIAR has concluded that the effects to this WLA would be not significant. NatureScot have are in general agreement with the applicant's assessment that the effects on the proposed turbines would appear within a context of existing turbines of the Rosehall and Achany wind farms but would appear slightly larger and closer to the WLA leading to a perceptible increase in the influence of constructed artefacts on locally more secluded parts of the landscape. The Planning Authority agree with this assessment.

8.98 In terms of local designations, two out of five Special Landscape Areas (SLA) within the wider study area were identified for inclusion within the assessment. The Ben Klibreck and Loch Choire SLA is 17.2km to the north-east of the site. The EIAR identified minor effects due to localised intervisibility with the Proposed Development which is anticipated to lead to perceptible but not significant effect on views from summit areas of Ben Klibreck. This may lead to a marginal effect on the sense of remoteness experienced from these localised areas by bringing wind turbines slightly closer within the very extensive context and potentially a perceptible effect on Special Qualities of "Distinctive mountains" and "Extensive views from peaks and summits".

8.99 The Fannichs, Beinn Dearg and Glencalvie SLA is located 15.1km to south-west of the site. The EIAR concluded that there would be negligible effects where distant and very localised intervisibility is not anticipated to lead to any perceptible changes to the characteristics or Special Qualities of the SLA. Overall, the EIAR concludes that there are no significant effects identified for either of these SLAs.

The Planning Authority agree with the applicant's conclusion that the proposed development would not significantly compromise the special qualities or integrity of the SLAs.

Visual Impact

8.100 The Zone of Theoretical Visibility (ZTV) demonstrates that the proposed development would theoretically be visible at a distance at around 40km but would mainly be concentrated within the 20km study area.

- This would potentially affect plateau areas and slopes to either side of Glen Cassley, south of Strath Oykel and to the north-east of Loch Shin within 15-20km of the proposal.
- Beyond this distance, theoretical visibility is more limited, predominantly confined to areas of facing slopes and higher ground with the main areas being around Strath Mulzie, Beinn Tharsuinn, Ben Hee, Ben Klibreck and Rhilochan.
- Most of the straths and glens which contain the majority of settlement show limited ZTV coverage. However, theoretical visibility is indicated in small sections of Glen Cassley, where a few properties and a minor road are present.
- At the southern end of Glen Cassley, where it joins with Strath Oykel and Kyle of Sutherland, theoretical visibility is shown to affect properties and routes around Rosehall including the A837 and ZTV coverage is also shown to affect further scattered properties, routes and settlements down the Kyle of Sutherland to the south-east including Invershin, Rosehall and the A836.
- Extensive areas of theoretical visibility across areas to the north of Loch Shin also affect settled areas including Shinness and Achnairn and Crask and the A836 and A838 roads.
- Elsewhere, a number of rural properties and minor routes on the western outskirts of Lairg, and higher ground around Rogart are shown to be potentially affected, as are a few remote lodge properties situated in some of the rural glens.

However, it must be noted that the ZTV presents a worst-case scenario and does not include elements such as trees and buildings which would reduce visibility in some locations.

8.101 In response to the ZTV analysis and in consultation with the Planning Authority and other relevant parties, a range of visual receptors for the development have been assessed in the EIAR. The submission includes photomontages/ wireframes from 21 viewpoints and have been submitted in various angles of view, this is in order to comply with both The Highland Councils visualisation standards and NatureScot's guidance.

8.102 The EIAR states that receptors at 6 of the 21 viewpoints would have the potential to be significantly affected by the proposed development. These were contained within 12.5km of the site and focused on three parts of the study area.

- Around Achnairn and Shinness on the north-east side of Loch Shin – VPs 9 (Achnairn caravan and camping site entrance) and 14 (A838 near West Shinness).
- Near the confluence of Glen Cassley with Strath Oykel and Kyle of Sutherland VP6 (Rosehall).
- To the west and north-west of the Proposed Development, in and around Glen Cassley VPs 11 (Glencassely road to south of castle) and 12 (Glencassely road by Langwell Hill) and in a localised area to the west of Glen Cassley around Meall an Aonaich (VP 21).

8.103 These viewpoints range in their proximity to the site and in most cases a new element is not introduced into the view and the cumulative impact with the existing wind farm is taken into consideration. NatureScot have confirmed that they agree with identified effects in the EIAR. The Council considers visual impact using the criterion set out in Section 4 of the Onshore Wind Energy Supplementary Guidance. The assessment against this criterion is contained in Appendix 2 to this Report and comes to a view as to whether the threshold set out in the guidance is met or not. To support this, a viewpoint appraisal has also been undertaken. This is contained within Appendix 3 of this report.

8.104 The views from the remaining viewpoints have not been assessed as significant by the applicant. The intervening distance between the viewpoint and the scheme, the more limited magnitude of change due to the baseline containing a range of wind energy developments are the most common reason for these viewpoints not being assessed as significant.

8.105 The Planning Authority agrees with the EIAR assessment and overall significance and magnitude of effect attributed to the majority of the viewpoints, including the six VPs that the applicants identified as having significant effects above. However, there is some divergence. The most common difference is in the magnitude of impact which would be experienced by receptors rather than the overall level of significance It is considered that this was underplayed by the applicant in a number of viewpoints, in particular

- The sensitivity of the receptor is downplayed from a number of the mountainous VPs, for example Ben Hee (VP5), Ben More Assynt (VP10). Generally, the Planning Authority would consider all hill walkers as highly susceptible to development given the nature and activity of hill walking is focussed on an appreciation of the visual setting.
- Ben More Assynt (VP10), the applicants have rated the significance from this VP as minor to moderate, however, the Planning Authority consider this to underestimate the effect and would rate this as moderate (significant).
- VP 6 (Rosehall), whilst the Planning Authority accept the overall conclusion of the EIAR, this VP is from a residential settlement which is close to the site, so the sensitivity of the receptor is considered to be high. However, due to the presence of existing turbines, the magnitude of change is agreed as being medium.

- VP 15 (Struie), whilst the Planning Authority accept the overall conclusion of the EIAR. This viewpoint is one of the most visited on the Highland road network, so the sensitivity of the receptor is considered to be high.

8.106 As indicated in 'Design and Evolution' section above, throughout the visual assessment undertaken by Officers, turbines 9, 10 and 20 were considered the main source of effects in the greatest number of viewpoints. As part of the feedback process officers asked the applicant to investigate the removal of these three turbines. In relation to the six viewpoints identified by the EIAR as being significant, the effects of removing these three turbines would limit the horizontal spread of turbines, thus the field of view, avoid encroachment onto higher land and remove the more prominent turbines from the viewpoints. With regards to the VP 10 (Ben More) which was predicted by the Planning Authority as being an additional VP having moderate (significant) residual effects, the removal would reduce the number of layers or turbines within scheme and reduce the density of turbines within the cluster in the middle of the scheme. The identified design mitigation secured by officers would also bring compositional improvements and/or reduce stacking from most of the remaining VPs with the exception of VP 17 as no visibility of these turbines is predicted.

8.107 As part of the feedback process the applicants responded that any changes to the scheme to address the matters of design concern raised would not change the findings of the landscape and visual assessment. Whilst this is acknowledged by the Planning Authority it is considered a more appropriate design composition could and should be delivered on the site given the identified significant effects and the location of the proposed development. Further discussions were held between the applicant and the Planning Authority. This has resulted in the applicants agreeing in principle to the removal of turbines 10 and 20 from the scheme. The applicant has not however agreed to remove turbine 9. This is due to the effect that this may have on project viability and the lack of improvement that this would make once the turbine 10 is removed. It is agreed that the removal of turbine 10 is more effective mitigation in relation to the concerns of dominance of turbines within the scheme and overall design rationale. Whilst the removal of T9 (as outlined in Appendix 3) would have assisted further this is considered to strike an acceptable balance between the visual and other competing demands.

8.108 Whilst the removal of T10 and T20 would not alter the significance rating in EIA terms, with significant visual impacts still remaining at 7 of the 21 VPs. However, the removal of turbines 10 and 20 would result in perceptible improvements to the composition of the wind farm from the majority of viewpoints and the adverse effects on the perception of scale and distance in the landscape have been ameliorated in a number of views. These are summarised in the following table.

Summary of Improvements	Improvements noted at VPs
Containment in the horizontal spread of the turbines, improved relationship with topography/landform.	1, 2, 5, 6, 9, 10, 12, 13, 16, 18, 19, 20
Removal of most prominent/ perceptible turbines	3, 4, 6, 7, 8, 13, 14, 15, 20
Improved the stacking or density of turbines	5, 15, 16, 18

Improved perception of scale when seen in relation to the existing wind farms.	4, 9

8.109 The recommended mitigation will improve the horizontal spread and composition of the design, albeit not to an extent which would alter the level of significance in EIA terms. However, as with any development of this nature and scale significant visual impacts will remain at the following seven viewpoints.

8.110 **Around Achnairn and Shinness on the north-east side of Loch Shin.**

VPs 9 (Achnairn caravan and camping site entrance) and 14 (A838 near West Shinness). The EIAR states that these VPs are representative of views obtained by residents and visitors to the caravan site as well as the rural A838 which follows the north-eastern side of Loch Shin. From these VPs the turbines would appear as noticeable feature, set in a low point on the skyline between two hills at a distance of 8-9km.

- From VP 9 Achnairn caravan and camping site entrance (9.65km to the site). The blades and hubs of turbines would appear in a low point on the skyline between two hills with a few additional tips likely to be barely perceptible.
  The recommended design mitigation with the removal of T10 reduces the schemes horizontal spread, avoid encroaching up the higher land and frame the scheme between the two mountains. The removal of T9 would have further contained the horizontal spread of turbines, but on balance is acceptable.

- VP 14 A838 near West Shinness (8.29km from the site). The turbines would appear above the skyline on a low point between hills increasing the numbers of turbines visible. This is anticipated to lead to a noticeable change to the view. The recommended design mitigation with the removal of T10 would remove one of the three most prominent turbines from the VP.

8.111 **Near the confluence of Glen Cassley with Strath Oykel and Kyle of Sutherland VP6 (Rosehall).**

The EIAR states that some of existing turbines are very noticeable on the skyline. However, turbines of the Proposed Development would appear on the north-easterly skyline in this area at distances of between 4-6km and also in northerly views up Glen Cassley, leading to a greater horizontal extent of turbines in the view.

- VP6 (Rosehall) This scheme would lead to a significant effect on which is representative of residents, visitors and road users in this area. As detailed above, whilst the Planning Authority accept the overall conclusion of the EIAR, this VP is from a residential settlement which is close to the site, so the sensitivity of the receptor is considered to be high. The recommended mitigation with the removal of T20 would narrow the field of view, deletion of T10 would remove one of the more prominent turbines in this view. The removal of T9 would have further improved this, as this was another of the prominent turbines in this view

8.112 **To the west and north-west of the Proposed Development, in and around Glen Cassley VPs 11 (Glencassely road to south of castle) and 12 (Glencassely road by Langwell Hill) and in a localised area to the west of Glen Cassley around Meall an Aonaich (VP 21)**

The EIAR states that from these locations, the Proposed Development would be seen in a context of other existing wind turbines, but would appear closer, forming a greater focus within the view.

- VP 11 (2.42km from the site), due to the proximity from the site the turbines from VPs along Glencassely appear larger than the existing visible turbines but the EIAR concludes that this would not distract from the main, funnelled views down the glen from this location. Two turbines and two blades of the Proposed Development would appear above the easterly glenside from this VP. The recommended mitigation would have relatively little impact from this VP but the removal of T20 would reduce the number of turbines in view.
- VP12 (4.15km from the site), a greater number of turbines would be visible from this VP. The EIAR considers that the turbines would appear moderately large and form a focus within this part of the view, though would not intrude into the glen and would not affect the open views down the glen, or up towards the mountains which form the main focus of the view. From this VP the recommended mitigation with the removal of T10 would reduce the number of turbines in view. However, the combination of removal of T9 and T10 would have been of greater compositional benefit as this would have ensured that the scheme sat along the front ridge line of the land rather than also straddling the ridgeline to the rear.

8.113 **VP 10 Ben More Assynt (15.73km)**

The applicants have rated the significance from this VP as minor to moderate, (not significant) however, the Planning Authority consider this to underestimate the effect and would rate this as moderate (significant). However, it is considered on balance that this significance is acceptable due to the presence of the existing wind farms within the visual envelope.

8.114 The applicant has also undertaken an assessment on settlements and routes, a number of the VPs are representative of these views, but the EIAR presented an assessment of 39 residential receptor locations within 20km of the site. These locations comprised individual and groups of properties, settlements and associated outdoor areas, the full list can be viewed in EIAR Chapter 7 (7.10.8 – 7.10.11). The Proposed Development would not be visible from the majority of the main settlements within the study area. Visual effects were identified as not being significant for the majority of these locations. Moderate (significant) effects were identified to five residential receptor locations, comprising three groups of properties on the north-east side of Loch Shin, and two groups of properties located at the transition between Glen Cassley and Strath Oykel. In terms of routes, of the 18 routes assessed, moderate (significant) effects are predicted on four routes – A838 Dalchork to Corrykinloch, U2117 Cassley Bridge to Duchally Road, Allt an Tuir Burn Walk and localised parts of the Scottish Hill 332 when the route crosses the Ben More Assynt and Meall an Aonaich. A cumulative assessment of other wind farms in the area (operational, consented and in

planning) has also been undertaken. The EIAR identifed significant effects at the six viewpoints, settlements and routes, indicated above. The Planning Authority agrees with these assessments.

