Agenda Item	8.2
Report No	PLN/062/25

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 26 November 2025

Report Title: 25/02312/S42: Meall Buidhe Renewables LLP
Land 4420M NW Of Croick Estate, Ardgay

Report By: Area Planning Manager - North

Purpose/Executive Summary

Description: Meall Buidhe Wind Farm - Section 42 application to vary condition 1 (time limit on commencement) and condition 6(iv) (turbine blade length) of planning permission 20/02659/FUL (consented at appeal PPA-270-2277)

Ward: 01 – North, West and Central Sutherland

Development category: Electricity Generation Major Development

Reason referred to Committee: Major Development

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

Recommendation

Members are asked to agree the recommendation to **GRANT** the application as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

1.1 This application has been submitted under Section 42 of the Town and Country Planning (Scotland) Act 1997 (as amended). This is an application to develop land without compliance with conditions previously attached to the Meall Buidhe Wind Farm planning permission granted at appeal (PPA-270-2277) on 14 June 2023, following refusal by The Highland Council (20/02659/FUL). The development has not yet commenced on site. No physical changes to the development or amendments to the application site boundary are proposed. The applicant seeks to amend the wording of two planning conditions. The variations relate to conditions 1 and 6(iv) as summarised below. Appendix 1 of this report outlines the full changes to the proposed wording for these conditions.

1. **Condition 1 Time limit for the implementation of the planning permission**: The extant consent requires the permission to be implemented by 14 June 2026. The applicant has requested a further 3 year implementation period from this date to extend the permission until 14 June 2029. The request is primarily due to timing of infrastructure works for the grid connection having been extended by the grid provider.

2. **Condition 6(iv) Maximum blade diameter:** Part (iv) of this condition currently requires the maximum blade diameter on each turbine to be no greater than 115 metres. The Applicant seeks to vary the maximum blade diameter allowed to 117m due to market availability of machines. The application does not seek to vary any other maximum dimension of the turbines, as the blade extension will not exceed the permitted tip or hub height for any of the consented turbines.

1.2 Meall Buidhe Wind Farm was granted consent through the appeal process in 2023 subject to 32 planning conditions. The consented development comprises:

- 7 wind turbines of 149.9m to blade tip (with a maximum generating capacity of 5MW, a hub height of 92m and a rotor diameter of up to 115m);
- 1 wind turbine of 144.5m to blade tip (with a maximum generating capacity of 5MW, a hub height of 87m and rotor diameter of up to 115m);
- Turbine foundations and crane hard standings;
- New access tracks (approximately 13.8km of permanent access tracks);
- 13 watercourse crossings;
- A network of underground cables;
- Substation and control building;
- Temporary construction compound, storage facilities and welfare facilities; and
- Two temporary access compounds.

Aside from the proposed increase in blade diameter, no other physical alterations to the approved scheme are proposed. The maximum output of the scheme will not increase as a result of the change in turbine dimensions.

1.3 Pre-Application Consultation: No formal pre-application was undertaken between the applicants and the Planning Authority.

1.4 This application is supported by a revised Noise Impact Assessment, a Landscape and Visual Review, and an Ornithology Review. A Supporting Statement has also been included.

1.5 Variations: No variations have been made during this application.

2. SITE DESCRIPTION

2.1 The site is located in the Highlands within the Croick Estate, situated reasonably distant from some small settlements, notably approximately 6km south of Rosehall, 9km southeast of Oykel Bridge, 11km west of Culrain, 14km northwest of Ardgay and 15.9km from Lairg. The site is accessed via a single access point from the A837 road between Lochinver and Inveran.

2.2 The site of the proposed wind turbines is located on the slopes and ridges between Meall Buidhe, Beinn Ulbhaidh, and Meall Dheirgidh, respectively 459m, 494m, and 506m above ordnance datum (AOD) at their summits, on part of the Croick Estate, whose policies include over 5000 hectares of land primarily to the west and southwest of the site. The site is located at a distance of approximately 8km southwest of the operational Rosehall wind farm,9km southwest of the operational Achany wind farm, and 9km southwest of the consented Braemore wind farm.

2.3 Access to the proposed development site will be taken from the A837 at Oykel Bridge then follow the minor road southwards to the site. As noted at para. 1.3 approximately 13.8km of new access tracks will be constructed to connect the proposed development site to the public road network, including a passing place on the section of access track located between Amat and Cnoc nan Con. It is proposed the turbine components will be delivered from Lochinver Harbour onto Culag Road then follows A837, turning right just before Oykel Bridge.

2.4 The site comprises of undulating upland habitat, which is located above the plantation woodlands that cover much of the intermediate slopes between the Kyle of Sutherland and the hilltops above Strath Oykel. In terms of NatureScot's Landscape Character Assessment (LCA) the site is located within the Rounded Hills Landscape Character Type (LCT) 135. The very north of the site is located within the Strath LCT 142. The proposed turbines and much of the associated infrastructure would be located between Beinn Ulbhaidh 493m AOD, and Meall Dheirgidh 506m AOD, which 'bookend' the proposed turbines when viewed from the Kyle of Sutherland and limit visibility to the northwest and southeast. Another minor summit at Meall Buidhe 459m AOD forms the centre of the site and is less noticeable. The site area is surrounded by large areas of mixed and coniferous woodland plantation to the southwest, west, north, and east. The river Okyel and Einig are located to the north of the site access.

Environmental Designations and Habitats

2.5 There are no areas designated for natural heritage within the site. There are however a number of designations within a 20km radius study aera. Those with likely connectivity to the site a listed below and notably includes:

Special Areas of Conservation (SAC)

- Amat Wood (3.4km)
- Beinn Dearg (12.7km)
- Caithness and Sutherland Peatlands (8.5km)
- Dornoch Firth and Morrich More (9.8km)
- River Evelix (18.6km)
- River Oykel (0.5km)
- Rhidorroch Woods (12.5km)

Special Protection Areas

- Beinn Dearg (12.7km)
- Caithness and Sutherland Peatlands SPA and RAMSAR site (8.5km)
- Inverpolly. Loch Urigill and nearby Lochs (15.1km)
- Lairg and Strath Brora Lochs (18km)
- Strath Carnaig and Strath Fleet Moors (15.3km)

Site of Specific Scientific Interest

- Alladale Pinewood (7.4km)
- Amat Wood (3.4km)
- Beinn Dearg (12.7km)
- Ben More Assynt (13.3km)
- Ben Wyvis (20.9km)
- Cam Loch (19.2km)
- Knockan Cliff (18.3km)
- Kyle of Sutherland Marshes (4.1km)
- Lairg and Strath Brora Lochs (18km)
- Loch Awe and Loch Ailsh (20km)
- Loch Urigill (15.1km)
- Migdale Rock (16.4km)
- Oykel Gorge (0.5km)
- Strath Carnaig and Strath Fleet Moors (15.3km)
- Grudie Peatlands (8.6km)
- Strath an Loin (15.5km)

The distances as given above are approximate and are measured from the application site boundary, as such the separation distances from the nearest turbines to the designated area are greater.

2.6 There are habitats which are potentially sensitive within the site, which include National Vegetation Classifications (NVC). A total of 29 habitats were recorded with blanket bog, wet dwarf shrub heath, dry heath/acidic grassland mosaic and acidic dry dwarf shrub heath dominating the Proposed Development area. The majority of potentially Groundwater Dependent Terrestrial Ecosystems (GWDTE), which are protected under the Water Framework Directive, identified include wet heath (M15) occasionally found within a wider mosaic containing blanket peatland (M19), rush (U6) and dry heath (H12) as well as marsh grassland (MG10) and acid / neutral flush (M6c), which was occasionally found with M6a / H12. In addition to the NVC communities with the potential for groundwater dependence additional communities

were identified including those directly associated with ombrotrophic habitat such as blanket sphagnum bog (M17).

Landscape Designations and Wild Land Areas

2.7 In terms of landscape sensitivities, there are no international or regional landscape designations on the site however the turbines are within 25km to the following national and local designations:

National Scenic Areas

- Assynt-Coigach (13.2km northwest)
- Dornoch Firth National Scenic Area (12.5km southeast)

Special Landscape Areas

- Ben Wyvis (19.7km)
- Fannichs, Beinn Dearg and Glencalvie (3km south)
- The distances as given above are approximate and are measured from the nearest turbine.

2.8 The following Wild Land Areas (WLAs) are within proximity of the application site:

- WLA 29 Rhiddoroch – Beinn Dearg – Ben Wyvis (0.9km)
- WLA 32 Inverpolly – Glencanisp (20km)
- WLA 34 – Reay - Cassley (3.9km)

The applicant has provided WLA assessments within the 2020 Environmental Impact Assessment Report for these WLAs. The distances as given above are approximate and are measured from the application site boundary, as such the separation distances from the nearest turbines to the designated area are greater.

Cumulative Development

2.9 The applicant has not provided an up-to-date cumulative list. However, for completeness officers consider that Appendix 2 of this report provides the latest position in relation operational / under construction, consented and in planning wind farm projects within 25km of the site. The following is a summary of the main changes since consent was granted in 2023.

Wind Farm Name	No. of turbines	Height to tip (m)	Distance to site (km)
In planning or at scoping at the time of the 2021 EIAR, but has since been approved			
Garvary Wind Farm	24	180m	10.1km
Achany Ext. Wind Farm	18	149.9m	9km
Chleansaid Wind Farm	16	180m-200m	22.5km
Strath Oykel Wind Farm	11	200m	0km

Submitted and currently under consideration			
Shinness Wind Farm	16	200m	20.2km
Acheilidh Wind Farm	12	200-230m	13km
Allt an Tuir Renewable Energy Park	9	200m	5km
Balblair Wind Farm	8	180-200m	9km
Coille Linne Wind Farm	15	250m	20km
Coille Beith Wind Farm	11	200m	0km

3. PLANNING HISTORY

3.1	13.12.2018	18/03856/PREAPP Wind farm and associated infrastructure (18/03611/SCOP)	Case Closed
3.2	17.07.2017	17/02797/SCOP Development of 21 turbine windfarm	Scoping Decision Issued
3.3	18.09.2018	18/03611/SCOP Windfarm including associated infrastructure - Meall Buidhe wind farm	Scoping Decision Issued
3.4	17.09.2018	18/03613/SCRE Windfarm including associated infrastructure	EIA required
3.5	27.04.2020	20/01040/PAN Erection of wind farm and associated infrastructure with overall generating capacity exceeding 20MW - Meall Buidhe Wind Farm	Reported to NPAC
3.6	27.07.2022	20/02659/FUL Meall Buidhe Wind Farm - Erection of and Operation of a Wind Farm for a period of 25 years comprising of 8 Wind Turbines access tracks, substation, control building, and ancillary infrastructure with a maximum output of 40 Megawatts	Refused Appeal allowed 14.06.2023

4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown Neighbour and Schedule 3

Date Advertised: 18.07.2025

Representation deadline: 01.08.2025

Timeous representations: 68 objections 0 support

Late representations: 5 objections 0 support

4.2 Material considerations raised are summarised as follows:

Objections

a) Adverse visual impact (individual, cumulative, sequential impacts, encirclement (particularly of Kyle of Sutherland) and visual amenity);
b) Adverse impact on landscape, including landscape character (including designated land areas and wildness);
c) Siting and design of turbines;
d) Adverse impact on Natural Heritage;
e) Adverse impact on socio-economics, recreational users and tourism (including depopulation);
f) Adverse impact on cultural heritage;
g) Adverse impact on ecology, habitat loss (including peat loss), local fresh water pearl mussels, fish, ornithology and plants;
h) Adverse transport impacts including on road safety and condition;
i) Adverse residential and community amenity impacts, including noise from turbine and construction;
j) Industrialisation of the area;
k) Insufficient information provided with application in terms of evidence regarding delayed grid connection and new grid connection date;
l) Concerns over EIA and site/wildlife surveys potentially being out of date;
m) Concerns over larger blades resulting in increase of BPA and microplastics released into the environment;
n) Lack of access to the site;
o) Insufficient information provided in terms of noise and visual impact;
p) Concerns regarding cumulative impact including lack of information on the cumulation effects with other developments, impact on other developer's cumulative impacts arguments, and related infrastructure;
q) Concerns over shadow flicker;
r) Impact of carbon footprint in relation to peatland, increase in blade may require larger foundations resulting in more excavations on peat than original application;
s) Release of heavy metal contaminants and radiological risks associated with Caesium 137 (Cs-137) from excavating peatland;
t) Viability of the development;

4.3 Non-material considerations raised are summarised as follows:

Objections

a) Adverse impact in health and wellbeing;
b) Alternative renewable energy generation options;
c) Lack of economic benefit locally
d) Community benefit
e) Lack of need for the project
f) Reduction in property values;
g) Concerns over process of consultation by the developer;
h) Uncertainty for residents;

i) Concerns over approval of this application setting a precedent for other wind energy developments;
j) Developer hasn't made any effort to commence development within the permitted timescale;
k) Incorrect information provided regarding turbine heights; and
l) A property was not included in noise impact assessment

4.4 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam.

