Agenda Item	7.2
Report No	PLN/062/25

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 24 September 2025

Report Title: 23/02754/S36: E Power Ltd

Land 3450M North of Kaytoo, Heights Of Dochcarty, Dingwall

Report By: Area Planning Manager - North

Purpose/Executive Summary

Description: Abhainn Dubh Wind Farm - Erection and operation of a wind farm for a period of 30 years, comprising of 9 wind turbines (as amended) with a maximum blade tip height of 149.9m, energy storage facility, access tracks, borrow pits, substation, anemometer mast, control building, and ancillary infrastructure.

Ward: 06 – Cromarty Firth

Development category: National Development

Reason referred to Committee: National 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 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) for the construction and operation of Abhainn Dubh Wind Farm. The proposal comprises nine wind turbines, reduced from 13 turbines during the course of the application process, to be operated for a 30 year period. All turbines have a maximum blade tip height of 149.9 metres, with a battery energy storage system (BESS) also being proposed. The proposal has capacity to generate approximately 40.5 MW (depending on the turbine model chosen) in addition to 30 MW of battery storage. This proposal falls under the provisions of the Electricity Act due to the combined power output of the operational development and the proposed development being over 50 MW, with the proposal constituting a National Development as set out in Part 3 Annex B of the National Planning Framework 4 (NPF4).

1.2 Key elements of the development as described and assessed within the application's Environmental Impact Assessment Report (EIAR) and the EIAR Supplementary Environmental Information (SEI) include:

- Nine wind turbines of up to 149.9m in height from ground to blade tip height, capable of generating approximately 4.5 MW each, with an indicative hub height of 82m and turbine blade diameter of 136m;
- Each turbine will have a foundation area of approximately 490sqm, a permanent crane hardstanding area of 1,925sqm, and two temporary blade laydown areas;
- A split substation and control building compound measuring 1.13ha;
- An adjacent BESS compound also measuring 1.13ha, comprising batteries, inverters, transformers, heating, ventilation, and air conditioning (HVAC) units, fire protection, and auxiliary components contained and bunded within containers, along with control building housing switching gear;
- Three temporary construction compounds measuring 0.24ha for site offices and staff welfare facilities, plant and equipment storage, vehicular parking, and with temporary concrete batching plant;
- Up to three borrow pits with a combined area of 4.13ha;
- One 85m high steel lattice anemometer mast;
- 7.8km of upgraded access track and 4.65km of new access track, of which 0.6km is anticipated to be floated track over areas of deeper peat;
- Two new and seven upgraded watercourse crossings, including a new permanent bridge over the River Sgitheach;
- Two new access junctions on the public road, one at the B817 Balconie Road with a new section of track linking to Drummond Road where the second junction is to be installed; and,
- Underground cabling linking the turbines with the onsite substation.

1.3 The proposal also originally involved the removal of 102ha of commercial plantation forestry. Owing to the removal of four turbines, this has reduced to 88.3ha. 51ha of this is to be felled for woodland management purposes (of which 0.45ha will not be replanted) and 37.3ha is to be felled to physically construct the proposed development.

1.4 A 100m micrositing allowance has been proposed by the applicant for the turbine locations to accommodate unknown ground conditions. However, any micrositing allowance for any forthcoming consent is expected to be restricted by condition to 50m to ensure the wind farm's layout and composition remains within the parameters assessed within the application's EIA and SEI, and pertinently as illustrated within the accompanying visual material presented in the Landscape and Visual Impact Assessment. The final design of the turbine (colour and finish), aviation infrared lighting, ancillary electrical equipment, landscaping and fencing etc. are also expected to be agreed with the Planning Authority, by condition, at the time of project procurement. Turbine manufacturers regularly update designs that are available, thereby necessitating the need for some flexibility on the approved design details.

1.5 Permission is sought to operate the windfarm for 30 years from the date of final commissioning. Following this period, a further planning application would be required to determine any future re-powering of the site. Should that option not be pursued, the development would be decommissioned with above ground infrastructure being removed and the ground reinstated.

1.6 The applicant anticipates that the construction period will last 18 months. All construction activities on site will be guided by a Construction and Environmental Management Plan (CEMP). The proposal is anticipated to connect to the national grid at the Fyrish substation, 8.7km east of the site via overhead line (OHL), which would be subject to separate consent process under Section 37 of The Electricity Act 1989.

1.7 The applicant held two public in-person public consultation events on 15 September 2022 and 06 October 2022 at venues in Evanton, Strathpeffer, and Dingwall. In addition, the applicant undertook direct engagement through stakeholder meetings and email correspondence with Community Councils and groups and created a dedicated project website. A Pre-application Consultation Report accompanies the applications that sets out how public consultation has informed the submitted proposal.

1.8 EIA Scoping consultation was undertaken and the applicant used the Council's Pre-Application Advice Service for major developments in May 2022, both for a scheme of up to 22 turbines at 200m in height. The pre-application feedback provided by Planning Officers raised concerns regarding the much larger scaled proposal's likely significant landscape and visual effects; particularly owing to the landscape sensitivity and capacity given the site's proximity to Ben Wyvis. Further concerns were also raised regarding potential effects on several historic assets.

1.9 The application is supported by an Environmental Impact Assessment Report (EIAR), the contents of which have been informed through EIA Scoping. The EIAR contains chapters on: Approach to the EIA; Site Selection and Design Strategy; Development Description; Landscape and Visual Amenity; Geology, Hydrology, Hydrogeology, and Peat; Ecology; Ornithology; Cultural Heritage; Noise and Vibration; Access, Traffic and Transport; Socio-economics, Tourism and Recreation; Other Issues; and Summary of Significant Effects. The application is also accompanied by a Planning Statement, a Design and Access Statement and Pre-Application Consultation Report.

1.10 Since the Planning Authority was initially consulted on the application, EIA Supplementary Environmental Information (SEI) was submitted. This amended the proposal by reducing the number of proposed turbines from 13 to nine. These four turbines were removed for cultural heritage setting impact reasons and were numbers T1, T2, T12 and T13, with subsequent track amendments having been made. The SEI also contained supplementary information requested by consultees.

2. SITE DESCRIPTION

2.1 The site extends over almost 810ha of the Clach Liath Forest Estate. The site is located on the northern slopes of Strath Sgitheach west of the Ben Wyvis Massif, 3.2km north west of Dingwall and 5.4km west of Evanton. The Allt nan Chaorach bounds the site's northern extent, which takes in the summits of Cnoc nan Each and Meall a' Ghuaill in its eastern section, as well as the steeper southeast facing slopes of the Strath Sgitheach at the southern extent of the proposal's layout. The development's access track straddles existing forestry track and public roads from the main development area up to its eastern extent at the B817 and Far North Railway Line. The main developable area also comprises commercial forestry plantation, some of which has been clear felled with other areas having been restocked. The remainder ground cover is largely undifferentiated heather moorland over blanket bog peatland along with several watercourses.

2.2 The site's topography predominantly slopes northwest to southeast with Meall a' Ghuaill being the highest point at 467m Above Ordnance Datum (AOD) dropping to around 170m AOD at the south. Much of the site drains to the River Sgitheach including via the Alltan an Duin Rhuaidh and the Clare Burn, while a small section to the north of the site drains to the River Glass via the Allt nan Chaorach. Both rivers ultimately discharge into the Cromarty Firth to the east.

2.3 Except for commercial forestry and its associated access tracks, there is very little contemporary infrastructure within the developable area of the site, with the signs of human habitation being more apparent east of the boundary from Swordale on towards the lower slopes above the Cromarty Firth. Key recreational interests in the area include hillwalking and cycling with the Coich Mhor access route south of the site, National Cycle Route 1 (NCR1), John O'Groats Trail, The Moray Firth and North Coast 500

(NC500) promoted Tourist Routes following the A9(T), all to the east. Core Paths Tulloch Lane (RC13.02), Maggies Lane (RC13.01), and Craig Wood (RC13.03) are to the south around Dingwall; Swordale Hill (RC16.07), Black Rock Gorge (RC16.05), Evanton Woods (RC16.06), Kiltearn Church Loop (RC16.03), Novar Quarry (RC16.07), Novar Green Road (RC16.04), and Balconie Point (RC16.02) to the east; and, the Fyrish Path (RC05.01) to the northeast. There are several Core Paths beyond theses around Strathpeffer, the Black Isle, and Alness.

Environmental Designations, Habitats, and Protected Species

2.4 The site does not form part of any statutory or non-statutory designated sites for nature conservation. The Ben Wyvis Special Protection Area (SPA) designated for its nationally important population of breeding dotterel, Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI), as well a National Nature Reserve (NNR), with their range of upland habitat and plant species qualifying interests, are to the west of the site. The Allt nan Caorach that runs along the northern boundary is a SSSI protected for its woodland and sub-alpine heath habitats. The Novar SPA is to the site's east and is protected for capercaillie, while the Cromarty Firth, as well as the River Conan SPAs, Ramsar, and SSSIs are protected for their osprey, whooper swan, and other migratory bird and waterfowl species, saltmarsh and marine habitats. Loch Ussie SAC and SSSI is protected for its clear-water aquatic vegetation and upland oak woodland and is located 4.3 km south of the turbines and southwest of Dingwall.

2.5 Statutory designations for ecology within 10km of the site and ornithology within 20 km of the site are tabled below.

Designated Site	Qualifying Features	Distance from site
Allt nan Caorach SSSI	Subalpine dry heath Upland birch woodland	Adjacent to north
Cromarty Firth (Ramsar, SSSI and SPA)	Bar tailed godwit (non-breeding), Greylag goose (non-breeding), common tern, curlew, dunlin	0.6km east
Ben Wyvis SSSI	Blanket bog Dystrophic/oligotrophic lochs Upland assemblage Vascular plant assemblage	2.1km northwest
Ben Wyvis SAC	Acid scree Alpine/subalpine heaths Blanket bog Clear water lakes/lochs with aquatic vegetation Dry heaths	2.1km northwest

	Montane acid grasslands Plants in cervices on acid rocks Tall herb communities	
Novar (SPA)	Capercaillie (breeding)	2.6km northeast
Ben Wyvis (SSSI)	Dotterel (breeding)	2.9km northwest
Ben Wyvis (SPA)	Dotterel (breeding)	2.9km northwest
Cromarty Firth SSSI	Mudflats Saltmarsh Sandflats	3.6 km southeast
Lower River Conon SSSI	Open water transition fen Salt marsh Wet woodland	4.5km southeast
Alness River Valley SSSI	Upland mixed ash woodland	6.7km northeast
Loch Ussie SAC	Clear water lakes or lochs with aquatic vegetation	6.7km northeast
Loch Ussie SSSI	Oglio-mesotrophic loch Upland oak woodland	6.7km northeast
Drummond Reach Wood SSSI	Lichen assemblage Lowland mixed broadleaved woodland	7.4km southeast
Braelangwell SSSI	Flies Molluscs Springs (including flushes) Upland birch woodland	8.1km southeast
Dam Wood SSSI	Lowland wet heath Moths	9km southeast
Dam Wood SAC	Base rich fens Juniper on heaths of calcareous	9km southeast
Conon Islands SAC	Alder woodland on floodplains	9.1km south
Morangie Forest (SPA)	Capercaillie (breeding)	12.9km northeast
Glen Affric to Strathconon (SPA)	Golden eagle (breeding)	13.8km southwest
Inner Moray Firth (Ramsar)	Bar tailed godwit (non-breeding), Greylag goose (non-breeding)	14.8km south
Inner Moray Firth (SPA)	Bar tailed godwit (non-breeding); common tern (breeding)	14.8km south

Moray Firth (SPA)	Common scoter (non-breeding), eider (non- breeding)	15km southeast

2.6 In addition to these designations, the Ben Wyvis National Nature Reserve (NNR) non-statutory site is approximately 1km northwest of the site. A variety of habitats are present around the site including with plantation coniferous woodland (grown and felled) being the dominant feature, with blanket bog, heath, and other peatland habitats well represented, along with grassland and other woodland habitats. Managing the mosaic of upland habitats including the moss heath on the mountain plateau is a priority of the NNR, while several high and moderate potential ground water dependant terrestrial ecosystems (GWDTEs) were surveyed.

2.7 The site is recorded as being underlain by largely peat, podzols and peaty gleys soils with NatureScot Carbon and Peatlands Mapped areas of Classes 1, 2 and 5 peatlands, of which 1 and 2 are defined as nationally important carbon-rich soils, deep peat and priority peatland habitat of high conservation value (CPP). Peat depths average 0.31m across the site with infrastructure avoiding areas of deeper peat to the site's west section. The Ben Wyvis Geological Conservation Review (GCR) area is wholly avoided by the development.

2.8 The EIAR has investigated potential impacts on European and UK non-aviary protected species including habitats that may support amphibians and reptiles (for example, great crested newts, adder and common lizard), as well as for badger, bats, otter, pine marten, red squirrel, Scottish wild cat, and water vole. Watercourses have been assessed for fish and freshwater pearl mussel habitat. The site and surrounds have also been surveyed for transient and breeding birds including SPA population and wider countryside bird species for direct habitat and displacement effects, disturbance, injury and mortality through collision, and cumulative effects.

Landscape Character, Landscape Designations, and Wild Land

2.9 The turbines are sited wholly within the Landscape Character Type (LCT) Rounded Hills and Moorland Slopes - Ross and Cromarty (LCT330) as mapped by NatureScot. This LCT corresponds to Landscape Character Unit BL38: Above Dingwall of the Landscape Sensitivity Appraisal for Black Isle, Surrounding Hills and Moray Firth Coast, as defined in The Council's Onshore Wind Energy Supplementary Guidance (OWESG). There are several other LCTs that form a complex pattern of landscapes in the wider area, including: the adjacent Rounded Mountain Massif (LCT329); Rounded Rocky Hills - Ross and Cromarty (LCT331); Forest Edge Farming (LCT341); Open Steep Farmed Slopes (LCT347); Open Farmed Slopes (LCT346); Farmed and Forested Slopes (LCT345); Farmed River Plains (LCT342); and, Lowland Farmed Plain - Ross and Cromarty (LCT344).

2.10 The site does not lie within any landscape designations or Wild Land Areas. Designated landscapes and Wild Land Areas within the wider area identified for assessment

through EIA Scoping are tabled below. This includes the results of the Zone of Theoretical Visibility (ZTV) mapping for each designation.

Designated Landscape	**Distance and direction from the proposed development**
National Scenic Area (NSA)	
Dornoch Firth and Glen Strathfarrar NSAs are both over 25km from the development and have been scoped out of further assessment.	
Wild Land Areas (WLA)	
WLA29 – Rhiddoroch – Beinn Dearg – Ben Wyvis	0.5km west of the site boundary and 1.6km to the nearest turbine and is included within the EIA assessment.
Special Landscape Areas (SLA)	
Ben Wyvis SLA	1km west of the site boundary and 2.1km from the nearest turbine and is included within the EIA assessment.

Built and Cultural Heritage

2.11 The assessment of built and cultural heritage impacts distinguishes between the Inner Study Area, which is defined as being within 5km from the outermost turbines, and the Outer Study Area, which is defined as the area between 5km and 10km of the outermost turbines. Scheduled monuments scoped into the assessment include:

Site Name	**Scheduled Monument No.**	**Location**
Balnacrae Chambered Cairn	SM2396	Within the site boundary
Strath Sgitheach, settlement	SM10495	Within Inner Study Area south of site boundary
Firth View, settlement	SM4728	Within Inner Study Area southwest of site boundary
Heights of Brae, chambered cairn	SM2312	Within Inner Study Area south of site boundary
Drumore, farmstead, field system, chambered cairn and cupmarks 600m west of	SM4945	Within Inner Study Area east of site boundary
Cairn Liath, chambered cairn	SM4839	Within Inner Study Area east of site boundary

Knock Farril, Fort	SM1672	Within Outer Study Area southwest of site boundary

2.12 No Listed Buildings, Gardens and Designed Landscapes, or Conservation Areas are included in the assessment although ten undesignated heritage assets were surveyed within the site area, with the following included in the assessment:

Site Name	Asset Ref. No.	Location
Cnoc nan Each, Cairnfield and Hut Circle	MHG8920 and MHG8960	Within the site boundary
Strath Sgitheach Hut Circle	MHG8904	Within the site boundary
Pre-Improvement Farmstead at Balnacrae	WK-1	Within the site boundary

Cumulative Development

2.13 Appendix 1 of this report provides details of operational, consented / under construction, and in planning wind farm projects within the 40km landscape and visual impact assessment study area. The SEIR has updated the cumulative position with a cutoff date of 9 August 2024.

2.14 Since the cutoff date, however, it should be noted that Kirkan Wind Farm was approved by Scottish Ministers, whilst Strath Oykel Wind Farm was also approved by Scottish Ministers however that decision has since been quashed by the Court of Sessions. Lochluichart Wind Farm Extension II Redesign has been approved by NPAC, Meall Buidhe Wind Farm and Garvary Wind Farm appeals have been allowed. Strathrory Redesign Wind Farm is now under construction. Acheilidh (Lairg III) Wind Farm, Allt An Tuir Energy Park, and Carn Fearna have been submitted as applications. Creachan, Ceislein, Novar Redesign, and Tarvie Wind Farms are at the Scoping Stage of the planning process.

2.15 In addition to onshore wind development and since the cutoff date, other notable energy infrastructure proposals in the vicinity include:

- Planning permission 23/02840/FUL was granted on 10 December 2024 for the development of a 49.9MW capacity BESS on Land 225M East Of Drumore Cottage, Swordale, Evanton, accessed via Swordale Road, located 0.5km north of the wind farm's intended site access road; and
- Application 25/01620/S36 has been made to the Energy Consents Unit for the proposed development of a 200MW capacity BESS on land 650M South of Fyrish Substation, Alness, located around 4km further north east of the wind farm's intended access. This application is pending consideration by Planning Officers at present.

3. PLANNING HISTORY

3.1	12.02.2025	25/00218/SCRE: EIA Screening Opinion for construction and operation of a 132 kiloVolt (kV) single circuit overhead line (OHL) of approximately 8.4 km and approximately 1 km of underground cable (UGC) to connect the proposed Abhainn Dubh Wind Farm to the existing Fyrish Substation	EIA Required
3.2	1.07.2022	22/02209/SCOP: Abhainn Dubh Wind Farm - Erection and Operation of a Wind Farm comprising of up to 22 Wind Turbines with a maximum blade tip height of up to 200m, access tracks, battery energy storage system, anemometer mast, substation, control building, and ancillary infrastructure	EIA Scoping Response Issued
3.3	8.04.2022	21/01214/FUL - Siting of 600kW wind turbine with 40m hub and maximum blade tip height of up to 67 metres, crane hardstanding, external Transformer; grid connection and access track.	Planning Permission Granted on Appeal (Planning Review Body)
3.4	28.02.2020	20/00152/SCOP - Proposed installation of a single wind turbine and associated infrastructure	EIA Scoping Response Issued
3.5	15.10.2014	13/04703/FUL - Woodlands Wind Farm - Erection of up to 5 x 3MW wind turbines with control building, ancillary infrastructure and associated groundworks	Planning Application Withdrawn
3.6	13.02.2013	12/01689/FUL: Erection of Clach Liath Wind Farm – 17 turbines (42.5MW) and associated infrastructure	Planning Application Refused

3.7 The 2012 Clach Liath Wind Farm proposal comprised 17 turbines at 127m in height. With the exception of the proposed Abhainn Dubh Wind Farm turbine number T11, Clach Liath was located further to the west, and across more elevated ground closer to the Ben Wyvis Special Landscape Area. That application was refused on the following grounds:

1. The application is contrary to Policy 67 (Renewable Energy), Policy 28 (Sustainable Design) and Policy 61 (Landscape) of the Highland wide Local

Development Plan as the visual effects of the development would be significantly detrimental to the Ben Wyvis Special Landscape Area, the Ben Wyvis mountain massif in general particularly as viewed from properties / communities / travellers, including tourists, in the wider vicinity of the site particularly to the south and south east and in particular from receptors on the north side of the Black Isle.

2. The development is contrary to Policy 67 (Renewable Energy) of the Highland wide Local Development Plan when taking account cumulative impact, including sequential cumulative impact, of other wind farm developments operating and approved, particularly as viewed from the Trunk Road Network and other principal Roads within the Inner Moray Firth Area.
3. The application is contrary to Policy 67 (Renewable Energy) and Policy 57 (Natural, Built and Cultural Heritage) of the Highland wide Local Development Plan as the impacts of the development would be detrimental to valued Scheduled Ancient Monuments, including their setting, such as Balnacrae Chambered Cairn and Knockfarrel Hill-fort.

4. PUBLIC PARTICIPATION

4.1 Advertised: EIA Development

Date Advertised: EIA adverts 6 and 13 June 2023 in the Inverness Courier, 6 June 2023 in The Herald and Edinburgh Gazette.

SEIR advertised: 29 October 2024 in the Inverness Courier and Edinburgh Gazette.

4.2 Representations made to the Highland Council: 7 objections and 2 general comments

4.3 Representations made to Energy Consents Unit: 20 objections

4.4 Material considerations raised are summarised as follows:

- Proposal does not conform with the Development Plan;
- Siting, design and scale of the proposal;
- Landscape and visual impacts including cumulative impacts and effects on the setting and qualities of the Ben Wyvis Massif, Wild Land, and the character of the wider area;
- Residential visual amenity impacts;
- Amenity impacts from noise, including concerns regarding the validity of the noise survey and data used in the assessment;
- Does not overcome the issues with the previously refused Clach Liath Wind Farm;
- Socio-economic impacts including impacts on the tourism sector and local paths;
- Habitats and Ecology impacts including loss of peatland;

- Geological/ hydrology impacts; and,
- Impacts on built and cultural heritage, including impacts upon Strathpeffer, Conservation Area, Balnacrae chambered cairn, Neil Gunn memorial, Knockfarrel hill fort.

4.5 Non-material considerations raised are as follows:

a) Developments unrelated to this application including speculative future energy developments;
b) Cost of energy in the Highland Area; and,
c) Community benefit.

4.6 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.

4.7 Those representations received by the Scottish Government's Energy Consents Unit can be accessed via www.energyconsents.scot using the application reference ECU00004732. It should be noted that some representations have been submitted to both The Highland Council and Energy Consents Unit.

5. CONSULTATIONS

Community Council Consultation Responses

5.1 **Kiltearn Community Council (Host)** did not respond to the consultation.

5.2 **Ardross Community Council** does not object to the application but advises of its view that the baseline survey work is outdated, particularly bird surveys, and that this in turn may undermine biodiversity enhancement.

5.3 **Contin Community Council** does not object but does raise potential negative impacts on tourism, heritage, and communities although its response recognises that the proposal is unlikely to impact its area.

5.4 **Ferintosh Community Council objects** to the application on the grounds of landscape and visual impacts, including cumulative. Its response criticises the public consultation process, specifically the manner in which the application was advertised.

5.5 **Strathpeffer Community Council objects** to the proposal and raises concerns regarding the siting and design, landscape, and visual impacts including on the Ben Wyvis Massif and raises concerns regarding the likely OHL required for grid connection.

5.6 **Other Community Councils –** The following community councils did not respond to the consultation:

- Alness
- Avoch and Killern

- Dingwall
- Fortrose and Rosemarkie
- Garve and District
- Invergordon
- Knockbain
- Marybank Strathconon
- Maryburgh
- Resolis

Highland Council Consultation Responses

5.7 **Access Officer** does not object to the application and advises that an Outdoor Access Management Plan should be secured by condition if the application is granted planning permission.

5.8 **Archaeology Officer (Historic Environment Team)** does not object to the application subject to a condition to secure a detailed Written Scheme of Investigation (WSI) to be approved by the Council, as well as to secure finalisation and the implementation of the proposed Outline Historic Environment Enhancement Plan.

5.9 **Development Plans Team** does not object to the application and advises on the policy context of the development and developer contribution requirements.

5.10 **Ecology Officer** does not object to the application and has withdrawn a previous holding objection following the submission of proposals for biodiversity enhancement and protected species surveys. Conditions are advised to secure construction works being undertaken in accordance with appropriate environmental management practices including species protection plans; and prior approval of a Habitat Management Plan to ensure that habitats are appropriately compensated and enhanced through the development.

5.11 **Environmental Health** does not object to the application, subject to conditions restricting noise emissions to the limits set out in the EIAR (Tables 14 and 15 of Technical Appendix 10.1), restricting the use of turbine mode management without the prior approval of the Council, along with conditions to secure a detailed noise impact relating to access tracks and junction upgrades that relate to the public road, along with a condition for a scheme for the suppression of construction dust.

5.12 **Flood Risk Management Team** does not object to the application and has for further comment.

5.13 **Forestry Officer objects** to the application pending the submission of a Compensatory Planting Plan (CPP), accompanied by a Forestry EIA detailing the proposed location for this planting with the CPP specifying the woodland type (commercial/native) to be planted to match the woodland to be removed. Officers will request prior approval of

these details prior to the ECU issuing its decision. Nevertheless, any offsite compensatory planning will require to be secured by way of tri-party legal agreement. A detailed roadside tree survey was also initially sought for all trees affected along the turbine delivery route from the port of entry at Nigg through to the site access point. The Forestry Officer subsequently confirmed that following the amendments made to the application, the area of permanent woodland removal has been reduced from 50.8ha to 37.8ha. This also includes a small allowance for the 10 trees identified for removal along the Turbine Delivery Route. A further area of 51ha has been identified for 'management felling' in order to mitigate for windblow risk. Given the age of the crop and exposure, this is an acceptable approach. These areas would then be restocked in accordance with the approved Long-Term Forest Plan, as described in Appendix 4.1 Sections 1.35 - 1.36.

