



The Scottish Government

Energy Consents Unit

SHEPHERDS' RIG WIND FARM

**Scoping Opinion on behalf of Scottish Ministers under Part 4 of the
Electricity Works (Environmental Impact Assessment) (Scotland)
Regulations 2017**

Issued to Infinergy Ltd

31 May 2018

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1. Introduction

This Scoping Opinion is issued on behalf of the Scottish Ministers to Infinergy Ltd (a company registered under the Companies Acts with company number 04732465 and having its registered office at 16 West Borough, Wimborne, Dorset, BH21 1NG) (“the Applicant”) in response to its request dated 12 March 2018 for a Scoping Opinion under The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, relating to the proposed Shepherds’ Rig Wind Farm. The request was accompanied by a scoping report.

Shepherds’ Rig Wind Farm proposal (‘the proposed development’)

The proposed Shepherds’ Rig Wind Farm would be located approximately 5 km East of Carsphairn, Dumfries and Galloway.

The relevant planning authority will be Dumfries and Galloway Council.

The proposal is for up to 30 wind turbines each with a maximum height to blade tip of 149.5 metres. The total generation capacity will be in excess of 50 megawatts.

In addition to the wind turbines there will be ancillary infrastructure including:

- Turbine foundations;
- Transformers;
- Crane pads;
- Access tracks;
- Underground cables;
- Construction compound;
- Substation compound including a battery energy storage array;
- Borrow pit workings; and
- Permanent meteorological mast.

2. The Scoping Opinion

This Scoping Opinion has been adopted following consultation with Dumfries and Galloway Council, within whose area the proposed development would be situated, Scottish Natural Heritage, the Scottish Environment Protection Agency and Historic Environment Scotland, all as statutory consultation bodies; and with other bodies which the Scottish Ministers consider likely to have an interest in the proposed development by reason of their specific environmental responsibilities or local and regional competencies. A list of the bodies consulted and their responses (where a response was received) can be found at Annex A to this opinion.

The Scottish Ministers adopt this Scoping Opinion having taken into account the information provided by the applicant in its request dated 12 March 2018 in respect of the specific characteristics of the proposed development and representations received in response to the consultation undertaken.

In providing this Scoping Opinion, the Scottish Ministers have had regard to current

knowledge and methods of assessment; have taken into account the specific characteristics of the proposed development, the specific characteristics of that type of development and the environmental features likely to be affected.

This Scoping Opinion is based on information contained in the applicant's written request for a Scoping Opinion and information available at today's date. The adoption of this Scoping Opinion by the Scottish Ministers does not preclude the Scottish Ministers from requiring of the applicant information in connection with any Environmental Impact Assessment (EIA) report submitted in connection with its application for section 36 consent for the Shepherds' Rig wind farm. This Scoping Opinion will not prevent the Scottish Ministers from seeking additional information at application stage, for example to include cumulative impacts of additional developments which enter the planning process after the date of this opinion.

Without prejudice to that generality, it is recommended that advice regarding the requirement for an additional Scoping Opinion is sought from the Scottish Ministers in the event that no application has been submitted within 12 months of the date of this opinion.

3. Consultation

Prior to the scoping report being sent out for consultation, a list of consultees was agreed by Arcus Consultancy Services on behalf of Infinergy and the Energy Consents Unit. For a list of respondents and copies of their responses, see Annex A. Each should be read in full for detailed requirements from individual consultees and for comprehensive guidance, advice and, where appropriate, templates for preparation of the EIA report. Unless stated to the contrary in this Scoping Opinion, the Scottish Ministers expect the EIA report to include all matters raised by the consultees.

The Scottish Ministers are satisfied that the requirements for consultation set out in the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 have been met.

With regards to those consultees who did not respond, it is assumed that they have no comment to make on the scoping report. They will be consulted again in the event that an application for section 36 consent is made.

4. Site specific issues of interest to the Scottish Ministers

In addition to specific comments below, the Scottish Ministers expect the EIA report which will accompany any application for the proposed development to include full details showing that **all the advice, guidance, concerns and requirements raised by each consultee** in the correspondence attached at **Annex A** to this opinion, have been addressed.

Dumfries and Galloway Council recommend the inclusion of viewpoints at private residential properties within 2km of the scheme and where specific cumulative issues are anticipated.

The Council went on to request that Glenshimmeroch, Troston Loch, Cornharrow and Stroanshalloch are included in the cumulative assessment given the proximity of these schemes.

Scottish Water highlighted that the proposal is located within a drinking water catchment area, this should be noted in future documentation and taken into account during environmental risk assessments. They requested further involvement and to be sent the Construction Environmental Management Plan (CEMP) and any other associated documents.

Historic Environment Scotland (HES) strongly recommended the developer undertakes further pre-application consultation with HES in light of the concerns raised within their response in regard to three scheduled monuments in the vicinity.

Scottish Natural Heritage requested that the proposal to consider the 'Ken' landscape of the Narrow Wooded River Valley' character type as being part of the adjacent 'Southern Uplands with Forest' character type for the purposes of the character assessment is clearly justified in the LVIA section of the EIA Report.

Forestry Commission Scotland (FCS) requested the specifics in regard to replanting should be included in a Compensatory Planting Plan (CPP), within the EIA Report.

5. Mitigation Measures

The Scottish Ministers are required to make a reasoned conclusion on the significant effects of the development on the environment as identified in the environmental impact assessment. The mitigation measures suggested for any significant environmental impacts identified should be presented as a conclusion to each chapter. Applicants are also asked to provide a consolidated schedule of all mitigation measures proposed in the environmental assessment, provided in tabular form, where that mitigation is relied upon in relation to reported conclusions of likelihood or significance of impacts.

6. Process Going Forward

It is acknowledged that the environmental impact assessment process is iterative and should inform the final layout and design of proposed developments. Scottish Ministers note that further engagement between relevant parties in relation to the refinement of the design of this proposed development will be required, and would request that they are kept informed of on-going discussions in relation to this.

All applicants are encouraged to engage with officials at the Scottish Government's Energy Consents Unit before proposals reach design freeze. This will afford an opportunity for additional comments to be provided on the final proposals at pre-application stage.

Applicants are reminded that there will be limited opportunity to materially vary the form and content of the proposed development post submission.

When finalising the EIA report, applicants are asked to provide a summary in tabular form of where within the EIA Report each of the specific matters raised in this scoping opinion has been addressed.

To facilitate uploading to the Energy Consents portal, the EIA Report and its associated documentation, when submitted, should be accompanied with a CD containing the EIA Report and its associated documentation divided into appropriately named separate files of sizes no more than 10 MB. This will also assist SNH and other consultees.

ANNEX A

CONSULTATION RESPONSES

Consultee

BT
Carsphairn Community Council
Defence Infrastructure Organisation
Dumfries and Galloway Council
Edinburgh Airport
Forestry Commission Scotland
Galloway Fisheries Trust
Glasgow Prestwick Airport
Historic Environment Scotland
Joint Radio Company
Marine Scotland Science
Mountaineering Scotland
RSPB Scotland
Scotways
Scottish Environment Protection Agency
Scottish Natural Heritage
Transport Scotland

Melrose J (Joyce)

From: Redacted @openreach.co.uk on behalf of radionetworkprotection@bt.com
Sent: 20 March 2018 12:58
To: Econsents Admin
Cc: Park C (Christopher)
Subject: FW: Shepherds Rig - Scoping Consultation Request
Attachments: Scoping - Shepherds Rig - Scoping Report.pdf; Scoping - Shepherds Rig - Scoping Report - Figures.pdf

Follow Up Flag: Follow up
Flag Status: Completed

OUR REF; WID10766

Dear Sir/Madam

Thank you for your email dated 19/03/2018.

We have studied this Windfarm proposal with respect to EMC and related problems to BT point-to-point microwave radio links.

The conclusion is that, the Project indicated should not cause interference to BT's current and presently planned radio network.

Regards,

Paul Atkinson

Radio Frequency Allocation & Network Protection (BLP952)

Openreach

Tel: Redacted

Mobile Redacted

Web: www.openreach.co.uk

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British Telecommunications plc

Registered office: 81 Newgate Street London EC1A 7AJ

Registered in England no. 1800000

From: Redacted @gov.scot [mailto:Redacted@gov.scot]
Sent: 19 March 2018 14:26
Redacted

INFINERGY - PROPOSED SHEPHERDS' RIG WIND FARM - UPDATED SCOPING REPORT MARCH 2018
Carsphairn Community Council's Comments
23rd April 2018

As consultees of the Shepherds' Rig Windfarm Scoping Report Carsphairn Community Council [CCC] is not willing or able to comment on all twenty two sections of this exhaustive report. Much of the content assessments and data is too specialized for any other than professionals in a number of scientific disciplines to make useful or constructive comment on the process. For that reason our response is to answer only those 'questions' that appear to be of direct relevance to community wellbeing. Our lack of response to all other 'key questions to consultees' should not be taken to indicate approval of any given content or assessment methodology, nor lack of knowledge or potential input with respect to additional data and consultees.

Our comments below are restricted to
Section 2. Environmental Impact Assessment
Section 7. Landscape and Visual
Section 10. Cultural Heritage
Section 14. Traffic & Transport
Section 17. Socio Economics and tourism
Section 22. Consultation

2. ENVIRONMENTAL IMPACT ASSESSMENT

Infinergy's Scoping Report is extremely exhaustive and thorough with respect to the purpose and methodology of a proposed Environmental Impact Assessment EIA. It is notably less so however with regard to useful content. Not only does the report fail in its stated purpose [2.3] to "describe the likely significant effects" of any single aspect of development, but it also fails to recommend any specific mitigation measures that are surely required. Unless the whole development is assessed to have no environmental impact whatsoever which is clearly not the case, the EIA on offer is not wholly fit for purpose.

CCC require to have sight of an amended EIA that includes details of any and all adverse aspects and mitigation measures that the proposed development may necessitate before it can make any further comment on an environmental assessment that to date can only be described as half complete .

In the meantime we can only observe in general that Shepherds Rig of the Cairnsmore Hills of Carsphairn is very much adjacent to a number of local 'environmental impact receptors' that include three residential properties, a planned Carsphairn Community Woodland and a popular scenic drive [the B729] not to mention the historical landscape itself, which is certainly a prime 'receptor'. Should the proposed Wind Farm go ahead with the support of the community of Carsphairn, it can only do so on the basis that the developer follows the EIA guidelines fully and that CCC are kept properly informed and consulted.

7. LANDSCAPE AND VISUAL

With respect to the first of three key questions listed in the final LVIA paragraph [section 7.56] and quoted below, Carsphairn Community Council have concerns with respect to the validity of what appears to be a landscape assessment more suited to the needs of the developer than it is to limiting adverse impact on this distinctively upland site.

Scoping question: "Are there any comments with regard to the position taken that the 'Ken' landscape of the 'Narrow Wooded River Valley' character type does not share the characteristics of the overall character

type in the area local to the Site, and thus will be considered as being part of the adjacent 'Southern Uplands with Forest' character type for the purposes of the character assessment?"

CCC response. This question is both confusing and misleading. After stating that the "Site does not share the characteristics of the Narrow Wooded River Valley character type as set out within the Dumfries and Galloway LCA" [Landscape Character Assessment ?] [LVIA section 7.12] the Shepherds' Rig Scoping Report demotes a higher value landscape classification to a lower one, on the grounds that "Large scale coniferous forestry encloses the valley road to both sides, limiting intervisibility to the wider landscape" and that it should therefore be re-classified as a "landscape of minimal scenic importance" It is hard to make sense of the above convoluted and self-contradictory argument. Unlike in past years, the current phase of clearfell and structured forest re-planting is a process designed amongst other things to open up and enhance the visual landscape. The scenic importance of the area is considerably greater than this Scoping Report is willing to recognize .

Earlier in the LVIA [section 7.5] Scottish Natural Heritage are quoted as follows:

- The Applicant should consider a number of layout and turbine height iterations during the EIA process to ensure that the Development is well designed to work with the landscape.
- It was noted that the Site is located within the Galloway Hills Regional Scenic Area (RSA) and therefore the effects on the key characteristics of this area (i.e. Glenkens and Rhinns of Kells) must be investigated.

Given that the site does in fact conform and will continue to conform more closely to the overall RSA character of the above Scenic Area it can only be concluded that Infinergy's proposed wind farm will impact adversely on the landscape, and therefore that some 'avoidance' or 'mitigation' measures are essential. CCC are of the opinion that not until the 'key characteristics' of the area are correctly defined and properly investigated as SNH request, and indeed also until Infinergy state what measures they propose to limit intrusive damage to Shepherds Rig Hill and it's environs, we are unable to support a project that may well be detrimental to the interest of the local community we represent.

10. CULTURAL HERITAGE

It is stated in section 10.1 that "archaeology - above and below ground, designated or not" will be "taken into account" and that "consideration will be given to the potential for unknown (buried) archaeological remains to exist within the Site". After this encouraging opening, the Scoping report is largely silent as to exactly how or indeed even if this can be achieved. A key CCC local heritage concern is that no proper archaeological survey of the site is proposed in this Report.

The desk based assessment DBA proposed in section 0.8 and section 10.9 is of little or no value on its own. Nor is the section 10.11 proposed DBA site walk sufficient to ensure that no previously unknown remnants of the historical environment will be degraded or destroyed by inappropriate industrial development. The largely un-surveyed archeology of the Carsphairn Hills is particularly rich in terms of hidden structures and other features. In addition to the also essential DBA, CCC request that a detailed field survey is conducted by professional archaeologists before the development goes to planning.

14. TRAFFIC AND TRANSPORT

On the basis of recent experience of Wind Farm construction traffic in the district, CCC are concerned, not only with respect to increased traffic through the village on the A713, and on the B729, but the prospect of additional road construction and other building work that is not covered anywhere in this Scoping. The traffic generated by supposedly unforeseen ancillary improvement to the power supply infrastructure caused by other Wind Farm development in the area has already blighted local residents for several years and is set

to continue for several years to come. The Community Council require assurances that the proposed construction and operation of Shepherds' Rig Wind Farm will not add to this already highly undesirable situation.

17. SOCIO-ECONOMICS AND TOURISM

The Carsphairn hills are increasingly important to the local economy as a tourist and recreational asset. Although the Infinergy Report appears to recognize the area's value in terms of generating additional visitor revenue and stimulating local business, it is uninformative as to what practical measures are proposed that might actually increase visitor numbers, and indeed enhance the visitors' experience. CCC are of the opinion that were it to be undertaken by the developer, both the creation of new paths and the maintenance and improvement of existing pedestrian access to the local area might even prove to be an additional attraction, a small but positive support to the local economy, as opposed to yet another alien intrusion in a much loved and cherished landscape.

22. CONSULTATION

Carsphairn Community Council finds itself in the unenviable situation of having to deal with multiple Wind Farm applications and queues of Scoping Reports to digest and comment on. Consultation with the local community is vital we believe, both during the development period and long after. CCC recommend that in addition to ongoing consultation with an overworked Community Council, Infinergy engage in conversation, not only with those most adversely affected by their proposed Wind Farm, but with as many individual Carsphairn residents as possible.

