

Agenda Item	7.8
Report No	PLN/046/23

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 07 June 2023

Report Title: 21/01921/S36: Garvary Wind Farm Limited, C/O Coriolis Energy
Land 4600M NE of Invershin Community Hall, Invershin.

Report By: Area Planning Manager – North

1 Purpose/Executive Summary

1.1 **Description:** Garvary Wind Farm - Erection and operation of wind farm for a period of 30 years, comprising of 25 (as amended) wind turbines with maximum blade tip height of up to 180m, access tracks, up to 6 borrow pits, substation, battery storage compound, control building, 4 meteorological masts, and ancillary infrastructure.

Ward: 01 – North, West and Central Sutherland

Development category: Major (Electricity Act Consultation)

2 Recommendation

2.1 The recommendation is to **RAISE AN OBJECTION** as set out in section 13 of the report.

3 PROPOSED DEVELOPMENT

3.1 The Highland Council was consulted in April 2021 on the application for Garvary Wind Farm by the Scottish Government's Energy Consents Unit (ECU) under Section 36C of the Electricity Act 1989 (as amended), to which the Council subsequently objected in February 2022 under the Scheme of Delegation on the grounds of detrimental landscape and visual impacts, and detrimental impacts on the Dornoch Firth National Scenic Area (NSA) Following the Council's objection, the applicant requested permission to revise the proposal's design and layout to address the Council's concerns by submitting Additional Environmental Information, rather than withdrawing the application or requesting to have it referred to the Planning and Environmental Appeals Division (DPEA) for a public inquiry. The legal basis for this course of action was laid out by the applicant's solicitors to, and agreed in writing by, the ECU in April 2022 and therefore the lawfulness of the process is not a matter for this assessment. The revisions were then submitted as Additional Environmental Information on 13 January 2023, with the application now amended from a proposal of 37 turbines to 25, with Turbines 1 to 12 removed from the scheme and Turbine 17 relocated to the east of the application site.

3.2 Otherwise, much of the scheme remains unchanged except where infrastructure requirements are amended as a consequence of the revision, which are highlighted below. The application still seeks a 30 year permission and the three blade turbines are still anticipated to generate between 5 – 6MW of energy each, while the maximum blade tip height of 180m and indicative 105m ground to hub heights and 150m rotor diameters are the same. The proposed turbines would have internal transformers and associated switching gear at their respective locations, while the expected operational life is 30 years. The windfarm as a whole is expected to generate approximately 150MW of power, reduced from 222MW. The application includes associated ancillary works and infrastructure consisting of:

- permanent crane hardstanding areas of 78m x 30m at each turbine for erection and maintenance cranes (no change);
- the main windfarm compound remains as originally proposed with a total indicative area of 100m x 100m, to house the:
 - substation - formed of a 20m x 10m building, a 15m x12m outdoor switchgear area, with separate access;
 - a control building measuring 25m x 8m - with separate access and parking area; and,
 - a battery energy storage unit;
- up to four temporary site construction compounds (reduced from five) of indicative area 120m x 60m each;
- Two permanent free-standing meteorological masts (reduced from four) and associated 20m x30m hardstanding areas, heights are to be confirmed;
- up to five borrow pits (reduced from six);
- a new site access junction with the A836 located between Achinduich and Aulnager Lodge and any associated improvements works from the public road;
- a total of 22.1km (reduced from 26.1km) of new onsite access track with associated water crossings, passing places and turning heads;
- upgrading of 1.5km of existing track within the application site;
- underground cabling to link the turbines to the control building; and,
- a temporary Batching Plant as previously proposed.

- 3.3 The applicant has requested a 50m micro-siting allowance for turbine and access tracks to accommodate unknown ground conditions, whilst also maintaining environmental buffers (e.g. set back from water courses, known archaeology, etc.). Micro-siting would impact the final layout of the development including its associated infrastructure. The final design of the turbines (hub and tip heights, rotor diameters, colours, and finish), aviation lighting, substation and control buildings, compounds, ancillary electrical equipment, landscaping and fencing etc, would be expected to be agreed with the Planning Authority at the time of project procurement. For example, it should be noted that the 180m tip height of the turbines is presented as a worst case scenario for the purposes of the assessment. Whilst typical drawings for these elements are set out in the application, turbine manufacturers regularly update designs that are available, thereby necessitating the need for some flexibility on the approved design details (see Environmental Impact Assessment Report Volume 3a), the final details of which, can be secured by Condition.
- 3.4 The anticipated windfarm construction period is 24 months, which includes commencement on site through to site commissioning and testing. The applicant has stated that construction activities would be carried out in accordance with an approved finalised Construction Environment Management Plan (CEMP), an outline version of which is included with the Environmental Impact Assessment Report. The final document would require to be approved as part of a larger Construction Environment Management Document, which would include a CEMP, by the Planning Authority in consultation with relevant statutory bodies before the start of development.
- 3.5 The wind farm has an expected operational life of 30 years from the date of final commissioning. The applicant has advised that a decision would then be made as to whether to apply to re-power the site. If, in the event permission is granted for the development, the decision is made to decommission the wind farm, the applicant advises that all turbine components, transformers, substation and associated buildings and infrastructure will be removed. Access tracks and turbine foundations would remain on site however, although the exposed concrete plinth of the turbine foundations would be removed to a depth of 0.5m below the surface and regraded with soil and planting where appropriate. Cables would be cut away below ground level and sealed. The applicant acknowledges that these matters would not be confirmed until the time of the submission of the decommissioning and restoration plan.
- 3.6 The applicant utilised the Council's Pre-Application Advice Service for major developments in 2019 for which the applicant presented a scheme of 45no wind turbines (ref. 19/03695/PREMAJ). The applicant was advised that based on the information submitted for the advice request and the information presented at the meeting, it would be unlikely that the Council would be in a position to support the proposed wind farm. The response stated that:
- “Whilst the Council is supportive of renewable energy developments in principle, this must be balanced against the environmental impact of development. It is considered that this proposal has certain positive aspects however based on the information provided with the pre-application request; we would express concern about the potential significant visual impacts that may arise as a result of the proposed development both on its own but also cumulatively and sequentially with other built, consented, or planned proposals in this area. Such impacts may arise at key receptors including the A836, the cycle network and from popular viewpoints such as Ord Hill and there may be incidences where viewers feel encircled by large scale

development. These impacts may be further exacerbated by the need for aviation lighting. If you decide to proceed towards application then detailed information and assessment will be required in due course, in order to establish the significance of any impacts and you are encouraged throughout the process to explain the design iterations and how they have responded to assessment of impacts.”

- 3.7 The applicant undertook statutory pre-application public consultation prior to submitting the application including engagement with nearby Community Councils and hosting two public exhibitions in September 2019 in Bonar Bridge and Lairg. The applicant’s PAC Report sets out how feedback from the public, as well as statutory and non-statutory consultees including the Highland Council, have informed the design. However, it is the feedback from both the Highland Council’s and NatureScot’s objections to the initial proposal that have most influenced the revised proposal.
- 3.8 Along with the Additional Information Report (AIR) submitted with the revised scheme, the application is supported by an Environmental Impact Assessment Report (EIAR) that contains chapters on Planning Policy; Design Evolution and Alternatives; Landscape and Visual Impacts; Ornithology; Non-Avian Ecology; Geology, Hydrology and Soils; Archaeology and Cultural Benefits; Noise Impacts; Shadow Flicker; Transport; Socioeconomics, Tourism and Recreation; and, Mitigation. A Design and Access Statement along with a Planning statement have also been submitted in support of the application.
- 3.9 Since the application was first submitted to the Scottish Government’s Energy Consents Unit, the application has been varied in the following ways:
- Turbines 1 -12 and associated infrastructure removed;
 - Turbine 17 and associated infrastructure relocated;
 - borrow pit search area 1 removed;
 - two meteorological masts removed; and,
 - one construction compound removed.

4 SITE DESCRIPTION

- 4.1 The proposal site, which has not been altered under the revisions, extends over 1,810ha, of which 18.7ha (reduced from 23.2ha) would be developed for the duration of the windfarm. Temporary compounds, areas of hardstanding, and, construction track buffer zones will increase this area by approximately 10.9ha (down from 19.7ha) for the 24 month construction period. The majority of the site is upland heather moor formed over blanket peatbog that spans the rounded peaks and slopes of Cnoc Cracail (295m) to the north of the site, the central Meall Eachainn (343m), which are separated by a valley and Loch Laro from Cnoc na Moine Duibhe (239m) and Cnoc Breac (237m) to the southwest, and Sron Ach’ a’ Bhacaidh (283m) to the site’s south. These wilder peaks and slopes are mostly used for agricultural grazing, and form an undulating plateau in the Landscape Character Type of Rounded Hills – Caithness and Sutherland (NatureScot Landscape Character Type LCT 135), within which all the turbines would be sited. With the exception of the search area for Borrow Pit 2, the revision now sees all turbines and the larger part of the infrastructure located within the section of the site north of Loch Laro at heights between 160m and 310m above ordnance datum (AOD).
- 4.2 There are two main waterbodies within the site; Loch Laro, located between the peaks of Meill Eachain and Sron Ach’ Bhacaidh in the central valley crossing the site, is notably

larger by a significant degree than Loch Leisgein at the site's southern boundary. Additionally, the western shores of Lochs Cracail Mor and Cracail Beag lie on the site's eastern boundaries in proximity of turbines. Several watercourses also cross the site including the Allt a'Choin-duinn, Allt Loch Laro, Allt Loch Leisgein, Allt Clais na Faire, Allt na Fearn Mor, and An Uidh. Loch Laro outflows into the An Uidh before it joins the River Evelix via Loch an Lagain and discharging in to the Dornoch Firth. In addition, several smaller lochans flow into the Allt Garbh-airigh, which joins the River Fleet before discharging at Loch Fleet. A number of small watercourses in the western catchment discharge into the River Shin, which joins the Kyle of Sutherland. Ultimately all three of the site's main surface water catchments discharge into the North Sea on the east coast.

4.3 The site's location is on the Garvary and Achinduich Estates roughly 4.5km south of Lairg and 5.5km north of Bonar Bridge, between which there are several small settlements and housing groups along the A836 corridor that runs west of the site, including: Torroble, Achany, Achinduich, Inveran, Invershin, Culrain, Balblair and Tulloch. Further afield, there are numerous small settlements and housing groups to the west along the River Oykel / A837 corridor, as well as to the north, south, and east, along the River Fleet / A839, the Dornoch Firth / A836 / A949, and the A9 corridors respectively. Several properties at Achany, Achinduich Falls of Shin and Inveran are within 2km of the site, with further properties south of the site at Sidhean Mor also within 2km, although these would be further than 2km from the nearest turbine. There is a single property within the application site, namely Garvary, which is currently unoccupied. The applicant has advised that the occupants of Achinduich house have a financial interest in the development.

4.4 In terms of Natural Heritage, the site is bound by forestry to the west and southwest, while the EIAR identifies small areas of recently planted native broadleaf woodland and pole stage Upland Birchwood within the application site. There are no statutory nature conservation designations within the proposal site, although it is within 10.5km of two Special Areas of Conservation (SAC), four Special Protection Areas (SPA), and seven Sites of Specific Scientific Interest (SSSI):

Special Areas of Conservation

- River Oykel (4km)
- River Evelix (5km)

Special Protection Areas

- Strath Carnaig and Strath Fleet Moors SPA (adjacent)
- Lairg and Brora Lochs SPA (4.4km)
- Caithness and Sutherland Peatlands SPA and RAMSAR site (6.2km)
- Dornoch Firth and Loch Fleet (10.4km)

Site of Specific Scientific Interest

- Strath Carnaig and Strath Fleet Moors (adjacent)
- Kyle of Sutherland Marshes (2km)
- Lairg and Strath Brora Lochs (4.4km)
- Migdale Rock (6km)
- Grudie Peatlands (6.3km)
- Ledmore Wood (8km)
- Easter Fearn (10km)

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

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

- WLA 34 – Reay - Cassley (8.9km)
- WLA 29 – Rhiddoroch - Beinn Dearg - Ben Wyvis (9.9km)
- WLA 33 – Ben Klibreck - Armine Forest (11.7km)
- WLA 37 – Foinaven - Ben Hee (20.5km)

The applicant has however screened out WLA assessments from the Environmental Impact Assessment Report with the agreement of NatureScot.

4.6 The EIAR includes a Phase 1 Habitats and National Vegetation Classification (NVC) Survey that identifies a number of potential Ground Water Dependant Terrestrial Ecosystems (GWDTEs), which are protected under the Water Framework Directive. The most prominent NVC communities with GWDTE potential within the application site are Blanket Bog, and Wet Heath, with smaller elements of We Modified Bog and Acid Dry Heath, as well as still smaller pockets of other NVC communities including Flush, Dry Heath and Acid Grassland Mosaic, and Continuous Bracken.

4.7 NatureScot's 2016 Carbon & Peatland Map indicates that, with the exception of some peaks and higher slopes, the majority of the site is covered by Classes 1 and 2 Priority Peatland Habitat, which is land covered by peat-forming vegetation or vegetation associated with peat formation. NatureScot describes both Priority Peatland Habitats as nationally important carbon-rich soils with deep peat, with Class 1 areas likely to be of high conservation value, and Class 2 areas potentially of high conservation value and restoration potential. There is a large Class 1 area to the site's west, an additional area to the south, and three smaller pockets of Class 1 Priority Peatland Habitat dispersed centrally within the site north to south. The remaining and majority area of Priority Peatland Habitat, however, is Class 2. Peat probing at the site has established that peat depths vary from 0.5m to 5.4m according to topography, whereby deeper peats depths correspond with flatter topographical areas.

4.8 The EIAR also reports the results of Protected Species Surveys for Amphibians, Badger, Bats, Deer, Fish, Freshwater Pearl Mussel, Otter, Pine Martin, Red Squirrel, Reptiles, Water Vole, and Wild Cat. The surveys report evidence of otters and water vole using the site but no evidence of badger, pine marten, or wild cat. Bat Surveys recorded four species of bats, Common and Soprano Pipistrelles, Daubenton's, and Brown Long-eared bat, with higher bat activity recorded close to loch-sides and woodland edges rather than open habitats where turbines are proposed. The Bat Survey also Concludes that potential roosting opportunities within the site are limited to the property at Garvary, with no tree roosting opportunity, and no roosting opportunities within 200m of turbines.

4.9 Ornithological Surveys have also been carried out that identify the site and immediate surrounds are frequented by a varied range of birds including but not limited to Greenland White-fronted Goose, Greylag Goose, Pink-footed Goose, Whooper Swan, White-tailed Eagle, Hen Harrier, Merlin, Peregrine Falcon, Short-eared Owl, Red Kite, Curlew, Golden Plover, Snipe, and Lapwing.

4.10 In terms of built and cultural heritage, the EIAR has identified 29 Built and Cultural Heritage Assets within, and adjacent to, the application site (the Inner Study Area). Fourteen of these assets are prehistoric and include settlement remains such as hut circles and field systems, as well as a possible crannog, a funerary monument, and a kerb cairn, which form a part of the known Achany Glen wider prehistoric settled landscape. The majority of assets however relate to post-medieval farming activities and include five historic townships, farmsteads, and individual crofts, along with other features associated with husbandry. There is also an identified historic droving route crossing the southeast of the application site, however there are no Scheduled Monuments or Listed Buildings within the inner study area. The statement concludes that there is moderate potential for the site to contain unidentified buried archaeological remains, including prehistoric remains, particularly in areas of known archaeology such as sheltered valleys, waterbodies, and watercourses.

4.11 Outwith the site boundaries (the Outer Study Area) the EIAR has identified 14 Scheduled Monuments within 5km of the application site, including pre-historic settlement remains, cairns, chambered cairns, stone circles, and hut circles. There are 11 Listed Buildings, six Category B and five Category C also within 5km, as well the Battle of Carbisdale Inventory Historic Battlefield. Between 5km and 10km of the application site there are a further 14 Scheduled Monuments, seven Category B Listed Buildings and seven Category C Listed Buildings.

4.12 The key recreational interests in this area are walking, hillwalking and hiking, cycling, mountain biking, horse riding, fishing, and canoeing. Loch Laro within the application site is used by anglers, while the area is also used for deer stalking. There are no Core Paths or long distance routes within the site, although the Rogart drove road between Strath Fleet and Invershin does cross the south of site. There are a number of Core Paths in the wider area including those around Lairg, Pittenrail, Spinningdale, Ardgay, Bonar Bridge, Culrain, Shin Forrest, Rosehall, and Gruids Wood. Several higher level hillwalking and climbing opportunities are also presented by the rounded peaks within the site and wider area including Beinn Domhnaill to the southeast, and Meill Dheirgidh to the southwest. The A836 and A839, which pass the site to the west and north respectively, are key access routes used by touring cyclists and motorists, as is the B9176 to the south, which includes the Struie Viewpoint. These routes are collectively promoted as the Moray Firth Tourist Route by Visit Scotland. National Cycle Route 1 follows the A836 from the south of the Dornoch Firth before joining the B864 on the west side of the River Shin passing the Falls of Shin Visitor Centre. The A837 from Invershin to Ledmore is also popular with tourists, although is not a designated tourist route. In addition, the popular and promoted Inverness to Wick trainline follows roughly the same route as the A836 from the Dornoch Firth northward through Achany Glen before heading east from Lairg through Strath Fleet.

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

National Scenic Areas

- Dornoch Firth National Scenic Area (5.1km south and southeast)

Special Landscape Areas

- Loch Fleet, Loch Brora and Glen Loth (11.3km east)

- Fannichs, Beinn Dearg and Glencalvie (13.7km southwest)
- Ben Klibreck and Loch Choire SLA (20km north)

4.14 There are a number of turbine developments in proximity of the proposal, which must be taken into account by the assessment for cumulative landscape and visual impacts (LVIA). Windfarms beyond a 20km radius of the application site have been scoped out of the assessment of cumulative effects, so the list below sets out windfarm projects within 20km that are operational, approved or have been submitted but not yet determined.

Site Name	No. of Turbines	Tip Height (m)	Location and Distance from the Proposed Development
Operational Sites			
Lairg II	10	150/180/200m	adjacent
Lairg I	3	99.5m	1.8km
Achany	19	102m	6.9km
Rosehall	19	90m	9.6km
Kilbraur and Extension	27	115m	15.9km
Beinn Tharsuinn Extension (Beinn nan Oighrean)	2	82.5m	15.9km
Beinn Tharsuinn	17	80m	16.4km
Coire na Cloiche	13	99.5m	16.5km
Gordonbush Extension	11	149.9m	25km
Gordonbush	35	110m	26km
Novar Phases 1 and 2	50	55.5m & 106m	27.5km
Corriemoillie	17	125m	41km
Lochluichart Extension	6	125m	42km
Lochluichart	17	125m	43km
Consented / Sites Under Construction			
Strath Tirry	4	135m	12.3km

Achany Extension	20	149.9m	13km
Sallachy	9	149.9m	14km
Strathrory*	7	149.9m	21km
Creag Riabhach	22	125m	26.5km
Lochluichart Extension II Redesign [^]	5	149.9m	41km
Application / Appeal Sites			
Acheilidh (scoping – formerly Lairg III)	12	230m	adjacent
Chleansaid	16	200m and 180m	14km
Meall Buidhe (appeal)	8	149.9m	15km
Strath Oykel	11	200m	15km
*Strathrory Redesign (appeal)	7	180m	21km
Kintradwell (appeal)	15	149.9m	28km
Kirkan	17	175m	40km

4.15 The permission for the nearby Braemore Wind Farm has now expired and Ministers have recently dismissed the appeal of South Kilbraur Wind Farm so both wind farms are removed from consideration in this assessment. Achany Extension has just been approved by the DPEA, while the Council has not raised an objection against Chleansaid Wind Farm but has against Kintradwell and Kirkan Wind Farms. Lochluichart Extension II Redesign was approved by North Planning Applications Committee in January 2023.

5 PLANNING HISTORY

- 5.1 22.03.2018 18/00792/SCOP: Section 36 application for Garvary Wind Farm - Request for Scoping Opinion under The Electricity Works (EIA) (Scotland) Regulations 2017 Scoping Opinion Issued
- 5.2 08.08.2019 19/03046/SCOP: Garvary Wind Farm - Request for Scoping Opinion under The Electricity Works (EIA) (Scotland) Regulations 2017 Scoping Opinion Issued

5.3 05.11.2019 19/03695/PREMAJ: Operation of a 45 Pre-Application
turbines wind farm with a maximum tip height Pack Issued
of 180m and associated ancillary
infrastructure.

6 PUBLIC PARTICIPATION

6.1 Advertised: EIA Development

Date Advertised:

16.04.2021, 12.11.2021 and 17.01.2023 – Edinburgh Gazette

16.04.2021, 23 2021 & 12 November 2021 & 20 January 2023 – The Northern Times

15 April 2021 – The Herald

Representation deadline: 30 November 2021 & 20 February 2023

6.2 Representations received 34 (1no in support, 33no objections, 0 neutral)
by The Highland Council:

6.3 Representations received 22 (1no in support, 21no objections, 0 neutral)
by Energy Consents Unit:

6.4 Material considerations raised are summarised as follows:

- Contrary to the Development Plan;
- Poor design;
- Adverse individual and cumulative visual and landscape impacts (both during hours of light and darkness);
- Adverse socio-economic impacts;
- Adverse impact on tourism and associated economic impact;
- Adverse residential and community amenity impacts, including from noise;
- Adverse impact on the Special Landscape Area and protected views;
- Adverse impact on Wild Land Areas;
- Adverse impact peatland;
- Adverse impact on wild life (including protected areas, habitats, and ornithology) both individually and cumulatively;
- Adverse impact on the water environment and private water supplies;
- Adverse transport impacts including on road safety and condition;
- Adverse impact on recreational assets and interests;
- Impacts on aviation;
- Concerns with the consultation process;
- Failure to comply with Schedule 9 of the Electricity Act;
- Potential conflicts with turbines of Lairg II WF due to turbine locations; and,
- Concerns that the application was not withdrawn or referred to the DPEA following the Council's initial objection.

6.5 The following matters raised in representations are not material planning considerations:

- Community benefits;
- Constraints payments;

- Timing of the application coinciding with a global pandemic;
- Impact on property valuation and house values;
- Claims that the development will be detrimental to Mental Health;
- Preference for investment in other forms of infrastructure;
- Impacts on private views;
- Objections to Scottish Government Policy and Planning Documents;
- The individual circumstances of objectors;
- Turbines contributing to depopulation;
- Surplus wind power and 'need' for windfarm;
- Preference for windfarms to be located offshore;
- Preference for other forms of power generation (e.g. hydro and tidal)
- Associated offsite infrastructure where this would be covered by a separate application.

6.6 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.