5.14 **Landscape Officer** does not object to the to the application on landscape or visual grounds and has advised Planning Officers informally that the amended proposal is the most appropriate design for its context in terms of landscape character and the Special Qualities of the Ben Wyvis Special Landscape Area.

5.15 **Transport Planning** does not object to the application, subject to conditions requiring details of temporary and permanent changes to the public road network for construction access, details of the temporary access junctions with the B816 and C1023 Drummond Road for construction access, and for a finalised construction traffic management plan to include Abnormal Indivisible Load (AIL) assessments. A Section 96 Wear and Tear Agreement is required prior to the commencement of development.

5.16 **Consultation Responses to the Scottish Ministers**

5.17 **Aberdeen Airport** has no objection or comments on the application as the proposal is outwith its consultation area.

5.18 **British Telecom** does not object to the application as the proposal would not interfere with its current or proposed network.

5.19 **Cairngorms National Park Authority** does not object to the application as the proposal is considered unlikely to have any impact on the Special Landscape Qualities of the park.

5.20 **Crown Estate Scotland** does not object to the application and confirms that no Crown Estate Scotland asset would be impacted by the development.

5.21 **Defence Infrastructure Organisation (MOD)** does not object to the application subject to conditions to secure an aviation lighting scheme (in this case invisible infrared lighting is proposed) prior to the commencement of construction, and, notification of commencement and commissioning of turbines as well as the specific locations of

turbines and anemometer masts for aviation charting and safety management purposes.

5.22 **Fisheries Management Scotland** does not object to the application and advises that the proposal should be conducted in consultation with the Cromarty District Salmon Fishery Board. It advises that its guidelines, developed in partnership with Marine Scotland Science are fully considered by the developers during the design, construction, and operational phases.

5.23 **Highlands and Islands Airports Ltd.** does not object to the application subject to a condition to secure a Radar Mitigation Scheme prior to the operation of the turbines in order to ensure that the development does not affect the safe operation of Inverness Airport through interference with the Primary Surveillance Radar.

5.24 **Historic Environment Scotland** does not object to the application. Its original objection in relation to the significant adverse impacts on the integrity of the setting of Scheduled Monuments Balnacrae chambered cairn 230m WSW of (SM2396), and Heights of Brae, chambered cairn 375m NNW of Firth View (SM3212) has been overcome through the removal of four proposed turbines and alteration to the track serving turbine T8.

5.25 **Ironside Farrar** does not object to the application. It has audited the Peat Landslide Hazard Risk Assessment (PLHRA) and the initial comments have been included in a revised PLHRA which Ironside Farrar accept.

5.26 **Joint Radio Company** does not object to the application as the proposal would not interfere with its radio systems subject to 50m micrositing allowance.

5.27 **Marine Scotland Science** does not object to the application subject to conditions to secure an hydrochemical and aquatic biota monitoring along with the proposed mitigation and pollution prevention measures. It requires that water quality sampling along with fish population surveys are carried out at least 12 months prior to construction, during construction, and at least 12 months after construction completes.

5.28 **National Air Traffic Service** does not object to the application as the proposal does not conflict with its safeguarding criteria.

5.29 **NatureScot** does not object to the application subject to conditions to mitigate impacts on the Novar and Morangie Forest SPAs and the Ben Wyvis SAC, the status of which require Scottish Ministers to undertake Appropriate Assessments, as well as the Allt nan Caorach SSSI, protected species, deer management and peatland restoration. It considers that the proposal will detract from views from and of the Ben Wyvis Mountain Massif from key receptors and transport routes but will not result in a substantial change to the landscape with its scenic qualities and distinctiveness remaining intact. It also

advises that while the remoteness and naturalness Wild Land Qualities of Rhiddoroch – Beinn Dearg – Ben Wyvis WLA29 will be impacted, the effect will not be significant.

5.30 **Network Rail** does not object to the application. Following the submission of further information, National Rail's original objection has been removed subject to a condition requiring a pre and post construction survey and if necessary, the applicant may need to repair or replace the surface of the Nigg Level Crossing.

5.31 **Office for Nuclear Regulation** does not object to the application or provide specific comments as the proposal is not within a consultation zone of a nuclear site.

5.32 **Royal Society for the Protection of Birds** does not object to the application. It provides advice on impacts on, mitigation and potential enhancements on Novar SPA and wider countryside populations of Capercaillie, as well as for other bird species and provided comments on the Habitat Management and Biodiversity Enhancement Plan.

5.33 **Scottish Forestry** does not object to the application. It advises that the loss of roadside trees should be included in the compensatory planting scheme, and that the species composition within the scheme does not comply with current UK Forest Standard by virtue of over allocation to Sitka Spruce. Scottish Forestry also advises that the Compensatory Planting Plan should be agreed before felling takes place and should follow the process for preparing a woodland creation proposal.

5.34 **Scottish Water** does not object to the application but advises that there are Scottish Water assets that may be impacted and that the proposal is within the River Glass catchment that supplies the Newmore Water Treatment Works. The proposal is therefore within a Drinking Water Protection Area. Scottish Water advises that it is the applicant's responsibility to work with Scottish Water to ensure no assets are damaged and to ensure that water quality and water quantity in the area are protected.

5.35 **Scottish Environment Protection Agency** does not object to the application, subject to conditions to secure the minimal loss of peat (and therefore carbon release), to protect and enhance wetland and peatland to improve carbon sequestration and natural water management, and to protect the water environment including to avoid increasing the risk of flooding elsewhere. It requires construction works to be carried out in accordance with the outline Construction Environmental Management Plan and Schedule of Mitigation, that borrow pits are restored at the end of the construction works, and that the Finalised Decommissioning and Restoration Plan aligns with its guidance on the life extension and decommissioning of onshore wind farms.

5.36 **The Coal Authority** does not object to the application and confirms that the proposal is outside of any defined coal field.

5.37 **Transport Scotland** does not object to the application subject to conditions to secure information regarding abnormal loads including route and accommodation measures

along the trunk road network, and information regarding construction traffic and traffic management plan including construction materials, additional signage and temporary control measures in relation to the trunk road network.

5.38 **Woodlands Trust** does not object to the application and are content that the additional information and micrositing of turbine T8 will protect ancient woodland.

6. DEVELOPMENT PLAN POLICY AND OTHER MATERIAL POLICY CONSIDERATIONS

6.1 Appendix 3 of this report provides details of the documents that comprise the adopted Development Plan, including details of pertinent planning policies as well as adopted supplementary guidance and other material policy considerations relevant to the assessment of the application.

7. PLANNING APPRAISAL

7.1 This application has been submitted to the Scottish Government 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). Although not a planning application, the Council processes Section 36 applications in a similar manner given that planning permission may be deemed to be granted.

7.2 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 requires to:

- 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.

Determining Issues

7.3 It should be noted that for applications under the Electricity Act 1989 that the Development Plan is just one of several considerations, and therefore 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. That said, the application still 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

7.4 The key considerations in this case are:

a) Compliance with the Development Plan / Other Planning Policy
b) Energy and Economic Benefits
c) Siting, Layout, and Design
d) Landscape and Visual Impacts
e) Construction
f) Roads, Transport and Access
g) Water, Flood Risk, Drainage and Peat
h) Natural Heritage (including ornithology and forestry)
i) Built and Cultural Heritage
j) Noise and Shadow Flicker
k) Telecommunications
l) Aviation
m) Any other material considerations

Development Plan / Other Planning Policy

7.5 The Development Plan comprises Nation Planning Framework 4 (NPF4), the adopted Highland-wide Local Development Plan (HwLDP), the adopted Inner Moray Firth Local Development Plan 2 (IMFLDP2), and all statutorily adopted supplementary guidance, including the Onshore Wind Energy Supplementary Guidance (OWESG). Appendix 4 of this report provides an overview of compliance with the Development Plan and other planning policy.

7.6 In summary, the principle of wind farm development is established in national policy, with the proposed development being of national importance for the delivery of the national Spatial Strategy. NPF4 considers that Strategic Renewable Electricity Generation and Transmission Infrastructure will assist in the delivery of the Spatial Strategy and Spatial Priorities for the north of Scotland, and that Highland can continue to make a strong contribution toward meeting Scotland's ambition for net zero. Alongside these ambitions, the strategy for Highland aims to protect environmental assets as well as to stimulate investment in natural and engineered solutions to address climate change. This aim is not new and will clearly require a balancing exercise to be undertaken, which is reflected throughout NPF4. This is also reflected within other material policy considerations, with Government policy giving significant weight to the importance of achieving net zero through the deployment of onshore wind at pace. Government legislation and policy maintains the commitment to attaining net zero by

2045, with the Onshore Wind Policy Statement requirement for 20 GW of onshore wind to be deployed by 2030, and the Climate Change Committee Report to UK Parliament (July 2024) explaining that onshore wind installations will need to double by 2030. The UK Government Clean Power Action Plan has also recently set a more ambitious target of 27-29 GW of onshore wind by 2030. When determining renewable energy proposals, the ability to meet these targets therefore demands substantial weight when undertaking the planning balance exercise.

7.7 At the regional level, HwLDP also offers support for renewable development proposals where they are located, sited and designed such as they will not be significantly detrimental overall, individually or cumulatively with other developments. To inform this assessment, the OWESG provides a methodology for a judgement to be made on the likely impact of a development on assessed "thresholds" listed in its 10 criteria, which are designed to assist the application of HwLDP policy in judging the final balance of benefits versus disbenefits of any given scheme. Appendix 7 provides an assessment against Landscape and Visual Assessment Criteria contained within Section 4 of the Onshore Wind Energy Supplementary Guidance. This concludes that the proposal meets the thresholds of almost all of the OWESG criterion, with this being explained further within Design, Landscape and Visual Impacts section of this report.

Energy and Economic Benefits

7.8 The Council continues to respond positively to the Government's renewable energy agenda. Installed onshore wind energy developments in Highland account for around 30% of the national installed onshore wind energy capacity, with a substantial number of onshore wind farm applications pending consideration at present. While The 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 widespread effects.

7.9 Notwithstanding any 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, with the development having the potential to generate up to 40.5MW in addition to up to 30MW of battery storage. Based on a typical capacity factor, the development is likely to generate approximately 141,281 MW hours per year equivalent to powering 56,512 homes.

7.10 Wind turbines provide an important mechanism for the reduction of carbon dioxide (CO2), and other greenhouse gas (GHG) emissions into the atmosphere by reducing the consumption of fossil fuel generated mains electricity. However, during their manufacture, construction and decommissioning, wind farms can result in the emissions of GHGs, particularly where natural carbon stores, such as forestry or peat, are present and potentially impacted by the development, often termed "carbon balance". The applicant has submitted an updated Carbon Balance Assessment (SEI

Appendix 6.4) to take account of the revised scheme. The net emissions of carbon dioxide from the proposed development have been calculated as approximately 94,771 tCO2, however this does not include the proposed replanting to reduce the impact of felling. The revised scheme is estimated to produce annual carbon savings of approximately 18,360 tons of tCO2 per year (550,800 tCO2 over its lifetime). This is based on the displacement of grid electricity based on the current average grid mix. The scheme is estimated to have a payback period of 5.2 years based on the current grid mix. However, the SEI contends that this figure is likely to be lower when replanting, on-site battery storage and infrastructure reinstatement using peat are factored in.

7.11 The proposed development anticipates a construction phase of approximately 18 months and an operational period of 30 years. There are likely to be some adverse effects caused by construction traffic and disruption, particularly when abnormal loads are being delivered to site. However, such projects can offer investment/opportunities to the local, Highland, and Scottish economy, including businesses ranging across the construction, haulage, electrical and service sectors.

7.12 The applicant has estimated that the construction cost of the development is approximately £70.2 million. It is anticipated that up to 10% of the overall value of contracts could be realised in the Council area (up to £7.02 million). In terms of employment, EIAR Chapter 12 states that a maximum of 30 people will be employed at any one time during the 18-month construction period. The applicant has used a conversion factor of 10 years of full-time employment to one permanent Full-Time Equivalent (FTE), this equates to the total employment generated will be approximately 4.5 FTEs during the 18-month construction period. Taking into account 'leakage' to allow for not all of the jobs being taken up locally or that people may leave a job to work on the project, the EIA reports the net direct FTE of 2.1 jobs in the local economy. When potential indirect employment is factored in this figure is estimated to be 3.99 FTEs. The EIAR concludes that 1.0 FTE equivalent will be employed to operate the windfarm during the 30-year lifespan.

7.13 For the operational phase, the applicant anticipates 0.8 FTE employees, with indirect effects increasing this to 1.36 FTE employees over the 30-year period, which is considered to be of minor (positive) significance for the local economy.

7.14 Since the application has been submitted, the Council has published the Social Value Charter for Renewables Investment in June 2024. This has been brought to the applicant's attention. Officers understand that the applicants open dialogue with the Council's Community Support and Engagement Officer and the Council's Economy and Regeneration Team about the various ways that the Abhainn Dubh project could benefit the community if it is granted consent by the Scottish Government.

Siting, Layout, and Design

7.15 EIAR Chapter 3 and its counterpart Chapter in the SEI describe the site selection strategy as well as the schemes evolution through several design and layout iterations including for 22 turbines at 200 m in height at the pre-application and Scoping stage, reducing to 20, and then 15 turbines at 149.9 in height at the public consultation stage. Following further survey work and pre-application discussions with THC Planning Officers and Consultees, a scheme of 13 turbines at up to 149.9 m turbines was submitted to the Energy Consents Unit. This scheme has since been amended during the application stage to 9 turbines at up to 149.9 m in height to address Historic Environment Scotland's former concerns regarding effects on the settings of the two Scheduled Monuments namely, Balnacrae and the Heights of Brae chambered cairns.

7.16 The stated reasons for the site's selection (EIAR Volume 1, Chapter 3, Section 3.12) include that the site benefits from good wind resource, proximity to commercially viable grid connection as well as the road network, there being no landscape and environmental designations within the application site, as well as the site's distance from main settlements. The Chapter also highlights site opportunities for habitat and heritage enhancements.

7.17 The design of the wind farm has followed a constraints based approach in order that mitigation on environmental effects is embedded within the design, with key constraints including: landscape character and visual amenity including reducing the horizontal spread of the array and avoiding the requirement for visible aviation lighting; cultural heritage features including the settings of the aforementioned chambered cairns; ground conditions, topography and peat; noise sensitive receptors; watercourses, private water supplies and related infrastructure; and, protected species and ornithology.

7.18 The planning history of wind farms in the area has also been a consideration and in particular the refused Clach Liath Wind Farm for 17 turbines at 127 m in height, the site of which overlaps the current application site, and to a lesser extent the nearby withdrawn Woodlands Wind Farm for 5 turbines at 125 m in height. To that end, the design principles were refined with the applicant seeking to present a balanced composition and reduce the visibility and horizontal extent of the proposal in key views to the east and southeast of the application site around the Inner Moray Firth, Cromarty Firth and the Black Isle, Dingwall, Strathpeffer, Conon Bridge, the A9, A835 and the B9169.

7.19 Additionally, the applicant has sought to reduce the horizontal extent and scale of the development when viewed in relation to the Ben Wyvis massif from these locations, especially from views across the Cromarty Firth where turbines would be visible across the face of the massif (VP10 B9169 near Culbokie, although this effect is substantially reduced further southeast such as at VP12 A9 near Duncanston for example). For views from locations west of the proposal, the applicant has sought to increase the

degree of separation and reduce the visibility of the proposed turbines such as from the summits of Ben Wyvis and Little Wyvis in order to minimise indirect effects on Ben Wyvis SLA and WLA.

7.20 In comparing the landscape location with that of the nearby and previously refused Clach Liath Wind Farm, Abhainn Dubh is proposed to be sited on a single, although steeper, slope of consistent gradient and orientation. Clach Liath on the other hand, would have been sited on several shallower slopes of varying gradients and orientations on either side of the small summit of Croc an Each. In that way, the application turbines will be better screened by summits and ridgelines than this previous proposal, which is assisted by Abhainn Dubh Wind Farm being sited on lower ground at 280m to 360m AOD compared to 380m to 490m AOD of Clach Liath Wind Farm, even while acknowledging that the application turbines are taller, by circa 23m.

7.21 In addition, it is equally important that siting, layout, and design principles consider the cumulative effects arising from a proposal's relationships with other wind energy developments in its wider context given the ever increasing presence of turbines in the landscape. Wind farm design should take into account the baseline and potential additional changes to the current baseline.

7.22 As such, factors such as the degree to which nearby developments follow similar 'development patterns' in terms of siting, layout, and design can determine the degree to which schemes sit harmoniously or discordantly together in the landscape. Therefore, similarities and differences between receiving landscapes and Landscape Character Types; the degree to which the size and scale differences between the schemes and individual components, especially turbine proportions such as relative tip and hub heights, rotor diameters, and direction of rotor spin, are experienced by receptors and what effects these have such as the enjoyment of the view qualities, amongst others, are key in the assessment of landscape and visual effects.

7.23 Indeed, NatureScot's Siting and Designing Wind Farms in the Landscape Guidance notes that it can be particularly challenging to accommodate multiple wind farms in an area, and so advances windfarm design objectives of limiting visual confusion and reinforcing the appropriateness of each development for its location.

7.24 In this instance, the nearest operational wind farms are the early generation Novar and Novar Extension Wind Farms on the northern summits above Glen Glass to the north of the application site, marginally over 3km between the nearest turbines. These two nearby wind farms are within the same Ben Wyvis unit of Rounded Mountain Massif Landscape Character Type (LCT329) although separated from the main bulk of the massif by Loch and Glen Glass. Conversely, the hosting LCT of the application wind farm is the adjoining area of Rounded Hills and Moorland Slopes – Ross and Cromarty (LCT330). With respective tip heights of 60m and 106m, hub heights of 35 m and 70m, and rotor diameters of 50m and 72m, the Novar and Novar Extension turbines are substantially smaller than those of the current application even while sited on similar

altitudes. The applicant's EIAR therefore advises that reducing the perceptible difference in turbine scales between the schemes has also been a key factor in reducing turbine heights to below 150m.

7.25 The layouts for the existing cluster and the application proposal also follow very different development patterns, with the turbines of the earlier schemes forming a clustered grouping as opposed to the more formal appearing double linear formation favoured by the proposal application. The clustered grouping pattern is also favoured by existing and approved (as well as withdrawn and refused) energy developments in the wider study area such as Strathrory Redesign Wind Farm to the northeast and the Lochluichart cluster to the west. However it can be accepted that Abhainn Dubh Wind Farm's layout pattern responds to its setting between higher summits as opposed to on them as is the case with the Novar developments, and reinforces its location within a different hosting LCA setting to these nearer developments (thus achieving the threshold of OWESG Criterion 6 - The Existing Pattern of Wind Energy is Respected, and also Criterion 10- Distinctiveness of Landscape Character is Respected).

7.26 With proposals for new and repowering schemes coming forward at various stages of pre-application and application stages, including the repowering of Novar Wind Farm entailing the decommissioning and replacement of all 34 existing turbines with 10 turbines at 180m in height, and the application stage Carn Fearna Wind Farm (THC ref. 25/01650/S36, 9 turbines at 200m and 4 turbines at 180m in height), and the scoping stage Ceislein Wind Farm (THC ref. 24/03524/SCOP, 20 turbines at 250m in height) northeast of the application site, and Tarvie Wind farm (THC ref. 24/02625/SCOP, up to 11 turbines at 200 m in height) to the southwest of Abhainn Dubh, the future baseline cumulative scenario remains uncertain at this stage, with each proposal to be determined on its own merit.

7.27 The cumulative effects of the proposal scheme with these newer schemes have not been assessed as part of the EIAR or SEIR. For the purposes of this assessment, it is considered that the total cumulative effects of the application proposal with these schemes is more appropriately assessed through the assessments of those schemes as additional cumulative effects should any of these other proposals be built out.

7.28 Not only is consideration of how the siting, design of developments relate to each other and the cohesiveness of their relationship to their surroundings from fixed viewpoints important, but also how wind farms relate to each other in terms of their frequency when moving through the landscape. Such consideration includes understanding the visual separation between schemes, which is important in order to allow receptors to experience and appreciate the character of the landscape and any special natural, architectural, cultural, and historic features in between. Care and attention are therefore required regarding design, siting and location to avoid detrimental sequential impacts on important routes in the wider area.

7.29 As with all wind farm development, there remains potential for significant residual landscape and visual effects that require further consideration even though mitigation is embedded into the design. Any assessment must pay particular attention to the specific hosting and neighbouring Landscape Character Areas (LCAs) of the receiving landscape along with the landscape composition they engender, as well as any landscape designations in the wider area, susceptible receptors, as well as public views and the amenity of residents, road users and recreational receptors. The implications of the application proposal on the perceptual experience of the landscape and the visual experience of the receptor are considered in the respective Landscape Impact and Visual Impact sections below. These assessments set out that the mitigation through design, including subsequent amendments, has ensured that despite identified residual significant landscape and visual effects, the proposal is able to be accommodated in its receiving landscape and wider context.

7.30 As noted in the proposal description, the applicant has requested a 100m micrositing allowance to allow the development to respond to and mitigate against unforeseen environmental constraints during construction works. The need for this is however contested and should not exceed 50m to ensure that changes to the positioning of turbines and infrastructure do not result in a significantly changed proposal than that which has been assessed through the Landscape and Visual Impact Assessment (LVIA) and Cumulative LVIA (CLVIA).

Ancillary Infrastructure

7.31 In terms of design of the infrastructure on the site including the BESS facility, control building, substation, and tracks, these appear to have been located to reduce landscape, visual, and other environmental impacts. The final design of ancillary components requires to be conditioned as details of final design are not shown within the EIAR. The applicant is aware of the Council’s requirement for associated buildings to be designed in a manner that reflects the Highland vernacular. The applicant is proposing to house transformers within the turbines themselves, which is preferred in order to reduce the visual clutter of additional infrastructure and could be secured by condition.

7.32 Proposals for BESS facilities included with wind farm developments are effectively given planning permission in principle through wind farm consents. As such, conditions would be imposed to secure the proposal is reasonably sited as proposed, and details of the layout, access (for maintenance and emergency service vehicles), the design of all external components including compound and structure finishes, and grid connection. In providing these details, the applicant should also demonstrate how the BESS layout satisfies the Health and Safety Guidance for Grid Scale Electrical Energy Storage Systems, National Fire Chiefs Council's Guidance - Guidance on Grid Scale Battery Energy Storage System Planning, and Draft Guidance National Fire Chiefs

Council on Grid Scale Battery Energy Storage Systems and/or any or any superseding guidance prevailing at the time.

7.33 It should be noted that fire safety and fire risk management are covered by other legislation and therefore are not matters for the planning authority. However, water supply, drainage including segregation, containment, and safe disposal of expended fire suppression agent and / or water from the water environment are relevant to the consideration of the BESS facilities and as such, details of these matters should also be secured by condition.

Landscape Impacts

7.34 An overview of the LVIA Methodology used in the assessment is provided at Appendix 5 of this report.

7.35 There are several aspects to consider in determining whether this development represents an acceptable degree of impact on landscape character, including:

- impacts on the Landscape Character Type (LCT) as a whole, specific units of the LCT, that is Landscape Character Areas (LCAs), and on neighbouring LCT/LCAs;
- impacts on landscape composition; and,
- impacts on landscape designations.

7.36 These considerations inform an assessment of the proposal's compliance with THC Onshore Wind Energy Supplementary Guidance (OWESG) as it relates to landscape sensitivity.

7.37 The proposed turbines would be located entirely within the LCT330 Rounded Hills and Moorland Slopes – Ross and Cromarty Landscape Character Type (LCT) although access tracks would cross in to LCT341 Forest Edge Farming, and LCT345 Farmed and Forested Slopes – Ross and Cromarty to the east. LCT329 Rounded Mountain Massif LCT is a little over 1km to the west of the nearest turbine. These LCTs are considered in the applicant's assessment along with LCT346 Open Farmed Slopes due to extensive visibility of the turbines from within the LCT on higher ground within 6km.

7.38 While there are several other LCTs within the surrounding area, these have been scoped out of the assessment due to relative visibility, distance, and other mitigating factors such as existing development including wind farms meaning the proposal would have limited to no effect on these landscape resources.

7.39 The specific unit of the hosting LCT, LCT330, covers a large area including swathes of the interior of Easter and Wester Ross extending from the Dornoch Firth in the northeast, wrapping around the majority of the Ben Wyvis Massif. However, the section of the LCT unit that would host the turbines, hereafter referred to as the landscape

character area (LCA), is much less extensive and is contained to the east where the LCT bottlenecks at Glen Glass, southeast, and south of Ben Wyvis being hemmed in by the higher ground of the massif and more settled LCTs on lower slopes. The LCA takes in the several summits along its norther boundary including Cìoch Mhòr, Meall a' Ghuail, and Cnoc nan Each, as well as the valley floor of Strath Sgitheach and Abhainn Sgitheach, and the summits of its southern boundary including the lower hills of Cnoc a' Bhreacaich, Cnoc Mhàbairn, and Swordale Hill.

7.40 The proposal's specific effects on the character of the LCA will result from the insertion of the proposed turbines and the removal of coniferous forestry, with the turbines and, to a lesser degree, the associated tracks and other infrastructure, contrasting with the existing colour and texture of the hosting rounded hills and moorland slopes and its interaction with the wider landscape that the development is experienced within.

7.41 In this instance, the proposal sits within an intervening plateau formed by the 'gentle slopes' north of Strath Sgitheach, south of Glen Glass, and west of Swordale Hill. While being a locally dominant presence, the size and scale of the turbines will decrease relative to the landscape as one moves away from it and crosses the many different landscape features including the broad summits within the LCA and the larger massif to its west. The development's lower lying infrastructure components will have greater influence where they are more visible; i.e., from within a large portion of Strath Sgitheach up to Cnoc Mhàbairn, Swordale Hill and some of Glen Glass except where they are screened by topography and other features in the landscape such as forestry.

