



Scottish Government  
Riaghaltas na h-Alba  
gov.scot

**The Scottish Government  
Energy Consents Unit**

**Scoping Opinion On Behalf Of Scottish Ministers Under The  
Electricity Works (Environmental Impact Assessment) (Scotland)  
Regulations 2017**

**Enoch Hill Wind Farm Variation  
RWE Renewables UK Developments Ltd**

**April 2020**

# CONTENTS

1. Introduction .....	2
2. Consultation.....	3
3. The Scoping Opinion .....	4
4. Mitigation Measures.....	6
5. Conclusion .....	6
ANNEX A .....	8

# 1. Introduction

This scoping opinion is issued by the Scottish Government Energy Consents Unit on behalf of the Scottish Ministers to Wood Environment & Infrastructure Solutions UK Limited as acting agent on behalf of RWE Renewables UK Developments Ltd a company incorporated under the Companies Acts with company number 03758407 and having its registered office at Greenwood House Westwood Way, Westwood Business Park, Coventry, United Kingdom, CV4 8TT (“the Company”) in response to a request dated 7 February 2020 for a scoping opinion under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the proposed Enoch Hill Wind Farm Variation (“the proposed development”). The request was accompanied by a scoping report.

The proposed development would be located approximately 5km to the south west of New Cumnock and approximately 7km north east of Dalmellington. The proposed development is solely within the planning authority of East Ayrshire Council.

Options for transport route to the site are to depart from the Jura Terminal along Waggon Road, before turning on right on Allison Street (A79), from here the access route will follow the A719, A77, A76 and the B741, entering the Development Site at a new junction off the B741 in the north-western part of the Development Site.

Enoch Hill Wind Farm was granted Consent by the Scottish Ministers in September 2019 for 16 turbines and associated Infrastructure. The company is proposing to submit a variation application under section 36C of the Electricity Act (1989) (as amended) to construct and operate a wind farm with a generating capacity in excess of 50MW on the site of the Consented Development. The consented Development comprises of 16 wind turbines with the maximum blade height of 130m. The final specification of the turbines is not known at this time, it is likely the proposed variation would increase their tip height to a maximum of 149.9m and a rotor diameter from 106m to up to 136m, with a generation capacity increasing from 54.4MW up to a potential 80MW. The proposed variation requests an increase in the operational period from 25 to 30 years.

In addition to wind turbines there will be ancillary infrastructure including:

- Access tracks connecting infrastructure elements;
- A new vehicular access point from the public highway;
- Hard standing areas e.g. crane pads;
- Potential borrow pit(s);
- Two anemometer masts;
- Temporary working areas e.g. construction compound; and
- Control building and substation and electrical cabling between this and the turbines

The Environmental Impact Assessment Report (EIAR) should include search areas of the proposed locations for on-site borrow pits. The EIAR should present high-level details of the borrow pit designs including indicative borrow pit plans.

The Company indicates the proposed development would be decommissioned after 30 years and the site restored in accordance with the decommissioning and restoration plan. Please refer to page 9 of East Ayrshire Council's response which refers to decommissioning and restoration advice.

## 2. Consultation

Following the scoping opinion request a list of consultees was agreed between Wood Environment & Infrastructure International and the Energy Consents Unit. A consultation on the scoping report was undertaken by the Scottish Ministers and this commenced on 18 February 2020. The consultation closed on 24 March 2020. Extensions to this deadline were granted to East Ayrshire Council and Defence Infrastructure Organisation. The Scottish Ministers also requested responses from their internal advisors Marine Scotland, Scottish Forestry and Transport Scotland. A full list of consultees is set out at **Annex A**.

The purpose of the consultation was to obtain scoping advice from each consultee on environmental matters within their remit. Responses from consultees and advisors 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.

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.

No responses were received from:

British Horse Society  
Civil Aviation Authority  
Crown Estate Scotland  
Fisheries Management Scotland  
John Muir Trust  
Joint Radio Company  
Mountaineering Scotland  
RSPB Scotland  
Scottish Wild Land Group (SWLG)  
Scottish Wildlife Trust  
Scottish Forestry

Carsphairn Community Council  
Catrine Community Council  
Crosshill Straiton and Kirkmichael Community Council  
Cumnock Community Council  
Cumnock Landward (Netherthird & District) Community Council  
Kirkconnel and Kelloholm Community Council  
Lugar and Logan Community Council  
Muirkirk Community Council  
Ochiltree Community Council  
Patna Community Association  
Penpont Community Council  
Royal Burgh of Sanquhar and District Community Council  
Tynron Community Council

With regard to 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.

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**

This scoping opinion has been adopted following consultation with East Ayrshire Council within whose area the proposed development would be situated, Scottish Natural Heritage, 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.

Scottish Ministers adopt this scoping opinion having taken into account the information provided by the applicant in its request dated 7 February 2020 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 taken into account the specific characteristics of the proposed development, the specific characteristics of that type of development and the environmental features likely to be affected.

A copy of this scoping opinion has been sent to East Ayrshire Council for publication on their website. It has also been published on the Scottish Government energy consents website at [www.energyconsents.scot](http://www.energyconsents.scot).

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**.

Scottish Ministers are satisfied with the scope of the EIA set out at Section **3** of the scoping report.

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.

#### **Scottish Water**

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](mailto: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.

## **Private Water Supplies**

Private Water supplies 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.

## **Peat**

Scottish Ministers consider that where there is a demonstrable requirement for peat landslide hazard and risk assessment, 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. Please refer to SEPA's response, in particular note 1.3 which refers to Peat.

## **Viewpoints**

The scoping report identified viewpoints at Table 8.1 to be assessed within the landscape and visual impact assessment. It is recommended by the Scottish Ministers that the final list of viewpoints and visualisations should be agreed following discussion between the Company, East Ayrshire Council, Historic Environment Scotland and Scottish Natural Heritage. At this stage we would advise that the additional viewpoints as requested by East Ayrshire Council are included. The Developer should also note the responses from Community Council's on proposed viewpoints.

## **Noise Assessment**

Scottish Ministers advise that noise assessments should be carried out in line with relevant legislation and standards as detailed in section 6.3 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". Scottish Ministers advise the company to take note of East Ayrshire Council's response, in particular chapter 6, which refers to noise.

## **Aviation Lighting**

Aviation Lighting may be required due to the proposed scale and location of the turbines. Further advice on aviation lighting is available from Scottish Natural Heritage.

## **Ecology**

Scottish Ministers advise the company to take into account SNH comments regarding bats surveys that should be referenced within the Habitat Management Plan.

## **Cultural Heritage**

The Scottish Ministers advise the Company to take into account the points raised by Historic Environment Scotland which references Dumfries house.

## **Other Issues**

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

## **4. Mitigation Measures**

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**

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.

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.

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.

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.

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.

Applicants are reminded that there will be limited opportunity to materially vary the form and content of the proposed development once an application is submitted.

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.

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). In addition, a separate disc containing the EIA report and its associated documentation in electronic format will be required.

**Joanna Cameron**  
**Energy Consents Unit**  
**April 2020**



## ANNEX A

### Consultation - List of consultees

East Ayrshire Council;	A1-11
Ayrshire Rivers Trust;	A12
British Horse Society*;	
BT;	A13
Civil Aviation Authority*;	
Crown Estate Scotland*;	
Defence Infrastructure Organisation;	A14 -15
Dumfries and Galloway Council;	A16
Fisheries Management Scotland*;	
Galloway Fisheries Trust;	A17- 21
Glasgow Prestwick Airport;	A22
Historic Environment Scotland;	A23-24
John Muir Trust*;	
Joint Radio Company*;	
Mountaineering Scotland*;	
NATS Safeguarding;	A25
RSPB Scotland*;	
Scottish Forestry*;	
Scottish Rights of Way and Access Society (ScotWays);	A26
Scottish Water;	A27-30
Scottish Wild Land Group (SWLG)*;	
Scottish Wildlife Trust*;	
SEPA;	A31-32
SNH;	A33-36
Transport Scotland;	A37-38
Visit Scotland;	A39-40
Carsphairn Community Council*;	
Catrine Community Council*;	
Crosshill Straiton and Kirkmichael Community Council*;	
Cumnock Community Council*;	
Cumnock Landward (Netherthird & District) Community Council*;	
Glencairn Community Council;	A41
Kirkconnel and Kelloholm Community Council*;	
Lugar and Logan Community Council*;	
Muirkirk Community Council*;	
New Cumnock Community Council	A42-47
Ochiltree Community Council*;	
Patna Community Association*;	
Penpont Community Council*;	
Royal Burgh of Sanquhar and District Community Council*;	
Tynron Community Council*;	

\*No consultee responses were received, due to the Coronavirus outbreak we are aware some responses may be late and will be added at a future date.

Internal advice from areas of the Scottish Government was provided by officials from Marine Scotland & Transport Scotland.

General Letter

**Economy and Skills**

Depute Chief Executive and Chief Financial Officer  
Alexander McPhee ACMA



Head of Planning and Economic Development: Michael Keane  
Direct Dial: (01563) [REDACTED] Fax: (01563) 554592  
Email: [michael.keane@east-ayrshire.gov.uk](mailto:michael.keane@east-ayrshire.gov.uk)

Our Ref: 20/0002/S36SCP

Date: 24th March 2020

Contact: Graham Mitchell  
01563 [REDACTED]

Joanna Cameron  
Scottish Government  
Energy Consents Unit  
4th Floor  
5 Atlantic Quay  
150 Broomielaw  
GLASGOW  
G2 8LU

Dear Sir/Madam

**THE ELECTRICITY ACT 1989 SECTION 36  
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)  
(SCOTLAND) REGULATIONS 2017  
REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36C  
APPLICATION FOR ENOCH HILL WIND FARM VARIATION**

Site Address: Enoch Hill Windfarm, B741 From Armour Wynd To U720 Dalricket,  
Dalmellington, East Ayrshire

I refer to your email dated 18 February 2020 requesting this Council's comments regarding the scoping report submitted by RWE Renewables UK Developments Ltd.

