

Argyll and Bute Council
Comhairle Earra Gháidheal agus Bhóid



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22nd August 2013

Dear Mr Gerbier,

SCOPING OPINION REQUEST FOR PROPOSED WIND FARM CONSISTING OF 5 WIND TURBINES ON LAND 2KM NORTH OF HELENSBURGH, ARGYLL & BUTE

REFERENCE: 13/01174/SCOPE

I write in reference to your request for a scoping opinion in respect of the above proposal.

The Council's scoping opinion is enclosed, and incorporates the views expressed by Consultees. I hope that you find the contents of the scoping opinion helpful, should you elect to proceed to the stage of Environmental Statement preparation.

I should point out that the issuing of this scoping opinion should not be taken to indicate support for the proposal on the part of the Council. The acceptability of any application would rely upon the consideration of the content of any accompanying environmental information, the responses of Consultees, the views of third parties and any other material planning considerations.

Please note that in terms of the Council's 'Argyll and Bute Local Plan' (adopted 2009) wind farm development will only be supported in forms, scales and sites where the technology can operate efficiently, where servicing and access implications are acceptable, and where the proposal will not have an unacceptable adverse impact directly, indirectly or cumulatively on the economic, social or physical aspects of sustainable development.

For all wind farms, regardless of scale, the issues raised by the following must be satisfactorily addressed:

- Communities, settlements and their settings;
- Areas and interests of nature conservation significance including local biodiversity, ecology, and the water environment;
- Landscape and townscape character, scenic quality and visual and general amenity;
- Core paths, rights of way; or other important access routes;

THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2011 REGULATION 14

SCOPING OPINION ON BEHALF OF ARGYLL & BUTE COUNCIL

PROPOSED WIND FARM CONSISTING OF 5 WIND TURBINES ON LAND 3KM NORTH OF HELENSBURGH, LUSS, ALEXANDRIA

The proposal is located on agricultural land at Luss Estate, approximately 3km north of Helensburgh in Argyll & Bute. The proposal includes 5 turbines at indicatively 86.5 (overall blade tip height), and ancillary development including: site tracks and crane hardstanding; construction compound; turbine foundations; underground cables; and a substation control building.

Scoping report

The content of the 'Scoping Report' dated May 2013 is broadly acceptable, and the proposed scope of the environmental assessments detailed therein will form a generally appropriate structure for Environmental Statement (ES) preparation. The following 'Scoping Opinion' should however, be given cognizance.

Consideration of Alternatives

The EIA Regulations require that all ES's include an outline of the main alternatives studied and indicate the reasons for choosing the selected option. This is not only the case in terms of site selection, but some consideration of alternatives is also required in relation to site layout (including the access) and design considerations. Site selection should be influenced by all factors considered of relevance to this location, including landscape, visual and nature conservation interests.

Location, Siting & Design

The EIA should address all aspects of the proposal including: turbines; foundations; ancillary buildings; temporary construction infrastructure, compounds and construction material stockpiles; main access and on-site tracks; borrow pits; water crossings; crane hardstandings; turning points and passing places associated with access tracks; meteorological mast; transformers; cabling; grid connection; control/metering/switching building and proposals for site restoration on decommissioning. All access tracks to and from the site should also be included. It is recommended that a Design Statement showing the various iterations of the wind farm design and layout is included in the ES, which shows how constraints have informed the final layout of the wind farm.

Cumulative Impact

Any potential 'Cumulative Impacts' are highlighted under their relevant sections below.

Landscape & Visual Impact Assessment (LVIA)

The scale of this proposal (especially in terms of turbine height) is unlikely to be appropriate for this location and may result in very significant adverse landscape and visual impacts. A

significant reduction in scale of the proposal is recommended on landscape grounds, informed by the findings of the Argyll & Bute Landscape Wind Energy Capacity Study (LWECS), as part of the EIA process.

