

Agenda Item	6.1
Report No	PLS-05-24

HIGHLAND COUNCIL

Committee: South Planning Applications Committee
Date: 07 February 2024
Report Title: 22/01760/S36: Energiekontor UK Ltd
Land 4035M SW of Bunloyne Farm, Glenmoriston
Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Bunloinn Wind Farm - Erection and operation of a wind farm for a period of 35 years, comprising 10 wind turbines with a maximum blade tip height of 230m, access tracks, borrow pits, battery energy storage system, substation, control building, and ancillary infrastructure.

Ward: 12 – Aird and Loch Ness

Development category: National Development (Section 36 Application)

Reason referred to Committee: National Development (Section 36 Application)

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

Recommendation

Members are asked to agree the recommendation to **RAISE NO OBJECTION** to the application as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

- 1.1 The Highland Council has been consulted by the Scottish Government's Energy Consents Unit (ECU) on an application made under Section 36 of the Electricity Act 1989 (as amended) for the construction and operation of the Bunloinn Wind Farm and associated infrastructure. The application is for 10 wind turbines to be operated for a 35 year period, with all turbines having a maximum blade tip height of 230m. The proposal has capacity to generate approximately 66.6 MW of installed capacity (depending on the turbine model chosen) in addition to 5 MW of battery storage. This proposal falls under the provisions of the Electricity Act due to the combined power output of the operational development and the proposed development being over 50 MW.
- 1.2 Key elements of the development, as described and assessed within the proposals and the Environmental Impact Assessment Report (EIAR) include:
- 10 wind turbines of 230m height to blade tip (capable of generating approximately 6.6 MW each), with internal transformers;
 - A Battery Energy Storage System (BESS) with a 5 MW capacity which would be within the construction compound footprint;
 - Substation to provide a connection to the grid network;
 - Associated turbine compound areas including foundations and hardstanding areas for erecting cranes at each turbine location;
 - A temporary construction compound including provision for onsite concrete batching;
 - 7.17 km of new track, of which 580m would be floating across areas of peat deeper than 1m;
 - 3.34 km of upgraded existing track;
 - Underground cables linking the turbines to the substation, typically placed along internal access tracks;
 - Up to 3 borrow pits for the extraction of stone;
 - A new access junction with the A87;
 - Car parking; and
 - Forestry felling, restocking and Habitat Management provisions.
- 1.3 A micro-siting allowance of 50m has been proposed by the applicant for the turbine locations, to accommodate unknown ground conditions. The micro-siting will be used to avoid any areas of deeper peat, higher elevations of ground, watercourse buffers, Ground Water Dependent Terrestrial Ecosystems and cultural heritage assets. The final design of the turbine (colour and finish), aviation infrared lighting, ancillary electrical equipment, landscaping and fencing etc. are also expected to be agreed with the Planning Authority, by condition, at the time of project procurement. Turbine manufacturers regularly update designs that are available, thereby necessitating the need for some flexibility on the approved design details.

- 1.4 As permission is sought to operate the windfarm for 35 years, a further application would be necessary to determine any future re-powering proposal. If the decision is made to decommission the wind turbines, all components, and above ground infrastructure would be removed. Any such track or infrastructure foundation retention would however need to be agreed via a decommissioning method statement and would require a planning application at the time of decommissioning the remainder of the site. Any application for retention of such infrastructure will be determined in line with the development plan in place at that time.
- 1.6 The applicant anticipates that the construction period will last approximately 18 months and decommissioning would last approximately 6 months. A detailed programme of works would be produced by the construction contractor prior to the commencement of works on site guided by a Construction and Environmental Management Plan (CEMP).
- 1.7 Whilst public consultation for Section 36 applications is not mandatory, the applicant held two online exhibition events to seek the views of the local community in September and November 2021. The applicant also held telephone and online question and answer sessions on 29 September 2021 between 1400 and 1800 hrs and 18 November 2021 between 1400 and 1800 hrs. Event notifications were advertised in the Inverness Courier and the West Highland Free Press and well as written invitations issued to all residents and business premises located within 10km of the proposed development.
- 1.8 The applicant made use of the Council's Pre-Application Advice Service for Major Developments in June 2021. At the time of the advice being sought, the proposal comprised of up to 18 turbines. This advice set out that the most significant effects would likely be landscape and visual. The perimeter of the site was also advised to be situated within the Loch Lochy and Loch Oich Special Landscape Area, however, the proposed turbine locations fall out with this area. It was set out that the scheme presented at the pre-application stage was unlikely to be supported owing to its scale and extent, however, a reduced scheme may be supported subject to landscape and visual impacts being addressed.
- 1.9 The application is supported by an Environmental Impact Assessment Report (EIAR), the contents of which has been informed through an EIA Scoping exercise undertaken in Summer 2021 with the Scottish Government's Energy Consents Unit in consultation with other consultees including the Council. The EIAR contains chapters on: EIA Methodology; Project Description; Design Evolution; Policy Framework; Carbon Balance; Socio-economics; Traffic and Transport; Noise; Landscape and Visual Impacts; Cultural Heritage; Ecology; Ornithology; Forestry; Hydrology, Hydrogeology, Geology and Peat; Shadow Flicker and Safety; and Infrastructure. The application is also accompanied by a Planning Statement, Design and Access Statement and Pre-Application Consultation Report.
- 1.10 Since the Planning Authority was initially consulted on the application, the applicant has not made any changes to the scheme. Council Officers have however been in dialogue with the applicant and the Energy Consents Unit over the prospect of a reducing the height of all of the proposed turbines to a maximum tip height of 200m.

The applicant has stated that they would be agreeable to this should this avoid an objection be recommended at case officer level.

2. SITE DESCRIPTION

- 2.1 The site is located approximately 14.5km north west of Invergarry and 13km south west of the hamlet of Dalchreichart. The site is situated between Loch Cluanie to the north, the A87 trunk road the east, and Loch Loyne to the south. A new site access junction onto the A87 is proposed.
- 2.2 The site predominately consists of rolling open moorland with occasional rocky outcrops and areas of commercial forestry. It is characterised by an undulating landform and is enclosed by higher topography to the south of Loch Cluanie and north of Loch Loyne. The Corbett, Beinn Loinne, is contained within the site marking the highest point (775m Above Ordinance Datum (AOD)); while the hill summits of Meall Odhar (462m AOD), Meall Coire na Creadha (561m AOD), and Creag na Nathrach (514m AOD) also lie within the site boundary. The application boundary covers 1,836ha, however the footprint of the development covers an area of some 31ha.
- 2.3 The key recreational interests in this area include mountaineering, walking, and cycling. Whilst both the A87 and the A887 are popular roads and the main routes to and from Skye, neither are officially promoted tourist routes. There are also several Munros within a 5km to 10km radius and beyond, located to the north west and west of the site. The Cape Wrath Trail, a long-distance route from Fort William to Cape Wrath, bypasses the site to the south and west maintaining a setback of at least 5km. More distantly, The Caledonia Way, National Route 78 of the National Cycle Network, is situated around 15km east, as is the Great Glen Way. A number of other localised hill summits, core paths and heritage paths lie in closer proximity.

Environmental Designations and Habitats

- 2.4 The site does not form part of any statutory or non-statutory designated site for nature conservation. It borders the West Inverness-shire Lochs Site of Special Scientific Interest (SSSI) and Special Protection Area (SPA) located 0.4km north and south, with the qualifying features being black throated diver and common scoter. The River Moriston Special Area of Conservation (SAC) also lies 0.7km north east with its qualifying features being freshwater pearl mussel and Atlantic salmon.
- 2.5 A variety of habitats are present around the site. The EIAR investigated the potential impact of the proposals on bats, otters, water vole, pine marten, wildcats, red squirrels, badgers, and amphibians and reptiles. The site and surrounds have been surveyed for breeding birds and transient birds.
- 2.6 There are a number of watercourses which run across the site, and typically drain north, east, and south into Loch Loyne, with the most prominent being Allt Coire na Creadha, Allt na Doire Moire, and Allt an h-Aire. The potential for areas of Ground Water Dependent Terrestrial Ecosystems (GWDTEs) within the site is positive, with these habitats relating to springs and marshy grassland within the site.

2.7 The British Geological Survey (BGS) demonstrates that the proposed site is underlain by metamorphic bedrock of the Loch Eil Group, which comprises psammite and micaceous psammite formed approximately 541 to 1,000 million years ago. Superficial geology across the proposed site comprises Hummocky (moundy) Glacial Deposits which were formed up to 3 million years ago. The Carbon and Peatland 2016 Map suggests that the site mainly comprises of Class 2 and Class 5 peatland, particularly at lower elevations in the centre of the site and areas towards the shores of Loch Loyne. The site also contains areas of Class 4 and Class 3. The peat depths on the site vary between 0m-4m. Most of the site infrastructure, including turbines, are located on areas of between 0-1m depths of peat.

Landscape Designations, Wild Land and Landscape Character

2.8 The northwestern area of the site, beyond the footprint of the proposed development, is located within the extensive Moidart, Morar and Glen Shiel Special Landscape Area (SLA). Other designated landscapes and Wild Land Areas which, as agreed through the EIA Scoping process, require to be assessed are set out below. A notable omission is the Glen Affric National Scenic Area (NSA), which despite its close proximity of 5.4 km to the north, was scoped out of assessment by NatureScot owing to the lack of visibility as demonstrated through Zone of Theoretical Visibility (ZTV) mapping and the provision of wirelines.

Designated Landscape	Distance and direction from the Proposed Development
Wild Land Areas (WLA)	
24 - Central Highlands	4km N
18 - Kinlochhourn – Knoydart – Morar	5 m W / 8km S
Special Landscape Area (SLA)	
Loch Lochy and Oich	10km SE

2.9 The site is situated within the southwestern extent of the Rugged Massive – Inverness Landscape Character Type (LCT), which extends to the north east across the A87 and east following the southern side of the Glen Morriston strath over a distance of some 20km. The adjoining LCT to the west is the Rugged Massif – Skye and Lochalsh LCT is very similar in character with these two LCTs being divided by an administrative boundary only and can be considered as one combined Rugged Massive LCT which is described as rugged, exposed mountains which cover much of the north-western part of Inverness district. This type tends to be divided into distinct hill ranges by the long east-west glens of the Wooded Glen Landscape Character Type. A small area of the Wooded Glen – Inverness LCT (Glen Moriston Unit) would also be directly affected by the proposed site access route.

Built Heritage

- 2.10 There are no designated heritage assets within the site itself, however there are four Scheduled Monuments which lie within a 10km radius from the site boundary which are tabled below.

Site Name	Scheduled Monument Number	Distance and direction from the Proposed Development
Fort Augustus-Bernera Military Road, 1,890 m W of Ceannacroc Lodge	SM11484	1.3km N
Balnacarn, Township 550 m WSW of	SM11482	6.9km NE
Fort Augustus-Bernera Military Road, 570 m SE of Achlain	SM11483	7.2km NE
Tir nan Og, Cairn 335 m SSW of	SM11494	7.6km NE

- 2.11 Five Listed Buildings have been identified within the 10 km radius of the site:

Site Name	Listed Building Number	Distance and direction from the Proposed Development
Category B Listed		
Glenmoriston, Ceannacroc Bridge Over River Moriston	LB14994	1.8km NE
Great Glen Hydro Electric Scheme, Quoich Dam and Intake Gatehouse Towers	LB51704	9.8km SW
Category C Listed		
Greenfield Farm, Cruck Framed Barn	LB50834	5.8km SE
Glenmoriston, Achlain House	LB14995	7.2km NE

Invergarry, Suspension Footbridge Over River Garry by Hydro Dam	LB6828	10km SE
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- 2.12 There are multiple non-designated Historic Environment Records and Canmore records such as the post-medieval Drumrunie Lodge (MHG21577), which lies within the site boundary. Other non-designated Historic Environment Records within the site boundary include bridges, and abandoned property and settlement, and dams. These non-designated Historic Environment assets encompass a range of monument types and periods but are generally considered to be of local significance.

Cumulative Development

- 2.13 Operational, consented / under construction, and in planning projects that the applicant took into consideration in their cumulative assessment, dated July 2021, are set out below, with this list having been updated by Officers to reflect the most up to date position as of December 2023.

Site Name	No. of Turbines	Tip Height (m)	Distance and direction from the Proposed Development
Operational Sites			
Beinneun Extension	7	136	2km E
Beinneun	25	113.5	2km E
Millennium	26	115 – 125	6km E
Bhlaraidh	32	125 – 135	19km NE
Stronelairg	66	125 – 135	29km E
Corriegarth	23	119.3	37km
Dunmaglass	33	117.5	44km NE
Consented / Sites Under Construction			
Bhlaraidh Extension	15	180	23km NE
Cloiche	36	149.9	27km E
Dell	14	115.5 - 130.5	31km E

Application / Appeal Sites			
Tomchrasky	14	185	7km NE
Culachy	8	200	19km E
Chrathaich	14	149.9	22km NE
Loch Liath	13	180 - 200	25km NE
Corriegarth 2	16	149.9	36km E

3. PLANNING HISTORY

- 3.1 08.09.2021 21/03743/SCOP - Bunloinn Wind Farm - EIA Scoping
Erection, Operation and Decommissioning of a Response
Wind Farm comprising of 18 Wind Turbines with Issued
a maximum blade tip height 230m, access
tracks, borrow pits, substation, control building,
and ancillary infrastructure

4. PUBLIC PARTICIPATION

4.1 Advertised: Section 36 Application

Date EIA Advertised: Inverness Courier on 19 and 24 April 2022; West Highland Free Press on 22 and 29 April 2022; Edinburgh Gazette on 20 April 2022; and The Herald on 19 April 2022.

Representation deadline: 19 May 2022

Representations Received by The Highland Council: 1 (1 objections, 0 in support)

Representations Received by The Energy Consents Unit: 3 (1 objection, 2 in support)

4.2 Material considerations raised in objections are summarised as follows:

- Landscape and visual impacts, including within the surrounding Wild Land Areas, Glen Affric NSA, and the Moidart, Morar and Glen Shiel SLA, including from surrounding Munros and Corbetts, as well as westbound on the A887.
- Landscape impact of the site access road;
- Cumulative visual impacts with other neighbouring wind farms; and
- Resultant adverse socio-economic / tourism related impacts.

4.3 Material considerations raised in support are summarised as follows:

- Contribution towards addressing a climate emergency and renewable energy targets;
- Sensitive siting from a landscape and ecological impact perspective;
- Commitment made to biodiversity enhancement and peatland restoration; and
- Community benefit / socio economic benefits arising from the development.

4.4 Non-Material considerations raised:

- The site falling within Group 2 of the Highland Council's Spatial Strategy for onshore wind, which has now been replaced by NPF4;
- Associate potential grid infrastructure impacts;
- Over reliance of energy strategy towards unreliable sources of generation; and
- Constraints payments and lack of need for more onshore wind.

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

5. CONSULTATIONS

Consultations undertaken by The Highland Council

- 5.1 **Fort Augustus and Glenmoriston Community Council (Host)** was consulted although did not respond.
- 5.2 **Glenarry Community Council** was consulted although did not respond.
- 5.3 **Glenurquhart Community Council** object to the application. It raises concerns in relation to adverse landscape and visual impacts, including cumulatively with other developments, adverse tourism impact, and adverse ornithological and ecological impacts, as well as loss of peatland and blanket bog habitat.
- 5.4 **Laggan Community Council** was consulted although did not respond.
- 5.5 **Lochduich Community Council** was consulted although did not respond.
- 5.6 **Spean Bridge, Roy Bridge and Achnacarry Community Council** was consulted although did not respond.
- 5.7 **Stretherrick and Foyers Community Council** was consulted although did not respond.
- 5.8 **Strathglass Community Council** object to the application. Concerns relate to the adverse visual impact on the Glen Affric NSA and the Affric-Kintail Way, with the development forming a visual cluster of operational and proposed windfarms when viewed from the north-east, adversely impacting visitor attraction and the local economy.
- 5.9 **Access Officer** does not object to the application subject to a condition requiring a detailed Outdoor Access Plan.
- 5.10 **Development Plans Team** do not object to the application. It advises that associated buildings, including any required to accommodate electricity

infrastructure, should be designed in a way to reflect the vernacular of the area. Developer Contributions may also potentially be required.

- 5.11 **Ecology Officer** does not object to the application noting that evidence of water vole, otter, pine marten, amphibians and reptiles are present within the site. Conditions are therefore advised to secure a pre-construction protected species survey and for Species Protection Plans. A metric has been supplied to demonstrate that there is sufficient biodiversity enhancement measures to comply with NPF4 Policy 3b. Despite the calculation of habitats impacted by the development being erroneous, the enhancement measures indicate the level of peatland restoration is in excess of the 1:10 restoration level required in NatureScot's Peatland Guidance and therefore it is likely that the required level of habitat compensation and enhancement required by NPF4 Policy 3 will be deliverable. This to be secured by condition requiring a finalised Habitat Management Plan, which is encouraged to include specific enhancement measures for water vole and common scoter. Other recommended conditions include a Construction and Environmental Management Plan (CEMP), Environmental Clerk of Works (ECoW), a pre-construction protected species and nesting bird surveys.
- 5.12 **Environmental Heath** do not object to the application subject to conditions. These include restricting noise limits and submitting implementable measures to reduce the impact of noise and the suppression of dust during construction which will be included in a Construction Environmental Management Plan (CEMP).
- 5.13 **Flood Risk Management Team** do not object to the application and have no further comments.
- 5.14 **Forestry Officer** does not object to the application. It is noted that a total of 14.73 hectares of woodlands would be removed to accommodate the development with a further 10.21 hectares would be felled to facilitate construction with this to be replanted in situ. A commitment has been made to replant all of the felled woodland, within a potential 27.93 hectares planting area. A condition is recommended to secure a detailed scheme of compensatory planting and future maintenance.
- 5.15 **Historic Environment Team** do not object to the application. It considers that the EIAR cultural heritage chapter provides an appropriate level of information and assessment, with this concluding that the potential for unrecorded remains to survive within the development area is low. The mitigation proposed within EIAR Paras 7.125 to 7.130 is adequate and would require: the implementation of a protocol in the event of the discovery of previously unrecorded assets (such as evaluation, minimising disturbance and / or micro-siting); discrete areas of watching briefs; and the inclusion of cultural heritage issues within a Construction Environmental Management Plan (CEMP). The mitigation proposed is expected to inform a programme of archaeological works and written scheme of investigation which could be secured by condition.
- 5.16 **Landscape Officer** does not object to the application but raises concerns. The advice is that the development would give rise to impacts on the local landscape composition, and on the experience of progression through a series of landscape characters that would be significantly detrimental. Visual impacts would be significant from more locations at a greater distance from the development and to

the east than indicated by the Landscape and Visual Impact Assessment (LVIA). Adverse visual impacts along the A87 over a scenically rich stretch, which allows appreciation of the east west landscape transition, and it is concluded that the development fails to reach the threshold expressed for a number of the design criteria in the Council's Onshore Wind Energy Supplementary Guidance.

- 5.17 **Transport Planning Team** do not object to the application. It highlights the impact on the applicant's proposal on the road network. The access route from the A87 (which shares a junction with the Fishery Pier Road (U4913) requires the temporary removal of 4 lighting columns from Fishery Pier Road. A transport Assessment should be undertaken and should include a framework Construction Traffic Management Plan aimed at minimising the impact of construction traffic. Consultation with the local community and Local Area Roads Office will be required regarding the detailed content and implantation of the Construction Traffic Management Plan. It requests the submission of a construction traffic management plan to be secured by condition. This should include the provision of a wear and tear agreement for the local road network under Section 96 of the Roads (Scotland) Act 1984 (As Amended).

Consultations Undertaken by the Energy Consents Unit

- 5.18 **British Telecom** do not object to the application. It does not consider the proposal will cause interference with BT's current or presently planned radio networks.
- 5.19 **Crown Estates Scotland** do not object to the application. No assets of the Crown Estate Scotland are affected by the proposal.
- 5.20 **Glasgow Prestwick Airport** do not object to the application, noting that the application site is out with its consultation zone.
- 5.21 **Highlands and Islands Airports Limited** do not object to the application on the basis that the proposal would not infringe the safeguarding criteria for Inverness Airport.
- 5.22 **Historic Environment Scotland** do not object to the application. It has identified significant adverse effects on the settings of the Fort Augustus-Bernera Military Road (SM11484) and the Balnacairn, township 550 m WSW of (SM11482) scheduled monuments. The proposed turbines would not significantly detract from the ability to understand, appreciate and experience the relationship between the monuments and their setting. HES is therefore content that the development's impacts are not of a level that would raise issues in the national interest.
- 5.23 **John Muir Trust** object to the application. It raises concerns in relation to the adverse impact the proposal has on the wild land qualities, the westward encroachment of industrialisation it poses on the landscape, and the design iteration with the turbines being sited in golden eagle foraging habitat.
- 5.24 **Ministry of Defence - Defence Infrastructure Organisation** do not object to the application subject to conditions. These include submitting an aviation lighting scheme for the approval of the Scottish Government in conjunction with the Ministry of Defence defining how the development will be lit throughout its life to maintain

civil and military aviation safety. This is due to the potential of the proposed development site falling within Tactical Training Area 14T (TTA 14T), an area within which fixed wing aircraft may operate as low as 100 feet or 30.5 m above ground level to conduct low flight training. The applicant must also notify the Ministry of Defence at least 14 days prior to the commencement of the works.

- 5.25 **Mountaineering Scotland** object to the application. It raises concerns in relation to the adverse visual impact the proposal has on the landscape. It also raises concerns with the clarity of some of the photomontages and ZTV mapping. It questions the siting of the turbines given their partial screening from the surrounding landform, particularly from the elevated road between Glen Garry and Glen Moriston in close proximity. It finds that the applicant's LVIA underplays the significance of the adverse visual and perceptual impacts upon the hills around the development area, including some to the north such as Sgurr nan Conbhairean (Viewpoint 5), and that the development will be perceived as a significant step westward in wind farm development, to the detriment of the gateway effect currently experienced as one rises out of the Glen Garry forest as one travels towards the mountain landscapes of the west. It also questions the applicants' socio-economic assessment, considering the impacts on tourism and hillwalkers to have been underplayed.
- 5.26 **National Air Traffic Control Services** do not object to the application. They note that the proposal does not conflict with the safeguarding criteria for air traffic.
- 5.27 **NatureScot** do not object to the application. In terms of landscape and visual impacts, the turbines are 70-100 m taller and further west than those that are existing or have been consented in the vicinity. Like any wind farm, it will result in a range of significant landscape and visual effects, which is to be expected with a development of this prominence. It would cause a significant effect on the visual connectivity between WLA 18 - Kinlochhourn – Knoydart – Morar and 24 - Central Highlands, leading to significant effects on Wild Land Quality (WLQ)¹, with this extending into hours of darkness which effect on the attribute of naturalness which underpins WLQ¹. These effects would be limited in geographical extent. It also advises that both landscape and visual effects of the turbines will be significant along a section of the A87 in close proximity.