The purpose of this response is to provide advice and guidance based on the Planning Authority's knowledge of the site and the surrounding area, and has included any comments received from the limited consultation undertaken by the Planning Authority. This enables the Applicant to consider the issues that are identified and address these in the EIA process and EIA Report associated with the Section 36C application.

The Opera House  
8 John Finnie Street  
Kilmarnock, KA1 1DD  
T E L: 0 1 5 6 3 5 7 6 7 9 0  
F A X: 0 1 5 6 3 5 5 4 5 9 2  
[www.east-ayrshire.gov.uk](http://www.east-ayrshire.gov.uk)

The Council undertook consultation (a list of those consulted can be found at Appendix 1) however no responses have been received at this time. If responses are subsequently received they will be forwarded to you for consideration. You should be aware that this consultation list is selective as the onus, in this case, is on the Energy Consents Unit to undertake statutory and non-statutory consultations. A list of further consultees that would be useful to engage with as part of this process is included as Appendix 2. Please be aware that any lack of inclusion on this list of a particular party or organisation in no way indicates that the Planning Authority considers that consultation would not be beneficial.

The sections below highlight the comments of the Planning Authority on a number of matters.

### **Non-technical summary**

This should be written in simple non-technical terms and should include a summary of the main issues of each chapter of the EIA Report, including the significant effects of the development and any mitigation measures to address these potential adverse impacts. As per the Electricity Works (Environmental Impact Assessment) (Scotland) Amendment Regulations 2017, the non-technical summary should relate to the differences in which the Applicant considers likely significant effects of the varied development would differ from those of the original ES/FEI. A plan sufficient to identify the application site within the wider locality and a proposed site plan should be incorporated as a minimum.

### **Summary of Environmental Information**

A summary of the environmental information assessed throughout the EIA Report shall be provided.

### **List of qualifications and evidence of competency**

A list detailing the qualifications and evidence of relevant expertise / competency of each individual who has been involved in the production of the EIA Report, including those involved in the assessments which have been used to inform the various chapters of the EIA Report, shall be included.

### **Format of the EIA Report**

Two full paper copies including appendices should be provided to the Planning Authority. A number of electronic copies should also be provided including at least one copy that is split into manageable sized files for uploading to the online viewing system by the Planning Authority. These files should be clearly named thus enabling easier public interpretation, consideration and navigation. An example would be splitting the EIA Report by chapter / topic. Any confidential annex should be clearly marked and kept separate from the remainder of the EIA

Report but should not contain any non-confidential information or, if it does, this should be replicated within the EIA Report.

### **Baseline Information**

The Council has published a State of the Environment Report on its website: <https://www.east-ayrshire.gov.uk/PlanningAndTheEnvironment/Development-plans/State-of-the-Environment-Report.aspx>

This report collates up to date information on the environment within East Ayrshire and how it is changing. The information can be used to help inform applications. This may be of use when preparing your EIA Report.

### **EIA Assessment Methodology**

There should be a degree of flexibility adopted within the EIA Report when reporting the significance of the impacts as moderate effects can be considered as significant in terms of the EIA Regulations and would be based on the assessor's judgement.

### **SCOPED OUT**

The Scoping Report sets out a number of chapters/topic area which it is considered could be scoped out of the EIA Report. Each of these will be addressed below, with the Planning Authority's comments.

#### **Shadow Flicker (Chapter 7)**

The Scoping Report considers that even taking into account the proposed larger turbine blade diameters sought in the variation, no properties would fall within a distance/position such that they would be at risk of shadow flicker effects. Whilst Scottish Government guidance suggests that beyond a distance of ten rotor diameters properties are unlikely to face shadow flicker impacts, in the Planning Authority's experience effects can be felt beyond this distance. In this case however, all properties are of such a distance beyond ten rotor diameters' distance that shadow flicker is unlikely to impact any properties and the Planning Authority would agree that shadow flicker could be scoped out of the EIA Report.

#### **Historic Environment (Chapter 9)**

The Planning Authority concluded in its assessment of the original, now consented, development that subject to appropriate planning conditions there were no unacceptable impacts on the historic environment. It is noted that impacts on the setting of Beoch Cairn were increased when taking into account Enoch Hill and South Kyle together though not to an extent that effects would be significant. On the basis that the infrastructure locations are identical to those reported and subsequently consented in the original ES/FEI, it is agreed that the impacts of increasing the blade tip height by a further 19.9m is unlikely to result in

impacts significantly different such that these would require to be assessed further, and historic environment matters could be scoped out. It is necessary that all previous mitigation measures and conditions related to historic environment features be applied to any variation, if consented.

### **Geology/Hydrology/Hydrogeology (Chapter 12)**

The Council did not raise any objections to the consented development in terms of such geological/hydrological/hydrogeological impacts, subject to appropriate mitigation some of which would be secured by planning conditions (such as those requiring the submission of a CEMP and PWS monitoring, amongst others) being attached to the consent. On the basis that the Applicant states the variation would see all infrastructure located in identical locations to those previously assessed and subsequently consented, it is considered that the variation will not result in additional impacts on such matters not already taken into account of in the original consent, so the Planning Authority would agree that these matters could be scoped out of the EIA Report.

### **Traffic and Transport (Chapter 13)**

The Scoping Report indicates that as all infrastructure associated with the variation shall remain the same (other than taller turbine components) then traffic requirements will also be the same with the exception of Abnormal Load deliveries. The Applicant proposes to scope out all other traffic matters from the variation EIA Report though will report the findings of a new updated Swept Path Analysis (SPA). On the basis that the delivery route for the variation is the same as that of the consented scheme and that all vehicle delivery requirements are the same, with only the scale of the abnormal loads changing, then the Planning Authority would agree with scoping such matters out of the variation EIA Report with the exception of the updated SPA which shall be submitted for assessment.

### **Socio-economics (Chapter 14)**

Whilst it is noted within the Scoping Report that the variation development would result in similar **economic and employment** effects, it would be worthwhile to include additional details regarding the proposed community benefits given the expected increase in output of the proposed larger turbines, and how these will be delivered.

**Public access and recreation on-site** are not proposed to change, given the variations sought would not alter the location of infrastructure so it is considered reasonable that these matters, specific to on-site access and recreation could be scoped out.

The Scoping Report proposes to include a further analysis of tourism and recreational impacts where the Landscape and Visual chapter of the variation EIA Report indicates the variation is likely to result in a significant increase in the

magnitude of change expected by tourism and recreational receptors. The LVIA chapter in the Scoping Report notes that the Galloway Forest Dark Sky Park and Gardens and Designed Landscapes will be assessed as recreational and tourist receptors, therefore these must be scoped in to the EIA and visualisations will require to be submitted where necessary to help assess impacts on those receptors, if these are not to be dealt with in the LVIA (although paragraph 8.3.19 of the Scoping Report notes that recreational and tourist receptors would be assessed as listed in that paragraph).

## **SCOPED IN**

### **Noise (Chapter 6)**

On the basis that the construction noise would be similar in nature to that expected from the consented scheme (due to no differences proposed to the infrastructure other than larger turbines) and the separation distances between residential receptors and the bulk of the site work, it is considered the proposal to scope out construction noise and decommissioning noise (on account that it would be similar to construction noise) seems reasonable.

The Scoping Report proposes to scope in the operational noise of the variation proposed in the EIA Report. Given the variation will result in different turbine models being considered which may have different operational noise levels to that previously assessed in associated with the consented development, then the Planning Authority agrees that an operational noise assessment will be required to demonstrate the expected noise levels of the turbines and whether these would be capable of complying with consented limits. Cumulative noise impacts will need to be assessed as there is likely to be increased potential for cumulative impacts, considering the new wind farm applications which have been submitted since the original assessment was made, such as North Kyle wind farm, amongst others, and such matters will require to be assessed. Depending on the timing of any application submitted for Enoch Hill 2, it may be necessary to consider the two turbines proposed as part of that development in any cumulative noise assessment.

### **Landscape and Visual (Chapter 8)**

The Planning Authority agrees that a 35km study area, the same as the consented scheme, be used to assess the variation scheme. The Planning Authority would also agree that the need for a detailed Wild Land Assessment can be scoped out.

The Applicant is advised to keep the cumulative situation under review during the preparation of the EIA Report as this is an evolving situation. In this respect, it is suggested that they make contact with any local authorities within and neighbouring the 35km study area to obtain up to date information relating to

wind energy development in their authority areas. This area is under increasing cumulative pressure and the Greenburn Wind Farm application is expected to be submitted imminently so the Applicant is advised to keep abreast of that situation as it is likely to require consideration in any LVIA undertaken in association with the variation application.

In addition to the cumulative effects with other wind farms, the Applicant should give consideration to potential effects with other tall structures such as electricity pylons and any nearby opencast coal sites.

The inclusion, in the assessment, of local recreational routes, including core and promoted paths and rights of way is welcomed.

Specific comments in response to Table 8.2 and the list of wind farms within 35km of the radius of the site are as follows (please note, these relate to schemes in East Ayrshire only, and the Planning Authority would reiterate the earlier point made, that the Applicant should contact other local authorities directly to get an up to date status of wind farms/turbines in their areas):

C02 (Pencloe) – it is not clear if this refers to the consented scheme or the scheme currently under consideration as a S36c (although given the heights mentioned, it is assumed the variation is being considered). The Applicant is advised to ensure the consented scheme and also the variation are taken into account in the LVIA.

