

Place Directorate

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Our Ref: Howmoor
Date: 21 December 2020



Stephenson Halliday,
23 Melville Street,
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Dear Sir/Madam

The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 EIA Scoping Report (August 2020)

SITE ADDRESS **Proposed Howmoor Windfarm, Knoweside Hill, Near Maybole, South Ayrshire)**

PROPOSAL: **Construction of Howmoor Windfarm comprising up to six wind turbines to tip height of 125m (generating capacity exceeding 20MW) and associated infrastructure**

Thank you for your email of 28 August 2020, on behalf of Wind 2, seeking South Ayrshire Council's Scoping Opinion on a proposed wind farm at Howmoor. I acknowledge with gratitude your agreement to extend the period for issuing our Opinion. We have consulted with Statutory Consultees and copies of their responses are attached to this letter. These form an integral part of the Scoping Opinion and should be read in full.

I would draw your attention to the matters that we have scoped out, including Aviation, Telecommunications and Socio Economic impact. We do not consider these to be environmental effects. These are however important considerations in the overall assessment of the planning application and the related evidence should be provided in a separate planning statement.

The need for aviation lighting has not been discussed within the EIA Scoping Report. If such lighting is needed, the LVIA will need to include assessment of the impact of this on the night-time landscape. You should consult with NATS, Glasgow Prestwick Airport and MOD to determine whether aviation lighting will be required.

Consultation responses are awaited from West of Scotland Archaeology Service and Ayrshire Roads Alliance. These will be forwarded as soon as they become available. Depending upon the consultation response from ARA it may be possible to scope out transport from the EIA Report.

I trust the above feedback will be of assistance and note that notwithstanding the foregoing and attached, South Ayrshire Council's response at this juncture is confined to the technical parameters of the sufficiency of scope as regards EIA – and is strictly without prejudice to the authority's future partial consideration as to the actual merits of the proposal upon its anticipated consultation, in due course, at planning application stage.

Yours faithfully

Mr Alan Edgar
Supervisory Planner, Priority Projects

The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017

Scoping Opinion of South Ayrshire Council for Proposed Wind Farm Comprising Up To Six Turbines With Associated Infrastructure Howmoor, Knoweside Hill, Near Maybole, South Ayrshire

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1. Introduction

South Ayrshire Council has received a request under Regulation 17 of The Town and Country Planning (Environmental Impacts Assessment) (Scotland) Regulations 2017 ('The Regulations') for a scoping opinion in respect of a proposed wind farm on land at Howmoor, Knowside Hill, near Maybole. The purpose of this Scoping Opinion is to provide the applicant with details that the Planning Authority considers to be the main issues and therefore the issues upon which the EIA Report should focus.

As part of the process of preparing this scoping opinion the planning authority has consulted with a range of agencies (both statutory and non-statutory) and provided these consultees with a copy of the applicants submitted scoping report. Each of the consultees has provided a response relating to their own particular remit. The responses of each of the consultation authorities are set out within Appendix 1. Please note that the responses submitted by the consultation authorities form part of the scoping opinion and should therefore be read in full.

As is evidenced by the range of consultees, there are a number of issues associated with this proposal which require to be addressed within the EIA Report. This report summarises what the Council considers to be the issues upon which there will be likely significant effects, and therefore those upon which the EIA should focus.

2. Description of The Site and Proposed Development

The application site is located north west of Maybole on the eastern side of Knowside Hill. The site lies to the north of the A719 (in the vicinity of the "Electric Brae") and to the south of the unclassified C122 (Glenalmond-Garryhorn section) road. Land uses are predominantly agricultural involving livestock grazing, however, there is also, reportedly, some informal recreational uses including model aircraft flying and shooting. There is a quarry within the site which the applicant advises is used on occasions to supply stone for use within the estate. Whilst the Scoping Report states that the main access to the site is from the B7023 road via an unmade track, the plans submitted indicate that the access is from the C122.

The site lies within the Brown Carrick Hills 8km (approx.) to the south west of Ayr and 4km (approx.) to the south east of Dunure and 3km (approx.) north west of Maybole. The site is located on a south west facing slope of Knowside Hill, which rises from the coastline. The turbines are to be located in an area where the angle of the slope reduces, forming a less steeply sloping area where it is proposed to form the access track. The majority of the turbines will sit above the main access route on the steeper slopes, with the exception of turbine 4 which will sit in a hollow. The site runs parallel to the A719 road, elevated between 60m and 130m (approximately) above the road. Howmoor Quarry lies at the southeastern end of the site. The nearest residential properties are the farmhouses associated with the various farms that are located to the northeast, southwest and south of the site.

Access to the site will be taken from the C122 north of "Preaching Brae". The access will comprise a main access route with spurs off to access the turbine positions. Whilst the main route will generally follow the contours, the spur required to serve Turbines 5 and 6 will require to cross relatively steep ground.

Up to six turbines with a blade tip height of up to 125m are proposed with the following associated infrastructure:

- Crane hardstandings
- Underground Power cables lining the turbines
- Upgraded and new on-site access tracks
- Substation compound (location not identified)
- Temporary construction compound (location not identified)
- Temporary borrow pits (no locations identified)
- Battery storage (location not identified)
- Grid connection (no details supplied)

The turbines proposed will be typical horizontal axis design comprising three rotor blades, hub and nacelle. The towers would be tubular and tapered and finished in light grey semi-matt colour.

It is proposed that the wind farm would be operational for a period of 30 years.

3. Planning Policy Context

The Council agrees that Section 5 identifies the planning policy context within which any future planning application will be assessed. However Table 5.1 should additionally include LDP Policy: spatial strategy and LDP Policy: tourism.

In relation to LDP2 the up-to-date position is as follows:

At a special meeting on 1 September 2020, the Council considered representations on the Modified Proposed Replacement South Ayrshire Local Development Plan (MPLDP2), submitted in response to public consultation, and agreed (1) to submit the Plan, without further modification, to the Scottish Ministers for Examination; and (2) the Plan would be a material consideration in determining planning applications, with the weight accorded to it increasing as it progresses through the statutory process. As MPLDP2 now represents the Council's settled position on the Development Plan it wishes to progress to adoption, it is a material consideration in the assessment of planning applications. However, it remains the subject of unresolved representations, which will be considered by the Scottish Government's Directorate of Planning and Environmental Appeals (DPEA), as part of the Examination process. In considering development proposals, the Council may now apportion significant weight to those principles or policies of MPLDP2 which are not the subject of unresolved representations. In relation to wind energy policies, representations were, however, received seeking changes at both Proposed and Modified Proposed Plan stages. The wind energy policies will thus be the subject of Schedule 4s that will be considered by the Reporter(s) appointed to conduct the Examination. As a consequence, the policies carry little weight compared with the equivalent policy in LDP1. MPLDP2 is unlikely to be the determining factor in the determination of Planning Applications for wind energy, remaining subordinate in status to the adopted LDP. It should be noted that the applicable policies in MPLDP2 are not materially different to those of the existing LDP.

