Agenda Item	6.3
Report No	PLN/046/24

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 4 June 2024

Report Title: 23/05188/S36: RWE Renewables UK Onshore Wind Ltd

Land 2040M NE Of Bulreanrob, Lybster

Report By: Area Planning Manager - North

Purpose/Executive Summary

Description: Golticlay Wind Farm Redesign - Erection and operation of a wind farm for a period of 35 years, comprising up to 13 wind turbines, 11 with a maximum blade tip height of 200m, 2 with a maximum blade tip height of 180m, access tracks, borrow pits, substation, control building, metrological mast, and ancillary infrastructure.

Ward: 03 - Wick And East Caithness

Development category: National Development (Section 36C Application)

Reason referred to Committee: National Development (Section 36C 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 36C of the Electricity Act 1989 (as amended) (variation of section 36 consents) for the variation of consent to construct and operate Golticlay Wind Farm ("the variation application"). At the North Planning Applications Committee of 12 September 2017, Members raised an objection, against officer recommendation, to these proposals, on the basis of visual impacts and impacts on the natural heritage.The applicant gained approval under Section 36 and deemed planning permission from Scottish Ministers in March 2021, for the construction and operation of Golticlay Wind Farm comprising 19 wind turbines with a maximum blade tip height of 130m, under Highland Council reference 16/04966/S36 ("the consented application").

1.2 The current application is for an amendment to the Section 36 consent, comprising 13 turbines, 11 with a blade tip height of 200m and 2 with a maximum blade tip height of 180m. The consented application has capacity to generate up to approximately 66MW, with the variation application proposing up to approximately 86 MW, based on the power rating of the proposed turbines.

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

- 13 wind turbines, 11 at up to 200m and 2 at up to 180m in height to blade tip, with internal transformers;
- Turbine foundations, blade laydown and crane pads;
- 3 borrow pit search areas;
- 8.1 km of new on-site access tracks, plus 4 km of upgraded existing tracks;
- A new substation facility, measuring approximately 50 m x 100 m, with a maximum height of the buildings of up to 10m; and
- Underground cabling.

1.4 The main site access would be from two existing tracks connecting to the C1053 public road, with widening of the junctions to allow for abnormal load access to the site. The preferred access route would be from the port of entry at Wick Harbour, via the A99 and onto the C1053.

1.5 The final design of the turbine (colour and finish), 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 design details.

1.6 A micro-siting allowance of 100m is sought by the applicant for the turbine locations and all other site infrastructure, excepting that of turbine 11. 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 procurement.

1.7 Permission is sought to operate the wind farm for 35 years from the date of final commissioning. Should that option not be pursued, the development would be decommissioned with above ground infrastructure being required to be removed and the ground reinstated. The applicant anticipates that the construction period will last up to 24 months, guided by a Construction and Environmental Management Plan (CEMP).

1.8 Whilst public consultation for Section 36 applications is not mandatory, the applicant held a public event in March 2023 at the Lybster Bowling Club. The project website also offered an online exhibition and the ability to leave feedback on the proposals.

1.9 No formal discussions were undertaken with the Council through the Major Pre-Application Service. However, Council Officer's and the applicants held a design workshop in April 2023, to discuss the amended layout. The Council Officers feedback recommended that the applicant review the hub heights of the proposed turbines to minimise the visual impacts on key viewpoints as well as to achieve more consistency across the array layout.

1.10 The application is supported by an Environmental Impact Assessment Report (EIAR) which includes chapters on Design Evolution, Development Description, Summary of Consultation, Statutory and Policy Framework, Landscape and Visual Impact Assessment, Noise, Ecology, Ornithology, Geology, Hydrology and Hydrogeology, Archaeology and Cultural Heritage, Socioeconomics, Recreation and Tourism. Traffic, Transport and Access, Infrastructure and Telecoms, Aviation Safeguarding, Forestry, Shadow Flicker, Comparative Environmental Assessment and a Schedule of Mitigation. A Planning Statement, Design and Access Statement and a Pre Application Consultation (PAC) report were also submitted.

1.11 Since the application was first submitted to the Scottish Government's Energy Consents Unit the applicant has not made any changes to the proposed 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 180m, ' the 180m scheme' 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 application site extends to approximately 750ha, of which 12.3ha is proposed to be occupied by the proposed development. The turbines which form the development are set within an area of slightly undulating ground currently covered by commercial plantation forestry adjacent to the C1053 public road. The ground level on which the turbines would sit varies between approximately 140m and 190m in height above ordnance datum (AOD).

2.2 The site is located approximately 3.1km north west of Lybster, 5.7km north east of Latheron and 14.3km south west of Wick. The nearest house (Gamekeepers Cottage) is 1.09km from the closest turbine. The direct surroundings of the site are occupied by scattered individual houses and farm steadings. Key recreational interests in the area include walking and cycling routes, including user of the promoted North Coast 500 tourist route which follows the coastal A99 road. There are core paths in the vicinity, with Core Paths CA10.04 (Rumster) and CA 10.03 (Rumster Mast Loop) directly bordering the site to the southwest.

Environmental Designations and Habitats

2.3 The site does not form part of any statutory or non-statutory designated sites for nature conservation. There are several statutorily designated sites within the close vicinity of the proposals. These include:

- The Caithness and Sutherland Peatlands Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar Site on the northern site boundary.
- The Shielton Peatlands Site of Special Scientific Interest (SSSI) on the northern site boundary.
- The Coire na Beinne Mires (SSSI) approximately 3km to the west of the site.

2.4 In early 2023, a nomination for World Heritage Site (WHS) status for Scotland's Flow Country was submitted to United Nations Educational, Scientific and Cultural Organisation (UNESCO) by the Flow Country Partnership, via the UK Government. The Flow Country Partnership anticipates a decision on whether to award WHS status in Summer 2024. The Flow Country has been put forward for candidate WHS status in part for its blanket bog habitats and associated biodiversity. The northern part of the application site is partly within the boundary of the cWHS.

2.5 A variety of habitats are present around the site. The EIAR investigated the potential impact of the proposals on Scottish wildcat, bats, badgers, otters, pine martins, water vole and reptiles. The site and surrounds have been surveyed for breeding birds and transient birds. The potential for areas of Ground Water Dependent Terrestrial Ecosystems (GWDTEs) within the site is positive.

2.6 The main site land use is commercial forestry, however, parts of the north and east comprise former blanket bog and deep peat. Peat depths of more than 6m have been recorded in the northeast corner of the site, however, the turbines and infrastructure will be sited on peat of less than 3m depth where possible. An average peat depth of 1.75m has been estimated across the site.

2.7 A number of small watercourses run through the site. An area of Drinking Water Protected Area (DWPA) surface is located at Loch Ness and the proposed development site is located within its catchment.

Landscape Designations, Wild Land and Landscape Character

2.8 The site does not form part of any national landscape designation. The Flow Country and Berriedale Coast Special Landscape Area (SLA) is located approximately 2km to the west of the site and has been scoped into detailed assessment within the EIAR. The application site is also located within the Sweeping Moorland and Flows – Caithness and Sutherland Landscape Character Type (LCT) 134, and adjacent to the boundary with LCT144, Coastal Crofts and Small Farms.

Built Heritage

2.9 There are no designated heritage assets within the site itself. There are 98 Scheduled Monuments, 3 Category A listed buildings, 41 Category B listed buildings and 39 Category C listed buildings within 10km of the site. The nearest designated heritage assets to the site are SM419 and 420, Achkinloch Chambered Cairn and Achkinloch Stone Setting, located approximately 2km to the northwest. The presence of peat across the site indicates the potential for historic environmental evidence to be contained within.

Cumulative Development

2.11 Appendix 1 of this report provided details of operational, consented / under construction, and in planning wind farm projects that the applicant took into consideration in their cumulative assessment, dated April 2023. This has been reviewed and updated by Planning Officers and as set out within the Landscape and Visual section of this report. Scope for cumulative impacts predominantly arise from other consented and constructed windfarms in the area including Burn of Whilk, some 4.3km east, and the more distant Halsary, Bad a Cheo and Causeymire cluster and the Bilbster, Camster and Wathegar cluster.

3. PLANNING HISTORY

3.1	7.8.15	11/04522/FUL: Construction of a community wind farm at Rumster Forest, with three 900kW wind turbines, with a height to hub of 50m and a rotor diameter of 50m, formation of access track and erection of a switchgear building and associated cabling.	Permission Granted
3.2	19.9.17	16/04966/S36: Wind farm development (Golticlay wind Farm). Up to 19 turbines up to 3.4MW with a maximum tip height of 130m and associated infrastructure including borrow pit, tracks, cabling and ancillary buildings.	Consented by Scottish Ministers
3.3	30.3.23	23/00470/SCOP: Golticlay Wind Farm - The Proposed Varied Development would comprise the	EIA Scoping Decision Issued

construction, operation and decommissioning of up to 19 wind turbines.

4. PUBLIC PARTICIPATION

4.1 Advertised: Section 36C Application and EIA Development

Date Advertised:

- The John O' Groats Journal – 27 October and 3 November 2023
- The Edinburgh Gazette – 27 October 2023
- The Scotsman 27 October 2023

Representation deadline: 3 December 2023

4.2 Representations Received by the Highland Council: 2 objections, 0 neutral comments, 0 supporting comments

4.3 Representations Received by the Energy Consents Unit: 3 objections, 0 neutral comments, 2 support comments

4.4 Material considerations raised in objection are summarised as follows:

- Landscape and visual impacts arising from the proposals in solus and cumulatively.
- Impacts on habitats, particularly peatland.
- Impacts on protected and other species.
- Noise impacts from the proposals.
- Impacts of aviation lighting required on dark sky resources in the area.
- Potential impacts on the candidate Flow Country World Heritage Site (cWHS).
- Quality of EIA documents.
- Lack of local community benefits.
- Impacts on public access to the outdoors.

4.5 Material considerations raised in support are summarised as follows:

- Positive benefits of the proposal in terms of meeting energy policy and security targets.
- Benefits of redesigned proposals.
- Potential for the developer to improve the local road network.
- Potential for the development to generate local employment opportunities.
- Potential community benefits from the project.

4.6 Non-material considerations raised are summarised as follows:

- Lack of need for further renewable energy development in the north of Scotland.
- Land ownership issues.

4.7 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 may have been submitted to both The Highland Council and Energy Consents Unit.

5. CONSULTATIONS

Consultation Undertaken by The Highland Council:

5.1 **The Halkirk and District Community Council: object** due to the scale of the proposed turbines, need for visible aviation lighting, the potential cumulative impacts of the proposals in conjunction with similar developments in the area, the potential impact on the candidate Flow Country World Heritage Site (cWHS) and construction phase impact on the condition and capacity of the local road network.

5.2 **Latheron Lybster and Clythh CC (Host Community Council) :** did not respond.

5.3 **Tannach and District Community Council:** chose not to comment on the proposals.

5.4 **Access Officer:** did not object to the proposals. A Recreation Access management Plan will be required to be secured via condition should consent be granted

5.5 **Environmental Health:** did not object to the proposed redesign, subject to the previously approved noise conditions being carried forward. The applicant's noise assessment has demonstrated that predicted limits can still comply with the previously consented limits. Mitigation would still be required in the form of mode management of certain turbines which is not ideal as it means that noise levels will be close to or on the limit for longer periods than would naturally happen. However, the level of mode management required is less than for the previously consented development.

5.6 **Forestry Officer:** initially objected to the proposed redesign on the grounds of the reduced compensatory planting now proposed, as opposed to that secured via condition attached to the existing consent, 16/04966/S36. Following further discussions with Scottish Forestry, it has been determined that this condition cannot now be carried forward, due to changes in the classification of the land on site, within Scottish Forestry's Land Management Plan (LMP) for the area, as is discussed in more detail below. The Forestry Officer subsequently withdrew their objection, subject to a condition to secure the 31.52ha of compensatory planting related to the current application for the redesigned scheme, as defined by the applicant in their Environmental Impact Assessment Report (EIAR).

5.7 **Historic Environment Team (Archaeology):** did not object to the proposed redesign. This is considered to have embedded mitigation (by the removal of

two turbines and the reduction in height of two others), that has reduced impact to the designated group at Camster Cairns that were noted as a concern for the original design. A condition is recommended to secure a programme of archaeological works in advance of development commencing.

5.8 **Landscape Officer:** did not object to the proposals. The Landscape and Visual Impacts are considered to be relatively localised in nature and not appreciably greater than the consented scheme under 16/04966/FUL such as an objection would be justified.

5.9 **The Transport Planning Team:** raised several points of concern with the applicant's strategy for delivery of outsize loads to site. The inclusion of an outline Construction Traffic Management Plan (CTMP) is welcomed, subject to a condition to ensure this is finalised in advance of development commencing.

Consultations undertaken by the Scottish Government's Energy Consents Unit (ECU)

5.10 **British Telecom** do not object to the application. It considers the proposal should not cause interference to BT's current and presently planned radio network.

5.11 **Highlands and Islands Airport Ltd (HIAL) initially** objected to the application based on the safeguarding criteria for Wick Airport. Following further dialogue between HIAL and the applicant, this objection was later removed, subject to condition.

5.12 **Historic Environment Scotland (HES)** do not object to the application. HES suggested mitigation measures in respect to the impacts on the setting of a cluster of two Scheduled Monuments (SM's) around Loch Stemster, to the northwest of the proposed development, as discussed in more detail in the planning assessment that follows.

5.13 **Ironside Farrar** do not object to the application and consider that the submitted Peat Landslide and Hazard Risk Assessment to be generally acceptable, subject to minor revisions.

5.14 **Joint Radio Company** do not object to the application and does not foresee any potential problems based on known interference scenarios, subject to maximum micrositing allowance of 75 for turbine 11 and 100m for the remaining turbines.

5.15 **Ministry of Defence, Defence Infrastructure Organisation** do not object to the application, but request a condition requiring the submission of an aviation lighting scheme and that notification is sent to it for charting purposes before construction commences.

5.16 **National Air Traffic Services Safeguarding (NATS)** do not object to the application, subject to conditions securing a mitigation scheme for the Allanshill Primary Radar, as also applies to the consented scheme.

5.17 **NatureScot** do not object to the application, subject to conditions to ensure that the works are undertaken in accordance with the mitigation detailed within the EIAR and subject to a finalised Habitat Management Plan being secured via condition. Nature Scot have confirmed they have no further comments on the 180m scheme now proposed.

5.18 **Royal Society for the Protection of Birds** do not object to the application. Ornithological impacts of the varied development proposal are unlikely to be significantly higher than that which is consented.

5.19 **Scottish Forestry** do not object to the application, subject to a condition to secure a compensatory planting scheme, as also applies to the consented scheme.

5.20 **Scottish Water** does not object to the application. It notes the proposal would not affect any Scottish Water drinking water catchment areas.

5.21 **Scottish Environmental Protection Agency** do not object to the application, subject to conditions to mitigate the impacts on peatland and the water environment. While the design has been considered to avoid peat disturbance, some impacts on deeper areas of peat will remain, although these are not sufficient to raise an objection given the existing context. The planning authority should consider the proposals in terms of the mitigation hierarchy in Policy 5 of NPF 4. The applicant should be required to provide a finalised Peat and Habitat Management Plan in this respect. A condition should be attached to manage the design of watercourse crossings. SEPA has confirmed they have no further comments on the 180m scheme now proposed.

5.22 **Transport Scotland** do not object to the application. Initially requested further information regarding construction traffic and abnormal load deliveries. Following further discussion with the applicant, Transport Scotland now have no objections to the proposals, subject to conditions attached to any deemed planning permission to manage the impacts on the Trunk Road network during construction.

6. DEVELOPMENT PLAN POLICY AND OTHER MATERIAL POLICY CONSIDERATIONS

6.1 Appendix 2 of this report provides details of the documents which comprise the adopted Development Plan, including details of pertinent planning policies as well as adopted supplementary guidance, and other material policy considerations which are relevant to the assessment of the application.

7. PLANNING APPRAISAL

7.1 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 Section 36 applications in a similar manner given that planning

permission may be deemed to be granted.

7.2 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.

7.3 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

7.4 The key considerations in this case are:

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

Development Plan / Other Planning Policy

7.5 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, including the Onshore Wind Energy Supplementary

Guidance (OWESG).

7.6 Appendix 3 of this report provides an assessment of compliance with the Development Plan / Other Planning Policy.

7.7 In summary, the principle of wind farm development is established in national policy, with the proposed development being of national importance for the delivery of the national Spatial Strategy. 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. At the regional level, HwLDP also offers support for renewable development proposals where they are located, sited and designed such as they will not be significantly detrimental overall, individually or cumulatively with other developments. To inform this assessment, the OWESG 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.

Energy and Economic Benefit

7.8 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.

