Agenda Item	**5.1**
Report No	**PLS-25-23**

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 03 May 2023

Report Title: 20/01796/S36: SSE Generation Limited

Land 9400M SE of Glendoebeg, Upper Glendoe, Fort Augustus

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Cloiche Wind Farm - Erection and Operation of a Wind Farm comprising 29 Wind Turbines (maximum blade tip height of 149.9m), access tracks, LiDAR, borrow pits, temporary construction compounds (inclusive of concrete batching area), substation and operations building.

Ward: 12 – Aird and Loch Ness

Development category: Section 36

Reason referred to Committee: Section 36 Application

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 **RAISE NO OBJECTION** to the application as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

1.1 The Highland Council has been consulted by the Scottish Government's Energy Consents Unit (ECU) on an application made under Section 36 of the Electricity Act 1989 (as amended) for the construction and operation of Cloiche Wind Farm and associated infrastructure. The application is for 29 wind turbines to be operated for 50 years, with all turbines having a maximum blade tip height of 149.9m. The proposal has capacity to generate up to 124.7 MW of installed capacity, based on the power rating of the proposed turbines.

1.2 Key elements of the development as described and assessed within the Environmental Impact Assessment Report (EIAR) and Additional Information include:

- 29 wind turbines of 149.9m height to blade tip (capable of generating up to 4.2 MW each), with internal transformers;
- turbine foundations and hard standing;
- 7 borrow pit search areas, comprising new and the re-opening of existing Stronelairg Wind Farm borrow pits;
- 21km of new on site access tracks, plus 29km of existing tracks serving Glendoe hydroelectric scheme and Stronelairg Wind Farm potentially being upgraded;
- 9 new watercourse crossings;
- a Light Detection and Ranging (LiDAR) unit;
- substation; and
- underground cabling.

1.3 The site access would be via the existing Stronelairg Wind Farm access track which connects with the B862. The preferred access strategy proposes that all turbine blade loads would originate from Kyle of Lochalsh and access the site via the A87 to Invergarry, then the A82 to Fort Augustus, before following the same route as HGV traffic on the B862 road. All other turbine components would be delivered to Corpach and would also access the site via the A82 and the B862.

1.4 A micro-siting allowance of 50m has been assumed by the applicant for the turbine locations, hard standings and access tracks to accommodate unknown ground conditions. The micro-siting will be used to avoid any areas of deeper peat, higher elevations of ground, watercourse buffers, Ground Water Dependent Terrestrial Ecosystems and cultural heritage assets. The final design of the turbine (colour and finish), aviation infrared lighting, ancillary electrical equipment, landscaping and fencing etc. are also expected to be agreed with the Planning Authority, by condition, at the time of project procurement. Turbine manufacturers regularly update designs that are available, thereby necessitating the need for some flexibility on the approved design details.

1.5 Permission is sought to operate the windfarm for a 50 year period. A further application would be necessary to determine any future re-powering proposal. If the decision is made to decommission the wind turbines, all components, and above ground infrastructure would be removed. Any such track or infrastructure foundation retention would however need to be agreed via a decommissioning

method statement and would require a planning application at the time of decommissioning the remainder of the site. Any application for retention of such infrastructure will be determined in line with the development plan in place at that time.

1.6 The applicant anticipates that the construction period will last approximately 24 – 36 months, guided by a Construction and Environmental Management Plan (CEMP).

1.7 Whilst public consultation for Section 36 applications is not mandatory, the applicant held two rounds of public exhibition meetings to seek the views of the local community. The first round included public events held in Fort Augustus Village Hall in May 2019. The second round included public events held in Fort Augustus Village Hall, Laggan Village Hall; and Stratherrick Public Hall in January and February 2020. The applicant raised awareness of these events by notifying 1,400 residents and businesses within a 20km radius, by contacting elected members, community councils and by placing statutory newspaper adverts and distributed posters.

1.8 The applicant utilised the Council's Pre-Application Advice Service for major developments on 27 November 2019. At the time of the advice being sought, the proposal comprised of 36 turbines at 149.9m. This advice also set out that the most significant effects would likely be landscape and visual impacts, with the key considerations being impacts on the Cairngorms National Park (CNP), Wild Land Areas (WLA) 19 Braeroy – Glenshirra – Creag Meagaidh, WLA 20 Monadhliath, from key viewpoints, as well as along several sections of the Great Glen Way. The applicant's decision to reduce the height of turbines from 175m to 149.9m was supported, albeit that the proposed eastern cluster was recommended to be removed from the proposal, or for the applicant to consider the use of smaller turbines for this cluster to assist with visual containment.

1.9 The application is supported by an Environmental Impact Assessment Report (EIAR) and EIAR Additional Information (EIAR AI) which contains chapters on: Landscape and Visual Amenity; Ecology; Ornithology; Hydrology and Hydrogeology; Geology and Carbon Balance; Cultural Heritage; Traffic and Transport; Socio-economics and Tourism; Land Use and Recreation; Aviation; Noise; Schedule of Mitigation; and Residual Effects. The application is also accompanied by a Planning Statement, Design and Access Statement and Pre-Application Consultation Report.

1.10 Since the Planning Authority were initially consulted on the application, the applicant submitted Additional Information (AI) detailing changes to the scheme in response to consultation responses received and concerns raised by the Planning Authority. This included:

- reduction in the number of turbines from 36 to 29, with the deletion of 7 turbines: C20, C21, C22, C23, C27, C28, and C29;
- reduction in track length of around 5km;
- reduction in temporary land use by 13,800m^2;
- reduction in permanent land use by 25,300m^2; and
- reduction in the number of borrow pits from 8 to 7.

2. SITE DESCRIPTION

2.1 The site is located on both Glendoe and Garrogie Estates within the Monadhliath Mountains, approximately 11km south east of Fort Augustus and 14km west of Newtonmore. The site sits adjacent to the operational Stronelairg Wind Farm and Glendoe hydroelectric scheme.

2.2 The site forms part of an undulating upland open moorland landscape with existing and proposed wind farms in proximity. The topography where proposed turbines are to be located varies across the site with turbines in the western cluster to be located between 600m and 730m above ordnance datum (AOD), and those in the eastern cluster to be located between 680m to 750m AOD. The application boundary covers an area of site size is approximately 1,784ha, however the built development covers an area of 30ha.

2.3 The site has a rural character with the land being primarily used for hill farming, deer stalking and grouse management. The key recreational interests in this area include mountaineering, walking, cycling and birding. The site is distant from nearby settlements which are located within valleys. These include Fort Augustus, set at the end of Loch Ness in the Great Glen, approximately 11km to the north west, and Newtonmore in the upper Strathspey, which is approximately 14km to the south east from the nearest turbine. Smaller settlements comprise Laggan in Strath Marshie, and Invergarry and Invermoriston at the meeting points of their respective glens with the Great Glen. Further properties are scattered throughout these straths and glans and a few isolated lodge properties set deeper into the hills.

Environmental Designations and Habitats

2.4 The site does not form part of any statutory or non-statutory designated site for nature conservation. There are a number of statutory designated sites in the wider area within 10km. These include the Monadhliath Special Area of Conservation (SAC) and Monadhliath Special Site of Scientific Interest (SSSI) which terminate at the site's eastern boundary with these sites being designated for their Blanket bog, upland habitats, vascular plants, alpine lady-fern, Scottish asphodel black mountain moth and Blanket bog. Other nearby ecological designations include:

- River Spey SSSI and SAC located 4.8km south. Its qualifying interests are: otter, freshwater pearl mussel, sea lamprey, and Atlantic salmon;
- Glendoe Lochans SSSI and Special Protection Areas (SPA) located 4km west. Its qualifying interests are: aggregations of breeding birds, Salvonian grebe and common scoter; and
- Glen Tarff SSSI located 6km west. Its qualifying interests are: Upland ash woodland and beetle Bolitophagus Reticulates.

2.5 The habitats across the site also has the potential to support protected species. Mammal populations within the development area are all widespread and/or common species of relatively low sensitivity, and therefore are of site/local importance. The dominant habitats present across the site are identified as blanket

bog, wet modified bog, and wet heath. Site habitats recorded in the EIAR are as follows:

Habitat type	Area (ha)
Wet modified bog	1,650
Blanket bog	465
Unimproved acid grassland	180
Wet heath/ acid grassland mosaic	165
Standing water	60
Wet heath	58
Dry heath	30
Bare peat	30
Dry modified bog	1
Inundation vegetation	<1

2.6 The habitats across the site also has the potential to support protected species, namely water vole, otter, mountain hare, Newts and European eel. The site and wider area support a number of ornithological interests including: golden plover, dunlin, greenshank, golden eagle, white-tailed eagle, osprey, peregrine, red kite, red-throated diver, wooper swan, common scoter and other bird species.

2.7 No ancient woodland or woodland on the semi-natural woodland inventory occur where works are proposed. Small areas of ancient woodland and semi-natural woodland occur within the site boundary at Glen Doe and run parallel to the existing access track for Stronelairg Wind Farm.

2.8 There are a number of watercourses which run across the site. The eastern cluster sits within the catchment of the River Killin, to which watercourses on the site drain in a northerly direction via Crom Allt. It is understood that water draining from this eastern area is also channelled to the Glendoe Hydroelectric Scheme via a concrete lined aqueduct running from east to west across the site. Part of the western cluster, to the west of Meall Caca, also drains to the Glendoe Reservoir. A further area, to the east of Meall Caca, drains to Allt Creag Chomaich, which flows in a northerly direction from the site to Allt Odhar and the catchment of the River Killin. There are five areas of Ground Water Dependent Terrestrial Ecosystems (GWDTEs) within the site, however, these are unlikely to be fed by the groundwater aquifer with most being in direct connection to surface water features and are therefore not sensitive to changes in the groundwater regime.

2.9 The bedrock within the eastern cluster is comprised primarily of Unnamed Igneous Intrusion with the Grampian Group underlying the western cluster. The bedrock is overlain with peat, measuring up to 2m in depth, with localised areas of deeper peat. Most of the site infrastructure, including turbines, are located on areas of between 0 and 2m depths of peat.

Landscape Designations, Wild Land and Landscape Character

2.10 The site is not located within any international or regional landscape designations, or within any wild land area (WLA). Landscape designations and areas of wild land which have been scoped into detailed assessment within the EIAR include:

- Cairngorms National Park (CNP), located 1.5km east;

- WLA 19. Braeroy – Glenshirra – Creag Meagaidh, located 5km south west;
- WLA 20. Monadhliath, located 1km east;
- Loch Ness and Duntelchaig Special Landscape Area (SLA) located 6km west;
- Ben Alder, Laggan and Glen Banchor SLA, located 9km south; and
- Loch Lochy and Loch Oich SLA, located 11km west.

2.11 The site is situated within the western extent of the Rolling Uplands – Inverness Landscape Character Type (LCT). This is a very extensive LCT covering the broad expanse of the Monadhliath out with the CNP and is comprised of a series of heather clad rounded hills which form broad upland undulating plateau. Wind farms are an existing feature and are prominent, sited in the southern and western margins. The sensitivity of this LCT ranges from Low, where the landscape is characterised by existing wind turbines, to High where wild land characteristics predominate.

Built Heritage

2.12 There are no designated heritage assets within the site itself, with there being 10 Scheduled Monuments and 5 Category A Listed Buildings within 10km of the site. A further 4 Category B and 1 Category C Listed Buildings have been recorded within 5km of the site. General Wade's Corrieyairack Pass military road extends for 45km between Fort Augustus and Dalwhinnie and is designated as 6 Scheduled Monuments; Its closest extent sits approximately 3.5km to the south west of the application site boundary. Several; structures associated with the military road are designated Listed Buildings, the closest of which is the Category B Listed Melgarve, Corriyairack Pass, Bridge Over Caoehan Riabhaeh Burn, located 4.5km south of the site boundary.

2.13 In terms of potential archaeology, the presence of peat across the site indicates the potential for historic environmental evidence to be contained within and underlying the peat. Additionally, remains of prehistoric to post-medieval date in and around the site indicate the potential for sub-surface archaeological deposits and assets to exist.

Cumulative Development

2.14 When assessing a wind turbine proposal, consideration of similar developments in proximity of the proposal for cumulative effects is required. The proposal would connect directly to the east and west of the current Stronelairg Wind Farm and to the east of Glendoe hydroelectric scheme, as well as directly south of the consented Dell Wind Farm, with a further application for its re-design and increase in scale currently at the EIA Scoping stage, with the proposed scoping layout showing 200m high turbines having been included in the EIAR LVIA wireframes. The list below sets out the operational / under construction, consented and in planning wind farm projects that the applicant took into consideration in their cumulative assessment. This was based on a 45km study area with turbines of a tip height above 50m. The following list provides details of these developments, including the number of turbines and approximate blade tip height and distance to their site boundaries from that of the proposed development.

Site Name	No. of Turbines	Tip Height (m)	Distance and direction from the Proposed Development
Operational Sites			
Stronelairg	66	125 / 135	0k N
Corriegrath	23	120	9km NE
Dunmaglass	33	120	10km N
Millennium	26	115 / 125	18km W
Bhlaraidh	32	135	19km NW
Corrimony	5	100	24km NW
Beinneun	25	133.5	24km W
Beinneun Extension	7	136	24km W
Glen Kyllachy	20	110	28km NE
Farr	40	100	29km NE
Moy	20	125	38km NE
Tom nan Clach 2	13	125	40km NE
Consented / Sites Under Construction			
Dell	14	115.5 / 130.5	0km N
Aberarder	12	130	18km NE
Bhlaraidh Extension	15	180	18km NW
Tom nan Clach Extension	7	149.9	39km NE
Application / Appeal Sites			
Corriegarth 2	16	149.9	9km NE
Tomchrasky	14	185	29km NW
Bunlionn	10	200	30km W

Lethen	17	185	45km NE

3. PLANNING HISTORY

3.1	06.06.2014	12/02560/S36 – Stronelairg Wind Farm - 83 no. Turbines (300MW) onshore Stronelairg Wind Farm	Application Approved
3.2	31.10.2018	18/04606/SCOP - Scoping opinion request for proposed application under section 36 for the Cloiche Wind Farm.	Scoping Opinion Issued
3.3	20.12.2019	19/04915/PREMAJ - Proposed development of Cloiche Wind Farm, including up to 40 turbines, on site substation and ancillary infrastructure.	Pre-Application Advice Issued
3.4	10.03.2020	20/00442/PAN - Proposed development of Cloiche Wind Farm, including up to 36 turbines, on site substation and ancillary infrastructure.	Proposal of Application Notice Received

4. PUBLIC PARTICIPATION

4.1 Advertised: Section 36 Application

Date Advertised: The Inverness Courier between 01.05.2020 to 08.05.2020, The Edinburgh Gazette on 01.05.2020, The Herald on 01.05.2020, and the application website. 16.12.2022

Date EIA FEI Advertised: No information on further public participation evens after the EIA FEI was submitted to The Highland Council on 26.07.2022

Representations Deadline: 09.09.2022

Representations Received by The Highland Council: 2 (2 objections, 0 in support)

Representations Received by The Energy Consents Unit: 9 (1 objection, 8 in support)

4.2 Material considerations raised are summarised as follows:

- Lack of need for more onshore wind;
- Adverse landscape and visual impact of the proposed turbines, both individually, and cumulatively;
- Planning history and undoing previous mitigation secured in the determination of Stronelairg Wind Farm;
- Adverse landscape and visual impact in the CNP, SLAs, WLAs including the Corrieyairach Pass;
- Inappropriate design with turbines being of excessive scale and height;
- Adverse impact on habitats, ecology and ornithology;
- Socio-economic impacts, including impacts on tourism and recreational activities;
- Benefits to the local economy, particularly contractors and local supply chains; and

- Request for acoustic / dust screening along ancient woodland adjacent to track access.

4.3 Non-material considerations raised:

- Insufficient grid capacity and constraints payments having been received during the operation of Stronelairg Wind Farm.

4.4 All letters of representation received by the Council are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam . Those representations received by the Scottish Government's Energy Consents Unit can be accessed via www.energyconsents.scot It should be noted that some representations have been submitted to both The Highland Council and Energy Consents Unit.

5. CONSULTATIONS

5.1 **Fort Augustus and Glenmoriston Community Council** does not object to the proposal. It has assurance from the applicant that the community council will be included when considering the reinstatement of the village greens and the timing of turbine component deliveries through the village.

5.2 **Laggan Community Council** does not object to the application. It highlights that it is aware of the related proposed extension to the Melgarve substation should the wind farm receive consent. This extension and its related infrastructure is of concern to the community. Given that the recent Glenshero wind farm has been refused, Laggan Community Council assume the same rationale of not supporting the development. Reassurances from the applicant are sought for background noise monitoring at Laggan village prior to construction, as it has concerns surrounding: cumulative wind turbine operational noise; economic development opportunities and local tourism; landscape and visual impacts; and water quality protection.

5.3 **Stratherrick and Foyers District Community Council** does not object to the application. It requests a condition to establish a Community Liaison Group with representation from all local community councils. Concerns include the visual impact of additional larger turbines. Construction traffic impacts are of principal concern, and there should be a Transport Management Plan for convoy arrival times and all vehicles must approach from the West on the B862 and must turn left on exiting the site. A financial guarantee to maintain the roads is also sought. The use of variable electronic messaging signs has been noted as being helpful for communities as well as a direct contact for traffic issues.

5.4 **Access Officer** does not object to the application subject to a condition to secure an Outdoor Access Management Plan.

5.5 **Development Plans Team** do not object to the application. It highlights relevant policy and guidance documents including the Highland wide Local Development Plan, the Onshore Wind Energy Supplementary Guidance and the Loch Ness Landscape Sensitivity Appraisal. Given that there are a range of other consented, under construction and operational schemes in the Loch Ness area, this proposal is in a particularly sensitive location. This sensitivity is heightened by the range of

features and designations highlighted in the constraints mapping. It explains that the Stronelairg Wind Farm underwent an iterative design process to arrive at the scheme that reducing the landscape and visual impacts of that scheme. It advises that the current scheme should be assessed as to whether it undermines this previously secured mitigation, and notes the contrasting increased scale and height of the proposed turbines, as well as the increased horizontal spread encroaching upon spaces between existing wind farm clusters. It also sets out potential developer contribution requirements towards transport, green infrastructure, water and waste, and public art.

5.6 **Environmental Health** do not object to the application. They have no further comments.

5.7 **Flood Risk Management Team** were consulted but do not have any comments.

5.8 **Historic Environment Team** do not object to the application. The potential for buried remains to survive and be impacted is not considered such that monitoring during construction is recommended here.

5.9 **Landscape Officer** does not object to the application, subject to amendments being made. Her initial and only consultation response pertains to the original 36 turbine proposal. There are significant effects arising from the development on the visual and designated landscape resources. The impacts are mostly encountered from elevated viewpoints, leaving the greater proportion of visual receptors, road users and residential receptors unaffected. Several recommended amendments to the initial scheme were set out. In terms of landscape assessment, she has no substantial disagreement with the assessed affected on landscape character. In addition to the assessed Minor effect identified for the Loch Ness and Duntelchaig SLA, due to localised intervisibility with the proposed development and occasional appearance of turbines above the skyline of the surrounding hills, there is a further effect on the Special Quality of the Dramatic Great Glen as described for Meal Fuar-mhonaidh. Due to the cumulative impact of wind farm development from this viewpoint (VP3), this leads to a Moderate and significant impact on the SLA. She agrees with the applicant's assessment of significant impacts for receptors at five viewpoints (VPs) however disputes the reported non-significant visual impacts at six viewpoints, namely: VPs 3, 4, 5, 11, 13, and 19:

- VP3 (Meall Fuar-Mhonaidh) - considers Moderate and significant impacts would arise with turbines becoming a dominant feature in the southward view.
- VP4 (Carn na Saobhaidhe) - considers Major and significant impacts would arise due to the expansion of turbines from the footprint and landform containment of Stronelairg, resulting in significantly increasing the visual prominence of Stronelairg and creating a stronger visual connection with Corriegarth.
- VP5 (Carn Dubh) - considers Moderate and significant impacts would arise. Rather than being contained within one bowl of the landscape turbines appear interleaved with a series of landscape folds. Considered with Dell, Cloiche's western cluster of turbines are more recessive with the closer Dell turbines dominating. The two developments, in addition to Stronelairg,

create a dense concentration with the cumulative windfarm pattern lacking evenness of density across its horizontal spread.

- VP11 (Carn Liath) - considers Moderate and significant impacts would arise. This is due to the development's western cluster breaching the topographic containment of Stronelairg, and due to the eastern cluster extend the horizontal spread.
- VP13 (Geal Charn (Ardverikie)) - considers Moderate and significant impacts would arise. From here Stronelairg has limited exposure and the main visual effect is the increased turbine westward horizontal spread. The western cluster reads as a closely linked but separate development and has an uncomfortable relationship with the existing grouping.
- VP19 (Carn na Caim) - considers Moderate and significant impacts would arise from this location within the Cairngorms National Park. Stronelairg is almost completely out of view, with the development to read as a new development. Arguably the greater interest of these parts of designated landscape is experienced within the glens rather than overviews from height, thereby the identified qualities are not significantly affected. The breadth of the view and lack of any key landscape focus in this part of the panorama suggests that the development may be accommodated.

5.10 **Transport Planning Team** do not object to the application. It acknowledges that the submitted route survey report identifies minor remedial works being required to the B862. It highlights that this road is not suited to accommodate high intensity HGV traffic however recognises that no single development could reasonably be expected to upgrade the full length of it as their mitigation. Furthermore, it is unreasonable to restrict development consent until the route is improved in full to a standard commensurate with the type of development traffic it was been asked to cater for. As such, no further mitigation is sought other than the provision of a Construction Traffic Management Plan (CTMP), with a wear and tear agreement under Section 96 of the Roads (Scotland) Act 1984.

