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**The Scottish Government
Energy Consents Unit**

**Scoping Opinion on behalf of Scottish Ministers under the
Electricity Works (Environmental Impact Assessment) (Scotland)
Regulations 2017**

**Dalfad Wind Farm
Brockwell Energy Limited**

30 March 2026

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Annex A

Annex B

1. Introduction

1.1 This scoping opinion is issued by the Scottish Government Energy Consents Unit on behalf of the Scottish Ministers to Brockwell Energy Limited a company incorporated under the Companies Acts with company number SC560225 and having its registered office at The Eagle Building, Third Floor, 19 Rose Street, Edinburgh, Lothian, EH2 2PR (“the Company”) in response to a request dated 22 January 2026 for a scoping opinion under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the proposed Dalfad Wind Farm (“the proposed Development”). The request was accompanied by a scoping report.

1.2 The proposed Development would be located approximately 6km north-east of Cumnock, and 28km east of Ayr.

1.3 The proposed Development is for 14 turbines with a maximum blade tip of up to 200m, with a generating capacity of approximately 80 to 90MW.

1.4 In addition to the wind turbines there will be ancillary infrastructure including, but not limited to:

- turbine foundations
- crane hardstandings
- control building
- substation and associated hardstanding area
- access tracks

1.5 The Company indicates the proposed Development would be decommissioned after 40 years and the site restored in accordance with the decommissioning and restoration plan.

1.6 The proposed Development is solely within the planning authority of East Ayrshire Council (EAC).

2. Consultation

2.1 Following the scoping opinion request, a list of consultees was agreed between SLR Consulting Limited (acting as the Company's agent) and the Energy Consents Unit. A consultation on the scoping report was undertaken by the Scottish Ministers and this commenced on 13 February 2026. The consultation closed on 06 March 2026. Extensions to this deadline were granted to NatureScot, Scottish Forestry and Defence Infrastructure Organisation (DIO). The Scottish Ministers also requested responses from their internal advisors Transport Scotland and Scottish Forestry. Standing advice from Marine Directorate – Science Evidence Data and Digital (MD-SEDD) has been provided with requirements to complete a checklist prior to the submission of the application for consent under section 36 of the Electricity Act 1989. All consultation responses received, and the standing advice from MD-SEDD, are attached in **ANNEX A Consultation responses** and **ANNEX B MD-SEDD Standing Advice**.

2.2 The purpose of the consultation was to obtain scoping advice from each consultee on environmental matters within their remit. Responses from consultees and advisors, including the standing advice from MD-SEDD, should be read in full for detailed requirements and for comprehensive guidance, advice and, where appropriate, templates for preparation of the Environmental Impact Assessment (EIA) report.

2.3 Unless stated to the contrary in this scoping opinion, Scottish Ministers expect the EIA report to include all matters raised in responses from the consultees and advisors.

2.4 The following organisations were consulted but did not provide a response:

- Ayr District Salmon Fisheries Board
- Catrine Community Council
- Civil Aviation – Airspace
- Crown Estate Scotland
- Cumnock Community Council
- Highland and Islands Airport (HIAL)
- John Muir Trust
- Mountaineering Scotland
- National Gas Transmission
- National Grid
- Oban Airport
- Scottish Fire and Rescue Services
- Scottish Wildlife Trust
- Scottish Wild Land Group
- ScotWays
- Sorn Community Council
- The 9CC Group
- Visit Scotland
- West of Scotland Archaeology Service
- Woodland Trust

2.5 With regard to those consultees who did not respond, it is assumed that they have no comment to make on the scoping report, however each would be consulted again, in the event that an application for section 36 consent is submitted subsequent to this EIA scoping opinion.

2.6 The Scottish Ministers are satisfied that the requirements for consultation set out in Regulation 12(4) of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 have been met.

3. The Scoping Opinion

3.1 This scoping opinion has been adopted following consultation with East Ayrshire Council, within whose area the proposed Development would be situated, NatureScot (previously SNH), Scottish Environment Protection Agency (SEPA) and Historic Environment Scotland (HES), all as statutory consultation bodies, and with other bodies which Scottish Ministers consider likely to have an interest in the proposed Development by reason of their specific environmental responsibilities or local and regional competencies.

3.2 Scottish Ministers adopt this scoping opinion having taken into account the information provided by the applicant in its request dated 22 January 2026 in respect of the specific characteristics of the proposed Development and responses received to the consultation undertaken. In providing this scoping opinion, the Scottish Ministers have had regard to current knowledge and methods of assessment; have taken into account the specific characteristics of the proposed Development, the specific characteristics of that type of development and the environmental features likely to be affected.

3.3 A copy of this scoping opinion has been sent to East Ayrshire Council for publication on their website. It has also been published on the Scottish Government energy consents website at www.energyconsents.scot.

3.4 Scottish Ministers expect the EIA report which will accompany the application for the proposed Development to consider in full all consultation responses attached in **Annex A and Annex B**.

3.5 Before submitting an application, **you must consider the project as a whole**, ensuring that all interconnected elements—including generation infrastructure, grid connection, access routes, environmental constraints, and any associated works are fully defined and assessed. The application must clearly demonstrate that the likely significant effects of the entire project (**including the effects associated with connecting to the grid**) have been identified, described, and evaluated at the earliest possible stage in the technical planning and decision-making process. Where applicants consider that development required to connect the generating station to the grid does not form part of the overall project for EIA purposes, clear justification should be provided.

3.6 Scottish Ministers are satisfied with the scope of the EIA set out at Section 2 of the scoping report.

3.7 In addition to the consultation responses, Ministers wish to provide comments with regards to the scope of the EIA report. The Company should note and address each matter.

3.8 Scottish Water provided information on whether there are any drinking water protected areas or Scottish Water assets on which the Development could have any significant effect. Scottish Ministers request that the Company contacts Scottish Water (via EIA@scottishwater.co.uk) and makes further enquires to confirm whether there are any Scottish Water assets which may be affected by the Development, and includes details in the EIA report of any relevant mitigation measures to be provided. The Company should consider Scottish Water's comments in response to the scoping report during this process.

3.9 Scottish Ministers request that the Company investigates the presence of any private water supplies which may be impacted by the Development. Regarding the planning authority's response, risk assessments should be carried out with assistance from East Ayrshire Council's Environmental Health Service. The EIA report should include details of any supplies identified by this investigation, and if any supplies are identified, the Company should provide an assessment of the potential impacts, risks, and any mitigation which would be provided.

3.10 Marine Directorate – Science Evidence Data and Digital (MD-SEDD) provide generic scoping guidelines for onshore wind farm and overhead line development (<https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren>) which outline how fish populations can be impacted during the construction, operation and decommissioning of a wind farm or overhead line development and informs developers as to what should be considered, in relation to freshwater and diadromous fish and fisheries, during the EIA process.

3.11 In addition to identifying the main watercourses and waterbodies within and downstream of the proposed Development area, developers should identify and consider, at this early stage, any areas of Special Areas of Conservation where fish are a qualifying feature and proposed felling operations particularly in acid sensitive areas.

3.12 MD-SEDD also provide standing advice for onshore wind farm or overhead line development (which has been appended at Annex B) which outlines what information, relating to freshwater and diadromous fish and fisheries, is expected in the EIA report. Use of the checklist, provided in Annex 1 of the standing advice, should ensure that the EIA report contains the required information; the absence of such information may necessitate requesting additional information which may delay the process. **Developers are required to submit the completed checklist in advance of their application submission.**

3.13 The Scottish Ministers recommend the Company considers comments made and guidance offered by Ayr District Salmon Fisheries Board.

3.14 The Scottish Ministers consider that where there is a demonstrable requirement for peat landslide hazard and risk assessment (PLHRA), the assessment should be undertaken as part of the EIA process to provide Ministers with a clear understanding of whether the risks are acceptable and capable of being controlled by mitigation measures. The Peat Landslide Hazard and Risk Assessments: Best Practice Guide for Proposed Electricity Generation Developments (Second Edition), published at <http://www.gov.scot/Publications/2017/04/8868>, should be followed in the preparation

of the EIA report, which should contain such an assessment and details of mitigation measures. Where a PLHRA is not required clear justification for not carrying out such a risk assessment is required.

3.15 The scoping report identified viewpoints at Table 4.1 to be assessed within the landscape and visual impact assessment. The Scottish Ministers ask that the Company have regard to East Ayrshire Council's comments on the proposed viewpoints and their request that the Company engages with East Ayrshire Council and the surrounding planning authorities.

3.16 The Scottish Ministers ask that the Company have regard to the concerns raised by Historic Environment Scotland, including the chosen assessment methodology, and the contents and definitions used in Table 5.5 and Table 5.6 of the scoping report.