In relation to the River Moriston SAC, the development is likely to have a significant effect through potential changes to water quality. A Habitat Regulations Appraisal must be undertaken by Scottish Ministers, and to help inform this it is advised that although this proposal is likely to have a significant effect on the salmon and freshwater pearl mussel populations of this SAC, through the potential for adverse changes to water quality, such impacts would not adversely affect the integrity of the site. This is on the basis that conditions to secure standard mitigation, including pollution and silt prevention measures, will be in place to protect water quality.

In relation to ornithological designations, it advises that the proposal could adversely affect the qualifying species of the West Inverness-shire Lochs SPA, namely Black Throated Divers and Common Scoters, whereby a Habitat Regulations Appraisal must be undertaken by Scottish Ministers. For both of these species, impacts on integrity can be avoided through the implementation of the following measures to be conditioned: a breeding bird protection plan; Habitat and Peat Management Plans;

and turbines and other infrastructure not being micrositied to within 750m of Loch Loyne.

It also welcomes the provision of a Species Protection Plan for breeding birds, however larger pre-construction survey buffers may be required for some species. NatureScot advise that no Annex 1 species in the wider countryside will have their regional conservation status adversely affected by this proposal. Additional mitigation is recommended to be conditioned for golden eagle, including: suspension of all works within 1km of the eyrie during the breeding season; improvements to golden eagle foraging habitat in areas more than 500m from the turbine array; and scope for a regional scale conservation management plan for eagles, similar to that in place at NHZ10 which could help mitigate against any negative effects of the proposed development and other schemes within NHZ7. Further mitigation by condition is advised for black grouse, including a 750m buffer around any lek sites during construction.

In terms of habitats, micro siting is advised to avoid more sensitive habitats, with the final Habitat Management Plan (HMP) to include measures which are sufficient to compensate for all the associated habitat loss. It welcome that the outline HMP includes the potential for drain blocking and recommend this is considered across the wider land ownership area. It also advises that the survey buffers for otters and wildcats should be extended and notes that pre-construction surveys and Species Protection Plans are proposed, with these being recommend to include measures to safeguard protected species during all works proposed, including any HMP related works. Finally, NatureScot agree that the overall the site can be assessed as low risk for bats and that pitching of blades out of the wind (feathering) could be conditioned to reduce collision risk.

- 5.28 **Ness District Salmon Fishery Board** do not object to the application subject to conditions. These include that fish population surveys are completed in the Allt na Coire Creadha, tributaries, River Loyne, and River Moriston. Fish rescues should also be completed during instream works in the Allt na Coire Creadha.
- 5.29 **Royal Society for the Protection of Birds** object to the application. It considers that it is not possible to conclude that there would be no adverse effect to the common scoter and black-throated diver and other species within the site in the long term. It also requests that turbine 8 and turbine 10 be removed on the grounds that positioning is too close to nesting sites and breeding habitats, as well as to reduce the collision and displacement impact on golden eagles and that peatland restoration efforts be proposed in these turbine locations.
- 5.30 **Scottish Environment Protection Agency** do not object to the application subject to conditions. These include provision of a finalised Peat Management Plan, with: a specific section outlining the measures (e.g. micro siting, limiting footprint, floating) to reduce peat disturbance from formation of the T-junction directly north of the Allt Coire na Creadha; and a micro siting to avoid areas of deeper peat than shown for the relevant infrastructure on EIA Figure 10.6 of Appendix 10.2. A finalised Habitat Management Plan is also requested to be secured by condition delivering: restoration works to, as a minimum, the areas shown on EIA Figure 1 and Figure 2 of Appendix 8.5; and demonstrating how micro siting and other techniques has been used to minimise direct and indirect impacts of the groundwater dependent M25a habitats shown on EIA Map 10 of Appendix 8.1. To protect the water environment a

condition is sought to specify the watercourse crossing designs, with further conditions advised to secure adherence to the mitigation outlined in the Schedule of Mitigation (Table 16.1), Borrow pit restoration and final site decommissioning and restoration.

5.31 **Transport Scotland** do not object to the application subject to several conditions being attached. These relate to: 1) design of the access onto the trunk road; 2) a multi-stage Road Safety Audit process; 3), 4) and 5) an Abnormal Loads Assessment and implementation including temporary traffic control measures; 6) an abnormal loads delivery trial-run; 7) a Construction Traffic Management Plan (CTMP); 8) and 9) sheeting and wheel cleaning of vehicles; and 10) a decommissioning plan.

6. DEVELOPMENT PLAN POLICY

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

National Planning Framework 4 (2022)

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

National Development 3 (NAD3) - Strategic Renewable Electricity Generation and Transmission Infrastructure

- 1 - Tackling the climate and nature crisis
- 2 - Climate mitigation and adaptation
- 3 - Biodiversity
- 4 - Natural places
- 5 - Soils
- 6 - Forestry, Woodland and Trees
- 7 - Historic assets and places
- 11 - Energy
- 13 - Sustainable transport
- 22 - Flood risk and water management
- 23 - Health and safety
- 25 - Community wealth benefits
- 33 - Minerals

Highland Wide Local Development Plan 2012

6.2

- 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
- 55 - Peat and Soils
- 56 - Travel
- 57 - Natural, Built and Cultural Heritage
- 58 - Protected Species
- 59 - Other important Species

- 60 - Other Importance Habitats
- 61 - Landscape
- 62 - Geodiversity
- 63 - Water Environment
- 64 - Flood Risk
- 66 - Surface Water Drainage
- 67 - Renewable Energy Developments
- 68 - Community Renewable Energy Developments
- 69 - Electricity Transmission Infrastructure
- 72 - Pollution
- 73 - Air Quality
- 74 - Green Networks
- 77 - Public Access
- 78 - Long Distance Routes

Inner Moray Firth Local Development Plan 2015 (IMFLDP)

- 6.3 No policies or allocations relevant to the proposals are included in the adopted Local Development Plan.

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

- 6.4 The Inner Moray Firth Local Development Plan Proposed Plan 2 was submitted to Scottish Ministers in March 2023. This contained a number of general policies which are applicable including Policy 2 - Nature Protection, Preservation and Enhancement.

Onshore Wind Energy Supplementary Guidance, Nov 2016 (OWESG)

- 6.5 The Onshore Wind Energy Supplementary Guidance (OWESG) provides additional guidance on the principles set out in HwLDP Policy 67 for renewable energy developments. The Guidance sets out the Council's agreed position on onshore wind energy matters, and, although reflective of Scottish Planning Policy at the time of its adoption prior to the adoption of NPF4, the document remains an extant part of the Development Plan and is therefore a material consideration in the determination of onshore wind energy planning applications. Nevertheless, the Spatial Framework included in the document is no longer relevant to the assessment of applications as in effect, the policies of NPF4, specifically Policy 11 Energy, removes Group 2 Areas of significant protection from consideration by effectively making all land in Scotland either Group 1 Areas where wind farms will not be acceptable, or Group 3, Areas with potential for wind farm development.
- 6.6 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 eastern extent of the site falls within the Loch Ness Landscape Sensitivity Study area, however, the turbine array falls outwith the broadly defined mapped study area boundary, albeit that the description for Landscape Character Area (LCA) LN5 makes reference to Beinn Loinne, with both the A887 and the A87 being identified as Key Routes, with the 'A87 – above Loch Loyne' being a recognised 'Gateway'.

Other Highland Council Supplementary Guidance

- 6.7 Developer Contributions (Mar 2018)
- Flood Risk and Drainage Impact Assessment (Jan 2013)
- Green Networks (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (Mar 2013)
- Highland Renewable Energy Strategy and Planning Guidelines (May 2006)
- Physical Constraints (Mar 2013)
- Roads and Transport Guidelines for New Developments (May 2013)
- Special Landscape Area Citations (Jun 2011)
- Sustainable Design Guide (Jan 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

Emerging Highland Council Development Plan Documents and Planning Guidance

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

Other National Guidance

- 7.3 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)

8. PLANNING APPRAISAL

- 8.1 This application has been submitted to the Scottish Government under Section 36 of the Electricity Act 1989 (as amended). Should Ministers approve the development, it will receive deemed planning permission under Section 57(2) of the Town and Country Planning (Scotland) Act 1997 (as amended). Although not a planning application, the Council processes S36 applications in a similar manner given that planning permission may be deemed to be granted.

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

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

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

Planning Considerations

8.4 The key considerations in this case are:

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

Development Plan / Other Planning Policy

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

National Policy

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

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

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

8.8 The proposed development is of national importance for the delivery of the national Spatial Strategy, whereby in principle support for the development is established. As the proposed development would be capable of generating over 50 MW, it is of a type and scale that constitutes NPF4 National Development 3 - Strategic Renewable Electricity Generation and Transmission Infrastructure.

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

8.10 NPF4 Policies 1, 2, and 3 now apply to all development proposals Scotland-wide, which means that significant weight must be given to the global climate and nature

crises when considering all development proposals, as required by NPF4 Policy 1. To that end, development proposals must be sited and designed to minimise lifecycle greenhouse gas emissions as far as is practicably possible in accordance with NPF4 Policy 2, while contributing to the enhancement of biodiversity, as required by NPF4 Policy 3.

- 8.11 Specific to this proposal, as well as the support in Policy 1 (significant weight will be given to the global climate and nature crisis when considering development), Policy 11 of NPF4 supports all forms of proposals for renewable, low-carbon and zero emission technologies including wind farms. However, any project identified as a national development requires to be considered at a project level to ensure all statutory tests are met, as set out in Annex 1 of the NPF4. This includes consideration against the provisions of the Development Plan, of which NPF4 is a part.
- 8.12 Complementing those policies is NPF4 Policy 4 Natural Places, which sets out that development proposals by virtue of type, location, or scale that have an unacceptable impact on the natural environment will not be supported. The policy goes on to clarify what that means for different designations. It sets out that proposals with likely significant effects on European sites (SACs or SPAs) require appropriate assessment, and that development proposals that will affect a National Park, NSA or SSSI will only be supported where: i) the objectives of designation and the overall integrity of the areas will not be compromised; or ii) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance. This is an important consideration given the proximity of the development in relation to The West Inverness-shire Lochs SPA and SSSI which border the north and south of the site.
- 8.13 Similarly, sites designated in Development Plans for local nature conservation or Special Landscape Areas (SLAs) are protected in NPF4 Policy 4 unless the development will not result in significantly adverse effects on its qualities or its integrity, or, these effects are clearly outweighed by social, environmental, or economic benefits of at least local importance.
- 8.14 The most significant policy change for Natural Places brought about by NPF Policy 4 is with regard Wild Land Areas, which states that renewable energy developments that support national targets will be supported in Wild Land Areas (WLA) and that buffer zones around WLAs will not be applied, so that effects of development outwith WLAs will not be a significant consideration. The site itself is not with a Wild Land Area, however two WLAs are in relatively close proximity to the site.
- 8.15 Specific for energy developments, NPF4 Policy 11 states that the principle of all forms of renewable, low-carbon, and zero emission technologies is supported with the exception of wind farm proposals located in National Parks or National Scenic Areas. Policy 11 Part c) qualifies this position by stating that wind farms should only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business, and supply chain opportunities. The policy goes on to state that while significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on reduction of greenhouse gas emissions targets, the development's

impacts, including cumulative impacts, must be suitably addressed and mitigated against. In this regard, The Highland Council has consistently given significant weight to a development's contribution to environmental targets prior to and post the adoption of NPF4.

- 8.16 NPF4 Policy 11 Part e) sets out the additional project design and mitigation requirements for energy proposals. This includes a broad range of matters akin to those to be assessed under HwLDP Policy 67. This includes consideration of the landscape and visual impacts and advises that where impacts are localised and / or appropriate design mitigation has been applied such effects will generally be considered acceptable. Members will be aware that the concept of wind energy developments that have only localised impacts as being more likely to be acceptable is not new and is also reflected in previous planning decisions. However, the landscape and visual impacts of a proposal of 10 turbines at 200m to 230m in height remains challenging to be entirely contained, as reflected in the significant adverse impacts identified within the EIAR and through the consultation process. While the adopted NPF4 reflects a stronger presumption in favour of all national scale energy developments, judgment still requires to be applied at the project level to ensure proposals do not have unacceptable landscape and visual impacts even if the contribution to national renewable energy targets is considerable.
- 8.17 On that point it is noted that both legislation and planning law indicate that where there may be incompatibility between NPF4 and the Local Development Plan (LDP) (HwLDP, IMFLDP, and Highland Council Supplementary Guidance) published prior to NPF4, then the more recent document shall prevail. Notwithstanding however, in instances of incompatibility, this requirement may not eliminate the provisions of the LDP in their entirety whilst these documents remain an extant part of the adopted Development Plan. That means that the Council may wish to give more weight to the provisions of its LDP over national policies where there is strong justification for doing so, such as where it feels that LDP policy is better equipped to respond to local conditions for example. However, this matter is yet to be tested through the planning system.

Highland wide Local Development Plan (HwLDP)

- 8.18 The principal HwLDP policy on which the application needs to be determined is Policy 67 - Renewable Energy. HwLDP Policy 67 sets out that renewable energy development should be well related to the source of the primary renewable resource needed for operation, the contribution of the proposed development in meeting renewable energy targets and positive/negative effects on the local and national economy as well as all other relevant policies of the Development Plan and other relevant guidance. In that context the Council will support proposals where it is satisfied they are located, sited and designed such as they will not be significantly detrimental overall, individually or cumulatively with other developments having regard to 11 specified criteria (as listed in HwLDP Policy 67). Such an approach is consistent with the concept of Sustainable Design (HwLDP Policy 28) and the concept of supporting the right development in the right place at the right time.
- 8.19 Although HwLDP Policy 67, the OWESG and NPF4 Policy 11 are considered compatible, NPF4 expresses greater support for renewable energy projects outwith National Parks and NSAs, and requires greater weight to be attributed to the twin

climate and biodiversity crises in the decision making process, whilst still recognising that a balancing exercise must still be carried out.

Area Local Development Plan

- 8.20 The Inner Moray Firth Local Development Plan (IMFLDP) does not contain land allocations related to the proposed development. It confirms the boundaries of Special Landscape Areas within the plan area. Highland Wide Local Development Plan (HwLDP) Policies 28, 57, 61 and 67 seek to safeguard these regionally important landscapes. The impact of this development on landscape is primarily assessed in the Design, Landscape and Visual Impact section of this report.
- 8.21 The IMFLDP is under review and is at Proposed Plan stage. As this is the case the Inner Moray Firth Local Development Plan Proposed Plan (IMFLDPPP) can be given weight in the determination of applications, albeit not the same weight which would be given to the adopted development plan as it still requires to be subject to examination.
- 8.22 The IMFLDPPP contains policies on Nature Protection, Preservation and Enhancement (Policy 2). This sets out that major development will only be supported where it is demonstrated that the proposal will conserve and enhance biodiversity within and adjacent to a site. This is similar to the approach taken in NPF4 and will be considered in the relevant sections of this report. The IMFLDPPP also sets out that developers will be required to demonstrate that adequate capacity to serve the proposal exists or can be created by a programmed improvement or via direct developer provision or funding. Where this is appropriate, the need for enhancements to infrastructure will be highlighted in this report.

Onshore Wind Energy Supplementary Guidance (OWESG)

- 8.23 The Council's OWESG forms part of the Development Plan and remains a critical document in the determination of applications. The supplementary guidance does not provide additional tests in respect of the consideration of development proposals against Development Plan policy. However, it provides a clear indication of the approach the Council towards the assessment of proposals, and thereby aid consideration of applications for onshore wind energy proposals.
- 8.24 The OWESG approach and methodology to the assessment of proposals is applicable and is set out in the OWESG Para 4.16 - 4.17. It provides a methodology for a judgement to be made on the likely impact of a development on assessed "thresholds" in order to assist the application of HwLDP Policy 67. The 10 criteria are particularly useful in considering visual impacts, including cumulative impacts. An appraisal of how the proposal relates to the thresholds set out in the criteria, is included in Appendix 3 of this report.

Onshore Wind Energy Policy Statement (2022), Draft Energy Strategy and Just Transition Plan (2023) and Onshore Wind Sector Deal for Scotland (2023)

- 8.25 The Onshore Wind Energy Policy Statement supersedes the previously adopted Onshore Wind Energy Policy Statement which was published in 2017. The document sets out a clear ambition for onshore wind in Scotland and for the first

time sets a national target for a minimum level of installed capacity for onshore wind energy, being 20 GW. This is set against a currently installed capacity of 9.4 GW (June 2023). Therefore, a further 10.6 GW of onshore wind requires to be installed to meet the target. It is however acknowledged that targets are not caps. In delivering such a target Scotland would play a significant role in meeting the requirement of 25-30 GW of installed capacity across the UK identified by the Climate Change Committee.

- 8.26 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 socio-economic benefits to Scotland must be maximised. In taking this approach, this echoes Scotland's Third Land Use Strategy.
- 8.27 The document recognises that there may be a need to develop onshore wind energy development on peat. While peatland is present on the site, it is considered that appropriate mitigation has been applied by design and peat management plan can be secured by condition.
- 8.28 Additionally, the document acknowledges that in order for Scotland to achieve its climate targets and the ambition for the minimum installed capacity of 20 GW by 2030, the landscape will change. However, the OWEPS also sets out that the right development should happen in the right place. Echoing NPF4, the document sets out that significant landscape and visual impacts are to be expected and that where the impacts are localised and / or appropriate mitigation has been applied the effects will be considered acceptable.
- 8.29 The role of Landscape Sensitivity Appraisals in considering wind energy proposals is promoted through the document. This highlights the importance of applying those contained within the Council's OWESG when assessing applications.
- 8.30 Benefits to rural areas, such as provision of jobs and opportunities to restore and protect natural habitats, are also highlighted in the document. It 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. The proposed development does lead to such benefits being delivered, however, in relation to maximising socio-economic benefits, there is no current guidance on what that should look like and evidence of a significant shift of requirements is yet to emerge, which Members may expect to see, from what was likely to be offered pre-adoption of NPF4.
- 8.31 Finally, the document also highlights technical considerations, those relevant to this application have been considered and mitigation, where required has been secured by condition.
- 8.32 The Draft Energy Strategy and Just Transition Plan has been published for consultation. Ministers will likely give consideration to this document in their decision on the application, however, limited weight can be applied to the document given its draft status. Unsurprisingly, the material on onshore wind in the document reflects in large part that contained in NPF4 and the Onshore Wind Energy Policy Statement

2022. A fundamental part of the Strategy is expanding the energy generation sector. Overall, the draft Energy Strategy forms part of the new policy approach alongside the OWEPS and NPF4 and confirms the Scottish Government's policy objectives and related targets reaffirming the crucial role that onshore wind and enabling transmission infrastructure will play in response to the climate crisis which is at the heart of all these policies.

- 8.33 To deliver the ambition for onshore wind, the Onshore Wind Sector Deal for Scotland was introduced in September 2023. The document focuses on necessary high level actions by Government and the Sector to support onshore wind delivery. Jointly, Government and the Sector are committed to working together to ensure a balance is struck between onshore wind and the impacts on land use and the environment. The document looks to expediate decision making and consent implementation to achieve 20 GW of installation by 2030, meaning we should be seeing faster decisions on applications that are already in the system, with more consents being build out. Again, the sector deal does not detail what the socio-economic commitments should be.

Energy and Economic Benefit

- 8.34 The Council continues to respond positively to the Government's renewable energy agenda. Installed onshore wind energy developments in Highland account for around 30% of the national installed onshore wind energy capacity, with a substantial number of onshore wind farm applications pending consideration at present. While The Highland Council has effectively met its own target, as previously set out in the Highland Renewable Energy Strategy, it remains the case that there are areas of Highland capable of absorbing renewable developments without significant widespread effects.
- 8.35 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 having the potential to generate up to 66.6 MW of electricity in additional to 5 MW of battery storage capacity. Based on a typical capacity factor, the development is likely to generate 207,356 MW hours per year, the equivalent of powering approximately 53,428 homes, or provide 1.15 million full battery charges for electric vehicle per year.
- 8.36 There will also be carbon losses as a result of the development, including those related to turbine manufacture and impact on peat. These losses would equate to a total of approximately 150,000 tonnes of carbon. As a result, the anticipated carbon payback period for the development would be approximately 1.7 years, again based on a grid mix (including both renewables and fossil fuels), with the proposal reported by the applicant to have an overall beneficial effect on climate change mitigation. This is considered a relatively short payback period.
- 8.37 The proposed development anticipates a construction period of approximately 18 months and an operational period of 35 years. Such projects can offer

investment/opportunities to the local, Highland, and Scottish economy, including businesses ranging across the construction, haulage, electrical and service sectors.

- 8.38 There is also likely to be some adverse effects caused by construction traffic and disruption, as well as some adverse economic impact that turbines may have on tourism. These adverse impacts are most likely to be within the service sector particularly during the construction phase when abnormal loads are being delivered to site.
- 8.39 The assessment of socio-economic impact offered by the applicant suggests a minor beneficial economic impact resulting from the development. It has identified that the capital cost of the development was estimated to be £119 million. It is anticipated the between £3 million to £5 million would be spent in The Highland Council area during the construction phase, with 28 to 36 Full Time Equivalent (FTE) direct jobs being created in Highland, with this increasing to 35 to 45 FTE when accounting for indirect job creation during construction.
- 8.40 Operational and maintenance spend is estimated to be in the order of somewhere between £1.6 million and £6 million per year, equating to a £56 million to £210 million cost for the lifetime of the development, of which 42% would be spent locally within Highland. This results in £0.7 million to £2.5 million each year, or £24 million to £88 million over the lifetime of the development. This is a considerable difference between these reported upper and lower figures, which is explained in the EIAR due to a 2020 UK Government study that predicts that the operational costs for all onshore wind projects are expected to fall by 2025. Should this materialise, the lower end of these estimates would apply.
- 8.41 In relation to NPF4 Policy 11 Energy, part c) which requires proposals to maximise socio-economic benefit, in EIA terms, the overall effect on the Highland economy is reported to be Minor beneficial during construction, and thereafter the operational effect would be negligible (beneficial). The socio-economic benefits such as employment, associated business and supply chain opportunities associated with this proposal would be consistent with NPF4 Policy 11 part c) with this being reflective of recent appeal decisions where Reporters have clarified that there are considerable supply chain benefits associated with onshore wind farms.
- 8.42 The applicant has committed to offering £5,000 per installed MW per year, index-linked, community benefit to the local area. This would result in the potential community benefit associated with this 10 turbine scheme of £11.55 million over its 35 year operational life. The applicant has confirmed that at present, community ownership is not proposed, and has stated that shared ownership has not been a strong community aspiration expressed through the application process to date.
- 8.43 Prior to the publication of NPF4, Council policy and practice was for community benefit to be considered separately and outwith the planning application determination process. The effect of introducing NPF4 Policy 11 and, in particular paragraph c) relating to the need for energy development to maximise socio-economic benefits of which community benefit forms a part, means that this is now material to the determination of an application. Additionally, NPF4 Policy 25 provides support for development that is consistent with local economic priorities and where they contribute to local and/or regional community wealth building strategies. The

Council is currently in the process of developing its priorities, along with partners, through the Highland Outcome Improvement Plan and the work on production of a community wealth building strategy that is under way. This work will set a strategic framework along with identifying many of the local priorities and projects to promote and encourage economic activity and retain wealth within the Highland area. The ongoing Local Place Plans initiative will likely identify other opportunities. While many opportunities are likely to be identified locally, there will be a need to consider the opportunities available from a strategic perspective to ensure that communities across all of Highland benefit. Community benefit will be expected to form part of that strategic consideration.