C07 (Polquhairn) – for information a PAN has been submitted for a new application at Polquhairn for 9 turbines at 126.5m in height. It is proposed that the turbines will be located in the same position as those of the consented scheme. It is expected that this application will be submitted in summer 2020, and the Applicant is advised to ensure this proposal, if submitted before the S36c is, be taken into account in the LVIA.

C10 (Lethans) – this has only the consented scheme listed. There is currently a new S36 Lethans Wind Farm under assessment. This scheme includes 22 turbines at varying heights of 176m, 200m and 220m. The Council took the decision not to object to this application in November 2019 and the Scottish Ministers have yet to make their decision on this application. The Applicant is advised to ensure this more recent application is also taken into account in the LVIA.

C12 (Glenmuckloch) – Although not in East Ayrshire, the Applicant should note the new consented height of the Glenmuckloch turbines is 149.9m to blade tip. Dumfries and Galloway Council should be contacted to seek up to date records of relevant wind farms in their area, and these will need to be included in the LVIA.

C19 (Linburn Farm) – Consent for these turbines expired before development

commenced, so can be removed from consideration.

A Residential Visual Amenity Study assessing individual or groups of residential properties within 2km of any turbine shall be provided.

The Applicant will need to ensure all works and processes undertaken to gather information and subsequently compile the EIA Report are done to the most up to date legislation and guidance documents. Up to date photography will need to be considered where changes have taken place since the original photographs were taken, such as new prominent views or where obstructions now impede original viewpoints, in which case alternative positions will need to be considered.

Those viewpoints listed in Table 8.1 which are proposed to be scoped out of the EIA Report, where they are located in neighbouring authorities, will need to be confirmed by those authorities as acceptable to be scoped out of the assessment. For clarity, where Table 8.1 has listed a Photomontage would be provided, the Planning Authority would expect the visualisations to comprise of a wireline in addition to a photomontage, not one or the other. In terms of the specific viewpoints listed:

1. B741 North East of Dalmellington – agreed;
2. B741 South West of New Cumnock – agreed;
3. Core Path 667 Water of Deugh – Dumfries and Galloway Council should confirm if this can be scoped out;
4. New Cumnock Cemetery – agreed;
5. Highpoint north of the site (near Auchinross) – agreed;
6. Blackcraig Hill – agreed;
7. Lochside Hotel – agreed;
8. Cairnsmore of Carsphairn – agreed;
9. Bogton Loch – request a wireline to confirm the visibility of the variation from this viewpoint.
10. Fort Carrick – request a wireline to confirm the visibility of the variation from this viewpoint.
11. Auchenroy Hill – agreed;
12. Corsencon Hill – agree but should include a full photomontage;
13. Loch Doon Shore – agreed;
14. A70 Between Cumnock and Prestwick – consider that the reasoning for scoping in VP15 could equally apply to VP14 and so would request that a baseline photo and wireline be provided for this viewpoint;
15. A76 North of Auchinleck – agreed;
16. A70 NE of Cumnock – agreed subject to the quarry mounds eliminating the views as suggested within the Scoping Report;
17. A76 Mauchline – request this viewpoint be scoped in. Given the inclusion of VP15, a roadside location, it is considered impacts on this settlement should be included for consideration in the assessment;
18. Shalloch on Minnoch – South Ayrshire Council should confirm if this can be scoped out;



19. Meikle Millyea – Dumfries and Galloway Council should confirm if this can be scoped out;
  20. Kirriereoch Hill – Dumfries and Galloway Council should confirm if this can be scoped out;
  21. Merrick – Dumfries and Galloway Council should confirm if this can be scoped out;
  22. East Mount Lowther – Dumfries and Galloway Council should confirm if this can be scoped out;
- A. Drumbrochan Road, Cumnock – agreed;
- B. Little Garclaugh Upper Nith Valley – agreed.

With regards to a night-time lighting assessment, previous consultee comments for the consented scheme had originally requested visible lighting on some turbines. On the basis that it would remain acceptable to use non-visible infrared lighting on all turbines (and such a condition would feature in a consent, if granted, to ensure visible lighting is not installed) then the Planning Authority agrees that a night-time lighting assessment can be scoped out.

### **Ecology (Chapter 10)**

It is recommended that the relevant consultees such as SNH, SEPA, RSPB and the Nith District Salmon Fisheries Board are consulted to seek their agreement that the ecology baseline of the ES/FEI remains up to date and relevant. If so, and on the basis that all infrastructure, construction/decommissioning methodologies and programming remain the same as those of the consented scheme, the Planning Authority would agree that such matters could be scoped out with the exception of bats as per the Scoping Report. The Planning Authority also agrees that updated cumulative impacts shall be provided given the increased number of wind farm applications throughout this area.

### **Ornithology (Chapter 11)**

The Scoping Report highlights that as all ground infrastructure and construction/decommissioning methodologies and programming would be the same for the variation as for the consented development, with the exception of turbine heights / blade lengths, then ornithology impacts would be scoped out except for bird collision risk. The Planning Authority agree with the proposal to re-assess bird collision risk as a result of the variation to change the turbine dimensions, notably the blade diameters. The Planning Authority suggests the Applicant check with SNH and RSPB to reach agreement as to the status of species on the site and whether it would be appropriate to only re-assess collision risk for Golden Plover, or if other species should be re-assessed for their risk too. The Scottish Ministers should satisfy themselves whether or not it will be necessary for Habitats Regulations Appraisal (HRA) screening to be carried out.

### **Infrastructure, Telecommunications and Safety (Chapter 15)**

As advised in the Scoping Report, consultation will be undertaken with relevant system operators to determine if any changes have taken place since the original ES/FEI were produced and the Planning Authority would expect commentary to be included within the variation EIA Report which either details any changes, or confirms that no changes have taken place.

The Planning Authority would welcome the Applicant's proposal to highlight, through the use of a summary table or succinct 'Other Issues' chapter, that population and human health effects have been included in the variation EIA Report.

The Planning Authority welcomes the proposal to include an updated carbon balance calculator assessment in the variation EIA Report and agrees with the inclusion of the following major accidents/disasters within the EIA Report: Sever Weather, Industrial Accidents and Electricity, gas, water supply or sewage system failures

### **Aviation (Chapter 16)**

The Planning Authority would expect to see an assessment of the proposed larger variation turbines on aviation interests to confirm that the mitigation previously identified is equally applicable to the variation proposed or whether further or different mitigation would be required to address potential aviation impacts.

### **Decommissioning and Restoration**

The Council requires that applicants provide financial estimates and costings for decommissioning and restoring sites to their former condition and how such works will be financed. This could be out with the EIA Report but accompany the variation application although assumptions and costs on decommissioning are likely to be derived from the approach set out within the EIA Report. The Council will arrange an independent assessment of the financial estimates as part of the application assessment and the Planning Authority would seek to agree that such decommissioning, restoration and aftercare costs shall be secured via a Section 75 legal agreement.

### **Planning Monitoring Officer**

The Council promotes the use of a PMO on all major infrastructure developments. The PMO is appointed by the Council to assist in the assessment of detailed environmental planning conditions and to monitor and report on the construction works. The Council asks that developers fund the cost of the PMO. The benefits of the PMO use include quicker and more robust discharge of planning conditions, communities can have better certainty that proper monitoring is taking place and the developer is doing what they said they would do, and

ultimately it provides an independent overview that can be relied upon during the construction phase and afterwards by the Council and the developer.

The use of a PMO need not necessarily be an integral part of the EIA Report however the Council's approach should be given consideration as part of the wider suite of monitoring and environmental best practice considered by the EIA Report, and the Council would seek the Scottish Ministers agreement to the Council appointing a PMO to be secured via a Section 75 legal agreement.

### **Closing Comments**

The Applicant is advised to ensure that all the requirements of the up to date regulations are complied with in undertaking the EIA and subsequent compilation and submission of the variation EIA Report. The Applicant is advised to contact all relevant consultees to seek their views/input into the various chapters to ensure any matters raised are adequately dealt with or any baseline data remains up to date and relevant for use in compiling the variation EIA Report, where reliance on previous baseline data is proposed.

Yours faithfully

Graham Mitchell  
**Senior Planning Officer**

Appendix 1 – Consultation undertaken by the Council

Ayrshire Roads Alliance;

Environmental Health;

New Cumnock Community Council;

Dalmellington Community Council;

Netherthird and District Community Council;

Ochiltree Community Council, and

West of Scotland Archaeological Service.

Appendix 2 – Suggested consultees

Scottish Wildlife Trust;

Nith District Salmon Fisheries Board, and

Any other consultee who has been asked to provide a scoping response but has not yet done so to date.

**Cameron J (Joanna)**

---

**From:** Gillian McIntyre <gillian@ayrshirerivertrust.org>  
**Sent:** 13 April 2020 10:16  
**To:** Cameron J (Joanna)  
**Subject:** Re: Request for Scoping Opinion - Enoch Hill Wind Farm Variation - ECU00002018

Hi Joanna,

This windfarm is located within the River Nith catchment (<https://www.river-nith.com>) and not Ayrshires therefore we will not be commenting on the Enoch Hill Wind Farm Variation proposal.

Kind regards

Gillian McIntyre  
*Biologist and Project Manager*

[www.ayrshirerivertrust.org](http://www.ayrshirerivertrust.org)  
Scottish Registered Charity 030426

**Cameron J (Joanna)**

---

**From:** paul.d2.jackson@bt.com  
**Sent:** 25 February 2020 16:46  
**To:** Cameron J (Joanna); Econsents Admin  
**Subject:** RE: Request for Scoping Opinion - Enoch Hill Wind Farm Variation - ECU00002018



## **OUR REF; WID11153**

Dear Sir/Madam

Thank you for your email dated 18/02/2020.

We have studied this Windfarm proposal with respect to EMC and related problems to BT point-to-point microwave radio links.

