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The Scottish Government
Energy Consents Unit

Scoping Opinion on behalf of Scottish Ministers under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

Grimshader Wind Farm

RWE Renewables UK Limited

28 March 2024

CONTENTS

1. Introduction

1.1 This scoping opinion is issued by the Scottish Government Energy Consents Unit on behalf of the Scottish Ministers to RWE Renewables UK Limited, a company incorporated under the Companies Acts with company number **03758404** and having its registered office at **Windmill Hill Business Park, Whitehill Way, Swindon, Wiltshire, SN5 6PB** ("the Company") in response to a request dated 14th December 2023 for a scoping opinion under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the proposed Grimshader Wind Farm ("the proposed development"). The request was accompanied by a scoping report provided by Jacobs UK Ltd

1.2 The proposed development would be located approximately 3.3 km south/south-west of Stornoway within the local planning authority of Comhairle Nan Eilean Siar (CnES).

1.3 The proposed development will consist of up to 19 nine stand-alone wind turbines with maximum tip heights of up to 200 metres. There will also be a potential battery energy storage system (BESS).

1.4 In addition to the turbines and BESS, there will be ancillary infrastructure including:

- an electrical substation and control building, along with potential battery storage facilities;
- underground power cables linking the turbines and the on-site substation, generally laid in trenches alongside access tracks;
- new site access and on-site access tracks, with pipeline and watercourse crossings (if/where required);
- a steel tower anemometer mast for wind turbine performance monitoring ▪ borrow pit(s) to source material for on-site construction;
- a temporary construction laydown and storage compound;
- required environmental mitigation; and
- off-site works to facilitate the movement of abnormal loads (construction of over-run areas and temporary modifications to street furniture etc).

1.5 The Company indicates the proposed development would be decommissioned after 35 years and the site restored in accordance with the decommissioning and restoration plan.

1.6 The proposed development is solely within the planning authority of Comhairle Nan Eilean Siar.

2. Consultation

2.1 Following the scoping opinion request a list of consultees was agreed between Jacobs (acting as the Company's agent) and the Energy Consents Unit. A consultation on the scoping report was undertaken by the Scottish Ministers and this commenced on 17th January 2024. The consultation closed on 7th February 2024.

Extensions to this deadline were granted to:

- Historic Environment Scotland (HES)
- Comhairle Nan Eilean Siar (CnES)
- NatureScot
- Defence Infrastructure Organisation (MoD)
- RSPB
- Breasclete Community Council

The Scottish Ministers also requested responses from their internal advisors Transport Scotland and Scottish Forestry. Standing advice from Marine Directorate – Science Evidence Data and Digital (MD-SEDD) has been provided with requirements to complete a checklist prior to the submission of the application for consent under section 36 of the Electricity Act 1989. All consultation responses received, and the standing advice from MD-SEDD, are attached in ***ANNEX A*** and ***ANNEX B.***

2.2 The purpose of the consultation was to obtain scoping advice from each consultee on environmental matters within their remit. Responses from consultees and advisors, including the standing advice from MD-SEDD, should be read in full for detailed requirements and for comprehensive guidance, advice and, where appropriate, templates for preparation of the Environmental Impact Assessment (EIA) report.

2.3 Unless stated to the contrary in this scoping opinion, Scottish Ministers expect the EIA report to include all matters raised in responses from the consultees and advisors.

2.4 The following organisations were consulted but did not provide a response:

- British Horse Society;
- BT;
- Cycling Scotland;
- Civil Aviation Authority;
- Crown Estate Scotland;
- Highlands and Islands Transport Partnership;
- John Muir Trust;
- Mountaineering Scotland;
- ScotWays;
- Scottish Wildlife Trust;
- Sustrans
- Visit Scotland;
- Woodland Trust

2.5 Regarding those consultees who did not respond, it is assumed that they have no comment to make on the scoping report, however each would be consulted again in the event that an application for section 36 consent is submitted subsequent to this EIA scoping opinion.

2.6 The Scottish Ministers are satisfied that the requirements for consultation set out in Regulation 12(4) of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 have been met.

3. The Scoping Opinion

3.1 This scoping opinion has been adopted following consultation with Comhairle Nan Eilean Siar, within whose area the proposed development would be situated, NatureScot (previously "SNH"), Scottish Environment Protection Agency and Historic Environment Scotland, all as statutory consultation bodies, and with other bodies which Scottish Ministers consider likely to have an interest in the proposed development by reason of their specific environmental responsibilities or local and regional competencies.

3.2 Scottish Ministers adopt this scoping opinion having considered the information provided by the applicant in its request dated 14th December 2023 in respect of the specific characteristics of the proposed development and responses received to the consultation undertaken. In providing this scoping opinion, the Scottish Ministers have had regard to current knowledge and methods of assessment; have considered the specific characteristics of the proposed development, the specific characteristics of that type of development and the environmental features likely to be affected.

3.3 A copy of this scoping opinion has been sent to Comhairle Nan Eilean Siar for publication on their website. It has also been published on the Scottish Government energy consents website at www.energyconsents.scot.

3.4 Scottish Ministers expect the EIA report which will accompany the application for the proposed development to consider in full all consultation responses attached in **Annex A and Annex B**.

3.5 Scottish Ministers are satisfied with the scope of the EIA set out within the scoping report.

3.6 In addition to the consultation responses, Ministers wish to provide comments with regards to the scope of the EIA report. The Company should note and address each matter.

3.7 The proposed development set out in the scoping report refers to wind turbines, and other technologies including battery storage. Any application submitted under the Electricity Act 1989 requires to clearly set out the generation station(s) that consent is being sought for. For each generating station details of the proposal require to include but not limited to:

- the scale of the development (dimensions of the wind turbines and battery storage);

- components required for each generating station; and

- minimum and maximum export capacity of megawatts and megawatt hours of electricity for battery storage.

3.8 Scottish Water provided information on whether there are any drinking water protected areas or Scottish Water assets on which the development could have any significant effect. Scottish Ministers request that the company contacts Scottish Water (via EIA@scottishwater.co.uk) and makes further enquires to confirm whether there any Scottish Water assets which may be affected by the development, and includes details in the EIA report of any relevant mitigation measures to be provided.

3.9 Scottish Ministers request that the Company investigates the presence of any private water supplies which may be impacted by the development. The EIA report should include details of any supplies identified by this investigation, and if any supplies are identified, the Company should provide an assessment of the potential impacts, risks, and any mitigation which would be provided.

3.10 Marine Directorate – Science Evidence Data and Digital (MD-SEDD) provide generic scoping guidelines for onshore wind farm and overhead line development https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren) which outline how fish populations can be impacted during the construction, operation and decommissioning of a wind farm or overhead line development and informs developers as to what should be considered, in relation to freshwater and diadromous fish and fisheries, during the EIA process.

3.11 In addition to identifying the main watercourses and waterbodies within and downstream of the proposed development area, developers should identify and consider, at this early stage, any areas of Special Areas of Conservation where fish are a qualifying feature and proposed felling operations particularly in acid sensitive areas.

3.12 MD-SEDD also provide standing advice for onshore wind farm or overhead line development (which has been appended at Annex B) which outlines what information, relating to freshwater and diadromous fish and fisheries, is expected in the EIA report. Use of the checklist, provided in Annex 1 of the standing advice, should ensure that the EIA report contains the required information; the absence of such information may necessitate requesting additional information which may delay the process. **Developers are required to submit the completed checklist in advance of their application submission**.

3.13 Scottish Ministers consider that, where there is a demonstrable requirement for peat landslide hazard and risk assessment (PLHRA), the assessment should be undertaken as part of the EIA process to provide Ministers with a clear understanding of whether the risks are acceptable and capable of being controlled by mitigation measures. The Peat Landslide Hazard and Risk Assessments: Best Practice Guide for Proposed Electricity Generation Developments (Second Edition), published at http://www.gov.scot/Publications/2017/04/8868, should be followed in the preparation of the EIA report, which should contain such an assessment and details of mitigation measures. Where a PLHRA is not required clear justification for not conducting such a risk assessment is required.

3.14 The scoping report identified viewpoints at page 13 of the scoping report at Table **4-1** to be assessed within the landscape and visual impact assessment. The Planning Authority have made reference to the specific viewpoints listed within their consultation response (A5 & A6) and have also suggested additional viewpoints. The Developer is strongly encouraged to consult with both CnES and NatureScot to determine final viewpoint selection.

3.15 The noise assessment should be conducted in line with relevant legislation and standards as detailed in section 10 of the scoping report. The noise assessment report should be formatted as per Table 6.1 of the IOA "A Good Practice Guide to the Application of ETSU-R-97 for the Assessment and Rating of Wind Turbine Noise."

3.16 As the maximum blade tip height of turbines exceeds 150 m the LVIA as detailed in section 5 of the scoping report must include a robust Nighttime Assessment with agreed viewpoints to consider the effects of aviation lighting and how the chosen lighting mitigates the effects.

3.17 It is recommended by the Scottish Ministers that decisions on bird surveys – species, methodology, vantage points, viewsheds & duration – site specific and cumulative – should be made following discussion between the Company and NatureScot.

3.18 Where borrow pits are proposed as a source of on-site aggregate they should be considered as part of the EIA process and included in the EIA report detailing information regarding their location, size and nature. Ultimately, it would be necessary to provide details of the proposed depth of the excavation compared to the actual topography and water table, proposed drainage and settlement traps, turf and overburden removal and storage for reinstatement, and details of the proposed restoration profile. The impact of such facilities (including dust, blasting and impact on water) should be appraised as part of the overall impact of the working. Information should cover the requirements set out in **'PAN 50: Controlling the Environmental Effects of Surface Mineral Workings'**

3.19 Ministers are aware that further engagement is required between parties regarding the refinement of the design of the proposed development regarding, among other things, surveys, management plans, peat, radio links, finalisation of viewpoints, cultural heritage and cumulative assessments and request that they are kept informed of relevant discussions.

4. Mitigation Measures

4.1 The Scottish Ministers are required to make a reasoned conclusion on the significant effects of the proposed development on the environment as identified in the environmental impact assessment. The mitigation measures suggested for any significant environmental impacts identified should be presented as a conclusion to each chapter. Applicants are also asked to provide a consolidated schedule of all mitigation measures proposed in the environmental assessment, provided in tabular form, where that mitigation is relied upon in relation to reported conclusions of likelihood or significance of impacts.

5. Conclusion

5.1 This scoping opinion is based on information contained in the applicant's written request for a scoping opinion and information available at the date of this scoping opinion. The adoption of this scoping opinion by the Scottish Ministers does not preclude the Scottish Ministers from requiring of the applicant information in connection with an EIA report submitted in connection with any application for section 36 consent for the proposed development.

5.2 This scoping opinion will not prevent the Scottish Ministers from seeking additional information at application stage, for example to include cumulative impacts of additional developments which enter the planning process after the date of this opinion.

5.3 Without prejudice to that generality, it is recommended that advice regarding the requirement for an additional scoping opinion be sought from Scottish Ministers in the event that no application has been submitted within 12 months of the date of this opinion.

5.4 It is acknowledged that the environmental impact assessment process is iterative and should inform the final layout and design of proposed developments. Scottish Ministers note that further engagement between relevant parties in relation to the refinement of the design of this proposed development will be required and would request that they are kept informed of on-going discussions in relation to this.

5.5 Applicants are encouraged to engage with officials at the Scottish Government's Energy Consents Unit at the pre-application stage and before proposals reach design freeze.

5.6 When finalising the EIA report, applicants are asked to provide a summary in tabular form of where within the EIA report each of the specific matters raised in this scoping opinion has been addressed.

5.7 It should be noted that to facilitate uploading to the Energy Consents portal, the EIA report and its associated documentation should be divided into appropriately named separate files of sizes no more than 10 megabytes (MB).

Tony Young

Energy Consents Unit

28 March 2024

ANNEX A

Consultation

List of consultees who provided a response.

- Comhairle Nan Eilean Siar {CnES} (A1 – A12)
- Breasclete Community Council (A13 – A15)
- Historic Environment Scotland {HES} (A16 – A21)
- Highlands and Islands Airports Limited {HIAL} (A22 – A23)
- Joint Radio Company Limited {JRC} (A24 – A26)
- MET Office (A27 – A28)
- Ministry of Defence - Defence Infrastructure Organisation (A29 – A31)
- NATS Safeguarding (A32)
- NatureScot {previously “SNH” (A33 – A36)
- North Lochs Community Council (A37 – A43)
- Ofcom (A44 – A45)
- Outer Hebrides Fisheries Trust (A46 – A48)
- RSPB Scotland (A49 – A55)
- Scottish Forestry (A56 – A57)
- Scottish Water (A58 – A60)
- Scottish Environmental Protection Agency {SEPA} (A61 – A70)
- Transport Scotland (A71 – A72)

Internal advice was also provided Scottish Government officials (in the form of standing advice) from Marine Directorate – Science Evidence Data and Digital (MD-SEDD or bespoke advice from Marine Directorate – Science Evidence Data and Digital (MD-SEDD) (**Annex B**)

See Section 2.4 above for a list of organisations that were consulted but did not provide a response.

A1

COMHAIRLE NAN EILEAN SIAR
Sandwick Road
Stornoway
Isle of Lewis
HS1 2BW

Email: planning@cne-siar.gov.uk
Date: 14 February 2024

Issued by email only to Tony.Young@gov.scot

Onshore Wind North
Energy Consents Unit
Directorate for Energy and Climate Change
Scottish Government
5 Atlantic Quay,
150 Broomielaw,
Glasgow
G2 8LU

FAO of Tony Young, Senior Case Officer

Dear Sirs,

SCOPING OPINION RESPONSE COMMENTS BY COMHAIRLE NAN EILEAN SIAR
GRIMSHADER WIND FARM PROPOSAL, ISLE OF LEWIS.

ECU reference number:	**ECU00005010**
CnES reference number:	**24/00024/CONSG**
Proposal:	**Grimshader Wind Farm Proposal Windfarm**
Location:	**Isle of Lewis**

I refer to the request dated 17 January 2023 seeking the comments of Comhairle nan Eilean Siar as Planning Authority on the Scoping Report prepared in relation to the above project.

The RWE Grimshader Wind Farm EIA Scoping Report (Document no: B2462600_G_R_001_Scoping) is comprised of 75 pages and is supported by Figures 1 (Development Boundary); Figure 2 (Environmental Constraints); Figure 3 (Turbine Layout) and Figure 4 (ZTV and list of Viewpoints).

A number of service departments of Comhairle nan Eilean Siar has been consulted internally in order to inform the response to this response to the consultation on the Scoping Report.

At the date of this response Comhairle nan Eilean Siar has not had sight of the advice of any other consultation bodies to the Scoping Report. Please note that CnES does not currently have have in-house specialists for all topic areas e.g. Landscape, bio-diversity, climate change and defer to the advice of other consultation bodies in these respects.

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General Comment:
The Description of the Proposed Development in Section 2.1 and 2.2 of the Scoping Report.
The site for the Proposed Development is 'upland' at Grimshader, North Lochs, 3.3km south-west of Stornoway, Isle of Lewis, comprising a moorland and coastal landscape. The area comprises rocky and boggy moorland, undulating hills and is studded with lochans. The site varies in topography, with hills of 106m along the eastern boundary and up to 98m in height to the west. There are several water courses and lochs within the site, including Loch Orasaigh.

In summary, the key components of the Proposed Development are comprised of up to 19 three bladed horizontal axis wind turbines (each comprising a tower section, nacelle and rotor blades, and an external transformer, turbine foundation and crane hardstanding), an electrical substation and control building, along with potential battery storage facilities, underground cables from turbines to sub-station, new site access and on-site access tracks, borrow pit(s) to source material for on-site construction a temporary construction laydown and storage compound; a steel tower anemometer mast for wind turbine performance monitoring, off-site works to facilitate the movement of abnormal loads and required environmental mitigation

4.1 – PLANNING AND ENERGY POLICY

The Development Plan and Marine Planning Section advise as follows in relation to legislation and policy:

National Development Context & National Renewable Energy Policy

In 2019 the Scottish Government declared a climate emergency.

The Climate Change (Scotland) Act 2009 sets out the legal framework for climate action in Scotland.

An ambitious net zero emissions target of all green house gases by 2045 has been set by the Scottish Government under the Climate Change (Emissions Reduction Targets) (Scotland Act) 2019.

Update to the Climate Change Plan 2018 – 2032 Securing a Green Recovery on a Path to Net Zero (2020) sets out the pathways to these new targets.

The Scottish Government has an ambition to increase onshore wind energy development from 8.78 GW as of June 2022, to over 20 GW by 2030, more than doubling existing capacity. Further detail may be found in the Draft Energy Strategy and Just Transition Plan – delivering a fair and secure zero carbon energy system for Scotland (2023) Other relevant material includes:

Climate Ready Scotland: Second Scottish Climate Change Adaptation Programme 2019-2024 (September 2019).

Scottish Energy Strategy: The future of energy in Scotland (2017)

Equality, Opportunity, Community Our Programme for Government (September 2023)

The Outer Hebrides is well placed to contribute to meeting new zero targets, the National Islands Plan (2019) includes commitments related to this objective. Together with the 2019 Plan the

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Scottish Government has published the National Islands Plan Implementation Route Map 2020 – 2025 (2021)

The Development Plan

In February 2023 Scottish Government adopted National Planning Framework 4 which together with the Outer Hebrides Local Development Plan, (including the Outer Hebrides Wind Energy Development Supplementary Guidance*, form the statutory Development Plan).

National Planning Framework 4

The principal policy against which the Proposed Development will be assessed is NPF Policy 11: Energy where the policy intent is to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution Infrastructure and emerging low carbon and zero emissions technologies including hydrogen and carbon capture utilisation and storage (CCUS).