8.115 As indicated above, with any development of this nature and scale there will be significant visual impacts will remain at the following 7 viewpoints, but the geographical distribution is contained within three main areas with the majority occurring within 10km of the site but from elevation mountain summits there is potential up to around contained within 12.5 - 15.73km from the site. The recommended mitigation will improve the horizontal spread and composition of the design, albeit not to an extent which would alter the level of significance in EIA terms. However, in coming to an opinion on the acceptability of this development, the recommended design mitigation has played an important factor in determining the visual acceptability of the scheme. On balance, and subject to the removal of turbines 10 and 20, it is considered that the landscape and visual impact of the scheme can be seen as acceptable.

Noise and Shadow Flicker

8.116 The applicant has submitted a noise assessment in support of the application, this is contained within Chapter 15 of the EIAR. The nearest residential property is located approximately 1.5km from the nearest piece of site infrastructure (i.e., access tracks, construction compounds etc.) and approximately 1.7km from the closest proposed turbine. As detailed in previously above, Environmental Health are content that construction noise is not likely to be a significant issue for this development.

8.117 In terms of operational noise, the noise assessment includes a background noise survey which indicates high background levels both for daytime and night-time. The assessment demonstrates that predicted noise levels from the wind farm in isolation and cumulatively are below the simplified ETSU limit of 35dB LA90 at all of the identified noise sensitive receptors. Environmental Health have assessed the report and do not anticipate that operational noise will be a significant issue both individually and in combination with the existing operational wind farm. This is due to the distance between the development and noise sensitive properties. They have requested a condition to ensure that individual and cumulative noise can be monitored and enforced should an issue arise.

8.118 Shadow flicker may occur under certain combinations of geographical position and time of day, when the sun passes behind the rotors of a wind turbine and casts a shadow over neighbouring properties. As the blades rotate, the shadow flicks on and off, an effect known as shadow flicker. The effect can only occur inside buildings, where the flicker appears through a window opening. The EIAR does not anticipate that this will be an issue for this development either individually or cumulatively given the location of the development in relation to existing properties.

Telecommunications

8.119 No concerns have been raised in relation to potential interference with radio / television reception in the locality. The Council has a standard practice of recommending that developers address adverse impacts that may emerge during construction and over the initial year of operation when problems may be detected and/or experienced. It is recommended that a planning condition is attached to secure a scheme of mitigation should an issue arise.

Aviation

8.120 There are no unresolved objections with regard to aviation interests, with no outstanding concerns being raised by the Ministry of Defence or National Air Traffic Services. Should the proposal be granted permission, a condition can be applied to secure suitable mitigation in terms of infra-red aviation lighting and notification to the appropriate bodies of the final turbine positions.

Decommissioning

8.121 The applicant has advised that at the end of their operational life, if the decision is made to decommission the wind farm, rather than apply to extend the lifetime or repower the site, then all turbines and site substation, the removal of concrete to 1m below ground level of the turbine foundations and removal of substation building foundations. At present it is not anticipated that the access tracks or underground cabling would be removed and would remain in-situ. However, this is yet to be agreed as the Planning Authority expects all new tracks areas constructed during development of the wind farm to be reinstated to the approximate pre-wind farm condition, unless otherwise agreed with the landowner and/or Highland Council. All material arising from demolition would be disposed of responsibly and in accordance with relevant waste management regulations prevailing at the time. Similarly, re-instatement of all land affected will be carried out in accordance with best practice at the time. The applicant anticipates decommissioning would take up to 12months to complete.

8.122 These matters will not be confirmed until the time of the submission of the Decommissioning and Restoration Plan (DRP). The DRP would be submitted to and approved in writing by the Planning Authority in consultation with NatureScot and SEPA no later than 12 months prior to the final decommissioning of the wind farm. The detailed DRP would be implemented within 18 months of the final decommissioning of the development unless otherwise agreed in writing with the Planning Authority.

8.123 The requirements to decommission and restore a wind farm site at its end of life is relatively standard and straight forward, with any request for re-powering to be considered with the submission of a relevant future application. It is important to ensure that any approval of this project secures by condition a requirement to deliver a draft decommissioning and restoration plan for approval prior to the commencement of any development and ensure an appropriate financial bond is put in place to secure these works.

Other material considerations

8.124 Given the complexity of major developments, and to assist in the discharge of conditions, the Planning Authority seek that the developer employs a Planning Monitoring Officer (PMO). The role of the PMO, amongst other things, will include the monitoring of, and enforcement of compliance with, all conditions, agreements and obligations related to this permission (or any superseding or related permissions) and shall include the provision of a bi-monthly compliance report to the Planning Authority.

8.125 Due to the climate and biodiversity emergency and the provisions of the Planning (Scotland) Act 2019, THC are seeking to ensure that developments will deliver a positive effect for biodiversity. As a result, this project is expected to make a contribution toward the delivery of biodiversity enhancements in vicinity of the site. A scheme to ensure delivery can be secured by condition and either delivered via direct provision or a financial contribution.

Non-material considerations

8.126 The issue of community benefit is not a material planning consideration. In line with Council policy and practice, community benefit considerations are undertaken as a separate exercise and generally parallel to the planning process.

Matters to be secured by Section 75 Agreement

8.127 As is standard practice in relation to applications progressed under the Electricity Act, matters related to decommissioning, restoration and roads wear and tear are, in the first instance secured by condition.

9. CONCLUSION

9.1 The Scottish Government gives considerable commitment to renewable energy and encourages planning authorities to support the development of wind farms where they can operate successfully and situated in appropriate locations. The project has the potential to contribute up to 80MW of renewable energy capacity towards Scottish Government targets. However, as with all applications, the benefits of the proposal must be weighed against potential drawbacks and then considered in the round, taking account of the relevant policies of the Development Plan.

9.2 Whilst the Planning Authority do recognise and acknowledge the potential significant impacts (namely in relation to landscape and visual impacts and wild land), these are considered on balance to be acceptable when all matters are taken into account. The design iterations made during the pre-application stage by the applicants in response to the Scottish Ministers previous refusal is considered to have significantly improved the scheme. This is further improved by the Planning Authorities recommended design mitigation measures outlined in this report. Further mitigation of the impacts will be secured by the recommended planning conditions, which includes peatland habitat restoration.

9.3 The applicant has brought forward a scheme with a reduced amount of turbines, albeit at a greater height, when compared to the application submitted for Glencassley Wind Farm in 2012 which was subsequently refused by Scottish Ministers, despite The Highland Council not raising an objection to the application. The 2012 proposal comprised a total of 26 turbines at 126m to blade tip height. This scheme reduces the number of turbines to 20 turbines at 149.9m to blade tip height, with the mitigation secured by officers this reduces to 18 turbines. The turbines have been drawn closer to the existing cluster of wind farms, further away from the National Scenic Area and the important mountain tops of Ben More Assynt and Cul Mor. In doing so it has led to the reduction in effect on the National Scenic Area and NatureScot do not object to the impact on the qualities of the National Scenic Area. While NatureScot maintain an objection to the development due to impacts on a quality of the Wild Land Area in which the development sits, it is considered that the turbines have been sited in a manner which means they sit visually within the cluster of existing development in most views. In reaching a position of support for the development, officers negotiated the removal of an additional two turbines which reduce the impact from key areas within the Wild Land Area, including Ben More Assynt. Notably, due to the mitigation by design by the applicant in limiting the turbine heights to below 150m, the turbines do not require any visible aviation lighting, therefore they will not extend the visual impacts of the turbines into hours of darkness. Subject to the removal of turbines, it is therefore considered that in substantially overcoming the impact on the quality of the Wild Land Area by virtue of siting and design, the applicant has addressed the matters which led to the refusal of the previous development.

9.4 The scheme has attracted a number of representations from members of the public. While there is some repetition between the representations to the Council and the Energy Consents Unit, there appears to be a balance of support and objection to the proposed development. The holding objection from SEPA in relation to peat has been removed subject to planning conditions. No objection has been received from NatureScot in relation to natural heritage matters (including peat and ornithology) and it considers that the integrity of the identified SPA and SACs will not be subject to likely significant effects. Similarly, RSPB have not objected to the scheme in relation to the designations, although they do have some concerns relating to wider countryside species. No objections from consultees have been made in relation to cultural heritage, noise, aviation or road network impacts.

9.5 The Council has determined its response to this application against the policies set out in the Development Plan, principally Policy 67 of the Highland-wide Local Development Plan with its eleven tests which are expanded upon with the Onshore Wind Energy Supplementary Guidance. This policy also reflects policy tests of other policies in the plan, for example Policy 28 and those contained within Scottish Planning Policy. Given the above analysis, the application is, on balance, considered acceptable in terms of the Development Plan, national policy and is acceptable in terms of all other applicable material considerations subject to the removal of turbines 10 and 20 and associated infrastructure.

9.6 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.

10. IMPLICATIONS

10.1 Resource: Not applicable

10.2 Legal: If the committee determine that an objection should be raised to the application, the application will be subject to a Public Local Inquiry prior to determination by Scottish Ministers.

10.3 Community (Equality, Poverty and Rural): Not applicable

10.4 Climate Change/Carbon Clever: The proposed development will generate a total of 80MW of renewable energy, reduced to 72MW if the proposed mitigation is accepted. Furthermore, the scheme will deliver a comprehensive peatland restoration plan.

10.5 Risk: Not applicable

10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before decision issued: N

Subject to the above actions, it is recommended to **RAISE NO OBJECTION** to the application subject to:

A. The removal of Turbines 10 and 20 and associated infrastructure;

B. the following conditions and reasons; and

C. Members grant delegated authority to the Area Planning Manager - North to respond to any Further / Supplementary Environmental Information related to the removal of Turbines 10 and 20 if consulted by the Scottish Government's Energy Consents Unit.

Conditions to be attached to any Section 36 consent which may be approved:

1. **Duration of the Consent**

The consent is for a period of 50 years from the date of Final Commissioning. Written confirmation of both the Date of First Commissioning and the Date of Final Commissioning shall be provided to the Planning Authority and Scottish Ministers no later than one calendar month after those dates.

Reason: To define the duration of the consent.

2. **Commencement of Development**

There shall be no further development pursuant to this consent until written confirmation of the intended date of further works being begun has been provided to the Planning Authority and Scottish Ministers, which shall be no later than one calendar month before that date.

Reason: To ensure that the consent is implemented within a reasonable period. And to allow the Planning Authority and Scottish Ministers to monitor compliance with obligations attached to this consent and deemed planning permission as appropriate.

3. **Non Assignation**

This consent may not be assigned without the prior written authorisation of the Scottish Ministers. The Scottish Ministers may authorise the assignation of the consent (with or without conditions) or refuse assignation as they may, in their own discretion, see fit. The consent shall not be capable of being assigned, alienated or transferred otherwise than in accordance with the foregoing procedure. The Company shall notify the local planning authority in writing of the name of the assignee, principal named contact and contact details within 14 days of written confirmation from the Scottish Ministers of an assignation having been granted.

Reason: To safeguard the obligations of the consent if transferred to another company.

4. **Serious Incident Reporting**

In the event of any breach of health and safety or environmental obligations relating to the Development during the period of this consent, the Company will provide written notification of the nature and timing of the incident to the Scottish Ministers, including confirmation of remedial measures taken and/or to be taken to rectify the breach, within 24 hours of the incident occurring.

Reason: To keep the Scottish Ministers informed of any such incidents which may be in the public interest.

Conditions to be attached to deemed planning permission

5 **Implementation in accordance with approved plans.**

The Development shall be undertaken in accordance with the Application and Environmental Statement Impact Assessment Report submitted July 2021, except in so far as amended by the terms of this consent.

Reason: To ensure that the Development is carried out in accordance with the application documentation.

6 **Turbine design Design and Operation of Wind Turbines**

No turbine shall be erected until full details of the proposed wind turbines hereby permitted, have been submitted to and approved in writing by the Planning Authority. These details shall include:

a) the make, model, design, direction of rotation (all wind turbine blades shall rotate in the same direction), power rating, sound power level and dimensions of the turbines to be installed, and

b) the external colour and/or finish of the wind turbines to be used (including towers, nacelles and blades) which shall be non-reflective, pale grey semi-matte.

c) blade feathering on turbines 5, 8 & 17.

d) No text, sign or logo shall be displayed on any external surface of the wind turbines, save those required by law under other legislation.

e) Thereafter, the wind turbines shall be installed and operate in accordance with these approved details and, with reference to part (b) above, the wind turbines shall be maintained in the approved colour, free from rust, staining or dis-colouration until such time as the wind farm is decommissioned.

f) All wind turbine blades shall rotate in the same direction.

g) All cables between the turbines and between the turbines and the control building on site shall be installed and kept underground.

Reason: To ensure the Planning Authority is aware of the wind turbine details and to protect the visual amenity of the area.