The conclusion is that, the Project indicated should not cause interference to BT's current and presently planned radio network.

Regards



# Defence Infrastructure Organisation

Jill Roberts  
Assistant Safeguarding Manager  
Ministry of Defence  
Safeguarding – Wind Energy  
Kingston Road  
Sutton Coldfield  
West Midlands B75 7RL  
United Kingdom

Telephone [MOD]: [REDACTED]

E-mail: Jillian.roberts156@mod.gov.uk

Ms Joanna Cameron  
Scottish Government  
Energy Consents Unit  
Scottish Government  
4th Floor  
5 Atlantic Quay  
150 Broomielaw  
Scotland  
G2 8LU

12th March 2020

Dear Joanna

**DIO10138**

**Site Name: Enoch Hill Wind Farm**

**Proposal: Scoping opinion - variation to consented Section 36 development relates to an increased rotor diameter from 103m - 136m and maximum blade tip height of turbines from 130m - 149.9m. And increase the operational period from 25 to 30 years**

**ECU00002018**

**Site Address: Knockburnie Wind Farm, 5.5km South East of New Cumnock**

Thank you for consulting the Ministry of Defence (MOD) on the above scoping opinion variation in your communication dated 18th February 2020.

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

The consultation relates to a scheme featuring 16 wind turbines at 149.9 metres in height to blade tip and 2 meteorological monitoring masts at 80 metres high. This scheme has been assessed using the grid references below as submitted in consultation.

Turbine	Easting	Northing
1	255,563	607,866
2	255,934	608,200
3	255,716	607,356
4	256,142	606,876
5	256,373	608,072

6	256,490	607,097
7	256,621	606,524
8	256,651	607,737
9	256,920	607,348
10	257,209	607,066
11	257,160	607,685
12	257,360	606,678
13	257,491	607,348
14	257,659	608,057
15	256,028	607,726
16	256,400	606,200
Meteorological Monitoring Mast	255,533	607,642
Meteorological Monitoring Mast	256,259	606,618

It has been identified that this development will have the following impacts upon defence operations.

### **Military Low Flying Training**

The airspace over the UK land mass is used to provide the UK Military Low Flying Systems to deliver essential military low flying training. The proposed development will occupy Tactical Training Area 20T in which operates low flying training is undertaken and military fixed wing aircraft are permitted to fly down to 100 feet (30.48 metres) above the terrain features.

The development proposed will cause a potential obstruction hazard to these military low flying training activities. To address this impact, it would be necessary for the development to be fitted with MOD accredited aviation safety lighting. Perimeter turbines should be fitted with 25 candela omni-directional red lighting or infrared lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point.

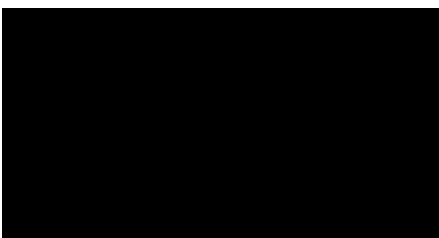
The above safeguarding statement consideration should be taken into account in the preparation of any application for the development proposed.

MOD Safeguarding wishes to be consulted and notified of the progression of planning applications and submissions relating to this proposal to verify that it will not adversely affect defence interests.

I trust 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.

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

Yours sincerely



Jill Roberts  
Assistant Safeguarding Manager – Wind Energy  
Defence Infrastructure Organisation



**Cameron J (Joanna)**

---

**From:** Robinson, Andrew <Andrew.Robinson@dumgal.gov.uk>  
**Sent:** 07 April 2020 11:00  
**To:** Cameron J (Joanna)  
**Subject:** RE: EXTERNAL: FW: Request for Scoping Opinion - Enoch Hill Wind Farm Variation - ECU00002018  
**Attachments:** FW: EXTERNAL: Enoch Hill Wind Farm Section 36C Variation Scoping Response - LVIA VPs

OFFICIAL

Dear Joanna

Further to your emails below and Chris's response sent on Friday, after receiving East Ayrshire Council's response to the scoping request, the applicant's agent emailed the Council (Attached) asking for our comments regarding scoping out 5 viewpoints situated within Dumfries and Galloway, these being:

VP 3. Core Path 667 Water of Deugh (4.5km distance to south)  
VP 19. Meikle Millyea (23.7km distance to south)  
VP 20. Kirriereoch Hill (23.9km distance to south west)  
VP 21. Merrick (24.7km distance to south west)  
VP 22. East Mount Lowther (29.8km distance to east)

To assist with the scoping response, we have considered this request and can confirm that we would have no objection to these Viewpoints being scoped out of the EIA assessment. I can confirm that we do not have any further comments to make in respect of the scoping request.

I trust this further updates you and assists with the process.

Kind regards

Andrew

Andrew Robinson  
Senior Planner (Major Projects)

Dumfries and Galloway Council  
Economy and Development  
Kirkbank House  
English Street  
Dumfries  
DG1 2HS

Telephone: 01387 [REDACTED] (Direct Externally)  
[REDACTED] (Internal)  
01387 260199 (Planning Reception)

Mobile: [REDACTED]

Fax: 01387 260188

Email: [Andrew.Robinson@dumgal.gov.uk](mailto:Andrew.Robinson@dumgal.gov.uk)

Drop Point: 208

[Search applications online](#)

**Cameron J (Joanna)**

---

**From:** Jackie Graham <jackie@gallowayfisheriestrust.org>  
**Sent:** 09 April 2020 21:59  
**To:** Cameron J (Joanna); Econsents Admin  
**Subject:** RE: Request for Scoping Opinion - Enoch Hill Wind Farm Variation - ECU00002018  
**Attachments:** Dear Scottish Government (Enoch Hill FEI).pdf; Dear Scottish Government (Enoch Hill ES).pdf

Dear Joanna,

Thank you for your email. Since the variation is for an increase in tip height, an increase in rotor diameter and operational period, we do not have any comments relating to the Application for Variation Scoping Report.

I attach our previous responses for your information, should you need it.

Best regards,  
Jackie

**Jackie Graham** BSc (Hons) CEnv MIFM

*Fisheries Biologist*

**Please note that I work Monday to Wednesday**

Galloway Fisheries Trust, Fisheries House, Station Industrial Estate, Newton Stewart, Wigtownshire, DG8 6ND

Tel: [REDACTED]

Fax: 01671 402248

E: [jackie@gallowayfisheriestrust.org](mailto:jackie@gallowayfisheriestrust.org) W: [www.gallowayfisheriestrust.org](http://www.gallowayfisheriestrust.org)



A Scottish Registered  
Charity (No. SC 020751)

*This email is communicated in confidence. It is intended for the recipient only and may not be disclosed further without the express consent of the sender. The views of the sender do not necessarily reflect those of Galloway Fisheries Trust.*



A Scottish Registered Charity  
No. SC 020751

**Fisheries House**  
**Station Industrial Estate**  
**Newton Stewart**  
**DG8 6ND**  
**Tel: 01671 403011**  
**Fax: 01671 402248**  
**Mobile: [REDACTED]**  
**Web: [www.gallowayfisheriestrust.org](http://www.gallowayfisheriestrust.org)**  
**E-mail: [mail@gallowayfisheriestrust.org](mailto:mail@gallowayfisheriestrust.org)**

Theresa McInnes  
Energy Consents & Deployment Unit  
Scottish Government  
4<sup>th</sup> Floor  
5 Atlantic Quay  
150 Broomielaw  
Glasgow  
G2 8LU

28<sup>th</sup> March 2017

Dear Theresa,

## **Further Environmental Information for the proposed Enoch Hill Wind Farm Section 36 application**

Thank you for providing the Galloway Fisheries Trust (GFT) with the opportunity to submit a response to the Further Environmental Information to support the Enoch Hill Wind Farm Section 36 application.

I am responding on behalf of GFT and the Kirkcudbrightshire Dee District Salmon Fishery Board (DDSF), upon whose jurisdictional area a small part of the proposed development lies.

We are pleased to note that a CEMP will be produced in line with recommendations in the ES and welcome that this is likely to be secured by a planning condition if the proposed development is consented. As stated in the Actions in Section 11.3 and 13.3 (page 11-5 and 13-2) of the FEI document we would be pleased to be given the opportunity to comment on the monitoring programme contained within the CEMP, which would include pre, during and post construction surveys. Specifically, we would like to ensure that a degree of water quality monitoring is undertaken on the Kirkcudbrightshire Dee catchment side of the development – run off from construction work near/at turbines 6, 7, 12 and 16 has the potential to reach tributaries of the Kirkcudbrightshire Dee, namely the Bitch Burn and Strathwiggan Burn. These two watercourses are likely to support a low density of brown trout in their upper reaches, however any run off or pollution emanating from the construction works has the potential to affect fish populations further downstream. The brown trout populations in the Water of Deugh catchment downstream of the proposed development are generally very low. Therefore any pollution/silt run-off has the potential to impact these sensitive low density populations of trout.

We are pleased that following our comments in the response to the ES, turbines 6, 7 and 16 have now been located at least 100m from Dee watercourses, despite the original 50m buffer application. This will give a greater area in which to install appropriate and functional mitigation measures to ensure silt-laden run off does not reach the Strathwiggan or Bitch Burns. I would reiterate however that due to the likely occurrence of adverse weather episodes (e.g. high rainfall events, snow melt) during the

excavation of turbine bases 6, 7, 12 and 19, and the construction of the corresponding access roads, combined with the high gradient in the area, it is very likely that silt and/or pollution will run downhill to watercourses if adequate mitigation measures are not in place. Effective mitigation is key to the protection of watercourses and must be installed early, prior to much of the construction and traffic activity. Mitigation along the edges of access tracks (e.g. silt fencing, appropriate road drains, settlement ponds) is particularly important.