Other relevant NPF policies which the development proposal will be assessed against include:

NPF4 Policy 1: Tackling the climate and nature crises;
NPF4 Policy 2: Climate mitigation and adaptation;
NPF4 Policy 3: Biodiversity;
NPF4 Policy 4: Natural places;
NPF4 Policy 5: Soils;
NPF4 Policy 6: Forestry, woodland and trees:
NPF4 Policy 7: Historic assets and places;
NPF4 Policy 10: Coastal development;
NPF4 Policy 12: Zero Waste;
NPF4 Policy 14: Design, quality and place
NPF4 Policy 22: Flood risk and water management;
NPF4 Policy 25: Community Wealth Building
NPF4 Policy 29: Rural Development
NPF4 Policy 33: Minerals

Outer Hebrides Local Development Plan

The development will be assessed against the Outer Hebrides Local Development Plan, in this case principally
Policy EI 8: Energy and Heat Resources
Policies DS1 Development Strategy;
Policy PD1 Placemaking and Design;
PD2: Car Parking and Roads Layout;
PD4: Zero and Low Carbon Buildings;
El 4 Waste Management
EI 5: Soils and
ED5: Minerals.

This development proposal will be assessed against the Development Policies for wind farms in the Wind Energy Supplementary Guidance:

- Economic Impacts and Benefits
- landscape and Visual Impact
- Aviation and Defence
- Noise
- Community Amenity
- Neighbouring Developments
- Historic Resources
- Natural Heritage
- Peat and Soil Resources
- Water Resources
- Borrow Pits
- Repowering
- Planning Obligations
- Decommissioning
- Cumulative Impacts
- Radar Impact

General comment

CnES considers that the Scoping Report has identified key plans and strategies which would be augmented by those referenced above which relate specifically to renewable energy generation in Scotland; and the Scottish Islands' potential contribution.

The developer must review and include the most up to date versions to reflect current national legislation, policy and guidance at the time of submission to the energy consents unit (ECU). CnES expects detailed reference to this policy framework and how the proposal links and complies with national policy in the Planning Statement.

*Note: The Supplementary Guidance for Wind Energy Development (2021), remains relevant, contrary to a comment on Page 10 of the Scoping Report. Please refer to the Chief Planner letter 8 February 2023. ' The Development Plan……*Supplementary guidance associated with LDPs which was in force before 12 February (the date on which section 13 of the 2019 Act comes into force) will continue to be in force and be part of the development plan (1997 Act; paragraph 2 of schedule 1)'…..* Applying NPF4 Policy…..* In the event of any incompatibility between a provision of NPF and a provision of an LDP, whichever of them is the later in date is to prevail. Provisions that are contradictory or in conflict would be likely to be considered incompatible.'*

Particular reference should be made to the Comhairle Spatial Strategy for Wind Farms: *Areas with Potential for Wind Farms; Areas of Constraint;* Areas with Potential for Wind farms (and the associated Maps): Map 1; Map2 and Map 3

CnES agree that all elements of planning and energy policy should be scoped into the EIA.

4.2 Landscape and Visual

Response to Questions

▪ ***Do consultees have any comments on the overall methodology proposed to assess effects on landscape and visual receptors?***
No – Methodology accepted.

▪ ***Are there additional sources of information which should inform the baseline and assessment of potential effects on landscape/coastal/seascape character and designated landscapes?***

We consider that the developer has access to the relevant information to carry out the baseline and assessment of potential effects on landscape/coastal/seascape character and designated landscapes.

▪ ***As the proposed development is not located within a WLA are consultees content with scoping out the assessment of effects on Wild Land?***
CnEs will defer to the expert view of Nature Scot but as NPF4 states that the effects of wind energy development outwith wild land areas will not be a significant consideration, consequently CnES are content that a Wild Land Impact Assessment may be scoped out.

▪ ***Could consultees confirm they are content with the 45km initial study area proposed for the LVIA?***
Yes. CnES would expect the EIAR to have a particular focus on any area within 20km of the wind farm as this is where significant adverse landscape and visual impacts are most likely to occur.

▪ ***Do consultees have any comments/suggestions on the proposed list of representative viewpoint locations listed in Table 4-1 and shown on Figure 4?***
The scale of the Map used to generate the ZTV does not show sufficient detail to be definitive about final viewpoint selection. An enhanced scale of basemap should be sought for a higher resolution ZTV to allow more accurate appraisal of potential visibility and assist in determining the final viewpoint selection in consultation with CnES and Nature Scot.

- Viewpoint 13 from Gallows Hill should be taken from the footpath at a vantage point where the view is not obscured by trees, (the Grid reference provided is off the footpath).
- Viewpoint 11, Grimshader East should be reviewed and adjusted in the field (A substitute would be a viewpoint from Beinn an Staradh in Grimshader NGR 142,173E 926,280N which is near a popular local walking route).

Following review of a higher resolution ZTV which may demonstrate visibility of the Proposed Development from the undernoted locations, CnES recommend augmenting the proposed viewpoints with some further viewpoints selected from the below list:

- NGR 140,486E 925,782N - views from the centre of Grimshader village
- NGR 139,346E 927,461N - Grimshader, Rosgeil House (junction)
- Ranish (road end – Grimshader Loch side)
- NGR 121,303E 932,922N - Calanais, Cnoc an Tursa,
- NGR 122,250E 919,685N - view from Calanais II

- NGR 135,715E 927,835N (approximately) - A vantage point near Sgoil nan Loch
- NGR 136,579E 928,705N - Cnoc Dubh
- NGR 137,284E 926 162N - Leurbost village, Tom Ta,;
- NGR 136,035E 920,136N Gearraidh Bhaird (Garyvard);
- NGR 134,015E 931,308N Pentland Road Hebridean Way/Airidh shieling cluster;
- NGR 150,108E 943,385N Gress to Tolsta Road at.
  NGR 141,398E 935,135N; Upper Newvalley
- NGR 141,902E 935,745N; Newmarket at
- NGR 143,870E 942,660N; Oliver's Brae at
- A point from within Stornoway Ferry Terminal;
- Lewis Castle (Category A Listed) – Cultural heritage receptor
- NGR 131,735E 929,262N Achmore Stone circle (SAM)
- NGR 144,493E 930,524N Iolaire Memorial site – Commemorative sites.

▪ Do consultees have any comments on the proposed scope of the RVAA?

The nature of the terrain and the distance over which the turbines of up to 200m are likely to be visible in relatively treeless landscape is such that CnES requires that the RVAA should utilise the enhanced ZTV to identify all residential properties which falls within (or on the edge of) a buffer of up to 2km of the development site which would be likely to have visibility of the wind turbines blades and hubs. Following a further assessment in the field, the RVAA should assess the impact upon these properties (in some cases it would be reasonable to select a property as representative of groups of properties of similar siting, orientation and character. Note – contrary to the Scoping Report it appears that some properties may be inside a 1.5km buffer from the Proposed Development.

▪ ***Do consultees have any comments on which viewpoints should be used to represent dusk/night-time views?***
The scale of the Map used to generate the ZTV does not show sufficient detail to be definitive about final viewpoint selection to represent dusk/night-time views. This should be discussed further when a higher resolution ZTV available. However in the interim consider the following:

- 1 - Calanais 1 viewpoint (historic lunar observatory at particular times in the lunar calendar)
- Leurbost (residential properties facing east or north on the north (high) side of the Leurbost road (majority of houses face south)
- 13 - Gallows Hill
- 16 - Iolaire Monument

An assessment on Aviation lighting for the Proposed Development should be produced by an accredited aeronautical engineer. New draft guidance on night lighting is understood to be available and should be considered to inform the assessment of the effects on navigation and aviation caused by wind turbines, and possible mitigation.

▪ ***Do consultees have any suggestions on routes to be included for sequential route assessment?***

- The A859 Harris to Stornoway Route approaching the site from the North and from the South.
- The approach to and through the site from the North along the B897.
- The A858 from Achmore

- The A866 leading from Point to Stornoway.

▪ Do consultees have any comments on the overall methodology proposed to assess cumulative effects on landscape and visual receptors?
No

▪ Could consultees confirm they are happy with the 60km initial search area proposed for the CLVIA?
The 60KM search area is not mapped within the scoping document. CnES would defer to NatureScot on this question (but it seems reasonable as should take in all the major terrestrial windfarms proposed/consented).

▪ Are there any further wind farms or other developments, existing or within the planning system, in addition to those shown in Table 4-2, that should be included in the CLIVIA?

- The operational turbine at North Tolsta 81m to tip height (NGR 152,380E 946,005N) should be included in the CLVIA.
- The proposed onshore development at Heastabhal for 14 turbines at 200m to tip height to be included in the CLVIA.
- Depending on the intervening distance (and views of NatureScot) the proposed (Scotwind) offshore wind development Spiorad na Mara (66 wind turbines up to 380m tip height) to the northwest of Lewis

▪ Which viewpoints do consultees feel should be included within the CLVIA?

- A viewpoints from higher ground where there are uninterrupted views towards the proposal site from the East such as from Achmore (Eitseal at NGR 130,512E 930,464N) or the Pentland Road (Hebridean Way NGR 134,015E 931,308N) where North Lochs and the hills of South Lochs can be seen.
- A viewpoint on the high point of the A857 (Barvas moor) road 141009E 938427N
- Viewpoint 2 - The Lewis War Memorial
- Viewpoint 4 - Knock - Point

General comments.

The advice of NatureScot should be obtained on Landscape and Visual amenity.

The scale of the Map/resolution of the ZTV does not show sufficient detail to be definitive about final viewpoint selection. An enhanced scale of basemap with a higher resolution ZTV is required to allow more accurate appraisal of potential visibility.

The LVIA should fully consider potential effects on landscape and visual amenity with particular regard to sensitive receptors including: views from 'high' points within the Stornoway Conservation Area; from the Lews Castle and Lady Lever Park Inventory listed Garden and Designed Landscape (GDL) the Lewis War Memorial and the Iolaire Monument.

The EIA should include a map:

- to illustrate the 60m Area of Search for Cumulative assessment.

- of the Proposed Development in relation to other proposed/consented wind energy developments in the Isle of Lewis.

A visualisation(s) of the proposed sub-station from a key viewpoint(s) is also advised.

4.3 Geology, Hydrogeology and Hydrology

CnES defer to the advice of SEPA and NatureScot in respect of these topics in the Report

4.4 Ornithology and 4.5 Ecology

CnES defer to the advice of NatureScot and the RSPB in respect of these topics in the Report. Please review the proposal to 'scope out' 'Bats' in light of the NatureScot advice.

4.6 Noise

Comhairle nan Eilean Siar Environmental Health agree to that which is presented within the Report as having been scoped in and out and advise that the specialist company carrying out the background noise assessments mentioned in the report have been in contact.

4.7 Access, Traffic and Transport

CnES Assets (Roads and Streetlighting) has reviewed this Chapter of the Report and advise as follows:

Section 4.7 of the Scoping Report states the factors to be considered and the proposed mitigation during the construction phase. This should include pre works condition surveys, detailed assessment of construction traffic levels and a Traffic Management Plan.

Although the operational phase will have less impact on the road network the report should give an indication of the vehicles to be used and frequency.

The baseline survey information from traffic surveys should be obtained by the developer.

Any bridges or structures crossed as part of the Abnormal Load Route should be assessed beforehand. Mitigation works may be required along this route to allow the delivery of units.

A large proportion of the road network is founded on peat deposits and as such the whole road network could be classed as potentially sensitive.

The developer will be responsible for the repair of damages to the road network as a result of the project.

Turbines should be located a minimum distance of the turbine tip height plus 10% from the public road.

Peak traffic periods from other consented major wind turbine developments and this project should not coincide.

A9

4.8 Cultural Heritage

Comhairle nan Eilean Siar Archaeology Service has reviewed this section of the Report and advised as follows:

The subject of Cultural Heritage is considered in chapter 4, section 4.8 of the Scoping Report. The report identifies the range of known cultural heritage assets (both designated and undesignated), and the potential for unknown archaeological features, all of which may be affected by the wind farm development. These assets are identified within study areas; an inner the site boundary and an outer 10km buffer zone . The report notes that other sites of national or regional significance beyond the study areas may also have sensitivities regarding the impact of the development on their setting.

Relevant policy and guidance have been identified in section 4.8.3; however, it would be useful to include National Planning Framework 4 with reference to Policy 7, sub sections A, H - ii, iii and O to reflect the context of the document.

Furthermore, guidance set out in the PAN2/11 and the Historic Environment Policy for Scotland (HEPS); note, that where nationally important archaeological remains, whether scheduled or not, are affected by a proposed development, there should a presumption in favour of their physical preservation in-situ, and a presumption against proposals which would involve significant alteration or cause damage, or which would have significant effect on the setting of visible remains. Whilst the preservation of in-situ remains is preferred, it may be possible to mitigate impacts to archaeological remains of less than national importance via programs of archaeological excavation and /or watching brief, enabling the preservation by record of archaeological deposits destroyed or damaged by a development. Regional planning guidance concerning cultural heritage is reflected in policies contained in the CnES Outer Hebrides Local Development Plan (2018).

Potential impacts and effects on the archaeological resource and sites of cultural heritage are considered in Section 4.8.2 and comprise of direct, indirect, and cumulative effects.

Considerations for mitigation are outlined in Section 4.8.4, noting that where direct impacts from development are unavoidable archaeological mitigation will preserve the resource by record. This section could also have included a broader statement including mitigation of setting impacts through design, micro siting (as noted in 4.8.2), or other methods.

The Archaeology Service would highlight that further aspects within the methodology outlined in the scoping report should be considered or modified and included within the EIA.

- The ZTV drawing (Figure 4) could be improved if a better contrasting colour scheme was applied to a ‘contoured’ base map. It would also be beneficial if 15km and 20km buffer was applied to it.

- It would be helpful to see a wider area of the island depicted on the ZTV (Figure 4), as it is difficult envisage the potential wider impact of the development beyond the 10km buffer given the variations in the landscape, low moorland, raised moorland mountains, coastline, and seascape.

- The proposed development is situated in an area of extensive undisturbed peatland. The formation processes of this landscape offer a high potential for paleoenvironmental data

to be recovered. The potential for paleoenvironmental data can be informed through monitoring of SI and peat coring programs. Recovery of paleoenvironmental remains and their analysis should be included within the archaeological mitigation strategy.

- The Archaeology Service should be consulted for its view regarding historic environment assets for inclusion for LVIA.

- It would be useful to identify the framework within which the cultural heritage aspect of this project will be managed, for example an Archaeological Clerk of Works.

- It will be important to include potential assessment impacts for the decommissioning or repurposing of the development.

Questions
Are consultees content with the proposed approach
Yes
Are there any specific heritage assets that should be included with the assessment
Yes – Dursainean Chambered Cairn(SM5357), Carn á Mharc Chambered Cairn (SM1660), Airidh an Taillear Cairn (SM13740) . The Archaeology Service would anticipate that other sites should be included.
Do Consultees agree with the list of factors to be scoped out
Yes
Could consultees confirm whether further receptors should be considered
Yes, other receptors should be considered.
Could consultees confirm whether there are any key issues or potential impacts that have been omitted?
As previously mentioned, improved ZTV data would assist in arriving at a more informed viewpoint.

4.9 Climate Change

CnES does not have access to a Climate Change specialist at the date of response and is unable to provide responses to the questions posed in the Scoping Report. However Comhairle nan Eilean Siar (Energy Strategy) reviewed this section briefly and commented as follows:

It is noted, with some concern, that at section 4.9.5 (Climate Change), the environmental factors associated with the climate impacts of the construction stage have been scoped out of the EIA.

The handling of peat at this scale is a primary, climate sensitive, environmental factor and, with so many major projects planned over the next six years (an HVDC Converter Station, three developer Substations, three Onshore Wind Farms and two Offshore Wind Farms not counting these two RWE projects), the cumulative climate impact of peat removal is becoming a major issue. There is a concern that the project Peat Management Plan, with its sole emphasis on 'safeguarding the integrity of excavated peat', will be insufficient to address emerging concerns. For development on priority peatland habitat, as this will be, NPF4 requires a site specific assessment and "detailed Peat Management Plan to outline plans for restoring and/ or enhancing the site into a functioning peatland system capable of achieving carbon sequestration". Increasingly, this is being viewed as a requirement to re-use peat in the restoration of degraded areas in the vicinity of the development site and the developer should engage with SEPA at the earliest opportunity to ensure that effective Peat Management measures can be discharged at this site.

A11

4.10 Socio-Economics

Comhairle nan Eilean Siar (Energy Strategy) reviewed this section and commented as follows:

Do consultees agree with the proposed methodology?

It is difficult to comment at this stage as detailed scoping of socioeconomic factors and impacts is deferred to a stand-alone Socioeconomic Report to be submitted as part of the full Planning application. Socioeconomic detail in the Scoping Report is therefore limited. However, in addition to the industry-standard socioeconomic effects to be explored, the Socioeconomic Statement should contain some analysis on:

- The developer's intentions regarding export of product given that the 1.8GW HVDC Transmission Link between Arnish and National Grid at Beauly, currently at pre-construction stage, is already full to capacity and beyond. Export of electrons to Grid and export of electrons for on-island Hydrogen production will have very different socioeconomic impacts, particularly in terms of direct and indirect employment, supply chain, R&D etc and, for a proper assessment to be made of impacts, the developer should clarify the proposed route to market (also touched on in final bullet point below);
- The extent of the developer's intentions in terms of local content in construction contracts and the developer's ability to enforce these intentions with the Tier 1 contractor;
- The developer's appetite for Shared Ownership of generation by the community and how this might be enabled;
- The developer's appetite for becoming involved in a sector wide effort to secure discounted electricity bills for island consumers on account of the prevalence of Renewable Energy generation in and around the islands. This could include sale of product to a local, licenced electricity supply company with additional, separate cash funding to enable the (not-for-profit) local electricity supply company to drive down the cost of electricity for island consumers;
- The developer's appetite to become involved in the supply of electricity for on-island Green Hydrogen production, probably at Arnish near Stornoway. This could involve sale of product to a Green Hydrogen production facility for local use and export.