7 CONSULTATIONS

Consultations undertaken by The Highland Council

- 7.1 **Ardgay & District Community Council** do not object and have no specific comments.
- 7.2 **Creich Community Council object** to the application on the grounds of adverse individual and cumulative visual and landscape impacts, and adverse impacts on the qualifying interests of an SPA. It contends that the public consultation process has been inadequate.
- 7.3 **Dornoch Community Council** did not respond to the consultation request.
- 7.4 **Lairg Community Council** did not respond to the consultation request.
- 7.5 **Rogart Community Council object** to the application on the grounds of adverse individual and cumulative visual impacts, as well as adverse impacts on the public road network.
- 7.6 **Highland Council Access Officer** does not object to the application. The AO's response, which is unchanged by the AIR, notes that the proposal is on land that the general public may reasonably exercise its access rights and that these may be restricted during construction works. It notes that the specific public right of way from Sleastary to Achinduich will be impacted by construction and therefore requests a Recreational Access Management Plan (RAMP). The RAMP should detail how construction will minimise disruption to the path and access will be reinstated during the operational phase of development. The RAMP should also detail how onsite infrastructure will allow public access through the site and any other plans to improve recreational access across the site including signage and car parking provision.

- 7.7 **Development Plans Team** response considers the applicable Highland Council policy documents and policies relevant for the application's assessment and the potential for the Council to seek Developer Contributions in relation to the proposal, however no contributions have been identified or sought in respect of this scheme.
- 7.8 **Environmental Health Officer** does not object to the application subject to Conditions to limit operational noise output and to protect private water supplies. The EHO's response to the AIR remains largely as per previous advise and is considered in more detail in the report.
- 7.9 **Highland Council Forestry Officer** does not object to the application subject to further consideration of the location, extent, and design of the proposed 17½ha of compensatory woodland planting, which it requests is secured by Condition. The Forestry Officer's response remains as per initially submitted against the EIAR.
- 7.10 **Flood Risk Management Team** does not object and has no specific comments to make regarding the proposal.
- 7.11 **Historic Environment Team (Archaeology)** does not object. The Council's Archaeologist responded on the EIAR and had no further comments to add following the submission of the AIR. It's initial response noted the comprehensiveness of the ES Cultural Heritage Chapter of the EIAR and agrees with the conclusions of the EIAR that the proposed mitigation will reduce any impacts on Cultural Heritage assets to within acceptable limits. The initial response also noted that any archaeology that will be impacted by the development should be fully excavated but otherwise agrees with the methodologies set out in the EIAR.
- 7.12 **Landscape Officer** maintains their **objection** to the application on the grounds that the proposal will have an adverse effect on the second Special Landscape Quality (*The contrast between the enclosed west and the expansive east*), as well as the integrity, of the Dornoch Firth National Scenic Area. The Landscape Officer considers the proposal will have an adverse effect on the sense of place as experienced at the Struie Viewpoint, which is one of the most highly valued viewpoints in the eastern Highlands. The Landscape Officer's comments are considered further in the Planning Appraisal section of this report.
- 7.13 **Transport Planning Team** does not object to the application subject to conditions to secure further detail and agreement on matters related to the development's impact on Council maintained roads, including: access on to and from the public road; general construction traffic; abnormal loads; a Construction Traffic Management Plan; Road Mitigation Schedule of Works; and, a Section 96 Wear and Tear Agreement. Transport Planning's comments remain as per initially submitted for the EIAR.

Consultations Undertaken by The Scottish Government's Energy Consents Unit

- 7.14 **Aberdeen Airport** do not object to the application. It notes the proposal does not affect its safeguarding area. It has not specifically responded to the AIR.
- 7.15 **British Horse Society** do not object and consider the proposal an opportunity to improve connections within the community and access to the countryside. It provides advice on the importance of off-road riding in relation to road safety, the Land Reform

(Scotland) Act 2003, active travel, and the suitability of infrastructure to not impede equestrian access to the countryside. It has not specifically responded to the AIR.

- 7.16 **British Telecom** do not object to the application. It considers the infrastructure associated with the proposal is outwith its 100m infringement zone and therefore should not cause interference to BT's current and presently planned radio network. It has not specifically responded to the AIR.
- 7.17 **Crown Estate Scotland** does not object to the application.
- 7.18 **Fisheries Management Scotland** do not object. It advises that they have informed the local District Salmon Fisheries Board of the proposal (Kyle of Sutherland DSFB), and provides guidelines for planning applications to ensure development does not impact migratory fish species and the fisheries they support.
- 7.19 **Glasgow Prestwick Airport** does not object and confirms the development is beyond the consultation and safeguarding zone for the airport.
- 7.20 **Highlands and Islands Airports Limited (HIAL)** does not object to the application. It notes the proposal does not affect the safeguarding area for Inverness Airport. It has not specifically responded to the AIR.
- 7.21 **Historic Environment Scotland (HES)** does not object to the application. Its updated response considers the proposal has potential for significant impact on The Ord, chambered cairns, settlements and field systems (SM 1812) and Achinduich, stone circle 950m NNE of (SM 1761) but that it would not have a significant adverse impact on the integrity of the setting of either monument.
- 7.22 **Ironside Farrar** does not object to the application. It has reviewed the AIR's updated peat landslide and hazard risk data and considers the data and assessment to be sufficiently robust in all aspects.
- 7.23 **Joint Radio Company** withdrew its initial objection and does not object to the application. As initially submitted, several turbines were found to be within the Fresnel Zone (next to a microwave link) with potential to interfere with radio systems. However, following closer analysis the objection has been withdrawn and the proposal has cleared with respect to radio link infrastructure. It has not specifically responded to the AIR.
- 7.24 **Kyle of Sutherland District Salmon Fishery Board** do not object. It notes the potential for construction activities to impact on the aquatic environment unless appropriate mitigation is undertaken. It therefore advises that robust mitigation strategies are implemented at all stages of development to protect the ecology of watercourses in the catchment of Kyle of Sutherland. It has not specifically responded to the AIR.
- 7.25 **Marine Scotland** does not object to the application following a review of the AIR. Its response provides advice regarding survey works, data collection, and monitoring of fish habitat and populations, macroinvertebrates, and water quality.
- 7.26 **Ministry of Defence, Defence Infrastructure Organisation (MOD)** does not object to the application subject to pre-commencement conditions being attached to any permission to secure appropriate aviation lighting and data regarding exact turbine and

anemometer siting, construction and operation commencement dates, as well as final structure heights.

- 7.27 **National Air Traffic Services Safeguarding (NATS)** does not object to the application. It notes that the proposal does not conflict with its safeguarding criteria.
- 7.28 **NatureScot** does not object to the application following a review of the AIR. NatureScot initially objected on the grounds that the development would have had a significant adverse effect on one of the special qualities of the Dornoch Firth National Scenic Area to the extent that the objectives of the designation and overall integrity of the site would be compromised. However, following submission of the revised proposal, NatureScot has withdrawn its objection in relation to effects on the NSA. It has considered the likely impacts of the development on the River Oykel, and River Evelix Special Areas of Conservation; the Strath Carnaig and Strath Fleet Moors Special Protection Area; the Dornoch Firth and Loch Fleet Special Protection Area; the Lairg and Strath Brora Lochs Special Protection Area; and, Caithness and Sutherland Peatlands special Protection Area, as well as Wider Countryside Birds. It advises that the Scottish Government as competent Authority with regard its requirements pursuant to the Conservation (Natural Habitats, &c.) Regulations 1994 as amended. Its response is given detailed consideration in the appropriate subsections in the planning assessment below.
- 7.29 **Royal Society for the Protection of Birds Scotland (RSPB)** does not object to the proposal. Its response to the AIR advises welcomes the Habitat Management Plan and proposed peatland restoration but advises that both proposals should be maximised with additional measure committed to. RSPB also acknowledges that biodiversity enhancement is required under NPF4. Its response maintains concerns that the developer has not fully assessed the potential impacts of the development on a number of wider countryside bird species of conservation concern, and that the proposal will impact Strath Carnaig and Strath Fleet Moors SPA and SSSI populations of Hen Harrier.
- 7.30 **Scottish Environment Protection Agency (SEPA)** do not object subject to conditions to ensure the development: minimises its impact on peat and carbon loss; protects and enhances, where possible, wetland and peatland habitats, and improves carbon sequestration; protects the water environment by using appropriate watercourse crossings; is constructed in a manner in line with the Schedule of Mitigation; and, is decommissioned in a manner sensitive to the environment by adhering to an agreed finalised Decommissioning and Restoration Plan.
- 7.31 **Scottish Forestry** does not advise against the granting of planning permission subject to a condition to secure 17.5ha of compensatory woodland planting with a Compensatory Planting Plan submitted and approved prior to the commencement of construction works. Its response, which remains as per its initial response to the EIAR, advises that the plan must meet the requirements of UK Forestry Standard and detail site location, land ownership information, ground preparation methods, planting design including trees and shrub species to be planted, planting densities and species mix, tree protection methods required to ensure woodland's successful establishment and maintenance for the period of 10 years from the date of completion of planting operations. The plan should also contain the proposal for appropriate monitoring of the newly planted woodland and reporting on its condition.

- 7.32 **Scottish Water** does not object to the application. Its response remains as per its initial response to the EIAR, notes the proposal may affect Scottish Water drinking water catchment areas or water abstraction sources, which are designated Drinking Water Protected Areas under the Water Framework Directive. It provides advice that it would not support surface water drainage connections to the public sewer network.
- 7.33 **Scotways** does not object to the application but highlights that the Rogart Drove Road crosses the site. It has considered the implications of the development on the historic route and is satisfied that the setback of the nearest turbine appears to be the minimum distance as set out in guidance, i.e., the equivalent distance of the turbine's ground to tip height. Scotways has not specifically responded to the AIR.
- 7.34 **Transport Scotland** does not object subject to conditions to secure information regarding abnormal loads including route and accommodation measures along the trunk road network, and, information regarding construction traffic and traffic management including construction materials, additional signage and temporary control measures in relation to the trunk road network. Transport Scotland's response remains as per submitted against the EIAR.

8 DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application:

National Planning Framework 4 2023 (NPF4)

8.1 NPF4 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.

8.2 The Spatial Strategy sets out that we are facing unprecedented challenges and that we need to reduce greenhouse gas emissions and embrace and deliver radical change so we can tackle and adapt to climate change, restore biodiversity loss, improve health and wellbeing, build a wellbeing economy while striving to create great places. To that end, NPF4 sets out that choices need to be made about how we can make sustainable use of our natural assets in a way that benefits communities. In this regard, it is noted that one of the six overarching spatial principles is “Just transition” with the stated goal

being to empower people to shape their places and ensure that transition to net zero is fair and inclusive.

8.3 The Spatial Strategy reflects existing legislation in setting out that decision making requires 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 need to be provided and the assets that should be protected to ensure they continue to benefit future generations. To that end, the Spatial Priorities support the planning and delivery of sustainable places where we reduce emissions, restore and better connect biodiversity, create liveable places, where we can all live better, healthier lives, as well as create productive places, where we have a greener, fairer and more inclusive wellbeing economy (Page 4).

8.4 The policies most relevant to the consideration of this proposal are:

- 1 - Tackling Climate Change
- 2 - Climate Mitigation and Adaptation
- 3 - Biodiversity
- 4 - Natural Places
- 5 - Soils
- 7 - Historic assets and places
- 11 - Energy
- 22 - Flood risk and water management
- 23 - Health and safety
- 25 - Community wealth benefits
- 33 - Minerals

Highland Wide Local Development Plan 2012

- 8.5
- 28 - Sustainable Design
 - 29 - Design Quality and Place-making
 - 30 - Physical Constraints
 - 31 - Developer Contributions
 - 51 - Trees and Development
 - 52 - Principle of Development in Woodland
 - 53 - Minerals
 - 54 - Mineral Wastes
 - 55 - Peat and Soils
 - 56 - Travel
 - 57 - Natural, Built and Cultural Heritage
 - 58 - Protected Species
 - 59 - Other important Species
 - 60 - Other Important Habitats
 - 61 - Landscape
 - 63 - Water Environment
 - 64 - Flood Risk
 - 65 - Waste Water Treatment
 - 66 - Surface Water Drainage
 - 67 - Renewable Energy Developments
 - Natural, Built and Cultural Heritage
 - Other Species and Habitat Interests
 - Landscape and Visual Impact

- Amenity at Sensitive Locations
- Safety and Amenity of Individuals and Individual Properties
- The Water Environment
- Safety of Airport, Defence and Emergency Service Operations
- The Operational Efficiency of Other Communications
- The Quantity and Quality of Public Access
- Other Tourism and Recreation Interests
- Traffic and Transport Interests

72 - Pollution

73 - Air Quality

77 - Public Access

Caithness and Sutherland Local Development Plan 2018 (CaSPlan)

- 8.6 There are no site-specific policies covering the application site therefore the application requires to be assessed against the general policies of the Highland-wide Local Development Plan referred to above. It is noted, however, that the CaSPlan does identify Special Landscape Areas (SLA) within the plan area. In this instance, the development has potential to impact Fannichs, Beinn Dearg and Glencalvie SLA, and, Loch Fleet, Loch Brora and Glen Loth SLA, neither of which had any boundary refinements made to them through the preparation of CaSPlan.

Highland Council Supplementary Planning Policy Guidance

- 8.7 The Onshore Wind Energy Supplementary Guidance (OWESG) provides additional guidance on the principles set out in Policy 67 of the Highland-wide Local Development Plan for Renewable Energy Developments. The Guidance sets out the Council's agreed position on onshore wind energy matters, and, 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.
- 8.8 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 does not fall within an area covered by a Landscape Sensitivity Study at this time.
- 8.9 The following Supplementary Guidance also form an integral and statutory part of the Local Development Plan and is considered pertinent to the determination of this application:
- Developer Contributions (November 2018)
 - Flood Risk & Drainage Impact Assessment (Jan 2013)
 - Highland Historic Environment Strategy (Jan 2013)
 - Highland's Statutorily Protected Species (March 2013)
 - Highland Renewable Energy Strategy & Planning Guidelines (May 2006)
 - Managing Waste in New Developments (March 2013)

- Physical Constraints (March 2013)
- Special Landscape Area Citations (June 2011)
- Standards for Archaeological Work (March 2012)
- Sustainable Design Guide (Jan 2013)

9 OTHER MATERIAL POLICY CONSIDERATIONS

Highland Local Development Plan and Guidance

- 9.1 The Highland-wide Local Development Plan is currently under review and is at Main Issues Report Stage. It is anticipated the Proposed Plan will be published following publication of secondary legislation and National Planning Framework 4.
- 9.2 In addition to the above, The Highland Council has further advice on the delivery of major developments in a number of documents, which include the Construction Environmental Management Process for Large Scale Projects; and, The Highland Council Visualisation Standards for Wind Energy Developments.

Other Relevant National Guidance and Policy

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

10. PLANNING APPRAISAL

- 10.1 As explained, this application has been submitted to the Scottish Government for approval 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 Section 36 applications in the same way as a planning application as a consent under the Electricity Act will carry with it deemed planning permission.
- 10.2 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 physiological 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.

10.3 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 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

10.4 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

10.5 The Development Plan comprises National Planning Framework 4, the adopted Highland-wide Local Development Plan (HwLDP), Caithness and Sutherland Local Development Plan, and all statutorily adopted supplementary guidance.

National Policy

10.6 National Planning Framework 4 (NPF4) was adopted on 13 February 2023 at which time it superseded Scottish Planning Policy and became an integral part of the Development Plan. The document sets out that wind energy developments of over 50MW, such as that proposed through this application, fall under the banner of 'Strategic Renewable Electricity Generation and Transmission Infrastructure' and are National Developments whereby the principle of the development is established. At the high level, the document 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 (page 26). This aim, which may clearly require a balancing exercise, is not new but is reflected throughout NPF4.

- 10.7 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 per NPF4 Policy 3.
- 10.8 Complimenting those policies is NPF4 Policy 4 (Natural Places), which sets out at Policy 4 a) that development proposals, whether 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 how impacts should be assessed for different designations. For example, the requirement for an 'appropriate assessment' for proposals that are likely to have a significant effect on an existing or proposed European site is set out at Policy 4 b), while an assessment against the objectives of a designation and its overall integrity is required where the proposal impacts a national designation such as National Scenic Areas and Sites of Special Scientific Interest at Policy 4 c) (i). However, Policy 4 c) (ii) also sets out that development that will result in significant adverse effects on the qualities for which the National Scenic Area or a Site of Special Scientific Interest has been designated, will only be supported where these effects are clearly outweighed by social, environmental, or economic benefits of national importance.
- 10.9 Similarly, sites designated in Local Development Plans for local nature conservation or Special Landscape Areas are protected in National Planning Framework 4 policy 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. However, the policy also states that the precautionary principle will also be applied to planning assessments in accordance with relevant legislation and Scottish Government guidance. It is noted here that the precautionary principle is defined as "where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation".
- 10.10 The most significant policy change for Natural Places brought about by NPF Policy 4 is at f) with regard Wild Land Areas, which states that renewable energy developments that support national targets will be supported in Wild Land Areas and that buffer zones around Wild Land will not be applied so that effects of development outwith Wild Land Areas will not be a significant consideration. Policy 4 also sets out the developer and officer requirements for protecting protected species prior to an application's determination.
- 10.11 Specific for energy developments such as the current application, Policy 11 of NPF4 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. The document, at Policy 11 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. It is noted here that the Planning Authority has consistently given significant weight to a development's contribution to environmental targets prior to the adoption of NPF4. Nevertheless, these considerations are not a policy test and relate to matters of: impacts on communities and individual dwellings in relation to amenity; landscape and visual impacts; public access; aviation and defence interests; telecommunications; traffic; historic environment; biodiversity (including birds); impacts on trees; decommissioning; site restoration; and cumulative effects.

- 10.12 Policy 11 e) (ii) discusses 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. However, the landscape and visual impacts of a proposal of 25no 180 metre to tip height turbines are not likely to be localised even if that number is reduced from 37, as evidenced as by the 45km Landscape and Visual Impact study area for turbines over 150m ground to tip, and therefore the landscape and visual impacts are assessed in detail in Paragraphs 10.93 – 10.138. The current revision has sought to redress the landscape and visual effects of the scheme as originally submitted in 2021 through design mitigation by removing 12 turbines from the application area south of Loch Laro and relocating another (Turbine 17). However, 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. This judgement includes consideration against the provisions of the Development Plan, of which National Planning Framework 4 is a part.

Highland-wide Local Development Plan

- 10.13 The principal policy for assessing Renewable Energy developments within the LDP is HwLDP Policy 67 (Renewable Energy). Policy 67 sets out that renewable energy development should be well related to the source of the primary renewable resource needed for its operation. Proposals are required to be judged according to their contribution in meeting renewable energy targets and positive/negative effects on the local and national economy as well as against all other relevant policies of the Development Plan and other relevant guidance. In that context, the policy states that the Council will support proposals where it is satisfied they are located, sited, and designed such as they will not be significantly detrimental overall, either individually or cumulatively with other developments, having regard to the 11 specified criteria (as listed in Paragraph 8.4). Such an approach is consistent with the concept of Sustainable Design (Policy 28) and the concept of supporting the right development in the right place at the right time.

Area Local Development Plan

- 10.14 The Caithness and Sutherland Local Development Plan (CaSPlan) is the Area Local Development Plan covering the application site. Area LDPs, including the CaSPlan itself, do not contain any specific land allocations related to the proposed type of development. Paragraph 74 of the CaSPlan sets out that the Special Landscape Area boundaries have been revised for the CaSPlan area to ensure 'key designated landscape features are not severed and that distinct landscapes are preserved.' The

boundaries set out in the CaSPlan are supported by a background paper that includes citations for each of the Special Landscape Areas. As mentioned, NPF4 Policy 4 (as referred to in Policy 11), as well as HwLDP Policies 28, 57, 61, and 67 of the HwLDP seek to safeguard these regionally important landscapes. The impact of this development on landscape is primarily assessed in the Design, Landscape and Visual Impact section of this report (Paragraphs 10.93 – 10.108), however the impacts on SLAs have been scoped out of the assessment.

Onshore Wind Energy Supplementary Guidance

- 10.15 The Council's Onshore Wind Energy Supplementary Guidance (OWESG) forms part of the Development Plan. It should be noted that the guidance does not provide additional tests to assess development proposals against over and above Development Plan policy. Rather, the guidance compliments policy by ensuring a consistent and robust methodology is adopted in the assessment of all applicable applications, in particular (although not exclusively) for consideration of landscape and visual impacts. In that way, the guidance provides a clear indication of the approach the Council takes towards the assessment of proposals.
- 10.16 The Spatial Framework included in the OWESG 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. The nearest Group 1 area as designated in the spatial framework is the Dornoch Firth NSA, approximately 6km to the south. NPF4 Policy 11 is explicit that windfarms within NSAs remain unacceptable, but this proposal is not.
- 10.17 The OWESG also provides strategic considerations that identify sensitivities and potential capacity for windfarm development called the Landscape Sensitivity Appraisals (LSA). The Black Isle, Surrounding Hills and Moray Firth Coast Sensitivity Study, along with the Caithness Sensitivity Study were published in 2017, and now form an integral part of the statutorily adopted OWESG. East and Central Sutherland Study Area, which would cover the area of the site, is one of the six areas still to be examined. The study has been prepared in draft following the methodology and format of those studies already adopted, however has not yet been published for consultation. Nevertheless, the OWESG approach and methodology to the assessment of windfarm proposals is still applicable to the current application. Specifically, Paragraphs 4.16 and 4.17 of the OWESG, which describe the 10 key design criterion that set the 'thresholds' developments should seek to achieve in order to ensure the development is appropriately sited and designed. Although the criteria are designed to help determine whether a development complies with the applicable criteria of HwLDP Policy 67, they are also useful to inform compliance with NPF4 Policy 11 – Energy, Part e). The development's compliance or otherwise with the 10 criteria is discussed in the Design, Landscape and Visual Impact section of this report and described in detail in Appendix 3.

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

- 10.18 The Onshore Wind Energy Policy Statement (OWEPS) supersedes the previously adopted Onshore Wind Energy Policy Statement that was published in 2017. The

document sets out a clear ambition for onshore wind energy generation in Scotland and for the first time sets a national target for a minimum level of 20GW of installed onshore wind capacity. There is currently an installed capacity of 8.7GW in Scotland, which means that a further 11.3GW of onshore wind is required to meet the target. It is, however, acknowledged that targets are not caps but in delivering this target, Scotland would contribute the lion share of the identified 25-30GW requirement of installed capacity across the UK, as identified by the Climate Change Committee.