We look forward to hearing from the developer and commenting on the CEMP with regard to the Kirkcudbrightshire Dee catchment if consent is granted for this development.

Yours sincerely

Jackie Graham  
Fisheries Biologist

Cc Mr J. Ingall, Chairman, DDSFB



A Scottish Registered Charity  
No. SC 020751

**Fisheries House**  
**Station Industrial Estate**  
**Newton Stewart**  
**DG8 6ND**  
**Tel: REDACTED**  
**Fax: 01671 402248**  
**Mobile: [REDACTED]**  
**Web: [www.gallowayfisheriestrust.org](http://www.gallowayfisheriestrust.org)**  
**E-mail: [mail@gallowayfisheriestrust.org](mailto:mail@gallowayfisheriestrust.org)**

Energy Consents & Deployment Unit  
Scottish Government  
4<sup>th</sup> Floor  
5 Atlantic Quay  
150 Broomielaw  
Glasgow  
G2 8LU

20<sup>th</sup> November 2015

Dear Joyce,

## **Section 26 application for the proposed Enoch Hill Wind Farm**

Thank you for providing the Galloway Fisheries Trust with the opportunity to submit a response to the Enoch Hill Wind Farm Section 36 application.

The GFT is a charitable organisation (Scottish Registered Charity SC 020751) which was formed in 1988, by a number of neighbouring District Salmon Fishery Boards in south west Scotland. The aim of the GFT is to undertake research, provide advice and complete practical works to protect and enhance aquatic biodiversity, particularly fish species, living in the freshwaters across Dumfries and Galloway. GFT works on the following river catchments, which includes some work carried out on behalf of District Salmon Fishery Boards: Water of App in south Ayrshire, River Luce, River Bladnoch, River Cree, Water of Fleet, Kirkcudbrightshire Dee, River Urr and the cross-border catchment of the Border Esk. For further information, our website is [www.gallowayfisheriestrust.org](http://www.gallowayfisheriestrust.org).

GFT are also commenting in this instance on behalf of the Kirkcudbrightshire Dee District Salmon Fishery Board (DDSF), upon whose jurisdictional area a small part of the proposed development lies.

The original scoping report came through with only the red line boundary detailed so we were therefore unable to comment further. We requested that an updated infrastructure layout be sent but didn't receive one until it was seen in this planning application.

I note the red line boundary still lies on the edge of the Kirkcudbrightshire Dee catchment but note that some infrastructure (turbine 6, 7, 19 and associated access roads) all have potential to drain towards the Dee catchment, namely the Strathwiggan Burn and Bitch Burn.

Whilst it is appreciated that there are no watercourse crossings in the Dee catchment and the two aforementioned watercourses are only likely to support a low density of brown trout in their upper reaches, there remains a route of pollution into the Dee catchment during the construction of turbines 6, 7 and 19, and the associated access routes.

GFT has seen first-hand how, despite all best intentions and good practice followed, there is high potential for silt run-off and/or pollution during the construction phase of a wind farm. The proposed development lies within a relatively high altitude and high gradient location and as such there is high potential for run off to reach watercourses unless adequate mitigation measures are employed.

It is imperative that a robust Pollution Prevention Plan is developed and followed during the construction of the wind farm in order to prevent any silt-laden run-off or pollution from entering the Strathwiggan or Bitch Burns.

The Fisheries Baseline Study within the Environmental Statement correctly highlights that there are local populations of brown trout present in the Strathwiggan and Bitch Burns. The brown trout populations in the Water of Deugh further downstream are generally very low. Therefore any pollution/silt run-off event has the potential to impact these sensitive low density populations of brown trout.

It is appreciated that a buffer zone of 50m will be applied around all tributaries and watercourses in the area but we suggest that this is an absolute minimum. Due to the likely occurrence of adverse weather episodes during the excavation of turbine bases 6, 7 and 19, and their corresponding access roads, combined with the nature of the gradient in the area, it is very likely that silt and/or pollution will run downhill to watercourses. Therefore we request that the turbines 6, 7 and 19 are re-positioned with a buffer of 100m to the nearest watercourse in addition to putting in place adequate mitigation measures to ensure no silt or pollution is allowed to enter any watercourse in the Dee catchment.

On behalf of the DDSFB we would like to have the opportunity to agree a pre-construction, during-construction and post-construction monitoring programme, especially since some infrastructure does now lie within the watershed of the Dee catchment.

Yours sincerely

Jackie Graham  
Fisheries Biologist

Cc Mr J. Ingall, Chairman, DDSFB

## Cameron J (Joanna)

---

**From:** Steve Thomson <sthomson@glasgowprestwick.com>  
**Sent:** 09 March 2020 11:30  
**To:** Cameron J (Joanna); Econsents Admin  
**Cc:** Safeguarding  
**Subject:** RE: Request for Scoping Opinion - Enoch Hill Wind Farm Variation - ECU00002018  
- Response from Glasgow Prestwick Airport Ltd

Joanna,

Our Line of Sight Analysis (LOS) indicates all turbines will be visible to our Primary Radar – and therefore generate unacceptable clutter on our Air Traffic Radar Displays.

GPA has been very proactive in engaging with wind farm developers and technology companies with a view to identifying and developing a possible mitigation solution to the operational risks posed by wind turbines.

That has recently resulted in the installation of a new radar at the airport, which is known as the Terma Scanter 4002.

However, the Terma Scanter will not necessarily provide mitigation for every proposed wind turbine development within GPA's airspace due to geographical considerations, capacity constraints and configuration issues.

The Terma Scanter may be able to mitigate the applicant's development but that cannot be ascertained until a Baseline Flight Trial and a Technical Feasibility Assessment has been undertaken to confirm that the radar can mitigate the clutter generated from the turbine blades.

We are in discussions with the Developer on entry into a Radar Mitigation Agreement, which provides for the technical feasibility assessment to be undertaken and for any subsequent reconfiguration works which may be required.

A mechanism to undertake a Baseline Flight Trial in the airspace above the proposed windfarm is also being discussed.

Unless and until the Radar Mitigation Agreement has been entered into and both a Baseline Flight Trial and Technical Feasibility assessment has been undertaken and confirms that the Terma Scanter 4002 can mitigate the clutter from the rotating turbine blades, GPA is required to **object** to this development on the grounds on aviation safety.

Kind regards

Steve Thomson



Glasgow Prestwick Airport Ltd.

**Steve Thomson**  
Manager Air Traffic Services  
Glasgow Prestwick Airport Ltd.

**T:** (+44) [REDACTED]  
**M:** (+44) [REDACTED]

sthomson@glasgowprestwick.com



**By email:** [econsents\\_admin@gov.scot](mailto:econsents_admin@gov.scot)  
**Copied to:** [Joanna.Cameron@gov.scot](mailto:Joanna.Cameron@gov.scot)

Joanna Cameron  
Energy Consents Unit  
4th Floor, 5 Atlantic Quay  
150 Broomielaw  
Glasgow  
G2 8LU

Longmore House  
Salisbury Place  
Edinburgh  
EH9 1SH

Enquiry Line: 0131-668-8716  
[HMConsultations@hes.scot](mailto:HMConsultations@hes.scot)

Our case ID: 300026724  
Your ref: ECU00002018  
10 March 2020

Dear Ms Cameron

**The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017  
Enoch Hill Wind Farm - Variation - Scoping Report  
Scoping Report**

Thank you for your consultation which we received on 18 February 2020 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 comprises a variation to the consented wind farm scheme at Enoch Hill Wind Farm. The variation would increase the rotor diameter of all 16 turbines from up to 106m to up to 136m and the tip height from up to 130m to up to 149.9m. The proposed layout and associated infrastructure would be unchanged.

### **Scope of assessment**

We note that it is currently proposed to scope our interests out of the EIA process. In our response to the currently consented scheme, we considered potential impacts on two Inventory gardens and designed landscapes. These were Craigengillan and Dumfries House.

#### [Dumfries House](#)

The scoping report does not refer to potential impacts on the designed landscape at Dumfries House. We note from the ZTV provided that it appears that a larger area of the landscape will have visibility of the development due to the changes. We therefore suggest that further information should be provided on this, to confirm that any such





impacts are not likely to be significant. This might include more detailed ZTV analysis, identifying whether any important views from the landscape are likely to be affected.

As the consented scheme did not have significant effects on the Dumfries House designed landscape, it appears possible that the revised scheme will not either. However, at this stage we do not have enough information to confirm this. If further information is provided, we may be content to agree to scope this asset out of any assessment undertaken.

### Craigengillan

The scoping report provides some comments on potential impacts on Craigengillan designed landscape. We note the information presented, suggesting that the increased visibility of the scheme would not increase the significance of effect beyond the 'low' previously assessed.

In light of the information available we are content to agree that for our interests this heritage asset can be scoped out of the assessment. In the previous assessment, LVIA viewpoints 9 and 11 were informative in for our assessment of impacts on Craigengillan. Having reviewed these visualisations, we are content that the proposed alteration would be unlikely to materially change the impacts on these views. We therefore have no specific requirements for further information or assessment of impacts on the designed landscape. We are content that the advice we offered on the consented scheme would be unchanged in light of this variation.

### Other impacts

We are content that enough information has been provided to confirm that other impacts on our interests are unlikely to be significant, and therefore do not have further advice on the scope of the assessment.

### **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](http://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 <http://conservation.historic-scotland.gov.uk/>.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Ruth Cameron, who can be contacted by phone on REDACTED or by email on [Ruth.Cameron@hes.scot](mailto:Ruth.Cameron@hes.scot).