Consultations Undertaken by the Energy Consents Unit

5.11 **British Telecom** does not object to the application. It has no further comments.

5.12 **British Horse Society** does not object to the application. However, it would support the development of an outdoor access management plan and would hope this would reflect multi-use access and cater for horse riders along with cyclists, walkers and all abilities access takers.

5.13 **Cairngorms National Park Authority** objects to the application. This objection is due to significant adverse effects on some of the Special Landscape Qualities (SLQs) and landscape character of the National Park, causing it to fail to meet the requirements of Policy C2.a, and Policy A4 of the Cairngorms National Park Partnership Plan 2022 – 2027. Nature Scot advised that the amended 29 turbine scheme would still have some significant adverse impacts on landscape character and that the SLQs of the Park would be slightly reduced overall.

5.14 **Crown Estate Scotland** does not object to the application. It has no further comments.

5.15 **Defence Infrastructure Organisation (DIO)** does not object to the application. It requests that a scheme for aviation lighting is secured by condition and that prior to erection of any turbines commencing that the Ministry of Defence is informed of all infrastructure and cranes to be used during construction. It advises that the cardinal turbines should be fitted with 25 candela omni-directional red lighting and infrared lighting. The remainder of the perimeter turbines should be fitted with 25 candela omnidirectional red lighting or infrared lighting.

5.16 **Edinburgh Airport** does not object to the application. It has no further comments.

5.17 **Glasgow Prestwick Airport** does not object to the application. It has no further comments.

5.18 **Historic Environment Scotland** does not object to the application. It noted that the initial 36 turbine proposal did not raise issues of national interest, however there would be adverse setting impacts on: Corrieyairack Pass, military road scheduled monuments, (negligible significance); the Dun-da-Lamh, fort scheduled monument (minor significance); Garvamore, Garva Barracks Listed Building (neutral significance); and on Garvamore, Garva Bridge over River Spey Listed Building (negligible significance).

5.19 **Highlands and Islands Airport Limited (HIAL)** does not object to the application as it has been confirmed that the proposed development does not impact the Safeguarding criteria and operation of Inverness Airport.

5.20 **Ironside Farrar (Peat Landslide Hazard Risk Assessment Checking Report)** highlights that the applicant's assessment is satisfactory and sufficiently robust in all aspects.

5.21 **John Muir Trust** objects to the application. It considers the mitigation measures outlined in the Additional Information to be only partial, with concerns remaining surrounding the landscape and wild land impacts of the scheme. It welcomes the increased area of peatland restoration, however, it does not support the proposition that offsite peatland restoration justifies the destruction of blanket bog which could be restored to perform as a functioning carbon storing ecosystem.

5.22 **Marine Science Scotland** does not object to the application. It has no further comments.

5.23 **Mountaineering Scotland** objects to the application. Despite the reduced scheme providing some improvement on the original application, substantial and widespread adverse visual impacts remain. As addressed in their original objection, the proposed development is considered significantly detrimental notwithstanding the existence of the operational Stronelairg Wind Farm, because of its visual impact and consequential impacts on mountaineering recreation and tourism. It is possible that the removal of the full eastern cluster may diminish these impacts to an acceptable level.

5.24 **National Air Traffic Services (NATS)** does not object to the application. It notes that the proposal does not conflict with the safeguarding criteria for air traffic.

5.25 **NatureScot** does not object to the application. Its initial objection has been withdrawn. The areas of concern related to the significant adverse effects on Wild Land Area (WLA) 19 Braeroy, Glenshirra and Creag Meagaidh, as well as the significant adverse impacts on the nationally important carbon-rich soils, deep peat and priority peatland habitat which are present on site. The new development plan provided by the applicant as the revision of their Habitat Management Plan (HMP) now contains substantial peatland restoration, however, the delivery of this must be secured and further peatland restoration is sought to deliver meaningful enhancement.

5.26 **Royal Society for the Protection of Birds (RSPB)** does not object to the application. The additional information sets out an appropriate monitoring programme and mitigation to reduce the impact on the local golden eagle population to be secured by conditions. They however have concerns that the ornithological survey work does not fully accord with NatureScot guidance.

5.27 **Scottish Environment Protection Agency (SEPA)** does not object to the application. This is subject to planning conditions outlined in sections 1.4, 3.1, 4.1, 4.2, 5.2, 6.1, 7.1 and 8.1 of their 12 June 2020 response being applied to the consent, subject to the following revisions: The wording of the habitat management plan is conditioned as requested in section 3.1 of their 12 June 2020 response to reflect the new (1) commitment to deliver approximately 150 ha of blanket bog and (2) the specific candidate habitat management units identified on Figure 4.5.3. SEPA have also noted that two of the proposed units are off-site and consideration will also therefore need to be given to whether an additional legal agreement is required to ensure the works can and are implemented. Other matters to be conditioned include the requirement for: a finalised peatland management plan; suitable watercourse crossing designs to mitigate flood risk; adherence to the Borrow Pit Appraisal Report; micrositing to demonstrate minimising impact on deep peat, GWDTEs, watercourses and other sensitivities; adherence to the EIAR's Schedule of Mitigation; and the provision of a finalised Decommissioning and Restoration Plan.

5.28 **Scottish Water** does not object to the application. No additional comments have been made since its original response in 2020, noting that the proposed activity falls within a drinking water catchment where a Scottish Water abstraction is located. The Cloiche Wind Farm proposal is in the Loch Ness Catchment which supplies Invermoriston Waster Treatment Works (WTW) and it is essential that water quality and quantity in the area is protected. It is a relatively large catchment, and the activity is in the upper reaches of the catchment, therefore, the activity is likely to be low risk.

5.29 **ScotWays** object to the application. The applicant's additional information does not address all of the original objections made by ScotWays. The societies concerns are: the proximity to highways and railways; proximity to the right of way route HI109 and that this route remains open and free from obstruction during both construction and operation of the proposed development; and the significant impact that this proposed development would have on the wider landscape and recreational amenity.

5.30 **The Coal Authority** does not object to the application. It has no further comments.

5.31 **The Joint Radio Company** does not object to the application.

5.32 **Transport Scotland** does not object to the application. This is subject to conditions requiring: 1) prior approval of the proposed route, and accommodation measures, for any abnormal loads on the trunk road network; and 2) prior approval of any additional signing or temporary traffic control measures deemed necessary during the delivery of the wind turbine construction materials, with a further assessment being undertaken by a recognised QA traffic management consultant.

6. DEVELOPMENT PLAN POLICY

6.1 The following documents comprise the adopted Development Plan are relevant to the assessment of the application.

National Planning Framework 4 (2022)

6.2 The NPF4 policies of most relevance to this proposal include:

National Development 3 (NAD3) - Strategic Renewable Electricity Generation and Transmission Infrastructure
Policy 1 – Tackling the climate and nature crisis
Policy 2 – Climate mitigation and adaptation
Policy 3 – Biodiversity
Policy 4 – Natural places
Policy 5 – Soils
Policy 7 – Historic assets and places
Policy 11 – Energy
Policy 13 – Sustainable transport
Policy 22 – Flood risk and water management
Policy 23 – Health and safety
Policy 25 – Community wealth benefits
Policy 33 – Minerals

Highland Wide Local Development Plan (HwLDP) (2012)

6.3 28 - Sustainable Design
29 - Design Quality and Place-making
30 - Physical Constraints
31 - Developer Contributions
53 - Minerals
55 - Peat and Soils
56 - Travel
57 - Natural, Built and Cultural Heritage
58 - Protected Species
59 - Other important Species
60 - Other Importance Habitats
61 - Landscape
62 - Geodiversity
63 - Water Environment
64 - Flood Risk

66 - Surface Water Drainage
67 - Renewable Energy Developments
68 - Community Renewable Energy Developments
69 - Electricity Transmission Infrastructure
72 - Pollution
73 - Air Quality
74 - Green Networks
77 - Public Access
78 - Long Distance Routes

Inner Moray Firth Local Development Plan (IMFLDP) (2015)

6.4 No policies or allocations relevant to the proposals are included. It does, however, confirm the boundaries of the Special landscape Area within the plan's boundary.

Inner Moray Firth Local Development Plan - Proposed Plan (2022)

6.5 This contained a number of general policies which are applicable including Policy 2 - Nature Protection, Preservation and Enhancement.

West Highland and Islands Local Development Plan (WHILDP) (2019)

6.6 The south western boundary of the site lies within the WHILDP. No policies or allocations relevant to the proposals are included. It does, however, confirm the boundaries of the Special landscape Area within the plan's boundary.

Onshore Wind Energy Supplementary Guidance (OWESG) (2016)

6.7 The Onshore Wind Energy Supplementary Guidance (OWESG) provides additional guidance on the principles set out in HwLDP Policy 67 for renewable energy developments. The Guidance sets out the Council's agreed position on onshore wind energy matters, and, although reflective of Scottish Planning Policy at the time of its adoption prior to the adoption of NPF4, the document remains an extant part of the Development Plan and is therefore a material consideration in the determination of onshore wind energy planning applications. Nevertheless, the Spatial Framework included in the document is no longer relevant to the assessment of applications as in effect, the policies of NPF4 (specifically Policy 11, Energy) removes Group 2 Areas of significant protection from consideration by effectively making all land in Scotland either Group 1 Areas where wind farms will not be acceptable, or Group 3, Areas with potential for wind farm development.

6.8 The OWESG 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 falls within the Loch Ness Landscape Sensitivity Study area.

Other Highland Council Supplementary Guidance

6.9 Developer Contributions (Mar 2018)
Flood Risk and Drainage Impact Assessment (Jan 2013)
Green Networks (Jan 2013)
Highland Historic Environment Strategy (Jan 2013)

Highland's Statutorily Protected Species (Mar 2013)
Highland Renewable Energy Strategy and Planning Guidelines (May 2006)
Physical Constraints (Mar 2013)
Roads and Transport Guidelines for New Developments (May 2013)
Special Landscape Area Citations (Jun 2011)
Sustainable Design Guide (Jan 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

Emerging Highland Council Development Plan Documents and Planning Guidance

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 post National Planning Framework 4.

7.2 The Highland Council also 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.

Draft Landscape Sensitivity Study for the Dava and Monadliath area (Nov 2021)

7.3 The Council has published in draft a Landscape Sensitivity Study for the Dava and Monadliath area following the new Landscape Sensitivity Appraisal Methodology by NatureScot. To date it has not been subject to public consultation and does not form part of the adopted development plan. It is however a useful other material consideration as it provides useful context for the landscape sensitivities in the area.

Other National Guidance and Affected Development Plans

7.4 Onshore Wind Energy Policy Statement (2022)
Draft Energy Strategy and Just Transition Plan (2023)
Scottish Energy Strategy (2017)
2020 Routemap for Renewable Energy (2011)
Energy Efficient Scotland Route Map, Scottish Government (2018)
Siting and Designing Wind Farms in the Landscape, SNH (2017)
Assessing Impacts on Wild Land Areas, Technical Guidance, NatureScot (2020)
Wind Farm Developments on Peat Lands, Scottish Government (2011)
Historic Environment Policy for Scotland, HES (2019)
PAN 1/2011 - Planning and Noise (2011)
PAN 60 – Planning for Natural Heritage (2008)
Circular 1/2017: Environmental Impact Assessment Regulations (2017)
The National Park Partnership Plan 2022-2027 (NPPP), CNP (2017)
Cairngorms Local Development Plan 2021, CNP (2021)

8. PLANNING APPRAISAL

8.1 This application has been submitted to the Scottish Government under Section 36 of the Electricity Act 1989 (as amended). Should Ministers approve the development, it will receive deemed planning permission under Section 57(2) of the Town and Country Planning (Scotland) Act 1997 (as amended). While not a planning application, the Council processes S36 applications in the same way as a planning application as a consent under the Electricity Act will carry with it deemed planning permission.

8.2 Schedule 9 of The Electricity Act 1989 contains considerations in relation to the impact of proposals on amenity and fisheries. These considerations mean the developer should:

- have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and
- reasonably mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects.

8.3 It should be noted that for applications under the Electricity Act 1989 that the Development Plan is just one of a number of considerations, and therefore Section 25 of the Town and Country Planning (Scotland) Act 1997 which requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise, is not engaged. That said, the application still 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

8.4 The key considerations in this case are:

a) Compliance with the Development Plan / Other Planning Policy
b) Energy and Economic Benefits
c) Construction
d) Roads, Transport and Access
e) Water, Flood Risk, Drainage and Peat
f) Natural Heritage (including ornithology)
g) Built and Cultural Heritage
h) Design, Landscape and Visual Impacts (including on Wild Land Areas)
i) Noise and Shadow Flicker
j) Telecommunications
k) Aviation
l) Other Material Considerations

Development Plan / Other Planning Policy

8.5 The Development Plan comprises National Planning Framework 4 (NPF4), the adopted Highland-wide Local Development Plan (HwLDP), the adopted Inner Moray Firth Local Development Plan (IMFLDP), the adopted West Highland and Islands Local Development Plan (WHILDP), and all statutorily adopted supplementary guidance.

National Policy

8.6 National Planning Framework 4 (NPF4) forms part of the Development Plan and was adopted in February 2023. It comprises three parts:

- Part 1 – sets out an overarching spatial strategy for Scotland in the future and includes six spatial principles (just transition / conserving and recycling assets / local living / compact urban growth / rebalanced development / rural revitalisation. Part 1 sets out that there are eighteen national developments to support the spatial strategy and regional spatial priorities, which includes single large scale projects and networks of smaller proposals that are collectively nationally significant.
- Part 2 – 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. This part of the document should be taken as a whole in that all relevant policies should be applied to each application.
- Part 3 – provides a series of annexes that provide the rationale for the strategies and policies of NPF4. The annexes outline how the document should be used, and set out how the Scottish Government will implement the strategies and policies contained in the document.

8.7 The Spatial Strategy sets out that we are facing unprecedented challenges and that we need to reduce greenhouse gas emissions and adapt to future impacts of climate change. It sets out that that Scotland's environment is a national asset which supports out economy, identity, health and wellbeing. It sets out that choices need to be made about how we can make sustainable use of our natural assets in a way which benefits communities. The spatial strategy reflects legislation in setting out that decisions require to reflect the long term public interest. However, in doing so it is clear that we will need to make the right choices about where development should be located ensuring clarity is provided over the types of infrastructure that needs to be provided and the assets that should be protected to ensure they continue to benefit future generations. The Spatial Priorities support the planning and delivery of sustainable places, where we reduce emissions, restore and better connect biodiversity; liveable places, where we can all live better, healthier lives; and productive places, where we have a greener, fairer and more inclusive wellbeing economy.

8.8 The proposed development is of national importance for the delivery of the national Spatial Strategy, whereby in principle support for the development is established. As the proposed development would be capable of generating over 50 MW, it is of

a type and scale that constitutes NPF4 National Development 3 - Strategic Renewable Electricity Generation and Transmission Infrastructure.

8.9 At the high level, NPF4 considers that Strategic Renewable Electricity Generation and Transmission Infrastructure will assist in the delivery of the Spatial Strategy and Spatial Priorities for the north of Scotland, and that Highland can continue to make a strong contribution toward meeting Scotland's ambition for net zero. Alongside these ambitions, the strategy for Highland aims to protect environmental assets as well as to stimulate investment in natural and engineered solutions to address climate change. This aim is not new and will clearly require a balancing exercise to be undertaken, which is reflected throughout the document.

8.10 NPF4 Policies 1, 2, and 3 now apply to all development proposals Scotland-wide, which means that significant weight must be given to the global climate and nature crises when considering all development proposals, as required by NPF4 Policy 1. To that end, development proposals must be sited and designed to minimise lifecycle greenhouse gas emissions as far as is practicably possible in accordance with NPF4 Policy 2, while contributing to the enhancement of biodiversity, as required by NPF4 Policy 3.

8.11 Specific to this proposal, as well as the support in Policy 1 (significant weight will be given to the global climate and nature crisis when considering development), Policy 11 of NPF4 supports all forms of proposals for renewable, low-carbon and zero emission technologies including wind farms. However, any project identified as a national development requires to be considered at a project level to ensure all statutory tests are met, as set out in Annex 1 of the NPF4. This includes consideration against the provisions of the Development Plan, of which NPF4 is a part.

8.12 Complementing those policies is NPF4 Policy 4 Natural Places, which sets out that development proposals by virtue of type, location, or scale that have an unacceptable impact on the natural environment will not be supported. The policy goes on to clarify what that means for different designations. It sets out that proposals with likely significant effects on European sites (SACs or SPAs) require appropriate assessment, and that development proposals that will affect a National Park, NSA or SSSI will only be supported where: i) the objectives of designation and the overall integrity of the areas will not be compromised; or ii) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance. This is an important consideration given the proximity of the development in relation to the Cairngorms National Park, River Spey SSSI and SAC; Glendoe Lochans SSSI and SPA; Glen Tariff SSSI; and the Monadhliath SAC and SSSI.

8.13 Similarly, sites designated in Development Plans for local nature conservation or Special Landscape Areas (SLAs) are protected in NPF4 Policy 4 unless the development will not result in significantly adverse effects on its qualities or its integrity, or, these effects are clearly outweighed by social, environmental, or economic benefits of at least local importance. Nearby landscape areas scoped in for assessment include: Loch Ness and Duntelchaig SLA; Ben Alder, Laggan and Glen Banchor SLA; and Loch Lochy and Oich SLA.

8.14 The most significant policy change for Natural Places brought about by NPF Policy 4 is with regard Wild Land Areas, which states that renewable energy developments that support national targets will be supported in Wild Land Areas (WLA) and that buffer zones around WLAs will not be applied, so that effects of development outwith WLAs will not be a significant consideration. The site itself is not with Wild Land, however the development will been seen from nearby WLAs, most noticeably from WLA 19 (Braeroy – Glenshirra – Creag Meagaidh) to the west, WLA 20 (Monadhliath) to the east, and more distantly from WLA 14 (Rannoch – Nevis – Mamores – Alder) and WLA 15 (Cairngorms) further to the south.

8.15 Specific for energy developments, NPF4 Policy 11 states that the principle of all forms of renewable, low-carbon, and zero emission technologies is supported with the exception of wind farm proposals located in National Parks or National Scenic Areas. Policy 11 Part c) qualifies this position by stating that wind farms should only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business, and supply chain opportunities. The policy goes on to state that while significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on reduction of greenhouse gas emissions targets, the development's impacts, including cumulative impacts, must be suitably addressed and mitigated against. In this regard, the Highland Council has consistently given significant weight to a development's contribution to environmental targets prior to the adoption of NPF4.

8.16 NPF4 Policy 11 Part e) sets out the additional project design and mitigation requirements for energy proposals. This includes a broad range of matters akin to those to be assessed under HwLDP Policy 67. This includes consideration of the landscape and visual impacts and advises that where impacts are localised and / or appropriate design mitigation has been applied such effects will generally be considered acceptable. Members will be aware that the concept of wind energy developments that have only localised impacts as being more likely to be acceptable is not new and is also reflected in previous Highland Council planning decisions. However, the landscape and visual impacts of a proposal of 29 turbines at 149.9m in height remains challenging to be entirely contained, as reflected in the significant adverse impacts identified within the landscape and visual section of this report. While the adopted NPF4 reflects a stronger presumption in favour of all national scale energy developments, judgment still requires to be applied at the project level to ensure proposals do not have unacceptable landscape and visual impacts even if the contribution to national renewable energy targets is considerable.

8.17 On that point it is noted that both legislation and planning law indicate that where there may be incompatibility between NPF4 and the Local Development Plan (LDP) (HwLDP, IMFLDP, WHILDP and Highland Council Supplementary Guidance) published prior to NPF4, then the more recent document shall prevail. Notwithstanding however, in instances of incompatibility, this requirement may not eliminate the provisions of the LDP in their entirety whilst these documents remain an extant part of the adopted Development Plan. That means that the Council may wish to give more weight to the provisions of its LDP over national policies where there is strong justification for doing so, such as where it feels that LDP policy is

better equipped to respond to local conditions for example. However, this matter is yet to be tested through the planning system.

Highland-wide Local Development Plan

8.18 The principal HwLDP policy on which the application needs to be determined is Policy 67 - Renewable Energy. HwLDP Policy 67 sets out that renewable energy development should be well related to the source of the primary renewable resource needed for operation, the contribution of the proposed development in meeting renewable energy targets and positive/negative effects on the local and national economy as well as 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, individually or cumulatively with other developments having regard to 11 specified criteria (as listed in HwLDP Policy 67). Such an approach is consistent with the concept of Sustainable Design (HwLDP Policy 28) and the concept of supporting the right development in the right place at the right time.

8.19 It is here where the policy conflict between HwLDP 67 and NPF4 Policy 11 would appear most pronounced; whereby support for wind farm development has until now been more qualified in the LDP, which gives greater weight to protecting landscape and natural resources, NPF4 on the other hand appears to give tacit support for renewable energy projects even at the expense of certain landscape and natural resources, with the exception of National Parks and NSAs, particularly where energy contributions are at a national development scale, by treating the twin climate and biodiversity crises, and security of energy supply, with greater urgency.

Area Local Development Plans

8.20 The Inner Moray Firth Local Development Plan (IMFLDP) and the West Highland and Islands Local Development Plan (WHILDP) do not contain land allocations related to the proposed development. They confirm the boundaries of Special Landscape Areas within these plan areas. Highland wide Local Development Plan (HwLDP) Policies 28, 57, 61 and 67 seek to safeguard these regionally important landscapes. The impact of this development on landscape is primarily assessed in the Design, Landscape and Visual Impact section of this report.

8.21 The IMFLDP is under review and is at Proposed Plan stage. As this is the case the Inner Moray Firth Local Development Plan Proposed Plan (IMFLDPPP) can be given weight in the determination of applications, albeit not the same weight which would be given to the adopted development plan as it still requires to be subject to examination.