- 10.19 To deliver the ambition, a sector deal for onshore wind energy is being progressed. The detail of this is yet to be published.
- 10.20 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.
- 10.21 The document also recognises that there may be a need to develop onshore wind energy development on peat. While peatland is present on the site, SPEA has considered that appropriate mitigation has been applied by design and peat management can be secured by condition.
- 10.22 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 would 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.
- 10.23 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 establishes that the right development should happen in the right place.
- 10.24 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.
- 10.25 The role of Landscape Sensitivity Appraisals in considering wind energy proposals is promoted through the document. It is however noted that there is not an adopted Landscape Sensitivity Appraisal for the area subject to this application.
- 10.26 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 along with mitigation proposals.
- 10.27 The consultation on the Draft Energy Strategy and Just Transition Plan has just closed. Ministers will likely give consideration to this document in their decision on the application, however limited weight can be applied to it given its draft status. Unsurprisingly, the material on onshore wind energy is in large part reflective of that

contained in NPF4 and the Onshore Wind Energy Policy Statement 2022. A fundamental part of the Strategy is expanding the energy generation sector to recognise the need to meet our energy demand without reliance on fossil fuels. 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 Benefits

- 10.28 The Highland 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 8.670GW, with a further 6.5GW under construction or consented as of Quarter 1 of 2022. As of 01 September 2022, onshore wind energy installed capacity in Highland is 2.53GW, with a further 1.55GW of generation permitted but not yet built and 1.3GW 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 currently a further 2GW of onshore wind proposals pending consideration in Highland.
- 10.29 While The Highland Council has effectively met its own target, as previously set out in the Highland Renewable Energy Strategy, it is acknowledged that such targets are not a cap and may be exceeded. Equally, however, the Council recognises the balance that is called for in both national and local policy and it remains the case that there may be areas of Highland capable of absorbing renewable developments without significant effects.
- 10.30 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 150MW of electricity (turbine model dependent). The applicant's AIR projects that the development is anticipated to 'pay back' the carbon emissions associated with its construction, operation, and decommissioning within less than 1.2 (14 months) years of operation.
- 10.31 In terms of economic benefits, the proposed development anticipates a construction period of 24 months, grid connection, and 30 years of operation prior to several months of decommissioning. Such a project has potential to offer investment / opportunities to the local, Highland, and Scottish economies including for businesses ranging across construction, haulage, electrical and service sectors through the supply chain, with opportunities in research and development, design, project management, civil engineering, component fabrication / manufacture, installation, and maintenance. The applicant has regrettably not updated the socio-economic information set out in the EIAR through the AIR. The initial estimated capital expenditure of £222m has therefore not been amended. However, it is reasonable to assume that the amount will be proportionally reduced. The largest spending proportion is expected to be on turbine procurement, transport, and installation related contracts, followed by balance of plant, grid connection, and pre-construction. Research by RenewablesUK (2015) is cited to predict that up to 13% of planning and development costs for the proposed development

could be spent in the Highlands (which would be a proportion of the unamended stated amount of £2.9 million), and 59% in Scotland (£13.1 million – unamended figure).

- 10.32 The research also anticipates that up to 12% of the overall value of construction contracts for the proposed development could be realised in the Highlands (up to an amended proportion of £24m), and 36% of the value in Scotland (up to an amended proportion of £72m). The construction phase was predicted to support up to 553 jobs for two years, translating to up to £39m in salaries although it is not clear whether this remains the case for the reduced scheme. In any case, employment figures would sharply decline and level off following construction while the windfarm is operational, a factor that has been highlighted in several letters of representation. Using the RenewablesUK model, the applicant predicts one full time operations manager and 20 person days of employment per year. Given the temporary nature of construction phase job creation, the EIAR concludes the employment benefits to be significant at the local level during the construction phase but not at the national level, and minor beneficial not significant overall taking into account the operational phase of development.
- 10.33 The EIAR also expresses a commitment by the applicant to implement shared ownership in line with Scottish Government guidance. Community ownership can deliver a consistent stream of funding to the communities in the area to deliver projects of benefit to the community, and the applicant would provide funding for a Development Officer to assist local communities access such benefits. Proposals for Community Renewable Energy Developments would be supported in principle under NPF4 Policy 25 for Community Wealth Building and are specifically assessed against Policy 68 of the HwLDP. The HwLDP policy states that the same level of assessment will apply initially to community schemes as is applied to commercial schemes, although the policy allows for a greater level of impact provided the specific community is the only community significantly impacted by the development. In this instance however, it is considered that the proposed development has wider impacts beyond a single community, while no community has come forward to partner with the developer for Garvary and as such, neither policy applies to the application's assessment and community benefits are, therefore, not a material consideration.
- 10.34 There are also likely to be some adverse impacts caused by construction traffic and disruption, which are most likely to be within the service sector particularly during the construction phase when abnormal loads are being delivered to site. Several representations were raised as to the economic impacts that turbines may have on tourism. In response to this concern, the EIAR considered potential impacts on tourism by referencing a 2011 Visit Scotland study and a 2017 BiGGAR Economics study on the impact of wind farms on tourism. The EIAR also cites studies by the Mountaineering Council of Scotland (MCofS) that show that mountaineers have not been discouraged from visiting Scottish mountains and hills by windfarm development. The MCofS 2017 report at paragraph 6 is of particular note in this debate where it states that negative tourism impacts are *'experienced predominantly in areas where large built structures are dissonant with expectations of desired attributes such as wildness or panoramic natural vistas, and where ... tourists .. are particularly drawn by the quality of upland and natural landscapes*. The paragraph goes on to conclude however that *'wind farms are no serious threat to tourism: the nature of the local tourism offer, and good siting of wind farms, mean they can co-exist.'* The EIAR notes the general consensus in the studies and appeal decisions that there is no compelling evidence as a whole to suggest the visitor economy is materially undermined by windfarm development. The conclusion is reinforced by recent planning application appeal decisions that have also considered

the relationship between wind energy development and tourism, including the recent Limekiln 2 decision. However, while the Council's own experience has not shown significantly adverse effects from windfarm development on tourism so far, there is little in the literature regarding the potential for a critical mass of development and to conclude whether there is indeed a tipping point where windfarm development will ultimately discourage tourism in Highland. The development's visual impact on recreational and visitor resources, although related, is a separate issue considered in more detail as a specific visual impact.

Construction

- 10.35 It is anticipated that the construction period for the development would take 24 months. Working hours on site would usually be restricted to be 07.00 – 19.00 Monday to Friday, 08.00 – 13.00 on Saturday with no Sunday or Bank Holiday working. Some flexibility is normally granted at turbine erection stage and electrical fit out. Such activities involve specialist labour and are weather dependent and generally do not involve activities that generate impacts beyond the site boundary.
- 10.36 The AIR updates the outline Construction Environmental Management Plan (CEMP) to be deployed of the EIAR. As is standard, the document would be developed in association with the successful contractor(s) engaged in the project. CEMPs should include site specific environmental management procedures and, as is standard, are finalised and agreed through appropriate planning conditions with the Planning Authority and relevant statutory consultees. Such submissions are expected to be “plan based” highlighting the measures being deployed to safeguard specific local environmental resources and not simply restate best practice manuals. SEPA has not objected to the pollution prevention and environmental management proposals outlined in the EIAR, although they would control pollution prevention measures relating to surface water run off via a CAR construction site licence due to the scale of the development.
- 10.37 Developers must also comply with reasonable operational practices with regard to construction noise so as not to cause nuisance. Section 60 of the Control of Pollution Act 1974 sets restrictions in terms of hours of operation, plant and equipment used and noise levels, amongst other factors, which is enforceable via Environmental Health. The applicant has submitted a construction noise assessment that indicates predicted construction noise levels will be well below maximum permitted levels. It is also expected that the developer and contractors would employ the best practicable means to reduce the impact of noise from construction activities at all times.
- 10.38 The applicant has sought a micrositing allowance of 50m. Micrositing 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. In the event that matters are identified during the application stage that require movement of infrastructure, the Council considers that this is best addressed during the application stage rather than relying on micrositing. In the event the application is granted permission, micrositing of no more than 50m should be secured by condition, while any requirements to move infrastructure beyond that limit during the construction phase of development would likely require a separate application.
- 10.39 Additionally, the Council would require the applicant to enter into legal agreements and provide financial bonds with regard to the developer's use of the local road network

(Wear and Tear Agreement) and final site restoration (Restoration Bond). In this manner the site can be best protected from the impacts of construction and for disturbed ground to be effectively restored post construction and operational phases. Whether restoration would include the full restoration of new access tracks would be considered when the development is due to be decommissioned however all other associated infrastructure is expected to be restored.

- 10.40 Finally, should the development be granted consent, a Community Liaison Group should be set up to ensure that Community Councils and other stakeholders are kept up to date and consulted before and during the construction period.

Roads, Transport, and Access

- 10.41 The Port of Entry of the turbines is likely to be Invergordon Harbour. They would then travel from here via the Council maintained B817 coastal road before turning left into the U4242 unnamed industrial estate distributor road (after Woodside Gardens in Invergordon). From the U4242, the turbines would join the C1063 Academy Road before joining the A9 trunk road at Tomich junction to travel north. From the A9(T), the turbines would join the A839 at The Mound south of Golspie and proceed to Lairg where loads will turn left on to the A836 and approach the site from the north, before accessing the site at a proposed new site entrance between Achinduich and Aultnager Lodge.
- 10.42 The EIAR provides an assessment of the development's impact on the surrounding road network during the construction, operation, and decommissioning phases, as well as an Abnormal Indivisible Load (AIL) Route Assessment from the Port of Entry to the site. The Study Area for the Traffic Assessment includes the routes between Invergordon Harbour and the A9(T), the A9(T) from Tomich to The Mound, as well as the A839 from The Mound through Lairg, and the A836 from Lairg to the site access. In its initial response, Transport Planning in their response have noted that the applicant's assessment relates largely to the environmental impacts of the development with respect to the Institute of Environmental Management and Assessment guidelines, and, that while environmental impact is important, the assessment does not provide a practical evaluation or understanding of how the Council's road network will perform, structurally, physically, and in terms of road safety. The response goes on to state that the applicant's assessment does not address the physical characteristics of the road network nor whether the relevant roads can safely and suitably accommodate development traffic.
- 10.43 Nevertheless, the increase in traffic will be principally during the construction phase. Sand and aggregates to be used for onsite batching would be sourced from local quarries, with Ardchronie Quarry named as the presumed candidate, which Transport Planning has noted is essentially a rock quarry. The applicant expects to source most construction materials from onsite borrow pits however, which is generally the preferred method to reduce the number of HGV vehicle movements to and from the site. The Transport Assessment forecasts peak traffic movements in month 8 (of 24) of construction works with an estimated 39hgv trips per day and 90 car / LGV movements and that general construction traffic will be predominantly from the south along the A836 through Ardgay and Bonar Bridge to the new site entrance, with no bulk material deliveries through Lairg. Any use of the B9176 Struie Road would require prior discussion and agreement with the Council as Roads Authority, which should be secured by conditions. Due to the large number of projects impacting on the same areas of the local road network, it is anticipated that a contribution will be required from the

developer to deliver upgrades to the road network commensurate with the impact of the development. The level of contribution would be identified and agreed with the applicant prior to commencement of development and a mechanism to secure the scheme of improvements can be secured by condition.

10.44 Invergordon harbour has successfully accommodated turbine deliveries in the past. Temporary mitigation to the load road network out of this area may be required due to the size of the components being transported. A detailed up-to-date structural assessment of bridges, culverts and any other affected structures along the route would be required, in consultation with the Council's Structures Section, along with an unladen AIL run. Following on, a programme of Road Mitigation Schedule of Works should be agreed and carried out by the developer in consultation with the roads authorities. Full details can be included within the Construction Traffic Management Plan (CTMP) should the development be granted consent.

10.45 In view of the type and volume of construction traffic that will be generated by the development, Transport Planning expect significant impacts on sections of the local road network. There may also be cumulative transport impacts that occur due to the construction of the consented Lairg 2 and the further Chleansaid Wind Farms located to the north of the site, and potential impacts with Sallachy and Strath Tirry if these schemes are delayed. All of these schemes intend to utilise Invergordon Harbour as a landing port, which could lead to cumulative adverse effects. There are several other windfarm applications in the wider area currently pending consideration or at Scoping stage (see Paragraph 4.14), which would require a co-ordinated delivery schedule to reduce any potential significant effects should planning permission be granted.

10.46 Chapter 10 of the AIR replaces Chapter 11 of the EIAR includes details of mitigation measures that would be put in place during the development, through the CTMP, with the aim of reducing conflict between general construction and abnormal load traffic with other road users, as well coordinating with other windfarm developers. While a framework Traffic Management Plan is included with the AIR, final details of the CTMP, as well as a requirement for a legal agreement to address 'wear and tear' provisions, would be agreed with the Council and Transport Scotland prior to construction starting on site and should also satisfy the requirements of the Police. Any conditions would be consistent with current 'best practice' and seek to secure:

- A risk assessment for transportation of abnormal loads during daylight hours and hours of darkness.
- Proposed traffic management and mitigation measures on the abnormal load access route. Measures such as temporary speed limits, suitable temporary signage, road markings and the use of speed activated signs should be considered.
- A contingency plan prepared by the abnormal load haulier. The plan should be adopted only after consultation and agreement with the Police and the respective roads authorities. It should include measures to deal with any haulage incidents that may result in public roads becoming temporarily closed or restricted.
- A detailed protocol for abnormal load movements, prepared in consultation and agreement with interested parties. The protocol should 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, should be established, when required. All such movements on Council maintained roads

should take place outwith peak times on the network, including school travel times, and should avoid local community events.

- A procedure for the regular monitoring of road conditions and the implementation of any remedial works required during the construction period.
- Details of appropriate traffic management should be established and maintained at the site access for the duration of the construction period. Full details should be submitted for the prior approval of Highland Council, as Roads Authority.
- Measures to ensure that all affected public roads are kept free of mud and debris arising from the development

- 10.47 The site is to be accessed from an upgraded junction onto the A836 between Achinduich and Aultnager Lodge before connecting to upgraded and new tracks. The access junction would be installed to serve all construction traffic including turbine components and would therefore have to comply with the turbine manufacturer's requirements as well as THC's Roads and Transport Guidance. Transport Planning has requested details of appropriate upgrading works at the junction and the public road. Such works may include suitable drainage measures, improved geometry and construction, measures to protect the public road, and the provision and maintenance of appropriate visibility splays. These details can be secured by condition.
- 10.48 Within the site, 1.5km of existing access track would be used, which will require upgrading and widening works, in addition to 22.1km of new track to turbines, compounds, borrow pits, etc. The running width of the track would be 5m on straight sections although wider on bends, passing places, and junctions, while shoulders of 1-2m on either side of the track are also proposed. Sections of 'floating roads' would be required where tracks cross appreciable areas of deep peat, otherwise tracks will be laid over the subsoil. The track's layout is designed to take account of the site's topography and other identified constraints in order to minimise environmental disturbance and the need for water crossings.
- 10.49 There are no catalogued Rights of Way or Core Paths on the site, however Scotways have identified that the Rogart Drove Road Heritage Path crosses the site's south eastern corner, although as a drovers' road there is no identifiable path line. Additionally, there is a track running along the northside of Loch Laro and a further track due to be constructed for the Lairg to Loch Buidhe Overhead Line project, which would run due north from Loch Laro. Notwithstanding, there are multiple opportunities to access the outdoors both within the site and in the wider area while the whole site is subject to the provisions of the Land Reform (Scotland) Act 2003, which provides for wider access rights to most land in Scotland.
- 10.50 There will be a need to restrict public access to certain areas during construction works at key times, including the track upgrade works. However, the applicant has advised that it should still be possible to partake of rambling, fishing, and other sporting activities (although deer stalking is not mentioned) within the site throughout the construction period. The EIAR does not include a provisional Recreational Access Management Plan (RAMP) indicating where and when feasible wider access should be made available for public use during the construction phase for a wide variety of users.
- 10.51 To ensure access is provided throughout the construction period and that enhanced recreational access opportunities are provided during the operational phase, an Outdoor Access Management Plan will be required. The RAMP should show that 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. The RAMP will 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, however the wording should not deter the public. How new track crossings will be constructed in order to minimise disruption while existing tracks are crossed, and how the public will be permitted to use tracks and the heritage path unhindered after this time should also be specified in the RAMP. The visual impact of the development from recreational routes is considered later in this report.

Flood Risk. Water, Drainage, and Peat

- 10.52 The EIAR is clear that a CEMP 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. An updated outline CEMP is included within the AIR. The CEMP should be secured by planning condition to ensure the agreement of construction methodologies with statutory agencies following appointment of the windfarm balance of plant contractor and prior to the start of development or works.
- 10.53 The application site has identified flood risks from fluvial and pluvial sources. The EIAR identifies that fluvial flood risks relate to floodplains, which are localised around the main watercourses and waterbodies within the site. Pluvial flood risks are identified as being consistent with the main watercourse channels however the extent of surface water flood risk is localised and does not form large linked flooded areas or flow paths. Site infrastructure is not, therefore, considered at risk of flooding and the Council's Flood Risk Management Team has no specific concerns regarding that constraint.
- 10.54 Notwithstanding, the development would entail works in connection with the water environment and as such a number of measures to mitigate localised flood risks as well as protect the water environment have been highlighted by the applicant in the outline CEMP, following pre-application consultation with SEPA. Mitigation measures include:
- the adoption of sustainable drainage principles to control the rate, volume, and quality of run off from the development, in particular in relation to maintaining flow paths to specific habitats sustained by rainfall and surface water runoff;
 - 50m development free buffer zones to be maintained around all water bodies;
 - the CEMP notes that the area of hardstanding for T10 is within the 50m buffer zone of a manmade watercourse and proposes its blocking or rerouting during construction works to reduce the risk of pollution and to maintain habitats downstream (to be finalised and agreed in consultation with SEPA prior to works commencing on site);
 - new and replacement watercourse crossings to be constructed of oversized bottomless arched culverts or traditional style bridges to accommodate 1:200 year flood event flows. The EIAR advises that 11 watercourse crossings have been identified; and,
 - pollution prevention measures to mitigate against effects of potential chemical contamination, and sediment release.
- 10.55 Several concerns have been raised in connection with private water supplies. The AIR and EIAR identify that the majority of private water supplies are within the River Shin catchment west of the application site, and a further two south of the application within

the River Evelix catchment. The EIAR advises that all turbines and associated infrastructure are located more than 250m away from private water supply sources, while the AIR notes that best practice construction techniques will be employed to protect those private water sources located downstream of the site. Furthermore, a programme of pre-development monitoring would be implemented to confirm baseline water quality and groundwater levels. This information would be used to inform monitoring during construction activities and ensure there are no impacts on water supplies. Additionally, the AIR identifies a private water supply source from a spring south of the main access track and proposes alternative track construction techniques that ensure the spring's catchment is not truncated. Environmental Health has confirmed that SEPA is the lead authority on matters relating to the protection of groundwater and surface watercourses including those identified as private water supplies, but it will retain input into proposed monitoring of private water supplies.

- 10.56 The wider site is home to High and Moderate Ground Water Dependent Terrestrial Ecosystems (GWDTEs). Onsite investigations have shown several potential GWDTEs to be sustained by rainfall and surface water runoff rather than ground water, namely wet heath habitats M15b, M15c, mire habitats M25 and M29. Overall, SEPA is satisfied that impacts on those habitats identified as GWDTE, namely wet heath and mire habitats M15a and M10a as well as M6 habitats, where linked to M15a, are avoided by the site's layout.
- 10.57 In addition, the development proposes the use of Sustainable Drainage Systems (SuDS) to attenuate run off and to filter out any potential pollutants. Details of the SuDS plan can be secured by condition to allow final assessment by SEPA.
- 10.58 SEPA is generally satisfied with the proposals in relation to the water environment included with the CEMP and Schedule of Mitigation and advise that works in or in the vicinity of inland surface waters and wetlands, as well management of surface water runoff (including access tracks) will require authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR).
- 10.59 The majority of the site contains peat, with pockets of deep peat to be avoided in the west and central areas of the site. Over 4,000 peat probes were taken across the application site to identify the depth of peat and to identify impacts of the proposed development on the peat resource. The resultant information has been used to inform the site layout taking into account other environmental constraints such as sensitive habitats, ornithology, and the water environment amongst others. Following the most recent design modification, Turbines 14, 21, 28, and 31 are proposed for areas of deep peat 1m or more in depth, down from 11no turbines proposed for areas of deep peat as initially submitted. In addition, the applicant anticipates 0.6km of floating track will be required for those track sections sited over deep peat. In total, the applicant has advised that 168,734cum of peat will require excavating, but that, however, 122, 248cum of peat will be available for reuse on site for re-instatement purposes. SEPA has advised in its response that the installation of access road spurs and the siting of turbines over and deeper peat above 1m in depth will require to be justified and provides further advice regarding how peat may be reused.
- 10.60 The draft Peat Landslide Hazard and Risk Assessment, and the Peat Management Plan are updated through the AIR. These documents have also helped to inform the design of the proposal. The applicant's risk assessment identifies that all turbines are sited in areas of negligible to low risk of peat instability, with three areas of medium risk

identified that should be avoided or mitigated during construction to reduce the risk to insignificant. SEPA has requested that a finalised Peat Management Plan is secured by condition prior to works commencing on site. The Peat Management Plan should specify how micro-siting and other mitigation measures are deployed to minimise peat disturbance (taking account of other environmental sensitivities), including prioritising the use of pre-disturbed land for cable trenches.

- 10.61 The submission also includes a draft Habitat Management Plan intended to ensure the appropriate and timely restoration of peatland habitats temporarily removed during construction, at construction compounds and borrow pits for example. NatureScot has welcomed the general principles to offset the loss and damage of blanket bog however have highlighted several shortcomings; specifically: clarification on the extent of blanket bog in the study area; the extent of blanket bog lost and damaged by development, and extent of blanket bog to be restored and/or enhanced under the plan. Furthermore, NatureScot advise that the plan should be more ambitious in recognising that compensating for permanent loss requires significantly more than an equal area of permanent gain.