Key concerns about this development include:

- The landscape and visual impacts, including likely impacts on the Loch Lomond and the Trossachs National Park (LLTNP) and Loch Lomond National Scenic Area (NSA)
- The cumulative landscape and visual issues presented by this development in the context of existing wind farms and those at application stage (including Merkins wind farm which gave rise to an objection from SNH on landscape grounds)

The proposal lies within 2km of Loch Lomond National Scenic Area and is within 200m of the Loch Lomond and the Trossachs National Park. This indicates heightened landscape sensitivity.

The proposal is not supported by the development recommendations cited in the LWECS. SNH support this capacity study and recommend that the findings are used to inform the strategic pattern of wind energy development in Argyll & Bute. This will help to steer appropriate development to suitable locations and reduce cumulative impacts, thereby potentially increasing the overall capacity in Argyll & Bute for renewable development.

This development site is categorised in the capacity study as being the Open Ridgeland landscape character type. The capacity study notes the following constraints (for this landscape character type) that are of particular relevance to this proposal:

- The importance of this landscape in terms of the contrast it provides with the more developed coastal areas of Inverclyde, North Ayrshire and the urban area of Glasgow
- The high visual prominence of the Open Ridgeland in views from roads, recreational areas and wider settlement in the wider Firth of Clyde area
- The adjacent LLTNP

In terms of cumulative visual impacts there are currently no operational wind farms located within this character type. The capacity study notes that the introduction of larger typologies to this landscape would diminish the existing contrast of the relatively undeveloped Open Ridgeland with the more developed coastal areas of Inverclyde, North Ayrshire and the urban area of Glasgow. This applies to the adjacent LLTNP Open Hills character type that is out with the scope of the Argyll capacity study.

In its Guidance on Development for the Open Ridgeland character type, the study recommends that there is some limited scope for turbines to be accommodated in this landscape of the small-medium typology (i.e. 30- <50m to tip height). The Guidance on Development states that there is no scope for the larger typologies (i.e. 80-130m to tip height) in this landscape type without incurring significant impacts on a number of sensitivity criteria.

With larger typology turbines, this proposal is not in keeping with the guidelines as set out in the LWECS, which is a material consideration for determining authorities. For the proposal to fall within the guidelines height of the turbines needs to be reduced to under 50m even with this size of turbine there will be a need to consider the sensitivities and the potential significant impacts including the setting and impacts on neighbouring landscape types as highlighted in the LWECS.

SNH recommend the developer engages with them, to discuss the landscape sensitivities of this location and consider options, with a view to exploring the landscape's ability to accommodate wind energy development within the site that is in keeping with the LWECS. This will provide an early indication as to the likely suitability of this site, in terms of landscape for this type and scale of development enabling them to make an informed decision as to whether or not to invest further in a proposal in this location.

Landscape

SNH welcome the initial draft viewpoint list as contained in the scoping report. However, they advise that there should be further consideration to ensure a full and representative range of viewpoints. Viewpoints should include, for example, recreational receptors such as key hilltops, beaches, visitor attractions etc, and water based receptors. SNH also note that the scoping report does not include graphics for important viewpoints such as Greenock, Dunoon and the A817 (LLTNP). It is premature to limit the number of visualisations including photomontages at this stage. A full and representative range of receptors should be included in the LVIA.

SNH welcome the draft ZTV information (30km ZTV (A3 sheets) based on 86.5m blade tip). SNH request:

- ZTV's on a single sheet of paper to a minimum radius of 30km in accordance with their 'Visual Representation of wind farms Good Practice Guidance, 2006. SNH advise that all ZTV's should be on a clearly legible 1:50000 OS base (copied at 1:50000 or 1:100000) for both hub and blade tip. Viewpoint locations should be mapped on the ZTV in accordance with the Guidance.
- A revised list of draft viewpoints with a brief justification for the inclusion or omission of viewpoints considered. Criteria such as distance, direction, designation, character type and receptors represented should be clearly set out – perhaps in a table format – in accordance with SNH guidance.

Providing this information will allow SNH to ensure that there is a full range of representative viewpoints.

Key road and ferry routes, and long distance routes such as the National Cycle Routes, popular walking routes/trails should form part of the consideration of cumulative sequential impacts on key routes. SNH recommend that the viewpoint list includes a fully representative range of

recreational water users and ferries as key receptors in this area. SNH also recommend full consideration of residential and recreational receptors.

