



# Torfichen Wind Farm

## Appendix 4.3

### Gatecheck Report

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Author	ITPEnergised
Date	Oct 2023
Ref	5585

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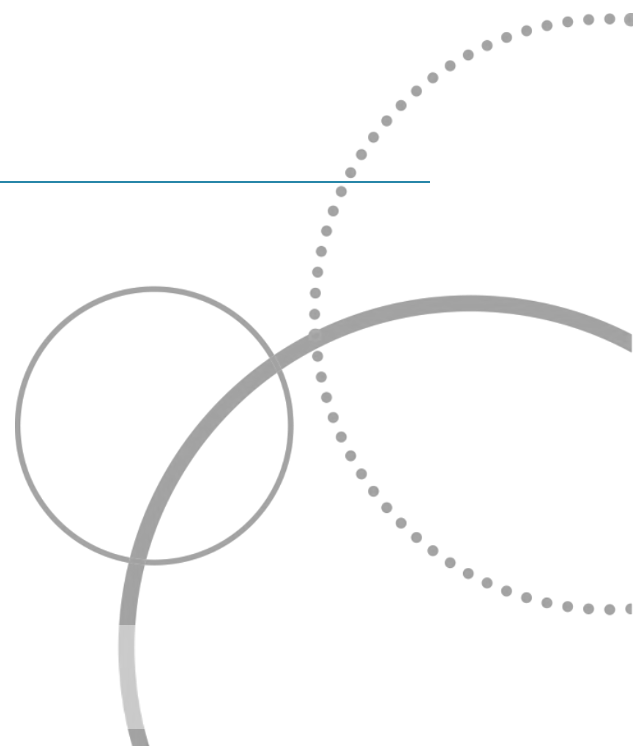


# Torfichen Wind Farm

## Gatecheck 1 Report

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# Document Information

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# 1. Introduction

## 1.1 Introduction

Renewable Energy Systems Ltd. (RES) (hereafter referred to as “the Applicant”), a subsidiary of Renewable Energy Systems Holdings Ltd., intends to apply to the Scottish Ministers for consent to construct and operate Torfichen Wind Farm (hereafter referred to as the “Proposed Development”) at site centre British National Grid (BNG) 333786 654372, approximately 8 km south-west of Penicuik within the northern edge of the Moorfoot Hills (refer to **Figure 1**).

The total generating capacity of the Proposed Development will be greater than 50 MW, therefore the Applicant intends to submit an application to the Scottish Ministers via the Scottish Government Energy Consents Unit (ECU) under Section 36 of the Electricity Act 1989.

The Applicant submitted an Environmental Impact Assessment (EIA) Scoping Report in January 2023 to the ECU. The Applicant received an EIA Scoping Opinion in March 2023.

This Section 36 Gatecheck Report provides the ECU with an update on the status of the Proposed Development and progress with the EIA Report. It summarises ongoing consultation (refer to **Section 2**), the design iteration process which the Applicant has undertaken to date (refer to **Section 3**), and how the Applicant intends to respond to the points raised within the EIA Scoping Opinion (refer to **Section 4**).

The Applicant intends to submit an EIA Report for the Proposed Development to the ECU later in 2023. **Section 5** provides further details on the intended programme.

## 1.2 The Applicant

RES is the world’s largest independent renewable energy company. At the forefront of the industry for over 40 years, RES has delivered more than 23 GW of renewable energy projects across the globe and supports an operational asset portfolio exceeding 12 GW worldwide for a large client base. RES employs more than 2,500 people and is active in 14 countries working across onshore and offshore wind, solar, energy storage and transmission and distribution.

Drawing on decades of experience in the renewable energy and construction industries, RES has the expertise to develop, construct and operate projects which contribute to a low carbon future by providing a secure supply of sustainable, low cost, clean green energy. RES is committed to finding effective and appropriate ways of engaging with all its stakeholders, including local residents and businesses, and believes that the opinions of local people are an integral part of the development process. RES is also committed to developing long-term relationships with the communities around its projects, proactively seeking ways in which it can support and encourage community involvement in social and environmental projects near its developments.

# 2. Community Engagement

In accordance with best practice, a programme of pre-application community engagement has been undertaken by the Applicant. The consultation strategy was tailored to the local circumstances of the Proposed Development.



The project website (<https://torfichen-windfarm.co.uk/>) went live on 16<sup>th</sup> January 2023 and contains information on the Proposed Development such as site location, proposed infrastructure, contact information (via phone, email or written correspondence) and details of consultation events.

### Consultation Event

As part of ongoing community engagement, local residents and interested parties were invited to attend two public exhibitions:

- 6<sup>th</sup> March – 1pm – 6pm at the Middleton Village Community Hall, 54 Borthwick Castle Terrace, North Middleton, EH23 4QU
- 7<sup>th</sup> March – 3pm – 8pm at Macfie Hall, Heriot, EH38 5YE

Representatives from the Applicant and members of the technical design and assessment team were available to answer any questions and note any concerns raised at the event. There was also the opportunity to leave feedback at the event through a comments form or via an online form on the project's website.

The events were advertised through:

- The official Torfichen Wind Farm project website;
- Adverts placed in the following papers:
  - Midlothian Advertiser
  - Peebleshire News
- Mail drop of a project newsletter to over 1,100 properties in the local area; and
- Emails to local community councils.

Members of the public who were unable to make the event were encouraged to view the materials online on the official project website. There was also the opportunity to submit questions via email, text and/or call an available team member with any queries and request additional information.

### Community Councils

The Applicant wrote to Local Community Councils in January 2023 to introduce the Proposed Development and confirm submission of the Scoping Report. The Applicant met with the Chair of Heriot Community Council on 3<sup>rd</sup> March 2023 prior to the public exhibitions.

The Applicant then attended the 7<sup>th</sup> June meeting of Moorfoot Community Council to give feedback from the public exhibitions and a progress update on the project.

### Future Events

The Applicant is committed to continuing engagement with the public and community leaders and will attend future community council meetings where invited and keep the project website updated with project progress.

A further two public exhibitions are planned for late Summer 2023 to inform the local community of the design changes which had been made, taking on board their comments from the previous consultation events and scoping responses received.



## 3. Design Iterations

### 3.1 Design Iterations to Date

The layout of the Proposed Development has been an iterative process which started in 2022, each time taking into consideration information gathered through site assessments or comments from consultees, as well as the professional judgement of technical experts.

Since the submission of the EIA Scoping Report and the receipt of the EIA Scoping Opinion the Applicant has undertaken design iterations to maximise the capacity of the Proposed Development while minimising the environmental impacts.

The main iterations are described below within **Table 3-1** and shown on **Figures 2-3**. These iterations have taken into consideration the on-site environmental and engineering constraints to reduce the impacts on the wider landscape and avoid watercourses and sensitive habitats.

*Table 3-1– Design Iterations to Date*

Design Iteration	No. Turbines	Date	Description
A ( <b>Figure 2</b> )	19	January 2023	Scoping design layout of 19 turbines at 180 m tip height; maximising yield and capacity against initial onsite constraints identified through a desk study and survey work.  The Proposed Development presented at the scoping stage comprised the largest extent of land and greatest number of turbines expected to be submitted for planning permission. It therefore represented what is likely to provide the most energy output and be the ‘worst case’ regarding potential adverse environmental effects. This was the layout used to inform the Scoping Report.
B ( <b>Figure 2</b> )	18	April 2023	Layout B was developed from the initial Layout A following feedback through the EIA Scoping process and public consultations as well as further constraints. A turbine was removed from the layout to reduce landscape and visual impacts.
C ( <b>Figure 3</b> )	18	June 2023	Further considerations of impact on residential receptors caused an increase of the buffer zone of a property to the east. Following this, the locations were optimised for yield and the 18 turbines were renumbered to reflect their reduction and movement. This layout is considered ‘design chill’.

### 3.2 Future Design Iterations

The Applicant, together with the EIA team, have gathered environmental baseline information for the site across the various technical disciplines to identify a design layout that considers the environmental constraints identified and the consultee opinions received to date. Details of the design iterations leading to a finalised design will be provided within Chapter 2 of the EIA Report. **Figure 4** shows the local environmental and engineering constraints considered within the design process for the Proposed Development.

## 4. Scoping Responses

Scoping responses were received from the following organisations (refer to **Table 4-1**).



**Table 4-1 - EIA Scoping Opinion – Responses Received**

Consultee	
Aberdeen Airport	Mountaineering Scotland
British Telecommunications plc (BT)	NATS Safeguarding
Crown Estate Scotland	Office for Nuclear Regulation
Defence Infrastructure Organisation (DIO)	RSPB Scotland
Edinburgh Airport	Scottish Borders Council
Forth Fisheries Management Scotland	Scottish Forestry
Forth District Salmon Fishery Board	Scottish Water
Glasgow Airport	ScotWays
Glasgow Prestwick Airport	The Met Office
Highland and Islands Airport Limited	The Coal Authority
John Muir Trust	Transport Scotland
Joint Radio Company (JRC)	Heriot Community Council
Marine Science Scotland (MSS)	Moorfoot Community Council

No responses to the scoping request were received from the following consultees (refer to **Table 4-2**).

**Table 4-2 - EIA Scoping Opinion – No Response Received**

Consultee	
British Horse Society	Scottish Wildlife Trust
Civil Aviation Authority – Airspace	Scottish Wild Land Group
Forth Fisheries Trust	Visit Scotland
Oban Airport	

The following sections describe the responses received in relation to each of the technical assessments, how the EIA Report will address these matters and any details of further consultation undertaken or in progress.





## 4.1 Planning Policy

The following comments were received as part of the EIA Scoping Opinion on planning policy.

**Table 4-3 - EIA Scoping Opinion - Planning Policy**

Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
Midlothian Council	Notes that National Planning Framework 4 (NPF4) will supersede Scottish Planning Policy (SPP) (2014) and will be adopted Feb 2023. NPF4 will form part of the development plan, alongside the Midlothian Local Development Plan (MLDP) (2017). NPF4 will supersede the South East Scotland Strategic Development Plan (2013).	Noted. The EIA Report will refer to NPF4 and Midlothian Local Development Plan as the most recent policy.	N/A
	Notes that the EIA Scoping Report notes relevant NPF4 policies. Additional NPF4 policies, which are relevant to the Proposed Development include: <ul style="list-style-type: none"> <li>▪ Policy 2 – Climate mitigation and adaptation</li> <li>▪ Policy 23 – Health and safety</li> <li>▪ Policy 29 – Rural development</li> </ul>	Noted. All relevant national and local planning policy will be detailed in the Planning Policy chapter of the EIA Report and a detailed assessment of key planning policy will be included in a standalone Planning Statement.	N/A
	The EIA Scoping Report notes relevant MLDP policies. Additional MLDP policies, which are relevant to the Proposed Development include: <ul style="list-style-type: none"> <li>▪ Policy DEV5 – Sustainability in New Development</li> <li>▪ Policy VIS1 – Tourist Attractions</li> <li>▪ Policy ENV17 – Air Quality</li> <li>▪ Policy ENV21 – Nationally Important Historic Battlefields</li> </ul>	Noted. As above.	N/A
SEPA	SEPA advise that they will assess the proposals in accordance with NPF4 and information should be provided to demonstrate compliance with Policy 5 of NPF4, including confirmation of how the development is considered to meet the requirements of policy 5c and the provision of the information outlined in 5d.	Noted. As above.	N/A



Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
	Draws attention to the fact that proposed engineering works within the water environment will require authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended). 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. Advises that the Applicant should consider if other environmental licences may be required for any installations or processes	Noted. The relevant authorisation will be sought by the Applicant before any works take place.	N/A
RPSB Scotland	Notes that NPF4 has now been approved and soon to be adopted at the time of writing (January 2023), as such RPSB would expect the Habitat Management Plan to include proposals for mitigation and enhancement of habitats and species on site and discuss opportunities for development and enhancement of wider Nature Networks.	Noted. NPF4 requirements to enhance biodiversity will be captured in the Biodiversity Net Gain (BNG) metric and outline Habitat Management Plan to be included as an Appendix to the Ecology chapter of the EIA Report.	N/A
Heriot Community Council	Stresses that in the context of NPF4 a planning balance is necessary to achieve the right development and emphasises that the onus is on the developer to actually enhance the state of the environment. Draws attention to Policy 3b of the draft NPF4 and expect the developers to set this out in the EIA.	Noted. The Applicant is committed to biodiversity net gain and opportunities for enhancement will be considered in the Ecology chapter of the EIA Report. All relevant national and local planning policy will be detailed in the Planning Policy chapter of the EIA Report and a detailed assessment of key planning policy and any other relevant material considerations will be included in a standalone Planning Statement.	N/A

## 4.2 EIA Report Requirements

The following comments were received as part of the EIA Scoping Opinion on EIA Requirements.