Natural Heritage including Ornithology

- 10.62 The EIAR, as updated through the AIR, has identified and assessed the development's likely impacts on designated sites, non-aviary interests, ornithology, protected species, and ecology. The development is not situated within any sites designated for ecological interests but is close to, and has potential connectivity with, a number of sites that are designated at national and international level. As there is potential for the proposal to impact connected sites designated at a European level (River Oykel and River Evelix SACs; Strath Carnaig and Strath Fleet Moors SPA, Dornoch Firth and Loch Fleet SPA, Lairg and Strath Brora Lochs SPA, and, Caithness and Sutherland Peatlands SPAs), the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") apply or, for reserved matters, The Conservation of Habitats and Species Regulations 2017. Consequently, the Scottish Government as the competent Authority is required to consider the impact of the proposal on Natura2000 sites through Habitats Regulations Appraisals (Appropriate Assessment). NatureScot has provided advice in relation to each of the Natura2000 sites including the likelihood of significant effects and subsequent mitigations that may be required, which is summarised below.
- 10.63 The proposal is considered likely to result in significant effects on the qualifying interests of both River Oykel and River Evelix SACs, namely Atlantic Salmon interest of the former and freshwater pearl mussel interests of both. This is because works would be carried out within the vicinity of tributaries of both rivers with potential to result in pollution and/or release of sediments into the SACs. To mitigate these effects, NatureScot advises that a Pollution Prevention Plan should form part of the CEMP, which should be approved by the Council in consultation with the appropriate agencies prior to works commencing on site and adhered to throughout the build out of the development.
- 10.64 The qualifying interests of Strath Carnaig and Strath Fleet Moors SPA, and Dornoch Firth and Loch Fleet SPAs expected to be significantly affected are hen harrier and Greylag Goose respectively however NatureScot do not consider the integrity of either site to be adversely affected by the proposal provided mitigation included in the AIR is strictly adhered to. With regards to the former site, the proposal could result in

disturbance and/or displacement of hen harrier, with the potential effect escalated due to the relocation of Turbine 17, which brings the development to within 870 metres of the SPA boundary and within the alternative nesting distance from the SPA. The mitigation includes development of a Breeding Bird Protection Plan to be a part of the CEMP and overseen by a suitably qualified Environmental Clerk of Works (ECoW), who should undertake surveying works at fortnightly intervals through the breeding season (March – August) and during the construction period, as well as construction oversight, and programming tasks as necessary to protect breeding birds likely to be impacted by construction activities. If any nesting Schedule 1 birds are found during survey works, the potentially disturbing activities should be suspended for the breeding season with an appropriate zone (to be agreed within NatureScot and The Highland Council, following NatureScot guidance 2022). With regard the Greylag Goose qualifying interest of the Dornoch Firth and Loch Fleet SPA, NatureScot advises that the proposal is unlikely to result in disturbance and/or displacement from regular feeding areas, or to significantly increase the risk of collision singularly or in combination with similar developments in the wider area.

- 10.65 NatureScot does not consider the proposal to significantly impact the Black-throat Diver qualifying interest of the Lairg and Strath Brora Lochs SPA, or the upland breeding birds qualifying interests of the Caithness and Sutherland Peatlands SPA and as such advises that Appropriate Assessments will not be required for these protected areas.
- 10.66 In relation to wider countryside birds (i.e. those not connected to a protected area), NatureScot's initial concerns with surveying work for the locations of Turbines 4, 5, and 6 are removed now these turbines are deleted as per the AIR. NatureScot's response advises that hen harrier have previously been recorded nesting close to the main access route and that any nesting in similar locations in future years (e.g. during site works), could lead to lengthy delays to construction. Notwithstanding, NatureScot agrees with the findings of the EIAR that the proposal will not have an adverse impact on the populations of Annex 1 / Schedule 1 species at the National Heritage Zone level.
- 10.67 In addition to the above, the RSPB has submitted detailed responses to both the EIAR and AIR. Its initial response expressed concerns that the survey, assessment, and proposed mitigation were insufficient and that the EIAR had underestimated potential impacts on Hen Harriers, Golden Eagle, Merlin, Short-eared Owl, Black-throated Diver, Golden Plover and other upland waders; the collision risk of Pink-footed Geese, and the position of the development in a possible migration flyway for geese and swans. In its response to the AIR, the RSPB states that it maintains its concerns, in particular in relation to hen harrier, and recommends that further mitigation is required. It is also the RSPB's view that the proposal does not currently offer 'significant biodiversity enhancements' that can be 'secured within a reasonable timescale and with reasonable certainty' as required by NPF4 Policy 3 (iv), and that the AIR does not clearly set out what elements of the Habitat Management Plan are proposed as mitigation or are considered enhancement. Similarly, RSPB advises that peatland restoration proposals should be maximised as far as possible and additional measures should be committed to, to ensure enhancement measures are delivered over and above mitigation measures.
- 10.68 Initial non-avian Protected Species Surveys were carried out in relation to Amphibians, Badger, Bats, Deer, Fish, Freshwater Pearl Mussel, Otter, Pine Martin, Red Squirrel, Reptiles, Water Vole, and Wild Cat and undertaken in late Summer 2017, late Spring and early Autumn 2019. Further surveys were undertaken in late summer 2022 for the

purposes of the AIR but focussed on locations where protected species had previously been identified to confirm they were still present.

- 10.69 Freshwater Pearl Mussel, Pine Martin, and Red Squirrel were scoped out of the assessment at the Scoping stage of the application, while there were no signs of wild cat or badger found at any survey stage with evidence of otters and water vole using the site found at each stage of surveying. NatureScot has welcomed the draft Species Protection Plans (SPP) in relation to these species but recommend the plans are developed further to take account of standing advice and kept in review to reflect the results of pre-construction surveys.
- 10.70 Bat Surveys recorded four species of bats, Common and Soprano Pipistrelles, Daubenton's, and Brown Long-eared bat, with higher bat activity recorded close to loch-sides and woodland edges rather than open habitats where turbines are proposed. The Bat Surveys also conclude that potential roosting opportunities within the site are limited to the property at Garvary, with no tree roosting opportunity, and no roosting opportunities within 200m of turbines. NatureScot recommends that any micro-siting allowance agreed still maintains a minimum 50m separation from watercourses and other features suitable for commuting bats. Any impacts on Bats may still require a Protected Species License from NatureScot, which would be subject to the development passing the three licensing tests for protected species in the event the application is approved.
- 10.71 Further preconstruction Protected Species Surveys would be required, along with an Ecological Clerk of Works (ECoW), which should be secured by condition. Surveys for legally protected species should be carried out at an appropriate time of year for the species and as close to the commencement of construction as possible, but no greater than 8 months preceding commencement of construction. A watching brief should then be implemented by the ECoW during construction. The ECoW's remit would include the authority to stop works where impacts on Protected Species are identified, as well as to oversee that works are undertaken in accordance with the CEMP and Schedule of Mitigation. Given the above, the development is not expected to have a detrimental impact on ecology.
- 10.72 Forestry, woodland, and tree impacts remain unchanged since the initial EIAR. The applicant has confirmed that there is no requirement for clear felling or key-holing of forestry plantations on or offsite for the construction or operation phase of development. However, 8.75ha of recently planted commercial conifers and pockets of recently planted native broadleaved woodland, and up to 0.5 ha of immature pole stage Upland Birchwood (at the site's access junction), have been identified for removal. Scottish Forestry have welcomed the applicant's commitment to provide compensatory planting of 17.5ha, as proposed in the Draft Habitat Management Plan, However, Scottish Forestry would require a Compensatory Planting Plan to be submitted to and approved by the Council in consultation with Scottish Forestry prior to works commencing on site, and all compensatory planting to be delivered prior to the windfarm becoming operational, which should be conditioned. It is the Council's preference that this is provided as close to the site of woodland removal as possible.
- 10.73 The Council's Ecologist has reviewed the AIR in light of NPF4, specifically NPF4 Policy 3b, which, as stated, requires proposals for major and national development to conserve, restore, and enhance biodiversity, including nature networks, with follow up management, so they are in a demonstrably better state than without intervention. The

Council's Ecologist advises that the level of compensation specified within the Outline Habitat Management Plan is insufficient to compensate for the 25.65ha of Blanket bog that will be lost to the development. The Council's Ecologist therefore recommends that the Natural England Biodiversity Net Gain (BNG) metric is implemented to help quantify the loss of habitats due to the development and the subsequent compensation measures that are required. In addition, it is also recommended that a minimum of a post development 10% biodiversity enhancement is secured for this development in line with the aforementioned policy. Given that the application has been live since 2021, which is prior to the adoption of NPF4, and the lack of national guidance on how biodiversity should be delivered, it is not considered reasonable to object to the proposal on the grounds of non-compliance with NPF4 Policy 3b, although enhancement proposals should still nonetheless be secured prior to development commencing on site.

Built and Cultural Heritage

- 10.74 Chapter 8 of the EIAR is superseded by Chapter 8 of the AIR, which has identified 29 Built and Cultural Heritage Assets within, and adjacent to, the application site (the Inner Study Area). Fourteen of these assets are prehistoric and include settlement remains such as hut circles and field systems, as well as a possible crannog, a funerary monument, and a kerb cairn, which form a part of the known Achany Glen wider prehistoric settled landscape. The majority of assets however relate to post-medieval farming activities and include five historic townships, farmsteads, and individual crofts, along with other features associated with husbandry. There are no Scheduled Monuments or Listed Buildings within the inner study area. The statement concludes that there is moderate potential for the site to contain unidentified buried archaeological remains, including prehistoric remains, particularly in areas of known archaeology such as sheltered valleys, waterbodies, and watercourses. The Council's Archaeology Officer agrees with the findings of the AIR that the proposed mitigation will limit any impacts on Cultural Heritage assets to within acceptable an acceptable range, however requests that a detailed Written Scheme of Investigation is agreed to by the Council prior to works commencing on site, which should be secured by condition.
- 10.75 Outwith the site boundaries (the Outer Study Area) the AIR identifies 15 Scheduled Monuments within 5km of the application site, including pre-historic settlement remains, cairns, chambered cairns, stone circles, and hut circles. There are also nine Listed Buildings, six Category B and five Category C within 5km, as well the Battle of Carbisdale Inventory Historic Battlefield. Between 5km and 10km of the application site there are a further 26 Scheduled Monuments, as well as one Category A, 11 Category B and 20 Category C Listed Buildings.
- 10.76 In its initial response to the EIAR, Historic Environment Scotland (HES) did not object to the application as it did not consider that the development's impact on historic assets raised issues of national interest. HES did, however, advise that the development would have a significant adverse effect on the setting of four scheduled monuments especially Achinduich, stone circle 950m NNE of (SM 1761), and, The Ord, chambered cairns, settlements and field systems (SM 1812). As such, HES recommended that mitigation through the removal of Turbines 3, 4, and 5 would reduce these effects. With regard Achinduich, stone circle 950m NNE of (SM 1761), HES considers the relocation of T17 to have helped reduce impacts on that Scheduled Monument. HES also considers the revised proposal to have reduced the spread of turbines in outward views to the southeast and to have slightly reduced the impact on the setting of The Ord, chambered

cairns, settlements and field systems (SM 1812) overall. HES are content that the proposed development would not have significant adverse impacts on the integrity of the setting of Achany, chambered cairn 250m NE of (SM 1759), and, Achany Glen, settlement 900m to 1850m S of Lairg Station (SM 2208).

Design and Layout

- 10.77 Chapter 3 of the AIR supplements Chapter 3 of the EIAR and updates the scheme's evolution through several design and layout iterations up to the initial Section 36 submission for 37 turbines and its subsequent amendment down to 25 turbines as currently being considered. The stated reasons for the site's selection remain unchanged being that the site benefits from good wind resource, a lack of landscape and environmental designations within the application site and its proximity to suitable transport and grid infrastructure.
- 10.78 Table 3.1 'Mitigation By Design' of the AIR (Volume 2, Chapter 3 - Main Report) updates that of the original EIAR and outlines how the applicant has sought to redress the Council and NatureScot's considerable landscape and visual impact concerns, amongst other constraints, while maximising the energy output of the scheme. In that respect, the table sets out that by reducing the southern and western extent of the development, the revised layout prevents turbine encroachment in to the Achany Glen, as well as increases the separation distance from the Dornoch Firth NSA. Additionally, the table describes that the revision has produced a more compact, cohesive, and balanced array, in particular when viewed from key locations such as the Struie Viewpoint (Viewpoint 12), and that it integrates better with the adjacent Lairg II Wind Farm.
- 10.79 This last point is particularly relevant given the challenges of accommodating multiple wind farm schemes in relatively close proximity and the potential for visual clutter as well as the need to reinforce the appropriateness of each development for its location, while newer schemes should avoid unduly undoing the mitigation achieved by existing schemes.
- 10.80 In this instance, Garvary would be adjacent to, and south of, the 10 turbines of the aforementioned Lairg II Wind Farm, currently under construction with the three existing turbines of Lairg I erected on the adjacent site north still. The 25 turbines of the revised Garvary scheme would increase the number of turbines at the location to 38, sharing the setting of both schemes while increasing the spread of the grouping over a larger geographical area. Consequently, the proposal must be judged on its cohesiveness relative to both Lairg Wind Farms.
- 10.81 The turbines of Lairg I have tip and hub heights of 100m and 60m respectively, and rotor diameters of 80m. The approved redesign of Lairg II increases the scale of the ten turbines with five turbines approved for a maximum blade tip height of 200m, two turbines for maximum tip heights of 190m, and three for 150m maximum tip heights. The corresponding hub heights of these turbines are 125.5m, 115m, and 83.5m respectively, which will have respective rotor diameters of 149m, 133m, and 133m. Despite representing a considerable increase in turbine size in to the area, Lairg II's redesign was accepted on the grounds that the limited number of turbines can be accommodated within the host landscape with the different turbine sizes responding to the specifics of their siting such as height AOD, intervening topography and due to the scheme's separation from other wind energy developments in the area. Indeed, it was noted in the assessment for Lairg II that there is some separation between the two

developments and that intervening topography affords the larger Lairg II's turbines sufficient containment.

- 10.82 The proposed 180m to tip turbines are consistent in height with the Lairg II and more recent schemes under consideration including Acheilidh Wind Farm (up to 230m), which is at the scoping stage and proposed for an adjacent site, as well as Chleansaid (up to 200m), and Strath Oykel (up to 200m) Wind Farms in the wider area. The larger tip heights are reflective of the direction of travel for turbine design as larger turbines produce a greater energy yield and, according to developers at least, are cheaper to procure as smaller turbines are increasingly considered bespoke by manufacturers. Nevertheless, the turbines are still significantly larger than installed turbines in the wider area, for example the Rosehall and Achany cluster with tip heights ranging from 90m to 102m, while schemes for turbines in the 150m to tip range (below which aviation lighting is not required) are still largely either awaiting approval, or to be built out.
- 10.83 In terms of layout considerations, the application site, as was previously noted, is within the same landscape area as Lairg II, which contains several distinct landscape features that include the rounded undifferentiated moorland covered slopes and summits, and lochs described in Paragraph 4.1 above. Whereas the design iteration as initially submitted contained two loose groupings on either side of Loch Laro, the removal of Turbines 1-12 and relocation of Turbine 17 mean that the two loose sub-groupings south of Loch Laro are now removed from the scheme. The Council's original objection to the proposal described how the initial scheme showed turbines spread on, over, around, in-front and behind several of these aforementioned summits and slopes so that it was not identified with any specific summit nor afforded any real containment within the landscape, which produced a sprawling development with inconsistent turbine elevations as well as an uneven separation between turbines and turbine subgroupings. Overall, the impression was of a poorly conceived scheme that would be imposed on to the landscape rather than be located within it, while the loose sprawl of the array was confusing to the receptor as it would not have been clear from many viewpoints whether the turbines were part of a single scheme or a cluster of multiple wind energy developments.
- 10.84 While acknowledging that the Council's previous response noted potential scope for a more sympathetically designed compact scheme contained north of Loch Laro, and notwithstanding the scheme's revisions, there remains potential for significant residual landscape and visual effects that require further consideration. Any assessment must pay particular attention to the specific Landscape Character Area (LCA) of the receiving landscape, any landscape designations in the wider area, susceptible receptors, and public views. The implications of the revised development on the perceptual experience of the landscape and the visual experience of the receptor are considered in the respective Landscape Impact and Visual Impact sections below, with the analysis generally setting out that the reduced scheme has more or less mitigated the worst of the proposal's excesses, its impact on the special qualities of the NSA remain.
- 10.85 In terms of design of the other infrastructure on the site (control building, substation and tracks), these appear to have been well sited with those elements of greatest visual impact set back from the road and screened by the topography of the site from the public realm. However, the design of these components requires to be progressed as details of final design is not shown within the EIAR, which can be secured by condition in the event the scheme is approved. The applicant is aware of the Council's requirement for associated buildings to be designed in a manner that reflects the

Highland vernacular. The use of internal transformers is acceptable as this is considered to reduce the visual clutter of additional infrastructure on the site.

Landscape and Visual Impact Assessment Methodology

- 10.86 The applicant has presented a number of submissions to illustrate the landscape and visual impact of the development both singularly and cumulatively with existing and consented windfarm developments. To this end, the AIR includes a description of the design process, along with assessments against Landscape Character Types (LCT), National Scenic Areas (NSA), and Special Landscape Areas (SLA), as well as Wild Land Areas, which were not included in the initial assessment. A total of 16 viewpoints across a study area of 45km have also been assessed, however all viewpoints are within 30km of the development. These viewpoints are representative of a range of receptors including communities, recreational users of the outdoors, and road users. The expected bare earth visibility of the development can be appreciated from the ZTV to Blade Tip / Hub height with Viewpoint locations, landscape designations, and sensitive receptors in the AIR (Appendix 3a, Figures 4.6 – 4.18 for singular effects / Figures 4.14 – 4.15 for cumulative effects). The information submitted with the AIR is considered sufficient to allow the Planning Authority to come to a reasoned conclusion on the likely landscape and visual effects of the development.
- 10.87 The methodology for the LVIA generally follows that set out in Guidelines for Landscape and Visual Impact Assessment Third Edition (GLVIA3). As set out in para 3.32 of GLVIA 3 the “LVIA should always clearly distinguish between what are considered to be significant and non-significant effects.” The applicant judges significant effects following the combination of judgements based on the Sensitivity of the Receptor (Volume 2, Chapter 2, Table 4. 2 of the AIR), as defined by the receptor’s susceptibility (the degree to which a landscape element can be restored, replaced, or substituted) against the importance (value) of the view / landscape, which it distinguishes between international, national, regional, and local, against the Magnitude of Change. Judgement of Magnitude of Change is based on an assessment of the size or scale of the change, the geographical extent of the area influenced by the change, and its duration and reversibility.
- 10.88 According to the definitions provided in the AIR Volume 2 Chapter 4 Table 4.2 (repeated as Table 1 in the Technical Appendix 4.1), impacts of major and major / moderate correspond to significant effects. where ‘moderate’ effects are predicted, the AIR advises that professional judgement has been applied to ensure that the potential for significant effects arising has been appropriately considered. those effects classified as moderate / minor, minor, or negligible are considered to be not significant. In combination impacts of the proposal are considered under four scenarios: 1) the present baseline, i.e., operational developments and those under construction; 2) the predicted baseline, which considers additionally considers consented but as yet not constructed schemes; 3) the future baseline as considered against schemes awaiting determination at the time of the assessment, which the AIR advises are considered on a case-by-case basis; and, 4) a high-level assessment of cumulative effects with Acheilidh Wind Farm, which is currently at Scoping stage.
- 10.89 The LVIA chapter (Chapter 4) of the AIR methodically sets out the Applicant’s assessment of the development’s landscape and visual impacts and effects, including assessments of relevant LCTs, which have been divided into distinct areas and units, including the hosting unit of LCT Rounded Hills – Caithness and Sutherland (NatureScot

Landscape Character Type LCT 135) south of Strath Fleet; other areas of LCT 135 Rounded Hills – Caithness and Sutherland; the Lairg unit of Farmed and Forested Slopes with Crofting (LCT 145); and, the Kyle of Sutherland unit of LCT 142 Strath. The AIR differs to the EIAR in that it has provided an assessment of the significance of visual effects on views for each of the viewpoints, which makes the applicant's logic easier to follow. The assessing officer's assessment of the significance of the development's visual effects at each viewpoint is provided in Appendix 2 of this report.

10.90 In addition to the above, the applicant has included assessments of the effects of the development on the special qualities of the Dornoch Firth NSA and 'high level' assessments of the proposal's likely effects on the wild land qualities of Ben Klibreck - Armine Forest (WLA 35), Foinaven – Ben Hee (WLA 37), Reay – Cassley (WLA 34), and Rhiddoroch - Beinn Dearg - Ben Wyvis (WLA 29), which lie a minimum of approximately 12 km to the north-east, 21 km and 8.8 km to the north-west, and 12.4 km to the south-west of the Proposed Development respectively. Although given that the proposal as initially submitted was not considered to result in significant effects on WLAs and the policy status of WLAs in NPF4 relative to energy developments, this report does not include a review of this WLA impacts, while impacts on SLAs are scoped out of the assessment as already mentioned.

10.91 Officers generally agree with the assessment of susceptibility of visual receptors, noting that the Council considers local residents and recreational users focussed on an appreciation of the landscape qualities such as hillwalkers, visitors to heritage assets and other attractions, other formal stopping places on scenic routes for example, and recreational users moving through the landscape at slower speeds, such as cyclists, to be visual receptors of high susceptibility to wind energy development. Officers also consider that passengers of faster moving vehicles may also be susceptible to changes in the view and visual amenity.

10.92 A key part of the of the Council's assessment of landscape and visual effects is a consideration of the proposal against the Criterion set out in Section 4 of the Onshore Wind Energy Supplementary Guidance (OWESG), with the assessment against the criterion and view as to whether the threshold set out in the guidance is met or not, contained in Appendix 3 to this report. Furthermore, landscape and visual impacts of the proposed development may be reversible as the scheme would be capable of being decommissioned as stated within the AIR. However, as set out in Policy 11 (f) of NPF4, windfarm sites should be suitable in perpetuity, and it is therefore considered reasonable to assess the duration of all landscape and visual effects as non-reversible in that context.

Landscape Impact

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

- impacts on the local landscape composition closer to the development;
- impacts on the Landscape Character Area (LCA) as a whole and on neighbouring LCAs; and,

compliance with THC Onshore Wind Energy Supplementary Guidance as it relates to Landscape Sensitivity.