Do consultees agree with the potential impacts that have been highlighted?

It is difficult to comment without sight of the full Socioeconomic Report but there seems to be a disproportionate emphasis on the impact on tourism. Further analysis should be given to the potential impact - positive and negative - on the local supply chain, on local culture and language, on the local cost of living (if the developer participates in schemes to reduce the cost of energy to island consumers) and on prospects for the emergence of an Outer Hebrides Hydrogen Economy.

Comhairle (Economic Development section) also reviewed and comments are as follows:

- ***Do consultees agree with the list of factors to be scoped out?***

The local community require to be consulted to ensure that the development does not impede on their everyday lives and allows them to effectively travel to and from work, school, recreation areas, shops, etc.

- ***Could consultees confirm whether there any other receptors that consultees wish to be considered in the assessment?***

4.10.5 – Outer Hebrides Tourism should be consulted to ascertain the impact on the local visitor economy including the impact on the local businesses.

- The surrounding communities and Estates as they provide employment and support/lead on local development opportunities.

- Local businesses in the immediate area should be consulted to provide clarity on the potential traffic delays and access issues as this may impact upon their business.

- ***Could consultees confirm whether there are any key issues or potential impacts that have been omitted?***

- Local community group should be consulted, Kinloch Historical Association who manage and support the development of many projects within the community.

CnES agree that no aspects of the socio economic assessment should be scoped out at this stage.

Other EIA Topics (Scoped In)

4.11.1. Telecommunications and Utilities

4.11.2. Aviation

4.11.3 Shadow Flicker

Agree - No other comments to offer on these three Chapters

Other EIA Topics (Scoped Out)

4.11.4. Major Accidents and Disasters

4.11.3 Human Heath

No comments to offer.

I trust the foregoing is of assistance to you in formulating a response to the Scoping Report

Yours faithfully

REDACTED

Morag Ferguson
Planning Manager (Development Management)
Chief Executive's Department

A13

From: Breasclete Community Council <breascletecc@gmail.com>
Sent: 27 February 2024 16:10
To: Econsents Admin
Subject: Re: Scoping Consultation - Grimshader Wind Farm
Attachments: Reposnse to scoping Report.docx

Dear Tony,

Please find attached out reponse to the scoping report proposals, as discussed at our meeting on 14th February.

Jacqui Ferguson
Clerk
Breasclete Community Council

-

A14

Response to Scoping Report for Grimshader and Heastabhal Wind farm application. From Breasclete Community Council.

General Comments

Breasclete Community Council feels that, while these scoping reports seem reasonably robust, we would like to express the significant concern of many in the community about the impact both of these developments would have on the southern sightlines from the Calanais complex of Standing Stones, particularly I, II and III, as well as Dun Carloway.

As both the Grimshader and Heastabhal proposals are similar to each other, we would like these responses to be taken as read for both reports.

4.2: consultees must include Historic Environment Scotland

4.3.6: Consultees should include the Wester Isles Fisherman's Association

4.4.6, and **4.5.6:** Consultees should include the Outer Hebrides Natural History Society

4.8 is of particular interest to the Community Council. The cumulative effect of several proposed windfarms within the viewpoint of the Calanais monument, especially towards the lunar standstill sightline is of significant concern. Steps must be taken to show that this will have no impact on the sightlines.

Consultees must include: Urras nan Tursachan (UnT), stakeholders involved in the funding of UnT, Highlands and Island Enterprise, Urras Tac Chalanais, Visit Outer Hebrides, Edinburgh University, and local Commun Eachdraidh groups.

4.10: The reference to the Biggar findings that windfarm sites encourage tourism should be looked at again. Since 2021, windfarms have increased in number, and societal attitudes have changed. We feel that evidence linking this increase to a current setting within the Western Isles should be provided as part of the consultation. Lewis is well known for its expansive views over the landscape, and tourists value the pristine and unspoilt nature of the island.

Assessment of impact on the visitor market must include gathering new data on perceptions from real visitors. Relying on existing information will not allow for meaningful analysis of potential impacts, and as tourism is a major industry within the Western Isles, this is a crucial factor.

Consultees should include Visit Outer Hebrides

4.11.15: These areas are not considered fully enough within the separate areas of the report, and it appears to omit any reference to risks to human receptors leading to adverse health effects. These can include sleep disorders, headaches, mood disorders, inability to

concentrate, tinnitus, effects on vestibular (balance) and heart, and vibratory sensations. Causes have been proposed such as amplitude modulation; lack of night-time abatement; audible LFN; inaudible LFN/infrasound; tonal noise; electrical pollution/stray voltage; and visual impacts such as shadow flicker and flashing lights. Reference is made to research such as Wind turbines and adverse health effects: Applying Bradford Hill's criteria for causation (Dumbrille, McMurtry and Krogh; October 2021; www.environmentmed.org).

We consider, therefore that a full chapter on risks to human health be included in the EIAR.

Other Comments:

Crofting is an important local consideration. The impacts of the project on crofting practices should be considered. Consideration should also be given to how crofting regulation will impact access to land for the onshore elements of the project.

Consultees to the proposal should also include: The Crofting Commission, Scottish Crofters Federation, local Community Landlords, including Urras Oighreachd Charlabaigh, Community Councils and Local Grazings Committees

Some documents appear to have been omitted, such as the Outer Hebrides Community Planning Partnership Local Outcomes Implementation Plan 2017-27, Islands Growth Deal, and Comhairle nan Eilean Siar Corporate Plan 2022-27.

Breasclete Community Council

February 2024

A16

By email to: Tony.Young@gov.scot

Tony Young
Senior Case Officer
Energy Consents Unit
Scottish Government

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMConsultations@hes.scot

Our case ID: 300070575
Your ref: ECU00005010

05 March 2024

Dear Tony Young

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Grimshader Wind Farm
Scoping Report

Thank you for your consultation which we received on 17 January 2024 about the above scoping report. We have reviewed the details in terms of our historic environment interests. This covers world heritage sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas (HMPAs).

The relevant local authority archaeological and cultural heritage advisors will also be able to offer advice on the scope of the cultural heritage assessment. This may include heritage assets not covered by our interests, such as unscheduled archaeology, and category B- and C-listed buildings.

Proposed Development
We understand that the proposed development consists of up to 19 wind turbines up to 200m high, with associated infrastructure, access tracks, borrow pits and possibly battery storage. Off-site works to facilitate access, including road works, would also be required.

Scope of assessment
The proposed scope of assessment is sufficient for our needs.

In response to the applicant's questions (4.8.6):

- We are content with the proposed approach
- There are a number of assets which we would wish to see included in the assessment; additional information is provided in the annex to this letter.

At this stage, based on the ZTV alone, it seems likely that there would be impacts on the settings of scheduled monuments caused by this proposed windfarm. These are discussed further in the annex to this letter. It is possible that the severity of these

impacts may be so significant we might object. The potential impact on the setting of **Druim Dubh stone circle (SM5504)** is of particular concern.

However, our position on the severity of any impacts will need to be informed by an adequate assessment produced as part of the forthcoming EIA Report, including photomontages where appropriate. The assessment will also need to consider cumulative impacts arising from other operational, consented, and/or proposed windfarms in the vicinity. At this stage it is not possible to identify whether any mitigation may be required or possible.

We advise that assets beyond the 10km arbitrary study area be considered for assessment if they have settings that are sensitive to change, particularly if key views towards or from them fall within the ZTV.

The list in the annex to this letter is not comprehensive and includes only those designated historic environment assets which we are currently able to identify as suffering potentially significant setting impacts as a result of the proposed development. We expect that all designated assets within the study area should be assessed, and that if an asset is scoped out of more detailed assessment, the reasons for this should be presented in the written report. The process of environmental impact assessment will identify other assets which will be affected.

Where assessment of an asset's setting indicates that there could be significant impacts from the proposed development, wireframes should be produced to help assess those impacts. Where the impacts are identified as significant, photomontages should be produced to illustrate the impacts. We would be happy to discuss viewpoints and visualisations with the applicant.

Further information
Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes. Technical advice is available on our Technical Conservation website at https://www.engineshed.scot/.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Mary MacLeod Rivett and they can be contacted by phone on 0131 886 8710 or by email on mary.macleod@hes.scot.

Yours sincerely

Historic Environment Scotland

A18

ANNEX

The following designated historic environment assets which we are currently able to identify as suffering potentially significant setting impacts as a result of the proposed development. This list is not comprehensive.

Lews Castle (LB18677)
Category A listed Lews Castle was built in 1848 for Sir James Matheson and has been referred to as 'the grandest of the very few mansions in the Western Isles'. The proposed wind farm is situated less than 4km south of the listed building, and has the potential to impact on the castle's setting, especially as the principal garden façade of the building, and consequently several of its principal rooms, face south/southeast. Due to the lack of detail at this stage, we are currently unable to assess the impacts the development may have.

Although the castle has been subject to changes of use since its construction, we would have concerns if the proposed turbines detrimentally impacted on views from the original principal rooms and immediate environs of the castle e.g. its south facing terrace. Wireframes and photomontages from a number of the original principal rooms and environs should be provided to help assess potential impacts.

Lews Castle and Lady Lever Park (GDL00263)
The proposed wind farm is situated approximately 2km south of the Inventory Garden and Designed Landscape and has the potential to impact on key views. Due to the lack of detail at this stage, we are currently unable to assess the impacts the development may have.

Turbines should not encroach on key views of the castle from the coastal and riverside carriage drives and walks. Wireframes and photomontages from the drive, as the castle comes into view immediately before crossing the Allt nam Brog (58.212111, -6.394222), should be provided to help assess potential impacts.

Similarly, principal vistas are obtained from the summit of Cnoc Na Croich across to Glumaig Harbour to the south-west. A wireframe and photomontage taking in a wider view to the south from this location should be provided to help assess the impacts the development may have.

Druim Dubh stone circle (SM5504) is an elliptical ring of fallen standing stones standing on a low, flat-topped hillock just north of the A859 public road. The ring contains sixteen stones, evenly spaced around the perimeter. Nine of the stones are buried beneath peat while the seven visible stones have been revealed by peat cutting. There are remains of sockets with packing stones beside most of the stones, confirming that they were at one time erect. It is one of only ten megalithic rings in the Western Isles.

Positioned on a low but prominent flat-topped hillock, it overlooks reasonably flat moorland on all sides. When all stones were standing it would have been widely visible from throughout the surrounding area. It is an inland site, which is unusual as most

prehistoric ritual sites on the Western Isles are in coastal locations. Its setting includes the wide, open outward views in all directions and reciprocal inward views. Whilst there is small-scale modern development to its east, and an overhead line to its north-west, these structures do not overly affect the current ability to appreciate, understand and experience those wider views, nor does the existing modern development overwhelm the monument.

The ZTV suggests that all the turbines would be fully visible from the monument. At such close proximity, it seems likely that this would significantly undermine the relationship between the circle and its surroundings. Given the open nature of that setting and the lack of topographical screening it is likely that this impact would be significant and adverse and may be of such severity that we would object.

Furthermore, there are three existing smaller turbines to the south-east of the monument, and to its north and north-west the currently unbuilt Stornoway windfarm has been consented. Cumulatively, the proposed Grimshader windfarm would be likely to almost entirely encircle the monument with turbines. This would substantially add to the significant and adverse impacts. The impact of cumulative development on the setting of this monument must be given particularly careful consideration within a forthcoming EIAR.

Although located close by, VP12 would not be sufficient for assessing impacts of the scheme on the setting of this monument, an additional viewpoint is required from the monument itself in order to adequate assess and demonstrate the scale of impact the proposals might have.

Achmore stone circle (SM4355) is located on elevated ground on the edge of rising ground to the north and east and overlooking the lower lying and wetter ground to the south and west. It also sits on the junction of several old routeways across the centre of the island, which have been formalised by the modern road system. It is a stone circle which includes a standing stone, at least fourteen recumbent stones and a further seven or more socket holes for stones.

The circle forms a crucial part of, and is intervisible with, other monuments within the prehistoric ritual complex of megalithic sites centred on Calanais. This complex is of international importance. Achmore is also promoted and visited due to its connections to the complex.

Its setting includes the visual relationships to other similar sites within the wider Calanais complex, but also with the open moorland on all sides, including the rising ground to the north and the wider sweeping views to the south and west. Wider, astronomical views have also been ascribed to it.

The ZTV suggests that all of the proposed turbines would be visible from this monument. There is the potential for an adverse impact on an appreciation of the monument and its setting within the surroundings as well as astronomical connections. Given the open nature of its setting it is possible that this impact could be significant.

Although located close by, VP5 would not be sufficient for assessing impacts of the scheme on the setting of the monument, so we recommend that an additional viewpoint should be used from the monument itself.

Loch Arnish, dun (SM5397) and **Loch an Duna, dun, North Lochs (SM5349)** are two Iron Age duns each located on islets within lochs.

The setting of duns, brochs and forts often includes a visual relationship to other broadly contemporary Iron Age sites as well as to lower lying ground which supported their occupants. In the Western Isles, duns and brochs were often located on islets in lochs, with the water being used as a form of defence or to enhance a sense of separation from others. Their immediate settings are often defined by the lochs and the topographic bowls of ground around them: however, there are often wider views allowing those wider relationships to be appreciated, which contribute to their sense of place.

The ZTV suggests that the proposed turbines would be fully visible from these monuments, although a more detailed ZTV will be required in order to confirm this. At such close proximity, there is the potential for significant adverse impacts on their settings, and for the turbines to intrude into and or dominate these duns' surroundings.

Cnoc na Croich chambered cairn (SM6550) is located on top of a wooded hillock in the grounds of Lews Castle near Stornoway. It comprises the remains of a prehistoric chambered cairn, underneath a later cairn and with a later flagpole inserted on top. The hilltop is the supposed location of a medieval gallows, adding associative value to the cultural significance of the monument.

Its setting is one of local prominence; it overlooks Stornoway harbour, and it was later incorporated into the designed landscape surrounding Lews Castle. Prior to the planting of forestry around it the cairn would have had much wider views in all directions.

The ZTV suggests that all of the proposed turbines would be visible from this monument, although a more detailed ZTV will be required in order to confirm this. At this stage it is not possible to assess what the likely severity of impact on its setting might be. We are content that VP13 is used for assessing impacts of the scheme on the setting of the monument.

The Calanais complex of monuments, anchored around **Calanais or Callanish Standing Stones (SM90054)** is located further afield. The monument comprises the world-famous standing stones at Calanais (also known as Callanish) and associated features, sited on the summit of a low rise, on the west coast of Lewis in the Western Isles. The arrangement of the Calanais Standing Stones is unique. In essence, it comprises an approximate circle of standing stones from which long lines of stones, including an 'avenue', radiate in four directions. Within the stone circle are also the remains of a small, chambered cairn, robbed in antiquity.

It is one of Scotland's most remarkable and impressive monuments that forms the centrepiece of a very extensive ritual landscape that expresses a complex cosmological belief system dating back 5000 years. The relationship of the monument to other sites within the wider Calanais complex as well as the surrounding area is critical to its understanding and cultural significance. The visual relationship between the various components of the complex should be seen as a single continuous ritual arena, and the retention of the setting of each element ensures that the cultural significance of the complex can be understood, appreciated and experienced.

The ZTV shows that the proposed turbines would be visible from parts of the wider Calanais area, particularly from sites to the south of Garynahine, but the ZTV is not sufficiently detailed to show the full extent of this visibility in any key views. As such, there is the potential for an adverse impact on the settings of a wide range of monuments. At this stage it is not possible to assess what the likely severity of impacts might be. Whilst we are content that VP1 is used for assessing impacts of the scheme on the setting of **Calanais or Callanish Standing Stones (SM90054)**, further viewpoints will be required, especially for monuments south of Garynahine. We would be happy to discuss these with the applicants.

Historic Environment Scotland
05 March 2024

A22

From: Safeguarding <Safeguarding@hial.co.uk>
Sent: 07 February 2024 16:43
To: Econsents Admin; Young T (Tony)
Cc: Safeguarding
Subject: RE: Scoping Consultation - Grimshader Wind Farm

Your Ref: ECU00005010
Our Ref: 2024/022/SYY

Dear Sir/Madam,

Proposal: THE ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)(SCOTLAND) REGULATIONS 2017
SCOPING OPINION REQUEST– GRIMSHADER WIND FARM PROPOSAL

The development has been assessed using the criteria below:

Turbine No	Turbine Location (Grid Ref)	Turbine Tip Height
1	NB 408 281	200
2	NB 416 281	200
3	NB 418 275	200
4	NB 427 266	200
5	NB 427 274	200
6	NB 426 281	200
7	NB 422 286	200
8	NB 418 292	200
9	NB 411 295	200
10	NB 404 286	200
11	NB 396 287	200
12	NB 385 285	200
13	NB 381 291	200
14	NB 373 290	200
15	NB 379 276	200
16	NB 366 286	200
17	NB 373 282	200
18	NB 370 274	200
19	NB 408 274	200

With reference to the above, our preliminary assessment shows that, at the given position and height, this development may impact the safeguarding criteria and operation of Stornoway Airport.