SNH would be pleased to comment on viewpoint selection once this further information becomes available. SNH would also welcome the opportunity to meet with the developer to discuss the methodology and scope of the Landscape and Visual Impact Assessment and Cumulative LVIA.

West Dunbartonshire Council's main interest in this proposal would be with regard to its visual impact, and in particular the impact of the proposal on views from the Kilpatrick Hills and the resultant impact on the character of the Kilpatrick Hills.

Given the distance of approximately 8.5km from the site to the Inverclyde boundary at the Esplanade in Greenock, it is unlikely that the turbines will be particularly intrusive on views from Inverclyde. It would, however, be useful to get an impression of what the turbines would look like from Lyle Road, Greenock where there are elevated views across to the site. It would also be worth considering the impact this proposal would have on views from vessels on the Firth of Clyde.

Impacts on iconic viewpoints will be an important consideration for the National Park Authority such as gateways into the park (i.e. what the view of the development will be like from the A817). In selecting viewpoints it is recommended that advice is sought from the National Park Authority.

Ecological Impact

European Protected Species

Otters a European Protected Species (EPS) have been recorded within 1km of the proposed site and other EPS such as bats and wildcat may also be present. Reference should be made to SNH's website for details of the legal framework that applies to EPS: <http://www.snh.gov.uk/protecting-scotlands-nature/protected-species/legal-framework/habitats-directive/euro/>

SNH note that the scoping report survey methodology does not include wildcat. SNH advise that a walk over survey is undertaken to determine if this species is present within the development area.

The scoping report outlines a range of habitat and species surveys to be undertaken. SNH recommend that the survey guidance available on their website is followed to inform the survey methodology and subsequent assessment of the proposal.

The applicant should note that non-avian species surveys should be completed no more than 18 months prior to the submission of the application, to ensure that they are a contemporary reflection of species activity at and around the site. If significant land use, habitat or population changes have occurred during this time advice should be sought from SNH prior to application submission to ensure the surveys will be adequate. Where survey methods or other work deviates from the published guidance, this should be agreed with SNH in advance to ensure that any deviations still meet their needs. A full explanation of why any deviations are considered appropriate should also be provided in the ES for the benefit of others. The results of the surveys should be used to avoid or minimise impacts, thereby informing the iterative layout and design of the wind farm.

It is recommended that the ecological chapters of the ES are split into protected areas, species (avian), species (non-avian), habitats (terrestrial), habitats (freshwater), etc. Sensitive information can be presented in a confidential annex with restricted circulation. Advice on how to deal with sensitive information can be found on SNH's website.

Freshwater

Where the proposed development site has permanent watercourses or water bodies in it or connected to it, it is strongly recommended that the advice of SEPA is sought regarding water crossings and the adequacy of any hydrological work undertaken as part of the EIA. With reference to potential impacts on the natural heritage, as a minimum SNH would expect all areas directly (e.g. watercourse crossings) or indirectly (e.g. sediment run off) affected by the development and appropriate buffers up and downstream to have a habitat survey following the Scottish Fisheries Coordination Centre method referenced below. This should inform the likelihood of the presence of salmonids, eels, freshwater pearl mussel and other freshwater protected species and so the need or otherwise for species specific surveys. The applicant should note that where there is connectivity to protected areas (e.g. river or loch Special Areas of Conservation), then a higher level of survey effort and assessment targeted to the interest of the protected area may be needed to inform the required appraisals for the protected area.

SNH guidance on freshwater pearl mussel survey methods can be found via <http://www.snh.gov.uk/docs/A372955.pdf>. The Scottish Fisheries Coordination Centre (SFCC) webpage <http://www.scotland.gov.uk/Topics/marine/science/sfcc/Protocols> provides links to the recommended SFCC habitat survey method (Habitat Surveys Training Course Manual, Revised August 2007), as well as other useful survey method information for fish. Note that where there is suitable habitat for freshwater pearl mussel, and particularly where salmonids are present, SNH would expect a freshwater pearl mussel survey to be carried out following their guidance.

