Agenda Item	**7.2**
Report No	**PLN/027/22**

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 26 April 2022

Report Title: 21/01615/FUL: WKN Sallachy Ltd
Land At Sallachy Estate, Lairg

Report By: Acting Head of Development Management

Purpose/Executive Summary

Description: Sallachy Wind Farm - Erection and Operation of a Wind Farm for a period of 30 years, comprising of 9 Wind Turbines with a maximum blade tip height of 149.9m, access tracks, temporary borrow pit and construction compound, substation compound, and ancillary infrastructure.

Ward: 01 – North, West and Central Sutherland

Development category: Electricity Generation Major Development

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

Recommendation

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

1. PROPOSED DEVELOPMENT

1.1 The application is for the erection and operation of Sallachy Wind Farm for a period of 30 years, comprising of 9 wind turbines with a maximum blade tip height of 149.9m, access tracks, borrow pit search area, substation compound area and ancillary infrastructure. The proposal has the capacity to generate up to 49.9MW of electricity.

1.2 The proposal has been submitted under the Town and Country Planning (Scotland) Act 1997 on the basis that the applicant has sought to operate the wind farm as a standalone consent which would have an electricity output of less than 50MW.

1.3 Key elements of the development as assessed within the application's Environmental Impact Assessment Report (EIAR) and Environmental Impact Assessment Report Supplementary Information (EIAR-SI) include:

- 9 wind turbines of 149.9m to blade tip (with a maximum generating capacity of 5.5MW, a hub height of 80m and a rotor diameter of up to 133m);
- Turbine foundations and crane hard standings;
- New access tracks (approximately 7km of new track and 8.9km of existing access track);
- 48 watercourse crossings;
- A network of underground cables;
- Substation compound;
- Borrow pit search area; and
- Temporary construction compound, storage facilities and welfare facilities.

1.4 The turbine foundations would be expected to be around 25m in diameter and 3m in depth. To enable the construction of the turbines, a crane hardstanding area and turning area at each turbine location will be required to accommodate assembly cranes and construction vehicles. This will comprise a crushed stone hardstanding area measuring approximately 4,575 m2, with a typical thickness of approximately 0.5 m. The substation compound is only indicative as the applicant anticipates that the substation and control building will be subject to a separate planning application.

1.5 The applicant has engaged with a number of consultees and community councils from the earliest stages of the proposed development. The applicant has undertaking engagement across the local communities since 2012, through a series of community meetings, one-to-one meetings and information events within the communities to inform members of the public. The applicant employed a variety of different methods of engaging with the local communities / interested stakeholders, including forming a Community Liaison Forum (CLF) and a Working Group of community representatives. A series of virtual public consultation events / targeted engagements sessions were held in July 2020, it included a designated website which was fully interactive with a facility to make comments directly to the project team. A total of six online public exhibitions were held, two telephone conferences and two web seminars. The applicant also raised awareness of these events by notifying all Community Councils and placing statutory newspaper adverts. The applicant raised awareness of these events by notifying all Community Council's within the Zone of

Theoretical Visibility (ZTV) area who may have visibility of the development, by placing statutory newspaper adverts, a letter drop to all addresses within Central and North West Sutherland postcodes of IV27 and IV24, which equates to around 2800 homes.

1.6 Access to the proposed development site will be taken from the A837 at Oykel Bridge then the minor road to the site. Approximately 14km of new access tracks will be constructed to connect the proposed development site to the public road network, including a passing place on the section of access track located between Amat and Cnoc nan Con. The main construction traffic will principally arrive from the south from Lairg and beyond. It is proposed the turbine components will be delivered from Port of Invergordon. Loads will turn right onto the B817, to the A9 turning west onto A839, then onto the A838 proceeding northbound along the shore of Loch Shin turning left onto the private access track for Cassley Hydro Power Station.

1.7 The applicant has requested a micro-siting allowance of 50m for site infrastructure, tracks and turbine locations to accommodate unknown ground conditions, whilst also maintaining environmental buffers (e.g. set back from areas of high bat activity and watercourses). The final design of the turbines (hub and tip heights, rotor diameters, colours, and finish), aviation lighting, control buildings, compounds, ancillary electrical equipment, landscaping and fencing etc, would be expected to be agreed with the Planning Authority at the time of project procurement. For example, it should be noted that the 149.9m tip height of the turbines is presented as a worst case scenario for the purposes of the assessment. Whilst typical drawings for these elements are set out in the application, turbine manufacturers regularly update designs that are available, thereby necessitating the need for some flexibility on the approved design details, the final details of which, can be secured by Condition.

1.7 As stated in paragraph 1.1 of this report, the wind farm has an expected operational life of 30 years from the date of final commissioning. The applicant has advised that a decision would then be made as to whether to apply to re-power the site. If, in the event permission is granted for the development, the decision is made to decommission the wind farm, the applicant advises that certain turbine components such as transformers, substation any associated buildings and infrastructure will be removed. Turbine foundations would remain on site however, although the exposed concrete plinth of the turbine foundations would be removed, leaving only the buried portion of the foundations in situ. Where hardstandings are to be removed these should be regraded with soil and planting where appropriate. The applicant acknowledges that these matters would not be confirmed until the time of the submission of the decommissioning and restoration plan. The applicant anticipates decommissioning works for a period of approximately 12 months.

1.8 The applicant anticipates that the wind farm construction period will last approximately 18 months with a Construction Environment Management Document to be utilised throughout the construction period. This would require to be approved by the Planning Authority, in consultation with the relevant statutory bodies before the commencement of development.

1.9 The applicant utilised the Highland Council's Pre-Application Advice Service for Major Developments (ref: 20/02019/PREMAJ) and Design Workshops. The Pre-Application response outlined a number of concerns with the proposal. The key issues highlighted from the pre-application process were:

- The potential for significant landscape and visual impacts that may arise as a result of the proposed development individually, as well as cumulatively and sequentially with other built, consented or planned proposals in the surrounding area. The area has seen a number of large-scale wind farms which are already consented or under consideration; and
- The potential for significant effects on the qualities of Wild Land Area (WLA) 34 – Reay – Cassley and the special qualities of the Assynt – Coignach National Scenic Area (NSA); and

The applicant engaged further with the Council through a number of Design Workshops, the aim was to seek improvements in the design of the windfarm to reduce significant effects in relation to landscape and visual impacts.

1.10 The application is supported by an EIAR containing chapters on: EIA Process and Methodology; Site Selection and Design; Energy and Planning Policy; Landscape and Visual Impacts; Project Description; Energy; Ecology; Ornithology; Hydrology, Hydrogeology, Geology and Soils; Noise and Vibration; Cultural Heritage and Archaeology; Traffic and Transport; Socio-Economics, Recreation and Tourism; and Schedule of Environmental Commitments. The application is also accompanied by a Pre-Application Consultation Report, Planning Statement and Design and Access Statement.

1.11 No variations have been made in the course of the application. However, clarification documents were submitted in relation to Visualisations on 27th October 2021.

2. SITE DESCRIPTION

2.1 The Proposed Development site is located approximately 18.3km north-west of Lairg on the shores of Loch Shin and occupies an area of approximately 1,044 hectares. The site sits within Sallachy Estate, which has two holiday cottages, one lodge and approximately 6,000 hectares of Forest Stewardship Council (FSC) certified woodland. The site itself comprises largely open moorland which slopes down to the south shore of Loch Shin and is intersected by several minor watercourses draining down to the loch. The current land use for the site is mainly game stalking, and there is evidence across the site of the presence of deer.

2.2 Access to the site is off the A838, along an existing access track which runs along the north-western boundary of the site. This is owned by Scottish and Southern Energy (SSE) and connects the A838 with the two hydropower stations which are located at the north end of Loch Shin and on River Cassley to the south-west of the site. There is infrastructure associated with the hydropower stations in the vicinity of the site, including a substation, an underground tunnel connecting the two, a ventilation shaft and a power line. There is a telecommunication mast located adjacent to the site, on the northern side of the existing access track.

2.3 There are limited residential properties in the locality. The closest property is to the north east of the site across Loch Shin, approximately 2.3 km to the nearest turbine. The closest settlement is Lairg, approximately 18.3 km to the south-east.

2.4 The site is located within Wild Land Area (WLA) 34 Reay – Cassley and sits to the north of the Strath an Loin Site of Special Interest (SSSI), part of the Caithness and Sutherland Peatlands Special Protection Area (SPA), Special Conservation Area (SAC) and Ramsar Site. The Caithness and Sutherland Peatlands SAC and Strath an Loin SSSI are adjacent to the south of the central and eastern parts of the site, designated for blanket bog and associated freshwater habitats. The same area adjacent to the site is designated as a Special Protection Area, with qualifying features including a number of bird species.

2.5 The Sallachy Estate runs from Maovaally, with a submit of 511m Above Ordnance Datum (AOD) in the north to Cnoc Glas na Crioniche with a sumit of 456m AOD in the south. The turbines sit below the submits of Cnoc a' Bhaid Bhain 367m AOD and Cnoc Glas na Crionaiche 456m AOD which form part of a ridgeline of hills between Loch Shin and Glencassley. The highest point in the applicant's EIAR study area is Maovally (511 AOD) just off-site to the west.

2.6 The site of the turbines gently slopes from a central plateau towards the north eastern boundary set on the south western slopes above Loch Shin (90m AOD). The turbines are set between the contours of 270m AOD and 300m AOD, forming a relatively straight line of turbines. The wider site comprises of sloping moorland rising from the south shore of Loch Shin (90m AOD) to approximately 400m AOD at the southern site boundary.

2.7 The site comprises mostly of undulating upland habitat, which is located above Loch Shin with a number of watercourses within the site draining to the loch. A number of the watercourses emerge in the upper slopes and cut into the hillside, flowing northeast into the loch. In the southern part of the study area, watercourses emerge on the southern slopes of the same hills, flowing south. Many of the watercourses are minor streams with narrow, shallow channels, draining the slope locally. However, there are some wide drainage channels with no obvious watercourse (surface water / boggy).

2.8 NatureScot's Landscape Character Assessment (LCA) identifies the site within the Landscape Character Type (LCT) of Rounded Hills – Caithness and Sutherland (NatureScot LCT 135).

2.9 As noted in para 2.4 above the site lies within WLA34 Reay – Cassley, however there are other areas that are designated for Natural Heritage within a 20km radius of the site. Those with likely connectivity to the site are listed below and notably includes:

Special Areas of Conservation (SAC)

- Caithness and Sutherland Peatlands (adjacent southern boundary of site)
- River Oykel (1.6km)
- Inchnadamph (9.5km)
- Ardvar and Loch a Mhuilinn Woodlands (15.6km)
- River Naver (18.3km)

- Inverpolly (19km)

Special Protection Areas

- Caithness and Sutherland Peatlands SPA and RAMSAR site (adjacent southern boundary of site)
- Inverpolly, Loch Urigill and nearby Loch (11.5km)
- Assynt Lochs (13.4km)
- Lairg and Strath Brora Lochs SPA (16.5km)
- Strath Carnaig and Strath Fleet Moors SPA (18.5km)

Site of Specific Scientific Interest

- Strath an Loin (adjacent southern boundary of site)
- Strath Duchally (1.5km)
- Ben More Assynt (3.9km)
- Grudie Peatlands (5km)
- Cnoc an Alaskie (5.3km)
- Loch Glencoul (8.6km)
- Ben Klibreck (9.6km)
- Druim nam Bad (11.5km)
- Assynt Lochs (13.3km)
- Loch Awe and Loch Ailsh (14.2km)
- Ardvar Woodlands (16km)
- Loch Stack and River Laxford (16km)
- Foinaven (16.1km)
- Lairg and Strath Brora Lochs (16.5km)
- Cam Loch (17km)
- Loch Meadie Peatlands (17km)
- Knockan Cliff (17km)
- Loch Urigill (17.3km)
- Strath Carnaig and Strath Fleet Moors (18.5km)
- Oykel Gorge (18.4km)
- Inverpolly (19km)
- Kyle of Sutherland Marshes (19km)

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

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

- WLA 37 – Foinaven - Ben Hee (2.5km)
- WLA 33 – Ben Klibreck - Armine Forest (13.4km)
- WLA 32 – Inverpolly – Glencanisp (13.6km)
- WLA 33 – Quinag (14.2km)
- WLA 29 – Rhiddoroch - Beinn Dearg - Ben Wyvis (16.6km)
- WLA 38 – Ben Hope - Ben Loyal (17.2km)

The applicant has provided WLA assessments within the Environmental Impact Assessment Report for these WLAs.

2.11 In terms of built and cultural heritage, the EIAR has identified 18 heritage assets within the Inner Study Area, 2 of these are within the site boundary. The Inner Study Area includes the proposed development site and an area extending 1km from the site boundary. The assets include an air shaft associated with the tunnel linking Duchally and Cassley Power Stations and a spoil tip associated with the construction of the Cassley Power Station tunnel. Within 1km of the site boundary 16 assets were identified. These are mainly located on the lower slopes around the shore of Loch Shin and mostly relate to post-medieval settlement. They include a farmstead of mid-18th century or earlier date, two unroofed buildings, four shieling huts and five sheepfolds. A modern (20th century) power station, Cassley power station, 2 survey posts, possibly connected to the construction of the power station, and an area of peat cutting were also identified.

2.12 Within the Outer Study Area (up to 10km from the outermost proposed turbine) the EIAR has identified 1 Scheduled Monument: Dail Langwell, broch 1675 north-west of Croich (SM 1852) that lies within Glen Cassley around 8km south of the proposed development. There are no other designated heritage assets (Scheduled Monuments, Listed Buildings, Conservation Areas, Inventory Gardens and Designed Landscapes or Historic Battlefields) within the Outer Study Area. Beyond the 10 km Outer Study Area, the EIAR has not identified any other designated heritage assets that have settings that would be sensitive to adverse effects from the Proposed Development.

2.13 The bedrock geology underlying the site comprises psammite (metamorphic rock of sedimentary origin) of the Altnaharra Psammite Formation, with various highly localised igneous intrusions (none within the site boundary itself). Psammite within the site is considered to have low permeability that is overlain by peat and glacial deposits. The bedrock has superficial deposits of peat in the southern half of the site, on the relatively high ground. The lower slopes towards Loch Shin are indicated to be underlain by hummock/moundy glasier deposits, with till (diamicton) across the central swathe of the site. Localised glacio-fluvial sheet deposits (typically sands and gravels) are indicated to be present along the access track route, around the mouth of the loch.

2.14 NatureScot's 2016 Carbon and Peatland Map indicates that the entire site area, with the exception of a small portion of the access route at the head of Loch Shin to be covered by Class 1 and 2 Priority Peatland Habitat, which is land covered by peat-forming vegetation or vegetation associated with peat formation. NatureScot describes both Priority Peatland Habitats as nationally important carbon-rich soils with deep peat, with Class 1 areas likely to be of high conservation value, and Class 2 areas potentially of high conservation value and restoration potential. Peat probing has been undertaken which identified much of the site was covered with peat depths across the site, from nil to locally over 3 m.

2.15 There are habitats which are potentially sensitive within the site, which include National Vegetation Classifications (NVC). The study area is primarily characterised by blanket bog habitat (53%), comprising of heather, deergrass, cotton grasses and a combination of woolly fringe-moss, lichens and bog-mosses. A large portion of the

study area was mapped as blanket bog/wet heath transitional habitat (28%). A variety of other habitats also present. These included wet dwarf shrub heath, wet modified bog, acid grassland, marshy grassland and dry dwarf shrub heath. However, within the development site the dominant habitats are blanket bog, blanket bog/wet heath transition, wet modified bog and wet dwarf shrub heath. The access track was predominantly made up of wet dwarf shrub heath with many ribbons of marshy grassland and streams running towards Loch Shin. There were a variety of other vegetation types along the Access Track Study Area, usually as small patches, notably semi-natural woodland, plantation and scrub. Habitat and botanical surveys were undertaken by the applicant, these identify a number of habitats within the site with the potential for Groundwater Dependent Terrestrial Ecosystems (GWDTE), which are protected under the Water Framework Directive. These included areas of:

- M6 Carex echinata – Sphagnum fallax mire;
- M10 Carex dioica – Pinguicula vulgaris mire;
- M15 Trichophorum germanicum – Erica tetralix wet dwarf-shrub heath;
- M23 Juncus effusus/acutiflorus – Galium palustre rush-pasture;
- M25 Molinia caerulea – Potentilla erecta mire;
- U6 Juncus squarrousus – Festuca ovina grassland;
- CG10 Festuca ovina – Agrostis capillaris – Thymus polytrichus grassland; and
- W4 Betula pubescens – Molinia caerulea woodland community.

Of these M6, M10, M23 and W4 are considered to be potentially highly groundwater dependent depending on the hydrological setting. The M15, M25 and U6 communities are considered potentially moderately groundwater dependent, depending on the hydrological setting. The M15 habitat was considered to be part of the ombrotrophic peatland bog system. Much of the potential GWDTE occurred as part of the ombrotrophic peatland bog system and their presence is considered to generally be related to the presence of waterlogged conditions sustained in the surrounding peatland bog system. As such, most of the communities were considered likely to be reliant on direct rainfall and limited drainage within the peatbog system, rather than groundwater, for their maintenance.

2.16 The EIAR also reports the results of Protected Species Surveys for Otter, Badger, Water Vole, Reptiles (Common Lizard, Slow Worm and Adder), Argent and Sable, Azure hawker, Wild Cat, Bats (Common and Soprano Pipistrelle (Pipistrellus Pygmaeus.) and Daubenton's bat (Myotis Daubentonii)), Freshwater Pearl Mussels, deer (red, roe and sika). Three plant species were identified: Alpine Bearberry, Dwarf Birch and Whortle-leaved Willow.

2.17 Ornithological Surveys have also been carried out that identify the site and immediate surrounds are frequented by a varied range of birds. The ornithological survey identified 55 bird species of which 12 were identified as potentially important bird species that regularly use the Study Area. These were: pink-footed goose, greylag goose, black grouse, golden eagle, white-tailed eagle, osprey, kestrel, golden plover, dunlin, curlew and greenshank.

2.18 The key recreational interests in this area are walking, hillwalking and hiking, cycling, mountain biking, deer stalking, horse riding, fishing, and canoeing. There are no Core Paths or long distance routes within the site, the closest core paths to the site are

located to the south in and around Lairg. The A836 between the A9 and the A836 / A838 junction is part of National Cycle Route 1 (NCR 1). The NCR 1 follows the A836 from the south of the Dornoch Firth before joining the B864 on the west side of the River Shin passing the Falls of Shin Visitor Centre. The closest section of the NCR 1 lies 9km to the east of the proposed development site. The A838 passes the east of the site, located on the north side of Loch Shin. These are key access routes used by touring cyclists and motorists, as is the A839 further south. These routes are collectively promoted as the Moray Firth Tourist Route by Visit Scotland. In addition, the popular and promoted Inverness to Wick trainline follows roughly the same route as the A839 from the Dornoch Firth northward through Achany Glen before heading east from Lairg though Strath Fleet.

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

National Scenic Areas

- Assynt-Coigach (1.7km west)
- North - West Sutherland (16km North)
- Kyle of Tongue (19km north-east)
- Dornoch Firth National Scenic Area (some 31km southeast)

Special Landscape Areas

- Ben Klibreck and Loch Choire SLA (12km east)
- Fannichs, Beinn Dearg and Glencalvie (25km south)

2.20 There are a number of turbine developments in proximity of the proposal, which must be taken into account by the assessment for cumulative landscape and visual impacts (LVIA). Windfarms beyond a 40km radius of the application site have been scoped out of the assessment of cumulative effects, so the list below sets out windfarm projects within 25km that are operational, approved or have been submitted but not yet determined.

Built and consented / under construction

Between 9km and 20km

- Creag Riabhach (9.67km north-east, 21no turbines tip height 123m hub height 69m, rotor diamenter 112m)
- Achany (13.2km south-east, 19no turbines, tip height 100m, hub height 59m, rotor diameter 82m).
- Rosehall (14km south-eastt, 19no turbines, tip height 90m, hub height 59m, rotor diameter 62m).
- Braemore (18.2km south-east, 18no turbines, tip height 126m, hub height 81m, rotor diameter 90m).
- Lairg (21km south-east, 3no turbines, tip height 100m, hub height 60m, rotor diameter 80m).
- Lairg 2 (21km south-east, 10no turbines, tip heights 150(3) /190(2) /200(5)m, hub heights 83.5/115/125.5m, rotor diameters 133/133/149m).

Under consideration

- Achany Extension (5.37km south, 20no turbines, tip height 149.9m). The Highland Council has raised no objection to the application subject to a reduction in scale of the scheme.
- Strath Tirry (12.6km south-east, 4no turbines, tip height 135m) – pending determination with the recommendation of refusal.
- Meall Buidhe (20km south, 9no turbines, tip height 149.5m).

3. PLANNING HISTORY

3.1	30.06.2008	08/00131/FULSU Formation of access track (In Retrospect)	Refused
3.2	17.11.2015	11/04718/S36 Construct and operate a 22 turbine wind farm	Refused by Scottish Ministers
3.3	20.12.2013	13/04037/FUL Erection of 1 no. meteorological mast with a maximum height of up to 80 m for a temporary period of five years.	Permission Granted
3.4	22.07.2020	20/02019/PREMAJ Sallachy Wind Farm comprising turbines, access tracks, substation, temporary construction compound. Estimated to be circa 9 turbines with blade tip heights of up to 149.9m	Case Closed
3.5	11.08.2020	20/02189/PAN Erection of a Wind Farm of up to 9 turbines with a blade tip height of up to 149.9m, access tracks, access to the public road network, electrical cabling, onsite substation, laydown areas, permanent anemometer mast and other associated infrastructure	Case Closed

4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown NN, Schedule 3 (Bad Neighbour) and EIA Adverts

Date Advertised: 23.4.2021

Representation deadline: 23.05.2021

Timeous representations:	123 (115 No. of Households) objections and 144 (117 No. of Households) support comments.
Late representations:	8 (7 No. of Households) objections, 45 (35 No. of Households) support comments and 1 General Comment.

4.2 Material considerations raised are summarised as follows:

Objections

a) Contrary to Development Plan;
b) Contrary to Scottish Planning Policy and the National Planning Framework 3;
c) Adverse visual impact (individual, cumulative and sequential impacts);
d) Adverse impact on landscape, including landscape character (and wildness), mountaineering assets and NSA;
e) Siting and design of turbines (including pattern of development);
f) Adverse impact on Natural Heritage, including Caithness and Sutherland Peatlands SPA, SAC and Ramsar site and wild land areas (in particular WLA 34 Reay – Cassley);
g) Adverse impact on socio-economics, recreational users and tourism;
h) Adverse impact on cultural heritage;
i) Adverse impact on ecology, habitat loss (including peat loss), protected species, butterflies, fish, ornithological interests and plants;
j) Adverse transport impacts including on road safety and condition; and
k) Adverse residential and community amenity impacts, including from noise, shadow flicker and pollution (including decommissioning);
l) Will result in an increase in greenhouse gas emissions;
m) Concerns over the quality of the visualisations within the EIAR;
n) Concerns over lack of public consultation, lack of public awareness of the project and concerns in relation to the neighbour notification process;
o) Turbine components manufactured using fossil fuels / the development is not renewable or sustainable;
p) Lack of transparency in the planning system, including redacted support comments and NatureScot comments;
q) Industrialisation of the Highlands;
r) Adverse impact on hydrology including soil erosion;
s) Concerns over the carbon calculations provided within the EIAR;
t) Concerns in relation to the safe operation of the hydro assets in close proximity;
u) This development would add little extra to the balance of Scotland's renewable energy capacity;
v) Developments should be close to energy sinks to reduce the losses through transmission;
w) Concerns that the council cannot give due weight to the objections submitted;
x) Significant effects outweigh the benefits; and
y) Limited weight should be attached to draft Scottish Government Documents.

4.3 Non-material considerations raised are summarised as follows:

a) Adverse impact in health and wellbeing;
b) Wind turbines expensive from of renewable energy;
c) Turbine components manufactured overseas;
d) Scottish Ministers previously refused a windfarm on the proposed site
e) Sceptical around the amount of community benefit Sutherland has already received through wind energy developments;
f) Apparently offering payment to the local council from the future sales of electricity;

g) Money given to the local area is a bribe, paid back with higher electricity rates;
h) Constraint payments;
i) Reduction in property values;
j) Modern day Highland clearance;
k) Data shows that wind power installation amplifies the growth of fossil fuels and preserves fossil fuel dependency;
l) If there are going to be more offshore windfarms then no requirement for onshore windfarms;
m) The proposed site encompasses traditional Mathieson clan land;
n) Alternative income generating options available for landowners to manage wild land sustainably;
o) Question how the proposed development will alleviate fuel poverty in the Highlands;
p) Deliberately 1MW below the threshold to bypass Scottish Ministers and the belief that the council will support the proposal;
q) Concern in relation to the standard format of the support comments;
r) Hydro schemes have already all but completely destroyed hundreds of miles of salmon rivers;
s) Covid restrictions have conveniently facilitated developers; and
t) Residents have been given "gifts" from the developer to not object to the proposed development.

Support

4.4 Material considerations raised are summarised as follows:

a) Socio-economic benefits;
b) Sensitive to the landscape and surrounding areas;
c) Adequate consultation with the community;
d) Decarbonising of energy, contributing to working towards net zero society;
e) Community ownership;
f) Provide clean energy;
g) Turbines will improve the visual landscape as Maovally ridge is the least attractive part of this landscape;
h) Adjoins existing hydroelectric works, reducing the need for new infrastructure;
i) Will not impact aviation or telecommunications;
j) No loss of ground for farming or forestry;
k) Good wind capacity;
l) Limited visibility from the settlement of Lairg;
m) Technologies are available to make surplus energy available to local people (smart networks) and charging electric cars.

4.5 Non-material considerations raised are summarised as follows:

a) Community benefit payments;
b) Scandinavian models' utilise local energy to support new local initiatives producing myriad 'green' employment opportunities; and
c) price advantage for local firms when tendering for jobs.

General

4.6 Material considerations raised are summarised as follows:

a) Impacts on Ornithology

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

5. CONSULTATIONS

5.1 **Ardgay Community Council** support the application and do not offer any further comments.

5.2 **Durness Community Council** support the application. It considers that the proposed development will have economic benefits for the local fragile community and allow estates to diversify. It supports renewable energy projects that help towards meeting net zero targets. The community has experienced the impact of wild land policy which has led to little or no development or economic growth due to restrictions on development. The majority of wild land is located within the Highlands and has a coverage in excess of 50%. Wild land is not a statutory designation according to Scottish Planning Policy and as such, it is one of a number of material planning considerations taken into account. WLA 34 Reay – Cassley is already affected by two hydro-power stations, a commercial fish farm and telecom station.

5.3 **Lairg Community Council** support the application. It considers that the proposed development will have economic benefits for the local community. It supports renewable energy projects that help towards meeting net zero targets.

5.4 **Rogart Community Council** object to the application on the grounds of adverse cumulative transport impacts.

5.5 **Scourie Community Council** support the application. It considers that the proposed development will have economic benefits for the local fragile community and allow estates to diversify. It supports renewable energy projects that help towards meeting net zero targets. The community has experienced the impact of wild land policy which has led to little or no development or economic growth due to restrictions on development. It notes that the majority of wild land is located within the Highlands and has a coverage in excess of 50%. It explains that wild land is not a statutory designation according to Scottish Planning Policy and as such, it is one of a number of material planning considerations taken into account. WLA 34 Reay – Cassley is already affected by two hydro-power stations, a commercial fish farm and telecom station.

5.6 **Access Officer** does not object to the application. It notes the existing track which forms the access to this development should be accessible for the public to undertake recreational access at all times during the construction and operation of the development. Furthermore, any paths or tracks constructed should be available for public recreational access during the operation of the development therefore a Recreational Access Management Plan (RAMP) should be secured through planning condition. The RAMP should detail how construction will minimise disruption to any

existing paths and access. The RAMP should also detail how onsite infrastructure will allow public access through the site and any other plans to improve recreational access across the site including signage and car parking provision.

5.7 **Development Plans Team** does not object to the application. It notes that battery storage is not included as part of this proposal. Concepts of developing energy storage and/or major energy users (such as Hydrogen production) in association with energy generation are of interest to the Council, with considerable potential benefits for energy generation (avoiding or reducing curtailment), diversity, decarbonisation, efficiency and supply and for the economy. This can be secured through planning conditions. In terms of developer contributions the applicant may require to contribute towards transport; green infrastructure; water and waste and/or public art.

5.8 **Environmental Health** does not object to the application subject to Conditions to limit operational noise output and to protect private water supplies. It has reviewed the applicant's assessment of likely noise impacts which demonstrates that predicted noise levels can meet the simplified ETSU standard of 35dB LA90. The applicant identified one private water supply at Corriekinloch with the potential to be impacted by the development. The supply pip could be impacted by works to widen the carriage and reprofile the lower part of the slope to allow abnormal load deliveries. The supply source is unlikely to be affected. A detailed method statement will be produced to confirm measures for maintaining and protecting the supply and/or providing alternative supply during construction, with reinstatement of the pipework (if applicable) following construction. This approach does not raise any concerns.

5.9 **Flood Risk Management Team** does not object to the application.

5.10 **Forestry Team** does not object to the application subject to Conditions to protect Scotland's woodland resource. The proposed development appears to avoid woodland and so compensatory planting will not be required. It will be important that existing deer fences remain intact during construction to protect the woodland from deer, with any breach in the deer fence reinstated immediately.

5.11 **Historic Environment Team (Archaeology)** do not object to the application. It agrees with the EIAR that the potential for additional sites to survive in the area is low. Neither of the two identified sites within the Inner Study Area will be impacted. It is accepted that no specific mitigation is necessary in advance of, or during, the construction phase. Guidelines for dealing with unexpected finds should be included into the Construction Environment Management Plan.