5. CONSULTATIONS

5.1 **Argay and District Community Council:** No response received.

5.2 **Assynt Community Council:** No response received.

5.3 **Creich Community Council:** Object to the proposal, stating that the process of applications being changed years after approval is becoming common and they consider it bad practice. They consider the proposal would result in a larger detrimental impact on the Kyle of Sutherland Area and local population. They stand by their objection to the original application which they have submitted for information.

5.4 **Lairg Community Council:** No response received.

5.5 **Lochbroom Community Council:** No response received.

5.6 **Civil Aviation Authority:** No response received.

5.7 **Highlands and Islands Airport Authority:** Does not object to the application.

5.8 **Historic Environment Scotland:** Does not object to the application and has no further comment.

5.9 **Ministry Of Defence:** Does not object to the application subject to the extant conditional requirements for installing MOD accredited lighting on to the turbines (Condition 24) and providing MOD with information to ensure that the development is appropriately charted (Condition 23) is carried forward on to any new planning permission that may be issued.

5.10 **NATS:** Does not object to the application and has no further comment.

5.11 **NatureScot:** Does not object to the application. Agree with the conclusions in section 4 of the document 'Ornithology Review - Re-assessment of impacts of turbine model change'. They do not consider that further ornithology survey work is required.

5.12 **Scottish Forestry:** No response received.

5.13 **Scottish Water:** No response received.

5.14 **SEPA:** Does not object to the application but requested amendments to existing condition wording to remove SEPA as a named consultee from conditions 11 and

12, 12c(ix), 12c(xvi), 14, and 26, and include SEPA as a named consultee in conditions 12c(viii), 12c(xvii) and 12c(vi).

5.15 **Transport Scotland:** Does not object to the application and has no further comment.

5.16 **Access Officer:** No response received.

5.17 **Community Wealth Building:** Does not object.

5.18 **Contaminated Land:** Does not object to the application and confirmed no further information is required to support the application.

5.19 **Development Plans:** No response received.

5.20 **Ecology Team:** No objections.

5.21 **Environmental Health:** Does not object to the application and confirmed the revised noise report demonstrates that the predicted sound levels would be slightly higher than the previous blades lengths, however they are still within the conditioned limits.

5.22 **Flood Risk Management Team:** Does not object to the application and has no further comment.

5.23 **Forestry Team:** No response received.

5.24 **Historic Environment Team (Archaeology):** Does not object.

5.25 **Landscape Officer:** No response received.

5.26 **Transport Planning:** Does not objection to the application as the wording of condition 4 adequately address all the roads related issues associated with larger turbine components. Any amended Decision Notice should ensure that the existing roads-related conditions are retained and carried forward into the new approval

6. DEVELOPMENT PLAN POLICY AND OTHER MATERIAL POLICY CONSIDERATIONS

6.1 The following policies are relevant to the assessment of the application.

National Planning Framework 4 (2023) (NPF4)

6.2 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

6.3 28 - Sustainable Design

29 - Design Quality and Place-making

30 - Physical Constraints

31 - Developer Contributions

51 - Trees and Development

52 - Principle of Development in Woodland

53 – Minerals

54 - Mineral Wastes

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

Caithness and Sutherland Local Development Plan (2018) (CaSPlan)

6.4 No specific policies apply however, that the CaSPlan does identify Special Landscape Areas (SLA) within the plan.

Onshore Wind Energy Supplementary Guidance (OWESG) (2016)

6.5 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. The site does not fall within an area covered by a Landscape Sensitivity Study at this time, however the proposed site sits within the Landscape Character Type (LCT) of Rounded Hills – Caithness and Sutherland (NatureScot LCT 135) with the very north of the site located within the Strath LCT 142 as noted in para 2.3 of this report.

Other Highland Council Supplementary Guidance

6.6
- 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)

OTHER MATERIAL POLICY CONSIDERATIONS

Emerging Highland Council Development Plan Documents and Planning Guidance

6.7 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. In addition, the Council has further advice on delivery of major developments in several 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

6.8

- 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 4/1998 – The use of Conditions in Planning Permissions – this states that planning conditions should only be imposed when they meet all of the following six tests: 1) Necessary, 2) Relevant to planning, 3) Relevant to the development to be permitted, 4) Enforceable, 5) Precise; and Reasonable in all other respects.
- Circular 1/2017 - Environmental Impact Assessment Regulations (2017)
- Circular 3/2022 – Development Management Procedures

7. PLANNING APPRAISAL

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

application, all national and local policy guidance and all other material considerations relevant to the application.

Planning Considerations

7.2 Section 42(2) of the 1997 Planning Act states that when dealing with this type of application, the planning authority should consider only the question of the conditions subject to which planning permission should be granted, and that the planning authority may decide that planning permission should be granted subject to conditions differing from that subject to which the previous permission was granted. However, Circular 3/2022: development management procedures, Annex H(5) goes on to state: “In determining a Section 42 application, authorities may consider only the issue of the conditions to be attached to any resulting permission. However, in some cases this does not preclude the consideration of the overall effect of granting a new planning permission, primarily where the previous permission has since lapsed or is incapable of being implemented”.

7.3 The extant consent granted at appeal (PPA-270-2277) on 14 June 2023, following refusal by The Highland Council (20/02659/FUL), is due to lapse on 14 June 2026. When determining the application, consideration must therefore be given to whether any changes in development plan policy or other material considerations since the original permission was granted support the modification of those conditions.

Development Plan / Other Planning Policy

7.4 A section 42 consent constitutes a fresh planning permission. As such, it is necessary to assess this in the light of the current policy framework. The application is supported by a Supporting Statement which covers the proposal’s compliance with NPF4. The most relevant to this proposal are policies 1 Tackling the Climate and Nature Crises, 3 Biodiversity and 11 Energy.

7.5 NPF4 Policies 1, 2, and 3 apply to all development proposals Scotland-wide. This means that significant weight must be given to the global climate and nature crises when considering all applications, as required by NPF4 Policy 1. Significant weight should therefore be attributed to a development which provides renewable electricity to the grid and is consistent with the intent of Policy 1 by making a positive contribution to net zero. Tackling the nature crisis is the focus of policy 3. This requires developments to wherever feasible, provide nature-based solutions that have been integrated and made best use of and for significant biodiversity enhancements to be provided.

7.6 In relation to Policy 11, the intent of this policy is to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. It specifies that the principle of all forms of renewable, low-carbon, and zero emission technologies is supported, including reference in part (i) “wind farms including repowering, extending, expanding and extending the life of existing wind farms” (with the exception of wind farm proposals located in National Parks or National Scenic Areas). In addition, policy 11 (g) of NPF4 states: “Grid capacity should not constrain renewable energy development.” The request to extend the implementation period is to account for a delayed grid connection date.

7.7 With no site-specific allocations or policies within the CaSPlan at the application location, the proposal is principally assessed against HwLDP Policy 67 for Renewable Energy developments. Policy 67 sets out that renewable energy development should be well related to the source of the primary renewable resource needed for its operation. Proposals are required to be judged according to their contribution in meeting renewable energy targets and positive/negative effects on the local and national economy as well as against all other relevant policies of the Development Plan and other relevant guidance. In that context the Council will support proposals where it is satisfied they are located, sited, and designed such as they will not be significantly detrimental overall, either individually or cumulatively with other developments.

7.8 Aside from the increased maximum blade diameter, there are no other changes to the physical parameters of the approved development proposed and it is considered that NPF4 and HwLDP provide substantial support for the development with the extant permission establishing the principle of development for large scale wind energy.

Supporting Information

7.9 To support this section 42 application, a supporting statement has been submitted. This provides an assessment of changes on the environmental chapters outlined in the 2020 EIA Report. The supporting statement indicates that no changes to the assessed environmental impacts outlined in the 2020 EIA Report are predicted in relation to:

- **Carbon Balance:** As there is no change proposed to the generating capacity of the turbines and no changes proposed to the site layout, the supporting statement considers there will be no change in the carbon balance of the development as a result of the change in blade diameter. Consultees have raised no objection.

- **Noise:** An updated noise assessment has been provided which concludes that although there is a change in the noise impacts, these are no considered to be significant and are considered to comply with current noise conditions under the original consent. Environmental Health have no objection and conditions 12 (Construction Environmental Management Document) and 28 which controls noise from the development are unaffected by this variation application and can be attached to a subsequent consent.

- **Shadow Flicker:** The statement confirms that there are no residential properties within a distance of 11 rotor diameters of the proposed development, therefore there is no potential for shadow flicker to affect the amenity of residential properties surrounding the development.

- **Ecology and Ornithology:** As it is not proposed to alter the footprint of the development, it is assumed that there will be no change in the impact on ecological receptors as a result of the proposed variation. An updated ornithology assessment has been provided and concludes there is no change to the conclusions reached for the original consent. NatureScot have raised

no objection. and conditions 12 (Construction Environmental Management Document) and 11 (Ecological Clerk of Works) are unaffected by this variation application and can be attached to a subsequent consent.

- **Communications Infrastructure and Electromagnetic Interference:** As it is not proposed to alter the tip height of any of the turbines, the supporting statement considers there will be no additional impacts as a result of the proposed variation. MOD, HIAL, CAA and NATS have raised no objection and conditions 20 (Television Reception), 23 (Aviation Safety) and 24 (Aviation Lighting) are unaffected by this variation application and can be attached to a subsequent consent.

- **Geology, Hydrology and Hydrogeology:** The supporting statement considers there will be no additional impacts on this receptor given the only physical variation proposed relates to the blade diameter. NatureScot, SEPA and FRMT have raised no objections and conditions 9 (Micro-siting), 12 (Construction Environmental Management Document), 19 (Peat Landslide Management), 21 (Private Water Supplies), 26 (Water Quality and Fish Population Monitoring), and 27 (Sustainable Drainage Systems) are unaffected by this variation application and can be attached to a subsequent consent.

- **Cultural Heritage:** As there are no alterations to the layout or overall height of turbines proposed, the supporting statement considers there will be no change, in terms of direct effects, to the conclusions reached in the original archaeological walkover survey carried out for the original consent. In terms of indirect effects, the updated Landscape and Visual assessment demonstrates there is negligible change in the visibility of the wind farm as a result of the proposed blade diameter variation. The supporting statement therefore concludes the negligible change in the visibility of the proposal will result in negligible to no change to indirect impacts on heritage assets or their settings assessed in the original application. Historic Environment Scotland and THC Historic Environment Team have raised no objections.

- **Traffic and Transport:** The proposed variation will not result in an increase in the number of vehicles required for the construction, operation and decommissioning of the development, therefore the supporting statement considers there will be no additional impacts as a result of the proposed variation. Transport Scotland and Transport Planning have raised no objection and conditions 4 (Mitigation) and 13 (Traffic Management Plan) are unaffected by this variation application and can be attached to a subsequent consent.

- **Socio-economic:** The supporting statement considers there will be no change in the conclusions reached regarding the impact on socio-economic receptors.

Landscape and Visual Impact

7.10 As detailed above, the applicant has provided an updated Landscape and Visual assessment. The LVIA review has been updated to reflect the proposed increase in blade diameter. There are no changes proposed to the site layout or overall height of the consented turbines, and therefore there are no additional areas within the 45km Study Area that would experience theoretical visibility. The findings of the LVIA review remain the same as those outlined in the 2020 EIAR and 2022 Update to Cumulative Landscape and Visual Assessment and considers there is likely to be a negligible difference in the landscape and visual effects.

Officers have outlined the main changes to the cumulative context in section 2.9 and Appendix 2.

7.11 Officers are content with this assessment and consider that the scheme conforms with NPF4 in relation to landscape and visual impacts. No statutory consultees have raised any objections or concerns in relation to landscape or visual effects as a result of this application. Planning conditions 6, 7, 8 and 9 of the extant permission relating to design of the scheme also remain unaffected.

Natural Heritage (including ornithology and biodiversity enhancement)

7.12 An ornithology review has been provided which states an increased collision risk of 7%. The review considers the level of additional collision risk would not alter the assessment made in the 2021 Supplementary Information, which assessed the collision risk as not significant. Conditions 12 (Construction Environmental Management Document) and 11 (Ecological Clerk of Works) will be unaffected by this variation application and can be attached to a subsequent consent.