*Table 4-4 – EIA Scoping Opinion – EIA Requirements*

Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
ECU	State that the Scottish Ministers are satisfied with the scope of the EIA set out in the Scoping Report.	Noted.	N/A



Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
	Notes that the Scoping Report refers to wind turbines, and other technologies including battery storage and states that for each generating station details of the proposal require to include but not limited to: <ul style="list-style-type: none"> <li>The scale of the development (dimensions of the wind turbines and battery storage)</li> <li>Components required for each generating station</li> <li>Minimum and maximum export capacity of megawatts and megawatt hours of electricity for battery storage</li> </ul>	These details will be included in the Project Description chapter of the EIA Report.	N/A
	The mitigation measures suggested for any significant environmental impacts identified should be presented as a conclusion to each chapter. A consolidated schedule of all mitigation measures proposed in the environmental assessment, provided in tabular form, is requested.	This will be presented in a standalone chapter of the EIA Report named 'Schedule of Environmental Commitments' and will summarise all the mitigation measures presented within the EIA Report.	N/A
	When finalising the EIA report, applicants are asked to provide a summary in tabular form of where within the EIA report each of the specific matters raised in the Scoping Opinion has been addressed.	This will be included within the EIA Report. Each technical chapter will contain a table of the consultation(s) undertaken for that discipline, matters raised and how/where these have been addressed.	N/A
	To facilitate uploading to the Energy Consents portal, the EIA report and its associated documentation should be divided into appropriately named separate files of sizes no more than 10 megabytes (MB).	Noted. The EIA Report and all associated documentation will be divided into files of less than 10 MB where required and be appropriately named for ease of reference. A naming convention of all files will be agreed with the ECU case officer prior to upload. An electronic copy of all documentation will also be provided in a format acceptable to ECU.	N/A
	Ministers are aware that further engagement is required between parties regarding the refinement of the design of the Proposed Development regarding, among other things, surveys, management plans, peat, radio links, finalisation of viewpoints, cultural heritage, cumulative assessments, and request that they are kept informed of relevant discussions.	Noted. The EIA Report will document all consultation undertaken for the Proposed Development within a dedicated appendix.	N/A
SEPA	States that proposals for life extension, repowering and/or decommissioning must be in accordance with SEPA guidance on the life extension and decommissioning of onshore wind farms. 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.	Noted.	N/A



Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
Midlothian Council	Requests that along with Midlothian Council, local Community Councils including Moorfoot and Tynewater as well as local community groups are included as consultees.	Noted. A suggested consultee list for the application is provided in <b>Appendix 2</b> .	N/A

### 4.3 Landscape and Visual

The following comments were received as part of the EIA Scoping Opinion on the landscape and visual.

*Table 4-5 – EIA Scoping Opinion – Landscape and Visual*

Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
ECU	State that a robust night time assessment with agreed viewpoints is required.	Noted. Consultation with NatureScot regarding viewpoints is ongoing. A night time assessment with agreed viewpoints will be included in Landscape and Visual chapter of the EIA Report.	Viewpoint consultation with relevant consultees is ongoing.
Midlothian Council	States that the proposed scope and methodology for LVIA is generally acceptable.	Noted.	N/A
	Request that in addition to those proposed viewpoints, the following are also included in the LVIA: <ul style="list-style-type: none"> <li>▪ B6372 Lady Brae/ Mossend, Gorebridge (NT 35367 61670)</li> <li>▪ Chapel Loan, Roslin (NT 27288 63191)</li> <li>▪ Andy Kelly View, Bonnyrigg – Core Path (NT 29765 64390)</li> <li>▪ Fala Moor – Core Path (NT 42341 58197)</li> </ul>	Noted. The four additional requested viewpoints from Midlothian Council will be included in the LVIA. Full consideration has been given to all consultee requested additional viewpoints and an indicative list of final viewpoints are included in <b>Appendix 1</b> .	Consultation to confirm final viewpoints is currently ongoing with NatureScot.
	State that they have concerns about the scale, location and extent of the proposed wind farm and note it appears inconsistent with the findings of the Landscape Capacity Study for Wind Turbine Development in Midlothian (2007). The Proposed Development is likely to give rise to significant effects on the character and key qualities of the Gladhouse Reservoir and Moorfoot Scarp Special Landscape Area (SLA).	The Landscape and Visual chapter of the EIA Report will provide details of all relevant guidance and policies referred to within the assessment, which will be undertaken in accordance with current best practice. The potential for effects on the Gladhouse Reservoir and Moorfoot Scarp Special Landscape Area will form part of the Landscape and Visual chapter of the EIA Report.	N/A
	Notes that the development has the potential to affect some of the key panoramic views across Midlothian, notably those from the B7007	Noted. This will be considered as part of the Landscape and Visual chapter of the EIA Report.	N/A



Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
	<p>and Gladhouse Reservoir; and others within the Pentland Hills and across the county, in which the site forms an uncluttered foreground to views of the distinctive northern scarp of the Moorfoot Hills.</p>		
	<p>Directs to NatureScot guidance 'Siting and Designing Windfarms in the Landscape', with stress on Section 4 'Designing in Landscapes with Multiple Windfarms'. State that this is a particularly important issue given the existing presence of Bowbeat and Carcant wind farms in the Moorfoot Hills, and Longpark, Toddleburn, Dun Law and Pogbie further to the east.</p>	<p>The Landscape and Visual chapter of the EIA Report will detail all relevant guidance considered within the assessment, including reference where relevant to the NatureScot guidance.</p>	<p>N/A</p>
	<p>States that the landscape and visual impact of different turbine heights between this proposal and those built and consented in nearby wind farms needs to be considered in the LVIA. Differences in the relationship between turbine blade lengths and turbine stem height between this proposal and nearby wind energy developments also needs to be considered.</p>	<p>Noted.</p>	<p>N/A</p>
	<p>In addition to those identified in the EIA Scoping, Midlothian Council recommend that the following wind farm proposals (currently at application stage) are included in the cumulative assessment:</p> <ul style="list-style-type: none"> <li>▪ Wull Muir, northwest of Heriot, Scottish Borders</li> <li>▪ Scawd Law, north of Walkerburn, Scottish Borders</li> </ul> <p>Although not at application stage, recommends that consideration should also be given to the following wind farm proposals:</p> <ul style="list-style-type: none"> <li>▪ Leithenwater, northeast of Peebles, Scottish Borders</li> <li>▪ Ditcher Law, north of Oxton, Scottish Borders</li> </ul> <p>States that cumulative effects of the development in combination with the existing Bowbeat and Carcant wind farms are grounds for concern.</p>	<p>The cumulative impact assessment is based primarily on schemes within ca.20km of the Proposed Development which are operational, consented or subject to a valid planning application. Further sites will be added to the cumulative list where necessary until a final design freeze has been reached. Any schemes listed by consultees in the Scoping response which meet the above criteria and were not already listed in the Scoping Report will be included in the assessment.</p>	<p>N/A</p>
<p>NatureScot</p>	<p>Key advice at this stage is that NatureScot guidance on siting and designing wind farms (landscape version) should be followed to minimise the following potential impacts which should be assessed as part of the Landscape and Visual Impact Assessment:</p> <ul style="list-style-type: none"> <li>▪ Impacts on the Moorfoot Hills when seen from the north, north-west and west</li> <li>▪ Impacts on key viewpoints from Edinburgh and the Lothians</li> </ul>	<p>The Landscape and Visual chapter of the EIA Report will detail all relevant guidance considered within the assessment, including reference where relevant to the NatureScot guidance. The requested scope will be included as part of the LVIA chapter of the EIA Report.</p>	<p>N/A</p>



Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
	<ul style="list-style-type: none"> <li>Assessment of impacts on National Scenic Areas (NSAs) within the vicinity of the development. These include Upper Tweeddale NSA which lies approximately 13km southwest of the site and Eildon and Leaderfoot NSA which lies approximately 26km south-east of the site.</li> <li>Cumulative impacts with existing windfarms.</li> </ul>		
	NatureScot disagree that using a 20 km study area for assessing cumulative impacts is sufficient and recommend that a 60 km radius is used as per NatureScot guidance, however they do recommend that the Applicant focus on the developments most likely to result in significant effects.	As per the Scoping Report, consideration for the cumulative assessment was initially given to a 60 km radius from the site, however it is not considered to represent a proportionate extent of the study area and the limit within which any potential significant cumulative effects might occur. The cumulative impact assessment is based primarily on schemes within ca.20km of the Proposed Development which are operational, consented or subject to a valid planning application. Further sites will be added to the cumulative list where necessary until a final design freeze has been reached. Any schemes listed by consultees in the Scoping response which meet the above criteria and were not already listed in the Scoping Report will be included in the assessment.	N/A
	Stresses that the Moorfoot Hills are an important landmark in the region with a prominent escarpment when seen from the north-west. The Proposed Development should not diminish the apparent scale of the Moorfoot Hills by competing with it in terms of size and scale. The design iteration process should seek to find a turbine layout which is sympathetic to this landscape.	Further design work has been undertaken since Scoping to review the layout, which has reduced the number of turbines to 18. This is considered to minimise the landscape and visual impacts of the scheme.	N/A
	Advise that due to the height of the turbines a full lighting assessment should be provided as per NatureScot guidance. The lighting assessment should include lowlight photomontages.	A full lighting assessment including lowlight photomontages will be included as part of the Landscape and Visual chapter of the EIA Report.	N/A
	NatureScot offer no comment at this time on the proposed viewpoints. States that advice will be provided once there is more certainty about the turbine layout.	Noted.	Consultation with NatureScot regarding viewpoints is ongoing.
Scottish Borders Council	Request two additional viewpoints: <ul style="list-style-type: none"> <li>From the Lauder Common at the B6362 from the stretch of road identified to have visibility on the ZTV.</li> </ul>	Noted. An additional viewpoint from the Lauder Common will be included in the LVIA. Feedback from all consultees has been considered and an indicative list of final viewpoints are included in <b>Appendix 1</b> .	Consultation to confirm final viewpoints is currently ongoing with NatureScot.



Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
	<ul style="list-style-type: none"> <li>A viewpoint within the Scottish Borders to assess the impact of aviation lighting. Comment that Viewpoint 7 would appear be the most appropriate for this given that it is a well-travelled public road.</li> </ul>		
Moorfoot Community Council	Draws attention to the fact that there are several other wind farm developments in the area, including Wull Muir 3, Greystone Knowe, Scawd Law, Ditcher Law and Leithenwater. States that these projects threaten the landscape of the Moorfoots Plateau.	The cumulative impacts on the landscape will be considered within the Landscape and Visual chapter of the EIA Report.	N/A
	Refers to the Ironside Farrar Landscape Capacity Study (LCS) 2016 and how this sets out in detail that wind farm developments in the entire area should amount to no more than 10 turbines over 120m in height, placed well south of Heriot. State that they are concerned of the impacts that the proposed wind farms in the area would create, and that all fail to meet the criteria set out in the LCS. It will be essential for the EIA of the Torfichen scheme to consider the LCS in detail and to set out why it feels this no longer applies for this scheme.	The Landscape and Visual chapter of the EIA Report will provide details of all relevant guidance and policies referred to within the assessment, which will be undertaken in accordance with current best practice.	N/A
	Emphasise that turbines should not encroach on the prominent escarpment and skyline facing Edinburgh. Moorfoot Community Council consider that the setting of the escarpment is fundamental as to whether the Torfichen proposal should advance further in the planning system and refer to the decision letter for Wull Muir to emphasise this.	This will be considered as part of the Landscape and Visual chapter of the EIA Report.	N/A
	State that the current Midlothian Local Plan policy for Special Landscape Areas ENV6 would not support a scheme of this scale in this area. Conclude that the visual impact of this wind farm will not be local but widespread across Midlothian and further because of the size of the turbines.	As above, the visual impact of the Proposed Development will be considered as part of the LVIA. The Landscape and Visual chapter of the EIA Report will provide details of all relevant guidance and policies referred to within the assessment, which will be undertaken in accordance with current best practice.	N/A
Heriot Community Council	Draws attention to the fact that there are several other wind farm developments in the Scottish Borders area and state that the cumulative effects of these applications will threaten the landscape of the Moorfoots Plateau.	The cumulative effects on the landscape will be considered within the Landscape and Visual chapter of the EIA Report.	N/A
	Refers to the Ironside Farrar Landscape Capacity Study (LCS) 2016 within SBC Planning Guidance which sets out that wind farm developments in the area should amount to no more than 10 turbines	As above.	N/A



Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
	<p>over 120m in height, placed well south of Heriot. State that all cumulative developments fail to meet this and encourages the Applicant to consider the LCS and to provide rationale as to why it does not apply to this scheme. State that the development adversely encroaches on the skyline facing Edinburgh and notes that previous applications Gilston Hill and Wull Muir were refused on these grounds and quote some of the refusal. Suggest that if the development was to proceed further it should start with exploring turbines 130m high.</p>		
	<p>Asks the developer to include additional viewpoints:</p> <ul style="list-style-type: none"> <li>▪ Nettlingflat: Viewpoint 6 in the Wull Muir 3 application and Viewpoint 5 in the Greystone Knowe Application.</li> <li>▪ Corsehope Rings: Viewpoint 4 in the Wull Muir 3 application.</li> <li>▪ Lauder Common: Notes that this has also been requested by Scottish Borders Council.</li> <li>▪ B6372 at Fountainside/Roseberry area where there are clear views towards the escarpment.</li> <li>▪ Soutra Aisle might also be appropriate as there are views from there of the Carcant turbines.</li> <li>▪ There should be sequential Views of the A7, B7007/709, B6372.</li> </ul>	<p>Noted. Four viewpoint locations requested by Heriot Community Council will be included in the LVIA, three as wireline only. Full consideration has been given to all consultee requested additional viewpoints and an indicative list of final viewpoints are included in <b>Appendix 1</b>.</p>	<p>Consultation to confirm final viewpoints is currently ongoing with NatureScot.</p>
	<p>Requests that the RAA be set at 2.5km due to higher turbines employed in the industry.</p>	<p>Noted. The RAA study area will be extended to 2.5km.</p>	<p>N/A</p>
ScotWays	<p>As ScotWays is aware of a number of wind turbine proposed in this general area, they are particularly concerned that the cumulative impact of these Proposed Developments is taken into account.</p>	<p>A Cumulative Assessment of the effects on landscape will be included within the Landscape and Visual chapter of the EIA Report.</p>	<p>N/A</p>
Mountaineering Scotland	<p>Mountaineering Scotland have no comment to make on this proposal at this time.</p>	<p>No response required.</p>	<p>N/A</p>





## 4.4 Cultural Heritage

The following comments were received as part of the EIA Scoping Opinion on cultural heritage.

**Table 4-6 – EIA Scoping Opinion – Cultural Heritage**

Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
Midlothian Council	States that they are content with the approach suggested in the EIA Scoping.	Noted.	N/A
Historic Environment Scotland	State that they agree that the following scheduled monuments should be considered as part of the EIA assessment; <ul style="list-style-type: none"> <li>▪ Hirendeane Castle (SM 5608) (Figure 5.3)</li> <li>▪ Moorfoot Chapel (SM5976) (Figure 5.4)</li> <li>▪ Loquariot, fort 500m SW of (SM6260)</li> <li>▪ Falla Luggie Tower, towerhouse (SM5653)</li> <li>▪ Corsehope Rings, fort (SM1166)</li> <li>▪ Halltree Rings, settlement, Chapel Hill (SM1170)</li> <li>▪ Soutra Aisle, burial aisle and medieval hospital (SM3067)</li> </ul>	No response required.	N/A
	State that regarding Dundreich, cairn (SM2777) & Jeffries Corse, cairn (SM3527) it is not clear from the information provided how the settings of these two monuments will be assessed together. HES accept while there will be a degree of overlap in their settings, they will experience slightly different impacts from the development. HES state that the more open aspect of views out from Jeffries Corse, cairn (SM3527) means it will experience different impacts from those at Dundreich, cairn (SM2777) and stress that the inter-relationship between the monuments and the impact of the turbines on views from Dundreich, cairn (SM2777) towards Jeffries Corse, cairn (SM3527) will also be of particular importance. HES would expect to see any assessment address these differences, even if the two monuments are considered together in the Report.	Noted. The differences between Dundreich cairn and Jeffries Corse will be addressed and considered as part of the Cultural Heritage assessment included in the EIA Report.	N/A
	Disagree with the proposal to scope out Stonefieldhill Farm, henge 500m SE of (SM6258). HES stress the monument's impressive setting - with a deliberate position and alignment that informs its function based	Noted. The setting impacts on SM6258 will be scoped into the EIA assessment.	N/A



Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
	<p>on long distant views of the sky and the interaction of celestial bodies with the distant horizon. HES do not consider that the Applicant has provided sufficient justification to scope out the assessment of setting impacts on the scheduled monument from the EIA assessment.</p> <p>Note that there are several A-listed buildings within the 10km study area. HES recommend that impacts on the following buildings within their remit are considered as part of the EIA assessment:</p> <ul style="list-style-type: none"> <li>▪ Bush House (LB7463)</li> <li>▪ Glencorse Parish Church (LB7456)</li> <li>▪ Oxenfoord Castle (LB768)</li> <li>▪ A-listed buildings at Mavisbank (LB7404 Mavisbank House LB44166 Mavisbank Walled Garden, LB7387 Mavisbank Gazebo, LB7386 Mavisbank Doocot, LB7398 Barony House (formerly Lasswade Cottage))</li> <li>▪ Preston Hall A-listed buildings and Garden and designed Landscape (LB775, LB777, LB113, LB746 and GDL00320).</li> <li>▪ Middleton Hall (LB806). Notes that the appraisal states that “Views of the wind farm 3km southwest are to be expected” and as such impacts on Middleton Hall should be scoped into the EIA assessment. HES disagree with the comment that the asset draws its significance solely from its architecture. HES cannot confirm from the information provided that the topography of the landscape would mean the existing trees obscure key views from the building towards the Proposed Development and cannot confirm whether Middleton Hall is likely to experience significant effects due to the applicant noting that the wind farm will be visible, and it is just 3km away. HES therefore ask for it to be assessed and visualisation provided so that an assessment can be made by them to confirm that any visibility may either be screened by existing trees, mitigated, or accepted as not significant enough.</li> <li>▪ Arniston House (LB808) Garden &amp; Designed Landscape (GDL29) &amp; Associated Designated Assets. HES notes the Applicant's intention to group several assets together as part</li> </ul>	<p>Noted. The outlined A-listed buildings will be appraised and considered as part of the final assessment. Should potential significant effects be raised then a detailed assessment shall be conducted on the assets.</p>	<p>N/A</p>



Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
	of the impact assessment (Section 5.2.4) and are content with this approach.		
	HES are content with the proposed 10km study area identified for the cultural heritage assessment.	Noted.	N/A
	HES note that the wording of the text in Table 5.4. describing “Heritage Significance of Effect” does not explain or define “significance”, and instead addresses similar issues of magnitude of impact as Table 5.3. Any attempt to apply these criteria in the EIA process without defining the “significance” of assets could lead to misleading results, poor assessment, or confusion. HES also expect that any assets that are identified through the EIA process as having the potential to experience Moderate or Major impacts (significant in EIA terms) should also be subject to detailed assessment	All assets within the study area will be analysed to assess whether the factors which contribute to their significance have the potential to be impacted. Table 5.4 of the Scoping Report outlines a basic level of impact definition, which correlates with Table 5.5 significance of effect matrix. All assets that are included for detailed assessment will have the features which contribute to their significance defined. The Applicant agrees that any assets identified through the EIA process which has the potential for Moderate or above effect shall be subject to detailed assessment.	N/A
	Recommend that wireframe illustrations should be provided for all the scheduled monuments scoped into the EIA process, noted above. These should be taken from the location of the monuments, but consideration should also be given to key views towards monuments from obvious approach routes and vantage points and from other potentially contemporary or related monuments nearby. This is particularly relevant to sites like Jeffries Corse cairn (SM3527) and Dundreich cairn (SM2777), where there is a clear visual relationship between the two monuments. The view from Dundreich cairn (SM2777) is a key element of the setting of Jeffries Corse cairn (SM3527) and the potential for turbines to appear in this view should be assessed and illustrated.	Noted. Appropriate wireframe illustrations and visualisations will be prepared to accompany the Cultural Heritage chapter of the EIA Report.	Further consultation with HES regarding visualisation requirements will be undertaken in advance of preparing the EIA Report.
	Note that after considering the information in the wireframes they may wish to request photomontage views for some monuments to help their understanding of impacts.	Noted. As above.	As above.
	Regarding Category A-listed Buildings, although HES welcome the provision of wireframes for Mauldslie Farmhouse and Steading (LB45814) the Applicant should note that this building is Category B-	Noted. As above.	As above.



Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
	listed and HES have no remit on its setting. However, HES recommend that a photomontage is prepared for Middleton Hall (LB806) looking west out along the drive from a principal room on the first floor, or equivalent external location, to allow sufficient understanding of the impact of the Proposed Development on the listed building.		
	State that they would be happy to assess visualisations at an early stage and advise whether further material is required in advance of the EIA Report.	Noted.	As above.