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

7.10 Notwithstanding any impacts that this proposal may have upon the landscape resource, amenity and heritage of the area, the development could be seen to be compatible with Scottish Government policy and guidance and increase its overall contribution to the Government, UK and European energy targets, with the development anticipated to generate up to approximately 86 MW of electricity, dependent on turbine model.

7.11 There will be carbon losses as a result of the development, including those related to turbine manufacture and impact on peat. The estimated carbon payback period for the development would be approximately 1.5 years, based on a grid mix (including both renewables and fossil fuels.

7.12 The applicant anticipates the construction period to last a maximum of 24 months with the wind farm having 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. In this respect, the applicant's EIAR anticipates the creation of up to 43 full time equivalents of employment through construction of the proposals and a further 37 FTE jobs over a 35 year lifespan for the project.

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

7.14 The assessment of socio-economic impact by the applicant identifies that the development is unlikely to have a significant adverse impact on tourism. The applicant notes that there will be economic benefits to the local community and economy arising from the additional local expenditure. The applicant estimates that the construction phase of the project will result in an approximate spend of £0.64m, mainly in terms of accommodation and food and drink to support the construction workers.

7.15 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.

7.16 The applicant states in the EAIR that they are committed to offering the local community the opportunity to invest in the proposed varied scheme. Should consent be granted and if a local community vehicle wishes to invest, the applicant will set up a new limited company in which the community may invest up to a total share of 49% in the development, with further potential investment opportunities to follow. A condition is attached to ensure the delivery of these measure and a degree of support can be given to this under NPF Policy 25. The applicant has also committed to offering a £5,000 per installed MW per year, index-linked, community benefit fund to the local area. This is expected to be secured by a separate voluntary agreement and is not a material

consideration.

7.17 The Council has commissioned a study on what maximising benefits from development might look like with the intention of providing further guidance, nevertheless, it is considered that the proposal can be broadly supported under NPF4 Policy 25. A condition is attached to secure the socio-economic benefits reported in the EIAR, as well as a scheme for community benefit.

Design, Landscape and Visual Impact

7.18 A total of 24 viewpoints (VP), across a 45 km study area, focussed on areas of significant visual impact within 20 km of the proposed development site, have been assessed with regard to landscape and visual impact. These viewpoints are representative of a range of receptors, including recreational users of the outdoors and road users. The expected bare earth visibility of the development can be appreciated from the figures with photomontages and wirelines contained within the EIAR.

7.19 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.

7.20 It is noted in the applicant's EIAR that the viewpoint photography for the current proposals was undertaken in 2022 and 2023. The locations may in some instances differ from those used in support of the previous consented scheme, 16/04966/S36. These differences are explained as being due to local change at the viewpoints in the intervening years; for example at Viewpoint 5 (A99 West of Lybster), a new property has been built directly north of the 2016 viewpoint location, and hence photography was taken from a location nearby where clearer views were available.

7.21 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.

7.22 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

7.23 The site does not fall directly within any area designated for landscape quality or cultural heritage and the principle of wind farm development on this site has previously been accepted. The proposed turbine locations maintain a setback distance of at least 1 km from nearby residential properties. The site is located approximately 3.1km north west of Lybster, 5.7km north east of Latheron and 14.3km south west of Wick. The applicant considers that the site is suitable for development due to having a strong wind resource. The applicant's stated design principles focus on maximising energy generation while respecting technical and environmental constraints, minimising impacts on the amenity of residential properties around the site, and avoiding deep peat, watercourses and ecologically sensitive areas within the site.

7.24 The existing pattern of development within the vicinity of the site is of wind farms set separately spaced within the Sweeping Moorland and Flow Landscape Character Type and set back from key transport routes, as is evidenced by the active Burn of Whilk Wind Farm to the east of the site and the more distant Bilbster, Camster and Wathegar cluster to the north east. The proposals generally respect this pattern.

7.25 For landscape and visual receptors in the surrounding area, the design of the development and its relationship with the surrounding landscape and features is best demonstrated by the visuals from:

- North - VP13 (Tacher, 6.7km distant from nearest proposed turbine). The viewpoint is located at a remote residential property's driveway, where this meets the A9 Trunk Road and is representative of the views toward the proposed wind farm for southbound road users. All 13 of the proposed turbines would be visible from this location, to at least blade tip height, the majority visible to hub height. The proposals would be a background feature in a view where other existing wind turbines are also prominent to the north of the viewpoint closer than the development. There is also a degree of screening from intervening topography and the influence of existing large scale overhead power lines in the foreground.
- East – VP2 (Roster, 3.6km distant from nearest proposed turbine). This viewpoint is located looking westwards from a spur off the C1029 public road to Watten, that serves a number of residential properties and crofts. The view looks over the adjacent field and properties to an expanse of moorland, with Golticlay Forest forming part of the skyline. All 13 of the proposed turbines will be visible from this location to hub height. The proposals would introduce new vertical structures into a view currently defined by the largely undeveloped horizon.
- South – VP7 (A99 Burigill, 4.9km distant from nearest proposed turbine). This viewpoint looks northward across the A99 Trunk Road, with longer reach views of the more distant moorland intermittently available. All 13 of the proposed turbines will be visible from this location, to tower height. The proposed development would introduce large scale turbines into an area where these are not currently present, the proposed windfarm

forming a prominent addition to the local skyline.

- South – VP6 (Bayview Hotel, Lybster, 5.03km distant from the nearest proposed turbine). This viewpoint looks northward from the hotel car park. The hotel is immediately to the rear of the viewpoint. The view is of properties at Lybster in the foreground and middle ground, with very gently undulating, partly forested horizon beyond. All 13 of the proposed turbines will be visible from this location to full tower height. The proposals would result in change to the northern skyline due to the introduction of turbines. In this view and from similar locations in and around Lybster with northward views, visual effects would be significant.
- West – VP10 (Goticlay, 961m distant from nearest proposed turbine). This viewpoint provides an expansive, panoramic view from a minor road north-west of the Golticlay site. The view is over a large-scale and simple expanse of adjacent moorland and forestry. All 13 of the proposed turbines will be visible from this location, to full tower height. The proposed development would change the character of the view from one where moorland, forestry and the more distant North Sea present a simple scene where horizontal influence predominates, to one where vertical engineered structures are unmistakable and prominent features.

7.27 The design process has moved on from the previously consented scheme, which members were presented with under application 16/04966/S36, incorporating 19 turbines with a maximum blade tip height of 130m, to the current proposals, which reduce the number of turbines to 13, re-locate turbines 4, 14 and 18 by approximately 75 m and increase the maximum tip height to 200m, with the exception of turbines 3 and 4, which would be up to 180m to blade tip height.

Recommended Mitigation – The 180m Scheme

7.28 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 13 turbines at a maximum blade tip height of 180m ('the 180 m Scheme'). The applicant has provided written acceptance to this and has asked Scottish Ministers to determine the application on the basis of 180m 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 200m / 180m scheme as presented in the application.

7.29 The assessment of this application is therefore based on the progression of the 180m 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 180m 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. The applicants agreement to reduce the turbines from 200m to 180m has been fundamental to officers being able to recommend no objections to the development.

7.30 In the event that the application is to be determined based on the original 200m / 180m 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

7.31 The proposal also incorporates a substation building and switchgear compound alongside a battery storage compound. While the detailed design of these elements is indicative at this stage, the compound will measure approximately 50m x 100m, with buildings a maximum of 10m in height.

7.32 The applicant has identified that a grid connection will be required to the Mybster substation to the northeast, however, the likely form, direction or length of connection remains uncertain with this being subject to a separate application.

7.33 The access point to the site will be taken directly of the C1053, by upgrading an existing junction, acting to reduce further visual impacts on the public road. The proposed borrow pit search areas are also set back from this route.

Landscape Impacts

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

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

7.35 The application site lies within the Sweeping Moorland and Flows Landscape Character Type (LCT) 134. This is an extensive type covering much of the land to the south of the proposed development site and consisting of gently sloping or undulating landforms that generally lie below 350 metres with *o*ccasional isolated hills of limited height forming landmark features. The LCT is punctuated by lochs and mature, meandering rivers and is noted for its distinct flora, dominated by sphagnum mosses. The sensitivity of this LCT to change is medium to low as there are already several large operational or consented windfarms in the LCT. The site also directly adjoins LCT 144 Coastal Crofts and Small Farms, noted for its and farmed coastal fringe with subtle variations in topography. As a result, the applicant's assessment concludes that significant landscape character effects would occur within a 5km radius of the site

7.36 The proposals would bring about a marked increase in the influence of wind turbines upon the local landscape character, with significant effects incurred in this regard especially in inland areas north of the A99 and in the vicinity of

Roster, Lybster, and Upper Lybster.

7.37 The proposed development would however, be located towards the edge of the open moorland landscape of inland Caithness, now characterised by the presence of a series of operational wind farms. Although the proposed turbines would be higher than those of the closest neighbouring developments, and despite the significant local landscape impacts, it is considered that the underlying characteristics of the landscape, namely enclosed agriculture, a settled A99 corridor and strong marine and coastal influence would remain. Through consultation, the Council's Landscape Officer is of the view that the simplified composition is a net benefit to the current proposals in terms of landscape and visual impacts. The increased scale of the turbines over the consented development does create increased effects, but these are not experienced unduly at valued or promoted views, nor create a substantially different level of effect on the perception of landscape character. Further mitigation is also inherent should the 180m scheme be progressed.

7.38 The applicant has not identified significant effects on any other surrounding LCT. This is accepted given the intervening distance. NatureScot do not object to the proposals on landscape grounds and are generally in agreement with the applicant's assessment of the landscape impacts, as are the Council Officers.

7.39 In terms of impacts on landscape designations, the proposed development is not situated within any formal landscape designation, with the closest being Special Landscape Area (SLA) 6, the Flow Country and Berriedale Coast. The applicant's assessment considers that, due to intervening topographical features, most notably, the landform of Ben-a-chielt and the cluster of windfarms along the A9 to which the proposed turbines would be more distant and visually subordinate, significant landscape impacts would not be incurred on the integrity and character of the SLA. This is agreed by the Council Officers.

7.40 In relation to Wild Land, no element of the proposed development is within a wild land area, however it is in relative proximity to Wild Land Area 36 – Causeymire and Knockfin Flows (WLA 36). The applicant's current LVIA scopes wild land out of the assessment. NatureScot conclude that the proposed increased height of the amended turbines proposed would introduce further visibility of wind energy development within WLA 36 especially considering that visible aviation safety lighting would now be required. However, the effects on the overall qualities of WLA 36 are unlikely to be significant and NatureScot do not consider the impacts to raise issues of national interest and this assessment is also accepted by the Council Officers.

7.41 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.

Visual Impact

7.42 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 6 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.

7.43 The applicant's assessment draws upon the supportive elements of how the proposal could be viewed within the landscape. The ZTV demonstrates that the scheme will be extensively visible in most directions out to a distance of around 25km. Beyond this distance there will be more intermittent visibility.

7.44 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 areas of difference between Council officers and the applicant.

7.45 Consideration of each viewpoint based on the applicant's methodology is contained within Appendix 5 of this report, as is a summary of the applicant's assessment and the Council officer's appraisal of the assessment, which highlights the differences and any concerns with regard to visual impact. The EIAR includes a visual impact assessment from each viewpoint.

7.46 Most viewpoints are 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. 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 180m Scheme). What follows is a summation of the visual impacts grouped by receptors.

Impact on Road Users

7.47 The Caithness Landscape Sensitivity Appraisal, contained within the Onshore Wind Energy Supplementary Guidance, identifies key routes within the area, that may be affected by this development. Of note is the impact of the development identified on the A9 and A99, between Helmsdale and Wick, which also form part of the NC 500 tourist route. While sections of the A9 from Latheron to Thurso and the A882 between Wick and Georgemass will have theoretical visibility of the development, due to the siting and design and distance from the proposed turbines, the visual impacts are not considered significant, as noted in the assessment of Viewpoint 13 (A9 Tacher).

7.48 As indicated by the applicant's ZTV, visibility of the proposals will first be incurred for northbound road users of the A9/99 around Newport, as represented by the Viewpoint 17, approximately 18km from the nearest turbine located close to a bus stop on the A9. When travelling north on these routes, one has already travelled through the more enclosed landscapes around

Berridale. Receptors would begin to appreciate some of the expansive nature of the Caithness Flows, while views along the coast remain evident. Travelling northbound on the A9/99 from Viewpoint 17 to south of Dunbeath, the turbines would remain in theoretical visibility for a distance of some 3km intermittently, or approximately 4 minutes at prevailing road speeds. The road is twisting at this point, without formal parking spaces or laybys and demanding a driver's full attention, although a passenger's attention would most likely be drawn toward the coastal views on the right hand side of the road. While still at a relatively distant location from the nearest turbine, the proposals will represent a significant new feature at a key transitional point on the route, particularly given the elevation of the site and increased scale of the proposed turbines. The applicant's assessment is considered to overplay the mitigation offered by the presence of existing transmission and agricultural infrastructure in the view and significant visual impacts will be incurred, albeit over a localised section of the road and a relatively short drive time.

7.49 The turbines would then drop out of view, due to a drop in the road level moving towards Dunbeath. The turbines would then largely be out of view until just south of Lybster, where they would once more be visible; albeit set back from the road by some 3.5km and not in the immediate view, as is evidenced from Viewpoints 5 (A99 West of Lybster) and 7 (Burigill), over a distance of some 5km and a drive time of some 3 minutes where major/moderate significant visual effects would occur. At these points, all 13 of the proposed turbines will be visible to full tower height, resulting in a prominent change to the skyline. There will also be points travelling south, as represented by Viewpoint 16 (Loch Hempriggs) where there will be significant visual impacts, with all 13 turbines visible, resulting in wind energy development becoming more prominent along the route, filling a current area of respite between the existing Burn of Whilk and Camster I and II turbines, although again, these impacts would be relatively localised, for some 3km intermittently, or approximately 2 minutes at prevailing road speeds, due to the intervening terrain on the right of southbound road users.

Residential Receptors

7.50 The settlements of Lybster, Upper Lybster and Roster are the nearest to the proposed development, at distances of 3.1km, 2.4km and 2.2km respectively. From all three settlements, the proposals would introduce turbines into an area which has previously offered respite from this kind of development, considering the existing operational developments to the northeast and northwest on land and to the southeast offshore. As noted, from Viewpoint 6 (Bayview Hotel, Lybster), the proposals would result in a significant change to the northern skyline due to the introduction of turbines. In this view and from similar locations in and around Lybster with northward views, including public buildings such as the local health centre, visual effects would be significant. The increased height of the proposed turbines is apparent, given the degree of other human features in the landscape and the blade tip heights also appearing generally uneven due to the undulating nature of the ground on which they are sited. From Viewpoint 4 (Upper Lybster) and its surroundings, the character of existing views would change significantly, with large new structures prominent at close range.

7.51 From both locations, the proposals would introduce wind energy development into an area where constructed wind farms have previously been absent, with the current proposals being mainly isolated within views toward them from the south and southeast. However, more widely, several wind energy schemes can be seen on the approach to the settlements and their surrounding area, including most prominently, Burn of Whilk Wind Farm and the Beatrice development, some 16km offshore. The orientation of dwellings in Lybster also provides a further point of mitigation, where many are located on the central Grey's Place / Main Street facing east to west, or are equally, orientated towards a coastal view to the south, looking away from the proposed development.

7.52 The applicant has prepared a dedicated Residential Visual Amenity Assessment featuring a 2.5 km study area around the proposed development site and encompassing 31 residential properties. The assessment concludes that while the visual impacts on the outlook of seven of these properties may be of a high magnitude, in no case would the effects be so severe as to render the dwelling an unattractive place to live. In the case of the three closest properties to the development, principal views would face south east, away from the turbines. At greater distances, especially from properties located in the Roster to the east, most principal views will look to the west towards the development, although the rising intervening landform will provide a degree of screening, as is evident from Viewpoint 2 (Roster). Should the candidate World Heritage Site proceed in future, this may also limit the degree of large scale wind energy development coming forward to the northeast and northwest. Overall, such impacts can be accommodated should the 180m scheme be progressed.

Impact on Recreational Users of the Outdoors

7.53 The applicant's assessment includes several elevated locations that may be of interest for hillwalkers, including Viewpoint 21 (Scaraben), Viewpoint 22 (Ben Alisky) and Viewpoint 23 (Ben Dorrery). It is considered that significant visual effects will be incurred only at Scaraben, a prominent hill in Caithness which is relatively well walked and where the proposed turbines will be visible at a distance of 20km for a proportion of the walk to and from the summit which includes a lengthy ridge. Nevertheless, the effects here would be mitigated by distance and it is considered that the 180m scheme could be accommodated given the presence of other wind energy developments closer to the viewer and in the same direction of view towards the proposed wind farm, namely the Buolfruich windfarm to the southwest of the site. The proposal will also be seen in close association, although in front of, the established Bilbster, Camster and Wathegar cluster to the northeast of the application site.