4. Consultation

The Council has undertaken statutory consultation on the EIA Scoping Report with the following organisations:

- Nature Scotland
- Historic Environment Scotland
- Scottish Water

- Scottish Environment Protection Agency

The Council also undertook consultation with the bodies listed below:

- Environmental Health, South Ayrshire Council
- Carol Anderson Landscape Associates
- ACCON UK
- Ayrshire Roads Alliance
- West of Scotland Archaeology Service

No responses were received from Ayrshire Roads Alliance or West of Scotland Archaeology Service.

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.

The consultation responses received are contained within Annex A to this report. Unless stated to the contrary, the Planning Authority expect the EIA Report to include all matters raised in responses from the consultees and advisors.

With regard to those consultees who did not respond, it is assumed they have no comment to make on the scoping report, however each would be consulted again in the event that an application for planning permission is submitted subsequent to the Environmental Impact Assessment scoping opinion.

5. Environmental Effects Identified In Scoping Report

The EIA Scoping Report prepared by Stephenson Halliday identifies the following key effects on the environment:

- Landscape and visual impact
- Cultural heritage
- Ecology and ornithology

Other lesser effects, which will be addressed within the EIA Report include:

- Soils, geology and water environment
- Noise
- Traffic & Transport
- Socio Economics
- Shadow flicker
- Aviation

6. The Scoping Opinion

This scoping opinion has been adopted following consultation with the relevant statutory consultees and the other bodies identified in Section 4 of this report. The Council has taken into account the information provided by the applicant in its request dated 28 August 2020 in respect of specific characteristics of the proposed Development

In providing this scoping opinion, the Council has 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 will be published on the Council's website at www.south-ayrshire.gov.uk

The Council considers that the scope of the EIAR should include the following:

- **Landscape and visual impact**
- **Cultural heritage**
- **Ecology and ornithology**
- **Soils, geology and water environment**
- **Noise**
- **Traffic and Transportation**

These issues should be examined in accordance with the methodologies set out in the Scoping Report prepared by Stephenson Halliday dated August 2020 subject to incorporation of the comments provided by consultees.

South Ayrshire Council considers that Aviation, Telecommunications and Socio-Economic impacts should be scoped out as these are not considered to be environmental effects. It is further noted that Shadow Flicker is not expected to be a significant effect, however, the EIAR should include the evidence for scoping this out.

Any comments received from Ayrshire Roads Alliance and West of Scotland Archaeology Service will be forwarded to the applicant.

In addition to the consultation responses the Council wish to provide comments with regards to the Scope of the EIA report. The applicant should note and address each matter.

Landscape and visual impact & cultural heritage

The additional viewpoints recommended by Carol Anderson Landscape Associates and Historic Environment Scotland in their respective consultation responses should be included within the LVIA and Cultural Heritage Assessment. The Cultural Heritage assessment should additionally include the assessment of the potential effects on Dunure Castle and Dunduff fort as advised by HES. The comments on the methodology for establishing the significance of environmental effects on cultural heritage assets should be taken into consideration. The applicant should ascertain whether permanent aviation lighting is required and if this is the case the LIVA should incorporate an assessment on the effects on the night-time sky. This should be discussed further with the Planning Authority prior to submission of the EIA Report. It should be noted that the Local Landscape Areas are proposed through the LDP review and do not currently have any formal status. There is potential for these areas to be modified through the examination process (please refer to comments on the current status of LDP 2 provided above). The Scenic Area remains as the appropriate landscape designation to be considered in the EIA Report, however, the LLAs do provide a useful context within which to consider landscape impact.

Noise

The advice provided by the Council's independent noise consultant (ACCON UKT Ltd) should be followed. As advised in ACCON's comments, the assessment methodology and background survey locations should be discussed with the Planning Service. Any construction noise issues should however be discussed with Environmental Health, South Ayrshire Council. ACCON's comments regarding definition of 'Quiet Daytime' should be taken into consideration.

Soils, geology and water environment

The scope of the EIA Report should include a full assessment of the potential impact on the quality and quantity of private water supplies. The detailed comments provided by the Council's Environmental Health department should be fully taken into account. Further information on the location of private water supplies and their catchments should be discussed with Environmental Health.

7. Comments on Matters Scoped Out in EIA Scoping Report

Shadow Flicker – the EIAR should include justification for scoping out this issue

Air Quality - agreed

Flood Risk – provided that any water crossings are designed to accommodate the 1 in 200 year event and other infrastructure are located away from watercourses

GWDTE – provided that it can be demonstrated that all GWDTE are outwith 100m radius of all excavations shallower than 1.0m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions.

Peatland Management Plan and Peat Landslide Hazard Risk Assessment – the requirement should be reviewed upon completion of the peat depth survey

Water Quality Monitoring - agreed

Nationally designated landscapes- agreed

Wild Land Assessment- agreed

Cumulative – small turbines (below 50m) >5km from site boundary – agreed

National and International Designated nature conservation sites - agreed

Effects upon Inventory Battlefields and World Heritage Sites – agreed

Protected species (other than Bat and Otter) – agreed

Black Grouse – agreed

Vibration, Low Frequency Noise and Traffic Noise During Operation – agreed

Television Reception – agreed

Further advice should be sought from Ayrshire Roads Alliance with regard to scoping out of transport matters. You should continue to liaise with NatureScot to determine the requirement for a second year breeding bird survey.

ANNEX A – CONSULTATION RESPONSES

Nature Scotland

Alan Edgar MRTPI
Supervisory Planner (Priority Projects)
South Ayrshire Council
[EMAIL ONLY: alan.edgar@south-ayrshire.gov.uk](mailto:alan.edgar@south-ayrshire.gov.uk)

23 November 2020

Our ref: CNS/REN/WF/HOW/CEA161007

Dear Alan,

**ENVIRONMENTAL IMPACT ASSESSMENT (SCOTLAND) REGULATIONS 2017
PROPOSED WIND FARM AT HOWMOOR, NORTH WEST OF MAYBOLE, SOUTH AYRSHIRE
SCOPING OPINION REQUEST
Erection of 6 wind turbines with blade tip height of 125m**

Scoping Advice

There are no designated sites of national or international importance within the proposed project area so we are content that impacts on such are scoped out. The applicant should, however, refer to our general pre-application and scoping advice at

<https://www.nature.scot/general-pre-application-and-scoping-advice/onshore-wind-farms>. This provides guidance on the issues that developers and their consultants should consider for wind farm developments and includes information on recommended survey methods, sources of further information and guidance, and data presentation. Attention should be given to the full range of advice included in the guidance note. The checklist in Annex 1 of the guidance note sets out our expectations of what should be included in the EIA Report, while Annex 2 provides advice on assessing the effects of turbine lighting on landscape and visual interests, and birds. The guidance document will be updated over time to reflect any changes to available information and our guidance, so users should ensure they download the most up to date version before use.