HIAL request that an Aviation Impact Feasibility Study (AIFS), of the proposed development, is undertaken to understand any impact on the infrastructure and operation of Stornoway Airport. The following are required to be assessed by the applicant:

Hazard	Impact	Additional Information
Air Traffic Control Surveillance Minimum Altitude Chart (ATCSMAC)	☐	Please see CAP777 requirement.
Safeguarding of technical sites	☐	Please see CAP670 & CAP764 requirements (NAVAIDS)

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Instrument Flight Procedures (IFPs)	X	Please see CAP785 requirement. The IFP Assessment MUST be produced by an Approved Procedure Design Organisation (APDO). A list of APDO can be found on the CAA website: Approved procedure design organisations | Civil Aviation Authority (caa.co.uk) *The IFP impact assessment should include the currently published procedures, as available in the UK AIP, and the Discrete IFPs (applicable to Barra, Campbeltown, Tiree & Islay). The Discrete IFPs are available from this office.
Primary Surveillance Radar	☐	Please see CAP670 & CAP764 inc. Optical Line of Site assessment. Please consider the Thales STAR PSR & proposed Terma Scanter Radar - Expected to be commissioned Oct 2023. Contact this office for details of the location and electronics height.
New Airspace and Instrument Flight Procedures (Inverness Airport only)	☐	It should be noted that Inverness Airport are in the process of developing new airspace and instrument flight procedures; this work is relatively mature and should be included in the AIFS. Data and information can be found: Inverness Airport | Civil Aviation Authority (caa.co.uk)
Lighting Requirement	☐	For further information please refer to Advice Note 2 'Lighting' (available at http://www.aoa.org.uk/policy-campaigns/operations-safety). Please also consider the lighting requirements as documented in The Air Navigation Order 2016, Article 222.
Crane Permit	☐	Please see CAP1096, British Standard Code of Practice for the safe use of Cranes and Advice Note 4, 'Cranes' (available at http://www.aoa.org.uk/policy-campaigns/operations-safety/). A crane permit must be completed and submitted to HIAL. Please contact the HIAL safeguarding for a crane permit application.
Glint and Glare Assessment	☐	A glint and glare assessment must be submitted for the proposed development. More information can be found: https://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-5-Renewable-Energy-2016.pdf
Construction Management Strategy	☐	A construction management strategy must be submitted for the proposed development. This should include the following details: • Details of the construction of the Wind Turbines onshore • Turbine route map from onshore to the offshore location

It should be noted that HIAL would work with the developer towards a resolution. However, HIAL currently submit a holding objection until the AIFS has been submitted to and reviewed by HIAL. Once the AIFS has been reviewed by HIAL, and any impact is understood, the applicant may then expect to be contacted by HIAL to enter formal discussions.

Kind regards,

Nyree Millar-Bell
Aerodrome Safeguarding and Operations Support Officer

A24

From: JRC Windfarm Coordinations Old <windfarms@jrc.co.uk>
Sent: 18 January 2024 13:47
To: Econsents Admin
Cc: Wind SSE
Subject: Grimshader Wind Farm-Scoping Consultation by 7th Feb [WF986039]

Dear econsents_admin,

A Windfarms Team member has replied to your co-ordination request, reference **WF986039** with the following response:

If any details of this proposal change, particularly the disposition or scale of any turbine(s), this clearance will be void and re-evaluation of the proposal will be necessary.

Please do not reply to this email - the responses are not monitored.
If you need us to investigate further, then please use the link at the end of this response or login to your account for access to your co-ordination requests and responses.

Dear Sir/Madam,

***Site Name**:*

Grimshader Wind Farm

***Site Centre / Turbine(s) at NGR**:*

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Table 2-1: Proposed Turbine Locations

Turbine Number	Turbine Location (Grid Reference)
1	NB 408 281
2	NB 416 281
3	NB 418 275
4	NB 427 266
5	NB 427 274
6	NB 426 281
7	NB 422 286
8	NB 418 292
9	NB 411 295
10	NB 404 286
11	NB 396 287
12	NB 385 285
13	NB 381 291
14	NB 373 290
15	NB 379 276
16	NB 366 286
17	NB 373 282
18	NB 370 274
19	NB 408 274

***Hub Height**: 120m **Rotor Radius**: 80m*

*This proposal is ***cleared*** with respect to radio link infrastructure operated by the local energy networks.*

JRC analyses proposals for wind farms on behalf of the UK Fuel & Power Industry. This is to assess their potential to interfere with radio systems operated by utility companies in support of their regulatory operational requirements.

In the case of this proposed wind energy development, JRC does not foresee any potential problems based on known interference scenarios and the data you have provided. However, if any details of the wind farm change, particularly the disposition or scale of any turbine(s), it will be necessary to re-evaluate the proposal. Please note that due to the large number of adjacent radio links in this vicinity, which have been taken into account, clearance is given specifically for a location within the declared grid reference (quoted above).

In making this judgement, JRC has used its best endeavours with the available data, although we recognise that there may be effects which are as yet unknown or inadequately predicted. JRC cannot therefore be held liable if subsequently problems

arise that we have not predicted.

It should be noted that this clearance pertains only to the date of its issue. As the use of the spectrum is dynamic, the use of the band is changing on an ongoing basis and consequently, you are advised to seek re-coordination prior to submitting a planning application, as this will negate the possibility of an objection being raised at that time as a consequence of any links assigned between your enquiry and the finalisation of your project.

JRC offers a range of radio planning and analysis services. If you require any assistance, please contact us by phone or email.

Regards

Wind Farm Team

Friars House
Manor House Drive
Coventry CV1 2TE
United Kingdom

Office: 02476 932 185

We hope this response has sufficiently answered your query.
If not, please **do not send another email** as you will go back to the end of the mail queue, which is not what you or we need. Instead, **reply to this email by clicking on the link below or login to your account** for access to your co-ordination requests and responses.

https://breeze.jrc.co.uk/tickets/view.php?id=32379

A27

Met Office

Tony Young
Case Officer
Energy Consents Unit
The Scottish Government
4th Floor, 5 Atlantic Quay
150 Broomielaw
Glasgow, G2 8LU

BY EMAIL
Econsents_admin@gov.scot
Tony.Young@gov.scot

Your Ref: **ECU00005010**
Our Ref**: MO780**

26th January 2024

Dear Tony

Request for Scoping Opinion – Grimshader Wind Farm Proposal

We refer to your email of 17th January 2024 seeking Met Office comments on the above scoping report and supporting information given that the proposal is within the consultation zone for the Met Office weather radar at Druim a Starraig, Isle of Lewis.

I am therefore writing to confirm that Met Office have concerns about the proposal. As a consequence, we may object to a planning application for the development in its current form.

A key requirement for the Druim a Starraig weather radar is to provide advance warning of severe weather and real-time information which is vital to the continued operation of military and civilian aviation as well as to forecasters in both Scotland and the wider UK (as part of the UK Weather Radar Network), including input to flood forecasting in coordination with the Scottish Environmental Protection Agency (SEPA).

Wind turbines have been shown to have detrimental effects on the performance of Met Office weather radars. These effects include the blocking of radar data in the vicinity of the turbines and the creation of false 'clutter' returns and such effects can imitate or obscure real precipitation signals.

Met Office have reviewed the EIA Scoping Report and note that there is no reference to, or consideration of, the proposals in terms the likely impact on the Met Office Radar.

Met Office therefore confirm that we would expect to be included in a suitable assessment by the applicant to fully consider the potential effects from the proposed development on the Met Office weather radar at Druim a Starraig which will include similar considerations to the impact and effects of the proposed development in respect of aviation (para 4.11.2 of the Scoping Report).

FitzRoy Road, Exeter
Devon, EX1 3PB
United Kingdom

enquiries@metoffice.gov.uk
www.metoffice.gov.uk

A28

Met Office

However, it should be noted that Met Office are not an aviation stakeholder as such, our radar data is of course for weather forecasts and flood warnings and is safeguarded as a Meteorological Technical Site under the provisions of the Planning circular 2/2003 (revised): safeguarding aerodromes, technical sites and military explosives storage areas.

Having carried out some initial basic analysis of the proposal, we confirm that the proposed turbines will be circa 15km from; in the line of sight and in the beam of, the Druim a Starraig weather radar antenna which is located at NGR: 154456E 932387N. The proposal is therefore likely to result in degradation to the quality of Met Office services derived from weather radar data.

Met Office therefore expect the applicant to confirm which turbines are in the line of sight of the radar including the provision of ground heights and tip height (AOD) of the proposed turbines. This will be required to fully assess the impact of the proposed wind turbine development.

Met Office have concerns about any turbines which are located in line of sight and in the beam of the weather radar and request that any such proposed turbines are relocated to lower ground and/or the turbine height is reduced to remove them from the beam of the weather radar where possible.

The Met Office wishes to be consulted and notified about the progress of any submissions relating to this proposal to verify that it will not adversely affect Met Office interests.

I hope this adequately explains our position on the matter. Further information about the effects of wind turbines on Met Office interests can be obtained from the following website: Protecting our observing capability - Met Office

Met Office Safeguarding

Met Office Safeguarding
Email: metofficesafeguarding@metoffice.gov.uk

FitzRoy Road, Exeter
Devon, EX1 3PB
United Kingdom

enquiries@metoffice.gov.uk
www.metoffice.gov.uk

A29

Defence Infrastructure Organisation

Teena Oulaghan
Safeguarding Manager
Ministry of Defence
Safeguarding Department
St George's House
DIO Headquarters
DMS Whittington
Lichfield
Staffordshire
WS14 9PY

Telephone [MOD]: 07970 170934

E-mail: teena.oulaghan100@mod.gov.uk

Your Reference: ECU00005010

Our Reference: DIO10061510

Tony Young
Energy Consents Unit
Scottish Government
4th Floor
5 Atlantic Quay
150 Broomielaw
G2 8LU

By email only

15 February 2024

Dear Tony,

Application reference:	ECU00005010
Site Name:	Grimshader Wind Farm
Proposal:	Electricity Act 1989 The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017. Scoping Opinion Request - Grimshader Wind Farm proposal.
Site address:	Approximately 3.3 km south/south-west of Stornoway on the Isle of Lewis and Harris, in the local authority area of the Comhairle nan Eilean Siar.

Thank you for consulting the Ministry of Defence (MOD) in relation to the scoping through your communication dated 19 January 2024.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the MOD as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

I am writing to advise you that the MOD has concerns with the proposal.

The proposal concerns a development of 19 turbines with maximum blade tip heights of 200.00 metres above ground level. The proposed development has been assessed using the location data (Grid References) below provided in the developers Scoping Report (Document No: B2462600_G_R_001_Scoping).

Turbine no.	Easting	Northing
1	140810	928109
2	141540	928248

3	141882	927553
4	142749	926480
5	142739	927339
6	142663	928161
7	142251	928721
8	141804	929243
9	141153	929510
10	140515	928779
11	139788	928715
12	138510	928575
13	138043	929035
14	137398	929092
15	137978	927616
16	136696	928457
17	137491	928232
18	137019	927400
19	140939	927279

The principal safeguarding concerns of the MOD with respect to this development of wind turbines relates to their potential to create a physical obstruction to air traffic movements.

Physical Obstruction

In this case the development falls within Low Flying Area 14 (LFA 14), an area within which fixed wing aircraft may operate as low as 250 feet or 76.2 metres above ground level to conduct low level flight training. The addition of turbines in this location has the potential to introduce a physical obstruction to low flying aircraft operating in the area.

To address the impact up on low flying given the location and scale of the development, the MOD would require that conditions are added to any consent issued requiring that the development is fitted with aviation safety lighting and that sufficient data is submitted to ensure that structures can be accurately charted to allow deconfliction.

The development proposed includes wind turbine generators that exceed a height of 150m agl and are therefore subject to the lighting requirements set out in the Air Navigation Order 2016. In addition to CAA requirements, the MOD will require the submission, approval, and implementation of an aviation safety lighting specification that details the installation of MOD accredited aviation safety lighting.

Summary

The MOD has concerns with this proposal due to the potential impact to low flying aircraft operating in the development area.

The MOD must emphasise that the advice provided within this letter is in response to the information detailed in the developer's document titled "Scoping Report" (Document No: B2462600_G_R_001_Scoping). Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

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I hope this adequately explains our position on the matter. If you require further information or would like to discuss this matter further, please do not hesitate to contact me.

Further information about the effects of wind turbines on MOD interests can be obtained from the following websites:

***MOD*:** https://www.gov.uk/government/publications/wind-farms-ministry-of-defence-safeguarding

Yours sincerely

REDACTED

Teena Oulaghan
Safeguarding Manager

A32

From: NATS Safeguarding <NATSSafeguarding@nats.co.uk>
Sent: 02 February 2024 12:36
To: Econsents Admin; Young T (Tony)
Subject: RE: Scoping Consultation - Grimshader Wind Farm [SG36774]

Our Ref: SG36774

Dear Sir/ Madam

We refer to the application above. The proposed development has been examined by our technical safeguarding teams. In the timeframe given to us we have been unable to thoroughly investigate the effects of the proposed development on our Operations, however, the relevant teams are being consulted.

Based on our preliminary technical findings, the proposed development does conflict with our safeguarding criteria. Accordingly, NATS (En Route) plc **objects to the proposal.** We will notify you within 4-6 weeks of the results of our operational assessment. Only if this assessment shows the impact to be acceptable will we be able to withdraw our objection.

We would like to take this opportunity to draw your attention to the legal obligation of local authorities to consult NATS before granting planning permission for a wind farm. The obligation to consult arises in respect of certain applications that would affect a technical site operated by or on behalf of NATS (such sites being identified by safeguarding plans that are issued to local planning authorities).

In the event that any recommendations made by NATS are not accepted, local authorities are further obliged to notify both NATS and the Civil Aviation Authority ("CAA") of that fact (which may lead to the decision made being subject to review whether by the CAA referring the matter for further scrutiny or by appropriate action being taken in the courts).

As this further notification is intended to allow the CAA sufficient time to consider whether further scrutiny is required, we understand that the notification should be provided prior to any granting of permission. You should be aware that a failure to consult NATS, or to take into account NATS's comments when deciding whether to approve a planning application, could cause serious safety risks for air traffic.

If you have any queries regarding this matter you can contact us using the details as below.

Yours faithfully

NATS

NATS Safeguarding

E: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk

A33

NatureScot
Scotland's Nature Agency
Buidheann Nàdair na h-Alba

Tony Young
Energy Consents Unit
Tony.Young@gov.scot

14 February 2024
Your ref: ECU00005010
Our ref: CEA173868

Dear Tony

S.36 APPLICATION FOR GRIMSHADER WINDFARM

SCOPING REQUEST

Thank you for giving NatureScot the opportunity to comment on the scoping report for the above proposed development, and for allowing us additional time to prepare our advice. I hope you will find the following comments helpful.

The Proposal

The scoping report proposes the construction of up to 19 wind turbines, of up to 200m to blade tip, and associated infrastructure within the outlined site in south-east Lewis, north of the village of Grimshader.

Landscape and Visual Impacts

We would like to highlight the following key sensitivities for this proposed development that need to be considered through the LVIA, including design of the windfarm:

- The position of the windfarm in relation to the nearby settlements of the North Lochs district. It will be important that the windfarm does not seem to impinge upon these settlements when seen from key viewpoints within and approaching them, including from the ferry route. It will also be important that the windfarm does not seem to diminish the characteristic sense of wide open space across the moorland.
- The varying local landscape character over the windfarm site. This may mean that the character of the windfarm should not significantly vary over the site and thus create a confusing image with sub-groups.
- The irregular nature of the landform. This may limit the number and position of wind turbines in order to create a simple windfarm image, avoiding variable elevation, spacing, outliers and overlapping of wind turbines within views.
- The scale of the wind turbines would be emphasised at close proximity to high numbers of receptors. Final design should keep turbines away from dwellings and settlements, and avoid visual

impacts on dwellings in the nearby settlements of Ranish, Crossbost, Leurbost and Cameron Terrace. Impacts would be limited significantly if the windfarm development could be restricted to one side of the B897.

- The impact of existing and consented windfarms within the wider area. The proposal will need to relate to these in character and location to avoid conflicts of design, including wind turbine size.

We agree with the recommendation to scope out impacts on Wild Land Areas.

We consider that the list of selected viewpoints at Table 4-1 is appropriate and comprehensive. VP14 - Beinn Mholach is selected with walkers in mind as the receptor. However, this is a seldom-visited summit. An alternative would be either the high point of the A857 at the Tom Roisneabhat weather station, or the summit of Eitseal north of Achmore.

We are content with the list of developments to be taken into account for cumulative impact assessment at Table 4-2.

Geology, Hydrogeology & Hydrology

NatureScot considers that the work proposed here is appropriate and fit for purpose.

Ecology

The developer is referred to our own online guidance relating to otters and windfarms which gives an indication of the level of survey we would expect to see. Note that, although most otter holts are close to water, they are not restricted to the riparian or coastal zone, and otters may excavate holes in the peat some distance from water.

Freshwater Pearl Mussel (FWPM) is also of high conservation value. The scoping report, while covering fish, doesn't mention FWPM. While we have no records from the proposed site, the developer should still undertake freshwater habitat assessment to inform any requirement for further survey effort aimed at detecting this species.

As per the scoping report, Stornoway is the main centre for pipistrelle bats in Lewis. However, there are records beyond the town, especially in pockets of suitable habitat on the east side of Lewis. We recommend therefore that bats not be scoped out yet, until further assessment is undertaken.

Note that NatureScot recorded small numbers of red deer in the site during our 2022 census.

Any proposed compensation measures for residual impacts on peat must be sufficient to offset the impacts on the peatland habitat. Our guidance advises that there should be a 1:10 (loss : restoration) multiplier applied for peatland. Furthermore, we recommend enhancement in the region of 10% of the baseline assessment of peatland within the site.

Ornithology

This is a key issue at this site, in view of the conservation importance of the species which may be affected, especially in regard to cumulative impacts. This section of the scoping report satisfactorily covers the relevant issues. We offer only the following particular comments:

We agree with the scope of breeding season, vantage point and focal watch surveys.

Assessment if impacts on red-throated diver should also consider impacts on the Lewis Peatlands Special Protection Area, as birds from the SPA population may transit the site.

Hen harrier breeding has been recorded within the 2km buffer. The hen harrier population in Lewis is of relatively recent origin and still in an expansion phase, with the core of the population occurring immediately north-west of the site. The EIA should therefore take account of any material changes in hen harrier activity in the area since the data was collected.

Both golden and white-tailed eagles breed within the proposed windfarm site. There is both seasonal variation and a general ongoing increase in white-tailed eagle activity and presence of roosts in the area. The final EIA should take account of any material changes in white-tailed eagle activity in the area since the data was collected.