## 4.5 Ecology

The following comments were received as part of the EIA Scoping Opinion on ecology.

*Table 4-7 – EIA Scoping Opinion – Ecology*

Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
ECU	Directs to Marine Scotland Science general advice for onshore windfarms.	The Ecology chapter of the EIA Report will detail all relevant guidance considered within the assessment, including reference where relevant to the Marine Scotland Science advice.	N/A
	States that as well as watercourses within and downstream of the development, the developer should consider any areas of Special Areas of Conservation where fish are a qualifying feature and proposed felling operations particularly in acid sensitive areas.	Noted.	N/A
NatureScot	States that the habitat and species surveys carried out appear comprehensive and that the proposed approach to the assessment of impacts appears appropriate and in line with NatureScot guidance. Refers to full guidance on protected species habitats, surveying and licensing can be found in NatureScot's pre-application scoping guidance document.	Noted. The Ecology chapter of the EIA Report will detail all relevant guidance considered within the assessment, including reference where relevant to NatureScot guidance	N/A
	The developer should assess the direct and indirect impacts on the protected areas and their qualifying interests/notified features in the context of their conservation objectives/management statements, found	This will be included in the Ecology chapter of the EIA Report.	N/A



Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
	on Sitelink. The assessment should be for the proposal on its own and cumulatively with other plans or projects also affecting the protected area.		
	Accept that the Moorfoot Hills Special Area of Conservation (SAC), River Tweed SAC and Peeswit Moss SAC are not hydrologically linked to the Proposed Development and therefore impacts on their non-avian features can be scoped out.	Noted. No response required.	N/A
Midlothian Council	Notes that the site is close to the internationally important nature conservation sites at Gladhouse Reservoir, Fala Flow and Peeswit Moss. Draws attention also to the fact that Burn Quarry proposed Local Geodiversity Site (LGS) is located approx. 1km north of site (Esperston).	Noted.	N/A
Fisheries Management Scotland	States that the Proposed Development falls within the river catchments relating to the Forth DSFB and Forth Rivers Trust and advises that the proposals are conducted in full consultation with the Board/Trust.	Forth District Salmon Fishery Board have been consulted as part of the EIA Scoping process. Forth Rivers Trust conducted baseline fish surveys for the site in 2022 and as such further consultation is not considered to be required.	N/A
	Directs to general advice regarding wind farms and fisheries.	The Ecology chapter of the EIA Report will detail all relevant guidance considered within the assessment, including reference where relevant to the Fisheries Management Scotland advice.	N/A
Forth District Salmon Fishery Board	States that fish species must be protected during construction of the wind farm.	Noted.	N/A
	Fish/habitat surveys must be carried out on any potentially impacted watercourses to assess fish populations and habitat ahead of the proposed works. If fish populations are found during the surveys, it will be a requirement for fish rescues to be carried out ahead of proposed works. If the watercourse crossings will take place over an extended period of time additional measures may need to be put in place to ensure fish populations do not travel into the designated crossing sites for the period of construction. These rescues must be carried out by licensed individuals. They must also hold the required permissions from the relevant fishery owners.	Noted. A suite of surveys has been completed by the Applicant, including electrofishing and fish habitat suitability surveys on watercourses within the site. Full details on all ecological surveys undertaken will be included in the Ecology chapter of the EIA Report.  Relevant good practice guidance will be followed by the Applicant and an outline Species Protection Plan will be included as an Appendix to the Ecology chapter of the EIA Report.	N/A



Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
	Advises that if infrastructure is to be installed which involves construction within river channels, fish rescues must be carried out prior to diggers entering rivers on the site. Any infrastructure such as culverts or bridges must not impede the passage of fish on the site.	Noted. As above.	N/A
	In stream works should take place from 1st June – 30th September to minimise impact on fish. Should in stream works be required out with this period, further mitigations will be required	Noted. As above.	N/A

## 4.6 Ornithology

The following comments were received as part of the EIA Scoping Opinion on ornithology.

*Table 4-8 – EIA Scoping Opinion – Ornithology*

Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
ECU	Recommended by the Scottish Ministers that decisions on bird surveys – species, methodology, vantage points, viewsheds & duration - site specific & cumulative – should be made following discussion between the Applicant and NatureScot.	A comprehensive range of bird surveys have been undertaken for the Proposed Development in line with current NatureScot survey guidance. The Ornithology chapter of the EIA Report will provide a summary of all baseline bird surveys undertaken and their results. Full details of the baseline surveys will be provided in a supporting technical appendix.	N/A
NatureScot	Notes this proposal has potential connectivity with the following sites as they are within the 20km foraging range for their designated populations of pink-footed goose: <ul style="list-style-type: none"> <li>▪ Gladhouse Reservoir Special Protection Area (SPA)</li> <li>▪ Fala Flow SPA</li> <li>▪ Firth of Forth SPA</li> <li>▪ Westwater SPA</li> </ul> <p>Advises that this proposal is likely to have a significant effect on the qualifying interests of the sites listed above. The EIA should contain sufficient information to allow the competent authority required to</p>	Noted. A comprehensive range of bird surveys have been undertaken for the Proposed Development in line with current NatureScot survey guidance to inform the Ornithology chapter of the EIA Report. This chapter will include all the necessary information to enable the relevant authority to carry out an appropriate assessment of the designations listed.	N/A



Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
	carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interest(s).		
	Notes that further guidance on the Habitats Regulations Appraisal process can be found on the NatureScot website.	Noted.	N/A
	Notes that assessment of the impacts of the Proposed Development on the avian features of the Moorfoot Hills SSSI should be included in the EIA.	The Ornithology chapter of the EIA Report will contain details of the baseline surveys undertaken, the species identified, and justification of those taken forward for assessment.	N/A
Midlothian Council	States that the EIA should assess the impact on migratory species passing through/ in close proximity to the site between Midlothian and Scottish Borders. Expert ornithological advice should be used to determine the distance from the site that should be included in the assessment of the potential impact of the proposals on the species found in these designations. The impact on the wider environment and species not found in these designated sites should also be included in the assessment, including in other statutory and non-statutory nature conservation designations.	Noted. The ornithological assessment will focus on the key species likely to be affected by the Proposed Development and will include migratory species and species found in other statutory and non-statutory nature conservation designation where relevant. The Ornithology chapter of the EIA Report will contain details of the baseline surveys undertaken, the species identified, and justification of those taken forward for assessment.	N/A
RSPB Scotland	State that they have no significant issues with the Proposed Development and agree with the proposed scope, survey and assessment methodologies.	Noted. No response required.	N/A
	Notes that the following should be included in the EIA report: <ul style="list-style-type: none"> <li>Full information on the Vantage Point (VP) Survey work undertaken, including dates, times, and weather conditions</li> <li>Maps showing VP locations that also denote viewsheds</li> <li>Maps showing raptor foraging areas and flights</li> <li>Worked example(s) of collision risk calculations</li> <li>Provision of raw data in order for independent verification of collision risk calculations</li> <li>Post construction monitoring for collision mortality and breeding birds</li> </ul>	Noted. The Ornithology chapter of the EIA Report will provide a summary of all baseline bird surveys undertaken and their results. Full details of the baseline surveys will be provided in a supporting technical appendix, including collision risk modelling and associated data.	N/A

## 4.7 Geology, Hydrology & Hydrogeology

The following comments were received as part of the EIA Scoping Opinion on geology, hydrology and hydrogeology.



**Table 4-9 – EIA Scoping Opinion – Geology, Hydrology & Hydrogeology**

Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
ECU	Requests that the Applicant contacts Scottish Water to confirm whether any Scottish Water assets are affected by the development.	Scottish Water has been consulted as part of the EIA Scoping process.	Further consultation with Scottish Water to confirm turbine locations in relation to the drinking water catchment area will be undertaken once design freeze has been reached.
	Request that the Applicant investigates the presence of any private water supplies which may be impacted by the development and should provide an assessment of the potential impacts, risks, and any mitigation which would be provided.	Private water supplies which may be impacted by the Proposed Development will be identified and assessed in the Geology, Hydrology & Hydrogeology chapter of the EIA Report.	N/A
	Consider that there is a demonstrable requirement for peat landslide hazard and risk assessment (PLHRA) as part of the EIA process. Applicant must justify if this is not required.	Peat landslide hazard and risk will be considered as part of the Geology, Peat, Hydrology & Hydrogeology chapter of the EIA Report. The proposed infrastructure has been sited to avoid areas of peat risk.	N/A
	Where borrow pits are proposed as a source of on-site aggregate they should be considered as part of the EIA process and included in the EIA report detailing information regarding their location, size and nature.	Noted. If appropriate borrow pit areas are identified onsite a Borrow Pit Assessment will be included as an Appendix to the Geology, Hydrology & Hydrogeology chapter of the EIA Report.	N/A
Midlothian Council	Notes that the potential for adverse effects on peat and carbon rich soils within the site is a cause for concern.	Noted. The Proposed Development has been designed to minimise the disturbance to areas of deeper peat. Details of all measures to minimise impacts on peat will be provided within the Geology, Hydrology & Hydrogeology chapter of the EIA Report.	N/A
NatureScot	Notes that the site contains an area of Class 1 nationally important carbon-rich soils, deep peat and priority peatland habitat and is therefore likely to be of high conservation value. Development proposals on peat will always require a site-specific and detailed peat and vegetation survey and the results from that should then inform the need for a peat slide risk assessment and a peat management plan.	A Phase 1 Peat Survey and NVC Survey have been carried out, and a Phase 2 Peat Survey will be undertaken across the proposed infrastructure elements prior to design freeze. The results of these surveys will be detailed in the EIA Report. A Peat Management Plan will form an Appendix to the Geology, Hydrology and Hydrogeology chapter of the EIA Report.	N/A
	Encourages developments to avoid carbon rich soils, deep peat and priority peatland habitat to minimise losses. Where avoidance is not possible mitigation measures will be required. Existing peatland	Noted. The Applicant is committed to minimising impacts on peat. Mitigation measures as well as opportunities for peatland restoration	N/A





Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
	<p>habitat should be restored and improved to compensate for unavoidable residual adverse effects. States that habitat enhancement should go beyond compensation and should provide overall positive effects or net benefit for peatland interest.</p>	and enhancement will be considered as part of the Geology, Hydrology & Hydrogeology chapter of the EIA Report.	
	Refers to NatureScot's pre-application scoping guidance document.	The Geology, Hydrology & Hydrogeology chapter will detail all relevant guidance considered within the assessment, including reference where relevant to NatureScot's Pre-Application Scoping Guidance.	N/A
SEPA	<p>Advise that the following must be included in the EIAR:</p> <ul style="list-style-type: none"> <li>▪ Map and assessment of all engineering works within and near the water environment including buffers, details of any flood risk assessment and details of any related CAR applications.</li> <li>▪ Map and assessment of impacts upon Groundwater Dependent Terrestrial Ecosystems and buffers.</li> <li>▪ Map and assessment of impacts upon groundwater abstractions and buffers.</li> <li>▪ Peat depth survey and table detailing re-use proposals.</li> <li>▪ Map and site layout of borrow pits.</li> <li>▪ Schedule of mitigation, including pollution prevention measures.</li> <li>▪ Borrow Pit Site Management Plan of pollution prevention measures.</li> <li>▪ Map of any proposed water abstractions, including details of the proposed operating regime.</li> <li>▪ Decommissioning statement.</li> </ul>	Noted. This will be included as part of the EIA Report.	N/A
	A comprehensive site-specific Peat Management Plan is requested. Notes that it should be clearly demonstrated how impacts on peat have been minimised via location, layout and design of all proposed infrastructure in line with the mitigation hierarchy. SEPA would welcome the opportunity to comment on this at this time, as well as the peat management plan and any plans required for restoring and/or enhancing the site into a functioning peatland system capable of achieving carbon sequestration.	Noted. A Peat Management Plan will form an Appendix to the Geology, Hydrology and Hydrogeology chapter of the EIA Report which will demonstrate how impacts on peat have been minimised.	Further consultation will be undertaken with SEPA regarding the Peat Management Plan.



Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
	States that SEPA are likely to object to proposals where infrastructure is located on peat >1m and it is not demonstrated that the mitigation hierarchy has been followed and, if required, proposals for peat restoration into a functioning peatland system identified.	The Proposed Development has been designed to minimise the disturbance to areas of deeper peat. Details of all measures to minimise impacts on peat will be provided within the Geology, Hydrology & Hydrogeology chapter of the EIA Report.	N/A
	Notes that provided watercourse crossings are designed to accommodate the 1 in 200-year event (plus climate change) and other infrastructure is located well away from watercourses, SEPA do not foresee from current information a need for detailed information on flood risk.	Noted. No response required.	N/A
Scottish Water	Advises that the proposed activity falls within a drinking water catchment where a Scottish Water abstraction is located. Notes that Gladhouse Reservoir supplies Rosebery Water Treatment Works (WTW) and it is essential that water quality and water quantity in the area are protected. If an incident occurs Scottish Water should be notified immediately.	Noted. Pollution prevention measures will be agreed with Scottish Water and set out within a Construction Environment Management Plan (CEMP).	N/A
	Notes that at least 10 of 19 turbines appear to fall within the drinking water catchment and that ground truthing may be required to confirm this. Advises that the Proposed Development is a relatively small part of the catchment therefore there may be less opportunity for dilution and a potential higher risk of activities affecting water quality.	Noted. The Geology, Hydrology & Hydrogeology chapter of the EIA Report will include details of appropriate mitigation measures to protect water quality and the drinking water catchment.	Further consultation with Scottish Water to confirm turbine locations in relation to the drinking water catchment area will be undertaken once design freeze has been reached.
	Draws attention to the fact that some of the soils in this catchment appear to be peats and peaty gleys and as such Scottish Water would welcome consideration of the precautions specific to protecting drinking water in peatland areas and any opportunities for peat restoration.	Noted. Scottish Water will be kept informed ahead of any construction works occurring on site and will be consulted through the planning condition discharge process to agree pollution prevention measures set out within a CEMP.  Opportunities for peatland restoration and enhancement will be considered as part of the Geology, Hydrology & Hydrogeology chapter of the EIA Report.	N/A
	No comments with regard to water resource (quantity) impacts other than those already contained in Scottish Water guidelines-particularly that drainage is not directed out of the catchments.	Noted. The Geology, Hydrology and Hydrogeology chapter of the EIA Report will detail all relevant guidance considered within the assessment, including reference where relevant to Scottish Water guidelines.	N/A



Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
	Request the shapefiles of the infrastructure with which they can further review the borderline turbines	Noted.	Further consultation with Scottish Water to confirm turbine locations in relation to the drinking water catchment area will be undertaken once design freeze has been reached.
	Requests that the fact that the area is within a drinking water catchment should be noted in future documentation.	Noted.	N/A
	Directs to Scottish Water protection measures to be taken in a Drinking Water Protection Area (DWPA).	Noted. Scottish Water will be kept informed ahead of any construction works occurring on site and will be consulted through the planning condition discharge process to agree pollution prevention measures set out within a CEMP.  The Geology, Hydrology & Hydrogeology chapter of the EIA Report will include details of appropriate mitigation measures to protect water quality and the DWPA.	N/A
The Coal Authority	Confirms that the site lies within the coalfield but is outwith the Development High Risk Area, meaning that there are no recorded coal mining legacy hazards at shallow depth that could pose a risk to land stability at the surface and / or a risk to public safety. As such, advises that there is no requirement to consider coal mining legacy as part of the EIA.	Noted.	N/A
	Notes that the Coal Authority's records indicate surface coal resource on the site. Those authorities with responsibility for minerals planning and safeguarding will have identified where they consider minerals of national importance are present in the area and related policy considerations.	Noted.	N/A
	Advises that as part of the planning application decision making process consideration should be given to such advice in respect of the indicated surface coal resource.	Noted.	N/A



## 4.8 Traffic and Transport

The following comments were received as part of the EIA Scoping Opinion on traffic and transport.

*Table 4-10 – EIA Scoping Opinion – Traffic and Transport*

Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
Midlothian Council	Where the construction and access route passes through Midlothian, the Council requests that its Road and Planning Services are consulted and kept fully informed in the development of the proposal.	Noted.	Midlothian Council's Road and Planning Services will be consulted and kept fully informed during the development of the proposal.
	State that their baseline requirements during any consultation is that any accommodation measures required on the public road network through Midlothian, including the removal of street furniture, removal of lighting columns, junction widening, over-run areas, temporary traffic management etc. require to be agreed with Midlothian Council Road Services prior to work commencing on site.	Noted. These matters will be agreed in full consultation with Midlothian Council Road Services prior to work commencing on site.	Further consultation will be undertaken with Midlothian Council's Road Services.
	Draws attention to the Tynehead Railway Bridge close to the B6458/B6367. This is a Network Rail owned bridge with imposed weight limits of between 41 t and 54 t gross vehicle weight, depending on the category of the abnormal load vehicle. As such, the Council suggests consulting with Network Rail.	Noted.	Consultation with Network Rail will be undertaken.
	Notes that the length of the loads could be an issue for the Midlothian road network more generally, in particular at the junctions (A68/ B6458; B6458/ B6367; B6367/ A7; A7/ B7007) and tight bends e.g. the relatively tight bend immediately west of Tynehead Railway Bridge. Midlothian Council recommend that the Transport Assessment look at all these issues in more detail.	Noted. This will form part of the Transport Assessment.	N/A
	Comments that any accommodation works will require Roads (Scotland) Act 1984 Section 56 consent and required to be carried out by the hauliers/ developers appointed roadworks contractor and at the expense of the developer.	Noted.	N/A



Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
	Midlothian Council requests that full and exact details of the proposed construction and access routes and points are identified and assessed as part of the EIA. This should include proposed widths and finishes to any temporary or permanent access tracks, and any other infrastructure.	Noted. This will be considered as part of the Traffic and Transport chapter of the EIA Report.	N/A
	States that the EIA needs to be accompanied by a full swept path analysis. The Council's starting position is that there should be no loss of trees and hedges and everything possible should be done to retain them. The extent of potential impact on trees and hedgerows should be identified, assessed and mitigation measures, if necessary, set out.	A full swept path analysis will be completed as part of the Traffic and Transport chapter of the EIA Report.	N/A
Transport Scotland	Transport Scotland agree with the proposed methodology for the assessment of access, traffic and transport during the construction of the development.	Noted.	N/A
	Transport Scotland would state that potential trunk road related environmental impacts such as driver delay, pedestrian amenity, severance, safety etc will require to be considered and assessed where appropriate.	This will be considered as part of the Traffic Assessment within the Traffic and Transport chapter of the EIA Report.	N/A
	State that they are satisfied with the traffic data collection approach and note that where significant changes in traffic are not noted in any link, no further assessment needs to be undertaken. Request that the Department for Transport 'estimated' traffic flows are not used in the assessment.	Noted. The Department for Transport 'estimated' traffic flows will not be used in the assessment.	N/A
	Agree that it is acceptable to scope out operational impacts at this stage.	Noted.	N/A
	Note that for the Abnormal Loads Assessment, Transport Scotland will require to be satisfied that the size of turbines proposed can negotiate the selected route and that their transportation will not have any detrimental effect on structures within the trunk road route path.	Noted. This will be addressed in the Route Survey Report, which will form an appendix to the Traffic and Transport of the EIA Report.	N/A
	A full Abnormal Loads Assessment report should be provided with the EIA Report that identifies key pinch points on the trunk road network. Swept path analysis should be undertaken and details provided with regard to any required changes to street furniture or structures along the route.	As above. A swept path analysis will be undertaken as part of the Traffic and Transport chapter of the EIA Report.	N/A



Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
	Welcome the development of a Construction Traffic Management Plan and request it is forwarded when available.	Noted.	A Construction Traffic Management Plan will be provided to Transport Scotland for comment once available.

## 4.9 Noise

The following comments were received as part of the EIA Scoping Opinion on noise.

*Table 4-11 – EIA Scoping Opinion - Noise*

Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
ECU	State that the noise assessment should be carried out in line with relevant legislation and standards as detailed in section 10 of the Scoping Report. The noise assessment report should be formatted as per Table 6.1 of the IOA "A Good Practice Guide to the Application of ETSU-R-97 for the Assessment and Rating of Wind Turbine Noise."	This will be addressed within the Noise chapter of the EIA Report.	N/A
Midlothian Council	State that they are content with the scope and methodology proposed in the EIA Scoping for noise assessment is acceptable.	Noted.	N/A

## 4.10 Socio-Economics Assessment

The following comments were received as part of the EIA Scoping Opinion on socio-economics.



**Table 4-12 – EIA Scoping Opinion – Socio-economics**

Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
Midlothian Council	Requests that Sustrans Scotland are included as consultees and notes that a section of National Cycle Network (NCN) Route 1 utilises the B7007 road near Middleton to the B7009 junction and from this point to the A72 at Innerleithen.	Noted. A suggested consultee list for the application is provided in <b>Appendix 2</b> . Impacts on access and recreation will be assessed in the Socio-economics chapter of the EIA Report.	N/A
ScotWays	Notes that rights of way LM173 and BE1 as recorded in the National Catalogue of Rights of Way (CROW) cross or are close to the site. Notes that route number 39 Leadburn to Heriot [HT43] crosses or is close to the site.	Noted. Turbines have been sited at an appropriate distance from public rights of way and the impacts on access and recreation will be assessed in the Socio-economics chapter of the EIA Report.	N/A
	Refers the applicant to Catalogue of Rights of Way Guidance Notes.	The Socio-economics chapter will detail all relevant guidance considered within the assessment, including reference where relevant to the Catalogue of Rights of Way Guidance Notes.	N/A
	Recommends that <i>"a minimum distance, equivalent to the height of the blade tip, from the edge of any public highway (road or other public right of way) or railway line"</i> and states ScotWays will likely object to any proposal where this is not followed.	Noted. As above, turbines have been sited at an appropriate distance from public highways and public rights of way. There are no railways in the immediate vicinity.	N/A
	Requests the Applicant appropriately consider recreational amenity and landscape impacts.	Noted. The Applicant will take into account both recreational amenity and landscape impacts as a result of the Proposed Development.	N/A
	States that public access rights must be respected and suggest that the applicant may wish to approach the relevant authority's access team for their input when drawing up their Access Management Plan for their Proposed Development.	Noted.	Midlothian Council will be consulted and kept fully informed during the development of the proposal and the drafting of the Access Management Plan.
John Muir Trust	State that they have no comment to make.	No response required.	N/A



## 4.11 Aviation and Radar

The following comments were received as part of the EIA Scoping Opinion on aviation and radar.