The applicant should also refer to our general guidance on onshore wind farm development at <https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/renewable-energy/onshore-wind-energy>, and ensure relevant guidance is fully considered when undertaking the EIA. All of our current standing advice for planners and

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0131 314 6750 [NATURE.SCOT](http://nature.scot)

NatureScot is the operating name of Scottish Natural Heritage

developers is also listed at <https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-standing-advice-and-guidance-documents>

We note at section 6.4 of the Scoping Report that a Peatland Management Plan has been scoped out. There is, however, Class 1 peat habitats of national importance within the red boundary study area. This can be viewed at

https://map.environment.gov.scot/Soil_maps/?layer=10&extent=217083.607107.236138.620222

Consideration must be given to how the development is likely to affect this peatland and what could be done to mitigate any such impacts. Information on the importance of peatland can be viewed at <https://soils.environment.gov.scot/resources/peatland-restoration/>.

We note from section 10.5 the intention to consult us upon completion of 2020 breeding bird survey. We will advise accordingly in due course if you still wish to consider scoping out further breeding bird surveys.

The advice in this letter is provided by NatureScot, the operating name of Scottish Natural Heritage.

Yours sincerely,

DANIELLE THOMSON
Operations Officer
Strathclyde & Ayrshire

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HISTORIC
ENVIRONMENT
SCOTLAND

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EACHDRAIDHEIL
ALBA

By email to:
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Mr Alan Edgar
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Our case ID: 300047173

23 November 2020

Dear Alan Edgar

The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017
Howmoor Wind Farm, North West of Maybole, South Ayrshire - Comprising up to six turbines with a tip height of 125m
Scoping Report

Thank you for your consultation which we received on 26 October 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).

Your own 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 up to 6 wind turbines to a maximum blade tip height of 125m, plus associated ancillary infrastructure including underground cable network, access tracks, substation compound, battery storage, temporary construction compound and temporary borrow pits.

Scope of assessment

We consider that, based on the information provided so far, there is the potential for significant adverse impacts on the setting of historic environment assets in the vicinity of the proposed development. At this stage we consider that there is the potential that we would be likely to object to the development based on the information currently provided.

Potential direct impacts

We can confirm that there are no scheduled monuments, category A listed buildings, inventory battlefields, gardens and designed landscapes or World Heritage Sites within the proposed development boundary.

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

Scottish Charity No. SC045925

VAT No. GB 221 8680 15



Potential impacts on the setting of assets

There are a number of nationally important historic environment assets within our remit in the vicinity of the development whose settings have the potential to be significantly adversely impacted by it. The annex to this letter gives details of a number of assets which appear likely to experience impacts. This list should not be treated as exhaustive and is only intended as a reference to those assets which at this stage appear most likely to be significantly impacted.

Potential cumulative impacts

We recommend that the potential cumulative impacts of the proposed development in combination with other developments in the vicinity be assessed. This should assess the incremental impact or change when the proposed development is combined with other present and reasonably foreseeable developments.

Scoping report

We welcome that cultural heritage effects are scoped in to the assessment. We welcome that the operational effects of the proposal on the setting of cultural heritage assets as well as direct impacts from construction will be assessed; we have provided further comments in the attached annex. We strongly recommend that our [Managing Change Guidance Note on Setting](#) is used to inform setting assessments and further information on good practice in cultural heritage assessment can be found in [Appendix 1 of the EIA Handbook](#).

Further information

The Historic Environment Policy for Scotland (HEPS 2019) was adopted on the 01 May 2019 and replaced the Historic Environment Scotland Policy Statement (HESPS 2016). The new Historic Environment Policy for Scotland is a strategic policy document for the whole of the historic environment and is underpinned by detailed policy and guidance. This includes our Managing Change in the Historic Environment Guidance Notes. All of these documents are available online at www.historicenvironment.scot/heps.

Practical guidance and information about the EIA process can also be found in the [EIA Handbook \(2018\)](#). 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 Victoria Clements who can be contacted by phone on 0131 668 8730 or by email on Victoria.Clements@hes.scot.

Yours sincerely

Historic Environment Scotland

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH
Scottish Charity No. SC045925
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Annex

Historic Environment Scotland's interest

Based on the information provided at this stage we consider that there is the potential for significant adverse effects on the setting of nationally important designated assets located in the vicinity of the development site application boundary. At this stage we consider that there is the potential that the adverse effects on the setting of these assets would be such that they would merit our objection to the proposed development. We would be happy to provide further advice about the principle of the development as further information such as visualisations become available. We recommend that further consultation with us is undertaken as soon as possible in the iterative design process for the development so that we can provide advice at a useful and constructive stage in the process.

The designated historic environment assets identified below are in the vicinity of the development and have the potential to be impacted by it. Our comments have focused on those assets where we consider that significant adverse impacts to their settings are most likely. This list is not considered to be exhaustive, and we would recommend that a wider search is undertaken of the surrounding area for potential impacts in the first instance; any impacts to the settings of assets should be assessed appropriately to determine whether these will be significant.

We generally recommend that a ZTV is used to identify potential setting impacts in the first instance and that consideration should be given to including assets where even though the ZTV indicates that no direct intervisibility would be possible there is the potential for turbines to appear in the background of key views towards these assets.

Category A listed buildings and Inventory gardens and designed landscapes

- Culzean Castle garden and designed landscape (GDL 00124)
- Culzean Castle Estate, Culzean Castle (LB 7595)
- Culzean Castle Estate, Walled Gardens including gates, garden's house, garden's cottage, summerhouse, grotto, sundial, potting shed and frame yard (LB 7612)
- Culzean Castle Estate, Ruined Arch and Viaduct (LB 51827)

The proposed development is located at Howmoor, on the eastern flank of Knoweside Hill, approximately 1.77 km north east of Culzean Castle. Culzean Castle and its associated buildings are listed at Category A and its designed landscape is included in the Inventory of Gardens and Designed Landscapes.

Culzean Castle and estate is one of Scotland's most important cultural assets, a work of art of a European scale of importance. It is probably most significant for its early creation



of a Romantic set-piece within a pre-existing, rugged Scottish landscape. Culzean Castle designed landscape forms the setting for key works by the internationally renowned architect, Robert Adam.

The estate achieves its picturesque effect by integrating landscape features within the ownership and control of the estate with new or enlarged buildings such as the main house itself, the 'ruined' Viaduct, the 'Battery', Home Farm and Stables and also by placing this collection of buildings against the backdrop of a wider landscape beyond the estate itself. In our view, the continuing balance of these built and landscape features should be maintained in order to preserve the historic concept of Culzean as a whole. Although there are key views within the estate, it is clear that the design was perceived as a dynamic whole with intended views throughout, for example on arrival and departure by carriage. This scenographic intention is clear in both the contemporary Adam conceptual drawings and later views, for example by Nasmyth.

