



John Muir Trust
Tower House
Station Road
Pitlochry
PH16 5AN

Ms Carlyne Paton
Senior Case Officer
Energy Consents Unit
The Scottish Government
Energy Consents Unit planning reference: ECU00001930
Sent by email: Econsents_Admin@gov.scot

10 January 2023

Dear Ms Paton,

Further comments in response to Revised Draft NPF4: Achany Extension Wind Farm proposal

We welcome the opportunity to provide further comments on SSE Generation Ltd's ('SSE') application for the Achany Extension Wind Farm (Energy Consents Unit reference ECU00001930) ('the Proposed Development') following the publication of the Revised Draft National Planning Framework 4 ('Revised Draft NPF4'). We understand that the Revised Draft NPF4 is still to be approved by the Scottish Parliament before it can be formally adopted, however we are grateful for the opportunity to respond at this stage.

We previously submitted an objection to the Glencassley Wind Farm ('Glencassley') (dated 3 August 2012) which was refused by Scottish Ministers on 17 November 2015. We maintained our objection to the development in its current form as the Proposed Development on 26 August 2021 and again on 24 May 2022 in response to the Additional Information (3 May 2022). Our objection was based on a number of grounds, including the significant adverse impact on wild land and peatlands. The John Muir Trust supports the Scottish Government's bold and ambitious net zero by 2045 target and understands the role that renewables, including onshore wind, have in meeting this target. However, our concerns over the impact of this development remain.

Specific points in response to Revised Draft NPF4

The policies referred to below are within the Revised Draft NPF4.

Wild Land

Under Policy 4(g)(i) development proposals within Wild Land Areas ('WLA') will be supported where the proposal '*will support meeting renewable energy targets*'. The John Muir Trust has questioned the practicality of this test with the Scottish Government as it is not clear in what circumstances it could be shown that a renewable energy development does *not* support renewable energy targets.

Policy 4(g) states that proposed developments within WLAs should be accompanied by a wild land impact assessment ('WLIA') setting out *'how design, siting, or other mitigation measures have been and will be used to minimise significant impacts on the qualities of the wild land'*. The Proposed Development sits within the Reay-Cassley WLA. We believe that the WLIA fails to comply with Policy 4(g) because it inadequately sets out how design, siting or other mitigation will minimise significant impacts on the qualities of the WLA, both on the site and in the immediate surroundings.

Cumulative impact

NatureScot's response dated 20 June 2022 outlines the significant impact the Proposed Development will have on the Reay-Cassley WLA. They note that the Proposed Development would compound the effect of the consented Sallachy Wind Farm ('Sallachy') such that the eastern limb of the Reay-Cassley WLA would no longer be considered part of the WLA. The list of mitigations at section 4.3.2 of the WLIA (page 4-41) do not minimise the high magnitude impacts predicted on the eastern limb of the WLA (section 4.2.7, page 4-31).

The difficulty of minimising the impacts of siting a development, such as the Proposed Development, in this WLA was acknowledged by the Scottish Ministers in their refusal of Glencassley where they stated that the *'wild land impacts are unacceptable and cannot be mitigated'*. We recognise that this development is not a like for like re-run of Glencassley. However, the surrounding landscape, the relative scale (at 20 turbines) and siting (within the same part of the WLA) remain comparable.

Glencassley was refused before the Sallachy decision, but this development does not provide justification for another wind farm in the eastern limb of the Reay-Cassley WLA. On the contrary, we echo the response provided by Ian Kelly on behalf of Merkland Estate and Reay Forest Estate (dated 15 June 22), in that the correct response to the approval of Sallachy should be to strengthen the landscape protection for the eastern limb of the WLA rather than diminish it (page 8).

Siting

The WLIA states that through design iterations the turbine footprint has been pushed as far south as possible. This is intended to maximise the distance between the proposed turbines and the area with the greatest extent of higher wildness within the Reay-Cassley WLA, at the central core and north of the western limb. However, there is no explanation as to why the turbines could not be pushed outside the WLA altogether.

Further, the WLIA claims that the turbines at the southern tip of the WLA (on the eastern limb) are intended to restrict the adverse impact to the south east end of the eastern limb by creating a closer connection to the existing Achany and Rosehall wind farms. However, the Proposed Development is sited approx. 2km from the operational Achany Wind Farm and so will still appear to be a separate development. In any case, the cumulative impact, with the approval of Sallachy, means that the Proposed Development will impact the whole of the eastern limb (as discussed above). The full extent of the impact of the Proposed Development cannot yet be known as it is likely that, should it be approved, it will open this area of wild land to future development.

Design

The WLIA offers no explanation with regards to why SSE have not further reduced the number of turbines as a matter of design mitigation in a sensitive wild location. The proposed 20 turbine development is more than double that of the approved nine turbine Sallachy development. Scale matters for any proposal, but it should be a particular consideration when mitigating impact in sensitive landscapes which are defined by an absence of infrastructure. More turbines mean more track and ancillary infrastructure which is more visual impact but as importantly, if not more, is more disruption to an upland ecology through the need to excavate more peatland and remove or destroy more habitat.

Neither is there an explanation for why a linear design was chosen. An alternative design could potentially have mitigated some of the impact by reducing the reach of the Proposed Development into the WLA and increasing the distance between the turbines and the areas of higher wildness.