End



**Defence
Infrastructure
Organisation**

Claire Duddy
Assistant Safeguarding Officer
Ministry of Defence
Safeguarding – Wind Energy
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Sutton Coldfield
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United Kingdom

Your Reference: ECU00000567

Telephone [MOD]: Redacted

Facsimile [MOD]: Redacted

Our Reference: DIO/SUT/43/10/1/18347

E-mail: Redacted

mod.gov.uk

Christopher Park
Energy Consents
The Scottish Government

27 March 2018

Dear Mr Park

Please quote in any correspondence: DIO18347

Proposal: Scoping Opinion Request for proposed Section 36 Application for Shepherds Rig Wind Farm, 5km east of Carsphairn in Dumfries and Galloway

Thank you for consulting the Ministry of Defence (MOD) on the above Section 36 Application in your communication dated 19th March 2018.

I am writing to tell you that the MOD has no objection to the proposal.

The application is for 30 turbines at 151 metres to blade tip. This has been assessed using the grid references below as submitted in the planning application or in the developers' or your pro-forma.

Turbine	Easting	Northing
1	262,084	595,944
2	262,431	595,725
3	262,825	595,600
4	263,151	595,351
5	261,868	595,401
6	262,225	595,241
7	262,711	595,130
8	261,469	595,061
9	261,768	594,768
10	262,301	594,847
11	262,677	594,672
12	262,100	594,417
13	262,341	594,103
14	262,680	593,890
15	262,871	593,530
16	261,937	593,844

17	261,675	593,406
18	262,013	593,179
19	262,459	593,242
20	263,058	593,179
21	261,416	592,985
22	262,160	592,805
23	262,652	592,897
24	263,025	592,725
25	261,698	592,694
26	262,421	592,508
27	262,780	592,304
28	261,985	592,274
29	262,318	592,033
30	262,255	593,567

In the interests of air safety the MOD will request that the development is fitted with aviation lighting in accordance with Article 219 of the Air Navigation Order.

The principal safeguarding concern of the MOD with respect to the development of wind turbines relates to their potential to create a physical obstruction to air traffic movements and cause interference to Air Traffic Control and Air Defence radar installations.

Defence Infrastructure Organisation Safeguarding wishes to be consulted and notified of the progression of planning applications and submissions relating to this proposal to verify that it will not adversely affect defence interests.

If planning permission is granted we would like to be advised of the following prior to commencement of construction;

- the date construction starts and ends;
- the maximum height of construction equipment;
- the latitude and longitude of every turbine.

This information is vital as it will be plotted on flying charts to make sure that military aircraft avoid this area.

If the application is altered in any way we must be consulted again as even the slightest change could unacceptably affect us.

I hope this adequately explains our position on the matter. If you require further information or would like to discuss this matter further please do not hesitate to contact me.

Yours sincerely

Redacted

Claire Duddy
Assistant Safeguarding Officer – Wind Energy
Defence Infrastructure Organisation

SAFEGUARDING SOLUTIONS TO DEFENCE NEEDS

Proposal: REQUEST FOR SCOPING OPINION UNDER ENVIRONMENTAL IMPACT ASSESSMENT (SCOTLAND) REGULATIONS 2017 FOR A PROPOSED WINDFARM COMPRISING UP TO 30 WIND TURBINES WITH A MAXIMUM HEIGHT TO BLADE TIP OF 149.5M, AND OTHER ASSOCIATED INFRASTRUCTURE. EXPECTED POWER OUTPUT IN EXCESS OF 50MW.

Location: Shepherds Rig, Carsphairn

Application Type: Scoping Opinion

Ref. No.: 18/0416/SCO

1. This scoping request from the Scottish Government Energy Consent Unit relates to a proposal to construct and operate a wind farm on land at Shepherds Rig Hill, approximately 5 kilometres east of Carsphairn. The scheme would be for up to 30 wind turbines, approximately 149.5 metres high with an output expected to be in excess of 50Mw. The proposed works will be sought under Section 36 of the Electricity Act 1989, with the application being made to the Scottish Government Energy Consents Unit.

2. The Planning Service consulted the following Departments of Dumfries and Galloway Council: Access, Roads, Environmental Health, Archaeology and the Landscape Architect. The following external bodies were also consulted: Scottish Water.

To date responses have been received by the following internal consultees:

3. Council Roads Officer

3.1 This request for scoping opinion is for the proposed erection of up to 30 no. wind turbines up to 149.5m high at the tip and the formation of access tracks, substation, meteorological mast, transformers, borrow pit(s) and temporary construction compound at proposed Shepherds Rig windfarm, 5KM east of Carsphairn.

3.2 It is noted that the Scoping Report identifies that:-

- the estimated duration of constructions works is 18-24 months;
- it is intended to access the site from the west via B729 public road;
- the turbines might typically have a maximum tip height of 149.5m;
- an abnormal load assessment will be undertaken to demonstrate the availability of a suitable route;
- turbine component delivery could be delivered to site from Ayr via the B729;
- stone will be extracted from on-site borrow pits if available else imported to site from elsewhere; and
- the grid connection will fall under a separate planning application and will be subject to a separate environmental investigation.

3.3 Whilst I have no objections in principle to the proposal and have no issues with the proposed assessment scope or methodology outlined in the Scoping Report, I would offer the following observations that should be considered and addressed by any submission/ES:-

- East of the proposed site, the village of Moniaive is located on the A702 at the junction with the B729. This village is characterised by narrow streets that have locally poor horizontal alignment, locally restricted forward visibility, restricted width and have restricted passing opportunities. On the timber haulage Agreed Routes Map the A702 through Dunreggan/Moniaive is identified as an excluded route;
- The B729 west of Moniaive is restricted in width and geometry and for the purposes of timber haulage, has been identified as a “Severely Restricted” route. However, west of the access to Wether Hill Wind Farm, it was improved with additional passing opportunities for that development and with further improvement could accommodate HGV and lighter traffic;
- It would be appropriate that the proposed access route, with particular regard to the B729, be assessed in full and that a swept path analysis for the route from and including the junction of the A713/B729, to the site access be supplied. It would be appropriate that this form the basis for identifying the extent of any proposed accommodation works including passing place provision, carriageway strengthening/widening, and alterations to road boundaries required in order to accommodate component delivery vehicles and cranes;
- Full details of the design and layout of the access and any other accommodation works, should be submitted and agreed by the Planning Authority in consultation with the Roads Authority. These should be supported by swept path analysis;
- I would not be in favour of any construction traffic accessing this proposed site from the east;
- Formation of the site access on the B729 public road and any accommodation works on the public road will require the issuing of a permit under Section 56 of The Roads (Scotland) Act 1984;
- It would be appropriate that there should be consultation with nearby forest managers and timber hauliers through the office of the South of Scotland Timber Transport Officer to co-ordinate timber haulage operations that may use the access route during the construction period to minimise the cumulative impact on communities and road users;
- Where public road boundaries are altered either for the formation of temporary accesses or for accommodation works, these should be reinstated in their original position at the conclusion of construction works (unless prior agreements have been secured with the Planning and Road Authorities);
- Should suitable and sufficient aggregate not be available from on-site Borrow Pits, any future submission/ES should include details of tonnages and vehicle movements so that the potential impact of importing aggregate from elsewhere via the public road network be assessed;
- A Traffic Management Plan (TMP) detailing transportation of components and materials to the site should be agreed with the Council, Transport Scotland and the Police;
- The TMP should include a programme of delivery types/numbers by month, details of all proposed mitigation measures, agreed access route and details of measures that will be implemented to ensure that no stacking of delivery vehicles occur on any part of the public road network and is to be agreed in

writing with the Police and the Roads Authority prior to any works commencing on site;

- Whilst it is accepted that the intention is that normal and abnormal loads will take access and egress via an 'agreed' route, there is likely to be some increase in traffic using other minor roads. There is also the possibility of other unrelated windfarm projects being constructed in the vicinity concurrently with this project. Therefore it would be appropriate that the TMP acknowledge that co-ordination phasing may be required to mitigate against the cumulative traffic impact;
- The developer will be held responsible for the immediate execution of any repairs and will be required to meet the cost of above average maintenance to the public road network arising from the concentration of heavy traffic associated with this development;
- The installation of the grid connection will have an impact upon public roads where the route follows a road, crosses a road or crosses a bridge on the road; and
- Where an access route crosses bridges and culverts, the applicant will require to get approvals (in respect of those structures) from the Council's Engineering Services Bridges and Structures Unit.

4. Landscape Architect

4.1 **Landscape advice:** There is ongoing pressure on landscape resources and the focus of time will be on planning application casework. Any landscape scoping input that can be made will primarily be based on a desk exercise, and existing familiarity with the area. There will not necessarily be the opportunity to undertake site verification at the scoping stage.

4.2 The landscape advice provided is without prejudice to future advice and opinion, or any decision which the Council as planning authority may choose to make in respect of any future planning application. Furthermore, it should not be assumed that every issue which might impact on any such application has been addressed in this report; other issues may come to light as a result of consultation with other relevant bodies, or in relation to any future planning application.

4.3 One landscape opinion only will be provided to schemes at scoping, and all further enquiries are to be referred directly to the planning case officer.

4.4 Policy and guidance

DGC Policy The development plan for the area currently comprises the Dumfries & Galloway Local Development Plan, adopted September 2014 and this Plan takes primacy in the determination of planning applications, and is a key material consideration in the determination of applications at this time. On 29 January 2018, the Council published its Proposed Plan for LDP2. The Proposed Plan therefore is also a material consideration in the determination of this proposal, albeit one of limited weight at this stage.

In respect of windfarm applications the key relevant policies (Policies IN1 and IN2) and proposals remain substantially unaltered from those in the adopted Plan. However, in respect of the new Spatial Framework (Map 8 within the

Proposed Local Development Plan), given the absence of Spatial Framework compliant with the terms of SPP (June 2014) in the existing Local Development, it is considered that the version presented in the Proposed LDP be given more weight than would otherwise be the case. However, it must be noted that the contents of the Proposed Plan may be subject to change during the next stages of the LDP2 process before it is adopted. Accordingly, the appropriate weight and consideration should be given to the current status of the Proposed Plan.

The following lists relevant policies in the LDP (2014).

- Policies OP1c and OP 2 are overarching policies with special relevance for landscape issues.
- Policy IN2 is the main policy for wind energy development (WED). The Examination Report recommendations resulted in LDP policy wording that split Policy IN2 in to 2 parts. Part 1 of Policy IN2 deals with Development Management considerations that apply to the assessment of all wind energy proposals, and Part 2 deals with the Spatial Framework. Following the Examination Report and revisions to SPP, the Spatial Framework maps in policy IN2 in the LDP have an interim status only, and are being revised as part of the next LDP.
- Supplementary Guidance, Part 1 WED: Development Management Considerations (2017) supports IN2.
- Dumfries and Galloway Landscape Assessment (1998).
- The Technical Paper: Wind Energy Interim Spatial Framework Maps. The mapping that appears in the LDP is being revised as part of the next LDP preparation process, which is underway. The Technical Paper para. 4.11 sets out criteria for cumulative strategic issues. See paras 4.91 - 4.95 of the LDP for further guidance.
- Other policies may apply on a case by case basis, in relation to designated landscapes (NE1, NE2, HE6), conservation areas (HE2), forestry and woodland (NE6), trees and development (NE7, NE8), and undeveloped coast (NE9).
- With respect to RSAs, DGC's Technical Paper on Regional Scenic Areas is a key reference, although the DGWLCS provides updated information on landscape character in relation to WED, and should be referenced alongside the RSA Technical Paper. Parts 1, 2, and 3 of the Technical paper are of relevance and should be considered in the LVIA.

Dumfries and Galloway Landscape Capacity Study (DGWLCS)

The DGWLCS (2017) is a key material consideration, embedded in the wording of the LDP policy IN2, and forms Appendix C of the recently updated 2017 WED Supplementary Guidance. The current 2017 DGWLCS importantly provides updated position with respect to a changed baseline, and guidance for Very Large (>150m turbines) not available in the 2012 version.

National policy and guidance

- An LVIA should be undertaken in accordance with GLVIA3 (2013) and with particular reference to, SHN's Siting and Designing Wind Farms in the Landscape (2017) and their updated Visual Representation of Windfarms (SNH, 2017).
- Check Scottish Government and other national publications: ETSU report, The Cumulative Effects of Wind Turbines (2000), current SPP, PAN 45, Cumulative

Effects of Windfarms (SNH, 2005), and Assessing the cumulative impact of onshore development (SNH, 2012)

- Landscape Character Assessment, Guidance for England and Scotland (Countryside Agency & SNH, 2002), and including Topic Paper 6: Techniques and Criteria for Judging Capacity and Sensitivity
- SNH Policy Statements: No. 02/02: Guidance on Onshore Renewable Energy (2009), and No. 02/03: Wildness in Scotland's Countryside (2002), and
- SNH's most recent work, Assessing impacts on Wild Land Areas (2017 technical guidance currently being consulted on)
- Photography and photomontage in landscape and visual impact assessment (Landscape Institute, 2011).

Wind farm typology and policy fit

- With respect to the DGWLCS (2017) the proposals are sited entirely within the Ken unit of the Southern Uplands with Forestry (LCT 19a).
- In terms of development typology the Shepherd's Windfarm proposals need to be considered in the Large (80-150m), and also the Very Large category (>150m) given the closeness of proposed turbine size to the threshold.
- Under the current LDP Spatial Framework Shepherd's Rig would fall within an *Area of Greatest Potential* for Large (>150m) typologies.
- The updated DGWLCS (2017) indicates the host landscape character unit, Ken (LCT 19a) is categorized as High-medium sensitivity for Very Large turbines >150m, and Medium for the Large typology (80-150m).
- Under the DGWLCS Key findings, there would be limited opportunities to accommodate Very Large turbines due to scale issues with the receiving landscape and / or cumulative issues; and the Ken unit (LCT 19a) is noted as one with potential scope for Large turbines albeit limited in relation to cumulative issues, sensitive skylines and proximity to smaller scale landscapes.
- Under Concentrations of existing development, the Stroan / Ken area specific reference is made to the the constraints of the setting and views to and from the landmark hill of the Cairnsmore of Carsphairn, and more sensitive well-defined hills lying on the outer edges of the landscape. Cumulative effects on views from the Cairnsmore are also noted.

4.5 Landscape

Study area

The detailed study area should be 15km taking in: the Upper Glenkens and western edge of the flooded valley; Galloway Forest Park including the Rhinns of Kells; the Carsphairn Hills, and the watershed ridges towards Nithsdale; foothills and uplands around Moniaive. The grain of assessment should be of landscape units, as set out in the DGWLCS. Beyond this (including the Lowther Hills and eastern Nithsdale; and from the Castle Douglas area and isolated summits and upper slopes of the coastal granite uplands, effects are likely to be visual only. The LVIA should address:

Landscape receptors

An assessment of landscape effects deals with the effects of change and development on landscape as a resource. The concern ... is with how the proposal

will affect the elements that make up the landscape, the aesthetic and perceptual aspects of the landscape and its distinctive character. The area of the landscape that should be covered in assessing landscape effects should include the site itself and the full extent of the wider landscape around it which the proposed development may influence in a significant manner. GLVIA3, 5.1 & 5.2 (2013)

Summary, with details set out below:

- Host landscape character unit: LCT 19a Southern Uplands with Forest, Ken.
- Local landscape characteristics and any aspects of local distinctiveness, including any direct impacts and indirect on setting and experience.
- Forestry and woodland areas, including any future plans for forestry within the proposed wind farm site.
- Surrounding LCTs / LCUs within 15km, as covered by the DGWLCS (2017).
- The setting, value and experience of designated landscapes, notably Regional Scenic Areas (RSAs) and designed landscapes (IDLs and NIDLs).