**Table 4-13 – EIA Scoping Opinion – Aviation and Radar**

Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
ECU	Minsters are aware that the development falls within the statutory safeguarded area around Eskdalemuir Seismological Recording Station and that the present noise budget has been reached. Requests that the applicant keep up to date with the information provided by the Eskdalemuir Working Group (EWG) and contact the Defence Infrastructure Organisation (DIO) to discuss possible mitigation measures.	Noted. The Applicant is aware that some of the Proposed Development's turbines sit within 50 km of the Eskdalemuir Seismic Measurement Facility. The Applicant is keeping up to date with the Eskdalemuir Working Group and will consult the DIO to discuss possible mitigation measures once there is more clarity on the changes to MoD and Scottish Government policy.	Further consultation will be undertaken with the DIO once further updates are provided by the EWG.
Aberdeen International Airport	The Proposed Development is located outwith Aberdeen International Airport's consultation zone and as such Aberdeen Airport have no comment to make and need not be contacted further.	No response required.	N/A
Defence Infrastructure Organisation (DIO) (part of the Ministry of Defence (MOD))	Advises that the development falls within Low Flying Area 14 (LFA 14), an area within which fixed wing aircraft may operate as low as 250 feet or 76.2 metres above ground level to conduct low level flight training. The addition of turbines in this location has the potential to introduce a physical obstruction to low flying aircraft operating in the area.	Visible aviation lighting will be implemented and specified in the EIA Report to mitigate low flying impacts.	N/A
	The proposed application site falls within the statutory consultation zone of the seismological recording station at Eskdalemuir (the array), a UK asset that contributes to the Comprehensive Nuclear Test Ban Treaty. Research has confirmed that wind turbines of current design generate seismic noise which can interfere with the operational functionality of the array. At this time, there is no noise budget available in respect of this Section 36 application. Therefore, the MOD object to this application due to the unacceptable impact the proposed wind energy development would have upon the array.	The Applicant is aware that some of the Proposed Development's turbines sit within 50 km of the Eskdalemuir Seismic Measurement Facility. Resolution of the Eskdalemuir objection to any wind farm development within the consultation zone will be dependent on changes in MoD and Scottish Government policy which are currently under consideration. Effect on the Eskdalemuir facility, along with appropriate mitigation will be assessed in the context of the emerging policy.	Further consultation will be undertaken with the DIO once further updates are provided by the EWG.
	Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding	Noted.	The DIO will be consulted on any amendments to the Proposed Development's design.





Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
	<p>requirements and cause adverse impacts to safeguarded defence assets or capabilities. As such the MOD should be consulted in the event of an amendment, whether considered material or not.</p> <p>Notes that the MOD would require that conditions are added to any consent issued requiring that the development is fitted with aviation safety lighting and that sufficient data is submitted to ensure that structures can be accurately charted to allow deconfliction. As a minimum the MOD would require that the development be fitted with MOD accredited aviation safety lighting in accordance with the Air Navigation Order 2016.</p>	<p>Aviation lighting will be implemented to mitigate impacts to military low flying. Details of these will be included in the Aviation chapter of the EIA Report.</p> <p>The DIO will be consulted ahead of the lighting scheme being submitted to the Civil Aviation Authority.</p>	<p>Further consultation will be undertaken with the DIO.</p>
Edinburgh Airport	<p>Edinburgh Airport object to the development in the interest of aviation safety. Advises that no turbine tower of any turbine may be erected, unless and until such time as the Local Planning Authority receive confirmation from the Airport Operator in writing that: (a) an Instrument Flight Procedure (IFP) Assessment has demonstrated that an IFP Scheme is not required; or (b) if an IFP Scheme is required such a scheme has been approved by the Airport Operator; and (c) if an IFP Scheme is required the Civil Aviation Authority has evidenced its approval to the Airport Operator of the IFP Scheme (if such approval is required); and (d) if an IFP Scheme is required the scheme is accepted by NATS AIS for implementation through the AIRAC Cycle (or any successor publication) (where applicable) and is available for use by aircraft.</p>	<p>Consultation is ongoing with Edinburgh Airport to address the impacts identified and agree on appropriate mitigation strategies where required.</p>	<p>Consultation is ongoing with relevant aviation stakeholders.</p>
Glasgow Airport	<p>The Proposed Development does not conflict with safeguarding criteria. Glasgow Airport therefore have no objection to the proposal.</p>	<p>No response required.</p>	<p>N/A</p>
Glasgow Prestwick Airport	<p>The Proposed Development lies outwith the Glasgow Prestwick Airport (GPA) safeguarding area and consequently GPA have no comment to make.</p>	<p>No response required.</p>	<p>N/A</p>



Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
Highlands and Islands Airport Limited (Dundee Airport)	The Development would not infringe the safeguarding criteria and operation of Dundee Airport.	No response required.	N/A
NATS Safeguarding	The Proposed Development does not conflict with NATS safeguarding criteria and as such NATS has no safeguarding objection to the proposal.	No response required.	N/A

## 4.12 Other Matters

The following comments were received as part of the EIA Scoping Opinion on other technical subjects.

*Table 4-14 – EIA Scoping Opinion – Other Matters*

Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
<b>Telecommunications</b>			
BT	BT acknowledges that the Proposed Development should not cause interference with its current and presently planned radio network.	No response required.	N/A
JRC	The proposal is cleared with respect to radio link infrastructure operated by local energy networks.	No response required.	N/A
The Met Office	The proposal is located approximately 50km away from the nearest meteorological radar, Munduff Hill. As the consultation zone is 20km, the Met Office have no comment to make.	No response required.	N/A
Heriot Community Council	Notes that there is a small met mast operated by Borders Online Community Interest Company on the ridgeline near Torfichen Hill and that is used to supply broadband to local people and suggests further consultation to ascertain potential impacts.	The Proposed Development's design process has taken into consideration the potential for impacts on telecommunications infrastructure and has been designed to avoid direct impact on any identified links. Consultation will continue to be carried out with relevant providers to clarify that no links will be impacted by the Proposed Development.	Further consultation with telecommunication operators will be undertaken at design freeze.



Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
<b>Infrastructure</b>			
Midlothian Council	Advises that there is a Gas Pipeline constraint, which is located in the northern half of the site near the proposed turbines T9, T13, T15 and T19.	Noted. Turbines have been sited at an appropriate distance away from the gas pipeline.	N/A
	Midlothian Council requests to be informed of applications for grid connection access for this proposal at the appropriate future stage(s).	Noted. As per the Scoping Report, the specific configuration of the grid connection between the wind farm and the grid network is not yet finalised. It is hoped that all grid connection infrastructure will be within the red line boundary of the Proposed Development's S36 application. If this is the case, the potential grid connection options will be described in the EIA Report and consideration of the environmental effects of the indicative grid connection included within the assessment. If the grid connection between the wind farm and the grid network is not within the red line boundary of the S36 application, the grid connection will be subject to a separate application under Section 37 of the Electricity Act 1989.	Midlothian Council will be informed of applications for grid connection access for the Proposed Development at the relevant stage.
<b>Forestry</b>			
Midlothian Council	State that they are content with the approach suggested in the EIA Scoping, so long as the potential impact on the areas of long-established woodland of plantation origin is fully considered in the ecology assessment.	The potential impact on the areas of long-established woodland of plantation origin will be fully considered as part of the Ecology Chapter of the EIA Report.	N/A
Scottish Forestry	Agree that forestry can be scoped out of the EIA as the development has no effect on any woodland. If this changes Scottish Forestry would wish for further consultation.	Noted.	Further consultation will be initiated with Scottish Forestry if the anticipated impacts on woodland are expected to change.
<b>Air Quality</b>			
Midlothian Council	Midlothian Council are content that the scope and methodology proposed in the EIA Scoping for air quality assessment is acceptable.	No response required.	N/A



Consultee	Scoping Comment	Response to Consultee	Further EIA Consultation
<b>Land</b>			
Crown Estate Scotland	The assets of Crown Estate Scotland are not affected by the Proposed Development. As such Crown Estate Scotland have no comment to make.	No response required.	N/A
Office for Nuclear Registration (part of the Health and Safety Executive)	Office for Nuclear Registration has no comment to make on the Proposed Development as does not lie within a consultation zone for a GB nuclear site.	No response required.	N/A





## 5. Programme to Submission

The anticipated timeline for the submission of the application is as follows:



The ECU will be notified of any changes to the above programme ahead of time.

A suggested consultee list for the application is provided in **Appendix 2**.

Hard copies of the EIA Report will be made available for inspection at public locations at the time of submission. Electronic copies of the EIA Report will be available to view online from the project website and on the Scottish Government ECU website.

Adverts will be placed for two consecutive weeks in the following local and national papers at the time of application:

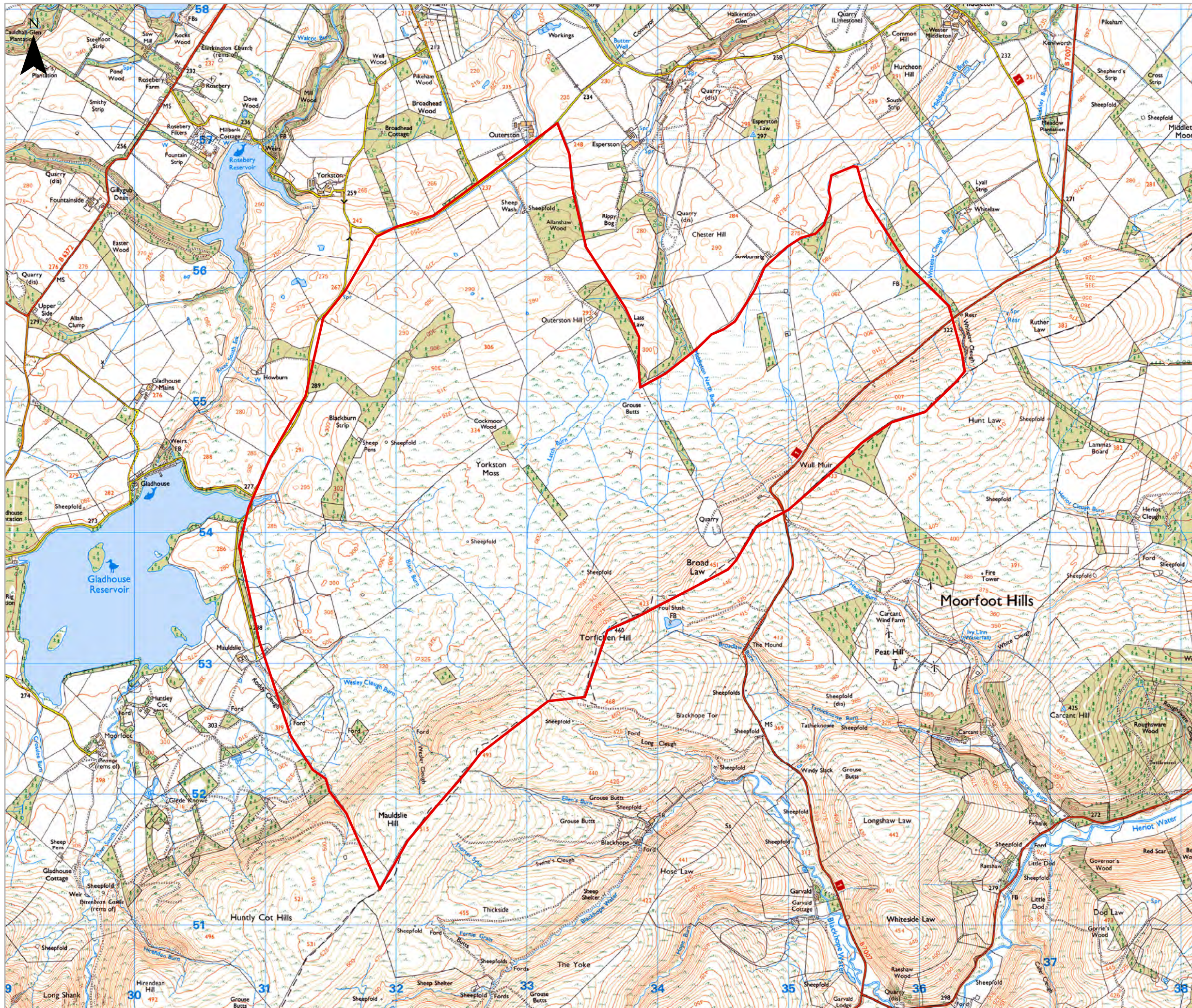
- Local newspaper to be agreed (two weeks);
- The Scotsman, or other national paper (one week); and
- Edinburgh Gazette (one week).