8.22 The IMFLDPPP contains policies on Nature Protection, Preservation and Enhancement (Policy 2). This sets out that major development will only be supported where it is demonstrated that the proposal will conserve and enhance biodiversity within and adjacent to a site. This is similar to the approach taken in NPF4 and will be considered in the relevant sections of this report. The IMFLDPPP also sets out that developers will be required to demonstrate that adequate

capacity to serve the proposal exists or can be created by a programmed improvement or via direct developer provision or funding. Where this is appropriate, the need for enhancements to infrastructure will be highlighted in this report.

Onshore Wind Energy Supplementary Guidance (OWESG)

8.23 The Council's OWESG is a material consideration in the determination of planning applications. The supplementary guidance does not provide additional tests in respect of the consideration of development proposals against Development Plan policy. However, it provides a clear indication of the approach the Council towards the assessment of proposals, and thereby aid consideration of applications for onshore wind energy proposals.

8.24 The OWESG approach and methodology to the assessment of proposals is applicable and is set out in the OWESG Para 4.16 - 4.17. It provides a methodology for a judgement to be made on the likely impact of a development on assessed "thresholds" in order to assist the application of HwLDP Policy 67. The 10 criteria are particularly useful in considering visual impacts, including cumulative impacts. An appraisal of how the proposal meets with the thresholds set out in the criteria is included in Appendix 3 of this report.

8.25 The OWESG also contains the Loch Ness Landscape Sensitivity Study which the proposed development falls within. The site lies within area LN6, which the study concludes does not have capacity for new larger scale wind farms, but identifies potential for extensions to existing schemes. In particular, it guides that additional turbines within LN6 should:

- not breach skyline when viewed from north side of Loch Ness;
- be set back from Key Routes (B862 Stratherrick and the A9);
- preserve mitigation established by current schemes;
- maintain the landscape setting of each existing scheme;
- avoid coalescence with current positioning; and
- respect spacing and scale of existing development pattern.

8.26 It sets out that development of turbines (all scales) in other locations within the LCA should be avoided to ensure that the scale of the landform is maintained and that perspective - when viewed across the loch in particular - is not adversely affected.

Draft Landscape Sensitivity Study for the Dava and Monadliath area (Nov 2021)

8.27 The Dava Moor and Monadliath Landscape Sensitivity Appraisal is intended to become an adopted part of the OWESG in the future. However, at this point while providing useful guidance, it does not hold significant weight in the decision making process. It provides useful context for the landscape sensitivities in the area. It sets out for development in the host Rolling Uplands LCT that :

- Operational wind farms located in surrounding upland areas are generally distant and susceptibility is further reduced because of the limited numbers of visual receptors within this landscape. While the effect of wind farms in surrounding areas is minimal on character and views from within the Rolling Uplands, they are seen in conjunction with the five clusters of wind energy

development from surrounding landscapes which are generally more sensitive.

- These uplands accommodate five main clusters of operational and consented wind farms which are widely spaced. The majority of the clusters are associated with lower basins and visual impact tends to be reduced by the degree of screening by higher ground in most (but not all) views from surrounding areas.
- There would be a high-medium sensitivity to turbines exceeding150m in height and a medium sensitivity to turbines 100-149.9m in height. Turbines up to 149.9m in height, including extensions to operational wind farms, could be accommodated in the lower-lying basins where higher ground could provide a degree of screening to turbines, reducing their effect on the CNP, WLAs and on popular vantage points in the surrounding area.
- Substantial extension of the existing wind farm groups, the construction of new standalone wind farms, and the use of much larger wind turbines (>149.9m, where a noticeable contrast could arise with operational turbines and where aviation lighting may also be a feature), have potential to result in significant cumulative effects on one or more of the following:
    - Views from the Great Glen Way and the hill of Meall Fuar-mhonaidh - resulting in substantial infill of the spaces between distinct development clusters which could present a more dominant 'wall' of turbines detracting from the landform of the more pronounced hills and glens; the use of noticeably larger turbines (>149.9m) could result in a confusing visual image on the long skyline of the Monadhliath seen in these elevated views.
    - Views from the close-by and popular Munro hills lying on the edge of the CNP and to those in the Creag Meagaidh area where existing development is sufficiently close for differences in turbine size to be perceived and where significant cumulative effects on views and on the sense of wildness (both areas are located in WLAs) could result if substantial expansion of development groups occur.
    - Views from the Corrieyairack Pass, which is popular with cyclists and walkers, and where wind turbines visible on the skyline of hills which contain the track to the north east could increase visual confusion and negative visual effects with the Beauly to Denny high voltage transmission line and the Melgarve sub-station which already have a strong influence on this route.
    - The perception of wildness associated with the Monadhliath and Braeroy, Glenshirra and Creag Meagaidh WLAs, the special qualities of the Cairngorms National Park and the Loch Ness and Duntelchaig SLA. Wind farms are seen from all these valued landscapes but a substantial increase in the scale and/or amount of development could create a more dominant effect.
- Views into the interior plateau of this landscape are generally limited to the high summits and ridges of surrounding hills. The popular hills of Meall Fuar-mhonaidh (VP3), Carn a' Chuilinn (VP7), Carn Dearg (Monadhliath) (VP8), and Carn na Caim (VP19) should be used as key design viewpoints. Principal design objectives should be to minimise effects on more sensitive landscape and visual receptors by retaining generous spaces between

development clusters and avoiding more visually prominent ridges and hill tops.

Onshore Wind Energy Policy Statement (2022) and Draft Energy Strategy and Just Transition Plan (2023)

8.28 The Onshore Wind Energy Policy Statement supersedes the previously adopted Onshore Wind Energy Policy Statement which was published in 2017. The document sets out a clear ambition for onshore wind in Scotland and for the first time sets a national target for a minimum level of installed capacity for onshore wind energy, 20GW. This is set against a currently installed capacity of 8.7GW. Therefore, a further 11.3GW of onshore wind requires to be installed to meet the target. It is however acknowledged that targets are not caps. In delivering such a target Scotland would play a significant role in meeting the requirement of 25-30GW of installed capacity across the UK identified by the Climate Change Committee.

8.29 To deliver the ambition, a sector deal for onshore wind energy is being progressed. The detail of this is yet to be published. Like the previous iteration of the Onshore Wind Energy Policy Statement, the document recognises that balance is required and that no one technology can allow Scotland to reach its net zero targets. The document is clear that in achieving a balance, environmental and economic benefits to Scotland must be maximised. In taking this approach, this echoes Scotland's Third Land Use Strategy.

8.30 The document recognises that there may be a need to develop onshore wind energy development on peat. While peatland is present on the site, it is considered that appropriate mitigation has been applied by design and peat management plan can be secured by condition.

8.31 Benefits to rural areas, such as provision of jobs and opportunities to restore and protect natural habitats, are also highlighted in the document. The proposed development does lead to such benefits being delivered; however, the scale of the benefits are not demonstrably greater than those one would expect on any such wind farm development of commensurate size prior to the adoption of NPF4.

8.32 Additionally, the document acknowledges that in order for Scotland to achieve its climate targets and the ambition for the minimum installed capacity of 20GW by 2030, the landscape will change, which relates the document to landscape and visual impacts. However, the OWEPS also sets out that the right development should happen in the right place. Echoing NPF4, the document sets out that significant landscape and visual impacts are to be expected and that where the impacts are localised and / or appropriate mitigation has been applied the effects will be considered acceptable.

8.33 The role of Landscape Sensitivity Appraisals in considering wind energy proposals is promoted through the document. This highlights the importance of applying those contained within the Council's OWESG when assessing applications.

8.34 Finally, the document considers some of the wider benefits and challenges faced by in delivery of ambition and vision for onshore wind energy in Scotland. These

include shared ownership, community benefit, supply chain benefits, skills development and financial mechanisms for delivery. Technical considerations are also highlighted, those relevant to this application have been considered and mitigation, where required has been secured by condition.

8.35 The Draft Energy Strategy and Just Transition Plan has been published for consultation. Ministers will likely give consideration to this document in their decision on the application, however, limited weight can be applied to the document given its draft status. Unsurprisingly, the material on onshore wind in the document reflects in large part that contained in NPF4 and the Onshore Wind Energy Policy Statement 2022. A fundamental part of the Strategy is expanding the energy generation sector. Overall, the draft Energy Strategy forms part of the new policy approach alongside the OWEPS and NPF4 and confirms the Scottish Government's policy objectives and related targets reaffirming the crucial role that onshore wind and enabling transmission infrastructure will play in response to the climate crisis which is at the heart of all these policies.

Energy and Economic Benefit

8.36 The Council continues to respond positively to the Government's renewable energy agenda. Nationally, onshore wind energy in Quarter 3 of 2021 had an installed capacity of 8.67 GW, with a further 6.5 GW under construction or consented as of Quarter 1 of 2022. As of 1 September 2022, Highland onshore wind energy projects currently have an installed capacity of 2.53 GW with a further 1.55 GW of generation permitted but not yet built and 1.3 GW currently under construction. Installed onshore wind energy developments in Highland therefore accounts for around 30% of the national installed onshore wind energy capacity. There is also a further 2 GW of onshore wind farm proposals currently in planning pending consideration in Highland.

8.37 While The Highland Council has effectively met its own target, as previously set out in the Highland Renewable Energy Strategy, it remains the case that there are areas of Highland capable of absorbing renewable developments without significant effects.

8.38 Notwithstanding any 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, with the development anticipated to generate up to 124.7 MW of electricity (turbine model dependent). Based on a typical capacity factor, the development is likely to generate approximately 276,300 MW hours per year, the equivalent of powering approximately 70,700 homes.

8.39 There will be carbon losses as a result of the development, including those related to turbine manufacture and impact on peat. These losses would equate to a total of approximately 312,000 tonnes of carbon. As a result, the anticipated that the estimated carbon payback period for the development would be approximately 4.2 years, based on a grid mix (including both renewables and fossil fuels), with the

proposal reported by the applicant to have an overall beneficial effect on climate change mitigation.

8.40 The proposed development anticipates the construction period to last between 24 and 36 months and an operational period of 50 years. Such projects can offer investment / opportunities to the local, Highland, and Scottish economy, including businesses ranging across the construction, haulage, electrical and service sectors.

8.41 There are likely to be some adverse effects caused by construction traffic and disruption, as well as some adverse economic impact that turbines may have on tourism. These adverse impacts are most likely to be within the service sector particularly during the construction phase when abnormal loads are being delivered to site.

8.42 The assessment of socio-economic impact offered by the applicant suggests a minor beneficial economic impact resulting from the development. It has identified that the capital cost of the development was estimated to be £156 million. Based on research undertaken by BiGGAR Economics on behalf of RenewableUK in 2015 and the applicant's experience in building wind farms in Highland, approximately 22% of total capital construction costs could be secured through Highland contracts. Therefore, it is anticipated in the order of £34m will be spent in Highland during the development and construction phase of the wind farm with 290 Full Time Equivalent job years created during construction in Highland.

8.43 For each operational year of the windfarm, the proposed development would generate approximately £1.1m and 12 jobs within the Highlands. In addition to the payment of annual non-domestic rates, the applicant also notes that there will be economic benefits to the local community and economy arising from the community benefit fund proposed, which will be built on the existing Stronelairg Wind Farm Community Fund. In line with Council policy and practice, community benefit considerations are undertaken as a separate exercise and generally parallel to the planning process, albeit that in this regard the proposals receive a degree of support under the NPF4 Policy 25 which relates to Community Wealth Building.

8.44 The potential community benefits associated with the 29 turbine scheme are estimated to be £0.6 million annually; £15.5 million over 25 years / £31 million over the full 50 year operational period sought. This is less than the estimated value reported in the EIAR for the 36 turbine scheme. In EIA terms, the overall effect on the Highland economy reported to be Minor beneficial during construction and thereafter the operational effect would be negligible (beneficial).

Construction

8.45 It is anticipated that the construction period for the development would take approximately 24 and 36 months. Construction will be scheduled from Monday to Friday 07:00 to 19:00 and Saturday 07:00 to 14:00. No working activities would be planned on Sundays. In the event of work being required out with these hours, the Planning Authority would be notified, wherever possible. Any blasting on site shall only take place 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 Sunday or on

National Public Holidays, unless otherwise approved in advance in writing by the Planning Authority. Environment Health is content with the predicted noise subject to noise limit conditions if this application is to be granted.

8.46 The nature of the project anticipates the need for a Construction Environmental Management Document / Plan (CEMP), in association with the successful contractor engaged. A draft CEMP has been provided with the EIAR and this may be secured via condition and should include site-specific environmental management procedures which can be finalised and agreed through appropriate planning conditions. 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.

8.47 In addition to the requirement for submission and agreement on a CEMP, the Council will require the applicant to provide a financial bond regarding final site restoration (restoration bond) in the event of non-wind turbine operation and to provide a Construction Traffic Management Plan (CTMP) for the use of the local road network.

8.48 Developers must 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 etc. and is enforceable via Environmental Health and not Planning.

8.49 The applicant has anticipated 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 can be conditioned, with micro siting to avoiding any areas of deeper peat, higher elevations of ground, watercourse buffers, Ground Water Dependent Terrestrial Ecosystems and any encountered cultural heritage assets.

8.50 Should the development be granted consent, a Community Liaison Group (CLG) 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

8.51 The applicant has highlighted the expected impact of this development, particularly through the construction phase, with the Port of Entry for turbine blades likely to be Kyle of Lochalsh, with these being routed via the A87, A82 through Fort Augustus and via the B862. All other turbine components would be delivered to Corpach and would access the site via the A82 and B862 from the south.

8.52 The EIAR reports that the proposed development would lead to a temporary increase in traffic volumes on the road network during the construction phase.

Traffic volumes would decrease considerably outside the peak period of construction. Statistically, the greatest impact would occur on the B862 between the site access and Fort Augustus, followed by the A82 south of Invermoriston. On the B862 an increase of 7.7% of HGV traffic on the route is expected. The peak construction period (months 16 to 27 of the construction programme) would see an increase of 18 HGV journeys to the site per day (18 inbound and 18 outbound) above baseline use. The overall traffic volumes not anticipated to increase by more than 10% on any roads except for the B862. The anticipated total traffic volumes are projected to be well within the capacity of the roads in question and the environmental effect is considered not to be significant providing that a comprehensive CTMP is established.

8.53 The EIAR includes a cumulative transport assessment, where it has assumed that all construction programmes for committed wind farm developments; Millennium South, Aberarder and Dell, as well as in-planning development; Glenshero coincide with the proposed development. Although, this is highly unlikely, the cumulative assessment considered the worst-case scenario. The results indicate that when considering the cumulative construction phases, the total amount of traffic does not increase on the B862, A82 and A87 by more than 10%. That said, should Dell and Glenshero have been built out concurrently, HGV trips on the B862 and A82 would have increased by over 30%. The EIAR still however concludes that this would not result in any significant adverse transport impacts, and this is not disputed, particularly given that Glenshero has since been refused planning permission. It is also the case that this is a tried and tested proposed routing, with this section of the B862 having previously been used and was upgraded during the construction of Stronelairg Wind Farm.

8.54 The temporary increase in traffic on the road network can be comfortably accommodated within the operating capacity of the road network. However, the components are larger than those previously employed, and subject to detailed design review and trial runs, will likely need some accommodation works along the route, such as vegetation clipping and clearance of street furniture. The details of these can be secured by condition. Further, the applicant proposes a range of mitigation such as the formation of a Community Liaison Group and the delivery of a CTMP. In principle, this type of mitigation is accepted subject to detailed consideration of the plan in due course.

8.55 The Council Transport Planning Team, and Transport Scotland, have confirmed that development traffic can be accommodated on the road network, subject to conditions as well as the requirement for a legal agreement to address “wear and tear” provisions. These will be consistent with current best practice and 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.

- 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.

8.56 While no core paths are present directly through the application site, the area is well used for recreational access to the outdoors. The walking website 'Walk Highlands' also lists some routes which are near the site of the proposed development. These include:

- Corrieyairack Pass: Laggan to Fort William – this path follows the old military road from Laggan to Fort Augustus and will pass within 5km of the Proposed Development;
- Carn a' Chuilinn, via Glen Doe - which uses the access tracks constructed as part of the Glendoe Hydro Scheme and pass within 3km of the Proposed Development. Part of this path is also included in the Corrieyairack Pass; and
- Gairbeinn and Corrieyairack Hill, Melgarve - these two Corbetts are accessed via Melgarve to the south. The recommended route passes within 2.5km to the south of the proposed development.

8.57 In addition to the long distance walks and the routes outlined on the 'Walk Highlands' website, other organisations also promote routes within the area. One of these is the 'Monadhliath Trail', which is promoted by the website www.visitinvernesslochness.com. This route includes tracks that were constructed as part of the Stronelairg Wind Farm development and passes through the site.

8.58 The site, like most land in Scotland, is subject to the provisions of the Land Reform (Scotland) Act 2003. There are paths running through and around the site and the wider area is rich in opportunities to access the outdoors, including longer distance routes in the vicinity such as the Corrieyairack Pass and more distantly, the Great Glen Way. Where and when feasible however existing tracks should be made available for public use during the construction phase. Access tracks to the proposed development should be accessible to a wide variety of users. Large pedestrian gates and by-pass gates adjacent to cattle grids should all be "easy open" accesses. All other gates within the application boundary should similarly be unlocked to responsible access takers.

8.59 To ensure access is provided throughout the construction period and that enhanced recreational access opportunities are provided during the operational phase, a Outdoor Access Management Plan will be required by planning condition. 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.

8.60 The visual impact of the development on users of the outdoors, including those on recreational access routes, has been considered within the landscape and visual section of this report. No significant effects were reported in the EIAR post construction of the wind farm and this is accepted.

Water, Flood Risk, Drainage and Peat

8.61 The EIAR is clear that a Construction Environmental Management Document / Plan (CEMD) will be in place to 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. The CEMP can be secured by planning condition. This will 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.

8.62 In order to protect the water environment a number of measures have been highlighted by the applicant for inclusion in the CEMP including the adoption of sustainable drainage principles, and measures to mitigate against effects of potential chemical contamination, sediment release and changes in supplies to Ground Water Dependent Terrestrial Ecosystems (GWDTEs). This includes setbacks from water courses, employment of an Ecological Clerk of Works (ECoW) and undertaking a programme of baseline water quality and quantity monitoring surveys prior to construction, and thereafter during construction.

8.63 SEPA does not object to the proposed development. The site infrastructure is not considered to be at risk of flooding. The watercourse crossings within the development will be regulated under SEPA's Controlled Activities Regulations (CAR) regime and will be designed to allow continuous flow. A detailed drainage strategy will be developed, details of which may be secured by condition to allow final assessment by SEPA and the Council's Flood Risk Management Team.

8.64 The wider site is home to potential GWDTEs, with the majority of areas being rain fed habitats which are of low sensitivity with respect of the proposed development. However, it is noted that the locations assessed are in connectivity with wider peat bog and mire habitats present across the site and therefore it remains important to maintain surface water distribution across the site. Such mitigation measures are to be brought forward in the CEMP.

8.65 Deep peat, generally ranging from 0.5 m to 1.5m, is present across the site, with there being localised areas in excess of 2m in depth. Overall, a total of 483,322 m^3 of peat is expected to be extracted. This has reduced from 560,790 m^3, equating to a reduction in peat disturbance of almost 14% as a result of the removal of 7 turbines from the initial 36 turbines scheme, with the majority of peat impacts relating to access tracks and borrow pit requirements, with peat to be used for the reinstatement of onsite access track verges and borrow pits, with an excess of <10,000m^3 to be utilised in the proposed finalised Habitat Management Plan (HMP). Peat management and reinstatement during and following construction has been detailed in the outline CEMP and Peat Management Plan, the finalisation of which can be conditioned.

8.66 A Peat Landslide Hazard and Risk Assessment has been submitted as part of the EIAR and have helped to inform the proposals. The applicant's risk assessment identifies that providing the assessment's mitigation is followed, the site is of low to very low risk to peat instability. The adherence to this document can be secured through condition.

8.67 There are 14 registered Private Water Supplies (PWS) within a 5km radius of the proposed development; the nearest of which is 1.8km south west. No evidence of further PWS was observed during site visits and the applicant is not aware of any PWS within close proximity to the existing Stronelairg Wind Farm site. The assessment concludes that the identified PWS within the study area are considered to be hydrogeologically distant from the site and are highly unlikely to be in hydraulic continuity.

8.68 Given the watercourses across the site, water quality will require to be managed through the construction, operation and decommissioning phases of the development. This can be secured by condition, with the final scheme being developed in consultation with Council, SEPA, and relevant fishery boards.

Natural Heritage (including Ornithology)

8.69 The applicant will have a good baseline of information of impacts of wind energy development on the ecology and ornithology of the site as a result of their involvement in the original Stonelairg Wind Farm. The site does not overlap any nature conservation designation, however, construction of the proposed development within the vicinity of the Monadhliath SAC and SSSI, and Glendoe reservoir that drains into tributaries of Ness Woods SAC could result in indirect impacts, such as habitat modification, pollution or disturbance. Due to the low magnitude and short term nature of the potential impacts, the majority of the effects are considered to be not significant. However, in the absence of mitigation, the temporary and short term displacement of red deer into the Monadhliath SAC and SSSI could result in a significant adverse effect at the international and national level, respectively, from damage to the blanket bog, which is already in an unfavourable condition. As such, Scottish Ministers are required to undertake a Habitats Regulations Appraisal and Appropriate Assessment. To help with this assessment, NatureScot advise that the proposal will not adversely affect the integrity of the site providing that a 50m buffer is maintained between site infrastructure and the boundary of the SAC. This in turn is advised to prevent an adverse effect on the blanket bog notified interest of the SSSI.