5.12 **Landscape Officer** does not object to the application. She considers that the assessment of the Landscape Character Type (LCT) of Rounded Hills is appropriate. She considers that the LCT would experience a high magnitude of change in immediate vicinity of the site, but levels of impact quickly reduce with distance and the southwest face of the ridge will receive little to no effects from the development. She accepts the assessment of impact on the rugged mountain massif as proportional and agrees with the assessment of impact on the sweeping moorland and flows LCT.

She is content with the assessment of impacts on the Ben Klibreck and Loch Choie Special Landscape Area. She does however note that it is important to consider whether the development would appear in views towards the SLA where it may have an effect on its perceived relationship with its setting within the Sweeping Moorland and Flows LCT. However, having considered this scenario and appraised the ZTV, it does not appear that there are locations where this would be an issue.

Having considered the impact of the proposal on the Assynt-Coigach National Scenic Area, she is content that the assessment as a whole represents a reasonable picture of significant effects which are sufficiently restricted in extent for the development to be successfully accommodated in the landscape. She accepts and considers the applicants' assessment of impacts on the special qualities of the National Scenic Area.

5.13 **Transport Planning** do not object to the application subject to conditions to secure further detail and agreement on matters related to the development's impact on Council maintained roads, including access on to and from the public road; general construction traffic; abnormal loads; a Construction Traffic Management Plan; Road Mitigation Schedule of Works; and, a Section 96 Wear and Tear Agreement.

5.14 **Highlands and Islands Airports Limited** do not object to the application. It notes the proposal does not affect the safeguarding area for Inverness Airport.

5.15 **Historic Environment Scotland** do not object to the application. It agrees with the applicant's assessment within the EIAR.

5.16 **Kyle of Sutherland District Salmon Fishery Board (KSDSFB)** object to the application. KSDSFB and Kyle of Sutherland Fisheries Trust (KSFT) have a statutory duty to protect salmon and sea trout, and the associated fisheries for those species, in the Kyle of Sutherland catchment. It considers that there is a lack of consideration of the aquatic environment in general, and resident and migratory fish species, in particular. The main concern is the proposed bridge expansion works at Abhainn a Choire and the unnamed stretch of river between Loch a' Ghriama and Loch Shin. Appendix 7.8 of the EIAR highlights the presence of walls and deflectors in this stretch of river, describing it as heavily modified. However, no mention is made of the fat that this is a site where trapping of salmon smolts takes place annually as part of a restoration programme, hence the river modifications. The trapping and subsequent translocation of smolts downstream of SSEs dams in Lairg is a key component of the restoration strategy. The unnamed section of river is vital as it represents the only appropriate location currently identified for trapping salmon smolts migrating from the uppermost reaches of the Shin system. Similarly, smolt trapping currently takes place downstream of the existing bridge at Abhainn a Choire.

5.17 **Ministry of Defence (Defence Infrastructure Organisation)** do not object to the application subject to pre-commencement conditions being attached to any permission to secure appropriate aviation lighting and data regarding exact turbine and anemometer siting, construction and operation commencement dates, as well as final structure heights.

5.18 **National Air Traffic Services Safeguarding (NATS)** do not object to the application. It notes that the proposal does not conflict with its safeguarding criteria.

5.19 **NatureScot** object the application will have a significant adverse effect on the special qualities of Assynt – Coigach NSA, such that the objectives of the designation and overall integrity will be compromised. It also objects in relation to unavoidable adverse effects on the Reay – Cassley WLA, which is of national importance. It also raises no objection to matters regarding peat, ornithology, mammals and wider ecological aspects. However, request planning conditions to ensure the implementation of the outlined mitigation, a finalised Construction Environmental Management Plan (CEMP), Breeding Bird Protection Plan (BBPP), and Pollution Prevention Plans and a finalised Habitat Management Plan (including Species Protection Plan) and pre-commencement surveys.

NatureScot in their original consultation response had stated that the Planning Authority were required to notify Scottish Ministers if they were minded to grant planning permission. However, NatureScot have reviewed this advice as the proposed development lies outwith the National Scenic Area (NSA). In Circular 9/1987 Development Control in National Scenic Areas, Schedule 1 states the requirement to notify Scottish Ministers only applies to 'Development on land within an area defined as a National Scenic Area'. As such, if members are minded to grant planning permission contrary to NatureScot's objection then Scottish Ministers are not required to be formally notified.

5.20 **Scottish Environment Protection Agency (SEPA)** do not object subject to conditions to ensure the development: minimises its impact on peat and carbon loss; protects and enhances, where possible, wetland and peatland habitats, and improves carbon sequestration; protects the water environment by using appropriate watercourse crossings; is constructed in a manner in line with the Schedule of Mitigation; and, is decommissioned in a manner sensitive to the environment by adhering to an agreed finalised Decommissioning and Restoration Plan.

5.21 **Scottish Water** do not object to the application.

5.22 **Sutherland Disabled Access Panel** does not object to the application.

5.23 **Transport Scotland** do not object subject to conditions to secure information regarding abnormal loads including route and accommodation measures along the trunk road network, and, information regarding construction traffic and traffic management including construction materials, additional signage and temporary control measures in relation to the trunk road network.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

28 - Sustainable Design
29 - Design Quality & Place-making
30 - Physical Constraints
31 - Developer Contributions

51 - Trees and Development
52 - Principle of Development in Woodland
53 - Minerals
54 - Mineral Wastes
55 - Peat and Soils
56 - Travel
57 - Natural, Built and Cultural Heritage
58 - Protected Species
59 - Other important Species
60 - Other Important Habitats
61 - Landscape
63 - Water Environment
64 - Flood Risk
65 - Waste Water Treatment
66 - Surface Water Drainage
67 - Renewable Energy Developments

- Natural, Built and Cultural Heritage
- Other Species and Habitat Interests
- Landscape and Visual Impact
- Amenity at Sensitive Locations
- Safety and Amenity of Individuals and Individual Properties
- The Water Environment
- Safety of Airport, Defence and Emergency Service Operations
- The Operational Efficiency of Other Communications
- The Quantity and Quality of Public Access
- Other Tourism and Recreation Interests
- Traffic and Transport Interests

72 - Pollution
73 - Air Quality
77 - Public Access 43 - Tourism
64 - Flood Risk
65 - Waste Water Treatment
66 - Surface Water Drainage
67 - Renewable Energy Developments
78 - Long Distance Routes

Caithness and Sutherland Local Development Plan 2018 (CaSPlan)

6.2 There are no site-specific policies covering the application site therefore the application requires to be assessed against the general policies of the Highland-wide Local Development Plan referred to above. It is noted, however, that the CaSPlan does identify Special Landscape Areas (SLA) within the plan area. In this instance, the development has potential to impact Ben Klibreck and Loch Choire SLA.

Highland Council Supplementary Planning Policy Guidance

6.3 The Onshore Wind Energy Supplementary Guidance provides additional guidance on the principles set out in Policy 67 of the Highland-wide Local Development Plan for Renewable Energy Developments. The Guidance sets out the Council's agreed

position on onshore wind energy matters and reflects current Scottish Planning Policy. This document is a material consideration in the determination of onshore wind energy planning applications following its adoption as part of the Local Development Plan in November 2016.

6.4 The document includes the Council's Spatial Framework, which, in line with Table 1 of SPP, identifies the areas that are likely to be most appropriate for onshore wind energy development. The current application site lies with the exception of a small portion of the access route at the head of Loch Shin, is contained within areas of Class 1 Peat (areas of peat soil and peatland habitats) and Class 2 Peat (areas dominated by peat soil and peatland habitats), based on the NatureScot Carbon and Peatlands Map (SNH, 2016) that shows carbon-rich soil, deep peat and priority peatland habitat (CPP). Class 1 peat is protected for the nationally important CPP and areas likely to be of high conservation value. Class 2 peat is also protected for the nationally important CPP and areas of potentially high conservation value and restoration potential. Priority peatland habitat is land covered by peat-forming vegetation or vegetation associated with peat formation. As such, CPP is a nationally important mapped environmental asset that indicates where the resource is likely to be found and that detailed peat assessments will be required to guide development away from the most sensitive areas and help inform potential mitigation.

6.5 The document also contains the Loch Ness Landscape Sensitivity Study, the Black Isle, Surrounding Hills and Moray Firth Coast Sensitivity Study, and, the Caithness Sensitivity Study. The site does not fall within an area covered by a Landscape Sensitivity Study at this time; however, the proposed site sits within the Landscape Character Type (LCT) of Rounded Hills – Caithness and Sutherland (NatureScot LCT 135) as noted in para 2.8 of this report.

6.6 The following Supplementary Guidance also forms an integral and statutory part of the Local Development Plan and is considered pertinent to the determination of this application:

- Developer Contributions (November 2018)
- Flood Risk & Drainage Impact Assessment (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (March 2013)
- Highland Renewable Energy Strategy & Planning Guidelines (May 2006)
- Managing Waste in New Developments (March 2013)
- Physical Constraints (March 2013)
- Special Landscape Area Citations (June 2011)
- Standards for Archaeological Work (March 2012)
- Sustainable Design Guide (Jan 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 The Highland-wide Local Development Plan is currently under review and is at Main Issues Report Stage. It is anticipated the Proposed Plan will be published following publication of secondary legislation and National Planning Framework 4.

7.2 In addition to the above, The Highland Council has further advice on the delivery of major developments in a number of documents, which include the Construction Environmental Management Process for Large Scale Projects; and The Highland Council Visualisation Standards for Wind Energy Developments.

Scottish Government Planning Policy (SPP) and Guidance

7.3 Scottish Planning Policy (SPP) advances principal policies on Sustainability and Placemaking, and subject policies on A Successful, Sustainable Place; A Low Carbon Place; A Natural, Resilient Place; and A Connected Place, which relate national planning policy to the Scottish Government's National Outcomes.

7.4 SPP sets out continued support for onshore wind energy developments, requiring Planning Authorities to progress, as part of the Development Plan process, a spatial framework that identifies the most appropriate areas for potential onshore wind farms as a guide for developers and communities. SPP also lists considerations in respect of the scale of proposals in relation to area characteristics, to be taken into account in the assessment of wind energy proposals (Para. 169 of SPP).

7.5 Paragraph 170 of SPP sets out that areas identified for windfarms should be suitable for use in perpetuity. This means that even though the consent is time limited the use of the site for a wind farm must be considered as, to all intents and purposes, a permanent one. The implication of this is that operational effects should be considered as permanent, and their magnitude should not be diminished on the basis that the specific proposal will be subject to a time limited consent.

7.6 National Planning Framework 4 will, in due course, supersede Scottish Planning Policy and form part of the Development Plan. Draft National Planning Framework 4 was published in November 2021. It comprises four parts, summarised below:

- Part 1 – sets out an overarching spatial strategy for Scotland in the future. This includes priorities, spatial principles and action areas.
- Part 2 – sets out proposed national developments that support the spatial strategy.
- Part 3 – sets out policies for the development and use of land that are to be applied in the preparation of local development plans; local place plans; masterplans and briefs; and for determining the range of planning consents. It is clear that this part of the document should be taken as a whole, and all relevant policies should be applied to each application.

Part 4 – provides an outline of how Scottish Government will implement the strategy set out in the document.

7.7 The Spatial Strategy sets out that we must embrace and deliver radical change so we can tackle and adapt to climate change, restore biodiversity loss, improve health and wellbeing, build a wellbeing economy and create great places. It makes it clear that new development and infrastructure will be required to meet the net zero targets by 2045. To facilitate this, it sets out that we must rebalance our planning system so that climate change and nature recovery are the primary guiding principles for all our decisions. It sets out that significant weight should be given to the global climate emergency when considering development proposals. The draft sets out that the

planning system should support all forms of renewable energy development in principle. Specific to this proposal it states that development proposals to extend and expand existing wind farms should be supported unless the impacts identified (including cumulative effects) are unacceptable. It continues to highlight a range of considerations for renewable energy applications, similar to the existing provisions of Scottish Planning Policy.

Other Relevant National Guidance and Policy

7.8 A range of other national planning and energy policy and guidance is also relevant, including but not limited to the following:

- National Planning Framework for Scotland 3, NPF3
- Scottish Energy Strategy (Dec 2017)
- Historic Environment Policy for Scotland (HEPS, 2019)
- PAN 1/2011 - Planning and Noise (Mar 2011)
- Circular 1/2017: Environmental Impact Assessment Regulations (May 2017)
- PAN 60 – Planning for Natural Heritage (Jan 2008)
- 2020 Routemap for Renewable Energy (Jun 2011)
- Onshore Wind Energy (Statement), Scottish Government (Dec 2017)
- Onshore Wind Energy (Statement) Refresh Consultation Draft, Scottish Government (October 2021)
- Siting and Designing Wind Farms in the Landscape, SNH (Aug 2017)
- Wind Farm Developments on Peat Lands, Scottish Government (Jun 2011)
- Energy Efficient Scotland Route Map, Scottish Government (May 2018)
- Assessing Impacts on Wild Land Areas, Technical Guidance, NatureScot (Sep2020)

8. PLANNING APPRAISAL

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

Determining Issues

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

Planning Considerations

8.3 The key considerations in this case are:

a) Development Plan
b) Onshore Wind Energy Supplementary Guidance
c) National Policy
d) Planning History
e) Energy and Socio-Economic Benefits, Impact on Tourism
f) Construction
g) Roads, Transport and Access

g) Water, Flood Risk, Drainage and Peat
h) Natural Heritage (including Ornithology)
i) Built and Cultural Heritage
j) Design, Landscape and Visual Impact (including Wild Land Areas)
k) Noise, Vibration and Shadow Flicker
l) Telecommunications
m) Aviation
n) Forestry
0) Other Material Considerations

Development Plan

8.4 The Development Plan comprises the adopted Highland-wide Local Development Plan (HwLDP), Caithness and Sutherland Local Development Plan and all statutorily adopted supplementary guidance. If the Council is satisfied that the proposal is not significantly detrimental overall, then the application will accord with the Development Plan. The HwLDP was in place at the time of consideration and determination of the original application.

Highland-wide Local Development Plan

8.5 With no site-specific allocations or policies within the CaSPlan at the application location, the proposal is principally assessed against HwLDP Policy 67 for Renewable Energy developments Policy 67 sets out that renewable energy development should be well related to the source of the primary renewable resource needed for its operation. Proposals are required to be judged according to their contribution in meeting renewable energy targets and positive/negative effects on the local and national economy as well as against all other relevant policies of the Development Plan and other relevant guidance. In that context the Council will support proposals where it is satisfied they are located, sited, and designed such as they will not be significantly detrimental overall, either individually or cumulatively with other developments, having regard to the 11 specified criteria (as listed in para. 8.1). Such an approach is consistent with the concept of Sustainable Design (Policy 28) and aim of Scottish Planning Policy to achieve the right development in the right place; it is not to allow development at any cost.

8.6 If the Council is satisfied that the proposal is not significantly detrimental overall, either individually or cumulatively with other developments, then the application will accord with the Development Plan.

Caithness and Sutherland Local Development Plan

8.7 The Caithness and Sutherland Local Development Plan does not contain any specific land allocations related to the proposed development. Paragraph 74 of the CaSPlan sets out that the Special Landscape Area boundaries have been revised for the CaSPlan to ensure ‘key designated landscape features are not severed and that distinct landscapes are preserved.’ The boundaries set out in the CaSPlan are supported by a background paper that includes citations for each of the Special

Landscape Areas. Policies 28, 57, 61 and 67 of the HwLDP seek to safeguard these regionally important landscapes. The impact of this development on landscape is primarily assessed in the Design, Landscape and Visual Impact (including Wild Land) section of this report (Paragraphs 8.99 – 8.175).

Onshore Wind Energy Supplementary Guidance (OWESG)

8.8 The Council's Supplementary Guidance for Onshore Wind Energy is a material consideration in the determination of planning applications. It should be noted that the guidance does not provide additional tests to assess development proposals against over and above the Development Plan policy. Rather, the guidance compliments the policy by ensuring a consistent and robust methodology is adopted in the assessment of all applicable applications, in particular (although not exclusively) for consideration of landscape and visual impacts. In that way, the guidance provides a clear indication of the approach the Council takes towards the assessment of proposals.

8.9 To assist with the assessment, the OSWESG contains a Spatial Framework for onshore wind energy as required by SPP. The framework applies to individual turbines of ground to tip height of 50m and above, as well as developments of two or more turbines of ground to tip height of 30m and above. The framework sets out the requirement for safeguarding areas in three groupings, 1, 2, and 3. In this instance the site falls within an area designated as Group 2 – 'Area with significant protection'. The Group 2 features present are: Wild Land Area 34 Reay - Cassley; and Carbon Rich Soil, Deep Peat and Priority Peatland Habitat (CPP). The main site does not contain any areas designated as Group 3 – 'Area with potential for windfarm development', there is a small pocket at the access from the A836 and the site does not contain any areas of Group 1 – 'Areas where windfarms will not be acceptable'. The nearest Group 1 areas are within Assynt – Coigach NSA, approximately1.5km to the west and the North – West Sutherland NSA, approximately 16km to the north, which are designated by virtue of being National Scenic Areas as noted in para 2.19.

8.10 Wild land covers large areas of Scotland but mainly in the north and west, these include semi-natural landscapes that have very little human influence. Wild land is protected as it is considered to include Scotland's wildest landscapes that are a nationally important asset. CPP is a nationally important mapped environmental asset that indicates where the resource is likely to be found with a detailed peat assessment being required to guide development away from the most sensitive areas and help inform potential mitigation.

8.11 The OSWESG also provides strategic considerations that identify sensitivities and potential capacity for windfarm development called the Landscape Sensitivity Appraisals (LSA). There is not however a LSA for the area subject to the application. The East and Central Sutherland Study Area, which would cover the area of the site, is one of the six areas still to be examined. The Study has been prepared in draft following the methodology and format of those studies already adopted, however has not yet been published for consultation. Nevertheless, the OWESG approach and methodology to the assessment of windfarm proposals is still applicable to the current application. Specifically, paragraphs 4.16 and 4.17 of the OWESG, which describe the 10 key design criterion that set the 'thresholds' developments should seek to achieve in order to ensure the development is appropriately sited and designed to

avoid significant landscape and visual impacts, and comply with the applicable criteria of HwLDP Policy 67. The development's compliance or otherwise with the 10 criteria is discussed in the Design, Landscape and Visual Impact (including Wild Land) section of this report and described in detail in Appendix 3.

National Policy

8.12 National planning policy remains supportive of onshore wind energy development, requiring planning authorities to progress, as part of the Development Plan process, a spatial framework identifying areas that are most likely to be most appropriate for onshore wind farms. The Scottish Planning Policy (SPP) sets out a framework, which the OWESG provides, is also intended as a guide for developers and communities alike. National policy also lists likely considerations to be taken into account relative to the scale of the proposal and area characteristics (paragraph 169 of SPP).

8.13 The criteria outlined within SPP include landscape and visual impacts; effects on heritage and historic environment; contribution to renewable energy targets; effect on the local and national economy, tourism and recreational interests; benefits and disbenefits to communities; aviation and telecommunications; development within the peat environment; noise and shadow flicker; and cumulative impacts. HwLDP Policy 67 for Renewable Energy reflects these criteria. It should be noted that a failure against one of these criteria does not automatically mean that a development fails, as all these criteria must be given due consideration and weighted accordingly relative to the specific proposal.

8.14 Notwithstanding the overarching context of support, SPP recognises that the need for energy and the need to protect and enhance Scotland's natural and historic environments must be regarded as compatible goals. The planning system has a significant role in securing appropriate protection to the natural and historic environment without unreasonably restricting the potential for renewable energy. National policies highlight potential areas of conflict but also advise that detrimental effects can often be mitigated and that effective planning conditions can be used to overcome potential objections to development. A number of criteria are set out in SPP against which proposals for onshore wind energy development should be assessed (paragraph 169). These criteria are primarily reflected in Policy 67 (Renewable Energy) of the Highland-wide Local Development Plan. A failure against one of these criteria does not necessarily mean that a development fails, all these criteria must be given consideration. In determining the original application, whilst the Highland Council did not raise an objection, Ministers considered that the impacts on the Assynt – Coigach NSA and WLA 34 Reay – Cassley.

8.15 As a statement of the Government's approach to spatial planning in Scotland, National Planning Framework 3 (NPF3) is a material consideration that should be afforded significant weight in the planning balance. NPF3 considers that onshore wind has a role in meeting the Scottish Government's targets to achieve at least an 80% reduction in greenhouse gas emissions by 2050, and to meet at least 30% overall energy demand from renewables by 2020, including generating the equivalent of at least 100% of gross electricity consumption from renewables. However, it should be noted that the targets set out in NPF3 have now been superseded by legislation which sets the legally binding target of net zero by 2045.

8.16 As set out above, National Planning Framework 4 (NPF4) was published in draft form in November 2021. This document is still going through the parliamentary process and consultation, therefore the weight to be attached to the document is not the same as the adopted Scottish Planning Policy, National Planning Framework 3 or the Development Plan. However, it can be given weight in the process of determining applications. It will be up to Scottish Ministers to determine the weight to be afforded to it in reaching their determination depending on the status of the document at the time of reaching their determination of this application.

8.17 The Draft NPF4 identifies electricity generation from renewable sources of, or exceeding 50MW as national developments, as such this application is not considered to be of national importance. As such developments below 50MW would normally not be of national importance. However, given that the capacity of the proposed developed falls just below the threshold some weight can be given to the increase in renewable energy production to meet net zero targets. NPF4 (draft) also highlights that Generation is for consumption domestically as well as for export to the UK and beyond, with new capacity helping to decarbonise heat, transport and industrial energy demand. It notes that this has the potential to support jobs and business investment, with wider economic benefits.

8.18 For the first time in a planning policy document, confirmation has been provided that when considering all developments significant weight should be given to the Global Climate Emergency. As a development that generates renewable energy this proposal has inherent support from this aspect of NPF4, however the impact on the carbon resource as a result of the development will require further consideration to determine whether the impact of the proposed development is positive or negative in this regard. This aspect is outlined later in this report, the overall carbon payback period is considered to be acceptable.

8.19 Recognising the Ecological Emergency, the draft NPF4 also sets out that proposals should contribute to the enhancement of biodiversity. The proposed development includes provision for peatland restoration and compensatory woodland planting which meet with the provisions of the proposed approach in draft NPF4 for the restoration of degraded habitats and the strengthening of nature networks.

8.20 Considerations for green energy applications have been updated and there is no longer an explicit spatial framework for onshore wind energy developments. Instead, it sets out that proposals for new development, extensions and repowering of existing renewable energy developments should be supported. However, it goes on to set out that such proposals should be supported unless the impacts identified (including cumulative effects), are unacceptable. Draft NPF4 also highlights a number of matters which must be taken into account in reaching a determination on an application for renewable energy. Subject to some minor wording changes, this is largely reflective of the considerations set out in SPP paragraph 169.

8.21 Indeed, the Scottish and UK Governments have published a number of reports in recent years relating to national energy policy and climate change. In short, none indicate a distinct policy change but rather indicate a direction of travel in terms of future policy. Most relevant to this application are as follows:

- Scottish Energy Strategy: The future of energy in Scotland, December 2017;

- Onshore Wind Policy Statement, December 2017;
- Scottish Government, Securing a Green Recovery on a Path to Net Zero: Climate Change Plan 2018–2032 – update, December 2020;
- Committee on Climate Change, The Sixth Carbon Budget, The UK's Path to Net Zero. (including Policy and Methodology) December 2020;
- National Audit Office, Net Zero Report, December 2020;
- HM Government, Energy White Paper, Powering our Net Zero Future, December 2020; and,
- Department for Business, Energy and Industrial Strategy 'Enabling a High Renewable, Net Zero Electricity System: Call for Evidence'

8.22 Furthermore, in late 2019 the Scottish Government's targets for reduction in greenhouse gases were amended by The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019. This sets targets to reduce Scotland's emissions of all greenhouse gases to net-zero by 2045 at the latest, with interim targets for reductions of at least 56% by 2020, 75% by 2030, 90% by 2040.

8.23 The statements of continued strong support relating to onshore wind energy contained within these documents are acknowledged. Support for onshore wind is anticipated to meet with the continued aspiration to decarbonise the electricity network, enable communities to benefit more directly in their deployment and to support the renewables industry and wider supply chain. Larger, more optimal turbines are anticipated as is the expectation that landscapes already hosting wind energy schemes will continue to do so beyond the lifetime of current consents/permissions.

8.24 However, it is also recognised that such support should only be given where justified. In the context that larger, more optimal turbines are anticipated the Onshore Wind Policy Statement sets out the need for a more strategic approach to new development that acknowledges the capacity that landscapes have to absorb development before landscape and visual impacts become unacceptable. With regard to planning policy, these statements largely reflect the existing position outlined within the National Planning Framework and Scottish Planning Policy, a policy framework that supports development in justified locations where there is an expectation that landscapes already hosting wind energy schemes will continue to do so beyond the lifetime of current consents. In addition, it must be recognised that the greenhouse gas reduction targets and the targets in the Energy Strategy are related not just to production of green energy but also related to de-carbonisation of heat and transport.

8.25 The Scottish Government published Onshore Wind Policy Statement Refresh 2021: Consultative Draft in October 2021. This sets out that onshore wind remains vital to Scotland's future energy mix and that we will need additional onshore wind energy toward the target of net zero. However, in doing so it was clear that additional capacity is not development at any cost, and it needs to be balanced and aligned with protection of natural heritage, native flora and fauna. The document also highlights the challenges and opportunities faced by the deployment of additional onshore wind energy capacity as well as consulting on a target of an additional 8-12GW of onshore wind energy capacity being delivered. Importantly it notes that the matter of landscape and visual impacts of onshore wind development remains an

evolving area. As part of this evolution, it considers that while decisive action to tackle climate change will change how Scotland looks Scotland's most cherished landscape are a key part of natural and cultural heritage and must be afforded the necessary protection.

8.26 The Highland Council recognises the Scottish Government's declaration of the climate emergency and related biodiversity crisis and has indeed also declared a climate and ecological emergency, the response to this and manner in which policy will be modified has been indicated through the Bute House Agreement, draft NPF4 and the consultative draft of the Onshore Wind Energy Statement.

Planning History

8.27 As detailed in section 3 above, there was a previous application to construct a 22 turbine (125m to tip height) wind farm in the area - 11/04718/S36 (Sallachy Wind Farm). The Highland Council (THC) North Planning Applications Committee raised no objection to this application in 2013. The Highland Council found the development to be acceptable on most of the criteria, except two where an adverse impact was identified in relation to landscape and visual impacts and amenity at sensitive locations. THC concluded that these impacts would not be so significant that they would be considered detrimental overall, either individually or cumulatively. Therefore, the development accorded with THC's HwLDP and on balance was supported. However, the scheme was refused by Scottish Ministers in 2015 for the following reasons:

"Whilst Ministers are satisfied that many of the environmental issues have been appropriately addressed by way of the design of the proposal and mitigation, the impacts which remain, most particularly in respect of the impacts of the Development on the NSA and on wild land, are not acceptable and are not outweighed by any wider policy benefit. Scottish Ministers consider that the balance is not in favour of the Development, and consent under section 36 of the Electricity Act 1989 is therefore refused".

8.28 In response, the applicants have sought to address and overcome the reasons for refusal through design iteration with an initial focus on moving the development further from the NSA boundary, reducing the visibility of the turbines from the NSA. Furthermore, the developmnt has been moved to the eastern limb of WLA 34 in order to reduce the area of wild land impacted. This matter is considered further in the Landscape and Visual Impact section of this report.

Energy and Socio-Economic Benefits, Impact on Tourism

8.29 The Highland Council continues to respond positively to the Government's renewable energy agenda. The government's recent Onshore Wind Energy Statement Consultation Draft states that there is currently 8.4 GW of installed capacity in Scotland, with a further 4.69 GW in the planning/consenting process, 4.64 GW are awaiting construction and 0.43 GW under construction. Highland onshore wind energy projects currently have an installed capacity of 2.5 GW, there is a further 1.18 GW of generation permitted but not yet built and 1.3 GW currently under construction. Onshore wind in Highland therefore accounts for around 29.8% of the national installed onshore wind energy capacity. There is also a further 1.326GW of onshore

wind farm proposals currently in planning pending consideration in Highland, and 1.7GW of offshore wind when accounting for all installed, under-construction or consented schemes around the coast of Highland.

8.30 While the Highland Council has effectively met its own target, as previously set out in the Highland Renewable Energy Strategy, it is acknowledged that such targets are not a cap and may be exceeded. Equally, however, the Council recognises the balance that is called for in both national and local policy and it remains the case that there are areas of Highland capable of absorbing renewable developments without significant effects. Nevertheless, both national and local policy set out the expectation that the Council takes a selective approach to determining which windfarm developments can be supported.

8.31 The scheme has the potential to generate up to 49.9MW, with each turbine expected to have the potential to generate up to 5.5MW. As noted in para 8.17, whilst the indicative maximum capacity does not mee the threshold of exceeding 50MW, it is considered that the yield would be moderate – significant and would make a valuable contribution to renewable energy targets. Therefore, notwithstanding any significant impacts that this proposal may have upon the landscape resource, amenity and heritage of the area, the development could be seen to be compatible with Scottish Government policy and guidance and increase its overall contribution to the Government, UK and European energy targets. The applicant's Planning Statement projects that the development is anticipated to 'pay back' the carbon emissions associated with its construction, operation, and decommissioning within 2.2 years of operation, saving an estimated 52,000 tons of CO_2 every year.