The above locations and advertisements will be confirmed with the ECU and Midlothian Council at Gatecheck Stage 2, at least two weeks prior to the submission of the application. The Applicant will inform the ECU of any changes to the proposed programme and submission of the application at the earliest opportunity.



# Figures





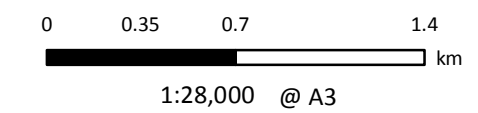
KEY

 Site Boundary



Coordinate System: British National Grid  
Projection: Transverse Mercator

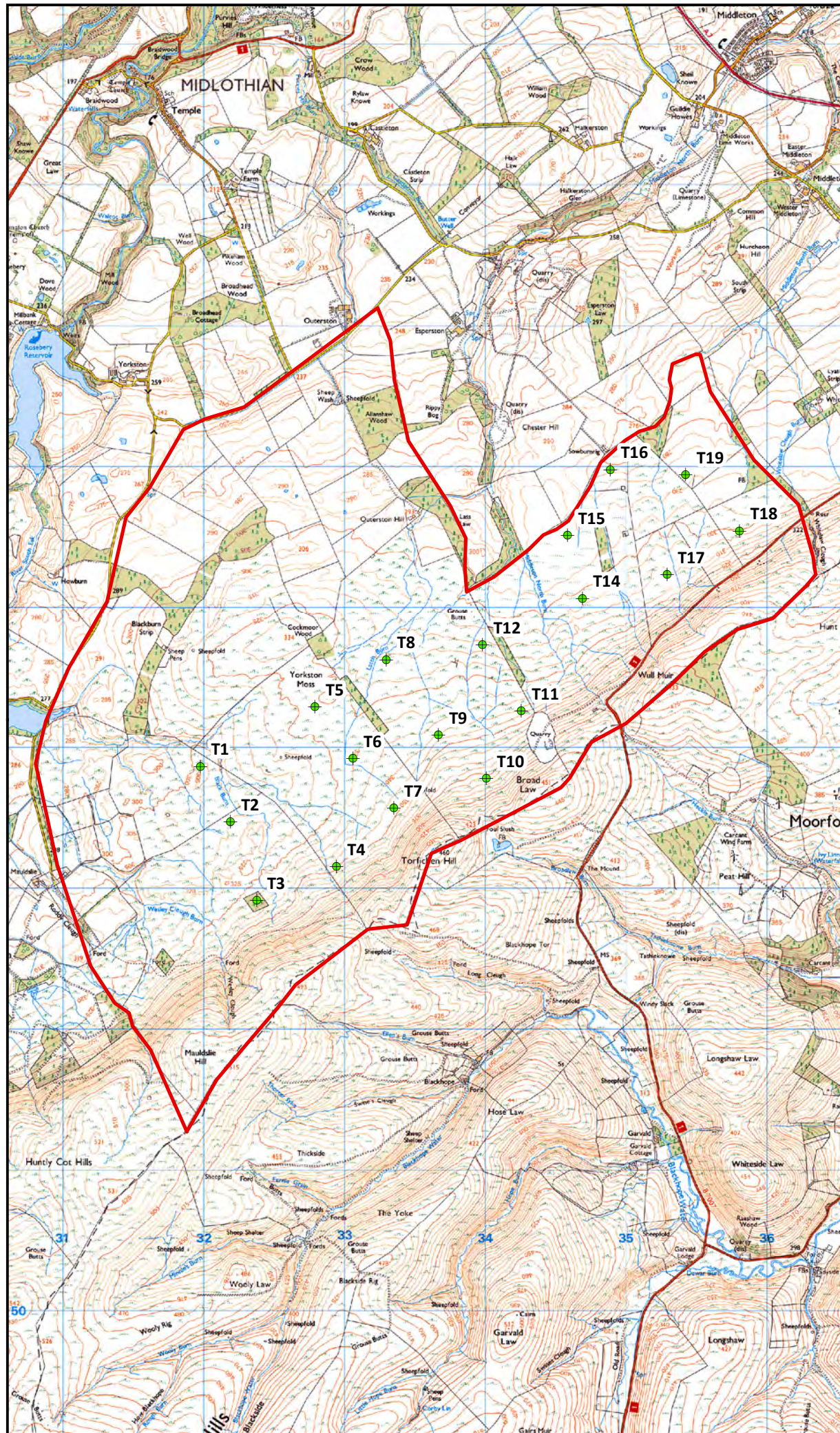
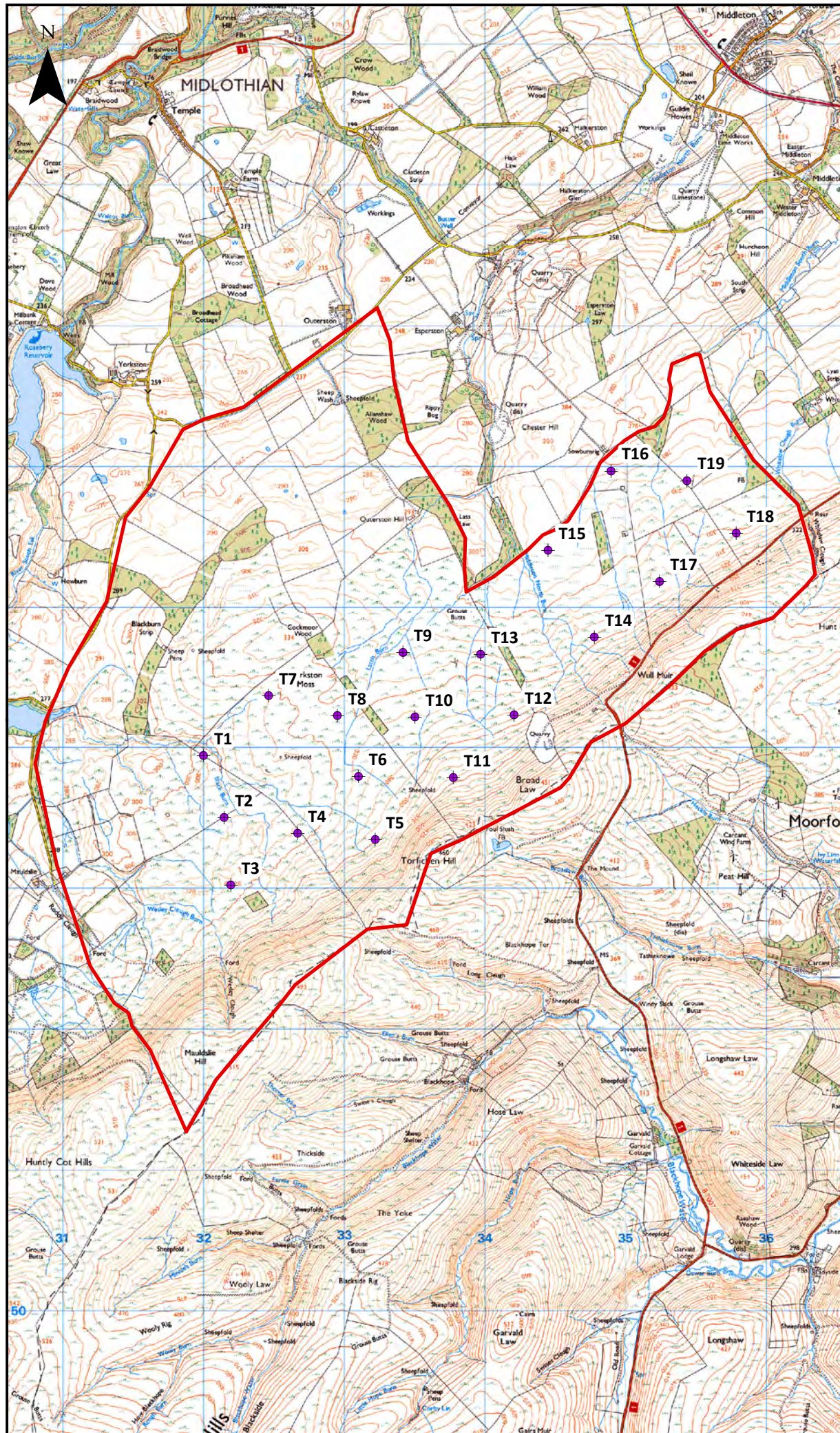
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Torfichen Wind Farm  
Gatecheck 1 Report