- 8.44 With the absence of the Council having a Community Wealth Building Strategy in place, and no community ownership being proposed, the proposal cannot be given any additional support under NPF4 Policy 25. That said, the applicant has engaged with the Glengarry Community Woodlands group (<https://www.glengarry.org.uk/>) and has agreed that it would be a direct recipient of community benefit funding which will enable it to deliver its Community Action Plan, which the applicant has also been involved in as a potential partner. The Community Action Plan is as yet not available but involves aspirations such as; expanding ecotourism, providing housing, and identifying needs within the community. This directly correlates with the provisions of NPF4 Policy 25, in terms of contributing to local economic priorities and supporting community led proposals. However, it will be funded out of the community benefit fund offered rather than in addition to it.
- 8.45 The Council has commissioned a study on what maximising benefits from development might look like with the intention of providing further guidance. Whether what is on offer, while not without merit, can be said to be considered as maximising socio-economic benefit, particularly for the wider Highland area will need to be an area for further discussion with the applicant, and conditions could be imposed to secure the socio-economic benefits reported in the EIAR, as well as a scheme for community benefit.

Construction

- 8.46 It is anticipated that the construction period for the development would take approximately 18 months. Construction will be scheduled from Monday to Friday 07:00 to 19:00 and Saturday 08:00 to 13:00. No working activities would be planned on Sundays or Bank Holidays. In the event of work being required out with these hours, the Planning Authority would be notified, wherever possible. Any blasting on site shall only take place between the hours of 10:00 to 16:00 on Monday to Friday inclusive and 10:00 to 12:00 on Saturdays with no blasting taking place on Sunday or on National Public Holidays, unless otherwise approved in advance in writing by the Planning Authority. Environment Health is content with the predicted construction noise subject to noise limit conditions if this application is to be granted.
- 8.47 The nature of the project anticipates the need for a Construction Environmental Management Document / Plan (CEMP), in association with the successful contractor engaged. The framework of a CEMP has been provided with the EIAR and this may be secured via condition and should include site-specific environmental management procedures which can be finalised and agreed through appropriate planning conditions. Such submissions are expected to be “plan based” highlighting

the measures being deployed to safeguard specific local environmental resources and not simply re-state best practice manuals. Due to the scale of the development SEPA will control pollution prevention measures relating to surface water run-off via a Controlled Activities Regulations Construction Site Licence.

- 8.48 In addition to the requirement for submission and agreement on a CEMP, the Council will require the applicant to provide a financial bond regarding final site restoration (restoration bond) in the event of non-wind turbine operation and to provide a Construction Traffic Management Plan (CTMP) for the use of the local road network.
- 8.49 Developers must comply with reasonable operational practices with regard to construction noise so as not to cause nuisance. Section 60 of the Control of Pollution Act 1974 sets restrictions in terms of hours of operation, plant and equipment used and noise levels etc. and is enforceable via Environmental Health and not Planning.
- 8.50 The applicant has anticipated a micro-siting allowance of 50m for wind turbines and has sought a 100m allowance for all other infrastructure. Micro-siting is acceptable, within reason, to address unforeseen onsite constraints. Anything in excess of 50m may have a significant effect on the composition of a development. Further if matters are identified during the application stage which require movement of infrastructure, it is considered that this is best addressed during the application stage rather than relying on micro-siting. A micro-siting limit of no more than 50m can be conditioned, with micro siting to avoiding any areas of deeper peat, higher elevations of ground, watercourse buffers, Ground Water Dependent Terrestrial Ecosystems and any encountered cultural heritage assets.
- 8.51 Should the development be granted consent, a Community Liaison Group (CLG) should be set up to ensure that the community council and other stakeholders are kept up to date and consulted before and during the construction period.

Roads, Transport and Access

- 8.52 The applicant has highlighted the expected impact of this development, particularly through the construction phase, with the preferred Port of Entry (PoE) likely to be from the Kyle of Lochalsh harbour to the site via the A87. This preferred transportation route would only be used for the turbine blades. The EIAR reports that the deliveries of the tower sections would require to be brought to site from a different port due to physical constraints and loading configurations. The preferred PoE for the tower sections will be Corpach Harbour. Components will be brought to site as a series of abnormal loads via the local and strategic road network including the use of the A82 and A87 trunk roads.
- 8.53 The proposed development would lead to a temporary increase in traffic volumes on the road network during the construction phase. Traffic volumes would decrease considerably outside the peak period of construction. Statistically, the greatest impact would occur on the A87 where during the peak construction period (month 8 of the construction programme) it would see an increase of 85 HGV journeys to the site per day, representing a 35% increase above baseline use. This represents a total of approximately seven journeys every hour which is not considered significant in terms of overall traffic flows on the Trunk Road network. It has also been stated

from the Traffic and Transport Assessment that residents in Kyle of Lochalsh, Invergarry, Spean Bridge, Corpach, and Fort Willaim would be subject to a 10% increase in traffic. Again, however, impacts would be slight and not significant as they are located in the vicinity of a trunk road which is designed to accommodate HGV and higher traffic flows.

- 8.54 Traffic volumes would decrease considerably outside the peak period of construction. The anticipated total traffic volumes are projected to be well within the capacity of the roads in question and the environmental effect is considered not to be significant providing that a comprehensive CTMP is established. However, the components are larger than those previously employed, and subject to detailed design review and trial runs, will need areas of accommodation works along the route, such as vegetation clipping and clearance of street furniture. The details of these can be secured by condition. In principle, this type of mitigation is accepted subject to detailed consideration of the plan in due course.
- 8.55 The Transport Planning Team, and Transport Scotland, have confirmed that development traffic can be accommodated on the road network, subject to conditions as well as the requirement for a legal agreement to address “wear and tear” provisions. These will be consistent with current best practice and need to highlight potential cumulative impacts arising with other major developments. The conditions are to secure:
- A Construction Traffic Management Plan for approval and implementation as agreed highlighting all mitigation / improvement works required for general construction traffic and abnormal load movements, including the timing of such works and appropriate reinstatement / restoration works.
 - An un-laden trial run between the Port of Entry and the site access will be required in liaison with the police and both roads authorities.
 - Community liaison to ensure the project construction minimises impact on the local community, that construction traffic takes place outwith peak times on the network, including school travel times, and avoids identified community events.
 - All traffic management being undertaken by a quality assured contractor.
- 8.56 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 by condition. This will also be required to include details of signage to be included on the site to warn users of the paths within the wind farm of any hazards such as maintenance or potential ice throw during winter.

Water, Flood Risk, Drainage and Peat

- 8.57 The EIAR is clear that a Construction Environmental Management Document / Plan (CEMD) will be in place to ensure that potential sources of pollution on site can be effectively managed throughout construction and in turn during operation; albeit there will be fewer sources of pollution during operation. The CEMP can be secured by condition. This will ensure the agreement of construction methodologies with statutory agencies following appointment of the wind farm balance of plant contractor and prior to the start of development or works.

- 8.58 In order to protect the water environment a number of measures have been highlighted by the applicant for inclusion in the CEMP. Design and construction of a suitable drainage system for the proposed development would follow Sustainable Urban Drainage Systems (SUDS) principles and would ensure natural drainage without significant alteration of the hydrological regime of the local site area. Any construction activity relating to or undertaken in the vicinity of watercourses would be carried out in general accordance with relevant SEPA Pollution Prevention Guidelines, The Water Framework Directive (WFD), The Water Environment and Water Services (Scotland) Act 2003 (WEWS), and the Controlled Activities Regulations (CAR) 2011 (as amended).
- 8.59 No water quality monitoring or intrusive investigations, other than peat depth survey work and peat sample laboratory analysis have been undertaken. Therefore, the employment of an Ecological Clerk of Works (ECoW) is compulsory whereby the undertaking of baseline water quality and quantity monitoring surveys will be conducted prior to construction, and thereafter during construction.
- 8.60 SEPA does not object to the proposed development. The watercourse crossings within the development will be regulated under SEPA's Controlled Activities Regulations (CAR) regime and will be designed to allow continuous flow. A detailed drainage strategy will be developed, details of which may be secured by condition to allow final assessment by SEPA and the Council's Flood Risk Management Team.
- 8.61 The wider site is home to potential GWDTEs, with the M10 and M32 springs being highly groundwater dependent, and two areas of M25a – Marshy Grassland being moderately dependent. However, it is noted that the locations assessed are in connectivity with wider peat bog and mire habitats present across the site and therefore it remains important to maintain surface water distribution across the site. Such mitigation measures are to be brought forward in the CEMP.
- 8.62 Deep peat, generally ranging from 0.5 m to more than 1.5m, is present across the site, with the deepest peat cluster forming under and around turbines 9 and 10. Turbines 7 and 8 are also indicated to be located on peat. Overall, a total of 71,000 m³ of peat is expected to be extracted, with the majority of peat impacts relating to access tracks and borrow pit requirements. All of the excavated peat could be reused on site which is detailed in Technical Appendix 10.1: Outline Peat Management Plan, the finalisation of which can be conditioned.
- 8.63 A Peat Landslide Hazard and Risk Assessment has been submitted as part of the EIAR and have helped to inform the proposals. The applicant's risk assessment identifies that the site is of low risk to peat instability. The finalisation of these documents, will be secured through the CEMD condition.
- 8.64 There are no residential properties within 2km of the proposed turbines and infrastructure. The closest Private Water Supply (PWS) to the development is Bun Loyne, which is located approximately 360m north of the proposed access junction, on the far side of the A87. This PWS is sourced from surface water and therefore is not hydrologically connected to the proposed development.

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

Natural Heritage (including Ornithology)

- 8.66 The site does not form part of any statutory or non-statutory designated site for nature conservation. It borders the West Inverness-shire Lochs Site of Special Scientific Interest (SSSI) and Special Protection Area (SPA) located 0.4km north and south, with the qualifying features being black throated diver and common scoter. The River Morison Special Area of Conservation (SAC) also lies 0.7km northeast with its qualifying features being freshwater pearl mussel and Atlantic salmon.
- 8.67 Construction of the proposed development within the vicinity of the West Inverness-shire Lochs could result in indirect impacts, such as habitat modification, pollution or disturbance, especially to Loch Loyne along the southern boundary. In the absence of mitigation, the development could result in a significant adverse effects. As such, Scottish Ministers are required to undertake a Habitats Regulations Appraisal and Appropriate Assessment. To help with this assessment, NatureScot have advised that impacts on integrity can be avoided through the implementation of the following measures to be conditioned: a breeding bird protection plan; Habitat and Peat Management Plans; and turbines and other infrastructure not being micrositied to within 750m of Loch Loyne.
- 8.68 NatureScot also welcomes the provision of a Species Protection Plan for breeding birds, however note that larger pre-construction survey buffers may be required for some species. No Annex 1 species in the wider countryside will have their regional conservation status adversely affected by this proposal. Additional mitigation is recommended to be conditioned for golden eagle, including: suspension of all works within 1km of the eyrie during the breeding season; improvements to golden eagle foraging habitat in areas more than 500m from the turbine array; and scope for a regional scale conservation management plan for eagles, similar to that in place at Natural Heritage Zone (NHZ)10 which could help mitigate against any negative effects of the proposed development and other schemes within NHZ7. No further dialogue has taken place between the applicant and NatureScot on this matter, however, scope for further dialogue around eagle monitoring is suggested within the applicant's outline HMP, at EIA Technical Appendix 8.5.
- 8.69 NatureScot's advice reinforces the mitigation which has been built into the design of the scheme to avoid significant effects. Namely, this includes construction timing restrictions, application of an appropriate buffer, and designing a corridor within the wind farm to avoid impacts on connectivity to foraging grounds. Further mitigation is also advised by NatureScot for black grouse, including a 750m buffer around any lek sites during construction. All NatureScot's recommended ornithology related mitigation measures could be secured by condition.
- 8.70 The design of the development has been modified to reduce the potential effects on sensitive ornithological species. Particular consideration has been given to moving

wind turbines away from areas of importance to breeding golden eagle, including maintain a suitable setback from the Bunloinn ridge. The EIAR considers the residual significance level of identified effects during construction, operation, and decommissioning, either individually or cumulatively, would not be significant, providing that the recommended mitigation measures are implemented.

8.71 In relation to the River Moriston SAC, the development has the potential to have a significant adverse impact on its qualifying species through changes to water quality. Again, a Habitat Regulations Appraisal must be undertaken by Scottish Ministers, and to help inform this NatureScot have advised that although this proposal is likely to have a significant effect on the salmon and freshwater pearl mussel populations of this SAC, such impacts would not adversely affect the integrity of the site. This is on the basis that conditions to secure standard mitigation, including pollution and silt prevention measures, will be in place to protect water quality. NatureScot's advice is based on the following factors:

- There is connectivity between the proposed development site and the SAC where the access track crosses or is close to tributaries of the River Loyal, which flows into the River Moriston further downstream;
- In the absence of appropriate mitigation, although the risk is relatively low due to the small scale of these watercourses and their distance from the SAC, there is potential for adverse changes to water quality through release of silt, peat or pollutants to watercourses during construction, decommissioning and habitat management. This could affect both salmon and freshwater pearl mussels; and
- The EIAR confirms that standard mitigation including pollution and silt prevention measures will be in place to protect water quality during the construction, operation and decommissioning of the wind farm. NatureScot would also expect appropriate mitigation to be in place for any habitat management that may occur within the Moriston catchment. These measures will further reduce the risk of adverse changes to water quality. The conservation objectives for this SAC are therefore considered to be met.

8.72 In terms of direct habitat losses, the footprint of the development would remove some 16ha, of which the most extensive habitat is heath which covers 9.5ha. This is followed by 3.9ha of coniferous plantation, 1.8ha of blanket bog and 0.8ha of marshy grassland. The existing forestry access track would also be re-used which helps to contain the footprint of new development. The extent of direct habitat losses is reported not to be significant which is not disputed. The applicant has provided an outline HMP, which commits to habitat improvements through deer management, the restoration of a larger area of degraded bog within the site, including measures such as ditch blocking, with further area of peatland management with the relocation of peat to eroded areas. Compensatory planting inclusive of areas of riparian native broadleaf species is also proposed. Other measures set out are for the benefit of ornithological interests, including a collaborative working to monitor common scoter and regional eagle monitoring.

8.73 A biodiversity Net Gain (BNG) assessment has been carried out for the proposal, with the applicant's metric giving a 13% BNG value, meeting the expectation of at least 10% to clearly demonstrate that there would be an overall enhancement to biodiversity across the site to comply with NPF4 Policy 3b. The assessment carried

out has followed the SSEN toolkit. Whilst it would be preference for the DEFRA metric to be used, in the absence of a specific Scottish Metric, the applicant's approach is deemed sufficient to enable a consultation response to be provided on the application. The Council's Ecology Officer has however advised that the assessment provided does not account for indirect losses. Nevertheless, the enhancement measures indicate the level of peatland restoration is in excess of the 1:10 restoration level required in NatureScot's Peatland Guidance and therefore it is likely that the required level of habitat compensation and enhancement required by NPF4 Policy 3 will be deliverable after the calculation corrections have been made. A detailed HMP can therefore be secured by condition, with this making specific reference to taking full account of the actual areas of habitat to be lost (direct and indirect), with the provision of maps and detailed information on the areas to be used for compensation and enhancement measures.

- 8.74 In terms of the loss of woodland, within the site there is commercial forestry. None of the existing woodland is listed on the Ancient Woodland Inventory or the Native Woodland Survey of Scotland. In total 14.73ha of woodland would be permanently felled for site to accommodate the development and in order to maximise wind yield, with a further 10.21ha is to be felled to enable construction, but it is to be replanted in situ and therefore does not represent permanent woodland loss. EIAR Section 14.69 provides a commitment to planting 14.73ha of compensatory planting and 27.93ha of potential planting ground has been identified. A compensatory Woodland Planting and Management Plan, could therefore be conditioned, with a minimum area of 14.73ha to be planted in order to accord with the Scottish Government's policy on the control of woodland removal.
- 8.75 The site has also been subject of an ecological survey, including a protected mammal survey. Protected species surveys identified the presence of numerous bats, otter, water vole, and pine marten. With the application of mitigation measures, including further ECoW site survey, with any disturbance requiring a NatureScot licence and ongoing monitoring, adverse effects these protected species are not anticipated to be significant in EIA terms. Whilst this is not contested, with the applicant still being required to undertake further pre-commencement protected species surveys prior to development commencing.
- 8.76 NatureScot has withdrawn its objections to the development, however RSPB do object. RSPB state that it is not possible to conclude that there would be no adverse effect to the common scoter and black-throated diver and other species within the site in the long term. They also requested that turbines T8 and T10 be removed on the grounds that positioning is too close to nesting sites and breeding habitats, as well as to reduce the collision and displacement impact on golden eagles and that peatland restoration efforts be proposed in these turbine locations. No amendments are proposed by the applicant to accommodate this request. Given that NatureScot do not object, this is considered reasonable particularly with the scheme already having been refined with the removal of turbines for ornithological interests as part of the EIA process.
- 8.77 Overall, it is recognised that there will be limited adverse impacts on natural heritage as a result of the proposed development both through the construction and operational phases of the development. There is, as with other successfully accommodated wind farm development in Highland, workable and practical

mitigation that can be secured through planning conditions to minimise the environmental effects.

Built and Cultural Heritage

- 8.78 There are four Historic Environment Record (HER) entries within the site boundary including an enclosure, a lodge, and two dams. As there are no other known built or cultural heritage sites within the proposed site boundary, potential indirect effects on the settings of designated heritage assets in the wider area have been considered in detail as part of the applicant's assessment. The greatest operational effects relate to the change to the setting of the Fort Augustus-Berneria Military Road, 1,890m W of Ceannacroc Lodge (SM11484), in that the proposed development would represent perceptible additions to views south and southwest from the eastern portion of the scheduled monument. The magnitude of change is assessed by the applicant as minor, which for an asset of high sensitivity would result in a moderate effect which would be not significant.
- 8.79 Historic Environment Scotland (HES)'s response contests these findings and have identified significant adverse effects on this scheduled monument, as well as on the Balnacairn, township 550m WSW of (SM11482) scheduled monument. As the proposed turbines would not significantly detract from the ability to understand, appreciate and experience the relationship between the monuments and their setting, HES are content that the development's impacts are not of a level that would raise issues in the national interest. Given that schedule monuments fall under HES's remit, the Council are content for Scottish Ministers to base their decision on the advice provided by this statutory consultee. There is also the possibility that unknown buried archaeological remains could be present and the Council's archaeologist is satisfied that monitoring can be undertaken during construction, with the protection of know assets being secured through compliance with the proposed CEMP condition, as well as through the submission of a programme of archaeological works informed by a written scheme of investigation.

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

- 8.80 A total of 17 viewpoints (VP) across a 45 km study area have been assessed with regard to landscape and visual impact. These viewpoints are representative of a range of receptors including recreational users of the outdoors and road users. The expected bare earth visibility of the development can be appreciated from the EIA figures, with photomontages and wirelines contained within the EIAR Volumes 3 and 5.
- 8.81 Following a review of the LVIA, sufficient information has been provided to enable an assessment and overall the photomontages are considered to have been produced to a good standard. Concerns were however raised with the quality of photography used for producing photomontages for two mid to long distance viewpoints given that the photography has been undertaken in sub-optimal weather conditions. Namely these relate viewpoints: VP11 (A887 near Dunfreggan) where the summit of Beinn Loinne is in cloud cover, and VP13 (Burach) where the proposed turbines are back clothed by snow.

- 8.82 For VP11 (A887 near Dunfreggan), the focal point Beinn Loinne when travelling westbound on the A887 was evident when undertaking a site visit. Despite the proposed turbine blades of T9 and T10 also appearing in the photomontage to be partially lost in the cloud cover, this is to the applicant's disadvantage. This is because the cloud cover on Beinn Loinne itself reduces its prominence in the landscape, and in turn, the proposed wind farm's effect of diminishing the apparent scale of Beinn Loinne has been over emphasized in the photomontage. Officers are therefore satisfied to rest upon the material presented in the LVIA for this viewpoint, including the wireframe.
- 8.83 For VP13 (Burach), the excessive snow in this photomontage has masked the proposed wind farm, and therefore again the wireline has been relied upon to help inform Officer's appraisal of the proposals' landscape and visual effect. For this particular viewpoint, officers assessment errs on the side of caution, given the reliance on a wireframe and the proposed turbines anticipated to be more prominent in the view when back clothed by vegetation or rock.
- 8.84 The methodology for the Landscape and Visual Impact Assessment (LVIA) is sufficiently clear, being generally in accordance with the Guidelines for Landscape and Visual Impact Assessment Third Edition (GLVIA3), with the assessment's methodology being provided within EIAR. This methodology has been used to appraise the assessment provided and to come to a view on what combination of effects on the sensitivity of receptor and magnitude of change are leading to a significant effect.
- 8.85 In the assessment of each viewpoint, the applicant has come to a judgement as to whether the effect is significant or not. In assessing visual impacts in particular, it is important to consider that the viewpoint is representative of particular receptors i.e. people who would be at that point and experiencing that view of the landscape not just in that single view but in taking in their entire surroundings.
- 8.86 A key consideration in the effects on receptors of wind energy development is the sequential effect when travelling through and area on the local road network both by individuals who live and work in the area and tourists. Those travelling scenic routes, whether designated as such or not, have a higher sensitivity to views. While a driver of a vehicle is likely to be concentrated on the view immediately in front, passengers have a greater scope for looking at their surroundings. In addition, the wider area is regularly frequented by cyclists. As such it is considered that road users are usually high sensitivity receptors.

