

Queiros J (Joao)

From: ScottJ <ScottJ@angus.gov.uk>
Sent: 20 November 2013 15:02
To: Queiros J (Joao)
Cc: HunterA
Subject: RE: 013/OW/SGFoF1 - 10: Request For Comments Addendum Seagreen Wind Energy Limited: 18 October 2013
Attachments: MarineScotland-SeagreenPhase1-ConsultationResponseLetter04062013.pdf; SeagreenOffshoreAppendix1.pdf

APPLICATION FOR CONSENT UNDER SECTION 36 OF THE ELECTRICITY ACT 1989 AND A MARINE LICENCE UNDER PART 4 OF THE MARINE (SCOTLAND) ACT 2010 AND THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE SEAGREEN ALPHA AND BRAVO OFFSHORE WINDFARMS AND TRANSMISSION ASSET PROJECT

Dear Joao,

I write in response to your email of 18 October 2013 seeking a response from Angus Council in respect of the addendum submitted by the applicant.

Firstly, I wish to thank you for granting Angus Council an extension in which to respond, until no later than 9 January 2013. You will be aware that this was to facilitate the possibility for any response requiring the endorsement of our Elected Members at Committee. I am pleased to advise however that Angus Council are now in a position to respond to Marine Scotland at officer level, before your original timescale of 29 November 2013.

Having considered the nature and content of the applicant's addendum, Angus Council would wish to:

- ٗ Carry forward our previously issued consultation response (as provided in our letter dated 5 June 2013 and Appendix 1 enclosed therein) (attached again for your records); and
- ٗ Provide no further advice to Ministers on the new addendum.

I trust that this is sufficient for your purposes. Should you have any further enquiries, please do not hesitate to contact me.

Regards,

Jamie Scott · Senior Planning Officer · Angus Council · Communities - Planning & Transport, County Buildings, Market Street, Forfar DD8 3LG · 01307 473335

From: KellyR
Sent: 21 October 2013 09:04
To: ScottJ
Subject: FW: 013/OW/SGFoF1 - 10: Request For Comments Addendum Seagreen Wind Energy Limited: 18 October 2013

From: Joao.Queiros@scotland.gsi.gov.uk [mailto:Joao.Queiros@scotland.gsi.gov.uk]
Sent: 18 October 2013 17:08
To: KellyR
Subject: 013/OW/SGFoF1 - 10: Request For Comments Addendum Seagreen Wind Energy Limited: 18 October 2013

Dear Ruari,

APPLICATION FOR CONSENT UNDER SECTION 36 OF THE ELECTRICITY ACT 1989 AND A MARINE LICENCE UNDER PART 4 OF THE MARINE (SCOTLAND) ACT 2010 AND THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE SEAGREEN ALPHA AND BRAVO OFFSHORE WINDFARMS AND TRANSMISSION ASSET PROJECT

Please find attached a copy of the consultation letter for the above proposals. The closing date for any comments you may wish to make on the above proposal is **29th November 2013**. Please present all recommendations/conditions in a separate Annex to your response.

A copy of the addendum has been sent to you by the applicant. If you have not received a copy, or require any further information not enclosed with this letter, please contact the Marine Scotland Licensing Operations Team as soon as possible.

Please send any response you wish to submit to ms.marinelicensing@scotland.gsi.gov.uk.

Best regards,

Joao Queiros

Marine Licensing Casework Officer

Licensing Operations Team

Marine Scotland – Marine Planning & Policy Division

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Tha am post-d seo (agus faidhle neo ceanglan còmhla ris) dhan neach neo luchd-ainmichte a-mhàin. Chan eil e ceadachd a chleachdadh ann an dòigh sam bith, a' toirt a-steach còraichean, foillseachadh neo sgaoileadh, gun chead. Ma 's e is gun d'fhuair sibh seo le gun fhiosd', bu choir cur às dhan phost-d agus lethbhreac sam bith air an t-siostam agaibh, leig fios chun neach a sgaoil am post-d gun dàil.

Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

Your Ref 013/OW/SGFoF1 – 10
Our Ref 12/00950/S36

05 June 2013

Andrew Sutherland
Marine Scotland
Scottish Government
Marine Laboratory
375 Victoria Street
AB11 9DB

COMMUNITIES
Strategic Director:
Alan McKeown

Dear Mr Sutherland

**The Electricity Act 1989
Marine (Scotland) Act 2010
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations
2000**

**Formation of Two Offshore Windfarms (Seagreen Project Alpha and Project Bravo)
Comprising up to 75 Wind Turbines Each (150 Total) with Maximum Blade Tip Height
of 209.7 Metres Above Astronomical Tide and Associated Transmission Assets
(Seagreen Transmission Assets Project), Firth of Forth**

I write in response to your letter dated 26 October 2013, and the accompanying Environmental Statement (ES), requesting Angus Council's comments on the above.