Culzean Castle is positioned in its spectacular cliff-top location to take in panoramic views of both land and sea, with views of the surrounding hills as important as the views out across the Firth of Clyde to Arran, Mull of Kintyre and Ailsa Craig. Knoweside Hill forms a prominent feature to the north east of the castle, being highly visible on the horizon in views from some of the principal rooms including the circular saloon with its balcony over the cliff and principal bedrooms on the north side of the house.

The Cliff Walk is one of the best examples of the skilful way in which striking natural topography has been incorporated and exploited to create a picturesque landscape within the designed landscape. It was orchestrated to give carefully framed views of the castle seen against the backdrop of Knoweside Hill, views which are in parts concealed and then suddenly revealed walking north towards the castle. When it comes into view, Culzean Castle is seen standing high on its rocky cliff, with the high level horizon of Knoweside Hill behind framing an outstanding view of the castle in its wider setting. Although we are aware that views from the Cliff Walk are currently obscured by regenerating trees, we understand that there is a programme of phased woodland management under way which will reinstate these outstanding key views.

We consider that the windfarm as currently proposed would have a significant detrimental impact on this outstanding heritage asset. The proposed development would break the skyline in views to the north from within the estate and from Culzean Castle itself. Indicative wirelines included with the scoping report show that the turbines would be visible from the walled garden in the GDL and the scoping report states that the turbines would likely to be visible from the castle itself as well. We note that the scoping report states at paragraph 8.5.5 that *'There is potential for a likely significant adverse effect on Culzean Castle and associated heritage assets.'*



Given the nature of the impact, it does not appear to us that a change in the number and height of the turbines or minor amendments in their location would be likely to alter the impacts to a significant degree, and if the proposals come forward as a formal application it is likely that we would object.

We have come to our view on the basis of our own site visits in relation to previous wind farm proposals in this location and knowledge of the site. However, we consider that some additional visualisations would be helpful in the presentation of the proposals. These should be produced from the following viewpoints:

- from the principal (north-facing) entrance, particularly demonstrating the impact on the north view of the *Culzean Castle, Stables and Clock Tower (HB7595, category A-listed)* from that entrance.
- from the top level formal terraces and lawns to the south of the castle looking NE towards the *Culzean Castle, Stables and Clock Tower*, where again there is the potential for an impact on the relationship between the house and the stables.
- from the wide vista looking NE aligned with the principal long axis of the walled garden (the herbaceous border) (as proposed in LVIA Viewpoint 8).
- key views from the interior of the Culzean Castle itself.

Scheduled Monuments

- Howmoor Quarry, dun (SM 2193)
- Balchriston Crossing, dun 320m E of (SM 5785)
- Dunure Castle and dovecot (SM 6105)
- Dunduff, fort 600m NE of (SM 4602)

Howmoor Quarry dun (SM 2193) is likely to experience some level of adverse impact to its setting from the development given the proximity of the turbines. At this stage and without detailed information it is not yet clear whether that impact would be sufficiently significant to merit objection. At this stage (please note that we have not yet been able to undertake a site visits at this time) we would note that the dun sits in a prominent and dominant location near the edge of a spur on the south side of Knoweside Hill. From this position it commands extensive views over the valley of the Randleugh Burn to the south and towards the sea to the west. Despite being lower than the hills behind, it appears to be skylined in views from some sections of the bottom of the valley. It is not clear if it has any intervisibility with Balchriston Crossing dun which is located to the SW. If there is potential for clear intervisibility between these duns, this relationship will be a key element of the setting of both assets.

Balchriston Cottage dun (SM 5785) is located at the head of a small steep gully on the south side of the valley of the Randleugh Burn at a point where the valley becomes a



steep gorge just before meeting the sea. In this location it commands views to the north and west. While occupying a locally dominant position, it does not have a substantial presence in the wider landscape. It is not yet clear whether Balchriston Cottage dun would experience a significant impact on its setting; this may depend on whether or not views towards Howmoor Quarry dun form part of its setting.

At this stage we consider that it may be possible to mitigate potential impacts on the setting of Howmoor Quarry dun by relocating or removing turbines and other infrastructure elements within the development area, but it is not possible to offer detailed comments on potential mitigation for this specific impact without more detailed information.

The ZTV provided with the scoping request appears to suggest that both Dunure Castle (SM 8105) and Dunduff fort (SM 4802) will have no direct intervisibility with the development. We note that Crossraguel Abbey is also shown as having no intervisibility with the development. We recommend that any assessment demonstrates whether there is visibility of the development from these assets or in key views towards the assets with the development in the background. For example, it may be possible to see blade tips from the beach beneath Dunure Castle which may have an adverse impact on the setting of this asset and would require further detailed assessment.

At this stage we suggest that the following visualisation are required to enable appropriate assessment of the potential impacts on setting of scheduled monuments in the surrounding area:

- View from Howmoor Quarry dun (SM 2193) looking towards the development.
- One or more views from the area around Howmoor Quarry dun (SM 2193) illustrating the relationship between the dun and the turbines behind. A view from the B7023 east of Pennyglen would offer a reasonable idea of potential impacts, but an on-the-ground assessment of the area may also identify further viewpoints.
- View from Balchriston Crossing dun looking towards Howmoor Quarry dun if intervisibility is confirmed.
- View from the beach at Dunure looking towards the development showing Dunure Castle if there is intervisibility between all three elements.

We would be happy to provide further comments on the requirement for detailed assessment of individual assets and supporting visualisations as the proposed development progresses.



Scoping report

We welcome that Chapter 8 of the scoping report provides a detailed methodology for the proposed assessment of impacts on the historic environment. We have the following comments to offer which we hope will prove useful.

We welcome that the report states that direct impacts and impacts on the setting of assets will be assessed and that mitigation for any significant effects will be identified. However, we note that while the report refers to mitigation for direct impacts it does not refer to the mitigation of any significant effects on the setting of historic environment assets. Where significant effects are identified the preferred method of mitigation should be by design to avoid or reduce the level of effect. As indicated above, we would welcome further consultation as the design of the project progresses so that we can provide advice regarding impacts on the setting of assets at a useful and constructive stage in the project design process.

We are content that impacts on Inventory battlefields and World Heritage Sites will be scoped out of further assessment given the distances involved. We welcome the information provided regarding the baseline historic environment at this stage and the early indication of potential significant impacts on assets such as Culzean Castle and Howmoor Quarry dun.

Consultation with HES, the West of Scotland Archaeological Service (WoSAS) and the National Trust for Scotland is proposed, and as noted above we would welcome further consultation on this proposal should it go forward.

We note that 5 and 10km study areas are being proposed for the assessment of potential impacts on the setting of assets. We do not generally recommend the use of defined radii for the identification of impacts on setting, rather the use of an appropriately scaled ZTV as discussed above; however, in this instance we have not identified any assets within our remit beyond 10km which are likely to receive significant impacts to their setting.