8.32 In terms of economic benefits, the proposed development anticipates a construction period of 18 months, grid connection, and 30 years of operation prior to several months of decommissioning. Such a project has potential to offer some investment / opportunities to the local, Highland, and Scottish economies including for businesses ranging across construction, haulage, electrical and service sectors through the supply chain, with opportunities in research and development, design, project management, civil engineering, component fabrication / manufacture, installation, and maintenance. The applicant is committed to utilising the local supply chain wherever possible. The largest spending proportion is expected to be on turbine procurement, transport, and installation related contracts, followed by balance of plant, grid connection, and pre-construction.

8.33 The applicant estimates that approximately £18.3 million Gross Value Added (GVA) could be invested into the Proposed Development in capital expenditure during the construction phase and development phase with £6.5 million directly into the Highlands. It is further predicted that the construction phases of the development could support a total of 267 job years in Scotland including 89 job years in the Highlands. In terms of the operational phase, it is estimated that the proposed development could support an additional 13 job years in Scotland, of which 5 would be in Highland. The operational phase has the potential to provide £0.4 million GVA into the Highlands economy and £0.7 million GVA to the Scottish economy. Given this the EIAR concludes that the socio-economic effects and benefits during construction and operation of the proposed development would be of negligible (beneficial) significance.

Construction

8.34 There are likely to be some adverse impacts caused by construction traffic and disruption, which are most likely to be within the service sector particularly during the construction phase when abnormal loads are being delivered to site, this has been highlighted in the representations. It is anticipated that the construction period for the development would take 12 months. Working hours on site would usually be restricted to be 07.00 – 19.00 Monday to Friday, 08.00 – 13.00 on Saturday with no Sunday of Bank Holiday working. The EIAR has requested 07.00 – 12.00 on Saturdays, as this differs from normal site working hours, an appropriate informative will be attached to any planning permission. The EIAR also notes that component delivery and turbine erection may take place outwith the normal working hours. Given the location of the development and lack of proximity to properties this is considered acceptable. It is recommended that the applicant continues to keep noise to a minimum on the site and a construction noise assessment will be required as part of the Construction Environment Management Document. Construction updates will be provided on the project website and a newsletter will be distributed to residents within an agreed distance to the site.

8.35 The project anticipates the deployment of a Construction Environmental Management Plan (CEMP) in association with the successful contractor engaged. This should include a site-specific environmental management procedures which can be finalised and agreed through appropriate planning conditions with the Planning Authority and relevant statutory consultees. Such submissions are expected to be "plan based" highlighting the measures being deployed to safeguard specific local environmental resources and not simply re-state best practice manuals. Due to the scale of the development SEPA will control pollution prevention measures relating to surface water run-off via a Controlled Activities Regulations Construction Site Licence.

8.36 In addition to the requirement for submission and agreement on a CEMP, the Council will require the applicant to enter into legal agreements and provide financial bonds with regard to its use of the local road network (Wear and Tear Agreement) and final site restoration (Restoration Bond). In this manner the site can be best protected from the impacts of construction and for disturbed ground to be effectively restored post construction and operational phases.

8.37 Developers must also comply with reasonable operational practices with regard to construction noise so as not to cause nuisance. Section 60 of the Control of Pollution Act 1974 sets restrictions in terms of hours of operation, plant and equipment used and noise levels, amongst other factors, which is enforceable via Environmental Health. The applicant has submitted a construction noise assessment that indicates predicted construction noise levels will meet the permitted levels. It is also expected that the developer and contractors would employ the best practicable means to reduce the impact of noise from construction activities at all times.

8.38 The applicant has sought a micro-siting allowance of 50m. Micro-siting is acceptable within reason to address unforeseen onsite constraints, anything in excess of 50m may have a significant effect on the composition of a development. Further if matters are identified during the application stage which require movement of infrastructure,

it is considered that this is best addressed during the application stage rather than relying on micro-siting. A micro-siting limit of no more than 50m, should be secured by condition.

8.39 Should the development be granted consent, a Community Liaison Group should be set up to ensure that the community council and other stakeholders are kept up to date and consulted before and during the construction period.

Roads, Transport and Access

8.40 During construction the Proposed Development will be accessed from the A838 via an existing track which runs along the north-western boundary of the site.

8.41 The preferred access strategy proposed for all turbine abnormal loads will originate from Invergordon Harbour and access the site via the A9 to Loch Fleet and then the A839 passing through Lairg before exiting onto the A838, entering the site from the north of Loch Shin. Specialist loads such the turbine components will be transported using specialist vehicles. In order to construct the Proposed Development, bulk materials such as concrete and aggregate will be brought in from local suppliers from the south via the A838 and A836 from Ardgay, Bonar Bridge and Lairg. It is anticipated that all material will be taken from the quarry near Ardchronie. Once a contractor has been appointed the final quarry and material sourcing will be confirmed in the Construction Traffic Management Plan (CTMP).

8.42 The EIAR provides an assessment of the development's impact on the surrounding road network during the construction, operation, and decommissioning phases, as well as an Abnormal Indivisible Load (AIL) Route Assessment from the Port of Entry to the site. The Study Area for the Traffic Assessment includes the routes between Invergordon Harbour and the A9(T), the A9(T) from Tomich to The Mound, as well as the A839 from The Mound through Lairg, and onto the A838 then onto the site access. The construction activities will lead to increased traffic volumes predominantly on the A836 and A838 during the construction phase only.

8.43 The construction traffic would result in a temporary increase in traffic flows on the road network surrounding the Proposed Development. The maximum traffic effect associated with construction of the Proposed Development is predicted to occur in Month 10 of the programme. During this month, an average of 52 HGV movements is predicted per day and it is estimated that there would be a further 48 car and light van movements per day to transport construction workers to and from the site. A series of mitigation measures and management plans have been proposed to help mitigate and offset the impacts of both the construction and operational phase traffic flows. The EIAR determines that the likely effect using IEMA guidelines would be minor, non-significant residual effects expected on the A836 and A838 road corridors from the site access junction through to Ardgay, relating to the increase in traffic operating on the route during the construction phase.

8.44 Invergordon harbour has successfully accommodated turbine deliveries in the past. Temporary mitigation to the load road network out of this area may be required due to the size of the components being transported. A detailed up-to-date structural assessment of bridges, culverts and any other affected structures along the route would be required, in consultation with the Council's Structures Section, along with

an unladen AIL run. Following on, a programme of Road Mitigation Schedule of Works should be agreed and carried out by the developer in consultation with the road's authorities. Full details can be included within the CTMP should the development be granted consent.

8.45 It is anticipated that the following traffic will require access to the site during the 18 month construction period:

- Staff transport, either cars or staff minibuses;
- Construction equipment and materials, deliveries of machinery and supplies such as crushed rock and concrete; and
- Abnormal loads consisting of the wind turbine sections and also a heavy lift crane, transported to site in sectional loads.

During the 18 month period, it is expected that the peak monthly construction traffic flow associated with the site would be month 10 where activities are anticipated to generate an average of 100 movements per day, of which 46 would be made by light vehicles and 52 by HGV.

8.46 There are no residual effects associated with the operational phase of the Proposed Development. Any effects during construction are reduced by mitigation proposals including a Construction Traffic Management Plan (CTMP). The Operational and effects were scoped out of the assessment as the likely effects during the operational phase are likely to be less than two vehicles' movements per week and therefore insignificant. It also scoped out decommissioning effects as these can be fully assessed closer to that period, that being said, it is considered that the traffic flows associated with the decommissioning works will be lower than those associated with the construction phase as elements of the proposed development may remain in-situ (such as cable trenches, access tracks, etc).

8.47 Transport Planning in their response disagree with the applicant's conclusion in the EIAR (Transport Assessment) and consider that the impact of the construction traffic will be significant on the local road network and on the communities of Lairg, Bonar Bridge and Ardgay. These are sensitive routes due to the historic and constrained nature of the settlements and the road construction. The Council is currently undertaking a review to establish opportunities to develop Local Road Improvement Strategies. These will focus on areas of the road network subject to significant impact from development traffic that would benefit from a strategic approach. This will guide the scale, scope and extent of road works required to mitigate the impact of development traffic and in this case would include the A836, A838 and A839 with the A838 requiring significant road mitigation/improvements. The applicant has committed to undertake road widening works and upgrading of passing places. The estimated capital costs of this are expected to be in the region of £1,900,000 towards the road network of Sutherland. These works should be completed prior to construction. Furthermore, a revised Electronic Service Delivery for Abnormal Loads (ESDAL) has been submitted to the Highland Council to identify if any of the structures on the route require any more detailed assessment. Any upgrades to structures would be funded by the applicant.

8.48 Both Trunk Road Authority and the Council Transport Planning Team has confirmed that development traffic can be accommodated on the road network, subject to conditions and a requirement for a legal agreement to address "wear and tear"

provisions. These will be consistent with current best practice. These need to highlight potential cumulative impacts arising with other major developments. The conditions are to secure:

- A Construction Traffic Management Plan for approval and implementation as agreed highlighting all mitigation / improvement works required for general construction traffic and abnormal load movements, including the timing of such works and appropriate reinstatement / restoration works.
- An un-laden trial run between the Port of Entry and the site access will be required in liaison with the police and both roads' authorities.
- Structural assessment of bridges, culverts and any other affected structures along the route in consultation with the Council's Structures Team.
- Community liaison to ensure the project construction minimises impact on the local community, that construction traffic takes place outwith peak times on the network, including school travel times, and avoids identified community events.
- All traffic management being undertaken by a quality assured contractor.

8.49 As part of the Council's Health and Prosperity Strategy 2021-22 published in March 2021, the Council committed to establish the further localised Strategies for the delivery of co-ordinated action by the Council, working with partners such as Transport Scotland, BEAR Scotland and the private sector across the Council area in relation to delivery of proportionate mitigation of the impacts on the local road network. There is a strategy to be prepared for the area around Lairg given the development pressures for large scale renewable energy and associated grid projects.

8.50 It is considered that the impacts identified within the transport chapter of the EIAR will significantly exacerbate the rate and scale of deterioration on the local road network by adversely affecting the integrity of the road structure and its safety standards. It recommends that before delivery of abnormal loads to the site that a scheme of mitigation is delivered to mitigate the impact on the local road network. It is considered that this would be a fair and reasonable approach to ensure that development can progress. This would be consistent with the Councils approach to developer contributions as set out in Policy 31 of the HwLDP and the associated Guidance. The level of mitigation to be secured by a pre-commencement condition is set out below:

- Widening of the A838 to a minimum width of 3.5m to allow the safe transport of the wind farm components;
- Widening works at junctions on the abnormal load route to remove constraints on the network;
- Provision of a minimum of least 27 improved passing places on the A838 so that they are suitably sized for heavy goods vehicles;
- Provision of road markings and signage to accompany the proposed works;
- An assessment of all structures on the A838 and where deficiencies are identified mitigation measures agreed with the roads authority and implemented prior to any delivery of abnormal loads to the site;
- Resurfacing of the A838 to provide structural strengthening of the A838 in areas which may be liable to rapid deterioration.

The applicant offered much of the above mitigation and has identified it has an estimated value of £1.9 million.

8.51 The site, like most land in Scotland, is subject to the provisions of the Land Reform (Scotland) Act 2003. Although there are no significant recreational access resources within the study area with the closest core paths to the site located to the south in and around Lairg. Only two core paths in Lairg are located near study area roads, namely: SU16.02 Gunn's Wood and SU16.07 Balloan – Lairg. Neither core paths cross the A839. The A838 does not have any pedestrian or cyclist infrastructure near the site access junction, although the A836 between the A9 and the A836 / A838 junction is part of the National Cycle Route 1. As there is an existing track which forms the access to the site this should be accessible to a wide variety of users. All access gates should be "easy open" accesses and be unlocked to responsible access takers. To ensure access is provided throughout the construction period and that enhanced recreational access opportunities are provided during the operational phase, a Recreational Access Management Plan will be required. This will also be required to include details of signage to be included on the site to warn users of the paths within the wind farm of any hazards such as maintenance or potential ice throw during winter. The visual impact of the development from recreational routes is considered in Paragraphs 8.172 – 8.175 of this report.

8.52 During construction works there may be a minor adverse effect to the National Cycle Route 1, due to the increase in road users. This will be required to be managed through the implementation of the Construction Traffic Management Plan (CTMP) for general construction traffic and a Traffic Management Plan (TMP) for abnormal loads (which would form part of the CTMP).

Water, Flood Risk, Drainage and Peat

8.53 The EIAR is clear that a Construction Environmental Management Plan (CEMP) will be in place, and as mentioned in paragraph 8.35. The document would ensure that potential sources of pollution on site can be effectively managed throughout construction and in turn during operation; albeit there will be fewer sources of pollution during operation. An outline CEMP is included within the EIAR (Appendix 4.2).

8.54 The CEMP needs to be secured by planning condition to ensure the agreement of construction methodologies with statutory agencies following appointment of the wind farm balance of plant contractor and prior to the start of development or works.

8.55 The application site has identified flood risks from fluvial and pluvial sources. The site falls within the River Shin catchment, with surface water across the site draining to the north into Loch Shin. Loch Shin is 27.2km long and is fed by Merkland River, Abhainn a Choire, River Fiag and River Tirry, before flowing into the River Shin. As noted in para. 2.7 there are a number of watercourses within the site also draining to Loch Shin. It is anticipated that the majority of the site drainage is anticipated to flow to Loch Shin, either directly via overland flow or via multiple named watercourses, including the Allt na Crionaiche Bige, the Allt na h-Uraird, Allt na Creiche, An Garbh-Allt and Abhainn a' Choire, their upstream tributaries, minor unnamed watercourses and local land drains

8.56 The EIAR does not consider the proposed development to be at risk of river, surface, or coastal flooding. Although, the principal areas identified as at risk of flooding lie directly adjacent to Loch Shin and where the existing access track crosses Abhainn a Choire and Merkland River. There are other fluvial flood risk areas, but these are limited to the immediate vicinities with pockets of pluvial sources across the site and on the higher slopes. Pluvial flood risks are identified as being consistent with the main watercourse channels however the extent of surface water flood risk is localised and does not form large linked flooded areas or flow paths. Most of the site infrastructure is not considered at risk of flooding as it will be sited well outwith the fluvial flood plain. The Council's Flood Risk Management Team has no specific concerns regarding that constraint.

8.57 The site within the Northern Highlands (ID: 150701) groundwater area, an area which stretches from the north coast as far south as Fort Augustus. It was classified as being of 'good quality' by SEPA in 2018. The site is within a ground 'drinking water protection zone' but is not within a surface 'drinking water protection zone'. Groundwater levels were recorded near surface within peat deposits across the site in 2011 during ground gas monitoring, however no intrusive site investigations to determine groundwater levels or flows within bedrock have been undertaken as part of the EIAR. Hydrogeology Map of Scotland identifies the site as being underlain by Morar Group rock, a low productivity aquifer in which flow is virtually all through fractures and other discontinuities. Mapping notes that, "small amounts of groundwater in near surface weathered zone and secondary fractures." Peat and peaty soils would also be expected to inhibit groundwater flow. Till, where present, is also anticipated to be relatively low permeability, inhibiting groundwater flow. The moundy/hummocky glacial deposits further downslope near Loch Shin may exhibit higher permeability.

8.58 The applicant undertook a review of the Drinking Water Quality Regulator (DWQR) for Scotland database (DWQR, 2019). The DWQR data was also reviewed against known private water supplies across the Highland region, and a review of OS mapping to identify any wells or springs marked at or near properties in the close vicinity of the site. Three Private Water Supplies (PWS) where identified within the study area; Cassley Power Station (staff canteen); Corriekinloch (domestic); and Corriehinloch House (holiday let). The PWs at Cassley Power Station is located approximately 125m east of the site boundary, and approximately 190m from any proposed infrastructure. The PWS is supplied by a river, however with the absence of a river at the recorded PWS location, and the reported underground tunnel leading from the power station on the River Cassley southwest of the site, to the reported PWS location. The EIAR concludes that the recorded PWS location is the point of use, rather than the source, and that the source is the River Cassley southwest of the Proposed Development (approximately 2.3 km from any proposed new infrastructure, approximately 3.5 km from the nearest proposed turbine, and not within the same catchment as any proposed new infrastructure). As such the PWS was not considered any further. The PWS at Corriekinloch House is located approximately 465m northwest of the proposed development, and approximately 565m from the existing track. This PWS is recorded as being supplied by a Allt na

Feith Riabhaich stream. It is located over 30m AOD upstream from the existing track and at its closest point over 3.7km from any proposed infrastructure. It is therefore considered that the proposed development would not affect the PWS, as such it was also not been considered further within the EIAR.

8.59 It is reported within the EIAR that the PWS at Corriekinloch is approximately 230m east of the site boundary and the existing track at the site entrance. Due to the potential requirement for widening of the carriageway at the site entrance, and reprofiling the lower part of the slope opposite the entrance to allow abnormal load delivery. The EIAR identifies the PWS to have susceptibility to change. The PWS serves the properties immediately south of the site access off the A838. It is reported that the supply was of good quality, but the quantity and flow was variable and subject to interruption during dry periods. The EIAR identifies a concrete tank approximately 50m east of the proposed development with various pipes buried/hidden observed running up-slope from the tank. The supply is located east of the proposed site access point, with pipework leading down slope and across the A838 to serve the cluster of residential properties at the access. This supply pipe may be impacted by works to widen the carriageway and reprofile the lower part of the slope to allow abnormal load deliveries. If it is determined that the development works may interrupt or adversely impact the PWS supply pipe, then a detailed Method Statement will be produced and agreed with The Highland Council, to confirm measures for maintaining and protecting the supply and/or providing alternative supply during construction, with reinstatement of the pipework (if applicable) following construction. Environmental Health are satisfied with the mitigation proposed and do no raise any other concerns in relation to the PWS.

8.60 As the development would entail works in connection with the water environment measures have been highlighted by the applicant to mitigate localised flood risks as well as protect the water environment have in the outline CEMP. Provided all the mitigation measures identified within the EIAR (Chapter 15: Table 15.1) are including in the final CEMP and implemented then SEPA do not have any concerns in relation to flooding and waterbodies. Furthermore, all watercourse crossings shall be oversized bottomless arched culverts or traditional style bridges. Works in or in the vicinity of inland surface waters and wetlands, as well management of surface water runoff (including access tracks) will require authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR).

8.61 The study area is characterised by blanket bog habitat with a variety of other habitats also present. These included wet dwarf shrub heath, wet modified bog, acid grassland, marshy grassland and dry dwarf shrub heath. Furthermore, the wider site is home to potential Ground Water Dependent Terrestrial Ecosystems (GWDTEs). The EIAR notes that habitats indicative of potential groundwater dependency has been identified across parts of the site, although based on the pattern of occurrence and the site geology and topography, the habitats are interpreted as being surface water or rainwater fed. These habitats that indicate potential groundwater dependence, is almost entirely coincident with the routes of watercourses and land drainage features flowing from the upper slopes of the site, down towards Loch Shin. Based on the close correlation of these habitats with the presence of surface watercourses, and the low permeability geology with limited groundwater expected at shallow depth, it is considered highly likely that the observed habitats are surface

water fed and are not GWDTE. Given the low permeability of the bedrock aquifer and flow being confined to fissures and discontinuities, groundwater sensitivity is assessed as being low to medium.

8.62 There was one exception to this pattern of habitats following surface watercourses identified that has a potential true GWDTE to the east of the proposed access point, which is approximately 70 m from and up-gradient of any potential works. This was wet heath (NVC: M15c) habitat, distributed in the southern extents of the site, along the hilltops and shallow upper slopes of the hills. This habitat is identified on the relatively flat areas on the tops of the hills, and on the relatively shallow upper slopes, where rainwater would naturally pool. The EIAR finds that it is highly unlikely that the water table within the psammite bedrock would be found near surface at the highest altitudes in the study area. Therefore, it is considered that the wet heath habitat identified on the hilltops in/beyond the south of the site is rainwater fed and is not dependent on groundwater. Additionally, as shown on Figure 12.7, these areas are all more than 250m from any proposed excavations over 1m depth and are up gradient from proposed infrastructure.

8.63 The other habitats noted above, present alongside surface watercourses (largely mire and acid grassland) are also assessed as not being groundwater dependent. Based on the above analysis, it is considered that GWDTE are not present at the main site area. The applicant undertook a further site visit in early 2021, to the area at and immediately opposite the proposed site entrance point from the A838. It found evidence of potential groundwater seepage at the surface, in the form of a break in wet heath, sedge vegetation, and exposed, wet, gravelly rock. It considered that the observed habitat at this location is likely to be true GWDTE, suggesting groundwater is near/at the surface. This location is approximately 70 m east of the site boundary and the area that may be subject to slope reprofiling. However, it is up-gradient from the potential excavation/reprofiling works, and as noted above, the rock at this location comprises a low productivity aquifer, with only small amounts of groundwater near surface, and groundwater flow restricted to fissures and discontinuities. It is therefore not considered that groundwater at the observed GWDTE location is sensitive to impact from potential works that may be required at the access junction.

8.64 The EIAR has assessed the significance of the effects on the groundwater resource as non-significant. SEPA are content with the applicant's assessment providing that any micrositing of infrastructure is not done to the detriment of GWDTEs and watercourses.

8.65 The majority of the site contains peat, with areas of deep peat (over 1m in depth). A total of 3,215 peat probes were taken across the application site to identify impacts of the proposed development on the peat resource. The resultant information has been used to inform the site layout taking into account other environmental constraints such as sensitive habitats, ornithology, and the water environment amongst others. Of the 3,215 probes within the site boundary, the peat depth was zero at 148 probes (4.6 %) and less than 0.5m at 909 probes (28.3 %), the latter defined as peaty or organo-mineral soil. At 1,095 probes (34.1 %), peat depth between 0.5m and 1.0m was recorded, and at the remainder of the probes (1,063, or

33.1 %), the peat depth was recorded to be equal to or greater than 1.0m, defined as deep peat. Generally, the EIAR found that peat depth is thicker on the higher ground towards the south of the site, as well as in a central swathe. Localised deep peat was recorded elsewhere across the site.

8.66 Observations of peat condition, drainage and erosion features were made during site survey work. It was noted that peat across the majority of the site area exhibits evidence of modification through grazing and drainage, and evidence of active erosion. Hagging was observed to be present across much of the site area and on particular adjacent to land drains and watercourses. The hag features that are present to the high ground at the southern end of the site was reported within the EIAR to generally be less modified and impacted by erosion, with relatively fewer hag features, and observed bog pools. The siting of turbines and other infrastructure in this area has been avoided as peat depth and distribution has been carefully considered in the design iteration process, with the aim to site turbines, hardstandings and other infrastructure outside areas of deep peat were possible, to minimise disturbance to and required excavation of peat, and to minimise peat slide risk.

8.67 Based on the average depth of peat recorded by probes at each turbine location, 6 of the 9 turbines are sited on peat less than 1m deep, with the average peat depth at the other three being marginally over 1m. The average depth of peat recorded at T5 is 1.07m, however peat depth at the turbine centre itself is 0.77m. The average depth of peat across the hardstanding area is 0.91m. The average depth of peat recorded at T6 is 1.06m, however peat depth at the turbine centre is 0.77m/ The average depth of peat cross the hardstanding area is 1m, however depths are highly variable, ranging from 0.20 to 2.05m, suggesting that micro-siting may be required to limit peat excavation at this turbine. The average depth of peat recorded at T7 is 1.02m, and peat depth at the turbine centre itself 1.05m. The average depth of peat across the hardstanding area is 1.07m.

8.68 As the site does have areas of deep peat further investigations will be required prior to any works progressing should planning consent be granted. This may allow to further mitigate the impact on deep peat through appropriate micrositing of the turbines and hardstanding. All other infrastructure elements are sited on areas with average peat depth less than 1m. The proposed new track sections traverse variable peat depths. Where deep peat was recorded, it is proposed to construct floated tracks, to avoid the requirement for excavating substantial volumes of peat. Track sections which are not to be floated have average peat depths of between 0.50 and 0.98 m. The EIAR has assessed the sensitivity of the baseline geological resource at this site to be medium to high, based on the presence of significant peat deposits but taking account of variability of thickness and distribution, and widespread erosion. NatureScot have confirmed that micrositing will be required to avoid sensitive peatland habitats. In particular Turbine 3 is located in an organic layer less than 0.5m deep. However, the Peat Slide Risk Assessment reports that around 33% of the surveyed area comprises soils with an organic layer less than 0.5m. The applicant anticipates a total of 9658.7m^3 of peat will require excavating, but that, the full amount will be available for reinstatement.

8.69 Although the EIAR identifies standard mitigation measures to reduce the effects from peat excavation, it also outlines further mitigation measures to reduce the significance of effects resulting from peat excavation and associated impacts, whilst providing environmental benefit where possible. This includes excavated peat to be handled/stored appropriately to be re-used on-site as far as reasonably practicable and to provide suitable restoration, landscaping, and repair/reprofiling of local hag features to improve peatland habitat and hydrological function.

8.70 A revised Peat Management Plan and a Peat Landslide Hazard and Risk Assessment are submitted as part of the EIAR, which have also helped to inform the design of the proposal. The applicant's risk assessment identifies low risk of peat instability at all proposed turbine, hardstanding and other infrastructure locations during construction works. Opportunities for mitigation of low risks through micro-siting and/or targeted geotechnical/engineering controls, will be clarified following completion of detailed pre-construction site investigations. More detailed ground investigations will be required and SEPA have requested that a finalised Peat Management Plan, forming a part of the CEMP, is secured by condition prior to works commencing on site. The Peat Management Plan should specify how micrositing and other mitigation measures are deployed to minimise peat disturbance (taking account of other environmental sensitivities), including prioritising the use of pre-disturbed land for cable trenches.

8.71 The submission also includes a draft Habitat Management Plan (HMP) intended to ensure the appropriate and timeous restoration of peatland habitats temporarily removed during construction, at construction compounds and borrow pits for example. NatureScot consider that the proposed development is likely to have a significant effect on blanket bog linked to Caithness and Sutherland Peatlands SAC. To ensure that the proposed development does not have any adverse effects on the integrity of the site the final HMP, should be agreed in consultation with NatureScot outlining bog restoration methods, timings, vehicles movements etc informed by pre-works surveys, will help to ensure that bog restoration within the SAC can be successful. As part of the HMP, NatureScot welcome commitments for sustainable deer management with a Deer Management Plan (DMP), taken forward through planning conditions to help offset the impacts to wider countryside peatland. Taking the proposed mitigation into account NatureScot are content that there will be no adverse effects on natural heritage interests of national importance.

8.72 Similarly, SEPA require that a finalised Habitat Management Plan is controlled which is based on the Outline Plan provided with this application and includes the final details of the peat restoration works outlined in the Peat Management Plan. SEPA request that within the finalised HMP should include the final details of the peat habitat restoration works, with at least 200 ha of blanket bog restoration and at least 190 ha of low-density native woodland. SEPA also note that in order to minimise negative impacts on peat and carbon loss all tracks that have more than 1m in peat depth are to be floated. The final Peat Management Plan (PMP) should include how micrositing and other techniques have been used to reduce peat disturbance; additional information on the expected duration of storage of peat and topsoil prior to reinstatement of temporary infrastructure; duration of the period between excavation

of cable trenches and reinstatement; cross-sections of the proposed use on batters for turbine braces, hardstanding and substation; and an explanation of the water table depth this is expected to be established in the peat that is used in the batters of track verges.

8.73 A borrow pit search area has been identified. To ensure that reinstatement and decommission works are carried out in a way that is sensitive to the environment, SEPA have requested that further details of the borrow pit restoration be secured by a planning condition. In addition, SEPA require a finalised Decommissioning and Restoration Plan with proposals in line with their Guidance on the life extension and decommissioning of onshore wind farms.

8.74 The EIAR concludes that with the exception of removal and impact of peat, there are no significant environmental effects identified following the implementation of the standard mitigation set out within the EIAR in relation to hydrology, hydrogeology, geology and soils.

Natural Heritage (including Ornithology)

8.75 The EIAR has identified and assessed the development's likely impacts on designated sites, ornithology, protected species, and ecology. The development is not situated within any sites designated for ecological interests but is adjacent to and within close proximity to a number of designated sites (10 within 10km of the proposed development), thus has potential connectivity with, a number of sites that are designated at national and international level. As there is potential for the proposal to impact connected sites designated at a European level (in particular Caithness and Sutherland Peatlands SPA, SAC and Ramsar; and Strath an Loin SSSI), the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") apply or, for reserved matters, The Conservation of Habitats and Species Regulations 2017. Consequently, the Highland Council as the competent Authority is required to consider the impact of the proposal on Natura2000 sites through Habitats Regulations Appraisals (Appropriate Assessment). NatureScot has provided advice in relation to each of the Natura2000 sites including the likelihood of significant effects and subsequent mitigations that may be required, which is summarised below.

8.76 The site is adjacent to part of the Caithness & Sutherland Peatlands Special Protection Area (SPA), Ramsar Site and Special Area of Conservation (SAC) protected for its range of upland birds, peatland habitats and otter. Strath an Loin SSSI is protected for its blanket bog habitats and is a component part of the above SPA, SAC and Ramsar site. NatureScot have no objection to the proposal subject to appropriate mitigation/ planning conditions being secured.

8.77 NatureScot advise that the proposed development would likely have a significant effect on qualifying interests (merlin, greenshank and golden plover) of Caithness and Sutherland Peatlands SPA and Ramsar, if works are not strictly undertaking in accordance with the proposed mitigation. However, NatureScot do not consider the integrity of either site to be adversely affected by the proposal. With regards to the SPA site, the proposal could result in disturbance and/or displacement of breeding birds, singularly and in combination with other development unless the mitigation proposed in the EIAR is implemented. The mitigation includes a Breeding Bird

Protection Plan (BBPP) to be overseen by a suitably qualified Environmental Clerk of Works (ECoW), who should undertake any other surveying, construction oversight and programming tasks as necessary to protect breeding birds likely to be impacted by construction activities.