This matter was reported to Angus Council's Development Standards Committee of 4 June 2013. I can confirm that the Committee resolved to agree the contents of the report (enclosed), subject to one amendment. As such, Appendix 1 of this report substantially forms Angus Council's formal response to the consultation. The additional comment that Members' wished to make is as follows:

"In addition to the comments contained within the report to Committee, Angus Council would like to ensure that onshore disruption as a consequence of transmission works is kept to a minimum. In this respect it is suggested that, in the event that other offshore wind farms include proposals for landfall in Angus, consideration should be given to ensuring that the route/connection proposed by this development is utilised by other schemes."

I trust that the enclosed and above are in order. Should you have any queries however, please do not hesitate to contact me. I look forward to hearing of progress with the applications in due course.

Yours sincerely,

Jamie Scott
Senior Planning Officer (Development Standards)

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ANGUS COUNCIL

APPENDIX 1 – PROPOSED RESPONSE TO THE SCOTTISH MINISTERS (MARINE SCOTLAND)

1 INTRODUCTION

- 1.1 As part of The Crown Estates (TCE) Round 3 offshore wind farm licensing programme in 2009, Seagreen was awarded exclusive development rights until 2020 for the whole of the Firth of Forth Zone (Zone 2). This award was for both the 'Seagreen Project' (Project Alpha, Project Bravo and the Transmission Asset Project) and later offshore wind farm projects. The project lies both within Scottish Territorial Waters (STW) (within 12 nautical miles) and within the Scottish Renewable Energy Zone (REZ) (12-200 nautical miles). The lease with TCE is 50 years, however, the operational life of Project Alpha and Project Bravo is expected to be 25 years.
- 1.2 The target generation capacity for the entire zone award is 3,465 Megawatts (MW); with a proposed installed capacity of 1,050MW at the current Seagreen Project – each of the Alpha and Bravo wind farms will have a maximum capacity of 525MW.
- 1.3 The applications for consent to Marine Scotland are made under Section 36 of the Electricity Act 1989. Simultaneously applications for licensing under Section 20 of the Marine (Scotland) Act 2010 and under the Marine and Coastal Access Act 2009 have also been submitted. Applications have been submitted for each offshore wind farm. The following regulations would also apply:
- The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000;
 - The Electricity (Applications for Consent) Regulations 1990
 - The Electricity (Applications for Consent) Amendment Regulations 2006; and
 - The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended).
- 1.4 At this stage the design of the wind farm, in terms of turbine height, turbine numbers and layout has not been finalised. The application and accompanying Environmental Statement (ES) is therefore being progressed using a 'Rochdale Envelope' approach, which allows flexibility for the project to evolve during the consenting process. This process establishes parameters for assessment for the purposes of Environmental Impact Assessment (EIA). The ES therefore considers a 'maximum effects' or worst case scenario in terms of turbine numbers, heights and density.
- 1.5 At its nearest point to the coast the proposed site it is approximately 27 kilometres (km) due east of Angus, in the outer Firth of Forth. Project Alpha and Project Bravo cover an area of some 197 and 194 square kilometres (sqkm) respectively, each with up to 75 wind turbine generators. The energy produced from the Seagreen proposal would provide approximately 3.2 Terawatts hours (TWh) per annum, which is the equivalent to the energy needs of 670,000 homes. The possible carbon dioxide (CO₂) displacement will range from 1,300,000 to 2,900,000 tonnes per year.
- 1.6 The ES sets put parameters for assessment for the wind turbines themselves. The variance in height ranges between 148.1 metres (m) and 209.7 m to tip above Lowest Astronomical Tide (LAT). The density will depend on the turbine chosen, but as advised there will be a maximum of 75 turbines in each wind farm. The minimum spacing between the turbines will be between 610m to 835m.
- 1.7 All applications for the offshore elements of the proposal are handled and determined by Marine Scotland, on behalf of the Scottish Ministers.
- 1.8 At present the onshore works associated with the project (the installation of the onshore cable, substation and associated infrastructure) are subject to separate regulatory and consenting processes; through the Town and Country Planning (Scotland) Act 1997 and the

Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011. The Seagreen proposal is to route the cable to landfall at Barry Buddon, Carnoustie. As such Angus Council will be the Planning Authority to determine the necessary applications for the onshore components of the proposal.

2 RELEVANT PLANNING HISTORY

- 2.1 Beyond the exclusivity agreement and the current applications there is no marine or terrestrial planning history specific to the site that is relevant.
- 2.2 As part of this application process the applicant has also submitted detailed information under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 and the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended). The Environmental Statement (ES) is available in the Members Lounge.
- 2.3 In the wider context other offshore wind farm sites have been identified in the Forth and Tay area. One other site identified is 'Inchcape'; which is located within STW, approximately 8 km to the west/southwest of this proposal. This scheme has a proposed installed capacity of up to 1 GW covering an area of 150 sqkm.
- 2.4 A further offshore site Neart na Gaoithe is at the application stage with Marine Scotland. Angus Council was a statutory consultee on this proposal, which was considered by Committee on 6 November 2012 (report 638/12 refers) and the agreed response was accordingly sent to Marine Scotland. This site lies approximately 23km to the southwest of the current proposal and seeks permission for a maximum number of 125 turbines at a maximum height of 197m. The total installed capacity would be 450MW.