7.42 As such, there will be no influence on the character of LCT330 beyond the summits of the Ben Wyvis Massif to the west, with the proposal's visibility within the LCT unit contained to the LCA and just beyond the bottleneck at Glen Glass to Glen Glass's northern summits; that is, within 5km of the turbine array.

7.43 Consequently, the applicant concludes that the magnitude of landscape change will be high at the site level, medium within 5km, reducing to low for the wider LCT. The level of effect is assessed as major and significant for the turbine area; moderate and significant for areas within 5km where forestry does not foreshorten views to the south of Glen Glass and minor not significant for the wider LCT. This assessment is agreed and given that the key features and characteristics of LCA as described by NatureScot, including its large scale, will remain intact, the proposal is not considered to be detrimental overall to the character of the LCA.

7.44 In terms of effects on surrounding LCTs, intermittent visibility of the turbines will extend to the eastern slopes of Ben Wyvis up to 7km from the turbines, although further into Glen Glass. The applicant has assessed that this visibility will result in moderate and significant effects on the sense of vastness and wildness characteristics of LCT329 Rounded Mountain Massif, due to the proposals bring man-made development closer to the LCT where currently the settled landscapes are viewed at a distance from the

eastern slopes of Ben Wyvis. However, the conclusion that these significant effects would be experienced locally, is also agreed.

7.45 The lower more settled LCTs to the east are more extensively characterised and/or influenced by manmade structures including OHL and communication masts, as well as the developed inner Cromarty Firth. For example, while there will be a direct impact on LCT341 Forest Edge Farming due to access tracks, views of the tracks and turbines are intermittent and contained to localised nearer slopes where they will not be a new or characterising feature.

7.46 Similarly, there will be extensive theoretical views of the proposal from within large sections of LCT345 Farmed and Forested Slopes - Ross and Cromarty, particularly from the Black Isle and the A9(T) corridor form Foulis Castle beyond Alness, and LCT346 Open Farmed Slopes around Knockfarrel and the lower slopes of the Black Isle. However, the internal characteristics of these LCTs will remain unaltered while changes to the external landscape characteristics will be of a low magnitude and not defining.

7.47 Outwith the significant effects described on specific areas of LCT330 Rounded Hills and Moorland Slopes – Ross and Cromarty, and LCT329 Rounded Mountain Massif then, the proposal is not considered to result in significant changes to landscape character areas or types.

7.48 In terms of landscape composition, the complex convergence of settled LCTs backdropped by moorland slopes and well-defined ridgelines around the Cromarty Firth are entirely consistent with NatureScot's description of 'developed inner firths' coastal character type, of which Cromarty Firth is one. In terms of texture, the proposal is not out of step with the features of human settlement and industry such as roads, bridges, and oil rigs commonly experienced within the Cromarty Firth, while the reduced size and scale of the proposal means that it does not overwhelm the backdrop of rounded hills and mountain massif, nor the settlements below or indeed the firth itself.

Designated Landscapes – Ben Wyvis Special Landscape Area

7.49 Ben Wyvis Special Landscape Area (SLA) is located approximately 2.1km to the west of the site and encompasses the rounded summits and surrounding foothills of the Ben Wyvis massif from the southern shores of Loch Glass in the northeast to Little Wyvis in the southwest. The location of the proposal means there will be no direct impacts on the physical integrity of the SLA.

7.50 The 'Dominant Landmark and Uninterrupted Panoramas' special quality of the designation describes its presence as a dominant landmark feature in the wider surrounding landscape and the extensive often panoramic outward views from the broad and fairly level summit ridge.

7.51 The SLA's sensitivities to change are listed in the citation and include expansion of built elements that would detract from the exposed open grassy slopes, as well as the construction of linear features into the exposed mountain and moorland landscape and large scale features in surrounding areas that could adversely affect the quality of existing panoramic views into areas with strong qualities of remoteness and wildness. Additionally, other manmade objects on open and exposed slopes can interrupt the expansive panoramas.

7.52 As described in the citation, the SLA is atypical in that dominant landmark aspect of its special quality can only be appreciated from outwith its boundaries and with that in mind, the majority of viewpoints will take in at least part of the SLA and will therefore impact this special quality to varying degrees.

7.53 The citation notes that the convex form of the mountain, however, is less visible from its immediate surroundings and most clearly appreciated from more distant views such as from Inverness and the Black Isle. The larger part of the proposal's effect on the SLA's distinctive landmark quality therefore will be experienced from those areas where the turbines would appear across the face of its slopes, most notably at VP10 (B9169 near Culbokie).

7.54 From VP10 the turbines would be a distracting and prominent presence behind the forested slopes impinging on views of a section of wilder moorland although not interrupting the ridgeline itself. Given that the turbines are well within the visual envelope of the mountain massif however, the form and scale of Ben Wyvis would still be readily appreciable from this location, and it would still be the dominant landmark feature of the view.

7.55 The effect on the dominant landmark special quality at VP10, is lessened and substantially decreases as one moves northwest and southeast from the VP10 due to the position of turbines relative to the mountain changing. From VP12 (A9 near Duncanston) for example, the turbines impinge less on views of the moorland covered mountain slopes, while at VP14 (A835/ B9169 Road Junction, Conon Bridge) there is a clear separation between the mountain and the proposed turbines. It is also noted that from more distant views, the scale of the mountain massif multiplies relative to the scale of the turbines such that its dominant presence in the wider landscape increases, as is apparent from VP21 (Culloden Battlefield).

7.56 The effect on outward panoramic views will be to introduce larger and nearer turbines within a section of views into the developed firth and surrounding settled areas rather than areas with strong qualities of remoteness and wildness. From the popular summit VP9 (Ben Wyvis) the turbines would also appear low in the view and beyond the lower, less differentiated, moorland covered slopes and rounded summits that screen the majority of each turbine's tower. The proposal's influence on the experience of the SLA from VP11 (Little Wyvis) is also limited to a single blade tip.

7.57 As such, the turbines are backdropped by, and more readily associated with, the farmed and forested settled landscapes on the near side of the developed firth and do not impinge on distant views.

7.58 Based on the above assessment, the proposal will result in some adverse effects on the 'Dominant Landmark and Uninterrupted Panoramas' special quality of the SLA. However, these effects are not significant to its special quality overall, as the larger part of the effect will be limited to: 1) a localised area where the turbines appear at their greatest extent across the face of the mountain massif's lower slopes in views looking into the SLA (VP10 B9169 near Culbokie); and 2) very localised sections of the wider panoramic views outward from within the SLA (VP9 Ben Wyvis, 0.5km south-west of summit). These effects are therefore within acceptable limits and the integrity of the designation will not be compromised meaning in this regard, that the proposal achieves the threshold of OWESG Criterion 3, valued natural and cultural landmarks are respected.

Visual Impacts

7.59 Tables 5.15 through 5.37 of EIAR Volume 1 Chapter 5: Landscape and Visual Amenity, sets out the applicant's assessment of the visual effects of the proposed development at each viewpoint (VP) including up to the level of significance. These findings are upheld in Table 5.4: Updated Assessment of Landscape and Visual Effects of the SEIR Volume 1: Written Text, Figures and Appendices, with the exception of VP23 (Ness Bridge, B861) which is an additional VP.

7.60 Unsurprisingly, there is some difference between the applicant's assessment and the appraisal undertaken by Planning Officers, which is to be expected given the assessment and appraisal are dependent on the application of professional judgement. However, the officer appraisal has agreed with the applicant's assessment of significance of visual effects at all viewpoints, although has considered the receptor sensitivity to be one intermediate bracket higher at several viewpoints, namely: VPs 10 (B9169 near Culbokie), 12 (A9 near Duncanston), 13 (A9 near Alness), 14 (A835/ B9169 Road Junction, Conon Bridge), 16 (Invergordon), 19 (Inverness Castle, North Tower), and 20 (B9177 near Inshes).

7.61 The difference is part explained by applicant having applied different sensitivities to the same types of receptor at different locations / viewpoints, most likely due to the specifics of the view's context. However, the officer's appraisal considers residents taking opportunity to enjoy scenic views, such as VP16 (Invergordon) for example, and cyclists and passengers in vehicles to have a medium-high susceptibility. The officer's appraisal also takes account of the fact that many views of the turbines are towards the SLA and encompass its special quality, or have intrinsic scenic quality (again VP 16 (Invergordon) for example) that increases the amenity value of the view. Additionally,

the appraisal acknowledges that while receptors at monuments will be experiencing wider landscape views, these historic sites are not of themselves scenic designations.

7.62 There is only one difference in judgement of magnitude of change between the assessment and appraisal at VP12 (A9 near Duncanston) whereby the appraisal considers the introduction of moving structures with variable tip and hub heights in to a new section of the view to result in a slightly increased scale and magnitude of change than the applicants. However, the judgement of higher visual receptor sensitivity in the appraisal has led the appraisal to a higher judgement of level of effect (again just by one intermediate bracket), but importantly, not significant, at several VPs: 10 (B9169 near Culbokie), 12 (A9 near Duncanston), 13 (A9 near Alness), and 14 (A835/ B9169 Road Junction, Conon Bridge).

7.63 In addition to the above, the EIAR and SEIR considered future baseline cumulative effects in relation to the following wind farms:

- Strathrory (then consented now superseded);
- Strathrory Redesign (pending consideration in the EIAR, approved in the SEIR, but now under construction);
- Braemore (consented in the EIAR and SEIR but now expired);
- Lairg II (no change to the consented status in the EIAR or SEIR);
- Kirkan (at appeal for the EIAR but approved in the SEIR with no change in the approved status);
- Lochluichart Extension II (pending consideration in the EIAR, approved in the SEIR with no change in the approved status);
- Meall Buidhe (at appeal for the EIAR but approved in the SEIR with no change in the approved status);
- Strath Oykel (pending consideration in the EIAR, at appeal in the SEIR, since consented by Scottish Ministers against the recommendation by the Reporters, with that consent having since been quashed by the Court of Sessions); and,
- Garvary (pending consideration in the EIAR, at appeal in the SEIR, and now approved).

7.64 The SEIR has additionally considered Acheilidh Wind Farm (formerly Lairg III Wind Farm) with pending consideration status and which is currently awaiting the decision of the Scottish Ministers. Furthermore, Carn Fearna Wind Farm (THC ref. 25/01650/S36) has since been submitted since the SEIR was produced and so is not considered in the applicant's cumulative assessment.

7.65 The future baseline has been assessed with Scenario 1 corresponding to operational wind farms (as per the LVIA) and under construction and consented developments, and future baseline Scenarios 2 respectively being Scenario 1 plus application wind farms pending decision.

7.66 For both the EIAR and the SEIR, the applicant's future baseline cumulative analysis results in either negligible/no additional cumulative effects or the same level and significance of effects as per the initial LVIA at each of the viewpoints, which is agreed.

7.67 The above means that there is agreement that significant effects on the visual amenity of receptors as a consequence of the proposal will generally occur at VPs 1 through to 10 inclusive:

- 1 Glen Glass Old Dance Hall;
- 2 Near Milton Lodge;
- 3 Heights of Dochcarty;
- 4 Cìoch Mhòr;
- 5 Meall an t-Slugain Duibh;
- 6 Heights of Brae Chambered Cairn;
- 7 Knock Farril Fort;
- 8 Cnoc Fyrish;
- 9 Ben Wyvis, 0.5km south-west of summit; and,
- 10 B9169 near Culbokie.

7.68 The significant visual effects are generally a result of the proposal introducing, or increases the prominence of, largescale turbines of contrasting scale, colour, texture, and character to its receiving landscape of traditional rural activities and wilder moorland backdrop into sections of views currently free, or with limited influence, of wind farm development. Based on the assessment, the larger and significant part of these effects are predicted to be experienced by visual receptors up to around 10km from the turbines where there is visibility.

7.69 These effects are localised and will most acutely be experienced by residents of isolated properties, scattered communities, and defined settlements, road users, tourists and those engaged in outdoor recreational activities.

Residential Receptors

7.70 The applicant has assessed impacts on residential visual amenity of specific properties and property groupings within 2.5km of the turbines in EIAR Volume 5.3: Residential Visual Amenity Assessment (RVAA). The nearest properties are Eileanach Farm Cottage and Eileanach Former Keepers House as well as the property group of Fannyfield House and Cottage all at 1.3km from the nearest turbine, T7, followed by Glen Glass Old Dance Hall and New Lodge at 1.6km and 1.8km from their respective nearest turbines. The remainder properties and groupings are beyond 2km from the nearest turbine or further since the removal of turbines T1, T2, T12, and T13.

7.71 There is no change in the overall assessment of magnitude of change at each property/grouping within the SEIR, or the assessment that the residential visual amenity threshold of turbines appearing so overbearing and detrimental to living conditions that

the property would become widely regarded as an unpleasant place to live would be breached. The applicant's assessment considers such factors as the orientation of primary and secondary views from each property/grouping, the proportion of views occupied by turbines along with the remaining open skyline once turbines are erected, as well as intervening topography, and the presence of intervening features such as fields, woodland/forestry, and structures such as outbuildings. Given these factors, while the nearest properties and groupings will largely experience the development as a large magnitude of change, the above factors are considered sufficient in providing enough visual separation and screening for residents as they go about their day to day lives around their properties that the findings are agreed.

7.72 In terms of visual amenity on receptors within settlements, the applicant's assessment has considered likely significant effects to occur for receptors in Culbokie only (inclusive of the villages of Easter Kinkell, Cullicudden, and Resolis) but only for those properties west of the B9169 and immediately to its east with open views to the north-west (moderate and significant levels of effect). Effects on other settlements have been scoped out due to either no visibility or the presence of buildings and vegetation limiting views of the development from within settlements. Moreover, VPs 18 (Ness Bridge), 19, (Inverness Castle, North Tower), 20 (B9177 near Inshes), 21 (Culloden Battlefield), and 23 (Ness Bridge, B861) demonstrate that the proposal's influence on views from Inverness and its surrounds will be very limited even though views of energy development are not inappropriate for urban areas. The EIAR findings on visual impacts on the amenity of residential receptors are agreed.

Recreational Receptors

7.73 The applicant has assessed the impacts of the development on the visual amenity of receptors at several key visitor attractions with theoretical visibility through the viewpoint analysis including VPs:

- 1 Glen Glass Old Dance Hall, visitors to Glen Glass;
- 2 Near Milton Lodge, visitors to Glen Glass;
- 3 Heights of Docharty, cultural attraction;
- 4 Cioch Mhor, popular local hill summit;
- 5 Meall an t-Slugain Duibh, eastern slopes of popular munro (Ben Wyvis);
- 6 Heights of Brae Chambered Cairn, cultural attraction;
- 7 Knock Farril Fort, promoted view cultural attraction;
- 8 Cnoc Fyrish, popular local hill summit;
- 9 Ben Wyvis, 0.5km from south-west of summit, popular munro;
- 11 Little Wyvis summit, popular corbett;
- 15 Fairburn House, visitors to Fairburn;
- 18 Ness Bridge, popular tourist location;
- 19 Inverness Castle, North Tower, tourist attraction;
- 21 Culloden Battlefield, tourist attraction; and,

- 22 Sgùrr a' Choire Ghlais summit, munro summit.

7.74 As the EIAR viewpoint analysis has concluded, significant visual effects are anticipated for recreational receptors VPs 1 to 9 inclusive, which include cultural attractions (VPs 3, 6, and 7), popular summits (VPs 4, 5, 8, and 9), and access to remote glens (VPs 1 and 2). While landscape setting is important for an appreciation and interpretation of cultural attractions such as cairns and hut circles etc, this is a separate consideration related to the development's impacts on the historic environment to that of determining the impact of the proposal on the visual amenity of visitors to these locations.

7.75 The appraisal at Appendix 6 sets out that cultural attractions are not scenic designations of higher value as they do not presuppose visual appeal, while there are no promoted routes, or even established paths to VP3 (Heights of Docherty) or VP6 (Heights of Brae Chambered Cairn). Although significant visual effects are anticipated, it is not considered that this would translate to making the locations visually unappealing to visitors.

7.76 Similarly, significant visual impacts in specific sections of panoramic views at static VP locations on popular summits would not automatically translate to the popular summits becoming unattractive places to visit. The proposal is not considered to lead to the encircling of any summit assessed in the VP analysis, while the character of views from summits including Ben Wyvis and Cnoc Fyrish overlooking the Cromarty Firth will remain intact.

7.77 The EIAR, as updated through the SEIR, has also considered impacts on several recreational routes including the following Core Paths:

- Balconie Point and Kiltearn Church loop (RC 16.02 and 16.03), theoretical visibility for 2.5km within 7.4km to the east of the turbines;
- Knockfarrel Core Paths (RC13.05, RC13.06, RC45.02, RC45.09), theoretical visibility for majority of routes within 8.1km of the turbines;
- Balconie Point (RC16.02), theoretical visibility for 2.7km within 8.2km to the east of the turbines;
- Blackmuir Woods - maze circular (RC45.04), theoretical visibility for 2.5km of the route within 8.9km of the turbines; and,
- Resolis Shore Path (RC08.03), theoretical visibility for 8.2 km between 9.3-15.8km to the east of the turbines.

The looping Swordale Hill Core Path (RC16.01) associated with VP2 (Near Milton Lodge) is heavily forested which restricts views of the proposal. However in the event forestry was removed, it is clear that the visual amenity of this path would be significantly impacted.

7.78 The assessment has judged moderate and significant visual effects for Knocknafarrel Core Paths and for localised sections of both Kiltearn Church and Balconie Point Core Paths but minor and not significant overall. For Blackmuir Woods and Resolis Core

Paths, minor and not significant overall effects are predicted. These judgements are agreed, and are considered to be within acceptable limits.

7.79 Due to limited and intermittent theoretical visibility and physical screening on the ground further reducing visibility in reality, consideration of the visual amenity of the NC500 tourist route and National Cycle Route 1 has been scoped out of the assessment, which is agreed.

Transport Route Based Receptors

7.80 For similar reasons as above, both the Far North and Kyle of Lochalsh railway lines have been scoped out of the assessment of visual amenity impacts, as has the A9(T),evidenced by there being no significant effects at VPs 12 (A9 near Duncanston), 13 (A9 near Alness), and other A roads in the area (A834, A835, A862, and A832). As such the transport route assessment is focussed on the B9163, which runs south-west to north-east along the west coast of the Black Isle connecting Conan Bridge to Cromarty, and the B9169, which connects the A862 south of Muir of Ord to the B9163 northeast of Culbokie on the Black Isle. There is more extensive theoretical visibility on both B routes within 20km of the turbines.

7.81 For the B9163, the applicant judges the proposal to result in a medium magnitude for localised sections of the road around its junction with the B9169 junction, resulting in a moderate (adverse) and significant effect due to Abhainn Dubh being experienced at closer proximity and sequentially with the Novar cluster. The magnitude of change for the majority of the route is predicted to reduce to low resulting in a minor (adverse) and not significant sequential effect overall.

7.82 Similarly, the applicant judges a medium magnitude of change for localised sections of the B9169 road north-east of Culbokie, resulting in a moderate (adverse) and significant sequential effect. Due to the generally oblique viewing angle and intermittent screening of views, the applicant predicts a low magnitude of change for sections of the road southwest of Culbokie, resulting in a minor (adverse) and not significant sequential effect. Overall, the proposal is not predicted to result in unacceptable impacts on routes in the surrounding area.

7.83 In summary, the VP appraisal at Appendix 6 of this report sets out that while the proposal is anticipated to be prominent and result in some significant effects on the visual amenity of residents, recreational receptors, and users of limited extent of transport routes within 10km, it will not dominate or otherwise overwhelm features of the wider landscape, other than from close range views which is to be expected. This result is due to the well-considered maximum tip height and the reduced number of turbines proposed, which offer sufficient mitigation such that significant effects on the visual amenity of residents, recreational receptors and users of transport routes are within acceptable limits. The decision to limit the turbines to the lower areas within the

site and maintaining a maximum height of 149.9m has been critical to these findings, with the scheme avoiding the need for visible aviation lighting.

Construction Impacts

7.84 The applicant anticipates that the wind farm construction period will be 18 months. A Construction Traffic Management Plan (CTMP) would be secured to manage the impacts upon the local road network throughout the construction period. An outline CTMP is provided in EIAR Appendix 11.2.

7.85 Construction would be scheduled from 07:00 - 19:00 Monday to Friday and Saturday 07:00 to 13:00. No working is proposed on Sundays and public holidays. The applicant proposes exceptions for foundation pours and turbine erection, where both activities need to be continuous. The Councils Environment Health Team note that noise from construction at the turbine sites is unlikely to be a significant issue due to the distance from sensitive receptors. However, the development will include works to improve the public road and access tracks with high construction levels over 85dB at Saw Mill, Croncan Cottage and other nearby properties. As such, the Environmental Health Officer has requested that a detailed construction noise assessment with mitigation for these works, which would form part of the Construction and Environmental Management Plan to be secured by condition.

7.86 Developers must comply with reasonable operational practices regarding 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 and not Planning.

7.87 A finalised Construction and Environment Management Plan (CEMP) would be in place during the construction phase; an outline CEMP has been provided (EIAR Appendix 4.3). The CEMP would control potentially polluting activities and prevent adverse impacts on river catchments, water supply catchments and the environment during construction. The Principal Contractor would implement measures outlined within the CEMP as agreed with consultees including SEPA, NatureScot and THC. The CEMP will also be amended to incorporate information obtained during detailed ground investigations which will be undertaken post consent and prior to construction activities.

7.88 Along with the CEMP, construction must also comply with finalised and agreed plans and strategies for pollution prevention; construction methods; peat and soil management; site waste management; construction dust management; water quality management and fish monitoring; species protection; breeding bird protection; construction traffic management; habitat management and biodiversity enhancement; historic environment enhancement; and site restoration and aftercare. Compliance with the CEMP and other plans and strategies will be overseen by a suitably qualified and experienced Environmental Clerk of Works (EnvCoW) and any other qualified Clerks of Work or consultants as required.

7.89 The new access tracks will be constructed using both cut and fill and floating designs to limit impacts on deep peat. SEPA are content with this approach and request that the tracks to be floated as shown on Figure 6.2.1 of SEI Appendix 6.2 are secured by condition. In addition, SEPA require that a finalised Peat Management Plan is also conditioned, this should specifically demonstrate how micrositing has been used to reduce peat disturbance on the track north of watercourse crossing WCX4, and if relevant, reduce impacts on any near natural peatland habitat.

7.90 EIAR Chapter 4 notes that once the turbines have been installed, the access tracks, substation, and hardstanding areas around the turbines would remain in place for the operational lifetime of the development, although natural vegetation will be allowed to re-establish around the edges. Restoration of the temporary construction compound areas and the site borrow pit areas can be secured through the CEMP. In addition, the Council will require the applicant to provide a financial bond regarding final site restoration in the event of non-operation.

7.91 Nine watercourse crossings, two new and seven upgrades are proposed. Where it is necessary to cross watercourses or flowing drains, appropriately designed crossings and culverts will be installed. SEPA are content with the proposals outlined in SEI Report Appendix 6.1 with all crossings being oversized bottomless culverts apart from WCX4, the River Sgitheach crossing, which shall be a single span bridge with set-back abutments above bank level. This can be secured by condition. SEPA also request a condition requiring this to be designed to accommodate the 1 in 200-year flood event, including climate change. 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.

7.92 The applicant has requested a micrositing allowance. SEPA accepts micrositing but requests several limitations including that turbines and infrastructure should not be microsited onto peat deeper than currently shown in SEI Appendix 6.2, nor within watercourse buffers, Ground Water Dependent Terrestrial Ecosystems, while micrositing on to higher ground should be limited to no higher than 5m AOD than the location approved, and must avoid impacting any cultural heritage assets. Any movement from the consented locations should be subject to approval by the EnvCoW with all micrositing limits secured by condition.

7.93 Should the development be granted consent, a Community Liaison Group (CLG) would be set up prior to construction to ensure that the Community Council, local residents, and other stakeholders are kept up to date with construction progress and are consulted before and during the construction period.

Roads, Transport and Access

7.94 EIAR Chapter 11 assesses the expected impact of this development, particularly through the construction phase. This is supported by a Transport Assessment (TA), an

Abnormal Loads Assessment (Appendix 11.1) and an Outline Construction Traffic Management Plan (CTMP) (Appendix 11.2). The assessment has not been updated to reflect the reduction in the number of turbines proposed. Whilst the changes have not been quantified, the alteration to the scheme results in less construction vehicle movements than reported below.

7.95 The site will be accessed via a new bellmouth junction off the B817 south of Evanton, (see Figure 4.12a). From this new junction, vehicles will use a new track (730m) through the existing field south of Drummond Farm before joining Drummond Road via another new junction at the other end of the new track (see Figure 4.12b). All vehicles will then travel south-west along Drummond Road, before joining and following an unclassified road and a private track leading into the main site. At this stage the applicant expects that approximately 200m of the B817 will be upgraded to accommodate construction vehicles, in addition Drummond Road and the unclassified road will require some minor upgrade works over approximately 1.8km.

7.96 Works are also proposed between the start of the existing private access track (west of Woodside) (see Figure 4.1c) and the ruin at Achleach (see Figure 4.1b) and a section of new track will also be built to the south of Knockancurin. Localised bend widening will be required at the start of the private track as well as in the vicinity of Teachatt and Achleach. Passing places will also be constructed at suitable intervals.