8.78 In addition to the above, RSPB have submitted detailed comments and are content that the proposal would be unlikely to result in an adverse effect on the Caithness and Sutherland Peatlands SPA and SAC, despite the site's proximity to the protected sites boundary.

8.79 The EIAR considered potential impacts on wider countryside birds (i.e. those not connected to a protected area). It predicted some likely non-significant adverse effects such as the potential death of one immature, non-breeding golden eagle and the potential death of one non-breeding/migrating kestrel during the life-time of the Proposed Development. None of the predicted effects were judged to be significant, however mitigation measures are proposed where possible, for non-significant but adverse effects and proposed measures to achieve biodiversity benefits (for example through habitat enhancements).

8.80 In NatureScot's view the proposal is likely to have significant effects on golden eagle, but will not adversely affect the integrity of the site. The collision risk to golden eagle from the proposed development (and cumulatively), involving mainly non-adult birds, is relatively small and within acceptable limits. The nearest golden eagle breeding sites are far enough away from the proposed development, so that displacement effects are unlikely to occur. RSPB are of the opinion that the applicant has underestimated the impacts on this species. Whilst not objecting, RSPB consider that as some foraging area will be lost to the development, that the HMP should include a commitment to remove deer carcasses to reduce likelihood of golden eagle foraging in the area. This may include identifying a suitable area to leave deer-stalking grallochs or carcasses outwith the windfarm development area, this will provide suitable foraging opportunities for sub-adult golden eagles that could be displaced as a result of this proposal and help to safe-guard long-term recruitment to the golden eagle population in this area

8.81 RSPB have further concerns in relation to other wider-countryside species that may have been underestimated by the applicant. They have concerns relating to the potential collision impacts on white-tailed eagle due to a newly established pair in the area; disturbance and displacement impacts on golden plover and waders; lack of cumulative assessment with the black grouse lek. RSPB recommends that further mitigation and habitat enhancements are provided through the final HMP to alleviate their concerns.

8.82 In terms of collision risk, RSPB notes that the proposed layout of turbines along the northeast facing slopes on Loch Shin ensures that the turbines are not located on the ridge line that is well-used by upland waders and golden eagle. However, it has concerns that any birds flying over the tops of the hills between Loch Shin and Glen Cassley, or along the hill slopes where the turbines would be positioned would be at risk of collision. It is understood that some or all of the turbines would protrude above the high ridges. Therefore, RSPB think it may be possible that birds flying over the ridge at <20m in height would then be at the level of the turbine blades. RSPB also note that only occasional bird flight lines are shown crossing the area where the

turbines are proposed and has concerns that the turbines are positioned in a way that would create a higher collision risk than modelled for, particularly during periods of bad weather and poor visibility, and therefore collision risk for some species may have been underestimated. As NatureScot have not raised any other concerns in relation to collision risk it is considered that the proposed mitigation secured through the HMP and BBPP will ensure there are no significant adverse effects on Ornithology interests.

8.83 In relation to blanket bog and peatland habitats (wider countryside), NatureScot advise that subject to the final HMP being progressed in line with the outlined HMP then the proposal should not adversely affect the integrity of the site. The mitigation measures outlined here are also relevant for the blanket bog with the Strath an Loin SSSI. RSPB are also content that the development is unlikely to result in an adverse effect on the integrity of the SAC and that the proposed blanket bog restoration actions within the HMP are likely to be directly beneficial to breeding upland waders, such as golden plover, dunlin and greenshank.

8.84 In addition to the above, RSPB note that the EIAR states that the track upgrade near the curlew territory would take place outwith the breeding season and if breeding golden plover, dunlin or curlew were to be discovered within 250m of the development footprint, prior to or during construction, then no-work buffers will be implemented. RSPB recommend the distance for the 'no work buffer' be increased to a precautionary 500m minimum. This is because passing human activity (which is likely to be less disturbing than construction activity) is likely to lead to golden plover leaving nests up to 500m away in the incubation stages. Curlew have been shown to be affected during construction of wind farms and will frequently leave the nest as soon as a person is visible and attempt continuously to distract them away from the nest/brood area. Passing human activity within 500m in the incubation stages is likely to impact on their breeding success if frequent. Even in the non-breeding season, curlew on mudflats will avoid a walker less than 350m away.

8.85 In addition to the above, the EIAR includes an assessment of the impact on non-avian protected species. The non-avian Protected Species Surveys were carried out in relation to Amphibians, Badger, Bats, Freshwater Pearl Mussel, Otter, Pine Martin, Reptiles, Water Vole, and Wild Cat. The surveys identified occasional signs of badger, otter and water voles within the Study Area. These included a single, occasionally used satellite badger sett. A low number of otter signs were recorded in riparian habitats, including spraints and a single couch. Water vole signs were notable in riparian habitat along the existing access track. They were also occasionally recorded in suitable habitat more widely across the Study Area.

8.86 The surveys identified the need to consider badger, otter, water vole, bats and reptiles further. In terms of badger a single sett was identified within the study area with occasional occupancy. Badgers are considered to be of local importance within the study area and to have low sensitivity to human disturbance, therefore appropriate mitigation is required to ensure there are no adverse effects either directly or indirectly during the construction of the proposed development. There was also evidence of regularly occurrence of water vole, but this was a low population size within the Study Area. Due to the variable occupancy of the Study Area by water voles and the apparent low population size water voles are considered to be of local importance within the Study Area. Water voles are considered to be low sensitive to

human disturbance. Freshwater Pearl Mussel, Pine Martin, and Wild Cat were scoped out of further assessment as there was no direct evidence of occurrence recorded within the study area. However, both badger and water vole Species Protection Plans, informed by pre-construction surveys will be required and secured through planning condition.

8.87 There was evidence of otter within the study area, but no holts or breeding sites were recorded. Caithness & Sutherland Peatlands SAC is protected for otter, therefore the otters present in the study area are likely to be part of the SAC population and so are considered to be of international importance. As such the proposed development is likely to have a significant effect on otter linked to this SAC unless the proposal is undertaken strictly in accordance with the developer's suggested mitigation, then the proposal should not adversely affect the integrity of the site. An otter Species Protection Plan (SPP) will be required, this will be informed by a pre-construction otter survey, it will ensure any otters, within and adjacent to the development, remain as part of the otter population linked to this SAC. The SPP will ensure that the proposed development will not adversely affect the integrity of the site. NatureScot also welcome the woodland creation close to waterbodies as this is likely to be positive for otter in the long-term. Otters are considered to have moderate-high sensitivity to human activities, with resting places and holts considered highly sensitive. NatureScot advise that although no otter resting places were found close to the development; by the time construction works progress, there could be changes to the otter population, which may bring them closer to construction.

8.88 In terms of reptiles, the EIAR consider adders, slow worms and common lizards. The reptiles using the study area is considered of local importance. Adders are considered to have high sensitivity to human activities, whereas slow worms and common lizards are considered to have moderate sensitivity to human disturbance. Baseline reptile surveys identified that common lizard were widely distributed in the Study Area, but at low densities. This was not surprising as common lizards are common/abundant in suitable heath habitats across Highland; which themselves are widespread. Adders were recorded twice during walkover surveys in the north of the Study Area. A single slow worm was also recorded within the Study Area. The locations of the adder and slow worm were well outside the Development Footprint. There were no obviously important hibernacula discovered in the study area. The EIAR concludes that the study area is not considered of particular importance for reptiles. The EIAR notes that a small amount of habitat will be lost as a result of the proposed development. However, the open moorland is ubiquitous across the Highlands and around the proposed development. As such the loss of habitat from the proposed development on reptiles was assessed as negligible. Nevertheless, the EIAR sets out mitigation to reduce the risk of mortality during construction. It is therefore considered unlikely that there will be significance effects for reptiles in relation to the construction of the proposed development. A reptile Species Protection Plan will be development and implemented for all stages of construction.

8.89 Whilst bat surveys recorded three species of bats, common pipistrelle (Pipistrellus pipistrellus), soprano pipistrelle (P.pygmaeus), and Daubenton's bat the EIAR states that overall bat activity for each species in the area is low. The common pipistrelle recorded the most (48 total passes across 60 nights during bat activity season), followed by soprano pipistrelle (with 2 total passes over the whole survey period from

spring to autumn). Ten passes were recorded by Daubenton's bat across the whole activity season. Common and soprano pipistrelle are at high risk, and Daubenton's bat are at low risk of effects from wind farms at a population level. Any micrositing allowance agreed still maintains a minimum 50m separation from watercourses and other features suitable for commuting bats. Any impacts on Bats may still require a Protected Species License from NatureScot, which would be subject to the development passing the three licensing tests for protected species in the event the application is approved. The EIAR notes that although there is no evidence that would suggest the Abhainn a' Choire Bridge and the Loch Shin-Loch Ghriama Bridge are used by bats, it is conceivable that they may be used in the future. Therefore, being legally protected, pre-construction surveys will be conducted at these bridges before any construction commences. Additionally, if any large trees are identified for felling (none are planned to be felled), then bat roost potential surveys would also be required. This pre-construction protected species survey is recommended as a planning condition.

8.90 Whilst the EIAR finds that there is no predicted significant effects predicted for the River Oykel SAC and its ecological features that it is designated for (freshwater pearl mussel and Atlantic salmon), the Kyle of Sutherland District Salmon Fishery Board (KSDSFB) have objected on the grounds of lack of information. The River Oykel SAC is only 1.6km from the proposed development but in a difference water catchment to the proposed development, therefore the EIAR has concluded that there will be no changes to the hydrology, pollution or disturbance pathways. KSDSFB's main concern is the proposed bridge expansion works at Abhainn a Choire and the unnamed stretch of river between Loch a' Ghriama and Loch Shin. Appendix 7.8 of the EIAR highlights the presence of walls and deflectors in this stretch of river, describing it as heavily modified. Further information and mitigation will be sought through planning conditions in order to protect resident and migratory fish species.

8.91 The field study area contains a resident population of red deer (Cervus elaphus) being the main quarry species, although roe (Capreolus capreolus) and sika (Cervus nippon) are also present. Historic and current impacts of grazing are evident across the peatland habitat at Sallachy. This has been recognised by the land managers and reduced grazing pressure has been achieved. However, the OHMP intends to lower the grazing pressure further and maintain it at a low level for a sustained long-term period to allow natural recovery and regeneration of the peatland habitats. The benefits of reducing the grazing pressure will be widespread across the Estate, including into the adjacent SSSI, not just within the study area. A Deer Management Plan would be required, and the condition of the blanket bog will be closely monitored throughout and the stocking density adjusted as needed.

8.92 Final Species Protection Plans (SPP) will be required which outlies further pre-construction Protected Species Surveys that would be required, along with an Ecological Clerk of Works (ECoW), as part of a CEMD condition. Surveys for legally protected species should be carried out at an appropriate time of year for the species and as close to the commencement of construction as possible, but no greater than 8 months preceding commencement of construction. A watching brief should then be implemented by the ECoW during construction. The ECoW's remit would include the

authority to stop works where impacts on Protected Species are identified, as well as to oversee that works are undertaken in accordance with the CEMD and Schedule of Mitigation. Given the above, the development is not expected to have a detrimental impact on ecology.

8.93 In terms of forestry, woodland, and tree impacts, these have not been considered within the EIAR as its not expected that any arboricultural works are required. It is therefore not anticipated that there will be any adverse effects likely to occur within the proposed development site. The Highland Council's Forestry Team does not raise any concerns but has advised that existing deer fences should remain intact during construction works to protect the existing woodland from deer.

8.94 Whilst it is recognised that there will be impacts on natural heritage as a result of the proposed development both through the construction and operations phases. There is, as with other successfully accommodated wind farm development in Highland, workable and practical mitigation that can be put in place to minimise these effects.

Built and Cultural Heritage

8.95 Scottish Planning Policy (paragraph 145) states, that 'where there is potential for a proposed development to have an adverse effect on a scheduled monument or on the integrity of its setting, permission should only be granted where there are exceptional circumstances.' Further to this Historic Environment Scotland (HES) published the Historic Environment Policy for Scotland (HEPS) in 2019. This includes a series of policies which are supported by the Managing Change guidance series. Of particular relevance for this application is Policy HEP2 which states: "'decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations." And HEP4 that states "changes to specific assets and their context should be managed in a way that protects the historic environment. Opportunities for enhancement should be identified where appropriate. If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place."

8.96 The EIAR has identified 18 heritage assets within the Inner Study Area. Two of these assets, both associated with the construction of the Cassley Power Station, were identified within the site: an air shaft, assessed as being of low sensitivity, and a spoil tip, assessed as being of negligible sensitivity. Sixteen heritage assets were identified within 1 km of the site boundary. These are mainly located on the lower lying slopes along the shore of Loch Shin and most relate to post-medieval settlement. They include a farmstead, two unroofed buildings, four groups of shieling huts, and five sheepfolds, all assessed as being of low sensitivity. A modern, 20th century, power station, Cassley Power Station, is assessed as being of low sensitivity, and two possible survey posts, and an area of peat cutting, are assessed to be of negligible sensitivity. Furthermore, an assessment of the identified cultural heritage baseline, and consideration of the current and past land-use within and in the immediate vicinity

of the site, suggests that there is a low or negligible potential that hitherto undiscovered archaeological remains are present within the site. Both Historic Scotland and The Highland Council's Historic Environment Team agree with the applicant's assessment.

8.97 The layout of the proposed development has been designed to avoid direct effects on the identified heritage assets within the site and no direct effects have been identified. No mitigation is required in relation to potential direct effects from construction, operation or decommissioning of the proposed development, beyond the good practice measures and guidance included within the CEMP for all construction contractors outlining arrangements for calling upon retained professional support in the event that buried archaeological remains are discovered. If archaeologically significant discoveries are made during construction work, and it is not possible to preserve the discovered remains in situ, provision would be made for appropriate mitigation to scope and standards to be agreed with the Highland Council. The provision would include the consequent production of written reports, on the findings, with post-excavation analysis and publication of the works, where appropriate.

8.98 The EIAR does not predict any significant adverse effects in relation to cultural heritage assets. HES and the Council's Historic Environment Team are content with the assessments provided in the EIAR and as such the proposal is likely to meet the threshold of Criterion 3 of the OSWESG, which requires development to not diminish the prominence of landmarks or disrupt their relationship to their setting.

Design, Landscape and Visual Impact (including Wild Land Areas)

8.99 The applicant has presented a number of submissions to illustrate the landscape and visual impact of the development both singularly and cumulatively with existing and consented windfarm developments. To this end, the EIAR includes a description of the design process, along with assessments against Landscape Character Areas, National Scenic Areas, Special Landscape Areas, and Areas of Wild Land. A total of 22 viewpoints across a study area of 40km have also been assessed, however all viewpoints are within 30km of the development as there is very little theoretical visibility beyond this. These viewpoints are representative of a range of receptors including communities, recreational users of the outdoors, and road users. The expected bare earth visibility of the development can be appreciated from the ZTV to Blade Tip with Viewpoint Locations in the EIAR (Figures 6.7A and 6.7C). The viewpoints have been selected to represent visibility from landscape character types, landscape designations and principal visual receptors. These include points of specific importance such as recognised viewpoints, designated landscapes, settlements and routes.

8.100 The methodology for the Landscape and Visual Impact Assessment (LVIA) is sufficiently clear, being generally in accordance with the Guidelines for Landscape and Visual Impact Assessment Third Edition (GLVIA3), with the assessment's methodology being provided at EIAR Appendix 6.1. As set out in para 3.32 of GLVIA 3 the "LVIA should always clearly distinguish between what are considered to be significant and non-significant effects." The applicant judges significant effects following the combination of judgements based on the Sensitivity of the Receptor as defined by the receptor's susceptibility against the importance of the view /

landscape, which it distinguishes between national, regional, and local, against the Magnitude of Change. According to the definitions provided in the EIAR at Table 6.2 (Chapter 6) in the submitted EIAR, impacts of High / Medium-High and Medium correspond to significant effects. Where Medium – Low (including low sensitivity) effects are predicted, the EIAR advises that professional judgement has been applied to ensure that the potential for significant effects arising has been 'thoroughly' considered with a reasoned justification provided. The EIAR Chapter 6, Table 6.2 includes a maximum sensitivity of 'High'. Those effects classified as Medium, Medium – Low, Low or Negligible are considered to be Not Significant. The Council is of the view that based on the methodology presented within the EIAR Medium – Low and Low effects can be significant, similarly to the applicant this needs to be considered on a viewpoint by viewpoint basis using professional judgement.

8.101 In the assessment of each viewpoint, the applicant has come to a judgement as to whether the effect is significant or not. In assessing visual impacts in particular, it is important to consider that the viewpoint is representative of particular receptors i.e. people who would be at that point and experiencing that view of the landscape not just in that single view but in taking in their entire surroundings.

8.102 A key consideration in the effects on receptors of wind energy development is the sequential effect when travelling through an area on the local road network both by individuals who live and work in the area and tourists. Those travelling scenic routes, whether designated as such or not, have a higher sensitivity to views. While a driver of a vehicle is likely to be concentrated on the view immediately in front, passengers have a greater scope for looking at their surroundings. As such it is considered that road users are usually medium, medium-high or high sensitivity receptors. There is a small inconsistency in approach by the applicant when considering sensitivity of road based receptors but it has not altered the overall conclusion of significance.

8.103 THC's final visual assessment for each viewpoint (alongside a reasoned guess of the applicant's viewpoint analysis) is provided in Appendix 2 of this report below.

Siting and Design

8.104 In line with the EIA, and OWESG requirement, the applicant has illustrated and explained the steps, rationale and influences for the site's evolution and design rationale in Chapter 3 of the EIAR. As detailed above the current application follows the refusal by Scottish Ministers in 2015 to grant planning permission for a 22-turbine scheme (125m to tip height). It was refused on the grounds of perceived impacts upon the Assynt-Coigach National Scenic Area (NSA) and on the Reay-Cassley Wild Land Area (WLA). Chapter 3 of the EIAR and the Design and Access Statement provides an overview of how the applicants have sought to overcome the reasons for refusal with a summary of the design evolution of the scheme, in terms of turbine numbers, heights and layouts. The potential landscape and visual impacts on receptors and how the development would relate to the existing landscape character and wind farms together with ecological matters were key elements in the evolution of the turbine layout.

- The 2011 layout had an extensive spread of turbines across the ridge that separates Loch Shin and Glen Cassley, including turbines along the elevated ridgeline as well as the lower slopes on either side. This layout had a poor,

unbalanced appearance with visual confusion caused by overlapping, clustering and gapping of turbines. The extensive spread of the site meant that a wide horizontal field of view was occupied by the turbines, with the Proposed Development affecting a notable proportion of many views (e.g. Landscape and Visual Viewpoints 2: Ben More Assynt, 6: A838 near Achnairn and 9: A838 west of Overscaig). The variation in turbine base elevations resulted in a wide range of apparent tip heights and in some views (e.g. Viewpoints 2: Ben More Assynt, 7: A838 Cnoc an Laoigh and 17: A836 north Dalchork), an eye-catching sense of turbines covering the full slope and encroaching notably towards the viewer. The turbines on the ridgeline appear prominent in views from a number of locations, including notably the A838 (as seen in Viewpoint 9: A838 west of Overscaig). As a result, a high level of visibility was gained from the NSA (see Viewpoint 2: Ben More Assynt) and other sensitive receptors including residential properties in Overscaig (Viewpoint 9), the A838 (Viewpoints 6: A838 near Achnairn, 7: A838 Cnoc an Laoigh and 9: A838 west of Overscaig) and the A836 (Viewpoint 17). There were a number of effects on the wild land qualities of the Reay-Cassley WLA (Viewpoint 2: Ben More Assynt), and the direct physical effects on the WLA were also pronounced.

8.105 Following the refusal of the 2011 application the applicant came forward with an amended design in 2020 through the council's Major Pre-Application process. The applicant was advised at the pre-application stage that the key considerations for the design process would be to mitigate the development's impacts on Natural, Heritage resources, peat, residential and visual amenity. Significant concerns were raised in relation to the anticipated effects on Wild Land Area 34 Reay – Cassley and the special qualities of Assynt – Coigach NSA. The applicant has undertaken a number of iterations since the original application after taking into consideration comments from the Scottish Ministers and a number of issues such as the cumulative developments, grid connection, access, environmental designations, landscape designations, wind speed and visual receptors. This process resulted in the site being selected as still having potential for wind development with minimal environmental constraints.

- Subsequently following the refusal 2011 the applicant sought to address some of the issues. The spread of the turbine layout was reduced, therefore reducing the visibility of the development from the NSA. The initial layout was split either side of the ridgeline from Moavally to Cnoc a' Bhaid Bhain, and it was considered that keeping to one side of this ridgeline would offer a more coherent layout. The resulting layout removed the south-western turbines and retained the line of 11 turbines to the north-east (Figure 3.2). This consequently reduced the site boundary by half and pulled the scheme out of Glencassley estate to be wholly within the Sallachy estate. The layout of the turbines in a single row improved the appearance of the scheme from the majority of locations, resulting in a relatively simple appearance with considerably less gapping, clustering and overlapping. The sense of covering the full slope was avoided by the single row arrangement, and the reduced extent of the site to the south notably reduced the proportion of views affected by the turbines in a number of locations. The containment of the turbines below the ridgeline also reduced the prominence of turbines on the skyline in some views. However, several issues remained. The linear extent of the site, with 11 turbines in a row, meant that in some views the scheme continued to affect

a notable horizontal field of view. The variable base elevation of the turbines also resulted in a somewhat unbalanced appearance from some locations, the turbines staggered on the slope. Overall, visibility and influence was greatly reduced and in many views the appearance of the scheme was improved. Views from the NSA, properties in Overscaig, A836 and A838 were notably improved and effects on the Reay-Cassley WLA - both direct and perceptual – were greatly reduced due to the reduction in site area and the containment of the turbines to the north of the ridgeline. The main issues remaining related to the linear extent of the site and the variable turbine base levels.

- The final layout sought to confine proposed turbine locations, whilst presenting a balanced and regular appearance with no gapping or clustering at the majority of locations, including the most sensitive viewpoints. The broad uniformity of base locations ensures that the row of turbines is regular and displays no staggering or encroachment towards the viewer, while the elevation of the row (which is reduced from that of the upper row in the double row layouts) avoids and minimises prominence on the skyline. This layout has reduced the extent from 11 to 9 turbines, demonstrating a more balanced and regular appearance. The turbine elevations are more consistent, avoiding the impression of staggering into the slope.

- Whilst removing all visibility from the NSA and WLAs is not possible, the proposed development has been very specifically designed to minimise direct effects on the peatland slope area of the WLA within which it lies, and also the perceived effects on the wider WLAs and NSA. This has been achieved through a number of considerations that are described in the LVIA and summarised below:
    - The proposed development has been specifically designed to have a compact, well-balanced, regular and even composition in key views from the NSA and WLAs. This is so the proposed scheme appears to relate well to its landform setting and avoids eye-catching effects of gapping and clustering or overlapping that could increase its influence.
    - The applicant considers that the new scheme will have no direct effects on the NSA, and all effects will be perceived only, ensuring that the special landscape qualities that are dependent upon physical attributes of the NSA will not be affected by the proposed development.
    - The proposed development is located just within the eastern periphery of the Reay-Cassley WLA where there are notable baseline human influences, both within and outwith the WLA. This gives them a stronger association with the developed Loch Shin area than with the NSA and the interior of the Reay-Cassley WLA, ensuring that the most remote and wild northern and western aspects of the NSA and WLAs remain unaffected by development.
    - The low elevation of the turbines in relation to the majority of the NSA and WLA minimises their potential for intrusion and interruption of the landscape as they will not appear in a prominent skyline location from within the NSA or WLA.
    - The proposed development is designed to utilise existing infrastructure, thus reducing the need for additional new tracks that could have direct and perceived effects on the NSA and WLAs. The substation

compound has been located in close proximity to the existing hydro power station on the shore of Loch Shin where its effect will be minimised.
    - The turbines in the proposed development have purposely been specified at below 150 m tip height in order to avoid the need for aviation lighting, which could increase effects on the NSA and WLA.

8.106 The site sits within the Reay – Cassley WLA, an area of 560 km2 extending across north-west Sutherland from Scourie in the north to Rosehall in the south. The site also has the potential to impact upon the following landscape features:

- Assynt-Coigach National Scenic Area (NSA) which lies a minimum of approximately 5.2km west to of the nearest turbine; and
- Foinaven – Ben Hee WLA, a minimum of approximately 5.8km north of the nearest turbine.

As the proposed development has the potential to have direct and perceived effects on the wildness qualities of the WLAs and the NSA, these were key considerations in the design process. Mitigation of effects on the WLA and NSA has therefore been a high priority throughout the design process. The applicant also considered other landscape and visual sensitivities in the design process. This included consideration of effects on residential viewers, views from notable mountains, and views from the A836 and A838. The nearest residential receptors are located approximately 2.4km from the nearest turbine and the closest settlement to the site is Lairg, some 18.3km away. The site is located relatively close to the existing road network and would be visible from a range of angles from this network. The applicant has also secured a grid connection, where the wind farm would connect into the existing network infrastructure at the Cassley substation, approximately 4km north-west from the site. This is likely to be an overhead line, albeit that this connection does not form part of the planning application.

8.106 It has become increasingly important to consider the context in which wind farm development is seen and subsequent cumulative effects. Of particular importance is how developments relate to each other in design and relationship to their surroundings; their frequency when moving through the landscape; and their visual separation to allow experience of the character of the landscape in between. Care and attention are therefore required regarding design, siting and location to avoid detrimental visual impacts. NatureScot's Siting and Designing Wind Farms in the Landscape Guidance notes that it can be particularly challenging to accommodate multiple wind farms in an area, and so advances windfarm design objectives of limiting visual confusion and reinforcing the appropriateness of each development for its location. In this instance the proposed site is in an area which is attracting several development proposals, with some of the largest turbines in Highland being brought forward through other developments in the area.

8.107 NatureScot's (then SNH) guidance, Siting and Designing Wind Farms in the Landscape sets out (paragraph 4.2) that relating further development to a complex pattern of development will be challenging but the focus should be on improving the overall pattern and character of development rather than exacerbating existing conflicts between design. The applicant has highlighted that they designed the scheme based on five key locations. The following viewpoints best represent key

sensitive locations (including the WLAs, NSA, residential receptors in Overscaig, the A836 and the A838) whilst providing a comprehensive set of views towards the proposed development from different directions, thereby illustrating various aspects of the proposed development:

- Viewpoint 2 Ben More Assynt;
- Viewpoint 6 A838 near Achnairn;
- Viewpoint 7 A838 Cnoc an Laoigh;
- Viewpoint 9 A838 west of Overscaig;
- Viewpoint 12 – Ben Hee; and
- Viewpoint 17 A836 north Dalchork.

8.108 Landscape character is the distinct and recognisable pattern of elements that occurs consistently in a particular type of landscape, and the way that this pattern is perceived. Effects on landscape character occur both on the site, where the pattern of elements that characterise the landscape will be directly altered by the addition of the proposed development to the landscape; and off-site, where visibility of the proposed development may alter the way in which this pattern of elements is perceived. In this case, although the proposed development is visible from an area of Rugged Mountain Massif – Caithness and Sutherland LCT (139), the perceived experience of this area may be altered as visibility of the proposed development introduces different external, contextual characteristics despite its physical location in another, separate area. As noted above the current application sits within the Landscape Character Area (LCA) of Rounded Hills – Caithness and Sutherland (NatureScot LCT 135). As such the interrelationship with other the landscape characters should be considered. It is clear that the area does have its own character, but this does not form one contiguous mass but is broken up by Straths and by swaths of Sweeping Moorland and Flows. The Highland Council's Landscape Officer advises that the proposed development has to be considered in terms of the existing and emerging pattern of wind energy development, together with cumulative and sequential effects. Whilst the amended design has some positive aspects there are also negatives ones that need to be understood.

8.109 It is accepted that the design of the wind farm has had to balance landscape character and visual amenity; environmental constraints; topography and ground conditions; and technological and operational requirements. The applicant has explained for each viewpoint how the design has sought to address the receptor(s) at the viewpoint. As noted in para 8.105, it is considered that the development has been appropriately designed to address most of the constraints, with the turbines presented in a cohesive line. This simplistic design has had a positive impact in terms of key views particularly when viewed from some of the more elevated views and from the A838. The amended design has moved the turbines further from WLA 34 – Reay – Cassley and Assynt-Coigach NSA, reducing the impacts even though there are complex landscapes surrounding the site and existing development.

8.110 In terms of design of the other infrastructure on the site (control building, compound and tracks), these appear to be sited to principally avoid deep peat. The substation compound is located to the north west of the site, close to the existing hydro power station on the shore of Loch Shin to limit the additional visual impact of development in the area. It is likely the substation compound will be visible to travellers on the A836 and A838 but will be viewed with existing infrastructure. The turbines have been sited back from the existing road network, however given the low level of the A838 to the north of Loch Shin and the elevated position of the proposed turbines, they will be visible from the road network. The elements that are contained within the lower ground of the site would be afforded some screeding from the residual forestry on the north side of Loch Shin. However, the design of these requires to be progressed from the standard uninspiring designs as shown indicatively in the EIAR. This could be secured by condition. The applicant has confirmed that the transformers will be contained within the turbine nacelle.