Cumulative assessment is going to be a critical aspect of the EIA for this proposal, given that the consented developments in the NHZ are already predicting relatively high levels of impacts on this metric, particularly for golden eagle. Consideration should be given to how any NHZ-level population impact on this species could affect the Lewis Peatlands and North Harris Mountains Special Protection Areas (SPA). All the wind developments to be taken into account as part of the cumulative impact assessment are included in Table 4-2, with the exception of Loch Carnan in South Uist which isn't listed there.

Some recent wind farm applications within the white-tailed eagle core range are predicting collision risks of more than 1 bird per year. This represents a step change in the levels of predicted mortality that we have encountered to date, and we are concerned that this site also has potential to generate similar numbers given the high levels of flight activity we might expect.

In our 2016 research report modelling the future population growth and expansion of the white-tailed eagle https://www.nature.scot/doc/naturescot-commissioned-report-898-population-and-future-range-modelling-reintroduced-scottish-white a number of scenarios with additional mortality were modelled. These indicated that whilst the population would not go into decline, the growth rate of the population would be lower. As a reintroduced species, it is recovering its former range and that recovery will be slowed, as the majority of young birds to expand the population come from the core range.

The additional mortality scenarios modelled indicated that the population could be up to approximately 45% lower in 2040 than it may otherwise be without that additional mortality. The maximum levels of mortality modelled were 14 additional bird deaths/year and 2% of the population being killed per year. The national cumulative collision risk of white-tailed eagles, including the most recent applications, is currently approximately 11-12 birds/year (approximately half of this from the current Uisenis and Glen Ullinish 2 applications). This means that the growth rate and subsequent range recovery, may be significantly negatively impacted. Additionally, the species suffered significantly lowered breeding performance in 2022 as a likely result of avian influenza. It is unknown currently whether this is a one off or may continue, if it does continue then it will have implications for the modelling carried out as productivity will be lower than assumed.

We are currently undertaking work to understand the risks in more detail, to inform advice on future proposals. Given this situation, we advise that a national level cumulative collision risk assessment is required for wind farm proposals such as this, where white-tailed eagle has been identified as a significant ornithological receptor.

Careful consideration will need to be given to the practicality and likelihood of success of any proposed mitigation measures.

Conclusion

We consider that there will be considerable challenges in accommodating 19 turbines of the scale proposed, given the likely high levels of occupancy and activity of sensitive bird species, and likely cumulative impact issues. The key impacts will be displacement and collision mortality for white-tailed eagle, golden eagle and red-throated diver and hen harrier.

I hope you find these comments helpful. Please get back to me with any further queries.

Yours sincerely

Mark Macdonald
Operations Officer - West
mark.macdonald@nature.scot

A37

North Lochs Community Council (NLCC) Response

1. General Comments from NLCC

This response relates to both: Grimshader (ECU00005010) **and** Heastabhal (ECU00005011)

We would like it to be acknowledged that the NLCC has considerable concerns regarding the scale, extent and proximity of the proposal as presented; however, we understand that at this stage we are being requested to respond only on the *scope of the EIA*, not *the merits of the proposal or potential impacts of the development.* The comments below are reflective of this.

Additionally, while it is a duty on Community Councils to *ascertain, co-ordinate and express the views of the community which it represents,* we wish it to be noted that this proposal is relatively unknown within the community at present and there has been no prior community-wide communication or engagement from the developer to-date. Given these factors, it should be acknowledged that the comments below are not representative of wider community views as we have not yet had the time, or opportunity, to ascertain them.

The NLCC are interested in understanding if any subsequent wind farm siting and design proposal will look to optimise walking routes and access tracks for local communities.

More details on the ancillary developments and potential battery storage facilities at the community consultation stage would be welcomed.

The use of a wind farm visualisation tool at future community consultation events that allows attendees to view the proposed development from home addresses and specific points would also be welcomed.

2. General Scoping Questions

Do consultees agree with the list of factors to be scoped out?

Could consultees confirm whether there any other receptors that consultees wish to be considered in the assessment?

Could consultees confirm whether there are any key issues or potential impacts that have been omitted?

Scoping Out Topics

- Given the proximity of Uig and Harris Hills Wild Land area to the Heastabhal development we would question the proposal to scope out a 'Wild Land Assessment'.
- The area is prone to surface water flooding and some of the turbines are located on a designated Drinking Water Protected Area so we would question the proposal to scope out 'Geology, Flood Risk and Water Quality Monitoring' from the EIA assessment. SEPA and Scottish Water can better advise on this subject.
- There are resident bats in the North Lochs area. Nature Scot can best advise on the appropriateness of scoping out a Bat assessment from the EIA.
- Given the scale and extent of the proposal we would like to see 'Major Accidents' and 'Human Health' scoped into the EIA Assessment. Hazards such as peatslides, extreme weather events, turbine collapse and on and off-site industrial accidents need to be considered, as well as the less tangible impacts the development could have on human health.

Receptors

A38

In addition to the list of visual receptors included in the Scoping Report we would add:

- Communities of Benside/Newmarket/Newvalley/Sandwick/Melbost/Keose (for Grimshader WF)
- Communities of Lemreway, Gravir, Leurbost, Crossbost, Ranish, Grimshader, Keose (for Heastabhal WF)
- Coastal and Marine based tourism operators and recreational users (the area is popular for boat/yacht/kayak trips to Shiants and North/South Lochs for bird and whale/dolphin watching and sightseeing.

3. Planning and Energy Policy

(No specific questions in the Scoping Report)

We would also expect any forthcoming application related to this proposal to fully conform with the statutory Development Plan for our area, which includes the Outer Hebrides Local Development Plan and Wind Energy Supplementary Guidance, which has been publicly consulted on locally.

We would like it to be noted that the Scoping Report is erroneous on p.10 where it states that '*these documents are of limited relevance as they were prepared in line with the now revoked Scottish Planning Policy (SPP*)' as the Chief Planners letter on the Transitional Arrangements of NPF4 in February 2023 clearly states that '*Supplementary guidance associated with LDPs which was in force before 12 February (the date on which section 13 of the 2019 Act comes into force) will continue to be in force and be part of the development plan (1997 Act; paragraph 2 of schedule 1).'*

4. Landscape and Visual

Do consultees have any comments on the overall methodology proposed to assess effects on landscape and visual receptors?

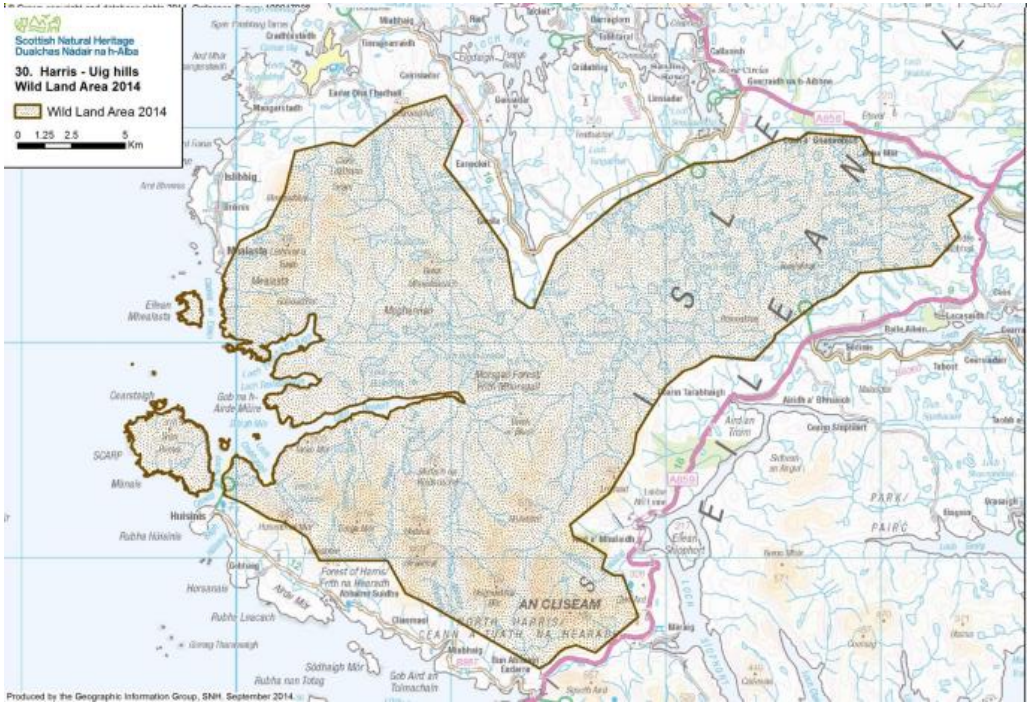
Are there additional sources of information which should inform the baseline and assessment of potential effects on landscape/coastal/seascape character and designated landscapes?

We defer to the advice of Nature Scot and Comhairle nan Eilean Siar to comment on this subject.

5. Landscape and Visual

As the proposed development is not located within a WLA are consultees content with scoping out the assessment of effects on Wild Land?

A39



Given the scale of the proposal and the extreme proximity of Wild Land Area 'Uig and Harris Hills' to both developments, but particularly Heastabhal, we would question the reasoning behind scoping out the effects of the proposal on Wild Land but would look to the expertise of NatureScot and Comhairle nan Eilean Siar on this subject.

6. <u>Landscape and Visual</u>

Could consultees confirm they are content with the 45km initial study area proposed for the LVIA?

We defer to the advice of Nature Scot and Comhairle nan Eilean Siar on this subject.

7. <u>Landscape and Visual</u>

Do consultees have any comments/suggestions on the proposed list of representative viewpoint locations listed in Table 4-1 and shown on Figure 4?

We feel that *all* villages in North Lochs, Kinloch and South Lochs, where the proposal will be visible from, should have a representative viewpoint in the EIA. The viewpoints should represent the locations where visual impacts will be greatest within the locality, this applies to cumulative visual impact also.

The NLCC would like the opportunity to respond further on this subject, once the Developer has undertaken its statutory pre-application community consultation, and we have had an opportunity to ascertain wider community views.

8. <u>Landscape and Visual</u>

A40

Do consultees have any comments on the proposed scope of the RVAA?

RVAA's should be conducted for all properties within, or near, the boundary of 2km from the turbines (not just 1.5km-2km as stated, as some properties fall within 1.5km). Additionally, any properties, or croft-based businesses, with significant potential cumulative impacts out-with the 2km boundary should be considered for RVAA.

9. Landscape and Visual

Do consultees have any comments on which viewpoints should be used to represent dusk/night-time views?

We defer to the advice of Nature Scot and Comhairle nan Eilean Siar on this subject but would add that the viewpoints should represent the points where visual impacts will be greatest within the locality, this applies to cumulative visual impact also.

10. Landscape and Visual

Do consultees have any suggestions on routes to be included for sequential route assessment?

We would suggest:

- Along the main Lochs Road A859 – both in the direction of Stornoway and Tarbert for both developments.
- From the end of both Grimshader and Ranish village roads travelling towards the B897 to join the A859.
- From the villages of South Lochs towards Ballalan and South to Tarbert and North to Stornoway.
- From Callanish through Achmore along the A858 towards Leurbost.
- The Pentland Road and Hebridean Way.
- The Arnish Road.
- The roads and paths of the Lews Castle Grounds.
- The ferry routes.

11. Landscape and Visual

Do consultees have any comments on the overall methodology proposed to assess cumulative effects on landscape and visual receptors?

Could consultees confirm they are happy with the 60km initial search area proposed for the CLVIA? RWE Grimshader Wind Farm EIA Scoping Report?

We defer to the advice of Nature Scot and Comhairle nan Eilean Siar on this subject but would add that any viewpoints should represent the points where visual impacts will be greatest within the locality, this applies to cumulative visual impact also.

12. Landscape and Visual

Are there any further wind farms or other developments, existing or within the planning system, in addition to those shown in Table 4-2, that should be included in the CLIVIA?

A41

We would ask that each of the proposed developments (Grimshader and Heastabhal) are considered against each other in the CLVIA, as they have been omitted in the respective Scoping Reports.

13. Landscape and Visual

Which viewpoints do consultees feel should be included within the CLVIA?

We feel that *all* villages in North Lochs, Kinloch and South Lochs, where the proposal will be visible from, should have a representative viewpoint in the CLVIA. The viewpoints should represent the points where visual impacts will be greatest within the locality.

The NLCC would like the opportunity to respond further on this subject, once the Developer has undertaken its statutory pre-application community consultation, and we have had an opportunity to ascertain wider community views.

14. Geology, Hydrogeology and Hydrology

Published mapping confirms that most of the proposed development area is not identified as being at flood risk. Therefore, it is proposed that a simple screening of potential flooding sources (fluvial, coastal, pluvial, groundwater etc.) is presented in the EIAR. Is this approach acceptable to consultees?

It is not proposed to prepare a detailed drainage design. Rather, measures that would be used to control the rate and quality of runoff will be specified in the EIAR. Is this approach acceptable to consultees?

Site investigations, including detailed peat probing and private water survey, will be undertaken as part of the proposed assessment. Should additional investigation or data sources be considered when assessing baseline conditions?

It is not proposed to undertake any water quality sampling, groundwater monitoring points, surface water monitoring points or leachability trials of any rock as there is published data that can be used to characterise baseline conditions. Is this approach acceptable to consultees?

Could consultees advise if there are any records of private water supplies held within the study area?

Could consultees advise if there is any specific information or methodology that should be used/followed as part of the private water supply risk assessment?

We defer to the advice of Nature Scot, SEPA, Scottish Water and Comhairle nan Eilean Siar on this subject

15. Ornithology

Do consultees agree that the proposed scope and methods with respect to surveys and the assessment is appropriate?

Could NatureScot provide an up-to-date list of those wind farm developments within the Coll, Tiree and the Western Isles NHZ which should be considered within the cumulative assessment?

Are consultees aware of any other sources of information, or other organisations that should be consulted, to further inform the ornithological assessment?

We defer to the advice of NatureScot and other relevant consultees on this subject.

A42

16. Ecology

Do consultees agree that the proposed scope and methods with respect to surveys and the assessment is appropriate?

Are consultees aware of any other sources of information, or other organisations that should be consulted, to further inform the ecological assessment?

Do consultees agree that bats can be scoped out of the EIA?

We defer to the advice of NatureScot and other relevant consultees on this subject but would note that there are resident bats in the North Lochs area.

17. Noise

Is the proposed methodology for the noise assessment agreeable to the consultees?

Should the consultation include any other relevant consultees?

We defer to the advice of Comhairle nan Eilean Siar and other relevant consultees on this subject.

18. Access

Could consultees confirm the suitability of the proposed development access locations?

Could consultees confirm the suitability of the proposed study area (A859 – between the proposed development and Stornoway, and the Arnish Road)?

Could CnES confirm agreement to commission traffic surveys along the delivery route should appropriate existing traffic data not be available from CnES?

Could consultees confirm that operational traffic is negligible (e.g., occasional routine maintenance) and can therefore be scoped out of the EIA?

Could consultees confirm the committed developments to be taken into account within the cumulative assessment?

NLCC are unable to comment at this stage on the suitability of the proposed access points as they have not been identified sufficiently in the Scoping Reports:

- *Grimshader: (p.g. 36) "Access to the proposed development will be from the A859 in the west, which links with the A857 and A858 to the north of Stornoway and potentially also from the B897 to access the northern and eastern extents. Construction traffic associated with the development would generally approach from Stornoway and Arnish to the north."*
- *Heastabhal (p.g. 36) "Access to the proposed development will be taken from the A859. Construction traffic associated with the development will generally approach from Stornoway and Arnish to the north."*

The study area should include the B897 (North Lochs backroad) and the Hebridean Way.

We believe that operational traffic should be scoped into the EIA as any heavy vehicle movement can impact the road surface of smaller B-class village roads.

19. <u>Cultural Heritage</u>

Are consultees content with the proposed approach?

Are there any specific heritage assets consultees wish to see included in the assessment?
We defer to the advice of Comhairle nan Eilean Siar Archaeology Service, Historic Scotland and other relevant consultees on this subject.
20. Climate Change *Could consultees confirm the suitability of the proposed methodology?*
We defer to the advice of other relevant consultees on this subject.
21. Socio Economics *Do consultees agree with the proposed methodology?* *Do consultees agree with the potential impacts that have been highlighted?*
We defer to the advice of Comhairle nan Eilean Siar and other relevant consultees on this subject. We would add that marine tourism operators, tourism / accommodation providers and hill/bird watchers should be fully considered. The impacts on the Hebridean Way and local walking routes should be fully considered. The NLCC are interested in understanding if any subsequent wind farm siting and design proposal will look to optimise walking routes and access tracks for local communities.

A44

From: Spectrum Licensing
To: Tony Young
Subject: RE: FW: EXTERNAL:Scoping Consultation - Grimshader Wind Farm
Date: 19 January 2024 09:00:22

Dear Sir / Madam,

Thank you for contacting us.

Please note that Ofcom no longer provides a dedicated windfarm co-ordination facility.

Instead, stakeholders can now access Ofcom licence information via the Ofcom Spectrum Information System (SIS).
The SIS includes licence data for UK fixed links that are assigned and co-ordinated by Ofcom.
When using the SIS it should be noted that, there are a number of frequency bands that are now authorised on a block basis i.e. these bands are managed and assigned by the licensees themselves and the individual link information for these bands (where a band is being used for fixed links) is not held in Ofcom's licensing and assignment database nor published on the SIS. Our website has further information on these bands and the licensees details.

In addition Scanning Telemetry links, used by the utilities and other services (operating in the bands 457.5 – 458.5 MHz & 463 – 464 MHz), are managed externally by Atkins Limited and the Joint Radio Company (JRC), who can be contacted as follows:

Atkins Limited
200 Broomielaw
Glasgow
G1 4RU
Email: windfarms@atkinsglobal.com

JRC (Joint Radio Company)
Friars House
Manor House Drive
Coventry
CV1 2TE
Email : windfarms@jrc.co.uk
Website: www.jrc.co.uk/what-we-do/wind-farms

Please contact us if you need any further assistance.