Host LCT / LCU

The host Landscape Character Unit for Shepherd's Rig Windfarm proposals is the Southern Uplands with Forestry (LCT 19a) Ken unit. Direct landscape and visual effects are anticipated for this unit and should be fully assessed, based on the guidance in the 2017 DGWLCS and also a local landscape character assessment at a more detail grain. The site lies at on a ridge of forested land at short range with more sensitive landscape character types / units: the Narrow Wooded Valley (4) Ken unit, the Upper Dales / Valleys (LCT 9) Ken unit, and the Southern Uplands (LCT 19) Carsphairn unit. There may be potential for significant indirect landscape effects with all these highly sensitive landscape units.

Relevant excerpts from the DGWLCS (2017) for the Ken unit of LCT 19a:

Summary of sensitivity:

Within the wider landscape character type of Southern Uplands with Forest (LCT 19a), characterized by an expansive gently undulating upland plateau of smoothly rounded hills, and extensive forest cover the Ken unit is noted as having a greater proportion of open ground, and being: ... more intercut by valleys and features a number of smaller scale local landscapes and dramatic corries at the heads of glens.

Sensitivity would be High-medium for the Very Large typology (turbines 150m+) and Medium for the Large typology.... And whilst Landscape values overall are Medium-low for the LCT, a higher sensitivity is noted for the Ken unit, due to the SUW, core paths and promoted heritage trails.

Cumulative issues:

Wind farm development is noted as a key feature of the Ken unit, and cumulative effects are noted as being more likely to arise within the Ken and Carsphairn units, associated with Wether Hill, Windy Standard, Hare Hill, and other consented schemes in upper Nithsdale. Relevant key cumulative effects may include:

- *The potential creation of a concentrated band of wind farm development visually linking wind farms located in the Ken unit with the Blackcraig and Mochrum wind farms located in the Stroan unit...(18a) to the south.*

- *Additional development located in the Ken unit which could exacerbate impacts on adjacent Narrow Wooded Valleys (4) and Upland Glens (10) and effects on the SUW and other recreational routes.*
- *While the sparsely settled nature of the southern uplands with forest (19a) reduces visual sensitivity, cumulative effects would arise on more elevated views from popularly accessed hills such as Cairnsmore of Carsphairn and from the rhinns of Kellsas well as from the SUW and the striding arches in the Ken unit.*
- *Effects on thesetting and views to the landmark hill of Cairnsmore of Carsphairn in combination with the operational and consented wind farms which already have an effect on these features.*

Constraints:

- *The arc of hills which includes Benbrack, Cairn and Blackcraig which form a key focus at the head of the Upper glen (10) of the Dalwhat Water within the ken unit. The presence of the SUW and the landmark sculptures of the Striding Arches add to the sensitivities of this area.*
- *The proximity of the dramatic sculptural hill of Cairnsmore of Carsphairn to parts of the Ken....unit.*
- *Potential for cumulative effects to arise with additional wind farm development sited within the Ken....unit(s).*

Opportunities:

- *The sparsely settled nature....and its distance from more populated lowland areas.*
- *Extensive commercially managed forestry which covers the majority of the character type which precludes a strong sense of wilderness.*

Guidance on development:

Cumulative effects with other operational and consented wind farms and effects on adjacent glens and landmark hills are key constraints to this typology in theKen unit(s).

Capacity for additional development is likely to be very limited within the Ken unit, although some scope for re-powering and / or small extensions to operational wind farms may be possible provided that effects on promoted recreational routes and on more sensitive glens are minimised.

Local landscape character

With respect to the Shepherd's Hill proposals, whilst occupying a forested area, the Large size of the turbines, and their position in relation to more sensitive landscape areas (LCTs 4, 9 and 19), the SUW and Striding Arches, other existing and committed wind farm developments, and the existing cohesive wind farm pattern associated with upper slopes, would potentially give rise to significant local and strategic impacts.

A local landscape character assessment should be undertaken to assess and mitigate against potential landscape and visual impacts on the local landscape and setting of features, which contribute to its sense of place and local distinctiveness.

- The setting of the Cairnsmore of Carsphairn as a landmark and focus to the range of shapely / sculptural Carsphairn Hills, including most notably Benniner and Moorbrock summits and slopes.
- The setting of Mascalloch Hill as a local landscape feature.
- The setting of and approach to the Stroanfreggan area and associated landscape (and historic) features, the Crag and Iron Age hill fort, and Smitton's Bridge.
- The setting and character of the Dundeugh Hill and High Bridge of Ken area, including the picnic site by the river.
- The setting and character of the upper water of Ken Valley, as appreciated from the minor Head of the Ken road, and including Smitton's Bridge.
- Access and other design aspects of the commercial forestry.

Other LCTs

Within 15 km the ZTV also indicates visibility: along the Narrow wooded Valley (LCT 4) Ken unit, across to the west and down south of the Glen Kens, including Upper Valley (LCT 9) Upper Glenkens unit, Foothills with Forest (LCT 18a) Rhins of Kells unit, Southern Uplands (LCT 19) Carsphairn unit, Rugged Granite Uplands (21) and with Forest (21a) Rhins of Kells units.

Indirect landscape and visual effects are anticipated in these units, and reference to the DGWLCS should be made in terms of detailed assessments for landscape context and visual sensitivities.

Regional Scenic Area designation

The proposals lie immediately to the east of the Galloway Hills RSA and 7km to the west of the Thornhill Uplands RSA. There are no direct landscape effects on the RSA areas, but there may be indirect landscape effects on the setting and context, particularly in relation to the Carsphairn (LCT 19) unit, and / or visual effects in terms of important views, such as from the Cairnsmore of Carsphairn and the Rhinns of Kells. Under IN2 the proposals should be assessed against the potential impacts on the objectives of the RSA designation and demonstrate the extent to which these can be addressed. They should also be assessed against policy NE 2 with respect to the landscape character and scenic interest for which the area has been designated.

Designed Landscapes

The proposals should be assessed against policy HE6, with respect to any theoretically visible Inventory / Non Inventory Designed Landscapes at short range.

4.6 Visual

Study area

The ZTV takes in a study area of 40km, but from the pattern of theoretical visibility any significant effects are not expected beyond 15km, and views taking in wind farm pattern and cumulative context would be likely to fall within the upper Glenkens, and potentially the Galloway Hills / Rhinns of Kells lying to the west. 15km is suggested in this instance as an outer limit of visual interest for full visualisations, although wirelines could usefully be provided beyond this to pick up particularly sensitive visual receptors.

Visual receptors

An assessment of visual effects deals with the effects of change and development on the views available to people and their visual amenity. The concern ... is with assessing how the surroundings of individuals or groups of people may be specifically affected by changes in the content and character of views. ... Scoping should identify the area that needs to be covered in assessing visual effects, the range of people who may be affected by these effects and the related viewpoints in the study area that will need to be examined. GLVIA, 6.1 & 6.2 (2013)

Within DG the ZTV indicates a pattern of visibility: along the Narrow wooded Valley (LCT 4) Ken unit, across to the west and down south of the Glen Kens, including Upper Valley (LCT 9) Upper Glenkens unit, Foothills with Forest (LCT 18a) Rhins of Kells unit, Southern Uplands (LCT 19) Carsphairn unit, Rugged Granite Uplands (21) and with Forest (21a) Rhins of Kells units. The LVIA should address:

Residential receptors:

- Local properties within 2km.
- Possibly other dispersed properties within 5km.
- Villages: New Galloway, Carsphairn, Dalry.

Recreational receptors:

Walkers:

- SUW long distance route / key tourist route; between Benbrack (Striding Arches) and Shield Rig, and including, Culmark Hill, Butterbole Bridge, and Waterside Hill.
- Other core paths, footpaths, and heritage trails; Stroanfreggan Heritage Trail (route to fort), Dundough Hill, Forrest Lodge forest walks, core paths around Carsphairn, including Garryhorn Mine, and Bardennoch Heritage Trails.
- Galloway Hill RSA popular summits; Cairnsmore of Carsphairn / Benniner, Corserine.

The quiet recreation afforded by the character and scenery, network of quiet country roads and associated sites:

- Views and amenity from the network of country roads, B729, minor Fingland to Butterbole Bridge.
- B7000 around the Bridge of Ken, and picnic site.
- RSA areas east of Loch Ken.
- RSA views from the valleys accessing the Rhinns of Kells and Clatteringshaws.

Travelers and visitors:

- A712 key Galloway Forest Park tourist route and RSA views from the New Galloway area.
- A762 key RSA and tourist route up Loch Ken.
- A713 key RSA tourist route and northern approach.

Others

Any key views from Non Inventory Designed Landscapes (NIDL).

Representative viewpoints / sequential visual assessments

Rep. Viewpoints	Receptors	VP Review WCS – worst case scenario
	Scoping viewpoints	
1	Straonfreggan Bridge, B729	Y - site check for WCS
2	Stroanfreggan Craig and Fort	Y – also amenity asset – heritage path
3	Guttery Glen, B729	Y
4	Smitton's Bridge (also proxy-residential for Smittons)	Y - also proxy-residential for Smittons
5	Stroanfreggan Cairn	Y
6	Carroch Hill	Y – unsure of public access - lower priority?
7	Culmark Hill	Y
8	NCR, minor road S of B729	Y
9	High Bridge of Ken, B7000	Y
10	SUW W of Benbrack	Y
11	B7000	Y
12	Dundeugh Hill	Y
13	Benniner	Y
14	Cairnsmore of Carsphairn	Y
15	Craig of Knockgray	Y – consider Carsphairn village War Memorial as well / instead
16	Alhang	Y
17	Mulwhanny	? possibly VP 10 adequate – omit / wireline only
18	Stroangassal, A713	Y – site check
19	Bardennoch Hill	Y – consider the layby on A713 as well / instead – GR: 58 0 91 4
20	Woodhead Mines	Y – consider Garryhorn instead if WCS
20	Corserine	Y
	Additional / alternative requested viewpoints	
	Residential	proximity &/or cumulative
GR: 63 6 94 9	Craigengillan	
GR: 62 9 96 7	Moorbrock	
GR: 65 2 96 6	Auchrae	
GR: 59 7 93 3	Marbrack	
GR: 61 8 91 1	Muirdrochwood	
GR: 62 5 90 5	Bridgemark	
GR: 60 3 92 3	Furmiston	

GR: 62 5 90 5	Bridgemark	
	Others	
GR: 60 8 82 0	Waterside Hill, SUW	
GR: 62 5 77 9 / GR: 62 9 79 9	A712 New Galloway W approach, and / or A 762 N of New Galloway	Choose WCS
GR: 65 7 97 8 / GR: 64 2 95 5	Minor road, Head of Ken Water: Corlae area, and / or S of Strahanna,	Both, or choose WCS - also proxy-residential for Corlae and Strahanna
GR: 63 9 87 7	SUW, Butterbole Bridge	
	Burnfoot Bridge, B729	Also a proxy residential
	<i>Cumulative / sequential visual assessments</i>	
	SUW, Benbrack - Dalry / Shields Rig – Dalry.	National LDR / key tourist route
	B729, Carsphairn - High Bridge of Ken – Carrock / Knockhaughley – Guttery Glen	Scenic drive and route for cyclists, between the
	A713 from Carsphairn - Dalry	Key tourist route
	A762 from Mosssdale - Dalry	Key tourist route

Visualisations: please provide following for the above to meet SNH (2017) and LI (2011) guidance:

- Cumulative wirelines, with other existing, consented, in-planning windfarms / wind turbines labeled / numbered
- Photomontage / cumulative photomontage, with existing and consented windfarms / wind turbines labeled / numbered

Site work for DGC landscape input is limited at scoping due to resources. The viewpoint lists provided reflect interpretation of a variety of data bases, as well as interpretation of the ZTV and OS maps. The total number of viewpoints recommended varies from scheme to scheme and reflects sensitive receptors, the topographic complexity of the landscape and associated visual inter-relationships, and anticipated cumulative issues. Recommended types of visualisations reflect their use and likely stakeholder interest. The balance of representation across distance ranges is determined by the sensitivities of an area and anticipated significant effects. Inclusion of representation for highly sensitive receptors may be recommended, even where effects are not anticipated to be significant, for demonstration purposes.

Please note the following general points regarding proportionality of approach with respect to viewpoint selection:

- The viewpoint list provided by DGC represents the range of anticipated receptors for a scheme and it is anticipated that the Developer would refine this list, given the more in depth site knowledge their own work entails.

- Where two viewpoints are close together, it may be that one of these is a worst case scenario (wcs), and is chosen to represent both. Alternatively both may have a role for different functions; as representative, specific, or illustrative, or sequential viewpoints.
- Inclusion of private residential properties is recommended by DGC within 2km of schemes, and possibly more where specific cumulative issues are anticipated. This is considered appropriate given much of the rural area is characterized by a dispersed settlement pattern, which at times can be quite dense. Limiting representative viewpoints to designated settlements would not always provide the Authority or local people the opportunity to understand potential / likely effects.
- The visual effects assessments are sometimes carried out as part of a residential amenity assessment, in which case this will supplement the normal LVIA for a project.
- Residential properties can also provide representation for the minor road and core path networks, and the wider public amenity. More distant residential receptors can be included as a focus for representation of such other interests.
- It is recommended that the Developer review all the identified viewpoints and decide on the most appropriate to do full assessments and visualisations for. In order to do this all the viewpoints should be site checked to help determine the most representative and worst case scenarios. This initial assessment could form an Appendix in the ES, and baseline photographs usefully provided to illustrate the key points.
- *Visual receptors, and views that have been identified as unlikely to experience significant visual effects either at scoping or in establishing the baseline should not be included in the detail reporting but should be noted, with reasons given for their exclusion. GLVIA 3, 6.24 (2013)*

4.7 Cumulative

Cumulative context

The eastern Glenkens is an area with a dynamic baseline in terms of wind farm development, and the ES will need to address the range of existing, consented, in-planning, and where *absolutely necessary* scoping schemes (as per GLVIA3, paras. 7.14). It is noted that Shepherd's Rig is one of five current scoping schemes at short range from each other in this area of the Glenkens (Glenshimmeroch, Troston Loch, Cornharrow, Stroanshalloch, and Shepherds Hill). Given the proximity of these schemes, and the fact that a number of them lie immediately adjacent to each other and / or also other in-planning schemes, it is considered necessary that all these schemes are included in the cumulative assessment. As these schemes are coming through planning at the same time as Shepherd's Rig it is also likely that they will be in-planning schemes at the time of this scheme's application.