Siting and Design

- 8.87 The northwestern area of the site, beyond the footprint of the proposed development, is located within the extensive Moidart, Morar and Glen Shiel SLA. The remainder of the site where the development is proposed is not covered by any landscape designation. The site is also situated in relatively close proximity to the Glen Affric NSA, located 5.4km to the north, with the proposal being designed to limit visibility from this designation owing to the site's surrounding topography, with ZTV to blade tip covering across the study area accounting for 8.4%, reducing to 6.3% hub height visibility. ZTV coverage and reporting by percentage of area

covered only provides a useful indication of the scheme's degree of containment, as what is equally important in the scheme's siting and design is the experience of receptors from where visibility of the development is obtained. There is also extensive forestry cover within the Study Area, particularly within 15km which clads the surrounding hills and slopes to the northeast and south which would also offer further screening, albeit that any areas of commercial forestry would be subject to cyclical phased felling and restocking operations.

- 8.88 The proposed turbines would be located on the south and southeast facing slopes of the Beinn Loinne hills as the landform falls across Meall Coire na Creadha (562m AOD) towards the smaller pronounced hill forms of Meall Odhar (462m AOD) and Creag na Nathrach (514m AOD). These in turn form the northern and western valley sides of the Loch Loyne valley. Beinn Loinne Corbett (789m AOD) lies to the 2.4km west, with Beinn Loinne (775m AOD) being located immediately north of proposed turbine T10 which is proposed at 555m AOD, with all other proposed turbines being at a lower elevation falling from west to east to 360m AOD.
- 8.89 In terms of the pattern of wind farm development, the proposal would be the wind farm located furthest west within this part of Highland, being situated close to the cluster of existing and consented wind farms situated south of Glen Moriston, including Millenium and Beinneun which are on more elevated ground running parallel with the strath, with this existing cluster being bound by the A87 and being viewed high up upon the hills. Where views of the development would be obtained, the proposal would largely be seen in isolation, occupying a different space in the landscape, and be seen as a single distinct cluster of turbines. Although the closest existing and consented turbines are smaller in scale, the proposed development tends to benefit from more landform screening which mitigates this difference to some extent. Notwithstanding that the proposed development fits with the baseline group of Beinneun and Millennium wind farms, and its visual separation allows the proposed development to be perceived as a separate wind farm such that differences in turbine height, scale and rotation speed can be appreciated as distinctly separate, allowing both the existing / consented wind farms and the proposed development to be reasonably accommodated in the views. In addition to Bunloinn, Tomchrasky Wind Farm, situated 7km to the northeast and located on the northern elevated hills of Glen Morrison and the A887 and comprising 14 turbines at 185m to blade tip height is also currently under consideration. Should both proposals proceed this would expand the existing cluster of wind farm development to both the west and north, with cumulative effects occurring when travelling the A87 and the A887.
- 8.90 Visibility of Bunloinn Wind Farm will mostly be encountered from elevated viewpoints by recreational users of the outdoors, as well when travelling the aforementioned routes. The proposal is however well separated from any residential receptors with there being very limited affected properties in the vicinity. The design of the wind farm has had to balance landscape character and visual amenity, as well as environmental constraints, topography and ground conditions to meet technological and operational requirements.
- 8.91 The project has been through several design iterations. The design process started with 22 turbines of up to 230 m to blade tip height. The initial layout of the array extended substantially further to the east, as well as further to the south and closer

to the summit of Beinn Loinne to the northeast. Owing to the visual dominance of turbines and visibility from the surrounding Wild Land, the eastern turbines which did not benefit from reduced screening from the ridge of Beinn Loinne were then removed. Southern turbines were also removed due to the lack of topographical containment. Through the pre-application consultation process, the scheme was then further refined and reduced in scale with turbines being deleted, or re-sited at a lower elevation, with the southwestern turbine being removed for ornithology interests. This contraction of the designed envelope was then further refined with the more elevated turbines being reduced in height to 200m to blade tip and array composition improvements informed by route analysis of the A87 and A887. Finally, again for ornithology reasons, a further setback from the northern Bunloinn ridge was required with the western turbines being re-sited slightly further south. The application now comprises 10 turbines, six with a blade tip height of 230m and four with a blade tip height of 200m.

Recommended Mitigation – The 200 m Scheme

- 8.92 During the assessment of the application, in order to further reduce the landscape and visual impacts of the proposed development, a further reduction to the scale of the proposed development was recommended to achieve a design that would have all 10 turbines at a maximum blade tip height of 200m ('the 200 m Scheme'). The applicant has provided written acceptance to this and has asked Scottish Ministers to determine the application on the basis of 200m turbine height for all turbines. This is on the premise that if the Energy Consents Unit, or Scottish Ministers, require any further procedure (i.e. a public local inquiry to be held) ahead of determination, that this should be based on the original 230m / 200m scheme as presented in the application.
- 8.93 The assessment of this application is therefore based on the progression of the 200m Scheme. This differs from the scheme as presented in the EIAR, and its LVIA, however, both the applicant and officers are in agreement that the amended scheme would not result in any difference to the assessment of EIA significant effects. As such, no EIA Additional Information is required to inform the Council's response. A revised set of wireframes showing the 200m Scheme has been provided by the applicant for presentational purposes only to assist with Members consideration of the application. Whilst there would be no difference in the significance of effects in EIA terms, it is considered that the amendments would materially change the overall acceptability of the development in respect of the planning judgement, and would, , tip the planning balance in favour of the proposal.
- 8.94 In the event that the application is to be determined based on the original 230m / 200m scheme, the Energy Consents Unit and Scottish Ministers should report that there is no support for the proposal at the Council's planning officer level.

Ancillary Infrastructure

- 8.95 The applicant has identified that a grid connection will be required and has applied for a substation, however, the likely form, direction or length of connection remains uncertain with this being subject to a separate application. The EIA does not provide any further clarity, however, the applicant's Design and Access statement identifies two potential options being: 1) a wooden pole or underground connection to Fort

Augustus, some 20km east of the site; or 2) via a potential tee in connection to the reinforced Skye to Fort Augustus 132 kV overhead line proposed to the south of the site. From further more recent dialogue with the applicant, they have since indicated potential to connect the proposal to the existing Ceannacroc hydro dam substation and the existing overhead line located within Glen Morrision, via a short circa 2km connection to the east of the site.

- 8.96 A new site access junction with the A87 is proposed, to be located slightly further north of the existing forestry track access, with the wind farm's access connecting with an existing forestry track which would be upgraded with passing places. The existing forestry track access was considered as a potential entrance point however this was discounted to avoid impacts on the watercourses surrounding the junction. The lower section of the proposed access track would connect to the control building / substation, and battery energy storage facility, and an initial borrow pit search area. These components would be located in and adjacent to the existing commercial forestry plantation which is due to be felled in around 2030 to 2034 and is proposed to be restocked thereafter. Heading west along the access track towards the wind farm there is a break in the existing forestry where the track would be more exposed and compensatory woodland planting is proposed which would help provide further screening of the access track (refer to EIA Figure 14.5).
- 8.97 At the higher elevation within the turbine array, the bases and track turning heads generally occupy gently sloping ground, with the larger two central borrow pit search areas being on the north facing slopes of Meall Odhar, being well screened from the A887 and A87. As the positioning of T6 sits further to the southwest beyond this hill, its track access and tuning head on the south facing hillside would also be subject to a further area of compensatory planting to aid screening. The applicant has also provided details of the long-term woodland management plans for the site and wider estate evidencing that much of the areas of existing woodland would be replanted with the existing areas of native broadleaf woodland around the A87 and its junction with the A887 being retained in the long term.

Landscape Impact

- 8.98 There are several aspects to consider in determining whether this development represents an acceptable degree of impact on landscape character, including:
- impacts on the Landscape Character Type (LCT) as a whole and on neighbouring LCTs; and
 - direct impacts on landscape designations and impacts on surrounding landscape designations.
- 8.99 The site is situated within the south western extent of the Rugged Massive – Inverness Landscape Character Type (LCT 220), which extends to the north east across the A87 and east following the southern side of the Glen Morrision strath over a distance of some 20 km. The adjoining LCT to the west is the Rugged Massif – Skye and Lochalsh (LCT is very similar in character with these two LCTs being divided by an administrative boundary only, and can be considered as one combined Rugged Massive LCT which is described as rugged, exposed mountains which cover much of the north-western part of Inverness district. This type tends to be divided into distinct hill ranges by the long east-west glens of the Wooded Glen LCT.

A small area of the Wooded Glen – Inverness (LCT 226 - Glen Moriston Unit) would also be directly affected by the proposed site access route.

- 8.100 The applicant has set out in its assessment of impact on the host LCT that the surrounding topography, reduces the extent to which the development is visible from the adjacent landscapes. The site is relatively enclosed by the Beinn Loinne hills to the north and west, and the Loch Loyne valley slopes to the south. To the east, the site relates to the rising landform and hills associated with Meall Dubh which forms part of the same landscape character. An existing forestry track also provides access to the site from the A87 which passes along the Loch Loyne valley. It also highlights that wind farm development is present and a feature of this LCT including Beinneun, Beinneun Extension and Millennium wind farms. The NatureScot's description of the host Rugged Massif LCT states:
- " The hill ranges are predominantly viewed from adjacent straths. From here, the broad summits and long ridges combine to create a fairly even undulating skyline and a sense of enclosure. Views from the hill tops at the edges of the massif, in turn, also tend to offer expansive views of the lochs, pinewoods, birch woods and settlements of adjacent straths and glens...It is difficult to perceive the size of the hills, as the moorland cover and rocks vary only subtly with elevation, and there is generally no obvious indication of either horizontal or vertical scale...A sense of remoteness and wildness pervades this landscape, which is particularly intense within the interior, where there are few signs of human activity, and the landscape is generally rugged and seemingly natural."
- 8.101 The applicant's LVIA point to the development being sited in the middle and lower slopes of a strath and adjacent to the A87 away from the 'interior' areas associated with a 'sense of remoteness and wildness'. It also highlights the other human influences present in the LTC including wind farms, as well as the Loch Loyne and Loch Cluanie dams to the east and north.
- 8.102 The ability of the landscape to accommodate the development without undue consequences (landscape susceptibility) is assessed by the applicant to be medium, with its ability to accommodate the proposal being due to the large extensive scale of the landscape, and simple land cover with presence of other large scale development, lack of settlements, with the more sensitive aspects of the LCT being its complex landform with well defined changes in level, as well as its skyline with landmark topography. Overall sensitivity is assessed as being high to medium. There will be a significant adverse effects on the LCT extending to just 2 to 2.5km from the development with this being contained to 1km to the north due to no visibility as a result of the intervening landform, with these effects being located away from the interior of the LCT where its sense of remoteness and wildness are better expressed. For the access track and associated site infrastructure, significant adverse direct impacts on the Wooded Glen – Inverness LCT would be contained to around a distance of 300 m during felling and the initial construction period only. Indirect LCT effects would also extent across the adjacent southern Rocky Moorland – Lochaber (LCT 237) within the 2.5km radius as reported for the host LCT, with this being captured at VP2 (A87 above Loch Loyne). No other LCTs would be significantly affected.

- 8.103 These findings are not contested, with the Council's Landscape Officer also broadly agreeing with the reported level of impact on individual LCTs. They however advise that the assessment doesn't adequately address the sensitivities of the effects on the local landscape compositions experienced in the centre of the study area, with the concern being the proposal's impact on the broader landscape character interaction between the Rugged Massif and the Wooded Glens, which is a transitional experience which changes from east to west from lower to higher ground, and from the more inhabited to the less inhabited and more wild, and represented by the more valued landscape designations further west. The Landscape Officer considers the site's location to be pivotal, with the proposal bringing wind farm development much closer to the complex of designated landscapes where interlocking sweeping peaks dominate the skyline in contrast to the undifferentiated summits of the host Rugged Massif LTC. This is considered to be best represented by VP3 (Beinn Loinne), VP6 (Meall Dubh), VP7 (A887 near entrance to Millennium Wind Farm), VP8 (Carn a'Chaochain), VP9 (Ben Tee), VP12 (Sgurr a'Mhaoraich), VP15 (Creag Meagaigh) and VP16 (Meall Fuar Mhonaidh). In summary, these landscape compositional effects are considered adverse, but must be considered alongside the limited geographical extent of the agreed individual LCT effects, as well as how the proposal relates to and respects the surrounding designated landscapes.
- 8.104 Starting at the national level, it is telling that the wind farm has been screened out from having any significant impacts on any NSAs, with the closest being Glen Affric NSA which is situated 5.4km north. From the ZTV presented at EIA Figure 6.9, visibility across this NSA, as well as across all of the more distant western and southern NSAs would be extremely limited, despite this being based on the introduction of turbines of up to 230m in height.
- 8.105 Turning to Wild Land Areas (WLAs), it is important to note that with the introduction of NPF4 in February 2023 there has been a significant policy change brought about by NPF4 Policy 4, which states that renewable energy developments that support national targets will be supported in Wild Land Areas (WLA) and that buffer zones around WLAs will not be applied, so that effects of development outwith WLAs will not be a significant consideration. The site lies outwith any WLA, with WLAs being located within 5km to the north, west and south.
- 8.106 NatureScot's response of 29 July 2022 pre-dates the adoption of NPF4, and despite the timing of this response, NatureScot do not object to the application on landscape or visual grounds. At that time, NatureScot did however identify that due to the siting and scale of the proposal, there would be significant daytime effects on the visual connectivity between both WLA 18 and WLA 24, leading to a significant effect on Wild Land Quality (WLQ) 1. The requirement for visible aviation lighting on six turbines would also result in significant night-time effects on the attribute of naturalness which underpins WLQ1 of both WLAs. The location of the proposal to the west of the A87 would introduce large scale wind farm development closer to WLAs18 (Kinlochhourn – Knoydart – Morar) and 24 (Central Highlands) and into a landscape directly related to these WLAs. The proposed lighting would introduce a very obvious new sign of human intervention after dusk, at dawn and during times of clear night skies, into an area with a high level of darkness.

8.107 Given the response from NatureScot predating NPF4, and the position now set out in NPF4, that impacts on a wild land area from development outwith a wild land area will not be afforded significant weight in the decision making process, despite the applicant's assessment not recognising that any significant adverse effects may occur on any WLA's WLQs, Wild Land is not considered a pertinent matter in the determination of this application.

8.108 Returning closer into the site, and the consideration of the proposal's impact on the regionally important Moidart, Morar and Glen Shiel SLA, as well as indirect impacts on the Loch Lochy and Loch Oich SLA. Moidart, the Morar and Glen Shiel SLA is located 0.8km to the west / northwest of the proposed development and extends southwest beyond 10km. It covers an extensive area of mountains, moorland and lochs which lies between Glen Shiel and Moidart. It also includes the coast of Arisaig from Mallaig to Loch nan Ceall, and the upper part of Loch Ailort. The SLA is bordered by Glen Affric and Kintail NSAs to the north, Knoydart NSA to the west, and Loch Shiel NSA to the south-west. VP3 (Beinn Loinne), VP5 (Sgurr nan Cobhairean), VP10 (Gairich) and VP12 (Sgurr a'Mhaoraich) are located within the SLA and are representative of views obtained from summits to the north, west and southwest. The description in the 'Assessment of Highland Special Landscape Areas' states that:

"This SLA covers a massive range of landscapes from north to south, including a mountain interior of spectacular grandeur. The combination of high mountains, glens and lochs extending over a vast area, coupled with difficulty of access and sparse habitation, produces a strong sense of remoteness and wildness within the interior. A strikingly diverse and intricate coastal landscape provides an intimate contrast to the vastness of the mountainous surroundings.

The extent of this SLA is strongly influenced by its linkage of surrounding landscapes of high value designated as National Scenic Areas."

8.109 Although the sensitivity of the SLA is agreed to be high to high/medium, despite the proposed development's proximity to the SLA, the ZTV coverage is limited to less than 9%. The LVIA explains that visibility within 15km of the proposed development is restricted to the following locations, with no significant effects occurring beyond this distance:

- VP3 (Beinn Loinne) - South and east facing slopes of the Beinn Loinne hills on the eastern edge of the SLA;
- VP5 (Sgurr nan Cobhairean) - South facing slopes of Ceanhacraoch Forest including a number of Munro summits located along the northern edge of the SLA;
- north and some east facing slopes of Spidean Mialach (977m AOD) and Creag a' Mhaim (947m AOD), which is broadly captured by the more distant VP12 (Sgurr a'Mhaoraich) which is taken from this general direction of view; and
- VP10 (Gairich) - the north east facing slopes of Gairich and adjoining hills to the south of Loch Cuaich, with the development being viewed in the direction of more distant wind farm development beyond Glen Morison and Glen Garry.

- 8.110 For the above locations, significantly adverse visual effects would occur at VP3 (Beinn Loinne) and VP10 (Gairich), with this in turn would adversely impact upon SLA Special Landscape Quality (SLQ)1 and appreciation of the “The pattern of east west aligned mountain ridges, deep glens and lochs typifies the West Highland landscape” with this are being popular for hill walking and climbing where there may be views of the proposed development from some summits in views east or north east from within the SLA. The wind farm would, however, be experienced as part of 360 degree views across the surrounding landscape features and in the same direction as other existing wind farms. The development would also appear low down in the landscape, and in particular the key qualities which are concentrated in the central and west, north and southwest of the SLA would be unaffected by the proposed development.
- 8.111 Moidart, Morar and Glen Shiel SLA’s SLQ2 - “Quiet, uninhabited glens and isolated peaks create a landscape experience where the sense of wildness, and tranquillity are key qualities.” would also be adversely affected. In the limited areas where such effects would occur the applicant has not found these to be significant, contrary to NatureScot’s findings for the WLAs which overlap the SLA designation. In considering this, the proposed development is set back 4-5 km distance from the WLAs 18 and 24, with potential for the development to be experienced in views from the western end of Loch Loyne and the associated low-lying glen (represented by WLA 18, Viewpoint A taken along a short 2.5 km stretch of the Cape Wrath Trail). Such adverse effects are also predicted to occur across the steep mountain slopes and summits close to the WLA boundary. Officers find that owing the limited extent of these impacts, that the overall effect on SLQ2 would not be significant.
- 8.112 Moidart, Morar and Glen Shiel SLA’s SLQ3 - “... In the north, the A87 (Invergarry – Kyle of Lochalsh) road hugs the shore of Loch Cluanie before winding through the remote Glen Shiel.” would not be adversely affected. For the western end of Loch Cluanie, the scheme has been well designed with the potential visibility being restricted to just one blade tip (A87 Sequential Route Assessment - EIA Figure 6.17) with there being no visibility from Glen Shiel or Loch Cluanie. It is however the case that other sections of the A87 from Invergarry heading north, would be significantly adversely effected (refer to VP1(A87 Layby at Memorial), VP2 (A87 above Loch Loyne), and the A87 Sequential Route Assessment), albeit that this section of the road lies out with the SLA itself, but it is recognised gateway and popular route where both the development and the SLA would be experienced.
- 8.113 The applicant’s assessment concludes that the proposed development would at worst have low magnitude of change resulting in a moderate to no level of effect on the SLA. In summary, part of the Moidart, Morar and Glen Shiel SLA, corresponding with the Rugged Massif LCT, would be significantly affected within 2 to 2.5km of the proposed turbines. This would occur along the eastern edge of the southern slopes and summit of the Beinn Loinne hills within the SLA extending up to 2 to 2.5km, subject to the mitigating effects of landform which would partly screen views of the proposed development from some of this area. The applicant’s overall findings are not contested by Officers, but this fails to recognise that the development’s siting tight to the eastern edge of the SLA does also significantly adversely affect A87 road user’s appreciation of the SLA, albeit for a relatively short section of this elevated route. Such impacts can however be accommodated should the recommended

200m Scheme be progressed, helping to mitigate the severity of significant adverse impacts on the SLQ's of the SLA, thereby not undermining its overall integrity.

- 8.114 Other indirect adverse landscape impacts would occur within Loch Lochy and Loch Oich SLA which is located 10.3 km to the southeast of the study area at its closes point and covers the Great Glen between Bridge of Oich and Gairloch, extending west to Glas Bheinn (732m AOD) and north-west to Ben Tee (901m AOD), represented by VP9 (Ben Tee). The SLQs of "The Great Glen– scale, striking linearity, long narrow lochs" and "Intimate Drama" would not be affected. The SLQ of "Classic Highland Scenery, Distinctive Mountain-top Views" would however be affected with the ZTV demonstrating that the proposed development would be visible across up to 14%, experienced across the upland areas to the northwest and the summit and north facing slopes of Ben Tee. From these areas the proposed development would be in part of the view described as 'the wider view' and not part of the main foci cited as being along the Great Glen. The applicant has stated that whilst a significant visual effect would occur from VP9 (Ben Tee), this would not translate as a significant impact on any of the SLA's SLQs. This is disputed, as the proposed turbines occupy a different space in the landscape, located towards the more impressive western mountainous landscape, with the scale of the proposed turbines affecting the perception of the scale and distance to the complex of designated landscapes with the mountains of the NSA and SLA being diminished and distance to the turbines seeming foreshortened. The proposal would therefore have a significant adverse effect on the SLA's "Classic Highland Scenery, Distinctive Mountain-top Views", albeit that it must be acknowledged that such views are obtainable in panoramic views in other directions looking further to the west and southwest.
- 8.115 Longer distance views would also be obtainable from isolated summits within Loch Ness and Duntelchaig SLA, represented by VP13 (Burach) on the edge of the SLA, and VP16 (Meall Fuar Mhonaidh) with the latter being a key local landmark identified in the OWESG. From both these viewpoints, which share a similar southwestern viewing angle towards the development, the turbines appear elevated and set against the surrounding mountainous skyline. Whilst there are several other wind farms visible from these summits, this is a discernible difference. The development would also remove an area of respite between wind farms in the view. Although a moderate but significant visual effect has been identified by Officers from VP13 (Burach), the proposal would not impact upon the central feature of the SLA and the very striking view of the Great Glen. The proposal would however have an adverse impact on the view from these summits towards the "... Balmacann and Affric mountain interior to the north west, both areas which possess wildness qualities", which does form part of the SLQ8 of the SLA. Such impacts are however considered to be significant from VP13 (Burach), although not from VP16 (Meall Fuar Mhonaidh) given the far greater separation distance, and therefore no significant impacts on the SLA or its overall integrity are predicted.
- 8.116 In summary, in assessing the acceptability or otherwise of the development's impact on the SLAs, NPF4 Policy 4d explains that where such impacts occur, proposals will only be supported where any such significant adverse effects are clearly outweighed by social, environmental or economic benefits of at least local importance. The SLA and the landscape composition impacts of the proposal do not weigh in favour of

development, but the severity and acceptability of these must be carefully considered in the round and are just some, albeit important, key determining factors for this application.