A45

Yours sincerely,

Ofcom Spectrum Licensing
Spectrum.licensing@ofcom.org.uk

ref:!00D580H42o.!5004I01cqYUa:ref

A46

From:	Paul Hopper
To:	Tony Young
Cc:	Richard Davies; Jason Laing
Subject:	RE: Scoping Consultation - Grimshader Wind Farm
Date:	05 February 2024 16:59:52
Attachments:	image002.png

Dear Tony,

Thank you for consulting with the Outer Hebrides Fisheries Trust, we agree with the proposed scope and methods with respect to surveys and the assessment being appropriate. It is essential that freshwater habitat and fish be scoped in as the rivers (Allt na Craobhe/Abhainn Leireabhaigh) forming the Northern boundary of the site contain Atlantic salmon. Atlantic salmon as you will be aware have been reclassified by the IUCN Red List as an 'Endangered' species.

Kind regards, Paul

Paul Hopper | Senior Biologist
Outer Hebrides Fisheries Trust | The Sawmill | Marybank | Isle of Lewis | HS2 0DD

E: biologist@ohft.org.uk T: 01851 703419
www.outerhebridesfisheriestrust.org.uk

From: Tony.Young@gov.scot <Tony.Young@gov.scot> **On Behalf Of** Econsents_Admin@gov.scot
Sent: Wednesday, January 17, 2024 4:53 PM
To: Tony.Young@gov.scot
Subject: Scoping Consultation - Grimshader Wind Farm

Dear Consultee

THE ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017

SCOPING OPINION REQUEST– GRIMSHADER WIND FARM PROPOSAL

A request for a scoping opinion has been submitted to the Scottish Ministers by Jacobs UK (the agent) on behalf of RWE (the Applicant) in respect of the Grimshader Wind Farm proposal ("the proposed Development") located approximately 3.3 km south/south-west of Stornoway on the Isle of Lewis and Harris, in the local authority area of the Comhairle nan Eilean Siar (CnES).

The proposed development is anticipated to comprise approximately 19 wind turbines with a tip height of up to 200 m and, possibly a battery storage system.

With regards to a request for a scoping opinion, the applicable legislation is regulation 12 of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations

2017, under which the Scottish Ministers are required to consult the specified statutory bodies (and other interested parties) as to their views on the information which ought to be provided in the Environmental Impact Assessment Report ("EIA Report") which will be required to be undertaken for the proposed Development if an application for consent under section 36 of the Electricity Act 1989 is subsequently submitted.

The scoping report and associated documentation can be viewed online by:

- going to www.energyconsents.scot;
- clicking on the **Simple Search** tab; then,
- typing **Grimshader** into the **Search by Project Name** box then clicking **GO**; then,
- clicking on **ECU00005010** and then clicking on **Documents** tab.

You might find the following information useful when providing your response:

- The proposed indicative turbine co-ordinates are noted at Table 2-1 at the top of Page 4 of the Scoping Report

For the Scottish Ministers to be able to issue a comprehensive scoping opinion, we ask that you review the scoping report and associated documentation and advise on the scope of the environmental impact assessment for this proposal. It would also be appreciated if you could answer any questions asked in the Scoping Report.

Please advise if there are any further matters you would like Ministers to highlight for consideration and inclusion in the assessment, particularly site-specific information. This can also include advice on the proposed assessment methodology and any other further guidance and/or relevant policy to be referred to during the EIA process which is not covered in the scoping report.

Where appropriate to your remit, please take notice of any 'Questions for consultees' mentioned in the Scoping Report.

If you have any queries about this please do not hesitate to contact me.

I would be grateful for your comments by: **7th February 2024**. Please note, reminder letters are not usually issued and consequently, if we have not received your comments, nor have we received any extension request by this date, we will assume that you have no comment to make.

Please send your response (in pdf format if possible) directly to me at: Tony.Young@gov.scot

Yours faithfully

A48

A49

Tony Young
Energy Consents Unit
The Scottish Government

Email: tony.young@gov.scot
Date: 1st March 2024

Dear Tony,

Re: SCOPING OPINION REQUEST– GRIMSHADER WIND FARM PROPOSAL

Thank you for consulting RSPB Scotland on the above EIA scoping opinion request. RSPB Scotland is supportive of renewable energy, but wind farms must be carefully sited to avoid adverse effects on protected sites for nature and species of the highest conservation importance.

The Isle of Lewis has a high-density population of Golden and White-tailed Eagles, and we are becoming increasingly concerned about the cumulative impacts of wind farm development on these species through displacement from favoured feeding and breeding areas as well as due to potential collision risk. In addition, Hen Harriers have recently naturally colonised Lewis with up to 15 pairs now breeding on the island[1]. Grimshader wind farm would be located in and around the core Hen Harrier breeding area and along with consented wind farms such as Stornoway, are likely to have a significant impact on this new population of rare breeding birds. Indeed, we objected to the Stornoway wind farm proposal due to the significant impact it is likely to have on this recently established Hen Harrier population on Lewis.

We hope that our comments presented below will be useful to the applicant in preparing any EIA Report.

Designated Sites and Birds of Conservation Concern

At its closest point, the proposed development site is located approximately 700m from the Lewis Peatlands Special Protection Area (SPA) and Ramsar site. A number of the qualifying species of these sites are likely to be affected by the proposal due to their use of the proposed Application site and surrounding area. Therefore, there would be likely significant effects on the qualifying interests of a European site, from the proposed wind farm alone and in combination with other projects. Consequently,

[1] Challis, A., Beckmann, B.C., Wilson, M.W., Eaton, M.A., Stevenson, A., Stirling-Aird, P., Thornton, M. & Wilkinson, N.I. (2023). Scottish Raptor Monitoring Scheme Report 2021 & 2022. BTO Scotland, Stirling

the determining authority is required by the Conservation of Habitats and Species Regulations 2017 to undertake an Appropriate Assessment of the effects of the proposal on the SPA and its qualifying species in light of the site's conservation objectives. The EIA Report must include sufficient information to inform the Appropriate Assessment. If the potential impacts of the proposal cannot be sufficiently mitigated and there could be adverse impacts on the integrity of these sites, then it is unlikely that the determining authority would be able to grant consent in accordance with the Habitat Regulations requirements.

We note that the Scoping Report states that "A total of three white-tailed and four golden eagle territories fall within 6km of the proposed development" and Table 4-4 confirms these species nest within development area, as well as Red-throated Diver and Merlin. Other important breeding bird species that are red- or amber-listed Birds of Conservation Concern[2] were also recorded in the survey buffers and could be affected by the development. This includes Hen Harriers, which, as mentioned above, have only recently naturally colonised Lewis.

The Western Isles are also a stronghold for breeding Corncrake. Corncrake numbers on Lewis have dropped then stabilised over the last 20 years and there has been range contraction to the north and west of the Isle of Lewis. However, calling males have been recorded in close proximity to the site boundary by RSPB Scotland, and it is possible that birds will make inter-season movements and migration flights across the site. However, we note that no surveys for this species were undertaken to inform this development.

Survey Methodology

The scoping exercise should help inform survey design. It is therefore disappointing to note that two years of baseline field surveys have already been completed prior to this exercise between September 2021 and August 2023.

It is concerning that no eagle or raptor winter roost surveys appear to have been undertaken as they are not listed in Section 4.4.1, nor in Confidential Appendix C, however Section 4.4.3 states that there will be a 500m study area for wintering raptors included in the assessment. Since wintering Hen Harrier can be disturbed up to 750m from roost sites[3] and NatureScot guidance[4] recommends roost sites within 2km are identified, a larger buffer should be used. Winter roost surveys, including both eagle species should be undertaken within 2km of the site boundary.

It also would have been prudent to include Corncrake in the suite of surveys undertaken. However, in lieu of this, Corncrake (and other species) data can be requested from RSPB Scotland: dataunit@rspb.org.uk.

[2] Birds of Conservation Concern 5: https://britishbirds.co.uk/sites/default/files/BB_Dec21-BoCC5-IUCN2.pdf
[3] https://www.nature.scot/doc/disturbance-distances-selected-scottish-bird-species-naturescot-guidance
[4] SNH 2017: https://www.nature.scot/sites/default/files/2018-06/Guidance%20Note%20-%20Recommended%20bird%20survey%20methods%20to%20inform%20impact%20assessment%20of%20onshore%20windfarms.pdf

A51

We recommend that information is provided within the EIA report to demonstrate that the survey data are adequate, robust and accurate, including:

- Full information on the VP work undertaken, including dates, times and weather conditions for each.
- Maps showing VP locations that also denote viewsheds and turbine locations.
- Maps showing diver, wader and raptor breeding, foraging and roosting areas, and commuting routes.
- Worked example(s) of collision risk calculations.
- Provision of raw data for independent verification of collision risk calculations.

Assessment of impacts on birds

Disturbance, displacement, loss of suitable habitat (breeding, wintering and foraging) and collision risk should be assessed for all scoped-in species. This should not only include impacts from the wind turbines but also new tracks and infrastructure as well as any existing road widening or upgrades.

Turbines may also present a barrier (or collision risk) to divers commuting to breeding sites to the west of the proposal to nest sites on the Lewis Peatlands SPA. Therefore, potential barrier effects of this proposal should also be addressed in the EIA, particularly with regards to divers, but also both eagle species, swans and geese. The EIAR should publish results of the focal breeding diver surveys to highlight the most frequent routes taken to/from the sea.

The EIA should consider all the components of the proposal including turbines, battery compounds, borrow pits, access roads, on site tracks, drainage, substation and temporary construction buildings/storage compounds. It should also include the any proposed Battery Energy Storage System (BESS) if being taken forward. Impacts of all phases of the project including site selection, design, construction, operation and maintenance should be included in the assessment.

We also make the following recommendations:

- We strongly suggest that Corncrake is scoped into the assessment as it is possible the birds could move through the proposal site as they migrate and commute at night.
- We note decommissioning has been scoped out of the assessment as the future baseline and regulatory context is difficult to predict. Although we acknowledge that a detailed Decommissioning and Restoration Plan will be agreed with CnES and other relevant regulatory authorities in line with the requirements at the time, the EIA should scope in the decommissioning stage to fully appraise the potential impacts of the development.
- We understand that the grid connection will be subject to separate application. The likely cumulative impacts of this proposed element in addition to the wind farm proposal should be considered in the EIA as it is such an important element that will be necessary for the operation of the wind farm, and also because eagle collisions with overhead lines have been recorded numerous times in the Western Isles (discussed further below).
- We welcome that a Golden Eagle Topographical (GET) model will be produced, however, this should not take precedence over observational data, particularly

in relation to breeding birds as the GET model is used to predict landscape use by dispersing and non-breeding Golden Eagles. However, we recommend that this can be useful in informing turbine layout to avoid the most suitable terrain for Golden Eagle, with the caveat that in island situations, Golden Eagles are known to nest at and use all altitudes.

However, no such models exist for White-tailed Eagles, and we are aware that this species is susceptible to collision with turbines. We are aware of at least three collision incidents in Scotland of White-tailed Eagles that have had injuries believed to be from turbine blades, one of which was at a wind farm on Lewis in 2020[5]. We are concerned that this proposal could obstruct routes between known breeding, roosting and foraging areas. A robust assessment of impacts on this species is therefore required.

Lastly, if significant impacts are predicted, then population models are likely to be required and we ask that these should be produced to provide Counterfactual of Population Size (CPS) outputs.

Cumulative Impacts on Birds

We are very concerned about the cumulative impacts of energy-related development on eagles and the suite of SPAs in the Western Isles. Significant collision mortality of eagles with wind turbines is predicted by windfarm EIAs in the Outer Hebrides, which could have population level effects (size of the population or rate of growth). In addition to the wind farms themselves, overhead lines pose additional risk in terms of collisions and electrocutions.

Cumulative impacts on relevant species and their populations that can be affected by wind energy developments (via disturbance, displacement, collision risk and barrier effects) should be assessed across NHZ3 (Coll, Tiree and the Western Isles), and the Lewis Peatlands SPA. However, for White-tailed Eagle, a cumulative assessment on the national population level will also be required. NatureScot has requested this for the Uisenis wind farm in their letter dated 7th February 2024, as cumulative levels of collision risk for this species have reached a concerning level on the national scale.

The cumulative and in-combination assessment should take account of all existing and proposed wind energy schemes that could impact on the NHZ3 bird populations in question, the local Hen Harrier population and the Lewis Peatlands SPA. The assessment should include all operational, consented and in-planning wind farm proposals in the NHZ as well as all the associated grid connections and transmission projects e.g., the Harris to Stornoway overhead line replacement.

There is evidence that the existing electricity distribution network on Harris and Lewis could be causing considerable mortality in Golden Eagles and existing (baseline) conditions carry a significant bird strike risk to protected species, including SPA birds. Six eagle carcasses (five immature Golden Eagles and one immature White-tailed Eagle) found under powerlines on Lewis have been reported to the RSPB Scotland local staff since 2012. All of these cases were then verified as collision and electrocution fatalities. With several hundred kilometres of overhead transmission and distribution lines on Lewis and Harris, many overhead lines run along routes that people rarely walk and there is no requirement to report fatalities. Therefore, it is likely that the number of reports received represent only a proportion

[5] https://www.bbc.co.uk/news/uk-scotland-highlands-islands-53834965

of the total number of eagles killed or injured in collisions with overhead lines in this region.

Approach to Design and Mitigation

NatureScot disturbance distances[6] should be used to guide decisions, and suitable Hen Harrier breeding habitat should be avoided. Any turbines not covered by a vantage point viewshed by 500m should be removed. However, it will also be essential to consider 'line-of -sight' impacts on any eagle nests of both species as they are sensitive to new human objects in the landscape.

GET model and survey results should be used to help ensure that the final design of the wind farm avoids the areas within the site that are likely be of highest value to Golden Eagles, and survey results used to avoid the best raptor foraging and roosting areas. The turbine layout should be designed to ensure waterbodies are not surrounded by turbines completely so as to avoid blocking diver commuting routes to the sea.

Although Golden Eagle collisions with wind turbines are rare (in part this may be due to carefully sited windfarms avoiding high density populations), presumed victims of collision have been found in Scotland. NatureScot should be able to advise the applicant further on reported numbers.

As discussed above, White-tailed Eagles are also relatively susceptible to collision and there have been a number of mitigation methods trialled to reduce collision risk that might be suitable at this site. For example, painting a blade black[7] or radar detection of birds to automatically switch off turbines. Such mitigation should be considered as part of the EIAR.

Peatland Assessment

The NatureScot Carbon and Peatland Map 2016, identifies the site as mainly Class 1: Nationally important carbon-rich soils, deep peat and priority peatland habitat / areas likely to be of high conservation value.

Policy 5 of NPF4 seeks to protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development. Policy 4 of NPF4 seeks to protect, restore and enhance natural assets, including protected sites, and states that development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported.

Results of the site-wide habitat and peat-depth survey should inform the final infrastructure design and ensure it avoids deep peat (over 50cm deep) and any sensitive Annex 1 habitats, including a suitable buffer to include any adjacent drying effects.

Where it is proposed that tracks should cross peatland areas, an appropriate track design and construction methods should be planned. We welcome the preparation of a peat management plan (PMP) that is informed by peat depth probing, and by a full

[6] https://www.nature.scot/doc/disturbance-distances-selected-scottish-bird-species-naturescot-guidance

[7] May R, Nygård T, Falkdalen U, Åström J, Hamre Ø, Stokke BG. Paint it black: Efficacy of increased wind-turbine rotor blade visibility to reduce avian fatalities. Ecol Evol. 2020;10:8927–8935. https://doi.org/10.1002/ ece3.6592

site appraisal of potential re-use opportunities, including information regarding the plans for excavated peat storage.

We would also like to see information contained within the EIAR with regards to how oil leaks from operational turbines will be dealt with as we understand this is a common issue.

If the overall predicted impacts of the proposal were shown to be acceptable, potential for the restoration of suitable area of blanket bog as part of the applicant's enhancement proposals should be explored and presented in the EIAR.

New NatureScot guidance[8] is now available on development on peatland and outlines recommendations for compensation and enhancement in line with Policy 3 of NPF4. This should be taken account in relation to any proposed mitigation and compensation proposals and in terms of the Biodiversity Enhancement Management Plan, as discussed below.

Post-construction monitoring and Habitat Management Plan (HMP)

We believe that development should leave nature in a better state than before it took place and welcome NPF4's commitment to deliver positive effects for biodiversity through development.

Policy 1 of NPF4 states that 'when considering all development proposals significant weight will be given to the global climate and **nature crises'** (emphasis added). Therefore, significant weight should be given to compliance with Policy 3 Biodiversity, which states that,

> 'Development proposals for national or major development or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention'.

It goes on to list a number of criteria which applicants must demonstrate they have met, including 'significant biodiversity enhancements are provided, **in addition to** (emphasis added) any proposed mitigation'. Scottish Government planning guidance on biodiversity, which focuses on the implementation of Policy 3 for EIA and major development was published in November 2023[9]. Despite the fact that the document is labelled 'Draft Planning Guidance', it is the up-to-date expression of the Government's position on the implementation of Policy 3. The term 'draft' does not indicate a consultation document but is understood to reflect that it is "a 'living document'… that will be updated as practice beds in" (paragraph 5.1). The document should therefore be given significant material weight.

The Applicant should give early consideration to how positive effects for biodiversity would be delivered. The mitigation hierarchy must be followed, and any mitigation, compensation and enhancement measures must be clearly and separately identified

[8] NatureScot (2023) Advising on peatland, carbon-rich soils and priority peatland habitats in development management https://www.nature.scot/doc/advising-peatland-carbon-rich-soils-and-priority-peatland-habitats-development-management#Enhancement
[9] Scottish Government (2023) Biodiversity: Draft Planning Guidance

within the EIA and other accompanying documents. It is RSPB Scotland's current view that biodiversity enhancement measures should not be delivered on designated sites for nature, apart from in a small number of exceptional circumstances, and enhancement measures must be truly additional.