The potential for adverse effects are complex and in order to assess when the capacity of the area is reached the assessment should address the different potential scenarios of development:

- Committed schemes: existing and consented.
- Committed schemes and the different scenarios of in-planning schemes.
- Committed schemes with and without in-planning and scoping schemes.

- Committed schemes with / without each of the immediately adjacent in-planning and scoping schemes and the differing scenarios of each.

The LVIA should fully assess all scenarios of potential cumulative effects under policy IN2, and with reference to the DGC SG WED (2017), and SNH cumulative (2012) and siting and design (2017) guidance. In the current situation, the main concerns are:

- The cumulative impacts of the proposals in addition to Windy Rig would be the main cumulative interaction, and potentially in-planning Lorg, and at-appeal Longburn. Shepherd's Rig would occupy a ridge between Windy rig and the other two proposals, and fall within short range of all of them. It would introduce a different siting and design rationale, as well as being of discernibly much greater scale of turbines and wind farm footprint.
- In relation to the wider cumulative context to the east of the Glenkens: Wether Hill and it's in-planning extension.
- In relation to the wider cumulative context to the north of the Glenkens: the rest of the emerging cluster of development around Windy Standard to the north, including of most relevance in-planning Windy Standard 3.
- In relation to the wider cumulative context to the south, also in the Glenkens: Blackcraig, Torrs Hill (unknown status), consented Knockman Hill Windfarm, and in-planning Margree would potentially give rise to interactions, and sequentially also Mochrum Fell further south.

Shepherd's Rig lies in between three smaller schemes, consented Windy Rig and two in-planning schemes; and is part of an emerging cluster of committed, in-planning and scoping schemes in the northeastern Glenkens. Given the potential for extension of *wind farm development as a key / defining characteristic* throughout the eastern Glenkens between Blackcraig and the Windy Standard cluster; and potential other local scale effects; the scenarios of development must be fully assessed. In terms of GLVIA3 (7.14) it is recommended that the the large cluster of scoping schemes between Wether Hill and Margree are included in the cumulative assessment, most notably Cornharrow, but also Stroanshalloch, Troston Loch and Glenshimmeroch

There are changes to the design detail of approved schemes, with a number in DGC returned for revisions, most commonly increases in turbine height / rotar diameter. The up to date, and potential picture should be reflected in the LVIA, and a willingness to amend visualization material, at least with wirelines, to enable assessment.

Cumulative impacts

Given the complex potential scenarios of development, there are a range of cumulative impacts that can be anticipated to arise that should be tested through the LVIA. The contribution of Shepherd's Rig in addition to other schemes, in relation to:

- CLI (*strategic*) – the relationship of Shepherd's Rig to the cohesive wind farm pattern, which currently relates to the uplands and with clear set back from sensitive valleys and more sculptural hill slopes.
- CLI (*landscape character*) – the change of landscape character of the Ken unit, in terms of the degree of influence of wind farms.

- CLI (*landscape character*) – the influence of wind energy development (WED) directly on the landscape character of the more sensitive surrounding landscape types (LCTs 4, 9, 19), and associated,
- CVI (*combined visibility and sequentially*) – visual dominance of WED from sensitive visual receptors (residents, SUW and other walkers, people enjoying quiet recreation, scenic drivers, cyclists, the Striding Arch sculptures, B729.
- CLI (*setting issues*) – effects on the setting of the sensitive (LCT 19 and key RSA summit) of the Cairnsmore of Carsphairn and CVI (in combination with Windy Rig and potentially Longburn) – effects on views to and from the landmark summit.
- CLI (*setting issues*) – effects on the scale, character and setting of the sensitive (LCT 4) Head of the Ken Valley and, CVI (in combination with potentially Longburn and Lorg) – extent of WED along both sides of the valley backdrop / skyline.
- CLI (*setting issues*) – effects on the setting the sensitive (LCT 9 and RSA landscape) of Dundeugh Hill, Kendoon Loch and the Upper Glenkens and CVI (in combination with Windy Rig and potentially Longburn) – effects on views and the scenic composition on the Glenkens mid slopes.
- CLI (*setting issues*) – effects on the setting of the sensitive (LCT 4) Stroanfreggan area and associated landscape features and, CVI (in combination with Wether Hill and potentially Longburn) – extent of WED around the backdrop / skyline.
- CVI (*sequential*) – the contribution of Shepherd's Rig to sequential impacts, when seen in combination with WED to the eastern Glenkens and Carsphairn area, as might be experienced from the SUW, B729 and potentially key tourist routes A712, A713, A762.

4.8 Design issues

To ensure that mitigation by design is optimized through the design process it is recommended that the following iterations are tested through the LVIA process.

Turbine size

It is anticipated that the turbines would have potential for least good fit / greatest impacts with the receiving landscape, and specifically the more sensitive landscape types and areas that lie immediately adjacent to the site:

- The more sensitive open Southern Uplands (LCT 19) landmark Cairnsmore of Carsphairn and notable '*dramatic sculptural peaks*' of RSA designated scenic quality. In some views such impacts would be in addition to consented Windy Rig.
- The more sensitive Narrow Wooded Valley (LCT4) of the Upper Ken; potentially in addition to Longburn.
- The more sensitive Upper Glenkens Valley (LCT 9) around Dundeugh Hill; potentially in addition to Longburn.
- The sensitive local Stroanfreggan landscape area (LCT 4 and LCT 19a); potentially in addition to Longburn.

It is recommended that comparative wirelines are produced of the scenario with turbines resized from key representative viewpoints, to 110m, and 130m. These will need to be checked in the field to fully appreciate issues of landscape fit and scale.

Lighting issues

The proposed turbines just avoid hub height visible aviation lighting. Should the turbines be up-sized:

- The effects of any required lighting should be visualized and assessed from appropriate representative viewpoints in the Galloway Dark Sky Park, its buffer zones, and any other sensitive viewpoints.
- Alternatives should be explored with respect to potential lighting options. For example radar activated lighting.

Forestry

Most of the proposed scheme lies within an established area of forestry. The LVIA should address the assessment of effects in relation to the Forest Plan, detail forestry proposals, including any potential mitigation by design / compensatory mitigation. Photomontage visualisations should show the proposals, including forest cover.

Access

Access to and within the site should be assessed in terms of impacts; along with the Abnormal Loads Route / options, indicating any requirements in terms of road upgrades at corners, boundary and verge treatments, bridges, tree works and access points etc, along with detail design proposals for these. Photomontage visualisations should show any such proposals.

Other infrastructure

Other compounds, substations, site offices, batching plants, borrow pits etc should be assessed in terms of impacts; indicating any requirements in terms of architectural and engineered structures or ground works, boundary treatments, tree works, proposed screening etc, along with detail design proposals for these. Photomontage visualisations should show proposals.

5 External Consultees

5.1 To date the Council has received the following responses:

6 Scottish Water

6.1 Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water

6.2 This proposed development will be fed from Lochinvar Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity at this time so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water.

Foul

6.3 Unfortunately, according to our records there is no public Scottish Water, Waste

Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.

6.4 The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

6.5 Drinking Water Protected Areas

Scottish Water were consulted previously in 2013. This is included in Appendix D of the Scoping Report.

The site boundary falls within a drinking water catchment where a Scottish Water abstraction is located. Scottish Water abstractions are designated as Drinking Water Protected Areas (DWPA) under Article 7 of the Water Framework Directive. The Water of Ken is adjacent to the site and Carsfad Loch is located on the Water of Ken downstream of the site. Raw water is pumped from Carsfad Loch to Lochinvar Loch which supplies Lochinvar water treatment works(WTW). It is essential that water quality and water quantity in the area are protected.

6.6 Carsfad Loch is a relatively large catchment so there is reasonable dilution, however the wind farm site is in the lower reaches of the catchment. The site boundary is approximately 6km upstream of the abstraction and the site is relatively large, therefore there is a potential risk of activities affecting water quality.

6.7 The fact that this area is located within a drinking water catchment should be noted in future documentation and taken into account during environmental risk assessments. We would request further involvement at the more detailed design stages and once prepared to be sent the Construction Environmental Management Plan (CEMP) and any other associated documents such as a Pollution Prevention and Contingency Plan. This will enable Scottish Water to review the assessment of potential impacts and mitigation required to protect water quality and quantity.

6.8 Scottish Water have produced a list of precautions for a range of activities. This details protection measures to be taken within a DWPA, the wider drinking water catchment and if there are assets in the area. Please note that site specific risks and mitigation measures will require to be assessed and implemented. These documents and other supporting information can be found on the activities within our catchments page of our website at **www.scottishwater.co.uk/slm**.

6.9 Some of the soils in this catchment appear to be peat. Peat that is in unfavourable condition or disturbed can exacerbate the release of organic material into the water environment.

Water containing a high organic content can affect WTW processes and water supply. We would welcome consideration of the precautions specific to protecting drinking water in peatland areas and any opportunities for peat restoration.

6.10 We would also like to take the opportunity, to request that in advance of any works commencing on site, Scottish Water is notified at **protectdwsources@scottishwater.co.uk**.

This will enable us to be aware of activities in the catchment and to determine if a site meeting would be appropriate and beneficial. Anyone working on site should be made aware that they are working within a DWPA. In the event of an incident occurring that could affect Scottish Water, we should be notified without delay using the Customer Helpline number **0800 0778 778**.

Surface Water

6.11 For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not normally accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

6.12 In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

7 Outstanding Responses

7.1 There are still several outstanding responses which will be forwarded on to the Energy Consents Unit once they have been received by the Planning Service.

Melrose J (Joyce)

From: Nyree Bell Redacted @edinburghairport.com>
Sent: 03 April 2018 11:32
To: Park C (Christopher)
Subject: RE: Shepherds Rig - Scoping Consultation Request

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Christopher,

Application Ref:

ELECTRICITY ACT 1989

**THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017
SCOPING OPINION REQUEST FOR PROPOSED SECTION 36 APPLICATION FOR SHEPHERDS RIG WIND FARM, 5KM
EAST OF CARSPHAIRN IN DUMFRIES AND GALLOWAY.**

This development is outside of Edinburgh Airport's safeguarding zone, therefore we have no objections to this proposal.

Kind Regards,

Nyree

Nyree Bell

Airside Operations Safeguarding Manager

Redacted

Redacted



Edge | Empower | Expertise | Energy | Execute | External focus

Edinburgh Airport Limited

Fire Station

EH12 9DN

From Redacted gov.scot [mailto:Redacted @gov.scot]
Sent: Monday, March 19, 2018 2:26 PM
Redacted

From: [Sheridan, Andrew](#)
To: [Park C \(Christopher\)](#)
Cc: [Innes, Niall](#)
Subject: Forestry Commission Scotland Scoping Opinion : SHEPHERDS RIG WIND FARM (ECU00000567)
Date: 23 April 2018 17:20:29

Dear Sir/Madam

ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS
2017
SCOPING OPINION REQUEST FOR PROPOSED SECTION 36 APPLICATION FOR SHEPHERDS RIG
WIND FARM, 5KM EAST OF CARSPHAIRN IN DUMFRIES AND GALLOWAY.

Thank you for requesting our opinion on this Scoping Report. **Forestry Commission Scotland** (FCS) is the Scottish Government's forestry advisor and regulator. FCS works as part of Scottish Government to protect and expand Scotland's forests and woodlands and so has an interest in major developments that have the potential to impact on local forests and woodlands and/or the forestry sector. Relevant discussion on forestry matters should take place prior to the submission of an Environmental Statement (ES) and the developers and their consultants should allow sufficient time in their project plan to accommodate such advice.

Site-Specific Comments:

The proposed development is entirely within existing woodland in private ownership. Management of the woodlands by one of owner is regulated by FCS through an approved Long-Term Forest Plan (Craigengillan North). FCS currently has a contract with one of the owners to fund the restocking of previously-felled areas. The impacts on woodlands will therefore be a significant consideration in assessing the appropriateness of the development and we would encourage our involvement in this process.

As noted in the scoping report, the impacts of increased timber transport on the road network may be important as the existing public road access/egress (B729) is classed as a consultation route. The ES should therefore include forecasts of timber production and traffic movements and mitigation should be described with a **Timber Transport Management Plan** for agreement with the local authority.

It is noted that the southern boundary of the proposed development abuts the ownership boundary with the National Forest Estate at Castlemaddy Forest and **Forest Enterprise Scotland** (FES) should therefore be consulted directly regarding potential impacts on that forest.

General Scoping Opinion:

We welcome the inclusion of a forestry chapter in the ES and generally agree with the proposed methodology and scope. The ES should include a baseline description of the current forest condition and it should clearly lay out the potential impacts that the proposed development will have on the forest. It should consider **the Scottish Government Control of Woodland Removal Policy** when identifying any woodland losses resultant from the development and explain how the developer proposes to address those losses. It should be made clear that both felling operations and compensatory planting (if relevant) must be carried out in accordance to good forestry practice as defined in the **UK Forestry Standard** (UKFS). A key component of this is to ensure that even-age woodlands are progressively restructured in a sustainable manner: felling coupes should be phased to meet adjacency requirements and their size should be of a scale which is appropriate in the context of the surrounding woodland environment.

The chapter should consider how the forests would evolve without the windfarm and then consider how this would differ if the development were to go ahead. Such consideration should cover both felling and restocking activities and be laid out clearly to show how these would differ in the two scenarios. Any other wider impacts on the woodland, such as road construction, "borrow pits" and any other infrastructure, should be considered. This includes secondary impacts on woodland such as those from the construction of any new transmission lines that will be required, but are not included in the current application. We agree that the plan of the how the forests will be managed with the development in place should be in the form of a draft **Wind Farm Forest Plan** and the plan should comply with the UKFS and be agreeable to FCS.

Trees cleared for turbine bases, access roads and any other wind farm related infrastructure must be replaced by replanting on-site or on an alternative site (compensatory planting). The restocking (replanting) plan should show which areas are to be replanted and when during the life of the windfarm. The plan should clearly identify and describe the restocking operations including changes to the species composition and age class structure. Details of the proposed mitigation should not be left to post-consent Habitat Management Plans (or others) to decide and implement. The specifics of the proposed mitigation should be included in a **Compensatory Planting Plan** (CPP), appropriately described in the EIA Report, as they are vital in understanding the development in full. The CPP should include summary

information on the areas of temporary woodland removal, permanent woodland removal, restocking and compensatory planting required.

It is recommended that only tree felling directly required for the construction of the windfarm and associated infrastructure is consented through the planning application. All other forest operations within the red line of the development should continue to be regulated by FCS through the Forest Plan process and existing grant contracts. This approach will enable FCS to monitor and provide specialist advice to the applicant and planning authority on the implementation of the new Windfarm Forest Plan and any associated on-site mitigation.