- 10.94 The development site sits within a Landscape Character Area (LCA) of undulating plateau and hills between Strath Fleet, Achany Glen and the Kyle of Sutherland. The hills in the area are not high, 250-350 AOD, but do form an exposed upland moorland area. The turbines would be located within the open moorland that characterise the summits and slopes of the rounded hills. This distinct, recognisable and consistent pattern of elements in the landscape defines the landscape character, with the development falling within Landscape Character Type (LCT) LCT 135 Rounded Hills – Caithness and Sutherland, as identified in the NatureScot National Mapping. NatureScot’s descriptor for LCT 135 Rounded Hills - Caithness and Sutherland describes the site’s specific LCA as ‘...*more subtly rolling hills and moorland..[with] [o]ccasional pockets of flatter wet peatland and more gently sloping ground occur within these areas. Some of the hills fringing these more subdued areas are often prominent in views from adjoining settled Straths...despite being relatively low.*’ The applicant has specifically assessed this landscape unit as the ‘*Rounded Hills (LCT135) – south of Strath Fleet unit*’, represented by Viewpoint 5, and considers it to be of medium value due to it providing the upland setting of Lairg and its corresponding Farmed and Forested Slopes with Crofting LCT (LCT 145) tempered by there being no specific landscape designations on the site. The applicant assigns a medium susceptibility to the LCT unit by virtue of the receptor’s large scale landform and due to the presence of existing and approved turbine development. Overall, the applicant considers the south of Strath Fleet LCT as having medium sensitivity to wind farm development and that the proposal will result in significant effects on the receptor within up to 1.5km north and 5km east of the nearest turbines but reducing to not significant outwith these distances as Garvary is increasingly viewed in relation to other schemes and the influence of the turbines is replaced by other landscape features.
- 10.95 Similarly, the applicant has focussed on the Lairg unit of the Farmed and Forested Slopes with Crofting Landscape Type, to which the applicant assigns a medium value due to the lack of designations within the unit on the one hand, and the contrast between the inhabited settled landscape and the wilder surrounding and enclosing hills with moorland and the sense of place this creates on the other. The applicant’s assessment sets out the LCT unit’s medium-high susceptibility to wind farm development due to the relatively complex visual compositions and landscape patterns it hosts and the medium-high sensitivity that the combination of value and susceptibility produces. The assessment concludes that the development will result in higher magnitudes of change and significant landscape impacts in areas of higher visibility where the proposal exerts a greater influence within the LCT unit, i.e., south and east facing slopes, mostly, but not exclusively, in the western areas of the LCT unit. This LCT unit is represented by Viewpoints 1, 4, 6, and 7.
- 10.96 In terms of Strath – Caithness and Sutherland LCT (LCT 142), the applicant has focussed on the Kyle of Sutherland unit, which has a greater theoretical visibility of the proposal in comparison with Achany Glen and Strath Fleet, although as set out above, this is limited to the higher ground on the north and eastern facing slopes along the southern sides of the unit. Although the LCT Unit is represented by Viewpoints 2, 3, 8, and 14, the revised proposal means that there is no longer any theoretical visibility of the development from the Viewpoints 2 and 3. The applicant considers the popular strath with its contained and enclosed strath landform and smaller landscape features to have a medium-high value and a medium-high susceptibility to wind farm development, which lead to a medium-high sensitivity. The assessment concludes that the development will not have a significant effect on the character of the LCT unit by

virtue of the visibility being largely limited to higher ground and the specific orientation of the viewer for the receptor to exert influence on the appreciation of landscape effects.

- 10.97 While this approach of assessing specific LCT units is helpful and the applicant's assessments are not disputed, it is also appropriate to consider the development's impact on the local landscape character and context that arises from the complex interaction of different LCAs in the area. The Council's previous response to this scheme set out that the setting of Lairg specifically is informed by the dynamic relationship of Straths converging on pockets of Farmed and Forested Slopes with Crofting, with both constrained on all other sides by Rounded Hills and Sweeping Moorland and Flows LCTs. This interplay of LCTs contributes to the Sense of Place of the transport corridors and the settlements within the inner core of the Study Area. To the South of Lairg the Rounded Hills LCT forms a narrow neck where it interrupts the flow from Strath to Farmed and Forested Slopes with Crofting.
- 10.98 This close association of LCTs is essential to understanding the landscape character of Lairg's situation at a node of narrow routes through the inaccessible Rounded Hills; this is a transitional area through which the receptor experiences a variety of landscape characters in succession within a short travel time. Officers consider the Rounded Hills – south of Strath Fleet LCT unit to have a higher susceptibility to wind energy development at this location because of the way its edge parallels the adjacent Strath (Achany Glen) with its associated transport corridor, which means that the LCT unit is seen in the context of a shallow foreground of smaller scale landscapes. Consequently, the LCT unit does not benefit from the lack of scale indicators that provide other locations within the wider Rounded Hills LCT, specifically the interior, more scope to host large scale turbines.
- 10.99 It is within the above context that the Council objected to Garvary Wind Farm as initially proposed on the grounds that the location, scale, elevation, and spread of the turbines would result in an overtly prominent development that would undermine the integrity of distinctive key landscape characteristics and character areas; with detrimental landscape impacts on its hosting Landscape Character Area, its Landscape Character Type as a whole, as well as on the complex of nearby Landscape Character Areas that characterise the setting of Lairg and the Achany Glen, all of which it would have overwhelmed. In contrast however, officers are now satisfied that reducing the scheme by removing turbines south of Loch Laro with an increased set back from Achany Glen has brought collective landscape effects on the local landscape composition, as received in locations in and around Lairg (Viewpoints 1, 4, 6, and 7), to within acceptable limits.

Dornoch Firth National Scenic Area

- 10.100 The development will be visible and experienced from within the Dornoch National Scenic Area (NSA), which encompasses the seascape and surrounding landscape and is designated for its special qualities related to its wide variety of landscapes that range from wilder upland moors above farmed and forested slopes, to its bays, sands, flats, shallows and promontories as they relate to the firth itself. Subsequently, an assessment against the defined special qualities of the NSA is required.
- 10.101 The applicant's initial assessment focussed on two of the NSA's Special Landscape Qualities (SLQ) as was agreed with NatureScot during the Scoping stage of the application; namely, 'The Contrast Between the Enclosed West and the Expansive

East', and, 'Inhabited Surrounds Within a Wilder Backdrop of Hills and Moors'. In its review of the EIAR, NatureScot advised that it considered the impact on 'The Contrast Between the Enclosed West and the Expansive East' SLQ to be within acceptable limits, and therefore an assessment against this SLQ is scoped out of this report. Since the submission of the AIR, NatureScot has also withdrawn its objection on the grounds of significant impacts on the 'Inhabited Surrounds Within a Wilder Backdrop of Hills and Moors' SLQ, with its response acknowledging the efforts to mitigate the adverse impacts on this SLQ:

"In particular there has been a substantial reduction in the horizontal extent of views occupied by turbines when seen from within the NSA (e.g. viewpoints 10 and 18) resulting in the turbines appearing as a more cohesive grouping, particularly from more elevated locations. While this may reduce both landscape and visual effects from within the NSA, the effect on this SLQ described remain, in our view, significant. The Dornoch Firth is a small NSA and views from within it looking outwards are an important component of its enjoyment, particularly for those travelling through it. Whilst there remains a large number of highly visible turbines, due to the prominent location of the proposal (see viewpoint 12 at Struie) on entering further into the NSA, these views tail off substantially (as shown by the ZTV) and locations where effects would be significant are very limited.

We therefore consider that the effect on this SLQ will be significant as the proposed development would be located within the wilder and less managed backdrop which makes an important contribution and contrast to the mosaic of farms and woodland on the coastal flats within the NSA. These effects are limited to locations entering the NSA from the south, in particular from the celebrated viewpoint at Struie."

- 10.102 Officers agree with NatureScot that the effect of Garvary Wind Farm on the SLQ will be significant (in contrast to the applicant's assessment), maintaining, however, that this significant effect remains grounds to object to the proposal.
- 10.103 The AIR conclusion that the SLQ is at a low-medium risk of damage or loss is not accepted. The analyses in Table 4.6 of AIR Volume 3 Chapter 4 do not give sufficient weight to the effect of changes on the distant hills that backdrop the NSA and form its containing skyline, due to them being outwith the boundary of the NSA itself. These hills are clearly referred to within the 'Inhabited Surrounds Within a Wilder Backdrop of Hills and Moors' SLQ and are therefore fundamental to that special quality and that, therefore, effects on this SLQ by the development are not nullified by the development being located outwith the NSA. Consequently, the risk in relation to the proposal is considered as Medium, resulting in a Medium to Medium-high and significant level of effect, in contrast to the AIR, which is considered to downplay the risk of damage or loss to the SLQ that development on these hills would occasion.
- 10.104 Indeed, it is considered that the level of mitigation that the AIR states is afforded by 'the very limited parts of the NSA that will actually be affected by visibility of the Proposed Development' to be overstated when considered in light of the significance of the Struie Viewpoint location as one that provides elevated and expansive views from which the SLQ is best appreciated, and in which the proposed development would form a key focus. Also cited as mitigation is the

'appropriately large scale of the "backdrop of hills and moors" setting, in the context of which the turbines will be seen (which also ensures that a contrast is retained

between the large-scale “backdrop of hills and moors” and the “Inhabited surrounds” of the firth).

This analysis is considered incorrect however because, while the majority of hill **slopes** in the composition experienced in and around the Struie Viewpoint are wooded or farmed, Garvary Wind Farm is focused on moorland **tops**, which diminishes the wildness, and therefore the contrasting qualities afforded by the hills and moors, as noted by the SLQ.

- 10.105 Further to the above, the AIR also concludes that the development would not have a significant effect on the ‘integrity’ of the NSA as a scenic destination. However, it is considered that the significant effect on the ‘Inhabited Surrounds Within a Wilder Backdrop of Hills and Moors’ SLQ must also constitute an erosion of the integrity of the NSA. This is because the SLQ is primarily perceived from this popular and elevated viewpoint, which has its own immensely strong sense of place. While the development lies outwith the NSA boundary and does not have a direct physical effect within the NSA itself (the boundary of the NSA being drawn closer to the Firth than can encompass the hills that create the quality described), the skyline that would contain the development cannot be abstracted from an appreciation of this SLQ of the NSA. Therefore, it is concluded that, perceptually, if not physically, the development would have a moderate and significant effect on the integrity of the NSA.
- 10.106 In addition to an assessment of the impact on the Special Landscape Qualities of NSA as a designated landscape in its own right, it is also appropriate to consider the role of the NSA within the greater landscape context of the eastern Highlands. The NSA is the only National landscape designation in the eastern Highlands and stands out as having a series of land and sea -scape compositions that are rare in Highland and lend the location a strong sense of place. The Dornoch Firth and Kyle of Sutherland penetrate deep into the hills of Ross and Sutherland, carrying a maritime influence far from the open sea, are described in the Sutherland Kyles and Coast entry of the Scottish Natural Heritage – Landscapes of Scotland publication which seeks to ‘identify and describe the contribution of Scotland’s landscapes to this sense of place and cultural identity’.
- 10.107 The *‘very small part of the NSA that will be affected by discernible visibility of the proposed development’*, as expressed in the AIR Volume 2 Chapter 4 Table 4.6, includes a principal entry point to views of the NSA from which the majority of the upper Firth is visible. The effects on such a notable prospect over the designated landscape cannot be reduced to the number of degrees of horizon or that fact that this impactful view of the NSA is only achievable from a limited area but must be considered as an experiential change of land and sea -scape characteristics of wider import.
- 10.108 While the design revisions and willingness of the applicant to seek an acceptable development are welcomed, it is considered that despite the fact that improvements elsewhere in the Study Area have been achieved, the effects on the second SLQ of the NSA when experienced at the Struie Viewpoint remain significant and adverse.

Visual Impacts

- 10.109 Chapter 2 of Volume 2 of the AIR includes a visual impact assessment from each of the 16 viewpoints, including an assessment of what the applicant considers the significance of the visual effect of the development will be from each Viewpoint. Unsurprisingly, there is a difference between the applicant’s assessment and the appraisal undertaken by officials, which is to be expected when such assessments are dependent on the

application of professional judgement. Differences in judgement are set out in Appendices 2 and 3 and in the main text below.

- 10.110 Each viewpoint is considered by the applicant to be used by receptors of Medium-high and High Sensitivity to wind energy development, although it is acknowledged that not all receptors experiencing the development from all of the viewpoints would have a high sensitivity to the development. The sensitivity of receptors is considered to be higher than that of the applicant at Viewpoint 13 (A836 - Rhian Bridge) by virtue of the A836 being on the NCR1 whereby cyclists may be moving through the landscape at a slower rate than vehicles and thereby more likely to be engaging in an appreciation of the landscape and surrounds. Conversely, the sensitivity of receptors at Viewpoints 7 (Lairg Cemetery, overlooking Lairg), 8 (Achnahanat), and 11 (Achnairn) are considered to be Medium-high rather than High as the applicant has assessed the residential status of some viewers to outweigh the value of the view. Otherwise, the sensitivity of visual receptors set out in the AIR is accepted, noting that for Viewpoint 4 (A839 Between Lairg and Rosehall) the Council has reassessed the sensitivity of the receptor as High to take account of Core Paths and recreational activities in the area. The applicant's assessment of the significance of the visual impact of the proposal as a standalone development concludes that the Garvary will result in significant visual impacts at Viewpoints, 1 (A836 layby between Invershin and Lairg), 4 (A839 Between Lairg and Rosehall), 5 (Creagan Glas), 6 (- Ord Hill, above Lairg), 7 (Lairg Cemetery, overlooking Lairg), and 11 (Achnairn). This is accepted.
- 10.111 However, for reasons set out below, it is considered that the development will likely result in significant visual impacts from Viewpoints 9 (West Langwell), 12 (Struie Viewpoint), and 13 (A836 - Rhian Bridge), which therefore leads to a conclusion that the proposal will generally have significant visual impacts as experienced by receptors within 16km of the turbines, although it is acknowledged that Viewpoints 8 (Achnahanat), and 10 (A836 at Ardchronie) are exceptions. In the first case for Viewpoint 8, it is not considered that the visual effect of the turbines would be significant for the receptor by virtue of the reduction of the revised development's horizontal spread, turbines appearing behind the horizon, and the simplicity of the turbines' visible setting leading to a medium-small scale of change from this viewpoint. In the latter case of Viewpoint 10, which, despite being taken from within the Dornoch Firth National Scenic Area, the lower level of the viewpoint being closer to sea level means that the turbines are largely screened with tips just appearing above the forested slopes on the other side of the Dornoch Firth, which provide framing and containment of the visible blades.
- 10.112 Indeed, it is considered that the amended scheme has reduced the level of significance of visual effects at Viewpoint 8, as well as at Viewpoints 14 and 15, for reasons that the removal of the Turbines 1 – 12 south of Loch Laro has reduced the horizontal spread of the scheme as experienced from Viewpoints 8 & 14, and improved Garvary's overall composition from Viewpoints 14 and 15, where there are fewer occurrences of turbine stacking and there is less visual clutter in the receptor's views.
- 10.113 For Viewpoint 9 however, it is considered that the revised proposal produces the least perceptible change to the scheme as originally submitted compared to other viewpoints. This is because the array's width appears largely the same, if not bigger following the relocation of Turbine 17, due to the receptor's angle of view. The significance of the effect, which has not been acknowledged in the applicant's assessment, is due to the perceptible width of the array with the turbines breaking the skyline and outcompeting

the distant peaks of the Fannichs, Bein Dearg, and Glencalvie SLA for visual prominence and thus reducing the sense of scale and distance in the landscape. However, it is acknowledged that the scale and simplicity of the framing landscape means that the proposal can be accommodated from this Viewpoint.

- 10.114 The assessment of visual impacts also differs with the applicants at Viewpoint 12, which is taken from the highly valued, highly trafficked, and promoted Struie Viewpoint. At this Viewpoint adverse visual effects are considered pronounced due to its elevated position with turbines being located directly in the receptors' forward views, despite occupying a limited portion of the receptor's field of vision, with the turbines themselves occupying an elevated position. The revised scheme removes six blades and four hubs from the view at this viewpoint and while the majority of turbines now sit behind the horizon, Turbines 22 and 23 appear to sit on the horizon line while Turbines 14 and 24 are sited on near slopes, which gives the proposal the effect of visual creep. The partial screening afforded by the topography leaves around 20 hubs remaining in view, with only two turbines, Turbines 16 and 20, being close to being completely obscured, which also appear as outliers. Consequently, Garvary represents a highly notable change in the baseline view and would result in a considerable change in the character and visual qualities of the viewpoint and would bring with it an alteration in the perception of scale and distance within the landscape, which would be contrary to criterion 8 of the Council's Onshore Wind Energy Supplementary Guidance 2016.
- 10.115 In that way, the applicant's assessment that the turbines will not detract from the scenic qualities of the Firth itself is not accepted. While the applicant correctly states that the scenic qualities within the Firth itself will not be changed by the development (except where the turbines change the character of the framing distant hills), the turbines are of a very different scale, colour, texture, and character to the traditional industries represented within the landscape, which the turbines will sit prominently above. While the turbines' setback within the simpler Rounded Hills landform is acknowledged, it is not accepted that this setback reduces the perceptual scale of the turbines given that they are still experienced in combination with the complex Farmed and Forested Slopes with Crofting landscape below, which hosts many 'uncomfortable' scale comparators. Based on this assessment, it is considered that the applicant's assessment has downplayed the visual impacts and effects of the development on receptors enjoying the scenic qualities of this unique and exceptional viewpoint.
- 10.116 For Viewpoint 13, the landform and features on the forestry and Strath landscape draw the eye to the site of the development, which, it is acknowledged, would also be occupied by Lairg II however from Rhian Bridge, Garvary would still appear prominent in the forward view with its turbines appearing on both sides of the horizon over and around the different summits and landforms. Although Garvary's relationship with the horizon is improved in comparison to the previous iteration by virtue of the reduction in the spread of turbines, the composition is still noticeably poor due to differences in turbine densities, visible gaps (such as between Turbines 23 and 32, which would not meaningfully be filled by Lairg II from this viewpoint), and Turbines 16 and 20 appearing as outliers that create an unnecessarily wider horizontal spread. Although Strath Tirry will be the most immediate and jarring scheme in forward views from this viewpoint (if built out), once the receptor has moved passed this scheme, the Garvary Lairg cluster then become the prominent turbines in the view. From here, the poor composition of the array from this area combines with the scale of the turbines to diminish the landform, particularly the backdrop hills. This is because the turbines interact with the more complex pattern of undulating and rising hills beyond the simpler foreground formed of

sweeping moorland intersected by forestry, which all act as scale indicators in the landscape. These effects are considered to be significant and adverse.

- 10.117 For each of the viewpoints elaborated above (Viewpoints 9, 12, and 13), the applicant has considered the Magnitude of Change occasioned by the singular development to be medium-low, resulting in a moderate Level of Effect, which it considers to be not significant. This is not accepted. The Magnitude of Change is considered to be greater at each viewpoint; medium for Viewpoints 9 and 13 and medium-high at Viewpoint 12 based on an appreciation of the scale of change from the baseline view relative to the view's context, extent, and duration of the development experienced by the receptor. While the applicant's judgement that the Level of Effect is moderate at Viewpoint 9 is accepted, there is a difference of opinion with regard to its significance. There is however disagreement with the conclusions on the Level of Effect for the other viewpoints, most markedly with Viewpoint 12, which is considered to be a major Level of visual Effect. Indeed, with the exception of Viewpoints 4 (A839 Between Lairg and Rosehall), 5 (Creagan Glas), 6 (Ord Hill, above Lairg), and 7 (Cemetery, overlooking Lairg), all on elevated positions between 4 and 6km from the development, the Magnitude of Change occasioned by the proposal has generally been assessed to be greater than that of the applicant.
- 10.118 The difference in judgement is because the applicant appears to apply factors such as tree cover and/or topography providing screening of towers, the simplicity of landscape whether Rounded Hills and/or Sweeping Moorland and Flows, and the visibility of turbines being in limited portions of the field of view as more or less general mitigating factors. However, while these features are acknowledged as mitigating factors, the general application of these principles as mitigating factors has led the applicant to overstate the degree to which they do mitigate the visual effects of the proposal, which can only be properly assessed through an analysis of the context of development at each viewpoint.
- 10.119 For example, tree cover and topography may only partially screen turbines or some of the turbines within the array, which it should be remembered have large moving blades the diameter of which are comparable to the full size of the full Lairg I turbines. Additionally, while the Rounded Hills and Sweeping Moorland and Flows LCTs do display a simplicity of landscape composition, parts of the LCTs contain forestry and other features that add complexity to the turbine settings. Furthermore, the turbines are viewed in a complex of LCTs that includes Farmed and Forested Slopes with Crofting, and, Strath (Paragraphs 10.95 & 10.96). These LCTs contain many more smaller scale landscape and manmade features that add further complexity to views and act as scale indicators.
- 10.120 With regard to turbines occupying a limited portion of the receptor's field of view, this is not considered to be a reliable measure of the width and extent of the array as perceived by the receptor. This is because the perceptual width of a development is influenced by the development's relationship with existing features within the view such as the horizon, rises, ridges, slopes, and summits, amongst other things. Consequently, a development may appear much more perceptibly wide to the receptor as was the case with the proposal as initially submitted. This analysis is true for AIR Viewpoints 8 (Achnahanat), 9 (West Langwell), 11 (Achnairn), 12 (Struie Viewpoint), and 14 (A837 Strath Oykel), between 9 and 17km from Garvary turbines.

- 10.121 In addition to the above, it is important to consider the context of the development in combination with other wind farm developments and assess the likely cumulative effects. Of particular importance is how wind energy developments relate to each other in design and relationship to their surroundings, their visual separation to allow experience of the character of the landscape in between, and, their frequency when moving through the landscape. It is generally considered that once turbines are viewed and experienced in the landscape, they increase the prominence of existing turbines in the view as experienced by receptors. In this instance, cumulative impacts of the proposed development are assessed in combination with in situ Lairg I and approved Lairg II schemes, along with Achany (and its potential extension), Rosehall, Strath Tirry, Chleansaid, Sallachy, Kilbraur and Extension, Beinn Tharsuinn, Beinn Tharsuinn Extension (Beinn nan Oighrean), Coire na Cloiche, Strathrory, Gordonbush and Extension, and Creag Riabhach, Wind Farms. While some of these schemes are constructed and operational, others are approved but are yet to be built out, awaiting determination, or as is the case of Acheilidh (formerly Lairg III) Wind Farm, at the scoping stage of pre-application (see table in Paragraph 4.14).
- 10.122 As set out already, the applicant's assessment considers cumulative schemes under four scenarios: 1) the present baseline, i.e., operational developments and those under construction; 2) the predicted baseline, which additionally considers consented but as yet not constructed schemes; 3) the future baseline as considered against schemes awaiting determination at the time of the assessment, which the AIR advises are considered on a case-by-case basis; and, 4) a high-level assessment of cumulative effects with Acheilidh Wind Farm. Where the development introduces turbines to views from the viewpoint where turbines are not currently visible, this is not considered a cumulative visual impact irrespective of the magnitude of change. However, for Garvary, there are no viewpoints from which the development would be experienced singularly, at least theoretically under scenarios 2 and 3, and therefore there is a cumulative visual impact to consider from all viewpoints.
- 10.123 The AIR has concluded significant cumulative visual impacts and effects from Viewpoints 1 (A836 layby between Invershin and Lairg) and 6 (Ord Hill, above Lairg) only. However, it is considered that significant cumulative effects will also occur for the receptor at Viewpoints 4 (A839 Between Lairg and Rosehall), 5 (Creagan Glas), 7 (Lairg Cemetery, overlooking Lairg), 9 (West Langwell), 11 (Achnairn), 12 (Struie Viewpoint on B9176), and 13 (A836 Rhian Bridge), in addition to Viewpoints 1 and 6. Again it is generally considered that the Magnitude of Change occasioned by the introduction of Garvary into the cumulative picture is greater for the receptor than the applicant's assessment at several viewpoints including those where the significance of the visual effect is agreed on (significant at Viewpoint 1, not significant at Viewpoints 10, 14, and 15), but most markedly those viewpoints where the significance is not agreed on as listed above.
- 10.124 With the exception of Viewpoints 2 and 3 where there are no cumulative effects, and Viewpoint 8, the revised development will still significantly increase the influence of wind energy development from all viewpoints west of the north-south axis taken from the development, where they would be experienced in combination with Lairgs I and II; i.e., Viewpoints 1, 4, 6, 7, 11, 13, and 14. The cumulative significance of the visual impact of Garvary at Viewpoint 8 can be considered to be not significant due to the scheme appearing more recessive in the view and the large gaps between the visible Rosehall and Achany (and potentially in small part with Achany Extension) schemes and Garvary,

and with the removal of Braemore from the cumulative picture, which mean Garvary's sequential interaction with existing and approved schemes is limited from Achnahanat.

