TECHNICAL APPENDIX 6.1:

SCOPING RESPONSE TABLE

Kirkton Energy Park

Prepared for: Kirkton Wind Farm Ltd

SLR Ref: 428.11143.00001
Version No: 1
November 2022

BASIS OF REPORT

This document has been prepared by SLR with reasonable skill, care and diligence, and taking account of the manpower, timescales and resources devoted to it by agreement with Kirkton Wind Farm Ltd (the Client) as part or all of the services it has been appointed by the Client to carry out. It is subject to the terms and conditions of that appointment.

SLR shall not be liable for the use of or reliance on any information, advice, recommendations and opinions in this document for any purpose by any person other than the Client. Reliance may be granted to a third party only in the event that SLR and the third party have executed a reliance agreement or collateral warranty.

Information reported herein may be based on the interpretation of public domain data collected by SLR, and/or information supplied by the Client and/or its other advisors and associates. These data have been accepted in good faith as being accurate and valid.

The copyright and intellectual property in all drawings, reports, specifications, bills of quantities, calculations and other information set out in this report remain vested in SLR unless the terms of appointment state otherwise.

This document may contain information of a specialised and/or highly technical nature and the Client is advised to seek clarification on any elements which may be unclear to it.

Information, advice, recommendations and opinions in this document should only be relied upon in the context of the whole document and any documents referenced explicitly herein and should then only be used within the context of the appointment.

Table 1: Summary of Scoping Responses (including Scoping Addendum)

Consultee	Summary of Key Issues	Where Addressed in EIA Report
Energy Consents Unit (ECU)	Any application submitted under the Electricity Act 1989 requires to clearly set out the generation station(s) that consent is being sought for. For each generating station details of the proposal require to include but not limited to: • the scale of the development (dimensions of the wind turbines and battery storage); • components required for each generating station; and • minimum and maximum export capacity of megawatts and megawatt hours of electricity for battery storage.	EIAR **Chapter 3: Description of Development**. **Planning Statement**.
	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 EIA. 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, in tabular form, of all mitigation measures proposed in the environmental assessment, where that mitigation is relied upon in relation to reported conclusions of likelihood or significant of impacts.	EIAR **Chapter 6** to **14**. EIAR **Chapter 16: Schedule of Mitigation**.

Consultee	Summary of Key Issues	Where Addressed in EIA Report
The Highland Council (THC)	In relation to Landscape, there are a number of matters which require to be updated within the scoping report. This includes terminology related to Wild Land Areas and the Landscape Character Assessment should be the 2019 NatureScot assessment. Further in relation to impacts on areas of Wild Land (as identified by NatureScot in 2014), an assessment on the impacts of the qualities of Wild Land requires to be undertaken. The methodology and scope for this assessment should be agreed with THC and NatureScot. Further an assessment of the proposals impact on the special qualities of the Special Landscape Areas in vicinity of the site must be undertaken. Given the scale of the proposals there may be visibility of the scheme within National Scenic Areas. Assessments of the proposal against impacts on these designations must be undertaken. It is noted that the Flow Country SLA is proposed to be scoped out of detailed assessment. On the basis of the separation distance and the influence of other closer wind farms to this designation. Whilst due to distance and the extent of theoretical visibility make it less likely that standalone 'solus' significant effects on this designation would occur, THC consider that detailed assessment be scoped in given the extent of potential cumulative effects to arise.	EIAR **Chapter 7: Landscape and Visual**. Associated TA's.
	The EIAR should include a full assessment on the impact of the development on peat. The assessment of the impact on peat must include peat probing for all areas where development is proposed. The Council are of the view this should include probing not just at the point of infrastructure as proposed by the scheme but also covering the areas of ground which would be subject to micrositing limits.	EIAR **Chapter 10: Hydrology, Hydrogeology, Geology and Soils**. **TA 10.1: Peat Landslide Hazard and Risk Assessment**.
	Carbon balance calculations should be undertaken and included within the EIAR with a summary of the results provided focussing on the carbon payback period for the wind farm.	EIAR **Chapter 15: Other Issues**. **TA 15.1: Carbon Calculator**.
	The EIAR should fully describe the likely significant effects of the development on the local geology including aspects such as borrow pits, earthworks, site restoration and the soil generally including direct effects and any indirect. Proposals should demonstrate construction practices that help to minimise the use of raw materials and maximise the use of secondary aggregates and recycled or renewable materials. Where borrow pits are proposed the EIAR should include information regarding the location, size and nature of these borrow pits including information on the depth of the borrow pit floor and the borrow pit final reinstated profile.	**TA 10.2: Peat Management Plan**. **TA 10.3: Borrow Pit Appraisal**.
	The EIAR needs to address the nature of the hydrology and hydrogeology of the site, and of the potential impacts on water courses, water supplies including private supplies, water quality, water quantity and on aquatic flora and fauna. Impacts on watercourses, lochs, groundwater, other water features and sensitive receptors, such as water supplies, need to be assessed. Measures to prevent erosion, sedimentation or discolouration will be required,	EIAR **Chapter 10: Hydrology, Hydrogeology, Geology and Soils**.