Other information

The following information should be taken into account within the assessment:

Plans for replanting of felled areas on deep peat should take into account of our [Peatland management guidance](#). The [FCS Long Term Forest Plans: Applicant's guidance](#) will be useful in the preparation of the Wind Farm Forest Plan and any plans for compensatory planting should follow our [Woodland Creation: Application guidance](#)

Yours faithfully

Andrew Sheridan
Senior Operations Manager, South Scotland Conservancy
Forestry Commission Scotland

Redacted (Direct)
Redacted (Mobile)

Redacted @forestry.gsi.gov.uk
<http://www.forestry.gov.uk/scotland>
<http://www.facebook.com/forestrycommissionscotland>
<http://www.twitter.com/fcscotlandnews>

Forestry Commission Scotland is the Scottish Government's forestry advisor and regulator

This email has been received from an external party and has been swept for the presence of computer viruses.

Chris Park
Scottish Government
Energy Consents Unit
4th Floor
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

6th April 2018

Dear Chris,

Scottish Ministers request for a Scoping Opinion for the proposed Shepherds' Rig Wind Farm

Thank you for providing the Galloway Fisheries Trust (GFT) with the opportunity to submit a response to the proposed Shepherds' Rig Wind Farm Scoping Report, submitted by Arcus Consultancy on behalf of the Applicant, Infinergy.

The Galloway Fisheries Trust (GFT) is a charitable organisation which was formed in 1988, by a number of neighbouring District Salmon Fishery Boards in Dumfries and Galloway. The aim of the GFT is to undertake research, provide advice and complete practical works to protect and enhance aquatic biodiversity, particularly fish species, living in the freshwaters and river catchments across Dumfries and Galloway. GFT also works on the Scottish side of the Border Esk and the Water of App in south Ayrshire.

GFT are also commenting in this instance on behalf of the Dee (Kirkcudbrightshire) District Salmon Fishery Board (Dee DSFB), within whose jurisdictional area this proposed development lies.

We have the following site specific comments and observations from the information contained within the Scoping Report:

- Paragraph 1.6 - We note that the Scoping Report has been updated for this application to reflect the current situation but it takes account of previous consultation and surveys which were carried out over four years ago (fisheries surveys in 2013).
- Paragraph 3.7 – We are pleased that existing forestry access tracks will be used as far as possible. From experience with previous developments it is likely that much of the existing forestry track network will need to be upgraded (i.e. widened). It is therefore important that watercourses and the upgrading of watercourse crossings are acknowledged, adequate planning is undertaken and appropriate and sufficient mitigation measures are identified to protect watercourses, water quality and fish populations.
- Paragraph 6.1 – In relation to the forest plan, specifically felling and restocking, we would be pleased to comment on this in relation to fisheries related issues. There are likely to be watercourses/fish

populations within the current mature forest which, in terms of the replanting plan, would benefit from larger buffer zones and we are the position to be able to advise in this respect.

- Paragraph 6.14 – It is imperative that the most recent edition of Forests and Water Guidelines/UK Forestry Standards must be followed. The document “Managing water in acid sensitive catchments” may also be useful (see <https://www.forestry.gov.uk/website/publications.nsf/searchpub/?SearchView&Query=%28FCPG023%29&count=999&SearchOrder=4&SearchMax=0&SearchWV=TRUE&SearchThesaurus=TRUE>).
- Paragraph 8.3 – We agree with SNH that after 18 months that non-avian protected species baseline data may be considered out of date. Although not necessarily protected species, the baseline fisheries data (collected in 2013) is now out of date. Therefore an updated baseline fisheries survey is required in order provide robust data and adequately inform the Ecological Impact Assessment (EIA) and Environmental Statement (ES).
- Paragraph 8.19 – Although we appreciate this is a Scoping Report, there is no information provided to put into context the “over all low-moderate trout population” as stated. GFT is well versed on the status of trout populations in the Dee catchment but we have not seen the data to go alongside this statement contained in this Scoping Report. Again we would reiterate our point above regarding the requirement to update the baseline fisheries data.
- Paragraph 8.21 – GFT may hold fisheries data that is available to augment (new) baseline survey information.
- Paragraph 8.31 – With reference to the point above regarding Paragraph 8.3, we are pleased to note that updated baseline fisheries surveys will be carried out in 2018. In this paragraph it states that they will be carried out “in Spring – Autumn 2018”. The optimum time for carrying out fish fauna surveys is between July and September and so baseline surveys must be carried out then. In addition to collecting a new set of baseline data in 2018, the EIA/ES must contain details of additional fisheries monitoring that will be carried out such as pre construction (usually one year prior to construction commencing), during construction and post construction surveys.

We are pleased to read that electrofishing will be carried out to Scottish Fisheries Co-ordination Centre (SFCC) standards. However in our experience, some surveys for other proposed developments’ EIAs/ESs have made similar claims and we have subsequently had opportunity to examine such data to find it has not adhered to SFCC standards (i.e. has been incorrectly collected and analysed) and is therefore wholly inadequate to correctly inform the EIA/ES. With this in mind, GFT **will object** to this development if we feel that the fisheries data collected for the updated baseline to inform the EIA/ES is inadequate and/or unsatisfactory. This is also the case with regard to any inadequate monitoring set out in the EIA/ES)

GFT has a team of SFCC trained and experienced fisheries biologists who have extensive knowledge and experience of undertaking fisheries surveys and assessments in the Kirkcudbrightshire Dee catchment, and within the vicinity of the proposed development. GFT is therefore in a unique position to be able to offer to carry out an update of the baseline fisheries surveys for the Applicant.

It also states in this paragraph that fisheries populations will be surveyed under licence from the Nith District Salmon Fisheries Board. The Nith DSFB does not issue licences or permission for electrofishing carried out in the Kirkcudbrightshire Dee catchment. GFT holds the necessary licences from the Scottish Government and necessary permissions from the Dee DSFB for carrying out such surveys in the Dee catchment. The Nith DSFB only issues licences/permission for electrofishing within their own area of jurisdiction, which is primarily the River Nith catchment. The proposed development lies wholly within the Kirkcudbrightshire Dee river catchment.

- Paragraph 12.5 – We would also raise concerns regarding nutrient input and acidification which may occur as a result of felling associated with the proposed development. Method statements must be produced and agreed, site specific mitigation measures must be detailed and monitoring plans must be produced to assess water quality and protect watercourses.
- Paragraph 12.9 – We note that the EIA/ES will contain information regarding the identification of mitigation measures and any residual effects following mitigation. It is imperative that the EIA/ES contains details of all site specific mitigation measures to protect watercourses, water quality and fish

populations, and must include details of all mitigation embedded into the design and construction of the proposed development. Details of all potential additional mitigation measures which may be employed further to the initial mitigation being deployed on site during construction.

- Paragraph 12.10 – We would be happy to comment on the Construction Environmental Management Plan. This document should contain all site specific mitigation measures (including mitigation measures embedded into the design of the development) in detail which may be employed during the construction of the development. It should also contain contingency plans.
- Paragraph 14.3 – GFT agrees with the scoping comments in that details must be provided in the EIA/ES of any existing roads and forest tracks that are to be upgraded (widened) for the construction of the proposed development and the access routes for large plant and turbine components. This includes details of which watercourse crossings have to be upgraded and their method of upgrading justified (i.e. bridged or culverted). Any new access routes/tracks and watercourse crossings must also be detailed in the EIA/ES – their location and proposed type of crossing structure in particular. Details of mitigation methods which will be employed to minimise impacts on watercourses, water quality and fish populations during the construction of new tracks and watercourse crossings, as well as the upgrading of these, must be included.

The most recent edition of Forests and Water Guidelines/UK Forestry Standards must be followed and further guidance should be sought from the SNH document “Constructed tracks in the Scottish Uplands”.

When deciding which type and size of watercourse crossings (new or upgraded) to use, these must be designed using guidance from the Scottish Government document “River Crossings and Migratory Fish: Design Guidance (see: <http://www.gov.scot/Topics/marine/science/Publications/publicationslatest/rivercrossings>) and the SEPA document “Engineering in the Water Environment: Good Practice Guide - River Crossings (see <https://www.sepa.org.uk/media/151036/wat-sg-25.pdf>) . Although the document from the Scottish Government is in relation to migratory fish, this guidance must also be used where fish populations are classed as ‘non-migratory’ such as resident brown trout which still migrate within river systems to breed.

It should be noted that in terms of fish passage through new or upgraded watercourse crossings, culverting is the least desirable option.

We have the following general advice related to the site:

- With regard to the felling and replanting of forestry plantations and ground preparation, we want to highlight the importance of small watercourses that may or may not appear on a 1:25,000 Ordnance Survey map. Small watercourses can be extremely important spawning and nursery areas for salmonids where fish populations are low, habitat is less suitable or water quality is poorer. In our experience, unless an adequate understanding of the watercourses and their fish populations within and in the vicinity of a proposed development is firmly established prior to construction (and impressed upon all work teams/ground staff), the importance of smaller watercourses in the scheme of the development can be overseen. This is especially the case during felling and replanting of woodland and ground preparation for the construction phase of a development. The structural integrity of watercourses and fish populations can be severely damaged or destroyed because of inadequate knowledge, planning, mitigation measures and communication regarding smaller onsite watercourses. It is therefore imperative that all running watercourses are properly assessed prior to the planning and construction of this development.
- If surface waters are to be used for abstraction, then abstraction locations/points should be identified in the EIA/ES and agreed with relevant stakeholders. GFT can comment on particular watercourse and fisheries sensitivities if abstraction is to take place on running watercourses.
- Biosecurity throughout the planning and construction stages of this proposed development is of the utmost importance. The Kirkcudbrightshire Dee catchment is home to the invasive non-native species North American Signal crayfish. Although the majority of the crayfish population is located in other areas of the catchment, GFT has had reports of crayfish in the vicinity of the proposed development. It is therefore imperative that any activities and personnel onsite are fully aware of the legislation

regarding these animals and the risks they pose to the environment. In all cases the GB Non-native Species Secretariat's "Check, Clean, Dry" campaign (see <http://www.nonnativespecies.org/checkcleandry/>) must be strictly adhered to by all work teams/ground staff/contractors in order to prevent movement of any crayfish or crayfish eggs into areas where they are not yet established.

I trust the above comments and information are useful. If you have any queries or would like clarification on any of the points raised above, please do not hesitate to contact me.

Yours sincerely

Jackie Graham
Fisheries Biologist

Cc J. Ingall – Chairman of the Dee (Kirkcudbright) DSFB

Melrose J (Joyce)

From: Steve Jones <Redac@glasgowprestwick.com>
Sent: 26 March 2018 16:36
To: Econsents Admin
Subject: Shepherd's Rig Windfarm Scoping Opinion

**ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017
SCOPING OPINION REQUEST FOR PROPOSED SECTION 36 APPLICATION FOR
SHEPHERDS RIG WIND FARM, 5KM EAST OF CARSPHAIRN IN DUMFRIES AND
GALLOWAY.**

Dear Sir,

As per our previous e-mail on a scoping opinion for Shepherd's rig dated 25th April 2013, the development is located roughly 40km to the south east of Glasgow Prestwick Airport. Using estimated co-ordinates from the maps provided the site appears to be terrain shielded from our Primary Surveillance Radar however as the ground undulates a great deal in this area, without exact co-ordinates of the planned positions of each of the 30 turbines, we cannot conduct a full assessment for each and give a more definitive response as to whether we would have a safeguarding objection.

Kind regards,

Steve Jones
SATCO
Glasgow Prestwick Airport



Glasgow Prestwick Airport Ltd.
Aviation House
Prestwick
KA9 2PL
Scotland
United Kingdom

Steve Jones
Senior Air Traffic Control Officer
Glasgow Prestwick Airport Ltd.

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By email: Econsents_Admin@gov.scot

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EH9 1SH

Enquiry Line: 0131-668-8716
HMConsultations@hes.scot

Our ref: AMN/16/D
Our case ID: 300027181

04 April 2018

Dear Ms Anderson

[The Electricity Works \(Environmental Impact Assessment\) \(Scotland\) Regulations 2017 Scoping opinion request for proposed section 36 application for Shepherds Rig Windfarm, 5km East of Carsphairn in Dumfries and Galloway](#)

Thank you for your consultation which we received on 19 March 2018 about the above scoping report. We have reviewed the details in terms of our historic environment interests. This covers world heritage sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas (HMPAs).

The relevant local authority archaeological and cultural heritage advisors will also be able to offer advice on the scope of the cultural heritage assessment. This may include heritage assets not covered by our interests, such as unscheduled archaeology, and category B- and C-listed buildings.

Proposed Development

I understand that the proposed development comprises up to 30 wind turbines with a maximum height to tip of 149.5m and associated infrastructure, located on land 5km east of Carsphairn in Dumfries and Galloway.

Scope of assessment

Our predecessor body, Historic Scotland, has previously offered advice on the scope of assessment for a wind farm in this location. We note that the proposed scheme represents a reduction in the number of turbines. For our interests, there has been no significant alteration to the baseline.

We consider the level of impacts and the nature of supporting information required to be as previously identified for our interests. We have concerns that the setting of a number



of scheduled monuments would be significantly adversely affected by the proposals. While we envisage potential for wind energy development at this location, the current proposal is likely to raise issues for our historic environment interests. Our detailed advice on this, and the scope of the assessment, are given in the annex to this letter.

In light of the concerns that we have raised, we would strongly recommend that the developer undertakes further pre-application consultation with Historic Scotland. As part of that, we would be happy to provide comments on the visualisations produced in advance of any application being submitted.

Further information

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes. Technical advice is available on our Technical Conservation website at <http://conservation.historic-scotland.gov.uk/>.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Ruth Cameron, who can be contacted by phone on 0131 668 8657 or by email on Redacted [@hes.scot](mailto:Redacted@hes.scot).

Yours sincerely

Historic Environment Scotland



Annex

There are three scheduled monuments in the vicinity of the proposal which may raise issues for our national interests. These are as follows:

- Stroanfreggan Craig, fort, Smittens Bridge
- Stroanfreggan Bridge, cairn
- Craigengillan, cairn

It should be noted that there is the potential for significant impacts on other monuments – however, we consider these to be our key concern in this case. We are broadly content with the methodology for identifying receptors for assessment as laid out in the scoping report.

Stroanfreggan Craig, fort, Smittens Bridge ([SM 1095](#))

This probable Iron Age fort is located halfway down a narrow ridge running northeast-southwest, and is overlooked by higher ground to the northeast. Marked by a stone cairn of later date, it has extensive views over the immediate landscape to the southwest, south and southeast. It is also a very prominent monument when viewed from these points in the immediate landscape. The key element in the setting of this monument is its relationship to the topography of the ridge. Views towards the fort from the southwest, south and southeast are therefore sensitive elements in this monument's setting. The fort is located on open upland grazing with practically no modern development in the vicinity. The extensive commercial woodlands to the west form part of the baseline of this setting, and contribute to a sense of rural upland isolation.

The proposed turbines would feature in the backdrop of views towards the fort from the lower ground to the south and southeast, and possibly on the periphery of views towards it from the southwest. The turbines would also be a prominent element in views westwards from the monument. The introduction of turbines would represent a highly visible and industrial intrusion into the open upland setting, and the degree of change to this setting would be high. Therefore, there is potential for a significant adverse impact on this monument. Along with the proposed Longburn wind farm to the immediate north of the fort, there is also potential for a significantly adverse cumulative impact.