We note that Table 8.1 giving definitions for the importance of assets refers to category B and C listed buildings as being of regional and local importance. Whilst the category of a listed building can be a useful consideration in identifying levels of sensitivity, it may be helpful to note that B and C listed buildings are not by definition of regional or local importance. Using the terms national, regional and local is no longer the most up to date terminology in referring to this type of asset and may not always be appropriate. While it is up to the assessor to determine the terminology used, it should be noted that these terms would not be justified by the HES designations policy for listed buildings in the same way that they might for scheduled monuments, for example. Our [Designation Policy and Selection Guidance](#) provides more detail on how we assess heritage assets

for designation and may be a helpful reference point for considering sensitivity/importance in general.

Table 8.4 gives criteria for establishing relative sensitivity for changes to setting and includes the phrase, 'where the asset itself is in such a state of disrepair that the relationship cannot be fully determined'. It is not clear to us why the condition of an asset would have a bearing on the relationship of an asset to its setting. In circumstances where an asset is not in good condition or does not have upstanding remains, setting can often be an important component of its cultural significance as the topography, landscape and views to and from a site for example, may provide important evidence of why a site was positioned in a specific location. These aspects of setting and their importance to cultural significance do not change because of the condition of an asset. It is important not to underestimate any element of an asset's setting solely because an asset is considered to be in 'disrepair'.

It is not entirely clear to us how the factors in Table 8.5 which affect magnitude of setting impact relate to Table 8.6 on criteria for establishing magnitude of setting impact. We would note that Table 8.5 does not appear to cover the full range of factors included in our Managing Change guidance note on setting. Table 8.6 has a number of criteria which are very specific, and we consider that it would be more appropriate to focus on the wider criteria which refer to how the change will affect the ability to understand, appreciate and experience the asset. This criterion refers to an "observer's ability to understand appreciate and experience the asset". Given that the asset is the receptor experiencing the impacts rather than any visitor or observer it would be clearer to refer simply to "the ability to understand" rather than to an observer's ability. This would avoid any confusion arising about whether or not an asset is visited or who the observer might be.

In addition, we note that the criterion for high refers to impacts which affect the integrity of the setting of an asset. Whilst this may be a relevant criterion for impacts on the setting of scheduled monuments, it should be noted that the integrity of the setting of other types of assets is not referenced in Scottish Planning Policy – for listed buildings for example, where the policy refers only to protection from adverse effects to the asset or its setting.

We would query the differences between Tables 8.3 and 8.7 which refer to the level of significance of effect for direct and setting impacts. Table 8.7 refers to setting effects and identifies fewer levels of effect which are 'significant' in the context of EIA. This may give the impression that setting effects are less important or less likely to be significant than direct effects. This approach does not accord with the policy for scheduled monuments as set out in paragraph 145 of SPP which does not distinguish between the weight to be attached to impacts on either scheduled monuments or their setting. Separate tables for assessing direct and setting effects are unnecessary as they create an overly complicated approach to the assessment of effects and a single methodology for



assessing impacts and effects on assets would help to simplify and clarify the methodology as demonstrated in Appendix 1 of the [EIA Handbook](#).

Our experience in our role as advisors on good practice in EIA has been that a simple assessment methodology, such as that outlined in the EIA Handbook, is easy to understand and avoids any confusion around different levels of effect being identified for impacts on the cultural significance of an asset.

We would be happy to provide further clarification on any of the points raised above regarding the proposed methodology if that would be helpful.

Summary

We consider that the proposed development has the potential to cause significant adverse effects on the setting of nationally important designated historic environment assets in the surrounding area. At this stage we consider that there is the potential that the adverse effects on the setting of these assets would be such that they would merit our objection to the proposed development. We would be happy to provide further advice about the principle of the development as further information such as visualisations become available.

We recommend that further consultation with us is undertaken as early as possible in the iterative design process for the development so that we can provide advice at a useful and constructive stage in the process. We will be happy to provide further advice on the requirements for visualisations as the design progresses.

Historic Environment Scotland
23 November 2020

Thursday, 29 October 2020

Local Planner
Planning Service
South Ayrshire Council
Ayr
KA7 1UT



Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G39 8FB

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

Dear Sir/Madam

SITE: Wind Farm Howmoor, South Ayrshire
PLANNING REF: Scoping Howmoor
OUR REF: DSCAS-0025339-KSH
PROPOSAL: Wind Farm

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Drinking Water Protected Areas

A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

Surface Water

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

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



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

General notes:

▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:

- ▶ Site Investigation Services (UK) Ltd
- ▶ Tel: 0333 123 1223
- ▶ Email: sw@sisplan.co.uk
- ▶ www.sisplan.co.uk

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

Yours sincerely,

Planning Application Team
Development Operations Analyst
developmentoperations@scottishwater.co.uk

Scottish Water Disclaimer:

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





Our ref: PCS/173619
Your ref: EIAScoping
Howmoor

Alan Edgar
South Ayrshire Council
County Buildings
Wellington Square
Ayr
KA7 1DR

If emailing, please mark
FAO: Peter Minting

23 November 2020

By email only to: planning.development@south-ayrshire.gov.uk

Dear Sir

**Proposed wind farm - scoping opinion request
Howmoor, north-west of Maybole, South Ayrshire**

Thank you for consulting SEPA on the scoping opinion for the above development proposal by your email received on 27 October 2020.

Advice to the planning authority

We consider that the following key issues must be addressed in the Environmental Impact Assessment process. To **avoid delay and potential objection**, the information outlined below and in the attached appendix must be submitted in support of the application.

- a) Map and assessment of all engineering activities in or impacting on the water environment including proposed buffers and details of any related CAR applications.
- b) Map and assessment of impacts upon Groundwater Dependent Terrestrial Ecosystems (GWDTEs) and buffers.
- c) Map and assessment of impacts upon groundwater abstractions and buffers.
- d) Peat depth survey and table detailing re-use proposals.
- e) Map and site layout of borrow pits, if any borrow pits are proposed.

- f) Schedule of mitigation including pollution prevention measures.
- g) As per the above, a Borrow Pit Site Management Plan of pollution prevention measures.
- h) Map of proposed waste water drainage layout (if relevant).
- i) Map of proposed surface water drainage layout.
- j) Map of any proposed water abstractions, including details of the proposed operating regime.
- k) Decommissioning statement.

Further details on these information requirements and the form in which they must be submitted can be found in the attached appendix. We also provide site specific comments in the following section which can help the developer focus the scope of the assessment.

