

SECTION 36 CONSULTATION – PROPOSED WIND TURBINE DEVELOPMENT ON LAND AT
MACRITCH HILL, GLEN ISLA

REPORT BY THE HEAD OF PLANNING AND PLACE

ADDENDUM TO REPORT 197/15

1 INTRODUCTION

- 1.1 This addendum accompanies Report No 197/15 In respect of a proposed wind energy development comprising 18 x 125m wind turbines and associated development known as Macritch Hill Wind Farm. The proposal is subject to an application for consent to the Scottish Government Energy Consents Unit under Section 36 of the Electricity Act 1989.
- 1.2 The purpose of this addendum is to provide an update to Members in respect of consultation responses and representations received by the Energy Consents Unit of the Scottish Government.

2 ADDITIONAL CONSULTATION RESPONSES

- 2.1 Since Report No 197/15 was produced, the Energy Consents Unit of the Scottish Government has provided updated information in relation consultation responses that it has received. Specifically it has advised that responses have been received from the following: -

- RSPB Scotland
- Forestry Commission Scotland
- Marine Scotland
- Scottish Wildlife Trust
- Scotways

- 2.2 **RSPB Scotland** objects to the proposed development as ornithological work is still ongoing and they are therefore unable to fully assess the potential ornithological impacts of the development until surveys are complete. Issues regarding the proximity of a turbine to a known Black Grouse lek are also highlighted.

- 2.3 **Forestry Commission Scotland (FCS)** objects to the proposal on the basis of lack of information relating to Control of Woodland Removal Policy and UKFS (UK Forestry Standards) Compliance issues. FCS indicates that in their experience, the level of permanent woodland removal has been significantly underestimated and therefore needs to be confirmed.

FCS also indicates that the proposal to remove an unspecified area of woodland is proposed by the developer in order to create an area that can be converted to Wet Grassland/Rush Pasture and Acid Grassland/Heath. From the ES Habitat Management Map, FCS estimates this to be in the region of 25 ha in order to mitigate for unqualified losses of small amounts of habitat elsewhere in the site. FCS considers such mitigation to be unnecessary and its portrayal in the ES as a 'biodiversity gain' is considered to be at the loss of existing woodland cover. FCS highlights that converting woodland areas to Wet Grassland/Rush Pasture and Acid Grassland/Heath habitats, complete removal of all brash mats, brash piles and stumps would be necessary and this has proven to be prohibitively costly at other sites.

FCS suggests that any habitat restoration that may be required to compensate for the loss of wet grassland can more readily be achieved elsewhere within the development area by enhancing currently degraded habitats on agricultural land rather than reducing woodland area. Should biodiversity improvements within the woodland be desirable the area should be subject to a revised woodland plan that can improve woodland structure and diversity, whilst maintaining woodland cover.

In order to lift the objection, FCS would require additional information on the potential to achieve restoration. Woodland cover should be maintained in accordance with UKFS and the

area outwith direct infrastructure development should be subject to a Long Term Forest Plan agreed through normal forestry felling and replanting procedures.

- 2.4 **Marine Scotland (MS)** note that Melgam Water drains the majority of the site, which forms part of the River Tay catchment, the latter is an SAC, with salmon and lamprey being a primary reason for this designation status. MS highlights that the ES states that it is unlikely that migratory salmon will be present in the Melgam Water and Loch of Lintrathen due to the presence of waterfalls and that the Backwater Dam also prevents the access of migratory fish, the presence of brown trout is assumed by the developer, however it is highlighted that no surveys were carried out to assess the presence of fish species and their abundance in streams likely to be impacted. This being information that can be used to draw up appropriate site specific mitigation measures. MS note that a surface water quality monitoring programme is discussed in the ES, however no details (e.g. sampling strategy, sampling sites, methodology and data analysis) are discussed, which MS would have expected. MS recommends that the developer provides full details of the proposed water quality monitoring programme which should serve to monitor water quality before, during and after construction to enable any decrease in overall chemical status under the Water Framework Directive, should it occur, to be detected and rapidly remediated before any long term effects on fish populations and fisheries occurs within and downstream of the proposed development area.
- 2.5 **Scottish Wildlife Trust (SWT)** does not object to the proposal but does express concern regarding the potential impact of the development on Black Grouse leks and on wildcat habitat. SWT highlight that A Scottish Wildcat Conservation Action Plan has been published, and in 2014, research commissioned by SNH identified six priority areas for wildcat conservation. The proposed wind farm is within the Angus Glens priority area. SWT states that if the proposed development is consented, the site should be re-surveyed for wildcat before work begins, with a particular focus on locating any den sites which can then be given extensive buffers to avoid disturbance. It is highlighted that the impact of wind farms on wildcats is largely unknown and that on-site mitigation for wildcats would be difficult to achieve, as most impact would likely be from disturbance due to human activity. SWT suggest that one possibility would be for the developer to explore the opportunity of supporting the Scottish Wildcat Conservation Action Plan.
- 2.6 **Scotways** objects to the proposal for reasons relating to potential under-estimation of the impacts on public access, insufficient separation of turbines from known recreational routes, impacts on recreational amenity and potential cumulative impacts.

3 **ADDITIONAL REPRESENTATIONS**

The Energy Consents Unit of the Scottish Government indicates that as of 07 May 2015 the number of representations received by them amounts to 209 individual letters and a petition with 684 signatures. This amounts to 78 more representation letters than at the time of writing of Report No 197/15. The ECU indicates that all letters received at that date are objection letters.

4 **CONCLUSION**

The additional consultation responses and representations do not have a notable impact on the recommendation contained in Report No 197/15. It is considered that Angus Council should object to the proposal submitted under ECU reference EC00002089 known as Macritch Hill Wind Farm. The additional consultation responses that have been highlighted serve to reinforce and support the recommendation contained in Report No 197/15.