3 APPLICANT'S CASE

- 3.1 An Environmental Statement (ES) has been submitted in support of the application and contains the written text of the EIA including site selection and project description, the planning context, and various technical studies and environmental assessments. The ES is broken down into the following chapters:

Table 1: ES Chapters

1. Introduction	2. Need for the Project
3. Site Selection and Alternatives	4. Legislation, Regulation, Policy and Guidance
5. Project Description	6. The EIA (Environmental Impact Assessment) Process
7. Physical Environment	8. Water and Sediment Quality
9. Nature Conservation Designations	10. Ornithology
11. Benthic Ecology and Intertidal Ecology	12. Natural Fish and Shellfish Resource
13. Marine Mammals	14. Commercial Fisheries
15. Shipping and Navigation	16. Seascape, Landscape and Visual Amenity
17. Archaeology and Cultural Heritage	18. Military and Civil Aviation
19. Socio Economics, Tourism and Recreation	20. Other Marine Users and Activities
21. Residual Impacts	22. Mitigation and Monitoring
23. Glossary	

- 3.2 The ES is supported by an extensive set of appendices of figures and technical reports, which includes indicative layouts, Zones of Theoretical Visibility (ZTV) and seascape and landscape assessment (including cumulative assessments).
- 3.3 A Non-Technical Summary (NTS) of the ES is provided which summarises the main issues and findings of the ES.

- 3.4 A copy of the NTS is available to view in the Members' Lounge and on the Council's Public Access portal. The whole ES is also available on the PublicACCESS site.

4 CONSULTATIONS

- 4.1 **Historic Scotland** has advised that the comments provided directly to Marine Scotland would equally apply to the considerations of Angus Council. Their response addresses their role as consultees through the Scottish Ministers under the terms of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 and relate to their statutory remit for scheduled monuments and their settings, category A listed buildings and their settings, gardens and designed landscapes appearing in the Inventory, Inventory Battlefields and designated wreck sites (Protection of Wrecks Act 1973).

In terms of terrestrial assets Historic Scotland are content that the offshore works will not have any direct effects owing to the separation distances involved. In terms of cumulative impacts, with other offshore wind farms that are foreseeable, Historic Scotland are content that it is unlikely that there will be any significant adverse impacts on settings arising from this development.

Overall Historic Scotland is content with the principle of the development and considers that there will be no significant adverse impacts on marine or terrestrial assets within their remit. As such, no objection to the proposal is offered.

- 4.2 The **Scottish Environment Protection Agency (SEPA)** has advised that the comments provided directly to Marine Scotland would also apply to the considerations of Angus Council. This response relates to the marine environment, which is beyond the scope of terrestrial planning, but would include the intertidal area, which is relevant to Angus. SEPA do not object to the proposal subject to the use of a condition on any consent(s)/licences(s) granted that a Construction Environmental Plan (CEMP) is submitted to Marine Scotland for further written approval. Detailed advice on what the CEMP should address is also provided, which would include the marine area of the intertidal zone.
- 4.3 **Scottish Natural Heritage (SNH)** (and the **Joint Nature Conservation Committee (JNCC)**) have not provided a full response to Marine Scotland as yet. They have however provided interim advice based on the Seagreen ES. Overarching comments on the Habitats Regulations Appraisal (HRA) (as the HRA was only received on 22 March 2013) and cumulative assessment are also provided. Guidance is provided to ensure that a full response to Marine Scotland can be provided at a later date.

SNH and the JNCC highlight four key natural heritage interest and impacts that are a priority for this further assessment. The interests of Angus Council in these are:

(a) Qualifying interests of Special Protection Areas (SPAs) – HRA of operational wind farm on key seabird species during the breeding seasons as the proposal is located within foraging range of a number of SPA breeding colonies;

(b) Qualifying interests of Special Areas of Conservation (SACs) – HRA of wind farm construction impacts on harbour seals as qualifying interest of the Tay & Eden Estuary . HRA of wind farm and export cables impacts, particularly underwater noise and any EMF, on the qualifying interests of River Tay and South Esk SACs;

(c) European Protected Species (EPS) – Consideration of EPS licensing requirements for the range of certain cetacean species that could potentially be disturbed and;

(d) Seascape, Landscape and Visual Impacts – SNH anticipates providing advice to Marine Scotland on these impacts of the three Forth and Tay wind farm proposals once the application for Inchcape is submitted in order to review all available information.

SNH/the JNCC also consider it would be helpful for Marine Scotland and Angus Council to discuss and agree who will take the lead for the intertidal area and who will act as the competent authority in considering any impacts to qualifying bird interests of the Firth of Tay and Eden Estuary SPA arising from the export cable and proposed landfall.

In summary, SNH have not yet come to a view on the proposal.