7.97 The preferred port of entry for the turbine components is the nearby Port of Nigg, then onto the B9175, A9(T) and B817. Vehicles with blade components will access the site via a proposed new junction on the B817 onto a new track across a field south of Drummond Farm with a new junction with Drummond Road which joins a private track to the site. The vehicles carrying tower components will take the same route with a small detour to avoid a railway bridge on the B817. Abnormal loads will only be transported over 5 months (months 12 to 16). The EIAR states that there will be a maximum of 4 abnormal loads transported any given day. HGVs will access the site from the A9(T) and the new junction on the B817 as detailed above. The EIAR reports no significant effects in relation to these movements.

7.98 The EIAR also reports that the proposed development would lead to a temporary increase in traffic volumes on the road network during the construction phase. However, the effects are not constant with traffic volumes decreasing considerably outside the peak period of construction. Based on the initially proposed 13 turbines, the maximum traffic impacts are predicted to occur in month 7 of the construction programme, with 209 movements per day, 149 of which will be HGV trips.

7.99 Along the A9(T), total traffic levels are predicted to increase by 1-2% and HGV levels are predicted to increase by 6-8%. The greatest increase in daily traffic levels will be on Drummond Road (south of Drummond Farm Road) and on the B817 (south of Drummond Farm Road), with traffic levels increasing by 25% and 12% respectively. These levels are well within the 30% threshold outlined in the IEMA Environmental

Assessment of Traffic and Movement guidelines. However, the increase in HGV levels is predicted to be 702% and 837% respectively. The assessment attributes this to relatively low baseline levels of HGVs on these roads. In relation to severance within a community; driver delay; pedestrian delay and amenity; accidents and safety; and, dust and diesel effects for both Drummond Road and the B817 are reported as not significant.

7.100 In terms of cumulative construction effects with other wind farm developments, an assessment has been made in relation to Strathrory Wind Farm, Kirkan Wind Farm and Lochluichart Extension II Wind Farm as they may share construction routes with the proposed development. The EIA reports no significant traffic and transport effects that would require further mitigation measures. Overall, the assessment concludes that the anticipated total traffic volumes are projected to be within the capacity of the roads and with the implementation of appropriate mitigation in the form of a finalised Construction Traffic Management Plan (CTMP) and an Abnormal Load Transport Management Plan no significant residual effects are anticipated in respect of traffic and transport.

7.101 The Councils Transport Planning Team consider that whilst environmental effects of development traffic, when assessed in accordance with the IEMA Guidelines, may not be considered significant, there will undoubtedly be significant direct impacts on parts of the road network due to the movement of large and heavy construction vehicles. Although not objecting to the application, physical mitigation alongside effective and complementary traffic management measures will be required. It recommends planning conditions securing details of temporary and permanent changes to the public road network for construction access, details of the temporary access junctions with the B816 and C1023 Drummond Road for construction access, and for a finalised Construction Traffic Management Plan (CTMP) and include AIL assessments. The completion of a Section 96 Wear and Tear Agreement prior to the commencement of development on site will also be required.

7.102 Transport Scotland have no objection but require conditions to secure prior approval of the final abnormal load route along with any accommodation measures required for the abnormal loads, including the removal of street furniture, junction widening and traffic management. An un-laden trial run between the Port of Entry and the site access will be required in liaison with the police and both roads' authorities. A finalised CTMP, the use of wheel cleansing facilities and sheeting for all vehicles transporting construction materials and a decommissioning plan will also be secured by condition.

7.103 In addition to the above, National Rail raised concerns regarding the development's potential for extraordinary wear and tear to the Nigg Level Crossing railway due to 78 construction traffic movements over the crossing surface daily. Consequently, Network Rail has requested a condition which secures a photographic survey before and after the construction phase and if required a financial contribution will be required to repair or replace the level crossing surface.

7. 104 In terms of wider public access, the Council Access Officer has no objection but requires approval an Outdoor Access Management Plan prior to construction commencing on site to be secured by condition. The plan needs to include both the construction and operation phases of the development. Any restrictions during the construction phase should be proportionate in scale and time and communicated well in advance. Following construction there should be no restrictions to non-motorised public access and any gates must be of suitable design to allow pedestrian, cyclist and horse access. Any permanent site signage is required to be agreed with the Council.

Water, Flood Risk, Drainage and Peat

7.105 The results of the applicant's assessment are outlined in Chapter 6 of the EIAR and have been updated in the SEIR, which is supported by an updated watercourse crossing schedule (SEIR Appendix 6.1), Outline Peat and Soil Management Plan (SEI Appendix 6.2), and a Peat Landslide Hazard Risk Assessment (PLHRA) (SEI Appendix 6.3).

7.106 The EIAR sets out that mitigation by design has been used as far as practical; for instance, no development buffers around watercourses, the use where possible of existing tracks and watercourse crossings, the avoidance of deeper peat and the creation of floating tracks. The developer is also committed to employing good practice techniques during construction and operation of the proposed development as detailed in Appendix 2.1 and 4.3. The finalised and agreed CEMP will also be required to be implemented by contractors to ensure that potential sources of pollution are effectively managed to avoid pollution events throughout the construction phase. An emergency response plan will also be required in order to minimise environmental harm in the unlikely event of a pollution incident.

7.107 To protect the water environment several measures have been highlighted by the applicant for inclusion in the CEMP which would take account of the sensitivity of downstream catchments. These include a Drainage Management Plan and detailed design which follows Sustainable Urban Drainage Systems (SUDS) principles. It will also include a Water Quality Monitoring Plan and the appointment of a qualified Hydrological Clerk of Works to supervise construction. The proposed and upgraded watercourse crossings will be designed to allow hydraulic continuity to be maintained such that the local hydrology is not significantly altered.

7.108 As detailed the 'Construction' section above, SEPA does not object, and has requested that the watercourse crossings follow the design specifications outlined in SEI Report Appendix 6.1 EIAR Appendix 7.5 Watercourse Crossing Inventory, allowing for the 1 in 200-year flood event, including climate change. The watercourse crossings would be regulated under SEPA's Controlled Activities Regulations (CAR) regime.

7.109 The proposed development is located within a catchment area in which a Scottish Water drinking water abstraction is located. Scottish Water are content that the

development is sufficiently set back from the intake, so there is a low risk that it will be affected by the development. However, water quality must still be protected during construction activities and Scottish Water has produced guidance on these matters, compliance can be secured via the CEMP condition.

7.110 The applicants initial PWS risk assessment identified two supplies requiring further assessment: Clach Liath Estate and Fannyfield House. The detailed assessment concluded that there is negligible risk of adverse impacts from the development. Environmental Health is content with this assessment.

7.111 In terms of Groundwater Dependent Terrestrial Ecosystems (GWDTEs), National Vegetation Classification habitat M6, that is moderately groundwater dependent flushes, has been identified. However, the assessment considers that due to the small zone of influence and location of identified springs the groundwater supply is unlikely to be affected by the excavation works. Nevertheless, there could be some disruption to the downstream flushes due to access track drainage diverting flows away from the habitat. Mitigation in the form of drainage design will be in place to maintain any groundwater spring flow to downstream M6 flushed habitat. In addition, mitigation will be in place to avoid the diversion of groundwater spring flow along tracks to maintain a flow to the habitats, e.g. bunding. As mentioned, the CEMP will include pollution control measures to reduce the risk of pollution to this waterbody while SEPA has not raised concerns in relation to the proposal's impacts on GWDTE.

7.112 The peat survey recorded depths of between 0m (no peat) and >1m across (deep peat) the survey area, with the majority (90%) recording depths of less than 0.5m, the average was 0.17m. The layout of the scheme has sought to avoid deeper pockets of peat. Where it has not been possible it is proposed to traverse areas of peat over 0.5m in depth with floating tracks to minimise disturbance. Due to the removal of four turbines and associated infrastructure from the scheme, the excavated peat volumes have been updated through the SEIR. Additional peat depth surveys were also undertaken for the realigned track to the south of Balnacrae, chambered cairn. Changes to the scheme has reduced the volume of soil and peat being excavated – 19,600m^3 (of which 1,000m^3 is defined as peat) compared to 34,075m^3 (of which 1,268m^3 was peat). Through implementing the soil and peat management measures outlined in the updated Peat and Soil Management Plan (PMP) (SEI Appendix 6.2), including using peat for ground reinstatement, the proposal is not anticipated to result in a surplus of peat.

7.113 SEPA has no objection to the application subject to securing its approval of a finalised Peat Management Plan, which should be secured by condition. An updated wording for this condition has been submitted in SEPA's response to the SEI as per the new process for agreeing Section 36 approvals with the ECU. To summarise, SEPA requires that the PMP demonstrates how micrositing and other measures have been used to further minimise peat disturbance on the track north of watercourse crossing WCX4, and, if relevant, reduce impacts on any near natural peatland habitat. In addition, SEPA

request that any micrositing allowance does not move infrastructure onto peat any deeper than currently shown SEI Appendix 6.2 - Figures 6.2.2 and tracks are to be floated as shown on Figure 6.2.1 of SEI Appendix 6.2.

7.114 The submitted Peat Landslide Hazard and Risk Assessment (PLHRA) has been updated (SEI Appendix 2.1 and 6.3) to take account of comments made by Ironside Farrar. The Government's advisor on the risk of peat slide and the additional peat depth probes required for the realigned track to the south of Balnacrae, chambered cairn. The applicant's risk assessment identifies that most of the site is at a negligible or low potential risk of peat instability with localised areas of medium stability risk, primarily in the northwest and west of the site. The results indicate an overall hazard ranking of 'negligible' and 'low' for the site. Ironside Farrar has no objection and considers that, subject to mitigation contained within the PLHRA, the risk of peat slide is not significant.

7.115 Most of the proposed development site is forestry or felled forestry. Areas of blanket bog which are likely to be affected are limited to a short section of the proposed new access track north of the River Sgitheach, and the area of turbine T8. The EIAR assesses that there will be a direct permanent loss of 0.36ha of blanket bog associated with the development and estimates an additional 10% of this area will be lost from the wider construction footprint. The application originally proposed 2.27ha of peatland restoration, however, NatureScot advised that this figure fell short of its compensatory and enhancement guidelines. In response an updated Outline Habitat Management and Biodiversity Enhancement Plan (see SEI Appendix 7.1) has been submitted that proposes a 26.3ha minimum area of peatland restoration and enhancement, which is supported and can be secured by condition.

7.116 In addition to the conditions identified above, SEPA also require conditions securing the mitigation identified in the Outline Construction and Environmental Management Plan (Appendix 4.4) and the Schedule of Proposed Mitigation, Good Practice, Enhancement and Monitoring (Appendix 2.2).

Natural Heritage (including ornithology and forestry)

7.117 The applicant's assessment in relation to ecology is outlined in EIAR Chapter 7. Additional and updated information has been submitted in the SEIR in the form of an amended Outline Habitat Management and Biodiversity Enhancement Management Plan (OHMBEP), an updated assessment in relation to blanket bog habitat loss and restoration/enhancement and an outline Deer Management Statement. In relation to Ornithology, the applicant's assessment is outlined in EIAR Chapter 8, the SEIR includes updated collision risk modelling in relation to Merlin and Red Kite and additional capercaillie surveys.

7.118 Overall, the EIAR and SEIR conclude that subject to the recommended mitigation measures there will be no significant residual effects, either individually or cumulatively from the development on natural hertiage. Following an increase in the area proposed

for peatland restoration, the updated operational effect on blanket bog habitats has increased from a moderate (positive) effect to a major (positive) effect.

7.119 The applicant has committed to ensuring that construction is in line with best practise guidance and in accordance with a CEMP. This will include Species Protection Plans (SPPs), a Breeding Bird Protection Plan, pre-construction surveys for otter, water vole, badger and pine marten, water vole, squirrels and bat roosts. Habitat enhancement measures will be secured through a finalised Habitat Management and Biodiversity Enhancement Plan, and compensatory tree planting will be undertaken. The applicant is also committed to undertaking ongoing monitoring during the first 15 years of the operational period of the wind farm, this will include badger, pine marten and wildcat. Environmental protection measures will be fully detailed in the final CEMP and works will be overseen by an Ecological/Environmental Clerk of Works (ECoW).

Designated Sites

7.120 The development is not located within any statutory designated sites for either ecology or ornithology, but it is located within the Strathpeffer Wildcat Priority Area (WPA). As detailed in section two above, however, there are several designations within 10km of the site. NatureScot originally objected to the scheme in relation to the potential effects upon the Novar Special Protection Area (SPA), Morangie Forest SPA and Ben Wyvis Special Area of Conservation (SAC). The status of the sites means that the requirements of the Conservation (Natural Habitats, and c.) Regulations 1994 as amended (the 'Habitats Regulations') apply. Consequently, the Scottish Ministers are required to consider the effect of the proposal on the SPA and SAC before the proposal can be consented.

7.121 **Ben Wyvis Special Area of Conservation (SAC)** is designated for a range of upland habitats. These habitats could be affected by increased herbivore impacts because of deer displacement from the proposed wind farm site. As requested by NatureScot, a Deer Management Statement has now been submitted (SEIR Appendix 7.2). In response, NatureScot consider that the risk of significant impacts to the SAC due to deer displacement is relatively low but requests that a final Deer Management Statement is secured by condition. The statement should include details of the monitoring and measures that would be undertaken to demonstrate that the SAC would not be adversely affected. Consequently, NatureScot has withdrawn its objection, but it will be for Scottish Minsters, as the competent authority, to carry out an appropriate assessment in view of the site's conservation objectives for the SAC qualifying interests.

7.122 **Novar Special Protection Area (SPA) and Morangie Forest SPA** are designated for breeding capercaillie. As requested by NatureScot and RSPB additional survey work, (SEIR Appendix 8.2) amendments to fencing proposals and the Outline Habitat Management and Biodiversity Enhancement Plan have been made. NatureScot consider that the proposal is likely to have a significant effect on SPA capercaillie

through the potential for construction related disturbance, operational displacement, and potential for collision risk with the turbines or newly erected fences. Consequently, the Scottish Ministers, as competent authority, is required to carry out an appropriate assessment in view of the sites' conservation objectives for its qualifying interest.

7.123 However, NatureScot considers that subject to mitigation being secured the proposal will not adversely affect the integrity of the site. These measures include a Species Protection Plan (SPP), measures to reduce collision risk (turbine base painting, fence marking) and a final Habitat Management and Biodiversity Enhancement Plan. RSPB support the requirement for a SPP and outline several mitigation measures. It also welcomes the proposed additional 25ha of native tree planting as outlined in the Updated Outline Habitat Management and Biodiversity Enhancement Plan to expand existing Capercaillie forests, creating suitable habitats and connectivity between the nearby Novar SPA and Morangie Forest SPA. However, NatureScot strongly recommends that native tree planting with Scots Pine should also be maximised through the wider required compensatory planting. This planting mix can be agreed through the finalisation of this plan.

7.124 **Cromarty Firth Special Protection Area (SPA):** NatureScot considers that the proposal is likely to have a significant effect on the whooper swans and greylag geese SPA qualifying interests. Consequently, the Scottish Government, as competent authority, is required to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests. However, NatureScot are content that while there is potential for some limited displacement of foraging greylag geese and whooper swans from agricultural land associated with the new access track, foraging habitat in this area is not limited, and therefore would not adversely affect the SPA populations or the conservation objectives for the site. NatureScot also requests that, in line with emerging guidance, the Battery Energy Storage Scheme is designed, constructed, and operated in accordance with the National Fire Chiefs Council Guidance and NetRegs guidance. This ensures the containment, treatment and safe disposal of any polluted fire water.

7.125 **Ben Wyvis SPA** is protected for breeding dotterel. Due to the separation distance from the SPA and habitats on and around the proposed wind farm site being unsuitable for SPA birds, NatureScot consider that the proposal is unlikely to have a significant effect on any qualifying interests either directly or indirectly. An appropriate assessment is therefore not required in respect of the Ben Wyvis SPA.

7.126 **Allt nan Caorach Site of Special Scientific Interest (SSSI)** is protected for its woodland and sub alpine heath habitats. T8 is located around 70m from the SSSI boundary (with some of the associated infrastructure closer). NatureScot note that this puts the SSSI within the 100m micrositing allowance requested by the applicant. However, as detailed above a 50m micrositing limit is deemed sufficient. The proposed mitigation for bats also requires that a tree free buffer is maintained within 50m of the

closest part of the turbine and a tree free radius of 100m around the turbine base. In response, the applicant has agreed to undertake detailed ground investigation and include full details of the final location of T8 and associated infrastructure within the CEMP.

7.127 In addition, the applicant agrees to microsite T8 far enough away from the SSSI boundary such that no felling within the SSSI boundary will be necessary for bat protection purposes. NatureScot is content with this proposal subject to this mitigation being secured by condition. This micrositing is also supported by RSPB. The Councils Ecology Team notes that there is additional opportunity to microsite T7 away from the same boundary with the SSSI to avoid tree felling in the ancient and riparian woodland around Allt nan Caoract for additional bat mitigation. This can also be considered in the satisfaction of this same condition.

Species Protection

7.128 Protected species surveys have identified the likely presence of badger, pine marten, water vole, and bats within the study area. NatureScot has no objection subject to a Species Protection Plan (SPP) for water voles (recommends alternative methods to relocation of water voles), wildcats and preconstruction surveys for wildcats and bats and request that the applicants employ a method of pitching the blades out of the wind ("feathering") to reduce collision with bats. The Ecology Team also requests SPPs for pine marten, badger and bats and otter, with the Ecology Team also advising that surveys should be undertaken at the north boundary within 200m of Allt nan Caoract.

7.129 The EIAR concludes that habitat suitability for fish and fresh water pearl mussel is limited. By implementing construction practices and mitigation measures as approved and agreed through the CEMP (such as maintaining 50m construction works free buffer away from water courses), no significant effects on aquatic features are predicted. NatureScot recommends that a freshwater pearl mussel habitat survey is carried out at the proposed water crossing location on the River Sgitheach. Marine Scotland Science also requests that water quality monitoring is integrated with the fish population monitoring programme under a Water Quality and Fish Monitoring Programme. The monitoring programme would be required to be implemented from at least 12 months prior to construction activities, and continue throughout the construction period and for at least 12 months post construction.

7.130 In terms of ornithology, the EIAR identifies the potential presence of birds protected under Schedule 1 of the Wildlife and Countryside Act 1981 in the vicinity of the proposal. NatureScot has no objection but confirms that a Breeding Bird Protection Plan (BBPB) will be required, which will need to include appropriate buffers around site access routes or areas where associated forestry or habitat management works are planned. NatureScot and RSPB also request pre-construction surveys for Red Kites, while the Councils Ecology Team request a full Species Protection Plan which is to include the pre-construction surveys and a post construction management plan. NatureScot, RSPB

and the Ecology Team all request a Species Protection Plan (SPP) for Black Grouse and Capercaillie, with the Ecology Team also requesting a SPP for Crossbill. In terms of cumulative effects, RSPB requested further collision risk modelling (SEIR Appendix 8.1). RSPB are now content with the cumulative collision risk for Red Kite and Merlin and agree that no significant cumulative effects are anticipated on these species. NatureScot and Councils Ecology Team raise no objection in relation to collision mortality.

Habitat Loss and Biodiversity Enhancement

7.131 The updated Outline Habitat Management and Biodiversity Enhancement Plan (OHMBEP), as submitted through the SEIR (SEI Appendix 7.1), includes several proposals for biodiversity compensation and enhancement. The applicant is proposing several Habitat Management Plan (HMP) areas with Areas A – D all within the application site red line boundary, and HMP Areas E and F outwith the application site.

7.132 The amended proposed onsite habitat enhancement measures include:

- 66.8ha of on-site Blanket Bog, improvement from poor to moderate condition which represents an increase of 151.53 Biodiversity Units (BU);
- 5.02ha of Wet Dwarf Shrub Heath, improvement from moderate to good condition which represents an increase of 9.20 BU;
- 13.66 ha of Bare Peat, improvement from poor to moderate condition which represents an increase of 22.23 BU;
- 2.3ha of Marsh/Marshy Grassland, improvement from moderate to good condition which represents an increase of 4.54 BU;
- 0.3ha of Dry Dwarf Shrub Heath, improvement from moderate to good condition which represents an increase of 0.60 BU; and
- 0.4 ha of Acid Grassland: Semi-improved, enhanced from moderate to good condition which represents an increase of 1.38 BU.

7.133 Offsite habitat enhancement measures include:

- 30ha of wet heath, improvement from moderate to good condition representing an increase of 151.11 BU; and,
- 17.5ha of blanket bog, improvement from moderate to good condition increasing BUs by 64.38 units.

7.134 It is also proposed to create the following additional habitats within the application site:

- 2ha of broadleaved native scrub and shrub planting representing an increase of 9.87 BU.

7.135 Along with the creation of habitats offsite at Areas E and F, the SEIR advises that these offsite areas ‘are not restricted… but rather considered to be suitable areas within the wider Estate for planting..’ with Area E considered suitable for expanding existing

capercaillie forests to provide connectivity between both Novar and Morangie Forest SPAs. To that end, planting of 25ha of mixed native broadleaved and conifer woodland, shrub, and scrub species, representing a BU increase of 77.83 units, is proposed. This planting is in addition to the compensatory planting proposals to offset the loss of productive commercial forestry.

7.136 Area F is defined as those areas around sections of felled forestry suitable for re-planting with native seedbearing broadleaved scrub and shrub species, or, for those areas not suitable such replanting, sowed with native acid heath/grass mix. The applicant has confirmed that legal agreements with the landowner to implement Areas E and F of the HMP are already in place.

7.137 Several other management prescriptions are described in the SEIR including:

- implementation of additional habitat enhancement and/or monitoring for waders (including the creation of wader scrapes over an area of up to 6.1 ha), deer, badger, pine marten, wildcat, bats and fish;
- Installation of boxes for passerines, owls and kestrels (over 500 metres away from turbines), as well as bat boxes (over 200 metres away from turbines) and pine marten den boxes;
- controlling deer densities; and,
- Installation of camera traps for monitoring wildcat population.

7.138 NatureScot and RSPB have welcomed the additional proposals for peatland restoration, with the latter recommending the applicant give consideration to additional forest-to-bog restoration within areas of failed commercial forestry adjacent to HMAs A and B. However, this would be a matter for the applicant to agree with the landowners and ECU if required.

7.139 The proposals for woodland creation to create connectivity with the Novar SPA and Morangie Forest SPA are also welcomed, however, given that this is proposed outwith the application site, it will be required to be secured through legal agreement. In addition, the RSPB advises that this additional planting must be in suitable locations to achieve the desired biodiversity benefits and in particular for Capercaillie. There is also concern that there will be an overuse of deer fencing around new woodland planting and that Habitat Management Areas in general that would result in too many enclosures increasing the collision risk for dispersing Capercaillie. As such, RSPB recommends culling as the preferred deer management tool, otherwise that a larger enclosure should be created around the wind farm and HMP areas rather than several small enclosures.

7.140 Enhancement measures for non-avian species and ornithological interests are also supported. NatureScot has advised that it encourages the applicant to consider alternatives to water vole translocation, including the possibility of micrositing the proposed river crossing so that potential impacts to water voles and the need for a licence are avoided if possible. With regard wader scrapes, the RSPB advises that

scrapes should be placed well away from any trees or scrub areas and in the flattest areas of the site and that the proposed HMP Area for the proposal overlaps with black grouse interests. As such, the RSPB recommends additional monitoring of the scrapes to determine the success of the enhancement measure and to allow the operator to respond accordingly.

7.141 The OHMBEP has provided details of monitoring up to year 20, however, THC's Ecology Team request that this is extended to a minimum of 30 years, which should be secured by condition. Otherwise, the proposed habitat and biodiversity enhancements are well considered and at an advanced stage, which if implemented would achieve a significant uplift in biodiversity of 11% which is strongly supported.

Forestry

7.142 SEI Appendix 4.1 provides an updated estimate of the proposed woodland felling, restocking and compensatory planting requirements of the reduced scheme. The update also responds to objections from Scottish Forestry, The Woodland Trust and THC's Forestry Officer in respect of concerns relating to potential impacts on native and ancient woodland due to access track upgrades and the installation of Turbines T8 and T12 (now removed from the proposal).

7.143 Further information was also requested in relation to securing the offsite land required for the compensatory woodland planting and the provision of a detailed roadside tree survey of all trees impacted by the turbine deliveries. In relation to native and ancient woodland, The Woodland Trust has now withdrawn its objection based on the applicant agreeing to microsite Turbine T8 away from the boundary with the Allt nan Caorach SSSI.

7.144 The SEIR details that the area of woodland to be felled to physically construct the proposed development has been reduced from 50.79ha to 37.30ha. A further area of 51.0 hectares has been identified for 'management felling' to mitigate for windblow risk. THC's Forestry Officer has advised that this is an acceptable approach given the age of the crop and exposure. These areas (with the exception of 0.45ha of management felling that will not be restocked) would then be restocked in accordance with the approved Long-Term Forest Plan. Overall, the applicant states that there will be no net loss of forestry resource with the proposal of 37.75ha loss of woodland to be offset through replanting as implemented through a compensatory planting scheme.

7.145 SEIR Appendix 4.1 outlines the proposed approach for compensatory planting. Whilst welcoming some additional information, the Council's Forestry Team consider that it does not provide the level of detail required to support this application and maintain its holding objection. The Forestry Team requires the submission of a detailed Compensatory Planting Plan (CPP). Any off-site compensatory planting will need to be secured through a tri-party legal agreement between the Council, the applicant and landowner(s). To avoid any inconsistency, it is important that all related operations are

integrated, such as woodland restructuring, biodiversity enhancement, compensatory planting, Habitat Management Plans and Long-Term Forest Plans. Scottish Forestry advise that the loss of roadside trees should be included in the compensatory planting scheme and that the species composition of the proposed compensatory planting scheme does not comply with the current standards. RSPB also request that a native mix, including Scots pine could be included in this compensatory area, which would provide a positive and wider benefit for Capercaillie in addition to the 25ha proposed under the OHMBEP.