3.17 The Scottish Ministers ask that the Company engage in discussions with East Ayrshire Council regarding the scope and content of the EIA Report. These discussions should include, but may not be limited to, East Ayrshire Council's comments on Gardens and Designated Landscapes (GDLs), developments to be included in the cumulative assessment, noise and shadow flicker, and the appointment of a Planning Monitoring Officer.

3.18 The Scottish Ministers note East Ayrshire Council's comments that Nith District Salmon Fisheries Board (DSFB) should also be consulted. This DSFB will be a consultee at application.

3.19 The noise assessment should be carried out in line with relevant legislation and standards as detailed in section 9 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."

3.20 As the maximum blade tip height of turbines exceeds 150m, the LVIA as detailed in section 4 of the scoping report must include a robust Night Time Assessment with agreed viewpoints to consider the effects of aviation lighting and how the chosen lighting mitigates the effects.

3.21 The Scottish Ministers ask that the Company engages in discussions with SEPA to address any issues raised and advice contained in SEPA's response, including, but not limited to, flood risk concerns and NPF4 policies.

3.22 It is 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 Company and NatureScot.

3.23 It is recommended by the Scottish Ministers that the company have regards to comments made by NatureScot and RSPB in relation to Otters, Water Voles, Black Grouse and Raptors.

3.24 The Company should have regard to comments made by NatureScot and RSPB concerning the proposed Developments proximity to, and potential impacts on, RSPB holdings and Designated Sites, Ailsa Craig Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI), Muirkirk and North Lowther Uplands SPA, and Muirkirk Uplands SSSI.

3.25 The Scottish Ministers recommend that the Company gives consideration to comments made by NatureScot regarding the recording of nesting locations, and the potential adverse impacts on carbon soils, priority peatland habitats, and protected species.

3.26 The Scottish Ministers advises the Company to consider concerns raised by Scottish forestry regarding the potential impacts of the proposed Development on areas of woodland within the site boundary, and special interest sites within, and on the boundary of, the proposed Development.

3.27 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. Ultimately, it would be necessary to provide details of the proposed depth of the excavation compared to the actual topography and water table, proposed drainage and settlement traps, turf and overburden removal and storage for reinstatement, and details of the proposed restoration profile. The impact of such facilities (including dust, blasting and impact on water) should be appraised as part of the overall impact of the working. Information should cover the requirements set out in '[PAN 50: Controlling the Environmental Effects of Surface Mineral Workings](#)'.

3.28 The Scottish Ministers recommend that the Company gives consideration to comments made by Defence Infrastructure Organisation (DIO) to resolve their concerns regarding lighting requirements and the proposed Development's potential to create a physical obstruction to air traffic movements within Low Flying Area 16.

3.29 The Scottish Ministers recommend that the Company considers comments provided by Joint Radio Company (JRC) with regards to micro siting.

3.30 The Company must have regard to comments made by Glasgow Prestwick Airport, in relation to the proposed Development resulting in potential adverse and cumulative effects on the Airport's Primary Surveillance Radar, Instrumental Flight Procedures and Very High Frequency Ground to Air communications infrastructure.

3.31 The Company should have regard to comments made by NATS (National Air Traffic Services) Safeguarding in relation to the proposed Development resulting in an unacceptable technical impact at Prestwick Centre Air Traffic Control (ATC) and Military ATC.

3.32 To ensure that cumulative impact assessments are as up-to-date as possible, other developments to be included should be discussed and agreed by the Company and East Ayrshire Council. Assessments, photography and visualisations submitted in the EIA Report should reflect the most up-to-date position, and the Company must have regard to planning authorities comments on how consented developments are assessed.

3.33 The Scottish Ministers request that a Traffic Assessment must also be carried out, with consideration given to Transport Scotland and Network Rail's comments.

3.34 The Scottish Ministers request that the Company assess the impact of the proposed Development on existing and/or planned infrastructure. In particular, the Company should carry out the necessary assessments to confirm if any part of the proposed Development is within the consultation zone of any of the following:-

- a licenced explosives site
- gas (or any other) pipeline
- existing overhead electric lines
- underground cables
- water pipes
- telecommunications links

3.35 The Scottish Ministers ask that the Company engages with the Powharnal Management Committee, NatureScot, and RSPB regarding the Powharnal Mitigation Management Plan, and any concerns and guidance these organisations may have.

3.36 The Scottish Ministers recommend that the Company engages in discussions with The Coal Authority, in regards to their comments on planning applications and development plans in mining areas, and the inclusion of a Coal Mining Risk Assessment.

3.37 The Scottish Ministers recommend the Company engages with Scottish Power Energy Networks regarding overhead lines and underground cables within the vicinity of the proposal.

3.38 The Scottish Ministers request the Company to assess if any flammable, toxic or explosive chemicals detailed in The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015 would be stored on site in quantities such that a Hazardous Substances Consent would be required under section 2 of the Planning (Hazardous Substances) (Scotland) Act 1997.

3.39 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.

4. Mitigation Measures

4.1 The Scottish Ministers are required to make a reasoned conclusion on the significant effects of the proposed Development on the environment as identified in the environmental impact assessment. The mitigation measures suggested for any significant environmental impacts identified should be presented as a conclusion to each chapter. Applicants are also asked to provide a consolidated schedule of all mitigation measures proposed in the environmental assessment, provided in tabular form, where that mitigation is relied upon in relation to reported conclusions of likelihood or significance of impacts.

5. Conclusion

5.1 This scoping opinion is based on information contained in the applicant's written request for a scoping opinion and information available at the date of this scoping opinion. The adoption of this scoping opinion by the Scottish Ministers does not preclude the Scottish Ministers from requiring of the applicant information in connection with an EIA report submitted in connection with any application for section 36 consent for the proposed Development.

5.2 This scoping opinion will not prevent the Scottish Ministers from seeking additional information at application stage, for example to include cumulative impacts of additional developments which enter the planning process after the date of this opinion.

5.3 Without prejudice to that generality, it is recommended that advice regarding the requirement for an additional scoping opinion be sought from Scottish Ministers in the event that no application has been submitted within 12 months of the date of this opinion.

5.4 It is acknowledged that the environmental impact assessment process is iterative and should inform the final layout and design of proposed developments. Scottish Ministers note that further engagement between relevant parties in relation to the refinement of the design of this proposed Development will be required, and would request that they are kept informed of on-going discussions in relation to this.

5.5 Applicants are encouraged to engage with officials at the Scottish Government's Energy Consents Unit at the pre-application stage and before proposals reach design freeze.

5.6 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 this scoping opinion has been addressed.

5.7 It should be noted that 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).

Conor Burke

**Energy Consents Unit
30 March 2026**

ANNEX A

Consultation

List of consultees who provided a response.

• East Ayrshire Council	A1-A16
• Historic Environment Scotland	A17-A20
• NatureScot (previously SNH)	A21-A27
• Scottish Environmental Protection Agency	A28-A47
• Scottish Forestry	A48-A49
• Transport Scotland	A50-A52
• Aberdeen Airport	A53
• Ayrshire Rivers Trust	A54-A57
• British Horse Society Scotland	A58-A77
• British Telecommunications plc	A78-A79
• Defence Infrastructure Organisation	A80-A82
• Edinburgh Airport	A83
• Glasgow Airport	A84
• Glasgow Prestwick Airport	A85-A91
• Health and Safety Executive	A92-A93
• Joint Radio Company Limited	A94-A95
• NATS Safeguarding	A96-A107
• Network Rail	A108
• Office for Nuclear Regulation	A109
• RSPB Scotland	A110-A113
• Scottish and Southern Electricity Networks	A114
• Scottish Power Energy Networks	A115
• Scottish Water	A116-A118
• The Coal Authority	A119-A122

Internal advice from areas of the Scottish Government was provided by officials from Transport Scotland, Scottish Forestry and Marine Directorate (in the form of standing advice from Marine Directorate – Science Evidence Data and Digital (MD-SEDD) or bespoke advice from Marine Directorate – Science Evidence Data and Digital (MD-SEDD)).

See Section 2.4 above for a list of organisations that were consulted but did not provide a response.

General Letter

Governance

Chief Planning Officer: Pamela Clifford



Our Ref: 26/0001/S36SCP

Date: 2nd March 2026

Contact: Graham Mitchell

The Scottish Government
Energy Consents Unit

Dear Sir/Madam

**THE ELECTRICITY ACT 1989 SECTION 36
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)
(SCOTLAND) REGULATIONS 2017**

Site Address: Dalfad Wind Farm

I refer to your email dated 13 February 2026 requesting this Council's comments regarding the scoping report submitted by Brockwell Energy Limited.

The purpose of this response is to provide advice and guidance based on the Planning Authority's knowledge of the site and the surrounding area. This enables the Applicant to consider the issues that are identified and address these in the EIA process and EIA Report associated with the Section 36 application.