- 4.4 **Head of Roads** has indicated that the offshore proposal will have no effect on the public roads of Angus.
- 4.5 The **Strategic Director – Resources** has indicated that Angus Council may have a financial interest in the eventual route of any onshore grid connection as it might impact upon Carnoustie Golf courses. In this respect relevant officers from the Council have met with the applicants. Whilst there was initially some officer concern regarding the option appraisal of different landing points for the power transmission cable and the choice of Barry Buddon, this has largely been addressed through dialogue with the applicant. Discussion regarding possible mitigation of effects on Carnoustie Golf is ongoing but at this stage it appears likely that appropriate mitigation should be achievable. The Strategic Director – Resources is satisfied that specific impacts associated with any onshore grid connection works would be considered as part of any planning application for those works.
- 4.6 **Carnoustie Community Council, Ferryden and Craig Community Council, Hillside, Dun and Logie Community Council, Monifieth Community Council, Montrose Community Council** and the **Royal Burgh of Arbroath Community Council** have not provided a response.
- 4.7 In addition to the consultations undertaken by Angus Council, it is highlighted that Marine Scotland is engaging in consultation with several organisations. Angus Council are content that these matters are handled by Marine Scotland as the determining authority and at this stage there are no significant issues for Angus Council's interests that require further comment at this stage.

5 LETTERS OF REPRESENTATION

- 5.1 No letters of representation have been received by Angus Council.
- 5.2 Formal letters of representation submitted to Marine Scotland will be considered by them as a material consideration in the determination process.

6 PLANNING CONSIDERATIONS

- 6.1 For the purposes of this consultation, the relevant planning considerations are deemed to comprise of:
- 6.2 Section 59 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997, which requires that in considering whether to grant planning permission for development which affects a listed building or its setting special regard shall be paid to the desirability of preserving the building or its setting.
- 6.3 The Development Plan, which comprises of TAYplan (approved June 2011) and the Angus Local Plan Review (adopted February 2009), is a relevant consideration insofar as the intertidal area is concerned.
- 6.4 A number of other publications are also particularly relevant to the consideration of the application. These include: -
- National Planning Framework for Scotland 2 (NPF2);

- Scottish Planning Policy (SPP);
- The Environmental Statement (ES) and environmental information submitted in respect of this application by the applicant, consultees and third parties;
- Tayside Landscape Character Assessment (1998);

6.5 **NPF2** states that “the Government is committed to establishing Scotland as a leading location for the development of renewable energy technology and an energy exporter over the long term. It is encouraging a mix of renewable energy technologies, with growing contributions from offshore wind, wave, and tidal energy, along with greater use of biomass. The aim of national planning policy is to develop Scotland’s renewable energy potential whilst safeguarding the environment and communities”.

6.6 The **Scottish Planning Policy** (SPP, February 2010) represents a statement of government policy on land use planning. In relation to wind farms, the SPP states ‘planning authorities should support the development of wind farms in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed. Development plans should provide a clear indication of the potential for development of wind farms of all scales, and should set out the criteria that will be considered in deciding applications for all wind farm developments including extensions. The criteria will vary depending on the scale of development and its relationship to the characteristics of the surrounding area, but are likely to include:

- landscape and visual impact;
- effects on the natural heritage and historic environment;
- contribution of the development to renewable energy generation targets;
- effect on the local and national economy and tourism and recreation interests;
- benefits and dis-benefits for communities;
- aviation and telecommunications;
- noise and shadow flicker; and,
- cumulative impact.

The design and location of any wind farm development should reflect the scale and character of the landscape. The location of turbines should be considered carefully to ensure that the landscape and visual impact is minimised.

6.7 Bringing the above together, the key policy and material considerations in relation to Angus Council’s consideration of the consultation are: -

1. Landscape impact;
2. Seascape impact
3. Visual impact;
4. Cumulative landscape
5. Cumulative seascape impact
6. Cumulative visual impact;
7. Impact on cultural heritage;
8. Intertidal works;
9. Other development plan considerations; and
10. Other material considerations;

Landscape impact

6.8 Chapter 16 of the ES addresses the issue of landscape assessment. Both the Alpha and Bravo Projects will be considered collectively. The ES includes coastal Landscape Character Types (LCTs) within the relevant Regional Seascape Unit (RSU) and therefore the RSUs are not assessed separately. As expected the remaining LCTs with views of and association with the sea (LCT13 – Dipslope Farmland and LCT15 – Lowland Basins) are regarded as of medium and high sensitivity to offshore wind farms respectively. All others are assessed as low sensitivity.

- 6.9 It is acknowledged that development will have a degree of impact on these LCTs. However, given the separation distances, of at least 27 kilometres from Angus at the closest point, and resultant interrelationship with the proposed development, it is held that the proposed development will not have an adverse or significant impact on Angus in landscape terms. Only a minor indirect impact on the quality and character of these landscape resources would occur.
- 6.10 In terms specific sites with landscape value, the ES considered sites with local and national landscape designations. Of these 14 sites were identified within the 50km study area for Project Alpha, 7 of which are within Angus (Dunninald, House of Dun, Kinnaird Castle, Brechin Castle, House of Pitmuies, The Guynd and Edzell Castle). Six sites were identified for Project Bravo, with 4 of these being located in Angus (Dunninald, House of Dun, Kinnaird Castle and The Guynd). It is accepted that the effects on these sites will not be significant however.
- 6.11 In light of this assessment, the findings of the ES are broadly agreed and conclude that the development would not have any significant landscape effects on Angus.