8.111 The relationship with other wind energy schemes in the area, can theoretically be experienced from several of the more elevated viewpoints in the distance as seen from VP1 (Track near Maovally), VP2 (Ben More Assynt), VP12 (Ben Hee), VP19 (Ben Klibreck) and VP22 (Quinag). It is considered that, the location, design and scale of the scheme is similar to the surrounding wind farms. The proposed development's relationship with other wind energy schemes in the area has generally been well considered with the wind farm maintaining its own distinctive setting in accordance with the criterion set out in the OWESG. There are limited receptors who would experience the visual effect of existing wind farms to the west, northwest and southwest unless on higher ground. Similar to the existing wind energy developments in the area the proposed development would be located in an elevated position within the Rounded Hills LCT. Although the existing wind energy in the area is generally located within the Rounded Hills LCT they are each within different landscape features resulting in each scheme appearing as a distinctly separate scheme.

8.112 The relationship between settlements/key locations and the wider landscape is considered against Landscape and Visual Assessment Criteria contained within Section 4 of the OWESG, Criterion 1. The nearest settlement identified within the Local Development Plan is Lairg, located approximately 18.3km to the southeast. The views from the south/southeast and around the settlement of Lairg, will be limited to the higher ground VP21 (Rhian Breck, Lairg). The views from the lower ground are screened by the topography, landform and manmade features VP20 (Lairg). The proposed development is considered to not meet the threshold of Criterion 1 as set out in Appendix 3 of this report.

Landscape Impact

8.113 Whilst the EIAR predicts that in the most part the proposed development will not have a significant impact on the landscape resource within the study area, it does identify some localised significant effects on the landscape character of the site and some parts of its surroundings; views from mountain tops at Ben More Assynt and Ben Hee, a stretch of the A838, the high point of Cnoc an Alaskie, the Maovally track, and the corrie Ceann Loch. Furthermore, the EIAR predicts some significant localised effects in terms of two Special Landscape Qualities (SLAQs) of the Assynt – Croigach NSA (out of 10 SLQs). However, these effects are not considered to significantly

adversely affect the overall 'integrity' of the NSA as a scenic designation, and it is considered that the "objectives of designation and the overall integrity of the area will not be compromised" by the proposed development.

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

- impacts on the local landscape composition closer to the development;
- impacts on the Landscape Character Area (LCA) as a whole and on neighbouring LCAs; and,
- compliance with THC Onshore Wind Energy Supplementary Guidance as it relates to Landscape Sensitivity.

8.115 The EIAR notes that the prevalent LCT across the 20km study area is rounded hills LCT, which covers the central, southern and north-eastern parts of the study area. This LCT frequently abuts sweeping moorland and flows (LCT 134), which is found primarily in the eastern part of the study are with smaller areas to the north and west. The transition between these two LCTs in subtle and gradual, and together they form a widespread upland moorland/forested backdrop to smaller localised areas of other LCTs, including Strath (LCT 142), farmed and forested slopes with crofting (LCT 145), and lone mountains (LCT 138).

8.116 As such an assessment has been undertaken by the applicant for the following identified LCTs within a 20km study area:

- 134 Sweeping Moorland and Flows;
- 135 Rounded Hills – Caithness and Sutherland (Loch Shin/Glen Cassley Unit and Loch Fiag Unit); and
- 139 Rugged Mountain Massif – Caithness and Sutherland

All other LCTs were not assessed due to the limited theoretical visibility of the proposed development, including LCT 142 Strath – Caithness and Sutherland and LCT 145 Farmed and Forested Slopes within Crofting. The EIAR also scopes out LCT 138 Lone Mountains as there is very intermittent theoretical visibility, and the effect on landscape character will not be significant.

8.117 The proposed development sits within the rounded hills – Caithness and Sutherland (LCT 135). This LCT is extensive and covers large parts of the 40km study area, particularly to the south of Loch Shin. Within this LCT there is a host of characteristics, of the most significance is that there is a sense of wildness experienced in the more remote and less modified parts of the landscape. However, the north-facing slope of the rounded hills LCT that faces Loch Shin, including the proposed site, is impacted by the nearby A838, transmission lines and forestry along the A838, close to Loch Shin. Within the site there is existing hydro-electric infrastructure including powerlines, access road, mast and the Cassley hydro-electric substation on the shore of Loch Shin.

8.118 Whilst the Rounded Hills LCT is extensive in Sutherland, it does not form one contiguous mass but is broken up by Straths and by swaths of Sweeping Moorland and Flows LCAs. This means that the proposed development may impact other LCAs

which are most visible to the travelling public and if the proposed development is perceived to dominate the LCT, even if this is not the case for the remoter expanses there may be some significant effects.

8.119 In terms of the proposed development, the rounded hills LCT covers the ridge of hills that separate Loch Shin and Glen Cassley and the northern side of the ridge that separates Glen Cassley and Glen Okyel, stretching from Lairg in the east to Corriekinloch in the west. It also includes Loch Shin itself. This LCT is defined by high rounded hills that lie adjacent to the lower and more gently undulating and lower-lying sweeping moorland and flows LCT. The LCT to the south of Loch Shin is noted within the EIAR to have a higher level of development than many areas of this LCT, with forestry, roads, a mast, hydroelectric infrastructure, transmission lines, a fish farm and houses. Achany and Rosehall wind farms are also located within the southern end of this LCT. Therefore, it is considered that the key characteristic of this LCT the "strong sense of wild character can be experienced within the more remote and little modified parts of this landscape" does not apply and as such it is not considered that the proposed development would not have a significant effect on the host LTC as noted in Viewpoint 1 (track near Maovally) and 4 (Arscraig track, Loch Shin). VP1 is located to the northwest and VP4 to the southeast of the proposed development. These viewpoints demonstrate that although there are some adverse effects, they are not considered to significantly impact the integrity of the LCT. The most adverse effects are experienced from the closer areas of the LCT, as noted within the EIAR there are some significant effects on the site area that extends up to a maximum of around 4.5km from the nearest turbine, this is not disputed.

8.120 Another principle LCT in the close vicinity is Rugged Mountain Massif Caithness and Sutherland LCT (139) and the closest summit is Ben More Assynt located to the northwest of the proposed development site and Ben Hee to the northeast of the proposed development. There is also the Lone Mountains LCT at Ben Klibreck to the northeast and Quinag to the north west that the proposed development has been assessed against.

8.121 The Ben More/Ben Hee unit of the rugged mountain massif LCT forms a rough arc to the west of the site with Ben Hee in the north, Ben More in the south and Ben Leoid at the centre. The unit has been defined on the basis of this crescent of enclosing elevated landform that wraps around the head of Loch Shin, and the site area, and the resultant level of influence of the Proposed Development that may be gained. Rugged mountain massif LCT, which is found in the north-western part of the study area, comprises elevated mountains of massive scale with a rugged, irregular and complex form. There are dramatic views of the western Rugged Mountain Massif – Caithness and Sutherland from the A838. This mountainous area is also seen as the backdrop to a foreground of smooth, low-lying Sweeping Moorland and Flows from the A836. Viewpoints 2 (Ben More Assynt), 3 (Coire Ceann Loch), 11 (A838 near west Merkland) and 12 (Ben Hee) all lie within this LCT, with VP2 and 12 representing views from the summits of Ben More Assynt and Ben Hee. While VPs 3 and 11 are from a lower level.

8.122 The Ben More/Ben Hee unit is within the Assynt-Coigach NSA and the majority lies within the Foinaven-Ben Hee and Reay-Cassley WLAs. The landscape has notable scenic quality in its distinctive landscape characteristics and the enclosure and contrast provided by the mountains to the adjacent sweeping moorland and flows

LCT. These mountains are well utilised by recreational users, this was noted in the representation received from Mountaineering Scotland. The EIAR notes that effect the effect of the proposed development on the landscape character of rugged mountain massif LCT – Ben More/Ben Hee will vary. The effect on the majority of the LCT will be not significant. However, the effect on the small part of the LCT that covers the southern slopes of Sron na Garbh Uidh, the lower east-facing slopes of Ben More Assynt, and Coire Ceann Loch, and lies between 4.5km and 8.2km away from the nearest turbine will be significant.

8.123 Sweeping Moorland and Flows (LCT 134 – Crask / Overscaig Unit) is characterised by the flat or gently undulating landscape that weaves around other LCTs, most often rounded hills LCT as is the case here. This LCT is affected by development which reduces any sense of remoteness which is a key characteristic of the LCT, particularly due to the A836. The influence of human development affects not only the area along the road but also the more distant areas. Viewpoints 7 (A838 Cnoc an Laoigh), 8 (A838 near Fiag), 9 (west of Overscaig), 13 (Cnoc an Alaskie), 14 (West Shinness), 17 (north Dalchork), 18 (A836 Crask Viewpoint) all lie within the Sweeping Moorland and Flows LCT (134). The landscape has some scenic quality in that its landscape characteristics set a contrasting scene for the surrounding hills and slopes. The EIAR finds that the effect on the landscape character that covers the northern side of Loch Shin, opposite the proposed development will be significant. This area covers the slope that drops to the loch, facing towards the site, and lies between 2 – 5km away from the nearest turbine.

8.124 In terms of Criterion 10 of the OWESG the proposed development will have some localised adverse effects on a number of the LCTs, however these effects are not considered to significantly affect key characteristics of the LCTs or the experience from within the LCAs. Furthermore, the interplay of different LCAs which come together to from the local composite landscape character would not be undermined by the proposed development interrupting the relationship between them.

8.125 As well as assessing the effect of the Proposed Development itself, the LVIA assesses the cumulative effect that may arise when the proposed development is added to various scenarios of operational, under-construction, consented and application-stage wind farms. The cumulative assessment concludes that when the proposed development is added to operational and under-construction wind energy developments, there will be some significant cumulative effects that will arise.

8.126 Most significant cumulative effects occur when the proposed development is viewed with other wind energy development. In this case there are localised significant effects predicted on the Sweeping Moorland and Flows LCT around Cnoc an Alaskie and Cnoc an Fheoir Mhaol due to the addition of the proposed development to Creag Riabhach wind energy development, resulting in influential development to the north-east and south-west of the LCT. That being said it is considered that the existing pattern of development of wind energy also generally occupies sites in elevated positions within the Rounded Hills LCT. As such the proposed development is not out of character for the area around Lairg and Loch Shin.

Assynt-Coigach National Scenic Area (NSA) and Ben Klibreck and Loch Choire Special Landscape Area (SLA)

8.127 The development lies approximately 6km from the eastern edge of the Assynt-Coigach NSA and 15km from the western end of the Ben Klibreck and Loch Choire SLA. The applicant has assessed the effects that proposed development may have on the 'special landscape qualities' (SLQs) of the NSA in line with NatureScot's 'Guidance for Assessing the Effects on Special Landscape Qualities' (SNH, November 2018). Viewpoints 2 (Ben More Assynt), 3 (Coire Ceann Loch) and 22 (Quinag) all lie within the NSA.

8.128 The NatureScot (formerly SNH) guidance, 2010, outlines 10 Special Landscape Qualities (SLQ) of the Assynt-Coigach National Scenic Area as:

1. Spectacular scenery of lone mountains
2. Rocky topography of great variety
3. Settlements nestled within a wider landscape of mountain peaks, wild moorlands, and rocky seascapes
4. Extensive cnocan landscapes
5. A coastline of endless drama
6. An intricate multitude of lochs and lochans
7. A landscape of vast open space and exposure
8. Significant tracts of wild land
9. Unexpected and extensive tracts of native woodland
10. A still, quiet landscape under a constantly changing sky

8.129 The proposed development is located outwith the NSA, with the nearest turbine lying approximately 2.5km to the east of the eastern NSA boundary. The part of the proposed development that lies closest to the NSA is a section of the existing surfaced track that provides access to the existing hydro-electric infrastructure. The track is 1.9km to the east of the eastern boundary of the NSA and would require to be upgraded to accommodate the proposed development.

8.130 The proposed development as shown on the blade tip ZTV (Figure 6.10) the proposed development has theoretical visibility contained within the eastern 'leg' of the NSA and is very intermittent, coinciding with high points and, on the eastern edge of the NSA, the east-facing slopes that are orientated towards the site covering approximately 2.5% of its overall area. As no part of the proposed development is located within the NSA, and predicted effects on its SLQs would be the result of visibility of the proposed development. The proposed development would likely be the most visible from elevated areas within the NSA as seen from viewpoint 3 (Coire Ceann Loch).

8.131 Theoretical visibility of the proposed development from the NSA relates closely to landscape character. The majority of visibility arises on the east-facing slopes of the rugged mountain massif LCT, which covers the eastern part of the NSA. As noted in para 8.120 – 8.122, this LCT comprises elevated mountains of massive scale with a rugged, irregular and complex form, including Ben More Assynt, Ben Leoid, and

Beinn Uidhe, forming a broad crescent around the head of Loch Shin and, with their elevated, dramatic form, almost completely prevent theoretical visibility of the proposed development from the wider areas of the NSA particularly further to the west and north-west.

8.132 The EIAR has included the study area for the NSA based upon the LCTs most affected by the proposed development, these have been divided into two sub-areas:

- Area A (rugged mountain massif and sweeping moorland and flows – Fionn Loch Mor unit); and
- Area B (lone mountains – Quinag unit)

8.133 Quinag (VP 22) is the only one of the seven well known mountains within the NSA as listed in the NSA citation (SNH, 2010) which lies within the study area. It should be noted that there is no visibility of the proposed development from the remaining six mountains. In addition to this the Cape Wrath Way National Trail that passes north-south through Area A also has no visibility of the proposed development. There are no settlements or publicly accessible roads within the study area other than several very short stretched where the A837 and A894 run along the eastern boundary of Area A, where there is no visibility of the proposed development. As such there are no sequential views of the proposed development gained by people passing through the study area by road or on the Cape Wrath Way.

8.134 NatureScot have objected as their assessment has concluded that the proposed development will have significant adverse effects on two of the SLQs of the NSA, such that the objectives of the designation and overall integrity will be compromised. As such it is NatureScot's opinion that the proposed development fails the first test of Scottish Planning Policy (SPP), paragraph 212, therefore if planning permission was granted then the Highland Council would be required to notify Scottish Ministers. The two SLQs affected are 'a still, quiet landscape under a constantly changing sky' and 'significant tracts of wild land'. Whilst the 2011 application was partially refused on the predicted effects on two SLQs of the NSA, one of which was 'the landscape of vast open space and exposure'. Both the applicant and NatureScot agree that that the proposed development would not result on significant effects on this SLQ. However, NatureScot have raised new concerns in relation to 'a still, quiet landscape under a constantly changing sky' in relation to the proposed development.

8.135 The EIAR has assessed the sensitivity for the Assynt-Coigach NSA due to its high value as a nationally important scenic designation. The landscape is also of high quality with a strong sense of place, sense of remoteness and notable scenic qualities, which have remained largely intact due to very limited internal development. The susceptibility has been assessed as medium – high due to the distinctive and undeveloped, remote upland landscape with no internal large-scale built or moving development. The applicant argues that the proposed development will be seen in an aspect of the setting of the NSA that is affected by baseline human influences, including distant wind farm development and roads. The assessment concludes that in Area B, there is no potential for significant effects to arise on any SLQs of the NSA and that Area A which covers the part of the NSA that lies closest to the proposed development has potential for a significant effect to arise on the two SLQs as identified by NatureScot.

8.136 The impact on the Assynt-Coigach NSA is one of the reasons outlined in the Scottish Ministers reasons for refusal of the 2011 application were the perceived impacts upon the NSA. Following mitigation through siting and design outlined above the EIAR concludes that the effects upon this NSA would be significant on views identified at Viewpoints 2 (Ben More Assynt) and 3 (Coire Ceann Loch); and the orientation of parts of the landform within Area A towards the proposed development. This is due to focus on the proposed development from these slopes and the high level of sensitivity of the NSA. The significant effect will, however, be highly localised, and is unlikely to extend to the more distant areas of theoretical visibility found in Area A, which lie up to approximately 16 km away from the nearest turbine. The effect on the SLQs in the western periphery of Area A, principally beyond approximately 10km from the nearest turbine it therefore predicted as not significant. The Council's Landscape Officer accepts the applicants' assessment and considers it to be reasonable.

'A still, quiet landscape under a constantly changing sky' SLQ

8.137 Assynt-Coigach is a landscape where human movement tends to be minimal, although on the coast small inshore craft slowly working the bays of the peninsula do offer occasional movement. In contrast, the skyscape, governed by the north Atlantic weather systems, provides almost constant change, often characterised by heavy cloud scudding across the landscape, in turn obscuring the higher peaks and providing a more horizontal emphasis to the scene. At other times this movement reveals, sometimes fleetingly, the same peaks. The extensive waters of the NSA offer a constant, if subtle, sense of movement and change, fuelled by the relentless march of the ocean's weather systems. The absence of significant tree cover in the landscape, as well as the openness, remoteness and rarity of roads, also contribute to this being a very 'still' landscape.

8.138 There are vast tracts of the NSA landscape which are remote, quiet and still. NatureScot advise that even where roads do pass through the glens or around the intricate coastlines of this NSA the landscape is still considered to be remote, quiet and still, with the roads often hidden from view due to the complexities of the landforms. NatureScot consider that the effects on this SLQ would be significant across the eastern parts of the NSA, and in particular from the summit, ridges and east facing slopes of the Munro Ben More Assynt (VP2) and lower lying areas, where the size of the turbines would appear as an obvious and 'real' sign of human activity (VP3 Coire Ceann Loch). NatureScot do not consider these effects on this SLQ to be significant at greater distances as illustrated in Viewpoint 22 (Quinag) and Area B has therefore not been considered any further in terms of this SLQ.

8.139 NatureScot advise that when the development is viewed from within the NSA at the summit, ridges and east facing slopes of the Ben More Assynt massif, the turbines, would become the focus of views to the east. The tracks will largely be out of view due to the nature of the landform shielding the turbine bases. The scale and, in particular, size, pale colour and rotation will disrupt the still and tranquil landscape where there is generally very little movement. The moving nature of the proposed turbines would add a dynamic element to what is currently a very 'still' landscape, adding a clearly noticeable human movement, catching the eye. This effect would be evident from both elevated locations where the turbines would be back-clothed such

as Ben More Assynt (VP2) and as such would be significant across eastern parts of the NSA. The EIAR accepts that the proposed development may introduce some adverse effects in relation to the perception of stillness within parts of the study area due to the introduction of moving turbines as an external influence.

8.140 These effects are considered to be localised and as such would not have a significant effect on the wider SLQ of the NSA. The vast majority of the SLQ will remain unaffected by the proposed development and as such would not be of national interest. Where the proposed development is seen from the NSA, this visibility is almost always gained from upper slopes and high points or ridges. The relatively low-lying position of the turbines and their enclosure below the ridgeline of rounded hills landform that separates the site from the NSA ensures that they are unlikely to be seen on the skyline, and will instead be seen against landform. This ensures that they will always appear subservient in relation to the NSA, without skyline prominence and with very limited vertical impact. This in turn avoids the creation of moving obstacles that would affect the SLQ in terms of the skyline and stillness of the landscape.

8.141 In terms of this SLQ it is considered that the applicant puts forward a strong argument and that the compact, well-balanced, simple design of the proposed development ensures that it relates well to the landform setting and avoids eye-catching effects of gapping and clustering or overlapping from key views.

'Significant tracts of wild land' SLQ

8.142 Area A is covered by two LCTs as noted in para 8.132. In terms of this SLQ the LCT description for rugged mountain massif notes the following relevant key characteristic "Natural unmodified character of the high mountains, with their remoteness, ruggedness, and difficulty of access, creating a strong wild character". The LCT description for sweeping moorland and flows notes the relevant key characteristic "A strong sense of remoteness is associated within the largely uninhabited, inaccessible core flows and moorlands of this landscape." The wildness characteristics that are found within the interior of the NSA are represented in the northern aspects of Viewpoint 2 (Ben More Assynt). The eastern aspect displays the more developed character and human influence that is found around Loch Shin, affecting the perception of wildness characteristics in Area A. Viewpoint 3 (Coire Ceann Loch) has its main aspect to the south-east, outwith the NSA, where the development around Loch Shin which also affects the perception of wildness characteristics in Area A.

8.143 NatureScot advise that there is an absence of modern artefacts and overt human activity across much of the NSA emphasising the high sense of remoteness and wildness. This is highlighted by much of the NSA, and all of the areas where there is theoretical visibility being recognised and identified as part of Scotland's WLAs2. The experience of 'significant tracts of wild land' from within the parts of the NSA which are affected by this proposal, draw on the adjacent lower peatland slopes in which the proposal is located. This is to be expected as wildness is displayed to a high degree here. Furthermore, due to the expansive and extreme openness of this landscape, which enable long uninterrupted views (enhanced by the stillness), the strength of this quality, as a consequence of the lack of obvious human activity or artefacts, is high. Large scale development, even outwith and at just over 5km from the NSA, will have a significant effect on the feeling of openness and remoteness as

turbines of this size will both foreshorten these long views whilst introducing an obvious human artefact. As such NatureScot advise that the effects on the wild character of the NSA are considered to be significant across eastern parts of the NSA.

8.144 The EIAR notes that the proposed development will be seen in some views from the south and east of Area A (as seen from Viewpoints 2 and 3) resulting in some effect on the perception of wildness characteristics within Area A, but this will be limited due to a number of factors. These factors include the views that display the wildness characteristics of the NSA which are to the north and west of Area A will not be affected and therefore retain their wildness characteristics, the part of Area A affected is already affected by human activity along Loch Shin and lacks a degree of wildness, limited visibility and the presence of existing hydro-electric roads and infrastructure.

8.145 Whilst the EIAR predicts localised significant effects on both of the above SLQs, it is not considered that they will give rise to significantly adversely affect the overall 'integrity' of the NSA as a scenic designation. Furthermore, the proposed development has seen a significant reduction in effects from the original application and as such the proposed development would not result in the loss of this natural heritage asset. Where significant effects are predicted within the NSA, the proposed development would be seen within the same context as the existing hydro and fishing infrastructure, commercial forestry, Loch Shin and Creag Riabhach Wind Farm. It is considered that the proposed development can be absorbed due to the limited extent of the effects on the special qualities of the NSA. Overall, while there are some significant impacts, due to the mitigation by design the proposed development is considered to safeguard the character and appearance of the NSA.

Wild Land

8.146 The applicant has carried out an assessment for two of the WLAs that lie within or partly within the 40km study area. The relevant WLAs are Reay-Cassley (WLA 34) and Foinaven-Ben Hee (WLA 37). The assessment follows guidance set out in Assessing Impacts on Wild Land Technical Guidance (NatureScot, September 2020) with reference to the Description of Wild Land Areas (SNH, 2017). The turbines and some of the infrastructure in the proposed development lie within the edge of the south-eastern leg of the Reay-Cassley (WLA 34), as shown on Figures 6.5a and 6.5b (EIAR). The WLA description (SNH, 2017) for Reay-Cassley (WLA 34) provides a useful brief overview of this WLA:

"This large Wild Land Area (WLA) extends 560 km2 across north west Sutherland from Scourie in the north to Rosehall in the south. In the north the WLA mainly comprises cnocan moorland, with a high and irregular mountain range within the central section, and simpler peatland slopes in the south."

8.147 In relation to the Reay – Cassley WLA NatureScot have identified four Wild Land Qualities (WLQ):

1. A range of large, irregular, rocky mountains with steep, arresting slopes and a variety of lochs and lochans, possessing a strong sense of naturalness, remoteness and sanctuary.

2. An awe-inspiring, broad scale expanse of cnocan in which there is a complex pattern of features at a local level that contribute to the sense of naturalness and sanctuary.
3. A variety of spaces created by irregular landforms in which there is perceived naturalness, as well as a strong sense of sanctuary and solitude.
4. Extensive, elevated peatland slopes whose simplicity and openness contribute to a perception of awe, whilst highlighting the qualities of adjacent mountains.

8.148 NatureScot are in general agreement with the applicant's assessment, that the effects on WLQ 1 and WLQ 2 would not be significant and WLQ 3 can be screened out. It does predict that there will be significant effects on WLQ 4, this is in line with the applicant's view that this quality has the greatest geographical association with the location of the proposal. The peatland slopes that comprise of WLQ 4 are found within the are the proposed development is located as seen at Viewpoint 1 (track near Maovally) that lies within the area, whole Viewpoint 3 (Coire Ceann Loch) and Viewpoint 4 (Arscraig track) lie on its northern periphery. Furthermore, the peatland slopes that the proposed development are located can be seen from the slopes as well as from some south-eastern parts of the mountainous central area. NatureScot have advised that there would be a significant effect on the Reay-Cassley WLA (WLQ 4) as a result of the proposed development. NatureScot consider that these significant effects are not easily overcome by siting, design or other mitigation.

8.149 The EIAR judged the sensitivity of WLQ 4 as medium – high and the magnitude of change will be medium. However, it assessed the magnitude of change level medium to be localised on the site area, where the direct influence of the proposed development is greatest, but will also intermittently affect the eastern leg of the peatland slopes. Beyond this area the applicant judged that the magnitude of change would reduce dropping to a medium – low, low and negligible level. As a result of a combination of the factors the applicant considers the assessed maximum magnitude of change of medium and the medium-high sensitivity of WLQ4 would result in a significant effect on WLQ4. However, this effect will be localised, arising only on the site itself and intermittently on the eastern leg of the peatland slopes that are associated with WLQ4. Elsewhere, the effect will be not significant due to the reduced magnitude of change.

8.150 NatureScot advise that the peatland slopes that flank Glen Cassley are an important component of this WLA. Whilst the scenic splendour of the mountainous areas across the central part of the WLA is undisputed, being included within the NSA, its value as part of Scotland's wild land resource goes wider than these scenic qualities. The lower elevation, simplicity of both land-cover, landform and sheer scale of the peatland slopes that flank the mountains to the southeast, ensures they are of sufficient extent that allows for a range of wild land attributes and responses to be experienced to a high degree. Without the peatland slopes this WLA would be less diverse in character and its range of wild land qualities would be diminished. NatureScot's advice that this sense of scale, openness and exposure appears arresting, especially when experienced with the physical challenge associated with accessing remote areas away from tracks. The description recognises "The vast scale of these simple peatland slopes, in combination with a strong sense of openness and exposure, appears arresting." As such NatureScot object as the

proposal would reduce the strength of WLQ 4 not only from the site itself, but also from its surroundings. This would have the consequence that the eastern limb of this WLA would no longer contribute to the WLA as a whole. This would mean that there would be a loss of approximately 23% of this WLA, resulting in a very significant modification to its extent.

8.151 The applicant has responded to NatureScot's comments and notes that the peatland slopes that flank Glen Cassley lies to the west of the site and the blade tip ZTV (Figure 6.11b) demonstrates a relatively low level of visibility on either side of the Glen. Furthermore, the applicant does not agree with NatureScot's view that the proposed development would lead to a loss of WLA. Viewpoint 2 (Ben More Assynt) demonstrates that the proposed development lies on the outer edge of the WLA, where it is also viewed alongside other human influences, including forestry plantation and in the same field of view as the hydro infrastructure.

8.152 NatureScot recognise that there are parts of this WLA where this quality (WLQ 4) is influenced, particularly by existing development to the far southeast (WLA & cumulative ZTV, Fig. 6.11d), including other infrastructure (e.g. hydro, masts and tracks), the WLA description details how these, other human artefacts and contemporary land uses influence the underlying attributes and responses of this WLA. It notes that this wind farm would be out of character of development in the area as it would appear as a prominent feature in the landscape, introducing an obvious human artefact into the WLA where current human influence is limited to the features already described.

8.153 The applicant considers that NatureScot has understated the degree to which the wildness qualities in the parts of the WLA closest to the proposed development are influenced by human development. Furthermore, the applicant notes that NatureScot's Jenks mapping (Figure 6.11c), shows that the eastern leg of WLA 34 principally comprises of classes 4, 5 and 6 which falls short of the expectation for wild land classes 7 and 8. As such while the lower classifications can support wild land, they demonstrate a much weaker strength of wildness quality.

8.154 In NatureScot's response it notes that the proposed turbines would be visible over long distances due to the openness and simplicity of the peatland. As the turbines are within the WLA they would both individually and cumulatively markedly increase the effects already highlighted by existing wind farms outside the WLA. Being linear in arrangement and vertical in nature, the wind farm would add a layer of complexity to this simple landscape. Viewpoint 1 (Maovally, WLA) illustrates where the linear nature of the landform is interrupted by the vertical habit of the turbines. As a result, the sense of awe generated from the extensive nature of simple peatland slopes will be substantially reduced across, not only the area which covers the site itself, but also a large proportion of the remaining eastern limb of the WLA. The applicant rebuffs this statement as previous advice they received from NatureScot noted that the linear layout of turbines was more in keeping with the surrounding pattern of landform. The design of the proposed development has been discussed in paras 8.104 – 8.112 above and it is agreed that the linear nature of the turbines does not overwhelm or add a layer of complexity to the landscape.

8.155 It notes that the descriptions states that the area can appear “more extensive than is warranted by actual size”. This is a result of the contribution that the adjacent Foinaven – Ben Hee (WLA 37) makes especially where the intervening development within Loch Shin is no longer visible (VP1 Track near Maovally). The turbines would interrupt these open views across to the neighbouring WLA, thereby reducing its apparent extent. Furthermore, the existing tracks, both within and along the margins of the WLA, reduce the physical challenge (and subsequent remoteness) of access, particularly at the head of Glen Cassley (at the narrowest point of the eastern limb). However, a short distance away from these tracks, the terrain remains rugged and very challenging to cross. As such the proposed wind farm track, would further increase access across the peatland slopes within the WLA, reducing remoteness. In terms of the cumulative impact, NatureScot confirm that the consented wind farms at Creag Riabhach, Braemore and Lairg 2 that all lie within 10km of this WLA do not either, individually or in combination give rise to significant effects on the qualities of the Reay-Cassley WLA.

8.156 In terms of the tracks the applicant has mitigated the effects of the proposed development by utilising existing tracks and keeping any new track to a minimal length, including aligning it to minimise cut and fill. As such any effects on WLQ4 would be localised.