**Figure 1**  
Site Location Plan

Date:	Lead:	Review:	Version:
15/06/2023	CK	GS	1.0

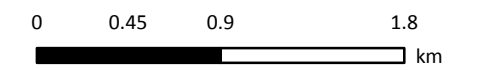


**KEY**

- Site Boundary
- ◆ Turbine Layout A
- ◆ Turbine Layout B

Coordinate System: British National Grid  
 Projection: Transverse Mercator

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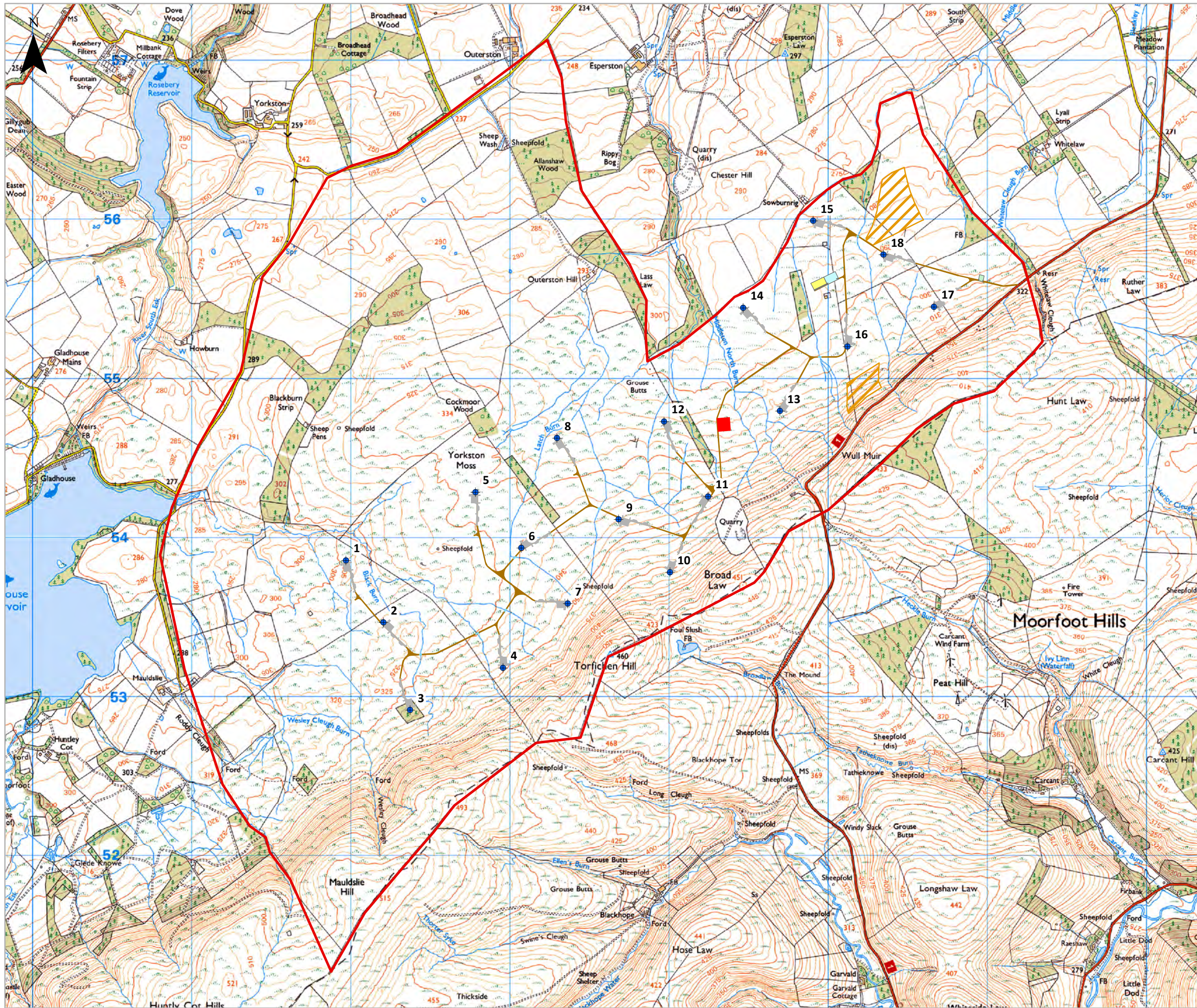


Torfichen Wind Farm  
 Gatecheck 1 Report

**Figure 2**  
 Design Iteration - Layouts A & B

Date: 23/06/2023	Lead: CK	Review: GS	Version: 1.0
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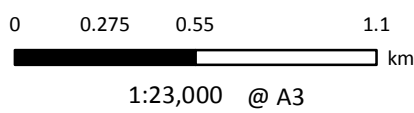




- KEY**
- Site Boundary
  - + Indicative Turbine Locations
  - Battery Storage Compound
  - Hardstandings
  - Substation
  - Temporary Construction Compound
  - Temporary Enabling Works Compound
  - Tracks
  - Watercourse Crossings
  - Borrow Pit Search Areas

Coordinate System: British National Grid  
 Projection: Transverse Mercator

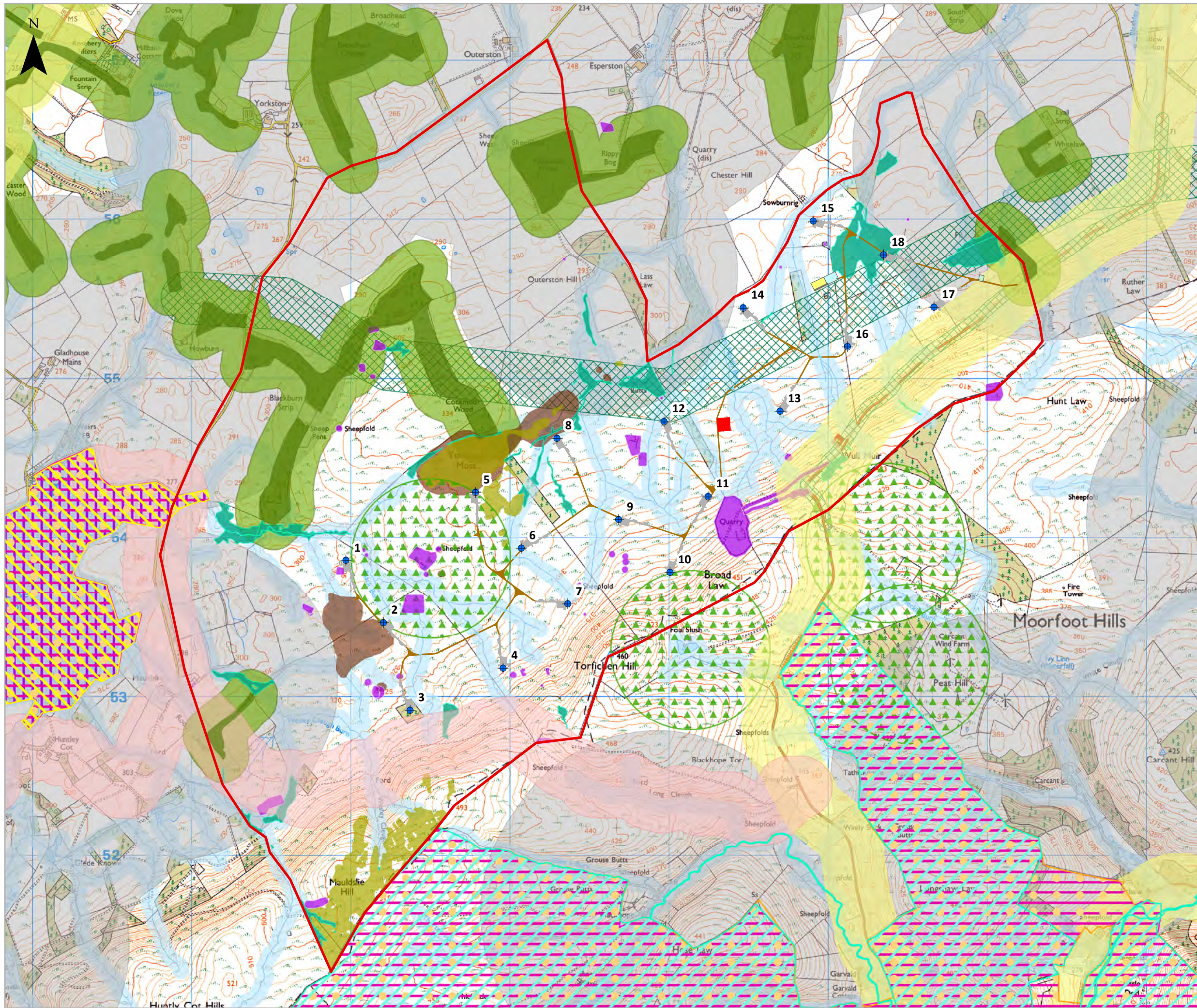
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Torfichen Wind Farm  
 Gatecheck 1 Report

**Figure 3**  
**Design Iteration - Layout C 'Design Chill'**

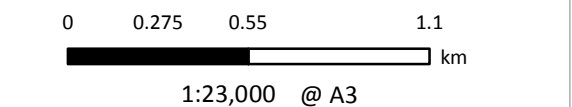
Date: 26/06/2023	Lead: CK	Review: GS	Version: 1.0
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- KEY**
- Site Boundary
  - Indicative Turbine Locations
  - Battery Storage Compound
  - Hardstandings
  - Substation
  - Temporary Construction Compound
  - Temporary Enabling Works Compound
  - Tracks
  - Watercourse Crossings
  - Special Areas of Conservation
  - Sites of Special Scientific Interest
  - Ramsar
  - Important Bird Area
  - Special Protection Areas
  - Groundwater Dependant Terrestrial Ecosystems
  - Bird Breeding Areas
  - Ancient Woodland Buffer
  - Blanket Bog
  - Deep Peat
  - Archaeological Buffer
  - Core Path Buffer
  - Roads Buffer
  - Gas Pipeline Buffer
  - Residential Property Buffer
  - Watercourse Buffer

Coordinate System: British National Grid  
 Projection: Transverse Mercator

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Torfichen Wind Farm  
 Gatecheck 1 Report  
**Figure 4**  
**Design Chill and Onsite Constraints**

Date:	Lead:	Review:	Version:
26/06/2023	CK	GS	1.0



# Appendix 1: LVIA Viewpoints

The final list of viewpoints proposed to be included in the LVIA is:

No	Location	Detail
1	A7: Middleton Mains	Proposed in Scoping Report
2	B7007: Broad Law corner	Proposed in Scoping Report
3	B6372: Mount Lothian area	Proposed in Scoping Report
4	A702: Hillend area	Proposed in Scoping Report
5	A702: Junction with A766	Proposed in Scoping Report
6	A702: Lawhead Farm	Proposed in Scoping Report
7	A703: Layby south of Craighburn	Proposed in Scoping Report
8	A7: North Middleton	Proposed in Scoping Report
9	Gladhouse Reservoir	Proposed in Scoping Report
10	Arniston House	Proposed in Scoping Report
11	Scald Law, Pentlands	Proposed in Scoping Report
12	Minor Road, near Yorkston Farm	Proposed in Scoping Report
13	Whiteside Law	Proposed in Scoping Report
14	Blackhope Scar	Proposed in Scoping Report
15	Arthur's Seat, Edinburgh	Proposed in Scoping Report
16	Gorebridge	Requested by Midlothian Council
17	Roslin	Requested by Midlothian Council
18	Bonnyrigg	Requested by Midlothian Council
19	Fala Common	Requested by Midlothian Council
20	Lauder Common	Requested by Scottish Borders Council
21	B632 – Fountainside	Requested by Heriot Community Council

The following represents a list of further three locations where a wireline only would be produced:

No	Location	Detail
1	Nettlingflat	Requested by Heriot Community Council
2	Corsehope Rings	Requested by Heriot Community Council
3	Soutra Aisle	Requested by Heriot Community Council



## Appendix 2: Consultee List

Consultee	
Aberdeen Airport	Mountaineering Scotland
British Horse Society	NATS Safeguarding
British Telecommunications plc (BT)	Network Rail
Civil Aviation Authority – Airspace	Oban Airport
Crown Estate Scotland	Office for Nuclear Regulation
Defence Infrastructure Organisation (DIO)	RSPB Scotland
Edinburgh Airport	Scottish Borders Council
Forth Fisheries Management Scotland	Scottish Forestry
Forth Fisheries Trust	Scottish Water
Forth District Salmon Fisheries Board	Scottish Wildlife Trust
Glasgow Airport	Scottish Wild Land Group
Glasgow Prestwick Airport	ScotWays
Gorebridge Community Council	Sustrans Scotland
Heriot Community Council	The Met Office
Highland and Islands Airport Limited	The Coal Authority
John Muir Trust	Transport Scotland
Joint Radio Company (JRC)	Tynewater Community Council
Marine Science Scotland (MSS)	Visit Scotland
Moorfoot Community Council	



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