We recommend that any turbines in the southern half of the development site are set well back from the site boundary to mitigate impacts on the setting of this monument. An assessment of the setting impacts should seek to identify any necessary mitigation to reduce impacts and inform the project design going forward. This may include relocation of a number of the proposed turbines.

Stroanfreggan Bridge, cairn ([SM 1043](#))



This large circular cairn and cist is situated at the edge of a bank on low-lying ground. The monument appears as a low circular cairn of stones roughly 24m in diameter, and features a burial cist on the eastern side of the cairn. Such cairns were designed to be visible from adjacent farmland and routeways, and to have reciprocal views outwards.

The location of this cairn on a gentle slope leading southwards towards the Stroanfreggan Burn suggests that the key element in the setting of the cairn consists of views to the east and west along the watercourse, and that distant views to the north and south are subsidiary elements in this setting. The monument is not particularly isolated from modern development, and the small number of dwellings to the west and east form part of the baseline setting.

The introduction of turbines on the hillsides to the northwest of the site may have an adverse impact on the setting of the cairn. Along with the proposed Longburn wind farm to the north, there is also potential for a cumulative adverse impact.

Craigengillan, cairn ([SM 2238](#))

The cairn lies on a steep southeast-facing slope, and views to and from the east and southeast are likely to be a significant element in the setting of the monument. These views are likely to be re-established as part of the restocking work. Apart from the visual element of the setting, the monument is located in a relatively isolated upland landscape, and this also contributes to the setting of the monument.

We note that the monument is currently located within forestry. The long term forest plan of this area includes an intention to allow a clear area of 20 metre radius between the designated area of the monument and the nearest planting. We would advise that this is considered in identifying the 'do-nothing' scenario for the setting of this monument.

The potential impact of the proposed development on this setting may be significant. The scale and proximity of turbines to the cairn would represent significant and industrial introductions into its setting. Perceptions of the cairn and its setting would largely be dictated by the sense that it lay within a wind farm. The isolated location of the monument would be significantly altered. Along with the proposed Longburn wind farm to the east of the cairn, there is also potential for a cumulative adverse impact.

Scope of assessment and mitigation

In order to fully assess the potential impacts on the setting of the Stroanfreggan monuments (monuments 1095 and 1043), we recommend that the EIA Report includes the following photomontages:

- From both monuments, looking towards the wind farm
- From the unnamed road leading eastwards from Smittons Bridge, looking northwestwards towards Stroanfreggan fort



- From the south side of the Stroanfreggan Burn looking northwestwards towards the Stroanfreggan Bridge cairn and the proposed development. Where feasible, the viewpoint should be within c.30 – c.50m of the cairn.

In order to assess the potential impact on the setting of Craigengillan cairn, we recommend that a series of wireframes be undertaken. These should focus on views from the cairn, and show the sequential views of both the proposed scheme and Longburn wind farm. This will aid an assessment of the extent to which the monument will be impacted by being surrounded by wind turbines, and inform an understanding of this potentially significant cumulative impact.

We are of the opinion that there is potential for wind energy development at this location, but not to the extent envisaged at this stage. The potential impacts discussed above can be mitigated through design changes which take a full and reasonable assessment of impacts into account.

Historic Environment Scotland
4 April 2018

Melrose J (Joyce)

From: JRC Windfarm Coordinations <Redacted @jrc.co.uk>
Sent: 28 March 2018 16:13
To: Econsents Admin
Subject: Shepherds Rig - Scoping Consultation Request [WF842524]

Dear econsents_admin,

A Windfarms Team member has replied to your coordination request, reference **WF842524** with the following response:

Dear Sir/Madam,

Planning Ref: *Section 36*

Name/Location: *Shepherds' Rig, Carsphairn, Dumfries & Galloway*

Total 30 turbines as follows:

TURBINE:

*Shepherd's Rig T1 hub 93m blades 59m
Grid ref OSGB 262084 595944*

No links affected

TURBINE:

*Shepherd's Rig T2 hub 93m blades 59m
Grid ref OSGB 262431 595724*

No links affected

TURBINE:

*Shepherd's Rig T3 hub 93m blades 59m
Grid ref OSGB 262825 595600*

No links affected

TURBINE:

*Shepherd's Rig T4 hub 93m blades 59m
Grid ref OSGB 263151 595350*

No links affected

TURBINE:

*Shepherd's Rig T5 hub 93m blades 59m
Grid ref OSGB 261868 595400*

No links affected

TURBINE:
*Shepherd's Rig T6 hub 93m blades 59m
Grid ref OSGB 262225 595241*

No links affected

TURBINE:
*Shepherd's Rig T7 hub 93m blades 59m
Grid ref OSGB 262711 595130*

No links affected

TURBINE:
*Shepherd's Rig T8 hub 93m blades 59m
Grid ref OSGB 262301 594846*

No links affected

TURBINE:
*Shepherd's Rig T9 hub 93m blades 59m
Grid ref OSGB 262677 594671*

No links affected

TURBINE:
*Shepherd's Rig T10 hub 93m blades 59m
Grid ref OSGB 261469 595061*

No links affected

TURBINE:
*Shepherd's Rig T11 hub 93m blades 59m
Grid ref OSGB 261768 594767*

No links affected

TURBINE:

*Shepherd's Rig T12 hub 93m blades 59m
Grid ref OSGB 262101 594416*

No links affected

TURBINE:

*Shepherd's Rig T13 hub 93m blades 59m
Grid ref OSGB 262342 594103*

No links affected

TURBINE:

*Shepherd's Rig T14 hub 93m blades 59m
Grid ref OSGB 262680 593889*

No links affected

TURBINE:

*Shepherd's Rig T15 hub 93m blades 59m
Grid ref OSGB 262871 593529*

No links affected

TURBINE:

*Shepherd's Rig T16 hub 93m blades 59m
Grid ref OSGB 263058 593178*

No links affected

TURBINE:

*Shepherd's Rig T17 hub 93m blades 59m
Grid ref OSGB 261938 593843*

No links affected

TURBINE:

*Shepherd's Rig T18 hub 93m blades 59m
Grid ref OSGB 262255 593566*

No links affected

TURBINE:

*Shepherd's Rig T19 hub 93m blades 59m
Grid ref OSGB 262459 593241*

No links affected

TURBINE:

*Shepherd's Rig T20 hub 93m blades 59m
Grid ref OSGB 262652 592897*

No links affected

TURBINE:

*Shepherd's Rig T21 hub 93m blades 59m
Grid ref OSGB 263025 592725*

No links affected

TURBINE:

*Shepherd's Rig T22 hub 93m blades 59m
Grid ref OSGB 261676 593406*

No links affected

TURBINE:

*Shepherd's Rig T23 hub 93m blades 59m
Grid ref OSGB 262013 593178*

No links affected

TURBINE:

*Shepherd's Rig T24 hub 93m blades 59m
Grid ref OSGB 262160 592805*

No links affected

TURBINE:

*Shepherd's Rig T25 hub 93m blades 59m
Grid ref OSGB 262421 592508*

No links affected

TURBINE:

*Shepherd's Rig T26 hub 93m blades 59m
Grid ref OSGB 262780 592304*

No links affected

TURBINE:

*Shepherd's Rig T27 hub 93m blades 59m
Grid ref OSGB 261416 592984*

No links affected

TURBINE:

*Shepherd's Rig T28 hub 93m blades 59m
Grid ref OSGB 261698 592694*

No links affected

TURBINE:

*Shepherd's Rig T29 hub 93m blades 59m
Grid ref OSGB 261985 592274*

No links affected

TURBINE:

*Shepherd's Rig T30 hub 93m blades 59m
Grid ref OSGB 262318 592033*

No links affected

Note - Turbine Dimensions not finalised at present but are likely to be:

Hub Height: 93m Rotor Radius: 59 m OR

Hub Height: 94m Rotor Radius: 56 m

Either size of turbine will be acceptable

*This proposal **cleared** with respect to radio link infrastructure operated by:*

Scottish Power and Scotia Gas Networks

JRC analyses proposals for wind farms on behalf of the UK Fuel & Power Industry. This is to assess their potential to interfere with radio systems operated by utility companies in support of their regulatory operational requirements.

In the case of this proposed wind energy development, JRC does not foresee any potential problems based on known interference scenarios and the data you have provided. However, if any details of the wind farm change, particularly the disposition or scale of any turbine(s), it will be necessary to re-evaluate the proposal.

In making this judgement, JRC has used its best endeavours with the available data, although we recognise that there may be effects which are as yet unknown or inadequately predicted. JRC cannot therefore be held liable if subsequently problems arise that we have not predicted.

It should be noted that this clearance pertains only to the date of its issue. As the use of the spectrum is dynamic, the use of the band is changing on an ongoing basis and consequently, developers are advised to seek re-coordination prior to considering any design changes.

Regards

Wind Farm Team

*The Joint Radio Company Limited
Dean Bradley House,
52 Horseferry Road,
LONDON SW1P 2AF
United Kingdom*

Office: 020 7706 5199

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Mr Chris Park
Energy Consents Unit
Scottish Government
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Our ref: FL/54-7

March 28th 2018

Dear Chris,

SHEPHERD'S RIG WIND FARM, DUMFRIES AND GALLOWAY

Thank you for seeking comments from Marine Scotland Science (MSS) on the scoping report for the proposed Shepherd's Rig wind farm.

The proposed development is drained by tributaries of the Water of Ken which forms part of the River Dee catchment.

The report states that trout was the dominant fish species recorded in surveys carried out in 2013 and that further studies are proposed to provide up to date information. MSS welcomes the proposed fish surveys encouraging all fish surveys, to be fully quantitative thereby enabling a reasonably accurate enumeration of fish stocks. We also suggest water quality site characterisation surveys to be carried out to assess the likely significant impacts on hydrochemical parameters such as pH, alkalinity, dissolved organic acid and suspended solids/turbidity at high and low flows. Information from these site characterisation surveys can inform appropriate site specific mitigation measures and monitoring programmes. The EIA Scotland (2017) regulations state that biodiversity is a factor on which potential significant impacts should be assessed and that monitoring programmes should be established for any such significant effects. Furthermore the Water Framework Directive states that there should be no deterioration of water throughout the course of the

development. Therefore we suggest a robust, integrated monitoring programme for water quality (hydrochemical parameters - including turbidity and flow data and macroinvertebrates) and fish populations of conservation interest (e.g. salmon and brown trout; we are aware that physical obstacles may prohibit the movement of migratory fish in the upper Water of Ken) at sites likely to be impacted and at control sites (where an impact is unlikely) at least 12 months before, during and after construction. Further surveys may be required one to two years prior to decommissioning; the latter can be discussed in the decommissioning plan. Further information in relation to potential impacts on fish populations associated with wind farms can be found in our scoping guidelines; our monitoring guidelines outline details regarding a monitoring programme for hydrochemical parameters, macroinvertebrate and fish populations <http://www.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren>.

We suggest the potential impacts of felling on the water quality and aquatic biota to be discussed in the Environmental Impact Assessment Report (EIAR) and that the measurement of nitrates and phosphates is included in the list of selected parameters within the hydrochemical monitoring programme. Adherence to The Forests and Water UK Forestry Standard Guidelines and SEPA guidance regarding the management of forestry waste is advised, particularly in the removal of felled material from within and adjacent to watercourses and notably in areas already prone to acidification.

We also recommend the potential cumulative impacts of the present proposal and adjacent developments (e.g. operational and proposed wind farms, fish farms, hydro schemes) in relation to fisheries and hydrology to be addressed, particularly in the selection of control sites for the monitoring programme.

The presence of the North American signal crayfish should be carefully considered; further information regarding the prevention of the spread of invasive non-native species can be sought from SEPA <http://www.sepa.org.uk/environment/biodiversity/invasive-non-native-species/>

We note that information will be sought from the Galloway Fisheries Trust and the Nith District Salmon Fishery Board. We also recommend contacting the Dee (Kirkcudbright) District Salmon Fishery Board, if not already done so, for information pertaining to local fish stocks.

In summary, MSS recommends the developer to carry out the following:

- site characterisation surveys of water quality in addition to surveys proposed for fish populations;
- outline appropriate site specific mitigation measures;
- establish a robust integrated water quality and fish monitoring programme; and
- to consider the potential impacts on forestry and cumulative impacts on the water quality and the aquatic biota.

Kind regards,

Dr Emily E. Bridcut



The Granary
West Mill Street
Perth PH1 5QP
Tel: 01738 493 942

By email to econsents_admin@gov.scot

Chris Park
Energy Consents
Directorate for Energy and Climate Change
Scottish Government

3 April 2018

Dear Sir

**ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017**

**SCOPING OPINION REQUEST FOR PROPOSED SECTION 36 APPLICATION FOR
SHEPHERDS RIG WIND FARM, 5KM EAST OF CARSPHAIRN IN DUMFRIES AND
GALLOWAY.**

Thank you for the opportunity to respond to the Shepherds' Rig Wind Farm Scoping Report.

Arcus Consultancy on behalf of Infinergy has submitted an updated scoping report for a proposed wind farm at Shepherds' Rig, approximately 5km east of Carsphairn, Dumfries and Galloway. The updated scoping consultation proposes a layout of up to 30 turbines with a tip height of 149.5m, on land at an altitude between 200 and 400m. The proposed location lies from Craigengillan Hill in the north to the slopes north and east of Marscalloch Hill in the south of the proposed site.

The proposed approach to the EIA appears to be standard and Mountaineering Scotland has no comment to offer on it. Mountaineering Scotland comments here only on those aspects of the Scoping Report of direct relevance to its interests.

Viewpoints

We agree with viewpoints 10, 13-16, 19 and 21 as representing mountain users' interests, specifically Cairnsmore of Carsphairn 797m, and Corserine 814m, both of which are Corbetts. Corbetts are peaks in Scotland with a height of 762m (2500ft) or more and less than 914m (3000ft) with a drop of at least 152m (500ft) between each peak and any higher land. They are a popular destination for hillwalkers in Scotland. The other tops identified provide hillwalking destinations with a view of the surrounding landscape.

Cumulative Impact

We agree with the SNH concerns about saturation of development in the landscape. The cumulative and sequential analysis needs to look at saturation around the points of the compass to assess whether cumulative impact is clustered in certain quadrants or widespread throughout the panorama. A widespread distribution will have a greater impact on walkers' sensitivity and appreciation of the landscape.

Yours sincerely

Redacted

I

Davie Black
Access & Conservation Officer
Mountaineering Scotland

Chris Park
Energy Consents
Directorate for Energy and Climate Change
Scottish Government
4th Floor
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

09 April 2018

Dear Chris,

**ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017
SCOPING OPINION REQUEST FOR PROPOSED SCETION 36 APPLICATION FOR
SHEPHERDS RIG WIND FARM, 5KM EAST OF CARSPHAIRN IN DUMFRIES AND
GALLOWAY.**

Thank you for consulting RSPB Scotland on the Scoping Opinion for this project. We have the following comments to make in the format requested by Scottish Government.

Site specific comments (references relate to Scoping Opinion Report 2017)

Project history

1.5 We are pleased to note that further ornithological survey work has been undertaken to update the information on bird status at this site.