7.13 As detailed above, tackling the nature crisis is a central theme of NPF4 with policy 3, requiring proposals to provide significant biodiversity enhancements. The extant consent was supported by an Outline Habitat Management Plan (OHMP) (December 2021). This outlined proposals to restore and enhance blanket bog and wet heath resource, enhance golden eagle foraging habitat and reduce collision risk, and improve habitat for black grouse, waders and other species. A finalised version the OHMP is secured through condition 16 of the extant consent, which requires details of enhancement to peatland and blanket bog across the application site for an area of no less than 111ha. These restoration areas are more than ‘10 times’ the predicted total habitat loss of 7.853ha as outlined in the 2022 Supplementary Information Volume 1 Chapter 10: Ecology. The variations to the conditions proposed under this current application will not have a bearing upon the delivery of these enhancement proposals. NatureScot, SEPA and the Councils Ecology Team has raised no objection to this application. Subject to these previous conditions being attached to this S42 application, then the significant enhancements proposed by this scheme will accord with NPF4 policy 3.

Variation to Condition 1 – Time limit for the implementation of the planning permission

7.14 As identified on the decision notice the reason for Condition 1 is “Section 58 of the Town and Country Planning (Scotland) Act 1997 requires a condition to be attached to permission limiting its duration. Three years is the default period set by law and

there is no material reason indicating that a different period should be set.". The extant consent requires the permission to be implemented by 14 June 2026. The applicant has requested a further 3 year implementation period from this date to extend the permission until 14 June 2029. The request is primarily due to timing of infrastructure works for the grid connection having been extended by the grid provider.

7.15 Annex A of Circular 4/1998 states that the renewal of permissions before expiry of time-limits (at para 52) should "As a general rule…..[only] be refused only where:

a) there has been some material change in planning circumstances since the original permission was granted (eg a change in some relevant planning policy for the area, or in relevant road considerations or the issue by the Government of a new planning policy which is material to the renewal application);
b) there is likely to be continued failure to begin the development and this will contribute unacceptably to uncertainty about the future pattern of development in the area; or
c) the application is premature because the permission still has a reasonable time to run."

7.16 In relation to part a) there has been no change to planning policy since the consent was granted and subject to the recommended conditions the proposal is considered to comply with the planning policies. In relation to part b) the delay appears to be the result of a delay with the associated grid infrastructure. In relation to part c) this is not considered to be a premature application as the extant consent will expire in June 2026. Therefore, the proposed variation to condition 1 is considered acceptable.

Variation to Condition 6(iv) – Maximum blade diameter

7.17 As identified on the decision notice the reason for Condition 1 is "To ensure that only the turbines as approved are used in the development and are acceptable in terms of visual, landscape, noise and environmental impact considerations.". Part (iv) of this condition currently requires the maximum blade diameter on each turbine to be no greater than 115 metres. The Applicant seeks to vary the maximum blade diameter allowed to 117m due to market availability of machines. The application does not seek to vary any other maximum dimension of the turbines, as the blade extension will not exceed the permitted tip or hub height for any of the consented turbines.

7.18 The proposed variation to condition 6(iv) is considered acceptable. It does not undermine the reason for the condition, nor does it raise any issues in terms of visual, landscape, noise and environmental impact considerations. As outlined in section 7.10 and 7.11 above, the LVIA review confirms that the proposed increase in blade diameter will have negligible impact on landscape and visual effects, with no changes to turbine layout or height. Officers and consultees are satisfied that the scheme remains compliant with NPF4.

Socio-economics

7.19 Chapter 16 of the 2020 EIAR considered the socio-economic benefits from the development. The supporting statement considers that given there is no proposed

change to the development's layout or geographical sourcing, no change to the socio-economic effects is anticipated.

7.20 The 2020 EIAR states the employment impact during construction is estimated at £6.5 million Gross Value Added (GVA) and 158 job years created in the Highlands, and a further £3.9 million GVA and 72 job years in the rest of Scotland. The operational phase could support each year £0.7 million GVA and 17.5 jobs in Highland, and a further £0.7 million GVA and 15.9 jobs in the rest of Scotland. In line with NPF4 Policy 11 part c, it is considered appropriate to add a planning condition which secures a Local Employment Scheme for the construction period of the development.

7.21 Since the original consent, the Council has published the Social Value Charter for Renewables Investment in June 2024. The applicant will need to liaise directly with the Council's Community Support and Engagement Officer and the Council's Economy and Regeneration Team.

Other Material Considerations

7.22 An application submitted under S42 of the Planning Act provides the Planning Authority with an opportunity, as part of the process in considering the proposed variation, to amend any, or each of the original conditions previously applied which it considers necessary to regulate the development proposed. This can ensure the wording is in line with current good practice and that the conditions are suitable to regulate the proposed development. Following consideration of the other conditions attached to the extant planning permission, it is considered that the existing conditions remain in line with current good practice and suitably regulate the proposed development.

7.23 The reason for the application is accepted and it is not considered that the proposed extension to the implementation period will have any environmental impacts beyond that considered under the consented scheme. The original application was made the subject of 32 planning conditions. However, it is recommended that the decision notice for the S42 application includes two additional conditions:

- Condition 33 relates to socio-economic requirements outlined under NPF4 policy 11c;
- Condition 34 which ensures that the development is carried out in accordance with the terms of the permission and the 2021 EIAR and 2024 SEIR.

Subject to the recommended conditions in section 11, the proposal is considered to comply with the current policy framework.

Non-Material Considerations

7.24 None raised.

8. Matters to be secured by Legal Agreement / Upfront Payment

8.1 As per the extant planning consent an assessment of the condition of the roads, pre and post construction will be required. This will inform the production of a roads wear

and tear agreement under Section 96 of the Roads (Scotland) Act. This type of agreement can be secured by condition.

8.2 As per the extant planning consent decommissioning and restoration financial guarantee can be secured by condition. No legal agreement is required should consent be granted.

9. CONCLUSION

9.1 The Scottish Government gives considerable commitment to renewable energy and encourages planning authorities to support wind farms where it can be demonstrated that they are on suitable sites and environmental and other impacts can be appropriately mitigated. The impact of the wind farm has already been deemed to be acceptable in this location. This application seeks to amend the wording of two conditions on the Meall Buidhe Wind Farm planning permission.

9.2 NPF4 Policy 1 demands decision makers to place significant weight to be given to the global climate and nature crisis. This is further supported by NPF4 policy 11, the intent of which is to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. NPF4 Policy 11 Part (c) places emphasis on community socio-economic benefits. This is further reflected by the Council publishing the Social Value Charter for Renewables Investment in June 2024. The original application identified several socio-economic benefits and subject to a new planning condition addressing this, the proposal complies with this aspect of NPF4.

9.3 Tackling the nature crisis is also a focus for NPF4, with policy 3, requiring developments to provide significant biodiversity enhancement. The outline habitat management plan (December 2021) submitted under the original application remains as originally proposed and was accepted by the reporter at the time of the appeal decision. These commitments can again be secured through conditions.

9.4 No changes to any assessed environmental impacts are predicted in relation to the amendments sought in this Section 42 application. The Council is satisfied that environmental effects of this development can again be addressed and mitigated by way of the amended conditions. The Council has incorporated the requirement for a schedule of mitigation within the conditions of this permission. Monitoring of operational compliance has also been secured through condition. No objections been raised from any consultees or third parties.

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

10. IMPLICATIONS

10.1 Resource: Not applicable

10.2 Legal: Not applicable

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

10.4 Climate Change/Carbon Clever: The proposal has the ability to 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 decision issued: None

It is recommended to **GRANT** the application subject to the following conditions and reasons.

1. Duration of Consent

The development to which this permission relates shall be begun not later than the expiration of 14 June 2029.

Reason: Section 58 of the Town and Country Planning (Scotland) Act 1997 requires a condition to be attached to permission limiting its duration. Three years is the default period set by law and there is no material reason indicating that a different period should be set.

2. The Planning Permission is granted for a period of 28 years from the date of Final Commissioning, comprising an operational period of up to 25 years from the date of Final Commissioning and a period of up to 3 years for decommissioning and site restoration to be completed in accordance with a scheme to be approved under Condition 25 of this permission. Written confirmation of the Date of Final Commissioning must be provided to the planning authority no later than one calendar month after the event.

Reason: To clarify the terms of the permission as the permission sought is temporary and to define the duration of the consent.

3. There shall be no Commencement of Development until:

i. Full details of a guarantee, bond or other financial provision to be put in place to cover all of the decommissioning and Site restoration measures outlined in the Decommissioning and Restoration Plan approved under Condition 25 of this permission have been submitted to, and approved in writing by, the planning authority. For the avoidance of doubt the bond must be able to be called upon by The Highland Council and be enforceable against the operator and landowner and/ or leaseholder; and

ii. Confirmation in writing by a suitably qualified independent professional that the amount of financial provision proposed under part (i) above is sufficient to meet the full estimated costs of all decommissioning, dismantling, removal, disposal, Site restoration, remediation and incidental work, as well as associated professional costs, has been submitted to, and approved in writing by, the planning authority; and

iii. Documentary evidence that the guarantee, bond or other financial provision approved under parts (i) and (ii) above is in place has been submitted to, and

confirmation in writing that the financial provision is satisfactory has been issued by, the planning authority.

Thereafter, the Operator, and Leaseholder and/or Landowner, shall:

i. Ensure that the guarantee, bond or other financial provision is maintained throughout the duration of this permission; and
ii. Pay for the guarantee, bond or other financial provision to be subject to a review five years after the commencement of development and every five years thereafter until such time as the wind farm is decommissioned and the Site restored.

Each review shall be:

a) conducted by a suitably qualified independent professional; and
b) published within three months of each five year period ending, with a copy submitted upon its publication to both the landowner(s) and the Planning Authority; and
c) approved in writing by the planning authority without amendment or, as the case may be, approved in writing by the Planning Authority following amendment to their reasonable satisfaction.

Where a review approved under part (c) above recommends that the amount of the guarantee, bond or other financial provision should be altered (be that an increase or decrease) or the framework governing the bond or other financial provision requires to be amended, the Operator, and Leaseholder and/or Landowner shall do so within one month of receiving that written approval, or another timescale as may be agreed in writing by the planning authority, and in accordance with the recommendations contained therein.

Reason: To ensure financial security for the cost of the restoration of the site to the satisfaction of the Planning Authority

4. No development shall commence on site until a detailed scheme for the following mitigation (including scale plans as necessary), inclusive of timescales for delivery has been submitted to, and approved in writing by, the Planning Authority:

i. A visual and structural condition survey of relevant sections of the A836, A837, A839 and A949 and Oykel Bridge Bridge shall be undertaken to establish a baseline for any widening and strengthening of the local road network and additional passing places required to facilitate the wind farm. Any widening or strengthening of the local road network shall be to a minimum width of 3.5 metres, a full width surface course overlay (with regulating to achieve appropriate camber and crossfall) to enhance structural integrity and provision. The scheme for widening and strengthening shall be based on current topographical surveys and shall include any necessary road drainage to allow the safe transport of the wind farm components. For the avoidance of doubt unless a greater width is required and agreed such as at passing places, junctions or for curve widening the width of permanent surfacing provided for the single track carriageway sections of the local road network shall be 3.5 metres. For two lane sections the width shall be a minimum of 6 metres. Any additional running width for the abnormal load movements shall be provided by strengthening of the verges and provision of a temporary

running course. Within three months of completion of the abnormal load movements for the development the verges shall be reinstated

ii. Widening works at junctions on the abnormal load route to remove horizontal and vertical constraints on the network for the delivery of turbine components and abnormal loads. The widening works at junctions shall be based on current topographical surveys and shall include any necessary road drainage to allow the safe transport of the wind farm components. Provision of an engineering assessment of the carriageway strength of the proposed HGV construction traffic routes and their suitability to support the significant increase in loading for all the proposed HGV construction traffic routes where the increase in HGV usage above existing HGV flows is greater than 10%. A scheme to provide suitable full width strengthening and any necessary re-shaping of the carriageway based on any shortfall identified in the agreed assessment;
iii. Stage 2 Road Users Safety Audit (RUSA)undertaken; and
iv. Details of Provision of road markings and signage to accompany the proposed works.

Thereafter the upgrades and other work approved under parts i-iii above shall be completed to the satisfaction of the Planning Authority before commencement of construction, or as otherwise agreed in writing with the Planning Authority.

Reason: To increase the structural integrity of the road to ensure that it is adequate to serve this development and to address the cumulative change in character of the existing road network as a result of this development and in the interests of road safety.

5. No development or works shall commence until the detailed design of the access junction, visibility splays, road markings and its associated infrastructure and signage has been submitted to and approved in writing by the Planning Authority.