7 **Signage**

No anemometer, power performance mast, switching station, transformer building, or enclosure, ancillary building or above ground fixed plant shall display any name, logo, sign or advertisement (other than health and safety signage) unless and until otherwise approved in writing by the Planning Authority.

Reason: in the interests of the visual amenity of the area.

8 **Design of Sub-station, Ancillary Buildings and other Ancillary Development**

(1) No development shall commence on the sub-station unless and until final details of the external appearance, dimensions, and surface materials of the substation building, associated compounds, construction compound boundary fencing, external lighting and parking areas have been submitted to, and approved in writing by, the Planning Authority.

(2) The substation building, associated compounds, fencing, external lighting and parking areas shall be constructed in accordance with the details approved under paragraph (1).

Reason: To safeguard the visual amenity of the area.

9 **Micro-siting**

All wind turbines, buildings, masts, areas of hardstanding and tracks shall be constructed in the location shown on plan reference Site Layout Plan (Figure 3.1) Wind turbines, buildings, masts, areas of hardstanding and tracks may be adjusted by micro-siting within the site. However, unless otherwise approved in advance in writing by the Planning Authority in consultation with NatureScot, SEPA and the ECoW, micrositing is subject to the following restrictions:

a) the wind turbines and other infrastructure hereby permitted may be microsited within 50 metres;

b) No wind turbine foundation shall be positioned higher, when measured in metres Above Ordinance Datum (AOD), than the position shown Site Layout Plan (Figure 3.1)

c) No micro-siting shall take place within areas of peat deeper than currently shown for the relevant infrastructure on Drawing Number LN000054-ACHXENV-SK-0002-09.

d) Any infrastructure proposed within 100m of the SAC boundary should not be micro-sited any closer to the boundary.

e) Where any infrastructure is proposed to be within 100m of the SAC boundary, temporary fencing should be installed to ensure no construction traffic accidentally enters the SAC, and causes inadvertent damage.

f) All micro-siting permissible under this condition must be approved in advance in writing by the Environmental Clerk of Works (ECoW).

A plan showing the final position of all wind turbines buildings, masts, areas of hardstanding, tracks and associated infrastructure forming part of the Development shall be submitted to the Planning Authority within one month of the completion of the Development works. The plan shall also specify areas where micrositing has taken place and, for each instance, be accompanied by copies of the Environmental Clerk of Works ("ECoW") or Planning Authority's approval, as applicable.

Reason: To enable necessary minor adjustments to the position of the wind turbines and other infrastructure to allow for site-specific conditions while maintaining control of environmental impacts and taking account of local ground conditions.

10 **Borrow Pit – Blasting**

Blasting shall only take place on the site between the hours of 07.00 to 19.00 on Monday to Friday inclusive and 07.00 to 13.00 on Saturdays, with no blasting taking place on a Sunday or on a Public Holiday.

Reason: To ensure that blasting activity is carried out within defined timescales to control impact on amenity.

11 **Planning Monitoring Officer**

No development shall commence until the Planning Authority has approved in writing the terms of appointment by the Company of an independent and suitably qualified environmental consultant to assist the Planning Authority in monitoring compliance with the terms of the deemed planning permission and conditions attached to this consent ("PMO"). The terms of appointment shall;

a. Impose a duty to monitor compliance with the terms of the deemed planning permission and conditions attached to this consent;
b. Require the PMO to submit a monthly report to the Planning Authority summarising works undertaken on site; and
c. Require the PMO to report to the Planning Authority any incidences of non-compliance with the terms of the terms of the deemed planning permission and conditions attached to this consent at the earliest practical opportunity.

The PMO shall be appointed on the approved terms throughout the period from Commencement of Development to completion of post construction restoration works.

Reason: To enable the development to be suitably monitored to ensure compliance with the consent issued.

12 **ECoW Ecological Clerk of Works**

(1) No further development shall take place unless and until the terms of appointment of an independent Ecological Clerk of Works ("ECoW") by the Company have been submitted to, and approved in writing by the Planning Authority (in consultation with NatureScot and SEPA). The terms of appointment shall:

a. Impose a duty to monitor compliance with the ecological, ornithological and hydrological commitments provided in the Environmental Impact Assessment Report received July 2021 and the Construction Environmental Management Plan, Peat Management Plan, Habitat Management Plan, Species Protection Plan, Bird Protection Plan, Water Quality Management Plan and other plans approved in terms of the conditions of this permission ("the ECoW Works");
b. Advise on micrositing proposals issued pursuant to Condition 9;
c. Require the ECoW to report to the nominated construction project manager any incidences of non-compliance with the ECoW Works at the earliest practical opportunity and stop the job where any breach has been identified until the time that it has been reviewed by the construction project manager; and
d. Require the ECoW to report to the Planning Authority any incidences of non-compliance with the ECoW Works at the earliest practical opportunity

(2) The ECoW shall be appointed on the approved terms during the establishment of the Habitat Management Plan and throughout the period from Commencement of Development to completion of post construction restoration works".

(3) No later than eighteen months prior to decommissioning of the Development or the expiry of the section 36 consent (whichever is the earlier), details of the terms of appointment of an ECoW by the Company throughout the decommissioning, restoration and aftercare phases of the Development shall be submitted for the written approval of the Planning Authority.

(4) The ECoW shall be appointed on the approved terms throughout the construction, decommissioning, restoration and aftercare phases of the Development.

Reason: To secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the Development during the decommissioning, restoration and aftercare phases.

13 **Construction Environment Management Plan**

No development shall commence until a Construction Environmental Management Plan ("CEMP") outlining site specific details of all on-site construction works, post-construction reinstatement, drainage and mitigation, together with details of their timetabling, has been submitted to and approved in writing by the Planning Authority.

The CEMP shall include:

a) adherence to the mitigation outlined in the Schedule of Mitigation (EIAR Volume 2, Chapter 18);

b) a peat management plan including peat slide hazard and risk assessment and emergency plans for peat slide;

c) species protection plan for otters and water voles (as required by condition 32);

d) a bird protection and mitigation plan to ensure that birds within the Caithness & Sutherland Peatlands Special Protection Area (SPA) (as required by condition 32);

e) Private Water Supply Protection Plan; and

f) a water quality management plan.

g) Any temporary drainage during construction should be designed to accommodate a 1:200 year storm event.

The Development shall be implemented thereafter in accordance with the approved CEMP unless otherwise approved in advance in writing by the Planning Authority.

Reason: To ensure that all construction operations are carried out in a manner that minimises their impact on road safety, amenity and the environment, and that the mitigation measures contained in the Environmental Impact Assessment Report which accompanied the application, or as otherwise agreed, are fully implemented. to avoid significant effects on Caithness and Sutherland Peatland Special Area of Control and the Caithness & Sutherland Peatlands Special Protection Area.

14 No development shall commence until a Construction Traffic Management Plan ("CTMP") has been submitted to and approved in writing by the Planning Authority in consultation with the Trunk and Local Roads Authorities. The CTMP shall be submitted no later than six months prior to commencement. The approved CTMP shall be carried out as approved in accordance with the timetable specified within the approved CTMP. The CTMP shall include proposals for:

i. A description of all measures to be implemented by the developer in order to manage traffic during the construction phase (incl. routing strategies), with any additional or temporary signage and traffic control undertaken by a recognised QA traffic management consultant. No construction vehicle routing should take place on the A837 to the west of the Proposed Development and the plan should identify measures to restrict vehicles from utilising this route.

ii. Detailed information on vehicle numbers, signing and lining arrangements, arrangements for emergency vehicle access, measures to minimise traffic impacts on existing road users, measures to accommodate pedestrians and cyclists and a nominated road safety person.

iii. A risk assessment for transportation of abnormal loads during daylight hours and hours of darkness.

iv. Proposed traffic management and mitigation measures on the abnormal load access routes. Measures such as temporary speed limits, suitable temporary signage, road markings and the use of speed activated signs should be considered.

v. A contingency plan prepared by the abnormal load haulier. The plan shall be adopted only after consultation and agreement with the Police and the respective roads authorities. It shall include measures to deal with any haulage incidents that may result in public roads becoming temporarily closed or restricted.

vi. A detailed protocol for abnormal load movements, prepared in consultation and agreement with interested parties. The protocol shall identify any requirement for convoy working and/or escorting of vehicles and include arrangements to provide advance notice of abnormal load movements in the local media. Temporary signage, in the form of demountable signs or similar approved, shall be established, when required. All such movements on Council maintained roads shall take place outwith peak times on the network, including school travel times, and shall avoid local community events.

vii. Details of appropriate traffic management which shall be established and maintained at the site access for the duration of the construction period. Full details shall be submitted for the prior approval of the planning authority.

viii. Drainage and wheel washing measures to ensure water and debris are prevented from discharging from the site onto the public road.

ix. A review of the last 5 year Personal Injury Accident (PIA) data for the proposed construction access routes. The review should include a detailed summary of all accidents recorded, including information on cause of accident, vehicle types and locations, examining the existing accident

characteristics of the area. This should include an assessment of the potential impact of the Proposed Development on the road network, to establish if this could have any adverse effects on road safety and if necessary provide suitable mitigation measures to negate any impact.

x. Any additional signing or temporary traffic control measures deemed necessary due to the size or length of loads being delivered as a result of the Development.

xi. A mitigation strategy for the abnormal loads on the trunk road network including any accommodation measures required, incorporating the removal of street furniture, junction widening, or traffic management of road-based traffic and transportation associated with the construction of the Development. All construction traffic associated with the Development must conform to the approved CTMP.

Reason: To ensure that the construction of the windfarm is carried out appropriately and does not have an adverse effect on the environment, and to protect road safety and the amenity of other users of the public road and rights of way.

15 **Road Mitigation Schedule of Works**

No development shall commence until a Road Mitigation Schedule of Works and transport report has been submitted to an approved in writing by the Planning Authority in consultation with the Local Roads Authority. The report, primarily in relation to road mitigation shall be implemented as approved, must include as a minimum:

1) The identification and delivery of all upgrades to the public road network to ensure that it is to a standard capable of accommodating construction-related traffic (including the formation or improvement of any junctions leading from the site to the public road) to the satisfaction of the roads authority, including:

a. An updated route assessment report for abnormal loads, including swept path analysis and details of the movement of any street furniture, any traffic management measures, and any upgrades and mitigations measures as necessary. This should be undertaken for the candidate turbine and any subsequent changes to either the turbine specifications or proposed method of transport would require any assessments to be updated as necessary. The route assessment report should include the following as a minimum:
    - a review of overhead services along the route;
    - a review, in summer conditions, of roadside vegetation along the access route and clearance of any vegetation that may interfere with abnormal load movements.
    - a review of road works or road closures that could affect the movement of abnormal loads.
    - a review of new or diverted underground services that may be at risk from abnormal loads.
    - consultation and agreement with the Police and respective roads authorities regarding the movement of abnormal loads on the local road network.

b. A videoed trial run supported by a summary report to confirm the ability of the local road network to cater for turbine delivery, undertaken in conjunction with both the roads authority and Police Scotland. Three weeks' notice of this trial run must be made to the local roads authority who must be in attendance if deemed necessary.

c. Details of the proposed site access at its junction with the public road and any required works to the standards as set out within THC's Roads and Transportation Guidelines for New Developments. Such works may include suitable drainage measures, improved geometry and construction, measures to protect the public road, and the provision and maintenance of appropriate visibility splays.

d. An assessment of the capacity of existing bridges and other structures along the construction access route(s) to cater for all construction traffic and abnormal load traffic, with upgrades and mitigation measures proposed as necessary. All assessment work must be carried out under the Technical Approval process laid out in DMRB CG300. This involves the submission of an Approval in Principle (AIP) for each assessment for acceptance by the Technical Approval Authority (TAA). This AIP should include details of the proposed delivery vehicles, including axle weights and spacings. On completion of the assessment, assessment and check certificates must be submitted to the TAA, along with the assessment report and copies of the assessment and check calculations. All works to be completed to the satisfaction of the Council prior to any construction activities taking place.

e. Following completion of the trial run and structural assessments, full details of all road mitigation measures needed to facilitate abnormal load movements shall be agreed with Highland Council. The said measures shall be fully implemented to the satisfaction of the Council prior to any abnormal load movements commencing. Appropriate reinstatement / restoration works shall be carried out, as required by Highland Council, at the end of the turbine delivery and erection period.

f. An assessment of the existing passing place provision on the A839 from its junction with the B864 through to the proposed site access junction. Including a programme of mitigation works to provide improved passing place provision, road widening, verge strengthening, associated works identified (if appliable) and restoration proposals (if applicable). The works shall be carried out in full accordance with the plans as may be approved unless otherwise agreed in writing with the planning authority. Thereafter, any works identified within said transport report shall be completed to the satisfaction of the Council prior to any haulage operations (either general construction vehicles or abnormal load) taking place, unless otherwise agreed in writing.

g. A review of existing carriageway drainage provision on the A839 from its junction with the B864 through to the proposed site access junction, including details on the provision of suitable drainage provision associated

with carriageway mitigation works, for example carriageway widening and provision of new or enhanced passing places. Thereafter, any drainage works identified shall be completed to the satisfaction of the Council prior to any haulage operations (either general construction vehicles or abnormal load) taking place, unless otherwise agreed in writing.

h. A review or existing carriageway markings and traffic signs over the length of the proposed works, with any necessary improvement works undertaken to the satisfaction of the Council prior to any haulage operations (either general construction vehicles or abnormal load) taking place, unless otherwise agreed in writing.