8.70 In terms of habitat losses, the site mostly comprises wet modified bog, blanket bog and wet heath. The existing site access track and certain borrow pits previously disturbed for Stronelairg would also be re-used which helps to contain the footprint of new development. Up to 43ha of habitats would be lost, 19ha due to direct losses arising from the proposed site infrastructure, plus 24ha through indirect modification. NatureScot had initially objected to the 36 turbine scheme due to the dominance of carbon-rich soils, deep peat and priority peatland habitats being of national interest, with the initially proposed extent of compensatory restoration proposals being considered inadequate in scale, involving the restoration of around 14ha of blanket bog habitat. In light of this consultation response, and given the unfavourable nature conservation condition of the blanket bog within the wider area, and the importance of blanket bog and peatland habitats in regard to carbon storage and carbon sequestration and the current climate emergency, the compensatory peatland restoration provisions have been substantially enhanced within the applicant's EIAR AI outline HMP for the development which now commits

to the restoration and enhancement of 150ha of blanket bog habitat on and off-site, which include habitats within the Monadhliath SAC.

8.71 No biodiversity metric has been submitted by the applicant to demonstrate that there would be an overall enhancement to biodiversity across the site. This brings the application into conflict with both the IMFLDPPP and NPF4. However, it is considered that there are opportunities across the site and the wider area to provide biodiversity enhancements beyond the baseline conditions. Given the amended extent of peatland restoration set out within the updated outline HMP, this has been reported in the EIAR AI to result in a moderate beneficial environmental impact on the regionally blanket bog resource within the study area and beyond, within the nationally and internationally important Monadhliath SAC / SSSI. As such, this was reported by the applicant to far outweigh the predicted minor predicted losses arising from developing the wind farm. The provision of the amended outline HMP has enabled NatureScot withdraw their previous objection, albeit that they still consider that due to the siting of the proposal on priority peatland habitat, there will be a significant adverse impact on montane bog, and that that the amended EIAR AI outline HMP still does not go far enough to mitigate this impact.

8.72 The proposed HMP would help encourage vegetation cover of the peatland and limit peat erosion and carbon loss, as well as allowing areas of the peatland to become actively peat forming. These provisions would be applied in tandem with a Deer Management Plan to manage grazing / trampling pressures to ensure that blanket bog vegetation can re-establish on areas of bare peat. As the HMP is intended to cover land within both the Glendoe Estate and Garrogie Estate, this will require to be secured by legal agreement with the plan's finalisation to be secured by condition. Owing to the buffer distances applied within the outline AMP, and the difficulties in restoration above an altitude of 600m AOD, NatureScot consider there to remain a small net loss of peatland habitat. NatureScot's withdrawal of objection is therefore on the bases of a revised HMP containing a substantial amount of additional peatland restoration than currently proposed. This could be conditioned.

8.73 The site has also been subject of an ecological survey, including a protected mammal survey. Protected species surveys identified the presence of numerous water vole burrows, two potential otter holts and a resting place, mountain hare, brown trout, European eel, common frog, an unidentified newt, common lizard and red deer. The newt and fish species were present at low densities, with the rest of the species common and widespread throughout the study area. Without application of mitigation, significant effects in terms of the EIA Regulations are predicted on the aforementioned Monadhliath SAC and SSSI, and otter.

8.74 In terms of otter, watercourse crossings and borrow pits have been avoided near the potential holts and resting places, however blasting activities have the potential to cause disturbance and short terms significant impacts. As such, further ECoW site survey is required to establish if otter holts are being used for breeding, with any disturbance requiring a NatureScot licence and ongoing monitoring. Adverse effects not significant in EIA terms are also considered to occur from pollution events on habitats, water vole and otter. Following the application of mitigation, including the introduction of a Cloiche Wind Farm Deer Management Plan (which has been created in conjunction with the existing Stronelairg Wind Farm Deer Management Plan), and the application of standard working methods and good

practice measures during construction, no significant residual effects are reported. Whilst this is not contested, with the applicant still being required to undertake further pre-commencement protected species surveys prior to development commencing.

8.75 In relation to ornithology, there are no statutory or non-statutory natural heritage designations within the site. The Monadhliath SSSI and SAC sits adjacent to the eastern cluster. All other designated sites with ornithological interest within 20km have been scoped out of the assessment as no appreciable effects on their associated populations are likely.

8.76 The applicant has undertaken breeding bird surveys confirmed the presence of populations of breeding golden plover and dunlin within the western and eastern clusters. The western survey area was also used by breeding greenshank in 2019 and there are previous records of breeding activity in the vicinity of the eastern and western survey areas.

8.77 In the surrounding area, over 2km from the proposed development, there are up to five golden eagle territories, most of which were occupied by breeding pairs during 2018-2019. This is a population of regional importance. The extent to which the development is used by golden eagle has been a key focus of the applicant's baseline surveys, informed by data provided by the Highland Raptor Study Group and mathematical modelling of breeding and non-breeding golden eagle habitat use. The golden eagle population within the region (i.e. the Central Highlands Natural Heritage Zone (NHZ)) has increased in recent years and is currently considered to be in 'favourable' conservation status. Red-throated diver which breed in the surrounding area were also recorded occasionally using Glendoe reservoir as were whooper swan and common scoter.

8.78 The design of the development has been modified to reduce the potential effects on sensitive species. Particular consideration has been given to moving wind turbines away from areas of importance to breeding golden eagle and greenshank. The EIAR considers the residual significance level of identified effects during construction, operation, and decommissioning, either individually or cumulatively, would not be significant, providing that the recommended mitigation measures are implemented. A potential exception to this the development's cumulative impact with other with other proposed wind farm developments in the area, which is reported by the applicant to be capable of causing a significant impact on breeding golden plover. This conclusion applies whether the development is built or not, however, it was recognised that there is uncertainty about the long-term effects of wind farm development on this species, as well as uncertainty about current population sizes, and that non-significant cumulative effects are also realistically possible in the long-term.

8.79 Ornithological mitigation measures undertaken for the Stronelairg Wind Farm would be applied for Cloiche. This includes reducing the risk to golden eagle via the removal of deer carcases from within the wind farm area and provision of winter larders in suitable locations. Financial support for continued monitoring of golden eagle, as part of the Regional Eagle Conservation Management Plan (RECMP), is also proposed.

8.80 NatureScot has withdrawn its objections to the development and RSPB do not object. NatureScot notes that the amended 29 turbine scheme has resulted in a reduction in the collision risk figures for all species with the exception of golden plover, however NatureScot is satisfied that this is not of significance. It is also in agreement that the proposal will not adversely affect the current conservation status of the golden eagle population or significantly increase the time it will take for it to reach its carrying capacity.

8.81 Overall, it is recognised that there will be limited adverse impacts on natural heritage as a result of the proposed development both through the construction and operational phases of the development. There is, as with other successfully accommodated wind farm development in Highland, workable and practical mitigation that can be secured through planning conditions to minimise the environmental effects.

Built and Cultural Heritage

8.82 The primary impact of the proposal on built and cultural heritage is restricted to areas where suitable access tracks are already in place and no further works are required. All known heritage assets within 50m of the proposed working areas, including all areas to be used by construction vehicles, will be fenced off under archaeological supervision prior to construction. Potential indirect effects on the settings of designated heritage assets in the wider area have been considered in detail as part of the applicant's assessment. All potential effects have been deemed to be neutral, negligible or minor and therefore not significant in EIA terms. Historic Environment Scotland do not object and agree with the EIAR's findings which are not contested. The Council's archaeologist is also satisfied that no further monitoring is required during construction, with the protection of know assets being secured through compliance with the proposed CEMP condition.

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

8.83 A total of 20 viewpoints (VP), and one additional wireframe location, across a 40km study area have been assessed with regard to landscape and visual impact. These viewpoints are representative of a range of receptors, including recreational users of the outdoors and road users. The expected bare earth visibility of the development can be appreciated from the figures with photomontages and wirelines contained within Volume 3 of the EIAR and Volume 2 of the EIAR AI. The photomontages are considered to have been produced to a good standard.

8.84 Although sufficient information has been provided to enable an assessment, not every photomontage has been reproduced for the amended 29 turbine scheme with a series of amended photomontages and wireframes having been provided for the EIAR AI with certain viewpoints only having proposed wireframes. Officers had agreed the scope of the EIAR AI with the applicant and notably, this was expected to include an amended photomontage for VP18 (Loch na Lairige) which unfortunately was not provided. As such, given the reliance on a wireframe, the assessment of effects from this location has had to err on the side of caution.

8.85 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 within EIAR. This methodology has been used to appraise the assessment provided and to come to a view on what combination of effects on the sensitivity of receptor and magnitude of change are leading to a significant effect.

8.86 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.

8.87 A key consideration in the effects on receptors of wind energy development is the sequential effect when travelling through and 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. In addition, the wider area is regularly frequented by cyclists. As such it is considered that road users are usually high sensitivity receptors.

Siting and Design

8.88 From the elevated positions to the north, south, east and west, the development would be viewed as a cluster of turbines associated with the existing Stronelairg Wind Farm. Stronelairg is already the largest cluster of wind farm development within the Monadhliath Mountains with its original design ethos being one of landform containment within an upland 'bowl' plateau. This design has however already been eroded to a certain degree to the north by the consented, but yet to be built out, Dell Wind Farm which would be more visible in elevated southern views overlooking the Great Glen.

8.89 Cloiche Wind Farm comprises two clusters which would read as part of Stronelairg in the landscape, with the visual envelope of the cluster being pushed out further to the east and south towards the CNP and to the west towards the Great Glen, albeit that its western extent would still maintain the setback from the Great Glen reflected in the consented Dell Wind Farm and the pattern of wind farm clusters further to the north east, including Corriegarth, Dunmaglass / Aberarder and Farr / Glen Kyllachy.

8.90 Views of the wind farm will mostly be encountered from elevated viewpoints by recreational users of the outdoors, leaving the greater proportion of visual receptors, road users and residential receptors unaffected. The design of the wind farm has had to balance: landscape character and visual amenity; environmental constraints; topography and ground conditions; as well as technological and operational requirements. From a constructability perspective, and minimising the need for new infrastructure, the site is well served by the existing Stronelairg Wind Farm which would provide the means of access.

8.91 The design of the development and its relationship with the surrounding landscape and features is best demonstrated by the visuals from:

- North - VP3 (Meall Fuar-mhonaidh) which represents elevated views obtained from Loch Ness and Duntelchaig SLA, with lower views from across the Great Glen not being significantly impacted upon, including represented by VP2 (Great Glen Way, Balbeg) where the development is well contained within the landscape, and VP20 (Urquhart Castle) which would not have any visibility.

- South – VP11 (Carn Liath) which represents elevated views obtained by a circuit of Munro's situated above Loch Laggan just outwith the CNP but falling within the Ben Alder, Laggan and Glen Banchor SLA, where the scheme would be more extensively visible in northern views. To the south the design of the scheme also looks to limit visibility within the CNP, with close in visibility still however being unavoidable along and close to the park's boundary albeit that these areas already experience extensive visibility of Stronelairg. Predominantly new areas of wind farm visibility would however also occur within the CNP at high elevations above Strath Mashie, VP18 (Loch na Lairige) which is also within the Ben Alder, Laggan and Glen Banchor SLA, with new more distant visibility occurring in northern views from further south within the CNP across the hills to the east of Dalwinnie and above the A9, represented by VP19 (Carn na Caim).

- East – VP4 (Carn na Saobhaidhe) represents views from close to Corriegarth Wind Farm with the views of the development from this direction already being heavily influenced by wind farm development, with wind farm clusters following a regular pattern of development across the Monadhliath Mountains.

- West – VP7 (Carn a' Chuilinn) provides a good indication of the landform to be occupied by the proposed western extension, where the intensification of wind farm development. This effect is however relatively contained from further west and south west with limited new wind farm development penetrating down to low elevations within the Glenshirra Forrest, largely due to the turbine deletions made to the scheme post submission of the application and the refusal of Glenshero Wind Farm.

8.92 The design process started with a review of some of the turbines that had already been originally proposed but deleted from the original Stronelairg scheme. Officers raised concern with this at the pre-application stage and throughout the handling of the application as the scheme further dilutes the original design ethos of the parent wind farm. It is however the case that the assessment of Stronelairg Wind Farm, which was not the subject of any public inquiry, may have taken more of a precautionary stance on the basis that the presence of a wind farm in this landscape having been untested. Since the decision for Stronelairg in 2014, Officers have now a better understanding of how the existing wind farm sits within the landscape, and the baseline position has since moved on with the consented Dell Wind Farm, and Glenshero Wind Farm having been refused by Scottish Ministers.

8.93 Glenshero Wind Farm (a 35 to 39 turbine scheme with blade tip heights of 135m) was found by the appointed Reporter to have a poor relationship with the landscape and cause extensive significant visual amenity impacts for users of the outdoors,

particularly when viewed from the south and west, with that proposal having the overall integrity of the Park being undermined and compromised, and the wild land qualities of WLA 19 (Braeroy, Glenshirra and Creag Meagaidh) being compromised. The previous planning decisions were however taken based upon the provision of Scottish Planning Policy and the Development Plan policies have since moved on, with the adoption of NPF4, the Council having declared a Climate Emergency and the UK's energy needs placing more reliance on renewables and particularly, onshore wind.

8.94 In considering the potential options for extending Stronelairg Wind Farm, a northern extension was discounted due to topography constraints and potential significant visual impacts. To the west options on the Glendoe Estate had not previously been explored with further ornithological studies being required in this area. To the east a limited area was considered for extension with scope for further extension being discounted for ornithology reasons. At the time of making the application further extensions to the south was the subject of the now refused Glenshero Wind Farm application.

8.95 The design process started with a proposed development of 40 turbines of up to 175m to blade tip. This was then altered to address the technical constraints of the site, to minimise turbines breaking the skyline from views of the north side of the Great Glen, and to reduce impacts on Golden Eagle and Greenshank, with a 36 turbine layout with a reduced tip height of 149.9m being proposed at the application submission stage.

8.96 Following discussion with consultees, concerns were raised regarding the development seemingly undoing mitigation that was previously key to the acceptance of the Stronelairg proposed design, with an extended wind farm now lacking containment and causing significant landscape and visual impacts, with the cumulative impact with Glenshero Wind Farm being of particular concern. In September 2020 Officers requested a series of deletions and amendments to be made. Officers had requested the removal of one third (12) of the proposed turbines, 6 turbines within each of the eastern and western clusters, as well as recommending select turbine height reductions. Following the Glenshero Wind Farm decision, the applicant thereafter agreed to the deletion of 7 turbines, the 6 most southerly turbines (C20, C21, C22, C23, C27 and C28) and turbine (C29) within the western cluster, as set out within the 2022 EIAR AI. These deletions help to address some of the concerns of Officers and consultees, resulting in NatureScot withdrawing its objection, albeit that the CNPA still maintain its objection to the 29 turbine scheme.

8.97 The proposed scheme is now regarded by Officers to be a reasonable fit with the landscape, adequality addressing the cumulative impact with existing wind energy developments and reduces impact on principally recreation outdoor receptors at a number of surrounding viewpoints. Unfortunately, not all significant impacts have been designed out as per officer's recommendations, but overall, the relationship between this proposal and the design rationale for the earlier wind farms in the locality, where they have been supported by the Planning Authority / Scottish Ministers, is now considered to appropriate.

8.98 In terms of design of the other infrastructure on the site (control building / substation, extended tracks and borrow pits), these appear to have been well sited. A noticeable change would however be the increase in width of the existing access tracks to accommodate turning circles of larger turbine components, given the proposed turbines would be up to 149.9m to blade tip, compared to Stronelairg' s 135m to blade tip units. The detailed design of track access and key supporting infrastructure can however be secured by conditions.

8.99 The applicant's decision to maintain turbines of <150m in height is also supported to avoid the need for visible aviation lighting, as is the decision to have internal turbine transformers, resulting in less visual clutter within the site. These design matters can be secured by condition. It is recognised that turbine technology has evolved significantly since the time that the original Stronelairg scheme was consented and then became operational. As a result, the change in turbine scales presented by this application is understandable, but still requires careful consideration to ensure it presents as an appropriately scaled extension to the existing wind farm.

Landscape Impact

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

- impacts on the Landscape Character Type (LCT) as a whole and on neighbouring LCTs;
- direct impacts on landscape designations; and
- impacts on surrounding landscape designations.

8.101 The development lies within the Open Rolling Upland Landscape Character Type (LCT). This is an extensive LCT covering the broad expanse of the Monadhliath outwith the CNP and is comprised of a series of heather clad rounded hills which form broad upland undulating plateau. Wind farms are an existing feature and are prominent, sited in the southern and western margins. The sensitivity of this LCT ranges from Low, where the landscape is characterised by existing wind turbines, to High where wild land characteristics predominate. The presence of existing wind farms within the LCT reduces the susceptibility to change, as does the visibility of other wind farms in the Monadhliaths. The applicant has set out in its assessment of impact on the LCT that the relationship between the proposed development and existing development, as well as the surrounding topography, reduces the extent to which the development influences the wider LCT. As a result, the applicant has identified that there will be a significant effect on the LCT extending to 2km from the development. However, beyond such distances, there would be limited impacts. This is agreed. The applicant has not identified significant effects on any other surrounding LCT. This is accepted given the intervening topography and distance.

8.102 The draft Dava Moor and Monadliath Landscape Sensitivity Appraisal (LSA), identifies that the area of the Open Rolling Moorlands Assessment Unit in which the proposed development has reduced susceptibility to the scale of turbines proposed. It considers that turbines of between 100m-149.9m could related to the simple landform of the Assessment Unit. While the draft LSA highlights that there could be cumulative effects arising from substantial wind farm extensions, the

proposals appear to largely fit with the document's design guidance, with the identified key views having been considered and assessed. No visible lighting is proposed, as a result, the impacts of the development will not stretch into hours of darkness.

8.103 The site is not located within any landscape designation, SLA or WLA and is located outwith the Cairngorms National Park (CNP). No direct impacts on any designated landscape would therefore occur.

8.104 At the national level, the CNP boundary lies 1.5km to the east of the site. The Cairngorms National Park Authority (CNPA) has provided its own response on the application considering the proposal against the special qualities of the CNP. It objects to the application, due to significant adverse effects on some of the Special Landscape Qualities (SLQs) and landscape character of the National Park, causing it to fail to meet the requirements of Policy C2.a, and Policy A4 of the Cairngorms National Park Partnership Plan 2022 – 2027. Nature Scot also advised that the amended 29 turbine scheme would have some significant adverse impacts on landscape character and that the SLQs of the Park would be slightly reduced overall.

8.105 In relation to these effects on the SLQs, NatureScot advised that the amended proposal would still have some significant effects on strong juxtaposition of contrasting landscapes SLQ, and grand panoramas and framed views SLQ, in addition to the effects of the existing Stronelairg Wind Farm because Cloiche Wind Farm would typically appear much more prominent and imposing upon the surrounding straths. NatureScot also advised that some significant effects would also occur for the dominance of natural landforms SLQ and wildness SLQ, as Cloiche would appear to spill over into the wider, wilder landscape with turbines increases the prominence, extent and influence of human structures when seen with Stronelairg, whilst simultaneously diminishing the dominance of natural forms and perceived wildness. From more distant locations into the park, refer to VP19 (Carn na Caim), the turbines would continue to compete with the dominance of natural landforms.

8.106 Given this advice, the CNPA concluded that Cloiche Wind Farm would encroach significantly on some of the landscape character, SLQs and people's experience of these, principally due to its siting and extent that would breach the shallow bowl that contains much of the Stronelairg development, undoing the mitigation that was put in place as part of the Stronelairg application to secure this containment. The CNPA consider it would diminish existing qualities of: Strong juxtaposition of contrasting landscapes, Grand panoramas and framed views, landscape of layers, Dominance of natural landforms and Wildness. The CNPA consider the proposal would have significant adverse effects, in addition to the existing Stronelairg Wind Farm that forms part of the baseline conditions, particularly because it would appear from many sensitive areas to significantly add to the extent and proximity of the Stronelairg Wind Farm and perceived encroachment.

8.107 Whilst the CNPA object to the application, NatureScot do not. This is because in NatureScot's opinion, whilst there would be some significant effects where Cloiche would add to the effects of Stronelairg, the effects on the character and SLQs of the Park would be slightly reduced as a result of the revised proposal. NatureScot

therefore advise that the landscape and visual effects are not significant enough to raise issues of national interest due to their disparate nature and relatively small areas of intervisibility.

8.108 Having considered both consultees responses, examined the extent of likely significant landscape effects and appraised the applicant's LVIA's assessment of designated and protected landscapes, on balance, it is considered that whilst there may be adverse impacts on the CNPA's aforementioned SLQs of the Park, and most probably to a greater degree than that suggested by the applicant, the magnitude of change and the extent to which significant impacts will be experienced is unlikely to be so severe to warrant objection. The magnitude of change arising from the proposed development would vary from: the appearance of blades at relatively close proximity above the western skyline within mountain, plateau and glen areas close to the western border of the Park; to the presence of turbines set within a low point of the north western horizon within mid range elevated landscapes in the south western part of the Park; and distant appearance of turbines within an expansive landscape vista from high summits and facing slopes beyond 20 km. Due to the disparate nature of these small areas of intervisibility, whilst localised significant effects may occur, sequential effects when moving across summits would be minimal. This is anticipated to lead to localised significant Moderate effects close to the western boundary of the Park, as well as more distantly from the hills to the east above Dalwinnie. The applicant considers the overall effect on the Park to be minor, and not significant. Whilst officers have identified that some localised significant effects may occur, overall, the applicant's reported impacts on the Park are not contested; aligning with NatureScot's stance of raising no objection to the amened 29 turbine scheme.