Consultee	Summary of Key Issues	Where Addressed in EIA Report
	along with monitoring proposals and contingency plans. Assessment will need to recognise periods of high rainfall which will impact on any calculations of run-off, high flow in watercourses and hydrogeological matters.	
	If culverting should be proposed, either in relation to new or upgraded tracks, then it should be noted that SEPA has a general presumption against modification, diversion or culverting of watercourses. Schemes should be designed to avoid crossing watercourses, and to bridge watercourses where this cannot be avoided. The EIAR will be expected to identify all water crossings and include a systematic table of watercourse crossings or channelising, with detailed justification for any such elements and design to minimise impact. The table should be accompanied by photography of each watercourse affected and include dimensions of the watercourse.	EIAR **Chapter 10: Hydrology, Hydrogeology, Geology and Soils**.
	The applicant will be required to carry out an investigation to identify any private water supplies, including pipework, which may be adversely affected by the development and to submit details of the measures proposed to prevent contamination or physical disruption.	EIAR **Chapter 10: Hydrology, Hydrogeology, Geology and Soils**.
	Where there is a demonstrable requirement for peat landslide hazard and risk assessment (PLHRA), the assessment should be undertaken as part of the EIA process to provide the determining authority with a clear understanding of whether the risks are acceptable and capable of being controlled by mitigation measures.	**TA 10.1: Peat Landslide Hazard and Risk Assessment**.
	The EIAR should provide a baseline survey of the bird and animals (mammals, reptiles, amphibians, etc) interest on site. It needs to be categorically established which species are present on the site, and where, before a future application is submitted. Further the EIAR should provide an account of the habitats present on the proposed development site. It should identify rare and threatened habitats, and those protected by European or UK legislation, or identified in national or local Biodiversity Action Plans. Habitat enhancement and mitigation measures should be detailed, particularly in respect to blanket bog, in the contexts of both biodiversity conservation. Details of any habitat enhancement programme (such as native- tree planting, stock exclusion, etc) for the proposed site should be provided. It is expected that the EIAR will address whether or not the development could assist or impede delivery of elements of relevant Biodiversity Action Plans.	**Technical Appendix 8.1: Extended Phase 1 and NVC Surveys**. **Technical Appendix 8.2: Bat Survey**. **Technical Appendix 8.3: Protected Species Survey**. **Technical Appendix 8.4: Fish Habitat Survey**. **Technical Appendix 8.5: Outline Habitat Management Plan**. **Technical Appendix 8.6: Deer Management Statement**. **Technical Appendix 9.1: Ornithological Survey Report**.

Consultee	Summary of Key Issues	Where Addressed in EIA Report
		Technical Appendix 9.2: Confidential Annex.
	The presence of protected species such as Schedule 1 Birds or European Protected Species must be included and considered as part of the application process, not as an issue which can be considered at a later stage. Any consent given without due consideration to these species may breach European Directives with the possibility of consequential delays or the project being halted by the EC. Please refer to the comments of NatureScot and RSPB in this respect.	**Technical Appendix 8.2: Bat Survey.** **Technical Appendix 8.3: Protected Species Survey.** **Technical Appendix 9.1: Ornithological Survey Report.** **Technical Appendix 9.2: Confidential Annex.** EIAR **Chapter 8: Ecology.** EIAR **Chapter 9: Ornithology.**
	The EIAR should address the likely impacts on the nature conservation interests of all the designated sites in the vicinity of the proposed development. It should provide proposals for any mitigation that is required to avoid these impacts or to reduce them to a level where they are not significant. NatureScot can also provide specific advice in respect of the designated site boundaries for SACs and SPAs and on protected species and habitats within those sites. The potential impact of the development proposals on other designated areas such as SSSI's should be carefully and thoroughly considered and, where possible, appropriate mitigation measures outlined in the EIAR. NatureScot provide advice on the impact on designated sites.	EIAR **Chapter 8: Ecology**. EIAR **Chapter 9: Ornithology**.
	If wild deer are present or will use the site an assessment of the potential impact on deer will be required. This should address deer welfare, habitats and other interests.	**Technical Appendix 8.6: Deer Management Statement**. EIAR **Chapter 8: Ecology**.
	The EIAR needs to address the aquatic interests within local watercourses, including down stream interests that may be affected by the development, for example increases in silt and sediment loads resulting from construction works; pollution risk / incidents during construction; obstruction to upstream and downstream migration both during and after construction; disturbance of spawning beds / timing of works; and other drainage issues. The EIAR should evidence consultation input from the local fishery board(s) where relevant.	**Technical Appendix 8.4: Fish Habitat Survey**. EIAR **Chapter 8: Ecology**.

Consultee	Summary of Key Issues	Where Addressed in EIA Report
	The EIAR should include an assessment of the effects on Ground Water Dependent Terrestrial Ecosystems (GWDTE).	**Technical Appendix 8.1: Extended Phase 1 and NVC Surveys**. EIAR **Chapter 8: Ecology**.
	The applicant will be required to submit a noise assessment with regard to the operational phase of the development. The assessment should be carried out in accordance with ETSUR-97 "The Assessment and Rating of Noise from Wind Farms" and the associated Good Practice Guide published by the Institute of Acoustics. The target noise levels are either a simplified standard of 35dB LA90 at wind speeds up to 10m/s or a composite standard of 35dB LA90 (daytime) and 38dB LA90 (night time) or up to 5dB above background noise levels at up to 12m/s. The night time lower limit of 43dB LA90 as suggested in ETSU is not considered acceptable in many areas of the highlands due to very low background levels. These limits would apply to cumulative noise levels from more than one development.	EIAR **Chapter 13: Noise** and associated appendices (**TA 13.1** - **13.7**).
	The noise assessment must take into account the potential cumulative effect from any other existing or consented or, in some cases, proposed wind turbine developments. Where applications run concurrently, developers and consultants are advised to consider adopting a joint approach with regard to noise assessments. The noise assessment must take into account predicted and consented levels from such developments. The good practice guide offers guidance on how to deal with cumulative issues. Where existing development has consented limits higher than suggested above, the applicant should agree appropriate limits with the Council's Environmental Health Officer. The assessment should include a map showing all wind farm developments which may have a cumulative impact and all noise sensitive properties including any for which a financial involvement relaxation is being claimed. The assessment should include a table of figures which includes the following: - • The predicted levels from this development based at each noise sensitive location (NSL) at wind speeds up to 12m/s • The maximum levels based on consented limits from each existing or consented wind farm development at each NSL. If any reduction is made for controlling property or another reason, this should be made clear. • The predicted levels from each existing or consented wind farm development at each NSL. • The cumulative levels based on consented and predicted levels at each NSL.	EIAR **Chapter 13: Noise** and associated appendices (**TA 13.1** - **13.7**).