Visual Impact

- 8.117 The Council considers visual impact using the criterion set out in Section 4 of the OWESG, with assessment against the criterion and view as to whether the threshold set out in the guidance is met or not, is contained in Appendix 3 to this report. Unsurprisingly, as visual impact assessment combines objective and subjective aspects through the application of professional judgement, there are differences between the applicant's assessment and the appraisal undertaken. In relation the OWESG criterion, Officers consider that the proposed development scores fairly, with six of the 10 criterion being met, with the recommended mitigation (the 200 m Scheme) meeting seven from 10. The OWESG criterion is a useful tool to inform wind farm design and to generally guide development to appropriate places. The OWESG criterion are not however absolute policy requirements, with these reflecting the time of the OWESG's publication which pre-dates NPF4.
- 8.118 The applicant's assessment draws upon the supportive elements of how the proposal could be viewed within the landscape. The ZTV demonstrates that the scheme will be extensively visible out to 5 km to the northeast, south and southwest, with visibility being heavily contained to the north by Beinn Loinne and its associate ridgeline. Beyond this distance visibility is largely confined to the same directions out to between 10 and 15 km with visibility beyond this being dispersed across limited summits and upland areas.
- 8.119 When considering the additional visibility of turbines beyond that experienced as a result of the consented and operational wind farms in the study area there are limited new areas of visibility, with new areas of new wind farm visibility being limited to the southwest and northeast. Where the development will be experienced in combination with the operational development, while not adding new areas of visibility, it will increase the intensity of turbines visibility.
- 8.120 Whilst a large scale wind energy scheme would be expected to result in significant visual impact effects, the Council, through the OWESG, also acknowledges that significant effects does not automatically translate to unacceptable effects. Following a review of the applicant's Landscape and Visual Impact Assessment (LVIA), there are limited areas of difference between the assessment of officers and that of the applicant. For many of the receptors at the viewpoints which have been assessed, it is considered that the impact of effect could be reduced through the recommended mitigation (the 200m Scheme). Although further turbine deletions would assist to further reduce impacts, the scheme has undergone several design iterations with over half of all initially proposed turbines having already been removed.
- 8.121 A summary of the applicant's assessment and officer appraisal of this assessment, which highlights the differences and any concerns with regard to visual impact, can be found in Appendix 2. The EIAR includes a visual impact assessment from each of the 17 viewpoints, with most viewpoints considered to be used by receptors of high sensitivity and susceptibility to wind energy development, although it is

acknowledged that not all receptors experiencing the development from all viewpoints would have a high sensitivity to the development. What follows is a summation of the visual impacts grouped by receptors. Consideration of each viewpoint based on the applicant's methodology is contained within Appendix 2 of this report.

Impact on Recreational Users of the Outdoors

- 8.122 Owing to the remote site location, the majority of selected viewpoints, 13 from 17, are representative of views obtained from recreational users of the outdoors.
- 8.123 From the applicant's assessment five significant adverse impacts are identified, all located within 12 km of the development. These include VP3 (Beinn Loinne), VP4 (Old Military Road), VP6 (Meall Dubh), VP8 (Carn a'Chaochain), VP9 (Ben Tee) and VP10 (Gairich). These are geographically spread to elevated areas to the east, south and west. The applicant's reported significant adverse effects for recreational users of the outdoors are largely not disputed, with the exception of the addition of VP13 (Burach). VP13 is the only longer distance significant impact at just under 22 km from the development and is precautionary on the basis of the proposed turbines in the photomontage presented with the application being back clothed by snow. Although up to seven significant impacts have been identified, major or major/moderate level of effects would occur at five viewpoints, with these being due to a combination of the scale of the turbines proposed and the relatively close proximity to receptors; predominantly hill walkers and climbers in the area.
- 8.124 The LVIA reports that people at four Munro summits would experience significant adverse effects, with these being confined to the west and southwest, namely:
- Creag a' Mhaim (6.6km W);
 - Gairich (VP10 - 11.7km SW); and
 - Gleouraich and Spidean Mialach (9.5km - 11.6km SW and often climbed together and form part of the ridgeline to the south of Glen Loyne).
- 8.125 Additionally, people at five Corbett's would also experience significant adverse effects, namely:
- Beinn Loinne (VP3 - 2.4km NW);
 - Meall Dubh (VP6 – 6.7km E);
 - Ben Tee (VP9 - 11.6km S); and
 - Geal Charn and Meall na h-Eilde (a pair of Corbetts 12km S).
- 8.126 The wider 360 degree views from these locations would not be affected and in certain cases the proposed development would be seen with other wind farm development, forming part of an established pattern of development when viewed in that direction. All of the reported significant effects would be contained within a distance of 12km of the development, as captured by all of the selected representative viewpoints in the applicant's LVIA. No other Munro's or Corbett's would be significantly affected by the proposed development.
- 8.127 In assessing the effects at the representative viewpoints, pertinent points of note include:

- From the Munro VP10 (Gairich) the development would have a medium to low magnitude of change arising from presence of other wind farms in this frame of view, but Bunloinn would be the closest, with the largest turbines, which draws more attention to the other wind farms that are more recessive in the view.
- From VP3 (Beinn Loinne) views are more impressive in all other directions away from the proposed development. Bunloinn would also be seen as an extension to consented and developed wind farms which occupy eastern views, with southeastern and eastern views from the summit being towards comparably less impressive lower lying topography, rather than the hills within the Moidart, Morar and Glen Shiel SLA.
- From VP9 (Ben Tee) the difference in the scale of turbines with those at Beinneun and its extension would be apparent, with the larger spacing of the proposed array also being a noticeable difference.

8.128 Of the remaining assessed elevated recreational receptor representative viewpoints, no significant adverse visual impacts have been identified. This is due to the effectiveness of the topographical screening afforded by the surrounding hills which, for the scale of turbines proposed, is surprisingly effective in reducing the extent of theoretical visibility of the proposal. Whilst a select number of Munros and Corbetts would be significantly adversely affected, given the wind farms proximity to a high number of other popular Munros within a 20km radius (refer to EIA Figure 6.10), the extent of impacts is considered to be relatively contained and localised, owing to the screening afforded by Beinn Loinne with the summits to the north and north west of the site having very limited to zero visibility.

8.129 The applicant has also assessed the visual effects from recreational routes through the study area. In summary, there would significant visual effects from parts of two routes as follows:

- Gleann Cia-aig Drive Road Heritage Path - which is approximately 18km in length and is located 4.2km south east from the proposed development at its closest point:
 - Effects would be experienced for approximately 3.5km between Greenfield and north of Allt Coire an t-Seilich, only if all the forestry is felled during the lifetime of the proposed development and would last for approximately nine years until new forestry matures) at between 6.5 – 10km. If the forestry is not felled during the lifetime of the proposed development, there would be no significant visual effects from this route; and
- Cape Wrath Trail (Great Glen Option) – a 200 mile long distance walking route from Fort William to Cape Wrath and is located 5.7km to the south of the proposed development at its closest point, however, the main route (Glenfinnan option) is located approximately 20km west of the proposed development:
 - Effects would be experienced intermittently for approximately 4km between Mam na Seilg and Creag Liathais at 6 -7km, and 3.5 - 4km between east of Greenfield and Garrygyualach) at 6 km. The significant effects between east of Greenfield and Garrygyualach would last for approximately nine years until new forestry matures reducing the visibility to no view, thereby limiting significant effects

along this route to only 4km between Mam na Seila and Creag Liathtais for the lifetime of the proposed development.

- 8.130 There would be no significant visual effects on the views from the remaining recreational routes within the study area. The applicant's recreational route assessment findings are not contested.

Impact on Road Users

- 8.131 The impact on road users been assessed from the A87 (VP1 (A87 Layby at Memorial) and VP2 (A87 above Loch Loyne)), as well as from the A887 (VP7 (A887 near entrance to Millennium Wind Farm) and VP11 (A887 near Dunfreggan)) with both roads being the subject of further route analysis with the provision of sequential photography and wireframes at regular intervals. Significant impacts would occur for road users of both routes. The severity and extent of significant impacts has however been curtailed through the applicant's irritative design process which resulted in the deletion of the most prominent eastern and southern turbines from the application.
- 8.132 The views from these routes would be experienced transiently by road users (mainly drivers and passengers, and cyclists) who would experience the wind farm as part of the changing sequence of views experienced from the road. Each of these routes were driven in both directions by Officers in order to assess the potential effects.
- 8.133 Significant visual effects on the A87 would be experienced:
- northbound for 3km, between the south of the layby above Loch Loyne and north of the layby at Willie Macrae Memorial (at a viewing separation distance of between 1.7 – 2.5km). The majority of these views would be transient and oblique to the direction of travel.
 - southbound for 4.5km, between north of the entrance to Beinneun Forest and as the road approaches the layby above Loch Loyne (at a viewing separation distance of between 1.7 – 3.5km).
 - Significant visual effects would, for northbound and southbound road users, overlap for approximately 2.5km between the layby above Loch Loyne and the layby at Willie Macrae Memorial. Assuming a speed of 50-60 mph, these views would be experienced for approximately 2-3 minutes for northbound users and approximately 4 minutes for southbound users. These significant visual effects would equate to 11% of the wider 42km section of the route between Invergarry and Loch Cluanie.
- 8.134 Significant visual effects on the A887 would be experienced:
- westbound for 3km, between east of the layby near Millennium Wind Farm and near Cennacroc Bridge (a viewing separation distance of between 6 – 9.6km).
 - Assuming a speed of 50-60 mph these intermittent views would be experienced for a few seconds, interspersed by sections of roadside vegetation, adding up to a total period of approximately 2-3 minutes. These significant visual effects would occur along a scenic part of the 23km section the route which has been included in the assessment.

- 8.135 None of the other roads in the study area would be significantly affected by the proposed development.
- 8.136 Although not a promoted tourist route, the A87 is one of the few arterial routes in the Highlands and described as a 'gateway' route in the OWESG. Parts of the A87 passes through the locally designated Moidart, Morar and Glen Shiel SLA to the north of Loch Cluanie and within the Kintail NSA through Glen Shiel. The value of the route is therefore assessed as High. The susceptibility to change from the introduction of the proposed development is considered to be High to Medium and the overall sensitivity of this route is therefore assessed as High (tourists) to Medium (other road users). Where visible from these sections of the route, the turbine towers would be partially screened by intervening landform such that between five and nine lower turbine towers would be screened. Some of the turbines would be partially backclothed by the Beinn Loinne hills with a few turbines breaking the skyline and would appear as a cohesive group. Due to the large scale of the receiving landscape and panoramic views and the presence of other man-made elements visible from along this route, the proposed development would be reasonably accommodated in these views.
- 8.137 The A887 follows a low-lying valley floor along Glen Moriston between Invermoriston in the east and the A87 at Bun Loyne in the west. At its closest, it is located approximately 4.4km to the north-east of the proposed development where it meets the A87. Although not a promoted tourist route, the A887 is one of the few arterial routes in the area. The route does not pass through a designated landscape and is not designated for its scenic qualities or views, and the value of the route is therefore assessed as Medium. This is lower than the value of the A87 considering the A887 is a less important arterial route and is not defined as a gateway route in the OWESG. The susceptibility to change from the introduction of the proposed development is considered to be High to Medium and the overall sensitivity of this route is therefore assessed as Medium. Where visible from these sections of the route, the turbine towers would be partially screened by intervening landform and would appear as a cohesive group seen between the hills of Meall Dubh and Beinn Loinne, and visible in the context of pylons and existing wind farms.
- 8.138 Whilst there are minor points of difference, the applicant's assessment from both of these routes, as summarised above, is not contested. As set out in Appendix 2 of this report, major significant adverse effects are expected at VP1 (A87 Layby at Memorial) and VP2 (A87 above Loch Loyne) experienced at close range for users of the A87. Moderate but significant visual effects are also predicted for westbound users of the A887 as experienced at VP7 (A887 near entrance to Millennium Wind Farm), however, further east beyond this viewpoint more distant views represented by VP11 (A887 near Dunfreggan) are not considered to be significant, with the magnitude of change and overall prominence being less when viewed at a greater distance.

Residential Receptors

- 8.139 There are very few residential receptors in the surrounding area which would have any visibility of the proposed development and none within 2km. There would be no significant effects on the views from any of the settlements within the study area

including the hamlet at Dalchriechart, situated 12km to the northeast located within Glen Morriston north of the A887.

Cumulative Effects

- 8.140 In addition to the above, it is important to consider the context of the development in combination with other windfarm 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 frequency when moving through the landscape, and their visual separation to allow experience of the character of the landscape in between. In this instance, cumulative impacts of the proposed development in combination with existing wind farms has been found to give rise to a limited number of significant cumulative visual effects, over and above the significant effects identified in the 'solus' assessment. Scope for such cumulative effects to arise has however been mitigated through site selection as the development would appear visually separate from surrounding wind farms, appearing in a different landscape context, and at a different scale and where visible rotation speed. This visual separation and contrast allow the development to be perceived as a different and separate wind farm.
- 8.141 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.
- 8.142 Once more, the applicant's assessment as to the significance of the cumulative impact for receptors at each viewpoint is accepted. Of note however is that since the application has been prepared Tomchrasky wind farm has been submitted with the Bunloinn EIAR considering its former scoping layout. Notable changes to the Tomchrasky proposal, which is still under consideration, is the removal of several turbines and its increased separation distance from the A887, thereby increasing the separation distance between the two wind farms and reducing the potential cumulative impacts of the development when experienced from both the A887 and A87. Should both wind farms proceed, resultant cumulative impacts would be greatest along these routes but also from the elevated summits to the west and south, notably VP3 (Beinn Loinne) and VP6 (Meall Dubh). Conversely, should Bunloinn proceed and Tomchrasky not progress, this would emphasise Bunloinn as being furthest west in the pattern of wind farm development which would be more apparent in long distance views from summits to the south such as VP17 (Ben Nevis).

Aviation Lighting (Hours of Darkness)

- 8.143 The turbines will require to be lit for aviation safety on account of being over 150 metres in height so an assessment of the development's visual impact in the hours of darkness is required. The applicant has specified that visible peripheral lighting of medium intensity 2,000 candela, dropping to 200 candela when viewed from distances of 5km or more in clear conditions. Meteorological observations suggest that the conditions requiring 2,000 candela lighting are likely to occur for 5% of the time per year. Lighting would be installed on 6 turbines, the hubs of cardinal Turbines T1, T2, T6, T8, T9 and T10. Consequently, any lighting scheme will extend the development's impacts into the hours of darkness. There are no operational,

consented or under construction wind farms with aviation lighting in the LVIA study area. Other wind farm turbines proposed to be lit which are at the application stage include those at Tomchrasky, Culachy, and Loch Liath all located to the northeast and east, with this now being a common requirement given increased scale of turbines now being applied for, with aviation lighting having been introduced at other constructed and consented wind farms in Highland, albeit that this is not widespread.

- 8.144 The site and surrounding area is largely void of any light pollution at present. Existing light sources are limited to the A87, A887, isolated properties, farm buildings and red aviation lights on tall, structures including occasional communication masts. The major of light sources are associated with settlements, with the site being well set back in this regard.
- 8.145 Discounting landcover, the EIAR LVIA Technical Appendix 6.3 and the associated ZTV Figures 6.3B through to F explain and illustrate that the aviation lighting will be experienced most intensely from nearby receptors on higher ground, with night time photomontages having been undertaken for close in viewpoints VP1 (A87 Layby at Memorial) and VP7 (A887 near entrance to Millennium Wind Farm), as well as from a further four Wild Land Area viewpoints (A, B, C, and D) as presented within EIAR Technical Appendix 6.5.
- 8.146 Aviation lighting will disrupt the sense of remoteness experienced during hours of darkness from 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 one's eye would be drawn toward the red aviation lighting, which can flatten a sense of distance in the darker landscape. 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 aware of the reason for the lights, while in hours of darkness one does not have the benefit of being able to relate the lighting to a landform.
- 8.147 In terms of landscape impacts, the ridges and summit of hills to the north-west, west and east of the proposed development at Beinn Loinne, Creag a' Mhaim, and the ridge running between Meall Dubh and Mullach Coire Ardachaidh are open and unforested. Due to their higher elevation the light intensity would vary between ≤ 2000 / 1500 candela during periods of poor visibility (<5km), appearing as less than ≤ 200 / 150 candela during periods of good visibility (>5km). The applicant has however concluded that due to the limited number of lights, the proposed aviation warning lights would not be sufficient in number, or intensity, to significantly affect the landscape character of this area, although it is accepted that a new light source would be introduced. The applicant has found that with would also be the case for all effected landscape character areas, landscape designations, and WLAs.
- 8.148 NatureScot has contested this for WLA18 and WLA24, concluding that the proposed lighting would introduce a very obvious new sign of human intervention after dusk, at dawn and during times of clear night skies, into an area with a high level of darkness. This would reduce the naturalness, which is a key attribute of WLQ1 for both WLAs. Where the WLA overlaps the Moidart, Morar and Glen Shiel SLA, this regional designation would also be affected, albeit that such impacts in the SLA relate to select summits and the Cape Wrath Trail (WLA Viewpoint A). Officers find that as per the assessment of daytime effects, owing the limited extent of these

lighting impacts, that the overall effect on the SLA and on any of its SLQs, would not be significant. Again, NPF4 policy also now stipulates that effects of development outwith WLAs will not be a significant consideration.

- 8.149 In relation to other visual impacts associated with aviation lighting, as recognised by the applicant, such impacts would be mostly experienced by users of the A87 where moderate to low, not significant, effects are reported to occur. From reviewing the photomontage it is clear that the silhouette of the turbines themselves would have a far greater impact at periods of around dusk and dawn. Further should the recommended mitigation (the 200m Scheme) be implemented, the number of turbine lights visible in this view would be reduced from six to four, owing to the intervening topography, however, the degree of screening would alter with more turbine lighting being apparent from the more elevated but distant VP1 (A87 Layby at Memorial). Owing to the limited separation distance, lighting will be clearly visible, with the added element of intermittency of the light as blades move past the tower and nacelle lights. It is often the case that blades reflect the red glow of hub lights, extending the visibility from a point of light to a moving reflection of light. In an environment where there are typically no lights above the road level, it is considered that the lighting will be a noticeable new feature in hours of darkness. Owing to the mitigation afforded by the lighting strategy, such impacts are however, unlikely to be significant, but remain an unwelcome consequence of the scale of turbines proposed.
- 8.150 Such effects would also be experienced for westbound users of the A887, however, these would be less intense owing to the increased separation distance. For other recreational users in the surrounding hills, most people are unlikely to experience the aviation warning lights when in the hills. During the summer solstice the aviation warning lights would switch on at 22.48 hours and switch off at 03.53 hours in the morning. Local residents and local road users are however more likely to experience the aviation warning lights during the winter months. For example, during the winter solstice the lights would come on at 16.08 hours and switch off at 08.26 hours in the morning. It is reasonable to expect that most people would be commuting during these winter periods of colder weather and would experience the aviation warning lights incidentally to their main activity.
- 8.151 The presence of any visible aviation lighting is of concern, particularly when this is seen intermittently due to passing blades, with these additional visual impacts having been effectively designed out by the consented wind farm schemes in the locality which has very limited sources of light pollution. Planning conditions can however be applied to potentially limit the duration of these effects should Primary Surveillance Radar (PSR) or the use of aircraft installed Electronic Conspicuity (EC) equipment mitigation measures become widely available across the UK, and can be deployed at reasonable cost, as is now the case elsewhere in Europe. It is therefore proposed that the need for aviation lighting to be monitored throughout the lifetime of the development and switched off should this become redundant. The prospect of this however remains uncertain at the present time.

Noise and Shadow Flicker

- 8.152 It is not anticipated that noise or shadow flicker would be a significant issue as a result of this development due to the distance between it and noise sensitive (non-

involved) properties, with the closest residential receptor being Bun Loyne, located 4.4km northeast of the nearest proposed turbine, situated north of the proposed site access. A condition restricting operational noise levels to no more than 2dB above predicted levels as per EIAR Table 12.4, should still be applied. By taking this approach, the Planning Authority will retain effective control over the potential noise impacts and have a suitable avenue for investigation should any noise complaints arise from the development. In terms of shadow flicker, it is not anticipated that this will be an issue for this development either individually or cumulatively given the location of the development in relation to properties.

Telecommunications

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

Aviation

- 8.154 There are no unresolved objections with regard to aviation interests, with no outstanding concerns being raised. Should the proposal be granted permission, a condition can be applied to secure suitable mitigation in terms of aviation lighting and notification to the appropriate bodies of the final turbine positions. Visible aviation lighting is anticipated to be required for cardinal turbines with their hubs to fitted with 2,000 candela lights capable of being dimmed to 10% intensity when visibility exceeds 5km in fair weather conditions.

Other Material Considerations

- 8.155 The applicant has sought permission to operate the windfarm for 35 years. As with any wind farm, the Planning Authority would request that any forthcoming permission includes a clear description of development which specifies the precise number of turbines to be developed, the maximum blade tip height, the rotor diameter and includes details of all associated ancillary infrastructure with such matters not be left to planning conditions, which could lead to scope for further redesign or re-powering without requiring a full fresh consent. In this regard the description of development, requires to be amended should the 200m scheme be consented.
- 8.156 At the end of its operational life, usual decommissioning and restoration requirements should therefore be secured. If the decision is made to decommission the wind farm, all components, track access and associated infrastructure requires to be removed from the site. The Planning Authority also requires that any foundations remaining on site; the exposed concrete plinths would also be removed to a depth of 1 m below the surface, graded with soil and replanted. Cables also require to be cut away below ground level and sealed. It would be expected that any new tracks or areas used for constructing the wind farm would be reinstated to the approximate pre-development condition, unless otherwise agreed with the Planning Authority.
- 8.157 The requirements to decommission at its end of life is relatively standard and straight forward, with any request for re-powering to be considered with the submission of a

relevant future application. It is important to ensure that any approval of this project secures by condition a requirement to deliver a draft DRP for approval prior to the commencement of any development and ensure an appropriate financial bond is put in place to secure these works.

- 8.158 A finalised Decommissioning and Restoration Plan (DRP) for the site reflecting best practice measures at its time of preparation, would also be required. The finalised DRP would be expected to be submitted to and approved in writing by the Planning Authority in consultation with SEPA no later than 12 months prior to the final decommissioning of the site. The detailed DRP would then be implemented within 18 months of the final decommissioning of the development unless otherwise agreed in writing with the Planning Authority.
- 8.159 Given the complexity of major developments, and to assist in discharge of conditions, the Planning Authority usually seeks that the developer employs a Planning Monitoring Officer (PMO). The role of the PMO, amongst other things, will include the monitoring of, and enforcement of compliance with, all conditions, agreements and obligations related to this permission (or any superseding or related permissions) and shall include the provision of a bi-monthly compliance report to the Planning Authority.

Matters to be secured by Legal Agreement / Upfront Payment

- 8.160 A wear and tear agreement for the impact on the local road network, a decommissioning and restoration financial guarantee and a scheme for community benefit can be secured by condition. Therefore, no further legal agreements are required should consent be granted.