The Planning Authority has not undertaken any limited consultation with internal departments or agencies with local knowledge in respect of this scoping request. You should be aware that the onus, in this case, is on the Energy Consents Unit to undertake statutory and non-statutory consultations. A list of further consultees that would be useful to engage with as part of this process is included as Appendix 1. Please be aware that any lack of inclusion on this list of a particular party or organisation in no way indicates that the Planning Authority considers that consultation would not be beneficial.

The sections below highlight the comments of the Planning Authority on a number of matters.

THE OPERA HOUSE
8 JOHN FINNIE STREET
KILMARNOCK, KA1 1DD
TEL: 01563 576790
www.east-ayrshire.gov.uk

Non-technical summary

This should be written in simple non-technical terms and should include a summary of the main issues of each chapter of the EIA Report, including the significant effects of the development and any mitigation measures to address these potential adverse impacts. A plan sufficient to identify the application site within the wider locality and a proposed site plan should be incorporated as a minimum.

Summary of Environmental Information

A summary of the environmental information assessed throughout the EIA Report shall be provided.

List of qualifications and evidence of competency

A list detailing the qualifications and evidence of relevant expertise / competency of each individual who has been involved in the production of the EIA Report, including those involved in the assessments which have been used to inform the various chapters of the EIA Report, shall be included.

Format of the EIA Report

Two full paper copies including appendices shall be provided to the Planning Authority for internal use, although additional paper copies will also be required to be placed in appropriate locations for inspection by the public.

One electronic copy that is split into manageable sized files shall be uploaded by the Applicant to the online viewing system of the Planning Authority through the e-planning portal (contact should be made with the Council prior to upload to confirm the appropriate case file reference). These files shall be clearly named thus enabling easier public/consultee interpretation, consideration and navigation. An example would be splitting the EIA Report by chapter / topic. Any confidential annex should be clearly marked and kept separate from the remainder of the EIA Report but should not contain any non-confidential information or, if it does, this should be replicated within the EIA Report.

Consideration of alternatives

Schedule 4, paragraph 2 of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 requires that information on the reasonable alternatives (including design, technology, location, size and scale) considered and the main reasons for selecting the chosen option, including a comparison of the environmental effects be included within the EIA Report. Such consideration of alternatives should therefore be included within the EIA Report.

Baseline Information

The Council has published a State of the Environment Report on its website:
<https://www.east-ayrshire.gov.uk/PlanningAndTheEnvironment/Development-plans/State-of-the-Environment-Report.aspx>

This report collates up to date information on the environment within East Ayrshire and how it is changing. The information can be used to help inform applications. This may be of use when preparing the EIA Report.

EIA Assessment Methodology

There should be a degree of flexibility adopted within the EIA Report when reporting the significance of the impacts as moderate effects can be considered as significant in terms of the EIA Regulations and would be based on the assessor's judgement.

Planning Policy Context

NPF4 policies also of relevance not listed in the scoping report would be Policy 33: Minerals.

In addition to the EALDP2 policies listed in the scoping report, also of relevant would be: Policy T1: Transport requirements in new development; Policy T4: Development and protection of core paths and other routes; Policy WM2: Development & the Circular Economy, and Policy FIN1: Financial Guarantees. Although Policy SS11: Making space in settlements for green energy is listed in the scoping report, as the application site is not located within a settlement, this policy is not relevant.

Additionally, of relevance will be non-statutory planning guidance Skills and Employment Plans, Local Landscape Area, East Ayrshire Landscape Wind Capacity Study 2018, and Supplementary Guidance on Financial Guarantees.

Environmental Impact Assessment

Regarding the commentary towards the end of Section 3.2 in relation to the grid connection, a recent court opinion of 17 February 2026 in respect of Wull Muir wind farm has implications for the position set out in the scoping report. The court case would indicate that for the purposes of the EIA, the project as a whole, including the grid connection as an integral part of the wind farm development, requires to be assessed for the associated environmental impacts.

It is agreed that decommissioning effects can be scoped out given these are likely to be similar to construction impacts.

Landscape and Visual

The Planning Authority considers that a 25km detailed study area for the LVIA

(and cumulative LVIA) appears appropriate based on the ZTVs.

In terms of identifying Landscape Character Types (LCTs) the Planning Authority welcomes and agrees with the proposed use of the East Ayrshire Landscape Wind Capacity Study 2018 (EALWCS) as forming the basis of the landscape character types for the assessment as this represents the most accurate record of LCTs locally. Although a LCT19 is mentioned, there is no such LCT listed in the EALWCS. It is assumed that LCT 18a and 18b are what were both intended to be included.

Regarding the status of the Local Landscape Areas Supplementary Guidance, this is not draft, this was adopted in August 2024. The Planning Authority would agree that Local Landscape Area (LLA) 3 Doon Valley could be scoped out of the assessment.

Whilst the ZTV would suggest certain landscapes or landscape designations in South Ayrshire Council, South Lanarkshire Council and Dumfries and Galloway Council could potentially be scoped out, agreement with those authorities should be sought as to whether they agree with that or whether they wish certain aspects to be scoped in.

The Planning Authority would have no concerns regarding the scoping out of the Southern Upland Way or National Cycle Network routes, the A719 and the A71 roads on the basis of the respective separation distances reported in the Applicant's scoping report and/or the limited visibility indicated on these routes from the ZTV (Figure 4.1).

Figure 4.2 appears to omit a number of Gardens and Designed Landscapes (GDLs). Inventoried and non-inventory GDLs are protected and so any such features would require to be assessed where it appears visibility is likely. Logan GDL is closer to the application site than Dumfries House and there are a number of GDLs located to the north-west around Sorn. Inclusion of all GDLs within the study area and a review of these in relation to the ZTV should be undertaken to further inform which of these should be taken forward in the assessment.

The Planning Authority would agree in principle to the list of viewpoint locations set out in Table 4.1. Regarding nighttime viewpoint photomontages, possible VP 6 and 8 may benefit from being included. Dumfries House (VP 9) might also be relevant depending on whether turbines would be viewed at hub height from within the estate. The Planning Authority will require to agree to a finalised set of viewpoints, including nighttime viewpoints, nearer the design freeze stage once the layout has been finalised to consider whether any amendments to the design have affected the ZTV coverage and to confirm the most appropriate viewpoints.

The Planning Authority requires that all ancillary infrastructure, including tracks, be shown on any photomontages produced for all viewpoints out to 5km.

For the avoidance of doubt the nighttime lighting impact assessment will require to assess impacts on the landscape character as well as on visual amenity, and cumulatively for both.

Regarding the nighttime photomontages, these should be produced to show a worst-case scenario without the effects of any proposed mitigation. If visualisations are to be produced to show some form of mitigation then this will need to be clearly detailed as to exactly what is being shown in the visualisations / the intensity based on extent of mitigation being shown. Full details of any proposed mitigation will need to be detailed within the EIA Report alongside what effects this will have on the lighting impacts. Should the layout allow for any reduction in the number of turbines requiring hub and tower lighting, whilst still achieving the requirements of the CAA, this should also be clearly detailed within the EIA Report assessment of nighttime landscape and visual impacts. Cumulative nighttime visualisations and wirelines will also be required where other schemes include visible aviation lighting.

Given the application site is located beyond the transitional area of the Dark Sky Park it is agreed this can be scoped out. The application site does, however, fall within the Galloway and Southern Ayrshire Biosphere transitional area and this will need to be taken into account in the assessment of the application.

Regarding the opening of Section 4.2.7 it is not considered relevant to sieve consented developments based on their likelihood of being constructed. If there is a live consent which has not lapsed it should be given the appropriate weighting as a consented development and not one in the planning stages.

The Applicant is advised to keep the cumulative situation under review during the preparation of the EIA Report as this is an evolving situation, particularly in this part of the district where there is considerable wind energy development pressure. In this respect, it is suggested that they make contact with any local authorities within the study area to obtain up to date information relating to wind energy development in their respective authority areas. Section 36 wind farm applications will also need to be kept under review to ensure these are accurately reflected in any assessment. Closer to the design freeze stage, the cumulative scenario at that time can be considered to ensure the relevant schemes have been identified and accounted for in the cumulative assessments.

For the avoidance of doubt, cumulative assessments/impacts should not be confined to other wind farms but would include any other developments likely to contribute to cumulative landscape and visual impacts (or other relevant impacts such as traffic impacts on the local road network).

The Planning Authority welcomes the addition of a Residential Visual Amenity Assessment and note that it will assess properties extending in distance out to 2km from any turbine. The Planning Authority would request that cumulative

schemes are shown on separate wirelines to the project-alone wirelines. Additionally, photomontages should be considered from properties facing significant effects to assist the consideration and assessment of impacts from them where the turbines are more prominent. RVAA properties will also require nighttime wirelines and photomontages (including cumulative ones where relevant) to enable full consideration of nighttime impacts from aviation lighting on residential receptors.