2) Establish the current condition of the proposed access route, confirming its suitability or otherwise to accommodate the predicted levels of construction traffic. This work which should be undertaken by a consulting engineer acceptable to the local roads authority and will involve an engineering appraisal including the following:

a. Assessment of the structural strength of the carriageway including construction depth and road formation, where this is likely to be significant in respect of proposed impacts, including non-destructive testing and sampling as required;
b. Road surface condition and profile; and
c. Details on road widths and the vertical and horizontal alignment of carriageway running surfaces.

To further protect the Council's interests, it is recommended that a registered legal agreement is established in respect of the development proposed. The agreement shall relate to Section 96 of the Roads (Scotland) Act 1984 and appropriate planning legislation and include the provision of a Road Bond or similar security, under which the developer is responsible for the repair of any damage to the public road network that can reasonably be attributed to construction related traffic. The agreement shall take account of any neighbouring significant developments that might progress concurrent with the works proposed and will provide, if necessary, a mechanism for apportionment of costs between respective developers. As part of this agreement, pre-start and post-construction road condition surveys must be carried out by the developer, to the satisfaction of the roads authority. The scope of said road condition surveys, both pre-start and post-construction should be agreed with the roads authority prior to any works being undertaken.

Reason: To ensure that the construction of the windfarm is carried out appropriately and does not have an adverse effect on the environment, and to protect road safety and the amenity of other users of the public road and rights of way.

16 Any works required within or alongside Council maintained roads will require the prior written consent of The Highland Council, as roads authority. This includes those works required to the start of any related grid connection works that could impact on Council maintained roads.

The majority of the foregoing requirements are linked to the construction phase of the Proposed Development; however, similar issues will arise during decommissioning. Further consultation and agreement with interested parties will be required at this stage and a condition to this effect should be attached to any permission granted.

Ongoing maintenance of turbines will be required throughout the lifetime of the development. This may give rise to significant transport issues, which will require further consultation with interested parties. As such, notification and approval of the planning authority in consultation with the respective roads authority, and community councils, should be undertaken, for any significant HGV or abnormal load movement required during this period.

Reason: To protect road safety and the amenity of other users of the public road and rights of way.

17 **Floating Access Tracks**

Floating roads shall be installed in areas where peat depths are in excess of 1 metre. Prior to the installation of any floating road, the detailed location and cross section of the floating road to be installed shall be submitted to and approved in writing by the Planning Authority. The floating road shall then be implemented as approved.

Reason: To ensure peat is not unnecessarily disturbed or destroyed.

18 **Finalised Peat Management Plan**

No development shall commence until a finalised Peat Management Plan has been submitted to and approved in writing by the Planning Authority in consultation with NatureScot, and SEPA. The details shall include

a) the mitigation measures described within the Environmental Impact Assessment Report submitted July 2021

b) demonstrate how micrositing and other measures such as floating tracks have been used to further minimise peat and good quality peat habitat disturbance

The development shall not be carried out other than in accordance with the approved details

Reason: To ensure that a plan is in place to deal with the storage and reuse of peat within the application site, including peat stability and slide risks.

19 **Habitat Management Plan**

No development shall commence until a Finalised Habitat Management Plan ("HMP"), has been submitted to, and approved in writing by the Planning Authority in consultation with NatureScot, and SEPA. The information shall include

a) the mitigation measures described within the Environmental Impact Assessment Report (EIAR) received July 2021 and be based upon the Outline Plan provided (EIAR, Volume 4 Appendix 8.10).

b) the proposed habitat management of the site during the period of construction, operation, decommissioning, restoration and aftercare, and shall provide for the maintenance, monitoring and reporting of habitat on site;

c) confirmation that all natural watercourses, ephemeral streams as well as habitat containing natural flows (all potential GWDTE habitats identified in Figure 10.1.5a), as identified in Figure 10.1.7a, be provided with site specific mitigation where the access track traverses these features. This will ensure that the habitats either side of the proposed track continue to function with uninterrupted hydrological connectivity;

d) the final details of the peat restoration works outlined in the Peat Management Plan and as required by condition 18; This shall deliver no less than 41.27ha of peatland improvements works;

e) a suitable area to leave deer stalking grallochs or carcasses outwith the windfarm development area is identified.

f) the section of new track which intersects the territory centre of one breeding curlew pair shall be construction outside of the bird breeding season (April to July inclusive).

g) the provision for regular monitoring and review to be undertaken to consider whether amendments are needed to better meet the habitat plan objectives. In particular, the approved habitat management plan shall be updated to reflect ground condition surveys undertaken following construction and prior to the date of Final Commissioning and submitted for the written approval of the Planning Authority in consultation with NatureScot and SEPA.

Unless and until otherwise agreed in advance in writing with the Planning Authority, the approved HMP (as amended from time to time) shall be implemented in full.

20 **Borrow Pit Restoration**

No development shall commence unless and until a scheme for the working and restoration of each borrow pit has been submitted to, and approved in writing by, the Planning Authority (in consultation with SEPA). The scheme shall include:

a) A cross section capturing the restoration profile should be submitted demonstrating the different types of materials (overburden, peat, turves etc) used and at what specified depths.

b) If peat is being utilised in the restoration of the borrow pit, it should be clearly demonstrated how catotelmic peat will remain stable, and whether any impermeable aggregate bunds need to be constructed within the base of the borrow pit (such as series of cells) to ensure stability and allow progressive restoration to contain the peat and maintain hydrological conditions.

c) Any cut off drains around the borrow pits should be shown on a site plan, clearly demonstrating that clean water will be captured before entering the site, and directed away from the working area and access tracks. This clean water should not be mixed with dirty water construction SuDS.

Thereafter, the approved scheme shall be implemented in full.

Reason: To secure the restoration of borrow pits at the end of the construction period.

21 **Deer Management Plan**

No development shall commence until a Deer Management Plan ("DMP") has been submitted to and approved in writing by the Planning Authority in consultation with NatureScot. The deer management statement shall set out proposed long term management of deer using the wind farm site and shall provide for the monitoring of deer numbers on site from the period from Commencement of Development until the date of completion of restoration.

The approved deer management statement shall thereafter be implemented in full.

Reason: To protect ecological interests of the Caithness and Sutherland Peatlands Special Area of Conservation.

22 **Archaeology**

No development or work (including site clearance) shall commence until proposals for an archaeological watching brief (for the areas of higher potential as detailed in Chapter 12 section 12.11.3 of the submitted EIAR) to be carried out during site clearance and excavation works, has been submitted to, and approved in writing by, the Planning Authority. Thereafter, the watching brief shall be implemented as approved.

Reason: To protect and/or record features of archaeological importance on this site.

23 **Television Reception**

No development shall commence until a Television Reception Mitigation Plan has been submitted to, and approved in writing by, the Planning Authority. The Television Reception Mitigation Plan shall provide for a baseline television reception survey to be carried out prior to the installation of any turbine forming part of the Development, the results of which shall be submitted to the Planning Authority. For the avoidance of doubt the scheme shall include, but not be limited to:

- Details of publication and publicity for the scheme;
- Timescale for investigation of any claims within a reasonable timescale;
- details for reporting mechanism to the planning authority the number of complaints / claims;
- details of the length of the operation of the mitigation scheme. This shall be no less than 18 months of the first export of electricity from the site; and
- details of the bond to be placed with the planning authority to ensure funds are available to deliver the mitigation plan.

The approved Television Reception Mitigation Plan shall thereafter be implemented in full.

Any claim by any individual person regarding television picture loss or interference at their house, business premises or other building, made during the period from installation of any turbine forming part of the Development to the date falling twelve

months after the date of Final Commissioning, shall be investigated by a qualified engineer appointed by the Company and the results shall be submitted to the Planning Authority. Should any impairment to the television signal be attributable to the Development, the Company shall remedy such impairment so that the standard of reception at the affected property is equivalent to the baseline television reception.

Reason: To ensure local television services are sustained during the construction and operation of this development.

24 **Redundant Turbines**

In the event that any wind turbine installed and commissioned fails to produce electricity on a commercial basis to the public network for a continuous period of 6 months, then unless otherwise agreed in writing with the Planning Authority, after consultation with the Scottish Ministers and NatureScot, such wind turbine will be deemed to have ceased to be required. If deemed to have ceased to be required, the wind turbine and its ancillary equipment will be dismantled and removed from the site by the Partnership within the following 6-month period, and the ground reinstated to the specification and satisfaction of the Planning Authority after consultation with the Scottish Ministers and NatureScot.

Reason: To ensure that any redundant wind turbine is removed from Site, in the interests of safety, amenity and environmental protection.

25 **Failure of Development to Generate Electricity**

In the event of the Development, not generating electricity on a commercial basis to the grid network for a continuous period of 12 months from 50% or more turbines installed and commissioned from time to time, the Company must immediately notify the Planning Authority in writing of that situation and shall, if the Planning Authority, in consultation with the Scottish Ministers, direct, decommission the Development and reinstate the site to the specification and satisfaction of the Planning Authority . The Planning Authority shall have due regard to the circumstances surrounding the failure to generate and shall take the decision on decommissioning following discussions with the Scottish Ministers and other such parties as the Planning Authority consider appropriate.

Reason: To ensure the decommissioning and removal of the development in an appropriate and environmentally acceptable manner and the restoration of the site. In the interests of safety, amenity and environmental protection.

26 **Aviation Safety**

No turbine shall be erected until a scheme for aviation lighting for the wind farm consisting of Ministry of Defence accredited infra-red aviation lighting has been submitted to and approved in writing by the Planning Authority in consultation with the MoD. The turbines shall be erected with the approved lighting installed and the lighting shall remain operational throughout the duration of the permission.

Reason: In the interests of aviation safety.

27 **Aviation Safety**

At least 14 days prior to the commencement of the erection of the turbines the Company has provided the Planning Authority, Ministry of Defence, Defence Geographic Centre and National Air Traffic Services ("NATS") with the following information and has provided evidence to the Planning Authority of having done so.

a) the date of the commencement of the erection of wind turbine generators;
b) the maximum height of any construction equipment to be used in the erection of the wind turbines;
c) the date any wind turbine generators are brought into use;
d) the latitude and longitude and maximum heights of each wind turbine generator, and any anemometer mast(s).

Reason: In the interests of aviation safety.

28 **Site Decommissioning, Restoration and Aftercare**

(1) The Development will be decommissioned and will cease to generate electricity by no later than the date forty years from the date of Final Commissioning. The total period for restoration of the Site in accordance with this condition shall not exceed three years from the date of Final Decommissioning without prior written approval of the Scottish Ministers in consultation with the Planning Authority.

(2) No development shall commence unless and until a decommissioning, resto ration and aftercare strategy has been submitted to, and approved in writing by, the Planning Authority (in consultation with NatureScot and SEPA). The strategy shall outline measures for the decommissioning of the Development and restoration and aftercare of the site, and shall include proposals for the removal of the Development, the treatment of ground surfaces, the management and timing of the works and environmental management provisions.

(3) Not later than 3 years before decommissioning of the Development or the expiration of this consent (whichever is the earlier), a detailed decommissioning, restoration and aftercare plan, based upon the principles of the approved decommissioning, restoration and aftercare strategy, shall be submitted for the written approval of the Planning Authority in consultation with NatureScot and SEPA. The detailed decommissioning, restoration and aftercare plan shall provide updated and detailed proposals, in accordance with relevant guidance at that time, for the removal of the Development, the treatment of ground surfaces, the management and timing of the works and environment management provisions which shall include (but is not limited to):

a) site waste management plan (dealing with all aspects of waste produced during the decommissioning, restoration and aftercare phases);

b) details of the formation of the construction compound, welfare facilities, any areas of hardstanding, turning areas, internal access tracks, car parking, material stockpiles, oil storage, lighting columns, and any construction compound boundary fencing;

c) a dust management plan;

d) details of measures to be taken to prevent loose or deleterious material being deposited on the local road network, including wheel cleaning and lorry sheeting facilities, and measures to clean the site entrances and the adjacent local road network;

e) a pollution prevention and control method statement, including arrangements for the storage and management of oil and fuel on the site;

f) details of measures for soil storage and management;

g) a surface water and groundwater management and treatment plan, including details of the separation of clean and dirty water drains, and location of settlement lagoons for silt laden water;

h) details of measures for sewage disposal and treatment;

i) temporary site illumination;

j) the construction of any temporary access into the site and the creation and maintenance of associated visibility splays;

k) details of watercourse crossings; and

l) a species protection plan based on surveys for protected species (including birds) carried out no long er than eighteen months prior to submission of the plan.

The Development shall be decommissioned, site restored and aftercare thereafter undertaken in accordance with the approved plan, unless otherwise agreed in writing in advance with the Planning Authority in consultation with NatureScot and SEPA.

Reason: To ensure the decommissioning and removal of the Development in an appropriate and environmentally acceptable manner and the restoration and aftercare of the site, in the interests of safety, amenity and environmental protection.