7.54 Closer to the site, the applicant's assessment also predicts significant visual impacts on open sections of core paths CA10.06, CA10.11 and CA12.07 which run through the Rumster forest in the vicinity, where these are not screened by forestry or other intervening features. Significant visual impacts would also be

incurred from the Grey Cairns of Camster Schedule Monument as represented by Viewpoint 1. In both cases, significant visual impacts would also have been incurred by the consented scheme at these locations.

Cumulative Visual Impact

7.55 When considering visual impact, it is important to consider the cumulative impact with other consented and proposed (application stage) developments. The applicants LVIA is based on two scenarios, Scenario 1 considering the cumulative impacts of the proposals in association with operational and consented developments and Scenario 2 including these impacts and the additional impacts of those schemes in the planning system.

7.56 Burn of Whilk is the closest operational wind farm, located approximately 5km to the east, comprising 9 turbines of 116m to blade tip height. The proposals would therefore introduce a group of fewer turbines, but at a larger scale, than that currently operational in the vicinity. Both the originally consented and proposed amended development are not directly associated with any existing cluster of operational wind energy sites, the closest of these in the area being the Halsary, Bad a Cheo and Causeymire cluster to the northwest and Bilbster, Camster and Wathegar cluster to the north west.

7.57 For the most part, due to location and visual separation, there will not be an inter-relationship between the proposed development and operational and consented schemes within the LVIA study area. This separation is best demonstrated at VP14 (Watten Crossing), and on the A9 / 99 northbound, between VP17 (A9, Newport) and VP5 (A99 West of Lybster). At none of these viewpoints will significant visual impacts be incurred above those of the previously consented scheme. The proposed development will reduce the visual separation between wind energy developments in the area, but will still retain an appropriate level of visual distance, thus providing this scheme with its own setting and not adversely affecting the setting of other wind energy projects.

Aviation Lighting (Hours of Darkness)

7.58 The turbines will require to be lit for aviation safety on account of being over 150 metres in height. Consequently, any lighting scheme will extend the development's impacts into the hours of darkness. There are operational wind farms above 150m to blade tip height with aviation lighting in the LVIA study area, although these are relatively distant, being the Telford and Stevenson, part of the Moray West offshore development, some 33km to the southwest. Several of the Burn of Whilk wind farm turbines, some 5km east of the application site, are fitted with low intensity, assumed 32 candela, aviation lights at a hub height of 70 m, with similar arrangements on the Wathegar 2 turbines, some 11km northwest. Consented aviation lit turbines above 150m to blade tip height also form part of the Strathy Wood and Strathy North onshore projects, some 40km to the northwest. Beyond renewable energy developments, there are two large adjacent nighttime lit structures. The 229m tall Rumster telecoms mast, some 2km from the southwestern site boundary, is fitted with five medium intensity, 2000 candela red aviation lights at equal spacings up the mast. Thrumster telecoms mast is

located some 12km to the northeast, is 122.5 m high and fitted with three 2000 candela red aviation lights.

7.59 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, will be installed on 7 of the proposed 13 turbines. The design of aviation warning lights will be specified to limit the light emission to a narrow horizontal beam and a tight spectrum. This is defined as an angle of between 0° (horizontal) to +3°. Infra-red lighting will also be required on all of the 13 turbine hubs for purposes of safety for low flying military aircraft, but this is not perceptible without special equipment.

7.60 The EIAR does not identify significant effects on the landscape character of the surrounding LCT's: 134 Sweeping Moorland and Flows and 144 Costal Crofts and Small Farms during hours of darkness. This is noted in the context of a wider landscape incorporating other lit turbines and transmission masts where the additional lighting would not become a focal point in nighttime views to the degree that would be expected where these developments are not present. NatureScot conclude that the proposed increased blade tip height would introduce further visibility of wind energy development within Wild Land Area (WLA 36) during the hours of darkness. However, the effects on the overall qualities of WLA 36 are unlikely to be significant and NatureScot do not consider the impacts to raise issues of national interest.

7.61 The need for aviation lighting also creates further visual impacts on views for receptors including local residents, road users and walkers, at night, on the local core paths, and to a more limited degree on hill summits. The applicant has provided an assessment from a selection of the LVIA viewpoints.

7.62 The impact of aviation lighting on residential receptors at Roster (Viewpoint 2), Upper Lybster (Viewpoint 4) and Lybster (Viewpoint 6) will be somewhat mitigated by the angle between the viewer and the turbine hubs, and at no point, is predicted to exceed 80 candela. For receptors on the A9 and 99 routes, as represented by Viewpoints 17 (A9 Newport), 7 (A99 Burigill) and 5 (A99 West of Lybster) the intensity of lighting seen will again be reduced due to the angle between the turbine hubs and receptors, and will also be viewed in the context of lighting from residential properties and other vehicles. There may also be intermittent screening from forestry, buildings and other roadside features. For recreational receptors on the local core paths in the Rumster Forest, directly to the southwest of the site, lighting will be of minimal intensity due to the angular difference between the turbine hubs and the receptors, as illustrated via the applicant's lighting Zone of Theoretical Visibility (ZTV). For receptors on hill summits, all 7 additional lights may be visible but the maximum lighting intensity will be 200 candela due to the distance from the boundaries of the proposals. For all receptors, the proposal will therefore, increase the area of the sky that contains artificial lighting, however, it will not represent a significant additional impact over and above that already experienced in the area.

7.63 The presence of any visible aviation lighting is of concern to officers, particularly when this is seen intermittently due to passing blades. Planning conditions could 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. The prospect of this however remains uncertain at the present time and the applicants did not think this was a viable option. However, Scottish Ministers may wish to look into this matter further.

Construction

7.64 It is anticipated the construction period for the development will take 18-24 months. Construction will be scheduled from Monday to Friday 07:00 to 19:00 and Saturday 08:00-13:00. No working activities would be planned on Sundays.

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

7.66 The applicant has anticipated a micro-siting allowance of 100 m. Micro-siting is acceptable, within reason, to address unforeseen onsite constraints. However, anything in excess of 50 m 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 for turbines and other infrastructure excepting the substation ,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. A larger micrositing allowance of 100m may be conditioned for the substation only, to allow flexibility for the future grid connection.

7.67 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

7.68 The applicant has highlighted the expected impact of this development, particularly through the construction phase, with the Port of Entry for turbine components to be Wick Harbour with these being routed to the site via the A99 and C1053.

7.69 The EIAR reports that the proposed development would lead to a temporary increase in traffic volumes on the road network during the construction phase. It is anticipated that the maximum total additional daily vehicle movements, including HGV's, during the entire construction period would be 478 during months 3-9 of the construction phase. This does however, represent a worst case scenario for assessment, assuming no winning of materials on site from borrow pits for example. Traffic volumes would decrease considerably outside the peak period of construction. The applicant proposes a range of mitigation such as the formation of a Community Liaison Group and the delivery of a Construction Traffic Management Plan. In principle this type of mitigation is accepted subject to detailed consideration of the plan.

7.70 Transport Scotland raised no objections to the proposals, subject to conditions attached to any deemed planning permission to manage the impacts on the Trunk Road network during construction.

7.71 WSP, on behalf of the Council's Transport Planning Team requested further information form the applicant, mainly regarding their measures to ensure the safe delivery of outsize loads to the site. The applicant has provided a further clarification in response to these comments.

7.72 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 and trunk road network.

7.73 No core paths are present directly through the application site. However, the site, like most land in Scotland, is subject to the provisions of the Land Reform (Scotland) Act 2003. To ensure access is provided throughout the construction period and that enhanced recreational access opportunities are provided during the operational phase, an Access Management Plan would be required by planning condition should consent be granted. This is 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

7.74 Several small watercourses are present across the site, with some connectivity into the candidate World Heritage Site to the north evident. The EIAR specifies that a Construction Environmental Management Document / Plan (CEMP) will be in place to ensure that potential sources of pollution on site can be effectively managed throughout construction and in turn during operation; albeit there will be fewer sources of pollution during operation. The CEMP can be secured by planning condition. This will ensure the agreement of construction methodologies with statutory agencies following appointment of the wind farm balance of plant contractor and prior to the start of development or works.

7.75 In order to protect the water environment a number of measures have been highlighted by the applicant for inclusion in a Construction Method Statement from the applicant, including the adoption of sustainable drainage principles,

and measures to mitigate against effects of potential chemical contamination and sediment release.

7.76 The proposed development site was assessed for it potential for Groundwater Dependent Terrestrial Ecosystems (GWDTE's). The identified communities were however, assessed as having low groundwater dependency.

7.77 Deep peat, generally ranging from 0.5 m to 1.5m, is present across the site. There are localised areas in excess of 6 m in depth, although these are shown as outwith the developed area, to the northeast, on the applicant's interpolated peat depths study map. Overall, a total of approximately 167,000m^3 of peat is expected to be extracted, with the majority of peat impacts relating to access tracks and borrow pit requirements, with peat to be used for the reinstatement of onsite access track verges and borrow pits. Peat management and reinstatement during and following construction has been detailed in the applicant's outline Peat Management Plan, the finalisation of which can be conditioned. SEPA noted disappointment that, while the design has been considered to avoid peat disturbance, some impacts on deeper areas of peat will remain, although these are not sufficient to raise an objection given the existing context. Under NPF 4 Policy 5, development proposals will only be supported if they are brought forward so as to avoid and minimise the amount of disturbance to soils on undeveloped land and in a manner that protects soil from damage. Given that SEPA have not objected to the proposals, and considering the existing consent on the site, as well as the potential for micrositing at the construction stage it is considered that on balance, the peat impacts are not as significant as to warrant recommending raising an objection in this instance on the grounds of peat impacts. The applicant should be required to provide a finalised Peat and Habitat Management Plan in this respect. A condition should be attached to manage the design of watercourse crossings.

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

7.79 There are 2 registered private water supplies within a 2km radius of the proposed development. Given the watercourses across the site, and presence of private water supplies within the vicinity, 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) and Forestry

7.80 The site is not located directly within any natural heritage designations. However, there is an overlap in the northern most part of the site with the candidate Flow Country World Heritage Site (cWHS). The applicant has submitted a UNESCO Heritage Site Impact Assessment Toolkit in this respect. None of the proposed turbines are located within the cWHS designation. The

applicant's assessment concludes that approximately 0.06ha of blanket bog habitat will be lost as a result of the proposed varied development, however these loses will be located outwith the cWHS boundary. The Council's Ecologist and WHS Project Officer have confirmed informally that they do not foresee major issues affecting the designation and do not wish to issue further comments.

7.81 The proposed site has been subject of an ecological survey, including a protected mammal survey, undertaken in the summer of 2021. The field survey found evidence of otter, pine marten, common toad and common lizard within the site. Bat surveys were also undertaken during the late summer of 2021 and evidenced both foraging and commuting bats moving across the site, dominated by common pipistrelle. Camera trap surveys between December 2021 and February 2022 identified no wildcats within the site environs.

7.82 In relation to ornithology, the applicant's assessment focussed on wild goose, swan and duck species, raptors and owls, waders, skua and gull, with additional breeding bird surveys. Collision Risk Modelling (CRM) was also carried out to predict the number of individuals of target bird species that might collide with the wind turbine rotors. The EIAR considers the residual significance level of identified effects on bird species during construction, operation, and decommissioning, either individually or cumulatively, would not be significant, both in general EIAR terms and also with respect to the cWHS, providing that the recommended mitigation measures are implemented.

7.83 NatureScot have not raised objections to the amended proposals, provided that pre-construction surveys for breeding hen harrier, short-eared owl and merlin should be carried out, with a methodology to be agreed with NatureScot in advance, in relation to ornithological interests within the Caithness and Sutherland Peatlands Special Protection Area (SPA). NatureScot advises that the proposal is likely to have a significant effect on breeding raptors of the SPA. Nature Scot advise that if the proposals is carried out in accordance with mitigation, consisting of avoidance of carrying out works in the breeding bird season, pre-construction surveys for raptor species and a finalised Habitat Management Plan (HMP) agreed with Nature Scot, then the development will not likely effect the integrity of the site. The Scottish Government, as the competent and decision-making authority, is required to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests.

7.84 The applicant has submitted a Draft Habitat Management Plan (HMP) to guide the commencement of practical habitat creation and restoration techniques during construction of the proposed windfarm and to inform on-going habitat management throughout operation. The applicant has proposed mitigation for the potential impacts of the proposals, including management of habitat for raptors and restoration of 32.5ha of peatland, in compensation for the approximately 12.34 ha of habitat that will be lost due to the permanent development footprint of the proposals. SEPA have raised no objection to the proposed peatland restoration. The HMP also includes measures for longer-term monitoring and management of habitats across the site with respect to environmental conditions. The proposals would result in the loss of 31.52ha of

conifer plantation and mixed broadleaved woodland. The applicant currently proposes compensatory planting offsite in relation to the 31.52ha of woodland that will be lost, as defined in relation to Scottish Forestry's current Land Management Plan (LMP) for the application site area and the layout of the varied proposals. Scottish Forestry have not raised an objection and have recommended that a compensatory planting plan is secured via condition, in advance of development commencing. While the Scottish Government's Control of Woodland Removal Policy will accept compensatory planting anywhere within Scotland, the Council has a strong preference for planting to remain within the Highland area.

7.85 Further to discussions with Scottish Forestry, they have confirmed that, subsequent to the existing consent and prior to the current variation proposals, they have approved an amended Land Management Plan (LMP) for Golticlay Forest. The amendment to the LMP made no reference to the consented Golticlay wind farm, under reference 16/04966/S36, or to the condition of the existing consent, which required 232ha of compensatory planting. Contrary to their previous advice on the existing consent, Scottish Forestry have now advised that the woodland removal previously required to be addressed via compensatory planting is no longer applicable to the proposed varied development. Scottish Forestry assert that this land is now classified as 'priority peatland restoration', for which no compensatory planting is required under the Control of Woodland Removal Policy. A further 200 ha has been approved within the LMP as 'bogs - with a presumption to restore', which also carries no requirement for compensatory planting under the Scottish Government's Control of Woodland Removal Policy. While this change is disappointing, given that Scottish Forestry have approved the amended LMP, the 232ha compensatory planting requirements, as conditioned on the existing consent, can no longer apply. While the Council Officers have noted the revised position adopted by Scottish Forestry, it is fundamentally for the Scottish Government's Energy Consents Unit to consider the input of the other consultees in reaching a determination, having regard to the previous advice.

Built and Cultural Heritage

7.86 The application site area contains no designated built and cultural heritage features. There is however, the potential for indirect impacts. The wider area contains both Scheduled Monuments and listed buildings, including several scheduled brochs and cairns. Historic Environment Scotland did not object to the previously consented proposals or the current application. The Council's Historic Environment Team previously objected in relation to the impact on the Scheduled Grey Cairns of Camster, but have not raised further concerns in terms of the current amended application.

7.87 As noted in Appendix 5, there will be a visual impact on the Grey Cairns of Camster, scheduled monument SM90056. The current amendment proposals would introduce visibility of a mass of large turbines centrally within the view, however, the differences in blade tip height would not be readily apparent, due to the positioning of the proposals in an otherwise open landscape, with limited features from which to reference scale. As proposed, the turbine array will also be visibility horizontally consolidated with respect to the previously consented

scheme under 16/04966/S36. As such, it is not considered that the current proposals raise significant visual impacts are raised above the existing consented scheme. A scheme of improved interpretation and provision of interpretation at impacted historic sites may also be secured by condition.

7.88 In their consultation response, the Historic Environment Team (Archaeology) note that the redesigned proposals have embedded mitigation via removal of two turbines and the reduction in height of two others, that has reduced impact to the designated group at Camster Cairns that were noted as a concern for the original design, to a level that is no longer significant in EIA terms. In regard to the impacts to the setting on other designated monuments, such as the brochs of Rumster (SM573) Golsary (SM550) Appnag Tulloch (SM519) and Tulloch Usshilly (SM599), the impacts on the designated assets are considered acceptable. A scheme of archaeological investigation works is recommended to mitigate any direct impacts on assets on site and may be conditioned in advance of development.

7.89 Historic Environment Scotland (HES) did not object to the proposals. HES recognise the applicant's actions to mitigate against the impacts on long-range views to the south west of the Grey Cairns of Camster, (SM90056) (Viewpoint 1) including downsizing and removing turbines. This has reduced the impact on the setting of the monument to a level that, while still significant, does not raise issues of national interest. From this viewpoint the amended proposals would represent a slight reduction on the horizontal spread of the array as opposed to the consented scheme. The differences in blade tip height would not however, be readily apparent, due to the positioning of the proposals in an otherwise open landscape with limited other features from which to reference scale.