Consultee	Summary of Key Issues	Where Addressed in EIA Report
	The assessment should also include a mitigation scheme to be implemented should noise levels from the development be subsequently found to exceed consented levels.	
	When assessing the cumulative impact from more than one wind farm, consideration must be given to any increase in exposure time. Regardless of whether cumulative levels can meet relevant criteria, if a noise sensitive property subsequently becomes affected by wind turbine noise from more than one direction this could result in a significant loss of respite.	EIAR **Chapter 13: Noise** and associated appendices (**TA 13.1** - **13.7**).
	A construction noise assessment will be required in the following circumstances: - • Where it is proposed to undertake work which is audible at the curtilage of any noise sensitive receptor, out with the hours Mon-Fri 8am to 7pm; Sat 8am to 1pm or • Where noise levels during the above periods are likely to exceed 75dB(A) for short term works or 55dB(A) for long term works. Both measurements to be taken as a 1hr LAeq at the curtilage of any noise sensitive receptor. (Generally, long term work is taken to be more than 6 months) If an assessment is submitted it should be carried out in accordance with BS 5228-1:2009 "Code of practice for noise and vibration control on construction and open sites – Part 1: Noise". Details of any mitigation measures should be provided including proposed hours of operation.	EIAR **Chapter 13: Noise** and associated appendices (**TA 13.1** - **13.7**).
	Potential effects (wind shear and turbulence) on turbines T1 and T2 which are immediately adjacent and on the leeward edge of the existing woodland have not been considered.	**EIAR Chapter 3: Description of Development**. **Technical Appendix 3.2: Forestry**.
	No reference to the young native woodland plantations. The turbines and roading infrastructure appear to avoid these areas, but again consideration needs to be given to any future impact on this woodland, which will change considerably over the operational life of any windfarm. It may be that the native woodland help to soften the visual impact on the proposed turbines, without causing any issues in terms of performance.	**EAIR Chapter 3: Description of Development**. **Technical Appendix 3.2: Forestry**.
	The EIAR needs to identify all designated sites which may be affected by the development either directly or indirectly. This will require you to identify: • the architectural heritage (Conservation Areas, Listed Buildings);	EIAR **Chapter 11: Cultural Heritage and Archaeology**.

Consultee	Summary of Key Issues	Where Addressed in EIA Report
	• the archaeological heritage (Scheduled Monuments); • the landscape (including designations such as National Parks, National Scenic Areas, Areas of Great Landscape Value, Gardens and Designed Landscapes and general setting of the development; and • the inter-relationship between the above factors. We would expect any assessment to contain a full appreciation of the setting of these historic environment assets and the likely impact on their settings. It would be helpful if, where the assessment finds that significant impacts are likely, appropriate visualisations such as photomontage and wireframe views of the development in relation to the sites and their settings could be provided. Visualisations illustrating views both from the asset towards the proposed development and views towards the asset with the development in the background would be helpful. The Council's Historic Environment Team are satisfied that the information presented in the Scoping Report adequately addresses the impact of the proposal. The methodology set out and mitigation proposed at Section 10.3.5 is acceptable. The cultural heritage study area is also deemed appropriate and there are no additional consultees that they are aware of to be consulted.	
	A Transport Assessment (TA), Construction Traffic Management Plan and an Abnormal Load Assessment will be required within the EIAR. The Scope of the TA should be agreed with all impacted Road Authorities. The Transport Assessment Methodology below sets out what the Council requires and further information is provided in our published Roads and Transport Guidelines for New Developments. When establishing a scope for the assessment consideration should be given to the use of the public roads in this area can be influenced significantly by tourist traffic.	EIAR **Chapter 12: Site Access, Traffic and Transport**. **TA 12.1: ALRA** and **TA 12.2: Outline CTMP**.
	The TA should include an Abnormal Load Assessment of the roads utilised to convent abnormal loads to the site. The assessment will need to confirm the proposed port of entry for AIL components and justify the adequacy of the route for transporting them to the site. Early discussion with the Council's abnormal loads team (the contact is Greg Otreba Grzegorz.Otreba@highland.gov.uk) and the Council's structures team (the contact is Norman Smart Norman.Smart@highland.gov.uk) is recommended.	**TA 12.1: ALRA**.
	The TA should include a framework Construction Traffic Management Plan (CTMP) aimed at minimising the impact of the construction traffic. It shall include measures to ensure development traffic adheres to the approved routes and to prevent platooning during heavier flows such as any ready mix concrete pours.	**TA 12.2: Outline CTMP**.