7.146 Although the Council's Forestry Officer's clear preference is for the Compensatory Planting Plan (CPP) to be submitted and agreed ahead of the application's determination, this trigger point is contrary to the Scottish Government's 'Standard onshore wind conditions – Section 36 consents deemed planning permission: form and guidance', published February 2025. The standard condition stipulates a trigger point of prior to felling or development commencing, with detail therefore expected to be resolved post determination. These standard conditions are however expected to be subject to refinement to reflect the circumstances of each proposal. As such, owing to the extent of compensatory woodland planting required and for this to be delivered offsite, the recommended standard condition can be bolstered to require the CPP to be approved 3 months prior to development commencement, with this to be secured by way of legal agreement.

Built and Cultural Heritage

7.147 EIAR Chapter 9 considers the potential effects on archaeology and heritage assets. The application is supported by a walkover survey, visualisations and an Outline Historic Environment Enhancement Plan (OHEEP). The OHEEP provides recommendations to improve access, interpretation, and understanding of the historic assets present within or near the development site.

7.148 The application for 13 turbines as originally proposed was objected to by Historic Environment Scotland (HES) on the grounds that it would result in detrimental effects on the setting of two Scheduled Monuments, SM2396 Balnacrae, chambered cairn 230m WSW of, and, Heights of Brae, chambered cairn 375m NNW of Firth View. In addition, several third-party representations also raised concerns about the development's impact on the historic environment and, as a consequence, the scheme has been amended with the removal of four turbines and changes to the access track near the Balnacrae Chambered Cairn. Chapter 9 of the SEIR presents an updated assessment and is supported by visualisations (SEI Figures 9.2 - 9.4).

7.149 To overcome this objection, HES recommended that Turbines T1, T2 and T13 should be deleted and T12 either deleted or relocated as far as possible north and eastwards over the skyline when viewed from the cairn. The applicant has taken on board the recommendations with the re-designed scheme removing all four of these turbines and realigning the access track southeast from the Balnacrae chambered cairn. The SEI

now reports that the design modifications have reduced the significance of effect from moderate (significant) to minor (not significant) for the setting of Balnacrae, Chambered Cairn.

7.150 Based on the amended scheme, HES has confirmed that the impacts no longer raise issues of national interest and has withdrawn its objection. However, HES still maintains that the proposal will have a distracting and dominating effect over views towards Balnacrae chambered cairn, specifically due to the locations of T3 and T4. Whilst not objecting, HES still encourages the applicant to explore options to relocate these turbines further beyond the skyline behind this monument if possible.

7.151 In relation to the access track serving T8, HES is content that the revised visuals and additional design details for the track (Section 3.18 of the SEI Report), which include grading the road into the hillside, the use of a vegetated berm on the outer edge of the track, and finishing materials, have reduced its prominence and will appear as a minor addition within the setting of Balnacrae chambered cairn. The monument's relationship with the strath would therefore still be able to be understood, appreciated, and experienced.

Noise and Shadow Flicker

7.152 EIAR chapter 10 outlines the applicant's assessment in relation to the potential construction and operational noise and vibration effects on nearby residential receptors. The noise assessment is contained within Technical Appendix 10.1 and uses eight noise locations. This assessment is based on the original 13 turbine scheme; the assessment has not been updated to reflect the reduction in turbines numbers. It is noted that several third parties have raised concerns regarding the potential noise impacts from the development.

7.153 In terms of operational noise, the predicted noise levels from the development will meet the simplified ETSU standard of 35dB at all noise sensitive locations apart from Fannyfield (36.6dB) where levels will be marginally higher. Nevertheless, the predicted levels will meet the standard of 35dB daytime, 38dB nighttime, or up to 5dB above background noise levels at all receptors, which is also the case when the assessment includes the Novar and Novar Extension Wind Farm. However, there would be less respite from wind farm noise for properties between the proposal and the existing Novar schemes although in this case, background levels will be around the same or higher than turbine noise levels for the majority of wind speeds. Operational noise from the substation and energy storage facility, which are adjacent to each other within the site, is expected to be negligible at the nearest noise sensitive dwellings.

7.154 THC's Environmental Officer does not object to the applicant's noise assessment or the proposal subject to planning a condition to control operational noise limits to those stated within the application. A further condition is also requested to prevent the use of

turbine mode management unless otherwise agreed in writing by the Planning Authority prior to its use.

7.155 In terms of shadow flicker effects, the EIAR at Chapter 13 details that there are four properties located within the 11x rotor diameter distance of turbines and within 130° either side of north that could potentially be significantly affected by shadow flicker as a result of rotating blades. This assessment is based on an unrealistic worst case scenario of the sun always shining, however, whereby the applicant has presented a more realistic prediction based on historical Met Office data that predicts less than significant shadow flicker effects for each property averaging out at 8 minutes a day.

7.156 Consequentially, the applicant does not propose any mitigation in respect of shadow flicker effects at this stage, but that any complaints from nearby will be fully investigated and suitable mitigation implemented in agreement with the Council. These measures could include temporarily curtailing specific turbines in specific conditions amongst other measures such as agreeing physical screening on the ground with affected third parties. In the meantime however, a strategy should be secured by condition.

Telecommunications

7.157 There are no telecommunication links within or in the vicinity of the site which could experience interference from the proposed development. No consultee concerns have been raised in relation to potential interference with radio/television networks. However, a condition should nonetheless be sought to secure a scheme of mitigation should an issue arise.

Aviation

7.158 Chapter 13 of the EIAR assesses the possible effects of the proposal on aviation safeguarding facilities. The site is located 27km to the northwest of Inverness Airport, 66km to the west of RAF Lossiemouth, and is within Ministry of Defence (MOD) Low Flying Area 14. Highlands and Islands Airports Limited have confirmed that the proposal impacts the safeguarding criteria for Inverness Airport. It has requested a Radar Mitigation Scheme is secured by a planning condition. The Ministry of Defence (MOD) requests a condition to secure the submission of an aviation safety lighting scheme which details how the development would be lit (in this instance by invisible infrared lighting) throughout its operational life to maintain aviation safety. In addition, details of the date of construction of development and final commissioning, as well as construction plant and turbine locations are required to be submitted to the MOD 14 days prior to development commencing on site for aviation charting and safety management. NATS and Aberdeen Airport have no objection to the scheme.

Any other material considerations

7.159 The applicant has sought permission to operate the windfarm for 30 years. At the end of its operational life, usual decommissioning and restoration requirements should therefore be secured. If the decision is made to decommission the wind farm, all components, tracks, access, and associated infrastructure should be removed from the site. An exception is any residual concrete hardstanding areas, which would require removed to a depth of 1m below ground level and be graded with soil and replanted. Cables also require to be cut away below ground level and sealed. It would be expected that any new tracks or areas used for constructing the wind farm would be reinstated to the approximate pre-development condition, unless otherwise agreed with the Planning Authority.

7.160 The requirement to decommission the wind farm at the end of its operation 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 an Interim Decommissioning, Restoration and Aftercare Strategy for approval prior to the commencement of any development. The draft strategy will inform a future Site Decommissioning, Restoration and Aftercare Plan and the terms of an appropriate financial bond, which shall be in THC's favour, in order to secure these works in the event the operator is not able to fulfil its decommissioning, restoration and aftercare obligations.

7.161 The finalised plan would be expected to be submitted to and approved in writing by the Planning Authority in consultation with SEPA no later than 12 months prior to the final decommissioning of the site. The detailed plan would then be implemented within 18 months of the final decommissioning of the development unless otherwise agreed in writing with the Planning Authority.

7.162 Given the complexity of major developments, and to assist in the satisfaction of conditions process, the Planning Authority will seek that the developer employs a Planning Monitoring Officer (PMO). The role of the PMO, amongst other things, would 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 monthly compliance report to the Planning Authority.

Non-material considerations

7.163 Non-material considerations raised in representations related to the cost of energy in Highland, and community benefits, as well as the application being prejudicial to other developments including those unrelated to the application proposal and speculative developments which have not been proposed.

Matters to be secured by Legal Agreement

8.164 A decommissioning, restoration and aftercare financial guarantee along with a Section 96 Roads wear and tear agreement can be secured by condition. A legal agreement is however recommended to secure offsite compensatory planting.

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 be situated in appropriate locations to operate successfully. The project has the potential to contribute up to 40.5MW of renewable energy capacity and a further 30MW of battery storage capacity towards Scottish Government targets and play a role in the route to net zero. In addition, the development has potential to bring economic benefits to the area and to create jobs. 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, and all other material considerations inclusive of the extensive planning history of this site, as well as more recent wind farm decisions elsewhere.

9.2 Notwithstanding the nature and scale of the proposal, there have been a low level of public representation from members of the public. In addition, the host Kiltearn Community Council does not object, albeit that neighbouring Ferintosh and Strathpeffer Community Councils do. Other than the Council's Forestry Team, no other consultees having raised any objection following submission of further environmental information, and subject to the application of planning conditions. Similarly, the Forestry Team's reservations can also be addressed via the implementation of an appropriate compensatory woodland planting scheme, in line with the Scottish Government's control of woodland removal policy.

9.3 As noted in this report, the amended proposal has been successful in bringing general collective landscape effects on the local landscape composition, as experienced in locations in and around the Inner Moray Firth, and on the special qualities of the regionally designated Ben Wyvis Special Landscape Area, to within acceptable limits. Similarly, effects on the visual amenity of residential, recreational, and road user receptors are acceptable, including from areas to the southeast, specifically from the northwest side of the Black Isle, and when experienced in combination and sequentially with other wind energy development in the wider landscape.

9.4 The more localised landscape and visual effects of this proposal are a result of turbine deletions having been made during the course of the application's determination, as well as careful siting and design, with the applicant having paid close attention to the landscape and visual impact reasons for the previous refusal of Clach Liath Wind Farm. That refused historical scheme was for 17 turbines at 127m to tip height, sited predominantly further to the west across higher ground directly in front of, and disrupting

views towards the Ben Wyvis massif. Whilst the proposed more modern turbines are larger, their limited number and positioning at a lower elevation further east results in a vastly improved proposal. The now proposed modern more efficient nine turbines at 149.9m to tip height are also relatively modest is scale when compared to other onshore wind farm proposals pending consideration in highland at present. This appropriately scaled scheme is reflective of the site's landscape, visual and cultural heritage constraints. This has resulted in a wind farm design which has evolved; now offering sufficient mitigation in the way of a more successful composition from key viewpoints in a manner that the previous refused scheme did not. Indeed, the planning history at the location has resulted in a more sympathetically designed proposal with the current scheme representing the best fit for its locational context. This proposal has been assessed solely on the basis of what has been submitted which demonstrates the ability of this landscape to absorb this scale of development. The scale and scope of this specific proposal are considered acceptable at this location which would not have been the case for a greater number of turbines or larger turbines that would have eroded the setting of the Ben Wyvis massif to its detriment.

9.5 Due consideration has been given to the policies set out in the Development Plan, principally NPF4 Policy 11 and Highland-wide Local Development Plan Policy 67 with its eleven tests, which are expanded upon with the Onshore Wind Energy Supplementary Guidance as well as other policies in the Development Plan related to natural, built, and cultural heritage, and biodiversity. Given the above analysis, the application is considered to accord with these policies and therefore with the Development Plan.

9.6 In addition, Schedule 9 of the Electricity Act sets out what an applicant shall do in relation of the preservation of amenity. It is considered that the proposal has had regard to the desirability of preserving natural beauty and has mitigated the effects of the development in relation to the effects on the natural beauty of the countryside.

9.7 Officers are satisfied that environmental effects of this development can be addressed by way of mitigation. The Council will request that Scottish Ministers incorporate the requirement for a schedule of environmental commitments within the conditions of this permission along with the monitoring of construction and operational phase compliance.

9.8 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: Significant staff and financial resources should the application proceed to Public Local Inquiry.

10.2 Legal: If an objection is raised to the proposal, the application may be subject to a Public Local Inquiry.

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

10.4 Climate Change/Carbon Clever: The proposal can make a meaningful contribution toward the production of renewable energy.

10.5 Risk: Not applicable

10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before response issued to the Energy Consents Unit: N

Conclusion of Section 75 Obligation Y

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

A. Members grant delegated authority to the Area Planning Manger – North to agree the finalised condition wording with any substantive amendments to the proposal to be subject to prior consultation with the Chair of the North Planning Applications Committee;
B. Officers agreeing to offsite Compensatory Planting following sight of Scottish Forestry's EIA Screening Opinion and any subsequent Forestry EIA; and,
C. The conditions and reasons forming Appendix 8 of this report.

REASON FOR DECISION

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.

Signature:	Dafydd Jones
Designation:	North Area Manager
Author:	Mark Fitzpatrick
Background Papers:	Documents referred to in report and in case file.
Relevant Plans:	Plan 1 - SEI Figure 1.1 Site Location Plan
	Plan 2 - SEI Figures 4.1a – 4c Revised Site Layout Plan
	Plan 3 - EIA Figure 4.2 Indicative Turbine Elevations

Appendices:

1 - Cumulative Wind Farm Developments (within 40km)

2 - Letters of Representation

3 - Development Plan and Other Material Policy Considerations

4 - Compliance with the Development Plan / Other Material Policy Considerations

5 - Landscape and Visual Impact Assessment Methodology

6 - Viewpoint Assessment Appraisal

7 - Assessment against Landscape and Visual Assessment Criteria contained within Section 4 of the Onshore Wind Energy Supplementary Guidance

8 - Conditions and Reasons

Appendix 1 – Cumulative Wind Farm Developments (within 40km)

A1.1 This list has been updated by Officers to reflect the most recent position as of September 2025. This excludes all refused applications and those at EIA Scoping stage.

Wind Farm Site Name	No. of Turbines	Max Tip Height (m)	Distance from Proposed Development (km)
Operational Sites			
Novar Phase 2	16	106	4.6
Novar Phase 1	34	55.5	4.8
Foulis	1	78	4.8
Coire na Cloiche	13	99.5	13.8
Auchmore	2	79	14.5
Fairburn	20	100	14.5
Corriemoillie	17	125	15.1
Beinn Tharsuinn	17	80	16
Beinn nan Oighrean	2	99.5	16.5
Lochluichart Ext	6	125	16.5
Lochluichart	17	123	17.5
Moy	20	125	37.5
Rosehall	19	90	37.5
Achany	19	102	38
Lairg	3	99.5	38
Farr	40	101	39
Consented / under construction			
Lairg II	10	200	36
Kirkan*	17	175	13
Strathrory*	7	149.9-180	14

Lochluichart Ext II*	5	149.9	17
Meall Buidhe*	8	149.9	28
Strath Oykel***	11	200	32.5
Garvary*	37	180	32.5
Application / Appeal Sites			
Acheilidh (Lairg III)**	12	230	32.5
Allt An Tuir Energy Park**	8	200	37.6
* sites that have since been consented. ** sites now submitted as formal applications *** sites that consent has been refused / quashed.			

Appendix 3 - Development Plan and Other Material Policy Considerations

DEVELOPMENT PLAN

National Planning Framework 4 (2023)

A3.1 The NPF4 policies of most relevance to this proposal include:

National Development 3 (NAD3) - Strategic Renewable Electricity Generation and Transmission Infrastructure.

Policy 1 – Tackling the climate and nature crisis

Policy 2 – Climate mitigation and adaptation

Policy 3 – Biodiversity

Policy 4 – Natural places

Policy 5 – Soils

Policy 6 – Forestry, woodland and trees

Policy 7 – Historic assets and places

Policy 11 – Energy

Policy 13 – Sustainable transport

Policy 22 – Flood risk and water management

Policy 23 – Health and safety

Policy 25 – Community wealth benefits

Policy 33 – Minerals

Highland Wide Local Development Plan 2012

A3.2 28 - Sustainable Design

29 - Design Quality and Place-making

30 - Physical Constraints

31 - Developer Contributions

36 – Wider Countryside

51 – Trees and Development

52 – Principle of Development in Woodland

53 - Minerals

55 - Peat and Soils

56 - Travel

57 - Natural, Built and Cultural Heritage

58 - Protected Species

59 - Other important Species

60 - Other Importance Habitats

61 - Landscape

62 - Geodiversity

63 - Water Environment

64 - Flood Risk

66 - Surface Water Drainage

67 - Renewable Energy Developments

68 - Community Renewable Energy Developments

69 - Electricity Transmission Infrastructure

72 - Pollution

73 - Air Quality

74 - Green Networks

77 - Public Access

78 - Long Distance Routes

Inner Moray Firth Local Development Plan 2 (IMFLDP2) (July 2024)

A3.3 Policy 2 - Nature Protection, Preservation and Enhancement. Developments proposals for national, major and EIA development will only be supported where it is demonstrated that the proposal will conserve and enhance biodiversity, including nature networks within and adjacent to the site, so that they are in a demonstrably better state than without intervention, including through future management.

Onshore Wind Energy Supplementary Guidance (OWESG) (2016)

A3.4 The Onshore Wind Energy Supplementary Guidance (OWESG) provides additional guidance on the principles set out in HwLDP Policy 67 for renewable energy developments. The Guidance sets out the Council's agreed position on onshore wind energy matters, and, although reflective of Scottish Planning Policy at the time of its adoption prior to the adoption of NPF4, the document remains an extant part of the Development Plan and is therefore a material consideration in the determination of onshore wind energy planning applications. Nevertheless, the Spatial Framework included in the document is no longer relevant to the assessment of applications as in effect, the policies of NPF4 (specifically Policy 11, Energy) removes Group 2 Areas of significant protection from consideration by effectively making all land in Scotland either Group 1 Areas where wind farms will not be acceptable, or Group 3, Areas with potential for wind farm development.

A3.5 However, the document also contains the Landscape Sensitivity Appraisals which identifies Key Views, Key Routes and Gateways as well as Landscape Character Area sensitivities and guidance. This appraisal forms part of the statutorily adopted Onshore Wind Energy Supplementary Guidance. The site lies almost wholly within the area of the

Black Isle, Surrounding Hills and Moray Firth Coast Landscape Sensitivity Appraisal (which forms part of the Addendum Supplementary Guidance: Part 2b December 2017). The site sits within the study's assessment unit referenced BL38 Above Dingwall (Rounded Hills and Moorland Slope). The appraisal for BL38 concludes that there is no scope for large turbines and limited scope for medium turbines. Medium turbines should:

- Not breach interim horizons when seen from key locations
- Not impinge on Key Views
- Protect legibility of layered landscape in longer views
- Protect the Kay Characteristics and Special Qualities of Ben Wyvis SLA
- Preserve mitigation established by current nearby schemes.

Other Highland Council Supplementary Guidance

A3.6

- Biodiversity Enhancement Planning Guidance (May 2024)
- Developer Contributions (Mar 2018)
- Flood Risk and Drainage Impact Assessment (Jan 2013)
- Green Networks (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (Mar 2013)
- Highland Renewable Energy Strategy and Planning Guidelines (May 2006)
- Physical Constraints (Mar 2013)
- Roads and Transport Guidelines for New Developments (May 2013)
- Special Landscape Area Citations (Jun 2011)
- Sustainable Design Guide (Jan 2013)
- Trees, woodland and development (Jan 2013)

OTHER MATERIAL POLICY CONSIDERATIONS

Emerging Highland Council Development Plan Documents and Planning Guidance

A3.7 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 post NPF4.

A3.8 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).

Other National Legislation, Policy and Guidance

A3.9

- Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 – interim and annual targets replaced by Climate Change (Emissions Reduction Targets)

(Scotland) Bill in November 2024

- Climate Change Committee Report to UK Parliament (July 2024)
- UK Government Clean Power Action Plan (Dec 2024)
- Draft Energy Strategy and Just Transition Plan (2023)
- Onshore Wind Energy Policy Statement (2022)
- Draft Scottish Biodiversity strategy to 2045: tackling the nature emergency (2023)
- Scottish Energy Strategy (2017)
- 2020 Routemap for Renewable Energy (2011)
- Energy Efficient Scotland Route Map, Scottish Government (2018)
- Siting and Designing Wind Farms in the Landscape, SNH (2017)
- Assessing Impacts on Wild Land Areas, Technical Guidance, NatureScot (2020)
- Wind Farm Developments on Peat Lands, Scottish Government (2011)
- Historic Environment Policy for Scotland, HES (2019)
- PAN 1/2011 - Planning and Noise (2011)
- PAN 60 – Planning for Natural Heritage (2008)
- Circular 1/2017: Environmental Impact Assessment Regulations (2017)
- NatureScot: Guidance on Aviation Lighting Impact Assessment (2024)

Appendix 4 - Compliance with the Development Plan / Other Material Policy Considerations

National Policy

A4.1 National Planning Framework 4 (NPF4) forms part of the Development Plan and was adopted in February 2023. It comprises three parts:

- Part 1 – sets out an overarching spatial strategy for Scotland in the future. This includes spatial principles, national and regional spatial priorities, and action areas;
- Part 2 – sets out policies for the development and use of land to be applied in the preparation of local development plans; local place plans; masterplans and briefs; and for determining the range of planning consents. This part of the document should be taken as a whole in that all relevant policies should be applied to each application; and
- Part 3 – provides a series of annexes that give the rationale for the strategies and policies of NPF4, it outlines how the document should be used, and sets out how the Scottish Government will implement the strategies and policies.

A4.2 **Part 1 - The Spatial Strategy** sets out that we are facing unprecedented challenges and that we need to reduce greenhouse gas emissions and adapt to future impacts of climate change. It sets out that that Scotland's environment is a national asset which supports out economy, identity, health and wellbeing. It sets out that choices need to be made about how we can make sustainable use of our natural assets in a way which benefits communities. The spatial strategy reflects legislation in setting out that decisions require to reflect the long term public interest. However, in doing so it is clear that we will need to make the right choices about where development should be located ensuring clarity is provided over the types of infrastructure that needs to be provided and the assets that should be protected to ensure they continue to benefit future generations. The Spatial Priorities support the planning and delivery of sustainable places, where we reduce emissions, restore and better connect biodiversity; liveable places, where we can all live better, healthier lives; and productive places, where we have a greener, fairer and more inclusive wellbeing economy.

A4.3 At the national level, NPF4 considers that Strategic Renewable Electricity Generation and Transmission Infrastructure will assist in the delivery of the Spatial Strategy and Spatial Priorities for the north of Scotland, and that Highland can continue to make a strong contribution toward meeting Scotland's ambition for net zero. Alongside these ambitions, the strategy for Highland aims to protect environmental assets as well as to stimulate investment in natural and engineered solutions to address climate change. This aim is not new and will clearly require a balancing exercise to be undertaken, which is reflected throughout NPF4.

A4.4 The proposed development is of national importance for the delivery of the national Spatial Strategy, whereby in principle support for the development is established. As the proposed development would be capable of generating over 50 MW, it is of a type and

scale that constitutes NPF4 National Development 3 - Strategic Renewable Electricity Generation and Transmission Infrastructure.

A4.5 **Part 2 – Policies: NPF4 Policies 1, 2, and 3** now apply to all development proposals Scotland-wide, which means that significant weight must be given to the global climate and nature crises when considering all development proposals, as required by NPF4 Policy 1. To that end, development proposals are to be sited and designed to minimise lifecycle greenhouse gas emissions, as far as is practicably possible, in accordance with NPF4 Policy 2, while contributing to the enhancement of biodiversity, as required by NPF4 Policy 3.

A4.6 Complementing those policies is NPF4 Policy 4 Natural Places, which sets out that development proposals by virtue of type, location, or scale that have an unacceptable impact on the natural environment will not be supported. The policy goes on to clarify what that means for different designations. It sets out that proposals with likely significant effects on European sites (SACs or SPAs) require appropriate assessment, and that development proposals that will affect a National Park, NSA or SSSI will only be supported where:

i) the objectives of designation and the overall integrity of the areas will not be compromised; or

ii) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

This is an important consideration given the proximity of the development in relation to Cromarty Firth SPA and SSSI 0.6km from the site, Novar SPA and Ben Wyvis SPA and SAC approximately 2km from the site and Allt nan Caorach SSSI adjacent to the north of the site.

A4.7 Similarly, sites designated in Development Plans for local nature conservation or Special Landscape Areas (SLAs) are protected in NPF4 Policy 4 unless the development will not result in significantly adverse effects on its qualities or its integrity, or, these effects are clearly outweighed by social, environmental, or economic benefits of at least local importance. Ben Wyvis SLA 1 km west of the site boundary with the findings of the assessment concluding that the SLA's special qualities will not be significantly adversely impacted.

A4.8 The most significant policy change for Natural Places introduced by NPF4 Policy 4 is with regard to Wild Land Areas (WLA). This policy now states that renewable energy developments that support national targets will be supported in WLAs and that buffer zones around WLAs will not be applied, so that effects of development outwith WLAs will not be a significant consideration. The site itself is not located within any WLAs. WLA29 – Rhiddoroch – Beinn Dearg – Ben Wyvis – is 0.5 km W of the site boundary while NatureScot advises that its remoteness and naturalness Wild Land Qualities will not be significantly impacted.

A4.9 Policy 11 intent is to "encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and

replacement transmission and distribution infrastructure and emerging low-carbon and zero emissions technologies including hydrogen and carbon capture utilisation and storage (CCUS)". It specifies that the principle of all forms of renewable, low-carbon, and zero emission technologies is supported (with the exception of wind farm proposals located in National Parks or National Scenic Areas) including 'enabling works, such as grid transmission and distribution infrastructure' which encompasses this application.

A4.10 It states that development proposals should only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities. The policy goes on to say that significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets, while identifying impacts, including cumulative impacts, that must be suitably addressed and mitigated against. Policy 11 e) i to xiii) sets out the criteria against which applications must be assessed.