7.90 HES raised further concerns regarding a complex of two related Scheduled Monuments to the northwest of the development site, Achkinloch, stone setting SW of, Loch Stemster (SM420) and Achkinloch, chambered cairn 755m SW of, Loch Stemster (SM419), as represented from Cultural Heritage Viewpoints 5 and 6.Although not located directly within the in the view out of the open end of the stone setting, HES noted that Turbines 1 and 5 would detract from views looking from the closed end of the U-shaped stone setting up through the open end, a key view integral to the interpretation of the site within its wider context. HES are however, content that the level of impact would not raise issues of national interest. While an adverse impact on the setting of the monuments would remain, HES recommend mitigation measures, including lowering the height of the turbines, to reduce the level of impact on the setting of the scheduled monuments. The 180m scheme is considered in this respect, while not completely removing the impacts, to provide an adequate level of mitigation on their severity.

Noise and Shadow Flicker

7.91 Environmental Health has raised no objections in terms of the predicted operational noise levels expressed in the applicant's EIAR. The applicant's

noise assessment has demonstrated that predicted limits can still comply with the previously consented limits. Mitigation would still be required in the form of mode management of certain turbines. While this is not considered an optimal solution as it would result in turbines operating at or close to the noise limits for longer periods than otherwise, the level of mode management required is less than for the previously consented development.

7.92 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. The applicant has conducted an assessment that has shown that the modelled occurrence of shadow flicker within a realistic scenario (taking account of average meteorological conditions from the nearest Met Office station) is within the accepted limits for realistic shadow flicker for all receptors.

Telecommunications

7.93 It is considered that potential interference with radio / television networks in the locality can be addressed. A condition is sought to secure a scheme of mitigation.

Aviation

7.94 Highlands and islands Airports (HIAL) had initially noted concerns with the potential impact of the proposals on the Instrument Flight Procedures (IFP) associated with Wick Airport. HIAL now considers, following dialogue with the applicant, that the information and analysis available undertaken to date provide a suitable level of confidence to address their concerns, provided any planning consent is made subject to conditions to secure an appropriate IFP scheme in advance of the erection of any of the proposed turbines.

7.95 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 will be required for turbines 1,3,4,11 and 17 along the perimeter of the development. These visible lights are capable of being dimmed to 10% (200 cd) of peak intensity when the visibility in all directions from every wind turbine in a group is more than 5km. No intermediate level or ‘mid-tower’ lights (32 cd) would be required.

Other Material Considerations

7.96 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.

7.97 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.

7.98 The requirements to decommission at 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.

7.99 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.

7.100 Given the complexity of major developments, and to assist in the discharge of conditions, the Planning Authority would seek that the developer employs a Planning Monitoring Officer (PMO), should consent be granted. The role of the PMO, 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.

Non-material considerations

7.101 The issues raised in the representations regarding land ownership and the needs case for further renewable energy development in the north of Scotland are not material considerations within the scope of the planning system.

8. MATTERS TO BE SECURED BY LEGAL AGREEMENT

8.1 A wear and tear agreement for the impact on the local road network and a decommissioning and restoration financial guarantee can be secured by condition. Therefore, no further legal agreements are required should consent be granted, with the possible exception of where compensatory planting as required via condition, takes place on land which is located outside the planning application boundary and/or is not under the ownership of the applicant.

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

be situated in appropriate locations to operate successfully. The project has the potentia to contribute some 86 MW of renewable energy capacity towards Scottish Governmen targets and play a role in the route to a net zero Scotland. In addition, the development has potential to bring economic benefits to the area and to create new jobs.

9.2 However, as with all applications, the benefits of the proposal must be weighed agains potential drawbacks and then considered in the round, taking account of the relevan policies of the Development Plan and all other material considerations. The application has not raised fundamental objections from those statutory agencies involved with loca infrastructural networks and environmental resources. Parties have recognised the potential mitigation proposed by the applicant. Most have requested planning conditions to safeguard local assets. The adoption of good construction practices through a Construction Environment Management Document (CEMD) can help minimise risk to local ecological ornithological and habitat resource.

9.3 As with any development of this type, there will be landscape and visual impacts. The scale of the turbines presented in this variation application are significantly larger than previously consented, although from the majority of viewpoints assessed, it is not considered tha these would raise significant additional impacts above the existing scheme.

9.4 While significant visual impacts would be incurred on sections of the A9 / A99 / NC500 route, these would be relatively localised and of short duration for receptors travelling both north and south. Significant visual impacts would also be realised for properties in the settlements of Lybster, Upper Lybster and Roster, however, this is mitigated to a certain extent by a combination of intervening topography and views that mainly look away from the development.

9.5 Although the proposed turbines would be higher than those of the closest neighbouring developments and despite the significant localised landscape impacts, it is considered tha the underlying characteristics of the landscape, namely enclosed agriculture, a settled A99 corridor and strong marine and coastal influence would remain. While the development lies close to the Flow Country and Berriedale Coast Special Landscape Area, it would not have a significantly adverse effect on the SLA's Special Qualities or Key Characteristics. On balance, the increase in Landscape and Visual impacts, mitigated by the reduction in scale of the turbines to a uniform 180m height to blade tip, as per the recommended 180m scheme, is found to be relatively localised in nature and not of an order of magnitude greater than the consented development.

9.6 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 development which, with the implementation of the 180m 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 180m 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 scale of the receiving landscape. Should the proposals however proceed with the inclusion of 200m high turbines, this would no longer be the case.

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 done what is reasonable to mitigated the effects or the natural beauty of the countryside. This is by virtue of the location, siting and design o the wind farm.

9.8 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 materia considerations.

10. IMPLICATIONS

10.1 Resource: Not applicable

10.2 Legal: Not applicable

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

10.4 Climate Change/Carbon Clever: Not applicable

10.5 Risk: Not applicable

10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before consultation response being issued: N

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

A. All turbines having a maximum blade tip height of 180m;
B. Members granting delegated authority to the Area Planning Manager - North to respond to the Scottish Government's Energy Consents Unit regarding any future Further / Supplementary Environmental Information, where that does not:
   i) materially increase the scale of the proposed development; and
   ii) result in any additional significant adverse environmental effects; and
   iii) does not undermine or remove mitigation which was secured within the Council previous consultation response on the application; and
C. The following conditions and reasons.

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-assignation

(1) This consent shall not be assigned without the prior written authorisation of the Scottish Ministers. The Scottish Ministers may authorise the assignation, 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 2b – Figures, dated September 2023;

(b) the EIAR, dated September 2023; 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 1.3 – Proposed Varied Development; 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 microsited 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;

(iii) areas hosting ground water dependent terrestrial ecosystems;

(iv) areas of peat deeper than currently shown for the relevant infrastructure on EIAR Technical Appendix 11.4 and Figures 11.5 Peat Probe Survey Results All Phases and 11.6 Peat Depth Interpolation.

(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 1.3 – Proposed Varied Development

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

(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 EIAR Technical Appendix 11.1 Watercourse Crossing Strategy. 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 micrositing;

(ii) the Pre-Construction Ecological Survey;

(iii) the Breeding Bird Protection Plan;

(iv) the Construction Environmental Management Plan;

(v) the Peat Management Plan under;

(vi) the Habitat Management Plan

(vii) the Deer Management Plan;

(viii) the Water Quality and Fish Monitoring Plan;

(ix) the Woodland Management Plan;

(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.

(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. 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 in the Environmental Impact Assessment Report (September 2023), 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 1 Checking Report, prepared by Ironside Farrar, February 2024;

(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 Scottish wildcat bat, water vole, otter, pine marten, badger, reptiles and breeding birds);

(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.

(x) full details of all surface water drainage provision within the Site (which should accord with the principles of Sustainable Urban Drainage Systems (SUDS) and be designed to the standards outlined in Sewers for Scotland Third Edition.

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 (September 2023) 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;

(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, including tree felling, 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 EIAR Technical Appendix 9.6, delivering restoration works to, as a minimum, the areas shown on Figure 1 of Appendix A. 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:

(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 permanent 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

(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.

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 intertest 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. Salmon

No works shall take place within 50m of a water course during salmon-spawning season (from November to February (inclusive)) without the prior

approval of the planning authority

Reason: In the interests of nature conservation to avoid impact on salmon

23. Forestry

No development, including tree felling, shall commence until a detailed Compensatory Planting Plan (including future maintenance) has been submitted and approved in writing by the planning authority, following consultation with Scottish Forestry and any other relevant stakeholders.

The area of planting shall be no less than 31.52 hectares in size, consisting primarily of productive species and located within the Highlands.

The area identified for compensatory planting may also need to be considered under The Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017.

The Compensatory Planting Plan must follow the same process as required for preparing a woodland creation proposal, as set out in the Scottish Forestry publication: Woodland Creation Application Guidance.

The Compensatory Planting Plan must be prepared by and then implemented under the supervision of a suitably qualified forestry consultant, approved by the planning authority. The appointed forestry consultant must provide a detailed schedule of supervision, with compliance monitoring reports to be issued at agreed stages.

The approved Compensatory Planting Plan must be implemented in full within 12 months following the removal of woodland or prior to commencement of development (whichever comes first), or as otherwise agreed with the planning authority. The compensatory planting shall be maintained thereafter in accordance with the approved scheme, until established to the full satisfaction of the planning authority and then shall remain as woodland in perpetuity.

Woodland removal must not begin until the applicant can demonstrate that construction work is imminent. In the event that development fails to commence within 3 years of the initial felling, then the land use shall revert back to woodland and the area must be replanted within 12 months, to a specification approved by the planning authority.

Where compensatory planting takes place on land located outside the planning application boundary and/or is not under the ownership of the applicant, a tri-party legal agreement must first be secured between the applicant, the landowner and the planning authority.

Reason: To secure compensatory planting from the loss of woodland arising from the Development.

24. 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**.**

25. Archaeology

No works in connection with the development hereby approved shall commence unless an archaeological Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be brought into use unless a Post-Excavation Research Design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

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

26. 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 routeing 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**.**

27. 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.

28. 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.

29. 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.

30. Noise

The rating level of noise immissions from the combined effects of the wind turbines hereby permitted (including the application of any tonal penalty), when determined in accordance with the attached Guidance Notes, shall not exceed the values for the relevant integer wind speed set out in or derived from Tables 1 and 2 attached to these conditions. Furthermore:

(A) Where there is more than one dwelling at a location specified in Tables 1 and 2 attached to this condition, the noise limits set for that location shall apply to all dwellings at that location. In the event of a noise complaint relating to a dwelling which is not identified by name or location in the Tables attached to these conditions, the Company shall submit to the planning authority, for written approval, proposed noise limits to be adopted at the complainant's dwelling for compliance checking purposes. The submission of the proposed noise limits to the planning authority shall include a written justification of the choice of limits. The rating level of noise immissions resulting from the combined effects of the wind turbines when determined in accordance with the attached Guidance Notes shall not exceed the noise limits approved in writing by the planning authority for the complainant's

dwelling.

(B) No electricity shall be exported on a commercial basis to the grid until the Company has submitted 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.

(C) There shall be no Commencement of Development until a Noise Measurement and Mitigation Scheme has been submitted to, and approved in writing by, the planning authority.

The scheme shall include:

A framework for the measurement and calculation of the rating level of noise immissions from the wind farm (including the identification of any tonal component) to be undertaken in the event of a complaint in accordance with ETSU-R-97 and its associated Good Practice Guide and Supplementary Guidance Notes.

A framework for implementing curtailment measures where necessary to ensure the values in Tables 1 and 2 are not exceeded.

(D) Within 21 days from receipt of a written request of the planning authority, following a complaint to it from an occupant of a dwelling alleging noise disturbance at that dwelling, the Company shall, at its expense, employ an independent consultant approved by the planning authority to assess the rating level of noise immissions from the wind farm at the complainant's property in accordance with the approved Noise Measurement & Mitigation Scheme. The written request from the planning authority shall set out at least the date, time and location that the complaint relates to and any identified atmospheric conditions, including wind direction, and include a statement as to whether, in the opinion of the planning authority, the noise giving rise to the complaint contains or is likely to contain a tonal component.

Within 14 days of receipt of a written request from the planning authority, the Company shall provide the planning authority with the information relevant to the complaint logged in accordance with paragraph (G) of this condition.

The independent consultant's assessment must be undertaken in accordance with the approved Noise Measurement & Mitigation Scheme and must relate to the range of conditions which prevailed during times when the complainant alleges there was disturbance due to noise, having regard to the information provided in the written request from the planning authority and such other conditions as the independent consultant considers necessary to fully assess the noise at the complainant's property.

(E) The Company shall provide to the planning authority the independent consultant's assessment of the rating level of noise immissions within 2 months of the date of the written request of the planning authority, unless

the time limit is extended in writing by the planning authority. All data collected for the purposes of undertaking the compliance measurements shall be made available to the planning authority on the request of the planning authority. 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 wind farm is required to assess the complaint, the Company shall submit a copy of the further assessment within 21 days of submission of the independent consultant's assessment to the planning authority unless the time limit for the submission of the further assessment has been extended in writing by the planning authority.

(G) Within one week of the planning authority receiving an assessment which identifies that the wind farm noise levels are exceeding any of the limits in Tables 1 & 2 attached to this condition, the Company will implement mitigation measures in accordance with the approved Noise Measurement & Mitigation Scheme.

(H) The Company shall continuously log power production, wind speed and wind direction, all in accordance with Guidance Note 1(d). These data 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) to the planning authority on its request, within 14 days of receipt in writing of such a request.

Note: For the purposes of this condition, a “dwelling” is a building within Use Class 9 of the Use Classes Order or any other dwellinghouse which lawfully exists or had planning permission at the date of this consent.

Table 1: Between 07:00 and 23:00 hours (Noise Level in dB LA90, 10-min)

Location	$L_{A90,10\ min}$ dB at Standardised Wind Speed at Ten Metres Height								
	4ms^{-1}	5ms^{-1}	6ms^{-1}	7ms^{-1}	8ms^{-1}	9ms^{-1}	10ms^{-1}	11ms^{-1}	12ms^{-1}
Bulreanrob	34.8	34.8	34.5	34.1	35.0	36.4	37.5	38.1	38.5
Camster Lodge	35.0	35.0	35.0	35.5	36.2	36.5	36.6	36.6	36.6
The Log House	34.5	34.5	35.8	37.2	38.3	38.9	39.1	39.1	39.0
Gamekeepers Cottage	34.4	37.4	40.1	41.9	43.2	43.8	43.9	43.6	43.4
Roadside Cottage	35.0	35.0	35.0	36.3	37.7	38.7	38.7	38.7	38.7
Plover Hill	35.0	35.0	35.0	35.5	35.9	36.3	36.3	36.3	36.3
Lane House	35.0	35.0	35.0	35.0	35.3	36.7	38.1	39.5	40.7

Table 2: Between 23:00 and 07:00 hours (Noise Level in dB LA90, 10-min)

Location	$L_{A90,10\ min}$ dB at Standardised Wind Speed at Ten Metres Height								
	4ms^{-1}	5ms^{-1}	6ms^{-1}	7ms^{-1}	8ms^{-1}	9ms^{-1}	10ms^{-1}	11ms^{-1}	12ms^{-1}
Bulreanrob	37.9	37.9	37.8	37.6	37.5	37.4	37.3	37.8	39.0
Camster Lodge	38.0	38.0	38.0	38.0	38.0	38.0	38.0	38.0	38.0
The Log House	37.8	37.7	37.3	36.6	36.2	35.9	35.7	37.7	40.4
Gamekeepers Cottage	38.0	38.0	41.1	40.6	39.6	38.8	39.2	41.3	43.8
Roadside Cottage	37.8	37.6	37.5	36.9	35.8	34.4	35.9	38.8	38.7
Plover Hill	38.0	38.0	38.0	38.0	38.0	38.0	38.0	38.0	38.0
Lane House	38.0	38.0	38.0	38.0	38.0	38.0	38.0	39.7	41.4

Table 3: Coordinate locations of the properties listed in tables 1 and 2

Assessment Location	Easting	Northing	Representative Monitoring Location
Bulreanrob	321994	938554	Bulreanrob
Camster Lodge	326126	941780	Camster Lodge
The Log House	322658	937864	Ellanmore
Gamekeepers Cottage	322733	938880	Gamekeepers Cottage

Roadside Cottage	326186	939618	Roadside Cottage
Plover Hill	324639	937694	Taigh an T'saoir Lane House
Lane House	326423	939096	Lane house

Note to Tables 1 & 2: The wind speed standardised to 10 metres height within the Site refers to wind speed at 10 metres height derived in accordance with the method given in the attached Guidance Notes

Note to Table 3: The geographical coordinate references set out in these tables are provided for the purpose of identifying the general location of dwellings to which a given set of noise limits applies

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).