8.157 The applicant does draw the same conclusion as NatureScot within the EIAR that the proposed development would result in a significant effect on WLQ4 in some parts of WLA 34. However, where there is theoretical visibility of the proposed development from areas where the WLQs are more strongly expressed, it will be seen in the context of other development, including distant wind farms. Therefore, the introduction of a wind farm would not introduce an entirely new influence on attributes and although there will be some significant effects on the WLQ4 it is considered to be acceptable.

8.158 Recognising the significant effects, for the above reasons the Planning Authority consider that the siting and design of the wind farm, inclusive of the mitigation secured by officers through design iteration work at the pre-application stage, can be seen to substantially mitigate the impacts on Wild Land Quality 4. Therefore, it is considered that it would not lead to an unacceptable impact upon the overall integrity of the WLA.

8.159 As the Foinaven – Bee Hee (WLA 37) is within close proximity of the proposed development, 5.8km to the north the applicant undertook a wild land assessment. There will be visibility extending across the south facing slopes and hill tops up to around 18km. However, the ZTVs (Figures 6.11a and 6.11b) show localised and intermittent theoretical visibility from the WLA, gained almost completely from the south-eastern area of the WLA, between Meallan Liath Coire Mhic Dhughaill in the west and the A836 in the east. Very small areas of theoretical visibility are also gained from further away, with the most distant visibility being over 30 km away, at Foinaven. The WLA description (SNH, 2017) for Foinaven – Bee Hee (WLA 37) provides a useful brief overview of this WLA:

"This large Wild Land Area (WLA) extends 560 km2 across north west Sutherland from Scourie in the north to Rosehall in the south. In the north the WLA mainly comprises cnocan moorland, with a high and irregular mountain range within the central section, and simpler peatland slopes in the south."

8.160 NatureScot are generally in agreement with the applicant assessment on WLA 37 effects on WLQ1, 3, 4 and 5 in that there would be no significant effects. NatureScot have therefore focused on WLQs 2 and 6, where the effects would be the greatest. The Creag Riabhach wind farm, currently under construction, physically extends into the far east of this WLA (WLA & cumulative ZTV, Fig. 6.11d). It would be visible from many of the same areas that would also gain visibility of the proposed turbines.

8.161 NatureScot that the proposed development would significantly affect two of its WLQs, namely; 'A remote, secluded interior with very few human elements and a strong perception of sanctuary and solitude' and 'Extensive peatland slopes that appear awe-inspiring in their simplicity and contrast to neighbouring mountains, and allow wide open views to the surrounding area'. However, when considering the effects on this WLA with the under construction Creag Riabhach wind farm, the wild land qualities are weakened due to the change in baseline. On this basis, the additional effects of proposed development on the Foinaven-Ben Hee WLA are not considered to materially affect its qualities. Consequently, it is considered unlikely that the proposed development would not lead to unacceptable adverse impact upon key characteristics / attributes of WLA 37 as a whole.

Visual Impacts

8.162 The ZTV demonstrates that the scheme will be theoretically visible at a distance of up to 40km however principally within 20km study area, largely to the north, north-west and north-east with all 9 turbines in theoretical view. Visibility extends along sections of the A836 and the A838 to the north, north-east and south-east, principally from Lairg to the Crask Viewpoint (18) Viewpoint 10 (Loch a' Ghriama) on the A838 and the A836. The development would extend the theoretical visibility of turbines beyond that already experienced as a result of the consented and operational wind farms in the area. It is not considered that the proposed development would increase the visibility of turbines significantly, with the principle increase to the north side of the side on the slopes. It is therefore considered that this site has the scope to absorb the turbines, even at this scale without having a significant visual impact overall. The applicant's assessment has indicated that significant visual effects are likely to be contained within approximately 14km of the proposed development, although they may, in unusual circumstances, arise beyond this.

8.163 The Council considers visual impact using the Criterion set out in Section 4 of the Onshore Wind Energy Supplementary Guidance (OWESG), with the Council's assessment against the criterion and view as to whether the threshold set out in the guidance is met or not, contained in Appendix 3 to this report. Unsurprisingly, there is some minor differences between the applicant's assessment and the appraisal of the Planning Authority, which is to be expected because a visual impact assessment is largely dependent on the application of professional judgement. The information in Appendices 2 and 3 combined with matters as set out below, explain the difference between the outcomes of the assessments.

8.164 The visual receptors for the development have been assessed in the EIAR. The applicant has undertaken a detailed visual impact assessment at each of the 23 viewpoints, focussing on the effect on the receptors at the viewpoint. The EIAR states that receptors at 9 of the 23 viewpoints would have the potential to be significantly affected by the proposed development. These viewpoints range in their proximity to the site and in most cases a new element is not introduced into the view and the cumulative impact with the consented development is taken into consideration. The views from the remaining viewpoints have not been assessed as significant by the applicant. It is considered that the intervening distance between the viewpoint and the scheme, the more limited magnitude of change. In this case, the baseline of a range of wind energy developments limits the effects as being assessed as significant.

8.165 The Zone of Theoretical Visibility (ZTV) contained in the EIAR indicates that the development would have limited visibility beyond 20km of the study area, with small pockets of visibility principally limited to the north and south of the proposed development between 20 and 40km. The development will be more visible between 10 and 20km, however large areas to the south, west, and east will have no or limited visibility of the development due to distance and topography. Within 10km, the development becomes visible from most areas, with the notable exception of the south and west of the proposed development site. As would be expected, visibility of hub heights generally contracts to higher ground following the pattern as described above (Figure 6.7a). Figure 6.11d shows that the development will increase turbine visibility to the southwest of loch shin and with further pockets of visibility to the north and south. Visibility outwith 10km is mostly contained to the higher ground as seen from VP 12: Ben Hee, VP 19: Ben Kilbreck and VP 22 Quinag.

8.166 Whilst a large-scale wind energy scheme would be expected to result in Significant visual impact effects, the Council, through the OSWESG, also acknowledges that Significant does not automatically translate to unacceptable in all instances. Following a review of the applicant's assessment the main points of difference, in the Council's view, is in relation to the applicant's assessment on Scale of Change appears to under-represent the change to the baseline view that would be introduced by the development as a single development whereby a larger potential Scale of Change was noted at several viewpoints. Similarly, the same appears to be true for the applicant's assessment of the Scale of Extent for a number of viewpoints, which leads to minor disagreement on the Magnitude of Change and Significance of Effect experienced by receptors at 7 of the viewpoints. There are some minor disagreements in relation to Sensitivity of Receptor at VP7 (A838 Cnoc an Laioigh); VP8 (A838 near Fiag); VP10 (A838 Loch a' Ghriama); VP11 (A838 near West Merkland). However, there is only a difference in level of effect assessed in relation to VP10 (A838 Loch a' Ghriama) and VP12 (Ben Hee). Whereby the proposed development was found to have a lower level of effect at VP10 and a higher level of effect at VP12.

8.167 A summary of the applicant's assessment and the Council Officer's appraisal of the assessment which highlights the differences and any concerns with regard to visual impact can be found in Appendix 2 of this report. It is clear from the EIAR and the Design and Access Statement that the applicant has tried, where possible, to reduce any potential landscape and visual effects through the proposed design and layout

of the turbines. It is considered that in doing so they have created a wind farm which appears to be appropriately designed for the landscape it would sit within and takes account of visual features of the area.

8.168 In coming to an opinion on the acceptability of this development, the secured design changes have played an important factor and should be given some weight. The changes have resulted in the development having an improved composition from several viewpoints, with the turbines now appearing inferior to the landscape particularly in the scenic views or more distant views. The amended design to a singular row of turbines has significantly reduced the visual effects. It is considered that these changes are most noticeable in Viewpoints 1 (Track near Maovally); 2 (Ben More Assynt); Viewpoint 3 (Coire Ceann Loch); VP6 (A828 near Achnairn); VP9 (West of Overscaig) and VP12 (Ben Hee), despite some significant effects still predicted. The proposed development has significantly reduced the level of visibility from sensitive receptors, key locations and routes. The amended scheme has also reduced the extensive spread of turbines across the ridge that separates Loch Shin and Glen Cassley, including turbines along the elevated ridgeline as well as the lower slopes on either side. The previous scheme did not present a balanced array of turbines with significant overlapping, clustering and gapping of turbines from most viewpoints. The amended design has reduced the horizontal spread of turbines in most viewpoints, furthermore the proposed turbines would occupy a much smaller area of the rounded hills LCT so they do not overwhelm the view from most viewpoints.

8.169 Despite the scale of the proposed development, the turbines have limited visibility from the closest settlement of Lairg and there are no residential properties within 2km of the propose development the applicant has undertaken a Residential Visual Amenity Assessment (RVAA). The RVAA was undertaken to identify any properties whereby the effect of the proposed development would lead to the 'Residential Visual Amenity Threshold' being reached (affects living conditions). The applicant assessed 11 properties in total, out of these eleven properties only one is assessed to reach the RVAA (Appendix 6.2: Property 9 Corriekinloch), this would be as a result of the construction works and the upgraded site access. However, the property has a financial interest in the proposed development and as such this is considered to be acceptable. Furthermore, the RVAA threshold would only be met temporarily, as the RVAA threshold would not be met during the operation of the proposed development.

8.170 The findings of the applicant's RVAA are in line with Reporters' findings for similar schemes, such as the consented Limekiln Wind Farm for example, the development is not considered to have an overbearing effect at residential properties located outwith 2km distance from the proposed development.

8.171 The Cape Wrath Way, one of Scotland's National Trails, runs across the western part of the study area. This route is shown on the ZTV to gain very limited visibility of the proposed development from over 35 km away, as such it is not considered that there would be significant effects either individually or cumulatively on this route. Similarly core paths in the study area are primarily located around settlements and are largely located outwith the 20 km study area. Within the 20 km radius, core paths are largely concentrated around Lairg and Rosehall, with three isolated paths also found to the west and north-west of the Proposed Development. The Rosehall paths are shown on the ZTV to gain no visibility and are therefore discounted from the assessment.

There is some limited theoretical visibility from paths around Lairg but due to the distance and limited visibility it is not anticipated the proposed development would have a significant effect on any of the core path networks.

8.172 The National Cycle Route 1 (NCR1) is located to the south-eastern edge of the study area at on the south side of the Dornoch Firth and follows a variety of roads, primarily the A836, across the south-eastern and eastern parts of the study area before leaving the northern edge of the study area at Tongue. NCR1 gains theoretical visibility as shown on the ZTV. The part of NCR1 that gains theoretical visibility is entirely on the route of the A836, and the assessment of effects on views from NCR1 is therefore combined with that of the A836.

8.173 The A836 runs through the study area from its commencement near Edderton in the south, through Ardgay, Bonar Bridge and Invershin, before passing through Lairg and then northwards to Tongue. The A836 passes through widely varied landscapes within the study area, ranging from the enclosed, vegetated southern shore of the Dornoch Firth to remote upland moorland and forestry north of Lairg. It also passes through a number of settlements, of which the most notable are Edderton, Ardgay, Bonar Bridge and Lairg. Viewpoints 16 (A836 near Lairg), 17 (A836 north Dalchork) and 18 (A836 Crask Viewpoint) are located on the A836. As noted above the NCR1 follows the route of the B864 and the A836. The route has scenic qualities; however the proposed development will not be visible from the majority of the A836. The effect of the proposed development on the A836 is therefore assessed as not significant as demonstrated in appendix 2 for the viewpoint analysis of Viewpoints 16, 17 and 18.

8.174 The A838 runs along the north side of Loch Shin on its route between Laxford Bridge and the A836 just north of Lairg. This road passes through a largely undeveloped and remote moorland landscape, with just a few groups of houses and some coniferous forestry plantation along the way. Scenic views across Loch Shin, to the south, west and north-west, provide a focus from much of the road. Viewpoints 5 (A838 near Colaboll), 6 (A838 near Achnairn), 7 (A838 Cnoc an Laoigh), 8 (A838 near Fiag), 9 (A838 west of Overscaig), 10 (A838 Loch a' Ghriama) and 11 (A838 near West Mearkland) which are all located on the A838. This route also has scenic qualities similar to the A836. The EIAR concludes that the effect of the proposed development from the A838 will not be significant from the majority of views. However, there are some stretches where a significant effect will arise. This includes VP8 (A838 near Fiag), however the views gained from this stretch of road are intermittent due to screening from vegetation. It is therefore considered that the visual effects on the A838 are acceptable.

Noise, Vibration and Shadow Flicker

8.175 The applicant has carried out a noise assessment which did not find any significant effects in relation to construction activities, construction traffic, operation of wind turbines and operation of other non-turbine fixed plant. The EIAR found that the predicted wind turbine noise levels associated with the operation of the proposed development would meet derived noise limits as identified at noise sensitive receptors (NSR), namely Blarbuie (NSR1), Dalmichy (NSR2) and Rhian Bridge (NSR3). Figure 10.1 of the EIAR demonstrates the noise contours from where 35dB LA90 is met. NSR2 is just within these limits (as set out in the EIAR: Chapter 10 Table 10.13) and may require further monitoring should the proposed development become

operational. However, as the noise limits are met the EIAR does not predict any significant residual noise effects during the operation of the proposed development. The applicant has confirmed following first operation of the proposed development a noise compliance test will be commissioned to determine compliance with the consented noise limits. Should there be any exceedances of noise limits attributable to the proposed development identified then an operational noise management plan would be implemented to ensure noise limits are met. The Highland Council's Environmental Health officer does not raise any concerns in relation to the applicant's noise assessment but does recommend that a noise limit of 2dB above predicted levels is attached to any consent.

8.176 The EIAR scopes out shadow flicker as the applicant assessed there would be no impact on any properties within the shadow flicker study area. The study area in respect of the shadow flicker analysis was applied equating to 11 x rotor diameter, which adheres to guidance set out in the OSWEG to take account of the northerly latitudes. Appendix 4.6: Figure 1 shows that all of the properties surveyed would not be impacted.

8.177 As the applicant does not anticipate any vibration effects, they were therefore scoped out and not assessed within the EIAR.

Telecommunications

8.178 There are no unresolved objections with regard to aviation interests, with no outstanding concerns being raised by the Civil Aviation Authority, Highlands and Islands Airports Limited, Ministry of Defence or National Air Traffic Services. Should the proposal be granted permission, a condition can be applied to secure suitable mitigation in terms of aviation lighting and notification to the appropriate bodies of the final turbine positions.

Aviation

8.179 There are no unresolved objections with regard to aviation interests, with no outstanding concerns being raised by the Civil Aviation Authority, Highlands and Islands Airports Limited, Ministry of Defence or National Air Traffic Services. Should the proposal be granted permission, a condition can be applied to secure suitable mitigation in terms of aviation lighting and notification to the appropriate bodies of the final turbine positions.

Other Material Considerations

8.180 Given the complexity of wind farm developments, and to assist in the discharge of conditions, the Planning Authority seek that the developer employs a Planning Monitoring Officer (PMO). The role of the PMO, amongst other things, will include the monitoring of, and enforcement of compliance with, all conditions, agreements and obligations related to this permission (or any superseding or related permissions) and shall include the provision of a bi-monthly compliance report to the Planning Authority.

8.181 The applicant has advised that at the end of their operational life, if the decision is made to decommission the wind farm, all turbine components, transformers,

substation and associated buildings and infrastructure will be removed from the site. The Planning Authority also requires that any foundations remaining on site; the exposed concrete plinths would also be removed to a depth of 1m below the surface, graded with soil and replanted. Cables also require to be cut away below ground level and sealed. Whilst the applicant has indicated a preference to retain the new site tracks for landowner use, this is yet to be agreed as the Planning Authority expects all new tracks areas constructed during development of the wind farm to be reinstated to the approximate pre-wind farm condition, unless otherwise agreed with the landowner and/or Highland Council. The material used to construct the tracks to be taken up, removed to areas identified in a site restoration scheme, backfilled with suitable material and covered with topsoil/reseeded. Backfilling of access tracks would be carefully planned in advance to avoid having to move plant machinery and equipment on freshly reinstated land.

8.182 These matters will not be confirmed until the time of the submission of the Decommissioning and Restoration Plan (DRP). The DRP would be submitted to and approved in writing by the Planning Authority in consultation with NatureScot and SEPA no later than 12 months prior to the final decommissioning of the wind farm. The detailed DRP would be implemented within 18 months of the final decommissioning of the development unless otherwise agreed in writing with the Planning Authority.

8.183 The requirements to decommission and restore a wind farm site at its end of life is relatively standard and straight forward, with any request for re-powering to be considered with the submission of a relevant future application. It is important to ensure that any approval of this project secures by condition a requirement to deliver a draft decommissioning and restoration plan for approval prior to the commencement of any development and ensure an appropriate financial bond is put in place to secure these works.

8.184 The applicant has made an offer to the community for a share in ownership of the scheme. This is in line with current good practice recommended by the Scottish Government. As the scheme has the potential to have an effect beyond the community that it is situated within the provisions of Policy 68 (Community Renewable Development) of the Highland-wide Local Development Plan do not apply.

8.185 In line with SPP, Highland Council policy and practice, community benefit considerations are undertaken as a separate exercise and generally parallel to the planning process. For this application it would include the financial contribution and the in-kind contribution to upgrade of broadband infrastructure.

8.186 Whilst the applicant has not shown the potential for a battery storage facility within the development, it will be sought through planning conditions. Battery storage facilitates the management of the grid in times of high and low demand. The details of any battery storage facility, likely to comprise of battery storage containers, cooling systems and switchgear, can be secured by condition.

8.187 There are no other relevant material factors highlighted within representations for consideration of this application.

Matters to be secured by Legal Agreement

8.188 An assessment of the condition of the roads, pre and post construction will be required. This will inform the production of a roads wear and tear agreement under Section 96 of the Roads (Scotland) Act. This type of agreement can be secured by condition.

Non-material considerations

8.189 The issues of constraint payments, impact on electricity prices of renewable energy development and community benefit are not material planning considerations.

9. CONCLUSION

9.1 The Scottish Government gives considerable commitment to renewable energy and encourages planning authorities to support the development of wind farms where they can operate successfully and situated in appropriate locations. The project has the potential to contribute to combating the climate emergency through an additional 49.9MW of renewable energy capacity towards Scottish Government targets and through peatland restoration. However, as with all applications, the benefits of the proposal must be weighed against potential drawbacks and then considered in the round, taking account of the relevant policies of the Development Plan.

9.2 The application has attracted several letters of representation both objecting and supporting this development from members of the public. There are also outstanding objections from statutory consultees, this includes Rogart Community Council, NatureScot and Kyle of Sutherland District Salon Fisheries. In terms of the later their concerns can be addressed through planning conditions. It is important to consider the benefits of the proposal and the potential drawbacks and when assessing it against the policies of the Development Plan.

9.3 Whilst the Planning Authority do recognise and acknowledge the potential significant impacts (namely in relation to landscape and visual impacts and wild land), these are considered on balance to be acceptable when all matters are taken into account. The design iterations made during the pre-application stage by the applicants in response to the Scottish Ministers previous refusal is considered to have significantly improved the scheme. Further mitigation of the impacts will be secured by the recommended planning conditions, which includes peatland habitat restoration and road improvements.

9.4 The applicant has brought forward a scheme with a reduced number of turbines, albeit at a greater height, when compared to the application submitted for Sallachy Wind Farm in 2011 which was subsequently refused by Scottish Ministers, despite The Highland Council not raising an objection to the application. The 2011 proposal comprised a total of 22 turbines at 125m to blade tip height. This scheme reduces the number of turbines to 9 turbines at 149.9m to blade tip height. The turbines closest to the National Scenic Area and WLA have been removed. In doing so it has led to the reduction in effect on the National Scenic Area. While NatureScot maintain their objection in relation to the qualities of the National Scenic Area and the impacts on a quality of the Wild Land Area in which the development sits, it is considered that the turbines have been sited in a manner which means they sit visually within an area

already impacted by wind energy development. It is considered that in substantially overcoming the impact on the quality of the National Scenic Area and Wild Land Area by virtue of siting and design, the applicant has addressed the matters which led to the refusal of the previous development by Scottish Ministers.

9.5 The Council has determined its response to this application against the policies set out in the Development Plan, principally Policy 67 of the Highland-wide Local Development Plan with its eleven tests which are expanded upon with the Onshore Wind Energy Supplementary Guidance. This policy also reflects policy tests of other policies in the plan, for example Policy 28 and those contained within Scottish Planning Policy. Given the above analysis, the application is, on balance, considered acceptable in terms of the Development Plan, national policy and is acceptable in terms of all other applicable material considerations.

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

10. IMPLICATIONS

10.1 Resource: Not applicable

10.2 Legal: Not applicable

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

10.4 Climate Change/Carbon Clever: If approved the proposed development has the potential to produce renewable energy and make a meaningful contribution to a net zero electricity network.

10.5 Risk: Not applicable

10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before decision issued	Y
Referral to Scottish Ministers as recommendation contrary to NatureScot objection on National Scenic Area impacts	Y

Subject to the above actions, it is recommended to

GRANT the application for the following reasons

1. The Planning Permission is granted for a period of 33 years from the date of Final Commissioning, comprising an operational period of up to 30 years from the date of Final Commissioning and a period of up to 3 years for decommissioning and site restoration to be completed in accordance with a scheme to be approved under

Condition 29 of this permission. Written confirmation of the Date of Final Commissioning must be provided to the planning authority no later than one calendar month after the event.

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

2. There shall be no Commencement of Development until a concluded agreement in accordance with Section 96 of the Roads (Scotland) Act 1984 under which the developer is responsible for the repair of any damage to the local road network that can reasonably be attributed to construction related traffic. As part of this agreement, pre-start and post-construction road condition surveys must be carried out by the Company, to the satisfaction of the Roads Authority(s). It will also require the submission of an appropriate financial guarantee, bond or alternative form of security acceptable to the planning authority in respect of the risk of any road reconstruction works.

   Reason: To ensure financial security for the protection of the road network, and for the cost incurred to repair any damage to the road network.

3. There shall be no Commencement of Development until:

   i. Full details of a guarantee, bond or other financial provision to be put in place to cover all of the decommissioning and Site restoration measures outlined in the Decommissioning and Restoration Plan approved under Condition 29 of this permission have been submitted to, and approved in writing by, the planning authority. For the avoidance of doubt the bond must be able to be called upon by The Highland Council and be enforceable against the operator and landowner and/ or leaseholder; and

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

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

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

   i. Ensure that the guarantee, bond or other financial provision is maintained throughout the duration of this permission; and

   ii. Pay for the guarantee, bond or other financial provision to be subject to a review five years after the commencement of development and every five

years thereafter until such time as the wind farm is decommissioned and the Site restored.

Each review shall be:

a) conducted by a suitably qualified independent professional; and

b) published within three months of each five year period ending, with a copy submitted upon its publication to both the landowner(s) and the Planning Authority; and

c) approved in writing by the planning authority without amendment or, as the case my be, approved in writing by the Planning Authority following amendment to their reasonable satisfaction.

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

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

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

i. Widening of the A838 to a minimum width of 3.5m, a full width surface course overlay (with regulating to achieve appropriate camber and crossfall) to enhance structural integrity and provision. The scheme for widening shall be based on current topographical surveys and shall include any necessary road drainage to allow the safe transport of the wind farm components. For the avoidance of doubt unless a greater width is required and agreed such as at passing places, junctions or for curve widening the width of permanent surfacing provided for the single track carriageway sections of the local road network shall be 3.5m. For two lane sections the width shall be a minimum of 6m. Any additional running width for the abnormal load movements shall be provided by strengthening of the verges and provision of a temporary running course. Within three months of completion of the abnormal load movements for the development the verges shall be reinstated;

i. Widening works at junctions on the abnormal load route to remove horizontal and vertical constraints on the network for the delivery of turbine components and abnormal loads. The widening works at junctions shall be based on current topographical surveys and shall include any necessary road drainage to allow the safe transport of the wind farm components. Provision of an engineering assessment of the carriageway strength of the proposed HGV

construction traffic routes and their suitability to support the significant increase in loading for all the proposed HGV construction traffic routes where the increase in HGV usage above existing HGV flows is greater than 10%. A scheme to provide suitable full width strengthening and any necessary re-shaping of the carriageway based on any shortfall identified in the agreed assessment;

ii. Details for the provision of a minimum of least 27 improved passing places on the A838 in a form which is suitably sized for heavy goods vehicles in line with the specifications set out in the Roads and Transportation Guidelines for New Developments;

iii. Details of Provision of road markings and signage to accompany the proposed works;

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

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

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

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

6. Design and operation of turbines

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

i. The make, model, design, power rating and sound power levels of the turbines to be used;
ii. The external colour and/or finish of the turbines to be used (including towers, nacelles and blades) which should be non-reflective pale grey semi-matt; and
iii. The turbines must have internal transformers.

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

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

7. Advertisement on Infrastructure

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

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

8. Design of ancillary development

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

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

9. Micro-siting

All wind turbines, buildings, masts, areas of hardstanding and tracks shall be constructed in the location shown on plan reference Figure 3.1 (FEI). Wind turbines, buildings, masts, areas of hardstanding and tracks may be adjusted by micro-siting within the site. However, unless otherwise approved in advance in writing by the Planning Authority (in consultation with SEPA and NatureScot, micro-siting is subject to the following restrictions:

a. No wind turbine foundation shall be positioned higher, when measured in metres Above Ordinance Datum (AOD), than the position shown on Figure 1.2 (EIAR);
b. No wind turbine, building, mast or hardstanding shall be moved more than 50m from the position shown on the original approved plans;
c. No access track shall be moved more than 50m from the position shown on the original approved plans or be located within areas of peat of greater depth than the original location;
d. Micro-siting shall take place to avoid sensitive peatland habitat;
e. No micro-siting shall take place within areas hosting Ground Water Dependent Terrestrial Ecosystems;
f. No wind turbine or associated infrastructure will be located in peat depths greater than 1m;
g. No element of the proposed development should be located closer than 50m to the top of the bank of any watercourse; and
h. All micro-siting permissible under this condition must be approved in advance in writing by the Environmental Clerk of Works (ECoW).

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

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

10. Borrow Pit Search Area – Scheme of Works

No development shall commence until a site specific scheme for the working and restoration of any borrow pit forming part of the Development has been submitted to and approved in writing by the Planning Authority in consultation with SEPA. The scheme shall include;

a. A detailed prioritisation plan for any borrow pit on site;
b. A detailed working method statement based on site survey information and ground investigations;
c. Details of the handling of any overburden (including peat, soil and rock);
d. Drainage, including measures to prevent surrounding areas of peatland, water dependant sensitive habitats and Ground Water Dependant Terrestrial Ecosystems (GWDTE) from drying out;
e. A programme of implementation of the works described in the scheme; and
f. Full details of the reinstatement, restoration and aftercare of the borrow pit(s) at the end of the construction period, to include topographic surveys of pre-construction profiles, and details of topographical surveys to be undertaken of the restored borrow pit profiles.

The approved scheme shall thereafter be implemented in full.

Reason: To ensure that excavation of materials from the borrow pit(s) is carried out in a manner that minimises the impact on road safety, amenity and the environment, and that the mitigation measures contained in the Environmental Statement accompanying the application, or as otherwise agreed, are fully implemented. To secure the restoration of borrow pit(s) at the end of the construction period.

11. Borrow Pit – Blasting

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

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

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

12. No development shall commence until the Planning Authority has approved in writing the terms of appointment by the Company of an independent and suitably qualified environmental consultant to assist the Planning Authority in monitoring compliance with the terms of the deemed planning permission and conditions attached to this consent ("PMO"). The terms of appointment shall;

    a. Impose a duty to monitor compliance with the terms of the deemed planning permission and conditions attached to this consent;
    b. Require the PMO to submit a monthly report to the Planning Authority summarising works undertaken on site; and
    c. Require the PMO to report to the Planning Authority any incidences of non-compliance with the terms of the terms of the deemed planning permission and conditions attached to this consent at the earliest practical opportunity.

    The PMO shall be appointed on the approved terms throughout the period from Commencement of Development to completion of post construction restoration works.

    Reason: To enable the development to be suitably monitored to ensure compliance with the consent issued.

13. Ecological Clerk of Works

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

    a. Impose a duty to monitor compliance with the ecological and hydrological commitments provided in the environmental statement and other information lodged in support of the application, the Construction and Environmental Management Plan, the Habitat Management Plan approved in accordance with condition 18, [any species or habitat management plans identified in the Environmental Statement] and other plans approved ("the ECoW works");
    b. Require the EcoW to report to the Company's nominated construction project manager any incidences of non-compliance with the ECoW works at the earliest practical opportunity;
    c. Require the ECoW to submit a monthly report to the Planning Authority summarising works undertaken on site;
    d. Have power to stop to the job / activities being undertaken within the development site when ecological interests dictate and/or when a breach or potential breach of environmental legislation occurs to allow for a briefing of the concern to the Company's nominated construction project manager; and
    e. Require the ECoW to report to the Planning Authority any incidences of non-compliance with the ECoW Works at the earliest practical opportunity.

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

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

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

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

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

I. Details of the construction works, construction methods and surface treatment for all hard surfaces and tracks;
II. Method of construction of the crane pads;
III. Method of construction of the turbine foundations;
IV. Method of working cable trenches;
V. Method of construction and erection of the wind turbines;
VI. details of watercourse crossings designed to 1 in 200 year flood risk event plus 20% for climate change;
VII. Details of the temporary site compounds, for the storage of materials and machinery, including the areas designated for offices, welfare facilities; fuel storage and car parking;
VIII. Peat Management Plan – to include details of all peat stripping, excavation, storage and reuse of material in accordance with best practice advice published by SEPA and NatureScot. This should also highlight how sensitive peat areas are to be marked out on-site to prevent any vehicle causing inadvertent damage;

IX. Water Quality Management Plan - highlighting drainage provisions including monitoring / maintenance regimes, water crossings, surface water drainage management (SUDs) and development and storage of material buffers (50m

minimum) from water features, unless otherwise agreed in writing by SEPA and The Highland Council's Flood Risk Management Team;

X. Public and Private Water Supply Protection Measures Plan;
XI. Pollution Prevention Plan;
XII. Site Waste Management Plan;
XIII. Construction Noise Mitigation Plan; and
XIV. Species Protection Plan(s): - including badger, bat, otter, water vole and reptile.