8.109 In relation to Wild Land Areas, due to the turbine deletions made through the EIAR AI, NatureScot has advised that there will no longer be significant adverse effects on WLA19 (Braeroy, Glenshirra and Creag Meagaidh) thereby enabling their previous objection to be withdrawn. NatureScot note the improvement in the removal of the turbines that intruded into the lower reaches of Glen Roy and in particular welcome the removal of visibility into those areas where wild land quality 3 "A hidden interior that is simple in landform and land cover, contributing to a perceived 'emptiness' and a strong sense of remoteness and sanctuary", is particularly well expressed. Whilst some adverse effects on wild land interests would occur as a result of the proposal bringing human artefacts closer to elevated views, these effects are not considered by NatureScot to be significant. NatureScot also consider that the reduction of visibility will be sufficient to ensure that Quality 5, "Long, remote glens that penetrate far into the hills and plateau: some arresting by virtue of their narrowness and steep side-slopes, and some because of their openness against a surrounding backcloth of towering mountains", will continue to be well appreciated and therefore effects on this quality are no longer considered significant.

8.110 In addition to WLA 19, the proposed development is also reported in the EIAR to give rise to an overall minor not significant impact on the adjacent WLA 20 Monadhliath, with very localised moderate and significant effects arising in close proximity to the eastern cluster. Given the response from NatureScot, and the position set out in NPF4 that impacts on a wild land area from development outwith

a wild land area will not be afforded significant weight in the decision making process, the applicant's assessment is accepted.

8.111 At the regional level, the development would also have an influence on the following SLAs:

- Loch Lochy and Oich SLA;
- Ben Alder, Laggan and Glen Banchor SLA, represented by VP11 (Cairn Liath), VP12 (Glen Shirra), VP13 (Geal Charn (Ardverikie); and VP18 (Loch na Lairige); and
- Loch Ness and Duntelchaig SLA, represented by VP2 (Great Glen Way, Balbeg), VP3 (Meall Fuar-mhonaidh) and VP20 (Urquhart Castle).

8.112 The applicant's EIAR and AI considers all regional designations to be of high to medium sensitivity with the magnitude of change being low (negligible) resulting in no reported significant effects. These findings for the Loch Lochy and Loch Oich SLA are not contested given the visibility of the proposal being limited to higher tops and slopes, mainly to the west of Loch Lochy at a distance of over 20km, with the proposal not affecting the appreciation of the imposing great glen and lochs as a feature within the SLA.

8.113 For the Ben Alder, Laggan and Glen Banchor SLA, generally greater interest lies within the interior of this SLA's glens, rather than overviews from height, albeit that key qualities include "ever changing compositions, including…The simple landform horizon of the Monadhliath in contrast to Ben Alder and Creag Meagaidh". From upland areas to the south and east of Loch Laggan, it would appear on the northern / north-eastern skyline of the Monadhliath, usually within a context where existing Stronelairg turbines are already visible and reduce the sensitivity of this part of the surrounding context, refer to VP13 (Geal Charn (Ardverikie)). That said, the larger turbines may appear slightly more prominent from some areas and from a few areas, such as higher areas around Glen Shirra and Strath Mashie, represented by VP18 (Loch na Lairige) where moderate and significant visual effects are anticipated, and upper Glen Spey where the development would appear as a new feature on the skyline which is reported to be often a focus of the view, and is noted as a contributory factor to the Special Quality 'Ever changing compositions' and this would therefore lead to an adverse effect on this quality. This would be a very localised effect in relation to the broader SLA, and therefore the applicant's findings of an overall minor impact on this SLA are not contested.

8.114 For the Loch Ness and Duntelchaig SLA, the applicant's reported minor not significant effect is contested. In addition to the applicant's assessed impact due to localised intervisibility with the proposed development and occasional appearance of turbines above the skyline of surrounding hills, there is a further effect on the Special Quality of the Dramatic Great Glen as described in the final bullet point:

"…Meal Fuar-mhonaidh is one example of a distinct hill peak, nearly 700m high, it stands out as a landmark clearly visible from both ends of the loch and is even prominent in views southwest from the castle in Inverness. Meall Fuar-mhonaid is a good vantage point from which to appreciate the massive scale and alignment of the Great Glen fault within a backcloth of the Monadhliath massif to the south and

the Balmacann and Affric mountain interior to the north west, both areas which possess wildness qualities."

8.115 As discussed under Visual Impacts for VP3 (Meal Fuar-mhonaidh) below, the development stands to create an impression of the hill being increasingly encircled by development, contrary to OWESG Criterion 1 and 3. The hill is recognised in the SLA citation as being both a landmark feature of the SLA and a vantage point from which to appreciate the scale and alignment of the Great Glen. The magnitude of change arising from Cloche should be assessed as a medium, leading to a moderate and significant adverse impact on the SLA. Such significant effects would be localised to the most elevated areas along the northern side of the Great Glen, with glimpsed views of the proposal from the lower down routes including the Great Glen Way, not being significantly affected with the proposals being in general conformity with the pattern of wind farm development to date. Taking into account the relatively limited magnitude of change to other Special Qualities other than at VP3, whilst there would be an overall moderate adverse impact on the SLA, its integrity would not be compromised given that the proposed development's impact would not result in the view being dominated by turbines in southward views, with there still being a clearly defined areas of respite, and the principal framed views up and down the Great Glen not being affected.

Visual Impact

8.116 The Council considers visual impact using the criterion set out in Section 4 of the OWESG, with assessment against the criterion and view as to whether the threshold set out in the guidance is met or not, is contained in Appendix 3 to this report. Unsurprisingly, as visual impact assessment combines objective and subjective aspects through the application of professional judgement, there are differences between the applicant's assessment and the appraisal undertaken.

8.117 The applicant's assessment draws upon the supportive elements of how the proposal could be viewed within the landscape. The ZTV demonstrates that the scheme will be extensively visible in most directions out to a distance of around 5km within the site's raised plateau. Beyond this distance visibility is largely confined to south and dispersed more distant areas to the west and north. The relatively limited extent of the extended winds farm is due to the Stronelairg being located in a bowl shaped contained landform and the decision to extent this wind farm with turbines of a compatible scale which are <150m in height.

8.118 When considering the additional visibility of turbines beyond that experienced as a result of the operational wind farm there are limited new areas of visibility, with new areas of visibility limited to the south at Glenshirra Forest, and across the western areas of the CNP across a distance of around 5km out to 23km. Where the development will be experienced in combination with the operational development, while not adding new areas of visibility, it will increase the intensity of turbines visibility.

8.119 Whilst a large scale wind energy scheme would be expected to result in significant visual impact effects, the Council, through the OWESG, also acknowledges that significant effects does not automatically translate to unacceptable effects. Following a review of the applicant's Landscape and Visual Impact Assessment

(LVIA), there are limited areas of difference between officers and the applicant. For many of the receptors at the viewpoints which have been assessed, it is considered that the impact of the effect could have been reduced through further mitigation by the removal of turbines as previously suggested by officers, but this needs to be balanced against the benefits of the proposal in its current form. With that said, it is not considered that the previously suggested further deletions or turbine height reductions, would change the visual impacts to a point where it would change the level of significance in EIA terms. The exception to this is VP3 (Meall Fuar-mhonaidh) where further turbine deletions in the eastern cluster were advocated.

8.120 A summary of the applicant's assessment and the 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. The EIAR includes a visual impact assessment from each of the 20 viewpoints, with most viewpoints considered to be used by receptors of high sensitivity and susceptibility to wind energy development, although it is acknowledged that not all receptors experiencing the development from all viewpoints would have a high sensitivity to the development. What follows is a summation of the visual impacts grouped by receptors. Consideration of each viewpoint based on the applicant's methodology is contained within Appendix 2 of this report.

8.121 **Impact on recreational users of the outdoors:** Owing to the remote site location and very limited visibility from roads and residential receptors, with the exception of VP2, VP14 and VP20 the remaining 17 from 20 selected viewpoints are representative of views obtained from recreational users of the outdoors.

8.122 From the applicant's assessment they have identified one moderate and significant adverse impact which would arise post construction of the wind farm. This relates to VP7 (Carn a' Chuilinn) located within 5km of the western cluster. This effect is largely due to the close proximity of the development and the extensive horizontal spread of the wind farm experienced at this nearby Corbett. Of the remaining 16 recreational viewpoints, no other significant visual impacts are identified by the applicant. This is disputed.

8.123 In appraising the applicant's EIAR and EIAR AI, officers have identified potential new significant adverse visual effects to arise from up to 5 viewpoints, with the level of effect being moderate and significant. These impacts relate to VP3 (Meall Fuar-mhonaidh), VP4 (Carn na Saobhaidhe), VP7 (Carn a' Chuilinn), VP18 (Loch na Lairige) and VP19 (Carn na Caim). Partly due to the split nature of the proposal, comprising two proposed clusters, these impacts are not confined to any given direction from the site but occur from elevated ground to the north (VP3 at a viewing distance of 17km) and north east (VP4 at 11km), to the west (VP7 at 5km), as well as to the south east (VP18 at 11km and VP19 at 23km). There are also closer in selected viewpoints which are already significantly adversely affected by Stronelairg Wind Farm where the proposed extension would intensify existing impacts but not constitute a significant impact in their own right.

8.124 From a recreational perspective, the most valuable significantly adversely affected resource is arguably VP19, the Munro situated within the CNP situated near Dalwhinnie to the east of the A9, where the western cluster of the proposed development reads as a new standalone wind farm within a fold of the horizon

which, with the exception of very few existing wind farm turbine blade tips. From here, the blades of the eastern cluster would also break the skyline. From within the CNP, significant adverse effects are also anticipated at closer range from VP18 from elevated ground above Strath Mashie. Here the western cluster again reads as a new standalone wind farm. As is the case for VP19, the decision to delete the most southern turbines from the western cluster helps to mitigate these impacts to a substantial degree to avoid any major impacts from occurring, and when compared with the Glenshero Wind Farm application, the proposal is represents a much more palatable design solution, albeit that it is evident that the extent of landform containment has been eroded as the turbines begin to extend above the horizon and have greater visibility from the CNP.

8.125 Whilst outwith the CNP, and located slightly further west, the amendments made to through the EIAR AI have also been successful in avoiding significant adverse effects from occurring at VP11 (Carn Liath) a popular Munro summit, which forms one of three Munros which are a promoted as the Creag Meagaidh circuit. This is a key design viewpoint for this development. Here the southern turbine deletions have made a considerable improvement to help contain the wind farm within the upland plateau and enable the extension read more cohesively with Stronelairg.

8.126 Another important recreational receptor is VP3 (Meall Fuar-mhonaidh) which is a popular local hill summit and highest point on the west side of Loch Ness, within Loch Ness and Duntelchaig SLA. From here one can appreciate the visual containment of the existing wind farms, forming clear clusters on the upper bowl sections of the strath. Eastern cluster turbines increase the horizontal spread, stepping out with the valley, appear of a larger scale, undoing some of the inherent design mitigation of the Stronelairg turbines. Western cluster turbines sit well within a fold in the landscape and are compact, resulting in a degree of stacking, albeit that the density of this cluster has been reduced through the turbine deletions to the south secured through the amended EIAR AI scheme. Overall, wind farm increases the degree of encirclement of this VP, changing the character of the southward view to where turbines become a noticeable feature.

8.127 Moving round to the north east, this area is already heavily influenced by wind farm development and the extension would not result in any significant change. Where the introduction of additional turbines does however make a significant impact is at a greater viewing distance from VP4 (Carn na Saobhaidhe) where views from this Corbett would experience the removal of an area of respite between Corriegarth and the enlarged Stronelairg Wind Farm, with this impact set to intensify should the consented Dell Wind Farm also be built out and the application to extend Corriegarth also proceed.

8.128 The remainder of the elevated viewpoints are considered as not having a significant adverse visual impact on receptors, and given the topographical screening, intervening distance, and the siting and design of the development reading as a logical extension of the original wind farm, despite the difference in scale of the turbines.

8.129 **Impact on road users:** The impact on road users been assessed from VP14 (A87, Loch Garry Viewpoint) and from VP20 (Urquhart Castle) which is also representative of low level views from western side of Loch Ness including the A82.

No significant impacts would occur from VP14 with A87 road users experiencing very limited blade tip visibility which would not be perceptible as one travels down towards Loch Ness. Similarly, there would be no visibility from Urquhart Castle which demonstrates negligible visibility from the A82. The applicant's findings are not disputed.

8.130 **Residential receptors:** There are limited residential receptors in proximity of the application site. The impact on residential receptors has been assessed from VP2 (Great Glen Way, Balbeg). There will not be visibility toward the development from within any nearby settlements. From beyond 10km, the small settlement of Whitebridge may experience views of up to 3 turbines, with upper Foyers at a distance of 15km having potential visibility of 5 turbines, albeit that views from these small settlements are likely to filtered by woodland. Occasional remote cottage and lodge properties at Garvamore and Garvaveg in the Upper Glen of the Spey which appear derelict may also have visibility of up to 6 turbines at a distance of 6km. Where visible, the turbines would be seen above the horizon but in the context of existing transmission towers for the Beauly to Denny overhead line, an area of forest plantation and an existing access track which winds up the hill. More distant properties at VP2 would have greatest potential visibility from across the Great Glen at around 19km. Such visibility is in keeping with the established character of wind farm development. In summary, the applicant has not identified any significant adverse impacts on residential receptors. There is limited visibility for these receptors, and as a result, the applicant's assessment is accepted.

8.131 When considering visual impact, it is important to consider the cumulative impact with other consented and proposed (application stage) developments. For the most part there will not be an inter-relationship between the proposed development and those operational schemes and the consented Dell Wind Farm scheme, which has been considered as part of the individual appraisal above. Other wind farm application sites are largely remote from Cloiche and their outcome would not materially change the individual appraisal above. An omission within the EIAR AI is however application 21/00101/S36 to extend Corriegarth, which The Highland Council withdrew its objection to in February 2023 and is awaiting decision by Scottish Ministers. This is however a relatively modest extension to the footprint of the existing wind farm with its horizontal extent being akin to a depth of around 2 turbine spacings with turbine heights of 149.9m being proposed. Should Corriegarth's extension this receive consent, this would contribute to the extent that turbines are noticeable in the landscape, particularly when viewed from VP3 (Meall Fuar-mhonaidh) with the space between the extended Corriegarth and the eastern cluster of Cloiche narrowing, albeit that an area of respite between the wind farms would still remain, with these clearly reading as separately designed schemes. In summary, there will be some sequential impacts as one travels through the countryside, albeit there would be areas of respite between wind farm clusters.

8.132 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 an enlarged wind farm cluster which still appears to be appropriately designed for the landscape it would sit within and takes account of visual features of the area.

Noise and Shadow Flicker

8.133 Owing to the relatively large separation distance of over 5km between the proposed development and the nearest receptor, it is not anticipated that noise or shadow flicker would be a significant issue due to the distance between it and noise sensitive (non-involved) properties. The Planning Authority would still expect that a condition restricting operational noise levels to no more than 2dB above predicted levels as per EIAR AI Table 13.2, be applied. By taking this approach, the Planning Authority will retain effective control over the potential noise impacts and have a suitable avenue for investigation should any noise complaints arise from the development. In terms of shadow flicker, it is not anticipated that this will be an issue for this development either individually or cumulatively given the location of the development in relation to properties.

Telecommunications

8.134 No concerns have been raised in relation to potential interference with radio / television networks in the locality. A condition should nonetheless be sought to secure a scheme of mitigation should an issue arise.

Aviation

8.135 There are no unresolved objections with regard to aviation interests, with no outstanding concerns being raised. Should the proposal be granted permission, a condition can be applied to secure suitable mitigation in terms of infrared aviation lighting only and notification to the appropriate bodies of the final turbine positions.

Other Material Considerations

8.136 The applicant has sought permission to operate the windfarm for 50 years. As with any wind farm, the Planning Authority would request that any forthcoming permission includes a clear description of development which specifies the precise number of turbines to be developed, the maximum blade tip height, the rotor diameter and includes details of all associated ancillary infrastructure with such matters not be left to planning conditions, which could lead to scope for further redesign or re-powering without requiring a full fresh consent.

8.137 At the end of its operational life, usual decommissioning and restoration requirements should be secured. If the decision is made to decommission the wind farm, all components, track access and associated infrastructure requires to 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. It would be expected that any new tracks or areas used for constructing the wind farm would be reinstated to the approximate pre-development condition, unless otherwise agreed with the Planning Authority.

8.138 The requirements to decommission 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 DRP

for approval prior to the commencement of any development and ensure an appropriate financial bond is put in place to secure these works.

8.139 A finalised Decommissioning and Restoration Plan (DRP) for the site. reflecting best practice measures at its time of preparation, would also be required. The finalised DRP would be expected to 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 site. The detailed DRP would then be implemented within 18 months of the final decommissioning of the development unless otherwise agreed in writing with the Planning Authority.

8.140 Given the complexity of major developments, and to assist in 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 compliance reports to the Planning Authority.

8.141 Council policy and practice is for community benefit considerations to be undertaken as a separate exercise and generally parallel to the planning process.

Non-Material Considerations

8.142 The matter of insufficient grid capacity and constraints payments having been received during the operation of Stronelairg Wind Farm is not a material consideration in the determination of this application. NPF 4 Policy 11 Energy, Part b) sets out that grid capacity should not constrain renewable energy development.

Matters to be secured by Legal Agreement

8.143 It is anticipated that Scottish Ministers would require a legal agreement to secure the long term peatland habitat enhancement and management provision set out within the proposed outline HMP, with these proposals to be delivered on and off site across more than one estate.

8.144 A wear and tear agreement for the impact on the local road network, a decommissioning and restoration financial guarantee, and a financial contribution towards the Regional Eagle Management Plan a can be secured by condition.

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 be situated in appropriate locations. The project has potential to contribute to addressing the climate emergency through additional renewable energy generation. In this regard it is anticipated to contribute an additional 124.7MW of installed capacity and make a meaningful contribution toward addressing climate change on the road to net zero. The applicant has also stated overall net benefits in terms of carbon reduction and peatland restoration, albeit that NatureScot have sought further off-site peatland restoration to deliver

meaningful enhancement. 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, which includes NPF4, as well as all other material planning considerations.

9.2 There have been 2 objections to the application, plus 3 objections from non statutory consultees (Scotways, John Muir Trust and Mountaineering Scotland), with there also being 8 representations in support of the application. An objection has also been received from the Cairngorm National Park Authority (CNPA) with no other statutory consultees raising any objection following submission of further environmental information, and subject to the application of planning conditions. This is regarded to be a relatively low level of objection to a proposal of this scale and it is notable that no objections have been received from any community council.

9.3 Stronelairg is the largest cluster of wind farm development within the Monadhliath Mountains with its original design ethos being one of landform containment within an upland 'bowl' plateau. Cloiche Wind Farm comprises two clusters which would read as part of Stronelairg in the landscape, with the visual envelope of the cluster being pushed out further to the east and south towards the Cairngorm National Park (CNP), and to the west towards the Great Glen, albeit that its western extent would still maintain the prevailing setback established through the regularised pattern of wind farm clusters across the Monadhliath which has been well established through the application and adherence to the Council's Onshore Wind Energy Supplementary Guidance (OWESG).

9.4 Views of the wind farm will mostly be encountered from elevated viewpoints by recreational users of the outdoors, leaving the greater proportion of visual receptors, road users and residential receptors largely unaffected. Without doubt, the turbines proposed will increase the visibility of wind energy development in the area local to the wind farm site. Through the amendments made to the application comprising the deletion of 7 originally proposed most southerly turbines, the amended 29 turbine scheme has now been designed to avoid any new major significantly adverse landscape and visual impacts from occurring.

9.5 The amended 29 turbine scheme has however been found by officers to result in 5 moderate, but significant, visual impacts. These would most notably occur from within the Park to the south at high elevations above Strath Mashie, represented by receptors at VP18 (Loch na Lairige), and across the hills to the east of Dalwinnie above the A9, represented by VP19 (Carn na Caim), as well as from within the Loch Ness and Duntelchaig Special Landscape Area (SLA) to the north, represented by VP3 (Meall Fuar-mhonaidh).

9.6 Whilst CNPA has objected, NatureScot as their landscape advisors have not, which was not the case for the nearby Glenshero Wind Farm proposal which was subsequently refused by Scottish Ministers following a public inquiry. It is considered that the extent and magnitude of landscape and visual impacts which would arise from Cloiche Wind Farm differs considerably to Glenshero, with the design of Cloiche being a much more complementary fit with the pattern of wind farm development established by Stronelairg.

9.7 The increased number and scale of wind turbines proposed however places pressure on the ability of the surrounding landform to contain this cluster, resulting in new areas of wind farm visibility across limited elevated areas of the Park to the south, as well as a greater cumulative impact when viewed from across the Great Glen within the SLA to the north. Overall, whilst the expansion of the Stronelairg cluster will result in some landscape and visual effects, it is found that the proposal is a well-considered design and impacts are contained to an acceptable degree. It is also the case that the proposal is broadly consistent with the findings of the recent draft Dava Moor and Monadliath Landscape Sensitivity Appraisal.

9.8 Officers have assessed this application principally against the policies set out in NPF4 and the Development Plan, including Policy 67 of the Highland wide Local Development Plan with its eleven tests which are expanded upon with the OWESG. This policy also reflects policy tests of other policies in the plan, for example Policy 28. The proposal can be considered to benefit from in principle support, with the extent of landscape and visual effects being outweighed by the contribution the development would make toward tackling climate change. The development also contains proposals for habitat management, which could, if appropriately conditioned, lead to peatland and biodiversity enhancement.

9.9 Schedule 9 of the Electricity Act sets out what an applicant shall do in relation of the preservation of amenity. It is considered that the proposal has had regard to the desirability of preserving natural beauty and has mitigated the effects of the development in relation to the effects on the natural beauty of the countryside. This is by virtue of the location, setting and design of the wind farm, resulting in landscape and visual impacts which can be accommodated. Officers are also satisfied that environmental effects of this development can be addressed by way of mitigation, with the suggested conditions incorporating a schedule of mitigation and operational compliance monitoring should permission be forthcoming.