Guidance Note 1

a) Values of the LA90,10-minute noise statistic should be measured at the complainant's property (or an approved alternative representative location as detailed in Note 1(b)), using a sound level meter of EN 60651/BS EN 60804 Type 1, or BS EN 61672 Class 1quality (or the equivalent UK adopted standard in force at the time of the measurements) set to measure using the fast time weighted response as specified in BS EN 60651/BS EN 60804 or BS EN 61672-1 (or the equivalent UK adopted standard in force at the time of the measurements). This should be calibrated before and after each set of measurements, using a calibrator meeting BS EN 60945:2003 "Electroacoustics - sound calibrators" Class 1 with PTB Type Approval (or the equivalent UK adopted standard in force at the time of the measurements) and the results shall be recorded. Measurements shall be undertaken in such a manner to enable a tonal penalty to be calculated and applied in accordance with Guidance Note 3.

b) The microphone shall be mounted at 1.2 - 1.5 metres above ground level, fitted with a two-layer windshield or suitable equivalent approved in writing by the Planning Authority, and placed outside the complainant's dwelling. Measurements should be made in "free field" conditions. To achieve this, the microphone shall be placed at least 3.5 metres away from the building facade or any reflecting surface except the ground at the approved

measurement location. In the event that the consent of the complainant for access to their property to undertake compliance measurements is withheld, the Company shall submit for the written approval of the Planning Authority details of the proposed alternative representative measurement location prior to the commencement of measurements and the measurements shall be undertaken at the approved alternative representative measurement location.

c) The LA90,10-minute measurements should be synchronised with measurements of the 10-minute arithmetic mean wind speed and wind direction data and with operational data logged in accordance with Guidance Note 1(d) including the power generation data from the turbine control systems of the wind farm.

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 for each turbine and arithmetic mean power generated by each turbine, all in successive 10- minute periods. Unless an alternative procedure is previously agreed in writing with the planning authority, such as direct measurement at a height of 10 metres, this wind speed, averaged across all operating wind turbines, and corrected to be representative of wind speeds measured at a height of 10m, shall be used as the basis for the analysis. It is this 10 metre height wind speed data, which is correlated with the noise measurements determined as valid in accordance with Guidance Note 2. All 10-minute periods shall commence on the hour and in 10- minute increments thereafter.

e) Data provided to the planning authority in accordance with the noise condition shall be provided in comma separated values in electronic format.

f) A data logging rain gauge shall be installed in the course of the assessment of the levels 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).

Guidance Note 2

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

(b) Valid data points are those measured in the conditions specified in the agreed written protocol under paragraph (d) of the noise condition, but excluding any periods of rainfall measured in the vicinity of the sound level meter. Rainfall shall be assessed by use of a rain gauge that shall log the occurrence of rainfall in each 10 minute period concurrent with the measurement periods set out in Guidance Note 1. In specifying such conditions the planning authority shall have regard to those conditions which prevailed during times when the complainant alleges there was disturbance due to noise or which are considered likely to result in a breach of the limits.

(c) For those data points considered valid in accordance with Guidance Note 2(b), values of the LA90,10 minute noise measurements and corresponding values of the 10- minute 10- metre height wind speed averaged across all operating wind turbines using the procedure specified in Guidance Note 1(d), shall be plotted on an XY chart with noise level on the Y-axis and the 10- metre height mean 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) should be fitted to the data points and define the wind farm noise level at each integer speed.

Guidance 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.

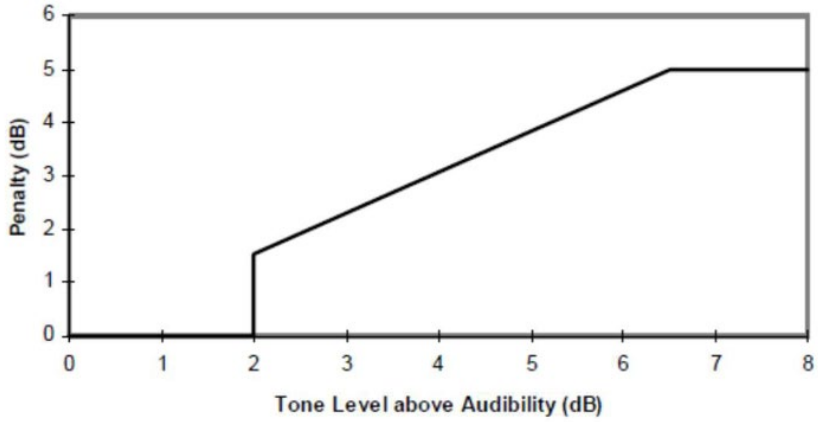
(b) For each 10 minute interval for which LA90,10 minute data have been determined as valid in accordance with Guidance Note 2 a tonal assessment shall be performed on noise immissions during 2 minutes of each 10 minute period. The 2 minute periods should be spaced at 10 minute intervals provided that 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, as described in Section 2.1 on pages 104-109 of ETSU-R-97, 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.

(c) For each of the 2 minute samples the tone level above or below 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 used.

(e) A least squares “best fit” linear regression line 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 at 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 Guidance Note 2.

(f) The tonal penalty is derived from the margin above audibility of the tone according to the figure below.



Guidance Note 4

(a) If a tonal penalty is to be applied in accordance with Guidance 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 Guidance Note 2 and the penalty for tonal noise as derived in accordance with Guidance Note 3 at each integer wind speed within the range specified by the planning authority in its written protocol under paragraph (d) of the noise condition.

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

(c) In the event that the rating level is above the limit(s) set out in the Tables attached to the noise conditions or the noise limits for a complainant's dwelling approved in accordance with paragraph (e) of the noise condition, the independent consultant shall undertake a further assessment of the rating level to correct for background noise so that the rating level relates to wind turbine noise immission only.

(d) The 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:

(e) Repeating the steps in Guidance Note 2, with the wind farm switched off, and determining the background noise (L3) at each integer wind speed within the range requested by the planning authority in its written request under paragraph (c) and the approved protocol under paragraph (d) of the noise condition.

(f) 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:

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

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

(h) If the rating level after adjustment for background noise contribution and adjustment for tonal penalty (if required in accordance with note 3 above) at any integer wind speed lies at or below the values set out in the Tables attached to the conditions or at or below the noise limits approved by the planning authority for a complainant's dwelling in accordance with paragraph (e) of the noise condition then no further action is necessary. If the rating level at any integer wind speed exceeds the values set out in the Tables attached to the conditions or the noise limits approved by the planning authority for a complainant's dwelling in accordance with paragraph (e) of the noise condition 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.

31. 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.

32. 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 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.

(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

(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.

33. 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.

34. 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 the relevant Conditions; 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.

35. 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), September 2023, 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.

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**.**

36. Anytime between 3 months to 6 months prior to the Date of Final Commissioning of the development, details of a Scheme for Community Investment in the proposed development shall be submitted for the prior written approval of the Planning Authority. This shall be based upon and informed by Vol 2a Chapter 13 of the Environmental Impact Assessment Report, dated September 2023. The scheme shall be implemented as approved, 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**.**

37. 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.

38. 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.

39. 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

40. 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 turbines 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

41. Aviation - Primary Radar Mitigation Scheme

No part of any turbine shall be erected above ground until a Primary Radar Mitigation Scheme agreed with the Operator has been submitted to and approved in writing by the planning authority in order to avoid the impact of the development on the Primary Radar of the Operator located at Alanshill and associated air traffic management operations.

No part of any Turbine shall be erected above ground until the approved Primary Radar Mitigation Scheme has been implemented and the development shall thereafter be operated fully in accordance with such approved scheme.

For the purpose of the above:

"Operator" means NATS (En Route) plc, incorporated under the Companies Act (4129273) whose registered office is 4000 Parkway, Whiteley, Fareham, Hants PO15 7FL or such other organisation licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services to the relevant managed area (within the meaning of section 40 of that Act).

"Primary Radar Mitigation Scheme" or "Scheme" means a detailed scheme agreed with the Operator which sets out the measures to be taken to avoid at all times the impact of the development on the Allanshill primary radar and air traffic management operations of the Operator.

Reason: To ensure aviation safety and that the proposed development's operation does not disrupt air traffic**.**

42. Aviation – Instrument Flight Procedures

No part of any turbine shall be erected above ground until an Instrument Flight Procedures Scheme agreed with the Operator has been submitted to and approved in writing by the planning authority in order to avoid the impact of the development on operations at Wick Airport. For the avoidance of doubt, no part of any turbine shall be erected above ground until:

(a) an IFP Scheme has been approved by the Airport Operator;

(b) the Civil Aviation Authority has evidenced its approval to the Airport Operator of the IFP Scheme (if such approval is required);

(c) the IFP Scheme is accepted by NATS AIS for implementation through the AIRAC Cycle (or any successor publication) (where applicable) and is available for use by aircraft; and

(d) a Mitigation Agreement has been entered into.

Reason: In the interests of aviation safety; to secure mitigation of impacts and ensure the development does not alter traffic patterns or impact the safety of aircraft at Wick Airport**.**

43. Scottish Wildcat

There shall be no commencement of development until the planning authority has approved in writing a scheme for post-construction monitoring to safeguard Scottish Wildcat during the operational period of the Development, at locations where there is suitable habitat within the site. This post-construction monitoring scheme shall provide for monitoring, during the wildcat breeding season, to take place in Year 1, 5, 10, 15, 25 and 35 from Final Commissioning, or such other frequency as may be approved by the planning authority following consultation with Scottish Natural Heritage, and shall include regular reporting to Nature Scot of the findings of the agreed monitoring and identify any mitigation which may be required if Scottish Wildcat is confirmed to be present on the Site**.**

Reason: To enable the impact on wildcat to be suitably monitored

44. Grey Cairns of Camster SM

No development shall commence until the Planning Authority has approved in writing a scheme for the offsetting of impacts on historic environment assets. This shall include, but not be limited to, the provision of enhanced interpretation at the Grey Carns of Camster and other historic sites identified as being impacted in the Environmental Impact Assessment Report Thereafter the proposed scheme shall be implemented within 12 months of the first export of electricity from the site.

Reason: To offset the impact on historic environment**.**

Designation: Area Planning Manager - North

Author: Michael Kordas

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

Relevant Plans:

Document Type	Document No.	Version No.	Date Received

Location Plan	Figure 1.1		27 October 2023
Site Layout Plan	Figure 1.3		27 October 2023
Typical Turbine Elevations	Figure 4.1	REV 2	7 May 2024

Appendix 1 – Cumulative Windfarm Development

A1.1 Tabled below are the details of the operational / under construction, consented and in planning projects that the applicant took into consideration in their cumulative assessment. This has been updated by officers.

Site Name	No. of Turbines	Tip Height (m)	Distance from proposed Development
Operational / Under Construction			
Middleton Cottage	1	11.8 m	3.12 km east
Sunrise Cottage	1	19.5 m	3.45 km east
Rawnhallan	1	8.25 m	4.48 km east
Remiggy Forse	1	17.8 m	4.54 km south
Burn of Whilk	9	114.9 m	5.37 km east
West Clyth Farm	2	34.4 m	5.54 km south-east
The Gordons	1	30 m	6.36 km south-east
Buolfruich	15	75 m	6.48 km south-west
Camster	25	120 m	6.12 km north-east
Bad a Cheo	13	112 m	7.61 km north-west
Halsary	15	120 m	8.61 km north-west
Causeymire	21	101 m	9.03 km north-west
Wathegar	4	101 m	10.83 km north-east
Wathegar 2	9	110 m	11 km north-east
Achairn	3	100 m	11.57 km north-east
Achairn	3	100 m	11.57 km north-east
Bilbster	3	90 m	11.62 km north-east
Achlachan	5	110 m	11.96 km north-west
Beatrice (offshore)	84	187 m	23.73 km south-east
Weydale Farm	1	66 m	25.10 km north
Stroupster	13	110 m	26.67 km north
Lochend	4	99.5 m	27.90 km north
Baillie Hill	21	110 m	29.43 km north-west
Stevenson (offshore)	62	204 m	30.03 km south-east
Beatrice Demonstrator (offshore)	2	110 m	30.44 km south-east
Taigh na Muir	1	79 m	31.9 km north
Telford (offshore)	62	204 m	33.51 km south-east
Forss 1 and 2	5	78 m	33.97 km north-west
MacColl (offshore)	62	204 m	39.74 km south-east
Gordonbush	35	110 m	41.40 km south-west
Strathy North	33	110 m	42.1 km north-west
Gordonbush Extension	15	11no. @ 149.9 m	44.14 km south-west
Consented			

Lower Rumster	3	35 m	3.33 km south
Lower Swinney Farm	1	26.1 m	5.51 km south
Tacher A, B and C	3	135m	7.21km north-west
Camster 2	11	126.5 m	8.25 km north-east
Berriedale and Dunbeath	3	74 m	8.66 km south-west
Achlachan 2	3	110 m	11.5 km north-west
Cogle Moss	12	99.5 m	15.42 km north-east
Moray West (offshore)	85	285 m	22.7 km south
Slickly	11	9no. @ 149.9 m 2no. @ 135m	25.95 km north
Limekiln (inc. Limekiln Extension)	24	149.9 m	28.26 km north-west
Hill of Lybster	1	99.5 m	33.73 km north-west
Strathy Wood	11	180m	40.29km north-west
Strathy South	35	200m	40.72km north-west
Planning			
Tacher A, B and C	3	142.5m	7.21km north-west
Tormsdale	12	149.9m	8.26km north-west
Hollandmey	10	149.9m	27.6km north
Cairnmore Hill	5	138.5m	30.48km north-west
Forss 3	2	100m	33.90km north-west
Kirkton	11	149.9m	36.90m north-west
Kintradwell	15	149.9m	41.1km south-west
Pentland (offshore)	7	300m	43.16km north-west

Appendix 2 – Development Plan and Other Material Policy Considerations

DEVELOPMENT PLAN

A2.1 **National Planning Framework (NPF) 4 (2023)**

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
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

A2.2 **Highland Wide Local Development Plan (HwLDP) (2012)**

28 - Sustainable Design
29 - Design Quality and Place-making
30 - Physical Constraints
31 - Developer Contributions
53 - Minerals
55 - Peat and Soils
56 - Travel
57 - Natural, Built and Cultural Heritage
58 - Protected Species
59 - Other important Species
60 - Other Importance Habitats
61 - Landscape
62 - Geodiversity
63 - Water Environment
64 - Flood Risk
66 - Surface Water Drainage
67 - Renewable Energy Developments
68 - Community Renewable Energy Developments
69 - Electricity Transmission Infrastructure
72 - Pollution
73 - Air Quality
74 - Green Networks
77 - Public Access
78 - Long Distance Routes

Caithness and Sutherland Local Development Plan (CaSPlan) (2018)

A2.3 Confirms the boundaries of Special Landscape Areas within the plan's boundary.

Onshore Wind Energy Supplementary Guidance (OWESG) (2016)

A2.4 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

A2.5 The OWESG also contains the Loch Ness Landscape Sensitivity Study, the Black Isle, Surrounding Hills and Moray Firth Coast Sensitivity Study, and the Caithness Sensitivity Study. The site falls within the Caithness Sensitivity Study area.

Other Highland Council Supplementary Guidance

A2.6 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)

OTHER MATERIAL CONSIDERATIONS

Emerging Highland Council Development Plan Documents and Planning Guidance

A2.7 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.

A2.8 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

A2.9 Onshore Wind Energy Policy Statement (2022)

Onshore Wind Sector Deal for Scotland (2023)

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)

Appendix 3 - Compliance with the Development Plan / Other Planning Policy

Development Plan / Other Planning Policy

A3.1 The Development Plan comprises National Planning Framework 4 (NPF4), the adopted Highland-wide Local Development Plan (HwLDP), the adopted Caithness and Sutherland Local Development Plan (CaSPlan) and all statutorily adopted supplementary guidance.

National Policy

A3.2 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.

A3.3 The Spatial Strategy sets out that we are facing unprecedented challenges and that we need to reduce greenhouse gas emissions and adapt to future impacts of climate change. It sets out that that Scotland's environment is a national asset which supports out economy, identity, health and wellbeing. It sets out that choices need to be made about how we can make sustainable use of our natural assets in a way which benefits communities. The spatial strategy reflects legislation in setting out that decisions require to reflect the long term public interest. However, in doing so it is clear that we will need to make the right choices about where development should be located ensuring clarity is provided over the types of infrastructure that needs to be provided and the assets that should be protected to ensure they continue to benefit future generations. The Spatial Priorities support the planning and delivery of sustainable places, where we reduce emissions, restore and better connect biodiversity; liveable places, where we can all live better, healthier lives; and productive places, where we have a greener, fairer and more inclusive wellbeing economy.

A3.4 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.