It should be noted that the absence of records for a particular watercourses or impassable obstacles does not necessarily mean that species are not present, so species surveys should not be ruled out for this reason. (It could just be because that watercourse has not been surveyed before. In addition some species have been found in unexpected places, for example remnant freshwater pearl mussel populations above impassable fish obstacles).

Terrestrial habitats (including peat and forestry)

With regard to terrestrial habitats (including peat), SNH's general advice is that the whole development site and an appropriate buffer (e.g. to allow for micro-siting) should be surveyed to Phase 1 standard. In addition to a Phase 1 survey, where habitats consistent with those on Annex 1 of the EC Habitats Directive together with UKBAP Priority Habitats are present, they should be mapped to NVC standard and accompanied by supporting quadrat information. Rare and scarce associated plant species should also be recorded.

Where peat is likely to be present, thorough peat probing should be carried out of the proposed locations of turbines, tracks and other infrastructure, and used to inform a peat slide risk assessment. The survey results should be used to inform the design and layout process, so that the development avoids, where possible, fragile and priority habitats and other sensitive areas (e.g. blanket bog and deep peat). Where this is not possible, suitable restoration and/or compensation will require to be carried out, and draft details of how this will be done should be presented in the ES. (SNH have recently published advice on what to include and consider in Habitat Management Plans (<http://www.snh.gov.uk/docs/B1159444.pdf>), which the applicant should refer to). SNH also strongly recommend early engagement with SEPA with regard to excavated peat reuse and disposal.

An assessment of impacts of hydrological changes (particularly related to groundwater) on habitats should also be included. As the access tracks are the elements that will result in the greatest land take, habitat fragmentation and, potentially hydrological disruption, it is important that the track construction methods are clearly described in the ES, the rationale for their type and location articulated and all direct and indirect impacts assessed.

Deer Management

If deer are present on or use the site, a Deer Management Plan will be required to address deer welfare issues. The deer management plan must comply with current Wild Deer Best Practice http://www.bestpracticeguides.org.uk/planning_dmeps.aspx and chapter 4 of the Code of Practice on Deer Management (<http://www.snh.gov.uk/docs/B949709.pdf>). Particular consideration needs to be given to deer numbers on site, construction displacement, the potential for the wind farm to create new sources of food and/or shelter, the impacts this may have and how this will be monitored and managed over time. It should also take into account the potentially competing objectives of any other objectives for the site (e.g. habitat restoration), and seek the optimum outcome for both. It is recommended that staff responsible for deer management at the site provide the applicant with local knowledge and advice, to help the applicant draft a wind farm specific deer monitoring and management plan.

The plan should take a collaborative approach to deer management planning and the need for landowners to deliver not only their own objectives but also public objectives through their activities. The plan is expected to take into account the objectives of neighbours and how any changes to deer movements may affect their properties.

Further information on these issues is available in the Code of Practice on Deer Management; <http://www.snh.gov.uk/land-and-sea/managing-wildlife/managing-deer/code-of-deermanagement/>. SNH are also in the process of writing some guidance on what to include and consider in Deer Management Plans specifically for development sites, particularly wind

farms. SNH aim to publish the draft for public consultation in early autumn 2013 via: <http://www.snh.gov.uk/planning-and-development/renewable-energy/consultations/>.

Where the proposal is in close proximity to protected area(s) designated for habitat or species interests, the Plan must also take into account the conservation objectives of the protected area (s). Where there are conflicting interests, the overriding aim of the deer management plan must be to ensure the conservation objectives of the protected area(s) are maintained.

Ornithological Impact

SNH

Hen harrier and short-eared owl are known to nest in close proximity to the proposal and there are recent records of a black grouse lek within the development area. Hen harrier and short-eared owl are listed on Annex 1 of the EU Birds Directive, hen harrier is given special protection under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended), and short-eared owl is given general protection under the same act. Black grouse is a UK Priority BAP species.