29 **Financial Guarantee**

(1) No further development shall take place unless and until a bond or other form of financial guarantee in terms reasonably acceptable to the Planning Authority which secures the cost of performance of all decommissioning, restoration and aftercare obligation s referred to in condition 28 is submitted to the Planning Authority.

(2) The value of the financial guarantee shall be agreed between the Company and the Planning Authority or, failing agreement, determined (on application by either party) by a suitably qualified independent professional as being sufficient to meet the costs of all decommissioning, restoration and aftercare obligations referred to in condition 28.

(3) The financial guarantee shall be maintained in favour of the Planning Authority until the date of completion of all decommissioning, restoration and aftercare obligations referred to in condition 28.

The value of the financial guarantee shall be reviewed by agreement between the Company and the Planning Authority or, failing agreement, determined (on application by either party) by a suitably qualified independent professional no less than every five years and increased or decreased to take account of any variation in costs of compliance with decommissioning, restoration and aftercare obligations and best practice prevailing at the time of each review.

Reason: to ensure that there are sufficient funds to secure performance of the decommissioning, restoration and aftercare conditions attached to this deemed planning permission in the event of default by the Company.

30 **Biodiversity Enhancement**

No development shall commence until a scheme for the delivery of biodiversity enhancement has been submitted to and approved in writing by the Planning Authority. This shall include a suitable financial mechanism for the delivery of the scheme. Thereafter the scheme shall be implemented prior to first export of electricity from the site and maintained throughout the operation and decommissioning of the development.

Reason: To ensure that the development secures positive effects for biodiversity.

31 **Outdoor Access**

No development shall commence until a detailed Outdoor Access Plan of public access across the site (as existing, during construction and following completion) has been submitted to, and approved in writing by, the planning authority. The Outdoor Access Plan shall include details showing:

i. All existing access points, paths, core paths, tracks, rights of way and other routes (whether on land or inland water), and any areas currently outwith or excluded from statutory access rights under Part One of the Land Reform (Scotland) Act 2003, within and adjacent to the application site.

ii. Any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or effect on curtilage related to buildings or structures.

iii. All proposed paths, tracks and other alternative routes for use by walkers, riders, cyclists, canoeists, all-abilities users, etc. and any other relevant outdoor access enhancement (including construction specifications, signage, information leaflets, proposals for on-going maintenance etc.).

iv. Any diversion of paths, tracks or other routes (whether on land or inland water), temporary or permanent, proposed as part of the Development (including details of mitigation measures, diversion works, duration and signage).

The approved Outdoor Access Plan, and any associated works, shall be implemented in full prior to the commencement of development or as otherwise may be agreed within the approved plan.

Reason: In the interests of securing public access rights.

32 **Species Specific Surveys and Protection Plans**

No development shall commence unless and until surveys and Protection Plans have been carried out at an appropriate time of year for the species concerned, by a suitably qualified person, comprising:

a) otter surveys at watercourses and adjacent suitable habitats and within a 250m radius of each wind turbine and associated infrastructure, this shall inform an otter Species Protection Plan to ensure that any otters within and adjacent to the development, remain as part of the otter population linked to the Caithness and Sutherland Peatland SAC. This will be required in advance of the bog restoration program outlined by condition 19.

b) a water vole survey shall be carried out within the six month period preceding commencement of construction, and inform a Species Protection Plan.

c) breeding bird surveys, for breeding waders, raptors, upland birds of any land upon which construction (including the existing Achany Wind Farm access track and additional laydown/welfare areas in that vicinity) takes place, plus an appropriate buffer as agreed with the ECoW to identify any species within disturbance distance of construction activity;

d) a Bird Protection and Mitigation to ensure that birds within the Caithness & Sutherland Peatlands Special Protection Area (SPA) can remain undisturbed during the summer months.

The survey results and any mitigation measures required for these species on site shall be set out in a species mitigation and management plan, which shall inform construction activities. No development shall commence unless and until the plan is submitted to and approved in writing by the Planning Authority and the approved plan shall then be implemented in full.

Reason: In the interests of nature conservation

33 **Noise**

The rating level of noise imissions from the combined effects of the wind turbines hereby permitted (including the application of any tonal penalty), when determined in accordance with the attached Guidance Notes, shall not exceed 35dB LA90 at any noise sensitive location existing at the time of consent and:

A) Prior to the First Export Date, the wind farm operator shall submit to the Local Authority for written approval a list of proposed independent consultants who may undertake compliance measurements in accordance with this condition. Amendments to the list of approved consultants shall be made only with the prior written approval of the Local Authority.

B) Within 21 days from receipt of a written request of the Local Authority, following a complaint to it alleging noise disturbance at a dwelling, the wind farm operator shall, at its expense, employ an independent consultant approved by the Local Authority to assess the level of noise imissions from the wind farm at the complainant's property (or a suitable alternative location agreed in writing with the Local Authority) in accordance with the procedures described in the attached Guidance Notes.

The written request from the Local Authority shall set out at least the date, time and location that the complaint relates to. Within 14 days of receipt of the written request of the Local Authority made under this paragraph (B), the wind farm operator shall provide the information relevant to the complaint to the Local Authority in the format set out in Guidance Note 1(e).

C) Prior to the commencement of any measurements by the independent consultant to be undertaken in accordance with these conditions, the wind farm operator shall submit to the Local Authority for written approval the proposed measurement location identified in accordance with the Guidance Notes where measurements for compliance checking purposes shall be undertaken.

Where the proposed measurement location is close to the wind turbines, rather than at the complainants property (to improve the signal to noise ratio), then the operators submission shall include a method to calculate the noise level from the wind turbines at the complainants property based on the noise levels measured at the agreed location (the alternative method). Details of the alternative method together with any associated guidance notes deemed necessary, shall be submitted to and agreed in writing by the Local Authority prior to the commencement of any measurements.

Measurements to assess compliance with the noise limits of this condition shall be undertaken at the measurement location approved in writing by the Local Authority

D) Prior to the commencement of any measurements by the independent consultant to be undertaken in accordance with these conditions, the wind farm operator shall submit to the Local Authority for written approval a proposed assessment protocol setting out the following:

i) the range of meteorological and operational conditions (the range of wind speeds, wind directions, power generation and times of day) to determine the assessment of rating level of noise imissions.

ii) a reasoned assessment as to whether the noise giving rise to the complaint contains or is likely to contain a tonal component.

The proposed range of conditions shall be those which prevailed during times when the complainant alleges there was disturbance due to noise, having regard to the information provided in the written request of the Local Authority under paragraph (B), and such others as the independent consultant considers necessary to fully assess the noise at the complainant's property. The assessment of the rating level of noise imissions shall be undertaken in accordance with the assessment protocol approved in writing by the Local Authority and the attached Guidance Notes.

E) The wind farm operator shall provide to the Local Authority the independent consultant's assessment of the rating level of noise imissions undertaken in accordance with the Guidance Notes within 2 months of the date of the written request of the Local Authority made under paragraph (B) of this condition unless the time limit is extended in writing by the Local Authority. The assessment shall include all data collected for the purposes of undertaking the compliance measurements, such data to be provided in the format set out in Guidance Note 1(e) of the Guidance Notes. The instrumentation used to undertake the measurements shall be calibrated in accordance with Guidance Note 1(a) and certificates of calibration shall be submitted to the Local Authority with the independent consultant's assessment of the rating level of noise emissions.

F) Where a further assessment of the rating level of noise imissions from the wind farm is required pursuant to Guidance Note 4(c) of the attached Guidance Notes, the wind farm operator shall submit a copy of the further assessment within 21 days of submission of the independent consultant's assessment pursuant to paragraph (E) above unless the time limit for the submission of the further assessment has been extended in writing by the Local Authority.

G) The wind farm operator shall continuously log power production, wind speed and wind direction, all in accordance with Guidance Note 1(d) of the attached Guidance Notes. The data from each wind turbine shall be retained for a period of not less than 24 months. The wind farm operator shall provide this information in the format set out in Guidance Note 1(e) of the attached Guidance Notes to the Local Authority on its request within 14 days of receipt in writing of such a request.

H) Where it is proposed to operate any turbine in a reduced running mode in order to meet the limits, no turbine shall be erected until a curtailment plan for the turbines has been submitted and approved in writing by the local planning authority. The curtailment plan shall demonstrate how the limits will be complied with and shall include the following:

i. Definition of each noise reduced running mode including sound power data;

ii. The wind conditions (speed & direction) at which any noise reduced running mode will be implemented;

iii. Details of the manner in which the running modes will be defined in the SCADA data or how the implementation of the curtailment plan can be otherwise monitored and evidenced.

The Curtailment Plan shall be implemented in accordance with the approved details

I) Prior to the First Export Date, the wind farm operator shall submit to the Local Authority for written approval, a scheme of mitigation to be implemented in the event that the rating level, after adjustment for background noise contribution and any tonal penalty, is found to exceed the conditioned limits. The scheme shall define any reduced noise running modes to be used in the mitigation together with sound power levels in these modes and the manner in which the running modes will be defined in the SCADA data.

J) The scheme referred to in paragraph I above should include a framework of immediate and long term mitigation measures. The immediate mitigation measures must ensure the rating level will comply with the conditioned limits and must be implemented within seven days of the further assessment described in paragraph F being received by the Local Authority. These measures must remain in place, except during field trials to optimise mitigation, until a long term mitigation strategy is ready to be implemented.

Guidance Notes for Noise Condition

These notes are to be read with and form part of the noise condition. They further explain the condition and specify the methods to be employed in the assessment of complaints about noise imissions from the wind farm. The rating level at each integer wind speed is the arithmetic sum of the wind farm noise level as determined from the best-fit curve described in Note 2 of these Guidance Notes and any tonal penalty applied in accordance with Note 3 with any necessary correction for residual background noise levels in accordance with Note 4. Reference to ETSU-R-97 refers to the publication entitled "The Assessment and Rating of Noise from Wind Farms" (1997) published by the Energy Technology Support unit (ETSU) for the Department of Trade and Industry (DTI).

Note 1

(a) Values of the $L_{A90,10\text{-minute}}$ noise statistic should be measured at the complainant's property (or an approved alternative representative location as detailed in Note 1(b)), using a sound level meter of EN 60651/BS EN 60804 Type 1, or BS EN 61672 Class 1 quality (or the equivalent UK adopted standard in force at the time of the measurements) set to measure using the fast time weighted response as specified in BS EN 60651/BS EN 60804 or BS EN 61672-1 (or the equivalent UK adopted standard in force at the time of the measurements). This should be calibrated before and after each set of measurements, using a calibrator meeting BS EN 60945:2003 "Electroacoustics - sound calibrators" Class 1 with PTB Type Approval (or the equivalent UK adopted standard in force at the time of the measurements) and the results shall be recorded. Measurements shall be undertaken in such a manner to enable a tonal penalty to be calculated and applied in accordance with Guidance Note 3.

(b) The microphone shall be mounted at 1.2 - 1.5 metres above ground level, fitted with a two-layer windshield or suitable equivalent approved in writing by the Local Authority, and placed outside the complainant's dwelling. Measurements should be made in "free field" conditions. To achieve this, the microphone shall be placed at least 3.5 metres away from the building facade or any reflecting surface except the ground at the approved measurement location. In the event that the consent of the complainant for access to his or her property to undertake compliance measurements is withheld, the wind farm operator shall submit for the written approval of the Local Authority details of the proposed alternative representative measurement location prior to the commencement of measurements and the measurements shall be undertaken at the approved alternative representative measurement location.

(c) The $L_{A90,10\text{-minute}}$ measurements should be synchronised with measurements of the 10-minute arithmetic mean wind speed and wind direction data and with operational data logged in accordance with Guidance Note 1(d) and rain data logged in accordance with Note 1(f).

(d) To enable compliance with the conditions to be evaluated, the wind farm operator shall continuously log arithmetic mean wind speed in metres per second and wind direction in degrees from north at hub height for each turbine, arithmetic mean power generated by each turbine and any data necessary to define the running mode as set out in the Curtailment Plan, all in successive 10-minute periods. Unless an alternative procedure is previously agreed in writing with the Planning Authority, this hub height wind speed, averaged across all operating wind turbines, shall be used as the basis for the analysis. Each 10 minute arithmetic average mean wind speed data as measured at turbine hub height shall be 'standardised' to a reference height of 10 metres as described in ETSU-R-97 at page 120 using a reference roughness length of 0.05 metres. It is this standardised 10 metre height wind speed data which is correlated with the noise measurements determined as valid in accordance with Note 2(b), such correlation to be undertaken in the manner described in Note 2(c). All 10 minute periods shall commence on the hour and in 10 minute increments thereafter synchronised with Greenwich Mean Time and adjusted to British Summer Time where necessary.

(e) Data provided to the Local Authority shall be provided in comma separated values in electronic format with the exception of data collected to asses tonal noise (if required) which shall be provided in a format to be agreed in writing with the Local Authority.

(f) A data logging rain gauge shall be installed in the course of the independent consultant undertaking an assessment of the level of noise imissions. The gauge shall record over successive 10 minute periods synchronised with the periods of data recorded in accordance with Note 1(d). The wind farm operator shall submit details of the proposed location of the data logging rain gauge to the Local Authority prior to the commencement of measurements.