- 10.125 Otherwise from these western Viewpoints, Garvary is considered to significantly increase the horizontal spread of installed and approved turbine developments at Viewpoints 1, and 4, less significantly at Viewpoints 6 and 13, and not significantly at Viewpoints 7 and 11 (in terms of horizontal spread). And/or, Garvary interacts with Lairg II in a manner that increases the density of the combined array and, therefore, overall visual clutter and incidences of stacking, thus changing the character of Lairg II to its detriment, which is a significant and adverse effect at Viewpoints 6, 7, and 11, and is an effect the applicant does not appear to have acknowledged in its appraisal.
- 10.126 At Viewpoints 5 and 9 east of the north-south axis from Garvary, which are the least changed in composition by the removal of Turbines 1-12, the presence of Lairg II maintains its effect of increasing the visual relationship between Garvary and Lairg I creating the impression of a continuous combined array over a wider horizontal spread and making turbines more prominent against the skyline from both views. The Magnitude of Change for these viewpoints are considered to be High and Medium respectively with the Magnitude of Change decreasing proportionally with increased distance from the nearest turbine. This assessment differs to the applicant's judgement of Medium-low Magnitudes of Change for both Viewpoints 5 and 9. Subsequently, the cumulative visual impacts on receptors from both viewpoints are considered to be significant in opposition to the applicant's judgement. Indeed, the revision has produced an improved in-combination compositional visual outcome at only two viewpoints; Viewpoints 4 and 15, where Garvary interacts with Lairg II to produce a more rationally legible single array even if it does increase the horizontal spread in both views.
- 10.127 The cumulative effect of Garvary visually connecting different schemes and wind farm clusters (other than Lairgs I and II) within the view is still apparent in Viewpoint 5 (Creagan Glas) but is no longer the case at Viewpoint 13 (Rhian Bridge). This effect, and the effect of reducing visual separation between schemes, is also much reduced in the revised scheme where it was previously apparent (Viewpoints 8, 11, 12, and 15) and is not significant from Viewpoint 16 (Ben Klibreck) where visual connection occurs in the receptor's vertical field of view but the settings of different schemes and clusters within the view remain distinct.
- 10.128 As experienced from Viewpoint 12 (Struie Viewpoint on B9176), Garvary appears in front of Lairg I and Lairg II, with which it interacts to introduce the influence of turbines to the nearside of the horizon for that section of the view. Currently turbines are visible from this Viewpoint to the distant west and Lairg I, which has little influence due to its smaller scale and distance. Lairg II will bring turbines closer, being sited in front of Lairg I relative to the receptor, however the turbines of Lairg II sit within their own ridge and will be more obscured with, for the most part, only blades and tips showing above the horizon, at a further distance than Garvary. As described, the mitigation secured with the developers of Lairg II Wind Farms ensures that the influence of turbines within forward views of the highly valued Struie Viewpoint remains within acceptable limits. For that reason, it is considered that Lairg II may represent the limit of influence that turbines should have in forward views from this location. In contrast to Lairg II, Garvary by virtue of its creep to the near side of the horizon, its eastward creep beyond the visual envelope of Lairg II resulting in a part masking of distant framing peaks, and its

prominent turbine towers and hubs, would make wind energy development a prominent visual focal point from the viewpoint, changing the character of the view to its detriment.

- 10.129 Indeed, the viewpoint at Struie, which is accessible to all receptors, also illustrates the broad panorama that is revealed as travellers on the B9176 emerge from the narrow pass between Croc an Liath-Bhaid and the Struie itself. The viewpoint then represents a point of drama and strong sense of arrival in a very distinctive and high-quality scenic landscape space, in which is experienced a strong sense of place arising from the uniqueness of the land (and sea) -scape composition and the nature of its revelation as one moves through the landscape. This experience as part of the travel along the B9176 route is unique in the eastern Highlands and this value that is placed on this by the public can be shown through the high frequency of vehicles pausing at this point, whether tourists or locals. Consequently, the cumulative visual impact effects of Garvary from Viewpoint 12 must be viewed as Significant and adverse, and a determining factor in the assessment of the proposal.
- 10.130 The AIR has also considered the development's effect on the amenity of transport routes, which in turn enlightens the assessment of the in-combination effects in terms of how the development is experienced sequentially through the landscape. The AIR's assessment combines the findings of the ZTV with findings from their Viewpoint Analyses as well as 'in the field' observations and aerial photography, in order to take account of the local physical features that may impede the receptor's experience of the development, not otherwise accounted for in the ZTV. The AIR has considered several transport routes, discounting the A9, A949, the Dingwall to Kyle of Lochalsh railway route, and the Cape Wrath Trail (Long Distance Walking Route) by virtue of distance and intermittency of visibility, which is not disputed. An assessment of National Cycle Route 1 has also been discounted because the section of this route north of Tain has been removed from the network by Sustrans, which is also not disputed. Therefore the AIR assesses the A836, A837, A838, A839, and B9176 (part of the Moray Firth Tourist Route), as well as the Far North (Inverness to Wick) railway line are assessed in detail, while Core Paths are assessed in the round based on viewpoint analyses and ZTV.
- 10.131 The AIR provides a description of the visual effects of Garvary as a standalone development as well as in combination effects with other windfarms when Garvary would be in views including assessments of the cumulative effects of sequential views as experienced when passing through the landscape. The assessments distinguish those sections of each route where the singular and cumulative impacts of Garvary would be significant or otherwise. It is accepted that Garvary would generally be viewed in relation to operational or consented schemes, given their proximity, and that Lairg II will be the cause of the worst cumulative impacts on south- and southeast- bound journeys from the north and northwest of the development, particularly along the A836 and A838, which is not disputed. Similar impacts are found for west- and east- bound travellers along the A839 for that section of the route west of Lairg (Viewpoint 4). However, given the extent that Garvary extends the horizontal spread and will increase the presence and starkness of that array, it is considered that the cumulative effect of Garvary on road users here to be significant in contrast to the applicant's assessment.
- 10.132 Their assessment has focussed less on descriptions of the frequency of wind energy developments when moving through the landscape, which is an important analysis to undertake as it provides a deeper understanding of how wind farm developments would be experienced in relation to other schemes when travelling along routes, and not just in relation to those windfarms within the receptor's vision. In that way, a fuller

understanding of the amenity of transport routes is appreciated, as the amenity of a transport route is directly linked to the receptors' enjoyment and appreciation of the qualities of the changing mosaic of the landscape and the natural, cultural, and built environments it encompasses. In reality, such an appreciation requires respite from the experience of turbine development due to the scale, colour, texture, and sheer monotony of turbines. It should also be noted that in locations of high wind energy development pressure and windfarm densities, those sections of the view that provide respite from turbines become increasingly important for the viewer.

- 10.133 However, since the response on the original proposal, the cumulative picture has changed and remains unfixed with regard sections of routes free of wind farm influence, and therefore sections offering respite to travellers moving through the region. This changing picture is illustrated by the removal of Braemore and the potential introductions of Strath Oykel, Meall Buidhe, Strath Tirry, and Chleansaid into the cumulative picture for example. Significantly, the removal of turbines south of Loch Laro from the scheme, has reduced the scale and spread of the development over the Achany Glen and therefore reduces the impact of the development on travellers along transport routes as it would be experienced sequentially in relation to other installed, approved, and undetermined schemes. However, it remains the case that Lairg II will not generally be visible along the A837 travelling west (within the 15km of the study area shown in Figure 4.15m, AIR Technical Appendix Volume 3a), whereas Garvary would introduce turbines into sections of eastward views along the lower slopes and valley floors of Strath Oykel / Kyle of Sutherland along the route. Given the presence of the Achany / Rosehall cluster and the potential for the aforementioned new schemes in the area, there would be a tangible benefit for the amenity of the A837 of keeping the Rounded Hills within the LCA south of Lairg II free of turbines.
- 10.134 The applicant's revised assessment of impacts on recreational walkers appears to be limited to an assessment of users of Core Paths. The applicant's assessment of significance on Core Paths provided in Chapter 4 of the AIR Volume 2, which it states is most likely to be significant within 6km of Garvary where it will be visible, with fewer instances of significant impacts and effects occurring beyond this distance is not disputed. However, there is no further consideration of impacts on recreational users in the area including hillwalkers, which is a shortcoming of the AIR assessment.
- 10.135 The AIR identifies that there are no longer any residential properties within 2km of the proposal and therefore a Residential Visual Amenity Assessment is no longer required. This is agreed.
- 10.136 The turbines will require to be lit for aviation safety on account of being over 150 metres in height, with any proposed lighting scheme will extend the visual effects into hours of darkness. For example, it is noted that aviation lighting will occur in a rural area currently with darker skies, predicted effects include aviation lighting disrupting the sense of remoteness experienced during hours of darkness from many locations across the area. While during the day one's eye would be drawn to the moving blades of the turbines, in hours of darkness ones eye would be drawn toward the red aviation lighting, which can flatten distance. Depending on the position of the receptor to the lighting, the lights may appear to flash as a result of the turning of the turbine blades, passing between the light and the viewer. This may be a visually confusing effect for the receptor unless they were aware of the reason for the lights. If aviation lighting is fitted at different hub heights, the lights would likely be at differing heights as well. This again may present a confusing

image as in hours of darkness as one does not have the benefit of being able to relate the lighting to a landform.

- 10.137 Nevertheless, aviation lighting was not a determining issue in the objection to the initial submission however the scheme has been amended with the applicant specifying that visible cardinal lighting of medium intensity 2000 candela, dropping to 200 candela when viewed from distances of 5km or more in clear conditions, will be installed on Turbines 15, 16, 17, 24, and 30. There is theoretical visibility of the aviation lighting over the 45km study area whereby lighting from five nacelles is visible at Viewpoints 1, 4, 5, 6, 7 11, 13,15, and 16, four nacelles at Viewpoint 12, and three nacelles or less at Viewpoints 8, 9, 10, and 14. The assessment within the AIR concludes that significant hours of darkness effects are predicted for Viewpoint 1 (A836 Layby between Invershin and Lairg) from Garvary as a standalone development at times when lighting is at its highest 2000 candela, but that in combination with lighting of Lairg II this will be a not significant effect despite there likely being more aviation lighting being displayed. At Viewpoint 7 (Lairg Cemetery overlooking Lairg), the applicant predicts significant effects from Garvary's aviation lighting as a standalone development at both 2000 and 200 candela, again reducing to not significant in combination with Lairg II as above.
- 10.138 A range of options that may be available to mitigate the impact on receptors during the hours of darkness including dimming to 10% of the maximum brightness on clear days (2000 cd to 200 cd) as described above. The applicant previously also suggested shielding lights that would also reduce the impact by reducing the amount of light that will be visible from lower levels. These technical issues do however require approval from the relevant authorities, in particular the Civil Aviation Authority. Given the clear need for aviation safety lighting, the likely intensity of the lighting and the lack of landscape designations or features in the surrounding area that would have their qualities adversely affected by the aviation lighting, it is considered that this matter can be adequately addressed by condition.

Noise and Shadow Flicker

- 10.139 The amended Noise Assessment submitted with the AIR has removed the Braemore Wind Farm scheme from the assessment, which has resulted in reduced cumulative levels for those properties to the west of Garvary. This omission also means that there are fewer concerns about increased noise exposure affecting those property receptors that lie between two or more wind farms, which would otherwise increase their exposure to noise in different wind directions.
- 10.140 Otherwise, Environmental Health has advised that the previous assessment stands whereby the Council had concerns that upper daytime and night time noise limits may result in Statutory Noise Complaints against the development but accepted that the higher limits are within the maximum range suggested by relevant guidance. However, the Environmental Health advises that a noise cap of 2dB above predicted levels should be imposed in order to avoid consented limits being far in excess of predicted levels. The response also advises that a low cap may disrupt the applicant's compliance monitoring, as would be required by condition, but that this issue may be addressed using proxy monitoring locations.
- 10.141 The AIR submits that only one uninhabited property will be impacted by shadow flicker from the amended scheme and therefore no further assessment is required, which is accepted.

Telecommunications

- 10.142 The potential for the development to adversely impact telecommunication signals has been considered by consultees. British Telecom have no concerns the development will interfere with their current and planned radio network while the Joint Radio Company are satisfied the development has cleared with respect to their radio link infrastructure following their initial concerns. A condition should nonetheless be sought to secure a scheme of mitigation should an issue arise.

Aviation

- 10.143 The application has raised no concerns with regard to aviation interests in relation to the Highlands and Islands Airports Limited, Ministry of Defence, National Air Traffic Control, or, Aberdeen and Glasgow Prestwick Airports. Should the proposal be granted consent, a condition can be applied to secure suitable mitigation in terms of aviation lighting and notification to the appropriate bodies of the final turbine positions. Given the proposed height of the turbines, infrared lighting would only be permitted on perimeter turbines (Turbines 13, 14, 15, 16, 17, 20, 21, 23, 24, 29, 30, 35, 36, 37, and 39) in combination with aviation lighting of 2000 Candela being installed on cardinal turbines (Turbines 115, 16, 17, 24, and 30). The AIR indicates that the applicant's Lighting Strategy, which includes a reduced lighting scheme, has been agreed with the Civil Aviation Authority. An assessment of the development's impact during the hours of darkness has been included in this report (Paragraphs 10.136– 10.138), and it is considered that a condition can be applied to secure suitable mitigation in terms of aviation lighting.

Other material considerations

- 10.144 Given the complexity of major developments, and to assist in the discharge of conditions, the Planning Authority would 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 a permission (or any superseding or related permissions) and shall include the provision of a bi-monthly compliance report to the Planning Authority.
- 10.145 In line with NPF4, Highland Council policy and practice, community benefit considerations are undertaken as a separate exercise and generally parallel to the planning process. There are no other relevant material factors highlighted within representations for consideration of this application.

Non-material considerations

- 10.146 The Planning Authority may only deal with matters that are relevant to the application that is under consideration as is presented and address matters within the control of the planning system. The matters raised below are not relevant to the consideration of this application and are outwith the control of the planning system.

Non-material considerations raised area as follows:

- Community benefits;
- Financial benefits to local croft holders;
- Constraints payments;
- Timing of the application coinciding with a global pandemic;

- Impact on property valuation and house values;
- Claims made that the development will detrimentally impact individuals' Mental Health;
- Preference for investment in other forms of infrastructure;
- Impacts on private views
- Objections to Scottish Planning Policy and Scottish Government Planning Documents;
- Individual circumstances of objectors;
- Turbines contributing to depopulation;
- Surplus wind power and 'need' for windfarm;
- Preference for windfarms to be located offshore;
- Preference for other forms of power generation (e.g. hydro and tidal).

Associated offsite infrastructure where this would be covered by a separate application;

Matters to be secured by Section 75 Agreement

10.147 None

11. CONCLUSION

11.1 The Scottish Government gives considerable commitment to renewable energy and encourages planning authorities to support the development of wind farms where they can be situated in appropriate locations to operate successfully. The project has the potential to contribute up to 150MW of renewable energy capacity towards Scottish Government targets and play a role in the route to a net zero Scotland. In addition, the development has potential to bring economic benefits to the area and to create new jobs.

11.2 However, as with all applications, the benefits of the proposal must be weighed against potential drawbacks and then considered in the round, taking account of the relevant policies of the Development Plan. As noted in this report, with the exception of impacts on the Dornoch Firth NSA, the amended design is considered to have been successful in bringing general collective landscape effects on the local landscape composition, as received in locations in and around Lairg, to within acceptable limits. While visual impacts remain significant from the majority of views, and the applicant appears to have underplayed the significance of the proposal's impact from Viewpoints 9 and 13, again the report has set out that, with the exception of Viewpoint 12 (Struie Viewpoint), these impacts are generally considered to be within acceptable limits.

11.3 Notwithstanding the above conclusion, it is considered that the overall integrity of the Dornoch Firth National Scenic Area as a scenic designation and specifically it's Special Landscape Quality of 'Inhabited Surrounds Within a Wilder Backdrop of Hills and Moors' are worthy of significant protection. This is because this NSA is the only National landscape designation in eastern Highlands and stands out as having a series of land, and sea, -scape compositions that are rare in Highland and lend it a strong sense of place. For example, the Dornoch Firth, which is the last undeveloped estuary of its kind on the east coast, and the Kyle of Sutherland penetrate deep into the hills of Ross and Sutherland and carry a maritime influence far inland from the open sea. The waters are framed by lower alluvial lands and sandy links, while the slopes on either side contain many elements of traditional industries with woodland and forestry being common features. The firth's qualities are most readily experienced from the Struie Viewpoint,

which is a location accessible to all in contrast to the more inaccessible hillsides and summits within the NSA. As a result, the viewpoint is highly valued, highly trafficked, and promoted, and indeed is likely soon to be upgraded with additional landscaping and new infrastructure such as picnic tables to promote visitors to stay longer at the location.

- 11.4 The assessment has concluded that the proposal will result in a significant and adverse erosion of the scenic integrity of the NSA by virtue of its significant and adverse impact on the Special Landscape Quality of '*Inhabited Surrounds Within a Wilder Backdrop of Hills and Moors*'. As set out in the body of this assessment, the effect arises from the introduction of largescale turbines onto the hills that form the containing skyline of the NSA, which are demonstrably essential to this Special Landscape Quality. The visualisation for Viewpoint 12 shows that Garvary's turbines would occupy an elevated position within the skyline hills, including with largescale turbines sited on and to the nearside of the horizon line.
- 11.5 While it is acknowledged that the existing Lairg I scheme and the consented scheme of Lairg II already introduce turbines into forward views from the Struie Viewpoint, the extent of Garvary turbines visible above the horizon is considerably greater than the scale of visible towers in Lairg II, with Garvary's turbines rising significantly above the variations in the horizon that serve to contain the turbines of Lairg II. Resultantly, Garvary would undo the effective mitigation of the consented Lairg II scheme as it would appear at around the same height as Ben Klibreck on the horizon and reduce its prominence and more generally perceived scale in the landscape.
- 11.6 The introduction of the proposed development into this view would represent a considerable detrimental change to the essential character and visual qualities of this highly valued view, which is currently characterised not only by its unique land and sea-scape compositions but also by traditional industries. The concentration of towers and moving blades of the turbines would become a major focal point and hence change the experience of the sense of place for the receptor. These visual effects would be detrimental to the sense of arrival and drama afforded to travellers on the B9176 as they emerge from the narrow pass between Croc an Liath-Bhaid and the Struie at which point the extent of the firth and NSA are revealed.
- 11.7 It is therefore concluded that the adverse landscape and visual impacts as experienced from within the Dornoch Firth NSA and the Struie Viewpoint outweigh the proposal's benefits as they relate to the production of renewable energy and economic benefits. The Highland Council has determined this response against the provisions set out in NPF4 Policies 4 and 11. Officers have concluded that the development's detrimental impacts on the specific SLQ of the Dornoch Firth, as set out above, and subsequent erosion of the intrinsic scenic qualities of the NSA and visual qualities of the Struie Viewpoint as experienced by the receptor, trigger Policy 4 a), which states that development proposals, whether by virtue of type, location, or scale, that have an unacceptable impact on the natural environment will not be supported. In addition, officers consider that the threshold required by Policy 4 c) is not achieved because the objectives of the NSA designation and the site's overall integrity would be compromised by the development, which is not significantly outweighed by social, environmental or economic benefits of national importance. Consequently, officers do not consider the threshold of NPF4 Policy 11 e) part ii. to be met as the significant landscape and visual impacts are neither localised nor appropriately mitigated from this location.

- 11.8 Due consideration has also been given to the policies set out in the Local Development Plan, principally Highland-wide Local Development Plan Policy 67 with its eleven tests, which are expanded upon with the Onshore Wind Energy Supplementary Guidance. This policy also reflects policy tests of other policies in the plan, for example Policies 28 and 57. These policies draw on the range of subject specific policies as also contained within the HwLDP as listed in Paragraph 8.4 above. Given the above analysis, the application would not accord with Policies 67, 28, 29, or 57 of the Development Plan.
- 11.6 All relevant matters have been taken into account when appraising this application. It is considered that the proposal does not accord with the principles and policies contained within the Development Plan and is unacceptable in terms of applicable material considerations.

12. IMPLICATIONS

- 12.1 Resource: Not applicable.
- 12.2 Legal: If an objection to the application is raised, it is likely the application will be subject to a public local inquiry.
- 12.3 Community (Equality, Poverty and Rural): Not applicable.
- 12.4 Climate Change/Carbon Clever: If permitted the development would produce renewable energy.
- 12.5 Risk: Not applicable.
- 12.6 Gaelic: Not applicable.

13.1 RECOMMENDATION

Action required before decision issued Y

Notification to Scottish Ministers	Y
Conclusion of Section 75 Obligation	N
Revocation of previous permission	N

- 13.2 **Subject to the above**, it is recommended that the Council **Raise an Objection** to the proposal for the following reasons:

1. The application is contrary to NPF4 Policy 4 parts a) and c) parts i. and ii., Policy 11 e) part ii, Policy 67 (renewable Energy), and 57 (Natural Built and Cultural Heritage of the Highland-wide Local Development Plan due to the impact of the proposal on one of the special qualities of the Dornoch Firth National Scenic Area (Inhabited Surrounds Within a Wilder Backdrop of Hills and Moors) by virtue of the scale and location of the development. It is considered that the objectives of the designation and overall integrity of the National Scenic Area would be compromised by the development and the significant effects have not been outweighed by social, environmental or economic benefits of national importance. The development would have a significantly detrimental visual impact when viewed by receptors at the Struie Viewpoint and travellers along the

B9176. Consequently, it is concluded that the type, location, and scale of the development will have an unacceptable impact on the natural environment.