Yours sincerely

### **Historic Environment Scotland**

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**

**Cameron J (Joanna)**

---

**From:** NATS Safeguarding <NATSSafeguarding@nats.co.uk>  
**Sent:** 19 February 2020 12:23  
**To:** Cameron J (Joanna); Econsents Admin  
**Cc:** NATS Safeguarding  
**Subject:** RE: Request for Scoping Opinion - Enoch Hill Wind Farm Variation - ECU00002018 (SG20911)

Dear Joanna

NATS has no objection to the variation on the assumption that the planning condition (condition 24) imposed on the original consent remains in place.

Yours faithfully



**NATS Safeguarding**

E: [natssafeguarding@nats.co.uk](mailto:natssafeguarding@nats.co.uk)

4000 Parkway, Whiteley,  
Fareham, Hants PO15 7FL  
[www.nats.co.uk](http://www.nats.co.uk)

**Cameron J (Joanna)**

---

**From:** Lynda Grant <lynda\_grant@Scotways.com>  
**Sent:** 03 March 2020 12:05  
**To:** Econsents Admin  
**Cc:** Cameron J (Joanna)  
**Subject:** RE: Request for Scoping Opinion - Enoch Hill Wind Farm Variation - ECU00002018

Thank you for consulting us on this amended application. With no change to the ground level infrastructure we have no comments to make at this time.

Kind regards  
Lynda

Lynda Grant  
Access Officer  
Scottish Rights of Way and Access Society (ScotWays)  
24 Annandale Street, Edinburgh EH7 4AN  
tel: REDACTED  
web: [www.scotways.com](http://www.scotways.com)  
follow us on Twitter: @ScotWays  
find us on Facebook: [www.facebook.com/scotways](http://www.facebook.com/scotways)

Safeguarding Public Access in Scotland since 1845

A company limited by guarantee, registered in Scotland  
Company number 24243  
Registered office as above  
Scottish Charity number SC015460



17<sup>th</sup> March 2020

Scottish Government  
5 Atlantic Quay  
150 Broomielaw  
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](mailto:DevelopmentOperations@scottishwater.co.uk)  
[www.scottishwater.co.uk](http://www.scottishwater.co.uk)

Dear Joanna Cameron

**KA18 East Ayrshire Enoch Hill Wind Farm**  
**PLANNING APPLICATION NUMBER: ECU00002018**  
**OUR REFERENCE: 789080**  
**PROPOSAL: Request for scoping opinion**

**Please quote our reference in all future correspondence**

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 and would advise the following:

#### **Water**

- Unfortunately, according to our records there is no public Scottish Water, Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private options.

#### **Foul**

- Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.

**The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.**

### **Drinking Water Protected Areas**

A review of our records indicates that the proposed activity falls partly 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. Carsfad supplies Lochinvar 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 without delay using the Customer Helpline number 0800 0778 778.

It is a relatively large catchment and the activity is in the upper reaches of the catchment therefore the activity is likely to be low risk.

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](http://www.scottishwater.co.uk/slm).

We welcome that reference has been made to the Scottish Water drinking water catchment.

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.

### **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 taking account of various factors including legal, physical, and technical challenges. However it may still be deemed that a combined connection will not be accepted. Greenfield sites will not be considered and a connection to the combined network will be refused.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is proposed, 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](mailto:sw@sisplan.co.uk)**  
**[www.sisplan.co.uk](http://www.sisplan.co.uk)**

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.
- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- **Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms>**

**Next Steps:**

- **Single Property/Less than 10 dwellings**

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

- **10 or more domestic dwellings:**

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish

Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

- **Non Domestic/Commercial Property:**

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at [www.scotlandontap.gov.uk](http://www.scotlandontap.gov.uk)

- **Trade Effluent Discharge from Non Dom Property:**

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <https://www.scottishwater.co.uk/business/our-services/compliance/trade-effluent/trade-effluent-documents/trade-effluent-notice-form-h>

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely

Erin Drummond  
[Erin.Drummond@scottishwater.co.uk](mailto:Erin.Drummond@scottishwater.co.uk)

Our ref: PCS/170165  
Your ref: ECU00002018

If telephoning ask for:  
Peter Minting

19 March 2020

Joanna Cameron  
Scottish Government  
5 Atlantic Quay  
150 Broomielaw  
Glasgow  
G2 8LU

By email only to: [Joanna.cameron@gov.scot](mailto:Joanna.cameron@gov.scot)

Dear Madam

**The Electricity Act 1989  
Planning Application:  
Request For Scoping Opinion For Proposed Section 36c Application  
Enoch Hill Wind Farm**

Thank you for your consultation email which SEPA received on 18 February 2020.

**Advice for the planning authority**

We have **no objection** to this planning application. Please note the advice provided below.

**1. Groundwater dependent terrestrial ecosystems (GWDTES)**

- 1.1 The application states that all of the ground level infrastructure will remain the same as previously proposed and agreed. We have previously commented on this proposed development, most recently on 27 April 2018 (our ref: PCS/158590, your ref: WIN-190-5). We recommend that this letter is read in conjunction with our earlier correspondence.
- 1.2 We have not received any information to suggest that the proposed changes in turbine design will result in any changes to the size of the turbine foundations, or the depth or extent of peat excavation. Consequently, we have no objection but our response is dependent upon this commitment remaining unchanged.
- 1.3 If there is any proposal to increase the extent of peat excavation, and this exceeds the agreed micro-siting arrangements, further information should be provided to us to describe the proposed changes in peat volumes or habitat losses. Any changes in peat volumes would need to be looked at on a turbine by turbine basis.



## Regulatory advice for the applicant

### 2. Regulatory requirements

- 2.1 Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs).
- 2.2 Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.
- 2.3 A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from a construction site, including access tracks, which:
- is more than 4 hectares,
  - is in excess of 5km, or
  - includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25°

See SEPA's [Sector Specific Guidance: Construction Sites \(WAT-SG-75\)](#) for details. Site design may be affected by pollution prevention requirements and hence we strongly encourage the applicant to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office.

- 2.4 Below these thresholds you will need to comply with [CAR General Binding Rule 10](#) which requires, amongst other things, that all reasonable steps must be taken to ensure that the discharge does not result in pollution of the water environment.
- 2.5 Details of regulatory requirements and good practice advice for the applicant 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 regulatory services team in your local SEPA office at:

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

If you have any queries relating to this letter, please contact me by telephone on REDACTED or e-mail at [planning.sw@sepa.org.uk](mailto:planning.sw@sepa.org.uk)

Yours faithfully

Peter Minting  
Planning Officer  
Planning Service



Scottish Natural Heritage  
Dualchas Nàdair na h-Alba  
**nature.scot**

By e-mail only to: [Econsents\\_Admin@gov.scot](mailto:Econsents_Admin@gov.scot)

FAO Joanna Cameron  
Energy Consents Unit  
Scottish Government  
4<sup>th</sup> Floor  
5 Atlantic Quay  
150 Broomielaw  
Glasgow  
G2 8LU

Date: 6 March 2020

Our ref: CNS/REN/WF/EA – Enoch Hill – CDM158419 - A3180968

Your ref: ECU00002018

Dear Ms Cameron

**The Electricity Act 1989 Section 36  
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations  
2017  
Request for Scoping Opinion for Proposed Section 36C Application for Enoch Hill  
Wind Farm Variation**

Thank you for your consultation dated 18 February 2020 requesting a scoping opinion for the proposed Section 36C Application for Enoch Hill Wind Farm Variation, which would be situated within the administrative boundary of East Ayrshire Council to the north of the Dumfries and Galloway border. New Cumnock is the closest settlement, lying approximately 2.5km to the north east.

**Background**

On the 18 December 2012 we provided a scoping opinion for the original proposed Enoch Hill Wind Farm and attended a Gatecheck meeting with the applicant on the 22 September 2015. On 4 December 2015 we responded to the s36 Application consultation for the original proposal, which at the time comprised of 19 x 130m turbines.

On the 6 December 2016 we attended another meeting with the applicant regarding the Enoch Hill Wind Farm Further Environmental Information (FEI) Gatecheck Report and on the 10 March 2017 responded to the s36 Application for the Enoch Hill Wind Farm FEI, which related to a reduction in the number of turbines from 19 to 16 with some of the remaining turbines being re-located. The proposed access track was also reduced in length by 800m and there was one less watercourse crossing and borrow pit search area than the original proposal.

Scottish Natural Heritage, Caspian House, 2 Mariner Court,  
Clydebank Business Park, Clydebank G81 2NR  
Tel: 0131 314 6750 [www.nature.scot](http://www.nature.scot)

Dualchas Nàdair na h-Alba, Taigh Caspian, 2 Cùirt a' Mharaiche,  
Pàirc Gnothachais Bhruach Chluaidh, Bruach Chluaidh G81 2NR  
Fòn: 0131 314 6750 [www.nature.scot](http://www.nature.scot)

In September 2019 Enoch Hill Wind Farm was granted section 36 consent and deemed planning permission from Scottish Ministers for 16 wind turbines with a maximum blade tip height of 130m and associated infrastructure.

RWE Renewables UK Developments Ltd (the applicant) are now proposing to submit a variation application under section 36C of the Electricity Act (1089) (as amended). We understand that the variation for the consented Enoch Hill Wind Farm would increase the rotor diameter of all turbines from 106m to up to 136m and the tip height from 130m to up to 149.9m diameter. All other infrastructure elements would remain unchanged. We understand that the proposed variation would also increase the operational period of the wind farm from 25 to 30 years.