9. CONCLUSION

- 9.1 The Scottish Government gives considerable commitment to renewable energy and encourages planning authorities to support the development of wind farms where they can operate successfully and be situated in appropriate locations. The project has potential to contribute to addressing the climate emergency through additional renewable energy generation. In this regard it is anticipated to contribute an additional 66.6 MW of installed capacity, plus 5 MW of battery storage, and make a meaningful contribution toward addressing climate change on the road to net zero. As with all applications, a balancing exercise must be undertaken. The benefits of the proposal must be weighed against potential drawbacks and then considered in the round, taking account of the relevant policies of the Development Plan, which includes NPF4, as well as all other material planning considerations.
- 9.2 Notwithstanding the nature and scale of the proposal, there have been a low level of public representation, with two objections from members of the public having been received, in addition to three objections from non statutory consultees (John Muir Trust, Mountaineering Scotland, and Royal Society for the Protection of Birds). There have been two representations in support. Although the host community council does not object, Glenurquhart and Strathglass Community Councils do, with no other statutory consultees having raised any objection following submission of further environmental information, and subject to the application of planning conditions.

- 9.3 Without doubt, the turbines proposed will increase the visibility of wind energy development in the area local to the wind farm site, including from a relatively small portion of the adjacent western hills which are identified as a Special Landscape Area. With the reduction of turbine numbers and contraction of the scheme since the pre-application advice provided by the Council, the development now sits more comfortably within a hillside area which is afforded significant amount of screening from the surrounding topography, which is effective at shielding the development from the wide range of Munros located to the north and northwest, and from the nearby Glen Affric National Scenic Area.
- 9.4 Significant landscape and visual impacts are still to be expected from wind farm developments and, in this case, these are considered to be sufficiently localised, being contained to two short sections of the A87 and A887, as well as a select number of summits and across elevated ground. The applicant has provided a comprehensive Landscape and Visual Impact Assessment and its findings are largely not contested, with there being limited difference between the applicant and officer assessment. The applicant's proposed scale of the turbines of up to 230m to blade tip however remains a significant concern, with no turbines of this scale having been consented or developed to date in Highland. Turbines of 225m in height have been consented in Moray (Rothes III) although are yet to be developed. The scale of the select number of 230m turbines, as well as the resultant scale of the array as a whole, would diminish the perceived scale of the adjacent hill of Beinn Loinne where this can be appreciated in views from areas used for recreation where the wind farm would be visible (including VP4 (Old Military Road), VP6 (Meall Dubh), VP8 (Carn a'Chaochain), and VP9 (Ben Tee)). The 230m turbines would also exacerbate the prominence of the wind farm in the landscape and unpick the ability for the surrounding topography to contain the proposal. This could be mitigated by reducing all turbines to a maximum height of 200m to blade tip, as per the recommended 200m Scheme.
- 9.5 It is clear from the EIAR and the Design and Access Statement that the applicant has tried, where possible, to reduce potential landscape and visual effects through the proposed design and layout of the turbines. It is considered that in doing so they have created a retracted wind farm cluster which, with the implementation of the 200m Scheme, appears to be appropriately designed for the landscape in that it would sit within and takes account of the visual features of the area. The applicant's written agreement to the recommended mitigation in the form of the 200m Scheme is welcomed, and it is found that with this additional mitigation, the proposals strike an appropriate balance, with the resultant landscape and visual impacts successfully accommodated in the majority of views, owing to the vast scale of the receiving landscape. Should the proposals however proceed with the inclusion of the 230m high turbines, this would no longer be the case.
- 9.6 The application has been assessed against the policies set out in NPF4 and the Development Plan, including Policy 67 of the Highland wide Local Development Plan with its eleven tests which are expanded upon with the OWESG. This policy also reflects policy tests of other policies in the plan, for example Policy 28. The proposal can be considered to benefit from an in principle support, with the extent of localised landscape and visual effects being outweighed by the contribution the development would make toward tackling climate change. The development also

contains proposals for habitat management, which could, if appropriately conditioned, lead to peatland and biodiversity enhancement. While the socio-economic benefits of the development are welcome, there remains a question over whether the proposal can be considered to have maximised this opportunity and therefore met the policy requirements of NPF4 in this regard. It has been some years since the Scottish Government introduced its guidance for the voluntary provision of £5,000 per megawatt per annum to the community and this has remained static since. Furthermore, even where secured, this arrangement does nothing for the redistribution of wealth within an area such as Highland, which has many communities that are unlikely to directly benefit from such opportunities. In addition, there are currently no guarantees that the development will create and support a local supply chain and develop and retain skills and employment within the area other than perhaps in the short term. Further consideration of this is necessary, and it is recommended that conditions be added to the Council's response to ensure that the EIAR socio-economic benefits of the proposal are delivered, and to secure a scheme for community benefit.

- 9.7 Schedule 9 of the Electricity Act sets out what an applicant shall do in relation of the preservation of amenity. It is considered that the proposal has had regard to the desirability of preserving natural beauty and has mitigated the effects of the development in relation to the effects on the natural beauty of the countryside. This is by virtue of the location, setting and design of the wind farm, resulting in landscape and visual impacts which can be accommodated. It is the case that environmental effects of this development can be addressed by way of mitigation, with the suggested conditions incorporating a schedule of mitigation and operational compliance monitoring should permission be forthcoming.
- 9.8 Given the above analysis, the application if amended to reflect the 200m Scheme, is considered acceptable in terms of the Development Plan, national policy and is acceptable in terms of all other applicable material considerations.
- 9.9 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

10. IMPLICATIONS

- 10.1 Resource: Not applicable
- 10.2 Legal: If an objection is raised to the proposal, the application may be subject to a Public Local Inquiry.
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: The proposal has the ability to make a meaningful contribution toward the production of renewable energy.
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before decision issued: N

It is recommended to **RAISE NO OBJECTION** to the application subject to:

- A. All proposed wind turbines having a maximum blade tip height of 200 meters;
- B. Members grant delegated authority to the Area Planning Manager -South to respond to any Further / Supplementary Environmental Information related to all proposed wind turbines having a maximum blade tip height of 200 meters, consequential site layout modifications, if consulted by the Scottish Government's Energy Consents Unit.
- C. The following conditions and reasons:

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

1. Notification of Date of First Commissioning

Written confirmation of the Date of First Commissioning and the Date of Final Commissioning shall be provided to the Planning Authority and the Scottish Ministers no later than one calendar month after those dates.

Reason: To allow the Planning Authority and Scottish Ministers to calculate the date of expiry of the consent.

2. Commencement of Development

(1) The Commencement of development shall be no later than 5 years from the date on which this consent is granted, or in substitution, such other period as the Scottish Ministers may hereafter direct in writing.

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

Reason: To ensure that the consent is implemented within a reasonable period and to allow the Planning Authority and the Scottish Ministers to monitor compliance with obligations attached to this consent and deemed planning permission as appropriate.

3. Non-assignment

(1) This consent shall not be assigned without the prior written authorisation of the Scottish Ministers. The Scottish Ministers may authorise the assignment, with or without conditions.

(2) The Company shall notify the Planning Authority and the Scottish Ministers in writing of the name of the assignee, principal named contact and contact details within fourteen days of the consent being assigned.

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

4. Serious Incident Reporting

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

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

Conditions Attached to Deemed Planning Permission

5. Commencement of Development

(1) The development must be begun not later than the expiration of 5 years beginning with the date of this permission.

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

Reason: To comply with section 58 of the Town and Country Planning (Scotland) Act 1997.

6. Implementation in Accordance with Approved Plans

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

(a) including the approved drawings listed within the Environmental Impact Assessment Report (EIAR), Volume 2 – Figures, dated February 2022;

(b) the EIAR, dated February 2022; and

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

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

7. Site Enabling Works

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

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

8. Design and Operation of Wind Turbines

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

- (a) the make, model, design, direction of rotation (all wind turbine blades shall rotate in the same direction), power rating, sound power level and dimensions of the turbines to be installed which shall have internal transformers;
- (b) the external colour and/or finish of the wind turbines to be used (including towers, nacelles and blades) which shall be non-reflective, pale grey semi-matte;
- (c) no text, sign or logo shall be displayed on any external surface of the wind turbines, save those required for operational Health and Safety reasons or by law under other legislation; and
- (d) the application of a turbine blade pitch control system which pitching the blades out of the wind (“feathering”) to reduce rotation speeds below 2rpm while idling to reduce bat collision risk; and
- (e) thereafter, the wind turbines shall be installed and operate in accordance with these approved details and, with reference to part (b) above, the wind turbines shall be maintained in the approved colour and monitored to ensure no significant rust, staining or dis-colouration occurs until such time as the wind farm is decommissioned.

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

9. Signage

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

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

10. Design of Substation, Ancillary Buildings and other Ancillary Development

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

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

Reason: To safeguard the visual amenity of the area.

11. Micro-siting

(1) All wind turbines, buildings, masts, areas of hardstanding and tracks shall be constructed in the location shown on Environmental Impact Assessment Report (EIAR Figure 3.1 - Proposed Development, Figure 3.2a – Proposed Infrastructure Layout (Turbine Area), and Figure 3.2b – Proposed Infrastructure Layout (Access Track Area); wind turbines, buildings, masts, areas of hardstanding and tracks may be adjusted by micro-siting within the site.

However, unless otherwise approved in advance in writing by the Planning Authority in consultation with NatureScot, SEPA and the EnvCoW, micrositing is subject to the following restrictions:

(a) with the exception of the substation which may be micro-sited within 100m, the wind turbines and other infrastructure hereby permitted may be micro-sited within 50 metres save that no wind turbine or other infrastructure may be micro-sited to:

(i) less than 50 metres from any watercourse feature;

(ii) less than 750 meters from Loch Loyne;

(iii) areas hosting ground water dependent terrestrial ecosystems, with demonstration that direct and indirect impacts of the groundwater dependent M25a habitats shown on Map 10 of EIAR Technical Appendix 8.1 have been minimised; and

(iv) areas of peat deeper than currently shown for the relevant infrastructure on EIAR Technical Appendix 10.2, Figures 10.6a and 10.6b – Combined Peat Probes;

(b) No wind turbine foundation shall be positioned higher, when measured in metres Above Ordinance Datum (AOD), than 5m above the position shown on EIAR Figure 3.2a – Proposed Infrastructure Layout (Turbine Area);

(c) All micro-siting permissible under this condition must be approved in advance in writing by the Environmental Clerk of Works (EnvCoW) (see Condition 14).

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

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

12. Borrow Pit Scheme of Works and Blasting

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

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

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

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

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

(2) The approved scheme shall be implemented in full.

(3) Blasting shall only take place on the site between the hours of 10.00 to 16.00 on Monday to Friday inclusive and 10.00 to 12.00 on Saturdays, with no blasting taking place on a Sunday or on a Public Holiday, unless otherwise approved in advance in writing by the Planning Authority.

Reason: To ensure that excavation of materials from the borrow pit(s) is carried out in a manner that minimises the impact on road safety, amenity and the environment, and to secure the restoration of borrow pit(s) at the end of the construction period. To ensure that blasting activity is carried out within defined timescales to control impact on amenity.

13. Watercourse Design

All new watercourse crossings shall be designed following the recommendations in the Watercourse Crossing Schedule (Environmental Impact Assessment Report (EIAR) Volume 4 – Technical Appendix 10.3 – Watercourse Crossing Survey, March 2022) and the watercourse crossing of the main tributary of Allt Coire na Creadha shall be a traditional style bridge demonstrated to pass the 1 in 200 year flood event plus an allowance for climate change and freeboard. All upgraded and other new watercourse crossings shall be oversized bottomless arched culverts.

Reason: In the interests of protecting the water environment.

14. Environmental Clerk of Works

(1) No development or Site Enabling Works shall commence unless and until the terms of appointment of an independent Environmental Clerk of Works (EnvCoW) by the Company have been submitted to, and approved in writing by, the Planning Authority. The terms of appointment shall:

- (a) Impose a duty to monitor compliance with the environmental commitments provided in the EIA Report as well as the following (the EnvCoW works):
- (i) any micro-siting under Condition 11;
 - (ii) the Pre-Construction Ecological Survey under Condition 15;
 - (iii) the Breeding Bird Protection Plan under Condition 16;
 - (iv) the Construction Environmental Management Plan under Condition 17;
 - (v) the Peat Management Plan under Condition 18;
 - (vi) the Habitat Management Plan approved under Condition 19);
 - (vii) the Deer Management Plan under Condition 20;
 - (viii) the Water Quality and Fish Monitoring Plan under Condition 21;
 - (ix) the Woodland Management Plan under Condition 22;
- (b) Require the EnvCoW to report to the nominated construction project manager, developer and Planning Authority any incidences of non compliance with the EnvCoW works at the earliest practical opportunity;
- (c) Require the EnvCoW to submit a monthly report to the construction project manager, developer and Planning Authority summarising works undertaken on site; and
- (d) Require a statement that the EnvCoW shall be engaged by the Planning Authority but funded by the developer. The EnvCoW shall be appointed on the approved terms throughout the period from Commencement of Development to completion of construction works and post-construction site reinstatement works.
- (2) No later than 18 months prior to the Date of Final Generation or the expiry of this consent (whichever is the earlier), details of the terms of appointment of an EnvCoW by the Company throughout the decommissioning, restoration and aftercare phases of the Development shall be submitted to the Planning Authority for written approval. The EnvCoW shall be appointed on the approved terms throughout the decommissioning, restoration and aftercare phases of the Development.

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

15. Pre-Construction Ecological Survey

- (1) No development or Site Enabling Works shall commence until a pre-construction ecological survey undertaken no more than 3 months prior to works commencing and a report of the survey has been submitted to, and approved in writing by, the Planning Authority. The survey shall cover both the application site and an appropriate buffer from the boundary of application site with the report including mitigation measures where any impact, or potential impact, on protected species or their habitat has been identified.

(2) Development and work shall progress in accordance with any mitigation measures contained within the approved report of survey and the timescales contain therein.

Reason: In the interest of protecting ecology, protected species and habitats.

16. Breeding Bird Protection Plan

No development or Site Enabling Works shall commence until:

(a) a breeding bird protection plan has been submitted and approved in writing by the Planning Authority in consultation with NatureScot. This shall include details of: proposed pre-construction survey work, records of breeding or foraging birds within disturbance distance of the site; and appropriate mitigation to avoid the risk of disturbance and/or displacement occurring which:

(i) for golden eagle, shall include but no be limited to suspension of all works within 1km of an eyrie during the breeding season;

(ii) for black grouse, shall include but no be limited to suspension of all works within 750m of any lek sites before 9am in the months of April and May;

(b) a nesting bird survey has been undertaken no more than 24 hours prior to the commencement of development if this coincides within the main bird breeding season (March- August inclusive) and throughout the breeding bird season if new areas are being developed or there has been a break in construction.

Reason: Construction works have the potential to disturb nesting birds or damage their nest sites, with all wild bird nests are protected from damage, destruction, interference and obstruction under the Wildlife and Countryside Act 1981 (as amended).

17. Construction Environmental Management Plan

(1) No development or Site Enabling Works shall commence until a works specific Construction Environmental Management Plan (CEMP) related to the phase or phases of works or development to be undertaken has been submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland for condition Part (2)(p). The CEMP shall outline site specific details of all on-site construction works, post- construction reinstatement, drainage and mitigation, together with details of their timetabling.

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

(a) an updated Schedule of Mitigation highlighting amendments made to the existing schedule of mitigation set out at Environmental Impact Assessment Report (February 2022), and the conditions of this consent.

(b) details and timetable for phasing of construction works;

(c) Risk assessment of potentially damaging construction-type activities on the environment;

- (d) a Finalised Peat Landslide Hazard Risk Assessment, incorporating the recommendations set out within the Stage 2 Checking Report, prepared by Ironside Farrar, November 2022;
- (e) a Site Waste Management Plan (dealing with all aspects of waste produced during the construction period other than peat), including details of contingency planning in the event of accidental release of materials which could cause harm to the environment;
- (f) a Pollution Prevention Plan, including a surface water and groundwater management and treatment plan with mitigation measures demonstrating how all surface water run-off and waste water arising during and after development is to be managed and prevented from polluting any watercourses or sources;
- (g) site specific details for management and operation of any concrete batching plant, including disposal of pH rich waste water and substances;
- (h) a water crossing method statement which will include details of the design of all water crossing structures;
- (i) a water quality monitoring regime, including, but not limited to, any affected private water supplies;
- (j) details of all pollution prevention and mitigation measures to protect habitats and ecological resources on site, which shall include measures to maintain hydrological connectivity of Groundwater Dependent Terrestrial Ecosystems;
- (k) Species and Habitat Protection Plans, (including bat, water vole, otter, pine marten, amphibians, reptiles and breeding bird);
- (l) details of proposed temporary site compound, storage of materials, including fuel and other chemicals, machinery, and designated car parking;
- (m) details of on-site storage and off-site disposal of all imported or excavated material, including maximum stockpile heights and locations;
- (n) details of all internal access tracks, turning areas, including accesses from the public road and hardstanding areas;
- (o) details of the construction of the access into the site and the creation and maintenance of associated visibility splays;
- (p) cleaning of site entrance, site tracks and the adjacent public road and the sheeting of all HGVs taking spoil or construction materials to/from the site to prevent spillage or deposit of any materials on the public road;
- (q) details of archaeological supervision to oversee the protection/fencing off of all known heritage assets, including all areas to be used by construction vehicles;
- (r) details of the management of noise and vibration during construction;
- (s) a dust management plan;
- (t) details of temporary site illumination;
- (u) the method of construction of the crane pads, wind turbine foundations, working cable trenches, and the method of construction and erection of the wind turbines and any meteorological masts.

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

(w) details of post-construction restoration/reinstatement of the working areas not required during the operation of the Development, including construction access tracks, borrow pits, construction compound, storage areas, laydown areas, access tracks, passing places and other construction areas, all of which are to be provided no later than 6 months prior to the date of first commissioning, unless otherwise agreed in writing by the Planning Authority. Wherever possible, reinstatement is to be achieved by the careful use of turfs removed prior to construction works. Details should include all seed mixes to be used for the reinstatement of vegetation.

Reason: To ensure that all construction operations are carried out in a manner that minimises their impact on road safety, amenity and the environment, and that the mitigation measures contained in the Environmental Impact Assessment Report (February 2022) which accompanied the application, or as otherwise agreed, are fully implemented.

18. Peat Management Plan

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

(a) taking account of site and ground investigations to minimise the loss of peatlands and reduce carbon loss;

(b) include details of vegetated turf stripping and storage;

(c) include actions (including micrositing) to minimise excavated peat volumes and reuse peat in an appropriate manner, with the inclusion of a specific section outlining measures such as micrositing, limiting the footprint, and use of floating track to reduce disturbance from the formation of the T-junction directly north of the Allt Coire na Creadha; and

(d) follow SEPA's good practice for handling, storing and reinstating peat materials.

(2) The PMP shall thereafter be implemented as approved.

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

19. Habitat Management Plan

(1) No development, with the exception of the Site Enabling Works, shall commence unless and until a finalised Habitat Management Plan (HMP) has been submitted to, and approved in writing by the Planning Authority and NatureScot. The finalised HMP shall provide measurable benefits for biodiversity and shall contain enhanced peatland restoration building upon the outline HMP contained within the Environmental Impact Assessment Report, Volume 4 – Technical Appendix 8.5,

delivering restoration works to, as a minimum, the areas shown on Figure 1 and Figure 2 of Appendix 8.5. The information shall include:

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

(i) details of how water quality within the West Inverness-shire Lochs Special Protection Area and its tributaries will be protected during the course of these works

(ii) improvements to golden eagle foraging habitat in areas more than 500m from the turbine array; and

(iii) enhancement measures for water vole and common scoter;

(b) a scheme of works for peatland restoration works to deliver peatlands commensurate with the quality of the habitat that will be lost directly and indirectly and take advantage of the opportunity for peatland restoration across the site; this scheme shall:

(i) consider any opportunities for habitat restoration in areas of permeant tree felling;

(ii) comply with SEPA Management of Forest Waste guidance;

(iii) ensure that the excavated peat is fit for the purpose it is being used for; and

(iv) include the provision of GIS Shapefiles for the compensation and enhancement areas;

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

(d) a scheme for the delivery of biodiversity enhancement, on site/within the wider estate and/or via contributing towards a strategic Highland-wide scheme, and / or contributing towards the establishment and implementation of a Regional Eagle Conservation Management Plan for Natural Heritage Zone (NHZ)7.

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

Reason: In the interests of protecting ecological features and to ensure that the development secures positive effects for biodiversity, and in the interest of ornithology to safeguard the regional eagle population.

20. Deer Management Plan

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

provide for the monitoring of deer numbers on site from the period from Commencement of development until the date on which site infrastructure has been removed and final site restoration completed. The approved DMP shall thereafter be implemented in full.

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

21. Water Quality and Fish Monitoring Plan

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

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

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

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

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

(d) appropriate site specific mitigation measures.

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

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

22. Woodland Management Plan

(1) No development or Site Enabling Works shall commence until a detailed scheme of Woodland Management and Compensatory Planting (including future maintenance) has been submitted and approved in writing by the Planning Authority. This shall be based upon and informed by the Environmental Impact Assessment Report (EIAR), February 2022, Chapter 14, and associated EIAR Figures 14.1 through to 14.5, with a minimum area of 14.73ha to be planted.

(2) All planting shall be implemented in full no later than 1st April following the date of the deemed planning permission, or as otherwise agreed with the Planning Authority.

(3) Thereafter, the planting and areas of woodland to be retained shall be maintained throughout the lifetime of the development in accordance with the approved scheme.

Reason: In the interest of visual amenity to aid screening of the Development as well as to protect Scotland's woodland resource, in accordance with the Scottish Governments policy on the Control of Woodland Removal.

23. Outdoor Access Plan

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

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

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

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

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

Reason: In the interests of securing public access rights.

24. Archaeology

No development or work (including site clearance) shall commence until a programme of work for the survey, evaluation, preservation and recording of any archaeological and historic features affected by the proposed development/work, including a timetable for investigation, has been submitted to, and approved in writing by, the Planning Authority. The approved programme shall be implemented in accordance with the agreed timetable for investigation.

Reason: In order to protect the archaeological and historic interest of the site.