A4.11 This includes a broad range of matters similar those to be assessed under HwLDP Policy 67 including landscape and visual impacts. It advises that where impacts are localised and / or appropriate design mitigation has been applied such effects will generally be considered acceptable. While the adopted NPF4 reflects a stronger presumption in favour of all national scale energy developments, judgment is still required at the project level to ensure proposals do not have unacceptable landscape and visual impacts even if the contribution to national renewable energy targets is considerable.

A4.12 On that point it is noted that both legislation and planning law indicate that where there may be incompatibility between NPF4 and the Local Development Plan (LDP) (HwLDP, IMFLDP, and Highland Council Supplementary Guidance) published prior to NPF4, then the more recent document shall prevail. Notwithstanding however, in instances of incompatibility, this requirement may not eliminate the provisions of the LDP in their entirety whilst these documents remain an extant part of the adopted Development Plan. That means that the Council may wish to give more weight to the provisions of its LDP over national policies where there is strong justification for doing so, such as where it feels that LDP policy is better equipped to respond to local conditions for example. However, this matter is yet to be tested through the planning system

A4.13 It is considered the proposal is not in overall conformity with NPF4 Policy 11, particularly with regards to 11 e) ii. which requires the proposed development project design and mitigation will demonstrate how the following impacts are addressed: Significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable;

A4.13 The current proposal will have significant adverse landscape and visual impacts on a range of features/receptors, including but not restricted to the receiving LCA, the local landscape composition, as received in locations in and around the Inner Moray Firth, and on the special qualities of the regionally designated Ben Wyvis Special Landscape Area. Significant visual effects will be experienced by residential, recreational, and road user receptors including from areas to the southeast, specifically from the northwest side of

the Black Isle where the full spread of the array will be experienced, and when experienced in combination and sequentially with other wind energy development in the wider landscape. However, the assessment has concluded that these landscape and visual effects will be within acceptable limits.

A4.14 Additionally, whilst the generality of HwLDP's topic policies are superseded by those in NPF4, HwLDP policies that offer greater detail than NPF4 or that are tailored to Highland circumstance (and are not wholly incompatible with NPF4) are still relevant and applicable. In particular, Policy 67 Renewable Energy and its related Onshore Wind Energy Supplementary Guidance is relevant, the latter classifying the application site as principally within an "Area of Significant Protection". Also, Policy 57 Natural, Built and Cultural Heritage in terms of protection of the Ben Wyvis SLA and the setting of scheduled monuments; Balnacrae, chambered cairn 230m WSW of (SM2396) and Heights of Brae, chambered cairn 375m NNW of Firth View (SM3212). However, it is considered that the height of the turbines and the removal of Ts 1, 2, 12, and 13 offer sufficient mitigation to bring these impacts to within acceptable limits.

A4.15 It is considered the proposal is not in overall conformity with Policy 57, Policy 61 and Policy 67 of HwLDP. Policy 57 requires all development proposals be assessed taking into account the level of importance and type of heritage features, the form and scale of the development, and any impact on the feature and its setting. The following criteria will also apply:

- For features of local/regional importance development will be allowed if it can be satisfactorily demonstrated that they will not have an unacceptable impact on the natural environment, amenity and heritage resource; and
- For features of national importance development will be allowed if it can be shown not to compromise the natural environment, amenity and heritage resource. Where there may be any significant adverse effects, these must be clearly outweighed by social or economic benefits of national importance. It must also be shown that the development will support communities in fragile areas who are having difficulties in keeping their population and services.

A4.16 In terms of HwLDP Policy 67, whilst the proposed development would contribute towards meeting renewable energy generation targets and generally have a positive effect on the local and national economy the Council has to be satisfied that it is located, sited and designed not to be significantly detrimental overall, either individually or cumulatively with other developments, having regard in particular to any significant effects on the following:

- Natural, built and cultural heritage features;
- Visual impact and impact on the landscape character of the surrounding area (the design and location of the proposal should reflect the scale and character of the landscape and seek to minimise landscape and visual impact, subject to any other considerations);
- Amenity at sensitive locations, including residential properties, work places and recognised visitor sites (in or outwith a settlement boundary); and

- The amenity of users of any Core Path or other established public access for walking, cycling or horse riding.

A4.17 **Part 3: Annex B – National Developments Statements of Need**. National developments are significant developments of national importance. Appendix B identifies 18 types of national development which will support the delivery of the spatial strategy. The statements of need set out in the Appendix are a requirement of the Town and Country Planning (Scotland) Act 1997). Any project identified as national development is required to be considered at a project level to ensure all statutory tests are met. This project is classified as National Development under Annex B Section 3 which states National Development for renewable energy includes "Strategic Renewable Electricity Generation and Transmission Infrastructure" including: a) On and off shore electricity generation, including electricity storage, from renewables exceeding 50 megawatts capacity.

A4.18 This brings the application under the tests set out under Policy 11. As noted earlier, it is considered the proposal is in overall conformity with NPF4 Policy 11.

Highland wide Local Development Plan (HwLDP)

A4.19 The HwLDP identifies the site as "wider countryside" under Policy 36. It sets out a range of parameters against which development will be assessed. It states that development proposals may be supported if they are judged to be not significantly detrimental under the terms of the policy noting "Renewable energy development proposals will be assessed against Renewable Energy Policies, the non-statutory Highland Renewable Energy Strategy and where appropriate the Onshore Wind Energy Supplementary Guidance".

A4.20 HwLDP Policy 67 - Renewable Energy sets out that 'renewable energy development should be well related to the source of the primary renewable resource needed for operation'. It states that 'The Council will consider 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.' 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 against eleven specified criteria (as listed in HwLDP Policy 67). Such an approach is consistent with the concept of Sustainable Design (HwLDP Policy 28) and the concept of supporting the right development in the right place at the right time.

A4.21 Policy 69 – Electricity Transmission Infrastructure states that 'proposals for overground, underground or sub-sea electricity transmission infrastructure (including lines and cables, pylons/ poles and vaults, transformers, switches and other plant) will be considered having regard to their level of strategic significance in transmitting electricity from areas of generation to areas of consumption'. Subject to balancing with this consideration, and taking into account any proposed mitigation measures, the Council will support proposals which are assessed as not having an unacceptable significant impact on the environment, including natural, built and cultural heritage features.

A4.22 Although HwLDP Policy 67 and Policy 69 are considered compatible with NPF4 Policy 11, NPF4 expresses greater support for renewable energy projects outwith National Parks and NSAs and requires greater weight to be attributed to the twin climate and biodiversity crises in the decision making process, whilst still recognising that a balancing exercise must still be carried out.

A4.23 As noted earlier, it is considered the proposal is in overall conformity with HwLDP Policy 57 and 67.

Area Local Development Plan: The Inner Moray Firth Local Development Plan 2 (IMFLDP2)

A4.24 Policy 2 Nature Protection, Restoration and Enhancement states that development proposals for national, major and EIA development will only be supported where it is demonstrated that the proposal will conserve and enhance biodiversity, including nature networks within and adjacent to the site, so that they are in a demonstrably better state than without intervention, including through future management. To inform this, proposals should:

- be based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats or species;
- wherever feasible, integrate and make best use of nature-based solutions, demonstrating how this has been achieved;
- be supported by an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;
- provide significant biodiversity enhancements, in addition to any proposed mitigation. take into account the community benefit of biodiversity and nature networks.

A4.25 Biodiversity enhancements proposed through development will require to be delivered within an agreed timescale and should include supporting nature networks, linking to and strengthening habitat connectivity within and beyond the development, where appropriate. Any submission should include management arrangements for long-term retention and monitoring of the approved biodiversity enhancements, wherever appropriate.

A4.26 This application is supported by an ecological assessment and an outline Habitat Management Plan which includes restoration and enhancement measures.

Onshore Wind Energy Supplementary Guidance (OWESG)

A4.27 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

A4.28 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 10 criteria are particularly useful in considering visual impacts, including cumulative impacts. An appraisal of how the proposal meets with the thresholds set out in the criteria is included in Appendix 7 of this report.

Landscape Sensitivity Study

A4.29 The OWESG also provides strategic considerations that identify sensitivities and potential capacity for wind farm development. These are called the Landscape Sensitivity Appraisals (LSA) and form part of the statutorily adopted Onshore Wind Energy Supplementary Guidance. The Appraisals identify Key Views, Key Routes and Gateways as well as Landscape Character Area sensitivities and guidance. The site lies almost wholly within the area of the Black Isle, Surrounding Hills and Moray Firth Coast Landscape Sensitivity Appraisal (which forms part of the Addendum Supplementary Guidance: Part 2b December 2017). The site sits within the study’s assessment unit referenced BL38 Above Dingwall (Rounded Hills and Moorland Slope).

A4.30 Visual receptors of highest sensitivity within BL38 include residents of immediate locality, people at key viewpoints including Knockfarrel and views of Ben Wyvis, visitors/tourists including cyclists and walkers as well as people using key routes such as the Far North Railway and the A9(T) NC500.

A4.31 The appraisal for BL38 concludes that there is no scope for large turbines and limited scope for medium turbines. Medium turbines should:

- Not breach interim horizons when seen from key locations
- Not impinge on Key Views
- Protect legibility of layered landscape in longer views
- Protect the Key Characteristics and Special Qualities of Ben Wyvis SLA
- Preserve mitigation established by current nearby schemes.

A4.32 Accepting that the sensitivity study pre-dates current pressures for larger schemes across the Highland area, the report sets out that the proposal, while prominent, will not dominate landscape features while landscape qualities and the regional distinctiveness of the landscape are considered to remain intact.

Other Material Policy Considerations - Onshore Wind Energy Policy Statement (2022) and Draft Energy Strategy and Just Transition Plan (2023)

A4.33 The Onshore Wind Energy Policy Statement supersedes the previously adopted Onshore Wind Energy Policy Statement which was published in 2017. The document sets out a clear ambition for onshore wind in Scotland and for the first time sets a national target for a minimum level of installed capacity for onshore wind energy, being 20 GW.

This is set against a currently installed capacity of 9.4 GW (June 2023). Therefore, a further 10.6 GW of onshore wind requires to be installed to meet the target. It is however acknowledged that targets are not caps. In delivering such a target Scotland would play a significant role in meeting the requirement of 25-30 GW of installed capacity across the UK identified by the Climate Change Committee.

A4.34 Like the previous iteration of the Onshore Wind Energy Policy Statement, the document recognises that balance is required and that no one technology can allow Scotland to reach its net zero targets. The document is clear that in achieving a balance, environmental and socio-economic benefits to Scotland must be maximised. In taking this approach, this echoes Scotland's Third Land Use Strategy.

A4.35 The document recognises that there may be a need to develop onshore wind energy development on peat. Priority peatland is present on the site, and it is considered that a Peat Management Plan and a more ambitious Habitat Management Plan can be secured by condition.

A4.36 Additionally, the document acknowledges that in order for Scotland to achieve its climate targets and the ambition for the minimum installed capacity of 20 GW by 2030, the landscape will change. However, the OWEPS also sets out that the right development should happen in the right place. Echoing NPF4, the document sets out that significant landscape and visual impacts are to be expected and that where the impacts are localised and / or appropriate mitigation has been applied the effects will be considered acceptable.

A4.37 The role of Landscape Sensitivity Appraisals in considering wind energy proposals is promoted through the document. This highlights the importance of applying those contained within the Council's OWESG when assessing applications.

A4.38 Benefits to rural areas, such as provision of jobs and opportunities to restore and protect natural habitats, are also highlighted in the document. It considers some of the wider benefits and challenges faced by in delivery of ambition and vision for onshore wind energy in Scotland. These include shared ownership, community benefit, supply chain benefits, skills development and financial mechanisms for delivery. The proposed development does lead to such benefits being delivered, however, in relation to maximising socio-economic benefits, there is no current guidance on what that should look like and evidence of a significant shift of requirements is yet to emerge, which Members may expect to see, from what was likely to be offered pre-adoption of NPF4.

A4.39 Finally, the document also highlights technical considerations, those relevant to this application have been considered and mitigation, where required has been secured by condition.

A4.40 The Draft Energy Strategy and Just Transition Plan has been published for consultation. Ministers will likely give consideration to this document in their decision on the application; however, limited weight can be applied to the document given its draft status. Unsurprisingly, the material on onshore wind in the document reflects in large part that contained in NPF4 and the Onshore Wind Energy Policy Statement 2022. A fundamental part of the Strategy is expanding the energy generation sector. Overall, the draft Energy

Strategy forms part of the new policy approach alongside the OWEPS and NPF4 and confirms the Scottish Government's policy objectives and related targets reaffirming the crucial role that onshore wind and enabling transmission infrastructure will play in response to the climate crisis which is at the heart of all these policies.

A4.41 To deliver the ambition for onshore wind, the Onshore Wind Sector Deal for Scotland was introduced in September 2023. The document focuses on necessary high-level actions by Government and the Sector to support onshore wind delivery. Jointly, Government and the Sector are committed to working together to ensure a balance is struck between onshore wind and the impacts on land use and the environment. The document looks to expediate decision making and consent implementation to achieve 20 GW of installation by 2030, meaning we should be seeing faster decisions on applications that are already in the system, with more consents being build out. Again, the sector deal does not detail what the socio-economic commitments should be.

Appendix 5 - Landscape and Visual Impact Assessment Methodology

A5.1. The applicant has presented a number of submissions to illustrate the landscape and visual impact of the development both singularly and cumulatively with existing and consented wind farm developments, although the cumulative information included with the submission is now out of date.

A5.2 The EIAR includes a description of the design process along with assessments against several Landscape Character Types (LCTs) (EIAR Volume 1 Chapter 5 Tables 5.11 – 5.14), the Ben Wyvis Special Landscape Area (SLA) (EIAR Volume 1 Chapter 5 Table 5.45), and the Rhiddoroch – Beinn Dearg – Ben Wyvis Wild Land Area (WLA 29) (EIAR Volume 2 Appendix 5.4). SEI Volume 1 Chapter 5 Table 5.4 updates the assessment for all these features following the removal of Ts 1, 2, 12, and 13. Assessments against all National Scenic Areas and all other SLAs have been Scoped out of the EIAR and SEI with NatureScot's and the Council's agreement.

A5.3 In terms of visual amenity assessments of settlements, only Culbokie has been scoped in to the EIAR due to likely extensive visibility across the settlement, which includes Easter Kinkell, Cullicudden, and Resolis. Routes included are the B9163, which connects Conon Bridge at the A835 with the Black Isle near Shoreton and the B9169, which connects the Muir of Ord Industrial Estate at the A862 with Cromarty on the Black Isle.

A5.4 A total of 23 viewpoints across the study area of 40 km have also been assessed (EIAR Volume 1 Chapter 5 Tables 5.15 5.37, as also updated in SEI Volume 1 Chapter 5 Table 5.4) with the furthest viewpoint being a little over 35 km away at the Sgùrr a' Choire Ghlais summit (VP22). These viewpoints are representative of the range of receptors set out above including communities and residential receptors, recreational users of the outdoors, road users, and people at their place of work.

A5.5 The expected bare earth visibility of the development, which has informed the scoped in effects and list of viewpoints, can be appreciated from SEI Figures 5.2a – 5.2c, 5.3a – 5.3b, 5.4, 5.5a -5.5c, 5.6b to blade tip height, hub heights with viewpoint locations, Landscapes of Scotland Areas, LCTs, designated landscapes and WLAs. SEI Figures 5.7b, 5.8 – 512b provide the theoretical comparative cumulative visibility with other wind farms and replace their equivalents in the EIAR, while two ne SEI Figures, 5.44 and 5.45, show the comparative bare earth visibility of the amended and original schemes at blade tip and hub heights respectively.

A5.6 The information submitted with the EIAR and SEI is considered sufficient to allow the Planning Authority to come to a reasoned conclusion on the likely landscape and visual effects of the completed development.

A5.7 The methodologies for both the LVIA and CLVIA are set out in EIAR Volume 2 Appendix 5.1: LVIA Methodology, which follow the guidance out in Guidelines for Landscape and Visual Impact Assessment Third Edition (GLVIA3). As set out in Paragraph 3.32 of GLVIA3, the 'LVIA should always clearly distinguish between what are considered to be significant and non-significant effect'. The applicant judges significant effects following

the combination of judgements based on the sensitivity of the receptor against the magnitude of change.

A5.8 The sensitivity of the receptor (landscape or visual) is defined by the receptor's susceptibility to the change brought about by the proposal against the importance (value) of the landscape resource / view. For landscape, 'susceptibility' is the "ability of the landscape receptor…to accommodate the development without undue consequences for the maintenance of the baseline situation and/or the achievement of landscape planning policies and strategies' (GLVIA3, Page 88).

A5.9 For visual receptors, higher susceptibility to the proposed change are those whose attention or interest is focussed on their surroundings whereby the Council considers recreational users moving through the landscape at slower speeds such as cyclists as well as passengers in vehicles to also have a higher susceptibility to change. Receptor susceptibility is judged to be high, medium, or low with some receptors falling into intermediate brackets within the applicant's assessment.

A5.10 The value of a landscape receptor, given as high, medium, low or an intermediary of these brackets, is based on a review of policy designations and application of judgement based on criteria relating to scenic value, rarity, recreational value, representativeness, conservation interest, and association. Similar criteria are applied for views such as designations for specific views and views with recognised scenic value, whether they are specifically mentioned in special qualities of a designated landscape, their importance to heritage assets, and value attached to views by visitors as may be indicated by inclusion in tourism literature or references in literature and art.

A5.11 Judgement of magnitude of change is based on an assessment of factors including: size and scale of effect; geographical extent of the effect, described as large, medium, small; duration, long-term, medium-term, or short-term; and, reversibility of the effect, reversible, partially reversible, irreversible (i.e. permanent).

A5.12 For landscape, judgements of size and scale of effect requires consideration of the degree to which the loss of, or change to, landscape elements effect the character of a landscape and its key characteristics. For visual, this judgement requires a consideration of the scale of the loss or addition of features (turbines) within the view including portion of the view effected, degree of contrast or integration of the new elements within the view setting in terms of scale and mass, line, height, colour, and texture, and, how the view is experienced by the receptor (e.g., full, partial, or glimpsed). Scale of effects are described using the large, medium, small, barely perceptible and intermediary brackets.

A5.13 Geographic extent of landscape effects is a judgement on the extent of the effect relative to the scale of the landscape character type or character area, whether it affects several landscape types or character areas, or if it is limited to immediate surrounds or is a site level effect. Judgement on geographic extent of visual effects requires consideration of whether the viewpoint represents a similar visual effect for the receptor over an extensive or limited geographical area. In reality, this judgement will likely reflect the activity of the receptor (stationary or moving), the distance of the receptor from the proposal, and the angle of view towards the proposal in relation to the receptor's main

activity. The judgement of geographic extent of effects is described using ‘large’, ‘medium’, ‘small’, or intermediary brackets.

A5.14 In concluding the level and significance of an effect, the appraisal assumes a long term duration and partially reversibility of effect following the potential decommissioning of a site, although Policy 11 (f) of NPF4 states that windfarm sites should be suitable in perpetuity. Moreover, it is generally agreed that the landscape and visual effects arising from wind farm developments should be assumed to be adverse.

A5.15 It is important to note that the consideration of existing turbines in the baseline view for landscape effects is a consideration for the susceptibility of the landscape receptor in the methodology rather than of the Magnitude of Effect. That means that it is the sensitivity to the development that is reduced in the applicant’s assessment where wind farm developments already exist. Conversely, the presence of existing and under construction turbines in views reduces the size and scale of the effect of the application wind farm and therefore the magnitude of change for the in-solus visual impact assessment is itself a judgement of cumulative effects.

A5.16 Following on, the cumulative landscape and visual assessment (CLVIA) are also a function of sensitivity and magnitude of change but with a focus on the additional impacts occasioned by the development when considered together with two scenarios of existing, consented, or proposed wind farms. Scenario 1 includes existing, under construction, and consented wind farm schemes, while Scenario 2 considers Scenario 1 plus application stage, and some scoping stage (where requested), wind farm schemes. Additional impacts in these future scenarios are taken to be those effects that result from the interaction of the proposal with the future baseline schemes. The total or combined effects are also considered under these scenarios where the assessor considers it relevant to do so.

A5.17 More significant cumulative landscape effects are considered to arise from changes to the landscape character of the study area whether through effects on key characteristics/features or whether the landscape is transformed in to a different type, as set out in GLVIA3 at Paragraph 7.28. The methodology sets out that such effects occur where the proposal extends or intensifies a landscape effect, or it fills an area such that it alters the landscape resource, or, where the interaction between the proposal and other wind farms is such that the effect is greater than it should otherwise be.

A5.18 Similarly, more significant cumulative visual effects are considered to occur where the proposal would extend or intensify a visual effect, where the proposal fills an area such that it alters the character of the view/visual amenity, and / or, where the interaction between the proposal and other wind farms is such that the effect is greater than it should otherwise be. Sequentially, more significant cumulative visual effects are considered to occur where the proposal lengthens the time over which an effect is experienced for receptors moving through the landscape.

A5.19 It is noted here that it would be perfectly reasonable to expect a development of the type, size, scale, and texture of a wind farm to result in significant landscape and visual

impacts, bearing in mind that significant effects are not relative to the size and scale of the proposal, and do not necessarily equate to unacceptable effects.

A5.20 Based on this methodology and the current future baseline, there are generally no additional significant cumulative effects anticipated when the proposal is considered against potential future baseline wind farm schemes as per the appraisal provided in Appendix 6.

A5.21 Diagram 1 of EIAR Volume 2 Technical Appendix 5.1 – LVIA and Visualisation Methodology 'Judging Levels of Effects – Landscape or Visual (including cumulative)' sets out the relationship between the above considerations and how they combine to reach a conclusion on the level of effect (none, minor, moderate, or major), and thus the significance of the effect (significant or not significant). Impacts of moderate up to major levels of effect correspond to significant effects in the context of the EIA Regulations, negligible and minor effects are not significant. The Methodology advises that a rigid matrix-type approach is not applied by the assessor in order to take account of professional judgement and experience (see Paragraph A5.1.39 of EIAR Volume 2, Technical Appendix 5.1). While a matrix approach generally makes the assessor's logic easier to follow and ensure consistent results, the matrix is there to inform the textual assessment, which should set out the reasoning of the assessor's conclusions on the overall significance of effect, which provides for some flexibility.

A5.22 As stated, Tables 5.15 5.37 of EIAR Volume 1 Chapter 5, as updated in Table 5.4 of SEI Volume 1 Chapter 5 set out the assessor's visual impact assessment of each viewpoint whereby the applicant has come to a judgement as to whether the effect is significant or not on a viewpoint by viewpoint basis. 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 location and experiencing that view of the landscape not just in that single view but in taking in their entire surroundings.

A5.23 In the submission, the applicant has applied different sensitivities to the same types of receptor at different locations / viewpoints and although the explanation in the viewpoint analysis does not explain the inconsistency, it is likely due to the specifics of the view's context.

A5.24 The summary of the applicant's assessment and officer appraisal of this assessment, which highlights the differences and any concerns with regard to visual impact, can be found in Appendix 6 of this report.

A5.25 A key part of the of the Council's assessment of landscape and visual effects is a consideration of the proposal against the Criteria set out in Section 4 of the Onshore Wind Energy Supplementary Guidance (OWESG), with the assessment against each relevant criterion with a view as to whether the threshold set out in the guidance is met or not, contained in Appendix 7 to this report..

Appendix 6 – Viewpoint Assessment Appraisal

Cumulative Scenario 1 = consented + under construction + consented wind farms.

Cumulative Scenario 2 = Scenario 1 + in planning wind farms (application stage).