Consultee	Summary of Key Issues	Where Addressed in EIA Report
	Consultation with the local community and the Local Area Roads Office will be required for the detailed content and implementation of the CTMP. It should be noted that any works required on the public road or disruption to its use by others as a result of this scheme (e.g. temporary traffic management measures) will need the permission of the Local Roads Authority. We acknowledge that the detail of such measures may not be fully understood until the Contractors have been appointed. However, any such measures that are expected to be required should be set out in the Framework CTMP. Even with suitable road improvements and traffic management measures, there may remain a risk of damage to Council maintained roads from development related traffic. In order to protect the interests of the Council, as roads authority, a suitable Wear and Tear agreement relating to Section 96 of the Roads (Scotland) Act and appropriate planning legislation is likely to be required. This would include the provision of an appropriate Road Bond or equivalent financial security.	
	The EIAR should estimate who may be affected by the development, in all or in part, which may required individual households to be identified, local communities or a wider socio economic groupings such as tourists and tourist related businesses, recreational groups, economically active, etc. The application should include relevant economic information connected with the project, including the potential number of jobs, and economic activity associated with the procurement, construction, operation and decommissioning of the development. Estimations of who may be affected by the development, in all or in part, which may required individual households to be identified, local communities or a wider socio economic groupings such as tourists and tourist related businesses, recreational groups, economically active, etc should be included. The application should include relevant economic information connected with the project, including the potential number of jobs, and economic activity associated with the procurement, construction, operation and decommissioning of the development. In this regard wind farm development experience in this location should be used to help set the basis of likely impact. This should set out the impact on the regional and local economy, not just the national economy. Any mitigation proposed should also address impacts on the regional and local economy. The site is on land with access rights provided by the Land Reform Scotland Act. The potential impact on and mitigation for public access should be assessed incorporating core paths, public rights of way, long distance routes, other paths and wider access rights across the site. There are core paths and public rights of way in this area which are likely to be affected during construction and operational phases.	EIAR **Chapter 14: Socio-Economics and Land Use.**

Consultee	Summary of Key Issues	Where Addressed in EIA Report
	The EIAR needs to recognise community assets that are currently in operation for example TV, radio, tele-communication links, aviation interests including radar, MOD safeguards, etc. In this regard the applicant, when submitting a future application, will need to demonstrate what interests they have identified and the outcomes of any consultations with relevant authorities such as Ofcom, NATS, BAA, CAA, MOD, Highlands and Islands Airports Ltd, etc. through the provision of written evidence of concluded discussions / agreed outcomes. We consider the results of these surveys should be contained within the EIAR to determine whether any suspensive conditions are required in relation to such issues.	EIAR **Chapter 15: Other Issues**.
	The proposal must be designed to avoid causing shadow flicker, blade glint, glare and light effects to any regularly occupied buildings not associated with the development. Where this cannot be achieved, the Council will expect wind energy developments to be located a minimum distance of 11 times the blade diameter of the turbines from any regularly occupied buildings not associated with the development. In the event that the finalised turbine layout result in a separation distance of less than 11 times the blade diameter, a shadow flicker assessment will be required. The Council may support a scheme that relies on mitigation, where it is deemed to be effective. In such instances turbine shutdown systems will be the required mitigation. The increase in distance from the widely accepted 10 times rotor diameter to 11 is to account for the northern latitudes of Highland.	EIAR **Chapter 15: Other Issues**.
NatureScot	We advise that the current proposal for 12 turbines at 149.9m to blade tip in this this location is likely to result in significant adverse effects on the qualities of the East Halladale Flows WLA and therefore may merit a NatureScot objection.	EIAR **Chapter 7: Landscape and Visual** and associated TA's.
	There is currently only one Viewpoint within WLA 39 at Beinn Ratha. Whilst we consider this is adequate for the visual assessment, in order to undertake a thorough wild land assessment additional assessment points within the WLA will be required	EIAR **Chapter 7: Landscape and Visual** and associated TA's.
	Given the high interest for wind energy development in the area surrounding this proposal we expect the cumulative assessment to be a key aspect of the LVIA. The capacity of this landscape to accommodate the proposed development in its current form and how it would sit in the context of the existing pattern of development will an area we expect the LVIA to consider in detail.	EIAR **Chapter 7: Landscape and Visual**.
	The southern area of the application site contains areas of Class 1 and Class 2 peatland as site as highlighted within the Carbon and Peatland map 1. Classes 1 and 2 are considered to be nationally important carbon-rich	EIAR **Chapter 10: Hydrology, Hydrogeology, Geology and Soils**.