Seascape impact

- 6.12 Seascape impacts are also considered in Chapter 16 of the ES. Both the Alpha and Bravo Projects will be considered collectively. The ES advises that seascape characterisation begins by identifying the spatial extent of the seascape units. Unlike the Tayside Landscape Character Assessment for landscape character (and onshore development), there is no equivalent seascape character assessment (for offshore development). The various offshore developers have collaborated however to commission a 'Seascape Character Assessment' (SCA) for the east of Scotland to define Regional Seascape Units (RSUs). These are expressed in the SCA and the application ES as 'Regional Seascape Character Areas' (SA).
- 6.13 It is considered that the method applied to the assessment of seascape effects has a number of shortcomings, which arise from the ES attempting to assess the sensitivities of the SAs to offshore wind farms without fully characterising the seascape. Firstly, the ES does not appear to have defined a seaward limit for these SAs – it is unclear if the 15km line delineated on Figure 16.3 is this assessment limit. In any case, this limit is shorter than the 35km advocated in the Department of Trade and Industry (DTI) guidance on this matter. The Bell Rock lighthouse lies not far from this 15km line – however there is no reference to the lighthouse in any of the SA descriptions. Further, the DTI guidance provides a method of establishing visibility splays at the edge of the seascape units, which would overlap in the seaward parts. This would have enabled the identification of which seascape unit(s) include the Bell Rock lighthouse but this has not been undertaken in the ES. Lastly, the identification of sensitivities only, rather than full characterisation, may lead to a limited appreciation of the sensitivities.
- 6.14 Had the DTI guidance been followed, it is expected that the Bell Rock lighthouse would be within seascape units SA7 (Lang Craig to the Deil's Heid), SA8 (Arbroath to Monifieth) and SA12 (St. Andrews to Fife Ness) – which in turn would be within all of the three National Seascape Units identified in the ES. From land the Bell Rock lighthouse is the only tall structure in the seaward view of the seascape and, apart from passing ships, the only light source at night on an otherwise dark horizon. The assessment for SA8 does not take darkness or the focal point of the Bell Rock lighthouse, and as such the sensitivity of this SA is considered to be understated by omission of these factors.
- 6.15 In terms of sensitivity assessment of the seascape units, the rationale of the ES is not clear having regard to the DTI guidance. It is considered that the magnitude assessment of "low" for SA7 and SA8 and "negligible" for SA12 has been under assessed and that this magnitude ought to be regarded as being "medium" for SA7 and SA8. Based on this assessment, the impacts on SA7 and SA8 would be "Major/Moderate", which would equate to being "Potentially Significant" in EIA terms.

- 6.17 It is evident that the proposed development will have an impact on SA7 and SA8. On the basis of the above assessment, it is considered that the impacts upon seascape character have not been fully assessed. Accordingly it is suggested that Marine Scotland require further assessment of impact on seascape character to take particular account of the Bell Rock and any lighting required for aviation/shipping safeguarding.

Visual impact

- 6.18 Again in relation to visual impact the separation distances from Angus and the proposed development plays a significant role. An assessment of the impacts of visual amenity was undertaken extensively within the same ES Chapter 16. As part of this, several viewpoint locations were chosen in Angus to determine the significance of impact that the proposed development would have. The locations chosen are prominent or significant in terms of their use by visitors and residents, within or near to settlements. The visual impacts on amenity can be summarised from information in the ES as follows:

Table 3: Angus Viewpoint/Visual Assessment – Project Alpha:

No.	Viewpoint	Distance (km)	Sensitivity	Magnitude of Change	Significance of Impact
3	White Caterthun	52.0	High	Low	Moderate/minor: Not significant
4	Montrose	33.0	High	Low	Moderate/minor: Not significant
5	Braehead of Lunan	35.0	High	Medium	Major/moderate: Potentially significant
6	Arbroath	40.0	High	Low	Moderate/minor: Not significant
7	Carnoustie	49.0	High	Negligible	Minor/moderate: Not significant

Table 4: Angus Viewpoint/Visual Assessment – Project Bravo:

No.	Viewpoint	Distance (km)	Sensitivity	Magnitude of Change	Significance of Impact
3	Montrose	42.0	High	Negligible	Minor/moderate: Not significant
4	Braehead of Lunan	43.0	High	Low	Moderate/minor: Not significant
5	Arbroath	45.0	High	Low	Moderate/minor: Not significant
6	Carnoustie	52.0	High	Negligible	Minor/moderate: Not significant