Cultural Heritage

As noted above with respect to Gardens and Designed Landscapes (GDLs), those not on the inventory are also protected and consideration of impacts on any such non-inventory GDLs should also be assessed. This may be limited to those within 5km of the site, though at this time it is not possible to advise on the appropriate distance without any sort of heritage assessment exercise similar to what has been submitted with the scoping report being carried out on such assets initially at 10km distance. The Planning Authority would generally agree with the list of assets set out in the Appendix to the scoping report for heritage assets provided any relevant consultees such as Historic Environment Scotland (where relevant to their remit) are also satisfied. This is without prejudice to the final layout/submission and consideration of impacts of any future application, should the Planning Authority consider further assessment is required of any particular asset at the time.

There should be some flexibility when considering viewpoints as some heritage assets may benefit from visualisations to aid the assessment of impacts on their setting. The Council would advise the Applicant to engage with Historic Environment Scotland (HES) and the West of Scotland Archaeology Service (WoSAS) who will be best placed to advise on the methodology and approach to assessing heritage assets in the EIA Report.

Ecology

Airds Moss SAC qualifying interest is blanket bog so probably can be scoped out subject to NatureScot's agreement.

The Planning authority welcomes an outline Biodiversity Enhancement Management Plan to address the requirements of NPF4 Policy 3. The Planning Authority expects the EIA Report to make clear the distinction between any mitigation for habitat/ecology impacts resulting from the development and the proposed biodiversity enhancement as this is separate to, and must go beyond, simply mitigating the impacts of the development. Given the scale and nature of the proposed development, biodiversity enhancements will require to include nature networks and will need to evidence sufficiently ambitious enhancements, commensurate with the scale and nature of the development, to represent significant enhancements resulting in the site being in a demonstrably better condition than without intervention.

The Planning Authority would anticipate NatureScot, SEPA, the Ayrshire Rivers Trust and River Ayr Salmon Fisheries Board and the Nith District Salmon Fisheries Board amongst other relevant consultees would be best placed to advise on the acceptability or otherwise of scoping certain species or features in/out of the EIA Report. Such relevant consultees should also be consulted to agree on the most appropriate methodologies and scope of assessment and their expectations and requirements taken into account in undertaking the EIA and formulating the EIA Report.

Ornithology

The Planning Authority has no particular comments to make with regards to ornithological matters and would suggest the Applicant ensure the requirements and requests of NatureScot and RSPB and any other relevant body with information and records of relevant ornithological interests are taken into account to inform the assessment of these matters for reporting within the EIA Report, particularly in relation to the designated sites which border or are in close proximity to the site.

Geology, Hydrogeology, Hydrology and Peat

There are numerous areas of flood risk throughout the application site, primarily associated with various watercourses and tributaries draining the site. As such, it should be possible for the Applicant to generally avoid these areas of flood risk through appropriate siting and design of the infrastructure layout. Further, in terms of flood risk, any potential for the release of water from peat excavation should be considered as a potential cause of flooding.

Further regarding flood risk, provided the sources of flooding are identified, including those which could result from the proposed development itself impacting the site or increasing flood risk downstream (due to any increased runoff as a result of proposed infrastructure for example) and details of how such flood risk shall be managed and mitigated, it is probably reasonable to scope out a full flood risk assessment. Should consultees with specific expertise in such matters consider otherwise, however, then the Planning Authority would expect the applicant to accept their recommendations as expert consultees in such matters. Similarly regarding detailed drainage design, should relevant consultees wish this to be addressed in the EIA Report then their expert advice should be taken on board.

In terms of Private Water Supplies (PWS) if it is found that any such PWS are located within the site or likely to be drawing from the same catchment as proposed infrastructure is located, then these PWS will require to be risk assessed. It is expected that the PWS Risk Assessment be undertaken and not only the PWS source should be identified, but also the pathway from source to receptor / PWS user should be mapped as this is the only way of ensuring that a

full understanding of any potential impacts of proposed infrastructure / construction activity can be ascertained. Details of any mitigation and/or contingency measures that may be required should be detailed within the EIA Report. The Council's Environmental Health Service should be contacted to assist in the identification of any PWS in and around the site, though site investigations will also be required to address any risk where a PWS exists which is not up to date on the Council's record.

If borrow pits are taken forward as part of the proposed development, the EIA Report should include information on the location, size and nature of these borrow pits, including details of the depth of the borrow pit floor and an indicative borrow pit final reinstated profile. The impact of such features (including dust, blasting and impacts on hydrology and GWDTEs) should be appraised as part of the overall impact of the proposal. Information on the proposed depth of excavations compared to the actual topography, the proposed restoration profile, proposed drainage and settlement traps, turf and overburden removal and storage for reinstatement should be included within the EIA Report. The Council's EALDP2 includes a policy on borrow pits and information to address the requirements set out within that policy should form part of the EIA Report / application submission.

The relevant fishery board(s) and Ayrshire Rivers Trust should be consulted to discuss their expectations and requirements regarding the extent of hydrological surveys required to inform the assessment of hydrological impacts, including water quality impacts/monitoring, which also links to the ecology chapter and any potential impacts on aquatic life.

Notable areas of the application site fall within the identified areas of high risk of the Coal Authority Mining Risk Assessment and the Coal Authority should be consulted to ascertain the scope of methodology and assessment required to address any potential risks for reporting in the EIA Report.

The Planning Authority would also rely on detailed comments on such matters from NatureScot, SEPA and the Scottish Government's advisors on peat, Ironside Farrar Ltd. These bodies would be able to advise further on the appropriateness of the methodologies reported.

Noise and Vibration

Section 9.2.4 of the scoping report makes reference to 'any energy storage'. There is no other mention of battery energy storage being proposed as part of the development or shown in the indicative layout plan in the scoping report. If BESS is included as a feature of the proposed development then environmental impacts associated with that component, beyond noise impacts, will need to be included in relevant chapters of the EIA Report.

Noise associated with any proposed substations will require evidence to be able

to quantify it to ensure such features are capable of operating within acceptable levels. This would include cumulatively with any other noise generating features proposed, or other substations and noise generating developments in the wider area where relevant. Noise from substations can be experienced at distances beyond 500m so the Planning Authority would not agree with the scoping out of noise from substations or other ancillary equipment based on such a distance. Anticipated noise levels from ancillary infrastructure, including cumulatively, will need to be quantified to evidence what the noise levels expected to be experienced at receptors in the area are likely to be to ensure any specific mitigation measures can be identified and implemented, if necessary and taken into account in the assessment of impacts.

If vibration is to be scoped out, this will need to be based on confirmation within the EIA Report of the details of mitigation and practices to be employed to minimise vibration impacts to evidence there is no need for any further consideration of this matter in the EIA Report beyond that.

Anticipated construction noise at the nearest receptors should be detailed to evidence that it would not exceed the levels typically allowed for through relevant standards/guidance, alongside mitigation and control measures to be employed. This would evidence that no further detailed consideration of such matters would be required in the EIA Report.

The cumulative wind farm/turbine noise assessment should consider other operational, consented or live-planning application (regardless of their progress) schemes. Those at the scoping stage can be scoped out, however scoping schemes near the development site should be monitored carefully to address any change in status. In terms of any cumulative noise assessment, the Applicant will require to keep this situation under review as it is a constantly evolving situation and will require a consideration of not only other wind farms, but other noise generating developments where these are likely to be experienced at any assessed noise sensitive receptors.

The Planning Authority would agree that infrasound and low-frequency sound can be scoped out.

Generally, the scoping out of noise other than wind turbine noise would not be agreeable. Without other such noise being quantified it would not be possible to assess the level of impact likely at receptors or to ascertain whether any standard or proposed mitigation would be sufficient to reduce such noise levels acceptably. As indicated above, noise generated from sources other than wind turbines will need to be identified and quantified as far as reasonably practicable to ensure all impacts are appropriately assessed.

The Council currently uses the services of an independent noise consultant (ACCON UK Ltd) to deal with wind farm noise matters. The Planning Authority would recommend that discussion is undertaken with the Council's noise

consultant to agree the methodology for noise assessment to inform the EIA Report. This could be done with input from the Council's Environmental Health Service as required, which should also be consulted regarding other non-turbine noise sources and assessment methodologies. The Planning Authority would encourage the use of the lower end of the ETSU limits.