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

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

The notification and a stop the job commitment requirements set out below:

Should an otter holt be found during construction, all works within 250m of the holt shall stop immediately and the NatureScot Golspie office be notified and asked for advice.

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

XV. Site Construction Decommissioning Method Statement highlighting restoration/ reinstatement of the working areas not required during the operation of the Development, including construction access tracks, borrow pits, construction compound, storage areas, laydown areas, access tracks, passing places and other construction areas. Wherever possible, reinstatement is to be achieved by the careful use of turfs removed prior to construction works. Details should include all seed mixes to be used for the reinstatement of vegetation;
XVI. A Construction Method Statement for the approval of the Planning Authority in consultation with NatureScot and SEPA incorporating the mitigation measures set out in the Peat Landslide Hazard and Risk Assessment; and
XVII. A Construction Environment Management Plan incorporating appropriate mitigation for the Ground Water Dependent Terrestrial Ecosystems as outlined in the EIAR Chapter 7 and Chapter 15.

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

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

15. Traffic Management Plan

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

i. A schedule of structures on the local road network which form part of the HGV construction traffic routes and the abnormal load traffic routes which require structural assessment to be carried undertaken;

ii. A load assessment of the A838 structures, which shall include an assessment of any and all loads which will be transported (inclusive of construction vehicles, plant and machinery) which may be used in the construction of the development;

iii. A description of all measures to be implemented by the developer in order to manage traffic during the construction phase (incl. routing strategies), with any additional or temporary signage and traffic control undertaken by a recognised suitably qualified traffic management consultant;

iv. A scheme of mitigation to safeguard the safety and the condition of the structures during the period of construction traffic has been submitted to and agreed in writing by the Planning Authority. The scheme of mitigation shall be informed by the load assessment and it shall include a pre-start inspection; arrangements for undertaking regular inspection of the structures; arrangements for reporting any deterioration and for carrying out maintenance due to the extraordinary level of traffic; consideration of Traffic Management measures for Heavy Goods Vehicles during construction of the development; and details of any necessary works to the bridge and the road over the bridge and the immediate approach to the bridge in order to facilitate the safe passage of the proposed construction traffic.

v. The identification and delivery of all upgrades to the public road network, including but not limited to upgrades to the local and trunk road network to make it suitable for construction traffic, to ensure that it is to a standard capable of accommodating construction related traffic (including the formation or improvement of any junctions leading from the site to the public road) to the satisfaction of the Roads Authorities, including;

    a. A detailed review of the routes to site for general construction traffic;

    b. No access for construction traffic shall be taken along the public road at Duchally;

c. A high-level review of the access route from Port of Entry at Invergordon;

d. An initial route assessment report for abnormal loads and construction traffic, including swept path analysis and details of the movement of any street furniture, any traffic management measures and any upgrades and mitigations measures as necessary;

e. An assessment of the capacity of existing bridges and other structures along the construction access routes to cater for all construction traffic, with upgrades and mitigation measures proposed and implemented as necessary;

f. A videoed trial run to confirm the ability of the local road network to cater for turbine delivery. Three weeks notice of this trial run must be made to the local Roads Authority who must be in attendance;

g. No deliveries by abnormal indivisible loads shall take place until a final assessment of the capacity of existing bridges and structures along the abnormal indivisible load delivery route is carried out and submitted to and approved by the Planning Authority and full engineering details and drawings of any works required to such structures to accommodate the passage of abnormal indivisible loads have been submitted to and approved by the planning authority, thereafter the approved works shall be completed prior to the abnormal indivisible load deliveries to the site.

vi. A risk assessment for the transportation of abnormal loads to site during daylight hours and hours of darkness;

vii. A contingency plan prepared by the abnormal load haulier. The plan shall be adopted only after consultation and agreement with the Police and the respective roads authorities. It shall include measures to deal with any haulage incidents that may result in public roads becoming temporarily closed or restricted;

viii. A procedure for the regular monitoring of road conditions and the implementation of any remedial works required during construction / decommissioning periods;

ix. A detailed protocol for the delivery of abnormal loads/vehicles, prepared in consultation and agreement with interested parties. The protocol shall identify any requirement for convoy working and/or escorting of vehicles and include arrangements to provide advance notice of abnormal load movements in the local media. Temporary signage, in the form of demountable signs or similar approved, shall be established, when required, to alert road users and local residents of expected abnormal load movements. All such movements on Council maintained roads shall take place outwith peak times on the network, including school travel times, and shall avoid local community events;

x. A detailed delivery programme for abnormal load movements, which shall be made available to Highland Council and community representatives;

xi. Details of any upgrading works required at the junction of the site access and the public road. Such works may include suitable drainage measures, improved geometry and construction, measures to protect the public road and the provision and maintenance of appropriate visibility splays;

xii. Details of appropriate traffic management which shall be established and maintained at the site access for the duration of the construction period. Full details shall be submitted for the prior approval of Highland Council, as roads authority;

xiii. Wheel washing measures to ensure water and debris are prevented from discharging from the site onto the public road;

xiv. Appropriate reinstatement works shall be carried out, as required by Highland Council, at the end of the turbine delivery and erection period;

xv. Measures to ensure that construction traffic adheres to agreed routes;

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

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

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

16. Community Liaison Group

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

events / seasons / developments. The liaison group, or element of any combined liaison group relating to this development, shall be maintained until the wind farm construction has been completed and is fully operational.

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

17. Outdoor Access Management Plan

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

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

18. Habitat Management Plan

There shall be no Commencement of Development unless a habitat management plan has been submitted to and approved in writing by the Planning Authority in consultation with NatureScot and SEPA. The habitat management plan be based on the principles of the outlined Habitat Management Plan (Appendix 7.6 February 2021) shall set out proposed habitat management of the wind farm site during the period of construction, operation, decommissioning, restoration and aftercare of the site, and shall provide for the maintenance, monitoring and reporting of sward height across any permanent, long term, open areas that are within 500m of wind turbines.

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

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

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

19. Deer Management Statement

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

deer numbers on site from the period from Commencement of Development until the date of completion of restoration.

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

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

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

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

21. Peat Landslide Management

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

The peat landslide risk assessment shall comply with best practice contained in "Peat Landslide Hazard and Risk Assessments: Best Practice Guide for Proposed Electricity Generation Developments" published by the Scottish Government in January 2007, or such replacement standard as may be in place at the time of submission of the peat landslide risk assessment for approval. The peat landslide risk assessment shall include a scaled plan and details of any mitigation measures to be put in place.

The approved peat landslide risk assessment shall thereafter be undertaken in full prior to Commencement of Development.

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

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

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

22. Shadow Flicker

No development shall commence until a scheme for the avoidance or mitigation of any shadow flicker experienced by residential and commercial properties situated within 11 rotor diameters of any turbine forming part of the Development and which lawfully exist or for which planning permission has been granted at the date of this consent has been submitted to and approved in writing by the Planning Authority. The approved mitigation scheme shall thereafter be implemented in full.

Reason: To offset impacts of shadow flicker on residential and commercial property amenity.

23. Television Reception

There shall be no Commencement of Development unless a Television Reception Mitigation Plan has been submitted to, and approved in writing by, the Planning Authority. The Television Reception Mitigation Plan shall provide for a baseline television reception survey to be carried out prior to the installation of any turbine forming part of the Development, the results of which shall be submitted to the Planning Authority.

For the avoidance of doubt the scheme shall include, but not be limited to:

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

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

Any claim by any individual person regarding television picture loss or interference at their house, business premises or other building, made during the period from installation of any turbine forming part of the Development to the date falling twelve months after the date of Final Commissioning, shall be investigated by a qualified engineer appointed by the Company and the results shall be submitted to the Planning Authority. Should any impairment to the television signal be attributable to the Development, the Company shall remedy such impairment so that the standard of reception at the affected property is equivalent to the baseline television reception.

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

24. Private Water Supplies

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

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

25. Redundant turbines

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

i. any wind turbine installed and commissioned fails to supply electricity on a commercial basis to the grid for a continuous period of 6 months, then unless otherwise agreed, the wind turbine, along with any ancillary equipment, fixtures and fittings not required in connection with retained turbines, shall, within 3 months of the end of the said continuous 6 month period, be dismantled and removed from the site and the surrounding land fully reinstated in accordance with this condition; or

ii. the wind farm fails to supply electricity on a commercial basis to the grid from 50% or more of the wind turbines installed and commissioned and for a continuous period of 12 months, then the Wind Farm Operator must notify the Planning Authority in writing immediately. Thereafter, the Planning Authority may direct in writing that the wind farm shall be decommissioned and the application site reinstated in accordance with this condition. For the avoidance of doubt, in making a direction under this condition, the Planning Authority shall have due regard to the circumstances surrounding the failure to generate and shall only do so following discussion with the Wind Farm Operator and such other parties as they consider appropriate.

Paragraph (i) and (ii) shall not apply if such outages are out with the operator's control or as a consequence of any emergency or requirement of National Grid. In these instances the planning authority shall be informed of the turbine shutdowns, reasons for the turbine shut downs and timescales for the outages within 5 working days of the turbines being switched off.

All decommissioning and reinstatement work required by this condition shall be carried out in accordance with the approved detailed Decommissioning and Reinstatement Plan (DRP), or, should the detailed DRP not have been approved at that stage, other decommissioning and reinstatement measures, based upon the

principles of the approved draft DRP, as may be specified in writing by the Planning Authority.

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

27. Aviation Safety

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

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

Reason: In the interests of aviation safety.

28. Aviation Lighting

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

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

Reason: In the interests of aviation safety.

29. Site Decommissioning, Restoration and Aftercare

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

i. not later than 3 years prior to the decommissioning of the Development, the IDRP shall be reviewed by the Developer, to ensure that the IRDP reflects best practice in decommissioning prevailing at the time and ensures that site specific conditions, identified during construction of the site, and subsequent operation and monitoring of the Development are given due consideration. A copy shall be submitted to the Planning Authority for its written approval, in consultation with NatureScot and SEPA; and

ii. not later than 12 months prior to the decommissioning of the Development, a detailed Decommissioning and Restoration Plan (DRP), based upon the principles of the approved interim plan, shall be submitted to, and approved in writing by, the Planning Authority, in consultation with NatureScot and SEPA. The IDRP and subsequent DRP shall include, unless otherwise agreed in writing with the Planning Authority and in accordance with legislative requirements and published best practice at time of decommissioning details about the removal of all elements of the Development, relevant access tracks and all cabling, including where necessary details of (a) justification for retention of any relevant elements of the Development, b) the treatment of disturbed ground surfaces, c) management and timing of the works, d) environmental management provisions and e) a traffic management plan to address any traffic impact issues during the decommissioning period. The DRP shall be implemented as approved. In the event that the Final DPR is not approved by The Highland Council in advance of the decommissioning, unless otherwise agreed by the Planning Authority the Interim IDRP shall be implemented.

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

30. Water Quality and Fish Population Monitoring

No Development shall commence until an integrated hydrochemical and macroinvertebrate scheme for water quality monitoring and monitoring fish populations has been submitted to and approved in writing by the planning authority.

This shall include, but not necessarily be limited to:

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

Thereafter, any mitigation identified shall be implemented.

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

31. Sustainable Drainage Systems

No development shall commence until full details of all surface water drainage provision within the application site (which should accord with the principles of Sustainable Urban Drainage Systems (SUDS) and be designed to the standards outlined in Sewers for Scotland Third Edition, or any superseding guidance prevailing at the time) have been submitted to, and approved in writing by, the Planning Authority. Thereafter, only the approved details shall be implemented and all surface

water drainage provision shall be completed prior to the first occupation of any of the development.

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

32. Noise

The rating level of noise immissions from the combined effects of the wind turbines hereby permitted (including the application of any tonal penalty), when determined in accordance with the attached Guidance Notes, shall not exceed 35dB LA90 at any noise sensitive location existing at the time of consent and:

A) Prior to the First Export Date, the wind farm operator shall submit to the Local Authority for written approval a list of proposed independent consultants who may undertake compliance measurements in accordance with this condition. Amendments to the list of approved consultants shall be made only with the prior written approval of the Local Authority.

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

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

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

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

together with any associated guidance notes deemed necessary, shall be submitted to and agreed in writing by the Local Authority prior to the commencement of any measurements.

Measurements to assess compliance with the noise limits of this condition shall be undertaken at the measurement location approved in writing by the Local Authority.

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

i) the range of meteorological and operational conditions (the range of wind speeds, wind directions, power generation and times of day) to determine the assessment of rating level of noise immissions.

ii) a reasoned assessment as to whether the noise giving rise to the complaint contains or is likely to contain a tonal component.

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

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

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

G) The wind farm operator shall continuously log power production, wind speed and wind direction, all in accordance with Guidance Note 1(d) of the attached Guidance Notes. The data from each wind turbine shall be retained for a period of not less than 24 months. The wind farm operator shall provide this

information in the format set out in Guidance Note 1(e) of the attached Guidance Notes to the Local Authority on its request within 14 days of receipt in writing of such a request.

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

i. Definition of each noise reduced running mode including sound power data;

ii. The wind conditions (speed & direction) at which any noise reduced running mode will be implemented;

iii. Details of the manner in which the running modes will be defined in the SCADA data or how the implementation of the curtailment plan can be otherwise monitored and evidenced.

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

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

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

Guidance Notes for Noise Condition

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

Note 1

(a) Values of the $L_{A90,10\text{-minute}}$ noise statistic should be measured at the complainant's property (or an approved alternative representative location as detailed in Note 1(b)), using a sound level meter of EN 60651/BS EN 60804 Type 1, or BS EN 61672 Class 1 quality (or the equivalent UK adopted standard in force at the time of the measurements) set to measure using the fast time weighted response as specified in BS EN 60651/BS EN 60804 or BS EN 61672-1 (or the equivalent UK adopted standard in force at the time of the measurements). This should be calibrated before and after each set of measurements, using a calibrator meeting BS EN 60945:2003 "Electroacoustics – sound calibrators" Class 1 with PTB Type Approval (or the equivalent UK adopted standard in force at the time of the measurements) and the results shall be recorded. Measurements shall be undertaken in such a manner to enable a tonal penalty to be calculated and applied in accordance with Guidance Note 3.

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

(c) The $L_{A90,10\text{-minute}}$ measurements should be synchronised with measurements of the 10-minute arithmetic mean wind speed and wind direction data and with operational data logged in accordance with Guidance Note 1(d) and rain data logged in accordance with Note 1(f).

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

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

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

Note 2

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

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

(c) Values of the $L_{A90,10\text{-minute}}$ noise measurements and corresponding values of the 10-minute standardised ten metre height wind speed for those data points considered valid in accordance with Note 2(b) shall be plotted on an XY chart with noise level on the Y-axis and wind speed on the X-axis. A least squares, "best fit" curve of an order deemed appropriate by the independent consultant (but which may not be higher than a fourth order) shall be fitted to the data points to define the wind farm noise level at each integer speed.

Note 3

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

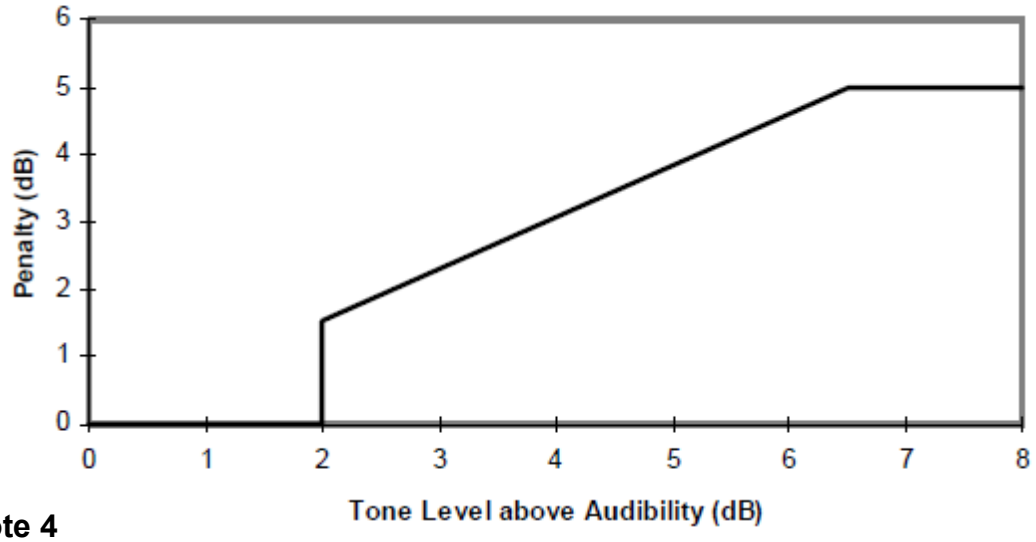
(b) For each 10-minute interval for which $L_{A90,10\text{-minute}}$ data have been determined as valid in accordance with Note 2, a tonal assessment shall be performed on noise immissions during 2-minutes of each 10-minute period. The 2-minute periods should be spaced at 10-minute intervals provided that uninterrupted uncorrupted data are available ("the standard procedure"). Where uncorrupted data are not available, the first available uninterrupted clean 2-minute period out of the affected overall 10-minute period shall be selected. Any such deviations from the standard procedure shall be reported.

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

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

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

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



Note 4

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

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

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

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

i. Repeating the steps in Note 2, with the wind farm switched off, and determining the background noise (L_3) at each integer wind speed within the range set out in the approved noise assessment protocol.

ii. The wind farm noise (L_1) at this speed shall then be calculated as follows where L_2 is the measured level with turbines running but without the addition of any tonal penalty:

$$L_1 = 10\log\left[10^{L_2/10} - 10^{L_3/10}\right]$$

iii. The rating level shall be re-calculated by adding the tonal penalty (if any is applied in accordance with Note 3) to the derived wind farm noise L_1 at that integer wind speed.

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

Reason: In the interest of amenity.

33. Ornithological Monitoring

No development shall commence until the Planning Authority has approved in writing a scheme for the ongoing monitoring of Ornithology, including flight paths within and adjacent to the wind farm site. This shall include regular reporting to NatureScot and RSPB of the findings of the monitoring.

Reason: To enable the flight patterns of birds to be suitably monitored.

34. Biodiversity

No development shall commence until a scheme for the delivery of biodiversity net gain has been submitted to and approved in writing by the Planning Authority. This shall include a suitable financial mechanism for the delivery of the scheme. Thereafter the scheme shall be implemented prior to first export of electricity from the site and maintained throughout the operation and decommissioning of the development.

Reason: To ensure that the development secures positive effects for biodiversity.

REASON FOR DECISION

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

REASONED CONCLUSION

The Council is in agreement with the findings of the Environmental Impact Assessment Report that Sallachy Wind Farm is unlikely to give rise to any new or other significant adverse impact on the environment. The Council is satisfied that all environmental effects of this development can be addressed by way of mitigation. The Council has incorporated the requirement for a schedule of mitigation within the conditions of this permission. Monitoring of operational compliance has been secured through Conditions 10 and 11 that secure environmental mitigation and monitoring of this permission.

TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

INFORMATIVES

Initiation and Completion Notices

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.

2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

Flood Risk

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (paragraph 259), planning permission does not remove the liability position of developers or owners in relation to flood risk.

Scottish Water

You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

Septic Tanks and Soakaways

Where a private foul drainage solution is proposed, you will require separate consent from the Scottish Environment Protection Agency (SEPA). Planning permission does not guarantee that approval will be given by SEPA and as such you are advised to contact them direct to discuss the matter (01349 862021).

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as road construction consent, dropped kerb consent, a road openings permit, occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at: http://www.highland.gov.uk/yourenvironment/roadsandtransport

Application forms and guidance notes for access-related consents can be downloaded from:

http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_for_working_on_public_roads/2

Mud and Debris on Road

Please note that it an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

Construction Hours and Noise-Generating Activities

You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of

the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact env.health@highland.gov.uk for more information.

Protected Species – Halting of Work

You are advised that work on site must stop immediately, and NatureScot must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from NatureScot: https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species

Designation:	Dafydd Jones Area Planning Manager North
Author:	Claire Farmer
Background Papers:	Documents referred to in report and in case file.
Relevant Plans:	Plan 1 - Figure 1.1 Location Plan
	Plan 2 - Figure 1.2 Site Layout Plan

Appendix 2 – Viewpoint Assessment Appraisal – Visual Impact

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
VP1 – Track near Maovally (511m AOD)	2.21km	APP	**Medium – High** Recreational users (walkers / cyclists /off-road vehicles)	**High**	**Significant**	Low	Not Significant	The VP is located within the Reay-Cassley WLA. It is an elevated VP at 401.5mAOD within the Rounded Hills LTC. This viewpoint is on the hydro road that skirts around the south-eastern shoulder of the distinctive dome-shaped hill of Maovally (511 m AOD) on its route between Glen Cassley in the south and the A838 in the north. Maovally lies at the head of Glen Cassley and is some 6 km to the east of Ben More Assynt, from which it is separated by a small band of sweeping moorland and flows LCT. The view also overlooks Ben Klibreck and Loch Choire SLA and generally the outdoor recreation users are likely to have a specific focus on the scenery and surrounding landscape. The view towards the proposed development is open and there are long, open views of the skyline which may be interrupted by the moving turbine blade tips. Although there is a brief sense of wildness from this viewpoint, the view is already interrupted by the wooden OHL running across the front view. The simplistic array of turbines behind the ridge line with the visibility of the turbines getting less the further from the view works well in design terms, blending
		THC	**Medium - High** Recreational users (walkers / cyclists /off-road vehicles)	**High**	**Significant**	Low	Not Significant	

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
								the turbines into the landform. The turbines appear as a cohesive line of turbines of do not appear as overbearing features within the large scale and simplicity of the landscape. The applicant has allocated a medium - high sensitivity of receptor as this VP as it is not a marked or formal viewpoint. However, it is located within the WLA and is therefore considered that the sensitivity is high. Nevertheless, the applicant's assessment of **significant** effects is agreed. In terms of cumulative impact, Achany/Rosehall are theoretically visible to the south-east of this viewpoint at a minimum distance of 18.6 km away. There is also theoretical visibility of the under-construction wind farm at Creag Riabhach, a minimum of 15.4 km away to the north-east. It is agreed that cumulative effects would not be significant.
VP2 – Ben More Assynt (997.2mAOD)	8.46km	APP	**High** Recreational Users	**Medium**	**Significant**	Low	Not Significant	This VP is located within Reay-Cassley WLA and Assynt-Coigach NSA. It is a popular Munro with a summit of 997.2mAOD. It represents views from the

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
		THC	**High** Outdoor recreational users	**Medium - High**	**Significant**	Low	Not Significant	Rugged Mountain Massif LCT. The uplands – lone mountains, rounded hills and rocky hills and moorland - also extend to the south, east and west of the viewpoint, interspersed by smaller areas of sweeping moorland and flows and strath. From this viewpoint the proposed development presents as a simple layout with the turbines spread horizontally. The turbines appear to be absorbed in the landscape. Despite the proposed development introducing large structures, they do not appear to overwhelm the view. The proposed development will introduce turbines closer to the VP. Despite the resulting effect being **significant,** the linear line of turbines work, they appear to be located to the edge of rounded hills and in front of Loch Shin which is also linear feature across which reduces the visual impact. There are a number of operational / consented schemes in the view, however they are not impacted by this development and appear as a scheme in their own right. Given the limited visibility and distance between the proposed development, it is agreed that the cumulative effect would not be significant.

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
VP3 – Coire Ceann Loch	8.14km	APP	**High** Outdoor recreational users	**Medium**	**Significant**	Low	Not Significant	The VP is located at the western end of Loch Shin, west of the property at Corriekinloch and within Reay-Cassley WLA and Assynt-Coigach NSA. The VP also illustrates visibility from a low-level within the WLA/NSA and the Rugged Mountain Massif LCT. The VP lies approximately 650m east of the high point of Sithean Liath (404mAOD) at 367.3AOD. This VP is considered to be one of the worst in terms of the design, composition and visibility. This is a complex view with the Strath, Sweeping Moorland and Flows, Rounded Hills and Rugged Mountain Massif LCTs all visible. The property at Corriekinloch, which can be seen in the viewpoint on the lower ground with a significant access road to the property. Although it is agreed the effect would be **significant** the applicant has underplayed the magnitude of change slightly due to the visibility of the turbines and the scale of the proposed development. The proposed development would introduce major development into the view which is likely to interfere with the view.
		THC	**High** Outdoor recreational users	**High**	**Significant**	Low	Not Significant	

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
								It is unlikely that any other wind farms will be visible from this view due to the topography and distance between the VP and other development. Cumulatively the proposed development would not have a significant effect given these turbines would be the main focal point.
VP4 – Arscraig track, Loch Shin	9.12km	APP	**Medium - High** Recreational users of the track	**Medium - Low**	Not Significant	Medium - Low	Not Significant	The viewpoint is also located within Reay-Cassley WLA at the south side of Loch Shin. It illustrates visibility within the WLA from a low-lying level at 116.2mAOD. This is a complex view within the rounded hills LCT, however it is afforded some screening from sporadic tree cover. The Rugged Mountain Massif of Ben More Assynt is visible in the distance. The VP is located just to the east of the rough track that runs along part of the southern side of Loch Shin. There is some stacking of turbines 4, 5 and 6. The proposed development is not in the main focus of the view and the turbines would not lie in front of the main landform of Ben More Assynt but behind a lower section of the rounded hills. However, there is some conerns in realtion to to the contrast of the scale of the turbines with the surrounding landform, but the turbines are contained within layers of landscape. Whilst there will be some adverse effects they are not considered to be so substantial
		THC	**Medium - High** Cyclists / recreational users / tourists / off-road road users	**Medium**	Not Significant	Medium / Medium - Low	Not Significant	

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
								that the effect would be significant either on its own or cumulatively.
VP5 – A838 near Colaboll	15.10km	APP	**Medium** Road users	**Medium - Low**	Not Significant	Low	Not Significant	The viewpoint is located on the A838 and is the first in a series of views along the A838, on the north side of Loch Shin at 101.9mAOD. The view is also representative of sequential views. This is the first open view gained towards the proposed development as the A838 on the bend at Colaboll. The view is gained by north-westbound travellers only. This viewpoint lies within the strath LCT (Strath Tirry unit) and characteristics of this LCT can be seen in the deciduous hedgerow vegetation that lines the northern side of the road and the settled landscape that lies beyond the hedgerow. Beyond the strath LCT, and beyond the loch, sweeping moorland and flows LCT forms a middle-ground to the focal point mountains that rise on the skyline to the north-west. The rounded hills LCT which the turbines site within covers the foreground of the view, this includes Loch Shin. Rising above the ridge of rounded hills LCT is the upper part of Ben More Assynt / the rugged mountain massif LCT which wraps around the head of Loch Shin and distant view.
		THC	**Medium – High** Cyclists/ recreational users/ tourists/ road users	**Medium**	Not Significant	Low	Not Significant	

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
								Although the proposed development affects a limited proportion of the view, the view is considered to have higher value due to its scenic qualities, with the distant mountains in the main view. It is therefore considered that there will be an adverse effect, it is not considered that the proposed development would have a significant effect on this view. In terms of the cumulative impact, there is theoretical visibility of Lairg to the south-east of this viewpoint but is mostly screed by woodland and unlikely to have notable visibility. It is therefore considered that there would not be significant cumulative effects.
VP6 – A838 near Achnairn	13.45km	APP	**Medium** Road users	Medium – Low	Not Significant	Negligible	Not Significant	The VP is the second view from the A838, located at the junction of the Achnairn road with the A838 viewed by westbound travellers only. It is also representative of sequential views. This is a relatively low lying viewpoint at 100.7mAOD. This VP is located at the end of a stretch of the road that has limited visibility due to the proposed development being screened by the vegetation. This view is a closer range view, but similar in terms of setting as VP5.