- 6.19 The assessment of the viewpoint sensitivity is broadly agreed with. However, the assessment of the magnitude of change relies heavily upon visibility data (in terms of number of days) when the turbines would be visible based on atmospheric conditions. It is also highlighted that the usability of the visualisations is limited because of the absence of the Bell Rock lighthouse. It is noted that the lighthouse is commonly visible in views and that the turbines would appear taller than this structure. It is therefore concluded that the ES assessment understates magnitude of change. Allowing for these factors it is held that the instances where the overall significance would either be “potentially significant” or “significant” would be more frequent.
- 6.20 The Easthaven to Elliott path was recently completed and provides for a continuous coastal path between Monifieth and Auchmithie as part of the Angus Coastal Path. It is noted that the ES assessment of indirect impacts does not identify the Angus Coastal Path in the list of receptors. Although not yet formally designated or promoted (as a Core Path), it has been in

development for a number of years. It is therefore considered that this represents further justification for assessing the impact on SA7 (Lang Craig to the Deil's Heid) and SA8 (Arbroath to Monifieth) as medium. It is also highlighted that the ES makes no reference to core paths identified in the Angus Council Core Paths Plan, adopted November 2010. As such it is considered that the sensitivity of these receptors in terms of visual impact has been under assessed in the ES. Notwithstanding this, the impact is not considered unacceptable by virtue of the separation distance between the development and relevant receptors.

- 6.21 It is understood that the proposed wind farms would require both lighting for shipping navigation and aviation around the perimeters. Aviation lighting would be on top of the hub. Angus Council previously requested that the developer provide night time visualisations and information to enable the relative brightness of lighting proposed to enable a comparison with sources of light, such as aviation lighting on the Sidlaw Hills and the Bell Rock lighthouse. This would allow for a fuller appreciation of the visibility and prominence of aviation lighting on the turbines proposed but this has not been provided. Accordingly it is not considered that the impact of lighting has been sufficiently assessed in the ES. In particular concerns are held about the impact on the night time sky and the night setting of the Bell Rock lighthouse.
- 6.22 It is therefore considered that the night seascape impacts could be significant. The use of infra-red aviation lights which are not visible to the naked eye would successfully mitigate this impact but it is unclear whether these would represent appropriate mitigation for shipping.
- 6.23 In summary, concerns are held about the significance of the proposals visual impacts on Angus. It is requested that this impact be more fully explored. In terms of night time effects, further information to allow for a fuller assessment would be welcomed. However, assuming that a technical solution to the night lighting issue is forthcoming, this would assist in mitigating these effects from being more significant and avoiding potentially unacceptable impacts.

Cumulative landscape

- 6.24 An assessment of cumulative landscape effects is undertaken in the ES. In terms of the assessed cumulative landscape effects findings in the ES these are broadly agreed. It is found that no significant cumulative landscape effects on the landward character of the LCTs identified in Angus would occur as a result of the proposed development. Similarly, it is agreed that there will be no impact on landscape designations or sites.

Cumulative seascape impact

- 6.25 In terms of cumulative seascape effects it is apparent that these are only likely to occur in relation to wind turbine development close to the coast or offshore.
- 6.26 The ES also undertook an assessment in landward terms. Of the greatest interest to Angus, the sole onshore development with potential cumulative interaction with the Alpha and Bravo Projects is the GlaxoSmithKline application (currently at appeal). It is not considered that this would have a significant or unacceptable cumulative effect in that regard. Similarly, it is agreed that there will be no cumulative impact on landscape designations or sites.
- 6.27 In terms of offshore developments the proposed Neart na Gaoithe wind farm (currently an application to Marine Scotland), the forthcoming Inchcape offshore wind farm scheme and the large remaining area of the Round 3 allocation (which has been licensed to Seagreen) are all relevant. It is noted that the Neart na Gaoithe and Inchcape proposals have been included in the ES assessment, however, the remaining area of Round 3 has not. Whilst it is noted that this approach was agreed with Marine Scotland, it is held that this omission leaves an incomplete assessment of cumulative effects. Indeed, Figure 16.36 demonstrates that the arc of view which would be occupied by wind turbines would increase by two to three times. It is held that this alone would reasonably justify a greater cumulative magnitude that would be greater than the "low" or "medium-low" concluded within the ES. The substantial presence of the remainder of the Round 3 zone would only further emphasize this. Notwithstanding this,

Near na Gaoithe and the current proposal taken together are not considered to give rise to unacceptable cumulative impacts subject to the comments regarding height detailed below. However, more significant cumulative concerns may arise with the addition of any future development at Inchape and/or with the addition of future phases of the Seagreen development.

- 6.28 A key cumulative consideration is the relative height and design of the three different offshore wind farm developments. The proposal here is for a maximum of 209.7 m to tip, which contrasts slightly to the Near na Gaoithe proposal, which would measure up to 197m to blade tip. This in itself would be indiscernible. No details are currently available for the Inchape proposals as this is not currently subject of application. However, a level of consistency is important to prevent the collective view becoming visually inconsistent or distorting seascape perspective by, for example, having turbines of noticeably different sizes within the same view.
- 6.29 As has been detailed above, despite their distance from Angus, the size of the proposed turbines for offshore wind farm schemes would give rise to significant impacts. Replicating turbines of this size closer to Angus and the Bell Rock lighthouse may not be considered acceptable. It is considered that available cumulative design options may become limited if this application is approved at 209.7m.