Consultee	Summary of Key Issues	Where Addressed in EIA Report
	soils, deep peat and priority peatland habitat. These areas are afforded significant protection under Scottish Planning Policy. The proposal therefore has the potential to affect nationally important peatland habitat. If adverse impacts on nationally important peatland cannot be overcome by siting, design or mitigation then we may object to the proposal.	
	The Caithness and Sutherland Peatlands SAC is protected for it upland habitats and otter features. The application site boundary extends into the SAC. Given the close proximity between the SAC and the application site, a likely significant effect can be concluded. It is therefore important that the EIAR provides enough information to allow us to determine if the proposal could have an adverse impact on the integrity of the SAC.	EIAR **Chapter 8: Ecology.** EIAR **Chapter 9: Ornithology.** **Technical Appendix 9.4: Shadow Habitats Regulations Assessment**.
	We welcome the proposal within the scoping report that careful consideration will be given to impacts of site design on Caithness and Sutherland Peatlands SAC. We advise that no works should be proposed within the SAC boundary and that robust mitigation measures should be proposed within the EIAR to ensure there are no direct or indirect impacts on the SAC's qualifying features. Further to this we welcome the otter survey to allow assessment of potential impacts on the SAC's otter feature.	EIAR **Chapter 8: Ecology**. **Technical Appendix 8.3: Protected Species Surveys**. **Technical Appendix 8.5: Outline Habitat Management Plan**.
	Overall we are content with the scope of the ornithological surveys which we confirmed with the applicant through the Highland Council major pre-application consultation. However, following our pre-application advice, the applicant should be made aware that the Reporters for the Limekiln Extension and Drum Hollistan 2 appeals have requested written submissions from NatureScot and RSPB in relation to the common scoter feature of the Caithness and Sutherland Peatlands SPA. Given the location of this proposal (between the coast and scoter breeding lochs) we therefore advise that common scoter should be included as a target species during the waterbody/diver surveys for this year in order to identify any breeding lochs. In addition to this a robust desk study should also be undertaken for this species and potential impacts in relation to disturbance/displacement and collision risk should be assessed. It is unlikely that the vantage point surveys will pick up flights of scoters as this species usually fly at night, however we advise that an assessment should be made of the likely flight routes of scoters from the coast to their breeding sites and vice versa.	EIAR **Chapter 9: Ornithology**. **Technical Appendix 9.1: Ornithological Survey Report.** **Technical Appendix 9.2: Confidential Annex**. **Technical Appendix 9.3: Common Scoter Assessment**.

Consultee	Summary of Key Issues	Where Addressed in EIA Report
	If wild deer are present on or will use the development site, an assessment of the potential impacts on deer welfare, habitats, neighbouring and other interests (e.g. access and recreation, road safety, etc.) should be presented with in the EIAr. Where significant impacts may be caused, a draft deer management statement will also be required to address the impacts. Please refer to our guidance " What to consider and include in deer assessments and management at development sites,". We would encourage the applicant, in line with The Code of Practice on Deer Management, to collaborate with neighbours and other interested parties, as well as the Northern Deer Management Group during the assessment and any subsequent management. If a Deer Management Statement is produced then it should comply with the Best Practice Guidance on Deer Management Plans.	EIAR **Chapter 8: Ecology**. **Technical Appendix 8.6: Deer management Statement**.
SEPA	With regards to the current site layout shown in Figure 3 in relation to deep peat, Turbines 1, 4, 5, 10, 11, 12 and 14 appear to encroach on areas of peat which are greater than 1m in depth. Given that the mapping shows there to be large areas of land available with shallower peat depths, we would expect all turbines to be located on peat depths less than 1m deep. If this is not the case, then we would request that these turbine locations be relocated to minimise the impacts on peat.	EIAR **Chapter 10: Hydrology, Hydrogeology, Geology and Soils**.
	It appears that Turbines 6 and 8 may be on peat depths in the region of 2-3m. If this is the case, we require these to be moved onto shallower areas of peat or omitted from the layout.	EIAR **Chapter 10: Hydrology, Hydrogeology, Geology and Soils**.
	We welcome that use will be made of the existing access track, however would encourage that the layout is redesigned to omit the section of track linking to T8 which crosses an area of peat deeper than 3m in places. For example, it may be that the environmental impact of additional watercourse crossings may be a suitable alternative, in this case, to prevent development on deep peat, and that the track can link from T9 to T11 or from T4 to T6.	EIAR **Chapter 3: Description of Development**. EIAR **Chapter 10: Hydrology, Hydrogeology, Geology and Soils**.
	We note that borrow pits may be required, and that search areas for two borrow pits are proposed. If borrow pits are required, these search areas should be included on the layout plans with the appropriate peat depth information provided.	EIAR **Chapter 10: Hydrology, Hydrogeology, Geology and Soils**. **TA 10.3: Borrow Pit Assessment**.
Atkins	The above application has now been examined in relation to UHF Radio Scanning Telemetry communications used by our Client in that region and we are happy to inform you that we have NO OBJECTION to your proposal.	EIAR **Chapter 15: Other Issues**.

Consultee	Summary of Key Issues	Where Addressed in EIA Report
	Please note that this is not in relation to any Microwave Links operated by Scottish Water.	
British Horse Society	The British Horse Society (BHS) is always pleased to be consulted on transport, planning and development matters and where possible or necessary we are able to engage local riders to get a locally based response. Thank you very much for consulting with us, horses are important and good for people so their safety and capacity to access safe off road hacking is a key consideration in terms of their welfare and the wellbeing of their riders and those who look after them. A project, like the one you are carrying out is an excellent opportunity to improve connections in a community and hopefully resolve any problems in terms of countryside access, transport and travel. The BHS is here to help, so please do not consider this response the final word, we hope to work with you on an on-going basis to ensure horses and horse riders get as good a deal as they can out of any proposed improvements, so please do not hesitate to contact us in the future.	EIAR **Chapter 14: Socio-Economics and Land Use**.
British Telecom	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, using the co-ordinates supplied in the attached Scoping Addendum, the extra turbines T13 and T14 should not cause interference to BT's current and presently planned radio network.	EIAR **Chapter 15: Other Issues**.
Caithness West Community Council	Caithness West Community Council will not be submitting a detailed response to scoping, but wish to advise that we are opposed to this development on the grounds of cumulative impact. Should the development proceed to Planning our intention would be to submit an objection.	-
Crown Estate	I write to confirm that the assets of Crown Estate Scotland are not affected by this proposal and we therefore have no comments to make.	-
Defence Infrastructure Organisation	I am writing to inform you that subject to the provision of appropriate lighting, the MOD has no objection in relation to this application. To address this impact, and given the location and scale of the development, the MOD requests the perimeter turbines are 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.	EIAR **Chapter 15: Other Issues**.