9.10 Given the above analysis, the application is considered acceptable in terms of the Development Plan, national policy and is acceptable in terms of all other applicable material considerations.

10. IMPLICATIONS

10.1 Resource: Not applicable

10.2 Legal: If an objection is raised to the proposal, the application will likely be subject to a Public Local Inquiry. Further if the Scottish Ministers chose not to give effect to the conditional raise no objection, then it would also likely be subject to a Public Local Inquiry.

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

10.4 Climate Change/Carbon Clever: The proposal has the ability to make a meaningful contribution toward renewable energy generation.

10.5 Risk: Not applicable

10.6 Gaelic: Not applicable

11. RECOMMENDATION

11.1 It is recommended to **RAISE NO OBJECTION** to the application, subject to the conclusion of a legal agreement, as set out in Section 8 of this report, and the following conditions and reasons.

Conditions to be attached to any Section 36 consent which may be approved

1. Duration of Consent

The consent is for a period of 50 years from the date of Final Commissioning. Written confirmation of the date of Final Commissioning shall be provided to the Planning Authority and Scottish Ministers no later than one calendar month after the event.

Reason: To define the duration of the consent.

2. Commencement of Development

(1) The Commencement of the Development shall be no later than five years from the date of this consent, or in substitution, such other period as the Scottish Ministers may hereafter direct in writing.

(2) Written confirmation of the intended date of Commencement of Development shall be provided to the Planning Authority and Scottish Ministers no later than one calendar month before that date.

Reason: To avoid uncertainty and ensure that the consent is implemented within a reasonable period.

3. Non-Assignation

This consent may not be assigned without the prior written authorisation of the Scottish Ministers. The Scottish Ministers may authorise the assignation of the consent (with or without conditions) or refuse assignation as they may, in their own discretion, see fit. The consent shall not be capable of being assigned, alienated or transferred otherwise than in accordance with the foregoing procedure. The Company shall notify the Planning Authority in writing of the name of the assignee, principal named contact and contact details within 14 days of written confirmation from the Scottish Ministers of an assignation having been granted.

Reason: To safeguard the obligations of the consent if transferred to another company.

4. Serious Incident Reporting

In the event of any breach of health and safety or environmental obligations relating to the Development during the period of this consent, the Company will provide written notification of the nature and timing of the incident to the Planning Authority, including confirmation of remedial measures taken and / or to be taken to rectify the breach, within 24 hours of the incident occurring.

Reason: To keep the Scottish Ministers informed of any such incidents which may be in the public interest.

5. Implementation in Accordance With Approved Plans

(1) Except as otherwise required by the terms of the section 36 consent and deemed planning permission, the Development shall be undertaken in accordance with the application:

(a) including the approved drawings listed at Annex 3 (Figure 2.1 The 29 Turbine Proposed Development, Cloiche Wind Farm: Additional Information Report (Volume 2: Figures), July 2022);

(b) the Environmental Impact Assessment Report ("the EIAR") as supplemented or amended by the Additional Information Report dated July 2022; and

(c) other documentation lodged in support of the application.

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

6. Site Enabling Works

The Site Enabling Works shall not commence until a detailed scheme of all Site Enabling Works (including off-site and on-site works) has been submitted to and approved in writing by the Planning Authority. This shall include a timetable for all enabling works and shall be submitted a minimum of 1 month in advance of the proposed date of commencement of any Site Enabling Works.

Reason: To ensure the final details of the Site Enabling Works have regard for the rural setting of the Development Site and the potential impact of such works on the infrastructure of the area.

7. Design and Operation of Wind Turbines

No development, with the exception of the Site Enabling Works, shall commence until full details of the proposed wind turbines hereby permitted, have been submitted to and approved in writing by the Planning Authority. These details shall include:

(a) the make, model, design, direction of rotation (all wind turbine blades shall rotate in the same direction), power rating, sound power level and dimensions of the turbines to be installed which shall have internal transformers, and

(b) the external colour and/or finish of the wind turbines to be used (including towers, nacelles and blades) which shall be non-reflective, pale grey semi-matte.

(c) No text, sign or logo shall be displayed on any external surface of the wind turbines, save those required by law under other legislation.

(d) Thereafter, the wind turbines shall be installed and operate in accordance with these approved details and, with reference to part (b) above, the wind turbines shall be maintained in the approved colour and monitored to ensure no significant rust,

staining or dis-colouration occurs until such time as the wind farm is decommissioned.

Reason: To ensure the Planning Authority is aware of the wind turbine details and to protect the visual amenity of the area.

8. Signage

No anemometer, power performance mast, switching station, transformer building, or enclosure, ancillary building or above ground fixed plant shall display any name, logo, sign or advertisement (other than health and safety signage) unless and until otherwise approved in writing by the Planning Authority.

Reason: in the interests of the visual amenity of the area.

9. Design of Sub-station, Ancillary Buildings and other Ancillary Development

(1) No development, with the exception of the Site Enabling Works, shall commence, unless and until final details of the external appearance, dimensions, and surface materials of the substation building, associated compounds, construction compound boundary fencing, external lighting and parking areas have been submitted to, and approved in writing by, the Planning Authority.

(2) The substation building, associated compounds, fencing, external lighting and parking areas shall be constructed in accordance with the details approved under paragraph (1).

Reason: To safeguard the visual amenity of the area.

10. Micro-siting

(1) All wind turbines, buildings, masts, areas of hardstanding and tracks shall be constructed in the location shown on plan reference Site Layout Plan (Figure 2.1 Additional Information Report); 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 NatureScot, SEPA and the ECoW, micrositing is subject to the following restrictions:

(a) the wind turbines and other infrastructure hereby permitted may be micro-sited within 50 metres save that no wind turbine or other infrastructure may be micro-sited to less than 50 metres from the boundary of the Monadhliath Special Area of Conservation, and to less than 50 metres from or any watercourse feature;

(b) No wind turbine foundation shall be positioned higher, when measured in metres Above Ordinance Datum (AOD), than 5m above the position shown on plan reference Site Layout Plan (Figure 2.1 Additional Information Report);

(c) No micro-siting shall take place within areas of peat deeper than currently shown for the relevant infrastructure on Figure 11.2 – Peat Depth, Volume 3 of the Environmental Impact Assessment Report 2020; and

(d) All micro-siting permissible under this condition must be approved in advance in writing by the Environmental Clerk of Works ("ECoW") (see Condition 12).

(2) A plan showing the final position of all wind turbines buildings, masts, areas of hardstanding, tracks and associated infrastructure forming part of the Development shall be submitted to the Planning Authority within one month of the completion of the development works. The plan shall also specify areas where micrositing has taken place and, for each instance, be accompanied by copies of the ECoW or Planning Authority's approval, as applicable.

Reason: To enable necessary minor adjustments to the position of the wind turbines and other infrastructure to allow for site-specific conditions while maintaining control of environmental impacts and taking account of local ground conditions.

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 a Public Holiday, unless otherwise approved in advance in writing by the Planning Authority.

Reason: To ensure that blasting activity is carried out within defined timescales to control impact on amenity.

12. Ecological Clerk of Works (ECoW)

(1) No development or Site Enabling Works shall take place unless and until the terms of appointment of an independent Ecological Clerk of Works (ECoW) by the Company have been submitted to and approved in writing by the Planning Authority (in consultation with NatureScot and SEPA). The terms of appointment shall:

(a) impose a duty to monitor compliance with the ecological, ornithological and hydrological commitments provided in the Environmental Impact Assessment Report ("the EIAR"), the Additional Information Report and other information lodged in support of the Application, the Construction Environmental Management Plan (Condition 13), the Peat Management Plan (Condition 16), the Habitat Management Plan (Condition 17), the Species Specific Surveys and Protection Plans (Condition 13) and other plans approved in terms of the conditions of this planning permission ("the ECoW Works");

(b) advise on micrositing proposals issued pursuant to Condition 10;

(c) require the ECoW to report to the nominated Construction Project Manager any incidences of non-compliance with the ECoW Works at the earliest practical opportunity and stop the job where any breach has been identified until the time that it has been reviewed by the Construction Project Manager; and

(d) require the ECoW to report to the Planning Authority any incidences of non-compliance with the ECoW Works at the earliest practical opportunity.

(2) The ECoW shall be appointed on the approved terms during the establishment of the Habitat Management Plan and throughout the period from commencement

of enabling works, and through development to completion of post construction reinstatement works.

(3) No later than eighteen months prior to decommissioning of the Development or the expiry of the section 36 consent (whichever is the earlier), details of the terms of appointment of an ECoW by the Company throughout the decommissioning, restoration and aftercare phases of the Development shall be submitted for the written approval of the Planning Authority.

Reason: To secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the Development during the decommissioning, restoration and aftercare phases.

13. Construction Environmental Management Plan (CEMP)

(1) No development or Site Enabling Works shall commence until a works specific Construction Environmental Management Plan (CEMP), related to the phase or phases of works or development to be undertaken has been submitted to and approved in writing by the Planning Authority. The CEMP shall outline site specific details of all on-site construction works, post- construction reinstatement, drainage and mitigation, together with details of their timetabling.

(2) The CEMP for each phase of works or development shall include (but is not limited to);

(a) an updated Schedule of Mitigation (SM); highlighting amendments made to the existing schedule of mitigation set out at Environmental Impact Assessment Report, the Additional Information Report dated July 2022, and the conditions of this consent;

(b) processes to control / action changes from the agreed SM;

(c) site waste management plan (dealing with all aspects of waste produced during the construction period other than peat), including details of contingency planning in the event of accidental release of materials which could cause harm to the environment;

(d) details of the formation of the construction compound, welfare facilities, any areas of hardstanding, turning areas, internal access tracks, carparking, material stockpiles, oil storage, lighting columns, and any construction compound boundary fencing;

(e) a dust management plan, including the provision of dust screening along ancient woodland adjacent to track access;

(f) details of adherence with the Environmental Impact Assessment Report, Technical Appendix 11.1 - Reports' Borrow Pit Appraisal Report;

(g) details of archaeological supervision to oversee the protection / fencing off of all known heritage assets within 50m of the proposed working areas, including all areas to be used by construction vehicles;

(h) a drainage management plan, demonstrating how all groundwater, surface water and waste water arising during and after development is to be managed and prevented from polluting any watercourses, water abstractions and private water supplies if relevant, including details of the separation of clean and dirty water

drains, and of settlement lagoons for silt laden water. Any temporary drainage during construction should be designed to accommodate a 1:200 year storm event;

(i) details of sewage disposal and treatment;

(j) details of temporary site illumination;

(k) the method of construction of the crane pads;

(l) the method of construction of the wind turbine foundations;

(m) the method of working cable trenches;

(n) the method of construction and erection of the wind turbines and meteorological masts;

(o) details of post-construction 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, all of which are to be provided no later than 6 months prior to the date of first commissioning, unless otherwise agreed in writing by the Planning Authority. 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;

(p) Details for the provision of the submission of a quarterly report summarising work under taken at the site and compliance with the conditions imposed under the Deemed Planning Consent during the period of construction and post construction reinstatement.

Reason: To ensure that all construction operations are carried out in a manner that minimises their impact on road safety, amenity and the environment, and that the mitigation measures contained in the Environmental Impact Assessment Report which accompanied the application, or as otherwise agreed, are fully implemented.

14. Watercourse Design

All new watercourse crossings shall be designed following the recommendations in the Watercourse Crossing Schedule (AI Volume 4 - Cloiche WF - TA 6.1 - Watercourse Crossing Schedule) and if single span bridges are required these shall be designed to pass the 1 in 200-year flood plus an allowance for climate change. All existing watercourse crossings which require to be replaced shall be designed following recognised best practice guidance.

Reason: In the interests of protecting the water environment.

15. Construction Traffic Management Plan (CTMP)

No development or Site Enabling Works shall commence until a works specific Construction Traffic Management Plan (CTMP), related to the phase or phases of works or development to be undertaken has been submitted to and approved in writing by the Planning Authority in consultation with the Trunk and Local Roads Authorities, the Police and affected Community Councils. The final CTMP shall be submitted no later than two months prior to commencement of the relevant phase. The approved CTMP shall be carried out as approved in accordance with the

timetable specified within the approved CTMP. The CTMP shall include (but not be limited to) the provision of:

(a) A risk assessment for transportation during daylight and hours of darkness;

(b) Proposed traffic management and mitigation measures within any settlements along the access routes, as required. Measure such as temporary speed limits, suitable temporary signage, road markings and the use of speed activated signs should be considered;

(c) The routeing of all traffic associated with the Development on the local road network which shall limit construction vehicle entering and exiting the site from the east along the B862;

(d) Measures to ensure that the specified routes are adhered to, including monitoring procedures;

(e) 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;

(f) A procedure for the regular monitoring of road conditions and the implementation of any remedial works required as may be reasonably attributable to the project's construction plant and vehicle movements during the construction period, including the provision of a wear and tear agreement for the local road network under Section 96 of the Roads (Scotland) Act 1984 (As Amended);

(g) A detailed protocol for the delivery of abnormal loads/vehicles, prepared in consultation with the Planning Authority, Trunk Roads and the Community Liaison Group. 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. Any accommodation measures required including the removal of street furniture, junction widening, traffic management must similarly be approved by the affected Roads Authority. All such movements on roads shall take place out with peak times on the network, including school travel times and shall avoid local community events;

(h) During the delivery period of the wind turbine construction materials any additional signing or temporary traffic control measures deemed necessary due to the size or length of any loads being delivered or removed must be undertaken by a recognised QA traffic management consultant, to be approved by Transport Scotland and the Roads Authority before delivery commences;

(i) Wheel washing facilities shall be provided at an appropriate point within the site adjacent to the site access so as to prevent vehicles depositing debris on the road;

(j) During the operational stage of the Development, advance written notification and approval of the Planning Authority in consultation with the respective Roads Authorities, and affected Community Councils is required for any significant HGV or Abnormal Load movement required during this period; and

(k) Identification of a nominated person to whom any road safety issues can be referred.

Reason: In the interests of road safety and to ensure that abnormal loads access the site in a safe manner.

16. Peat Management Plan

No development or Site Enabling Works shall commence until a works specific finalised Peat Management Plan (PMP), related to the phase or phases of works or development to be undertaken, has been submitted to and approved in writing by the Planning Authority in consultation with NatureScot and SEPA. The PMP shall include:

(a) the mitigation measures described within the Environmental Impact Assessment Report, the Additional Information and other information submitted in support of the Application

Reason: To ensure that a plan is in place to deal with the storage and reuse of peat within the application site, including peat stability and slide risk.

17. Habitat Management Plan (HMP)

(1) No development, with the exception of the Site Enabling Works, shall commence unless and until a finalised Habitat Management Plan has been submitted to, and approved in writing by the Planning Authority and NatureScot. The habitat management plan shall provide measurable benefits for biodiversity and shall contain substantially enhanced peatland restoration relative to the outline HMP contained within the Additional Information submission which commits to the restoration and enhancement of at least 150 ha. The information shall include:

(a) the proposed habitat management of the site during the period of construction, operation, decommissioning, restoration and aftercare, and shall provide for the maintenance monitoring and reporting of habitat on site;

(b) a scheme of works for peatland restoration works to deliver peatlands commensurate with the quality of the habitat that will be lost directly and indirectly and take advantage of the opportunity for peatland restoration across the site of the Cloiche Wind Farm.

(c) details of suitable areas to leave deer stalking grallochs or carcasses, and provision of winter larders.

(d) the 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 shall be updated to reflect ground condition surveys undertaken following construction and prior to the date of Final Commissioning and submitted for the written approval of the Planning Authority in consultation with NatureScot and SEPA.

(2) Unless and until otherwise agreed in advance in writing with the Planning Authority, the approved HMP (as amended from time to time) shall be implemented in full.

Reason: In the interests of protecting ecological features and to ensure that the development secures positive effects for biodiversity.

18. Borrow Pits – Scheme of Works

(1) No development or Site Enabling Works shall commence unless and until a scheme for the working and restoration of each borrow pit relative to each phase of works has been prepared and submitted in advance of each phase to, and approved in writing by, the Planning Authority (in consultation with SEPA). The scheme shall include:

(a) a detailed working method statement based on site survey information and ground investigations;

(b) details of the handling of any overburden (including peat, soil and rock);drainage measures, including measures to prevent surrounding areas of peatland, water dependent sensitive habitats and Ground Water Dependent Terrestrial Ecosystems (GWDTE) from drying out;

(c) a programme of implementation of the works described in the scheme;

and

(d) details of the reinstatement, restoration and aftercare of the borrow pit(s) to be undertaken at the end of the construction period, including topographic surveys of pre-construction profiles and details of topographical surveys to be undertaken of the restored borrow pit profiles.

(2) The approved scheme shall 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 to secure the restoration of borrow pit(s) at the end of the construction period.

19. Deer Management Plan

No development, with the exception the Site Enabling Works, shall commence until a Deer Management Plan ("DMP") has been submitted to and approved in writing by the Planning Authority in consultation with NatureScot. The DMP will set out proposed long term management of deer using the Development 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 DMP shall thereafter be implemented in full.

Reason: To protect ecological interests and in the intertest of habitat enhancement.

20. Redundant Turbines

In the event that any wind turbine installed and commissioned fails to produce electricity on a commercial basis to the public network for a continuous period of 12 months, then unless otherwise agreed in writing with the Planning Authority, after consultation with the Scottish Ministers and NatureScot, such wind turbine will be deemed to have ceased to be required. If deemed to have ceased to be required,

the wind turbine and its ancillary equipment will be dismantled and removed from the site within the following 12-month period, and the ground reinstated to the specification and satisfaction of the Planning Authority after consultation with the Scottish Ministers and NatureScot.

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

21. Aviation Safety – Lighting

No development, with the exception of Site Enabling Works, shall commence until a scheme for aviation lighting for the Development consisting of Ministry of Defence ("MoD") accredited infra-red aviation lighting has been submitted to and approved in writing by the Planning Authority in consultation with the MoD. The turbines shall be erected with the approved lighting installed and the lighting shall remain operational throughout the duration of the permission.

Reason: in the interests of aviation safety.

22. Aviation Safety

At least one calendar month prior to the commencement of the erection of the turbines the Company shall provide the Planning Authority, Ministry of Defence, Defence Geographic Centre and National Air Traffic Services ("NATS") with the following information and shall provide evidence to the Planning Authority of having done so.

(a) the date of the commencement of the erection of wind turbine generators;

(b) the maximum height of any construction equipment to be used in the erection of the wind turbines;

(c) the date any wind turbine generators are brought into use;

(d) the latitude and longitude and maximum heights of each wind turbine generator, and any anemometer mast(s).

Reason: In the interests of aviation safety.

23. Site Decommissioning, Restoration and Aftercare

(1) The Development will be decommissioned and will cease to generate electricity by no later than the date fifty years from the date of Final Commissioning. The total period for restoration of the Site in accordance with this condition shall not exceed three years from the date of Final Generation without prior written approval of the Scottish Ministers in consultation with the Planning Authority.

(2) No development or Site Enabling Works shall commence unless and until a decommissioning, restoration and aftercare strategy has been submitted to, and approved in writing by, the Planning Authority (in consultation with NatureScot and SEPA). The strategy shall outline measures for the decommissioning of the Development and restoration and aftercare of the site and shall include proposals for the removal of the Development, the treatment of ground surfaces, the management and timing of the works and environmental management provisions.

(3) Not later than 3 years before decommissioning of the Development or the expiration of this consent (whichever is the earlier), a detailed decommissioning, restoration and aftercare plan, based upon the principles of the approved decommissioning, restoration and aftercare strategy, shall be submitted for the written approval of the Planning Authority in consultation with NatureScot and SEPA.

(4) The detailed decommissioning, restoration and aftercare plan shall provide updated and detailed proposals, in accordance with relevant guidance at that time, for the removal of the Development, the treatment of ground surfaces, the management and timing of the works and environment management provisions which shall include (but is not limited to):

(a) site waste management plan (dealing with all aspects of waste produced during the decommissioning, restoration and aftercare phases);

(b) details of the formation of the construction compound, welfare facilities, any areas of hardstanding, turning areas, internal access tracks, car parking, material stockpiles, oil storage, lighting columns, and any construction compound boundary fencing;

(c) a dust management plan;

(d) details of measures to be taken to prevent loose or deleterious material being deposited on the local road network, including wheel cleaning and lorry sheeting facilities, and measures to clean the site entrances and the adjacent local road network;

(e) details of anticipated impacts on the road networks and vehicle types and movements;

(f) a pollution prevention and control method statement, including arrangements for the storage and management of oil and fuel on the site;

(g) details of measures for soil storage and management;

(h) a surface water and groundwater management and treatment plan, including details of the separation of clean and dirty water drains, and location of settlement lagoons for silt laden water;

(i) details of measures for sewage disposal and treatment;

(j) temporary site illumination;

(k) the construction of any temporary access into the site and the creation and maintenance of associated visibility splays;

(l) details of watercourse crossings;

(m) details of archaeological supervision to oversee the protection / fencing off of all known heritage assets within 50m of the proposed working areas, including all areas to be used by construction vehicles; and

(n) a species protection plan based on surveys for protected species (including birds) carried out no longer than eighteen months prior to submission of the plan.

(5) The Development shall be decommissioned, site restored and aftercare thereafter undertaken in accordance with the approved plan, unless otherwise

agreed in writing in advance with the Planning Authority in consultation with NatureScot and SEPA.

Reason: To ensure the decommissioning and removal of the Development in an appropriate and environmentally acceptable manner and the restoration and aftercare of the site, in the interests of safety, amenity and environmental protection.

24. Financial Guarantee

(1) No development or Site Enabling Works shall commence unless and until a bond or other form of financial guarantee in terms reasonably acceptable to the Planning Authority which secures the cost of performance of all decommissioning, restoration and aftercare obligations referred to in Condition 23 is submitted to the Planning Authority.