Turbines

3.2 We note that the number of turbines at this site has been reduced from 45 to 30 and that the height to tip has increased from 146.5m to 149.5m.

Forestry 2013 Scoping Opinion

6.5 We support SEPA's request that opportunity should be sought to restore areas of deep peat following clear felling works and that this should be included in a Habitat Management Plan. **We would advise that the detail of this is agreed in liaison with SNH, RSPB, SEPA and that restoration includes the enhancement of habitat for key bird species such as black grouse in areas furthest from the proposed location of turbines.**

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Potential Effects and Assessment

6.11 We acknowledge that the structure of the existing plantation will change through design for this development and agree with the statement that any loss of woodland could be addressed through future forest design plans including management of open space and the incorporation of alternative woodland types. We would recommend that future forest design plans consider the opportunity to enhance forest edge habitat for black grouse in areas furthest from the proposed location of turbines through the provision of small leafed native broadleaves. We would also recommend that forest management includes the provision of safeguarding breeding birds in particular, raptor species through pre-felling survey work. There may also be an opportunity to enhance forest habitat for some raptor species. **We recommend that all of the above objectives should be included for consideration in the production of the Wind farm Forest Plan (6.12).**

Ecology

2013 Scoping Opinion

8.4 We support SNH's advice that NVC habitat survey should be undertaken for any Annex 1 or UKBAP Priority Habitats identified through survey and we welcome that this advice has been taken on board for the updated survey assessment work (2017).

Previous Baseline Survey Results Summary – Habitats and vegetation

8.8. We note the survey confirmation of sensitive and UKBAP priority habitats (blanket bog, marshy grassland, dry heath) were recorded through survey work and we highlight the need to minimise impact to these habitat through design layout. This would include avoiding locating wind farm infrastructure on areas of deep peat (>0.5m).

Ornithology

2013 Scoping Opinion

9.4 We note that the applicant has considered points raised by consultees as part of the consultation in 2013.

Baseline

Desk study and Consultation

9.14 We note the reference to SNH's advice in 2012 regarding the need for migration watches that these would not be necessary. However, we believe that these comments would have been made largely in relation to SPA connectivity issues relating to flight paths for Greenland White-fronted geese and not wider geese and wildfowl species. Following information we received from WWT regarding flight paths over the wind farm footprint for GWF and wider wildfowl species in 2013 it was highlighted to us that Annex 1 species whooper swans travelling from Caerlaverock and Martin Mere do use this corridor along the Carsphain valley and our advice at the time was that migration vantage point watches should be included in survey assessment work (Annex 1 p.161). **We therefore, maintain our advice on this matter that spring migratory vantage point watches should be carried out to assess any likely impact to Annex 1 species Whooper swan.**

Key Sensitive Receptors

9.26 We agree with the target species listed for survey work and assessment of impact from this development to include red kite, goshawk, osprey and hen harrier. We would advise that black grouse and migratory wildfowl in particular whooper swan is included in this list.

Key Questions for Consultees

- We agree that it is appropriate to scope out Loch Ken Dee SPA due to lack of connectivity to this site.
- We are happy with the level of survey work already undertaken and being undertaken in terms of updated survey work for ornithological species at this site accept the omission of spring migratory vantage point watches for whooper swans as advised in our previous consultation response in 2013. We maintain our advice that spring migratory watches should be undertaken in order to properly inform the EIA for this project.

Geology and Peat

Baseline Conditions

11.6 We note that peat depth probes identified peat of 3.0m deep during the 2013 survey work and we acknowledge that further survey work is to be carried out to inform the EIA.

Potential Mitigation

11.12 We note that areas of deep peat are described as greater than 1m and that these areas will be avoided where possible during the design process. **We would like to highlight that deep peat should be classified as areas of >0.5m and that these areas should be avoided through design process.**

Cumulative Effects

21.2 We agree that cumulative assessment should include existing, proposed and other forms of development.

General comments

1.2 Project history

Note error in text description of original project design which states original application was for turbines with tip height of 149.5m. This should be 146.5m.

Yours sincerely,

Julia Gallagher
Conservation Officer – Dumfries and Galloway
Cc John Gibson SNH



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econsents_admin@gov.scot

Chris Park
Energy Consents
Directorate for Energy and Climate Change
Scottish Government
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150 Broomielaw
Glasgow
G2 8LU

17/04/2018

Dear Mr Park,

Re: Electricity Act 1989

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

Scoping Opinion Request For Proposed Section 36 Application For Shepherds Rig Wind Farm, 5km East Of Carsphairn in Dumfries and Galloway

Thank you for your email of 19th March 2018. Further to our correspondence on 9th April, we gratefully acknowledge the additional time allowed for our response.

Site specific comments / observations

The National Catalogue of Rights of Way shows that routes DS15, DS16 and DS21 lie in the vicinity of the *Site Boundary* shown on the Updated (March 2018) Scoping Report's Figure 1 *Site Location*. DS15 and DS16 are recorded as rights of way: DS15 appears to lie shortly to the north of the site boundary, whilst DS16 appears to be followed by it. DS21 is listed as an "other route" running to Marscalloch Hill's trig point, which appears to lie on the site boundary. A map is enclosed showing rights of way DS15 and DS16 highlighted in orange and other route DS21 highlighted in yellow.

It is clear from the Updated Scoping Report (section 7.21) that the applicant is aware that the *Southern Upland Way* (SUW) lies shortly to the east of the proposed wind farm site. Closer still to the site, right of way DS17 forms part of a route promoted for its historic interest by the *Heritage Paths* project - an old drove road from Sanquhar to Stroanpatrick. To the west of the site, another route of historic interest has been brought to the attention of the Heritage Paths project - the Polmaddy Pack Road. For ease of reference, on the enclosed map, the SUW has been highlighted in pink and the Heritage Paths have been highlighted in green. It may be relevant to note that our popular publication *Scottish Hill Tracks* also promotes some of these routes in the vicinity of the site.

We welcome the applicant's confirmation (section 17.2 and 17.3) that rights of way DS15-17 and DS21, along with the SUW will be considered in the EIA.

Table 7.1 *Proposed Assessment Viewpoints* include three locations on or beside the SUW along with several hill summits and locations in close proximity to other recorded CROW routes. The inclusion of at least two viewpoints presumably representing the Striding Arches set of landscape based sculptures is noted, but we would welcome sight of an informed opinion as to whether these will suffice.

Additionally, as this proposed wind farm site is in relatively close proximity to the proposed Longburn Wind Farm we are especially concerned about cumulative impacts on recreational amenity.

General advice

As there is no definitive record of rights of way in Scotland, there could be additional routes within the area of interest shown on our map that meet the criteria to be rights of way but have not yet been recorded.

You will no doubt be aware there may now be general access rights over any property under the terms of the Land Reform (Scotland) Act 2003. It is also worth bearing in mind Core Paths Plans, prepared by local authorities as part of their duties under this Act.

It is our understanding that there is very little guidance regarding the siting of turbines in relation to established paths and rights of way, so we draw the applicant's attention to the following:

Extract from the Welsh Assembly Government's Technical Advice Note on Renewable Energy (TAN 8)

Proximity to Highways and Railways

2.25 It is advisable to set back all wind turbines a minimum distance, equivalent to the height of the blade tip, from the edge of any public highway (road or other public right of way) or railway line.

If further information is required about routes over a wider search area in order to aid preparation of the LVIA's detailed assessment or the cumulative assessment, the applicant is welcome to contact us directly.

I hope the information provided is useful to you. Please do not hesitate to contact me if you need more detail or if you have any further queries.

Yours sincerely,

Eleisha Fahy
Senior Access Officer

Cc: Heather Kwiatkowski, Senior Consultant, Arcus Consultancy Services Ltd

The Scottish Rights of Way and Access Society, 24 Annandale Street, Edinburgh EH7 4AN (Registered Office)
Tel: 0131 558 1222 e-mail: info@scotways.com web: www.scotways.com

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Registered Company Number: 024243 (Scotland). Registered with the Inland Revenue as a charity, ref: SC 015460.

Our ref: PCS/158083
Your ref:

If telephoning ask for:
Julie Gerc

10 April 2018

Chris Park
Scottish Government
4th Floor
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

By email only to: Redacted gov.scot

Dear Sir

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Scoping Opinion Request for Proposed Section 36 Application
Shepherds Rig Wind Farm, 5km East of Carsphairn in Dumfries and Galloway

Thank you for consulting SEPA on the scoping opinion for the above development proposal by your email received on 19 March 2018.

Advice to the planning authority

We consider that the following key issues must be addressed in the Environmental Impact Assessment process. To **avoid delay and potential objection**, the information outlined below and in the attached appendix must be submitted in support of the application.

- a) Map and assessment of all engineering activities in or impacting on the water environment including proposed buffers, details of any flood risk assessment and details of any related CAR applications.
- b) Map and assessment of impacts upon Groundwater Dependent Terrestrial Ecosystems and buffers.
- c) Map and assessment of impacts upon groundwater abstractions and buffers.
- d) Peat depth survey and table detailing re-use proposals.
- e) Map and table detailing forest removal.
- f) Map and site layout of borrow pits.

- g) Schedule of mitigation including pollution prevention measures.
- h) Quarry or Borrow Pit Site Management Plan of pollution prevention measures.
- i) Map of proposed waste water drainage layout.
- j) Map of proposed surface water drainage layout.
- k) Map of proposed water abstractions including details of the proposed operating regime.
- l) Decommissioning statement.

Further details on these information requirements and the form in which they must be submitted can be found in the attached appendix.

General Comments

If much of the site is on peat, we would expect the application to be supported by a comprehensive site specific Peat Management Plan.

For proposals where it is clear that there will be wetlands on the site, it may be advisable to go directly to NVC, without carrying out Phase 1 and Sniffer assessments.

An NVC of areas which are heavily forested or recently felled is not required

Regulatory advice for the applicant

1. Regulatory requirements

- 1.1 Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs).
- 1.2 Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.
- 1.3 You may need to apply for a construction site licence under CAR for water management across the whole construction site. These will apply to sites of 4ha or more in area, sites 5 km or more in length or sites which contain more than 1ha of ground on a slope of 25 degrees or more or which cross over 500m of ground on a slope of 25 degrees or more. It is recommended that you have pre-application discussions with a member of the regulatory team in your local SEPA office.

1.4 Details of regulatory requirements and good practice advice for the applicant can be found on the [Regulations section](#) of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulations team in your local SEPA office at:

Dumfries Office please

If you have queries relating to this letter, please contact me by telephone on 01698 839337 or e-mail at planning.sw@seja.org.uk .

Yours faithfully

Julie Gerc
Senior Planning Officer
Planning Service

Disclaimer

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our [website planning pages](#).

Appendix 1: Detailed scoping requirements

This appendix sets out our scoping information requirements. There may be opportunities to scope out some of the issues below depending on the site. Evidence must be provided in the submission to support why an issue is not relevant for this site in order **to avoid delay and potential objection**.

If there is a delay between scoping and the submission of the application then please refer to our website for our latest information requirements as they are regularly updated; current best practice must be followed.

We would welcome the opportunity to comment on the draft submission. As we can process files of a maximum size of only 25MB the submission must be divided into appropriately named sections of less than 25MB each.

1. Site layout

1.1 All maps must be based on an adequate scale with which to assess the information. This could range from OS 1: 10,000 to a more detailed scale in more sensitive locations. Each of the maps below must detail all proposed upgraded, temporary and permanent site infrastructure. This includes all tracks, excavations, buildings, borrow pits, pipelines, cabling, site compounds, laydown areas, storage areas and any other built elements. Existing built infrastructure must be re-used or upgraded wherever possible. The layout should be designed to minimise the extent of new works on previously undisturbed ground. For example, a layout which makes use of lots of spurs or loops is unlikely to be acceptable. Cabling must be laid in ground already disturbed such as verges. A comparison of the environmental effects of alternative locations of infrastructure elements, such as tracks, may be required.

2. Engineering activities which may have adverse effects on the water environment

2.1 The site layout must be designed to avoid impacts upon the water environment. Where activities such as watercourse crossings, watercourse diversions or other engineering activities in or impacting on the water environment cannot be avoided then the submission must include justification of this and a map showing:

- a) All proposed temporary or permanent infrastructure overlain with all lochs and watercourses.
- b) A minimum buffer of 50m around each loch or watercourse. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse and drawings of what is proposed in terms of engineering works.
- c) Detailed layout of all proposed mitigation including all cut off drains, location, number and size of settlement ponds.

2.2 If water abstractions or dewatering are proposed, a table of volumes and timings of groundwater abstractions and related mitigation measures must be provided.

2.3 Further advice and our best practice guidance are available within the water [engineering](#) section of our website. Guidance on the design of water crossings can be found in our [Construction of River Crossings Good Practice Guide](#).

- 2.4 Refer to Appendix 2 of our [Standing Advice](#) for advice on flood risk. Watercourse crossings must be designed to accommodate the 0.5% Annual Exceedance Probability (AEP) flows, or information provided to justify smaller structures. If it is thought that the development could result in an increased risk of flooding to a nearby receptor then a Flood Risk Assessment must be submitted in support of the planning application. Our [Technical flood risk guidance for stakeholders](#) outlines the information we require to be submitted as part of a Flood Risk Assessment. Please also refer to [Controlled Activities Regulations \(CAR\) Flood Risk Standing Advice for Engineering, Discharge and Impoundment Activities](#).

3. Disturbance and re-use of excavated peat and other carbon rich soils

- 3.1 Scottish Planning Policy states (Paragraph 205) that "Where peat and other carbon rich soils are present, applicants must assess the likely effects of development on carbon dioxide (CO₂) emissions. Where peatland is drained or otherwise disturbed, there is liable to be a release of CO₂ to the atmosphere. Developments must aim to minimise this release."
- 3.2 The planning submission must a) demonstrate how the layout has been designed to minimise disturbance of peat and consequential release of CO₂ and b) outline the preventative/mitigation measures to avoid significant drying or oxidation of peat through, for example, the construction of access tracks, drainage channels, cable trenches, or the storage and re-use of excavated peat. There is often less environmental impact from localised temporary storage and reuse rather than movement to large central peat storage areas.
- 3.3 The submission must include:
- a) A detailed map of peat depths (this must be to full depth and follow the survey requirement of the Scottish Government's [Guidance on Developments on Peatland - Peatland Survey \(2017\)](#)) with all the built elements (including peat storage areas) overlain to demonstrate how the development avoids areas of deep peat and other sensitive receptors such as Groundwater Dependent Terrestrial Ecosystems.
 - b) A table which details the quantities of acrotelmic, catotelmic and amorphous peat which will be excavated for each element and where it will be re-used during reinstatement. Details of the proposed widths and depths of peat to be re-used and how it will be kept wet permanently must be included.
- 3.4 To avoid delay and potential objection proposals must be in accordance with [Guidance on the Assessment of Peat Volumes, Reuse of Excavated Peat and Minimisation of Waste](#) and our [Developments on Peat and Off-Site uses of Waste Peat](#).
- 3.5 Dependent upon the volumes of peat likely to be encountered and the scale of the development, applicants must consider whether a full Peat Management Plan (as detailed in the above guidance) is required or whether the above information would be best submitted as part of the schedule of mitigation.
- 3.6 Please note we do not validate carbon balance assessments except where requested to by Scottish Government in exceptional circumstances. Our advice on the minimisation of peat disturbance and peatland restoration may need to be taken into account when you consider such assessments.