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
VP1 Glen Glass Old Dance Hall Distance 1.64km	App	High	High	Major	**Significant**	N/A	N/A	N/A
	THC	High	High	Major	**Significant**	N/A	N/A	N/A
	Baseline is as described in Table 5.15: Viewpoint 1: Glen Glass Old Dance Hall of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. Not a designated landscape. <u>Sensitivity Considerations</u> Represents views experienced by scattered residential receptors and recreational receptors in Glen Glass. Applicant considers high susceptibility receptors, medium value of view and considers the receptor to be of high sensitivity, high sensitivity is not disputed. <u>MoC considerations</u> Size and scale of effect: towers of all turbines are visible against the skyline in close proximity to the receptor, two rows of turbines recede into the distance, reasonably composed although T7 is out of synch with the left row of turbines while The bases of Ts 6 and 7 may be visible if seen through forestry however the removal of Ts 1, 2, 12, and 13 has reduced visible clutter. Nevertheless, there are no other turbines / wind farms visible in the view from this location, so there is a high degree of contrast to the elements within the baseline view's composition. Scale of Effect is Large.							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	Geographical extent receptor would experience the effect: applicant advises this would be small due to Cnoc a' Mhargadaidh screening lower reaches of Glen Glass and presence of commercial forestry. The geographic extent would increase in a worst case scenario in the event the forestry is felled. Duration of effect: long term The applicant's assessment of high magnitude of change is reasonable and the major and significant level of effect are agreed – no change to the initial assessment. No significant future baseline effects predicted from this VP.							
VP2 Near Milton Lodge Distance 2.09km	App	High	High	Major	**Significant**	N/A	N/A	N/A
	THC	High	High	Major	**Significant**	N/A	N/A	N/A
	Baseline is as described in Table 5.16: Viewpoint 2: Near Milton Lodge of EIA Volume 1 Chapter 4: Landscape and Visual Amenity except that Ben Wyvis is behind the summits visible in the photomontage but does not appear in the photomontages. No influence of Fairburn in the view. <u>Sensitivity Considerations</u> Represents views experienced by residential receptors at Milton Lodge Stables, Milton Lodge and New Lodge as well as recreational receptors. Applicant considers high susceptibility receptors, medium value view, and high sensitivity, which is not disputed. <u>MoC considerations</u> Size and scale of effect: Sweep of turbines in the near-to-middle distance with bases and infrastructure visible for Ts 3, 4, 5, 9, 10, and 11, hubs are also skylined. Relatively even spacing with the exception of Ts 6 and 8, which start to stack, however Ts 6 and 8 are largely							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	screened behind forestry but hubs would be exposed if forestry is removed with tips being skylined. Hubs and Tips are reasonably consistent and level while appearing to follow the landform, no major compositional concerns however T3 appears as an outlier on sloping ground, scheme would appear better related to topography without it. Ts 1, 2, 12, and 13 had appeared like a group apart from the remaining Ts on the slope to the left so appeared as though wandering, or dropping, off down the hill together and their removal has reduced the horizontal spread and contained the turbines to the plateau. Large degree of contrast as there are no other turbines / wind farms visible in the view from this location. Scale of Effect is Large. Applicant considers the geographical extent the receptor would experience the effect to be small: view would be experienced to Fannyfield, landform limiting views and area extensively forested. The geographic extent would increase if forestry is removed as a worst case scenario as the effect would be experienced from a more widespread area - nevertheless, small describes the baseline. Duration of effect: long term. The applicant's assessment of high magnitude of change is reasonable and the major and significant level of effect are agreed – no change to the initial assessment. No significant future baseline effects predicted from this VP.							
VP3 Heights of Dochcarty Distance 3.29km	App	High	High	Major	**Significant**	N/A	N/A	N/A
	THC	High	High	Major	**Significant**	N/A	N/A	N/A
	Baseline is as described in Table 5.17: Viewpoint 3: Heights of Dochcarty of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. Successive views of Novar 1 and Novar 2 Wind Farms are visible on the skyline of rounded summits to the north of Glen Glass through west and south encompassing distant views of Fairburn Wind Farms and two turbines of Auchmore. This is a busy channelled view along the strath.							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	<u>Sensitivity considerations</u> Represents views experienced by residential receptors and recreational receptors. Applicant considers high susceptibility receptors, medium value view and judges high sensitivity. High sensitivity is not disputed. <u>MoC considerations</u> Size and scale of effect: hubs of all turbines visible, those of Ts 3, 4, 8, 9, 10, and 11 are skylined, as are the tips of Ts 4,5 and 6, with T7 being backdropped by a rounded more distant summit. Bases of Ts 3, 4, and 11 likely to be visible along with associated infrastructure. Nevertheless, turbines do follow the landform, which helps to nestle them in to the hosting landscape. Compositionally, the scheme appears legible as two rows of turbines, with some stacking. There is also some visual clutter with the more distant Novar WF schemes however the removal of the four turbines means the visual envelope of the application proposal almost exactly aligns with that of the existing Novar schemes. These schemes reduce the degree of contrast the proposal introduces to the scene a little however given how much larger and closer the turbines appear to the receptor; the scale of effect is large. Applicant advises that the geographical extent receptor would experience the effect is medium as similar effects would be experienced in views across Strath Sgitheach and the northern slopes of Cnoc a' Bhreacaich. Duration of effect: long term. Applicant considers the MoC to remain high, which is reasonable and the major and significant level of effect are agreed – no change to the initial assessment. No significant future baseline effects predicted from this VP.							
VP4 Cìoch Mhòr	App	High	Medium	Moderate	**Significant**	N/A	N/A	N/A
	THC	High	Medium	Moderate	**Significant**	N/A	N/A	N/A

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
Distance 3.75km	Baseline is as described in Table 5.18: Viewpoint 4: Cìoch Mhòr of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. Successive views of the Coire na Cloiche, Novar Phases 1 and 2 cluster, Strathrory Redesign WF, the Foulis turbine, all north turning northeast, the distant Moy and Farr WFs to the east. The two turbines at Auchmore and Fairburn WF are visible to the south. Intervisibility with the Sutors SLA. 360° panoramic views available of rugged summits and coast. Not within SLA, direction of view means SLA would be to the receptor's left away from turbines. <u>Sensitivity considerations</u> Represents views experienced by recreational receptors at a popular local hill summit. Applicant considers high susceptibility receptors and medium-high value outside of SLA and gives high sensitivity, sensitivity is not disputed. <u>MoC considerations</u> Size and scale of effect: the hubs of Ts 3, 4, 5 9, 10, and 11 largely to correspond with the rounded lower summit of Cioch Mhor in the foreground and are mostly backdropped by mid-distant summits and are away from the channelled view of the Cromarty Firth (itself a location for oil and energy development), which helps them appear contained – even more so in the revised scheme. Compositionally there are no major concerns. Turbines will be viewed in combination with, and extend the horizontal spread of, WF development in relation to the Coire na Cloiche and Novar Wind Farms cluster, and Strathrory Redesign bringing turbine development closer to the receptor while itself occupying a smaller portion of the panoramic view. Medium scale of effect is agreed. Applicant considers the geographical extent that the receptor would experience the effect visible from the viewpoint to be small due to screening by intervening topography. Duration of effect: long term. The medium MoC is agreed, which leads to a moderate and significant level of effect – no change to the initial assessment.							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	Strathrory redesign is under construction and forms part of the baseline view. No significant future baseline effects predicted from this VP based on current schemes in planning.							
VP5 Meall an t-Slugain Duibh Distance 3.27km	App	High	High	Major	**Significant**	~~Scenario 1 Medium Scenario 2 Medium~~	~~Scenario 1 Moderate Scenario 2 Moderate~~	~~Scenario 1 **Significant** Scenario 2 **Significant**~~
	THC	High	High	Major	**Significant**			
	Baseline is as described in Table 5.19: Viewpoint 5: Meall an t-Slugain Duibh of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. Successive views of the Coire na Cloiche, Novar Phases 1 and 2, which appear as a cluster with Strathrory Redesign WF cluster, the Foulis turbine, all north turning northeast, the distant Moy and Farr WFs to the east. The two turbines at Auchmore are visible to the south. Viewpoint is within the SLA looking out over the wind farm towards the Black Isle and beyond with intervisibility with the Sutors SLA. Otherwise 360° panoramic views of rugged summits and coast are available. <u>Sensitivity considerations</u> Represents views experienced by recreational receptors on eastern slopes of Ben Wyvis massif, within Ben Wyvis SLA and WLA 29. High sensitivity (high susceptibility and high value) is agreed. <u>MoC considerations</u> Size and scale of effect: turbines appear from behind a ridge in the landscape with Ts 3, 4, 5, 10, and 11 partially screened and Ts 6, 7, 8, and 9 visible almost to their bases. Relatively even spacing of turbines and level hub and tip heights, with turbines all backdropped by land excepting where the Cromarty Firth dissects the landform to the viewer's left. From this position the Sutors are not obscured but they may							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	be as the receptor moves along the track. However, they do not obscure all the scenic features in the view. Turbines will be experienced successively with the Coire na Cloiche, Novar Phases 1 and 2, and Strathrory Redesign WF, and bridges the gap between those turbines and the more distant Moy and Far. The full horizontal spread of the proposal wind farm is apparent, which appears wide due to its interaction with different landforms, although occupying a limited section of the view. The proposal wind farm brings turbines closer to the receptor and make turbines generally more prominent in the wider view but overall scenic value of panorama is retained. Large scale of effect is agreed. Geographical extent receptor would experience the effect Duration of effect: long term. Applicant considers the view is representative of a medium geographic extent as similar views will be available from the eastern slopes of the Ben Wyvis massif and the majority of the hill track that ascends Glas Leathad Beag. Despite the presence of turbines, the applicant's assessment of high MoC is accepted, leading to a high and significant level of effect – no change to the initial assessment. As above, the Strathrory Redesign WF is under construction, which means that it is now in the baseline. No significant future baseline effects predicted from this VP based on current schemes in planning.							
VP6 Heights of Brae Chambered Cairn Distance 4.49km	App	Medium-high	Medium-high	Moderate	**Significant**			
	THC	Medium-high	Medium-high	Moderate	**Significant**			
	Baseline is as described in Table 5.20: Viewpoint 6: Heights of Brae Chambered Cairn of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. Successive views of the Novar Phases 1 and 2 cluster, Strathrory Redesign WF (very little influence), north turning northeast, across to the distant Moy and Farr WFs to the east. The two turbines at Auchmore and Fairburn WF are visible to the south.							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	<u>Sensitivity considerations</u> Represents views experienced by recreational receptors at a Scheduled Monument. Applicant considers the susceptibility to be medium-high and the value to be medium-high with overall medium-high sensitivity. NB/ recreational receptors will not only be focussed on the scheduled monument but will be taking in its surrounds and context and are therefore considered to have a high susceptibility to wind farm development (the change). The monument while a designated area is not a landscape designation so it doesn't necessarily presuppose visual appeal and there isn't a promoted route or an established path to the SM. Medium-high sensitivity can be agreed overall. <u>MoC considerations</u> Size and scale of effect: two dense rows of turbines in the mid-distance, receding over the ridgeline with the nearer towers and associated ground infrastructure visible, and hubs visible of the more distant turbines. The scheme effectively channels the summits that host the Novar cluster of WFs. Due to the angle of view, there are unavoidable stacking effects at each row, the removal of the four turbines has reduced this effect and reduced the spread of the left row and therefore the scheme altogether. Turbines partially obscure the distant rounded hills but their position downhill on the hosting hillside means they are not an overtly prominent feature of the view, do not overwhelm the host setting or the landscape elements that contribute to the view. Medium scale of effect can be agreed. Applicant advises that the view is representative of a small geographical extent as ground levels drop to the south limiting views from properties there. Duration of effect: long term. The applicant's judgement of medium MoC is reasonable, leading to a moderate and significant level of effect, which can be agreed – no change to the initial assessment.					

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	As above, the Strathrory Redesign WF is under construction, which means that it is now in the baseline. It is likely that more tips would be visible but it would not change the overall sensitivity, MoC, or level of effect.							
VP7 Knock Farril Fort Distance 7.56km	App	High	Medium	Moderate	**Significant**			
	THC	High	Medium	Moderate	**Significant**			
	Baseline is as described in Table 5.23: Viewpoint 7: Knock Farril Fort of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. 360° panoramic views available of rugged and rounded summits, moorland, forestry, large agricultural fields, shelter belts, rural properties and businesses and coast. Novars 1 and 2 on distant rounded hills in direction of application site, the turbines of which appear diminutive. Turbines of Fairburn are highly noticeable on the slopes above Strath Conon on the opposite side of the Strathpeffer valley to the receptor's left. Also turbines of Moy, Farr, and Auchmore in successive views. <u>Sensitivity considerations</u> Represents views experienced by recreational receptors at the scheduled monument (accessible with a car park and interpretation) and, nearby residential receptors (Knockfarrel), Applicant considers high susceptibility and high value leading to high sensitivity, which is agreed. <u>MoC considerations</u> Size and scale of effect: two less dense rows of turbines (compared to VP6) in the mid-distance, receding beyond agricultural fields and forestry over the low ridgeline with the nearer towers of Ts 3 and 4 and associated ground infrastructure visible, as well as the hubs of the more distant Ts 7 and 8 visible. Ts 10 and 11 blades are skylined, as are the majority of tips. Effect of two rows is turbines channel views towards the summits hosting the Novar cluster of WFs although the majority of those turbines are to the left of the application proposal in the receptor's view. Stacking effects at each row are less pronounced, the removal of the four turbines has reduced the spread of both rows and the scheme altogether. Turbines partially obscure the rounded hills that form the horizon and appear over scaled in comparison with the housing, shelterbelt, transmission tower (etc.) scale indicators of rural foreground. However, the scheme occupies a small portion							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	of the panoramic view already occupied by turbines, although they will be brought closer to the receptor and appear larger in scale, and is experienced relative to converged summits such that they do not read as excessively wide in terms of scale. The proposal's position downhill on the hosting hillside means they are not an overtly prominent feature of the view, do not overwhelm the host setting or the landscape elements that contribute to the scenic value of the view. Medium scale of effect can be agreed. Applicant advises that the view is representative of a small geographical extent as there is theoretical visibility to the south of the VP however there is no theoretical visibility for the residential receptors shown in the baseline photography. Duration of effect: long term. Applicant's judgement of Medium MoC is reasonable, as is the judgement of moderate significant level of effect. No planning stage wind farms anticipated to be visible however newer scoping stage schemes are proposed to the north and northwest of the application site but no meaningful assessment can be made on these.							
VP8 Cnoc Fyrish Distance 6.7km	App	High	Medium	Moderate	**Significant**			
	THC	High	Medium	Moderate	**Significant**			
	Baseline is as described in Table 5.24: Viewpoint 8: Cnoc Fyrish of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. Successive views of Rosehall, Achany, Coire na Cloiche, and Beinn Tharsuinn although these schemes exert little influence in the view, then Strathrory Redesign WF, Moy and Farr in the distance to the east, Foulis single turbines, two turbines at Auchmore, distant Fairburn panning south. Elevated 360° panoramic views available of rugged and rounded summits, moorland, forestry, the Cromarty Firth Inner Firth seascape, agriculture, shelter belts, townscapes, rural properties and businesses and coast. <u>Sensitivity considerations</u>							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	Represents views experienced by recreational receptors at popular local hill summit and promoted viewpoint shown on OS maps. Applicant considers high susceptibility and high value and therefore high sensitivity, which is agreed with the applicant. <u>MoC considerations</u> Size and scale of effect: towers of all turbines visible, as are the bases of Ts 3, 4, 9, 10, and 11 along with associated infrastructure. Relatively even spacing of turbines with generally level tips and hub heights although T3 reads slightly as an outlier on the slope rather than the hosting plateau but balanced by 7 and 8. T11 appears more elevated however no major compositional concerns. The spread of the array is apparent across the plateau whereby they are experienced against several scale indicators in the mid-distance and several ridgelines, dips, and summits behind giving them a perceptibly wider presence in the landscape in terms of scale despite the panoramic nature of the view. The proposal introduces turbines to the southwest section of the view where existing Fairburn is distant and diminutive compared to landscape elements the contribute to the panorama's scenic value. The application proposal will increase the influence of turbines in the view, bringing them closer to the VP and the Ben Wyvis massif. The medium scale of effect can be agreed. Applicant considers the geographical extent of similar views to be small, which is consistent with the ZTV as that shows theoretical visibility limited to the summit of Cnoc Fyrish. Duration of effect: long term. The Medium MoC is reasonable and the assessed moderate significant level of effects are agreed. As above, the Strathrory Redesign WF is under construction, which means that it is now in the baseline. New scoping stage turbines to the north, northeast, and northwest are not considered in the assessment and there is no visual information to allow such an assessment.							
	App	High	Medium	Moderate	**Significant**			
	THC	High	Medium	Moderate	**Significant**			

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
VP9 Ben Wyvis, 0.5km south-west of summit Distance 7.56km	Baseline is as described in Table 5.24: Viewpoint 9: Ben Wyvis, 0.5km south-west of summit of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. Successive views of Strath Oykel, Meal Buidhe, Rosehall, Achany WFs (Achany Extension WF not known), visual break provided by Ben Wyvis summit, panning right to single Foulis turbine, then Moy and Farr WFs beyond the Black Isle, two turbines of Auchmore, then Fairburn WF. (Tarvie and Carn Fearna scoping stage WFs), to the west is a cluster formed of the approved Kirkan, operational Corriemoillie, Lochluichart and Lochluichart Extension WFs and the approved Lochluichart Extension II WF. Elevated and expansive 360° views from within Ben Wyvis SLA and WLA 29 including across the rugged mountain peaks of Wester Ross to the west as well as eastward over the Black Isle and far beyond. <u>Sensitivity considerations</u> Represents views experienced by recreational receptors on approach to munro summit, high susceptibility and high value, therefore high sensitivity - agreed. <u>MoC considerations</u> Size and scale of effect: turbines appear as evenly spaced pairings, excepting T3, below the receptor fully backdropped by landform on the nearside of the Cromarty Firth. Due to T3 only being visible from the hub (since the removal of Ts 1, 2, 12, and 13, which has reduced the spread of turbines), the abruptness of the array is softened by virtue of the scheme appearing to taper into the landform at both ends. The array is read in relation to several foreground and mid-distant scale indicators including summits and forestry which increases the perceived spread of the scheme, however overall it is subservient to the expansive landscape. ADWF introduces turbines in to a new section of the view bringing them closer to the receptor whereby the encirclement of the Ben Wyvis Massif is becoming more likely. The geographic extent of the visual effect depicted from this VP is considered small. Duration of effect: long term. A medium MoC is reasonable as is the judgement of moderate and significant levels of effect.							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	Lochluichart Extension II and Kirkan WFs are approved now form part of Scenario 1, which would not change the above assessment in terms of MoC and Level of Effect. Scoping WFs Tarvie and Carn Fearna would likely be visible south of the VP and are currently not considered in this assessment.							
VP10 B9169 near Culbokie Distance 9.07km	App	Medium	Medium	Moderate	**Significant**			
	THC	Medium-high	Medium	Major-Moderate	**Significant**			
	Baseline is as described in Table 5.25: Viewpoint 10: B9169 near Culbokie of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. Single Foulis turbine is in direct view in combination with the application proposal. Successive views of two Auchmore turbines, Fairburn WF, Foulis turbine, Novars 1 and 2, Beinn Tharsuinn and Strathrory Redesign WFs. <u>Sensitivity considerations</u> Representative of views experienced by road users of the B9169 and nearby residential receptors. Applicant considers medium susceptibility for road users and medium value by virtue of being outside of designation or promoted view. NB/ residential receptors and passengers in vehicles are considered to have a medium-high susceptibility to the change here. The massif is a dominant major landmark including in views from the Black Isle (SLA SQ1), the value of the view is medium-high value / medium-high sensitivity. <u>MoC considerations</u> Size and scale of effect: turbine hubs appear over a forested ridgeline ahead of the Ben Wyvis Massif as a single wide (in relation to forestry and agricultural fields below) row of turbines and are viewed in combination with the single but much smaller turbine of Foulis, although the							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	differences in scale wouldn't be immediately obvious to the viewer. T11 appears higher in the receiving landscape and is backdropped by a dip in the horizon line of the massif such that it impinges slightly on an appreciation of the feature – much of the bulk of the massif is screened from this location by intervening topography while its presence is somewhat reduced once the snow is melted in the summer months. T11's repositioning lower on the hillside or deletion would be beneficial in that respect from the viewpoint, but would leave T3 appearing as an outlier and closer to the Foulis turbine. The deletion of Ts 1, 2, 12, and 13 has removed one tower and three tips to the left of the array From a visual impact perspective however, the majority of the bulk of the massif. the turbines, while prominent, do not occupy the full extent of massif, being instead framed by it. The B9169 road channels forward views north-eastward and south-westward for drivers so the effect will be mostly experienced by moving receptors in oblique views, with the turbines moving away from the majority of the feature as the receptor moves south. Medium scale of change to the view can be agreed. Applicant advises effects demonstrated by the visualisation would be experienced over a medium-large area. Duration of effect: long term. A medium magnitude of change can be agreed, which coupled with a medium-high sensitivity tends the level of effect to major-moderate and significant. Strathrory Redesign WF is under construction and forms a part of the baseline view, and there are no current in planning schemes to consider.							
VP11 Little Wyvis summit Distance 10.41km	App	High	Low	Minor	Not significant			
	THC	High	Low	Minor	Not significant			
	Baseline is as described in Table 5.26: Viewpoint 11: Little Wyvis summit of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. <u>Sensitivity considerations</u>							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	Represents views experienced by recreational receptors from Corbett summit, within Ben Wyvis SLA and WLA 29 High Sensitivity agreed. <u>MoC considerations</u> Size and scale of effect: tips of T11 and partial blades of T3 visible. Rotating blade above the ridgeline ahead of the view of the Sutors would be somewhat jarring. Remainder of turbines are screened. Scale of effect is small. Geographical extent receptor would experience the effect is small. Duration of effect: long term. Low MoC and minor not significant level of effect are agreed.							
VP12 A9 near Duncanston	App	Medium	Low	Minor	Not significant			
	THC	Medium-high	Medium-low	Moderate-minor	Not significant			
Distance 10.05km	Baseline is as described in Table 5.27: Viewpoint 12: A9 near Duncanston of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. Successive views of Auchmore, Fairburn, pass the Ben Wyvis Massif to the Foulis turbine appearing in the same visual envelope as the Novars 1 and 2 cluster, and then Strathrory Redesign WF appearing in its own setting. <u>Sensitivity considerations</u> Represents views experienced by northbound road users travelling on the A9 and nearby residential receptors. Applicant considers receptors to be medium susceptibility and medium value by virtue of being at a gateway location for the BL38: Above Dingwall LCA in OWESG.							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	NB/ residential receptors and passengers in vehicles are considered to have a medium-high susceptibility to the change here. The massif is a dominant major landmark including in views from the Black Isle (SLA SQ1), the value of the view is medium-high value / medium-high sensitivity <u>MoC considerations</u> Size and scale of effect: the proposal introduces turbines to a new section of the view ahead of and at the right end of Wyvis. Turbines appear as an uneven spread at uneven levels behind a farmed and forested ridgeline ahead of the Ben Wyvis Massif but occupying their own setting. T11 is most prominent appearing on higher ground behind a ridge in the landscape with more tower visible than the other turbines, and, below the summit forming the northern plateau edge as perceived from the location. Ts 3 and 11 are wholly backdropped by the massif while the hubs of Ts 4 and 10 are visible at the massif's steep edge, the remainder are largely screened. The deletion of Ts 1, 2, 12, and 13 has removed four turbines from in front of the massif. The scale of effect is considered medium-small. Geographical extent receptor would experience the effect is given as medium. Duration of effect: long term. Applicant considers the MoC to be low with a minor not significant level of effect. However a medium-low MoC may be more appropriate leading to a moderate-minor level of effect although agreed that this is not significant. Strathrory Redesign WF is under construction but is unlikely to have influence in the view.							
VP13 A9 near Alness	App	Medium	Low	Minor	Not significant			
	THC	Medium-high	Low	Moderate-minor	Not significant			