(2) The value of the financial guarantee shall be agreed between the Company and the Planning Authority or, failing agreement, determined (on application by either party) by a suitably qualified independent professional as being sufficient to meet the costs of all decommissioning, restoration and aftercare obligations referred to in Condition 23.

(3) The financial guarantee shall be maintained in favour of the Planning Authority until the date of completion of all decommissioning, restoration and aftercare obligations referred to in Condition 23.

(4) The value of the financial guarantee shall be reviewed by agreement between the Company and the Planning Authority or, failing agreement, determined (on application by either party) by a suitably qualified independent professional no less than every five years and increased or decreased to take account of any variation in costs of compliance with decommissioning, restoration and aftercare obligations and best practice prevailing at the time of each review.

Reason: to ensure that there are sufficient funds to secure performance of the decommissioning, restoration and aftercare conditions attached to this deemed planning permission in the event of default by the Company.

25. Outdoor Access Plan

(1) No development or Site Enabling Works shall commence until a finalised and detailed Outdoor Access Plan has been submitted to and approved in writing by the Planning Authority. The purpose of the plan shall be to maintain public access routes to site tracks and paths during construction, and to maintain outdoor access in the long-term. The Outdoor Access Plan shall include details showing:

(a) all existing access points, paths, core paths, tracks, rights of way and other routes whether on land or inland water), and any areas currently outwith or excluded from statutory access rights under Part One of the Land Reform (Scotland) Act 2003, within and adjacent to the application site;

(b) any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or effect on curtilage related to buildings or structures;

(c) all proposed paths tracks and other alternative routes for use by walkers, riders, cyclists, canoeists, all-abilities users, etc. and any other relevant outdoor access enhancement (including construction specifications, signage, information leaflets, proposals for on-going maintenance etc; any diversion of paths, tracks or other routes (whether on land or inland water), temporary or permanent, proposed as part of the Development (including details of mitigation measures, diversion works, duration and signage);

(2) The approved Outdoor Access Plan, and any associated works, shall be implemented in full prior to the Commencement of development or as otherwise may be agreed within the approved plan.

Reason: In the interests of securing public access rights.

26. Community Liaison Group

No development shall commence unless and until a Community Liaison Plan has been approved in writing by the Planning Authority after consultation with the relevant local community councils. This plan shall include the arrangements for establishing a Community Liaison Group to act as a vehicle for the community to be kept informed of project progress by the Company. The terms and condition of these arrangement must include that the Community Liaison Group will have timely dialogue in advance on the provision of all transport-related mitigation measures and keep under review the timing of the delivery of turbine components. The terms and conditions shall detail the continuation of the Community Liaison Group until the wind farm has been completed and is fully operational. The approved Community Liaison Plan shall be implemented in full.

Reason: To assist with the provision of mitigation measures to minimise potential hazards to road users including pedestrians, travelling on the road networks.

27. Site Inspection Strategy

(1) Prior to the Date of Final Commissioning, the Company shall submit an outline Site Inspection Strategy (Outline SIS) for the written approval of the Planning Authority. The Outline SIS shall set out a strategy for the provision of site inspections and accompanying Site Inspection Reports (SIR) to be carried out at 25 years of operation from the Date of Final Commissioning and every five years thereafter.

(2) No later than 24 years after the Date of Final Commissioning, the Company shall submit a final detailed Site Inspection Strategy (Final SIS), based on the principles of the approved Outline SIS for the written approval of the Planning Authority. The Final SIS shall set out updated details for the provision of site inspections and accompanying Site Inspection Reports (SIR), in accordance with relevant guidance at that time, to be carried out at 25 years of operation from the Date of Final Commissioning and every five years thereafter.

(3) At least one month in advance of submitting each SIR to the Planning Authority, the scope of the SIR shall be agreed with the Planning Authority.

(4) The SIR shall include, but not be limited to:

(a) Details to demonstrate that the infrastructure components of the Development are still operating in accordance with condition 7 and condition 29; and

(b) An engineering report which details the condition of tracks, turbine foundations and the wind turbines and sets out the requirements and the programme for the implementation for any remedial measures which may be required.

(5) The SIS and each SIR shall be implemented in full unless otherwise agreed in advance in writing by the Planning Authority.

Reason: To ensure the Development is being monitored at regular intervals throughout after the first 25 years of operation.

28. Water Quality and Fish Monitoring Plan

(1) There shall be no Commencement of development until an integrated Water Quality and Fish Monitoring Plan ("WQFMP") has been submitted to and approved in writing by the Planning Authority in consultation with local District Fishery Board.

(2) The WQFMP must take account of Marine Scotland Science's guidance and shall include:

(a) provision that water quality sampling should be carried out for 12 months(or as agreed with the Planning Authority) prior to Commencement of development, during construction and for 12 months after construction is complete;

(b) key hydrochemical parameters (including turbidity and flow data), the identification of sampling locations (including control sites), frequency of sampling, sampling methodology, data analysis and reporting;

(c) fully quantitative electrofishing surveys at sites potentially impacted and at control sites for 12 months (or as agreed with the Planning Authority) prior to the Commencement of development, during construction and for 12 months after construction is completed to detect any changes in fish populations; and

(d) appropriate site specific mitigation measures.

(3) Thereafter, the WQFMP shall be implemented in full within the timescales set out in the WQFMP.

Reason: To ensure no deterioration of water quality and to protect fish populations within and downstream of the development area.

29. Noise

The rating level of noise emissions 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 more than 2dB above the maximum predicted levels within Environmental Impact Assessment Additional Information Report dated July 2022 (April 2020) Chapter 13, Table 13.2 at any windspeed up to and including 12 m/s at a standardised height of 10m. The noise limits are presented in the table below:

Receptor	Noise Limit (dB LA90)
Killin Lodge	23.8
Crathie	19.6
Garvabeg	21.9
Melgarve	25.3

In addition:

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

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

The written request from the Planning 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 Planning Authority made under this paragraph (B), the Company shall provide the information relevant to the complaint to the Planning 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 Company shall submit to the Planning 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 Company's 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 Planning 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 Planning Authority

(D) Prior to the commencement of any measurements by the independent consultant to be undertaken in accordance with these conditions, the Company

shall submit to the Planning 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 Planning 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 Planning Authority and the attached Guidance Notes.

(E) The Company shall provide to the Planning 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 Planning Authority made under paragraph (B) of this condition unless the time limit is extended in writing by the Planning 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 Planning 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 Development is required pursuant to Guidance Note 4(c) of the attached Guidance Notes, the Company 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 Planning Authority.

(G) The Company 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 Company shall provide this information in the format set out in Guidance Note 1(e) of the attached Guidance Notes to the Planning Authority on its request within 14 days of receipt in writing of such a request.

(H) 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 Company shall submit to the Planning Authority for written approval, a scheme of mitigation to be implemented within fourteen days of submission of the report identifying the exceedance (as required under paragraph (F) above). 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.

(I) The scheme referred to in paragraph H 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 14 days of the submission of the report identifying the exceedance. 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 LA90,10-minute noise statistic should be measured at the complainant's property (or an approved alternative representative location as detailed in Note 1(b)), using a sound level meter of EN 60651/BS EN 60804 Type 1, or BS EN 61672 Class 1quality (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 Planning 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 their property to undertake compliance measurements is withheld, the Company shall submit for the written approval of the Planning Authority details of the proposed alternative representative measurement location prior to the commencement of measurements and the measurements shall be undertaken at the approved alternative representative measurement location.

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

d) To enable compliance with the conditions to be evaluated, the Company 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 Planning Authority shall be provided in comma separated values in electronic format with the exception of data collected to asses tonal noise (if required) which shall be provided in a format to be agreed in writing with the Planning 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 Company shall submit details of the proposed location of the data logging rain gauge to the Planning 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 Planning Authority but excluding any periods of rainfall measured in accordance with Note 1(f).

c) Values of the LA90,10-minute noise measurements and corresponding values of the 10-minute standardised ten meter 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 LA90,10-minute data have been determined as valid in accordance with Note 2, a tonal assessment shall be

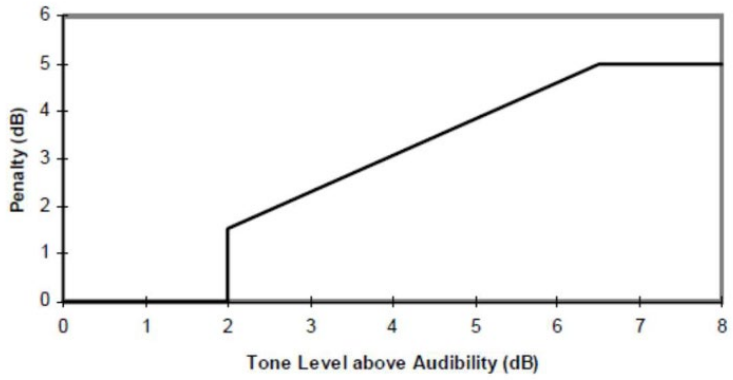
performed on noise immissions during 2 minutes of each 10-minute period. The 2-minute periods should be spaced at 10-minute intervals provided that uninterrupted uncorrupted data are available ("the standard procedure"). Where uncorrupted data are not available, the first available uninterrupted clean 2-minute period out of the affected overall 10-minute period shall be selected. Any such deviations from the standard procedure shall be reported.

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

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

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

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



Note 4

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

b) If the rating level lies at or below the noise limits approved by the Planning 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.

c) The Company 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 turbines switched off, and determining the background noise (L3) at each integer wind speed within the range set out in the approved noise assessment protocol.

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

$$L_1 = 10\log\left[10^{L_2/10} - 10^{L_3/10}_{1}\right]$$

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 noise L1 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 Planning Authority, then no further action is necessary. If the rating level at any integer wind speed exceeds the noise limits approved by the Planning Authority, then the Development fails to comply with the conditions

Reason: To protect amenity and to ensure that noise limits are not exceeded and to enable prompt investigation of complaints

30. Construction Hours

(1) Construction work which is audible from any noise-sensitive receptor shall only take place between the hours of 07.00 to 19.00 on Monday to Friday inclusive and 07.00 to 12.00 on Saturdays, with no construction work taking place on a Sunday or a Public Holiday. Outwith these specified hours, construction works on the site are to be limited to wind turbine erection, maintenance, emergency works, dust suppression, and the testing of plant and equipment, unless otherwise approved in advance in writing by the Planning Authority.

(2) HGV movements to access and leave the site (excluding abnormal loads) during construction of the wind farm shall be limited to 07.00 to 19.00 Monday to Friday, and 07.00 to 12.00 on Saturdays with no HGV movements to or from site taking place on a Sunday or a Public Holiday, unless otherwise agreed in writing by the Planning Authority prior to the HGV movement.

Reason: In the interest of local amenity.

31. Golden Eagles

No development shall commence on site until a reasonable financial contribution to the Natural Heritage Zone (NHZ) 10 Regional Eagle Management Plan has been agreed with the Council and paid.

Reason: To safeguard the eagle population in the area.

32. Biodiversity Enhancement

No development shall commence until a scheme for the delivery of biodiversity enhancement has been submitted to and approved in writing by the Planning Authority. This is expected to include provision within the finalised Habitat Management Plan and may also 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.

33. Telecommunication

Within 12 months of the first export date, any claim by any individual person regarding television or telecommunications interference at their house, business premises or other building, shall be investigated by a qualified engineer appointed by the developer and the results shall be submitted to the Planning Authority. Should any impairment of services be attributable to the development, the developer shall remedy such impairment within 3 months.

Reason: To mitigate the potential effect of telecommunications interference on the development.

34. Planning Monitoring Officer

(1) There shall be no Commencement of Development unless and until the terms of appointment by the Company of a suitably qualified environmental consultant as Planning Monitoring Officer (PMO) have been submitted to, and approved in writing by, the Planning Authority in consultation with the Scottish Ministers. The terms of appointment shall:

(a) impose a duty to monitor compliance with the terms of the deemed planning permission and the conditions attached to it;

(b) require the PMO to submit a report to the Planning Authority every 2 months 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 deemed planning permission and conditions attached to it at the earliest practical opportunity.

(2) The PMO shall be appointed on the approved terms throughout the period from Commencement of Development to completion of construction works and post-construction site reinstatement works.

Reason: To enable the development to be suitably monitored to ensure compliance with the planning permission and the conditions attached to it.

Definitions Relevant to Conditions

"The Application" means the application submitted by the Company on 21st April 2020;

“Application Environmental Information” means the combination of EIA Report submitted by the Company on the 21st April 2020 and the Additional Information Report submitted on the 22nd July 2022.

"Commencement of development" means the date on which development shall be taken as begun in accordance with section 27 of the Town and Country Planning (Scotland) Act 1997;

“date of Final Generation” means the date that the Development ceases to generate electricity to the grid network;

"the Company" means SSE Generation Limited, company registration number 02310571 and registered address No.1 Forbury Place, 43 Forbury Road, Reading, United Kingdom, RG1 3JH or such other person for the time being entitled to the benefit of the consent under section 36 of the Electricity Act 1989.

“development” means the implementation of the consent and deemed planning permission excluding Site Enabling Works by the carrying out of a material operation within the meaning of section 27 of the Town and Country Planning (Scotland) Act 1997.

"the Development" means the Development described in Annex 1;

"dwelling" means a building within Use Class 9 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 which lawfully exists or had planning permission at the date of this consent and deemed planning permission.

“Final Commissioning” means the earlier of (a) the date on which electricity is exported to the grid on a commercial basis from the last of the wind turbines forming part of the Development erected in accordance with this consent; or (b) the date falling 18 months from the date of First Commissioning unless a longer period is agreed in writing in advance with the Planning Authority.

“First Commissioning” means the date on which electricity is first exported to the grid network on a commercial basis from any of the wind turbines forming part of the Development.

“HES” means Historic Environment Scotland

"the Planning Authority" means the Highland Council.

"Public Holiday" means;

• New Year's Day, if it is not a Sunday or, if it is a Sunday, 3rd January.

• 2nd January, if it is not a Sunday or, if it is a Sunday, 3rd January.

• Good Friday.

• Easter Monday.

• The first Monday in May.

• The first Monday in August.

• The third Monday in September.

• 30th November, if it is not a Saturday or Sunday or, if it is a Saturday or Sunday, the first Monday following that day.

• Christmas Day, if it is not a Sunday or, if it is a Sunday, 27th December.

• Boxing Day, if it is not a Sunday or, if it is a Sunday, 27th December

"SEPA" means the Scottish Environment Protection Agency.

"Site Enabling Works" means construction of c.26km of new access track and upgrade of c.29km of existing tracks which may be undertaken to facilitate delivery of the wind turbine components. Reuse of former main site compound area (utilised for Stronelairg Wind farm and Glendoe Hydroelectric Scheme) including welfare facilities, site cabins and parking, reuse of further site compound areas including storage areas, temporary communications infrastructure, borrow pits compromising of reuse of existing borrow pits created for Stronelairg Wind Farm and new borrow pits. Construction of the new on-site substation platform, installation of underground cabling to connect each wind turbine to the on-site substation, up to two LiDAR units and associated hard stand and any associated ancillary works required.

Signature:	David Mudie
Designation:	Area Planning Manager – South
Authors:	Peter Wheelan / Harry Goacher
Background Papers:	Documents referred to in report and in case file.
Relevant Plans:	Plan 1 - Location Plan - EIAR Figure 1.1
	Plan 2 - Site Layout Plan – EIAR AI Figure 2.1
	Plan 3 - Typical Wind Turbine Design – EIAR Figure 3.2

Appendix 2 – Visual Assessment Appraisal (Operational only)

Viewpoint	Applicant / THC	Sensitivity	Magnitude of Change	Level of Effect	THC Notes
VP1 – Beinn a' Mheadhoin (Glen Affric) (33.6 km)	Applicant	Low	Low	Not Significant	Representative views obtained from users of the outdoors at high points within Glen Affric NSA and Central Highlands WLA. Eastern and western clusters would be perceptible with blades seen above the skyline and in combination with Stronelairg. It would be distant, appearing in a part of the view where turbines are already a feature.
	THC	Medium	Low	Not Significant	
VP2 – Great Glen Way, Balbeg (20.0 km)	Applicant	Medium to High	Low	Not Significant	Representative of views obtained from properties, minor roads and a section of the Great Glen Way on elevated ground to the west of Loch Ness. Turbines would appear distant and well contained within a valley in the landscape. The turbines would reflect a similar pattern of development to Dunmaglass and Corriegarth seen from this location.
	THC	Medium to High	Low	Not Significant	
VP3 – Meall Fuar-mhonaidh (17.3 km)	Applicant	Medium	Medium to Low	Not Significant	**OWESG key view and key design viewpoint.** Representative of views experienced by recreational users of the outdoors. Popular local hill summit and highest point on the west side of Loch Ness, within Loch Ness and Duntelchaig SLA. Representative of views from other hills on this side of Loch Ness, such as Burach. From here one can appreciate the visual containment of the existing wind farms, forming clear clusters on the upper bowl sections of the strath. Eastern cluster turbines increase the horizontal spread, stepping out with the valley, appear of a larger scale, undoing some of the inherent design mitigation of the Stronelairg turbines. Western cluster turbines sit well within a fold in the landscape and are compact, resulting in a degree of stacking, albeit that the density of this cluster has been reduced through the turbine deletions to the south secured through the amended EIAR AI scheme. Overall, wind farm increases the degree of encirclement of this VP, changing the character of the southward view to where turbines become a noticeable feature.
	THC	High to Medium	Medium	**Moderate and Significant**	

Viewpoint	Applicant / THC	Sensitivity	Magnitude of Change	Level of Effect	THC Notes
VP4 – Carn na Saobhaidhe (10.6 km)	Applicant	Medium to Low	Medium to Low	Not Significant	Representative of views experienced by recreational users of the outdoors obtained from high ground to the north. Summit of Corbett. Development causes a visual coalescence with Corriegarth. Applicant under-assesses the change caused by the different relationships of Cloiche and Stronelairg to the topography of the upland plateau. Deletions to western cluster through the EIAR AI however assist with the visual integration with Stronelairg.
	THC	Medium to Low	Medium	**Moderate and Significant**	
VP5 – Carn Dubh (5.5 km)	Applicant	Low	Low	Not Significant	Representative of views experienced by recreational users of the outdoors obtained from high ground to the north. Horizontal expansion beyond the Stronelairg development is limited but the extension weakens the wind farm's relationship with the landform. Western cluster more recessive in the view when considered with Dell Wind Farm dominating, but the increased density lacks evenness and creates greater complexity. Deletions through EIAR AI reduce turbine density of the western cluster when seen in combination with Stronelairg and create a more even spread.
	THC	Low	Medium to Low	Not Significant	
VP6 – Glen Markie (7.4km)	Applicant	Low	Negligible	Not Significant	Representative of views from recreational route (Scottish Hill Track 204). THC are in broad agreement with applicant's findings.
	THC	Low	Negligible	Not Significant	
VP7 – Carn a' Chuilinn (4.7 km)	Applicant	Medium to Low	High to Medium	**Moderate and Significant**	Representative of views experienced by recreational users of the outdoors obtained from summit of a Corbett. THC are in broad agreement with applicant's findings. Whilst the horizontal spread significantly increases, the more impressive views form the VP would not be affected.
	THC	Medium to Low	High to Medium	**Moderate and Significant**	
VP8 – Carn Dearg (Monadhliath) (6.2 km)	Applicant	Medium	Medium to Low	Not Significant	**Key design viewpoint.** Representative of views experienced by recreational users of the outdoors obtained from a Munro summit near the western boundary of the CNP and within the Monadhliath WLA. Significant impacts already caused by Stronelairg which would be intensified by both the eastern and western cluster. THC agree with the applicant's findings.
	THC	Medium	Medium to Low	Not Significant	
VP9 – Geal Charn	Applicant	Medium to Low	Medium	Not Significant (Minor)	Representative of views experienced by recreational users of the outdoors obtained from a Munro summit which is representative of

Viewpoint	Applicant / THC	Sensitivity	Magnitude of Change	Level of Effect	THC Notes
(Monadhliath) (3.1 km)	THC	Medium to Low	Medium	Not Significant (Moderate to Minor)	views from high ground on the western boundary of the CNP. Reduction in applicant's reported Level of Effect from Moderate to Minor (Not Significant) to Minor (Not Significant) due to the amended 29 turbine scheme. Existing Stonelairg turbines are already prominent, and the addition of Cloiche would increase the depth of wind farm development. The EIAR AI's deletion of Turbine C29 within the eastern cluster and the other deletions within the western cluster assists to mitigate the impact but only to a limited degree. THC agree with the applicant's findings, albeit that Cloiche would remove some respite between existing more distant wind farm clusters, marginally increasing the level of effect.
VP10 – Braeriach (38.1 km)	Applicant	Low	Negligible	Not Significant	Representative of views experienced by recreational users of the outdoors obtained from a popular mountain summit within the CNP, The Cairngorm Mountains NSA and Cairngorms WLA. Representative of distant mountain views from CNP. THC agree with the applicant's findings.
	THC	Low	Negligible	Not Significant	
VP11 – Carn Liath (10.8 km)	Applicant	Medium	Medium to Low	Not Significant	**Key design viewpoint.** Representative of views experienced by recreational users of the outdoors obtained from a Munro summit, which forms one of three Munros which are a promoted as the Creag Meagaidh circuit. Representative of views from within Braeroy - Glenshirra - Creag Meagaidh WLA. Reduction in applicant's reported Level of Effect from Moderate to Minor (Not Significant) to Minor (Not Significant) due to the amended 29 turbine scheme. Deletions secured through the EIAR AI remove some of the closest turbines which were proposed beyond the 'shadow' which frames the visual envelope of the elevated plateau. This also helps to thin out the western cluster albeit that a cluster would still remain (turbines C3, C19, C7, C9 and C8), similar to that further to the east within Stronelairg, which would also arise at Dell Wind Farm. The Eastern cluster lacks visual containment, turbines C34, C31 and C32 which extent the
	THC	High	Medium to Low	Not Significant	