A3.5 At the high level, NPF4 considers that Strategic Renewable Electricity Generation and Transmission Infrastructure will assist in the delivery of the Spatial Strategy and Spatial Priorities for the north of Scotland, and that Highland can continue to make a strong contribution toward meeting Scotland's ambition for net zero. Alongside these ambitions, the strategy for Highland aims to protect environmental assets as well as to stimulate investment in natural and engineered solutions to address climate change. This aim is not new and will clearly require a balancing exercise to be undertaken, which is reflected throughout the document.

A3.6 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.

A3.7 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 thereof.

A3.8 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.

A3.9 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.

A3.10 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.

A3.11 NPF4 Policy 11 Part e) sets out the additional project design and mitigation requirements for energy proposals. This includes a broad range of matters akin to those to be assessed under HwLDP Policy 67. This includes consideration of the landscape and visual impacts and advises that where impacts are localised and / or appropriate design mitigation has been applied such effects will generally be considered acceptable. Members will be aware that the concept of wind energy developments that have only localised impacts as being more likely to be acceptable is not new and is also reflected in previous Highland Council planning decisions. However, the landscape and visual impacts of turbines at up to 200 or 180m 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.

A3.12 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, CaSPlan, 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 still give considerable weight to the provisions of its LDP over national policies where there is strong justification for doing so, such as where the Council feels that LDP policy is better equipped to respond to local matters of importance or site-specific conditions for example.

Highland-wide Local Development Plan

A3.13 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.

A3.14 Although HwLDP Policy 67, the OWESG and NPG4 Policy 11 are 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 Plans

A3.15 The Caithness and Sutherland Local Development Plan (CaSPlan) does not contain land allocations related to the proposed development. It confirms the boundaries of Special Landscape Areas within these plan areas. NPF4 Policy 4 and 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.

Onshore Wind Energy Supplementary Guidance (OWESG)

A3.16 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

A3.17 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 6 of this report.

A3.18 The Landscape Sensitivity Appraisal for Caithness was published in 2017 and forms part of the statutorily adopted OWESG. The turbine envelope for this application falls within area CT4 Central Caithness, a landscape area described as flat to gently undulating where the guidance advises "there is some limited potential for further commercial scale development in this LCT, to concentrate and consolidate with existing development".

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

A3.19 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.

A3.20 Like the previous iteration of the Onshore Wind Energy Policy Statement, the document recognises that balance is required and that no one technology can allow Scotland to reach its net zero targets. The document is clear that in achieving a balance, environmental and economic benefits to Scotland must be maximised. In taking this approach, this echoes Scotland's Third Land Use Strategy.

A3.21 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.

A3.22 Benefits to rural areas, such as provision of jobs and opportunities to restore and protect natural habitats, are also highlighted in the document. The proposed development does lead to such benefits being delivered; however, the scale of the benefits are not demonstrably greater than those one would expect on any such wind farm development of commensurate size prior to the adoption of NPF4.

A3.23 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

A3.24 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

A3.25 Finally, the document considers some of the wider benefits and challenges faced by in delivery of ambition and vision for onshore wind energy in Scotland. These include shared ownership, community benefit, supply chain benefits, skills development and financial mechanisms for delivery. Technical considerations are also highlighted, those relevant to this application have been considered and mitigation, where required has been secured by condition.

A3.26 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.

A3.27 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 built out

Appendix 5 – Visual Assessment Appraisal (Wind Farm Operational Period Only)

Note:
Scenario 1 – Operational and Consented Developments.
Scenario 2 - Operational and Consented Developments, and Developments in Planning:
*Grey highlighted text represents assessment of consented scheme under 16/04966/S36.

			Amended Proposed Development			Combined Development		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
VP1 – Grey Cairns of Camster (4.5km to nearest turbine)	App	High	Small / Medium	Minor / Moderate	Not Significant	Small / Medium	Minor / Moderate	Not Significant
	THC	High	Medium	**Moderate**	**Significant**	Large	**Moderate**	**Significant**
	App*	Medium / High	Small / Medium	Minor / Moderate	Not Significant			
	THC*	High	Medium	**Moderate**	**Significant**			
	This viewpoint is located at the side of minor road, which facilitates access to the Grey Cairns of Camster, a set of reconstructed Neolithic tombs. The viewpoint is set on the valley side above the Cairns and is located in such a way that long-distance views are available over the Cairns to the south-west, with longer views in other directions restricted by the forested landform. The main elements of interest in the view are the two cairns, known as the Round Cairn and Long Cairn, and their setting. The proposed development would be seen from the viewpoint on a moorland horizon beyond the forestry plantation which forms the more immediate background to the Round Cairn. All 13 of the proposed turbines will be visible from this location, to at least blade tip height. The applicant states that the proposals would be well screened from view by the intervening landform and forestry, nevertheless, the proposed development would introduce large scale turbines into an area where these are not currently present, along a ridgeline backdropping the Cairns to the southwest. As such, the proposed windfarm would form a prominent addition to the skyline, leading to significant visual impacts at this location. There would also be noticeable stacking of turbines 4 and 14 and 7, 11 and 13. Comparatively, the amended proposals would introduce visibility of a mass of large turbines centrally within the view, however, the differences in blade tip height would not be readily apparent, due to the positioning of the proposals in an otherwise open landscape with the hubs mostly screened by intervening terrain and limited other features from which to reference scale. The horizontal spread of the array would also be slightly reduced. As such, it is not considered that these changes are such that significant visual impacts are raised above the existing consented scheme.							

			Amended Proposed Development			Combined Development		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	Cumulatively, although the Camster windfarm is obvious from the viewpoint, it does not form the background of the view to either cairn as would the current proposals. Other wind energy developments to the northeast and northwest are generally screened by topography or forestry							
VP2. Roster (3.61km to nearest turbine)	App	High	Large	**Major**	**Significant**	Large	**Major**	**Significant**
	THC	High	Large	**Major**	**Significant**	Large	**Major**	**Significant**
	App*	High	Large	**Major**	**Significant**			
	THC*	High	Large	**Major**	**Significant**			
	THC are in broad agreement with App's LVIA. This viewpoint is located looking westwards from a minor road that serves a number of residential properties and crofts. The view looks over the adjacent field and properties to an expanse of moorland, with Golticlay Forest forming part of the skyline. All 13 of the proposed turbines will be visible from this location, to hub height. The proposals would introduce new vertical structures into a view currently defined by the largely undeveloped horizon. There would be a strong contrast with existing features, and the make-up and balance of the view would change considerably. Comparatively, the proposed array would have similar apparent horizontal dimension to that already consented and it is not considered that the changes are such that significant visual impacts are raised above the existing consented scheme. The proposals will not be prominent cumulatively with relation to other windfarm development of this scale.							

			Amended Proposed Development			Combined Development		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
VP3. Hill of Mid Clyth (5.4km to nearest turbine)	App	Medium / High	Large	**Moderate / Major**	**Significant**	Large	**Moderate / Major**	**Significant**
	THC	High	Large	**Moderate / Major**	**Significant**	Large	**Moderate / Major**	**Significant**
	App*	High	Large	**Moderate / Major**	**Significant**			
	THC*	High	Large	**Moderate / Major**	**Significant**			
	THC are in broad agreement with App's LVIA. This viewpoint is located at a point with a panoramic view south and west from a minor road close to a low hill summit. The view is over the adjacent moorland to a low, gently undulating and partly forested horizon. All 13 of the proposed turbines will be visible from this location, to full tower height. The proposals would introduce a cluster of new vertical structures. There would be a strong contrast with existing features, and the make-up and balance of the view would change considerably. There would also be pronounced stacking of the proposed turbines in distinct groups comprised of 11/17, 18/13, 1/4/17 and 3.4 Comparatively, the proposed array is more consolidated with a lesser horizontal extent, although the difference in height of the turbines over those consented is apparent. The proposals will not be prominent cumulatively with relation to other windfarm development of this scale.							
VP4. Upper Lybster (3.37km to nearest turbine)	App	Medium	Medium / Large	**Major / Moderate**	**Significant**	Medium / Large	**Major / Moderate**	**Significant**
	THC	High	Medium / Large	**Major / Moderate**	**Significant**	Medium / Large	**Major / Moderate**	**Significant**
	App*	High / Medium	Medium / Large	**Major / Moderate**	**Significant**			
	THC*	High	Medium / Large	**Major / Moderate**	**Significant**			
	THC are in broad agreement with App's LVIA. This viewpoint is located at a former quarry located just off the public road. 360 degree views are available, including northwards towards the Golticlay site at relatively short-range, and much longer-range views southwards out to sea, including offshore wind farms. All 13 of the proposed turbines will be visible from this location, to full tower height.							

			Amended Proposed Development			Combined Development		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	The proposals would result in prominent change to the skyline due to the introduction of turbines. the character of the existing view would change, with large new structures prominent at short-range, incurring significant visual effects, especially for existing residents. Comparatively, the proposed array is more consolidated horizontally than that already consented. However, there would be more visible stacking of the proposed turbines in distinct groups comprised of especially 11/16, 12/5/17 and 14/3. The proposals will not be prominent cumulatively with relation to other windfarm development of this scale.							
VP5. A99 West of Lybster (4.33km to nearest turbine)	App	High	Medium / Large	**Moderate / Major**	**Significant**	Medium / Large	**Moderate / Major**	**Significant**
	THC	High	Large	**Moderate / Major**	**Significant**	Medium / Large	**Moderate / Major**	**Significant**
	App*	Medium / High	Medium / Large	**Moderate / Major**	**Significant**			
	THC*	High	Large	**Moderate / Major**	**Significant**			
	THC are in broad agreement with App's LVIA. This viewpoint reflects views from nearby properties, some of which have direct views northwards from rear windows, although the majority have their main views perpendicular to the direction of the proposed turbines. Views would also be available for road users on the A99. All 13 of the proposed turbines will be visible from this location, to full tower height. The proposals would result in prominent change to the northern skyline due to the introduction of turbines. The character of the existing view would change, with large new rotating structures prominent at relatively short-range. Comparatively, the proposed array is more consolidated with a lesser horizontal extent, although the difference in height of the turbines over those consented is apparent. The proposals will not be prominent cumulatively with relation to other windfarm development of this scale.							

			Amended Proposed Development			Combined Development		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
VP6. Bayview Hotel, Lybster (5.03km to nearest turbine)	App	High	Medium / Large	**Moderate / Major**	**Significant**	Medium / Large	**Moderate / Major**	**Significant**
	THC	High	Medium / Large	**Moderate / Major**	**Significant**	Medium / Large	**Moderate / Major**	**Significant**
	App*	High	Medium / Large	**Moderate / Major**	**Significant**			
	THC*	High	Medium / Large	**Moderate / Major**	**Significant**			
	THC are in broad agreement with App's LVIA. This viewpoint looks northward from the hotel car park. The hotel is immediately to the rear of the viewpoint. The view is of properties at Lybster in the foreground and middle ground, with very gently undulating, partly forested horizon beyond. All 13 of the proposed turbines will be visible from this location to full tower height. The proposals would result in change to the northern skyline due to the introduction of turbines. In this view and from similar locations in and around Lybster with northward views, visual effects would be significant. Comparatively, the impression of increased height of the proposed turbines is apparent, given the degree of other human features in the landscape, including housing, although the horizontal extent of the array is consolidated somewhat. The blade tip heights of the turbines also appear generally uneven due to the undulating nature of the ground where they are sited. The proposals will not be prominent cumulatively with relation to other windfarm development of this scale.							
VP7. A99 Burigill (4.91km to nearest turbine)	App	Medium	Medium	Moderate	Not Significant	Medium	Moderate	Not Significant
	THC	High	Medium / Large	**Moderate / Major**	**Significant**	Medium / Large	**Moderate / Major**	**Significant**
	App*	Medium / High	Medium	Moderate	Not Significant			
	THC*	High	Medium / Large	**Moderate / Major**	**Significant**			
	THC do not agree with App's LVIA. This viewpoint looks northward across the road to the adjacent farmland and buildings (including some large agricultural barns), with longer-views of the more distant moorland intermittently available.							

			Amended Proposed Development			Combined Development		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	All 13 of the proposed turbines will be visible from this location, to full tower height. The applicant states that the proposals would be clearly visible from the viewpoint, but would be a background feature, with nearby buildings and traffic remaining prominent and that this change would not be sufficient to give rise to significant visual effects. Nevertheless, the proposed development would introduce large scale turbines into an area where these are not currently present. The applicant also notes the presence of built development, such as electricity poles and agricultural buildings as a mitigating factor, however, it is considered this is overplayed as the rotating rubines will draw the eye. As such, the proposed windfarm would form a prominent addition to the skyline, leading to significant visual impacts at this location. Comparatively, the impression of increased height of the proposed turbines is apparent, given the degree of other human features in the landscape, including housing, although the horizontal extent of the array is consolidated somewhat. The proposals will not be prominent cumulatively with relation to other windfarm development of this scale.							
VP8. Rhianrivach Broch (3.09km to nearest turbine)	App	Medium	Large	**Moderate / Major**	**Significant**	Large	**Moderate / Major**	**Significant**
	THC	High	Large	**Moderate / Major**	**Significant**	Large	**Moderate / Major**	**Significant**
	App*	Medium	Large	**Moderate / Major**	**Significant**			
	THC*	High	Large	**Moderate / Major**	**Significant**			
	THC are in broad agreement with App's LVIA. This viewpoint is located on a wide verge on the eastern side of the minor road north of Achow. The view is over gently undulating landscape towards a partially forested horizon. Much of the forestry evident is scheduled for removal. All 13 of the proposed turbines will be visible from this location, to full tower height. The proposed development would be introduced at short-range and would be a prominent addition to the view. The character of the existing view would become more influenced by large turbines. Comparatively, the proposed development will result in visible horizontal consolidation of the array relative to the consented proposals. The difference in height of the proposed turbines will be less apparent than from other viewpoints, relative to the Rumster Forest communications mast. The proposals will not be prominent cumulatively with relation to other windfarm development of this scale.							

			Amended Proposed Development			Combined Development		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
VP9. Osclay, public road between Lybster and Achavanich (1.43km to nearest turbine)	App	Medium	Large	**Major**	**Significant**	Large	**Major**	**Significant**
	THC	High	Large	**Major**	**Significant**	Large	**Major**	**Significant**
	App*	Medium / High	Large	**Major**	**Significant**			
	THC*	High	Large	**Major**	**Significant**			
	THC are in broad agreement with App's LVIA. The viewpoint is located on a minor road looking northwards towards the Golticlay site at short-range (1.35km). The view is across rough grassland towards the commercial plantations at Golticlay and Rumster Forests. Much of the visible forestry is scheduled to be removed prior to construction of the wind farm. All 13 of the proposed turbines will be visible from this location, to full tower height. The proposed development would be introduced at short-range and would be a prominent addition to the view. The character of the existing view would become influenced by large turbines.to the point that these are a key element of the view. Comparatively, the proposed development will result in visible horizontal consolidation of the array relative to the consented proposals. However, the difference in height of the proposed turbines will also be apparent relative to the consented proposals The proposals will not be prominent cumulatively with relation to other windfarm development of this scale.							
VP10. Golticlay (967m to nearest turbine)	App	Medium	Large	**Major**	**Significant**	Large	**Major**	**Significant**
	THC	High	Large	**Major**	**Significant**	Large	**Major**	**Significant**
	App*	Medium	Large	**Major**	**Significant**			
	THC*	High	Large	**Major**	**Significant**			
	THC are in broad agreement with App's LVIA. This viewpoint provides an expansive, panoramic view from a minor road north-west of the Golticlay site. The view is over a large-scale and simple expanse of adjacent moorland and forestry. The North Sea is visible to the south-east, and a large cluster of offshore turbines is visible in clearer viewing conditions. All 13 of the proposed turbines will be visible from this location, to full tower height. The proposed development would change the character of the view from one where moorland, forestry and the more distant North Sea present a simple scene where horizontal influence predominates, to one where vertical engineered structures are unmistakable and prominent features. Due to the short distance between the viewpoint and proposals and their relative scale for the viewer, it is not considered that additional cumulative visual impacts would be incurred from this location.							

