

CLASHINDARROCH II

WIND FARM

Scoping Opinion 2018

Prepared for: Vattenfall Wind Power Ltd

Technical Appendix 6.4

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**The Scottish Government
Energy Consents Unit**

**Scoping Opinion On Behalf Of Scottish Ministers Under The
Electricity Works (Environmental Impact Assessment) (Scotland)
Regulations 2017**

CLASHINDARROCH II WIND FARM

Vattenfall Wind Power Ltd

7 March 2019

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1. Introduction

1.1 This scoping opinion is issued by the Scottish Government Energy Consents Unit on behalf of the Scottish Ministers to SLR Consulting limited, on behalf of Vattenfall Wind Power Limited a company incorporated under the Companies Acts with company number 06205750 and having its registered office at First Floor, 1 Tudor Street, London EC4Y 0AH (“the Company”) in response to a request for a revised scoping opinion under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the proposed Clashindarroch II Wind Farm (“the proposed development”). The request was accompanied by a revised scoping report in October 2018.

1.2 Background Information:

On 5 April 2017 SLR Consulting Limited on behalf of Vattenfall Wind Power Ltd requested a scoping opinion. This request was accompanied by a scoping report. At that time the proposal was for up to 16 turbines each having a maximum blade tip height of up to 149.9 metres, with the total generating capacity proposed to be in excess of 50mw when considered with the existing Clashindarroch Wind Farm. A consultation was carried out by the Energy Consents Unit and a scoping opinion was sent to SLR Limited on 3 July 2017. On 22 June 2018 SLR Limited contacted the Energy Consents Unit and informed them there had been a reconsideration on the final design. The proposal would be for 14 turbines with tip height of 180m. It was agreed that a further consultation would be carried out and that this would address the revisions to the project only. Details of the further consultation are given at **Section 2** of this document.

1.3 The proposed development would be an extension of the existing Clashindarroch Wind Farm and would be located within Clashindarroch Forest, approximately 6km to the south west of Huntly, Aberdeenshire.

The proposed Development is located within the Grampian Outliers landscape character within the moorland Plateau landscape character types. The site is predominantly covered by commercial forestry but has some areas of open moorland and ancient woodland.

The area of the site extends to 1560ha, with the proposed turbines located in the southern part of the site. Access to the site would be taken from the A920 and would utilize the existing on-site access tracks as far as possible.

1.4 The proposal would be for 14 turbines with a tip height of 180m, with a total generating capacity proposed to be in excess of 50mw when considered with the existing Clashindarroch Wind Farm.

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

- Power cables linking the turbines laid in trenches underground;
- Met mast;
- Substation and control building;

- On-site access tracks;
- Crane hardstandings adjacent to each turbine;
- Temporary site construction compound and associated infrastructure; and
- Borrow pits.

1.6 The Company should provide a decommissioning and restoration plan within the EIA.

1.7 The proposed development is solely within the planning authority of Aberdeenshire Council.

2. Consultation

2.1 Following the revised scoping opinion request a list of consultees was agreed between SLR Consulting Limited (acting as the Company's agent) and the Energy Consents Unit. A further consultation on the scoping report was undertaken by the Scottish Ministers and this commenced on 19 October 2018. The consultation closed on 2 November 2018. A number of extension requests to this deadline were granted, and the last response was received on 14 November 2018. The Scottish Ministers also requested responses from their internal advisors Marine Scotland and Transport Scotland. A full list of consultees is set out at **Annex A**.

2.2 The purpose of the consultation was to obtain scoping advice from each consultee on environmental matters within their remit. Responses from consultees and advisors should be read in full for detailed requirements and for comprehensive guidance, advice and, where appropriate, templates for preparation of the EIA report. The majority of the responses did not add further comment in relation to the revisions to the development and referred to advice given at the original scoping process. The following consultees did comment further and the advice given should be considered carefully: Cairngorms National Park Authority; DIO; HES, Scottish Badgers; SNH and; Transport Scotland. As can be seen a number of comments relate to the aviation lighting requirement due to the increased turbine height.

2.3 Unless stated to the contrary in this scoping opinion, Scottish Ministers expect the EIA report to include all matters raised in responses from the consultees and advisors.

2.4 No responses were received from a number of organisations and these are also noted and **Annex A**.

2.5 With regard to those consultees who did not respond, it is assumed that they have no comment to make on the scoping report, however each would be consulted again in the event that an application for section 36 consent is submitted subsequent to this Environmental Impact Assessment (EIA) scoping opinion.

2.6 The Scottish Ministers are satisfied that the requirements for consultation set out in Regulation 12(4) of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 have been met.