Reason: In the interests of safe access and egress from the site.

6. Location, design and operation of turbines

No turbines shall be erected until details of the proposed wind turbines have been submitted to, and approved in writing by, the planning authority. These details shall include:

i. The make, model, design, power rating and sound power levels of the turbines to be used;
ii. The external colour and/or finish of the turbines to be used (including towers, nacelles and blades) which should be non-reflective pale grey semi-matt;
iii. The maximum height of the turbine from base to tip not exceeding 149.9 metres;
iv. The maximum blade diameter on each turbine no greater than 117 metres;
v. A maximum tower height of 92 metres on all turbines, with the exception of the Turbine shown in Figure S15.1a and referenced in the EIA supplementary report Volume 1 Chapter 5 at Table 5.1 as Turbine 9 (easting 246768 and northing 894408) which shall have a maximum tower height of 87 metres and overall height of 144.51 metres.
vi. The turbines must have internal transformers

Thereafter, development shall progress in accordance with these approved details and, with reference to part ii above, the turbines shall be maintained in the approved colour, free from external rust, staining or discolouration, until such time as the wind farm is decommissioned.

Reason: To ensure that only the turbines as approved are used in the development and are acceptable in terms of visual, landscape, noise and environmental impact considerations.

7. Advertisement on Infrastructure

None of the wind turbines, anemometers, switching stations or transformer buildings / enclosures, ancillary buildings or above ground fixed plant shall display any name, logo, sign or other advertisement (other than health and safety signage) unless otherwise approved in advance in writing by the Planning Authority

Reason: To in the interests of the visual amenity of the area and compliance with Town and Country Planning (control of advertisements) (Scotland) regulations 1984.

8. Design of ancillary development

No development shall commence on the control building, substation and/or ancillary infrastructure until final details of the location, layout, external appearance, dimensions and surface materials of all buildings, compounds, parking areas, as well as any external lighting, fencing, walls, paths and any other ancillary elements of the development, have been submitted to, and approved in writing by, the planning authority.

Thereafter, development shall progress in accordance with these approved details.

Reason: To ensure that all ancillary elements of the development are acceptable in terms of visual, landscape, noise and environmental impact considerations.

9. Micro-siting

All wind turbines, buildings, masts, areas of hardstanding and tracks shall be constructed in the location shown on plan reference Figure SI5.1B. The 8 wind turbines as shown on the approved plan, the areas of hardstanding and tracks may be adjusted by micro-siting within the site. However, unless otherwise approved in advance in writing by the Planning Authority (in consultation with SEPA and NatureScot) micro-siting is subject to the following restrictions:

a. No wind turbine foundation shall be positioned higher, when measured in metres Above Ordinance Datum (Newlyn), than the position shown on Figure SI5.1B;
b. No wind turbine, building, mast or hardstanding shall be moved more than 50 metres from the position shown on the original approved plans;
c. No access track shall be moved more than 50 metres from the position shown on the original approved plans or be located within areas of peat of greater depth than the original location;
d. Micro-siting shall take place to avoid sensitive peatland habitat;
e. No micro-siting shall take place within areas hosting Ground Water Dependent Terrestrial Ecosystems;

f. No wind turbine or associated infrastructure will be micro-sited to areas with peat depths greater than 1 metre;
g. No element of the proposed development should be located closer than 50 metres to the top of the bank of any watercourse; and
h. All micro-siting permissible under this condition must be approved in advance in writing by the Environmental Clerk of Works (ECoW).

No later than one month after the date of First Commissioning, an updated site plan must be submitted to the Planning Authority showing the final position of all wind turbines, areas of hardstanding, tracks and associated infrastructure forming part of the Development. The plan should also specify areas where micro-siting has taken place and, for each instance, be accompanied by copies of the ECoW or Planning Authority's approval, as applicable.

Reason: To control environmental impacts while taking account of local ground conditions.

10. Blasting

Blasting shall only take place on the site between the hours of 10.00 to 16.00 on Monday to Friday inclusive and 10.00 to 12.00 on Saturdays, with no blasting taking place on a Sunday or on national public holidays, unless otherwise approved in advance in writing by the planning authority.

Ground vibration from blasting shall not exceed a peak particle velocity of 6mm/second at agreed blasting monitoring locations. The measurement shall be the maximum of three mutually perpendicular directions taken at the ground surface.

Reason: To ensure that blasting activity is carried out within defined timescales to control impact on amenity and in accordance with best current practice.

11. Ecological Clerk of Works

There shall be no Commencement of Development unless the Planning Authority has approved in writing the terms of appointment by the Company of an independent Ecological Clerk of Works (ECoW) in consultation with NatureScot. The terms of appointment shall;

a. Impose a duty to monitor compliance with the ecological and hydrological commitments provided in the environmental statement and other information lodged in support of the application, the Construction and Environmental Management Document approved in accordance with Condition 12 and the Habitat Management Plan approved in accordance with condition 16;
b. Require the EcoW to report to the Company's nominated construction project manager any incidences of non-compliance with the ECoW works at the earliest practical opportunity;
c. Require the ECoW to submit a monthly report to the Planning Authority summarising works undertaken on site;
d. Have power to stop to the job/activities being undertaken within the development site when ecological interests dictate and/or when a breach or potential breach of environmental legislation occurs to allow for a briefing of the concern to the Company's nominated construction project manager; and

e. Require the ECoW to report to the Planning Authority any incidences of non-compliance with the ECoW Works at the earliest practical opportunity.

The EcoW shall be appointed on the approved terms throughout the period from Commencement of Development, throughout any period of construction activity and during any period of post construction restoration works approved.

No later than 18 months prior to decommissioning of the Development or the expiration of this consent (whichever is the earlier), the Company shall submit details of the terms of appointment by the Company of an independent ECoW throughout the decommissioning, restoration and aftercare phases of the Development to the Planning Authority for approval in consultation with NatureScot. The ECoW shall be appointed on the approved terms throughout the decommissioning, restoration and aftercare phases of the Development.

Reason: To secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the Development.

12. Construction Environmental Management Document

No development shall commence until a finalised Construction Environmental Management Document is submitted to and agreed in writing by the Planning Authority in consultation with appropriate consultees as appropriate. The document shall include provision for:

a. An updated construction stage Schedule of Mitigation (SM);
b. Processes to control / action changes from the agreed Schedule of Mitigation; and
c. The following specific Construction and Environmental Management Plans (CEMPs):

i. Details of the construction works, construction methods and surface treatment for all hard surfaces and tracks;
ii. Method of construction of the crane pads;
iii. Method of construction of the turbine foundations;
iv. Method of working cable trenches;
v. Method of construction and erection of the wind turbines;
vi. details of watercourse crossings which shall be bottomless culverts or traditional style bridges designed to 1 in 200 year flood risk event including an up-to-date allowance for climate change unless otherwise agreed with SEPA. Details of any natural flood management measures should also be outlined;
vii. details of the temporary site compounds, for the storage of materials and machinery, including the areas designated for offices, welfare facilities; fuel storage and car parking;
viii. Peat Management Plan – to include details of all peat stripping, excavation, storage and reuse of material in accordance with best practice advice published by SEPA and NatureScot. This should also highlight how sensitive peat areas are to be marked out on-site to prevent any vehicle causing inadvertent damage;
ix. Water Quality Management Plan - highlighting drainage provisions including monitoring / maintenance regimes, water crossings, surface water drainage management (SUDs) and development and storage of material buffers (50m

minimum) from water features, unless otherwise agreed in writing by the planning authority in consultation with The Highland Council's Flood Risk Management Team;

x. Public and Private Water Supply Protection Measures Plan;
xi. Pollution Prevention Plan;
xii. Site Waste Management Plan;
xiii. Construction Noise Mitigation Plan; and
xiv. Species Protection Plan(s): - including badger, pine marten, bat, otter, water vole and reptile.

The pre-construction survey for legally protected species is carried out at an appropriate time of year for the species, at a maximum of 12 months preceding commencement of construction, and that a watching brief is then implemented by the Ecological Clerk of Works (ECOW) during construction. The species that should be surveyed for include, but are not limited to, breeding birds including black grouse, bat, badger, electrofishing surveys, otter, reptiles and water vole for example.

Provision of a communication plan to ensure all contractors are aware of the possible presence of protected species frequenting the site and the laws relating to their protection;

The notification arrangements and a stop the job commitment including the requirements:
Should an otter holt, or badger sett be found during construction where all works within 250 metres of the holt or sett shall stop immediately and the NatureScot Golspie office be notified and asked for advice.

Should any water vole activity be found during construction where all works within 10 metres of the nearest burrow shall stop. Work may progress if it is in excess of 10 metres of the nearest burrow, otherwise work shall stop immediately and the NatureScot Golspie office be notified and asked for advice.

xv. Site Construction Decommissioning Method Statement highlighting restoration/reinstatement of the working areas not required during the operation of the Development, including construction access tracks, borrow pits, construction compound, storage areas, laydown areas, access tracks, passing places and other construction areas. Wherever possible, reinstatement is to be achieved by the careful use of turfs removed prior to construction works. Details should include all seed mixes to be used for the reinstatement of vegetation;

xvi. A Construction Method Statement for the approval of the Planning Authority in consultation with NatureScot incorporating the mitigation measures set out in the Peat Landslide Hazard and Risk Assessment; and

xvii. A Construction Environment Management Plan incorporating appropriate mitigation for the Ground Water Dependent Terrestrial Ecosystems as outlined

in the EIAR Chapter 7 and Chapter 15 agreed in writing by the planning authority in consultation with SEPA.

Unless otherwise agreed in writing by the Planning Authority the development shall then proceed in accordance with the approved CEMD.

Reason: To secure the final detailed information on the delivery of all on-site mitigation projects and to protect the environment from the construction and operation of the development.

13. Traffic Management Plan

No development shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to, and approved by, the Planning Authority in consultation with the relevant Roads Authority(s) and Transport Scotland. The CTMP, which shall be implemented as approved during all period of construction and decommissioning, must include:

i. A schedule of structures on the local road network which form part of the HGV construction traffic routes and the abnormal load traffic routes which require structural assessment to be carried undertaken;
ii. A load assessment of the relevant A837, A836, A839 and A949 structures, which shall include an assessment of any and all loads which will be transported (inclusive of construction vehicles, plant and machinery) which may be used in the construction of the development;
iii. A description of all measures to be implemented by the developer in order to manage traffic during the construction phase (incl. routing strategies), with any additional or temporary signage and traffic control undertaken by a recognised suitably qualified traffic management consultant;
iv. A scheme of mitigation to safeguard the safety and the condition of the structures during the period of construction traffic has been submitted to and agreed in writing by the Planning Authority. The scheme of mitigation shall be informed by the load assessment and it shall include a pre-start inspection; arrangements for undertaking regular inspection of the structures; arrangements for reporting any deterioration and for carrying out maintenance due to the extraordinary level of traffic; consideration of Traffic Management measures for Heavy Goods Vehicles during construction of the development; and details of any necessary works to the bridge and the road over the bridge and the immediate approach to the bridge in order to facilitate the safe passage of the proposed construction traffic;
v. The identification and delivery of all upgrades to the public road network, including but not limited to upgrades to the local and trunk road network to make it suitable for construction traffic, to ensure that it is to a standard capable of accommodating construction related traffic (including the formation or improvement of any junctions leading from the site to the public road) to the satisfaction of the Roads Authorities, including:
    a. A detailed review of the routes to site for general construction traffic;
    b. A review of the access route from final Port of Entry at either Lochinver or Invergordon;
    c. An initial route assessment report for abnormal loads and construction traffic, including swept path analysis and details of the movement of any street

furniture, any traffic management measures and any upgrades and mitigations measures as necessary;

d. An assessment of the capacity of existing bridges and other structures along the construction access routes to cater for all construction traffic, with upgrades and mitigation measures proposed and implemented as necessary;
e. A videoed trial run to confirm the ability of the local road network to cater for turbine delivery. Three weeks' notice of this trial run must be made to the local Roads Authority who must be in attendance;
f. No deliveries by abnormal indivisible loads shall take place until a final assessment of the capacity of existing bridges and structures along the abnormal indivisible load delivery route is carried out and submitted to and approved by the Planning Authority and full engineering details and drawings of any works required to such structures to accommodate the passage of abnormal indivisible loads have been submitted to and approved by the planning authority, thereafter the approved works shall be completed prior to the abnormal indivisible load deliveries to the site.

vi. A risk assessment for the transportation of abnormal loads to site during daylight hours and hours of darkness;
vii. A contingency plan prepared by the abnormal load haulier. The plan shall be adopted only after consultation and agreement with the Police and the respective roads authorities. It shall include measures to deal with any haulage incidents that may result in public roads becoming temporarily closed or restricted;
viii. A procedure for the regular monitoring of road conditions and the implementation of any remedial works required during construction / decommissioning periods;
ix. A detailed protocol for the delivery of abnormal loads/vehicles, prepared in consultation and agreement with interested parties. The protocol shall identify any requirement for convoy working and/or escorting of vehicles and include arrangements to provide advance notice of abnormal load movements in the local media. Temporary signage, in the form of demountable signs or similar approved, shall be established, when required, to alert road users and local residents of expected abnormal load movements. All such movements on Council maintained roads shall take place outwith peak times on the network, including school travel times, and shall avoid local community events;
x. A detailed delivery programme for abnormal load movements, which shall be made available to Highland Council and community representatives;
xi. Details of any upgrading works required at the junction of the site access and the public road. Such works may include suitable drainage measures, improved geometry and construction, measures to protect the public road and the provision and maintenance of appropriate visibility splays;
xii. Details of appropriate traffic management which shall be established and maintained at the site access for the duration of the construction period. Full details shall be submitted for the prior approval of Highland Council, as roads authority;
xiii. Wheel washing measures to ensure water and debris are prevented from discharging from the site onto the public road;
xiv. Appropriate reinstatement works shall be carried out, as required by Highland Council, at the end of the turbine delivery and erection period;
xv. Measures to ensure that construction traffic adheres to agreed routes;

xvi. A concluded agreement in accordance with Section 96 of the Roads (Scotland) Act 1984 under which the developer is responsible for the repair of any damage to the local road network that can reasonably be attributed to construction related traffic. As part of this agreement, pre- start and post-construction road condition surveys must be carried out by the developer, to the satisfaction of the Roads Authority(s). It will also require the submission of an appropriate financial bond acceptable to the Council in respect of the risk of any road reconstruction works.

