



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

By email: econsents_admin@gov.scot

[redacted s38(1)]

Energy Consents Unit
4th Floor, 5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Ruth.Cameron@hes.scot

T: 0131 668 8657

Our case ID: 300020287

19 March 2020

Dear [redacted s38(1)(b)]

Electricity Act 1989 - the consented Stornoway Wind Farm - extension of date by which development must commence

Thank you for your consultation on the above, which we received on 9 March. We can confirm that the proposed extension does not alter the impacts of the proposed development on our historic environment interests.

Our interests cover scheduled monuments and their settings, listed buildings and their settings, Inventory gardens and designed landscapes, Inventory battlefields, and World Heritage Sites.

The relevant local authority archaeology and conservation services will also be able to offer advice on the historic environment. This may include issues beyond the scope of our interest, such as unscheduled archaeological remains and category B and C listed buildings.

We hope this letter is helpful to you. If you have any questions about it, please contact our case officer, whose details are given at the top of this letter.

Yours sincerely

Historic Environment Scotland

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

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**

Our ref: PCS/170493
Your ref:

If telephoning ask for:
Aden McCorkell

26 March 2020

[redacted s38(1)(b)]

Energy Consents Unit
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

By email only to: [redacted s38(1)(b)]

Dear [redacted s38(1)(b)]

**The Electricity Act 1989
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations
2000
Stornoway Wind Farm (Variation of Section 36 consent) - Extension of the
implementation date for the Section 36 consent
West of Stornoway Isle of Lewis**

Thank you for your consultation email which SEPA received on 9 March 2020, specifically seeking our views on whether any proposed extension of time to the existing Section 36 consent for the Stornoway Wind Farm would present any planning or environmental issues.

We note that consent was originally granted for Stornoway Wind Farm on 7 September 2012 and a time extension was granted on 17 June 2017 for implementation of the consent by 6 September 2020. It is now our understanding that another extension to the timescale for implementation of the consent is being requested for a further three years, until 7 September 2022.

Paragraph 37 of the *Guidance Note - Applications for variation of section 36 consents* states that “a standard condition of any section 36 consent is that development must commence within five years of the consent, or such other period as the Scottish Ministers may thereafter direct... On varying a section 36 consent it is open to the Scottish Ministers under section 57(2) to make a direction for planning permission to be deemed to be granted afresh.... Where a new development consent is sought a new EIA report for the development may be required. The new EIA report should take account of the current state of the environment, current knowledge and methodologies.” We consider that such an amount of time has passed that the consented proposal would now benefit from a review of updated knowledge and methodologies.

We highlight that if this extension is granted, a ten year period will potentially exist between consent and implementation of the development. We note that a new proposal at this site is currently being proposed which represents a re-design of the consented scheme. Based on current best practice and guidance the proposed new scheme on site has stated that “the amount of

turbines, length of access track and amount of associated excavations have all been reduced compared with the previously consented scheme.” We therefore consider that it has been so long now since the original scheme was designed and the mitigation measures in relation to peat were considered that these aspects need to be considered again. Given the increasing concern around carbon emissions and Climate Change, there is a need for renewable projects to be designed in a way that minimises carbon losses from disturbed peatlands, which are equally important in combating Climate Change.

Best practice in terms of avoidance and mitigation measures in relation to projects on peat has moved on since 2012. It is clear that the re-design of a new wind farm proposal on this site is demonstrating less environmental impact than that proposed by the consented scheme. We therefore consider that at the very least, aspects pertaining to disturbance of peatlands, minimisation of carbon loss and impacts on Climate Change need to be reviewed.

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

Yours sincerely

Aden McCorkell
Senior Planning Officer
Planning Service

Disclaimer

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

For existing windfarms, those at a mature stage in the development cycle, or those that have undertaken pre-consultation with HIAL, we will continue to work with developers to minimise any surveillance issues that may arise.

We will contact all known renewable energy developers and aviation consultants to advise our current position and we will be keeping in close consultation with them throughout the evolving process. Therefore, we would appreciate a timeous response confirming our proposal is acceptable.

In the absence of definitive surveillance type and location, we do not deem a planning condition to be appropriate at this time.

Please note we fully support government strategy and policy in regards to renewables and we do not intend to act as an unnecessary barrier to renewable energy developments. Our aspiration is to remove as many holding objections as quickly as possible.

Should you have any questions or queries please don't hesitate to contact us at safeguarding@hial.co.uk or 01667 464209.

Yours sincerely,

Safeguarding Manager
Highlands and Islands Airports Limited
Head Office, Inverness Airport, Inverness IV2 7JB
✉ safeguarding@hial.co.uk 🌐 www.hial.co.uk

Our ref: PCS/170799
Your ref: None

SEPA contact:
Susan Haslam

2 April 2020

[redacted s38(1)(b)]

Energy Consents Unit

By email only to: [redacted s38(1)(b)]

Dear [redacted s38(1)(b)]

**The Electricity Act 1989
Stornoway Wind Farm (Variation of Section 36 consent)
Extension of the implementation date for the Section 36 consent**

Following your phone conversation with my colleague Aden McCorkell on 30 March 2020 SEPA can confirm that we would have no objection if you supported up to a two year extension to the implementation date of the windfarm.