Much more could have been done to site and design the Proposed Development in a way which would minimise the significant impact on the qualities of the wild land.

We note that the methodological issues raised by NatureScot in their response dated 19 October 2021 have not been addressed by a revised wild land impact assessment in the additional information published by SSE on 3 May 2022. We would ask that consideration is given as to whether these issues need to be addressed for the WLIA to comply with Policy 4(g).

Energy

Policy 11(e)(ii) requires that significant landscape and visual impacts are addressed by the project design and mitigation. The high scenic quality of the site is evidenced by the designated landscapes in every direction (Coigach and Assynt NSA to the north west ('the NSA'); Foinaven-Ben Hee WLA to the north; Ben Klibreck and Loch Choire Special Landscape Area ('SLA') to the north-east; Fannichs, Beinn Dearg and Glencalvie SLA to the south; Inverpolly Glencanisp WLA and Rhiddoroch-Beinn Dearg-Ben Wyvis WLA both to the west). The NSA is a vast mountainous area with expansive views, rugged moorland, lochans and well recognised summits and in the local context it is an important resource for attracting visitors and provided recreational opportunities. The LVIA states for the Ben More Assynt area, within this NSA, that *'the Proposed Development would lead to a reduction in the perceived scale of surrounding undeveloped peatlands outwith the NSA. This is anticipated to lead to limited, localised changes to the Special Qualities: "Rocky topography of great variety," "A landscape of vast open space and exposure" and "Significant tracts of wild land"'* (section 7.7.31, page 7-33, EIA). We argue that the design of the Proposed Development does not adequately address the adverse landscape impacts (as explained above) and question whether more could be done regarding mitigations, particularly with regards to the large scale of the Proposed Development. The landscape and visual impacts should be considered when assessing the overall impact of the Proposed Development on the natural environment, in relation to Policy 4(a).

Biodiversity

Policy 3 is clear that a development must leave a site in a better condition for biodiversity than without the development. Under Policy 3(b) National Developments must *'conserve, restore and enhance biodiversity, including nature networks so that they are in a demonstrably better state than without intervention'*. Although Policy 3(b)(iv)) requires that measures must go beyond mitigation,

the Outline Habitat Management Plan describes the proposed blanket bog restoration (which appears to be the only means by which the Proposed Development intends to enhance biodiversity) as ‘*compensatory*’ and states that the measures are intended to ‘*minimise [the otherwise significant ecological] effects to non-significant levels*’. We would therefore be grateful for clarity on how SSE intend to demonstrate, with evidence, the enhancements (beyond mitigation) resulting from the Proposed Development to both biodiversity and nature networks.

Policy 3(b)(i) also requires that ‘*the proposal is based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats*’. Given the proposed development is in one of Scotland’s wildest areas (as mapped by NatureScot), which is relevant national ecological context, and at the particular location, the extensive peatlands represent irreplaceable habitats, we would expect the proposal to be based on an understanding of these characteristics and for these to be accounted for as part of restoration and enhancement plans. We recognise that the criteria at Policy 3(b) post-date the application and proposal but have highlighted Policy 3(b)(i) and (iv) as we believe these are particularly relevant to the specifics of this proposal.

We agree with NatureScot’s response dated 30 September 2021 in that, should the Proposed Development be approved, the commitment to c.300ha of bog restoration must be made a planning condition. However, we would argue that this is the minimum required.

Peatland

Under Policy 1 significant weight must be given to the potential wild places have to substantially contribute to slowing the rate of climate change and biodiversity loss through land management and restoration, whilst also benefiting people and communities. The Proposed Development would devastate some of the most effective nature-based solutions we have available for carbon storage, in the form of nationally important class 1 and 2 peatlands. This habitat provides an essential ecosystem service that should be safeguarded under Policy 3(d).

Under Policy 2(a) developments should be ‘*sited and designed to minimise lifecycle greenhouse gas emissions as far as possible*’. The Proposed Development does not comply with Policy 2(a).

By virtue of being located almost exclusively on class 1 and 2 peatland, the Proposed Development will destroy ecosystem services essential for carbon storage. As such, it has not been sited to minimise lifecycle greenhouse gas emissions as far as possible. The off-site bog restoration proposed is the minimum level of mitigation according to the Mitigation Hierarchy in Annex F of the Revised Draft NPF4 (page 153). It does not adequately compensate for the destruction of this nationally important resource.

A key reason for the site selection was its proximity to the existing developments which was hoped would minimise the need for new infrastructure. Yet, as previously mentioned, the Proposed Development is located approx. 2km away from the existing development. This siting increases the greenhouse gas emissions of the Proposed Development by requiring the creation of longer access tracks through class 1 and 2 peatland. Additionally, it exacerbates the landscape impact by creating the appearance of two separated developments rather than an extension. We are not aware of the rationale for the 2km distance between the developments.

The design chosen for the Proposed Development does not minimise the greenhouse gas emissions as far as possible. The linear design of the turbines requires a greater length of new access track (as opposed to a cluster design) and means that the Proposed Development extends further into the WLA and closer to the core area of higher wildness.

In conclusion, for all the reasons above (and in our previous responses) we object to the Proposed Development and believe that it should be refused on the basis that *'by virtue of type, location or scale [it] will have an unacceptable impact on the natural environment'*, as per Policy 4(a).

Yours sincerely,

The John Muir Trust