Thereafter the approved scheme of mitigation shall be implemented to the satisfaction of the Planning Authority.

Reason: To maintain safety for road traffic and ensure the structural integrity of the structures on the road is adequate to serve this development and to address the cumulative change in character of the existing road network as a result of this development and in the interests of road safety.

14. Community Liaison Group

No development shall commence until a community liaison group is established by the developer, in collaboration with The Highland Council and affected local Community Councils. The group shall act as a vehicle for the community to be kept informed of project progress and, in particular, should allow advanced dialogue on the provision of all transport-related mitigation measures and to keep under review the timing of the delivery of turbine components. This should also ensure that local events and tourist seasons are considered and appropriate measures to co-ordinate deliveries and work with these and any other major projects in the area to ensure no conflict between construction traffic and the increased traffic generated by such events / seasons / developments. The liaison group, or element of any combined liaison group relating to this development, shall be maintained until the wind farm construction has been completed and is fully operational.

Reason: To assist project implementation, ensuring community dialogue and the delivery of appropriate mitigation measures for example to minimise potential hazards to road users, including pedestrians, travelling on the road networks.

15. Outdoor Access Management Plan

No development shall commence until an Access Management Plan, has been submitted to, and agreed in writing by, the Planning Authority. The plan should ensure that public access is retained in the vicinity of Meall Buidhe Wind Farm during construction, and thereafter that suitable public access is provided during the operational phase of the wind farm. The plan as agreed shall be implemented in full, unless otherwise approved in writing with the Planning Authority.

Reason: In the interests of securing and enhancing public access rights.

16. Habitat Management Plan

There shall be no Commencement of Development unless a habitat management plan has been submitted to and approved in writing by the Planning Authority in

consultation with NatureScot. The habitat management plan be based on the principles of the outline Habitat Management Plan (December 2021) shall set out proposed habitat management of the wind farm site during the period of construction, operation, decommissioning, restoration and aftercare of the site, and shall provide for the maintenance, monitoring and reporting of habitat management across the wind farm site. Specifically this shall include details of enhancement to peatland and blanket bog across the application site for an area of no less than 111 hectares.

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

Unless otherwise agreed in advance in writing with the Planning Authority, the approved habitat management plan shall be implemented in full.

Reason: In the interests of good land management and the protection of habitats.

17. Deer Management Statement

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

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

Reason: In the interests of good land management and the management of deer.

18. Trees

No trees within the application site, shall be cut down, uprooted, topped, lopped (including roots) or wilfully damaged in any way, without the prior written permission of the Planning Authority.

Reason: In order to ensure the protection of retained trees, which are important amenity assets, during construction.

19. Peat Landslide Management

No development shall commence until a detailed peat landslide risk assessment, addressing the construction phase of the development and post-construction monitoring, has been approved in writing by the Planning Authority.

The peat landslide risk assessment shall comply with best practice contained in “Peat Landslide Hazard and Risk Assessments: Best Practice Guide for Proposed Electricity Generation Developments” published by the Scottish Government in January 2007, or such replacement standard as may be in place at the time of submission of the peat landslide risk assessment for approval. The peat landslide

risk assessment shall include a scaled plan and details of any mitigation measures to be put in place.

The terms of the approved peat landslide risk assessment including in relation to any mitigation and monitoring to be put in place shall thereafter be implemented in full.

Prior to Commencement of Development, the Company shall appoint and pay for an independent and suitably qualified geotechnical engineer approved by the Planning Authority, the terms of whose appointment (including specification of duties and duration of appointment) shall be approved by the Planning Authority.

The Company shall undertake continuous monitoring of ground conditions during the construction and deforestation phases of the Development. Continuous analysis and call out services shall be provided by the geotechnical engineer throughout the construction phase of the Development. If a risk of peat failure is identified, the Company shall install such geotechnical instrumentation to monitor ground conditions as is recommended by the geotechnical engineer and shall monitor ground conditions. Any remediation work considered necessary by the geotechnical engineer shall be implemented by the Company to the satisfaction of the geotechnical engineer. Monitoring results shall be fed into risk analysis reports to be submitted to the planning authority on a quarterly basis during the construction and deforestation phases of the Development.

Reason: To minimise the risk of peat failure arising from the Development.

20. Television Reception

There shall be no Commencement of Development unless a Television Reception Mitigation Plan has been submitted to, and approved in writing by, the Planning Authority.

The Television Reception Mitigation Plan shall provide for a baseline television reception survey to be carried out prior to the installation of any turbine forming part of the Development, the results of which shall be submitted to the Planning Authority. For the avoidance of doubt the scheme shall include, but not be limited to:

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

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

Any claim by any individual person regarding television picture loss or interference at their house, business premises or other building, made during the period from installation of any turbine forming part of the Development to the date falling twelve months after the date of Final Commissioning, shall be investigated by a qualified engineer appointed by the Company and the results shall be submitted to the

Planning Authority. Should any impairment to the television signal be attributable to the Development, the Company shall remedy such impairment so that the standard of reception at the affected property is equivalent to the baseline television reception.

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

21. Private Water Supplies

1) No development shall commence unless and until a private water supplies method statement has been submitted to and approved in writing by the Planning Authority, detailing all mitigation measures to be delivered to secure the quality, quantity and continuity of water supplies to properties which are served by private water supplies at the date of this consent and which may be affected by the Development.
2) The method statement shall include water quality sampling methods and shall specify abstraction points.
3) The approved method statement shall thereafter be implemented in full.

Reason: To maintain a secure and adequate quality water supply to all properties with private water supplies which may be affected by the development.

22. Redundant turbines

The Wind Farm Operator shall, at all times after the First Export Date, record information regarding the monthly supply of electricity to the national grid from the site as a whole and electricity generated by each individual turbine within the development and retain the information for a period of at least 12 months. The information shall be made available to the Planning Authority within one month of any request by them. In the event that:

i. any wind turbine installed and commissioned fails to supply electricity on a commercial basis to the grid for a continuous period of 6 months, then unless otherwise agreed, the wind turbine, along with any ancillary equipment, fixtures and fittings not required in connection with retained turbines, shall, within 3 months of the end of the said continuous 6 month period, be dismantled and removed from the site and the surrounding land fully reinstated in accordance with this condition; or
ii. the wind farm fails to supply electricity on a commercial basis to the grid from 50% or more of the wind turbines installed and commissioned and for a continuous period of 12 months, then the Wind Farm Operator must notify the Planning Authority in writing immediately. Thereafter, the Planning Authority may direct in writing that the wind farm shall be decommissioned and the application site reinstated in accordance with this condition.

For the avoidance of doubt, in making a direction under this condition, the Planning Authority shall have due regard to the circumstances surrounding the failure to generate and shall only do so following discussion with the Wind Farm Operator and such other parties as they consider appropriate.

Paragraph (i) and (ii) shall not apply if such outages are out with the operator's control or as a consequence of any emergency or requirement of National Grid. In these instances the planning authority shall be informed of the turbine shutdowns, reasons

for the turbine shut downs and timescales for the outages within 5 working days of the turbines being switched off.

All decommissioning and reinstatement work required by this condition shall be carried out in accordance with the approved detailed Decommissioning and Reinstatement Plan (DRP), or, should the detailed DRP not have been approved at that stage, other decommissioning and reinstatement measures, based upon the principles of the approved draft DRP, as may be specified in writing by the Planning Authority.

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

23. Aviation Safety

No development shall commence until the Company has provided the Planning Authority, Ministry of Defence, Defence Geographic Centre and NATS with the following information, and has provided evidence to the Planning Authority of having done so:

- the date of the expected commencement of each stage of construction;
- the height above ground level of the tallest structure forming part of the Development;
- the maximum extension height of any construction equipment; and
- the position of the turbines and masts in latitude and longitude.

Reason: In the interests of aviation safety

24. Aviation Lighting

No development shall commence until the Company has submitted a scheme for aviation lighting for the wind farm to the Planning Authority for written approval. The scheme shall include details of infra-red aviation lighting to be applied. No lighting other than that described in the scheme may be applied at the site, other than as required for health and safety, unless otherwise agreed in advance and in writing by the Planning Authority.

No turbines shall be erected on site until the scheme has been approved in writing. The Development shall thereafter be operated fully in accordance with the approved scheme.

Reason: In the interests of aviation safety.

25. Site Decommissioning, Restoration and Aftercare

No development or works (excluding preliminary ground investigation which shall be permitted) shall commence until an Interim Decommissioning and Restoration Plan (IDRP) for the site has been submitted to, and approved in writing by, the Planning Authority in consultation with SEPA. Thereafter:

i. not later than 3 years prior to the decommissioning of the Development, the IDRP shall be reviewed by the Developer, to ensure that the IRDP reflects best practice in decommissioning prevailing at the time and ensures that site specific conditions, identified during construction of the site, and subsequent operation and monitoring of the Development are given due consideration. A

copy shall be submitted to the Planning Authority for its written approval, in consultation with NatureScot and SEPA; and

ii. not later than 12 months prior to the decommissioning of the Development, a detailed Decommissioning and Restoration Plan (DRP), based upon the principles of the approved interim plan, shall be submitted to, and approved in writing by, the Planning Authority, in consultation with NatureScot and SEPA. The IDRP and subsequent DRP shall include, unless otherwise agreed in writing with the Planning Authority and in accordance with legislative requirements and published best practice at time of decommissioning details about the removal of all elements of the Development, relevant access tracks and all cabling, including where necessary details of:

a) justification for retention of any relevant elements of the Development,
b) b) the treatment of disturbed ground surfaces,
c) management and timing of the works,
d) environmental management provisions and
e) a traffic management plan to address any traffic impact issues during the decommissioning period.

The DRP shall be implemented as approved.

In the event that the Final DPR is not approved by The Highland Council in advance of the decommissioning, unless otherwise agreed by the Planning Authority the Interim IDRP shall be implemented.

Reason: To ensure that all wind turbines and associated Development are removed from site should the wind farm become largely redundant; in the interests of safety, amenity and environmental protection.

26. Water Quality and Fish Population Monitoring

No Development shall commence until an integrated hydro-chemical and macro-invertebrate scheme for water quality monitoring and monitoring fish populations has been submitted to and approved in writing by the planning authority.

This shall include, but not necessarily be limited to:

i. Frequency of monitoring, not less than once a month;
ii. Reporting mechanism to the Planning Authority and Marine Scotland being not less than quarterly;
iii. Proposed method for agreeing mitigation required.

Thereafter, any mitigation identified shall be implemented.

Any serious pollution events should be reported to SEPA immediately.

Reason: In the interests of water quality management and protection and enhancement of the water environment.

27. Sustainable Drainage Systems

No development shall commence until full details of all surface water drainage provision within the application site (which should accord with the principles of Sustainable Urban Drainage Systems (SUDS) and be designed to the standards outlined in Sewers for Scotland Third Edition, or any superseding guidance prevailing

at the time) have been submitted to, and approved in writing by, the Planning Authority. Thereafter, only the approved details shall be implemented and all surface water drainage provision shall be completed prior to the first occupation of any of the development.