25. Construction Traffic Management Plan (CTMP)

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

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

- (a) an Abnormal Loads Assessment;
- (b) A risk assessment for transportation during daylight and hours of darkness;
- (c) Proposed traffic management and mitigation measures along the access routes, as required. Measures such as temporary speed limits, suitable temporary signage, road markings and the use of speed activated signs should be considered;
- (d) The routing of all traffic associated with the Development. The proposed route for any abnormal loads on the trunk road network must be approved by Transport Scotland, prior to the movement of any abnormal load. Any accommodation measures required, including the removal of street furniture, junction widening, traffic management, must similarly be approved. Full details of proposed works should be developed in consultation with the trunk road Operating Company and Transport Scotland Area Manager at the earliest opportunity through a Minute of Agreement (<https://www.transport.gov.scot/our-approach/industry-guidance/work-on-the-scottish-trunkroad-network>) and issued for their approval prior to the commencement of construction operations.
- (e) Measures to ensure that the specified routes as detailed in the CTMP are adhered to, including monitoring procedures;
- (f) A contingency plan prepared by the abnormal load haulier. The plan shall be adopted only after consultation and agreement with the Police, Transport Scotland and THC Roads Authority. It shall include measures to deal with any haulage incidents that may result in public roads becoming temporarily closed or restricted;
- (g) A procedure for the regular monitoring of road conditions and the implementation of any remedial works required as may be reasonably attributable to the project's construction plant and vehicle movements during the construction period, including the provision of a wear and tear agreement for the local road network under Section 96 of the Roads (Scotland) Act 1984 (As Amended);
- (h) A detailed protocol for the delivery of abnormal loads/vehicles, prepared in consultation with the Planning Authority, Transport Scotland and the affected community councils. The protocol shall identify any requirement for convoy working and/or escorting of vehicles and include arrangements to provide advance notice of abnormal load movements in the local media. Temporary signage, in the form of demountable signs or similar approved, shall be established, when required, to alert road users and local residents of expected abnormal load movements. Any accommodation measures required including the removal of street furniture, junction widening, traffic management must similarly be approved by Transport Scotland and the THC Roads Authority. All such movements on roads shall take place out with peak times on the network, including school travel times and shall avoid local community events.
- (i) The developer shall submit proposals for an abnormal loads delivery trial-run to be undertaken with the involvement of Police Scotland and prior to the commencement of abnormal loads deliveries. Trial-run proposals shall be submitted

to and approved in writing by The Highland Council in consultation with Transport Scotland.

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

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

(l) During the operational stage of the Development, advance written notification and approval of the Planning Authority in consultation with Transport Scotland, THC Roads Authority and affected community councils is required for Abnormal Load movement required during this period; and

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

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

26. Site Access

(1) No development or other Site Enabling Works shall commence until the layout and type (and method) of construction for the proposed means of access onto the trunk road has been submitted and approved by the Planning Authority, in consultation with Transport Scotland.

(2) Thereafter the approved details shall be implemented in full prior to any other site enabling works taking place.

Reason: To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished.

27. Road Safety Audit

(1) No development or other Site Enabling Works shall commence until the multi-stage Road Safety Audit process has been undertaken and a report for each stage shall be submitted and approved by the Planning Authority in consultation with Transport Scotland.

(2) Any amendments to designs resulting from the audit shall thereafter be agreed with the Planning Authority in consultation with Transport Scotland and fully implemented thereafter.

Reason: In the interests of road safety and to ensure the provision of adequate design.

28. Aviation Safety - Lighting

(1) No development, with the exception of Site Enabling Works, shall commence until a scheme for aviation lighting for the Development has been submitted to and

approved in writing by the Planning Authority in consultation with the Ministry of Defence (MoD) and the Civil Aviation Authority (CAA). The aviation-lighting scheme shall define how the development will be lit throughout its life to maintain civil and military aviation safety requirements, and shall include:

(a) Details of any construction equipment and temporal structures with a total height of 50 metres or greater (above ground level) that will be deployed during the construction of wind turbine generators and details of any aviation warning lighting that they will be fitted with; and

(b) The locations and heights of all wind turbine generators in the development, identifying those that will be fitted with aviation warning lighting and the position of the lights on the wind turbine generators; the types(s) of lights that will be fitted; and the performance specification(s) of the lighting types(s) to be used.

(2) Thereafter, the aviation-lighting scheme shall be implemented as approved. The lighting installed in accordance with the aviation lighting scheme shall remain operational for the life time of the development, unless visible aviation lighting requirements become redundant, or proximity activated lighting which is turned on by the detection of moving objects becomes widely available in the UK and is capable of being deployed at reasonable cost (evidenced through other recent wind farm consents), with this to be confirmed by the Planning Authority in consultation with the MoD and the CAA.

(3) In the event that the Planning Authority notify the Company that the approved aviation lighting scheme is redundant, or proximity activated lighting must be introduced, within 3 months of receipt of this notification, an amended aviation lighting strategy shall be submitted to and approved in writing by the Planning Authority in consultation with the MoD and the CAA.

(4) Thereafter, the amended aviation lighting scheme shall be implemented as approved within a further 6 month period, and shall remain operational for the remaining life time of the development, unless otherwise agreed by the Planning Authority.

Reason: In the interests of aviation safety, landscape and visual amenity, ensuring that visible aviation lighting is switched off or replaced to reflect industry technological advances.

29. Aviation Safety

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

- (a) the date of the commencement of the erection of wind turbine generators;
- (b) the maximum height of any construction equipment to be used in the erection of the wind turbines;
- (c) the date any wind turbine generators are brought into use;

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

Reason: In the interests of aviation safety.

30. Telecommunication

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

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

31. Noise

The rating level of noise emissions from the combined effects of the wind turbines hereby permitted (including the application of any tonal penalty), when determined in accordance with the attached Guidance Notes, shall not exceed more than 2dB above the maximum predicted levels within Environmental Impact Assessment Report dated February 2022, Chapter 12, Table 12.11 at any windspeed up to and including 12 m/s at a standardised height of 10m. The noise limits are presented in the table below:

Receptor	Noise Limit (dB LA90)
Bun Loyne (221382, 809776)	22.6
Inchlaggan (217456, 801820)	23
Ardochy (220414, 802354)	21.4
Caledonian Cabin (219421, 801902)	21.8
Unidentified building (219256, 801727)	21.8
Tomdoun (215720, 801117)	21.5
Cluanie Lodge (209789, 810926)	18.2

In addition:

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

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

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

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

Where the proposed measurement location is close to the wind turbines, rather than at the complainants property (to improve the signal to noise ratio), then the Company's submission shall include a method to calculate the noise level from the wind turbines at the complainants property based on the noise levels measured at the agreed location (the alternative method). Details of the alternative method together with any associated guidance notes deemed necessary, shall be submitted to, and agreed in writing by the Planning Authority prior to the commencement of any measurements.

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

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

- i. the range of meteorological and operational conditions (the range of wind speeds, wind directions, power generation and times of day) to determine the assessment of rating level of noise immissions.
- ii. a reasoned assessment as to whether the noise giving rise to the complaint contains or is likely to contain a tonal component.

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

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

calibration shall be submitted to the Planning Authority with the independent consultant's assessment of the rating level of noise immissions.

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

(G) The Company shall continuously log power production, wind speed and wind direction, all in accordance with Guidance Note 1(d) of the attached Guidance Notes. The data from each wind turbine shall be retained for a period of not less than 24 months. The Company shall provide this information in the format set out in Guidance Note 1(e) of the attached Guidance Notes to the Planning Authority on its request within 14 days of receipt in writing of such a request.

(H) In the event that the rating level, after adjustment for background noise contribution and any tonal penalty, is found to exceed the conditioned limits, the Company shall submit to the Planning Authority for written approval, a scheme of mitigation to be implemented within fourteen days of submission of the report identifying the exceedance (as required under paragraph (F) above). The scheme shall define any reduced noise running modes to be used in the mitigation together with sound power levels in these modes and the manner in which the running modes will be defined in the SCADA data.

(I) The scheme referred to in paragraph H above should include a framework of immediate and long-term mitigation measures. The immediate mitigation measures must ensure the rating level will comply with the conditioned limits and must be implemented within 14 days of the submission of the report identifying the exceedance. These measures must remain in place, except during field trials to optimise mitigation, until a long-term mitigation strategy is ready to be implemented.

Guidance Notes for Noise Condition

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

Note 1

a) Values of the LA90,10-minute noise statistic should be measured at the complainant's property (or an approved alternative representative location as detailed in Note 1(b)), using a sound level meter of EN 60651/BS EN 60804 Type 1, or BS EN 61672 Class 1 quality (or the equivalent UK adopted standard in force at the time of the measurements) set to measure using the fast time weighted response as specified in BS EN 60651/BS EN 60804 or BS EN 61672-1 (or the

equivalent UK adopted standard in force at the time of the measurements). This should be calibrated before and after each set of measurements, using a calibrator meeting BS EN 60945:2003 "Electroacoustics - sound calibrators" Class 1 with PTB Type Approval (or the equivalent UK adopted standard in force at the time of the measurements) and the results shall be recorded. Measurements shall be undertaken in such a manner to enable a tonal penalty to be calculated and applied in accordance with Guidance Note 3.

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

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

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

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

f) A data logging rain gauge shall be installed in the course of the independent consultant undertaking an assessment of the level of noise immissions. The gauge shall record over successive 10 minute periods synchronised with the periods of data recorded in accordance with Note 1(d). The Company shall submit details of

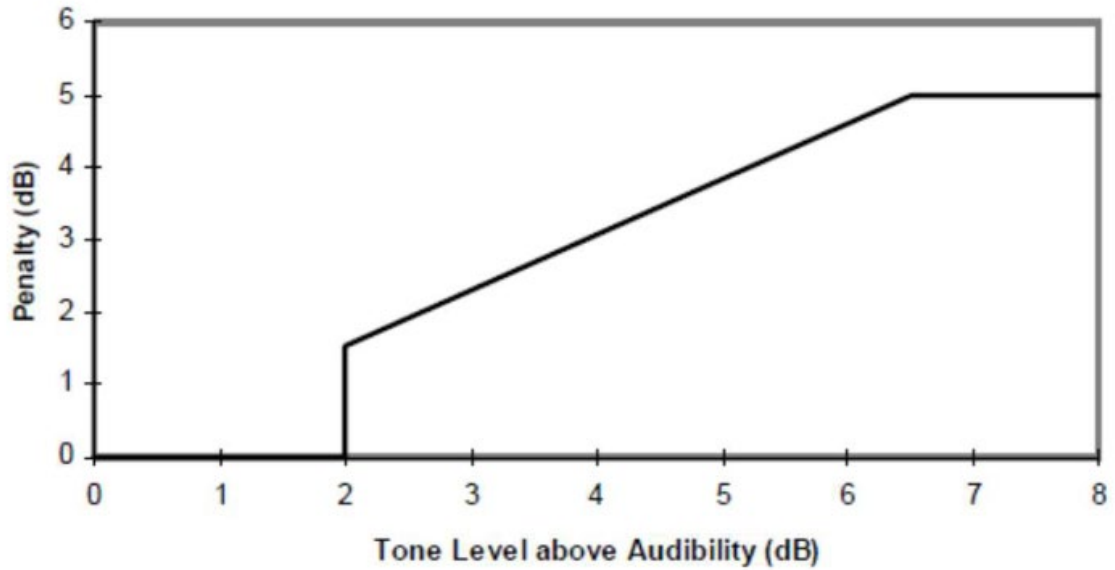
the proposed location of the data logging rain gauge to the Planning Authority prior to the commencement of measurements.

Note 2

- a) The noise measurements should be made so as to provide not less than 20 valid data points as defined in Note 2 paragraph (b).
- b) Valid data points are those measured during the conditions set out in the assessment protocol approved by the Planning Authority but excluding any periods of rainfall measured in accordance with Note 1(f).
- c) Values of the LA90,10-minute noise measurements and corresponding values of the 10-minute standardised ten meter height wind speed for those data points considered valid in accordance with Note 2(b) shall be plotted on an XY chart with noise level on the Y-axis and wind speed on the X-axis. A least squares, "best fit" curve of an order deemed appropriate by the independent consultant (but which may not be higher than a fourth order) shall be fitted to the data points to define the wind farm noise level at each integer speed.

Note 3

- a) Where, in accordance with the approved assessment protocol noise immissions at the location or locations where compliance measurements are being undertaken contain or are likely to contain a tonal component, a tonal penalty shall be calculated and applied using the following rating procedure.
- b) For each 10-minute interval for which LA90,10-minute data have been determined as valid in accordance with Note 2, a tonal assessment shall be performed on noise immissions during 2 minutes of each 10-minute period. The 2-minute periods should be spaced at 10-minute intervals provided that uninterrupted uncorrupted data are available ("the standard procedure"). Where uncorrupted data are not available, the first available uninterrupted clean 2-minute period out of the affected overall 10-minute period shall be selected. Any such deviations from the standard procedure shall be reported.
- c) For each of the 2-minute samples the tone level above audibility shall be calculated by comparison with the audibility criterion given in Section 2.1 on pages 104 -109 of ETSU-R-97.
- d) The tone level above audibility shall be plotted against wind speed for each of the 2-minute samples. Samples for which the tones were below the audibility criterion or no tone was identified, a value of zero audibility shall be substituted.
- e) A least squares "best fit" linear regression shall then be performed to establish the average tone level above audibility for each integer wind speed derived from the value of the "best fit" line fitted to values within $\pm 0.5\text{m/s}$ of each integer wind speed. If there is no apparent trend with wind speed then a simple arithmetic mean shall be used. This process shall be repeated for each integer wind speed for which there is an assessment of overall levels in Note 2.
- f) The tonal penalty is derived from the margin above audibility of the tone according to the figure below derived from the average tone level above audibility for each integer wind speed.



Note 4

a) If a tonal penalty is to be applied in accordance with Note 3 the rating level of the turbine noise at each wind speed is the arithmetic sum of the measured noise level as determined from the best fit curve described in Note 2 and the penalty for tonal noise as derived in accordance with Note 3 at each integer wind speed within the range set out in the approved assessment protocol. If no tonal penalty is to be applied then the rating level of the turbine noise at each wind speed is equal to the measured noise level as determined from the best fit curve described in Note 2.

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

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

i) Repeating the steps in Note 2, with the turbines switched off, and determining the background noise (L3) at each integer wind speed within the range set out in the approved noise assessment protocol.

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

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

iii) The rating level shall be re-calculated by adding the tonal penalty (if any is applied in accordance with Note 3) to the derived noise L1 at that integer wind speed.

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

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

32. Site Decommissioning, Restoration and Aftercare

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

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

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

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

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

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

(c) a dust management plan;

- (d) details of measures to be taken to prevent loose or deleterious material being deposited on the local road network, including wheel cleaning and lorry sheeting facilities, and measures to clean the site entrances and the adjacent road network;
 - (e) details of anticipated impacts on the road networks and vehicle types and movements;
 - (f) a pollution prevention and control method statement, including arrangements for the storage and management of oil and fuel on the site;
 - (g) details of measures for soil storage and management;
 - (h) a surface water and groundwater management and treatment plan, including details of the separation of clean and dirty water drains, and location of settlement lagoons for silt laden water;
 - (i) details of measures for sewage disposal and treatment;
 - (j) temporary site illumination;
 - (k) the construction of any temporary access into the site and the creation and maintenance of associated visibility splays;
 - (l) details of watercourse crossings;
 - (m) details of archaeological supervision to oversee the protection / fencing off of all known heritage assets within 50m of the proposed working areas, including all areas to be used by construction vehicles; and
 - (n) a species protection plan based on surveys for protected species (including birds) carried out no longer than eighteen months prior to submission of the plan.
- (5) The Development shall be decommissioned, site restored and aftercare thereafter undertaken in accordance with the approved plan, unless otherwise agreed in writing in advance with the Planning Authority in consultation with NatureScot and SEPA.

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

33. Financial Guarantee

- (1) No development or Site Enabling Works shall commence unless and until a bond or other form of financial guarantee in terms reasonably acceptable to the Planning Authority which secures the cost of performance of all decommissioning, restoration and aftercare obligations referred to in Condition 32 is submitted to the Planning Authority.
- (2) The value of the financial guarantee shall be agreed between the Company and the Planning Authority or, failing agreement, determined (on application by either party) by a suitably qualified independent professional as being sufficient to meet the costs of all decommissioning, restoration and aftercare obligations referred to in Condition 32.

(3) The financial guarantee shall be maintained in favour of the Planning Authority until the date of completion of all decommissioning, restoration and aftercare obligations referred to in Condition 32.

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

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

34. Redundant Turbines

In the event that any wind turbine installed and commissioned fails to produce electricity on a commercial basis to the public network for a continuous period of 12 months, then unless otherwise agreed in writing with the Planning Authority, after consultation with the Scottish Ministers, such wind turbine will be deemed to have ceased to be required. If deemed to have ceased to be required, the wind turbine and its ancillary equipment will be dismantled and removed from the site within the following 12 month period, and the ground reinstated to the specification and satisfaction of the Planning Authority after consultation with the Scottish Ministers.

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

35. Site Inspection Strategy

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

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

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

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

- (a) Details to demonstrate that the infrastructure components of the Development are still operating in accordance with Condition 8 and Condition 31; and
- (b) An engineering report which details the condition of tracks, turbine foundations and the wind turbines and sets out the requirements and the programme for the implementation for any remedial measures which may be required.
- (5) The SIS and each Site Inspection Report shall be implemented in full unless otherwise agreed in advance in writing by the Planning Authority.

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

36. Socio-Economic Benefit

(1) No later than 15 months after the Date of Final Commissioning of the development, a report demonstrating the project has met the minimum socio-economic benefit assumptions provided within the Environmental Impact Assessment Report (EIAR), received February 2022, for both the development's construction period and initial 12 month operational period, for both Highland and Scotland, shall be submitted for the written approval of the Planning Authority.

(2) Where the report shows that projected socio-economic benefit has not achieved the assumptions in the EIAR, it shall include proposed measures to address, and compensate for any shortfall, to ensure that the economic assumptions for the development have been met. In the absence of any alternative actions, the Scheme for Community Benefit, as required by Condition 37, shall be enhanced accordingly to offset any detriment of economic impact.

Reason: In order to ensure compliance with NPF4 Policy 11c) and to maximise the local socio-economic benefits of the development to the wider local community.

37. Scheme for Community Benefit

Anytime between 3 months to 6 months prior to the Date of Final Commissioning of the development, details of a Scheme for Community Benefit shall be submitted for the prior written approval of the Planning Authority. This scheme, comprising a developer financial contribution, or alternative means of provision, shall be to the prevailing value required for onshore wind energy development in Highland, at the time of the developer applying to satisfy this condition. The scheme shall be used for projects across Highland directly related to infrastructure, supply chain development, support for business, including tourism and regeneration projects, skills and barriers to employment in Highland. The scheme shall be implemented as approved, and administered by The Highland Council, unless otherwise agreed in writing by the Planning Authority.

Reason: In order to ensure compliance with NPF4 Policy 11c) and to maximise the local socio-economic benefits of the development to the wider local community.

38. Community Liaison Group

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

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

39. Planning Monitoring Officer

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

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

(b) require the PMO to submit a report to the Planning Authority every 2 months summarising works undertaken on site; and

(c) require the PMO to report to the Planning Authority any incidences of non-compliance with the terms of the deemed planning permission and conditions attached to it at the earliest practical opportunity.

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

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

Signature: David Mudie

Designation: Area Planning Manager – South

Author: Peter Wheelan

Background Papers: Documents referred to in report and in case file.

Relevant Plans: Plan 1 - Location Plan - EIAR Figure 1.1

Plan 2 - Site Layout Plan - EIAR Figure 3.1

Plan 3 - Typical Wind Turbine Design - EIAR Figure 3.3

Appendix 2 – Visual Assessment Appraisal (Operational only)

Viewpoint	APP / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Proposed Development (Solus)			Combined Developments*		
			Magnitude of Change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change	Combined Level of Effect	Significance
VP1 – A87 Layby at Memorial (1.8 km)	APP	High to Medium	High	Major to Major/Moderate	Significant	No change reported to solus assessment.		
	THC	High	High	Major	Significant	No change.		
	<p>Sensitivity is high as tourists and other road users alike will appreciate this OWESG gateway location when travelling from south to north along this elevated route. Turbines T1 and T2 would be dominant due proximity and lack of topographical screening from Meall Odhar, with T1 laydown area and the site access track also being visible. Remaining western turbines appear in a cohesive group and are afforded more screening / would be less imposing. Cumulative impact would be major with Tomchrasky which would be extensively visible 7km to the north in the direction of travel for northbound road users.</p> <p>Recommended Mitigation** - Effects would be reduced. Hub height visibility reduced from 10 to 7 turbines, with more of the development being screened by intervening topography. Notably T2, T4 and T5 would be less imposing.</p>							
VP 2 – A87 above Loch Loyne (2.3 km)	APP	High to Medium	High	Major to Major/Moderate	Significant	No change reported to solus assessment.		
	THC	High	High	Major	Significant	No change.		
	<p>Sensitivity is high as tourists and other road users alike will appreciate this OWESG gateway location when travelling from south to north along this elevated route. This is a frequently visited point in the A87 for people to stop where photographs are taken overlooking Loch Loyne, centred on the loch which is framed by the interlocking hills. It will be possible to capture this key view without the development directly interfering with this regularly photographed frame of view, however, its setting will be impacted upon with the turbines being extensively visible at close range to the east. The hubs of T7, T8 and T10 are also skylining, being contrasting in character and the western extent of the proposal lacking containment. T6 is also dominant and contrasts in scale with the four more distant upper tier of turbines with its track being visible. Cumulative impact would be major with Tomchrasky which would be visible 9km to the north in the direction of travel for northbound road users, with the more distant Tomchrasky turbines appearing smaller in scale.</p>							

			Proposed Development (Solus)			Combined Developments*		
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 and Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change	Combined Level of Effect	Significance
<p>Recommended Mitigation** - Effects would be reduced. T2, T3, T4 and T5 are all of less dominating and appear at a more consistent height with T1. The reduction in T8 is also beneficial with its reduced hub height following the fall in the ridgeline. T6 however now appears more dominant being closest to the viewer with T9 to its rear having been reduced in height.</p>								
VP 3 – Beinn Loinne (2.4 km)	APP	High	High	Major	Significant	No change reported to solus assessment.		
	THC	High	High	Major	Significant	No change.		
	<p>APP assessing is not contested. Views from this Corbett are more impressive in all other directions away from the proposed development. Bunloinn would be seen as an extension to consented and developed wind farms which occupy eastern views, with south eastern and eastern views from the summit being towards comparably less impressive lower lying topography, rather than the hills within the Moidart, Morar and Glen Shiel SLA. Cumulative impact would be major with Tomchrasky which would be visible 7km to the east, again in the direction of more distant wind farms in the less impressive eastern views.</p> <p>Recommended Mitigation** - Effects would be reduced. Reduction in T8 is positive given its full tower would be visible. All other turbine reductions help to reduce the magnitude of change, albeit that the closest turbine's height, T10, would remain unchanged.</p>							
VP 4 – Old Military Road (5.1 km)	APP	High	Medium	Major/Moderate	Significant	S2 High	S2 Major	S2 Significant
	THC	High	Medium	Major/Moderate	Significant	S2 High	S2 Major	S2 Significant
	<p>APP assessing is not contested.</p> <p>APP S2 Combined Level of Effect relates to: Beinneun, Beinneun Ext, and Tomchrasky. VP is located immediately adjacent to the proposed Tomchrasky turbines.</p> <p>Recommended Mitigation** - Effects would be reduced. Hub height visibility reduced with T5's being screened and towers of T2, T3 and T4 being less visible with their hubs being closer to the ridgeline.</p>							
VP 5 – Sgurr nan Cobhairean (7.2 km)	APP	High	Low to Very Low	Moderate	Not Significant	S1 Medium to Low S2 Medium	S1 Major/Moderate S2 Major/Moderate	S1 & S2 Significant