In relation to peatland, recent NatureScot guidance[5] states 'that restoration to achieve offsetting (i.e. compensation rather than biodiversity enhancement) would be in the order of 1:10 (lost:restored)' plus 'an additional 10% of the baseline assessment of the extent of priority peatland habitat for biodiversity enhancement'.

As much detail as possible should be provided in a HMP prior to consent in order that the benefits be fully considered alongside the application.

In addition to the production of a HMP, which must include an indication of size of any areas to be restored, appropriate Species Protection Plans (SPPs) and a Deer Management Plan (DMP) should be drafted.

The HMP must include a comprehensive monitoring programme for any habitat improvements, migrating and breeding birds on the site and future use of the site by breeding raptors, divers and waders. Remote sensing using radar or infra-red cameras should be considered, to help inform future development and decision making within the industry.

Lastly, the HMP (or other document) should include a protocol for reporting collisions to NatureScot.

We hope you find these comments helpful. Should you wish to discuss of any of the above please do not hesitate to contact me.

Yours sincerely,

REDACTED

Bea Ayling
Conservation Officer
bea.ayling@rspb.org.uk

A56

Scottish Forestry
Coilltearachd na h-Alba

Glèidhteachais a Gàidhealtachd's nan Eilean
"Fearann – coilleach"
Rathad Fodderty
Inbhir Pheofharain

Highland and Islands Conservancy
"Woodlands"
Fodderty Way
Dingwall

IV15 9XB

highland.cons@forestry.gov.scot
Tel: 0300 067 6950

Conservator
Neach Dion Arainneachd
Neil Murray

19 January 2024

Tony Young
SG Energy Consents Unit

by email: Tony.Young@gov.scot

Dear Tony

THE ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)(SCOTLAND) REGULATIONS 2017

SCOPING OPINION REQUEST– GRIMSHADER WIND FARM PROPOSAL

Thank you for consulting Scottish Forestry on the Scoping Report for the proposed Grimshader Wind Farm proposal (proposed development). Scottish Forestry is the Scottish Government agency responsible for policy, support and regulation of the forestry sector in Scotland. As such we comment on the potential impact of development proposals on forests and woodlands.

The first consideration for all woodland removal decisions should be whether the underlying purpose of the proposals can reasonably be met without resorting to woodland removal. Scottish Government's Policy on Control of Woodland Removal clearly sets out a strong presumption in favour of protecting Scotland's woodland resources.
https://forestry.gov.scot/support-regulations/control-of-woodland-removal

In line with Scottish Government's wider objective to protect and expand Scotland's woodland cover, applicants are expected to develop their proposal with minimal woodland removal. Woodland removal should be allowed only where it would achieve significant and clearly defined additional public benefits.

The following criteria for determining the acceptability of woodland removal should be considered relevant to this application –

- ***Woodland removal with a need for compensatory planting***
  Design approaches that reduce the scale of felling required and/or converting the type of woodland to another type (such as from tall conifer plantation to low-height, slow growing woodland), must be considered from the earliest stages, rather than removing the woodland completely. The purpose of any required CP is to secure, through new woodland on site (replanting) or off site (on appropriate sites elsewhere), at least the equivalent woodland-related net public benefit embodied in the woodland to be removed.

A57

Scottish Forestry
Coilltearachd na h-Alba

National Planning Framework 4 - Policy 6 Forestry, Woodlands and trees identifies several themes the following may be considered relevant to this application –

c) Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered.

Conclusion
Scottish Forestry strongly advises the developers to ensure that any proposed changes to woodland address the requirements of the Control of Woodland Removal Policy and other relevant guidance. Scottish Government's policy on control of woodland removal: implementation guidance February 2019 https://forestry.gov.scot/support-regulations/control-of-woodland-removal provides guidance on the level and detail of information Scottish Forestry will expect within the EIA Report, to help us reach an informed decision on the potential impact of the proposed development.

Scottish Forestry strongly advises the developers to include detailed information on the types and areas of forestry to be felled and restocked as a result of the proposed development. Detailed information on any compensatory planting proposals should also be provided. All felling, restocking and compensatory planting proposals must be compliant with the UK Forestry Standard.
https://forestry.gov.scot/sustainable-forestry/ukfs-scotland

Any additional felling which is not part of the planning application will require permission from Scottish Forestry under the Forestry and Land Management (Scotland) Act 2018 (the Act). For areas covered by an approved Long Term Forest Plan (LTFP), the request for additional felling (and subsequent restocking) areas needs to be presented in the form of LTFP amendment.
https://forestry.gov.scot/support-regulations/felling-permissions

The applicant should note that any compensatory planting required as a result of the proposed development, may also need to be considered under The Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017. https://forestry.gov.scot/support-regulations/environmental-impact-assessment and should follow the process for preparing a woodland creation proposal, as set out in our guidance booklet: Woodland Creation Application Guidance. https://forestry.gov.scot/support-regulations/woodland-creation

Please don't hesitate to contact me if you have any questions regarding Scottish Forestry's response.

Yours sincerely

Martin MacKinnon
Senior Operations Manager

Highland and Islands Conservancy

A58

Thursday, 25 January 2024

Local Planner
Energy Consents Unit
5 Atlantic Quay
Glasgow
G2 8LU

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk
Follow Us

Dear Customer,

Grimshader Wind Farm, 3 km south/south-west of Stornoway, Isle of Lewis, HS2 9NJ
Planning Ref: ECU00005010
Our Ref: DSCAS-0102084-BRL
Proposal: Grimshader Wind Farm is located on the Isle of Lewis on land to the south/south-west of Stornoway, within the Comhairle nan Eilean Siar local authority area. RWE (the Applicant) proposes to develop a wind farm consisting of up to 19 wind turbine generators of 200m height to tip, resulting in a total site capacity greater than 50 Megawatts.

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Drinking Water Protected Areas

A review of our records indicates that the proposed activity falls within a drinking water catchment where a Scottish Water abstraction is located. Scottish Water abstractions are designated as Drinking Water Protected Areas (DWPA) under Article 7 of the Water Framework Directive. Loch Orasay supplies North Lochs Water Treatment Works (WTW) and it is essential that water quality and water quantity in the area are protected. In the event of an incident occurring that could affect Scottish Water we should be notified immediately using the Customer Helpline number **0800 0778 778**. If we deem it necessary additional local Scottish Water contact details will also be provided to ensure operational teams are aware of any activity when it commences. In this cause it is likely shout posters

will be provided so that anyone working on site is aware who to contact as a matter of urgency if a water quality incident occurs.

Scottish Water would deem this development to have a high risk to water quality. Travel times of any pollution event will be short and water quality protection measures must be implemented and we must be made aware of what these measures will be and when work will commence on site. It would be our preference for turbine number 12 to be moved 3-500m North to NW from it's current location to reduce this risk.

Turbines 11 and 15 are also within the catchment, but are of a lesser concern. However if you wished to do so turbines 11, 12 and 15 could be removed from scope and this would reduce the risk for Scottish Water even further.

Loch Orasaigh is one of main drinking water sources on Lewis and provides drinking water to a significant number of customers, tourists and business's alike and the current source water quality is very good.

There may be a risk from PFAs from this activity and you should further establish if PFAs will be used in any of the manufacturing of the materials to be used on site for this activity.

There has also been significant peatland restoration taken place in this catchment and therefore any peatland that is disturbed during this activity would have to be restored again.

We also need a lot more information regarding the access routes to further access the risk this development may have on the source waters for Loch Orasay. We would welcome if Shapefiles could be sent to us at protectdwsources@scottishwater.co.uk

Scottish Water have produced a list of precautions for a range of activities. This details protection measures to be taken within a DWPA, the wider drinking water catchment and if there are assets in the area. Please note that site specific risks and mitigation measures will require to be assessed and implemented. These documents and other supporting information can be found on the activities within our catchments page of our **website at www.scottishwater.co.uk/slm**.

The fact that this area is located within a drinking water catchment should be noted in future documentation. Also anyone working on site should be made aware of this during site inductions.

We would request further involvement at the more detailed design stages, to determine the most appropriate proposals and mitigation within the catchment to protect water quality and quantity.

We would also like to take the opportunity, to request that 3 months in advance of any works commencing on site, Scottish Water is notified at **protectdwsources@scottishwater.co.uk**. This will enable us to be aware of activities in the catchment and to determine if a site meeting would be appropriate and beneficial.

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Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- Scottish Water asset plans can be obtained from our appointed asset plan providers:
    - Site Investigation Services (UK) Ltd
    - Tel: 0333 123 1223
    - Email: sw@sisplan.co.uk
    - www.sisplan.co.uk

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Ruth Kerr.
Development Services Analyst
PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Scottish Environment Protection Agency
Buidheann Dìon Àrainneachd na h-Alba

Tony Young
ECU

Our Ref: PCS-20000113
Your Ref: ECU00005010

By email only to: Econsents_Admin@gov.scot

SEPA Email Contact: planning.north@sepa.org.uk

2 February 2024

Dear Tony Young

Electricity Act 1989 - Section 36
ECU00005010
Grimshader Windfarm - Approximately 19 wind turbines with a tip height of up to 200 m and, possibly a battery storage system
Located approximately 3.3 km south/south-west of Stornoway on the Isle of Lewis and Harris, in the local authority area of the Comhairle nan Eilean Siar (CnES)

Thank you for consulting SEPA for an Environmental Impact Assessment (EIA) scoping opinion in relation to the above development on 17 January 2024. We welcome engagement with the applicant at an early stage to discuss any of the issues raised in this letter and would especially welcome further pre-application engagement once initial peat probing and habitat survey work has been completed and the layout developed further as a result.

National Planning Framework 4 (NPF4) has recently been published. The guidance referenced in this response is being reviewed and updated to reflect the new policies. It will still provide useful and relevant information, but some parts may be updated further in the future.

Advice for the determining authority

Chair
Lisa Tennant

CEO
Nicole Paterson

Angus Smith Building
6 Parklands Avenue
Eurocentral
Holytown
North Lanarkshire
ML1 4WQ

Tel: 03000 99 66 99
www.sepa.org.uk

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To **avoid delay and potential objection** the EIA submission must contain a scaled plan of sensitivities, for example peat, GWDTE, proximity to watercourses, overlain with proposed development. This is necessary to ensure the EIA process has informed the layout of the development to firstly avoid, and then reduce then mitigate significant impacts on the environment. We consider that the issues covered in Appendix 1 below must be addressed to our satisfaction in the EIA process. This provides details on our information requirements and the form in which they must be submitted.

We have also provided site specific comments in the following section which gives pre-application advice and can help the developer focus the scope of the assessment. In this case it also addresses specific consultee questions outlined in the scoping report.

1. Site specific comments

1.1 The design of any large scale watercourse crossings may require an assessment of flood risk but apart from that we are content with the proposal to scope out flood risk.

1.2 As long as the 50 m buffer to watercourses is adhered to throughout the design then we do not require information to be provided on detailed drainage.

1.3 Enough peat probing needs to be collected to fully inform the layout. Additional probing work should be carried out in locations where peat depth is variable so that a clear picture can be gained of where deeper peat is located. A cross-hair approach to probing infrastructure may not provide the information necessary to determine the final location of individual elements of the scheme, a grid approach may be more helpful. As some initial layout work has been completed before any probing has been carried out we suggest that the initial probing works concentrates on gathering information on the general areas where development is proposed, including some more detailed work in the vicinity of the proposed turbines.

1.4 We highlight the need to make as much use as possible if existing site infrastructure such as existing tracks. New tracks should be minimised, and it may be necessary to take access from a number of different locations on the public road to do this. If constructed concurrently or sequentially with the Heastabhal scheme there may be opportunities for joint off-site services at previously used sites in the Baile Ailein area; locating some shared parking, works accommodation and offices off site could reduce the scale of impact on

peatland.

1.5 We note that much of the site is Class 1 Peatland and therefore emphasis the need to carry out a peat condition survey and demonstrate how near natural habitat has been avoided. The survey can also be used to identify areas in need of peatland restoration, the details of which should be outlined in a draft Habitat Management Plan, or similar. We expect the application to include significant peatland restoration proposals.

1.6 Our scoping advice does not specifically request baseline water monitoring.

1.7 The developer can use our "contact us" page from www.sepa.org.uk/environment/environmental-data/ to request information on abstractions that we have authorised in this area under the Water Environment (Controlled Activities) Regulations. They should see section 4 of the attached appendix for advice we have on assessing impacts on existing groundwater abstractions, which could include private water supplies.

2. Regulatory advice for the applicant

2.1 Details of regulatory requirements and good practice advice, for example in relation to private drainage, can be found on the regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the local compliance team at: AHSH@sepa.org.uk

If you have queries relating to this letter, please contact us at the email at the top of the letter including our reference number in the email subject.

Regards

Susan Haslam
Senior Planning Officer
Planning Service

Ecopy: Tony.Young@gov.scot; douglas.dyche@jacobs.com

Disclaimer: This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be

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submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our website planning pages - www.sepa.org.uk/environment/land/planning/.

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Appendix 1: Detailed scoping requirements

This appendix sets out our minimum information requirements and we would welcome receipt and discussion around these prior to formal submission to avoid delays. There may be opportunities to scope out some of the issues below depending on the site. Evidence must be provided in the submission to support why an issue is not relevant for this site to **avoid delay and potential objection.** If there is a significant length of time between scoping and application submission the developer should check whether our advice has changed.

1. Site layout

1.1 All maps must be based on an adequate scale with which to assess the information. This could range from OS 1: 10,000 to a more detailed scale in more sensitive locations. Each of the maps below must detail all proposed upgraded, temporary and permanent infrastructure. This includes all tracks, excavations, buildings, borrow pits, pipelines, cabling, site compounds, laydown areas, storage areas and any other built elements. Existing built infrastructure must be re-used or upgraded where possible. The layout should be designed to minimise the extent of new works on previously undisturbed ground. For example, a layout which makes use of lots of spurs or loops is unlikely to be acceptable. Cabling must be laid in ground already disturbed such as verges. A comparison of the environmental effects of alternative locations of infrastructure elements, such as tracks, may be required.

2. Engineering activities which may have adverse effects on the water environment

2.1 The site layout should be designed to minimise watercourse crossings and avoid other direct impacts on water features. The submission must include a map showing:

a) All proposed temporary or permanent infrastructure overlain with all lochs and watercourses.

b) A minimum buffer of 50m around each loch or watercourse. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse and drawings of what is proposed in terms of engineering works. Measures should be put in place to protect any downstream sensitive receptors.

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2.2 Further advice and our best practice guidance are available within the water engineering section of our website. Guidance on the design of water crossings can be found in our Construction of River Crossings Good Practice Guide.

2.3 Refer to our Flood Risk Standing Advice for advice on flood risk. Crossings must be designed to accommodate the 0.5% Annual Exceedance Probability flows (with an appropriate allowance for climate change), or information provided to justify smaller structures. If it is considered the development could result in an increased risk of flooding to a nearby receptor then a Flood Risk Assessment (FRA) must be submitted. Our Technical flood risk guidance for stakeholders outlines the information we require to be submitted in an FRA. Please also refer to Controlled Activities Regulations (CAR) Flood Risk Standing Advice for Engineering, Discharge and Impoundment Activities.

3. Disturbance and re-use of excavated peat and other carbon rich soils

3.1 Where proposals are on peatland or carbon rich soils the following should be submitted to address the requirements of NPF4 Policy 5:

a) layout plans showing all permanent and temporary infrastructure, with extent of excavation required, which clearly demonstrates how the mitigation hierarchy outlined in NPF4 has been applied. These plans should be overlaid on:
   i. peat depth survey (showing peat probe locations, colour coded using distinct colours for each depth category and annotated at a usable scale);
   ii. peat depth survey showing interpolated peat depths;
   iii. peatland condition mapping;
   iv. National Vegetation Classification survey (NVC) habitat mapping.
b) an outline Peat Management Plan (PMP);
c) an outline Habitat Management Plan (HMP).

Detailed advice on a, b and c above

a) Development design in line with the mitigation hierarchy

3.2 In order to protect peatland and limit carbon emissions from carbon rich soils, the submission should demonstrate that proposals:

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- Avoid peatland in near natural condition, as this has the lowest greenhouse gas emissions of all peatland condition categories;
- Minimise the total area and volume of peat disturbance. Clearly demonstrate how the infrastructure layout design has targeted areas where carbon rich soils are absent or the shallowest peat reasonably practicable. Avoid peat > 1m depth;
- Minimise impact on local hydrology; and
- Include adequate peat probing information to inform the site layout and demonstrate that the above has been achieved. As a minimum this should follow the requirements of the Peatland Survey – Guidance on Developments on Peatland (2017).

3.3 The Peatland Condition Assessment photographic guide lists the criteria for each condition category and illustrates how to identify each condition category. This should be used to identify peatland in near natural condition and can be helpful in identifying areas where peatland restoration could be carried out.

3.4 In line with the requirements of Policy 5d of NPF4, the development proposal should include plans to restore and/or enhance the site into a functioning peatland system capable of achieving carbon sequestration.

b) The outline PMP should also include:

- Information on peatland condition;
- Information demonstrating avoidance and minimisation of peat disturbance;
- Excavation volumes of acrotelmic, catotelmic and amorphous peat. These should include a contingency factor to consider variables such as bulking and uncertainties in the estimation of peat volumes;
- Proposals for temporary storage and handling;
- Reuse volumes in different elements of site reinstatement and restoration.

3.5 Handling and temporary storage of peat should be minimised. Catotelmic peat should be kept wet, covered by vegetated turves and re-used in its final location immediately after excavation. It is not suitable for use in verge reinstatement, re-profiling/ landscaping, spreading, mixing with mineral soils or use in bunds.