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
Distance 10.2km	Baseline is as described in Table 5.28: Viewpoint 13: VP13 A9 near Alness of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. Successive views of Auchmore, Fairburn, the Foulis turbine pass the rounded summits north of Glen Glass (Cnoc Cèislein), which obscure the Novars 1 and 2 cluster, and then Beinn Tharsuinn (not much influence at all), then Strathrory Redesign WFs appearing in their own settings but would not exert much influence in the view. <u>Sensitivity considerations</u> Representative of views experienced by road users travelling south-west on the A9(T) and NC500. Applicant considers road users to have medium susceptibility and the value to be medium by virtue of not being a promoted view or stopping point. NB/ passengers in vehicles are considered to have a medium-high susceptibility to the change here. NC500 is a promoted route and the value of the route is considered medium-high leading to a medium sensitivity overall. <u>MoC considerations</u> Size and scale of effect: theoretical visibility of seven turbines, although four are most apparent with these appearing in a notch between two mid-distant forested summits above the settled lowland coast and farmed slopes (largely obscured by forestry). There are higher summits behind the turbines and slopes. Ts 4 and 11 are the most prominent with T11 being theoretically visible to base although even above the forested ridgeline the majority of the tower is visible. The baseline photography is taken away from the road on its coastal side within the marsh area so the array would appear more oblique to road users than shown, reducing the array's presence somewhat. Similarly, the massif is not particularly visible or a dominant landmark feature from here but nevertheless the turbines are not overwhelming any landscape features being recessed in the view. The small scale of effect can be agreed to. The geographic extent the effect would be experienced by receptors is small, Duration of effect: long term.							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	The low MoC can be agreed however the sensitivity of medium-high increases the level of effect to moderate-minor, but still not significant. No proposals currently in planning have been considered in the assessment.							
VP14 A835/ B9169 Road Junction, Conon Bridge Distance 11.94km	App	Medium	Low	Minor	Not significant			
	THC	Medium-high	Low	Moderate-minor	Not significant			
	Baseline is as described in Table 5.29: Viewpoint 14: A835/ B9169 Road Junction, Conon Bridge of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. Successive views of Auchmore turbines and Fairburn WF visible at a distance to the west, Novars 1 and 2 Cluster to the north, Coire na Cloiche and Foulis seen in the same visual envelope. <u>Sensitivity considerations</u> Represents views experienced by road users. Applicant considers medium susceptibility and medium value by virtue of being at a gateway location for the BL38: Above Dingwall LCA in OWESG. NB/ vehicle passengers and cyclists (National Cycle Route 1 (NCR1) passes nearby) receptors (which), would have a medium-high susceptibility. The view towards the turbines encompasses SQ1 of the SLA and representative of NCR1 so the value is medium-high, giving a medium-high sensitivity overall. <u>MoC considerations</u>							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	Size and scale of effect: with the exception of T11, the hub of which is visible, turbines tips are viewed from a distance behind a ridge with a good set back from Ben Wyvis Massif. Turbines are closer than existing Novar cluster but still experienced at a distance. Scale of effect/change can be agreed as small. Geographical extent receptor would experience the effect is considered medium. Duration of effect: long term. Low MoC is agreed, moderate-minor level of effect due to medium-high sensitivity, which is not significant No additional effects in Scenarios 1 and 2 are predicted in the EIAR, which is not disputed.							
VP15 Fairburn House Distance 14.69km	App	Medium-high	Low	Minor	Not significant			
	THC	Medium-high	Low	Minor	Not significant			
	Baseline is as described in Table 5.30: Viewpoint 15: Fairburn House of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. Novar WF is partially visible at a distance with very limited influence in the view. Open view across fields from road leading to Fairburn House from the north, otherwise views are screened within the grounds by extensive woodland and shelter belts. <u>Sensitivity considerations</u> Represents views experienced by recreational receptors visiting the Fairburn House Garden and Designed Landscape (GDL). Applicant states high susceptibility and medium value and concludes medium-high sensitivity. NB/ recreational receptors would be appreciating extensive but largely enclosed surroundings, we would consider their susceptibility as medium. The value of the view, location is high given the GDL designation. However overall medium-high sensitivity is agreed.							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	MoC considerations Size and scale of effect: turbines appear similar in formation as at VPs 6 and 7 with two legible dense and receding rows (although T7 tip in the gap between) but further away and mostly skylined. Turbines also appear large in the landscape above forestry, agricultural, and residential / rural business rural scale indicators below and brings turbines closer to the viewer relative to the Novar WF turbines, however they are still experienced at a distance where they occupy a narrow section of a wide view. Scheme is above lower slopes hosting agriculture and forestry at the edge of the steeper moorland slopes that lead to the massif to the viewers right, thus ensuring the scheme is well contained by landform and adequately set back from the Ben Wyvis Massif. Small scale of effect is agreed. Geographical extent receptor would experience the effect is small Duration of effect: long term. Low MoC is agreed, minor and not a significant effect. No additional effects in Scenarios 1 and 2 are predicted in the EIAR, which is not disputed.							
VP16 Invergordon Distance 15.53km	App	Medium	Low	Minor	Not significant			
	THC	Medium-high	Low	Minor	Not significant			
	Baseline is as described in Table 5.31: Viewpoint 16: Invergordon of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. Successive views of Fairburn WF, the Foulis turbine, then a gap for Ben Wyvis to the rounded summits north of Glen Glass (Cnoc Cèislein) on which are the Novars 1 and 2 cluster, which do not exert much influence in the view. Further views to the north are obscured by the town itself. Oil Rigs are also common in the Firth and would be viewed closer to the receptor. Sensitivity considerations							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	Represents views experienced by road users and nearby residential receptors. Applicant advises receptors of medium susceptibility as properties are oriented towards the inner firth and woodland blocking views, and medium value as not being a promoted stop or designated landscape. NB/ residential receptors would be medium-high susceptibility given garden ground, shared views and opportunities to enjoy them (public seating, grassed areas, parking areas). The higher parts of the SLA are visible but its dominant landmark special quality is best appreciated from further east and southeast of the viewpoint. Nevertheless there are intrinsic scenic qualities looking inwards of the Cromarty Firth as indicated by public seating and oriented public parking encouraging visitors to stay. Value is medium-high, sensitivity is medium-high overall. Woodland blocking views would be a MoC factor <u>MoC considerations</u> Size and scale of effect: similar but more distant effect to VP13 with theoretical visibility of seven turbines, although the hosting slopes are more exposed from this VP, meaning Ts 4, 5, 10, and 11 are less screened by intervening landform and are more apparent albeit at a distance. Turbines appear large above the scale indicators of the farmed, forested and settled slopes below but well contained by, and not appearing above, nearer rounded summits, but still having an effect on perceived scale and distance in the landscape in that section of the view. However, turbines are mostly backdropped and are not overwhelming the landscape features that contribute to the scenic qualities. Turbines will be viewed in combination with offshore oil rigs and are not an uncharacteristic feature of the view. Small scale of affect is agreed. Applicant considers the geographical extent that the receptor would experience the effect to be small. Duration of effect: long term. Low MoC is reasonable as is minor not significant level of effect. Applicant predicts no additional effects in Scenarios 1 and 2, there are no current in planning schemes to consider.							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
VP17 Aultvaich Minor Road Distance 17.31km	App	Medium	Low	Minor	Not significant			
	THC	Medium	Low	Minor	Not significant			
	Baseline is as described in Table 5.32: Viewpoint 17: Aultvaich Minor Road of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. Elevated VP, Combined views with Novars 1 and 2, and to the right Coire na Cloiche is slightly visible but with very little influence in the view. Busy directional view taking in the Ben Wyvis Massif, forestry and sloping agricultural fields, townscape, and a developed inner firth seascape. <u>Sensitivity considerations</u> Represents views experienced by road users and nearby residential receptors. Applicant advises medium susceptibility and medium value by virtue of not being in a designated landscape or at a promoted view giving medium sensitivity overall. NB/ experienced by users of the A9residential receptors would be medium-higher susceptibility given garden ground although it appears more to be a working farmed area with fewer properties oriented for amenity. The higher parts of the SLA are visible as is its dominant landmark special quality but it is not the sole focus of the view nor is it a frequently visited location. Value of medium and medium sensitivity can be agreed. <u>MoC considerations</u> Size and scale of effect: turbines will be in an elevated position ahead of the Novars 1 and 2 cluster, which is noticeable on clear days, and within the same visual envelope. Turbines will consolidate the cluster and appear larger but are experienced from a distance within a small section of the view away from the massif and the channelled view of the firth. Turbines are backdropped and contained by landform. Scheme will represent a small scale of change in the character of the view. Applicant advises effects shown in the visualisation will be experienced over a small geographic area.							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	Duration of effect: long term. Agree with low MoC and minor level of effect, not significant. Applicant predicts no additional effects in Scenarios 1 and 2, which is agreed.							
VP18 Ness Bridge [Greig Street Footbridge] Distance 23.8km	App	Medium-high	Low	Minor	Not significant			
	THC	Medium-high	Low	Minor	Not significant			
	Baseline is as described in Table 5.33: Viewpoint 18: Ness Bridge [Greig Street Footbridge] of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. <u>Sensitivity considerations</u> Represents views experienced by recreational receptors and nearby residential receptors. Applicant considers receptors to be of medium-high susceptibility, and the value to be medium by virtue of being a popular location for visitors to inverness but not within a designated landscape. Therefore applicant considers medium-high sensitivity. NB/ viewpoint looks directly to the Ben Wyvis SLA from a place where its dominant landmark special quality can be readily appreciated and enjoyed, the value is medium-high although medium-high sensitivity is agreed. <u>MoC considerations</u> Size and scale of effect: Tip of T11 visible. Barely perceptible scale of effect. Geographical extent receptor would experience the effect Duration of effect: long term.							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	Low MoC, minor and not significant Level of Effect.							
VP19 Inverness Castle, North Tower Distance 24.15km	App	Medium-high	Low	Minor	Not significant			
	THC	High	Low	Minor	Not significant			
	Baseline is as described in Table 5.34: Viewpoint 19: Inverness Castle, North Tower of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. <u>Sensitivity considerations</u> Represents views experienced by recreational receptors at the refurbished Category A Listed Inverness Castle. Applicant considers Medium-high Susceptibility and Value to be Medium leading to a Medium-high Sensitivity. NB/ recreational receptors using an elevated promoted viewpoint will have a high susceptibility to the change. The location is a Category A listed promoted tourist resource, and the view is looking towards an SLA from where its dominant landmark is readily appreciated and understood. <u>MoC considerations</u> Size and scale of effect: hubs and blades of eight turbines are theoretically visible between the Ben Wyvis Massif and the farmed and forested slopes above North Kessock with T11 being the most noticeable while the remainder scheme will be mostly screened. The massif is by far the dominant feature in the backdrop of Inverness. Turbines, while appearing to slice small vertical cuts into the wilder slopes of Ben Wyvis behind, are readily associated with the signs of human settlement below; forestry, agriculture, industry, and townscape. The change will be perceptible, which puts it in the small scale of change bracket. Geographical extent receptor would experience the effect is small, being a singular viewing tower. Duration of effect: long term.							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	Low MoC is agreed, minor level of effect can also be agreed given the distance and how busy the wider panorama is, not significant.							
VP20 B9177 near Inshes Distance 27.59km	App	Medium	Low	Minor	Not significant			
	THC	Medium-high	Low	Minor	Not significant			
	Baseline is as described in Table 5.35: Viewpoint 20: B9177 near Inshes of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. <u>Sensitivity considerations</u> Represents views experienced by road users travelling north-west on the B9177 and A9. Applicant considers road user receptors to be of medium susceptibility, and the view to be of medium value with overall medium sensitivity. NB/ passengers in vehicles would have a medium-high susceptibility. Gateway location entering Inverness for road users experiencing a sense of arrival, view takes in the SLA and its dominant landmark SQ can be appreciated. Value is medium-high. <u>MoC considerations</u> Size and scale of effect: turbines are diminished by large scale landscape. It is likely that Novars 1 and 2 would have the greater presence in the view due to the screening effect of Ord Hill despite the proposal scheme being closer and larger in scale. Agree that the scale of effect/change is small. Geographical extent the receptor would experience the effect would be small. Duration of effect: long term. Low MoC is small, minor level of effect is reasonable despite the judgement of higher sensitivity; not a significant effect.							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	No current schemes in planning, the future baseline effect is the same as adjudged.							
VP21 Culloden Battlefield Distance 29.26km	App	Medium-high	Low	Minor	Not significant			
	THC	Medium-high	Low	Minor	Not significant			
	Baseline is as described in Table 5.36: Viewpoint 21: Culloden Battlefield of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. <u>Sensitivity considerations</u> Represents views experienced by recreational receptors at a promoted battlefield with visitor centre. Applicant considers visitors to be of medium-high susceptibility and the value of the view to be medium-high, therefore a medium-high sensitivity, which is agreed. NB/ as with Fairbourn House, the receptor's focus is likely to be mostly on the battlefield area with its many points of visual interest, and which, although extensive, feels enclosed by surrounding vegetation and topography. While the designation gives it strong cultural and historic association, it does not give it additional scenic value. <u>MoC considerations</u> Size and scale of effect: turbines are seen in combination with Novars 1 and 2 cluster although clearly in distinctive landscape settings. Turbines appear noticeable in the section of view below the massif due to elevation and visibility of tower sections and hosting slopes and due to foreground vegetation screening the lower settled landscapes of the Firth. However, Ben Wyvis remains the dominant landmark. The scale of effect is small. Applicant advises the geographical extent the receptor would experience the effect is small. Duration of effect: long term. MoC is low and the level of effect minor, not significant as agreed with applicant.							

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
VP22 Sgùrr a' Choire Ghlais summit Distance 35.67km	App	High	Low	Minor	Not significant			
	THC	High	Low	Minor	Not significant			
	Baseline is as described in Table 5.37: Viewpoint 22: Sgùrr a' Choire Ghlais summit of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. <u>Sensitivity considerations</u> Represents views experienced by recreational receptors from Munro summit within the Strathconon, Monar and Mullardoch SLA, and Central Highlands WLA 24. Applicant considers receptor Susceptibility to be High, the Value to be High, and the overall Sensitivity to be High. <u>MoC considerations</u> Size and scale of effect: turbines are elevated and in bridge a gap between Novars 1 and 2 and Fairburn WFs but are viewed within their own distinctive settings at a distance so the expansiveness of the view along with the elements contributing to its character are not diminished. Small scale of effect. Geographical extent receptor would experience the effect is medium. Duration of effect: long term. Low MoC, minor not significant level of effect. Garvary now consented has very little influence in the view, cumulative effect is as assessed.							
	App	Medium-high	Low	Minor	Not significant			

			Proposed Development			Cumulative – Scenarios 1 and 2		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Size and scale of Change / Geographical extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Moderate are Significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
VP23 Ness Bridge, B861 Distance 24.06km	THC	Medium-high	Low	Minor	Not significant			
	Baseline is as described in Table 5.37: Viewpoint 22: Sgùrr a' Choire Ghlais summit of EIA Volume 1 Chapter 4: Landscape and Visual Amenity. <u>Sensitivity considerations</u> Represents views experienced by road users and nearby residential receptors, same considerations as VP18 above. <u>MoC considerations</u> Size and scale of effect: revised layout means that T3, T10 and T11 tips are theoretically visible but mostly screened. Barely perceptible scale of effect. Geographical extent receptor would experience the effect is small. Duration of effect: long term. Low MoC, minor and not significant level of effect.						

Appendix 7 - Assessment against Landscape and Visual Assessment Criteria contained within Section 4 of the Onshore Wind Energy Supplementary Guidance

1	Relationship between Settlements/Key locations and wider landscape respected.	Turbines are not visually prominent in the majority of views within or from settlements/Key Locations or from the majority of its access routes. ---------- The development will be barely visible from the centre of Inverness with the proposal exerting negligible influence from the viewing tower at Inverness Castle. The proposal will be appropriately set back from Ben Wyvis in key views from the south and southeast however in key views from the Black Isle the proposal will be a prominent new feature back clothed by the Munro. Nevertheless, in all scenarios Ben Wyvis will remain the dominant landmark in the wider landscape, the qualities of the SLA and the distinctiveness of the regional landscape will remain intact. Threshold is met in the majority of locations in the wider landscape although potentially not met in views of Ben Wyvis from specific locations to the southeast within the Black Isle.
2	Key Gateway locations and routes are respected	Wind Turbines or other infrastructure do not overwhelm or otherwise detract from landscape characteristics which contribute the distinctive transitional experience found at key gateway locations and routes. ---------- A9(T) at Duncanston – proposal is not considered to result in a significant visual effect based on the VP appraisal (VP12 Duncanston). Although not wholly set back from the mountain massif, the Munro remains the dominant feature. A9(T) at Inshes (VP20 B9177 near Inshes) - turbines are diminished by large scale landscape and exert very little influence. A835 Leanaig Junction (VP14 A835/ B9169 Road Junction, Conon Bridge) – with the exception of T11, the hub of which is visible, turbines tips are viewed from a distance behind a ridge with a good set back from Ben Wyvis Massif. A834 Strathpeffer (VP7 Knock Farril)– the proposal has limited influence on the A834 and is unlikely to impact its gateway qualities at Strathpeffer. Threshold is met overall.
3	Valued natural and cultural landmarks are respected	The development does not, by its presence, diminish the prominence of the landmark or disrupt its relationship to its setting. ------ Impacts on Ben Wyvis are within acceptable limits.

		Impacts on scheduled monuments are mitigated by design with the removal of Ts 1, 2, 12, and 13 bringing effects on the setting of two Scheduled Monuments, SM2396 Balnacrae, chambered cairn 230m WSW of, and, Heights of Brae, chambered cairn 375m NNW of Firth View to within acceptable limits Threshold is met.
4	The amenity of key recreational routes and ways is respected.	Wind Turbines or other infrastructure do not overwhelm or otherwise significantly detract from the visual appeal of key routes and ways. --- There will be detrimental visual amenity impacts, significant in some locations, but the overall amenity of Core Paths, cycle routes, tourist routes and other recreational routes will remain intact. Threshold met
5	The amenity of transport routes is respected	Wind Turbines or other infrastructure do not overwhelm or otherwise significantly detract from the visual appeal of transport routes -------- Generally, the threshold is met although the proposal will detract from the amenity of the B9163 and the B9169 for localised sections.
6	The existing pattern of Wind Energy Development is respected.	The degree to which the proposal fits with the existing pattern of nearby wind energy development, considerations include: • Turbine height and proportions, • density and spacing of turbines within developments, • density and spacing of developments, • typical relationship of development to the landscape, • previously instituted mitigation measures • Planning Authority stated aims for development of area ---------- The proposal directly responds to its locational / landscape context, which is different to the landscape context of the nearest Novar schemes that are site on or around rounded hill summits. The proposal will appear embedded in rather than imposed on its hosting landscape and for these reasons the threshold is considered met
7	The proposal contributes positively to existing pattern or objectives for development in the area.	The proposal maintains appropriate and effective separation between developments and/ or clusters ---------- The development is in its own distinctive landscape setting and context and does not form any kind of visually legible wind farm cluster with current known proposals. For this reason, and those given in Criterion 6, the threshold is considered met.
8	The perception of landscape scale and distance is respected	The perception of landscape scale and distance is respected --- Turbines would be located within a very large landscape area with a good degree of separation from boundaries with other landscapes character areas, e.g., strath and farmed and forested slopes with crofting) that tend to host more uncomfortable scale indicators such as housing and telegraph poles etc.. This separation helps mitigate effects on scale and distance however there remains a moderate effect on perception of scale and distance.

		Nevertheless, the threshold is met overall.
9	Landscape setting of nearby wind energy developments is respected	Proposal relates well to the existing landscape setting and does not increase the perceived visual prominence of surrounding wind turbines. --- The development is in its own distinctive landscape setting and context and does not form any kind of visually legible wind farm cluster with existing wind farms or currently known proposed wind farms. Threshold met.
10	Distinctiveness of Landscape character is respected	Integrity and variety of Landscape Character Areas are maintained. ---------- Turbines are readily associated with their hosting landscape character area without overtly dominating the local landscape composition, or significantly impacting the special qualities of the Ben Wyvis SLA or its regional distinctiveness. Due to the relative screening of the turbines, the distinction between character types and character areas are generally favourably maintained. Threshold is considered to be met.

Appendix 8 - Conditions and Reasons

Abhainn Dubh Wind Farm EIA
for Abhainn Dubh Limited

LUC

Figure 1.1: Site Location

Site Boundary

CB:SR EB:robertson_s LUC FIG01-01_11672_r0_EIA_Site Location_A3L 09/05/2023
Source: LUC, E Power Ltd

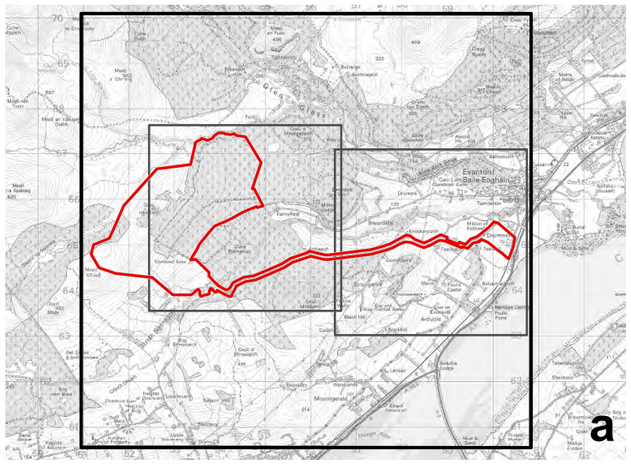
Abhainn Dubh

Abhainn Dubh Wind Farm SEI
for Abhainn Dubh Limited

LUC

SEI Figure 4.1a: Revised Design

- Site Boundary
- Turbine
- Turbine hardstand
- Construction compound
- Substation compound
- Energy storage compound
- Borrow pit
- Met mast
- Proposed new track/passing places/wider access bend widening
- Proposed new track (floated)
- Existing track to be upgraded
- Existing track to be upgraded (in part)
- Existing public road to be partially upgraded



Map scale 1:35,000 @ A3

Abhainn Dubh

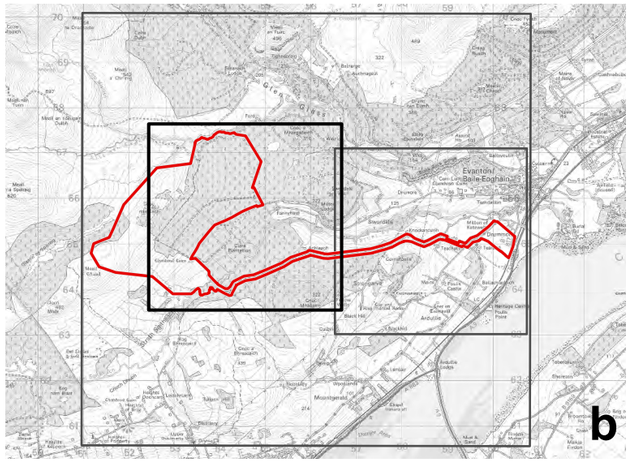
CB: EB:robertson_s LUC SEI_12570_SiteLayout 30/08/2024
Source: EPower, LUC

Abhainn Dubh Wind Farm SEI
for Abhainn Dubh Limited

LUC

SEI Figure 4.1b: Revised Design

- Site Boundary
- Turbine
- Turbine hardstand
- Construction compound
- Substation compound
- Energy storage compound
- Borrow pit
- Met mast
- Proposed new track/passing places/wider access bend widening
- Proposed new track (floated)
- Existing track to be upgraded
- Existing track to be upgraded (in part)



Map scale 1:15,000 @ A3

CB: EB:robertson_s LUC SEI_12570_SiteLayout 30/08/2024
Source: EPower, LUC

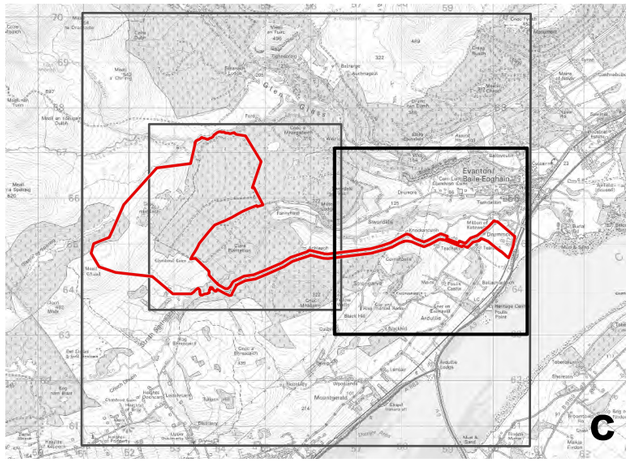
Abhainn Dubh

Abhainn Dubh Wind Farm SEI
for Abhainn Dubh Limited

LUC

SEI Figure 4.1c: Revised Design

- Site Boundary
- Proposed new track/passing places/wider access bend widening
- Existing track to be upgraded (in part)
- Existing public road to be partially upgraded

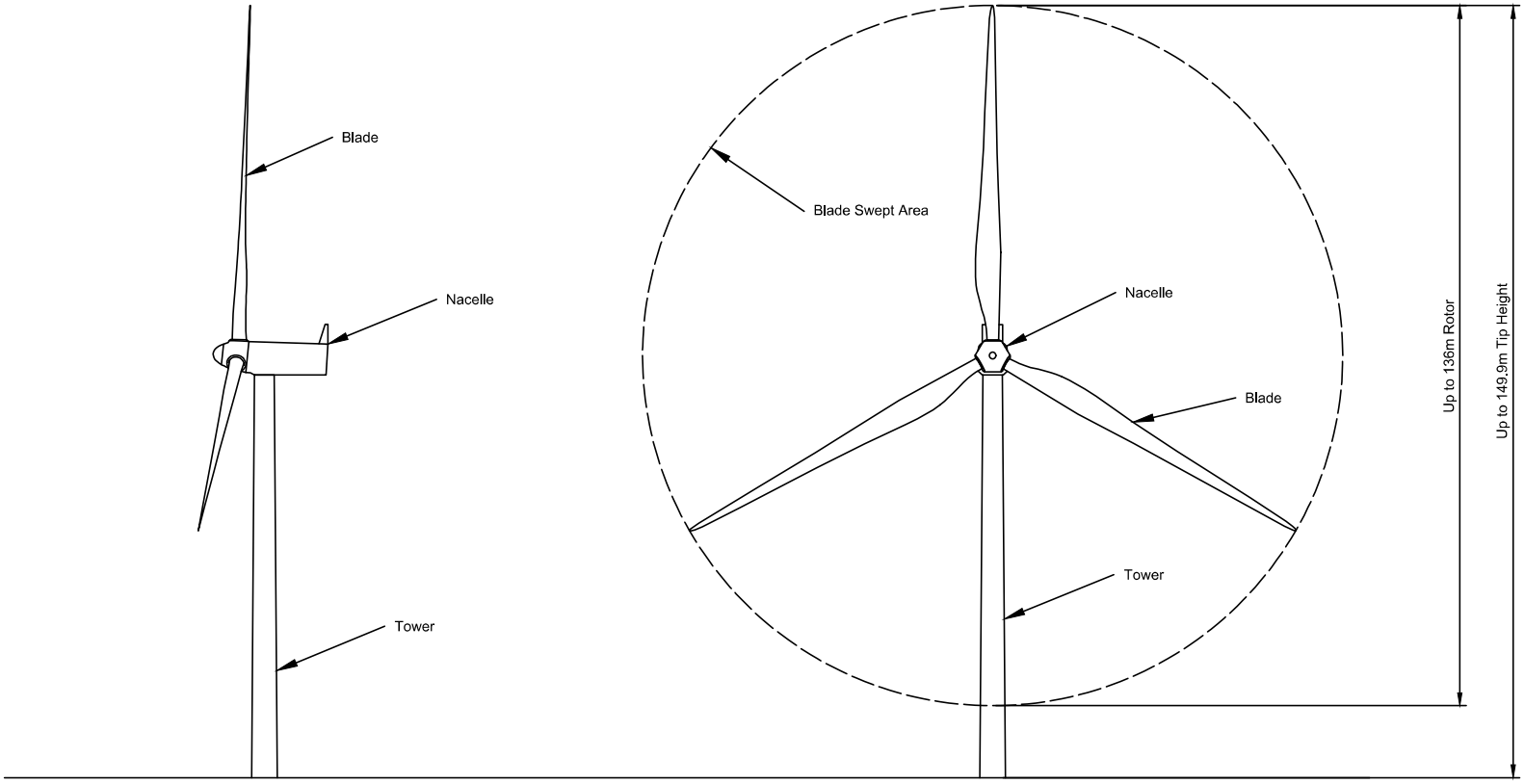


Map scale 1:15,000 @ A3

CB: EB:robertson_s LUC SEI_12570_SiteLayout 30/08/2024
Source: EPower, LUC

Abhainn Dubh

Figure 4.2: Indicative Turbine Dimensions



Typical Turbine Elevation

NOT TO SCALE

THIS DRAWING HAS BEEN PRODUCED FOR DISCUSSION / DESIGN DEVELOPMENT PURPOSES ONLY
Drawing Reference: Indicative Planning Drawings 2022 - Rev02.dwg