Reason: To ensure that surface water drainage is provided timeously and complies with the principles of SUDS; in order to protect the water environment.

28. Noise

The rating level of noise immissions from the combined effects of the wind turbines hereby permitted (including the application of any tonal penalty), when determined in accordance with the attached Guidance Notes, shall not exceed the values for the relevant integer wind speed set out in, or derived from, the table attached to these conditions at any dwelling which is lawfully existing or has planning permission at the date of this permission and:

A) Prior to the First Export Date, the wind farm operator shall submit to the Local Authority for written approval a list of proposed independent consultants who may undertake compliance measurements in accordance with this condition. Amendments to the list of approved consultants shall be made only with the prior written approval of the Local Authority. No electricity shall be exported until the wind farm operator has submitted to the planning authority for written approval a list of proposed independent consultants who may undertake compliance measurements in accordance with this condition. Amendments to the list of approved consultants shall be made only with the prior written approval of the planning authority.

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

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

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

Where the proposed measurement location is close to the wind turbines, rather than at the complainants property (to improve the signal to noise ratio), then the operators submission shall include a method to calculate the noise level from the wind turbines at the complainants property based on the noise levels measured at the agreed location (the alternative method). Details of the alternative method together with any

associated guidance notes deemed necessary, shall be submitted to and agreed in writing by the Local Authority prior to the commencement of any measurements. Measurements to assess compliance with the noise limits of this condition shall be undertaken at the measurement location approved in writing by the Local Authority.

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

i) the range of meteorological and operational conditions (the range of wind speeds, wind directions, power generation and times of day) to determine the assessment of rating level of noise immissions.
ii) a reasoned assessment as to whether the noise giving rise to the complaint contains or is likely to contain a tonal component.

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

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

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

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

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

i. Definition of each noise reduced running mode including sound power data;
ii. The wind conditions (speed & direction) at which any noise reduced running mode will be implemented.
iii. Details of the manner in which the running modes will be defined in the SCADA data or how the implementation of the curtailment plan can be otherwise monitored and evidenced.

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

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

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

Table 1 — Noise limits expressed in dB LA90,10 minute as a function of the measured wind speed (9 m/s) at 10 metre height as determined within the site averaged over 10 minute periods

Noise Sensitive Receptor	Easting	Northing	Noise Limit (2b above predicted levels)
Lubachoinnich	241486	895472	28.2
The Old Manse	245417	891423	28.3
Croick Church	245677	891465	28.5
Croick House	245906	891408	28.4
Stalkers Cottage	246062	891383	28.4
The Craigs	247590	891091	26.6
Old Free Church	248641	891433	26.0
East Amat	248803	891569	26.0
Sgodachail Cottage	249228	892685	26.8
The Schoolhouse	250387	892685	35.1
Strathkyle Properties	252648	897552	22.7
Badarach Properties	252253	898148	22.9
Old Schoolhouse	251572	898168	24.1
Old Croft / Wester Achnahanat	251194	898207	25.1
Easter Kilmachalmack Properties	251009	898147	25.2
Easter Kilmachalmack Properties 2	250693	898118	25.8
Wester Kilmachalmack	250330	989324	26.3
Birchfield	249365	899123	23.9
Inveroykel Properties	246494	900882	23.8
Tigh A Rhos	245858	900820	24.3
River House	245497	900875	24.3
Oape	245300	900725	24.7
Carn Mholloch	245121	900740	25.3
Easter Oape	244848	900713	24.7
Upper Doune/Doune Properties	244374	900750	24.5
Brae	243607	900997	23.4
Lower Brae	243686	901025	23.4
Langwell Baeg	243453	900703	24.0
Langwell Lodge Properties	241644	901009	21.4
Oykel Terrace 1-6	238903	900372	18.5
Amat Cottage	239053	900065	19.1
Keepers Cottage	239071	900000	19.2

Guidance Notes for Noise Condition

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

Note 1

(a) Values of the LA90,10-minute noise statistic should be measured at the complainant's property (or an approved alternative representative location as detailed in Note 1(b)), using a sound level meter of EN 60651/BS EN 60804 Type 1, or BS EN 61672 Class 1 quality (or the equivalent UK adopted standard in force at the time of the measurements) set to measure using the fast time weighted response as specified in BS EN 60651/BS EN 60804 or BS EN 61672-1 (or the equivalent UK adopted standard in force at the time of the measurements). This should be calibrated before and after each set of measurements, using a calibrator meeting BS EN 60945:2003 "Electroacoustics – sound calibrators" Class 1 with PTB Type Approval (or the equivalent UK adopted standard in force at the time of the measurements) and the results shall be recorded. Measurements shall be undertaken in such a manner to enable a tonal penalty to be calculated and applied in accordance with Guidance Note 3.

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

(c) The LA90,10-minute measurements should be synchronised with measurements of the 10-minute arithmetic mean wind speed and wind direction data and with operational data logged in accordance with Guidance Note 1(d) and rain data logged in accordance with Note 1(f).

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

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

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

Note 2

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

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

(c) Values of the LA90,10-minute noise measurements and corresponding values of the 10-minute standardised ten metre height wind speed for those data points considered valid in accordance with Note 2(b) shall be plotted on an XY chart with noise level on the Y-axis and wind speed on the Xaxis. A least squares, “best fit” curve of an order deemed appropriate by the independent consultant (but which may not be higher than a fourth order) shall be fitted to the data points to define the wind farm noise level at each integer speed.

Note 3

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

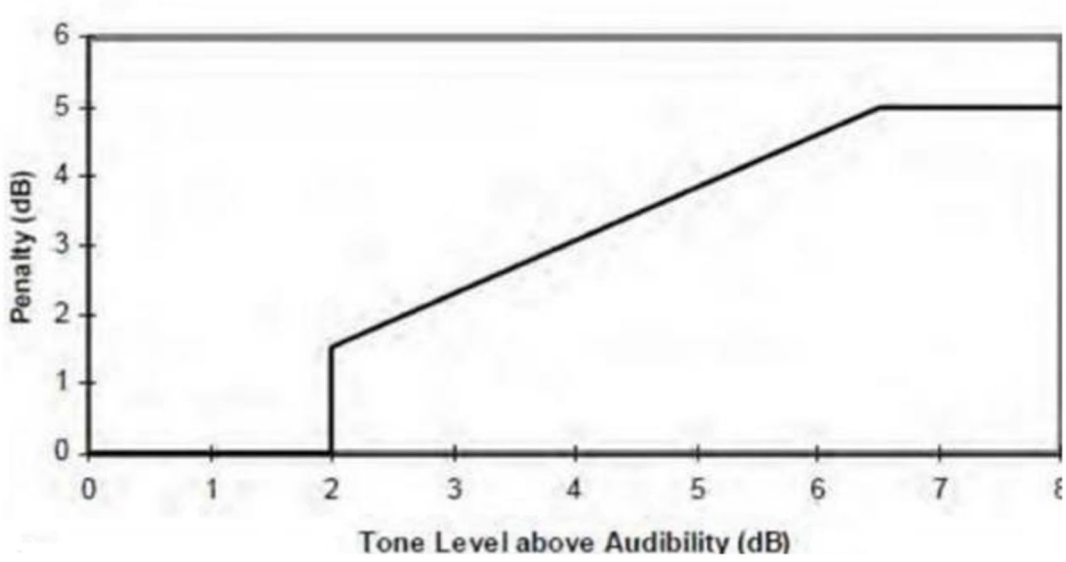
(b) For each 10-minute interval for which LA90,10-minute data have been determined as valid in accordance with Note 2, a tonal assessment shall be performed on noise immissions during 2- minutes of each 10- minute period. The 2-minute periods should be spaced at 10-minute intervals provided that uninterrupted uncorrupted data are available (“the standard procedure”). Where uncorrupted data are not available, the first available uninterrupted clean 2-minute period out of the affected overall 10-minute period shall be selected. Any such deviations from the standard procedure shall be reported.

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

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

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

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



Note 4

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

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

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

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

i. Repeating the steps in Note 2, with the wind farm switched off, and determining the background noise (L3) at each integer wind speed within the range set out in the approved noise assessment protocol.

ii. The wind farm noise (L1) at this speed shall then be calculated as follows where L2 is the measured level with turbines running but without the addition of any tonal penalty:

$$L = 10\log[10^{L2/10} - 10^{L3/10}]$$

iii. The rating level shall be re-calculated by adding the tonal penalty (if any is applied in accordance with Note 3) to the derived wind farm noise L1 at that integer wind speed.

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

Reason: In the interest of amenity.

29. Archaeology

(1) No development shall commence unless and until a programme of archaeological works to be carried out during construction of the Development has been submitted to, and approved in writing by, the Planning Authority.

(2) The programme of archaeological works shall include measures to be taken to protect and preserve any features of archaeological interest in situ and the recording and recovery of archaeological features which cannot be protected or preserved.

(3) The approved programme of archaeological works (as amended from time to time with written approval of the Planning Authority) shall be implemented in full.

Reason: To ensure the protection or recording of archaeological features on the site.

30. Compensatory Woodland Planting Scheme

(1) No development shall commence unless and until a woodland planting scheme to compensate for the removal of 0.56 hectares of existing woodland ("the Replanting Scheme") has been submitted for the written approval of the Planning Authority in consultation with Scottish Forestry.

(2) The Replanting Scheme shall include:
    (a) details of the location of the area to be planted;
    (b) the nature, design and specification of the proposed woodland to be planted;
    (c) the phasing and associated timescales for implementing the Replanting Scheme;
    (d) proposals for reporting to the Planning Authority on compliance with timescales for obtaining the necessary consents and thereafter implementation of the Replanting Scheme; and
    (e) details demonstrating compliance with The UK Forestry Standard and the Scottish Government's Policy on Control of Woodland Removal (as amended or replaced from time to time).

(3) The approved Replanting Scheme (or, as the case may be, an approved amended Replanting Scheme) shall be implemented in full, unless otherwise agreed in writing by the Planning Authority in consultation with Scottish Forestry.

Reason: To secure replanting to mitigate against effects of deforestation arising from the Development.

31. Freshwater Pearl Mussel

(1) No development shall commence unless and until a pollution prevention plan and species protection plan for freshwater pearl mussel in accordance with the recommendations of Technical Appendix 10.6: Freshwater Pearl Mussel (FWPM) Survey Report has been submitted to and approved in writing by the Planning Authority in consultation with NatureScot. Thereafter the Pollution Prevention Plan and Species Protections Plan shall be implemented.

(2) No development, construction or works in relation to decommissioning shall commence unless and until a pollution prevention plan and species protection plan for freshwater pearl mussel in accordance with the recommendations of Technical Appendix 10.6: Freshwater Pearl Mussel (FWPM) Survey Report has been submitted to and approved in writing by the Planning Authority in consultation with NatureScot. Thereafter the Pollution Prevention Plan and Species Protections Plan shall be implemented.

Reason: To avoid an adverse impact on the integrity of the River Oykel Special Area of Conservation.

32. Schedule of Mitigation

No development shall commence unless and until as Schedule of Mitigation has been submitted to and approved in writing by the Planning Authority. The Schedule of Mitigation shall include:

i. all mitigation identified in the Environmental Impact Assessment, Supplementary Environmental Information and the conditions of this planning permission;

ii. a breakdown of timescales for implementation of each element of mitigation identified. This shall detail mitigation for the following stages of the development:

a) Pre-commencement;
b) Construction;
c) Operation;
d) Decommissioning; and
e) Site restoration and aftercare.

Thereafter the mitigation set out in the Schedule of Mitigation shall be implemented in full to the satisfaction of the Planning Authority.

Reason: To ensure the timeous delivery of all mitigation outlined in support of the application and in the interests of environmental protection.

33. Socio-Economic Benefit

Prior to the Commencement of Development, a Local Employment Scheme for the construction of the development shall be submitted to and agreed in writing by the Planning Authority. The submitted Scheme shall make reference to the Environmental Impact Assessment Report (EIAR) undertaken for this development, dated June 2020 and the Supplementary Information, dated April 2021. The Scheme shall include the following:

a) details of how the initial staff/employment opportunities at the development will be advertised and how liaison with the Council and other local bodies will take place in relation to maximising the access of the local workforce to information about employment opportunities;

b) details of how sustainable training opportunities will be provided for those recruited to fulfil staff/employment requirements including the provision of apprenticeships or an agreed alternative;

c) a procedure setting out criteria for employment, and for matching of candidates to the vacancies;

d) measures to be taken to offer and provide college and/or work placement opportunities at the development to students within the locality;

e) details of the promotion of the Local Employment Scheme and liaison with contractors engaged in the construction of the development to ensure that they also apply the Local Employment Scheme so far as practicable having due regard to the need and availability for specialist skills and trades and the programme for constructing the development;

f) a procedure for monitoring the Local Employment Scheme and reporting the results of such monitoring to the Council; and

g) a timetable for the implementation of the Local Employment Scheme.