			Amended Proposed Development			Combined Development		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
VP11. Public road near Badlipster, Camster (7.49km to nearest turbine)	App	Medium	Medium	Moderate	Not Significant	Medium	Moderate	Not Significant
	THC	High	Medium	Moderate	Not Significant	Medium	Moderate	Not Significant
	App*	Medium	Medium	Moderate	Not Significant			
	THC*	High	Medium	Moderate	Not Significant			
	THC are in broad agreement with App's LVIA. This viewpoint is taken from passing place at the side of a minor road where the view is a panorama over a large expanse of moorland and bog land. Large forestry plantations are evident. Wind turbines are an established characteristic feature of the view, with Camster wind farm prominent to the east at very short-range, Burn of Whilk wind farm also visible in the same field of view All 13 of the proposed turbines will be visible from this location, to hub height. The turbines would be experienced in the context of the existing wind farms at Camster, Burn of Whilk and along the A9, all of which would be set in a very expansive landscape. The existing turbines already exert a strong influence upon the view and it is not considered that the proposals would result in a significant cumulative effect over this. Comparatively, the proposed development will result in visible horizontal consolidation of the array relative to the consented proposals. The difference in height of the proposed turbines will be apparent as compared to the consented scheme, but not significantly so.							
VP12. Yarrows Archaeological Trail (7.33km to nearest turbine)	App	High	Small / Medium	Minor / Moderate	Not significant	Small / Medium	Minor / Moderate	Not significant
	THC	High	Medium	Moderate	Not significant	Small / Medium	Minor / Moderate	Not significant
	App*	High	Small / Medium	Minor / Moderate	Not significant			
	THC*	High	Medium	Moderate	Not significant			
	THC are in broad agreement with App's LVIA. This viewpoint is taken from hilltop enclosure located along the Yarrows Archaeological Trail, which is a promoted walk around a number of heritage features. All 13 of the proposed turbines will be visible from this location, to hub height. The proposed development would be a background feature, visible behind a more prominent existing development at Burn of Whilk. Views in other directions would be unaffected. The character of the view, namely an expansive panorama in all directions from a hilltop location, including prominent wind turbines, would not change.							

			Amended Proposed Development			Combined Development		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	Comparatively, the proposed development will result in visible horizontal consolidation of the array relative to the consented proposals. The difference in height of the proposed turbines will apparent as compared to the consented scheme, but not significantly so.							
VP13. A9 Tacher (6.64km to nearest turbine)	App	Medium	Small / Medium	Minor / Moderate	Not significant	Small / Medium	Minor / Moderate	Not significant
	THC	High	Medium	Moderate	Not significant	Small / Medium	Minor / Moderate	Not significant
	App*	Medium	Small / Medium	Minor / Moderate	Not significant			
	THC*	High	Medium	Moderate	Not significant			
	THC are in broad agreement with App's LVIA. The viewpoint is located at a property driveway, where this meets the A9 Trunk Road. All 13 of the proposed turbines will be visible from this location, to at least blade tip height, with noticeable stacking of turbines 3/14 and 1/12. The proposals would be a background feature in a view where other existing wind turbines are also prominent to the north of the viewpoint, situated closer than the development. There is also a degree of screening from intervening topography and the influence of existing large scale overhead power lines in the foreground. Comparatively, the amended proposals would introduce visibility of large turbines more centrally within the view, with the differences in blade tip height apparent as compared to the previous visualisations, extending above the intervening topography. Nevertheless, it is not considered that these changes are such that significant visual impacts are raised above the existing consented scheme. Additional significant cumulative effects would not be incurred in association with any other scheme.							
VP14. Watten	App	Medium	Small	Minor	Not Significant	Small	Minor	Not Significant

			Amended Proposed Development			Combined Development		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
Railway Crossing (14.86km to nearest turbine)	THC	High	Medium	**Moderate**	**Significant**	Medium	**Moderate**	**Significant**
	App*	Medium	Small	Minor	Not Significant			
	THC*	High	Medium	**Moderate**	**Significant**			
	This viewpoint is located close to the level crossing north of Watten, on the B870 local road. All 13 of the proposed turbines will be visible from this location to hub height. The proposals would be a background feature in a view where existing wind turbines are already more prominent located in the same field of view. Whilst the influence of turbines upon the view would increase incrementally, the scale of change would be limited due to the distance from the viewpoint. The nature of the view across gently undulating open farmland and peatland, with wind turbines on the horizon, would not change. The turbines will fill a gap between existing wind energy developments. However, in doing so they will not adversely impact the setting of the other schemes and will be at greater distance. While the visual impacts from this viewpoint are considered significant overall, due to the distance to the array from this location, the comparative differences are not considered significant between the currently proposed and consented schemes. The proposals would be positioned more distantly behind prominent operational schemes, notably Camster and as such, are not considered to raise significant additional cumulative visual impacts.							
VP15. Tesco Car Park (16.99km to nearest turbine)	App	Low / Medium	Small	Minor	Not Significant	Small	Minor	Not Significant
	THC	Medium	Medium	Minor	Not Significant	Small	Minor	Not Significant
	App*	Low / Medium	No change	No effect	Not Significant			
	THC*	Medium	Negligible	Negligible	Not Significant			
	THC are in broad agreement with App's LVIA. This viewpoint is taken looking south-west from supermarket car park at the north-western edge of Wick. All 13 of the proposed turbines will be visible from this location, to at least blade tip height. The proposals would be a background feature in a view where existing wind turbines are already more prominent located in the same field of view. Whilst the influence of turbines upon the view would increase incrementally, the scale of change would be limited due to the distance from the viewpoint. The nature of the view across gently undulating open farmland, with wind turbines on the horizon, would not change. Due to the distance to the array from this location and terrain screening, the comparative differences are not considered significant between the currently							

			Amended Proposed Development			Combined Development		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	proposed and consented schemes. The proposals are not considered to raise significant cumulative visual impacts from this location, maintaining a suitable degree of separation from the Camster turbines, which are operational to the west.							
VP16. A99, Loch Hempriggs (13.31km to nearest turbine)	App	Medium	Small / Medium	Minor / Moderate	Not Significant	Small / Medium	Minor / Moderate	Not Significant
	THC	High	Medium	**Moderate**	**Significant**	Medium	**Moderate**	**Significant**
	App*	Medium	Small	Minor	Not Significant			
	THC*	High	Medium	**Moderate**	**Significant**			
	THC are in broad agreement with App's LVIA. This viewpoint is taken from the side of the A99 close to Loch Hempriggs. All 13 of the proposed turbines will be visible from this location, to hub height. The proposals would be introduced into a view where existing turbines are well-established background features. The proposed turbines would result in an increase in the influence of turbines upon the view, principally due to the increased spread of turbines across the horizon, The presence of the Burn of Whilk turbines has significant influence on ones view at this point but the turbines at Golticlay will extend the visibility of wind farms across the horizon and while less prominent, will lead to wind energy development being more of a feature as one travels along the A99. Due to the distance to the array from this location and terrain screening, the comparative differences are not considered significant between the currently proposed and consented schemes.							
VP17. A9	App	Medium / High	Small	Minor	Not Significant	Small	Minor	Not Significant

			Amended Proposed Development			Combined Development		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
Newport (17.66km to nearest turbine)	THC	High	Small	**Moderate**	**Significant**	Small	**Moderate**	**Significant**
	App*	Medium	Small	Minor	Not Significant			
	THC*	High	Medium	**Moderate**	**Significant**			
	This viewpoint north-eastwards along the North Sea coast from near the bus stop on the A9 at Newport. The view is over the coastal farmland and the sea itself. All 13 of the proposed turbines will be visible from this location, to at least blade tip height. When travelling north on the A9 at this point, one has travelled through the enclosed landscapes around Berridale where the landscape opens out. At this point one would be able to appreciate the vastness of the Caithness Flows at the same time as views along the coast. The proposed turbines will be a stark new feature from this location, despite the distance. The impact is somewhat mitigated by the presence of other wind energy development, however given the elevation of the site, there is an adverse effect. Due to the distance to the array from this location and terrain screening, the comparative differences are not considered significant between the currently proposed and consented schemes. The proposals are not considered to raise significant cumulative visual impacts from this location.							
VP18. Mybster Old Garage (13.172km to nearest turbine)	App	Medium	Small	Minor	Not Significant	Small	Minor	Not Significant
	THC	High	Medium	**Moderate**	**Significant**	Medium	**Moderate**	**Significant**
	App*	Medium / High	Small	Minor	Not Significant			
	THC*	High	Medium	**Moderate**	**Significant**			
	THC are in broad agreement with the App's LVIA. This viewpoint looks south from the side of the A9 at a former garage between Mybster and Spittal. The view is over a flat agricultural foreground, roadside vegetation, and forestry evident in the middle ground of the view. All 13 of the proposed turbines will be visible from this location, to hub height. The proposals would be a background feature in a view where existing turbines are already very prominent and where other features located between the viewer and the proposed turbines would reduce their prominence and perceived scale. The make-up of the existing view and the balance of elements present							

			Amended Proposed Development			Combined Development		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	would change little, however, from this view the proposals exhibit stacking particularly of the central turbine group consisting of 13/17/2 and uneven gaps, leading to a somewhat disjointed array. Due to the distance to the array from this location, the comparative differences are not considered significant between the currently proposed and consented schemes. The proposals would be positioned behind more prominent operational schemes and as such, are not considered to raise further significant cumulative visual impacts.							
VP19. Lyth (22.51km to nearest turbine)	App	Medium	Small	Minor	Not Significant	Small	Minor	Not Significant
	THC	High	Small	Minor	Not Significant	Small	Minor	Not Significant
	App*	Medium	Small	Minor	Not Significant			
	THC*	High	Small / Medium	Minor / Moderate	Not Significant			
	THC are in broad agreement with the App's LVIA. This viewpoint looks southwards from minor road to the south of the settlement of Lyth. The viewpoint reflects the views available to road users. The view is across an open and low-lying agricultural landscape, with occasional small shelterbelts, woodlands and hedgerow remnants. All 13 of the proposed turbines will be visible from this location, to hub height. There would be an incremental increase in the existing influence of wind turbines upon the background of the view. The visual effects would not be significant. Due to the distance to the array from this location, the comparative differences are not considered significant between the currently proposed and consented schemes. The proposals would extend the influence of turbines visibly to the west from the existing Camster array, but due to the similarities in apparent scale at this location, the proposals are not considered to raise significant cumulative visual impacts.							
VP20. A99 Keiss (23.46km to	App	Medium / High	Small	Minor	Not Significant	Small	Minor	Not Significant
	THC	High	Small	Minor	Not Significant	Small	Minor	Not Significant

			Amended Proposed Development			Combined Development		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
nearest turbine)	App*	Medium / High	Small	Minor	Not Significant			
	THC*	High	Small	Minor	Not Significant			
	The viewpoint is located at the edge of Keiss, a village whose principal focus is south-eastwards to the coast, but where many property windows face south-west in the direction of the Golticlay site. Several existing wind farms are visible, including Burn of Whilk, Achairn, Camster, Bilbster, Wathegar and Wathegar 2, all of which are located in the same broad field of view as the Golticlay site. The proposed varied development would be difficult to distinguish separately due to its location to the rear of and existing array of wind turbines. It was agreed with the App that this viewpoint could comprise a wireframe only, and there is no baseline photograph illustrated in the supporting information							
VP21 Scaraben (19.54km to nearest turbine)	App	High	Small / Medium	Minor / Moderate	Not Significant	Small / Medium	Minor / Moderate	Not Significant
	THC	High	Medium	**Moderate**	**Significant**	Medium	**Moderate**	**Significant**
	App*	High	Small / Medium	Minor / Moderate	Not Significant			
	THC*	High	Medium	**Moderate**	**Significant**			
	THC are in broad agreement with the App's LVIA. This viewpoint is taken from the summit of a prominent ridge located in south-western Caithness. Views north and east are across the low-lying landscape of the Flow Country and the wider Caithness landscape, with the North Sea beyond. Several existing wind farms, including those at Buolfruich, Burn of Whilk, Camster and the cluster along the A9 are visible towards the north-eastern horizon at some distance. All 13 of the proposed turbines will be visible from this location, to at least hub height. This is a prominent hill in Caithness which is relatively well walked. The turbines will be visible for a proportion of the walk to and from the summit which includes a lengthy ridge. Distance is a mitigating factor in terms of impact as will the influence of other wind energy development. Nevertheless, the layout of the development still appears somewhat discordant from this viewpoint due to stacking, uneven gaps and a lack of response to topography. The proposals would be introduced into a vast, expansive, long-range panoramic view from an elevated mountain ridge top location. The influence of wind							

			Amended Proposed Development			Combined Development		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	turbines upon views to the north-east would increase. Due to the distance to the array from this location, the comparative differences are not considered significant between the currently proposed and consented schemes. The proposals are not considered to raise significant additional cumulative visual impacts.							
VP22. Ben Alisky (16.24km to nearest turbine)	App	High	Small / Medium	Minor / Moderate	Not significant	Small / Medium	Minor / Moderate	Not significant
	THC	High	Small / Medium	Moderate	Not significant	Small / Medium	Moderate	Not significant
	App*	High	Small / Medium	Minor / Moderate	Not significant			
	THC*	High	Medium	Moderate	Not significant			
	THC are in broad agreement with the App's LVIA. This viewpoint is located on a hill summit within the Flow Country. The views north and east are across a low-lying landscape that is predominantly moorland and peatland. Several existing wind farms are visible, including at the cluster south of the A882, Camster, Burn of Whilk, Buolfruich and the cluster along the A9. Offshore turbines are theoretically visible in the far distance to the east. To the west and south, the landscape is more mountainous, with the Ben Griams, Ben Loyal, Morven and Scaraben all visible. Access to the viewpoint is relatively difficult, with only private tracks. All 13 of the proposed turbines will be visible from this location, to at least hub height.							

			Amended Proposed Development			Combined Development		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	The proposals would be introduced into a vast, expansive, long-range panoramic view from a hill top location surrounded by an extensive area of undeveloped peatland. The influence of wind turbines upon views to the east would increase, but turbines would remain minor features in the context of the views available. Visual effects would not be significant. Due to the distance to the array from this location, the comparative differences are not considered significant between the currently proposed and consented schemes. The proposals are not considered to raise significant additional cumulative visual impacts.							
VP23. Ben Dorrery (20.16km to nearest turbine)	App	High	Small	Minor	Not significant	Small	Minor	Not significant
	THC	High	Small / Medium	Minor	Not significant	Small	Minor	Not significant
	App*	High	Small	Minor	Not significant			
	THC*	High	Small / Medium	Minor	Not significant			
	THC are in broad agreement with the App's LVIA The viewpoint is from a hilltop affording views southwards across the Flow Country, and these views will be amongst the principal reasons for any visit. All 13 of the proposed turbines will be visible from this location, to at least hub height. The proposed turbines would be a small scale addition to the background of the view. They would be located within the same broad field of view as the existing array of turbines formed by Camster, Burn of Whilk, and the Halsary, Bad a Cheo and Causeymire cluster. It was agreed with the App that this viewpoint could comprise a wireframe only, and there is no baseline photograph illustrated in the supporting information. Due to the distance to the array from this location, the comparative differences are not considered significant between the currently proposed and consented schemes. The proposals are not considered to raise significant additional cumulative visual impacts.							
VP24. Hill of Olrig (24.71km to nearest turbine)	App	High	Small / Medium	Moderate / Minor	Not significant	Small / Medium	Moderate / Minor	Not significant
	THC	High	Medium	Moderate / Minor	Not significant	Small / Medium	Moderate / Minor	Not significant
	App*	High	Small / Medium	Moderate / Minor	Not significant			

			Amended Proposed Development			Combined Development		
Viewpoint	App / THC	Sensitivity of the Receptor (Susceptibility / value of the view)	Magnitude of change (Scale of Change / Extent / Duration)	Level of Effect (Magnitude of change / Sensitivity of Receptor)	Significance (Major & Major / Moderate are Significant. Moderate may be significant)	Magnitude of Change (Scale / Extent / Duration)	Level of Effect (Magnitude of Change / Sensitivity of Receptor)	Significance
	THC*	High	Medium	Moderate / Minor	Not significant			
	THC are in broad agreement with the App's LVIA This view is from a modest hill summit. The viewpoint affords views northwards towards the coast with Orkney beyond, and south and west over Caithness. Existing wind farms visible include Achairn, Bilbster, Wathegar, Camster, Causeymire and Burn of Whilk, all located to the south. It was agreed with the App that this viewpoint could comprise a wireframe only, and there is no baseline photograph illustrated in the supporting information. All 13 of the proposed turbines will be visible from this location, to at least hub height. The proposed turbines would be a minor addition to the southern skyline. They would appear as a new cluster of turbines, distinct and separate from established groups of wind turbines, but at a very similar distance from the viewpoint. In this respect they would replicate an established pattern. The existing and proposed turbines would remain largely background features. Due to the distance to the array from this location, the comparative differences are not considered significant between the currently proposed and consented schemes. The proposals are not considered to raise significant cumulative visual impacts.						