Site specific comments

We are generally in agreement with the approach outlined in the scoping report but would like to emphasize the following at this stage;

- If the peat survey demonstrates that a high proportion of the site is located on peat, including peat >0.5m in depth, we expect the application to be supported by a comprehensive site specific Peat Management Plan.
- It would be helpful if the ES provides evidence to confirm whether any development will take place within 250 m of a groundwater supply source.
- Provided any watercourse crossings are designed to accommodate the 1 in 200 year event and other infrastructure is located well away from watercourses, we do not foresee from current information a need for detailed information on flood risk.
- Parts of the proposed development fall within land that is on the Scottish Wetland Inventory and a Phase 1 Habitat Survey has identified GWDTEs. The need for a full NVC survey has therefore been identified (paying particular attention to raised bog habitat).
- The scoping report recognises the need for micrositing and mitigation (such as floating tracks). We are in agreement with this approach.
- The risk of spreading invasive non-native species (INNS) during construction work has not been mentioned and this should be considered within the final report.

Regulatory advice for the applicant

Regulatory requirements

- 1.1 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).
- 1.2 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.

- 1.3 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.

- 1.4 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.
- 1.5 Details of regulatory requirements and good practice advice for the applicant can be found on the [Regulations section](#) of our website or by contacting waterpermitting@sepa.org.uk or wastepermitting@sepa.org.uk.

If you have any queries relating to this letter, please contact me via e-mail at; planning.sw@sepa.org.uk

Yours faithfully

Peter Minting
Planning Officer
Planning Service

Disclaimer

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our [website planning pages](#).

Appendix 1: SEPA Detailed scoping requirements

This appendix sets out our scoping information requirements. There may be opportunities to scope out some of the issues below depending on the site. Evidence must be provided in the submission to support why an issue is not relevant for this site in order **to avoid delay and potential objection**.

If there is a delay between scoping and the submission of the application then please refer to our website for our latest information requirements as they are regularly updated; current best practice must be followed.

We would welcome the opportunity to comment on the draft submission. As we can process files of a maximum size of only 25MB the submission must be divided into appropriately named sections of less than 25MB each.

2. Site layout

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

Engineering activities which may have adverse effects on the water environment

The site layout must be designed to avoid impacts upon the water environment. Where activities such as watercourse crossings, watercourse diversions or other engineering activities in or impacting on the water environment cannot be avoided then the submission must include justification of this and a map showing:

- a) All proposed temporary or permanent infrastructure overlain with all lochs and watercourses.
- b) A minimum buffer of 50m around each loch or watercourse. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse and drawings of what is proposed in terms of engineering works.
- c) Detailed layout of all proposed mitigation including all cut off drains, location, number and size of settlement ponds.

If water abstractions or dewatering are proposed, a table of volumes and timings of groundwater abstractions and related mitigation measures must be provided.

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

Refer to Appendix 2 of our [Standing Advice](#) for advice on flood risk. Watercourse crossings must be designed to accommodate the 0.5% Annual Exceedance Probability (AEP) flows, or information provided to justify smaller structures. If it is thought that the development could result in an increased risk of flooding to a nearby receptor then a Flood Risk Assessment must be submitted in support of the planning application. Our [Technical flood risk guidance for stakeholders](#) outlines the information we require to be submitted as part of a Flood Risk Assessment. Please also refer to [Controlled Activities Regulations \(CAR\) Flood Risk Standing Advice for Engineering, Discharge and Impoundment Activities](#).

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

Scottish Planning Policy states (Paragraph 205) that "Where peat and other carbon rich soils are present, applicants must assess the likely effects of development on carbon dioxide (CO₂) emissions. Where peatland is drained or otherwise disturbed, there is liable to be a release of CO₂ to the atmosphere. Developments must aim to minimise this release."

The planning submission must a) demonstrate how the layout has been designed to minimise disturbance of peat and consequential release of CO₂ and b) outline the preventative/mitigation measures to avoid significant drying or oxidation of peat through, for example, the construction of access tracks, drainage channels, cable trenches, or the storage and re-use of excavated peat. There is often less environmental impact from localised temporary storage and reuse rather than movement to large central peat storage areas.

The submission must include:

- a) A detailed map of peat depths (this must be to full depth and follow the survey requirement of the Scottish Government's [Guidance on Developments on Peatland - Peatland Survey \(2017\)](#)) with all the built elements (including peat storage areas) overlain to demonstrate how the development avoids areas of deep peat and other sensitive receptors such as Groundwater Dependent Terrestrial Ecosystems.
- b) A table which details the quantities of acrotelmic, catotelmic and amorphous peat which will be excavated for each element and where it will be re-used during reinstatement. Details of the proposed widths and depths of peat to be re-used and how it will be kept wet permanently must be included.

To avoid delay and potential objection proposals must be in accordance with [Guidance on the Assessment of Peat Volumes, Reuse of Excavated Peat and Minimisation of Waste](#) and our [Developments on Peat and Off-Site uses of Waste Peat](#).

Dependent upon the volumes of peat likely to be encountered and the scale of the development, applicants must consider whether a full Peat Management Plan (as detailed in the above guidance) is required or whether the above information would be best submitted as part of the schedule of mitigation.

Please note we do not validate carbon balance assessments except where requested to by Scottish Government in exceptional circumstances. Our advice on the minimisation of peat disturbance and peatland restoration may need to be taken into account when you consider such assessments.

Disruption to Groundwater Dependent Terrestrial Ecosystems (GWDTE)

GWDTE are protected under the Water Framework Directive and therefore the layout and design of the development must avoid impact on such areas. The following information must be included in the submission:

- a) A map demonstrating that all GWDTE are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.
- b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all GWDTE affected.

Please refer to [Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems](#) for further advice and the minimum information we require to be submitted.

Existing groundwater abstractions

Excavations and other construction works can disrupt groundwater flow and impact on existing groundwater abstractions. The submission must include:

- a) A map demonstrating that all existing groundwater abstractions are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.
- b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all existing groundwater abstractions affected.

Please refer to [Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems](#) for further advice on the minimum information we require to be submitted.

Forest removal and forest waste

- 2.2 Key holing must be used wherever possible as large scale felling can result in large amounts of waste material and in a peak release of nutrients which can affect local water quality. The supporting information should refer to the current Forest Plan if one exists and measures should comply with the Plan where possible.
- 2.3 Clear felling may be acceptable only in cases where planting took place on deep peat and it is proposed through a Habitat Management Plan to reinstate peat-forming habitats. The submission must include:
 - a) A map demarcating the areas to be subject to different felling techniques.
 - b) Photography of general timber condition in each of these areas.
 - c) A table of approximate volumes of timber which will be removed from site and volumes, sizes of chips or brash and depths that will be re-used on site.
 - d) A plan showing how and where any timber residues will be re-used for ecological benefit within that area, supported by a Habitat Management Plan. Further guidance on this can be found in [Use of Trees Cleared to Facilitate Development on Afforested Land – Joint Guidance from SEPA, SNH and FCS](#).