### **SNH's advice on the Scoping Report for Enoch Hill Wind Farm Variation**

We have the following advice on the Scoping Report for the Enoch Hill Wind Farm Variation Section 36C Application:

#### **Statutory Designated Sites**

##### Muirkirk and North Lowther Uplands Special Protection Area (SPA)

The proposed development would be situated approximately 7km to the south west of the Muirkirk and North Lowther Uplands SPA, which is classified for its breeding and wintering populations of hen harrier and breeding populations of merlin, peregrine, short-eared owl and golden plover. Further information on the SPA (including the site conservation objectives) can be found on the SiteLink pages of our website:

<https://sitelink.nature.scot/site/8616>

The SPA's status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") or, for reserved matters the Conservation of Habitats and Species Regulations 2010 as amended apply. Consequently, Scottish Ministers will be required to consider the effect of the proposal on the SPA before it can be consented (commonly known as Habitats Regulations Appraisal). The SNH website has a summary of the legislative requirements - <https://www.nature.scot/professional-advice/planning-and-development/environmental-assessment/habitats-regulations-appraisal/habitats-regulations-appraisal-hra-appropriate>

Given the separation distance between the development site and the SPA, in line with our Guidance on Assessing Connectivity with Special Protection Areas (SPAs) (June 2016) - <https://www.nature.scot/sites/default/files/2018-08/Assessing%20connectivity%20with%20special%20protection%20areas.pdf> the development would be situated out with the core foraging range for all SPA species, which is the area in which we would consider there may be connectivity between the development site and the qualifying interests of the SPA.

Therefore in our view, it is unlikely that the proposal will have a significant effect on the qualifying interests of Muirkirk and North Lowther Uplands SPA either directly or indirectly. An appropriate assessment is therefore not required and we consider that Muirkirk and North Lowther Uplands SPA can be scoped out of the proposed s36C variation application.

##### Muirkirk Uplands Site of Special Scientific Interest (SSSI)

Muirkirk Uplands SSSI is of national importance and also shares a similar boundary to the SPA. Its designated features comprise of ornithology interests, fossil bearing rocks and upland habitats, including blanket bog. Further information on the SSSI can be found on the SiteLink pages of our website: <https://sitelink.nature.scot/site/8166>

The proposed development is out with the boundary of the SSSI and therefore we do not consider that the ecological interests of the site will be affected by the proposal, nor do we

consider the ornithological interests of the SSSI will be affected for the reasons detailed in the SPA section above. Therefore the Muirkirk Uplands SSSI can be scoped out of the proposed s36C variation application.

#### North Lowther Uplands Site of Special Scientific Interest (SSSI)

North Lowther Uplands SSSI is of national importance and also shares a similar boundary to the SPA. Its designated features comprise of ornithology interests, upland habitats and geological interests. Further information on the SSSI can be found on the SiteLink pages of our website: <https://sitelink.nature.scot/site/8161>

The proposed development is out with the boundary of the SSSI and therefore we do not consider that the ecological interests of the site will be affected by the proposal, nor do we consider the ornithological interests of the SSSI will be affected for the reasons detailed in the SPA section above. Therefore the North Lowther Uplands SSSI can be scoped out of the proposed s36C variation application.

### **Protected Species**

#### General

We understand that protected species surveys were undertaken in 2011 and 2015 to inform the ES for the original Enoch Hill Wind Farm and the presence of otter, water vole, freshwater fish and at least five species of bat were identified on site. We understand that update otter and water vole surveys were then carried out in September 2016 to inform the FEI and the results were similar to those of the 2011 and 2015 surveys.

We note that no update ecological surveys are proposed to be undertaken for the variation application as the turbine and infrastructure layout of the proposal will remain the same. We agree with this approach. In most situations the existing ecological survey information can be relied upon. New survey will usually only be required when the existing survey is significantly out of date, and it is possible there could have been changes affecting the identification of new or intensified significant effects for the target species or habitat. For some species, walkover survey may help provide reassurance that there can be adequate reliance on existing information, or it may identify that new survey work is required.

However, we recommend that pre-construction surveys for legally protected species should be carried out at an appropriate time of year for the species, no more than eight months preceding commencement of construction, and that a watching brief is then implemented by the ECoW during construction. The species that should be surveyed for include, but are not limited to, breeding birds, otter, water vole, badger and pine marten.

#### Bats

As the variation application relates to increasing the rotor diameter and blade tip height of turbines in the scoping report the applicant proposes to update the collision risk assessment for bats. However, at present there is no requirement for this in the current "*Bats and onshore wind turbines – survey, assessment and mitigation*" guidance <https://www.nature.scot/bats-and-onshore-wind-turbines-survey-assessment-and-mitigation>

Therefore we advise that provided that the mitigation measures previously proposed in the ES and FEI are adhered to, the impact on bats from the proposed variation is likely to remain not significant.

### **Ornithology**

We are satisfied that further bird survey work is not required to support the variation application. The collision risk modelling presented in the 2015 ES and 2017 FEI was limited

to golden plover and we support the proposals to update the collision risk calculations for golden plover as detailed in section 11.1.5 of the variation application scoping report.

We recommend that no ground clearance or other operational activity should be undertaken during the main bird breeding season March to August inclusive. If this is not possible an ornithologist should be engaged to survey the ground and trees immediately prior to such works to advise the developers of any bird nesting activity.

- If nesting birds are found during pre-construction surveys, a suitably sized buffer zone should be set up around the nest and no work within this zone should commence until the young have fledged or the nest is no longer in use. This will ensure that no nests are destroyed during the site construction works and no offences are committed under the Wildlife and Countryside Act 1981 (as amended).

If the development is not carried out in accordance with this mitigation measure, the applicant may risk committing an offence.

We also recommend that should consent be granted for this proposal the applicant should follow our guidance on *Dealing with construction and breeding birds, March 2016* available at <https://www.nature.scot/sites/default/files/2017-09/Guidance%20note%20-%20Dealing%20with%20construction%20and%20birds.pdf>

### **Habitats and Peat**

Given that the proposed changes for the variation application relate to above ground infrastructure only, on the basis of the information provided, we are content for assessment of receptors related to geology, hydrology and hydrogeology to be scoped out of the EIA for the Variation Development.

### **Landscape and Visual Impact Assessment**

We agree that a 35km study area is suitable for this application, that the updated capacity studies for Dumfries and Galloway and East Ayrshire should be used to inform the assessment and that a detailed assessment of impacts on the Merrick Wild Land Area can be scoped out.

However, we advise that the application should include a comparative ZTV to blade tip for the proposed and consented schemes. Although representing a smaller percentage increase this ZTV would be helpful to fully understand the implication of removing half the viewpoints. Notwithstanding this we are happy that the 12 viewpoints are removed at this stage as long as the blade tip ZTV is included for subsequent reference and consultee comment if necessary.

The application should include an updated cumulative baseline to at least the end of January 2020 to ensure that recent relevant applications, variations, consents etc. are included in the assessment. This information should be available from East Ayrshire Council and Dumfries and Galloway Council.

Should you have any queries about this letter, in the first instance, please contact me at our Clydebank Office, telephone number REDACTED or e-mail [Natalie.Ward@nature.scot](mailto:Natalie.Ward@nature.scot)

Yours sincerely [By e-mail]

Natalie Ward  
Operations Officer  
Strathclyde & Ayrshire

Development Management and Strategic Road Safety  
**Roads Directorate**

Buchanan House, 58 Port Dundas Road, Glasgow G4 0HF  
Direct Line: REDACTED , Fax: 0141 272 7350  
[John.McDonald@transport.gov.scot](mailto:John.McDonald@transport.gov.scot)



Joanna Cameron  
Energy Consents Unit  
The Scottish Government  
5 Atlantic Quay  
150 Broomielaw  
Glasgow  
G2 8LU

Your ref:  
ECU00002018

Our ref:  
TS00538

Date:  
14/04/2020

[econsentsadmin@gov.scot](mailto:econsentsadmin@gov.scot)

Dear Sirs,

## **ELECTRICITY ACT 1989**

### **THE ELECTRICITY (APPLICATIONS FOR CONSENT) REGULATIONS 2017**

#### **REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36C APPLICATION FOR ENOCH HILL WIND FARM VARIATION**

With reference to your recent consultation request on the Enoch Hill Wind Farm Variation Application, 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, we would provide the following comments.

#### **Proposed Development**

We understand that Enoch Hill Wind Farm, located approximately 5km south-west of New Cumnock, was granted consent and deemed planning permission in September 2019. The consented development comprised 16 wind turbines with a blade to tip height of up to 130m.

Transport Scotland was consulted on the original application and provided comment most recently in a letter dated 24 February 2017. Our review at that time concluded that there would not be any significant environmental impacts on the trunk road network nor its adjacent receptors resulting from construction generated traffic. We did note, however, that a Visual Route Inspection Report prepared by Collett and Sons (Heavy Haulage Contractor) identified several locations on the A77(T) and the A76(T) which required road widening, street furniture removal or contraflow manoeuvres. It was noted at that time that the proposed Abnormal Indivisible Load (AIL) route via the trunk road network, as well as any modifications to the trunk road, would require to be agreed with Transport Scotland prior to any deliveries commencing. In addition, we indicated that discussions should be held with the Area Managers for the respective trunk roads prior to any works commencing.

## Variation Application

The Scoping Report (SR) for the proposed variation to the consented wind farm states that the rotor diameter of all 16 turbines would increase from up to 106m to up to 136m and the tip height would increase from up to 130m to up to 149.9m. We note that all other infrastructure elements would remain unchanged.

Chapter 13 of the SR states that effects relating to construction/operation/decommissioning would remain not significant, and the only change as a result of the proposed variation to the Consented Development that requires additional assessment relates to Abnormal Indivisible Loads (AIL). Transport Scotland is satisfied with this approach.

A revised Abnormal Loads Assessment report should, therefore, be provided with the Environmental Impact Assessment Report that identifies all key pinch points on the trunk road network. Swept path analysis should be undertaken and details provided with regard to any required changes to street furniture or structures along the route.

I trust that the above is satisfactory and, should you wish to discuss any issues raised in greater detail, please do not hesitate to contact Alan DeVenny at SYSTRA's Glasgow Office on REDACTED RED .