Signed: Dafydd Jones
Designation: Area Planning Manager - North
Author: Mark Fitzpatrick
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - Location Plan – AIR Figure 1.1
Plan 2 - Site Layout – AIR Figure 2.1
Plan 3 - Wind Turbine Elevations – EIAR Figure 2.2

Appendix 2 – Visual Assessment Appraisal

Scenario 1 - the present baseline, i.e., operational developments and those under construction;

Scenario 2 - the predicted baseline, which additionally considers consented but as yet not constructed schemes;

Scenario 3 - the future baseline as considered against schemes awaiting determination at the time of the assessment, which the AIR advises are considered on a case-by-case basis; and,

Scenario 4 - a high-level assessment of cumulative effects with Acheilidh Wind Farm, which is currently at Scoping stage.

Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Amended Proposed Development			Combined Development		
			Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
VP1 – A836 layby between Invershin and Lairg 1.81km	App	Medium-high	Medium	Major/Moderate	Significant	Scenario 1: Negligible Scenario 2: low Scenario 3: low Scenario 4: low	Moderate/Minor	Not significant
	THC	Medium-high	Medium-high	Major/Moderate	Significant	Medium-high	Major/Moderate	Significant
<p>OHL lines and vegetation in foreground. Landform is rolling, higher ground on east of A836, lower on west side, however not expansive. Road largely follows the north/south direction of the glen. VP may not be representative of movement along the route, a VP 275m north before the bend where the A836 runs more northwest/southwest may be more representative for travellers heading south.</p> <p>Turbines appear large in the VP but not necessarily oppressive or overbearing as are generally behind the horizon and contained between slopes despite smaller scale and immediacy of the local landscape. Turbines increase the influence of wind energy to the view with the scale of change being medium-high without vegetation; applicant appears to have overstated mitigation gained by roadside planting, although viewers are static viewers; Medium-high Magnitude of Change.</p> <p>The development would significantly increase the influence of wind energy development in combination with Lairg II, increasing the horizontal spread of turbines, representing a medium-high scale and Magnitude of cumulative Change. These are significant visual impacts but not necessarily adverse from this VP.</p>								
VP2 – Falls of Shin Visitor Centre	No visibility							

			Amended Proposed Development			Combined Development		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
VP3 – A836 at railway overbridge, North of Invershin	No visibility							
VP4 – A839 Between Lairg and Rosehall 4.36km	App	Medium-high	Medium-high (reducing to medium if Lairg II is built out before Garvary).	Major/Moderate	Significant	Scenario 1: low Scenario 2: low Scenario 3: low Scenario 4: low	Moderate/Minor	Not significant
	THC	Medium-high	Medium-high	Major/Moderate	Significant	Medium	Moderate	Significant
<p>View ESE across the wide river valley over a settled rural landscape backdropped by elevated moorland, rounded hills, although the VP is adjacent to felled forestry. View incorporates lots of features showing human intervention including fields, houses, roads, and forestry, as well as the three turbines of Lairg I to the east. Ground levels drop from the A839, creating a sense of arrival to settled rural landscape below when traveling eastward from the more remote interior. In certain light conditions the many undulating landforms, and various types of landcover create a complex interplay of different shades of dark and light.</p> <p>Sensitivity of the receptor is reassessed as Medium-high due to presence of Core Path.</p> <p>From here, the turbines are experienced in forward views of road users and significantly increase the influence of wind energy over the farmed and forested slopes with crofting. The scale of change is high.</p> <p>the turbines appear as a more coherent grouping than previous iteration and are more easily associated with the two main summits of Meall Eachainn and Cnoc Cracail rather than extending over multiple summits and stretching over rounded hills / farmed and forested slopes with crofting / strath LCTs . Turbines have a less problematic relationship with the horizon, although Turbine 17 disappears somewhat behind it and Turbines 16 and 20, being closer to the receptor, appear to loom more over the smaller scaled landscape and manmade features of the farmed and forested slopes with crofting below – although this effect may not be so pronounced on the ground in reality. Access tracks are likely to be prominent.</p> <p>Cumulatively, the turbines would significantly increase the influence of turbine development in forward views in relation with Lairg I, which is a sizeable and appreciable effect. Turbines will also combine with Lairg 2 to look like a larger single but rational array. Garvary would increase</p>								

Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Amended Proposed Development			Combined Development		
			Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	<p>the influence of wind energy development into the view extending turbine visibility south, and reduce the degree to which Lairg II is contained within the landscape. Lairg I would maintain its distinct setting.</p> <p>This view would be experienced sequentially from the west following Rosehall, and Achany, and potentially Achany Extension and Strath Oykel Wind Farms, however respite from turbine development already eroded by Lairg II, which has a similar bare earth visibility along that route, although Garvary appears as an extension to Lairg II, it does increase the presence and starkness of the array in that context.</p>							
VP5 – Creagan Glas 4.59km	App	Medium-high	Medium-high	Major/Moderate	Significant	Scenario 1: medium-low Scenario 2: medium-low Scenario 3: medium Scenario 4: low	Moderate	Not significant
	THC	Medium-high	Medium-high	Major/Moderate	Significant	High	Major	Significant
	<p>Interior view within the rounded hills landscape looking WSW from Creagan Glas summit across rounded hills to distant mountain peaks beyond. Excepting the turbines of Rosehall, Achany, and Lairg I, the view is relatively free from human influence with the peaks within the application site obscuring the settled Achany Glen, although forestry is discernible on distant slopes. The mid-and fore- grounds are dominated by heath and moorland grasses. Views northwards look out over settled rural landscapes towards distant rounded peaks.</p> <p>From this location, Garvary would dominate the view, significantly increasing the influence of wind energy development in to the interior of the rounded hill landscape along with access tracks, hardstandings, met mast, and substation. Turbines would straddle fewer summits within the application site, although this still leaves some turbines partially screened, some with only blades visible and others visible to the base, some backdropped by distant mountains and some to the north of the array almost entirely backdropped by sky – highlighting an inconsistency of hub and tip heights, which will reduce the sense of scale of the midground and obscure the distant peaks for that part of the view.</p> <p>Turbines are not particularly framed, although the removal of twelve turbines does ensure they do not appear to run off into the distance, despite this however, and despite there being a 180° panoramic view from this location, the relative closeness of the development gives the extent of the development an intermediate spread and the scale of change is still large.</p> <p>In combination, the development will significantly increase the influence of wind energy to the view by drawing the eye to Achany (and potentially Achany Extension), Rosehall, and both Lairgs, although some Lairg II turbines would be obscured. If Meall Buidhe is consented, Garvary would</p>							

			Amended Proposed Development			Combined Development		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
visually connect all turbine developments. Cumulative effects remain as per previous iteration. Although significant singular and cumulative effects, this landscape from this VP can accommodate the proposal.								
VP6 – Ord Hill, above Lairg 4.71km	App	High	Medium-high (reducing to medium if Lairg II is built out before Garvary).	Major/Moderate	Significant	Scenario 1: medium-low Scenario 2: low Scenario 3: low Scenario 4: low	Scenario 1: Moderate Scenarios 2,3,4 Moderate/Minor	Scenario 1: Significant Scenarios 2,3,4 Not significant
	THC	High	Medium-high	Major/Moderate	Significant	Medium-low	Moderate	Significant
<p>Elevated viewpoint looking southeast across the settled glen towards the rounded hills of the application, site which form the backdrop of the view and skyline. The view becomes more expansive towards the south along Achany Glen, and to the north over Loch Shin. Lairg is northeast of the view. The Ord hill is a landmark feature at the southern edge of Loch Shin and northern extent of Achany Glen. The hill hosts several SAMs, whereby the view is paramount to the appreciation of the nationally designated View incorporates lots of man-made features including fields, houses, roads, OHL, and forestry, as well as the three turbines of Lairg I to the east. Broadleaf woodland demarks the path of the River Shin southwards, while the moorland summits are distinguished from the farmed and forested slopes. Most valued views likely to be northeast and north towards Lairg and Loch Shin respectively.</p> <p>From the VP the turbines will be highly prominent in southeast views, crossing landforms and the horizon in the middle ground. The southern extent of the turbines has been removed and the array no longer extends beyond the F&F slopes to loom above the Strath where previously they diminished the sense of scale in the landscape, although there are several scaler comparisons below the array. Stacking is less pronounced in the frame, as are the different hub heights as turbines are more consistently backdropped by sky. Additionally, turbines are more easily associated with the two summits and their related landform features, which makes the array appear much less extensive than the previous iteration, although singularly, Garvary would still represent a very noticeable change to the baseline view, albeit while not occupying an excessive part of the receptor's field of vision. Agree with the applicant's assessment that the magnitude of change is Medium-high.</p> <p>Garvary would appear as a wider and denser single windfarm development in combination with Lairg II from this Viewpoint, however it must be acknowledged that Garvary changes the character of Lairg II, whereby individual turbines are more readily legible of that single array, in combination with Garvary the array gains complexity, which becomes the defining characteristic; i.e., Garvary changes the nature of Lairg II's composition. The revised proposal no longer connects the wind farm group with the more distant Bein Tharsuinn and its extension, thus maintaining some respite from turbines in the receptor's field of view, reducing the potential for the perception of encirclement of Achany Glen to the south.</p>								

			Amended Proposed Development			Combined Development		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
VP7 – Lairg Cemetery, overlooking Lairg 5.89km	App	High (residential)	Medium-high (fixed at medium if Lairg II is built out before Garvary).	Major/Moderate(?)	Significant	Scenario 1: low Scenario 2: low Scenario 3: low Scenario 4: low	Moderate/Minor	Not significant
	THC	Medium-high	Medium-high	Major/Moderate	Significant	Medium	Moderate	Significant
<p>Compositionally complex view southwards from the Lairg settlement on the viewers left following the River Shin through the Achany Glen backdropped by rounded hills in the distance. Both sides of the river are settled with fields and houses, with the OHL to be removed running to the east of the glen, in addition to broadleaf woodland and trees on the lower slopes, which extend into Lairg, nestling the town into its rural setting. This tree cover screens much of the town from view during the summer months, however there is less leaf cover during winter making the town more visible in the view. Above Lairg are fields bounded above by a conifer and broadleaf woodland, with rounded moorland summits above still. These rounded summits extend to the centre of the composition and mark the extent that the river's path is discernible. The three turbines of Lairg I also sit above the town. There are powerlines in the foreground of the viewpoint.</p> <p>The receptor's view is tunnelled southward by the river and strath sides.</p> <p>From this VP the turbines would appear highly prominent within the rural setting and townscape of Lairg due to their height, elevation, and relative spread. The turbine towers are noticeably larger than the landforms that would host them. Turbine bases are screened from view by ridges and the horizon, and hub heights are reasonably consistent with turbines loosely following the landform, which steadily rises to the east away from Loch / River Shin, although the development still appears on both sides of the horizon its relationship with the horizon is less problematic largely due to Turbines 15, 16, and 20 tapering down creating a visual bookend to the proposal. Agree with Applicant's assessment that the magnitude of change is Medium-high, singularly Garvary is a very noticeable change in the baseline view, and although not as extensive a spread as previously proposed, the turbines are still associated with a number of landform features and the array appears perceptibly wide as a consequence.</p> <p>Cumulatively, the development would coalesce with Lairs I and II but is no longer extending far beyond the latter. This amalgamation produces notable densification and stacking effects, which are somewhat problematic from this viewpoint, as the character of Lairg II is altered to it Lairg II's detriment similar to VP6, while its blades are equivalent height to Lairg I turbines.</p>								
VP8 – Achnahamat	App	High	Medium-low	Moderate	Not significant	Scenario 1: medium-low	Moderate	Not significant

Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Amended Proposed Development			Combined Development		
			Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
9km						Scenario 2: medium-low Scenario 3: medium-low Scenario 4: low		
	THC	Medium-high	Medium-low	Moderate/Minor	Not significant	Medium-low	Moderate/Minor	Not significant
<p>VP taken in the field below the C1136 road (northside) looking ENE along the strath over the Kyle of Sutherland towards the application site. This is a wide sweeping and unfocussed view although the eye is drawn along the Kyle of Sutherland. From here the rounded hills of the application site appear as a continuation of the rolling landscape on the northern slopes of the strath, Achany Glen and the River Shin are not discernible. The strath is relatively remote, which contributes to the simplicity of the view's composition from this point, being occupied by forestry and rough moorland grazing although the houses at Linsidemore and single properties are visible in the view.</p> <p>The turbines of Rosehall and Achany Wind Farms are prominent to the viewer's left from this viewpoint, with Rosehall generally occupying the north-eastern slopes of Glen Cassley, and the hubs and blades of Achany visible above the ridgeline of the strath and horizon.</p> <p>View is representative of residential receptors of high susceptibility, and occasional visitors. Most receptors are likely in transit.</p> <p>Scale of change is medium-small due to scale and reduced horizontal spread, and the relative simplicity of the horizon and slopes below the turbines, with turbines now appearing behind the horizon. No major compositional concerns despite Turbines 14 and 23 stacking with different hub and blade heights, views of turbines for receptors moving eastward would not be uninterrupted and composition would change with stacking effects likely to be fleeting.</p> <p>Cumulatively, the proposal would be experienced consecutively with Rosehall and Achany, and potentially in small part with Achany Extension but there are large gaps between schemes however, which do not directly interact. Although there is loss of respite from turbines at the location, the cumulative effect is reduced from previous iteration because the removal of Turbines 1-12 makes Garvary a more recessive scheme from this VP.</p>								
VP9 – West Langwell 10.13km	App	High	Medium-low	Moderate	Not significant	Scenario 1: medium-low Scenario 2: medium-low	Moderate/Minor	Not significant

Viewpoint	Amended Proposed Development					Combined Development		
	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
						Scenario 3: medium-low Scenario 4: medium-low		
	THC	Medium-high	Medium	Moderate	Significant	Medium	Moderate	Significant
<p>VP taken in the field below the road possibly to remove telecom lines from frame. Receptor experiences expansive views of farmland giving way to sweeping moorland in the foreground, rounded hills in the middle distance, and distant peaks in the background, giving the composition of the view from this VP a simple structure with a prominent skyline. The view is interspersed with lochs and some forestry. High susceptible residential and occasional hill walking receptors, however the value of the view is local/regional.</p> <p>Very little change compared to original submission, Turbine 17 is the outlier now. Scale of change is medium due to the scale of turbines and their intermediate horizontal spread, and composition of available views, where the receptor's eye is drawn to other wind energy developments. Turbines break the skyline in the medium distance where they outcompete with distant peaks of the Fannichs, Bein Dearg, and Glencalvie SLA for visual prominence reducing the sense of scale in the landscape and adding complexity to the structured view of the landscape by adding moving forms. Turbines would be side- and back-lit throughout the day from this viewpoint. Garvary will in effect create a singly array in combination with Lairg I and Lairg II, extending the horizontal spread of turbines over a wider extent, significantly increasing the influence of wind energy development on landscape views. Turbines have a marked difference in scale and relationship to the horizon compared to Lairg Turbines.</p> <p>Notwithstanding, this landscape can likely accommodate the development.</p>								
VP10 – A836 at Ardchronie 11.17km	App	High	Low	Moderate/Minor	Not Significant	Scenario 1: low Scenario 2: low Scenario 3: low Scenario 4: low	Moderate/Minor	Not significant
	THC	High	Low	Moderate/Minor	Not significant	Low	Moderate/Minor	Not significant
<p>VP is taken from the southern shore of the Dornoch Firth, firth side of public A836 road next to the train track at near sea level – within and across the Dornoch Firth National Scenic Area. The view is dominated by the large waterbody in the near ground, which is framed by forested slopes on the opposite shore giving way to rounded hills in the middle distance that extend to the distance to the viewers left. the highest</p>								

Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Amended Proposed Development			Combined Development		
			Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	<p>rounded peak is moorland, while forestry is the dominant feature of the remaining slopes and hills, although interspersed with farmland. The settlements of Ardgay and Bonar Bridge are also evident in the view.</p> <p>Turbines and an anemometer mast are visible behind the skyline with the hubs of T23 and T24 visible although screened by forestry. The western extent and spread of turbines has been reduced with the revised scheme, with turbine blades (excepting as previously stated) visible over the nearer forested slopes only, improving their containment and framing. Turbines will not be the dominant feature in the landscape and do not compete for visual prominence. The distant Achany and Rosehall cluster is visible in clear conditions in the distance to the viewer's left. Although cumulatively Garvary will bring the influence of wind energy development closer to the Dornoch Firth from when compared with that cluster, and may draw the eye in certain conditions to it, the impact is not considered significant from this VP as the arrays do not overlap and are visually distinct.</p>							
VP 11 – Achnairn 11.86km	App	High	Medium-low (potential to reduce to Low/Medium-low if Lairg II is built out before Garvary).	Moderate	Significant	Scenario 1: low Scenario 2: low Scenario 3: low Scenario 4: low	Moderate/Minor	Not significant
	THC	Medium-high	Medium	Moderate	Significant	Medium	Moderate	Significant
	<p>Elevated viewpoint at small rural settlement and caravan park in the foreground. To the receptor's right is the flood plain of Loch Shin, characterised by a mosaic of pasture, rough grazing and forestry, which gives way to the loch itself, and which is framed by a low and rounded farm and forested slope. There are low lying forested rounded slopes in the middle distance above the settlement directly ahead of the viewer from this VP. Further distant still are the moorland covered higher summits of rounded hills. Together, the receptor's view to the east of the loch is a complex interplay of undulating landforms and landcover, particularly in clear conditions or conditions with directional light. Although the receptor enjoys a wide vista from this vantage point, the main focus of the view is south and southeast along the Loch Shin valley and towards Lairg where the 3 turbines of Lairg I are visible on the skyline to the receptor's left.</p> <p>Again the spread of Garvary is much reduced with the turbines being more readily associated with specific summits rather than appearing placed on and over the landscape, with Turbines 15, 16, and 20 tapering into the horizon, which helps to bookend the array and provide some containment. This bookending reduces the degree to which to proposal's problematic relationship with the horizon is experienced. The turbines</p>							

Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Amended Proposed Development			Combined Development		
			Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
			<p>will appear large from this elevated viewpoint despite distance due to their elevation, which will increase the degree to which stacking effects are noticeable by the receptor.</p> <p>Lairg II will sit behind Lairg I turbines from this VP with Garvary behind again. In combination with these schemes, Garvary will increase the density of turbines experienced from the VP, with competing scales to the foregrounded Lairg I development, which may cause visual dissonance – although Lairg II will also repeat this effect, while Lairg I may not register with the receptor once both schemes are built out. Garvary will increase the density of turbines, changing the character of Lairg II again, and increase the cluster's horizontal spread westward toward Loch Shin however the setback from the edge of the loch and forested slopes reduces its prominence in the important views and provides a visual gap between it and the schemes of Beinn nan Oighrean / Beinn Tharsuinn and its Extension to the south.</p>					
VP12 – Struie Viewpoint on B9176 14.05km	App	High	Medium-low	Moderate	Not significant	Scenario 1: medium-low Scenario 2: medium-low Scenario 3: medium-low Scenario 4: medium	Moderate	Not significant (Significant with Acheilidh)
	THC	High	Medium-high	Major	Significant	Medium	Major/Moderate	Significant
			<p>Elevated view from within and over the Dornoch Firth National Scenic Area from the Struie Viewpoint, used by tourists and visitors, part of the value of the viewpoint is its accessibility to people of all abilities, whereby the qualities of the NSA can be appreciated without having to go off road and are not as well appreciated from other accessible areas within the NSA. The Dornoch NSA is the only NSA on the east coast so there is a regional rarity factor to consider.</p> <p>The Council has sought Developer Contributions to improve the amenity of the viewpoint through landscaping to include picnic benches to encourage visitors to stay longer. The firth dissects the view east to west with the farmed promontory more prominent in the middle distance on the opposite shore. The distinction of farmland opposite slopes, as well as the moorland rounded summits further in the distance, is more discernible when compared to VP 10. The firth draws the viewer's eye inland westward toward distant higher rounded hills and on clear days higher still peaks, under which the settlements of Ardgay and Bonar Bridge are more noticeable. Clouds in photomontage obscuring background distant hills</p>					

Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Amended Proposed Development			Combined Development		
			Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
			<p>The revised scheme removes 6no blades and four hubs from the view at this viewpoint, these being the most distant (to the receptor), while compositionally the central area of the array is simplified but the right side of the composition is denser. Garvary would represent a highly notable change to the baseline view, being sited directly in the receptors line of vision when viewing the Dornoch Firth National Scenic Area viewpoint. While the majority of turbines sit behind the horizon, Turbines 14, & 24 are sited on near slopes with Turbines 22 & 23 appearing to sit on the horizon line, which gives the effect of visual creep. The partial screening afforded by the topography leaves around 20 hubs remaining in view, with only two turbines (16 & 20) being close to being completely obscured, which also appear as outliers. It is acknowledged that tracks and substation will be largely out of view.</p> <p>Currently turbines are experienced from this VP in the distance to the west with Lairg I behind Garvary having little influence in the view. Lairg II will also be sited behind Garvary within its own ridge, and is more distant and obscured with, for the most part, only blades and tips showing above the horizon; Garvary in contrast would make wind energy development a prominent visual focal point in that part of the view in contrast to the Lairg II.</p> <p>Although turbines are theoretically visible in the view, the introduction of Garvary would be a considerable change in the character of their receiving landscape and the character of this valued and highly trafficked viewpoint; the development would bring the influence of wind energy development closer to the viewpoint in a manner that increases the density of turbines.</p>					
VP13 – A836 Rhian Bridge 15.25km	App	Medium-high	Medium-low	Moderate	Not significant	Scenario 1: medium-low Scenario 2: low Scenario 3: low Scenario 4: low	Moderate or Moderate/Minor	Not significant
	THC	High	Medium	Major/Moderate	Significant	Medium	Moderate	Significant
			<p>View from relatively remote section of the A836 over 15km from the nearest turbine. National Cycle Route 1, some tourists. Simple composition of sweeping moorland landform in foreground intersected by forestry in the midground. More complex pattern of undulating and rising hills beyond the forestry and higher summits in the distant background. Since our previous response, Strath Tirry has been approved and the Council has returned a no objection to Scottish Ministers regarding Chleansaid WF (partly as a result of Committee approval of Strath Tirry Wind Farm).</p> <p>From this VP, the landform and features on the landscape (forestry and Strath) draw the eye to the site of the development, which would be occupied by Lairg II. Turbines appear on both sides of the horizon over and around different landforms, and although Garvary's relationship with the horizon is improved in comparison to the previous iteration by virtue of the reduction in the spread of turbines, the composition is still poor from this VP due to differences in turbine densities and visible gaps. Nevertheless, Turbines 16 & 20 appear as outliers and create an</p>					

Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Amended Proposed Development			Combined Development		
			Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
			<p>unnecessarily wider horizontal spread, while the noticeable gap between turbines 23 and 32 will not be meaningfully filled by Lairg II from this VP. Turbines will generally be backdropped by sky, except for Turbines 16 and 20, and will be backlit. Garvary would appear prominent in the forward view. The scale of the turbines somewhat diminish the landform particularly the backdrop hills.</p> <p>Cumulatively, Garvary increases the density of turbines with Lairgs I and II, and creates visual clutter and some jarring scale difference with Lairg I, although only contributing to this effect in combination with Lairg II. Again, the character of Lairg II is changed to its detriment. The cluster will be experienced in southbound views sequentially with Creag Riabhach, Chleansaid, and Strath Tirry, with Chleansaid and particularly strath Tirry magnifying the jarring visual impacts of the Lairg / Garvary cluster as a whole.</p>					
VP14 – A9 A837 Strath Oykel 16.99 km	App	Medium	Low	Minor	Not significant	Scenario 1: none Scenario 2: low Scenario 3: medium-low Scenario 4: low	Moderate/Minor	Not significant
	THC	Medium	Medium-low	Moderate/Minor	Not significant	Medium	Moderate	Not significant
			<p>View from relatively remote A837 looking east along the strath channelled by side slopes towards rising rounded hills in the distance framed by the valley. The floodplain is farmed and intersected by woodland, while slopes are a mix of broadleaf woodland, forestry and moorland. Turbines are located at the far end of the valley and are also framed by the strath sides.</p> <p>Tips are visible behind the horizon to the left viewer's frame, with only limited visibility of hubs and towers. Tip heights are relatively consistent across the array; however the horizontal spread remains noticeable despite the distance and the removal of Turbines 1-12. Lairg II will be visible in combination with Garvary once installed, appearing as a single extended array, however the reduced scheme along with the expiration of Braemore, means that turbine stacking and visual clutter will be less of an issue from this VP - it was previously noted that the removal of turbines on the right hand side may achieve a more acceptable scheme.</p> <p>Strath Oykel (with Meall Buidhe just visible behind) would potentially be the dominant wind energy development in the view in terms of scale to the viewers right, while Rosehall and Achany will be visible along long sections of the route if not from this VP, in this worst case but realistic scenario, it is considered that the effective extension of Lairg II and reduction in respite from turbine development on the forward horizon is a Moderate but not significant impact.</p>					
	App	High	Low	Moderate/Minor	Not significant	Scenario 1: medium-low	Moderate/Minor	Not significant

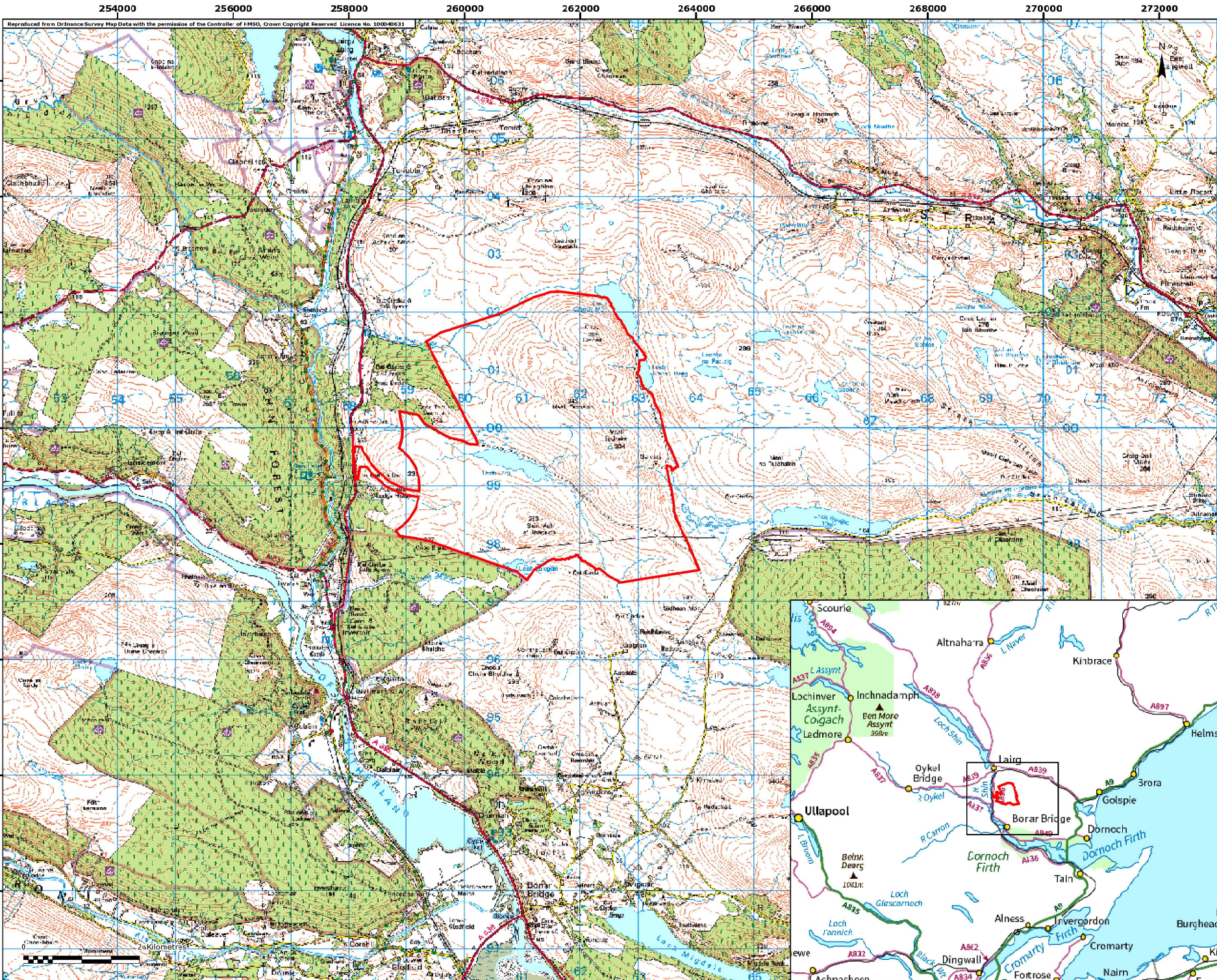
Viewpoint	Amended Proposed Development					Combined Development		
	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
VP15 – Carn Chuinneag (Wireline) 20.94 km						Scenario 2: low Scenario 3: low Scenario 4: low		
	THC	High	Low	Moderate/Minor	Not significant	Medium-low	Moderate	Not significant
<p>Elevated view from summit experienced by hillwalkers, surrounding area is used by stalkers. Remote large scale terrain, rounded mountain massif LCT, view over rolling hills and moorland, northeast to the Kyle of Sutherland and the Achany Glen. There is existing wind energy development influence within the view with Rosehall and Achany, Lairg, with the Gordonbush/Kilbraur cluster visible more distant. There is potential for Chleansaigh and Acheilidh (formerly Lairg III) WFs to be introduced in northeast views in combination with Garvary.</p> <p>Singularly, Garvary will only occupy a small portion of the view. Compositional issues are addressed with the removal of Turbines 1-12 as there is a clearer pattern to the development and less visual clutter and stacking, although while the vertical spread is reduced the horizontal spread of the array is not reduced from this VP given the angle of the view. Turbines are viewed from above and backdropped by landform, which is consistent with other wind energy developments. It is noted that the VP shows a larger area of immediate foreground, which appears to bring the turbines closer to the landform and makes them more immediate in the view despite the distance.</p> <p>The array looks reasonably consistent with Lairg II, with which it appears as a single rational development with the cluster appearing a.</p>								
VP16 – Ben Klibreck (Meall Nan Con) 28.00 km	App	High	Low	Moderate/Minor	Not significant	Scenario 1: low Scenario 2: low Scenario 3: low Scenario 4: low	Moderate/Minor	Not significant
	THC	High	Low	Moderate/Minor	Not significant	Low	Moderate/Minor	Not significant
<p>Elevated distant view from summit used by hillwalkers, surrounding area used by stalkers etc. View looking south over rounded hills, sweeping moorland, and settled plains with the peaks of rounded mountain massifs in the distance. Occasional lochans and forestry. Loch Shin to the receptor's right. Relatively simple view composition with heightened sense of scale. Beinn nan Oighrean / Beinn Tharsuinn and its Extension are directly behind Garvary in theoretical view. Garvary will be backdropped by landform, consistent with most developments excepting Beinn Tharsuinn and Coire na Cloiche in the far distance, which Garvary will appear below.</p> <p>Turbines 16 and 20 are again the obvious outliers.</p>								

			Amended Proposed Development			Combined Development		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
			Potential for Strath Tirry and Chleansaid to be closer in the view, the development will discernibly increase the density and spread of turbines above the setting of Lairg, however this is not considered significant from this viewpoint.					

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

Response to EIAR Review of Design against Criteria in THC Onshore Wind Energy SG 2016		
1	Relationship between Settlements/Key locations and wider landscape respected.	<p>Turbines are not visually prominent in the majority of views within or from settlements/Key Locations or from the majority of its access routes.</p> <p>-----</p> <p>With the exception of the Struie Viewpoint and the B9716 where the threshold is not met, the proposal will increase the density of turbines associated with Lairg II rather than significantly extending influence and prominence of turbine development.</p> <p>The threshold is considered to be met.</p>
2	Key Gateway locations and routes are respected	<p>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.</p> <p>-----</p> <p>The proposal is set back from the A836 as it passes through the Achany Glen, so it exerts less visual influence on the nearer sections of this route, as well as on the A839, consequently it is more readily associated with the interior of the Rounded Hills when viewed along more distant sections of key routes.</p> <p>Therefore, with the exception of its impact on the B9716 as has been described, the proposal is considered to meet this threshold.</p>
3	Valued natural and cultural landmarks are respected	<p>The development does not, by its presence, diminish the prominence of the landmark or disrupt its relationship to its setting.</p> <p>-----</p> <p>It is considered that the threshold is met.</p>
4	The amenity of key recreational routes and ways is respected.	<p>Wind Turbines or other infrastructure do not overwhelm or otherwise significantly detract from the visual appeal of key routes and ways.</p> <p>----</p> <p>It is considered that the threshold is met</p>
5	The amenity of transport routes is respected	<p>Wind Turbines or other infrastructure do not overwhelm or otherwise significantly detract from the visual appeal of transport routes</p> <p>-----</p> <p>Remains largely as in 2021. Impacts on A836 and B9176 (Struie VP and the 1.5km stretch of road around it which shares the visibility) as a significant part of the experience of that road and of arrival into the NSA significant detraction arises and as such the proposal does not meet the threshold required in these instances.</p>
6	The existing pattern of Wind Energy Development is respected.	<p>The degree to which the proposal fits with the existing pattern of nearby wind energy development, considerations include:</p> <ul style="list-style-type: none"> • Turbine height and proportions, • density and spacing of turbines within developments, • density and spacing of developments, • typical relationship of development to the landscape, • previously instituted mitigation measures

		<ul style="list-style-type: none"> • Planning Authority stated aims for development of area <p>-----</p> <p>The revised design is more in keeping with the existing character of development and the threshold is met.</p>
7	The proposal contributes positively to existing pattern or objectives for development in the area.	<p>The proposal maintains appropriate and effective separation between developments and/ or clusters</p> <p>-----</p> <p>The design is sufficiently improved for the threshold to be regarded as met.</p>
8	The perception of landscape scale and distance is respected	<p>The perception of landscape scale and distance is respected</p> <p>---</p> <p>There remains a moderate effect on perception of Scale and Distance at certain viewpoints, but overall the threshold is likely to be met with the exception of Viewpoint 12.</p>
9	Landscape setting of nearby wind energy developments is respected	<p>Proposal relates well to the existing landscape setting and does not increase the perceived visual prominence of surrounding wind turbines.</p> <p>---</p> <p>The alterations to the design mean that this threshold is now largely met.</p>
10	Distinctiveness of Landscape character is respected	<p>Integrity and variety of Landscape Character Areas are maintained.</p> <p>-----</p> <p>The reduction in extent of the development footprint has improved the relationship of the development to the local landscape composition in and around Lairg such that the threshold is largely met.</p>



Key
 Site Boundary

Title	Figure 1.1: Site Location
Project No.	1620014511
Site	Garvary Wind Farm AIR
Client	Garvary Wind Farm Limited
Date	November 2022
Scale	1:60,000 @ A3
Issue	1 Drawn by BE



258000

260000

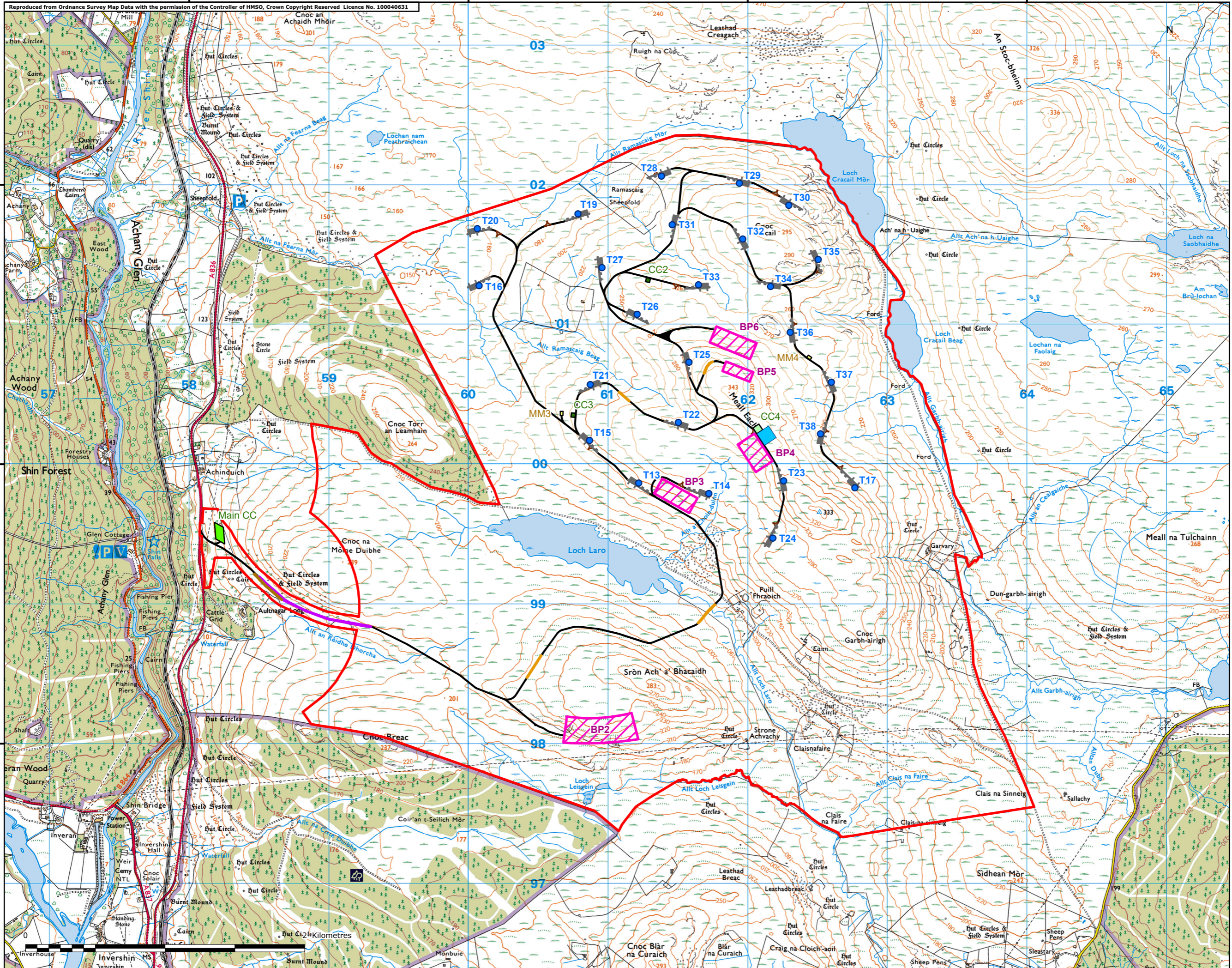
262000

264000

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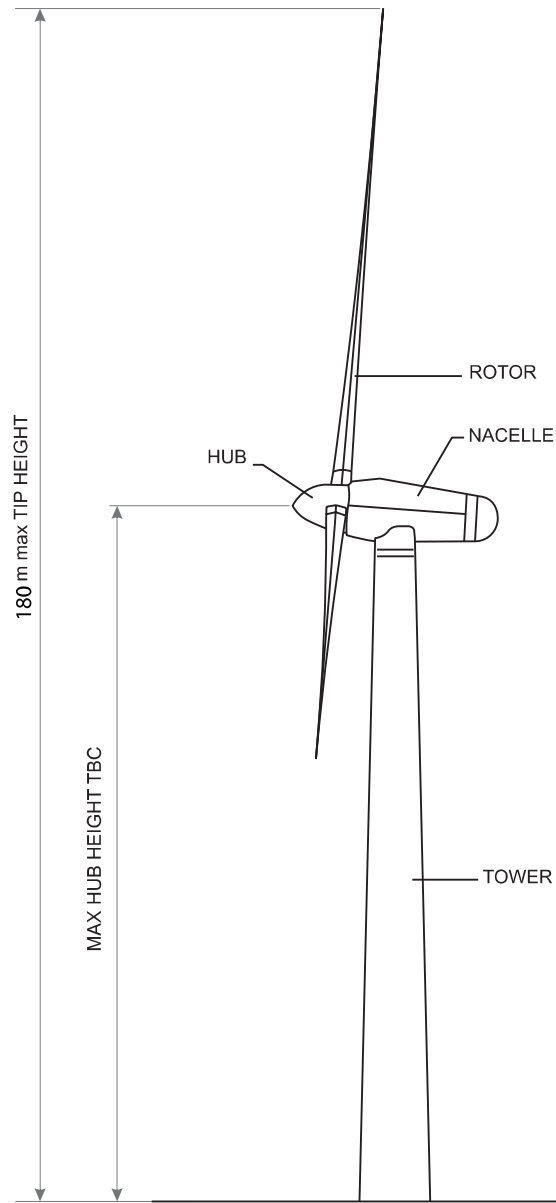


- Key
- Site Boundary
 - Proposed Turbine
 - Proposed Hardstanding
 - Proposed Access Track
 - Proposed New Track (Floating where possible)
 - Upgraded Existing Track
 - Proposed Turning Head
 - Proposed Substation (Including Battery Storage Unit)
 - Proposed Main Construction Compound
 - Proposed Satellite Construction Compound
 - Proposed Electrical Contractors Compound
 - Proposed Met Mast
 - Proposed Borrow Pit Search Area
 - Staging Area

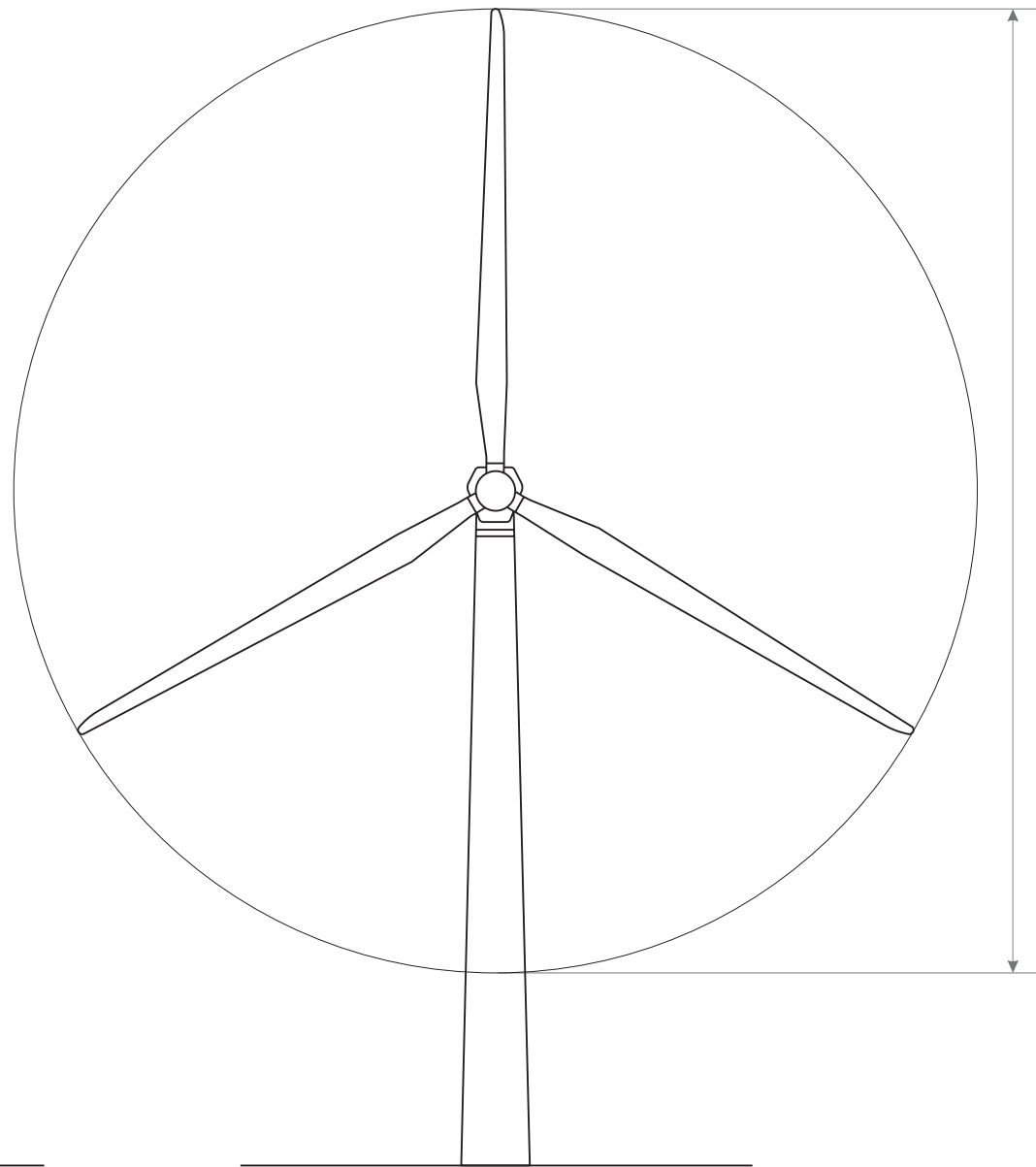


Title	Figure 2.1a: Site Layout
Project No.	1620014511
Site	Garvary Wind Farm AIR
Client	Garvary Wind Farm Limited
Date	November 2022
Scale	1:25,000 @ A3
Issue	1
Drawn by	BE





SIDE ELEVATION



FRONT ELEVATION

Title	
Figure 2.2: Typical Wind Turbine Elevations	
Project No. 1700001244	
Site	
Garvary Wind Farm EIAR	
Client	
Garvary Wind Farm Limited	
Date	
June 2020	
Scale	
Not to Scale	
Issue	Drawn by
1	JB