Borrow pits

Scottish Planning Policy states (Paragraph 243) that “Borrow pits should only be permitted if there are significant environmental or economic benefits compared to obtaining material from local quarries, they are time-limited; tied to a particular project and appropriate reclamation measures are in place.” The submission must provide sufficient information to address this policy statement.

In accordance with Paragraphs 52 to 57 of Planning Advice Note 50 [Controlling the Environmental Effects of Surface Mineral Workings](#) (PAN 50) a Site Management Plan should be submitted in support of any application. The following information should also be submitted for each borrow pit:

- a) A map showing the location, size, depths and dimensions.
- b) A map showing any stocks of rock, overburden, soils and temporary and permanent infrastructure including tracks, buildings, oil storage, pipes and drainage, overlain with all lochs and watercourses to a distance of 250 metres. You need to demonstrate that a site specific proportionate buffer can be achieved. On this map, a site-specific buffer must be drawn around each loch or watercourse proportionate to the depth of excavations and at least 10m from access tracks. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse, drawings of what is proposed in terms of engineering works.
- c) You need to provide a justification for the proposed location of borrow pits and evidence of the suitability of the material to be excavated for the proposed use, including any risk of pollution caused by degradation of the rock.
- d) A ground investigation report giving existing seasonally highest water table including sections showing the maximum area, depth and profile of working in relation to the water table.
- e) A site map showing cut-off drains, silt management devices and settlement lagoons to manage surface water and dewatering discharge. Cut-off drains must be installed to maximise diversion of water from entering quarry works.
- f) A site map showing proposed water abstractions with details of the volumes and timings of abstractions.
- g) A site map showing the location of pollution prevention measures such as spill kits, oil interceptors, drainage associated with welfare facilities, recycling and bin storage and vehicle washing areas. The drawing notes should include a commitment to check these daily.
- h) A site map showing where soils and overburden will be stored including details of the heights and dimensions of each store, how long the material will be stored for and how soils will be kept fit for restoration purposes. Where the development will result in the disturbance of peat or other carbon rich soils then the submission must also include a detailed map of peat depths (this must be to full depth and follow the survey requirement of the Scottish Government’s [Guidance on Developments on Peatland - Peatland Survey \(2017\)](#)) with all the built elements and excavation areas overlain so it can clearly be seen how the development minimises disturbance of peat and the consequential release of CO₂.
- i) Sections and plans detailing how restoration will be progressed including the phasing, profiles, depths and types of material to be used.

- j) Details of how the rock will be processed in order to produce a grade of rock that will not cause siltation problems during its end use on tracks, trenches and other hardstanding.

Pollution prevention and environmental management

One of our key interests in relation to developments is pollution prevention measures during the periods of construction, operation, maintenance, demolition and restoration. A schedule of mitigation supported by the above site specific maps and plans must be submitted. These must include reference to best practice pollution prevention and construction techniques (for example, limiting the maximum area to be stripped of soils at any one time) and regulatory requirements. They should set out the daily responsibilities of ECOWs, how site inspections will be recorded and acted upon and proposals for a planning monitoring enforcement officer. Please refer to [Guidance for Pollution Prevention \(GPPs\)](#).

Life extension, repowering and decommissioning

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

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

ACCON Ltd (Noise Consultants)

ACCON have reviewed the noise section of the Scoping Report. The proposed methodology is in line with what we would expect from the noise consultants. We note that the report has not provided any detail of the likely study area for noise, although this is not untypical at Scoping stage.

11.2 Environmental Baseline and Potential Sources of Impact

This section explains that the application site is rural with only scattered dwellings. Background noise levels are anticipated to be relatively low, based on baseline noise measurements carried out in 2005 for the Knoweside Wind Farm application. The report identifies that the A77 Maybole Bypass (currently under construction) may influence background noise levels. However, the report does not address how this may factor into the timing or approach to baseline noise monitoring. The potential sources of impact from the proposed development are correctly identified as construction noise from construction of the turbines and access tracks and operational noise from the wind turbines.

11.3 Consultation

This section states that the assessment methodology and background survey locations will be decided through consultation with the South Ayrshire Council (SAC) Environmental Health Department. ACCON suggest that the Planning Team/ACCON should be consulted rather than the Environmental Health Team.

11.4 Methods of Assessment and Reporting

This section states that predicted noise associated with construction and decommissioning will be assessed according to criteria provided in BS 5228-1:2009+A1:2014. ACCON confirm that this is the appropriate assessment methodology.

The Scoping report correctly identifies ETSU-R-97, and the IOA Good Practice Guide as the appropriate methodologies to use to assess operational noise from the proposed wind farm. ACCON note that 'Wind Turbine Development: Submission Guidance Note' (SGN) issued by South Ayrshire Council Environmental Health should also be considered as part of the operational noise assessment. In discussing the ETSU-R-97 approach to setting noise limits in paragraph 11.4.6 demonstrates a misinterpretation of the guidance in relation to 'Quiet Daytime'. Quiet Daytime is defined in ETSU-R-97 in order to specify which time periods should be included in the analysis of survey data to determine background levels for daytime. The Quiet Daytime background levels should then be used to derive noise limits that apply to the entire daytime period using the normal definition of daytime used in noise assessments i.e. 0700-2300 on every day of the week.

The Scoping Report indicates a cumulative noise assessment will be carried out and ACCON confirm that this is part of the assessment approach required by ETSU-R-97 and the IOA GPG.

11.5 Matters Scoped Out

ACCON agreed that it will be acceptable to scope out detailed assessments of the following topics:

- Vibration generated by operation of the wind turbines
- Low frequency noise associated with the operation of the wind turbines
- Road traffic noise impacts during the operation of the proposed development

Please let me know have any queries on these comments.

Regards
Steve

Steve Summers
Associate Director



EIA • Noise • Vibration • Air Quality • Lighting • Ecology

ACCON UK Limited, Citibase, 95 Ditchling Road, Brighton, BN1 4ST

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Carol Anderson Landscape Associates

Introduction

This note is in response to the scoping report issued to South Ayrshire Council by Stephenson Halliday dated August 2020. The proposed development would be located on the north-eastern slopes of Knoweside Hill in the Brown Carrick Hills. It would comprise 6 turbines, 125m high to blade tip together with access tracks, sub-station and battery storage facility.

Landscape character

The approach set out in the Scoping Report with regard to landscape character classification is satisfactory. We are in agreement with the Local Landscape Areas that should be considered in detail in the LVIA, as set out in paragraph 7.4.6 of the Scoping Report. The assessment should consider effects on the character of these LLAs and on their special qualities. We also agree that the qualities and views from the Culzean Inventory listed Garden and Designed Landscape (GDL) should be assessed in detail.

Viewpoint selection

The Zone of Theoretical Visibility (ZTV) mapping produced in Figure 7.1 of the Scoping Report usefully shows the screening effects of major areas of woodland. More detailed 1:25,000 OS map based ZTVs should be produced to show visibility within the Culzean GDL.