Yours faithfully

Redacted

**John McDonald**

**Transport Scotland  
Roads Directorate**

cc Alan DeVenny – SYSTRA Ltd.





9 March 2020

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

### **ENOCH HILL WIND FARM VARIATION**

Thank you for giving VisitScotland the opportunity to comment on the above wind farm development.

Our response focuses on the crucial importance of tourism to Scotland's local and national economy, and of the natural landscape for visitors.

#### Background Information

VisitScotland, as Scotland's National Tourism Organisation, has a strategic role to develop Scottish tourism in order to get the maximum economic benefit for the country. It exists to support the development of the tourism industry in Scotland and to market Scotland as a quality destination.

While VisitScotland understands and appreciates the importance of renewable energy, tourism is crucial to Scotland's economic and cultural well-being. It sustains a great diversity of businesses throughout the country. According to a recent independent report by Deloitte, tourism generates £11 billion for the economy and employs over 200,000 - 9% of the Scottish workforce. Tourism provides jobs in the private sector and stimulates the regeneration of urban and rural areas.

One of the Scottish Government and VisitScotland's key ambitions is to grow tourism revenues and make Scotland one of the world's foremost tourist destinations. This ambition is now common currency in both public and private sectors in Scotland, and the expectations of businesses on the ground have been raised as to how they might contribute to and benefit from such growth.

#### Importance of scenery to tourism

Scenery and the natural environment have become the two most important factors for visitors in recent years when choosing a holiday location.

The importance of this element to tourism in Scotland cannot be underestimated. The character and visual amenity value of Scotland's landscapes is a key driver of our tourism product: a large majority of visitors to Scotland come because of the landscape, scenery and the wider environment, which supports important visitor activities such as walking, cycling wildlife watching and visiting historic sites.

The VisitScotland Visitor Experience Survey (2015/16) confirms the basis of this argument with its ranking of the key factors influencing visitors when choosing Scotland as a holiday location. In this study, over half of visitors rated scenery and the natural environment as the main reason for visiting Scotland. Full details of the Visitor Experience Survey can be found on the organisation's corporate website, here:





<http://www.visitscotland.org/pdf/Revised%20Oct%2012%20%20Insights%20Wind%20Farm%20Topic%20Paper.pdf>

#### Taking tourism considerations into account

We would suggest that full consideration is also given to the Scottish Government's 2008 research on the impact of wind farms on tourism. In its report, you can find recommendations for planning authorities which could help to minimise any negative effects of wind farms on the tourism industry. The report also highlights a request, as part of the planning process, to provide a tourism impact statement as part of the Environmental Impact Analysis. Planning authorities should also consider the following factors to ensure that any adverse local impacts on tourism are minimised:

- The number of tourists travelling past en route elsewhere
- The views from accommodation in the area
- The relative scale of tourism impact i.e. local and national
- The potential positives associated with the development
- The views of tourist organisations, i.e. local tourist businesses

The full study can be found at [www.scotland.gov.uk/Publications/2008/03/07113507/1](http://www.scotland.gov.uk/Publications/2008/03/07113507/1)

#### Conclusion

Given the aforementioned importance of Scottish tourism to the economy, and of Scotland's landscape in attracting visitors to Scotland, VisitScotland would strongly recommend any potential detrimental impact of the proposed development on tourism - whether visually, environmentally and economically - be identified and considered in full. This includes when taking decisions over turbine height and number.

VisitScotland strongly agrees with the advice of the Scottish Government –the importance of tourism impact statements should not be diminished, and that, for each site considered, an independent tourism impact assessment should be carried out. This assessment should be geographically sensitive and should consider the potential impact on any tourism offerings in the vicinity.

VisitScotland would also urge consideration of the specific concerns raised above relating to the impact any perceived proliferation of developments may have on the local tourism industry, and therefore the local economy.

We hope this response is helpful to you.

Yours sincerely



Leon Thompson  
Government & Parliamentary Affairs  
VisitScotland

Recid 11/3/2020

A41

Marcus Hogan  
Secretary, Glencairn Community Council

Date 8<sup>th</sup> March 2020

Dear Joanna,

We understand you have applied to increase the turbine height at Enoch Hill wind farm. Given you have included wireframes for viewpoints up to 16km away, we would appreciate you providing Glencairn Community Council with wireframes for the following two viewpoints.

OS Grid Ref:

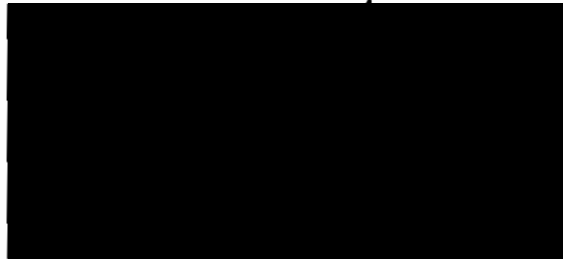
NX 69874 98989

NX 68064 97060

Striding Arches, Colt Hill

Benbrack & Striding Arches

Many thanks,



Kind regards,

Marcus Hogan

**NCCC**  
**preferred**  
**viewpoints for assessing**  
**visual impact of**  
**Developments**  
**Oct 2016**

This guidance document has been produced in order to offer developers consistent viewpoint guidance in order to assist with development visual impact assessment by NCCC.

The locations in this guide are all from public roads at locations where any potential development could significantly impose on the setting within New Cumnock Parish.

This is not an definitive listing, and depending on the type of development, it is possible alternative viewpoints might be requested. Please note that should any obstacles ( trees/bushes, land forms ) from these locations, obscure the proposed development, it is expected that the developer will shift the viewpoint in order to CLEARLY show the worst possible case scenario.

### **Viewpoint 1 - layby on A76**



Viewpoint 2— Mansfield Road



Viewpoint 3— A76





Viewpoint 4— Burnton

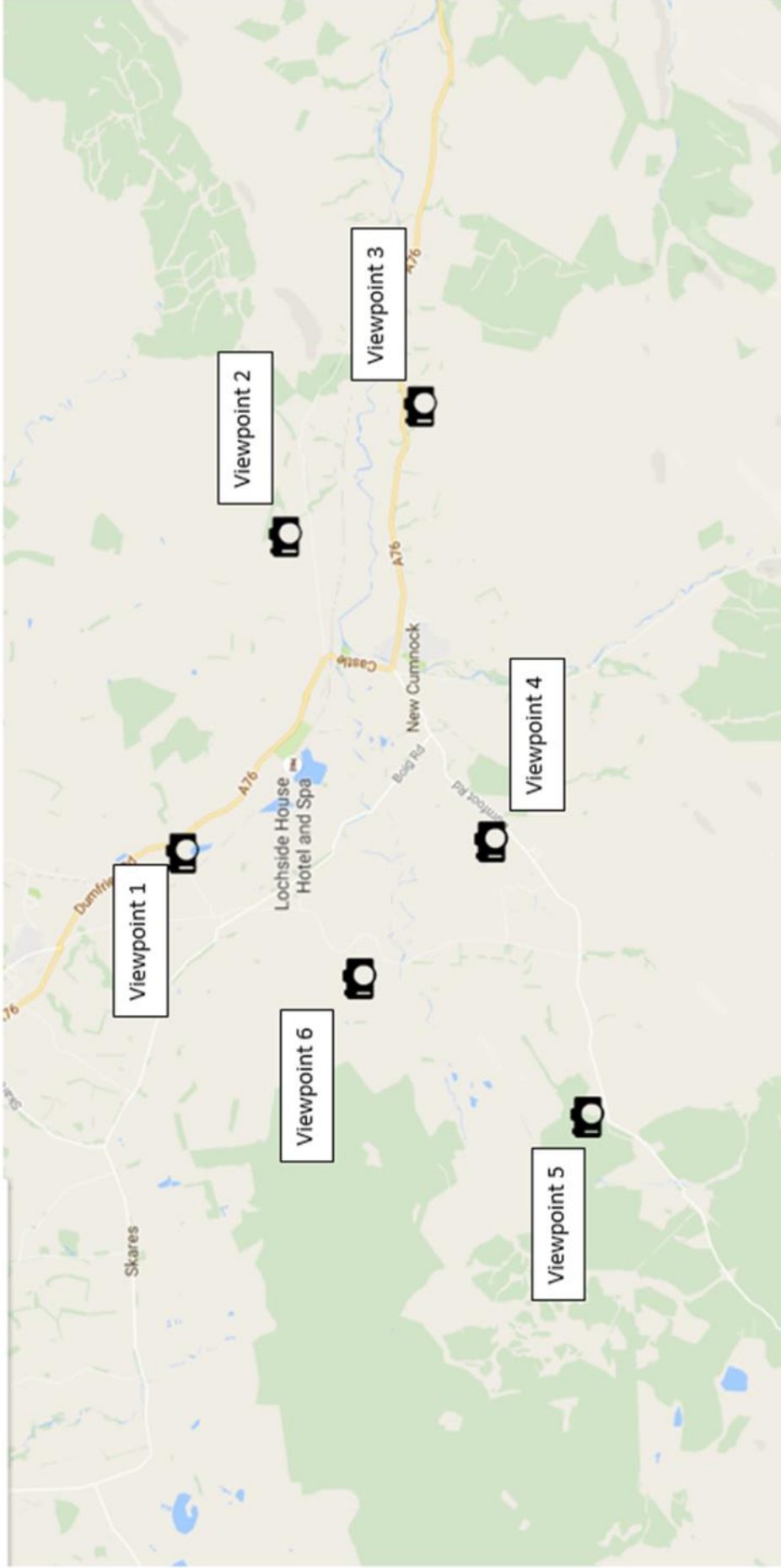


Viewpoint 5—B741



Viewpoint 6 — Greenburn





## NCCC preferred viewpoints map—Oct. 2016