This is however on the understanding that all subsequent submissions to discharge conditions will follow current best practice, and micro-siting and other measures will be used to reduce the impact of the development on peat.

If you have any queries relating to this letter, please contact me by e-mail at planning.dingwall@sepa.org.uk. Please note that Aden McCorkell is now on maternity leave.

Yours sincerely

Susan Haslam
Senior Planning Officer
Planning Service

Disclaimer

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

From: Morag Ferguson - Dev | G <mferguson@cne-siar.gov.uk>
Sent: 06 April 2020 22:41
To: [redacted s38(1)(b)]; [redacted s38(1)(b)]; [redacted s38(1)(b)]
Subject: FW: HIAL - Radar Safeguarding Strategy
Attachments: HIAL Radar Safeguarding Strategy.docx

Importance: High

[redacted s38(1)(b)]

See attached from Highlands and Islands Airport re the new ATC proposal in development for their airports; This may impact on timescales for Stornoway Windfarm.

Mòrag NicFhearghais | Manaidsear Dealbhaidh, (Rianadh Leasachaidh) | Roinn nan Coimhearsnachdan | Comhairle nan Eilean Siar | Baile a' Mhanaich | Beinn na Faoghla | Benbecula | HS7 5LA | mferguson@cne-siar.gov.uk |
Fon: [redacted s38(1)(b)] | Facs: [redacted s38(1)(b)] | Ext 330838

From: Karen Banks [mailto:KBanks@hial.co.uk]
Sent: 03 April 2020 13:46
To: Safeguarding
Subject: HIAL - Radar Safeguarding Strategy
Importance: High

[External Email]

Good afternoon,

Please find enclosed a correspondence letter regarding our proposed radar safeguarding strategy at HIAL, following government approval of our Air Traffic Management Strategy Programme.

HIAL will imminently be engaging with known renewable energy developers, however, we would be very grateful for a timeous response confirming if our proposal is acceptable before doing so.

We would also be grateful if you could disseminate to all relevant personnel within your organisation.

Any questions or queries please don't hesitate to get in touch.

Best regards,

Safeguarding Team
Highlands and Islands Airports Limited
Head Office, Inverness Airport, Inverness IV2 7JB
☎ [redacted s38(1)(b)]
✉ safeguarding@hial.co.uk 🌐 www.hial.co.uk

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Date: 03 April 2020

Dear Sir/Madam,

RADAR SAFEGUARDING – HIGHLANDS & ISLANDS AIRPORTS LIMITED (HIAL)

We are currently reviewing our safeguarding requirements at Dundee, Kirkwall, Stornoway, Sumburgh and Wick John O’Groats Airports.

Following an independent scoping study to assess the options for Air Navigation Service Provision (ANSP) at HIAL’s 11 airports, the Scottish Government gave approval for HIAL’s Air Traffic Management Strategy (ATMS) programme. This programme, designed to future-proof air navigation services for the Highlands and Islands, aims to introduce state-of-the-art air traffic management systems with radar surveillance capability at Dundee, Kirkwall, Stornoway and Wick John O’Groats Airports. Whilst we are still in the early stages of the programme, we anticipate Primary and Secondary Surveillance Radar (PSR/SSR) will be introduced at each site. Sumburgh currently has radar coverage which is provided by a third party, however, HIAL will also assume responsibility for safeguarding this facility moving forward. To that end (and in accordance with CAP 764) HIAL have begun radar safeguarding at all five sites.

In terms of specifics, we anticipate being able to determine the surveillance equipment and locations by the end of 2020. However, in the interim, to ensure any applicable developments will not endanger the safe operation of aircraft, we will radar safeguard to a range of 40 nautical miles from the Aerodrome Reference Point for Dundee, Stornoway, Kirkwall, Sumburgh and Wick John O’Groats Airports. This is based on 40 nautical miles being the likely Designated Operational Coverage at these aerodromes.

The developments most likely to significantly impact surveillance safeguarding are those of a non-stationary nature, such as wind farm developments or any new roads or railways. Any developments of a static nature are extremely unlikely to impact, unless in very close proximity to the radar and of significant height.

HIAL’s intention is to place a holding objection, only where strictly necessary, based on the 40 nautical mile parameter, until the exact surveillance equipment and locations are confirmed. On confirmation of this information, the application will immediately be re-assessed and processed accordingly. We will be in a position to remove the objection or advise whether a surveillance impact is envisaged and further assessment is required.

Whilst the surveillance programme is at an early stage and without commitment, we don’t anticipate all wind farms with a holding objection as having an unacceptable impact.