Note 2

(a) The noise measurements should be made so as to provide not less than 20 valid data points as defined in Note 2 paragraph (b).

(b) Valid data points are those measured during the conditions set out in the assessment protocol approved by the Local Authority but excluding any periods of rainfall measured in accordance with Note 1(f).

(c) Values of the $L_{A90,10\text{-minute}}$ noise measurements and corresponding values of the 10-minute standardised ten metre height wind speed for those data points considered valid in accordance with Note 2(b) shall be plotted on an XY chart with noise level on the Y-axis and wind speed on the X-axis. A least squares, "best fit" curve of an order deemed appropriate by the independent consultant (but which may not be higher than a fourth order) shall be fitted to the data points to define the wind farm noise level at each integer speed.

Note 3

(a) Where, in accordance with the approved assessment protocol noise imissions at the location or locations where compliance measurements are being undertaken contain or are likely to contain a tonal component, a tonal penalty shall be calculated and applied using the following rating procedure.

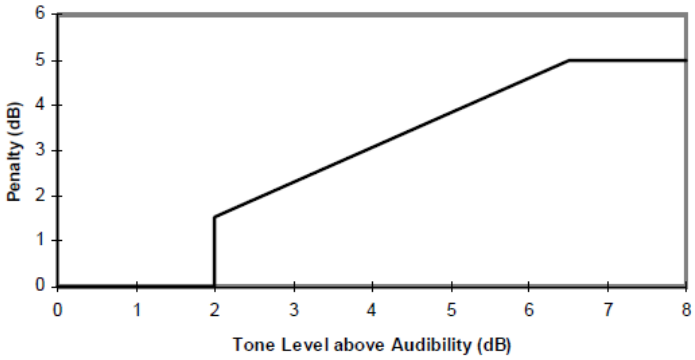
(b) For each 10-minute interval for which $L_{A90,10\text{-minute}}$ data have been determined as valid in accordance with Note 2, a tonal assessment shall be performed on noise imissions during 2 minutes of each 10-minute period. The 2-minute periods should be spaced at 10-minute intervals provided that uninterrupted uncorrupted data are available ("the standard procedure"). Where uncorrupted data are not available, the first available uninterrupted clean 2-minute period out of the affected overall 10-minute period shall be selected. Any such deviations from the standard procedure shall be reported.

(c) For each of the 2-minute samples the tone level above audibility shall be calculated by comparison with the audibility criterion given in Section 2.1 on pages 104 -109 of ETSU-R-97.

(d) The tone level above audibility shall be plotted against wind speed for each of the 2-minute samples. Samples for which the tones were below the audibility criterion or no tone was identified, a value of zero audibility shall be substituted.

(e) A least squares "best fit" linear regression shall then be performed to establish the average tone level above audibility for each integer wind speed derived from the value of the "best fit" line fitted to values within ± 0.5m/s of each integer wind speed. If there is no apparent trend with wind speed then a simple arithmetic mean shall be used. This process shall be repeated for each integer wind speed for which there is an assessment of overall levels in Note 2.

(f) The tonal penalty is derived from the margin above audibility of the tone according to the figure below derived from the average tone level above audibility for each integer wind speed.



Note 4

(a) If a tonal penalty is to be applied in accordance with Note 3 the rating level of the turbine noise at each wind speed is the arithmetic sum of the measured noise level as determined from the best fit curve described in Note 2 and the penalty for tonal noise as derived in accordance with Note 3 at each integer wind speed within the range set out in the approved assessment protocol.

(b) If no tonal penalty is to be applied then the rating level of the turbine noise at each wind speed is equal to the measured noise level as determined from the best fit curve described in Note 2.

(c) If the rating level lies at or below the noise limits approved by the Local Authority then no further action is necessary. In the event that the rating level is above the noise limits, the independent consultant shall undertake a further assessment of the rating level to correct for background noise so that the rating level relates to wind turbine noise imission only.

(d) The wind farm operator shall ensure that all the wind turbines in the development are turned off for such period as the independent consultant requires to undertake the further assessment. The further assessment shall be undertaken in accordance with the following steps:

i. Repeating the steps in Note 2, with the wind farm switched off, and determining the background noise (L_3) at each integer wind speed within the range set out in the approved noise assessment protocol.

ii. The wind farm noise (L_1) at this speed shall then be calculated as follows where L_2 is the measured level with turbines running but without the addition of any tonal penalty:

$$L_1 = 10\log\left[10^{L_2/10} - 10^{L_3/10}\right]$$

iii. The rating level shall be re-calculated by adding the tonal penalty (if any is applied in accordance with Note 3) to the derived wind farm noise L_1 at that integer wind speed.

iv. If the rating level after adjustment for background noise contribution and adjustment for tonal penalty lies at or below the noise limits approved by the Local Authority then no further action is necessary. If the rating level at any integer wind speed exceeds the noise limits approved by the Local Authority then the development fails to comply with the conditions.

Reason: To protect amenity and to ensure that noise limits are not exceeded and to enable prompt investigation of complaints.

Designation: Area Planning Manager - North

Author: Alison Harvey

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

Relevant Plans:

Document Type	**Document No.**	**Version No.**	**Date Received**
LOCATION PLAN	FIGURE 1.1		29.07.2021
SITE CONTEXT PLAN	FIGURE 1.2		29.07.2021
SITE LAYOUT PLAN	FIGURE 1.3		29.07.2021

Appendix 2 – Assessment against Landscape and Visual Assessment Criteria contained within Section 4 of the Onshore Wind Energy Supplementary Guidance

Criterion 1 is related to relationships between settlements/key locations and the wider landscape.

As demonstrated by the ZTV and the visual impact assessment contained within Chapter 7 of the EIAR, the proposal would not be visible from the majority of the main settlements within the study area. However, it is concluded that there would be moderate (significant) effects from 6 VPs which included the smaller residential settlements at Achnairn, Rosehall and West Shinness. Whilst cumulative impacts have been raised, it is not considered that the scheme would result in the encirclement of these settlements.

The proposed development is considered to meet the threshold of Criterion 1.

Criteria 2 and 5 are related to the amenity and visual appeal of transport routes.

The applicants' assessment has concluded that there would be a limited effect on the majority of locations which may be considered important gateways. For instance, VP 15 (Struie 27.54km), is one of the most visited on the Highland road network and down the Kyle of Sutherland and Dornoch Firth, the Proposed Development would always be seen through existing turbines so is not likely to be significant.

The majority of road routes within the study area would not be significantly affected by the application, a significant effect has been identified for one main road route within the study area: the A838 between Dalchork and Corrykinloch. Whilst this is anticipated to affect the visual amenity of this route, this will not affect the route as whole. Views would still be retained in areas not affected by the Proposed Development. It is therefore considered that the threshold for this criterion would not be exceeded, with the exception of the route between Dalchork and Corrykinloch.

Criterion 3 is related to the extent to which the proposal affects the fabric and setting of valued natural and cultural landmarks.

There will be moderate (significant) effects on two Landscape Character Types (LCTs), however, these are contained within 8km with very localised impacts predicted up to 10km to west of Glen Cassley where wild land characteristics may be affected. It is acknowledged that there will some significant effects in relation to the NSA, the Planning Authority and NatureScot have agreed with the applicants LVIA assessment in concluding that this would not undermine the integrity of the NSA. There is a difference in the conclusions relating to WLA, with the Planning Authority considering this to be acceptable, whilst NatureScot are maintaining an objection. There will be significant impacts from some mountain tops (e.g, VP 10 and 21) however, the acceptability of the impacts is mitigated to an acceptable level by its position within the cumulative wind farm picture and its avoidance into views which are largely devoid of development. In addition, the Special Landscape Area would not be significantly affected by the development.

There are no Scheduled Ancient Monuments, Listed Buildings or Conservation Areas within the application site. There are six non-designated heritage assets within the site, within 5km from the Site, there are ten Scheduled Monuments, seven Category B Listed Buildings, six Category C Listed Buildings. The EIAR considers that there will be moderate and significant effects upon the setting of one monument, which is the Iron Age Dail Langwell broch. The

broch is a scheduled monument (SM1852), which is located 2km south-west of the site, and is situated on the southern side of Glen Cassley and on a steep slope above the River Cassley, so in a highly prominent position. However, Historic Environment Scotland and the Council Historic Environment Team do not object to the scheme and consider that the prominence and dominance of Dail Langwell would remain appreciable

As with any scheme of this nature and scale, there will be significant effects, however, the existing baseline, together with the design changes made since the previous refusal and the recommended mitigation advanced by officers in this application, the effects are considered to be acceptable on balance. The proposed development meets the threshold of Criterion 3.

Criterion 4 is related to the amenity and visual appeal of key recreational routes and ways.

The LVIA included an assessment of routes, this included public roads and other public transport routes, Core Paths and routes such as the 'Scottish Hill Tracks'. Of the 18 routes assessed, moderate (significant) effects are predicted on four routes – A838 Dalchork to Corrykinloch, U2117 Cassley Bridge to Duchally Road, Allt an Tuir Burn Walk and localised parts of the Scottish Hill 332 when the route crosses the Ben More Assynt and Meall an Aonaich. These effects would be relatively localised with respect to the available recreational routes within the study area and it is not considered that the effects would be sufficient to overwhelm or significantly detract from their visual appeal. The proposed development meets the threshold of Criterion 4 albeit there will be some routes where there will be significant adverse effects.

Criterion 6 is related to pattern of development.

The pattern of development is discussed under Criteria 1 above in so far as it relates to encirclement of settlements. The pattern of wind energy development in this area is characterised by clustering of development to the west and south of Loch Shin. The proposed development would sit within that cluster in most views albeit extending it somewhat to the north west. The closest operational turbines at Rosehall and Achany wind farms are notably smaller than those within the proposed scheme, however from the majority of views this is not problematic due to the wind farm extension sitting sufficiently apart from the operational development ensuring the existing schemes and the proposed scheme retain their own setting and character. The clustering of development would be further enhanced through the removal of turbines 10 and 20 by reducing the horizontal spread of the development. In some VPs this increases the separation with the existing turbines and assists in rationalising the difference in the height between the existing and proposed turbines. The mitigation also improves the stacking or density of turbines in some views toward the development.

Criteria 7 and 9 are related to the separation between development/and or clusters both in visual and landscape terms.

The majority of the viewpoints provided show the proposed development in the context of the existing operational wind farms. From mountainous views, although the scheme would intensify the number of turbines, it is relatively contained within views already experiencing turbines. As discussed in Criteria 6 above, although the proposal would increase the number of turbines visible it is set within an existing area that experiences this type of features. Limiting the horizontal spread of the turbines has improved the composition of the scheme for example when looking across Loch Shin (e.g. VP2 and VP9) the avoiding

turbines on the higher land. This also assists in framing the scheme between the two mountains. In addition, from the majority of elevated viewpoints the larger turbines are seen in front of the existing wind farms, this limits visual confusion despite the differences in scale of the turbines to others in the area. Criteria 7 and 9 are considered to be met.

Criterion 8 is related to perception of landscape scale and distance.

The Proposed Development would be formed of larger turbines than those used on existing operational sites within the nearby area. As detailed above from the majority of elevated viewpoints the larger turbines are seen in front of the existing wind farms, this limits visual confusion despite the differences in scale of the turbines to others in the area. In terms of LCTs, for example 142: Strath – Caithness and Sutherland, there are potential significant effects particularly from sections of upper Glen Cassley between Badintagairt and Glenmuick, as the scale of the turbines may distract from the remote qualities and diminish the perceived scale of the hills enclosing the eastern side of the glen however, the EIAR states that this would not affect the western side of the glen, or the perception of the mountainous landscape up the glen to the north-west. The recommended mitigation has improved the composition of the scheme with the horizontal spread of the turbines being contained by the removal of turbine 20, this assists in creating a separation with the existing turbines and assists in rationalising the difference in the height of the turbines. This also assist in avoid encroachment upon the higher land allowing the scheme to be framed between the two mountains (e.g., VP2 and VP9). Overall, the proposal is considered to meet the threshold for Criterion 8.

Criterion 10 is related to distinctiveness of landscape character.

As detailed above and the main report, the proposal would lead to some localised but significant effects on landscape character, largely limited to the north of the Proposed Development where existing wind turbines are less influential. NatureScot consider that there will be a significant effect on the Wild Land Area (WLA) 34– Reay Cassley and one of its Key Qualities: “Extensive, elevated peatland slopes whose simplicity and openness contribute to a perception of awe, whilst highlighting the qualities of adjacent mountains”. Significant impacts are identified for parts of the NSA but these are not considered to undermine the integrity of the designation. Overall, the proposal is considered to meet the threshold for Criterion 10.