Cumulative visual impact

- 6.30 Again it is noted that in this regard significant effects are most likely to occur in relation to wind turbine developments close to the coast or offshore.
- 6.31 The GlaxoSmithKline proposal is regarded as the sole consideration for onshore proposals. It is not considered that this would have a significant or unacceptable cumulative effect in terms of visual impact.
- 6.32 In terms of views of offshore turbines, again the Near na Gaoithe, Inchape and the remainder of the Round 3 zone are all relevant considerations. As discussed above, the remainder of the Round 3 zone has however been omitted from this assessment in the ES and is not included in the accompanying visualisations. It is contended that this omission is particularly apparent and significant when considering cumulative visual impact. Considering the offshore wind farm currently in planning (Near na Gaoithe) and scoping (Inchape), turbines would become a recurring element in the view on both land and also at sea. Ultimately the inclusion of future development of the Round 3 zone to the south of the Alpha and Bravo proposals would lead to complete visual coalescence of turbines from views in Angus. It is therefore considered that the assessment of cumulative visual effects has typically been under assessed in the ES. In terms of Angus this effect would be regarded as significant. However, the current level of development proposed by the application at Near na Gaoithe and the current Seagreen proposal, whilst significant, would not be unacceptable.

Impact on cultural heritage

- 6.33 It is noted in the ES (section 17.5) that through consultation with Historic Scotland agreement was reached that there would be no significant impacts on the setting of any asset within their remit. Accordingly the impact on setting was not taken forward in the preparation of the ES, but the baseline data was included
- 6.34 Historic Scotland has confirmed this position in their consultation response to the marine planning application and ES. They are content that there shall be no significant adverse indirect or cumulative impact on Bell Rock lighthouse or the Ladyloan Signal Tower as a result of the proposed development. As such, Historic Scotland offers no objection to the proposal.
- 6.35 In relation to Angus it is considered that these two cultural assets – the Bell Rock lighthouse and Ladyloan Signal Tower; both Category A listed structures – are primarily relevant to the

assessment of the proposal. Having regard to the baseline data in the ES and the definitions of their sensitivity and magnitude of change their settings would experience it is considered appropriate for Angus Council to comment further on this matter. Impact on these structures would mainly be focused on the relationship of the Bell Rock lighthouse and the surrounding seascape – which is regarded to form part of its setting – the setting of the Signal Tower in its own right, as well as the inter-relationship between the two given their operational and historical connection.

- 6.36 The setting of the Bell Rock lighthouse is considered as a 360 degree panoramic view, owing to its operation. Within these views and setting the lighthouse is the sole tall structure (circa 35.3m in height above LAT) which is visible from land and sea (depending on atmospheric conditions). The lighthouse is located some 27 km from the proposed development (the boundary of the Alpha and Bravo Projects). It is however contended that the ES underplays the significance of the effect the proposed development would have on the Bell Rock Lighthouse. It is again noted that the photomontages and wirelines do not include the lighthouse, as discussed in the seascape section above. Given the number and scale of the proposed turbines it is considered that there will be a degree of impact. However, given the separation distance between the turbines and the Lighthouse when viewed from Arbroath in particular, the impact is not considered unacceptable.
- 6.37 In reference to the Ladyloan Signal Tower similar limitations in the ES assessment apply. Again this structure has a panoramic seascape which is considered to have significance in relation to its clear and unobstructed views to the horizon, to the Bell Rock lighthouse and the coastal extents (particularly to the south). There would be little impact to the views south east and to the coast based on the Alpha and Bravo proposals; however, this impact would be heightened based on the cumulative impact – of the Neart na Gaoithe proposal and any future development at the Inchcape offshore site and the remainder of the Seagreen Round 3 zone. It is considered that the seascape element of the Tower's setting would be altered as a result of this current proposal, however, this impact would not be unacceptable.
- 6.38 The inter-relationship of these structures requires to be considered separately owing to the operational and historical linkage between the two. Based on the direct visual line between the two structures it is not considered that there would be any significant impact, owing to the distance of the turbines from this view. Accordingly the sensitivity of this relationship is regarded as being "Minor", which would not be regarded as significant in EIA terms and would not be unacceptable.