			Proposed Development (Solus)			Combined Developments*		
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 and Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change	Combined Level of Effect	Significance
	THC	High	Low	Moderate	Not Significant	S1 Medium to Low S2 Medium	S1 Major/Moderate S2 Major/Moderate	S1 & S2 Significant
<p>From this Munro blades of T7 and T9, as well as the tips of T8 and T10 are an unwelcome distraction as they breach the ridge within this impressive view which extends over several distant layered hills to the south. The extent of visibility is however limited.</p> <p>APP S1 Combined Level of Effect relates to: Beinneun and Beinneun Ext.</p> <p>APP S2 Combined Level of Effect relates to: S1 + Tomchrasky.</p> <p>Recommended Mitigation** - Effects would be reduced. Only the very tips of blades T7, T9 and T10 would be intermittently visible.</p>								
VP 6 – Meall Dubh (6.7 km)	APP	High	Medium	Major/Moderate	Significant	S1 High S2 High to Medium	S1 & S2 Major	S1 & S2 Significant
	THC	High	High/Medium	Major	Significant	S1 High S2 High	S1 & S2 Major	S1 & S2 Significant
<p>From this Corbett the main focus of the view is orientated towards the proposed development, in the direction of Loch Cluanie and Loch Loyne either side of Beinn Loinne. VP is located adjacent to Millennium to the east and Beinneun and Beinneun Ext. to the west, with the turbines of Beinneun already influencing westward views. Other mitigating factors are the proposed turbines being in a tight grouping on the shoulder of Beinn Loinne, with these being back clothed by the surrounding large scale mountainous landscape which would still dominate. The proposed scale of turbines would however diminish the perceived scale of Beinn Loinne and the wider landscape. The cumulative effect in S2 with the addition of Tomchrasky would have a major combined effect as the VP would experience a greater degree of encirclement.</p> <p>APP S1 Combined Level of Effect relates to: Beinneun, Beinneun Ext, Millennium, and Millennium South. (THC note: Millennium South expired.)</p> <p>APP S2 Combined Level of Effect relates to: S1 + Tomchrasky</p> <p>Recommended Mitigation** - Effects would be reduced. The reduction of T2, T4 and T9 located on the shoulder of Beinn Loinne would better respect the setting of Beinn Loinne, and help to limit impacts on its perceived scale, with the wind farm's positioning on the lower to mid slope of the hill being more evident.</p>								

			Proposed Development (Solus)			Combined Developments*		
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 and Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change	Combined Level of Effect	Significance
VP 7 – A887 near entrance to Millennium Wind Farm (8.8 km)	APP	Medium	Medium to Low	Moderate	Significant	S2 High	S2 Major/Moderate	S2 Significant
	THC	Medium	Medium	Moderate	Significant	S2 High to Medium	S2 Major/Moderate	S2 Significant
	<p>The length of visibility here is a relatively short - 0.5miles driven at 60mph, and views from this road are limited by extensive forestry. This does however make locations where there is a westward view more important / sensitive. Whilst not many people will stop in the Millenium junction to appreciate the westward view, more will use the layby opposite, including fishermen. The overall sensitivity of the route is also slightly reduced by the presence of other wind farms, associated access tracks, overhead lines, commercial forestry planning, as well as hydro dams making it clear that energy development already form part of the landscape. T9 and T10 look like outliers, are on the shoulder of the hillside which is prominent and the focus of the view, with more dramatic hills extending to the right hand side, which come into focus from the layby opposite.</p> <p>Recommended Mitigation** - Effects would be reduced. The reduction of T2, T4, and T9 would be beneficial to better respect the perceived scale of Beinn Loinne. The remaining reductions would be beneficial to reduce the prominence of the scheme, with T3's hub being screened and the wind farm appearing more distant with a narrower horizontal extent framed in the valley.</p>							
VP 8 – Carn a' Chaochain (12.0 km)	APP	High	Medium to Low	Major/Moderate	Significant	S2 – High	S2 – Major	S2 – Significant
	THC	High	Medium to Low	Major/Moderate	Significant	S2 – High	S2 – Major	S2 – Significant
	<p>Half of the proposed turbines are afforded significant screening from Beinn Loinne, with the remaining turbines occupying a narrow proportion of the view. The scale of the turbines however are noticeably larger in scale than Beinneun which are at a similar viewing distance. The cumulative impact would be major arising from Tomchrasky, which would effectively reduce the additional effect of Bunloinn.</p> <p>APP S2 Combined Level of Effect relates to: Bhlaraidh, Beinneun, Beinneun Ext, Millennium, and Tomchrasky.</p> <p>Recommended Mitigation** - Effects would be reduced. The reduction in T3 would be positive to better respect the underlying landform as the turbine heights flow gradually upwards behind Beinn Loinne, which would then screen much more of the western turbine's blades and tips, as well as the hub of T4.</p>							

Viewpoint	APP / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Proposed Development (Solus)			Combined Developments*		
			Magnitude of Change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change	Combined Level of Effect	Significance
VP 9 – Ben Tee (11.6 km)	APP	High	Medium to Low	Major/Moderate	Significant	No change reported to solus assessment.		
	THC	High	Medium to Low	Major/Moderate	Significant	No change.		
<p>From this Corbett the proposal is well balanced, with the turbines being regularly spaced, albeit that the two-tiered nature of the development is still apparent. The contrast in scale between the Beinneun turbines which are already apparent in this view would be noticeable, however, the proposed turbines occupy a different space in the landscape towards the more impressive mountainous landscape.</p> <p>Recommended Mitigation** - Effect would be marginally reduced, with the reduction in the T2, T4, T8 and T9 helping to moderate the overall height of the scheme, and the degree of containment when viewed against the Beinn Loinne ridge. Notable T9 no longer breaches the ridgeline.</p>								
VP 10 – Gairich (11.7 km)	APP	High	Low	Moderate	Significant	No change reported to solus assessment.		
	THC	High	Medium to Low	Moderate	Significant	No change.		
<p>From this Munro the development would have a medium to low magnitude of change arising from presence of other wind farms in this frame of view, but Bunloinn would be the closest, with the largest turbines, which draws more attention to the other wind farms that are more recessive in the view.</p> <p>Recommended Mitigation** - Effect would be marginally reduced, with the reduction in T2 and T4 reducing visual clutter, and T8 and T9 being less prominent.</p>								
VP 11 – A887 near Dunfreggan (17.5 km)	APP	Medium	Low	Minor	Not Significant	S1 Medium to Low	S1 Moderate	S1 Not Significant
	THC	Medium	Medium	Moderate	Not Significant	S1 Medium to Low	S1 Moderate	S1 Not Significant
<p>Stretch if road winds through forestry with no open views until you reach the VP westbound. Millenium wind farm present in the view are to the south with these turbines appearing well designed, with the composition being evenly spaced, appearing at the same height and scale. The</p>								

Viewpoint	APP / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Proposed Development (Solus)			Combined Developments*		
			Magnitude of Change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change	Combined Level of Effect	Significance
<p>proposed development is of a different character, appearing in the distance framed within the valley of westbound road users. They are well contained but diminish the scale of the landscape with the turbines being prominent in the forward view.</p> <p>APP S1 Combined Level of Effect relates to: Millenium.</p> <p>Recommended Mitigation** - Effects would be reduced. The reduction in T2, T4 and particularly T9 would reduce the overall prominence of the scheme. The removal of visibility of T5's hub would also help to reduce the perceived depth of the wind farm.</p>								
VP 12 – Sgurr a' Mhaoraich (17.0 km)	APP	High	Low to Very Low	Moderate	Not Significant	No change reported to solus assessment.		
	THC	High	Medium to Low	Moderate	Not Significant	No change.		
	<p>From this Munro, at this distance the proposal reads as an extension to the existing pattern of wind farm development, with the turbines becoming more noticeable in the view, with the proposed turbines being the closest and largest in scale to the viewer.</p> <p>Recommended Mitigation** - Effects would be reduced. The reduction of T4 and T9 would be beneficial as they site lower against the shoulder of the hillside, with the reduction of T8 also being beneficial.</p>							
VP 13 – Burach (21.6 km)	APP	High	Low to Very Low	Moderate	Not Significant	S1 Medium S2 High to Medium	S1 Major/Moderate S2 Major	S1 & S2 Significant
	THC	High	Medium to Low	Moderate	Significant	S1 Medium S2 High to Medium	S1 Major/Moderate S2 Major	S1 & S2 Significant
	<p>It is contested that the proposed development is 'set low down in the landscape' with the scale of the turbines detracting from the scale of the peaks of the surrounding rocky hills, with this being much more evident when they are not covered in snow. The elevation of the snowline in the baseline photography, emphasises this with the wireline making this much more apparent, with the proposed turbines being prominent in the view, particularly owing to the extent of towers and hubs being visible. The presence of several other closer existing and planned wind farms in the view does however reduce the additional effect caused by the proposed development, with the cumulative significant effects being due to these other closer wind farms which have a far greater horizontal spread.</p>							

			Proposed Development (Solus)			Combined Developments*		
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 and Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change	Combined Level of Effect	Significance
<p>APP's S1 Combined Level of Effect relates to: Bhlaraidh and Millennium.</p> <p>APP's S2 Combined Level of Effect relates to: S1 + Bhlaraidh Ext and Tomchrasky. (THC note: Bhlaraidh Ext. now consented.)</p> <p>Recommended Mitigation** - Effects would be reduced, owing to T8 and T9 sitting well below the skyline and the hub of T3 being screened.</p>								
VP 14 – Meall Mor (21.9 km)	APP	High	Very Low	Minor	Not Significant	S1 Medium to Low	S1 & S2 Major/Moderate	S1 & S2 Significant
	THC	High	Very Low	Minor	Not Significant	S1 Medium to Low	S1 & S2 Major/Moderate	S1 & S2 Significant
<p>APP assessment not contested. Very limited visibility of the proposed development.</p> <p>APP S1 Combined Level of Effect relates to: Bhlaraidh and Corrimony.</p> <p>APP's S2 Combined Level of Effect relates to: S1 + Bhlaraidh Ext. (THC note: Bhlaraidh Ext. now consented.)</p> <p>Recommended Mitigation** - Effects would be reduced, with overall scheme being better contained within the landscape.</p>								
VP 15 – Creag Meagaigh (31.1 km)	APP	High	Very Low	Minor	Not Significant	S1 Low to Very Low S2 Low	S1 Moderate S2 Moderate	S1 & S2 Not Significant
	THC	High	Very Low	Minor	Not Significant	S1 Low to Very Low S2 Low	S1 Moderate S2 Moderate	S1 & S2 Not Significant
<p>APP assessment not contested from this Munro.</p> <p>APP S1 Combined Level of Effect relates to: Millennium South, Dell and Corriegarth. (THC note: Millennium South expired.)</p> <p>APP S2 Combined Level of Effect relates to: Cloiche, Glenshero, Corriegarth II, and Bhlaraidh Ext. (THC note: Cloiche and Bhlaraidh Ext are now approved, ad Glenshero refused.)</p> <p>Recommended Mitigation** - Reduction of effects with the proposed turbines reading of a comparable scale to those closer in the view at Beinneun.</p>								

Viewpoint	APP / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Proposed Development (Solus)			Combined Developments*		
			Magnitude of Change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major and Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change	Combined Level of Effect	Significance
VP 16 – Meall Fuar Mhonaidh (31.7 km)	APP	High	Very Low	Minor	Not Significant	S1 Medium S2 High to Medium	S1 Major/Moderate S2 Major	S1 & S2 Significant
	THC	High	Low	Moderate	Not Significant	S1 Medium S2 High to Medium	S1 Major/Moderate S2 Major	S1 & S2 Significant
<p>Highest peak in the Loch Ness and Duntelchaig SLA, key local landmark and VP identified in the OWESG. As per VP13 (Burach), the turbines appear against and in this view break a more mountainous skyline. Whilst there are several other wind farms from this summit this is a discernible difference. The development would also remove an area of respite between Millennium and Bhlaraidh, increasing the encirclement of wind farm development in the view. The westward view down the Great Glen centred on Loch Ness would however remain unaffected.</p> <p>APP S1 Combined Level of Effect relates to: Bhlaraidh.</p> <p>APP S2 Combined Level of Effect relates to: S1 + Bhlaraidh Ext. (THC note: Bhlaraidh Ext. now consented.)</p> <p>Recommended Mitigation** - Effects would be slightly reduced. Most noticeable changes would be the reduction in T8 and T9 with their reduction in height drawing less attention away from the mountainous peaks, and their hubs siting much lower below the skyline. The reduction in height of T3 and T5 would also be beneficial with these better respecting the peaks in the distance, helping with the overall scheme's containment.</p>								
VP 17 – Ben Nevis (35.1 km)	APP	High	Very Low	Minor	Not Significant	No change reported to solus assessment.		
	THC	High	Low	Moderate	Not Significant	No change reported to solus assessment.		
<p>From this iconic and popular Munro the increased horizontal spread of wind farm development westward caused by the proposed development would be a noticeable change, which would be emphasised should Tomchrasky not proceed.</p> <p>Recommended Mitigation** - No discernible difference at this viewing distance, perhaps with the emption of T8 and T9 as their sweeping blades would be set down further below the Beinn Loinne ridge.</p>								
<p>Notes</p> <p>The text in bold indicates a significant effect has been identified.</p>								

			Proposed Development (Solus)			Combined Developments*		
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 and Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change	Combined Level of Effect	Significance

* Combined Developments (Scenarios S1: Existing and Consented and S2: Plus Applications). Note only the applicant's reported change to the 'Solus' Level of Effect has been tabled.

** Recommended Mitigation: This relates to the magnitude of change / level of effect should all proposed turbines be up to a maximum 200m to blade tip height (i.e. 6 turbines: T2, T3, T4, T5, T8 and T9 be reduced in height from 230m to 200m). Note that this change is not anticipated by either the applicant or THC to change any of the assessed significant effects.

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

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

Turbines are not visually prominent in the majority of views within or from settlements/key locations or from the majority of its access routes.

As demonstrated by the ZTV and the visual impact assessment contained within the EIAR the turbines would not be visually prominent in the majority of views within or from main settlements, key locations or access routes within the study area.

The proposed development meets the threshold of Criterion 1.

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

Wind turbines or other infrastructure do not overwhelm or otherwise detract from landscape characteristics which contribute the distinctive transitional experience found at key gateway locations and routes.

The OWESG identifies one 'gateway' at the A87 above Loch Loyne. Significant visual effects are noted from the sequential route analysis as corresponding with this section of the route, although the primary views and attractions of this route would not be significantly affected (viewing in the opposite direction, further south across Loch Garry). The magnitude of the proposed development would appear as High or prominent to dominant from parts of this route. With the implementation of the recommended mitigation (the 200m Scheme) the proposed development would still 'overwhelm' the transitional experience at this gateway location.

The proposed development does not meet the threshold of Criterion 2, albeit that this is a localised effect.

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

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

VP16 (Meall Fuar-Mhonaidh) is a natural landmark although it is located >30km distance from the proposed development. The proposal would not diminish the prominence of the landmark, although to has the potential to disrupt its relationship to its setting. Given that the proposal would not impact upon the central feature of the SLA and the very striking view of the Great Glen, this criterion has been met.

No other landmarks are identified within the OWESG Landscape Capacity Study.

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

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

There would be significant visual effects on the views from part of two recreational routes (Gleann Cia-aig Drive Road Heritage Path and the Cape Wrath Trail) subject to forestry clearance. In both cases the magnitude of change is assessed as no more than Medium and the proposed development would not pass the threshold of 'overwhelming' the views of visual amenity likely to be experienced from these routes.

It is considered that the criterion is met.

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

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

It is agreed that there would be significant visual effects on the views from part of the A887 and A87 with the magnitude of the proposed development appearing as High or prominent to dominant from parts of the route. The wind farm design, if mitigated further through the 200m Scheme, limits the potential for adverse effects on the amenity and visual appeal of these routes, however, the wind turbines would still overwhelm or otherwise significantly detract from the visual appeal of a localised section of the A87.

The proposed development does not meet the threshold of Criterion 5, albeit that this is a localised effect.

Criterion 6 is related to respecting the existing pattern of development

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

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

Whilst the proposed development cannot reasonably match the existing turbine heights, the turbine proportions, density of turbines / spacing of development and relationship with the underlying landscape character are all 'respected' that the proposed development has a similar relationship / pattern of development to the underlying Rugged Massif LCT. The proposal is also reads as a western extension to the pattern of wind farm development in certain views. In others however, it reads differently crossing the physical barrier of the A87

and against a wilder landscape, albeit that its vast extent and scale is capable of accommodating the 200m Scheme.

Overall, this criterion is met.

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

The proposal maintains appropriate and effective separation between developments and/ or clusters.

Overall, the proposed development meets this criterion.

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

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

The proposal will have an adverse effect on the perception of landscape scale and distance, however, these are limited to a localised area. The size of the proposed turbines and the array as a whole would diminish the perceived scale of the adjacent hill of Beinn Loinne where this can be appreciated in views from areas used for recreation where the wind farm would be visible (including VP4 (Old Military Road), VP6 (Meall Dubh), and VP8 (Carn a'Chaochain)). The proposal would also affect more distant views of distant mountains, such that perceptions of intervening distance. Again this would be limited to select summits owing to the scheme's limited ZTV coverage, but where seen these effects would be significant (including from VP9 (Ben Tee) and VP13 (Burach)). Such impacts would be curtailed to a certain extent by the 200m Scheme.

Overall, this criterion is not met for the application as submitted, but would be met by the 200m Scheme.

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

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

In some elevated views the development is likely to highlight the presence of Millennium and Beinneun in the landscape. This is not however to a significant degree or extent.

Overall, this criterion is met.

Criterion 10 is related to distinctiveness of landscape character.

Integrity and variety of Landscape Character Areas are maintained.

There will be some localised adverse effects on the host LCT, however these effects are not considered to significantly affect key characteristics of the LCT. The proposal would however adversely affect the interplay of different LCAs which come together to form the local composite landscape character which would be undermined by the proposed development, interrupting the relationship of the transitional east to west landscape.

Neither the application nor the 200m Scheme would meet this criterion.



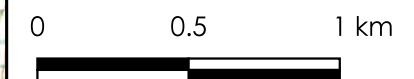
Bunloinn Wind Farm

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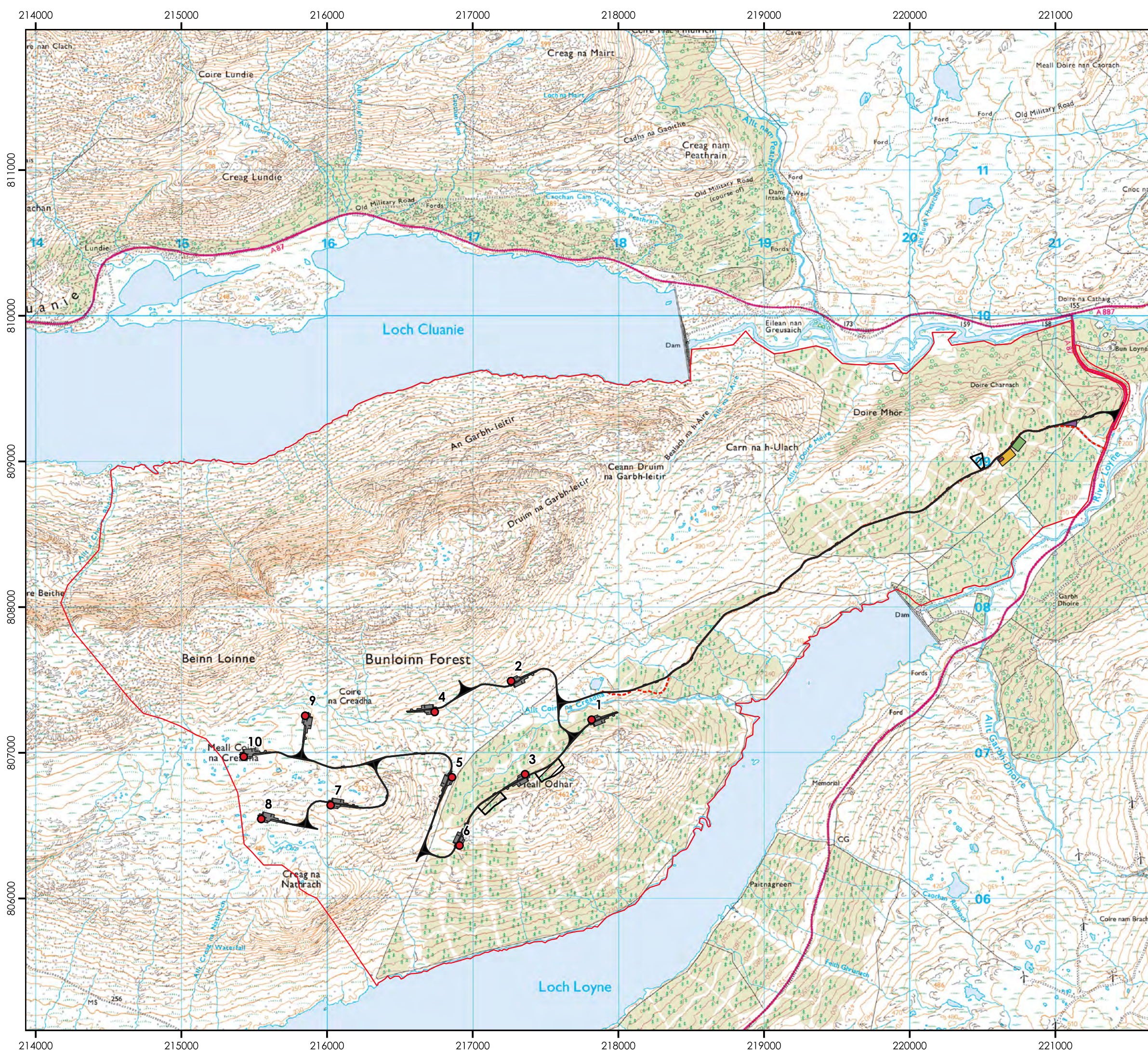
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Figure 1.1: Site Location

Key:
 Site Boundary



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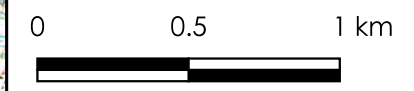
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Figure 3.1: Proposed Layout

Key:

- Site Boundary
- Turbine Locations
- Existing Forestry Track
- Tracks
- Crane Pads
- Turning Heads
- Battery Storage
- Borrow Pit Search Areas
- Car Parking Area
- Construction Compound
- Substation
- Passing Places



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Figure 3.3: Typical Turbine Elevation

NOTES:

All turbine dimensions are indicative only