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
		THC	**Medium – High** Cyclists/ outdoor recreational users/ tourists/ road users	**Medium**	Not Significant	Low	Not Significant	In this view turbines 1 – 6 appear as a grouping whilst turbines 7, 8 and 9 appear disjointed from the other turbines. However, only the blade tips of turbines 8 and 9 would be visible and the full blade of turbine 9 would be in view. Similiarly to VP5, the proposed development only affects a limited proportion of the view, however this view is considered to have higher value due to its scenic qualities, with the distant mountains in the main view. It is therefore considered that there will be an adverse effect, however it is not considered that the proposed development would have a significant effect on this view. There is theorietical visibility of Lairg wind farms, however these are mostly screened by woodland, and would not be visibile to westbound travellers. Lairg would however be visible to recreational users. Nevertheless, it is not considered that the proposed development would not result in significant cumulative visual effects.
VP7 – A838 Cnoc an Laoigh	6.4km	APP	**Medium** Road users	**Medium - High**	**Significant**	Low	Not Significant	This is the third view from the A838, it is an open view across the loch from a relatively more elevated location section of the road at 140.9mAOD. The view

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		THC	**Medium - High** Road users /Local residents/ tourists	**Medium - High**	**Significant**	Low	Not Significant	is gained by westbound travellers only. The viewpoint is illustrative of sequential views when travelling westbound along the A838. This viewpoint is located within the Sweeping Moorland and Flows LCT (134). The turbines site firmly within the rounded hills LCT from this view. Rising above the rounded hills LCT is the upper part of Ben More Assynt, with Beinn Uidhe to its right. Further to the right are Beinn Leoid and Meallan a' Chuail and finally Ben Hee. All of these mountains are in the rugged mountain massif LCT which wraps around the head of Loch Shin. The proposed development presents a balanced, simplistic display of turbines in terms of elevation and spacing. However, there are some concerns in relation to the perception of scale, with the turbines dominating the view and diminish the scale of the surrounding landscape. The view looks west which is presently not affected by turbines and has a sense of wildness with very little man-made infrastructure visible. The turbines would become the main focal point, dominating the view away from the rugged mountain massif LCT. The effect would reduce the perception of scale and distance associated with the different landscape

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
								characteristics, creating a visual dissonance resulting in a **significant** effect. In terms of cumulative effect, Achany and Lairg wind farms have theoretical visibility in the wider view. There is some screening afforded through the trees as such it is not considered there would not be a significant cumulative effect.
VP8 – A838 near Fiag	2.21km	APP	**Medium** Road users	**High**	**Significant**	Low	Not Significant	This is the fourth view from the A838, located within the Sweeping Moorland and Flows LCT (134). It is an open view across the loch from a relatively elevated location (102.3mAOD) and represents any sequential views when travelling along the A838. It is located where the road runs directly along the edge of the loch, opposite the eastern end of the site. It presents a simple layout siting on the landform where it is clear it is sitting within its LCT. The turbines appear to reduce subtlety towards Ben More Assynt as they follow the landform naturally. However, due to the high level of visibility of the turbines and infrastructure it is considered that there would be a **significant** effect. In terms of cumulative effect, Lairg wind farms have theoretical visibility in the wider view. There is some screening afforded through the trees as such it is not
		THC	**Medium - High** Road users/ local residents/ tourists/ outdoor recreational users (and of the Loch)	**High**	**Significant**	Low	Not Significant	

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
								considered there would not be a significant cumulative effect.
VP9 – West of Overscaig	2.75km	APP	**High** Road users / local residents / toursits	**High**	**Significant**	Low	Not Significant	This is the firth viewpoint from the A828, and the final view gained by westbound travellers. The viewpoint is illustrative of sequential views when travelling westbound along the A838. It is located opposite the western end of the site on a slightly elevated position at 118.1mAOD within the Sweeping Moorland and Flows LCT (134). This is an open view that is gained as the road drops down to Overcraig. This view is a close range view, it also represents that of eastbound travellers, any sequential views and residential amenity. The proposed development would be seen in the main orientation of open views from some of the houses. Again, the proposed scheme presents as a simple design which follows the gradient of the slop. The turbines are seen in the horizon and there may be some localised effects as the turbine blades would be seen as moving structures on the horizon. There is other hydro-electric infrastructure seen on the slopes of Maovally, including Cassley Hydro-Power Station itself (on the lochside), the telecoms mast, transmission lines, access tracks, areas of disturbed
		THC	**High** Road users / local residents/ tourists / outdoor recreational usesrs	**High**	**Significant**	Low	Not Significant	

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
								ground and fencing, however these exasperate the scale of the proposed development. As such it is considered that there would be **significant** effects. In terms of cumulative effects, there is theoretical visibility of Lairg wind farms, but they are afforded some screening by landform. It is not anticipated that there would be significant cumulative effects.
VP10 – A838 Loch a' Ghriama	6.04km	APP	**Medium** Road users	**Medium**	**Significant**	N/A	Not Significant	The viewpoint is located on the border of the rugged mountain massif LCT and rounded hills LCTs. The VP has scenic qualities, and the focal point of Ben More Assynt can be seen peripherally across Loch a' Ghriama. This is the sixth viewpoint on the A838, gained by eastbound travellers only. The viewpoint is illustrative of sequential views when travelling eastbound along the A838. The viewpoint marks the start of a stretch of eastbound theoretical visibility leading eastwards to Overcraig. The viewpoint sits at 104.1mAOD on a single track road. This is a contained view, there is a wooden OHL that runs to the eastern side of the road, that almost sets the scene for turbines. The loch (Ghriama) is located between landforms. Turbines 7, 8 and 9 are not within the main part of the view and seen in the
		THC	**Medium - High** Road users / tourists	**Medium**	Not Significant	N/A	Not Significant	

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
								distance. It is not considered that there would be significant effects from this viewpoint, most of the view will remain unaffected, including the main focus of the view. From this viewpoint there is no visibility of operational, under construction or consented wind farms therefore there would not be a significant cumulative effect.
VP 11 – A838 near West Merkland	11.89km	APP	**Medium** Road users	Low	Not Significant	N/A	Not Significant	This is the final viewpoint on the A838, gained by eastbound travellers only, located in a small area of limited theoretical visibility at 117.2mAOD. The viewpoint is illustrative of sequential views when travelling along the A838. The VP represents the western most visibility gained from the A838 on a lower part of the Rugged Mountain Massif LCT. This is a similar view to VP10, in that the proposed development is located between hills and a loch (Loch Merkland) with the land rising at either side of the loch. This is a more complex view than VP10, that also has some scenic value. However only the hub of turbine 8 and the tips of turbines 7 and 9 are visible. They are contained between the hills / landform and the view is already interrupted by a fish farm in the middle view of the loch. It is not
		THC	**Medium - High** Hill walkers / outdoor recreational users/ local residents	Low	Not Significant	N/A	Not Significant	

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
								considered that the proposed development would result in a significant effect, most of the turbines are screened by the landform with the majority of the view unaffected. From this viewpoint there is no visibility of operational, under construction or consented wind farms therefore there would not be a significant cumulative effect.
VP12 – Ben Hee	13.24km	APP	**High** Recreational users	Medium – Low	**Significant**	Medium - Low	Not Significant	The view is from the submit of the Corbett Ben Hee (873mAOD). It is located within the Foinaven-Ben Hee WLA and the Rugged Mountain Massif LCT. The view is experienced by recreational users. This is a scenic view looking over landscapes with numerous lochs visible. The VP provides a panoramic view across extensive areas of north-western Scotland, including Ben More Assynt, Ben Klibreck, Ben Hope and Ben Loyal. It is located on the eastern edge of the rugged mountain massif LCT, with open views of the strath, open moorland and flows, rounded hills and lone mountains, creating a complex landscape. This is a designed viewpoint that presents as a simplistic, reasonably even row of turbines contained within the landscape. However, the proposed development will introduce
		THC	**High** Hill Walkers (Outdoor recreational users)	**Medium**	**Significant**	Medium	**Significant**	

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
								large moving turbines that would be seen in full, affecting a relatively wide horizontal field of view. It is considered that a **significant** effect would result from the proposed development. In terms of cumulative impacts there is theoretically visible to the south and south-east of this viewpoint, of which Achany, Rosehall, Creag Riabhach, Braemore and Lairg wind farms. From this viewpoint is tis not considered that the proposed development would form a relationship with the existing pattern of wind energy, therefore resulting in a **significant** cumulative effect.
VP13 – Cnoc an Alaskie	9.59km	APP	**Medium - High** Walkers / Outdoor recreational users	**Medium**	**Significant**	**Medium**	**Significant**	The viewpoint is located at a local high point within Foinaven-Ben Hee WLA (312mAOD), although considered to represent a low-lying view from within the WLA and the Sweeping Moorland and Flows LCT (134). The rugged mountain massif LCT is also visible from this view in the distance. The view looks southwest towards the proposed development. Although there is no footpath to the viewpoint, there is a parking area that is accessed via vehicle with an interpretation board and a signposted walk that leads from the A836 to Loch Gaineamhach. Ben More Assynt is a focal point to the south-west while Ben
		THC	**Medium - High** Walkers / Outdoor	**Medium**	**Significant**	**Medium**	**Significant**	

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
			recreational users					Hee rises on the skyline to the north-west and Ben Klibreck is the focal point to the north-east. The layout presents as an even row of turbines, with most of the turbine hub's siting just below the ridge line of the rounded hills. The proposed development appears to be well thought out in terms of siting and design as the turbines appear as a minor feature in the landscape. This is mostly due to the expansive nature of the view across the moorlands. However, there is a sense of wildness from within the viewpoint and the proposed development will introduce large moving structures into a part of the view, which is presently unaffected by wind energy development, this may detract the view towards the turbines. From this view the turbines are considered to be well-balanced in terms of composition, elevation and spacing. This simplicity of the proposed layout of the turbines reduces the impact on the view. However, due to the sensitivity of the receptor and the scale of the development (and horizontal field) it is considered that there would be a **significant** effect. Cumulative effects with Achany, Braemmore, Lairg and Rosehall wind farms to the south/southeast view. Creag Riabhach is to the east of the view. All

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
								these wind farms have theoretical visibility. Creag Riabhach would be the most notable from this viewpoint, although not in the same view. The addition of the proposed development would give rise to cumulative concerns when considering Creag Riabhach wind farm that is under construction as there would be wind farm development on either side of the viewpoint as well as in the distance resulting in **significant** cumulative effects.
VP14 – West Shinness	10.8km	APP	**High** Residential	Medium - Low	Not Significant	Low / Medium - Low	Not Significant	The viewpoint represents views gained from residential properties at West Shinness, in a slightly elevated position above the loch (137.1mAOD). This viewpoint is located within the Sweeping Moorland and Flows LCT (134) and is another complex view looking over the loch towards the rounded hills LCT. The turbines can be seen on the slopes within its LCT which it lies. The slope rises on the opposite, southern, side of the loch. The upper part of the rounded form of Maovally, which marks the LTC's western end of the ridge, can be seen to the right of Ben More Assynt that rises above the rounded hills LCT. The rugged mastiff of Ben Hope is also visible in the wider view.
		THC	**High** Road users / local residents	Medium - Low	Not Significant	Medium - Low	Not Significant	

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
								The view is located on a minor road to the east of the A838. There are large overhead towers and 132kv transmission lines cross the front view. The scheme presents as a close grouping of turbines. There is overlapping and stacking of turbines but in this case the appearance of a tight grouping appears as a smaller feature within the landscape reducing the impact. It is considered that the applicant has underestimated the magnitude of change from this viewpoint. Although it has been judged that the proposed development would result is some adverse effects they have not been judged to be unacceptable. Some significant effects are expected as a result of large-scale wind energy development, this view is already interrupted by large scale hydro electric infrastructure. It is therefore considered that there would not be significant effects. Achancy, Lairg and Rosehall windfarms have theoretical visibility, however are largely screeded by trees. It is considered that the proposed development would not have a significant cumulative effect.

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VP15 – Achnairn	13.52km	APP	**High** Residential	Low	Not Significant	Medium - Low	Not Significant	This viewpoint represents views gained from residential properties at Achnairn. The viewpoint is located in the crofting settlement to the north-eastern side of Loch Shin, it is in a slightly elevated position above the loch (120mAOD). The view looks northwest over Loch Shin, there is hydroelectric towers and lines across the view. There is some screening afforded from sporadic tree cover. The rounded hills LCT covers the foreground of the south, west, north-west and south-west aspects of the view, with its simple skyline rising on the southern side of the loch. Rising above the ridge of rounded hills LCT is Ben More Assynt, and further to the right is Beinn Leoid, both of which are in the rugged mountain massif LCT, which wraps around the head of Loch Shin. The turbines have a similar view as VP14 where they appear as a tight grouping of turbines. This gives the impression that the scheme is a minor feature, that is contained and absorbed within the landscape. It is therefore judged that there would not be significant effects. In terms of cumulative impacts, Lairg has theoretical visibility to the south-east aspect of the view but is afforded some screening from tree covering. Achany windfarm has limited visibility to the south-west. Due
		THC	**High** Residential / local residents	Medium - Low	Not Significant	Medium	Not Significant	

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								to the limited visibility of these windfarms it is not considered that there would be a significant cumulative effect.
VP16 – A836 near Lairg	17.36km	APP	**Medium - High** Road users / cyclists	Low	Not Significant	Low	Not Significant	This viewpoint is the first in a series of views from the A836 to the north of Lairg. It represents road users (including tourists and cyclists). The VP is located in a layby where a more open view is available than elsewhere on this stretch or road. This view will be gained by travellers on the A836, including cyclists following NCR1. The VP is illustrative of sequential views when travelling along the A836. The VP sits at 106.1mAOD and is located within a break in the woodland. The focal point of the view is the rugged mountain massif LCT that are located at the northern end of Loch Shin. It is therefore not considered that the proposed development would result in significant effects. The proposed development appears to be located within the layers of the landscape. The turbines are located in front of the hills. From this VP there is some confusion between the scale of the proposed turbines and the scale of the hills. It is anticipated that this would be a fleeting view and the proposed development is only a small part of the view. It is
		THC	**Medium - High** Cyclists / recreational users / tourists / road users	Medium - Low	Not Significant	Low	Not Significant	

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
								therefore not considered that there would be significant effects. In terms of cumulative impact there is other wind energy developments with theoretical visibility in the distance, including Creag Riabhach but is screened by woodland and therefore not visible. As such the proposed development would not give rise to significant cumulative effects.
VP17 – north Dalchork	10.41km	APP	**Medium – High** Road users / cyclists	Medium - Low	Not Significant	Medium – Low	Not Significant	This is the second viewpoint on the A836, it is located at 196.2mAOD. This view will be gained by travellers on the A836, including cyclists following NCR1. The viewpoint is illustrative of sequential views when travelling along the A836. This viewpoint is located within the Sweeping Moorland and Flows LCT (134), with views gained principally by northbound travellers but may be seen obliquely by southbound travellers. There is limited visibility from VP16 to this viewpoint as there are few open views. The view is looking west with the turbines located in front of the NSA. The distant mountains of rugged mountain massif LCT are visible, with the low rise of rounded hills LCT seen in front of Ben More Assynt. These mountains form the focal points around the view, including Ben More Assynt to the west and
		THC	**Medium - High** Cyclists / recreational users / tourists / road users	Medium	Not Significant	Medium - Low	Not Significant	

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
								Beinn Leoid, Meallan a' Chuail and Ben Hee to the north-west. Ben Hee provides a notable feature in the direct line of view of northbound road-users. Although the scheme presents as a simple layout, the turbines would detract the view towards the turbines, interrupting the remoteness of the view. The turbines are backdropped by the rounded hills, but it is not considered that they will overwhelm the view due to the low elevation in relation to the huge landform that rises behind it, reducing the turbine's vertical emphasis. It is considered that there will be some adverse effects, but they are not considered to lead to a significant effect. Other wind energy development has theoretical visibility including Acahany, Braemore and Rosehall to the south aspect of the view, all of which have limited visibility. To the north is Creag Riabhach. The proposed development is not seen in the same view as the other windfarms and although the proposed development would increase the presence of wind energy from the viewpoint the intervening distance reduces the cumulative effect. It is considered that there would not be significant cumulative effects as a result of the proposed development.

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
VP18 – A836 Crask Viewpoint	9.87km	APP	**High** Road users / cyclists	Low	Not Significant	Medium - Low	Not Significant	This is the final viewpoint on the A836, it is a scenic view located at the signposted Crask viewpoint, where there is an interpretation board, parking and picnic bench. This view will be gained by tourists, north and southbound travellers on the A836, including cyclists following NCR1. The viewpoint is illustrative of sequential views when travelling along the A836. Views are also gained by people who stop at the Crask viewpoint, and a perpendicular view may be seen by northbound and southbound travellers on the A836. This viewpoint is located within the Sweeping Moorland and Flows LCT (134). Outwith, but close to the eastern edge of the Foinaven-Benn Hee WLA. The moorland plain appears to extend as far as the distant mountains of rugged mountain massif LCT, with just a low rise of rounded hills LCT seen in front of Ben More Assynt which is the main focus of this view. The viewpoint is located at 232.8mAOD where the hubs and blades of turbines 3, 4 and 5. The tips of turbines 1,6, 7 and 8 are also visible. Whilst the turbine blades may flick across the view and distract the view from the scenic qualities, they are largely screened by the landform and as such it is not
		THC	**High** Cyclists / recreational users / tourists / road users / locals	Medium - Low	Not Significant	Medium - Low	Not Significant	

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
								considered that the effects would give rise to significant effects. In terms of cumulative effects Achany, Braemore, Rosehall and Creag Riabhach all have theoretical visibility, but none are viewed with the proposed development and some screening is afforded through topography and forestry as such it is not considered that the proposed development would give rise to cumulative significant effects.
VP19 – Ben Klibreck	18.42km	APP	**High** Recreational users	Low	Not Significant	Medium - Low	Not Significant	This viewpoint is located at the summit of Ben Klibreck (Meall nan Con), 962mAOD. Another panoramic view overlooking the north-west of Scotland. It is located in the lone mountains LCT, WLA35 (Ben Klibreck – Armine Forest) and Ben Klibreck and Loch Choire SLA. The view is dramatic and has a high scenic value, there is very little human activity visible. The proposed development presents as a well-balanced, simplistic array of turbines that do not overwhelm the view due to the vast open landscape. Furthermore, the turbines would be viewed in the distance. It is therefore not considered that the proposed development would have significant effects.
		THC	**High** Hill walkers / Outdoor recreational users	Medium - Low	Not Significant	Medium - Low	Not Significant	

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
								In terms of cumulative impacts, a number of wind energy developments are visible, including Braemore, Lairg, Coire na Cloiche, Achany, Rosehall, Beinn Tharsuinn. Creag Riabhach is visible in forefront of the same view as the proposed development. The proposed scheme does not appear to result in confusion in terms of scale difference and distance between the schemed. It should be noted that it is considered that there would be some adverse cumulative effects, but these are not judged to be significant.
VP20 – Lairg	19.71	APP	**High** Local residents / walkers	Low – Negligible	Not Significant	Low / Negligible	Not Significant	This is a lower viewpoint within Lairg at 89.8mAOD. It is located on the junction between A836 and A839 to illustrate visibility within Lairg. The view looks over Loch Shin but perhaps does not present as a clear representation of the views appreciated within Lairg as there is a tree obscuring the view. However, if you move closer to the Loch it is clearer and given that visibility is limited within Lairg it is considered a fair representation of the views attained within the lower parts of Lairg. There is some scenic value attached to this view. Only the blade tips of turbines 1 – 7 are visible in the distance. Within the view there are other manmade structures such as the dam and houses. The view is screened by the topography and
		THC	**High** Residential / local residents / tourists / cyclists / road users	Low – Negligible	Not Significant	Low / Negligible	Not Significant	

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
								woodland, resulting in very little visibility. It is therefore not considered that the proposed development would give rise to significant effects. It is unlikely that any other wind farm development will be visible, therefore there are no significant cumulative effects anticipated.
VP21– Rhian Breck, Lairg	21.95km	APP	**High** Residential / road users	Low	Not Significant	Low	Not Significant	This viewpoint represents views gained from the crofting area to the south-east of Lairg at 166mAOD. This viewpoint lies on the cusp of several LCTs; farmed and forested slopes with crofting to the north and west; rounded hills to the south, east and north-east; and strath also to the north-east. Farmed and forested slopes with crofting LCT, which covers the foreground of the view to the north and west, including the north-western aspect in which the proposed development is seen, is characterised by houses, woodland and infrastructure, in the view is the loch and a number of other manmade features. The outlook to the north-west, towards the site, is an attractive, open view with distant focal point mountains of Ben More Assynt, Beinn Leoid, Meallan a' Chuail, Meall an Fhuer Loch and Ben Hee, which provide a scenic mountain backdrop to the north-west, around the head of Loch Shin. The
		THC	**High** Residential / local residents / local road users	Medium - Low	Not Significant	Low	Not Significant	

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
								lone mountains LCT of Ben Klibreck is a focal point on the skyline to the north. The view looks northwest where the turbines sit in front of the hills between the layers of the landform. It is considered that the turbines may detract from the view. There is also some confusion of the perception of scale and distance due to the turbines in relation to the backdrop mountains. However, the proposed development is afforded some screening from the rounded hills LCT and is only noticeable in a small part of the view. As such it is not anticipated that the proposed development would result in significant effects, despite there being some adverse effects. There are a number of wind energy development with theoretical visibility, including Achany, Creag Riabhach, Lairg and Rosehall. Visibility is mostly screened due to landform and/or forestry. It is not considered that the proposed development would not lead to significant cumulative effects.
VP22 – Quinag	21.03km	APP	**High** Hill walkers	Low / Negligible	Not Significant		Not Significant	This is an elevated view at 808.5mAOD, located within the more distance western part of the study

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
		THC	**High** Hill walkers / Outdoor recreational users	Low	Not Significant	Low	Not Significant	area within the Quinag WLA and Assynt-Coigach NSA. It provides a panoramic view of extensive areas of north-west Scotland. The view is located in a small area of lone mountain LCT and surrounded by a diverse group of LCTs which portrays the complex composition of the summits. Loch Shin is viewed as a narrow ribbon of water. This is a dramatic view with scenic qualities. The proposed turbines would appear as a minor feature within the vast landscape in the distant views, that is afforded some screening from the landform. It is therefore not considered that there would be significant effects. There are a number of wind energy development with theoretical visibility, including Kilbraur, Creag Riabhach and Lairg schemes. The proposed scheme would be viewed in front of the Kilbruar schemes and as a result between the proposed development and the distance between existing schemes it is not considered there would be significant cumulative effects.
VP23 – Arkle	25.78km	APP	**High** Walkers / outdoor	Low / Negligible	Not Significant		Not Significant	There is very limited visibility from the more distance north-western part of the study area, and this viewpoint provides a view from this direction. It is

Viewpoint	Distance from nearest turbine	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Significance (Magnitude of Change / Sensitivity of Receptor)	Cumulative (Consented and Operational) Magnitude of Change (Scale of change / Extent / Duration)	Cumulative Significance (Consented and Operational) Magnitude of Change / Sensitivity of Receptor	THC Notes
			recreational users					located within the Foinaven-Ben Hee WLA and north-west Sutherland NSA. The viewpoint is located at the summit of Arkle at 787mAOD. It provides another panoramic view of the north-west of Scotland, including the coast and sea. The viewpoint is located within the rugged mountain massif LCT. This is a distant view with the turbines seen in a wide extent of the view due to the horizontal array. However, given the distance and low elevation of the proposed development it is not considered that there would be significant effects. There is theoretical visibility of other windfarms including Achany, Braemore, Lairg and Rosehall. The extent of the view that the proposed development would be seen is already impacted by wind energy development and as such it is not considered that the proposed development would give rise to significant cumulative effects.
		THC	**High** Hill walkers / Outdoor recreational users Tourists/ Outdoor recreational users	Medium - Low	Not Significant	Low	Not Significant	

Appendix 3 - Assessment against Landscape and Visual Assessment Criteria contained within Section 4 of the Onshore Wind Energy Supplementary Guidance

Criteria	Response to EIAR Review of Design against Criteria in THC Onshore Wind Energy SG 2016	
1	Relationship between Settlements/Key locations and wider landscape respected.	Turbines are not visually prominent in the majority of views within or from settlements/Key Locations or from the majority of its access routes. ---------- As demonstrated by the ZTV and the visual impact assessment contained within Chapter 6 of the EIAR, the proposal would not be visible from the majority of the main settlements within the study area. Furthermore, the development doesn't significantly add to visibility of turbines within the settlement of Lairg, or contribute significantly to prominence of turbines on the main approaches to the settlement. It is concluded that there would be significant effects from 3 VPs which included the smaller residential settlements around Overscaig and Fiag and whilst some cumulative impacts have been raised, it is not considered that the scheme would result in the encirclement of these settlements. The proposed development is considered to meet the threshold of Criterion 1.
2	Key Gateway locations and routes are respected	Wind Turbines or other infrastructure do not overwhelm or otherwise detract from landscape characteristics which contribute the distinctive transitional experience found at key gateway locations and routes. ---------- The applicants' assessment has concluded that there would be a limited effect on the majority of locations which may be considered important gateways/ For instance The majority of road routes within the study area would not be significantly affected by the application, a significant effect has been identified for one main road route within the study area: the It is not considered that the proposed development would reduce or detract from the transitional experience of key gateway locations and routes or overwhelm or otherwise detract from landscape characteristics which contribute the distinctive transitional experience found at key gateway locations and routes. The criterion is met.
3	Valued natural and cultural landmarks are respected	Related to the extent to which the proposal affects the fabric and setting of valued natural and cultural landmarks. -------- In terms of natural landmarks, there study area includes the remote Munro mountains of Ben Kilbreck and Ben More Assynt and Quinag (Corbett) within the study area that are key natural landmarks. There will be some significant effects on three Landscape Character Types (LCTs), however, these are contained within 8.2km with very localised impacts predicted.

		In terms of the NSA the effects will also be localised (up to 10km), this is due to some focus on the proposed development from the slopes that have a high level of sensitivity particularly where remoteness and wild land characteristics may be affected. It is acknowledged that there will some significant effects in relation to the NSA, by the Planning Authority and NatureScot, however it has come down to whether the development is acceptable or not and if the proposed development would undermine the integrity of the NSA. There is a difference in the conclusions relating to the NSA and WLA, with the Planning Authority considering this to be acceptable, whilst NatureScot are maintaining an objection. There will be significant impacts from WLAs as noted in VP1, 2 and 3, however, the acceptability of the impacts is mitigated to an acceptable level by its position within the cumulative wind farm picture and its avoidance into views which are largely devoid of development. In addition, the Special Landscape Area would not be significantly affected by the development. There are no Scheduled Ancient Monuments, Listed Buildings or Conservation Areas within the application site. Furthermore, no heritage assets would be affected y the proposed development. As with any scheme of this nature and scale, there will be significant effects, however, the existing baseline, together with the design changes made since the previous refusal and the recommended mitigation advanced by officers through pre-application consuiltation, the effects are considered to be acceptable on balance. The proposed development meets the threshold of Criterion 3
4	The amenity of key recreational routes and ways is respected.	Wind Turbines or other infrastructure do not overwhelm or otherwise significantly detract from the visual appeal of key routes and ways. ---- It is not considered that the proposed development would significantly impact the visual appeal of key recreational routes and ways. For this scheme this would include the A836, A838, National Cycle Network 1 and the core paths around Lairg. There may be some routes where there will be significant adverse effects, however it considered that the threshold is met.
5	The amenity of transport routes is respected	Wind Turbines or other infrastructure do not overwhelm or otherwise significantly detract from the visual appeal of transport routes on local network. -------- Given the location and topography the proposed turbines are at times afforded some screening from the main transport routes within the study area. The development will be visible on sequential views, from the A836 and A838. Although visual effects are identified within the EIAR from these routes with views of the development on the slopes, these are not considered to overwhelm or otherwise significantly detract from the visual appeal of transport routes from most viewpoints. The criterion is met.
6	The existing pattern of Wind Energy Development is respected.	The degree to which the proposal fits with the existing pattern of nearby wind energy development, considerations include: • Turbine height and proportions, • density and spacing of turbines within developments, • density and spacing of developments, • typical relationship of development to the landscape,

		• previously instituted mitigation measures • Planning Authority stated aims for development of area --- The pattern of development is discussed under Criteria 1 above in so far as it relates to encirclement of settlements. The pattern of wind energy development in this area is characterised by clustering of development to the west and south of Loch Shin within rounded hills LCT. The proposed development would sit to the south of Loch Shine and would principally be viewed on its own from most routes. The closest consented turbines at Creag Riabhach but is generally not viewed with the proposed scheme. Furthermore, from the majority of views the cumulative effect of windfarms is not problematic due to the wind farm sitting sufficiently apart from the both consented and operational developments ensuring the existing schemes and the proposed scheme retain their own setting and character. The criterion is met
7	The proposal contributes positively to existing pattern or objectives for development in the area.	The proposal maintains appropriate and effective separation between developments and/ or clusters --- The proposal would not affect the separation between developments and/ or clusters by its occupation of the site. From the majority of viewpoints there are no concerns in relation to the difference in turbine scale and their relationship to the landform being so different. From many viewpoints the turbines would not dominant the landscape. However, it would introduce wind development into an area that is currently unaffected by wind energy. From mountainous views, although the scheme would intensify the number of turbines, it is relatively contained within views already experiencing turbines. As discussed in Criteria 6 above, although the proposal would increase the number of turbines visible the scheme presents as a simplistic, balanced array of turbines on a relatively low elevation. The criterion is met.
8	The perception of landscape scale and distance is respected	The perception of landscape scale and distance is respected --- While it is true that the turbines would be located in a very large landscape area, the degree to which separation from other landscapes would mitigate effects on scale and distance is overstated. The development would lie within close proximity of the rugged mountain massif LCT, however it is clear from most viewpoints that the proposed development lies firmly within the rounded hills LCT and therefore do not diminish the scale of the landform which is situated behind the rounded hills LCT. This is a significant improvement from the 2011 application that was refused by Scottish Ministers. It is considered that from the majority of the viewpoints there will not be an effect on the perception of scale and distance as such the threshold is met.
9	Landscape setting of nearby wind energy developments is respected	Proposal relates well to the existing landscape setting and does not increase the perceived visual prominence of surrounding wind turbines. --- The perception of landscape scale and distance is respected from most viewpoints and in a location where they are seen against the backdropping

		hills/mountains the turbines do not overwhelm the view. It is considered that the LCT has the capacity to absorb the proposed turbines. The criterion is not met
10	Distinctiveness of Landscape character is respected	Integrity and variety of Landscape Character Areas are maintained. --- There will be some localised adverse effects on a three of the LCTs, however these effects are not considered to significantly affect key characteristics of the LCTs or the experience from within the LCAs. Furthermore, the interplay of different LCAs which come together to from the local composite landscape character would not be undermined by the proposed development interrupting the relationship between them. The criterion is met

N

KEY

Site Boundary

0 2.5 5 km

Scale 1:100,000 @ A3

WKN PNE GROUP

ITPENERGISED

Sallachy Wind Farm
EIA Report

Figure 1.1

Site Location Plan

Date: 16/03/2021	Drawn by: ST	Checked by: GS	Version: V1

Project Number: 2864