Access, Traffic and Transport

The traffic assessment shall be based on a worst-case scenario which, for the avoidance of doubt, the Planning Authority would expect assumes 100% of construction materials such as stone requiring to be imported to site. Vehicle movement figures should also be based on all vehicle movements, including HGV, LGV and abnormal loads. Any expected reduction in stone importation due to the use of borrow pits (if ultimately proposed) can be reported within the EIA Report, along with the consequent effect this would have on traffic volumes. A worst-case scenario should, nevertheless, be presented in case any proposed borrow pits fail to provide the anticipated volume of stone to ensure a robust assessment of impacts.

The EIA Report should identify potential sources of materials (e.g. stone quarries) if these are off-site and consider the impacts of those routes to site, including communities along those routes. Such assessment should also include cumulative impacts with other developments. Appropriate environmental and/or supporting information should be submitted to justify the need for borrow pits.

The Planning Authority expects the inclusion of a cumulative traffic assessment which should consider any consented / under construction or in-planning developments likely to generate large volumes of traffic on the delivery route. This should not necessarily be limited to other wind farms as any traffic generating development using the same road network as the proposed wind farm has the potential to contribute to cumulative traffic impacts regardless of the nature of the development. The Applicant is advised to keep tabs on the cumulative situation and development applications in and around the area / using the same road network to inform the cumulative traffic assessment nearer the time, prior to submission of the application to ensure the cumulative assessment is up to date as this is a constantly evolving situation, particularly in the southern part of the district. This would include reviewing the Scottish Government Energy Consents Unit website to include any Section 36/37 applications potentially using/impacting on the proposed road network route.

Any new or upgraded accesses on the road network will need to include any required visibility splays within the application site boundary so that any works necessary to form and maintain these can be included as part of the development.

The EIA Report should detail the anticipated port of entry and the delivery route for turbines and components to site. Transport Scotland may provide advice in

respect of the trunk road network, whilst the Applicant is also encouraged to discuss traffic matters with the Council's Ayrshire Roads Alliance (ARA). Early contact with ARA is advised. The Planning Authority would agree that the operational phase of the development can be scoped out of the traffic assessment as periodic maintenance visits are unlikely to generate significant traffic impacts.

Any impacts on core paths or rights of way will need to be assessed and any mitigation required where impacts are likely. The nearest core path (C5 and B13 Cumnock to Lugar) would likely experience views of the turbines along its length, particularly when in the north-eastern extents of that route. Despite the nature of the site as a former opencast site, there is a right of way which does extend partly into the site at Duncanziemere. Impacts on recreational routes will need to be assessed. These can either be addressed in the access and traffic chapter or elsewhere if considered to be more appropriately assessed under other chapters such as landscape and visual impacts or recreational impacts.

Aviation and Radar

Early engagement with all relevant aviation bodies is advised. The application site falls across the consultation ranges of NATS, Glasgow Prestwick Airport and Glasgow Airport. It is noted aviation impacts will be assessed as a technical appendix and the relevant aviation consultees should be contacted to discuss the scope and reporting of impacts.

Telecommunications and Utilities

It would be useful if line of sight figures for any television or radio transmitters is included within the submission to evidence if any receptors would fall within the field of potential interference and to inform responses from relevant consultees. Any discussions or evidence secured prior to submission in relation to relevant consultees and their confirmation or otherwise that there will be no impacts could be included in a telecommunications report, though the Scottish Government will still require to consult with all relevant consultees upon submission of any application. Detailing or assessing these impacts in a separate technical report is considered reasonable by the Planning Authority. Appropriate conditions may be required to address potential interference issues.

The identification and mapping of any utilities across the site will be expected to evidence whether these (or appropriate buffer areas) have been avoided through the site design and layout. This can be detailed in the submission either in a chapter of the EIA Report (most likely design evolution) or as a separate report.

Shadow Flicker

The Planning Authority would not agree with scoping out of shadow flicker impacts as it is an environmental impact. The scoping report identifies potential

impacts and as noted in the report there is no level of shadow flicker which is deemed to be acceptable set out in guidance within the country, and the Planning Authority requires all shadow flicker, if a possible impact, will require to be mitigated. As such a significant effect would be any shadow flicker and the scoping report has identified such impacts. The Planning Authority would note that the 10 rotor diameters' distance is a guide and does not guarantee that shadow flicker effects will not be experienced beyond this distance. The Planning Authority has experience of shadow flicker impacting on a property despite it being more than ten rotor diameters' distance from the turbine in question. As such, if there are properties which are beyond such a distance but not too distant, consideration should be given as to the potential of shadow flicker on such properties. Currently the Planning Authority would consider the only reasonable mitigation for shadow flicker would be the switching off of turbines responsible during the dates/times when it is likely to occur. Cumulative impacts of shadow flicker will also require to be assessed in combination with other wind farms/turbines which could affect the same properties as the proposed development.

Air Quality and Human Health

This will require to be addressed in the EIA Report, though provided any relevant chapters make it clear that public health has been addressed where appropriate, then a specific chapter of air quality and human health would not be necessary. Where this is not clearly addressed, then a specific chapter on air quality and human health would be required.

Risk of Major Accidents and/or Disasters

The Planning Authority consider it would be necessary to include a summary or table just to highlight each of the potential risks and provide a brief explanation as to whether or not these are deemed to be relevant or necessary of further detailed consideration within the EIA Report. For any risks which are deemed worthy of fuller assessment, this should be detailed in the relevant chapter of the EIA Report.

Other Matters:-

Climate - For the avoidance of doubt the full report generated from the Scottish Government's Carbon calculation, accounting for carbon emissions and losses through construction and savings over the lifetime of the development, should be submitted as part of the EIA Report.

The Planning Authority would expect the effects of the proposed development both on climate change or by climate change to be addressed within the EIA Report though this might not require a specific chapter and may be able to be incorporated into separate, related chapters.

Forestry - There is no indication that forestry or trees will be assessed in the EIA Report. The current site layout would suggest some limited sections of trees may be impacted by infrastructure (track routes). Therefore, any details of areas of trees to be felled to accommodate the development, along with proposals for replacement compensatory planting should be detailed in the EIA Report. This could be within the habitats/ecology section. Some details of species composition and design of any compensatory planting areas would be beneficial. It may be worth considering native broadleaf species if appropriate. Scottish Forestry would be able to advise in more detail as to the expectations of a forestry chapter or any relevant guidance.

Any potential impacts on Ancient Woodland will also require to be considered, though it may be possible to avoid such areas through site layout/design whilst ensuring sufficient separation distance is maintained such that ground disturbance or construction activities will not impact the root systems of the ancient woodland areas. It will be expected that compensatory planting takes place within the site as a first preference, though where this is not possible, it will be expected that justification is detailed as to why off-site planting is required and this will be expected to take place within the East Ayrshire local authority area.

Waste - The Planning Authority consider that discussion should be made within the EIA Report of the potential sources of waste and how waste will be suitably dealt with, although these matters might be able to be addressed in each relevant chapter instead of a specific section.

Economic benefits - Whilst not necessarily a chapter of the EIA Report, with regards to economic benefits, EALDP2 requires under Policy SS10 a Skills and Employment Plan which is the local equivalent to the national planning policy in NPF4 under Policy 11(c) which is clear that development proposals **will only be supported** where they maximise net economic benefits. Therefore, the application should be accompanied by a submission to address these matters and provide clear evidence of exactly what measures will be undertaken to ensure the maximisation of net economic benefits. This will need to be separate to any derived benefits from any community benefit fund, as the Scottish Government has been clear and consistent that this is not a material consideration in the assessment of applications. So any evidence to demonstrate compliance with Policy 11(c) cannot take such matters into account. Draft guidance from Scottish Renewables on maximising net socio-economic benefit of renewable energy published in 2025 should guide the submission in respect of these matters. Early contact with the Council's Economic Development service may be beneficial and allow links to be explored regarding local priorities and opportunities for skills and employment benefits.

Recreation and Tourism:- The scoping report does not indicate whether tourism or recreation shall be specifically assessed or scoped into the EIA Report or what methodology would be used to assess such impacts. The Planning Authority

would expect an assessment of impacts on recreation and tourism receptors be scoped in, though this may have some crossover with the LVIA chapter given that many tourism and recreation receptors would experience the turbines in the landscape which is likely to be reflective of the nature of impacts.

The EIA Report should consider any strategies for long-term public access to the site for recreational uses during its operational lifetime, including any options for connections to be made with surrounding land and uses, to maximise the public access benefits. Management of public access to the site during the construction period should also be detailed. It will be important to ensure that any recreational or tourist receptors which may face significant impacts as a result of landscape and visual impacts are considered. Whether this is fully addressed within an LVIA chapter or within a recreation and tourism chapter is not important, as long consideration of such impacts has been taken into account and reported.

Decommissioning and Restoration

The application shall be accompanied by a decommissioning report which sets out a costed breakdown of the decommissioning, restoration and aftercare works likely on site, based on the observations made within the EIA Report regarding decommissioning.