Thereafter, the development shall be implemented in accordance with the approved scheme.

Reason: In order to ensure compliance with NPF4 Policy 11c) and to maximise the local socio-economic benefits of the development to the wider community. To make provision for publicity and details relating to any local employment opportunities.

34. Implementation in Accordance with the Approved Plans

For the avoidance of doubt and unless otherwise amended by the terms of this permission, the development shall be undertaken in accordance with the application including:

a) the Environmental Impact Assessment (EIA) undertaken for this development (Meall Buidhe Wind Farm), dated June 2020;
b) the Supplementary Information, dated April 2021; and
c) additional information, dated October 2022.

Reason: To ensure that the Development is carried out in accordance with the approved details.

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:	Area Planning Manager North
Author:	Peter Wheelan
Background Papers:	Documents referred to in report and in case file.
Relevant Plans:	Plan 1 - Location Plan Rev A received 04 July 2025
	Plan 2 - Site Layout Plan Rev A received 04 July 2025
	Plan 3 - Elevations Plan Sheet 1 of 2 received 19 June 2025
	Plan 4 - Elevations Plan Sheet 2 of 2 received 19 June 2025

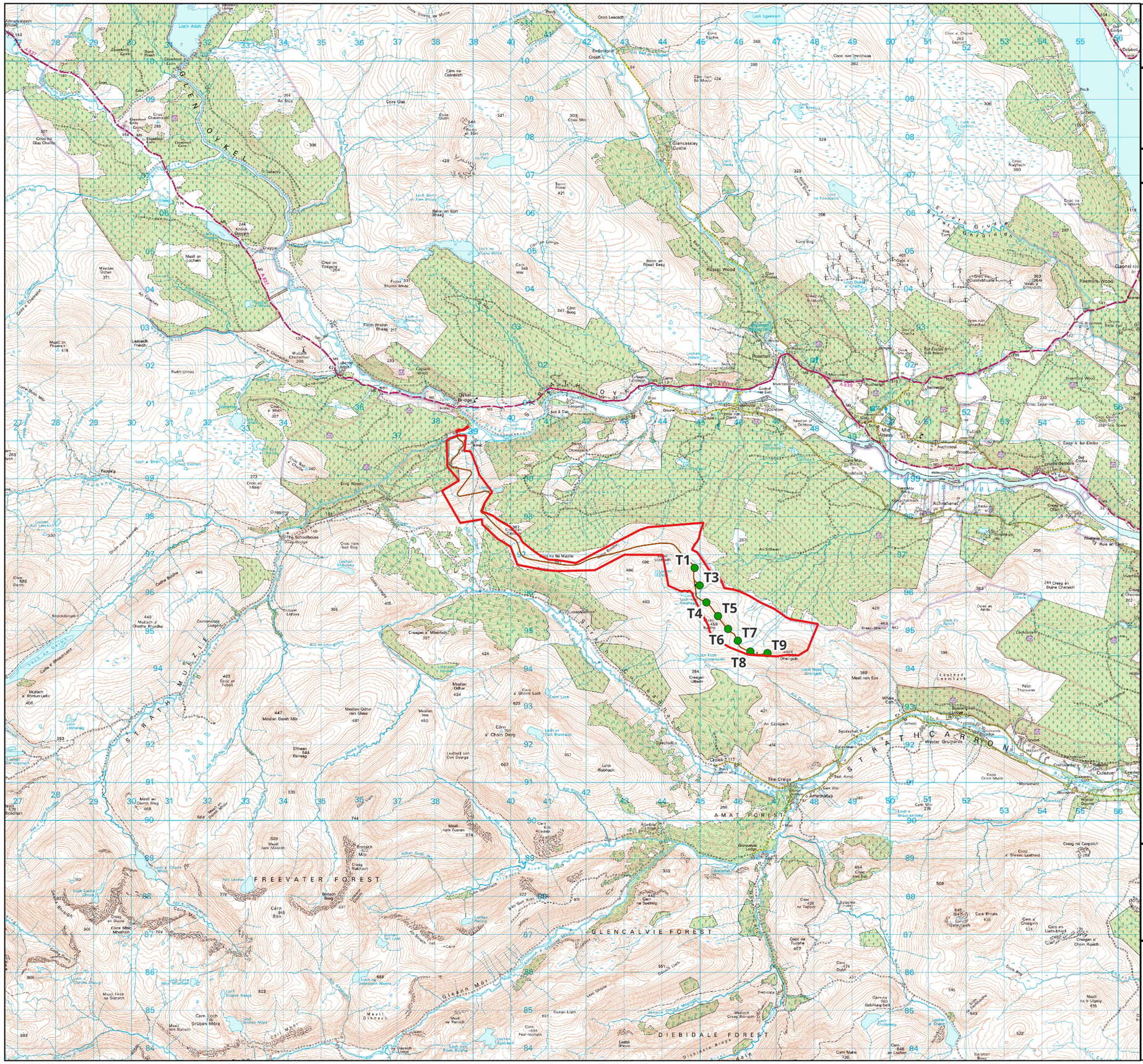
Appendix 1 – Existing wording of condition on PPA-270-2277 and the applicants wording proposed by this Section 42 planning application.

	Existing PPA-270-2277 wording for condition 1 (Duration of Consent)
A.1.1	The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of grant of this permission.
	Applicant's proposed wording for condition 1 (requested a further three years from the current expiry date rather than the date of this permission.)
A.1.2	The development to which this permission relates shall be begun not later than the expiration of 14 June 2029.
	Existing PPA-270-2277 wording for condition 6 (Location, design and operation of turbines) (only part iv, is affected by this s42 application)
A.1.3	**Location, design and operation of turbines** No turbines shall be erected until details of the proposed wind turbines have been submitted to, and approved in writing by, the planning authority. These details shall include: i. The make, model, design, power rating and sound power levels of the turbines to be used; ii. The external colour and/or finish of the turbines to be used (including towers, nacelles and blades) which should be non-reflective pale grey semi-matt; iii. The maximum height of the turbine from base to tip not exceeding 149.9 metres; iv. The maximum blade diameter on each turbine no greater than 115 metres; v. A maximum tower height of 92 metres on all turbines, with the exception of the Turbine shown in Figure S15.1a and referenced in the EIA supplementary report Volume 1 Chapter 5 at Table 5.1 as Turbine 9 (easting 246768 and northing 894408) which shall have a maximum tower height of 87 metres and overall height of 144.51 metres. vi. The turbines must have internal transformers Thereafter, development shall progress in accordance with these approved details and, with reference to part ii above, the turbines shall be maintained in the approved colour, free from external rust, staining or discolouration, until such time as the wind farm is decommissioned.
	Applicant's proposed wording for condition 6
A.1.4	**Location, design and operation of turbines** No turbines shall be erected until details of the proposed wind turbines have been submitted to, and approved in writing by, the planning authority. These details shall include: i. The make, model, design, power rating and sound power levels of the turbines to be used;

	ii. The external colour and/or finish of the turbines to be used (including towers, nacelles and blades) which should be non-reflective pale grey semi-matt; iii. The maximum height of the turbine from base to tip not exceeding 149.9 metres; iv. The maximum blade diameter on each turbine no greater than 117 metres; v. A maximum tower height of 92 metres on all turbines, with the exception of the Turbine shown in Figure S15.1a and referenced in the EIA supplementary report Volume 1 Chapter 5 at Table 5.1 as Turbine 9 (easting 246768 and northing 894408) which shall have a maximum tower height of 87 metres and overall height of 144.51 metres. vi. The turbines must have internal transformers Thereafter, development shall progress in accordance with these approved details and, with reference to part ii above, the turbines shall be maintained in the approved colour, free from external rust, staining or discolouration, until such time as the wind farm is decommissioned.

Appendix 2: Cumulative Schemes (within 25km)

Wind Farm Name	No. of turbines	Height to tip (m)	Distance to site (km)
Operational /Under Construction			
Achany Wind Farm	19	100m	9km
Rosehall Wind Farm	19	90m	8km
Coire na Cloiche Wind Farm	13	99.5m	17km
Lairg Wind Farm	3	100m	16km
Beinn Tharsuinn Wind Farm	17	80m	16.5km
Novar Wind Farm	34	60m	21km
Novar Wind Farm II	18	60m	23km
Consented			
Achany Ext. Wind Farm	18	149.9m	9.5km
Sallachy Wind Farm	9	149.9m	18.4km
Garvary Wind Farm	24	180m	10.1km
Strath Tirry Wind Farm	4	135m	22.5km
Strath Oykel Wind Farm	11	200m	0km
Chleansaid Wind Farm	16	180m-200m	22.5km
Strathrory Re-Design Wind Farm	7	149.9-180m	20.5km
Lairg 2 Wind Farm Resubmission	10	150-200m	11km
Under consideration			
Acheilidh Wind Farm	12	200-230m	13km
Shinness Wind Farm	16	200m	20.2km
Allt an Tuir Renewable Energy Park	9	200m	5km
Balblair Wind Farm	8	180-200m	9km
Coille Linne Wind Farm	15	250m	20km
Coille Beith Wind Farm	11	200m	0km



Project Name: Meall Buidhe Wind Farm
Client: Meall Buidhe Renewables LLP

Document Title: Location Plan

Document Number: Figure 1 **Version:** 2.0

Drawn by: KC **Checked by:** CD **Date:** 04/07/2025

Key

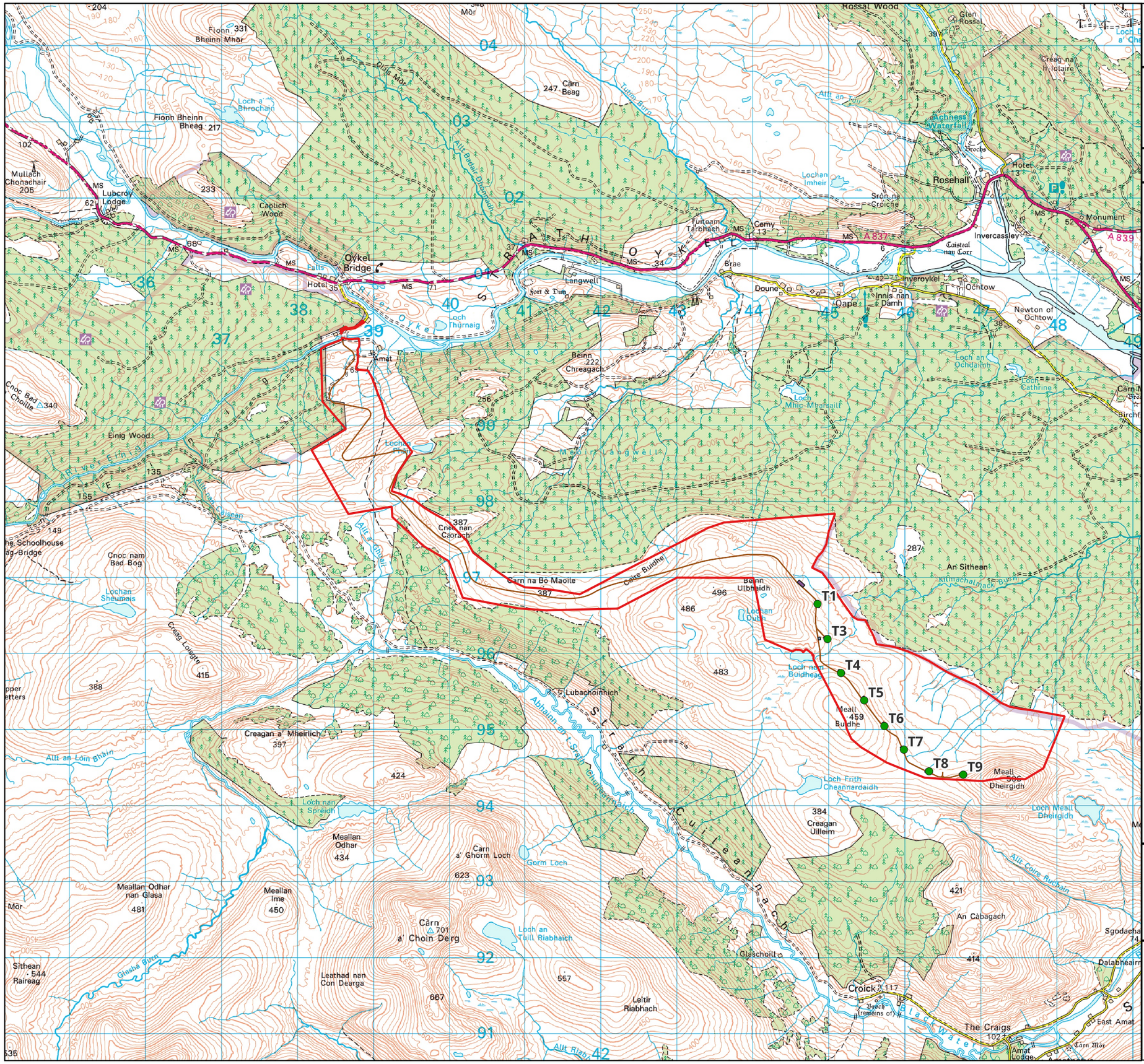
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- Approved turbine locations (no change)
- Approved access tracks (no change)