Viewpoint	Applicant / THC	Sensitivity	Magnitude of Change	Level of Effect	THC Notes
					horizontal spread beyond Stronelairg. These three eastern turbines were recommended for removal.
VP12 – Glen Shirra (11.7 km)	Applicant	Medium to Low	Negligible	Not Significant	Representative of views experienced by recreational users of the outdoors obtained from an estate track. Representative of views obtained from lower level locations and walking routes in the CNP and Ben Alder, Laggan and Glen Banchor SLA. No visibility due to turbine deletions secured through the EIAR AI.
	THC	Medium	Negligible	Not Significant	
VP13 – Geal Charn (Ardverikie) (20.3 km)	Applicant	Medium	Low	Not Significant	Representative of views experienced by recreational users of the outdoors obtained from a Munro summit located in Ben Alder, Laggan and Glen Banchor SLA. The two clusters read as separate wind farms due to the intervening topography between these groupings. Due to the increased scale of turbines and horizontal spread, this diminishes the scale of Loch Laggan in the foreground and the applicant's magnitude of change is disputed, albeit that due to the wester cluster deletions, the level of effect is agreed not to be significant.
	THC	High to Medium	Medium to Low	Not Significant	
VP14 – A87, Loch Garry Viewpoint (25.0 km)	Applicant	Medium	Low	Not Significant	Representative of views experienced by road users. Popular stopping point on A87 tourist route. Very limited blade tip visibility. THC agree with the applicant's findings.
	THC	Medium	Low	Not Significant	
VP15 – Beinn Teallach (18.4 km)	Applicant	High to Medium	Medium to Low	Not Significant	Representative of views experienced by recreational users of the outdoors obtained from a Munro summit located within Braeroy, Glenshirra –Creag Meagaidh WLA. The turbines would appear larger and closer than Stronelairg, and would occupy a greater field of view. This is likely to increase prominence of turbines in this part of the view, albeit that they are relatively well contained with the exception of the eastern cluster turbines.
	THC	High to Medium	Medium to Low	Not Significant	
VP16 – Footpath East of Loch Spey (9.1 km)	Applicant	Medium	Medium to Low	Not Significant	Representative of views experienced by recreational users of the outdoors obtained from recreational routes within Upper Glen of the Spey and located within the Braeroy, Glenshirra – Creag Meagaidh WLA. Reduction in applicant's reported Level of Effect from Moderate to Minor (Not Significant) to Negligible (Not
	THC	Medium	Negligible	Not Significant	

Viewpoint	Applicant / THC	Sensitivity	Magnitude of Change	Level of Effect	THC Notes
					Significant) due to the amended 29 turbine scheme. No visibility of amended scheme.
VP17 – Carn Dearg (Glen Roy) (12.8 km)	Applicant	Medium	Low	Not Significant	Representative of views experienced by recreational users of the outdoors obtained from Corbett summit located within Braeroy, Glenshirra – Creag Meagaidh WLA. Prominence of wind turbines is a feature within these views and the additional turbines within the western cluster would be perceptible. THC agree with the applicant's findings.
	THC	Medium	Low	Not Significant	
VP18 – Loch na Lairige (11.1 km)	Applicant	High to Medium	Medium	Not Significant	Representative of views experienced by recreational users of the outdoors obtained from around Strath Mashie within the CNP and Ben Alder, Laggan and Glen Banchor SLA. Reduction in applicant's reported Level of Effect from Moderate (Significant) to Moderate to Minor (Not Significant) due to the amended 29 turbine scheme. The deletion of western cluster turbines helps to reduce magnitude of impact and extent of stacking from this location, however, of the remaining turbines, 5 hubs and 8 blades / tips would still be above the ridgeline, and represent a noticeable change in the northern views which are almost completely void of any wind farm development at present. The resultant level of effect is therefore disputed and remains moderate and significant. No EIAR AI photomontage has been provided for this VP, however, refer to the photomontage for VP19 which is taken from a similar direction of view albeit at a greater distance.
	THC	High to Medium	Medium	**Moderate and Significant**	
VP19 – Carn na Caim (22.9 km)	Applicant	Medium	Low	Not Significant	Representative of views experienced by recreational users of the outdoors obtained from Munro summit to east of A9 located in CNP and Cairngorms WLA. This is a popular series of summits. Stronelairg is almost completely out of view, leaving the development to read as a new significant wind farm development within a view which is largely free of turbines at present. The view looks across the layered glens of the western CNP and the Ben Alder, Laggan and Glen Banchor SLA. There may however be some adverse effects on perception of scale and distance. Given the breadth of the view and lack of any key landscape focus in this
	THC	High to Medium	Medium to low	**Moderate and Significant**	

Viewpoint	Applicant / THC	Sensitivity	Magnitude of Change	Level of Effect	THC Notes
					part of the panorama does suggest that the development may be accommodated, albeit that the development would result in a noticeable change in the view.
VP20 – Urquhart Castle (24.0 km)	Applicant	Medium	Negligible	Not Significant	**OWESG Key View**. Important tourist site and Scheduled Monument located within Loch Ness and Duntelchaig SLA. Representative of low level views from western side of Loch Ness (although VP located on the castle approximately 20 m above ground level). The proposed development would not be visible.
	THC	High	Negligible	Not Significant	

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

Criterion 1 is related to relationships between settlements/key locations and the wider landscape.

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 the EIAR the turbines would not be visible from the majority of the main settlements within the study area. Where visible, from residential areas, it is unlikely to lead to any significant visual effects.

There would be no effect from most key locations (viewpoints and gateways detailed in the OWESG). Limited effects may be experienced to views from a few locations including, A87 above Loch Garry which would not be significant, and the Great Glen viewed from VP3 (Meall Fuar-mhonaidh) where the proposed turbines, in combination with other existing and consented wind farms, create a degree of encirclement of this viewpoint, changing the character of the southward view to where turbines become a noticeable feature.

Overall, the proposed development is considered to generally meet the threshold of Criterion 1, however it is acknowledged that there are some localised areas where this is not met.

Criterion 2 is related to the extent to which the proposal reduces or detracts from the transitional experience of key Gateway Locations and routes.

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 are no key gateways or important areas of landscape transition that would be significantly adversely affected. As such the proposed development would not detract significantly from any locations which may be considered important gateways. This is not disputed with the development having some minor localised effects at VP2 (Great Glen Way).

The proposed development meets the threshold of Criterion 2.

Criterion 3 is related to the extent to which the proposal affects the fabric and setting of valued natural and cultural landmarks

The development does not, by its presence, diminish the prominence of the landmark or disrupt its relationship to its setting.

There will be significant visual effects within the CNP, including receptors at VP18 (Loch na Lairige) and VP 19 (Carn na Caim), with the CNP objecting to the proposed development. Such affects cannot be designed out by the wind farm, but have been mitigated to a certain degree through the deletion of the most southerly turbines through the EIAR AI. These impacts are however sufficiently localised with the extent of landscape and visual impacts not triggering any objection from NatureScot given that they consider this not to be in the national interest.

Elsewhere, significant adverse effects would occur from within the Loch Ness and Duntelchaig SLA represented by VP3 (Meall Fuar-mhonaidh), however, views from the SLA are already affected by the existence of several clusters of wind farm development across the strath and whilst the proposal's would intensify the presence of wind turbines, this would not materially affect the integrity of the SLA, or the focus of framed views up and down the Great Glen.

Key landmarks within the Great Glen such as Urquhart Castle viewed from Loch Ness or land based viewpoints, with the exception of Meall Fuar-mhonaidh, viewed from the Great Glen would not be affected. There would be no significant effects to the setting of any cultural heritage sites.

As with any scheme of this nature and scale, there will be significant effects, however, considering the existing baseline, the effects are considered to be acceptable. The proposed development meets the threshold of Criterion 3 with some localised impacts.

Criterion 4 is related to the extent that the amenity of key recreational routes and ways is respected by the proposal.

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, however there would be some localised effects on localised routes, namely two recreational routes which pass through the site (Route R7: Scottish Hill Track 235: Laggan to Whitebridge and Route R10: Monadhliath Way). Post construction the longer term effects would not be significant, due to the existing prominence of the Stronelairg from the parts of these routes affected. It is considered that the criterion is met.

Criterion 5 is related to the extent to which the proposal affects the amenity of transport routes.

Wind Turbines or other infrastructure do not overwhelm or otherwise significantly detract from the visual appeal of transport routes.

The location and topography allows for significant the screening from the main transport routes within the study area. The majority of Key Routes would not be

affected. There would be some degree of visual effect on a small number of the Key Routes, such as the A87 and a minor road at Bunloit but these effects would not be significant.

It is considered that the criterion is met.

Criterion 6 is related to the degree to which the proposal fits with the existing pattern of nearby wind energy development.

The proposal contributes positively to existing pattern or objectives for development in the area.

The development is in general considered to reflect the existing pattern of wind farm development within the Rolling Uplands –Inverness LCT (OWESG LCA 6), particularly as perceived from the Great Glen area and slopes on the western side of Loch Ness. The design of the Proposed Development turbine layout reflects the density of turbines in other developments, and the positioning of the development within the same landform 'bowl' as Stronelairg and generally maintains the design objectives of Stronelairg, particularly when considered in addition to the consented development of Dell Wind Farm. When seen from the Great Glen the development forms a cohesive group of turbines with Stronelairg which are mostly evenly distributed and maintains sufficient separation between Stronelairg and other turbine clusters. Given the increased horizontal spread of the development, areas of respite are however being eroded and due to the contented Dell Wind Farm in combination with the easter and western clusters of Dell, this combined grouping will be more noticeable than other wind farm clusters across the southern area of the Great Glen.

With the deletion of turbines secured through the EIAR AI, secured post the recent refusal of Glenshero Wind Farm located further to the south west, the proposal is also found to respect the original design ethos of Stronelairg by not significantly encroaching towards the CNP and WLAs to the south and south west.

The decision to maintain turbines of <150 m to blade tip height is also critical to the design, enabling visual integration with the scale of the consented turbines at Stronelairg and avoiding visible aviation lighting. Although the proposed turbines are of a larger scale, this will not be perceptible other than in close range views.

Overall, the proposals respect the existing pattern of development, and this criterion is met.

Criterion 7 relates to the extent to which the proposal maintains or affects the spaces between existing developments and/ or clusters

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The proposal maintains appropriate and effective separation between developments and / or clusters. That said, areas of respite will be removed and from certain locations, such as VP4 (Carn na Saobhaidhe) and VP9 (Geal Charn (Monadhliath) a greater degree of visual coalescence would occur with Corriegarth and other more distant wind farms, increasing both the horizontal and vertical influence of wind farm

development. This impact would not however result in any substantial layering of wind farms in the landscape and overall, this criterion is met.

Criterion 8 relates to the extent that the proposal maintains or affects receptors' existing perception of landscape scale and distance.

The proposal maintains the apparent landscape scale and/or distance in the receptors' perception.

It is considered that the proposed development would not adversely affect the receptors' existing perception of landscape scale and distance, being located within a suitably large scale landscape and designed to appear as a logical extension to the existing wind farm. From the majority of the viewpoints there will not be an effect on the perception of scale and distance given the close relationship between the existing and proposed development despite the changes in scale. As such the criterion is met.

Criterion 9 is related to the extent to which the landscape setting of nearby wind energy developments is affected by the proposal.

The proposal relates well to the existing landscape setting and does not increase the perceived visual prominence of surrounding wind turbines.

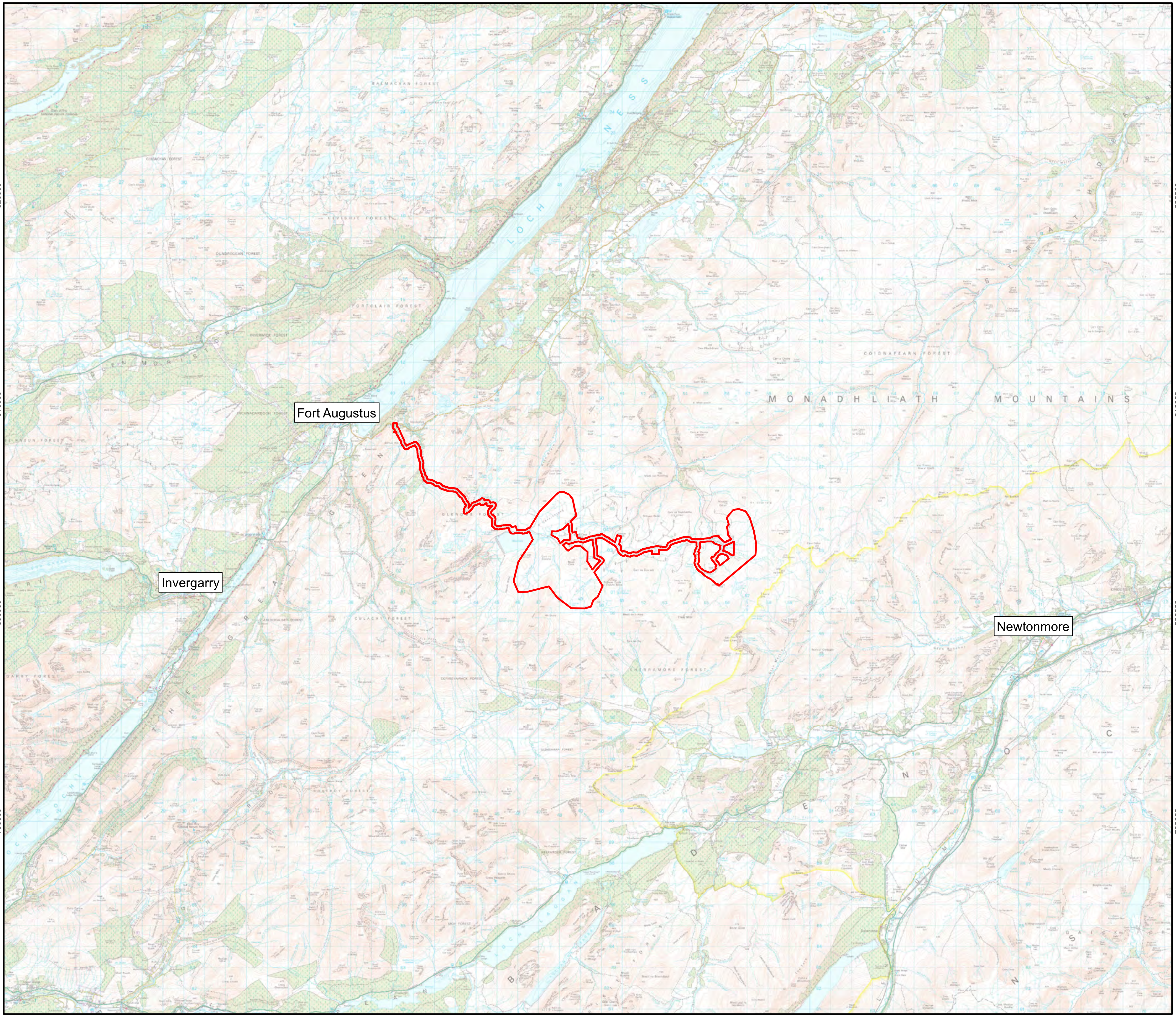
The development would be located close to the existing Stronelairg Wind Farm and mostly within the 'bowl' landform which limits the extent of visibility. It is considered that this would not adversely affect the setting of the Stronelairg Wind Farm or the consented Dell Wind Farm as it would form a cohesive group with these existing and consented wind farms when seen from almost all locations. This would generally not lead to any significant increase in landscape and visual effect, other than in limited locations where the new turbines would be mostly closer to the viewer and would lead to a significant effect in their own right, rather than as an addition to Stronelairg or Dell. The perception of landscape scale and distance is respected from most viewpoints and the turbines do not overwhelm the view. The threshold is met.

Criterion 10 is related to distinctiveness of landscape character.

Integrity and variety of Landscape Character Areas are maintained.

There will be some localised adverse effects on the host LCT, however these effects are not considered to significantly affect key characteristics of the LCT or the experience from within the LCA. 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.

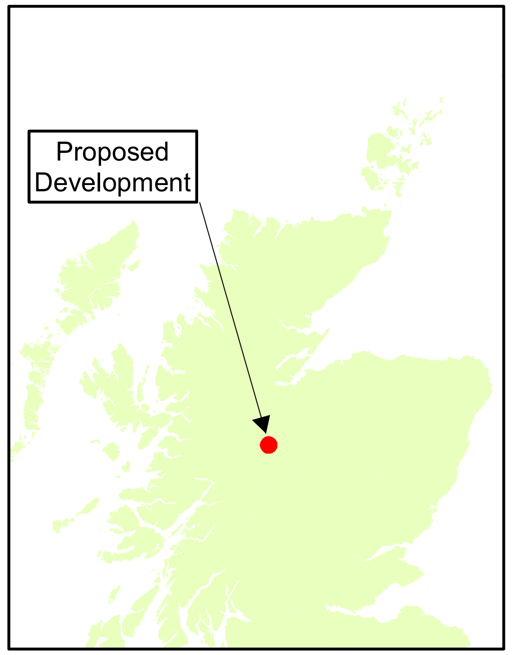


SSE Renewables

ash

Key

Site Boundary



0 2 4 6 8 km

Scale: 1:175,000 @ A3

N

Figure 1.1
Location Plan

Cloiche Wind Farm
Additional Information

Drawing No.: 122011-D-V2-AI-1.1-1.0.0 **Date:** 19/07/2022

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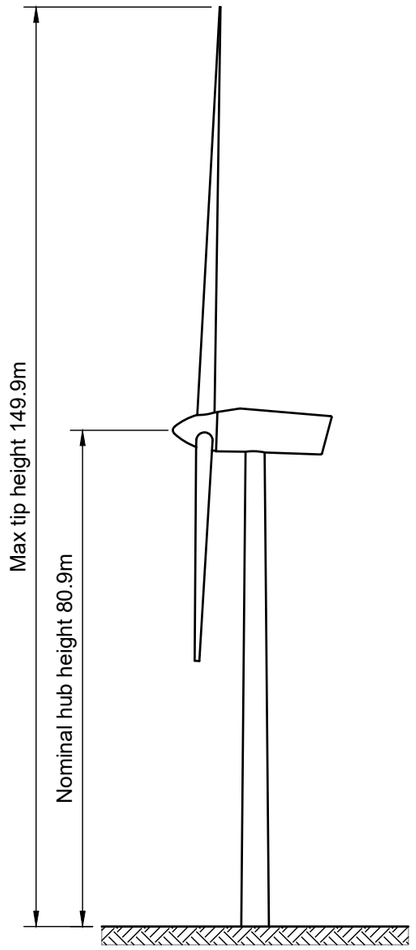
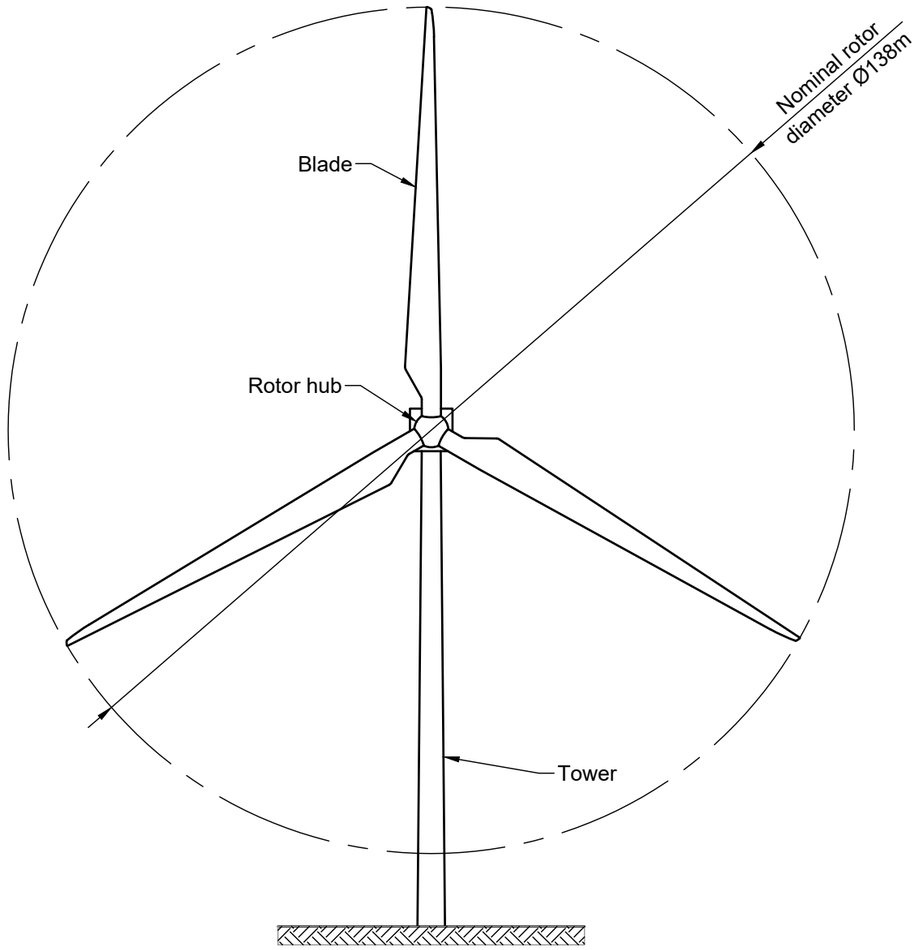


SIDE ELEVATION

Scale: 1:1000



FRONT ELEVATION

Scale: 1:1000

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Notes

1. All dimensions are based on the largest components considered.

Scale 1:1000 @ A3

0 10 20 30 40 m

Figure 3.2
Indicative Turbine Dimensions

Cloiche Wind Farm
EIA Report