Appendix 6 - Assessment against Landscape and Visual Assessment Criteria contained within Section 4 of the Onshore Wind Energy Supplementary Guidance

Response to EIAR Review of Design against Criteria in THC Onshore Wind Energy SG 2016		
1	Relationship between Settlements/Key locations and wider landscape respected.	Turbines are not visually prominent in the majority of views within or from settlements/Key Locations or from the majority of its access routes. ---------- The nearest settlement is Lybster. At present other onshore wind energy schemes can be seen on the approach to Lybster. In addition there will be visibility of off-shore turbines. However, the orientation of the settlement and the houses within it acts to limit views toward wind energy developments including the proposed wind farm. To the north of Lybster, especially from properties located in Roster, most principal views will look to the west towards the development. Although the rising intervening landform will provide a degree of screening, the proposals will still be prominent within the view. Considering the above, it is concluded that the threshold for this criteria is met only by the 180m scheme.
2	Key Gateway locations and routes are respected	Wind Turbines or other infrastructure do not overwhelm or otherwise detract from landscape characteristics which contribute the distinctive transitional experience found at key gateway locations and routes. ---------- Of particular note is the impact of the development from approximately 18km distant, as identified from Viewpoint 17 (Newport) on the A9. When travelling this north, one has travelled through the enclosed landscapes around Berridale where the landscape opens out. At this point one would be able to appreciate the vastness of the Caithness Flows at the same time as views along the coast and the turbines will be a stark new feature. The impact is somewhat mitigated by the presence of other wind energy development, however given the elevation of the site, there is an adverse affect. It should also be noted that the turbines would drop out of view fairly swiftly following this initial view due to a drop in the road level. At a key transitional point on the A9, there will be an adverse impact on the route. Despite the mitigating circumstances set out above, therefore the threshold for this criteria is therefore not met.
3	Valued natural and cultural landmarks are respected	The development does not, by its presence, diminish the prominence of the landmark or disrupt its relationship to its setting. ------

		The lone mountains of Morven and Scaraben are the key natural landmarks. There is a clear visual impact from the summit of both of these hills, albeit it is more pronounced from Scaraben due to it being closer to the development. In addition as one has full view of the development, which appears from here as an engineered rather than designed layout, the visual impact is more pronounced. However, when looking toward the hill, from places where receptors are likely to see the hills, the development would not sit in front of the hills, therefore not affecting the setting of the lone mountains. It is considered that the threshold is met.
4	The amenity of key recreational routes and ways is respected.	Wind Turbines or other infrastructure do not overwhelm or otherwise significantly detract from the visual appeal of key routes and ways. ---- The turbines will be visible from the North Coast 500 route but would not be dominant features given that they are set back from the route. As the route is predominantly travelled from Inverness in a clockwise direction the turbines will be visible for a limited period on the A99 south of Wick, however for a longer period if the route is travelled in an anticlockwise direction. Overall, it is not considered the character of the route will be undermined. Some core paths in the area will have visibility of the scheme. The Yarrows Archaeological Trail is one such path. From here one would have visibility of the scheme, however, with Burn of Whilk Wind Farm occupying the immediate field of view as demonstrated by the visualisations from VP12 (Yarrows Archaeological Trail). Overall, it is considered that while there will be some impacts, the threshold has been met as the turbines would not overwhelm, or otherwise significantly detract from the visual appeal of the recreational routes and ways in the area.
5	The amenity of transport routes is respected	Wind Turbines or other infrastructure do not overwhelm or otherwise significantly detract from the visual appeal of transport routes --------. As considered in more detail above, this criteria is not achieved at particular viewpoints such as VP17 (A9, Newport), but for the majority of routes in the area, the threshold is achieved.
6	The existing pattern of Wind Energy Development is respected.	The degree to which the proposal fits with the existing pattern of nearby wind energy development, considerations include: • Turbine height and proportions, • density and spacing of turbines within developments, • density and spacing of developments, • typical relationship of development to the landscape, • previously instituted mitigation measures • Planning Authority stated aims for development of area ----------

		The existing pattern of development is of wind farms set within the Sweeping Moorland and Flows Landscape Character Type. There is visual separation between most schemes which can be demonstrated at VP14 (Watten Crossing), VP17 (A9, Newport) and VP19 (Lyth). The proposed development will reduce the visual separation between wind energy developments but will still retain an appropriate visual break, thus providing this scheme with its own setting and not adversely affecting the setting of other wind energy developments. With the increased turbine height considered, given the visual separation from other schemes and the positions from which the turbines will be viewed, it is considered that the development will contribute positively to the existing pattern due to the siting and design of the scheme, when viewed by receptors. The threshold is therefore met.
7	The proposal contributes positively to existing pattern or objectives for development in the area.	The proposal maintains appropriate and effective separation between developments and/ or clusters ---------- It is considered that the threshold is broadly met, taking into account the degree of separation of the proposed development from other existing and proposed windfarms in the area.
8	The perception of landscape scale and distance is respected	The perception of landscape scale and distance is respected --- Where the turbines appear with other wind energy developments, they appear behind other wind energy development but in the distance, beyond at least one layer of topography. For the most part, the turbines do not create a focal point in the view and they do not diminish the scale of the landforms which it is situated on or behind. It is considered that this threshold is met.
9	Landscape setting of nearby wind energy developments is respected	Proposal relates well to the existing landscape setting and does not increase the perceived visual prominence of surrounding wind turbines. --- It is considered that the threshold is broadly met, considering the assessment of the cumulative landscape and visual impacts of the development undertaken by the Council Officers and other statutory consultees.
10	Distinctiveness of Landscape character is respected	Integrity and variety of Landscape Character Areas are maintained. ---------- For the avoidance of doubt this does not relate to landscape designations. Consideration should be given to the variety of landscape character as one travels through the area and how that changes and transitions as one moves through the area. It is not considered that this is adversely affected save at VP17 (A9, Newport).

		Overall, it is considered that the threshold is met.

Legend

Site Boundary

Drawn	Checked	Approved	Issue No.
LC	AR	DL	2

Figure No.	Date	Scale
1.1	September 2023	1:250,000 @A3

Figure Title

Figure 1.1
Site Location

Project Name

Golticlay Wind Farm S36c Variation

Project Number

1620015356

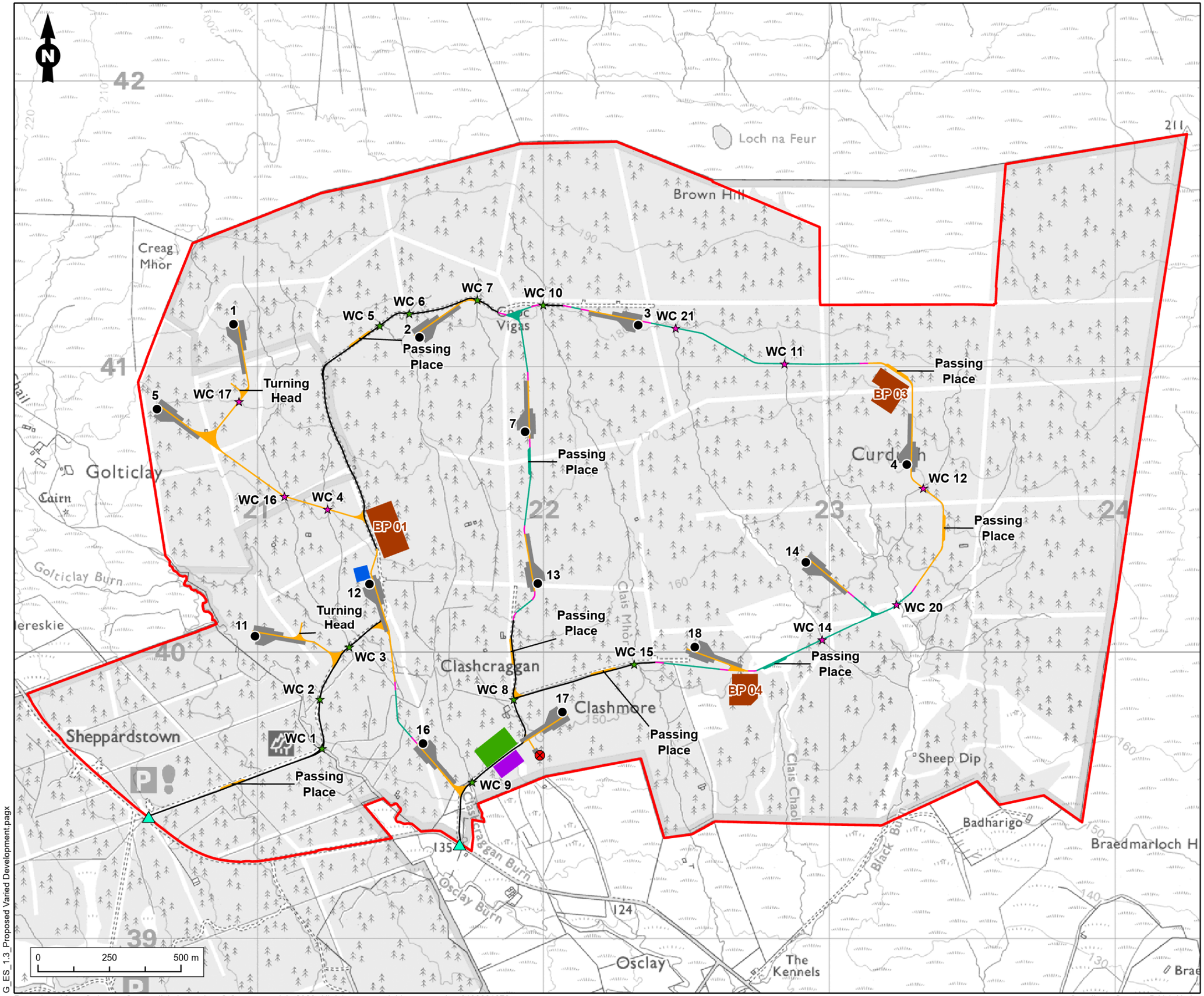
Client

RWE

AECOM

G_ES_1.1_Site Location.pagx

Coordinate System: British National Grid. Projection: Transverse Mercator. Datum: OSGB 1936.



Legend

- Site Boundary
- Proposed Turbine Location
- Proposed Permanent Met Mast Location
- Existing Watercourse Crossing on Existing Track
- Proposed New Watercourse Crossing
- Site Entrance Point
- Proposed Wind Farm Access Track - Existing FLS Track*
- Proposed Wind Farm Access Track - New - Excavated
- Proposed Wind Farm Access Track - New - Floating Transition
- Proposed Wind Farm Access Track - New - Floating
- Proposed Crane Pad and Laydown Area
- Proposed Construction Compound (135m x 75m)
- Proposed Substation (100m x 50m)
- Proposed Concrete Batching Plant (50m x 50m)
- Proposed Borrow Pit Search Area

* Only FLS track sections used for wind farm access are shown

Drawn	Checked	Approved	Issue No.
LC	AR	DL	2

Figure No.	Date	Scale
1.3	September 2023	1:12,500 @A3

Figure Title

Figure 1.3
Proposed Varied Development

Project Name

Golticlay Wind Farm S36c Variation

Project Number

1620015356

Client

RWE

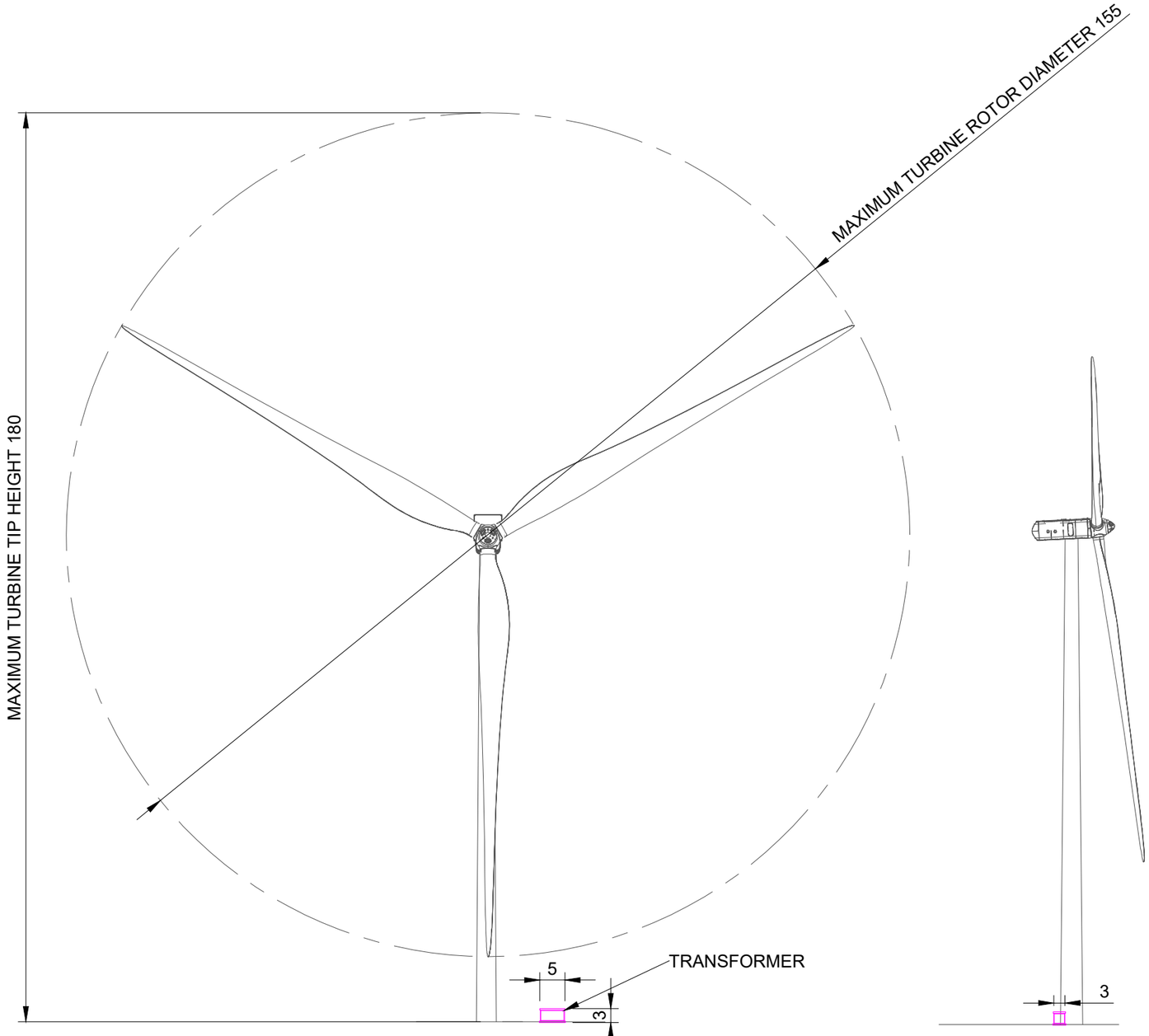
AECOM

G_ES_1.3_Proposed Varied Development.pagx

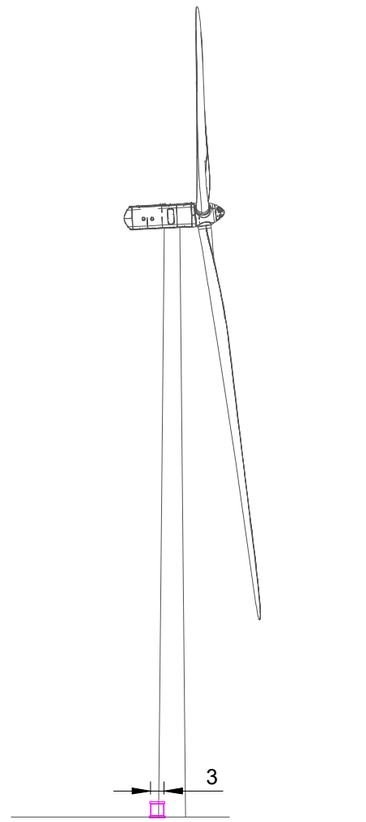
Coordinate System: British National Grid. Projection: Transverse Mercator. Datum: OSGB 1936.

NOTES

1. MAXIMUM TIP HEIGHT BASED ON NORDEX N149 TURBINE.
2. TURBINE DIMENSIONS ARE INDICATIVE AND SHOW MAXIMUM TIP HEIGHT AND ROTOR DIAMETER OF PROPOSED DEVELOPMENT.
3. DIMENSIONS ARE IN METERS (m), UNLESS STATED OTHERWISE.
4. DRAWING NOT TO SCALE



TURBINE ELEVATION



TURBINE PROFILE

0 25 50m

Legend

Drawn	Checked	Approved	Issue No.
SL	AC	DL	02

Figure No.	Date	Scale
1	April 2024	1:1,000 @A3

Title:
FIGURE 4.1 - TURBINE PARAMETERS

Project Name
Golticlay Wind Farm S36c Variation

Project Number
1620015356

Client
RWE

AECOM

1620015356-RAM-MA-IA-0000X_Figx.xA3LandscapeV8_01.pagx

Coordinate System: British National Grid. Projection: Transverse Mercator. Datum: OSGB 1936.