The decommissioning report will require to be reviewed by the Council's independent consultants to inform the expected financial guarantee quantum which the Council would seek to secure via a Section 75 legal agreement. The Applicant should advise what mechanism they intend to secure this, such as a bond. These matters would inform the Council's assessment of the application.

The complete removal of the development, including access tracks and ancillary infrastructure, as part of the decommissioning and restoration process is the preferred approach of this Council unless a better alternative (taking account of all relevant environmental, social and economic issues) can otherwise be demonstrated by the Applicant.

Planning Monitoring Officer

The Council promotes the use of a Planning Monitoring Officer (PMO) on all major infrastructure developments. The PMO is appointed by the Council to assist in the assessment of detailed environmental planning conditions and to monitor and report on the construction works. The Council asks that developers fund the cost of the PMO and that this is secured by a Section 75 legal agreement. The benefits of the PMO use include more robust discharge of planning conditions, communities having greater certainty that proper monitoring is taking place and the developer is doing what they said they would do, and ultimately it provides an independent overview that can be relied upon during the construction phase and afterwards by the Council and the developer.

The use of the PMO need not necessarily be an integral part of the EIA Report, however, the Council's approach should be given consideration as part of the wider suite of monitoring and environmental best practice considered by the EIA Report.

Section 75 Legal Agreement

As noted at the two sections above, this Council requires developers to enter into a legal agreement to secure the matters above. This is based on longstanding practice resulting from lessons learned during the open cast coal failings in Scotland. Where the Council has no objections to the development in principle, a conditioned objection approach is used by the Council to seek to secure the legal agreement and appropriate planning conditions. This approach has led to significant pressure being exerted on the applicant by the ECU following our consultation response, essentially commencing the process to proceed to a public inquiry. To avoid such pressures it is suggested that, on a without prejudice basis, that the applicant begins negotiations and starts the drafting of the legal agreement in conjunction with the Council at the earliest possible opportunity.

Closing Comments

The Applicant is advised to ensure that all the requirements of the up to date regulations and guidance documentation is complied with in undertaking the EIA and subsequent compilation and submission of the EIA Report. The Applicant is advised to contact the relevant consultees to seek their views/input into the various chapters to ensure all matters raised are adequately dealt with and based on as up to date a position as possible, including relevant Council departments, and noise consultants as relevant.

The Council will consider the final list of relevant cumulative developments and viewpoint locations, including daytime and nighttime once the application has reached a more definitive design layout approaching the design freeze.

Yours faithfully

Graham Mitchell
Senior Planning Officer

Appendix 1 – suggested additional consultees

East Ayrshire Council Outdoor Access Officer;
East Ayrshire Council Environmental Health Service;
Ayrshire Roads Alliance (ARA) and ARA Flooding;
Scottish Power Energy Networks;
Scotland Gas Networks;
River Ayr Salmon Fisheries Board;
Ayrshire Rivers Trust;
Scottish Wildlife Trust;
Glasgow Prestwick Airport;
Glasgow Airport;
NATS;
MOD;
Transport Scotland;
West of Scotland Archaeology Service;
Historic Environment Scotland;
NatureScot;
RSPB;
SEPA, and
Local community councils (9CC).



By email to: econsents_admin@gov.scot

Conor Burke
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150 Broomielaw
Glasgow
G2 8LU

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131 668 8716
HMConsultations@hes.scot

Our case ID: 300085224
Your ref: ECU00006322
05 March 2026

Dear Conor Burke

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Dalfad Wind Farm
Comments on scope of proposed Environmental Impact Assessment

Thank you for consulting us on this Environmental Impact Assessment (EIA) scoping report, which we received on 13 February 2026. We have reviewed the details in terms of our historic environment interests. This covers cultural World Heritage Sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and Historic Marine Protected Areas.

The Dumfries and Galloway archaeological and cultural heritage advisors will also be able to offer advice on the scope of the cultural heritage assessment. This may include topics covered by [our advice-giving role](#), and also other topics such as unscheduled archaeology, category B and C listed buildings, and conservation areas.

Proposed development

We understand that the proposed development comprises a wind farm with 14 turbines up to 200m in blade tip height alongside ancillary infrastructure.

Scope of assessment

While we have identified potential effects on our historic environment interests, we are generally content with the scope of assessment as proposed.

Further advice on the nature of these impacts as well as our recommendations on best practice regarding assessment methodology is included in an annex to this covering letter.

Further Information

Any forthcoming assessment should align with the requirements of the [New EIA Report Guidance](#). We recommend that the applicant refers to the [EIA Handbook](#) for best practice advice on assessing cultural heritage impacts.

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH
Scottish Charity No. **SC045925**
VAT No. **GB 221 8680 15**



Decisions that affect the historic environment should take the [Historic Environment Policy for Scotland](#) (HEPS) into account as a material consideration. HEPS is supported by our [Managing Change guidance series](#). In this case we recommend that you consider the advice in the guidance note on setting.

We hope this is helpful. If you would like to submit more information about this or any other proposed development to us for comment, please send it to our consultations mailbox, hmconsultations@hes.scot. If you have questions about this response, please contact Cailee Mellen at cailee.mellen@hes.scot.

Yours sincerely

Historic Environment Scotland



ANNEX

Scope of Assessment

We are content with the proposed scope of assessment.

While we generally do not advise the use of arbitrary study areas to guide assessment, we welcome that a ZTV was used alongside a study area and that assets beyond 10km were considered. We have no additional assets to add at this stage.

Assessment Methodology

The assessment methodology should align with the requirements of the New EIA Report Guidance for renewable energy developments. This guidance recommends using the methodology outlined in the EIA Handbook and states that any deviations from that methodology should be agreed with us prior to the assessment being undertaken. Based on the information provided in the scoping report, we do not agree that the proposed methodology is appropriate and no justifications for the deviations have been provided. Detailed comments on this are outlined below.

Magnitude of Impact & Significance of Effect Matrix

Table 5.5 provides definitions for potential magnitudes of impact. The language used in this table differs substantially from that which is outlined in the EIA Handbook. We further note that this table introduces additional levels of magnitude that are not found in the EIA Handbook such as 'very low adverse.' These additional levels are not replicated for any potential impacts that are above 'low' (i.e. there is no 'very high' level of impact).

We also note that the matrix used for evaluating significance of effect (Table 5.6) is incongruent with what is outlined in the EIA Handbook. For instance, the matrix ascribes lower rankings to certain outcomes (e.g. low impact on assets of high significance being classified as 'minor' rather than 'moderate' effect), which would likely lead to certain effects being underestimated. Additionally, the introduction of the extra levels of lower magnitude mentioned above results in more possible outcomes at the lower range of the scale (i.e. 'very minor'), which creates an inherent bias within the matrix as there are no additional corresponding outcomes at the higher range (i.e. 'very major').

The matrix also contains two columns listed as 'highest' significance. We assume that this was made in error.

Integrity of Setting

We note that Table 5.5 also incorporates assessments of impacts to integrity of setting within its classifications of magnitude of impact. Integrity of setting in policy terms comes from Policy 7h of NPF4 and refers only to scheduled monuments and not to the assessment of listed buildings or GDLs. We also note it is stated that anything below high adverse is unlikely to affect the integrity of setting. We consider the assessment of magnitude of impact to be distinct from the assessment of impacts on the integrity of a scheduled monument's setting, and the two should not be conflated. Magnitude of impact is assessed within the context of the EIA process, whereas integrity of setting is assessed in the context of the policy test against Policy 7h of NPF4. For these reasons, we do not consider it appropriate to include integrity of setting in Table 5.6.

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

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**



Lastly, we note that some levels of magnitude of impact state ‘this level of indirect impact’ in relation to integrity of setting. It is unclear why this is included, as we consider impacts to setting to be direct impacts, and more importantly, indirect impacts are only one type of impact that need to be assessed as part of the EIA process. The classifications of the levels of magnitude of impact should be applicable to all types of impacts (i.e. direct physical, setting, etc.), which should follow definitions in paragraph 44, Appendix 1 of the EIA Handbook.

Potential Setting Impacts

We can confirm there are no heritage assets within our remit located on the proposed development site. Potential impacts that could result from the proposed development will therefore relate to the settings of such assets.

Scheduled Monuments

There is the potential for significant adverse impacts on the following assets in our remit:

- **Kyle Castle, 200m E of Dalblair (SM3311)**

The monument is the fragmentary remains of a rectangular keep on the top of a ridge at the confluence of two rivers. The nearest turbine would be less than 2km from the castle and there is the potential for impacts on the monument’s setting. A photomontage of the view towards the development from Kyle Castle (SM3311) has been included in the list of visualisations proposed in the Scoping Report. We are content with the proposed list of visualisations as proposed.