4. Disruption to Groundwater Dependent Terrestrial Ecosystems (GWDTE)

4.1 GWDTE are protected under the Water Framework Directive and therefore the layout and design of the development must avoid impact on such areas. The following information must be included in the submission:

- a) A map demonstrating that all GWDTE are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.
- b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all GWDTE affected.

4.2 Please refer to [Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems](#) for further advice and the minimum information we require to be submitted.

5. Existing groundwater abstractions

5.1 Excavations and other construction works can disrupt groundwater flow and impact on existing groundwater abstractions. The submission must include:

- a) A map demonstrating that all existing groundwater abstractions are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.
- b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all existing groundwater abstractions affected.

5.2 Please refer to [Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems](#) for further advice on the minimum information we require to be submitted.

6. Forest removal and forest waste

6.1 Key holing must be used wherever possible as large scale felling can result in large amounts of waste material and in a peak release of nutrients which can affect local water quality. The supporting information should refer to the current Forest Plan if one exists and measures should comply with the Plan where possible.

6.2 Clear felling may be acceptable only in cases where planting took place on deep peat and it is proposed through a Habitat Management Plan to reinstate peat-forming habitats. The submission must include:

- a) A map demarcating the areas to be subject to different felling techniques.
- b) Photography of general timber condition in each of these areas.
- c) A table of approximate volumes of timber which will be removed from site and volumes, sizes of chips or brash and depths that will be re-used on site.

- d) A plan showing how and where any timber residues will be re-used for ecological benefit within that area, supported by a Habitat Management Plan. Further guidance on this can be found in [Use of Trees Cleared to Facilitate Development on Afforested Land – Joint Guidance from SEPA, SNH and FCS.](#)

7. Borrow pits

- 7.1 Scottish Planning Policy states (Paragraph 243) that “Borrow pits should only be permitted if there are significant environmental or economic benefits compared to obtaining material from local quarries, they are time-limited; tied to a particular project and appropriate reclamation measures are in place.” The submission must provide sufficient information to address this policy statement.
- 7.2 In accordance with Paragraphs 52 to 57 of Planning Advice Note 50 [Controlling the Environmental Effects of Surface Mineral Workings](#) (PAN 50) a Site Management Plan should be submitted in support of any application. The following information should also be submitted for each borrow pit:
 - a) A map showing the location, size, depths and dimensions.
 - b) A map showing any stocks of rock, overburden, soils and temporary and permanent infrastructure including tracks, buildings, oil storage, pipes and drainage, overlain with all lochs and watercourses to a distance of 250 metres. You need to demonstrate that a site specific proportionate buffer can be achieved. On this map, a site-specific buffer must be drawn around each loch or watercourse proportionate to the depth of excavations and at least 10m from access tracks. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse, drawings of what is proposed in terms of engineering works.
 - c) You need to provide a justification for the proposed location of borrow pits and evidence of the suitability of the material to be excavated for the proposed use, including any risk of pollution caused by degradation of the rock.
 - d) A ground investigation report giving existing seasonally highest water table including sections showing the maximum area, depth and profile of working in relation to the water table.
 - e) A site map showing cut-off drains, silt management devices and settlement lagoons to manage surface water and dewatering discharge. Cut-off drains must be installed to maximise diversion of water from entering quarry works.
 - f) A site map showing proposed water abstractions with details of the volumes and timings of abstractions.
 - g) A site map showing the location of pollution prevention measures such as spill kits, oil interceptors, drainage associated with welfare facilities, recycling and bin storage and vehicle washing areas. The drawing notes should include a commitment to check these daily.

- h) A site map showing where soils and overburden will be stored including details of the heights and dimensions of each store, how long the material will be stored for and how soils will be kept fit for restoration purposes. Where the development will result in the disturbance of peat or other carbon rich soils then the submission must also include a detailed map of peat depths (this must be to full depth and follow the survey requirement of the Scottish Government's [Guidance on Developments on Peatland - Peatland Survey \(2017\)](#)) with all the built elements and excavation areas overlain so it can clearly be seen how the development minimises disturbance of peat and the consequential release of CO₂.
- i) Sections and plans detailing how restoration will be progressed including the phasing, profiles, depths and types of material to be used.
- j) Details of how the rock will be processed in order to produce a grade of rock that will not cause siltation problems during its end use on tracks, trenches and other hardstanding.

8. Pollution prevention and environmental management

- 8.1 One of our key interests in relation to developments is pollution prevention measures during the periods of construction, operation, maintenance, demolition and restoration. A schedule of mitigation supported by the above site specific maps and plans must be submitted. These must include reference to best practice pollution prevention and construction techniques (for example, the maximum area to be stripped of soils at any one time) and regulatory requirements. They should set out the daily responsibilities of ECOWs, how site inspections will be recorded and acted upon and proposals for a planning monitoring enforcement officer. Please refer to [Guidance for Pollution Prevention \(GPPs\)](#).

9. Life extension, repowering and decommissioning

- 9.1 Proposals for life extension, repowering and/or decommissioning must demonstrate accordance with [SEPA Guidance on the life extension and decommissioning of onshore wind farms](#). Table 1 of the guidance provides a hierarchical framework of environmental impact based upon the principles of sustainable resource use, effective mitigation of environmental risk (including climate change) and optimisation of long term ecological restoration. The submission must demonstrate how the hierarchy of environmental impact has been applied, within the context of latest knowledge and best practice, including justification for not selecting lower impact options when life extension is not proposed.
- 9.2 The submission needs to demonstrate that there will be no discarding of materials that are likely to be classified as waste as any such proposals would be unacceptable under waste management licensing. Further guidance on this may be found in the document [Is it waste - Understanding the definition of waste](#).



Scottish Natural Heritage Dualchas Nàdair na h-Alba

All of nature for all of Scotland
Nàdar air fad airson Alba air fad

Chris Parks
Energy Consents
Directorate for Energy and Climate Change
Scottish Government
4th Floor
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Date: 12 April 2018
Our ref: CEA149908
Your ref: ECU00000567

Dear Mr Park

Thank you for consulting us on the above and for allowing additional time to respond. Please find comments below as they relate to various sections in the Scoping Report.

Landscape and Visual

Due to staffing issues we are presently not in a position to offer any substantial advice with regard to the landscape and visual aspects of the Scoping Report, we do however have the following comments:

1. Are there any comments with regard to the position taken that the 'Ken' landscape of the Narrow Wooded River Valley' character type, does not share the characteristics of the overall character type in the area local to the Site, and thus will be considered as being part of the adjacent 'Southern Uplands with Forest' character type for the purposes of the character assessment?

At this point we ask that the proposal to consider the 'Ken' landscape of the Narrow Wooded River Valley' character type as being part of the adjacent 'Southern Uplands with Forest' character type for the purposes of the character assessment is clearly justified in the LVIA section of the EIA Report.

2. Are there any comments on the proposed list of viewpoint locations?

Our advice on the 2013 scoping was that the list of viewpoints was adequate but requested a viewpoint from Corserine which we note has been included in the updated Scoping Report.

3. Are there any further wind farm sites, to those listed in Appendix C, to consider as part of the cumulative assessment?

Scottish Natural Heritage, Holmpark Industrial Estate, New Galloway Road, Newton Stewart,
Wigtownshire, DG8 6BF. Tel: 01671 404700 www.snh.gov.uk

Dualchas Nàdair na h-Alba, Ionad Gnìomhachais Holmpark , Rathad Ghall-Ghàidhealaibh Nuaidh,
Baile Ùr nan Stiùbhartach, DG8 6B. Fòn: 01671 404700 www.snh.gov.uk

Our 2013 scoping advice was that most viewpoints should also contain cumulative wireframes as appropriate and we also suggested liaising with D&G, South Ayrshire and East Ayrshire Councils for up to date lists for this assessment. This advice remains valid for this scoping exercise and note that Lethans Wind Farm was granted planning permission 23 March 2018.

Ecology

Answers to questions raised in Section 8.39 of the Scoping Report (bold type):

1. Is the list of potential effects and key sensitive receptors comprehensive?

Yes, this has been adequately covered.

2. Are the baseline survey methods and level of proposed survey effort appropriate taking into consideration current guidance; survey work completed to date; and key findings and identified sensitive receptors?

Given past and proposed survey effort, methods and results we consider these appropriate to the current proposal and will comment further at the application stage.

3. Are the proposed receptor evaluation and impact assessment methods considered appropriate and comprehensive?

We considered that the proposed receptor evaluation and impact assessment methods are appropriate to this site.

Ornithology

Answers to questions raised in Section 9.27 of the Scoping Report (bold type):

1. Do the consultees agree that SPAs can be scoped out of the EIA given the lack of connectivity?

Provisionally yes, given the distance of nearby SPAs, habitat on site and low level of wintering goose flight activity presented. However, this assumes that the survey work has all been conducted in accordance with our guidance (e.g. spread of survey hours), and that the remaining survey work conducted in 2018 shows similar patterns and we won't be able to confirm this until we see the ES.

2. Are the consultees content with and/or have any comments on the list of effects and key sensitive receptors?

Provisionally yes; again assuming the survey work has all been conducted in accordance with our guidance, and that the remaining survey work conducted in 2018 shows similar patterns. There are no numbers of breeding waders are given (only described as 'very low'). Given the habitat this is likely to be the case, but we would need to see the data to be sure we agree with the assessment. The level of red kite flight activity is quite high, particularly in the second year, although 9.14 implies it is low within 500m of the site.

3. Are the consultees content with and/or have any comments on the baseline survey methods and level of survey effort, taking into consideration current guidance, the proposed scale and location of the development, survey work completed to date and the key findings and sensitive receptors?

This is a wider countryside site, largely forested, although with quite a large number of proposed turbines. Surveys as described appear to be appropriate with 11mths of bird survey work conducted in 2012/13 and a year underway in 17/18. SNH guidance suggests two years should normally be conducted, and

data should not be more than 5yrs old. The first survey year data are now going out of date so this is not ideal, but we consider, given the site, and the full year of recent surveys which have (so far) identified similar patterns it will suffice (caveated again with the assumption that the survey work has all been conducted in accordance with our guidance, and that the remaining survey work conducted in 2018 shows similar patterns). However, we have a query about the survey areas; these are described in 22.11 as distance strips around the development site boundary (as we would expect). However, Figure 7 shows the distance strips to not match the site boundary; they appear to be based on a different shape?

4. Are the consultees content with and/or have any comments on the proposed receptor evaluation and impact assessment methods?

This all looks standard.

If you have any questions regarding any of the above, please do not hesitate to contact me at this office.

Yours sincerely

John Gibson
Operations Officer
Southern Scotland
Redacted [@snh.gov.uk](mailto:snh@gov.uk)

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Chris Park
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econsents_admin@gov.scot

Your ref:
ECU00000567

Our ref:
TS000538

Date:
06/04/2018

Dear Sirs,

ELECTRICITY ACT 1989

THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017

SCOPING OPINION REQUEST FOR PROPOSED SECTION 36 APPLICATION FOR SHEPHERDS RIG WIND FARM, 5KM EAST OF CARSPHAIRN IN DUMFRIES AND GALLOWAY.

With reference to your recent correspondence on the above development, we acknowledge receipt of the Updated Scoping Report prepared by Arcus Consultancy Services Ltd (Arcus) in support of the above development.

This information has been passed to SYSTRA Limited for review in their capacity as Term Consultants to Transport Scotland – Trunk Road and Bus Operations (TRBO). Based on the review undertaken, we would provide the following comments.

Previous Scoping Report

We note that the Scoping Report (SR) is an update to a previous SR prepared in April 2013, for a proposed wind farm at Shepherd's Rig approximately 5km east of Carsphairn in Dumfries and Galloway. The nearest Trunk Roads to the site are the A75(T) located approximately 30km to the south-east, and the A77(T), located approximately 40km to the north-west.

The layout at that time included up to 45 turbines with a tip height of 149.5m. We understand that assessment and design of the proposal was put on hold in 2015 due to uncertainty over the Government's proposed changes to funding of onshore wind energy developments, however, the applicant has now confirmed viability of the development, and will be submitting a Section 36 application to the Scottish Government in due course.

Current Proposal

The design of the wind farm has been amended and will now consist of up to 30 turbines with a maximum tip height of 149.5m and a total generation capacity of up to 120MW.

Abnormal Loads Assessment

The SR indicates that the turbines will be delivered to site from the Port of Ayr via the A77(T) at Whitletts Roundabout, south through the A77(T) Holmston Roundabout and then left at the A77(T) Bankfield Roundabout and onto the A713. From the A713, the abnormal loads will access the site via the B729 local road.

The SR states that a detailed abnormal loads assessment will be undertaken to determine the most suitable route for turbine delivery, and states that the *“traffic assessment would determine any requirements for upgrading of junctions or minor roads and would include swept path analysis.”*

This is considered appropriate. However, Transport Scotland would request that a swept path analysis of the A77(T) junctions also be carried out, and would advise that any proposed amendments to trunk road junctions would require to be discussed and agreed with Transport Scotland. Any new or modified infrastructure will require to comply with the Design Manual for Roads and Bridges (DMRB).

Assessment of Environmental Impacts Associated with Increased Traffic

The SR indicates that a Transport Assessment (TA) will be included within the Environmental Impact Assessment.

Transport Scotland would request that potential trunk road related environmental impacts (associated with increased traffic during construction) such as driver delay, severance, pedestrian amenity, safety etc should be considered and assessed where appropriate (i.e. where Institute of Environmental Management and Assessment (IEMA) Guidelines for further assessment are breached). These specify that road links should be taken forward for assessment if:

Traffic flows will increase by more than 30%, or

- The number of HGVs will increase by more than 30%, or
- Traffic flows will increase by 10% or more in sensitive areas.

The methods adopted to assess the likely traffic and transportation impacts on traffic flows and transportation infrastructure should comprise:

- Determination of the baseline traffic and transportation conditions, and the sensitivity of the site and existence of any receptors likely to be affected in proximity of the trunk road network;
- Review of the development proposals to determine the predicted construction and operational requirements; and
- Assessment of the significance of predicted impacts from these transport requirements, taking into account impact magnitude (before and after mitigation) and baseline environmental sensitivity.

Where environmental impacts are fully investigated but found to be of little or no significance, it is sufficient to validate that part of the assessment by stating in the report:

- The work that has been undertaken;
- What this has shown i.e. what impact if any has been identified; and
- Why it is not significant.

It is not necessary to include all the information gathered during the assessment of these impacts, although this information should be available if requested.

We trust that the above is satisfactory and should you wish to discuss any issues raised in greater detail, please do not hesitate to contact Alan DeVenny at SYSTRA's Glasgow Office on 0141 343 9636

Yours faithfully

Redacted

John McDonald

**Transport Scotland
Trunk Road and Bus Operations**

cc Alan DeVenny – SYSTRA Ltd.