3.6 Disposal of peat is not acceptable. It should be clearly demonstrated that all peat disturbed by the development can be used in site reinstatement (making good areas which have been disturbed by the development) or peatland restoration (using disturbed peat for

habitat restoration or improvement works in areas not directly impacted by the development, which may need to include locations outwith the development boundary).

3.7 The faces of cut batters, especially in peat over 1m, should be sealed to reduce water loss of the surrounding peat habitats, which will lead to indirect loss of habitat and release of greenhouse gases. This may be achieved by compression of the peat to create an impermeable subsurface barrier, or where slope angle is sufficiently low, by revegetation of the cut surface.

c) The outline HMP should include:

- Proposals for reuse of disturbed peat in habitat restoration, if relevant;
- Details of restoration to compensate for the area of peatland habitat directly and indirectly impacted by the development;
- Outline proposals for peatland enhancement in other areas of the site;
- Monitoring proposals.

3.8 To support the principle of peat reuse in restoration the applicant should demonstrate that they have identified locations where the addition of excavated peat will enhance the wider site into a functional peatland system capable of achieving carbon sequestration. The following information is required:

- Location plan of the proposed peatland re-use restoration area(s), clearly showing the size of individual areas and the total area to be restored;
- Photographs, aerial imagery, or surveys to demonstrate that the area identified is appropriate for peat re-use and can support carbon sequestration. This should include consideration of an appropriate hydrological setting and baseline peatland condition.

3.9 In addition, if any proposed re-use restoration areas are outwith the ownership of the applicant, information should be provided to demonstrate agreement in principle with the landowner, including agreed timescales for commencement of the works, and proposed management measures to ensure the restored areas can be safeguarded in perpetuity as a peatland.

3.10 NatureScot's technical compendium of peatland restoration techniques provides a useful overview of the procedural and technical requirements for peatland restoration.

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4. Disruption to GWDTE and existing groundwater abstractions

4.1 Groundwater Dependent Terrestrial Ecosystems (GWDTE) are protected under the Water Framework Directive. Excavations and other construction works can disrupt groundwater flow and impact on GWDTE and existing groundwater abstractions. The layout and design of the development must avoid impacts on such areas. A National Vegetation Classification survey which includes the following information should be submitted:

a) A map demonstrating all GWDTE and existing groundwater abstractions are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. The survey needs to extend beyond the site boundary where the distances require it.
b) If the minimum buffers cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. Please refer to Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems for further advice and the minimum information we require to be submitted.

5. Forest removal and forest waste

5.1 If forestry is present on the site, we prefer a site layout which avoids large scale felling as this can result in large amounts of waste material and a peak in release of nutrients which can affect local water quality. The submission must include a map with the boundaries of where felling will take place and a description of what is proposed for this timber in accordance with Use of Trees Cleared to Facilitate Development on Afforested Land – Joint Guidance from SEPA, SNH and FCS.

6. Borrow pits

6.1 The following information should also be submitted for **each borrow pit**:

a) A map showing the location, size, depths and dimensions;
b) A map showing any stocks of rock, overburden, soils and temporary and permanent infrastructure including tracks, buildings, oil storage, pipes and drainage, overlain with all lochs and watercourses to a distance of 250m. You need to demonstrate that a site specific proportionate buffer can be achieved. On this map, a site-specific buffer must

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be drawn around each loch or watercourse proportionate to the depth of excavations and at least 10m from access tracks;

c) Sections and plans detailing how restoration will be progressed including the phasing, profiles, depths and types of material to be used.

7. Pollution prevention and environmental management

7.1 A schedule of mitigation supported by the above site specific maps and plans must be submitted. These must include reference to best practice pollution prevention and construction techniques (for example, limiting the maximum area to be stripped of soils at any one time) and regulatory requirements. They should set out the daily responsibilities of Ecological Clerk of Works, how site inspections will be recorded and acted upon and proposals for a planning monitoring enforcement officer. Please refer to the Guidance for Pollution Prevention (GPPs) and our water run-off from construction sites webpage for more information.

8. Life extension, repowering and decommissioning

8.1 Proposals for life extension, repowering and/or decommissioning must demonstrate accordance with SEPA Guidance on the life extension and decommissioning of onshore wind farms. Table 1 of the guidance provides a hierarchical framework of environmental impact based upon the principles of sustainable resource use, effective mitigation of environmental risk (including climate change) and optimisation of long term ecological restoration. The submission must demonstrate how the hierarchy of environmental impact has been applied, within the context of latest knowledge and best practice, including justification for not selecting lower impact options when life extension is not proposed.

8.2 The submission needs to state that there will be no discarding of materials that are likely to be classified as waste as any such proposals would be unacceptable under waste management licensing. Further guidance on this may be found in the document Is it waste - Understanding the definition of waste

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Development Management and Strategic Road Safety
Roads Directorate

George House 36 North Hanover St Glasgow G1 2AD
Direct Line: 0141 272 7379, Fax: 0141 272 7350
gerard.mcphillips@transport.gov.scot

TRANSPORT SCOTLAND
CÒMHDHAIL ALBA

Tony Young
Energy Consents Unit
The Scottish Government
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Tony.Young@gov.scot
Econsents_Admin@gov.scot

Your ref:
ECU00005010

Our ref:
GB01T19K05

Date:
06/02/2024

Dear Sirs,

ELECTRICITY ACT 1989

THE ELECTRICITY (APPLICATIONS FOR CONSENT) REGULATIONS 2017

SCOPING OPINION REQUEST– GRIMSHADER WIND FARM PROPOSAL

With reference to your recent correspondence on the above development, we acknowledge receipt of the Scoping Report (SR) prepared by Jacobs in support of the above development.

This information has been passed to SYSTRA Limited for review in their capacity as Term Consultants to Transport Scotland – Roads Directorate. Based on the review undertaken, Transport Scotland would provide the following comments.

Proposed Development

The proposed wind farm comprises up to 19 turbines with a blade tip height of up to 200m located on the Isle of Lewis and Isle of Harris approximately 3.3km south/south-west of Stornoway. The nearest trunk road to the site is the A87(T) at Uig on the Isle of Skye, some 63km due south.

Assessment of Environmental Impacts

Section 4.7 of the SR presents the proposed methodology for the assessment of the effects of Traffic and Transport.

This indicates that the turbine components and construction traffic will approach from Stornoway and Arnish to the north. As there are no trunk roads on the Isle of Lewis, I can confirm that Transport Scotland is satisfied that the construction of the wind farm will not give rise to any significant environmental impacts on the trunk road network and no further information is required in this regard.

I trust that the above is satisfactory but should you wish to discuss in greater detail, please do not hesitate to contact me at the number above or alternatively, Alan DeVenny at SYSTRA's Glasgow office can assist on 0141 343 9636.

Yours faithfully

Redacted

Gerard McPhillips

Transport Scotland
Roads Directorate

cc Alan DeVenny – SYSTRA Ltd.

ANNEX B

Marine Directorate – Science Evidence Data and Digital (MD-SEDD) advice on freshwater and diadromous fish and fisheries in relation to onshore wind farm developments.

July 2020 updated September 2023

Marine Directorate – Science Evidence Data and Digital (MD-SEDD) provides internal, non-statutory, advice in relation to freshwater and diadromous fish and fisheries to the Scottish Government's Energy Consents Unit (ECU) for onshore wind farm developments in Scotland.

Atlantic salmon (*Salmo salar*), sea trout and brown trout (*Salmo trutta*) are of high economic value and conservation interest in Scotland and for which MD-SEDD has in- house expertise. Onshore wind farms are often located in upland areas where salmon and trout spawning and rearing grounds may also be found. MD-SEDD aims, through our provision of advice to ECU, to ensure that the construction and operation of these onshore developments do not have a detrimental impact on the freshwater life stages of these fish populations.

The Electricity Works (Environmental Impact Assessment) (EIA) (Scotland) Regulations (2017) state that the EIA must assess the direct and indirect significant effects of the proposed development on water and biodiversity, and in particular species (such as Atlantic salmon) and habitats protected under the EU Habitats Directive. Salmon and trout are listed as priority species of high conservation interest in the Scottish Biodiversity Index and support valuable recreational fisheries.

A good working relationship has been developed over the years between ECU and MD-SEDD, which ensures that these fish species are considered by ECU during all stages of the application process of onshore wind farm developments and are similarly considered during the construction and operation of future onshore wind farms. It is important that matters relating to freshwater and diadromous fish and fisheries, particularly salmon and trout, continue to be considered during the construction and operation of future onshore wind farms.

In the current document, MD-SEDD sets out a revised, more efficient approach to the provision of our advice, which utilises our generic scoping and monitoring programme guidelines (https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren). This standing advice provides regulators (e.g. ECU, local planning authorities), developers and consultants with the information required at all stages of the application process for onshore wind farm developments, such that matters relating to freshwater and diadromous fish and fisheries are addressed in the same rigorous manner as is currently being carried out and continue to be fully in line with EIA regulations. At the request of ECU, MD-SEDD will still be able to provide further and/or bespoke advice relevant to freshwater and diadromous fish and fisheries e.g. site specific advice, at any stage of the application process for a proposed development, particularly where a development may be considered sensitive or contentious in nature.

MD-SEDD will continue undertaking research, identifying additional research requirements, and keep up to date with the latest published knowledge relating to the

impacts of onshore wind farms on freshwater and diadromous fish populations. This will be used to ensure that our guidelines and standing advice are based on the best available evidence and also to continue the publication of the relevant findings and knowledge to all stakeholders including regulators, developers and consultants.

MD-SEDD provision of advice to ECU

- MD-SEDD should not be asked for advice on pre application and application consultations (including screening, scoping, gate checks and EIA applications). Instead, the MD-SEDD scoping guidelines and standing advice (outlined below) should be provided to the developer as they set out what information should be included in the EIA report;
- if new issues arise which are not dealt with in our guidance or in our previous responses relating to respective developments, MD-SEDD can be asked to provide advice in relation to proposed mitigation measures and monitoring programmes which should be outlined in the EIA Report (further details below);
- if new issues arise which are not dealt with in our guidance or in our previous responses, MD-SEDD can be asked to provide advice on suitable wording, within a planning condition, to secure proposed monitoring programmes, should the development be granted consent;
- MD-SEDD cannot provide advice to developers or consultants, our advice is to ECU and/or other regulatory bodies.
- if ECU has identified specific issues during any part of the application process that the standing advice does not address, MD-SEDD should be contacted.

MD-SEDD Standing Advice for each stage of the EIA process

Scoping

MD-SEDD issued generic scoping guidelines (https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren) which outline how fish populations can be impacted during the construction, operation and decommissioning of a wind farm development and informs developers as to what should be considered, in relation to freshwater and diadromous fish and fisheries, during the EIA process.

In addition to identifying the main watercourses and waterbodies within and downstream of the proposed development area, developers should identify and consider, at this early stage, any areas of Special Areas of Conservation where fish are a qualifying feature and proposed felling operations particularly in acid sensitive areas.

If a developer identifies new issues or has a technical query in respect of MD-SEDD generic scoping guidelines then ECU should be informed who will then co-ordinate a response from MD-SEDD.

Gate check

The detail within the generic scoping guidelines already provides sufficient information relating to water quality and salmon and trout populations for developers at this stage of the application.

Developers will be required to provide a gate check checklist (annex 1) in advance of their application submission which should signpost ECU to where all matters relevant to freshwater and diadromous fish and fisheries have been presented in the EIA report. Where matters have not been addressed or a different approach, to that specified in the advice, has been adopted the developer will be required to set out why.

EIA Report

MD-SEDD will focus on those developments which may be more sensitive and/or where there are known existing pressures on fish populations (https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/fishreform/licence/status/Pressures). The generic scoping guidelines should ensure that the developer has addressed all matters relevant to freshwater and diadromous fish and fisheries and presented them in the appropriate chapters of the EIA report. Use of the gate check checklist should ensure that the EIA report contains the required information; the absence of such information may necessitate requesting additional information which may delay the process:

Developers should specifically discuss and assess potential impacts and appropriate mitigation measures associated with the following:

- any designated area, for which fish is a qualifying feature, within and/or downstream of the proposed development area;
- the presence of a large density of watercourses;
- the presence of large areas of deep peat deposits;
- known acidification problems and/or other existing pressures on fish populations in the area; and
- proposed felling operations.

Post-Consent Monitoring

MD-SEDD recommends that a water quality and fish population monitoring programme is carried out to ensure that the proposed mitigation measures are effective. A robust, strategically designed and site specific monitoring programme conducted before, during and after construction can help to identify any changes, should they occur, and assist in implementing rapid remediation before long term ecological impacts occur.

MD-SEDD has published guidance on survey/monitoring programmes associated with onshore wind farm developments (https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren) which developers should follow when drawing up survey and/or monitoring programmes.

If a developer considers that such a monitoring programme is not required then a clear justification should be provided.

Planning Conditions

MD-SEDD advises that planning conditions are drawn up to ensure appropriate provision for mitigation measures and monitoring programmes, should the development be given consent. We recommend, where required, that a Water Quality Monitoring Programme, Fisheries Monitoring Programme and the appointment of an Ecological Clerk of Works, specifically in overseeing the above monitoring programmes, is outlined within these conditions and that MD-SEDD is consulted on these programmes.

Wording suggested by MD-SEDD in relation to water quality, fish populations and fisheries for incorporation into planning consents:

1. No development shall commence unless a Water Quality and Fish Monitoring Plan (WQFMP) has been submitted to and approved in writing by the Planning Authority in consultation with Marine Directorate – Science Evidence Data and Digital (MD–SEDD) and any such other advisors or organisations.

2. The WQFMP must take account of the Scottish Government's MD-SEDD guidelines and standing advice and shall include:

    a. water quality sampling should be carried out at least 12 months prior to construction commencing, during construction and for at least 12 months after construction is complete. The water quality monitoring plan should include key hydrochemical parameters, turbidity, and flow data, the identification of sampling locations (including control sites), frequency of sampling, sampling methodology, data analysis and reporting etc.;

    b. the fish monitoring plan should include fully quantitative electrofishing surveys at sites potentially impacted and at control sites for at least 12 months before construction commences, during construction and for at least 12 months after construction is completed to detect any changes in fish populations; and

    c. appropriate site specific mitigation measures detailed in the Environmental Impact Assessment and in agreement with the Planning Authority and MD-SEDD.

3. Thereafter, the WQFMP shall be implemented within the timescales set out to the satisfaction of the Planning Authority in consultation with MD- SEDD and the results of such monitoring shall be submitted to the Planning Authority on a 6 monthly basis or on request.

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

Sources of further information

NatureScot (previously “SNH”) guidance on wind farm developments - https://www.nature.scot/professional-advice/planning-and-development/advice- planners-and-developers/renewable-energy-development/onshore-wind- energy/advice-wind-farm

Scottish Environment Protection Agency (SEPA) guidance on wind farm developments – https://www.sepa.org.uk/environment/energy/renewable/#wind

A joint publication by Scottish Renewables, NatureScot, SEPA, Forestry Commission Scotland, Historic Environment Scotland, Marine Scotland Science (now MD-SEDD) and Association of Environmental and Ecological Clerks of Works (2019) Good Practice during Wind Farm Construction - https://www.nature.scot/guidance- good-practice- during-wind-farm-construction.

Annex 1 (revised September 2023)

Marine Directorate – Science Evidence Data and Digital (MD-SEDD) – EIA Checklist

The generic scoping guidelines should ensure that all matters relevant to freshwater and diadromous fish and fisheries have been addressed and presented in the appropriate chapters of the EIA report. Use of the checklist below should ensure that the EIA report contains the following information; the absence of such information ***may necessitate requesting additional information*** which could delay the process:

MD-SEDD Standard EIA Report Requirements	Provided in application YES/NO	If YES – please signpost to relevant chapter of EIA Report	If not provided or provided different to **MD-SEDD** advice, please set out reasons.
1. A map outlining the proposed development area and the proposed location of: ○ the turbines, ○ associated crane hard standing areas, ○ borrow pits, ○ permanent meteorological masts, ○ access tracks including watercourse crossings, ○ all buildings including substation, battery storage; ○ permanent and temporary construction compounds; ○ all watercourses; and ○ contour lines;			

2. A description and results of the site characterisation surveys for fish (including fully quantitative electrofishing surveys) and water quality including the location of the electrofishing and fish habitat survey sites and water quality sampling sites on the map outlining the proposed turbines and associated infrastructure. **This should be carried out where a Special Area of Conservation (SAC) is present and where salmon are a qualifying feature, and in exceptional cases when required in the scoping advice for other reasons. In other cases, developers can assume that fish populations are present**;			
3. An outline of the potential impacts on fish populations and water quality within and downstream of the proposed development area;			
4. Any potential cumulative impacts on the water quality and fish populations associated with adjacent (operational and consented) developments including wind farms, hydro schemes, aquaculture and mining;			

5. Any proposed site specific mitigation measures as outlined in **MD-SEDD** generic scoping guidelines and the joint publication "Good Practice during Wind Farm Construction" (https://www.nature.scot/guidance-good-practice-during-wind-farm-construction);			
6. Full details of proposed monitoring programmes using guidelines issued by **MD-SEDD** and accompanied by a map outlining the proposed sampling and control sites in addition to the location of all turbines and associated infrastructure. **At least 12 months of baseline pre-construction data should be included. The monitoring programme can be secured using suitable wording in a condition.**			
7. A decommissioning and restoration plan outlining proposed mitigation/monitoring for water quality and fish populations. **This can be secured using suitable wording in a condition.**			

Developers should specifically discuss and assess potential impacts and appropriate mitigation measures associated with the following:	Provided in application YES/NO	If YES – please signpost to relevant chapter of EIA Report	If not provided or provided different to **MD-SEDD** advice, please set out reasons.
1. Any designated area **(e.g. SAC),** for which fish is a qualifying feature, within and/or downstream of the proposed development area;			
2. The presence of a large density of watercourses;			
3. The presence of large areas of deep peat deposits;			
4. Known acidification problems and/or other existing pressures on fish populations in the area; and			
5. Proposed felling operations.			