Consultee	Summary of Key Issues	Where Addressed in EIA Report
Fisheries Management Scotland	Fisheries Management Scotland (FMS) represents the network of 41 Scottish District Salmon Fishery Boards (DSFBs) including the River Tweed Commission (RTC), who have a statutory responsibility to protect and improve salmon and sea trout fisheries and the 26 fishery trusts who provide a research, educational and monitoring role for all freshwater fish. FMS act as a convenient central point for Scottish Government and developers to seek views on local developments. However, as we do not have the appropriate local knowledge, or the technical expertise to respond to specific projects, we are only able to provide a general response with regard to the potential risk of such developments to fish, their habitats and any dependent fisheries. Accordingly, our remit is confined mainly to alerting the relevant local DSFB/Trust to any proposal. The proposed development falls within the catchment relating to the Northern DSFB and Flow Country Rivers Trust. It is important that the proposals are conducted in full consultation with both organisations (see link to FMS member DSFBs and Trusts below). We have also copied this response to Alexa MacAuslan at the DSFB and Eleanor Constable at the Trust. Due to the potential for such developments to impact on migratory fish species and the fisheries they support, FMS have developed, in conjunction with Marine Scotland Science, advice for DSFBs and Trusts in dealing with planning applications. We would strongly recommend that these guidelines are fully considered throughout the planning, construction and monitoring phases of the proposed development.	EIAR **Chapter 8: Ecology**. **Technical Appendix 8.4: Fish Habitat Survey**.
Flow Country Rivers Trust	The interests of the Trust with regard to this development mirror those of the Northern District Salmon Fishery Board and I am assured that they have been covered in their response to you.	EIAR **Chapter 8: Ecology**. **Technical Appendix 8.4: Fish Habitat Survey**.
Historic Environment Scotland	The approach to the scope of assessment is very narrow and we do not consider it to be in line with best practice guidance. No detailed methodology has been produced. We do not consider that the approach set out is in line with best practice guidance as set out in our Managing Change guidance note on Setting or the EIA Handbook. At section 10.3 of the Scoping Report it is proposed that an outer study area of 5km should be used to identify scheduled monuments whose settings may be affected by the proposed development. No reasoning is offered as to why 5km has been selected. The report also suggests that the study area would be restricted to assets with theoretical intervisibility with the proposed development, as informed by a ZTV. ZTVs supplied with the Scoping Report suggest that visibility of the proposed turbines would extend beyond 5km. We do not agree that a limit of 5km for assessment of setting impacts on scheduled monuments should be adopted.	EIAR **Chapter 11: Cultural Heritage and Archaeology**.

Consultee	Summary of Key Issues	Where Addressed in EIA Report
	Taking the height of the proposed turbines, the ZTV, surrounding topography and scheduled monuments into consideration, we would be content with a proposed outer study area of 10km from the site boundary for identifying scheduled monuments with potential for impacts on their setting. This should include, but not be restricted to, any monuments noted in this response. All scheduled monuments within 10km of the proposed development should be appraised for potential impacts on their settings. It is acceptable that assets which have no potential for adverse impacts on their settings are then excluded from detailed assessment. However, the rationale for this exclusion should be set out clearly in the assessment report. This would allow stakeholders to reach a view as to whether an asset's exclusion was reasonable or not. We also strongly disagree that only those scheduled monuments falling within the ZTV, or with visibility of the proposed development, are likely to be affected and so should be included in the assessment. Even where an asset may be outside the proposed development's ZTV there may still be significant potential impacts on views to it from locations that lie within the ZTV. It is important that the assessment considers and clearly addresses this potential. Where potential for adverse impacts on a monument's setting are identified then it should be taken forward for detailed assessment to identify the scale of impacts. This is likely to require a site visit and, in some cases, production of visualisations.	
Highlands and Islands Airports Ltd	With reference to the above proposed development, it is confirmed that our calculations show that, for the scoping configuration, this development would not impact the safeguarding criteria for Wick Airport. Therefore, Highlands and Islands Airports Limited would have no objections to the proposal. It should be noted that this development lies within the protection area for the Instrument Flight Procedures (IFPs) for Wick Airport. Any significant height increase of the development (AMSL) could result in an unacceptable impact on the IFPs	EIAR **Chapter 15: Other Issues**.
Highlands and Islands Enterprise	As an agency of Scottish Government HIE would not normally submit a comment on scoping.	-

Consultee	Summary of Key Issues	Where Addressed in EIA Report
John Muir Trust	Thank you for this reminder. We are planning to review the full application for this wind farm if it proceeds to that stage and would appreciate further updates related to this case but have no comments to make at this stage.	-
Joint Radio Company	This proposal cleared with respect to radio link infrastructure operated by: The local Utility Company	EIAR **Chapter 15: Other Issues**.
NATS	The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal. However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted. If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.	EIAR **Chapter 15: Other Issues**.
The Northern District Salmon Fishery Board	The NDSFB has a statutory duty to preserve and protect salmon and sea trout in its area which includes the River Halladale. The proposed Kirton wind farm site is drained by two tributary streams to the River Halladale - the Allt na h-Eaglaise and the Allt nan Gall. Both streams offer potentially suitable habitat for spawning adult salmon and sea trout and for the rearing of their juvenile stages. Additionally, the parts of both streams that lie within the proposed wind farm site may also be an important spawning and rearing resource for the resident trout populations present in Loch na Eaglaise Mor and Loch nan Gall, although the lochs themselves lie outside the wind farm site. Accordingly, NDSFB would wish to see full habitat and fisheries surveys performed for both Allt na h-Eaglaise and Allt nan Gall, covering those parts of both streams that are within the proposed wind farm site and also the stream reaches between the proposed wind farm site and the River Halladale itself.	EIAR **Chapter 8: Ecology**. **Technical Appendix 8.4: Fish Habitat Survey**.