3. The Scoping Opinion

3.1 This scoping opinion has been adopted following consultation with Aberdeenshire Council, within whose area the proposed development would be situated, Scottish Natural Heritage, Scottish Environment Protection Agency and Historic Environment Scotland, all as statutory consultation bodies, and with other bodies which Scottish Ministers consider likely to have an interest in the proposed development by reason of their specific environmental responsibilities or local and regional competencies.

3.2 Scottish Ministers adopt this scoping opinion having taken into account the information provided by the applicant in its request dated 11 October 2018 in respect of the specific characteristics of the proposed development and responses received 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.

3.3 A copy of this scoping opinion has been sent to Aberdeenshire Council for publication on their website. It has also been published on the Scottish Government energy consents website at www.energyconsents.scot.

3.4 Scottish Ministers expect the EIA report which will accompany the application for the proposed development to consider in full all consultation responses attached in **Annex A**.

3.5 Scottish Ministers are satisfied with the scope of the EIA set out at Section 4.2 of the original scoping report dated April 2017.

3.6 In addition to the consultation responses, Ministers wish to provide comments with regards to the scope of the EIA report. The Company should note and address each matter.

3.7 Scottish Ministers request that the Company investigates the presence of any private water supplies which may be impacted by the development. The EIA report should include details of any supplies identified by this investigation, and if any supplies are identified, the Company should provide an assessment of the potential impacts, risks, and any mitigation which would be provided.

3.8 Scottish Ministers consider that where there is a demonstrable requirement for peat landslide hazard and risk assessment, the assessment should be undertaken as part of the EIA process to provide Ministers with a clear understanding of whether the risks are acceptable and capable of being controlled by mitigation measures. The Peat Landslide Hazard and Risk Assessments: Best Practice Guide for Proposed Electricity Generation Developments (Second Edition), published at <http://www.gov.scot/Publications/2017/04/8868>, should be followed in the preparation of the EIA report, which should contain such an assessment and details of mitigation measures.

3.9 The revised scoping report of October 2018 identified viewpoints at Figure 2 - 5 to be assessed within the landscape and visual impact assessment. No additional viewpoints have been requested by consultees.

3.10 Ministers are aware that further engagement is required between parties regarding the refinement of the design of the proposed development regarding, among other things, surveys, management plans, peat, radio links, finalisation of viewpoints, cultural heritage, cumulative assessments and request that they are kept informed of relevant discussions.

4. Mitigation Measures

4.1 The Scottish Ministers are required to make a reasoned conclusion on the significant effects of the proposed 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.

5. Conclusion

5.1 This scoping opinion is based on information contained in the applicant's written request for a scoping opinion and information available at the date of this scoping opinion. 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 an EIA report submitted in connection with any application for section 36 consent for the proposed development.

5.2 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.

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

5.4 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.

5.5 Applicants are encouraged to engage with officials at the Scottish Government's Energy Consents Unit at the pre-application stage and before proposals reach design freeze.

5.6 Applicants are reminded that there will be limited opportunity to materially vary the form and content of the proposed development once an application is submitted.

5.7 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.

5.8 It should be noted that to facilitate uploading to the Energy Consents portal, the EIA report and its associated documentation should be divided into appropriately named separate files of sizes no more than 10 megabytes (MB). In addition, a separate disc containing the EIA report and its associated documentation in electronic format will be required.

Mark Ashton
Energy Consents Unit

ANNEX A

Consultation

List of consultees

Aberdeenshire Council (A1-A2)

Moray Council

Aberdeen and Grampian Chamber of Commerce*

Aberdeen Airport (A3)

The British Horse Society*

British Telecom (A4)

Cairngorms National Park Authority (A5-A6)

CAA*

Crown Estate*

Defence Infrastructure Organisation (A7-A8)

The Deveron, Bogie and Isla Rivers Charitable Trust &

The River Deveron District Salmon Fishery Board (A9-A10)

Fisheries Management Scotland (A11)

Forestry Commission Scotland*

Historic Environment Scotland (A12-A15)

Huntly Community Council*

Huntly Nordic & Outdoor Centre*

John Muir Trust*

Joint Radio Company (A16-A19)

Mountaineering Scotland*

NATS Safeguarding (A20-A29)

OFCOM*

Ramblers Association*

RSPB Scotland (A30)

Scottish Anglers Association*

Scottish Association of Country Sports*

Scottish Badgers (A30)

Scottish Environment Protection Agency (SEPA) (A32)

Scottish Natural Heritage (SNH) (A33-A35)

Scottish Ornithology Club*

Scottish Rights of Way and Access Society (ScotWays) (A36)

Scottish Water (A37-A41)

Scottish Wildlife Trust*

Strathbogie Community Council*

SUSTRANS*

Tap o'Noth Community Council*

Visit Scotland*

Internal advice from areas of the Scottish Government was provided by officials from **Transport Scotland** and **Marine Scotland**.

Organisations in bold responded to revised scoping consultation.

*No response was received.