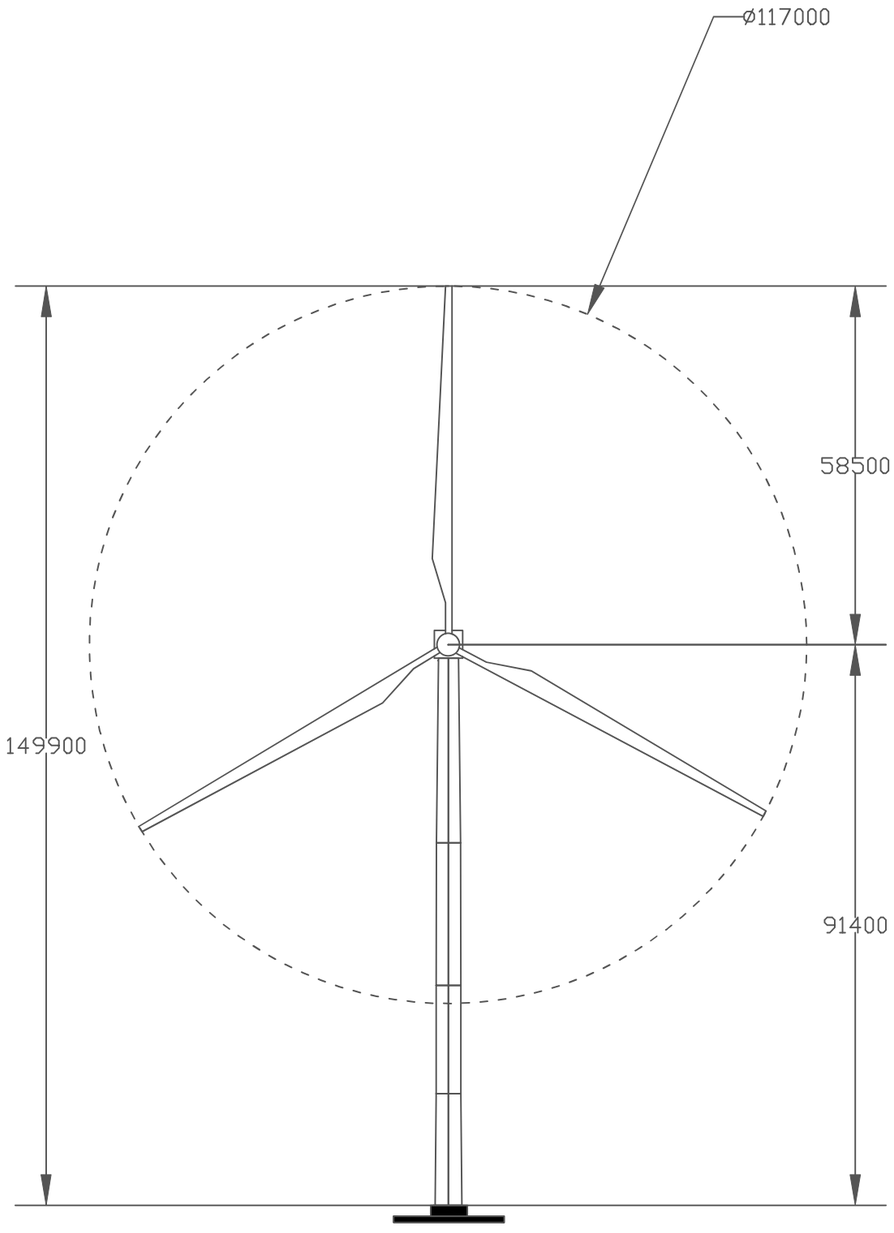
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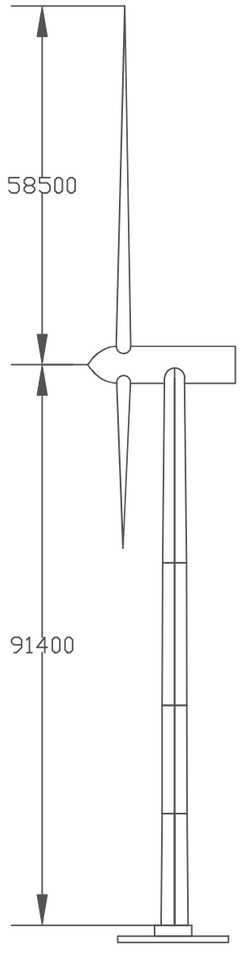
0 2.5 5 km

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Muirden
Turriff
Aberdeenshire
AB53 4NH

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T1
T3
T4
T5
T6
T7
T8
T9
Oykel Bridge
Rosehall
Invercassley
Inveroykel
Ochtow
Newton of Ochtow
Croick
The Craigs
Amat Lodge
Lubachoinnich
Meall Buidhe
Meall Dheirgidh
Creagan Uilleim
Creagan a' Mheirlich
Carn a' Choin Derg
Carn na Bo Maoile
Cnoc nan Cearacha
Glaschoill
An Sithean
An Cabagach
Loch Meall Dheirgidh
Loch nam Buidheag
Loch Frith Cheannardaidh
Abhainn an t-Sratha Ghuirtearnaich
Allt Coire Buidhe
Allt a' Ghlinne
Allt an Loin Bhain
Glasha Bhàn
Black Water
Strath Oykel
Cuileann na Cuich
Coire Buidhe
Allt Badair Dhonnchaidh
Allt an Fuir
Allt Riabh
Caplich Wood
Einig Wood
Cnoc nam Bad Bog
Meallan Odhar
Meallan Odhar nan Glasa
Meallan Ime
Leathad nan Con Dearga
Leitir Riabhach
Sithean Raireag
Creag Loagste
Lochan Sheumais
Loch a' Bhrochain
Loch Thurnaig
Loch Gorm
Loch an Tuill Riabhaich
Gorm Loch
Carn Beag
Fionn Bheinn Mhor
Fionn Bheinn Bheag
Mullach Chonachair
Cnoc Bad a' Choilie
Beinn Chreagach
Beinn Ulbhaidh
Carn Mor
Lubcroy Lodge
Oykel Bridge Hotel
Ardross Mor
Rossal Wood
Glen Rossal
Achness Waterfall
Monument
Easteal nan Corr
Innis nan Damh
Doune
Brae
Langwell
Sort & Dun
Amat
Ardvreck Schoolhouse
Cemy
Fuiteam Tarbhach
Lochan Imheir
Srón na Croiche
Creag nan Iolaire
Carn Mor
Dalabheairn
East Amat
Sgodachan
Birchfield
Loch an Ochdamh
Loch Cathrine
Loch Mhic Mharsaill
Loch an Eilein
Lochan Dubh
Allt a' Ghlinne
Allt Riabh
Allt an Fuir
Allt Coire Buidhe
Allt Badair Dhonnchaidh
Abhainn an t-Sratha Ghuirtearnaich
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Cuileann na Cuich
Black Water
Glasha Bhàn
Allt an Loin Bhain
Allt a' Ghlinne
Allt Riabh
Allt Coire Buidhe
Allt an Fuir





NOTES

1) T9 to have lower hub height of 84m with a total tip height of 142.5m.

MUIRDEN ENERGY LLP

PROJECT NAME

MEALL BUIDHE TURBINE VARIATION

PROJECT ADDRESS

MEALL BUIDHE WIND FARM

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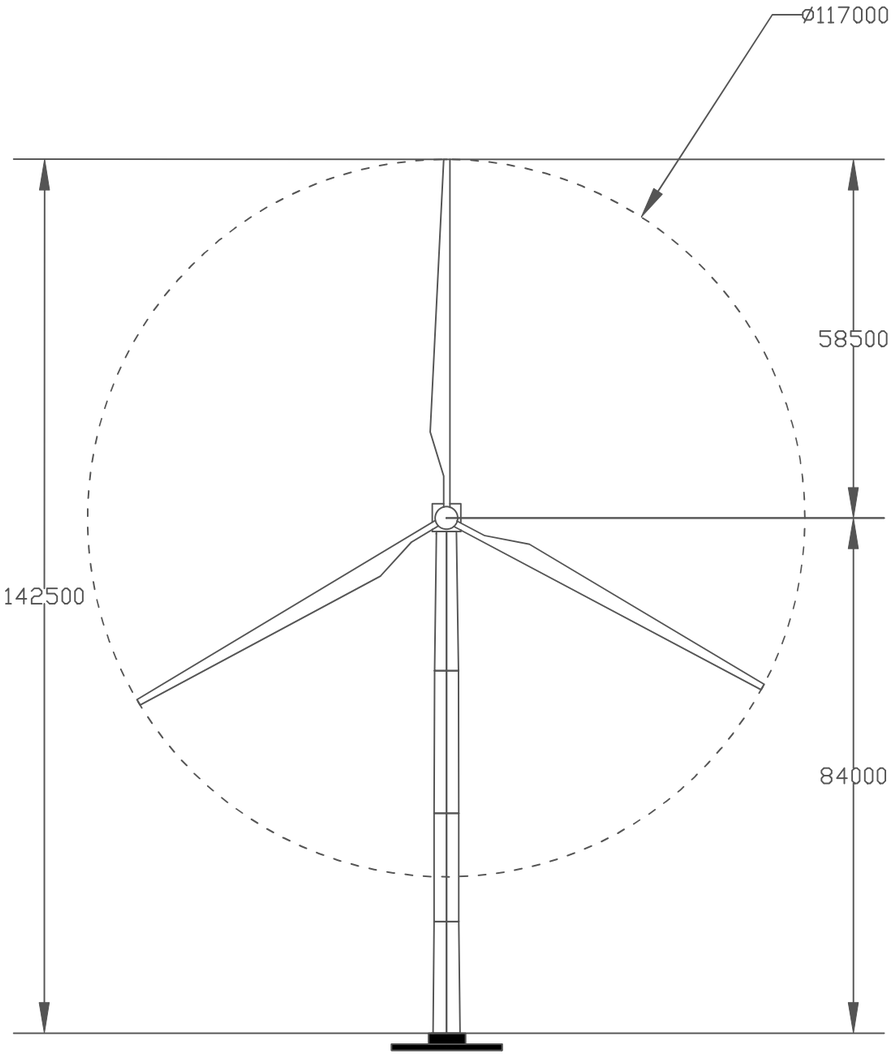
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KC	CD	

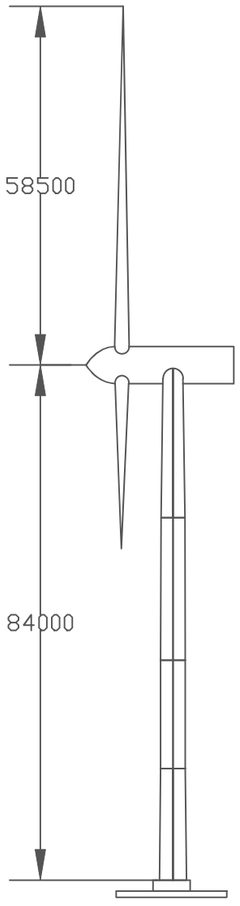
SHEET NAME

V117 ELEVATION 91.4m HUB

SHEET NUMBER

1 OF 2





NOTES

1) T9 to have lower hub height of 84m with a total tip height of 142.5m.

MUIRDEN ENERGY LLP

PROJECT NAME

MEALL BUIDHE TURBINE VARIATION

PROJECT ADDRESS

MEALL BUIDHE WIND FARM

DATE:	SCALE @ A3:	REV:
18/04/2025	1:1000	1.0

DRAWN BY:	CHECKED BY:	ISSUED BY:
KC	CD	

SHEET NAME

V117 ELEVATION 84m HUB

SHEET NUMBER

2 OF 2