Appendix 3 – Viewpoint Assessment Appraisal – Visual Impact

Viewpoint (VP)		Receptor	Sensitivity of Visual Receptor	Magnitude of Impact	Residual Effect on Visual Amenity at Viewpoint	Notes
VP 1: A836 above the Crask Inn 15.63km from the site	APP	Representative of views obtained by travellers on the public road, residents and visitors at Crask and more broadly of middle distance views obtained from the north.	Medium – High	Low	Minor (Not Significant)	EIAR states: Turbines would appear in the south westerly view on the skyline. Seen in the context of existing Achany and Rosehall turbines but slightly larger and closer to the receptor. The scheme would extend the turbines towards Ben More Assynt but not likely to impact upon views. THC agree with the EIAR assessment. Recommended Mitigation: Removal of T20 would contain the horizontal spread of the turbines. Deletion of T10 would remove one of the more prominent turbines in this view and remove turbines from the perceptible rise in the land.
	THC		Medium – High	Low	Minor (Not Significant)	
VP 2 A836 bridge by Dalnessie entrance 11.67km from the site	APP	Representative of views obtained by travellers / recreational users of public road and track and more generally of westerly views at closer middle distance	Medium	Medium	Minor to Moderate (not significant)	EIAR states: Turbines would be present on the skyline to the west-south-west, stretching the appearance of existing wind turbines in the view further to the west. Turbines would sit at a low point between hills. They would form a noticeable feature but are considered unlikely to distract from the existing panoramic qualities of the view, appearing to the rear of existing, closer focal points such as woodlands and properties. Views from this location would be typically passing in nature, obtained by road users. THC generally agree with the EIAR assessment.
	THC		Medium	Medium	Minor to Moderate (not significant)	

						Recommended Mitigation: The scheme would result in some turbine stacking which is unfortunate, but the removal of T10 would benefit the composition of the scheme by reducing the schemes horizontal spread, avoid encroaching up the higher land and frame the scheme between the two mountains. The removal of T9 would have assisted this further.
VP 3: Saval 11.8km to the south west of the site.	APP	Representative of views obtained by residents and visitors of a group of rural properties, elevated to the north of Lairg	Low- Medium	Low	Minor (not significant)	EIAR states: Elevated views with main southerly orientation towards the southern mountains and hills around Carn Chuinneag. Achany / Rosehall turbines are perceptible on the skyline of the forested hills to the south-west. Turbines would be visible on the skyline of the forested ridgeline to the west, extending the existing grouping of Achany and Rosehall turbines. THC agree with the EIAR assessment. Recommended Mitigation: The scheme would present mostly as blades and tips above the skyline. No impact with the removal T20 from this VP, but deletion T10 would remove the most dominating turbines in this view. The removal of T9 would have assisted, but T10 is the more dominant in this view. The removal of T10 will help to present turbines which are similar in scale to the Rosehall and Achany WFs.
	THC		Low- Medium	Low	Minor (not significant)	
VP4: Rhilochan 27.36km from site	APP	Representative of views obtained by residents and visitors of scattered residential properties and travellers / recreational users on minor roads.	Low-Medium	Negligible	Negligible (Not significant)	EIAR states: Elevated and open panoramic views are obtained to the north south and west over the rolling croft land and moorland towards distant hills and mountains. The proposal would feature within the westerly view in combination with existing Achany and Rosehall turbines. THC generally agree with the EIAR assessment.
	THC		Low-Medium	Negligible	Negligible (Not significant)	

		More generally representative of more distant views from east				Recommended Mitigation: Deletion of T10 would remove one of the most dominant turbines in this VP. Would assist in allowing the turbines to appear at a similar scale to existing turbines in the view. The removal of T9 would have assisted further.
VP5: Ben Hee 22.99km from the site.	APP	Representative of views obtained by hillwalkers and more broadly representative of visibility from mountain summit areas to the north.	Medium	Low	Minor (not significant)	EIAR states: Elevated 360° panoramic views around the surrounding extensive landscape. The Proposed Development would feature within the middle to far distant view to the south, in the context of existing Achany and Rosehall turbines, but slightly larger and closer and extending wind turbines slightly further westwards in the view. Turbines would be easily perceptible in the view, but in an area where existing turbines are already present and are therefore not anticipated to form a newly distracting feature. THC not in full agreement with the EIAR and consider that this underestimates the potentially complex cumulative picture and the further horizontal spread of the turbines from recreational receptors. Recommended Mitigation: From this viewpoint there were a number of candidate turbines, such as T8, T5 and T2 (seen as outliers) which if removed would have assisted in the design and composition of the scheme. However, these were less problematic from other views. Regardless the removal of T10 and T20 would remove two of the more dominating turbines, remove an outlier so reduce the spread of the turbines and reduce stacking. This last point would have been further assisted with the removal of T9.
	THC		High	Medium	Minor to Moderate (not significant)	
VP6: Rosehall 4.79km to the site.	APP	Representative of views obtained by residents and visitors of Rosehall	Medium	Medium - High	Moderate (Significant)	EIAR states: The southerly turbines of the Proposed Development would appear on the skyline, slightly oblique to the main focus of the view as blades and hubs. These would appear noticeable, though similar

	THC	village and travellers passing through on the A837.	High	Medium - High	Moderate (Significant)	to existing turbines which are visible, and would extend the field of view occupied by wind turbines. Further oblique, within the northerly view, more distant turbines may be perceptible up Glen Cassley, but filtered or screened by trees. THC generally agree with the EIAR assessment, but consider that the sensitivity of the receptor is high Recommended Mitigation: Removal of T20 would narrow the field of view, deletion of T10 would remove one of the more prominent turbines in this view. The removal of T9 would have further improved this, as this was another of the prominent turbines in this view.
VP 7: High Road 12.91km to the site.	APP	Elevated open views to north and west. Existing turbines of Achany and Rosehall wind farms are present along the skyline in the westerly view.	Medium	Low	Minor (not significant)	EIAR states: Elevated open views to north and west. Existing turbines of Achany and Rosehall wind farms are present along the skyline in the westerly view. Would appear at a similar scale as, but less prominent than existing turbines. THC agree with the EIAR assessment. Recommended Mitigation: Deletion of T10 would remove the most prominent turbine in this VP.
	THC		Medium	Low	Minor (not significant)	
VP 8: A836 - A838 Junction 10.62km	APP	Representative of views obtained by residents and visitors of properties around Tirryside and Dalchork and road users of the A836 and A838.	Low- Medium	Low	Minor Not significant	EIAR states: Low vantage views along the roads, partially obscured by nearby roadside vegetation and roadside signage. Tips and blades of turbines would feature in middle distance of the westerly view, appearing on the skyline of the forest clad hills. These would appear similar to existing blades of Achany wind farm, though slightly more distant. Anticipated to be perceptible but not distracting in the view.
	THC		Low- Medium	Low	Minor Not significant	

						THC agree with the EIAR assessment. Recommended Mitigation: Deletion of T10 would remove the most perceptible of the turbines in this view.
VP 9: Achnairn caravan and camping site entrance 9.65km from the site	APP	Representative of views obtained by residents and visitors (including campers), to small settlement area and campsite	Medium	Medium	Moderate (Significant)	EIAR states: Elevated views to south-east, down Loch Shin and Achany Glen and south-west across Loch Shin, partially reduced by trees and roadside vegetation. Existing turbines of Achany wind farm are present as blades and hubs on the skyline to the south-west and those of Lairg wind farm are present to the south-east. Blades and hubs of turbines would appear in a low point on the skyline between two hills with a few additional tips likely to be barely perceptible. THC agree with the EIAR assessment. Recommended Mitigation: Similarly, to VP2, T10 would benefit the composition by reducing the schemes horizontal spread, avoid encroaching up the higher land and frame the scheme between the two mountains. Again, the removal of T9 would have further contained the horizontal spread of turbines.
	THC		Medium	Medium	Moderate (Significant)	
VP 10: Ben More Assynt 15.73km to the site.	APP	Representative of views obtained by hillwalkers and more generally representative of types of view obtained at middle distance from the edge of the Assynt Coigach NSA.	Medium	Medium to low	Minor to moderate (Not significant)	EIAR states: Elevated and expansive 360° views. Existing wind turbines are present in the south-easterly view including Achany, Rosehall and Lairg wind farms in the middle distance and Gordonbush and Kilbraur wind farms in the far distance. The Proposed Development would appear within the elevated south easterly view with turbines and tracks likely to be visible. This part of the view is already affected by wind turbine development and the Proposed Development would only slightly extend the
	THC		High	Medium	Moderate (significant)	

						area of the view occupied by turbines, but would appear slightly larger and closer to the VP. This would form a perceptible change within a less sensitive part of the view with the wider views across the mountainous landscapes to north, south and west being unaffected. THC not in full agreement with the EIAR and consider that this underestimates the sensitivity of the recreational users from this VP. The overall visual impact from this viewpoint is moderate (significant). Recommended Mitigation: Similarly, to VP 5, this presents a potentially complex cumulative picture and from this viewpoint there were a number of candidate turbines, (such as outlying group at the side of the scheme – T18, 20, 16, 17 and 19) which if removed would have assisted in the design and composition of the scheme. However, the removal of T10 and T20 would be of benefit as they currently add an additional layer to the wind farm. Removal of T9 would have further improved this by 'lightening' up the cluster of turbines in the middle of the scheme.
VP 11: Glencassley road to south of Castle 2.42km to the site.	APP	Representative of views obtained by travellers and recreational users of rural road and Glen Cassley	Medium	Medium to High	Moderate (Significant)	EIAR states: Low vantage views, framed by valley sides to north and south, but filtered / screened by riverside trees to north. Two turbines and two blades of the Proposed Development would appear above the easterly glen-side. These would appear larger than the existing visible turbines but would not distract from the main, funnelled views down the glen from this location. THC agree with the EIAR assessment.
	THC		Medium	Medium to High	Moderate (Significant)	

						Recommended Mitigation: No impact with removal of T10. Limit number of turbines in view with deletion of T20.
VP 12: Glencassley road by Langwell Hill 4.15km	APP	Representative of views obtained by travellers and recreational users of rural road and Glen Cassley	Medium	High	Moderate (significant)	EIAR states: Low vantage views, framed by low valley sides. Turbines of the Proposed Development would appear above the skyline of the easterly glen-side between enclosing hills, with a few tips appearing above the skyline of the more distant glen side. Turbines would appear moderately large and form a focus within this part of the view, though would not intrude into the glen and would not affect the open views down the glen, or up towards the mountains which form the main focus of the view. THC agree with the EIAR assessment. Recommended Mitigation: Removal of T9 and T10 would ensure that the scheme sits along the front ridge line of the land rather than also straddling the ridgeline to the rear. The removal of just T10 assists to some extent and reduces the number of turbines in view.
	THC		Medium	High	Moderate (significant)	
VP 13: Ben Klibreck 22.91km	APP	Representative of views obtained by hillwalkers and more generally of more distant elevated views to the north east	Medium to High	Low	Minor to moderate (not significant)	EIAR states: Elevated 360° views across the surrounding extensive landscape are expansive in all directions across surrounding moorland and mountains. There are existing wind farms are present in the distant view to the south and south-east. The Proposed Development would form a feature in the mid-ground to the south-south-west appearing to extend the existing spread of wind turbines within the view further to the north and bringing turbines somewhat closer to the VP. It would appear to the foreground of the distant Seana Bhràigh in the view. This would form a perceptible change to the view
	THC		Medium to High	Low to medium	Moderate (not significant)	

						overall and a more noticeable change to the particular view towards Seana Bhràigh but would not affect the impressive qualities of wider expansive 360° view and would be reflective of existing features within the view. THC not in full agreement with the EIAR and consider that this underestimates the sensitivity of the recreational users from this VP. Recommended Mitigation: There are other turbines which if removed would improve the composition from this VP. However, T20 is seen as an outlier from this VP so its removal will restrict the horizontal spread. T10 is one of the most prominent in this VP. However, the removal of T9 would have assisted as well in limiting turbine stacking.
VP 14: A838 near West Shinness 8.29km	APP	Representative of views obtained by residents and visitors to nearby properties and road users on the A838.	Medium to High	Medium	Moderate (significant)	EIAR states: Slightly elevated views across Loch Shin to heather-clad ridge line on far side, with forest and woodland on lower slopes. More panoramic views are available, looking south-east down Loch Shin and west towards Ben More Assynt, slightly filtered by roadside trees and woodland and are more representative of those perceived by road users. Existing wind turbines of Achany wind farm appear as blades above the skyline to the southsouth-west Turbines would appear above the skyline on a low point between hills increasing the numbers of turbines visible. This is anticipated to lead to a noticeable change to the view. THC agree with the EIAR assessment. Recommended Mitigation: Deletion of T10 would remove one of the three most prominent turbines from the VP.
	THC		Medium to High	Medium	Moderate (significant)	