The scoping report indicates that one season of raptor nest search survey is going to be undertaken. SNH advise that in view of the known presence of short-eared owl and hen harrier, this is likely to be insufficient. The distribution of both of these species (and therefore their use of any area) can vary substantially from year-to-year. It is recommended, therefore, that where hen harrier and short-eared owl are known to be present, at least 2 years of nest site survey should be gathered. The scoping report also indicates that one year of Vantage Point watches (including one breeding season) will be undertaken. For the reason outlined above VP watches should be conducted for at least two breeding seasons for hen harrier and short-eared owl. SNH advise that the location chosen for Vantage Point watches (for all bird species) is agreed with them prior to commencing survey work.

The scoping report indicates that there is a small number of black grouse within the general area and that black grouse surveys will be undertaken. SNH advise that the NBN gateway has recent records of a black grouse lek within close proximity to the route of the proposed access track. SNH advise a minimum of two black grouse walk over surveys to cover all the entire development area) including but not limited to turbines, access tracks and other associated infrastructure) following standard black grouse survey methodology (Gilbert et al., 1998).

Full survey details including raw data, workings for calculations, and for birds the viewshed maps and flight maps with labelled flight lines showing the flights banded into below, at and above collision risk height and referenced to a table of flight data, should be presented in the ES. Information and assessment of direct and indirect impacts (including cumulative), along with details of any mitigation should also be presented.

RSPB

RSPB Scotland advises that an Environmental Statement for this proposal should establish the potential impacts of the proposal on important bird populations within the area, particularly the potential impacts on raptors and black grouse.

The proposed site is located outside of any sites designated for their nature conservation importance. The following Annex 1 (list of the EC Birds Directive) bird species should all occur within or close to the proposal: hen harrier and short-eared owl whilst merlin may occur. Other important Local Biodiversity Action Plan (LBAP) species occur, including black grouse. It is critical that the proposed survey work is used to inform the layout and design of the wind farm to mitigate impacts on these species. With recent declines nationally in kestrel numbers consideration should also be given to impacts upon this species, if present on the site.

The ES for the proposal should include a comprehensive study of bird use, throughout the year, in the area of and adjacent to the wind farm site, in order to obtain an understanding of the potential impacts of the proposal on bird populations within the area. This should follow the standard ornithological requirements/techniques contained within SNH Guidance – 'Survey Methods for use in assessing the impact of onshore wind farms on Bird Communities' (2005, revised December 2010) which is available at: http://www.snh.org.uk/pdfs/strategy/renewables/bird_survey.pdf.

The surveys should establish what raptors and other species are using the site area through vantage point observations, plotting of flightlines and related information, followed by collision risk assessment to determine any potential impacts. RSPB Scotland advise that vantage point watches should be undertaken from suitable locations as the presence of observers within the site may influence usage by birds. The timings of the proposed vantage point work are unclear from the scoping report and the RSPB wish to highlight that these should meet the minimum survey hours specified by SNH Guidance.

An assessment of the forestry and open ground suitability for raptors and breeding waders should be undertaken and should consider present usage in comparison to the potential alteration of habitat and displacement effects which may occur due to the development. In relation to raptors, hen harrier and short eared owls would appear to be the most important species present.

In regards to black grouse, RSPB Scotland are aware of numerous records of birds within the area with at least one lek on the hillside above the reservoir (between 1-5 birds noted) but probably also elsewhere in the area. In Argyll terms, these numbers are important and any proposal should fully assess impacts on this species, including noise. RSPB Scotland advise that no turbines should be situated within 400m of leks to ensure that disturbance (noise) and potential collision do not impact upon them. Consideration should also be given to mitigation and/or enhancement works for all these species within the site and surrounding area.

The current survey season (2013 breeding) should be considered anomalous with many raptors (e.g. harriers) showing signs of widespread non-breeding due to the prolonged cold spring. This could also apply to other species using the area. This will mean that any site usage will be unrepresented in relation to a more normal season – RSPB Scotland would recommend that data supporting the application reflects a more normal usage.

RSPB Scotland advise that the EIA should include an assessment of related projects, including options for the grid connection and any developments related to transport of materials to the site to enable a holistic view of the impacts. An assessment of cumulative bird impacts in relation to other projects with planning permission, or in the planning system, should be undertaken (in

accordance with SNH guidance 'Assessing the Cumulative Effects of Onshore Wind Energy Developments' 2012).