Category A-Listed Buildings & Gardens and Designed Landscapes

We note that the following assets are proposed as being scoped in with visualisations:

- **Dumfries House (LB14413/GDL00149)**
- **Sorn Castle (LB14273)**
- **The Temple (LB96)**
- **Avenue Bridge (LB14414)**
- **Dovecote Dumfries House (LB14416)**

We are content with the assets identified and the approach proposed for visualisations.

Historic Environment Scotland

05 March 2026



Conor Burke
Energy Consents Unit
Scottish Government
5 Atlantic Quay
150 Broomielaw
Glasgow. G2 8LU.

Your Ref: ECU00006322
Our Ref: CEA183393
Date: 13 March 2026

Dear Mr Burke,

**The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Electricity Act 1989: Request for Scoping Opinion for the Proposed Dalfad Wind Farm in the
Planning Authority Area of East Ayrshire Council (ECU00006322)**

Thank you for consulting NatureScot on the scope of the Environmental Impact Assessment (EIA) for the proposed Dalfad Wind Farm. The following advice is based on the contents of the Dalfad EIA Scoping Report (SLR, January 2026), and associated figures and appendices.

We have also responded to the applicants specific consultee questions found in the Scoping Report which are relevant to NatureScot, and our answers can be found in the Appendix of this advice.

1. Summary

- 1.1. Key natural heritage impacts requiring consideration within the EIA are:
- Potential impacts on the Muirkirk and North Lowther Uplands Special Protection Area (SPA) and Muirkirk Uplands Site of Special Scientific Interest (SSSI)
 - Potential impacts on protected species
 - Potential impacts on carbon-rich soil and priority peatland habitats

2. Background

2.1. The proposed development would comprise up to 14 wind turbines, up to 200 m to blade tip, and associated infrastructure. The proposal site lies within the East Ayrshire Council area, in an area of semi-remediated open-cast coal mining, approximately 6 km north east of Cumnock.

5 Atlantic Quay, 150 Broomielaw, Glasgow, G2 8LU
5 Cidhe a' Chuain Siar, 150 Broomielaw, Glaschu, G2 8LU
01463 725000 [nature.scot](https://www.nature.scot)

NatureScot is the operating name of Scottish Natural Heritage

3. General Scoping Advice

3.1. The applicant should refer to [our pre-application guidance for onshore wind farms](#).

3.2. The guidance provides our standing advice on the issues that developers and their consultants should consider for wind farm developments, including our advice on recommended survey methods, sources of further information and guidance, data presentation and our expectations for the contents of EIA Reports. Attention should be given to the full range of advice included in the guidance. The documents will be updated regularly, and applicants should therefore ensure that they refer to the most recently published versions.

4. Specific Scoping Advice

4.1. While we broadly agree with what the applicant proposes in the Scoping Report, we offer the following specific comments at this stage.

Protected Areas

4.2. Details of protected areas, including their conservation objectives / site management statements, can be found in the [Sitelink](#) section of our website. The direct and indirect impacts of the proposed development on protected areas and their qualifying interests / notified features should be assessed in the context of their conservation objectives / site management statements. The assessments should consider the proposal on its own and cumulatively with other plans or projects also affecting the relevant protected area.

Muirkirk and North Lowther Uplands Special Protection Area (SPA)

4.3. The proposal is directly adjacent to and could affect the Muirkirk and North Lowther Uplands SPA classified for its breeding hen harrier, peregrine, merlin, short-eared owl and golden plover and for its non-breeding (wintering) hen harrier. Information on the SPA is available on the [Sitelink page of our website](#).

4.4. Relevant maps to be included in the Environmental Impact Assessment report should clearly show the locations of protected areas close to the proposed development, especially the boundary that is adjacent to and overlaps the SPA.

4.5. The status of the SPA means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the “Habitats Regulations”) or, for reserved matters, The Conservation of Habitats and Species Regulations 2017 apply. Consequently, Scottish Ministers will be required to consider the effect of the proposal on the SPA before it can be consented (commonly known as Habitats Regulations Appraisal). [Advice on this process is available on our website](#).

4.6. The Scoping Report states that the proposed site boundary ‘slightly’ overlaps with the SPA. The proposed development site also lies within a distance of the SPA at which we consider there is an overlap with both the [core foraging ranges of the site’s qualifying interests](#) and the [distances at which the qualifying interests could be disturbed](#). **In our view, this proposal is therefore likely to have a significant effect on the SPA and, consequently, Scottish Ministers, as competent authority, will be required to carry out an appropriate assessment in view of the site’s conservation objectives for its qualifying interests.**

4.7. We welcome the applicant's intention to provide information as part of the EIA submission which would allow the competent authority to undertake the appropriate assessment. This information should include assessment of the following potential impacts:

- Collision risk to all SPA qualifying species and how this may affect the viability of the relevant species' population.
- Direct and indirect impacts on habitats within the SPA and how this may affect the qualifying interests.
- Disturbance to SPA qualifying species as a result of construction, operation and/or decommissioning of the development.
- The implications of the proposed development for the Powharnal Mitigation Management Plan. In addition to consideration of how the proposed development may affect the achievement of the aims and objectives of the plan (for example, how displacement around turbines relates to proposals for habitat improvement for qualifying interests), consideration of how the achievement of these may affect the development will also be required (for example, whether improving conditions for breeding and foraging birds in areas close to the proposed development could result in conflicts with the proposed development). We recommend that the applicant make contact with the Powharnal Management Committee (contact stephen.inglis@rspb.org.uk) for up to date information on the status and progress of the plan, and any monitoring results that they may be able to provide.

4.8. We strongly encourage the applicant to use the iterative design approach embedded in EIA to ensure that the Proposed Development does not compromise the achievement of the aims and objectives of the PMMP. **It is important for the applicant to note that the implementation of the PMMP has been assessed as being necessary to ensure that there is no adverse effect on the integrity of the Muirkirk & North Lowther Uplands SPA as a result of legacy mining operations.**

Airds Moss Special Area of Conservation (SAC)

4.9. The proposal is around 500 m from the Airds Moss SAC, classified for its blanket bog habitat. The site's status means that the requirements set out in paragraph 4.5. above in respect of the SPA also apply to it. There does not appear to be a connection e.g. hydrological connection through drainage ditches and streams/rivers between the development site and the SAC.

4.10. Our advice is that it is unlikely that the proposal will have a significant effect on the qualifying interest either directly or indirectly. An appropriate assessment is therefore not required. We agree with the applicant that Airds Moss SAC can be scoped out of further assessment.

Ailsa Craig Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI)

4.11. The proposal could affect the Ailsa Craig Special Protection Area (SPA), classified for its migratory gannet and lesser black-backed gull and seabird assemblage. [Information on the SPA can be found on the SiteLink pages of our website](#). The proposal site is located approximately 64 km from the SPA which is within [the mean maximum foraging distance of lesser black-backed gull and herring gull](#).

4.12. The status of the SPA means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the “Habitats Regulations”) or, for reserved matters, The Conservation of Habitats and Species Regulations 2017 apply. Consequently, Scottish Ministers will be required to consider the effect of the proposal on the SPA before it can be consented (commonly known as Habitats Regulations Appraisal). [Advice on this process is available on our website.](#)

4.13. The Scoping Report recorded both lesser-backed and herring gulls during baseline surveys. We advise that effects of the proposal on Ailsa Craig SPA should be scoped in to further assessment. Full justification should be included in the EIAR for the outcome of further assessment.

4.14. Our advice is that at present there is insufficient information to determine whether the proposal is likely to have a significant effect on lesser black-backed gull and herring gull qualifying interests of Ailsa Craig SPA. In order for this to be determined, we recommend that the following additional information is obtained:

- An assessment of potential collision risk for lesser black-backed and herring gulls and how this may affect the viability of the relevant species’ SPA population. We advise that this information should include flight lines from Vantage Point watches.

Muirkirk Uplands Site of Special Scientific Interest (SSSI)

4.15. The area of the Muirkirk and North Lowther Uplands SPA is also nationally designated as Muirkirk Uplands SSSI. The SSSI is protected for its:

- Breeding and non-breeding hen harrier
- Breeding short-eared owl
- Breeding bird assemblage
- Upland habitat assemblage
- Blanket bog, and
- Geological interests

4.16. The potential direct and indirect impacts of the Proposed Development on these features will require thorough consideration as part of the EIA process. In this respect:

- *Breeding hen harrier & short-eared owl, and non-breeding hen harrier:* These species will be considered in the assessment of the SPA interests and do not require specific additional consideration within the EIA.
- *Breeding bird assemblage:* The range of impacts set out in paragraph 4.6 above should also be assessed in relation to the SSSI breeding bird assemblage. The implications of the Proposed Development on the PMMP, and vice versa, should also be considered in relation to the SSSI breeding bird assemblage. This is likely to require particular consideration of waders and black grouse.
- *Upland habitat assemblage, and blanket bog:* We advise that the EIAR assesses the impact on all habitat features of the SSSI.
- *Geology:* We advise that this feature of the SSSI will not be affected by the proposed development and therefore can be scoped out of the EIA.