VP 15: B9176, Struie Viewpoint 27.54km	APP	Representative of views obtained by travellers including tourists on the B9176 and at stopping and viewing area. Also more widely representative of views from the Dornoch Firth NSA	Medium	Negligible	Negligible (Not significant)	EIAR states: Elevated northerly panoramic views over the Dornoch Firth with particular focus to the north-west up the Kyle of Sutherland. Existing turbines of Achany and Rosehall wind farms are perceptible in this view, centrally located at the head of the firth. THC generally accept the EIAR assessment, but this viewpoint is one of the most visited viewpoints on the Highland road network where one can experience the Dornoch Firth NSA. So the sensitivity of the receptor is considered to be high. Recommended Mitigation: Deletion of T10 and T20 would remove two of the three most prominent turbines from the VP, the remaining one being T9. Although a relatively minor change is does present a cleaner composition within what is a busy cumulative picture.
	THC		High	Negligible	Negligible (Not significant)	
VP 16: Minor road at Inveroykel forest access 6.49km	APP	Representative of views obtained by travellers on rural road and nearby rural properties at Ochtow and Inveroykel.	Low - Medium	Medium	Minor to Moderate (not significant)	EIAR states: the Proposed Development turbines would appear on the skyline to the west of the existing Achany and Rosehall turbines, but separated. The Proposed Development turbines would be a similar height in the view but would appear perceptibly larger due to the longer blade length and slightly greater sense of distance. the Proposed Development is anticipated to extend the horizontal spread of turbines from this view, within a view where existing turbines are already prominent. THC agree with the EIAR assessment. Recommended Mitigation: T20 is seen as an outlier from the VP to its removal would narrow the horizontal spread and field of the view of the scheme. Removal
	THC		Low - Medium	Medium	Minor to Moderate (not significant)	

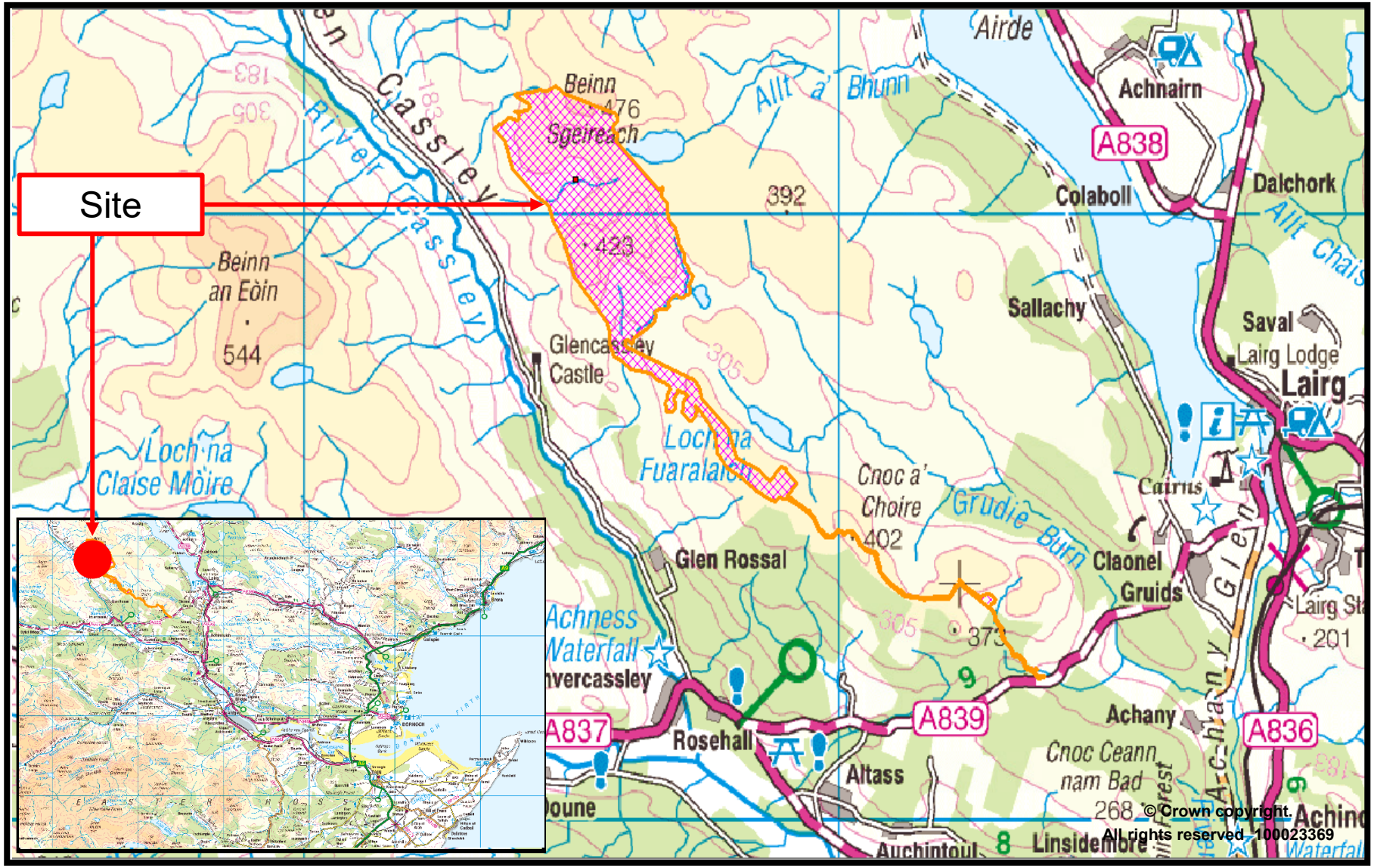
						of T10 reduces some of the stacking of turbines within the design. The removal of T9 would have further assisted in this regard.
VP 17 A836 at Allt na Fearna 13.86km	APP	Representative of glimpsed views obtained by travellers on the A836 between Invershin and Lairg	Low	Negligible	Negligible Not significant	EIAR states: Glimpsed view between roadside trees to surrounding forested hills. Turbines of the Proposed Development may be seen to the north-west through Strath Grudie. Intervening forest cover would screen most of the turbines with only tips potentially visible and likely to be imperceptible. A fleeting view obtained by travellers. THC agree with the EIAR assessment. Recommended Mitigation: Removal of T10 and T20 would make no change to this VP as they are not visible.
	THC		Low	Negligible	Negligible Not significant	
VP 18 Carn Chuinneag 23.50km	APP	Representative of views obtained by hill-walkers and more generally of distant elevated views obtained from the south.	Medium to High	Low	Minor (not significant)	EIAR states: Elevated 360° panoramic views of surrounding extended landscape with receding layers of mountains to north, south and west and coastal lands to east. Existing turbines are perceptible in the view including Coire na Cloiche and Bein Beinn Tharsuin to the east, Novar and Lochluichart / Corriemoillie to the south and Achany and Rosehall to the north. The Proposed Development would appear within the far to middle distance of the northerly view, extending the grouping of turbines of Achany and Rosehall further to the west. This would be a perceptible change but given the existing presence of wind turbines within this view is not anticipated to lead to a new noticeably detracting feature within the view. THC not in full agreement with the EIAR and consider that this underestimates the sensitivity of the recreational users from this VP.
	THC		High	Low to Medium	Moderate (not significant)	

						Recommended Mitigation: Complex cumulative picture. T20 is seen as an outlier from the VP to its removal would narrow the horizontal spread and field of the view of the scheme. Removal of T10 creates a cleaner composition. The removal of T9 would have further assisted in this regard.
VP 19 Seana Bhràigh 26.59km	APP	Representative of views obtained by hill-walkers and more generally from elevated locations to the south-west and within the Fannichs, Beinn Dearg and Glencalvie SLA.	High	Low	Minor Not significant	EIAR states: Elevated 360° panoramic views of surrounding extended landscape. Receding layers of mountains are seen extensively to west with dramatic lone mountain peaks of Assynt to the north. Ben More Assynt and more distantly Ben Loyal and Klibreck form focal points in the view to the north-east behind a mid-ground of forested slopes. The view is more restricted by nearby summits to the east and south but the sea forms a backdrop to the easterly view. Existing Achany and Rosehall wind farms are distantly perceptible to the north-east. The Proposed Development would appear distantly within the elevated south-east view, extending the spread of the existing Achany and Rosehall turbines to the north and west in the view. Turbines would partially sit to the foreground of Klibreck which forms a focal point within this part of the view, on an intervening ridgeline within a context of forested slopes to the foreground. This would form a perceptible change within the view. However, the wider mountainous views to the west and north would not be affected. This is a very wide and expansive view and the vast majority of it would remain unaffected. THC not in full agreement with the EIAR and consider that this underestimates the magnitude of impact, however, it still remains not significant overall
	THC		High	Low to Medium	Moderate (not significant)	

						Recommended Mitigation: T20 is seen as an outlier from the VP to its removal would narrow the horizontal spread and field of the view of the scheme. Removal of T10 would limit a further line of turbines, removal of T9 would have assisted in this regard. However, the mitigation would do little to minimise the stacking of turbines from this VP.
VP 20 Cul Mòr 28.40km	APP	Representative of views obtained by hillwalkers and more general visibility from isolated peaks to the west of the Proposed Development in the Assynt – Coigach NSA	High	Negligible	Negligible (not significant)	EIAR states: Elevated, extensive 360° views across the surrounding extended landscape. Views are particularly focused to north and west featuring the other Assynt mountains and west coast, and south to the mountains of Coigaich and Torridon. Easterly views are extensive featuring Elphin and Lochs Veyatie, Urigill, Borrain and Cam Loch in the foreground with surrounding forest. Existing Rosehall and Achany wind farms are distant and barely perceptible to east. The Proposed Development would appear distant and small in the extensive easterly view, separate to the existing grouping of turbines, slightly to the north and appearing slightly closer. However, it would be a very small feature, in an area where turbines are already present, although of limited perceptibility, and would not affect the more valued parts of he view which cover the mountains of the Assynt Coigach NSA to north, south and west. It is considered that this would not lead to a barely perceptible change in the view. THC not in full agreement with the EIAR and consider that this underestimates the magnitude of impact, however, it still remains not significant overall
	THC		High	Low to medium	Moderate (not significant)	

						Recommended Mitigation: Removal of T20 has no impact on this VP. Deletion of T10 removes two of the more dominant turbines, removal of T9 would have further assisted in this regard.
VP 21 Meall an Aonaich 12.27km	APP	Representative of views obtained by hillwalkers and elevated views obtained within the south-east corner of the Assynt – Coigach NSA at closer proximity.	Medium	Medium	Moderate (Significant)	EIAR states: Elevated 360° views, most extensive and open to the south with distant mountains seen beyond a forest plantation midground. Westerly views are more restricted by nearby summits. Craggy summits and slopes of Ben More Assynt are striking to the north, and to north-east, the lone mountains of Klibreck, Ben Hope and Ben Loyal are seen. Existing Achany, Rosehall and Lairg turbines are perceptible within the south-easterly view which is limited in extent by the nearby ridge. Turbines and tracks of the Proposed Development would be seen in the south-easterly view, affecting a similar area to Rosehall, Achany and Lairg wind farms but closer and slightly extending the part of the view affected. The Proposed Development would not affect any particular mountain views but would form a noticeable new feature in the view which could be somewhat distracting. During construction, borrow pits and other works would also appear within the view and may draw slightly greater focus but are considered unlikely to increase the level of visual effect. THC not in full agreement with the EIAR and consider that this underestimates the sensitivity of the recreational users from this VP.
	THC		High	Medium	Moderate (Significant)	

						Recommended Mitigation: Removal of T20 simplifies the outlying cluster. Removal of T10 allows the scheme to be visually broken down into smaller groups, whereas they are currently straddling the land between to of the cluster of turbines. However, the removal of T9 would have assisted to empathise this grouping further.



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The Highland Council
Comhairle na Gàidhealtachd

Planning and Development Service

Location Plan
21/03695/S36

Achany Extension Wind Farm - Erection and Operation of a Wind Farm for a period of 50 years, comprising of 20 Wind Turbines with a maximum blade tip height 149.9m, access tracks, borrow pits, substation, control building, and ancillary infrastructure

December 2021

Scale:1:80000

sse Renewables

ash

Key

Site Boundary

Scale 1:250,000@ A3

0 5 10 Km

N

Figure 1.1

Location Plan

Achany Extension Wind Farm
EIA Report

Drawing No.: 119013-D-EIA1.1-1.0.0 Date: 07/07/2021

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WLA 34: Reay - Cassley

WLA 34: Reay - Cassley

The Airde of Shin GCR

Caithness and Sutherland Peatlands SAC/SPA/RAMSAR

Grudie Peatlands SSSI

Achany Wind Farm

Rosehall Wind Farm

River Oykel SAC

Kyle of Sutherland Marshes SSSI

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Key

- Site Boundary
- Proposed Turbine
- Operational Turbine
- RAMSAR Wetland of International Importance
- Special Protection Area (SPA)
- Special Area of Conservation (SAC)
- Site of Special Scientific Interest (SSSI)
- Geological Conservation Review (GCR)
- Wild Land Area (WLA)
- Scheduled Monuments (SM)
- Listed Building Category A
- Listed Building Category B
- Listed Building Category C

Scale 1:60,000 @ A3

0 1 2 Km

N

Figure 1.2

Site Context

Achany Extension Wind Farm EIA Report

Drawing No.: 119013-D-EIA1.2-1.0.0 Date: 07/07/2021

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Key

- Site Boundary
- Turbine
- LiDAR
- Floated Track
- Founded/Cut Track
- Existing Track to be Upgraded
- Hardstanding
- Borrow Pit
- Temporary Construction Compound, Security, Storage and Batching Plant
- Extension to Existing Operations Building
- Substation, Welfare Facility and Store
- Temporary Construction Compound, Security and Storage

Scale 1:40,000 @ A3

0 1 2 Km

N

Figure 3.1
The Proposed Development

Achany Extension Wind Farm
EIA Report

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