Representative viewpoints are set out in Table 7.1 of the Scoping Report. We are in agreement with these selected viewpoints although we would require additional viewpoints within the Culzean GDL from the following locations:

- Cannon Terrace
- The Cliff Walk

We would also wish to see an additional viewpoint selected from the A77 between the junction with the unclassified road to Alloway and the Minishant area where open views over the Doon Valley to the Brown Carrick Hills are possible.

Residential Visual Amenity Assessment

We are in agreement that the RVAA should consider the effects of the proposal on individual residential properties lying within 2km of the wind farm.

Environmental Health, South Ayrshire Council (Private Water Supplies)

Howmoor Windfarm Scoping;

Private Water Supply.

**The Water Intended For Human Consumption (Private Supplies) (Scotland) Regulations 2017
Water (Scotland) Act 1980**

Protecting private water supplies during forestry activities – Guidance www.forestrywaterscotland.com

The Housing (Scotland) Act 1987 – section 86

I have read through the Scoping Report, and in chapter 15.6 Human Health, we would expect an EIA with respect to private water supplies, the properties, their source uptake points, and their wider catchment areas, this would include all proposed construction works, of the proposed windfarm, including all such as access roads, borrow pits, compounds etc. It should also include all forestry or woodland works required as well, such as access roads to enable harvesting, removal, replanting, compounds etc associated with the forestry works.

I do not see a mention of private water supplies in the scoping report yet.

Private water supply legislation (above) is enforced in South Ayrshire Council by the Environmental Health department, authorised by the Scottish Government.

It is in place to ensure the protection of the private water supply, and to prevent the pollution or potential for future [pollution of the supply, source or catchment which feeds the source.

Risk: all possible risks should be ruled out and/or removed completely from plans or proposals, with secondary mitigation measures used as a last resort, or where this is simply not possible.

The 2017 regulations are clear that a person “must not take any action which has the effect of allowing any deterioration of the quality of the water”. This is Regulation 16, and non-compliance is an offence.

We would also place the following conditions on any application, so it would be worth considering these to start with;

PRIVATE WATER SUPPLIES

The development should not adversely affect the private water supplies in the area (The Private Water Supplies (Scotland) Regulations 2006 and the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017.) A report is required detailing how existing supplies will be maintained both qualitatively and quantitatively and sources and connections not adversely affected.

Environmental Health Standard Conditions for Wind Farm Applications

Where Acoustic Consultant Procured by SAC

Private Water Supplies/Operational Noise/Shadow Flicker

1. Impact on Water

a) Prior to the commencement of works on the site, a water management plan covering water control and the means of drainage from all hard surfaces and structures within the site shall be submitted for approval of the planning authority and following approval shall be implemented by the company. For the purposes of this condition “hard surfaces” includes internal access tracks, construction and lay-down areas, turbine pads and crane pads. The details to be submitted shall include the means of protecting surface water and ground water and controlling surface water run-off. The management plan as approved shall then be implemented in full.

Reason: To minimise impacts on groundwater quality and hydrology.

b) The applicant shall submit to the planning authority a site specific hydrogeological report (not desk top study), which contains a review of the risks to all private water sources, their catchment areas, and the supplies, that have the potential to be affected by the development. Work shall not commence on site prior to the written approval of the Planning Authority being obtained.

The report should include a field assessment of all private water sources and supplies and their catchment areas, and focus on the effects of the development on the quality and quantity of water supplied to all private water users both within and out-with the boundary of the proposed site that have the potential to be affected by the development.

A conceptual site model should be included as this is key to developing a robust assessment of all risks to all potentially affected private water supplies. Attention should also be given to possible leachate generation at any Borrow Pit excavations.

c) Forestry – Removal, Harvesting, Replanting, Compensatory Planting:

All Private Water Supply user properties, their Private Water Supply source uptakes and catchment areas to be identified and shown as marked on maps, to scale, on minimum of 1:25000, in order to assess risk to catchment areas of the sources drawn from. This is to give realistic comparison to the siting's of the proposed construction, turbines, structures, over ground / underground, access tracks etc.

d) Emergency Action Plan

An EAP should be submitted stating clearly who would be responsible, when they would be required to take action, where this would be implemented and what action and mitigation will be implemented for any emergencies arising. The EAP should detail who the emergency contacts would be 24/7, with contact telephone numbers and email addresses, to be provided to PWS users and South Ayrshire council planning department.

Reason: In order to maintain a secure and adequate quality water supply to all properties with private water supplies that may be affected by the development.

:To minimise impacts on groundwater quality and hydrology.

I trust this is what you require, but please contact me to discuss anything further.

Kind regards

Cannie Lobban,

Enforcement Officer | Environmental Health | Chief Executive's Office | Mobile working 07887 935 125 / Tel. 01292 616191 | Off. 01292 618222 | e-mail - constance.lobban@south-ayrshire.gov.uk | South Ayrshire Council | 5-7 River Terrace | Ayr | KA8 0BJ | www.south-ayrshire.gov.uk

Coronavirus (COVID-19) - Impact on Council Services

Just a note, there are private water supplies in the area, mostly owned by Lynch Estates, and some have their source from areas below where the proposal for turbines 3,4, &5, and the access roads - Glenalmond House, Glenalmond Bungalow, Glengarry cottage, Meadownay dairy Farm.

Environmental Health, South Ayrshire Council (Other Matters)

Noise, vibration dust

I have perused the scoping report, and confirm this service is satisfied for that proposed methodology, (BS 5228 ISO 9613-2-1996), will satisfactorily ensure best practice is adopted for noise and vibration during the construction phase, in this regard I am have confidence in the EIAR. I note that potential dust nuisance is also being taken into account.

Shadow flicker

It can be seen from the location plan, that there are scattered properties to the east south east and south west.

Section 15.1.1 and 15.4.1 does cover shadow flicker, and the scoping report indicates this will not be a problem due to the distance of the turbines from these properties. As long as the EIAR contains the information/studies that justifies this conclusion, then again this service would be satisfied with this.

Private water supply

Any ground works into the surface strata have the potential for disturbing groundwater and subsequently may effect private water supplies from a ground water supply.

I note you have copied out PWS technician Connie Lobban into your request. Connie is very proactive in pointing out the locations of catchment areas for private supplies to ensure best practice is achieved in protecting private water supplies.

If the applicant is of the opinion any works will not adversely effect PWS, as long as justification is given for this in the EIAR, this should be sufficient.

Coronavirus (COVID-19) - Impact on Council Services

As with many other services, South Ayrshire Council Environmental Health and Trading Standards Service has taken steps to prevent the further spread of the virus, and to protect employee and public health. We have altered the way in which we are working and as a consequence staff may not be available to respond to your enquiry. They will respond to your email in due course.

The latest South Ayrshire Council position on Coronavirus can be found via the following link: <https://beta.south-ayrshire.gov.uk/coronavirus>

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