The ES should include a full survey, impact assessment and proposals for mitigation in relation to important habitats on this site. Mitigation measures should include consideration of the layout to avoid impacts on key species and maintain areas of high quality habitat.

RSPB Scotland advise that the Argyll Raptor Study Group (ARSG) should be contacted in relation to data/comments for this area. Bat survey work should follow guidance from SNH <http://www.snh.gov.uk/docs/B999258.pdf>.

Hydrological & Soil Impact

Disruption to wetlands including peatlands

If wetland or peat land systems are present, the ES should demonstrate how the layout and design of the proposal, including any associated borrow pits, hard standing and roads, avoid impact on such areas.

A Phase 1 habitat survey should be carried out for the whole site and the guidance 'A Functional Wetland Typology for Scotland' should be used to help identify all wetland areas. NVC should be completed for any wetlands identified. Results of these findings should be submitted, including a map with the proposal overlain to clearly show which areas will be impacted and avoided.

Groundwater Dependent Terrestrial Ecosystems (GDTEs)

GDTEs are protected under the Water Framework Directive (WFD). The results of the NVC survey and Appendix 2 of SEPA's planning guidance on 'wind farm developments' should be used to identify if wetlands are GDTEs.

The route of roads, tracks or trenches within 100 m, or borrow pits or foundations within 250 m, of GDTEs should be reconsidered. Similarly, the locations of borrow pits or foundations within 250m of such ecosystems should be reconsidered. If infrastructure cannot be relocated out with the buffer zones of these ecosystems then the likely impact of these features will require further assessment. This assessment should be carried out whether or not the features occur within or out with the site boundary in order that the full impacts are assessed. The results of this assessment and proposed mitigation measures should be included in the ES.

For areas where avoidance is impossible, details of how impacts upon wetlands including peatlands are minimised and mitigated should be provided. In particular impacts that should be considered include those from drainage, pollution and waste management. This should include preventative/mitigation measures to avoid significant drying or oxidation of peat through for example, the construction of access tracks, dewatering, excavations, drainage channels, cable trenches, or the storage and re-use of excavated peat.

Disturbance and re-use of excavated peat

Where the proposed infrastructure will impact upon peatlands, a detailed map of peat depths (this must be to full depth) should be submitted. The peat depth survey should include details of the basic peatland characteristics.

By adopting an approach of minimising disruption to peatland, the volume of excavated peat can be minimised and the commonly experienced difficulties in dealing with surplus peat reduced. The generation of surplus peat is a difficult area which needs to be addressed from the outset given the limited scope for re-use.

The ES should detail the likely volumes of surplus peat that will be generated including quantification of catotelmic and acrotelmic peat, and the principles of how the surplus peat will be reused or disposed of.

There are important waste management implications of measures to deal with surplus peat as set out within SEPA's 'Regulatory Position Statement - Developments on Peat'. Landscaping with surplus peat (or soil) may not be of ecological benefit and consequently a waste management exemption may not apply. In addition, disposal of significant depth of peat would be considered to be landfilled waste, and this again may not be consentable under SEPA's regulatory regimes. Peat used as cover can suffer from significant drying and oxidation, and peat redeposited at depth can lose structure and create a hazard when the stability of the material deteriorates. This creates a risk to people who may enter such areas or through the possibility of peat slide.

It is essential that the scope for minimising the extraction of peat is explored and alternative options identified that minimise risk in terms of carbon release, human health and environmental impact. Early discussion of proposals with SEPA is essential, and an overall approach of minimisation of peat land disruption should be adopted. If it is proposed to use some excavated peat within borrow pits or bunding then details of the proposals, including depth of peat and how the hydrology of the peat will be maintained, should be outlined in the ES

SEPA's website provides links to current best practice guidance on peat survey, excavation and management.

Built & Cultural Heritage

Historic Scotland (HS) recommends that the following issues are included in the scope of any Environmental Impact Assessment being carried out for the project.

Potential Direct Impacts

From the information provided a proposed development in this location appears unlikely to have a direct impact on any sites within HS's remit (scheduled ancient monuments and their setting, category A listed buildings and their setting and gardens and designed landscapes and battlefields included in their respective inventories). However, it may have an impact on the setting of those sites which lie outside the site boundary.