Consultee	Summary of Key Issues	Where Addressed in EIA Report
	Based on the survey results, NDSFB would expect any necessary measures for the protection of fish and aquatic habitat be specified in any planning application and adopted should the application succeed.	
Ofcom	The windfarm coordination activity is no longer provided by Ofcom. For further information and how to access fixed link licence data, please see Ofcom's Website here under the sub-heading 'Windfarm and Wireless Services'.	EIAR **Chapter 15: Other Issues**.
RSPB	The proposed development site overlaps the Caithness and Sutherland Peatlands Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site, and the West Halladale Site of Special Scientific Interest (SSSI). A number of the qualifying species of these sites are likely to be affected by the proposal due to their use of the proposed site and surrounding area. There are also other species that are red or amber listed Birds of Conservation Concern, including white-tailed eagle, curlew, lapwing and snipe which are present in the area and could be affected by the development. No figure is provided to show the proposed infrastructure in relation to the designated sites, but nearest turbine would be within 100m of the boundary of the protected areas. The development would clearly be within connectivity distance of the Caithness and Sutherland Peatlands SPA qualifying species as the proposal could lie within the regular commuting or foraging distance of these species. For example, breeding golden plover are known to commute from the bog to feed in the strath during the breeding season. From the information available at this stage it appears that there would be likely significant effects on the qualifying interests of Caithness and Sutherland Peatlands SPA and SAC from the proposed windfarm alone or in combination with other projects. Therefore, the EIA Report must include sufficient information to inform an Appropriate Assessment, as required by the Conservation of Habitats and Species Regulations 2017.	EIAR **Chapter 8: Ecology**. EIAR **Chapter 9: Ornithology**. **Technical Appendix 9.3: Common Scoter Assessment**. **Technical Appendix 9.4: Shadow Habitats Regulations Assessment**.
	Common scoters are not noted as 'being at risk from wind farms' in Table 8-3: NBN Species Records (past 15 years). We disagree and have concerns regarding the potential impacts on common scoter, particularly the potential of collision with turbines during the hours of darkness when scoter migrate to breeding lochs on the SPA surrounding the site boundary. Wildfowl often migrate at night and therefore the Vantage Point surveys undertaken to date are unlikely to have recorded them, which may result in unreliable collision risk assessments. There is very little understanding about movements of, and routes used by, the Flows scoter population. Scoter are known to feed at sea during the breeding season and it is possible that birds breeding in the Caithness and Sutherland Peatlands SPA could commute through the proposal site, increasing the likelihood of collision risk. Therefore, it would be useful to obtain scoter records from across the Flow Country from RSPB Scotland and NatureScot and include the species in surveys of lochs within 2km. We would also strongly recommend	EIAR **Chapter 9: Ornithology**. **Technical Appendix 9.1: Ornithological Survey Report**. **Technical Appendix 9.2: Confidential Annex**. **Technical Appendix 9.3: Common Scoter Assessment**. **Technical Appendix 9.4: Shadow Habitats Regulations Assessment**.

Consultee	Summary of Key Issues	Where Addressed in EIA Report
	undertaking nocturnal surveys where possible, using vertical radar coupled with acoustic recorders, remote camera and surveyor observations during the breeding and migration seasons. This would allow a more accurate assessment of the collision risk and barrier effects on birds breeding in the Caithness and Sutherland Peatlands SPA. We understand there are likely to be high cost implications of this and recommend that other developers of wind farms across the Flow Country are contacted to collaborate as this issue has been raised a number of times in RSPB Scotland responses for proposals in the area.	
	Disturbance, displacement, loss of suitable habitat (breeding, wintering and foraging) and collision risk should be assessed for all scoped in species. This should not only include impacts from the wind turbines but also new tracks and infrastructure as well as any existing road widening or upgrades. This proposed development is located between the Caithness and Sutherland Peatlands SPA and the sea. It is known that red-throated and black-throated divers commute from breeding lochs on the SPA northwards to the sea to feed and the proposal could create a barrier for these species. This potential barrier impact should be addressed in the assessment for the proposed windfarm alone, and as part of the cumulative assessment.	EIAR **Chapter 9: Ornithology**. **Technical Appendix 9.1: Ornithological Survey Report**. **Technical Appendix 9.2: Confidential Annex**. **Technical Appendix 9.4: Shadow Habitats Regulations Assessment**.
	A robust cumulative assessment of collision risk, disturbance, displacement and barrier effects should take account of all operational, consented and proposed wind energy schemes that could impact on bird populations of both the relevant NHZ (5: The Peatlands of Caithness and Sutherland) and the Caithness and Sutherland Peatlands SPA. The in-combination effect of other relevant plans or projects, such as the Sutherland spaceport and overhead line grid connections at Limekiln, Strathy Wood and Creag Riabhach, should also be considered.	EIAR **Chapter 9: Ornithology**.
	A draft or outline Habitat Management Plan (HMP) should be prepared as part of the EIA and submitted with the application. This should have sufficient detail to allow consideration of its feasibility and effectiveness in providing any proposed mitigation and/or compensation and enhancement. The HMP, or other document, should also include information on post-construction monitoring of birds, including reporting of collision mortality. Once impacts are mitigated, opportunities to enhance the site for biodiversity should be taken. Potential for the restoration of suitable area of blanket bog as part of the applicant's enhancement proposals should be explored to improve habitat and reduce the carbon payback period.	EIAR **Chapter 8: Ecology**. EIAR **Chapter 9: Ornithology**. **Technical Appendix 8.5: Outline Habitat Management Plan**.