Intertidal works

- 6.39 As advised, where the transmission assets (cabling) aspect of the proposed scheme makes landfall at Barry Buddon, a planning application will be made to Angus Council. This application will cover works down to Mean Low Water Springs. Within the inter-tidal area up to the Mean High Water Springs there is also a requirement for a Marine Licence. Accordingly all works within the intertidal area are included as part of applications to Marine Scotland. The intertidal area is nevertheless also covered by Development Plan policy. Without prejudice to consideration of any future planning application(s), these works do not appear to raise any substantial technical or environmental matters. These matters will of course also be considered in detail for that application and ES as part of Angus Council's determination of the planning application. Through consultation with relevant bodies it would be possible at that time to decide if any control of these works would be necessary.
- 6.40 It is also noted that in their consultation response SEPA have requested a condition for a Construction Environmental Plan (CEMP) as part of the marine licensing applications. The purpose of this plan is to monitor and mitigate against adverse environmental effects. Such matters can also be considered as part of any future planning application. It is again noted that SNH have not yet provided substantive response to this aspect of the scheme. As confirmed in their interim response consideration will be given by Marine Scotland to qualifying interests of the SPAs and SPCs on or near to the site. These matters are believed to be addressed in the Habitats Regulations Appraisal (HRA) submitted to Marine Scotland.

Angus Council has not been provided with this document and has not been asked to comment on the HRA. Whilst it has not been explicitly stated, it is understood that Marine Scotland will act as the competent authority in respect of the intertidal area.

Other material considerations

- 6.41 The proposal provides a landfall for the proposed grid connection from the wind farms at Barry Buddon. Other options at Elliot and Easthaven are dismissed through an assessment process contained within the ES. Notwithstanding this, Barry Buddon and Carnoustie Links are considered to be highly sensitive to disruption for environmental and economic reasons. There are a number of international and national environmental designations at Barry Buddon and any future proposal for onshore works will be required to consider and mitigate impact on those interests that justify the designations. The Carnoustie Golf courses are significant recreational assets and the Championship course is world renowned and of significant economic development value to the economy of Angus, not least given its role as an Open Championship venue.
- 6.42 Whilst the current consultation does not directly impact upon those assets, the approval of the landfall at Barry Buddon will, to some extent, dictate the general route of any subsequent onshore grid connection to existing infrastructure near Tealing. Therefore approval of the current proposals would have potential to give rise to significant environmental effects by virtue of the subsequent grid connection route. The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 require amongst other things that an Environmental Statement should contain a description of the physical characteristics of the whole development and the land-use implications during the construction and operational phases. In this case the focus of the Environmental Statement is the offshore works and at this stage there is limited environmental information regarding subsequent onshore works. Accordingly whilst Angus Council has no objection to those aspects of the development upon which it is currently being consulted, the Council reserves its position in relation to any subsequent application for the onshore element of the works. Angus Council would wish the Scottish Government to ensure that Barry Buddon is the most appropriate location for landfall having regard to all relevant environmental impacts, including impacts from the whole development which would include the subsequent onshore grid connection. Angus Council would suggest that the Government may wish to obtain full environmental information for the whole development (including the onshore works) before determining the offshore proposal.
- 6.43 Having regard to recreational access, it is requested that measures be put in place to restrict the level of disruption to no more than what is absolutely necessary. This is applicable to those using the beach and also for those using the water for leisure activities such as dinghy sailing. This could include minimising the land/water area in which restricted access is adjudged to be necessary and the undertaking of operations at a time of year when levels of recreational activity is lower.

7 HUMAN RIGHTS implications

There are no human rights implications arising directly from this report.

8 EQUALITIES IMPLICATIONS

The issues contained in this report fall within an approved category that has been confirmed as exempt from an equalities perspective.

9 CONCLUSION

It is concluded that the impacts of the proposed Seagreen Project Alpha and Project Bravo off shore wind farms (and the associated Seagreen transmission project) are, in terms of material planning considerations relevant to the Angus Council administrative area, considered to be significant in some respects; notably, in respect of seascape impact and visual impact. In that

regard the presence of lighting for shipping and aviation purposes in particular raises concern. Although not addressed in the ES, these lights would appear to be visible from Angus at a similar height to the light of the Bell Rock. It is considered that, unless these effects are mitigated against, the visual impacts on the night seascape could be significant and unacceptable. It is also held that there may be a measurable impact on the setting of the Bell Rock lighthouse as a cultural heritage asset. This impact in turn exacerbated by any adverse lighting effects. Further, concern is held in respect of potential cumulative effects arising from the relative height and design of Seagreen Projects with other offshore wind farm developments. The approval of the turbine heights proposed here may set precedence and, if replicated closer to Angus and the Bell Rock Lighthouse, may not be considered as being acceptable. In addition, whilst the Council has no objection to those aspects of the development upon which it is currently being consulted, the Council reserves its position in relation to any subsequent application for the onshore element of the works. Angus Council would wish the Scottish Government to ensure that Barry Buddon is the most appropriate location for landfall having regard to all relevant environmental impacts, including impacts from the whole development which would include the subsequent onshore grid connection. Angus Council would suggest that the Government may wish to obtain full environmental information for the whole development (including the onshore works) before determining the offshore proposal. However, on the basis that the comments herein are taken in to account, these concerns are not considered to be so direct or unacceptably adverse for Angus Council to object to the proposal.

NOTE

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

P&T/GWC/JS/IAL
22 May 2013