Potential Indirect Impacts

HS would welcome an assessment of those heritage assets in the vicinity of the development which are located within the zone of theoretical visibility (ZTV), and are broadly content with the 10km search radius suggested in the scoping report.

Because of the proximity of the proposal to the collection of outstanding category A listed houses in Helensburgh, HS recommend that a full assessment of the potential for impacts on the settings of those houses should be undertaken.

In particular the assessment should consider whether turbines would be prominent in key views of Hill House (8 Colquhoun Street Upper, The Hill House with Outbuildings, Boundary Walls and Gates (HB Number 34761)) and nearby houses to the north of the town.

There are also a number of Gardens and Designed Landscapes (GDLs) in the vicinity of the development, and the potential impact upon these should be assessed. This should focus on Rosneath, Gareloch House and Glenarn GDLs. It is noted from the ZTV provided that Glenarn does not appear to have inter-visibility with the development; however, there is still the potential for it to be caught in the same views as the turbines. HS would therefore expect that the impact on views of Glenarn from the south looking towards the turbines be considered.

HS note from reading the scoping report that no mention is made of Inventory Battlefields. Although the proposal is not located in or near such assets, the ES should show awareness that these assets form part of the designated elements of the historic environment. However, in this case as the proposal is not in the vicinity of an Inventory battlefield, HS are content that this issue does not fall within the scope of the assessment.

HS advise that consideration is given to their guidance notes on the setting of historic environment assets when carrying out the assessment, which can be accessed via the following link: <http://www.historic-scotland.gov.uk/setting-2-pdf>. Additional guidance on EIA process can be found on their website at: <http://www.historic-scotland.gov.uk/index/heritage/policy/environmental-assessment/eiafaqs.htm>.

It is noted that a 'Pastmap' online search did not identify any sites of archaeological importance within 200m of the proposal, the nearest being NMR Drumpfud (CANMORE ID 41455). It is recommend that the West of Scotland Archaeology Service is contacted for advice on what form of archaeological impacts assessment will be required.

Tourism, Recreation and Countryside Access

The Landscape and Visual Impact Assessment (LVIA) should include consideration of the impacts on the landscape setting of the site and surrounding area and how this may affect the enjoyment of existing outdoor recreational users. Consideration should also be given to the

existing and potential use of the area for recreation by the general public, with reference to Scottish access rights under the Land Reform (Scotland) Act 2003 and rights of way.

The Planning Authority has a duty to uphold access rights within the area. The Planning Authority has a lead role in discussing access management within the development site, including the effects of the development on existing access and opportunities for improved access provision. It is recommended that the applicant engage with the Planning Authority and prepares an access management plan identifying the current recreational activities in the area and any positive or negative impacts that may occur as a consequence of the development (both during construction and operation). Where impacts on nationally important recreation interests are identified, SNH may also wish to be involved.

Access should be managed actively during the construction phase, with restrictions kept to the minimum area and duration that is practical and reasonable, and adapted as the site develops to focus on where actual risks are present. This approach is likely to encourage greater compliance by the public and will therefore be more effective in meeting safety needs, including obligations under the Construction (Design & Management) Regulations. Further information about access provision and management can be found in: 'Good Practice during Wind Farm Construction' available on SNH's website.

Transport

The EIA should include: a plan showing the proposed access point and haul route; a Traffic Management Plan containing details of all materials, plant, equipment, components and labour required during the construction, operation, and decommissioning phase, and; a detailed Method Statement in relation to access and transport of materials, plant and equipment.

Transport Scotland has advised that overall there will be a minimal increase in traffic on the trunk road during the operation of the facility therefore the proposal is not likely to have a significant impact on the operation of the trunk road network.

Roads and Amenity Services note that it is proposed to access the site from the A818 and wish it to be noted that this road has significantly large volumes of traffic, and therefore the junction arrangement will be critical.