Consultee	Summary of Key Issues	Where Addressed in EIA Report
	We note that no forestry felling is currently anticipated as part of the proposed development, however, felling and re-wetting the plantation areas on the site would be a significant opportunity for habitat restoration and biodiversity enhancement as per Scottish Forestry guidance. We also note the site is currently grazed and so there may be opportunities for drain blocking and other re-wetting actions.	
	We note that no specific surveys will be undertaken for common scoter but that they are included as a target species in the Applicant's general bird surveys in the event they are observed. We strongly suggest that specific surveys are undertaken for common scoters as they are known for their elusive and often unpredictable behaviour. Timing of survey visits is critical and specific methodology for common scoter should be used (a minimum of three surveys between 23rd April and 3rd June would be needed to confirm presence and numbers, with further visits in July and August to assess productivity). RSPB Scotland would be happy to provide further information on this. However, since scoters are particularly elusive species, we would also recommend additional monitoring using remote cameras and acoustic recording devices to help appraise any potential impacts. Flight routes: potential collision and barrier effects We are pleased that a desk study review and modelling will be undertaken for common scoter in order to assess potential collision or barrier impacts from the development. However, since there is currently no knowledge of migration or local movements of the species or of the possible collision or barrier impacts on these breeding birds in the Flow Country, we are concerned that focusing primarily on topography would not give an accurate picture. Additional factors could affect the flight routes, such as location of preferred feeding areas, other windfarm developments, weather conditions and artificial lighting. There is also no evidence, that we are aware of, to suggest that scoter would take the shortest route to the sea or their breeding lochs. We are of the opinion that there is a need for realistic scale of investment in strategic monitoring and research. Collaboration with other developers and organisations is needed to tackle this lack of data. The potential cumulative impact on common scoter across the Flows needs to be understood before decisions can be made on individual windfarm proposals. We believe a strategic Flow Country common scoter research programme is required, the results of which can be used to inform the design and assessment of future proposals. We would be happy to offer advice in regard to this but suggest that NatureScot should play a key role.	EIAR **Chapter 9: Ornithology**. **Technical Appendix 9.1: Ornithological Survey Report**. **Technical Appendix 9.2: Confidential Annex**. **Technical Appendix 9.3: Common Scoter Assessment**. **Technical Appendix 9.4: Shadow Habitats Regulations Assessment**.

Consultee	Summary of Key Issues	Where Addressed in EIA Report
Scottish Water	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.	EIAR **Chapter 10: Hydrology, Hydrogeology, Geology and Soils**.
Scottish Rights of Way and Access Society	Thank you very much for your email. Apologies, we should have let you know that we have no comments to make at this time.	-
Transport Scotland	Transport Scotland is satisfied with this approach, but would add that traffic generation information will require to be used to determine whether there are likely to be any significant environmental issues associated with increased traffic on the trunk road network, and any requirement for further trunk road assessment, in particular, the trunk in the vicinity of the A9(T)/ A836 junction. We note that it is proposed that operational effects and decommissioning effects are scoped out of the access, traffic and transport assessment. Transport Scotland considers this to be acceptable in this instance.	EIAR **Chapter 12: Site Access, Traffic and Transport**.
	Transport Scotland will require to be satisfied that the size of turbines proposed can negotiate the selected route and that transportation will not have any detrimental effect on structures within the trunk road route path. A full Abnormal Loads Assessment report should be provided with the Environmental Impact Assessment (EIA) that identifies 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.	EIAR **Chapter 12: Site Access, Traffic and Transport**. **TA 12.1: ALRA**.

EUROPEAN OFFICES

AYLESBURY
T: +44 (0)1844 337380

BELFAST
belfast@slrconsulting.com

BIRMINGHAM
T: +44 (0)121 2895610

BONN
T: +49 (0)176 60374618

BRADFORD-ON-AVON
T: +44 (0)1225 309400

BRISTOL
T: +44 (0)117 9064280

CARDIFF
T: +44 (0)2920 491010

CHELMSFORD
T: +44 (0)1245 392170

DUBLIN
T: +353 (0)1 296 4667

EDINBURGH
T: +44 (0)131 335 6830

EXETER
T: +44 (0)1392 490152

FRANKFURT
frankfurt@slrconsulting.com

GRENOBLE
T: +33 (0)6 23 37 14 14

LEEDS
T: +44 (0)113 5120293

LONDON
T: +44 (0)203 8056418

MAIDSTONE
T: +44 (0)1622 609242

MANCHESTER
T: +44 (0)161 8727564

NEWCASTLE UPON TYNE
newcastle@slrconsulting.com

NOTTINGHAM
T: +44 (0)115 9647280

SHEFFIELD
T: +44 (0)114 2455153

SHREWSBURY
T: +44 (0)1743 239250

STIRLING
T: +44 (0)1786 239900

WORCESTER
T: +44 (0)1905 751310