Noise (operational & construction)

The scoping report states that initial noise calculations suggest that none of the identified properties are likely to experience noise levels above the ETSU 35dB threshold and that further detailed assessment will not be required. The Environmental Health Officer has advised that they require the detailed methodology of the noise prediction model to be submitted and if this methodology is insufficient a Noise Impact Assessment may be required.

Consideration should be given to the potential for noise during the construction phase and from ancillary equipment such as generators, substations etc. and, in particular, the impact of vehicle movements on any noise-sensitive properties in close proximity to the proposed access roads/site access track. Where an impact is likely, a Construction Management plan should be prepared. The assessment and mitigation measures should follow the guidance outlined in 'BS5288: Noise and Vibration Control on Construction on Open Sites'.

Lighting (during construction phase)

The potential for light pollution during the construction phase should be considered. Where an impact is likely, a Construction Management Plan should be prepared taking into account the Scottish Executive Guidance Note 'Controlling Light Pollution and Reducing Light Energy Consumption'. (Environmental Zone E1: Intrinsically dark areas)

Shadow Flicker

The planning guidance within the Scottish Government Specific Advice Sheet for Onshore Wind Turbines should be adhered to and the ES should quantify the predicted levels of shadow flicker that could potentially be experienced by affected dwellings (generally within 10 rotor diameters of a turbine).

Air Quality

Consideration should be given to the potential for air pollution and, in particular dust emissions from the site and access roads/tracks during the construction phase. Where an impact is likely, a Construction Management Plan should be prepared. Further guidance regarding these issues is provided in NSCA guidance (2006) entitled Development Control: Planning for Air Quality.

Aircraft, Aerodromes and Technical Sites: Safeguard Zones and Electro-Magnetic Interference

The siting of wind turbines may have implications for flight paths of aircraft, airport and other radar and communications (civilian or military) and weather radar stations.

They can potentially interfere with electromagnetic transmissions of aviation operations, depending on their size, shape, construction materials and location. Their support structure and rotating blades can have an effect on communication, navigation and surveillance by giving off false radar returns and masking (shadowing) genuine aircraft returns.

The consequences of the proposal for military and civil aviation should be assessed along with impacts upon radar. Consultations with the MoD, the Civil Aviation Authority, and National Air Traffic Services will be appropriate in this regard.

The principal safeguarding concerns of the MOD with respect to the development relate to their potential to create a physical obstruction to air traffic movements, and cause interference to air traffic control and air defence radar installations. These matters should be addressed in the ES.

Electro-Magnetic Interference (Communications Systems) and Television Reception

Wind turbines produce electro-magnetic radiation, which can interfere with broadcast communications and signals. It is impossible to obtain a definite picture of all the transmission routes across any proposed site for a wind energy development due to the large number of bodies who use communication systems.

The Office of Communication (Ofcom) should be contacted to identify any potential television and radio broadcasting, telecommunication and wireless communication issues. It is also advisable that applicants contact other authorities or bodies which use communication systems

Please note: Whilst the borrow pits should be considered as part of the EIA process and included in the ES, it is the policy of Argyll & Bute Council that they be dealt with as separate mineral planning applications.

Arlene Knox
Senior Planning Officer – Development & Infrastructure
Major Applications Team
22nd August 2013

List of consultation bodies having provided responses during the consultation period:

Area Roads
CAA
Environmental Health
Historic Scotland
Inverclyde Council
Loch Lomond and the Trossachs National Park
Ministry of Defence
Ofcom (10th June 2013)
RSPB
Scottish Water
SEPA
SNH
Transport Scotland
West Dunbartonshire Council

Consultation bodies whose responses were outstanding at the time of the scoping opinion:

BAA

- Sites of historic or archaeological interest and their settings;
- Telecommunications, transmitting and receiving systems;
- Important tourist facilities, attractions or routes; and,
- Stability of peat deposits

I would also draw your attention to the 'Argyll & Bute Landscape Wind Energy Capacity Study', March 2012 (available to view on the Council's website) which is now a material consideration in the determination of wind farm applications.

Should you require any further information or advice please do not hesitate to contact me.

Yours sincerely,

Arlene Knox
Senior Planning Officer
Major Applications Team – Development & Infrastructure