Birds in the Wider Countryside

4.17. We note from Figure 7.4 of the Scoping Report (Ornithological Design Constraints) that there are nesting locations recorded within the site. It is unclear whether these were recorded by the applicant, or if these are historic nests. This should be clarified in the EIAR.

4.18. We expect to see full methodology and results of ornithological surveys as part of the EIAR, in accordance with our [bird survey guidance for onshore windfarms](#).

Protected Species

4.19. We note from the Scoping Report that the applicant intends to scope out otter and water vole “due to the lack of field survey signs” (paragraph 6.6.2), yet it would appear that evidence of otter and potentially water vole were recorded in 2025 surveys (paragraph 6.2.3.2). Therefore, we advise that these species should be scoped in to further assessment, or otherwise clear justification included as to why this is not the case.

4.20. We agree with the applicants decision to scope out the other species stated, however we expect to see full and detailed survey methodology and results in the EIAR. [We have standing advice in relation to protected species available on our website](#).

Landscape

4.21. We recognise that significant landscape and visual impacts are likely to arise as a result of this proposal. However, our approach to advising on wind farm applications is to focus upon impacts on Scotland’s landscapes that potentially raise issues of national interest (i.e. as identified in our National Interest guidance). In this case, it is unlikely that we will consider that the landscape and visual effects of the proposal will raise natural heritage issues of national interest, and we are therefore unlikely to provide any specific landscape advice at application stage. [NatureScot guidance on landscape and visual impacts of wind farms can be found on our website](#).

Peatland

4.22. Our detailed peatland advice for applicants is contained in our pre-application advice and [revised guidance on peatland, carbon-rich soils and priority peatland habitats](#). Our [onshore wind pre-application guidance](#) also highlights key messages in relation to peatland assessment, recommendations on peatland restoration, and the level of information to be submitted with the application. Please see Annex 1 and 2 of our guidance on advising on peatland etc and the ‘Site visit template for assessment of peatland on proposed development sites’ that can be downloaded from our website.

4.23. It is good to see that the applicant intends to carry out additional Phase II peat surveys, as we note that some infrastructure may be situated on areas of blanket bog which could raise issues of national importance.

5. Closing Remarks

This advice is provided by NatureScot, the operating name of Scottish Natural Heritage. We hope that you will find it helpful in your consideration of this Scoping request, but please contact me should you wish to discuss our advice further – Hannah.Linton@Nature.Scot.

Finally, while we are supportive of the principle of renewable energy, our scoping advice is given without prejudice to a full and detailed consideration of the impacts of the proposal if it is submitted as a formal application. Where it is not possible to demonstrate that there would be no adverse effect on the integrity of a protected area, the applicant should note that this may result in an objection from us.

Yours sincerely,

Hannah Linton
Operations Officer – West Central

Annex 1 – Scoping Questions to Consultees

Ecology

Q6.1 Do consultees agree that the scope of IEFs to be included in the assessment is appropriate?
We advise that otter and water vole are scoped in as IEFs due to the evidence found and recorded within the scoping report. For those elements that are scoped out, we expect to see clear justification as to why they are scoped out.

Q6.2 Do consultees agree that the methodology and scope of assessment is appropriate?
While the information provided in paragraph 6.2.1 of the Scoping Report is appropriate, we require full detail of the methodology and scope in the EIAR so it is not possible to state at the moment whether we are in agreement with these.

Q6.3 Do consultees agree with the potential effects to be scoped out of the assessment?
No, we are not in agreement that otter and water vole should be scoped out given that field signs were recorded.

Q6.4 Are there any relevant consultees who should be consulted, or other sources of information that should be considered?
In relation to ecology, no

Ornithology

Q7.1 Do consultees agree with the species proposed to be scoped out of the detailed assessment, and the resultant identified IOFs?
Yes

Q7.2 Do consultees believe that there are any further species, or any designated sites which need to be considered in the assessment?
We advise that impacts on Ailsa Craig SPA are scoped in to further assessment. And information is provided to determine whether there is a likely significant effect on the qualifying interests.

Q7.3 Are there any other relevant sources of information that should be referenced with respect to the ornithology assessment?

Yes, the Powharnal Management Committee should be consulted in particular in relation to how the proposal interacts with their work.

Q7.4 Do consultees agree that the methodology and scope of the proposed ornithological impact assessment is appropriate?

It is not possible to say at this stage whether the methodology and scope are appropriate. We agree that the buffer areas around the site are appropriate for ornithology surveys, and also are content with the vantage point survey locations. We expect to see full details of survey methodology in the EIAR.

Q7.5 Do consultees have any suggestions for habitat management measures?

Yes, we strongly advise the applicant consult the Powharnal Management Committee. To avoid an adverse effect on integrity of the Muirkirk & N Lowther Uplands SPA, the applicant will have to consider how the proposal will interact with the Powharnal work. We also advise consulting RSPB and the South Strathclyde Raptor Study Group.

Geology, Hydrogeology, Hydrology and Peat

8.3 Site investigations, including detailed peat probing, augering and condition assessment, private water survey, and GWDTE assessment will be undertaken as part of the proposed assessment. Should any additional investigation or data sources be considered when assessing baseline conditions?

We recommend that the applicant follows our guidance [on peatland, carbon-rich soils and priority peatland habitats](#)

From: [Planning South](#)
To: [Econsents Admin](#)
Cc: [Conor Burke](#)
Subject: 20008014 SEPA response RE: Request for Scoping Opinion - Dalfad Wind Farm - ECU00006322
Date: 03 March 2026 14:30:57
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[20008014 SEPA response EIA scoping ECU00006322.docx](#)

OFFICIAL

Dear Energy Consents Unit

Thank you for consulting SEPA on the above. Please find our response attached.

Where applicable this email has been copied to the agent and/or applicant; any relevant responses to the points we raise should be sent to the planning authority.

Information on our planning service along with guidance for planning authorities, developers and any other interested party is available on our website at <http://www.sepa.org.uk/planning.aspx>.

The information contained in this email and any attachments may be confidential and is intended solely for the use of the intended recipients. Access, copying or re-use of the information in it by any other is not authorised. If you are not the intended recipient please notify us immediately by return email to postmaster@sepa.org.uk.

Peter Minting | Planning Officer

Scottish Environment Protection Agency

 Angus Smith Building | 6 Parklands Avenue | Eurocentral | Holytown |
North Lanarkshire | ML1 4WQ



For the future of our environment

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](#).

OFFICIAL



Energy Consents Unit (ECU)
Scottish Government

Our Ref: PCS-20008014
Your Ref: ECU00006322

By email only to: Econsents_Admin@gov.scot

SEPA email contact:
planning.south@sepa.org.uk

03 March 2026

Dear Energy Consents Unit

Electricity Act 1989 - Section 36
ECU00006322
Request for EIA Scoping Opinion
Dalfad Wind Farm

Thank you for consulting SEPA for an Environmental Impact Assessment (EIA) scoping opinion in relation to the above development. We welcome engagement with the applicant at an early stage to discuss any of the issues raised in this letter and would especially welcome further pre-application engagement once peat probing, peat condition assessment and habitat survey work has been completed and used to inform the layout of the proposed development.

Our position and advice, given below, is based on the planning authorities ultimately determining that the proposal is classed as development that could be supported for the purposes of assessment under policies 5 Soils and 22 Flood risk and water management, as defined in National Planning Framework 4 (NPF4). If this is not the case, please advise so we can re-consider our position and advice. We consider that this also covers the



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requirements in NPF4 policies 2 Climate mitigation and adaption, 3 Biodiversity and 11 Energy.

Advice for the determining authority

To **avoid delay and potential objection** the EIA submission must contain a series of scale drawings of sensitivities, for example peat depth, peat condition, Groundwater Dependent Terrestrial Ecosystems (GWDTE), proximity to waterbodies, overlain with proposed permanent and temporary development. This is necessary to ensure the EIA process has informed the layout of the development to firstly avoid, then reduce and then mitigate significant impacts on the environment. We request that the issues covered in [Appendix 1](#) below, which provides details of our standard information requirements for EIA development and the form in which they must be submitted, and [Appendix 2](#), which provides additional development type specific advice, be addressed to our satisfaction in the EIA process.

We have also provided site specific comments in the following section which provides pre-application advice and can help the developer focus the scope of the assessment.

1. Site specific comments

- 1.1 We expect the application to be supported by comprehensive survey work and a site-specific peat management plan, meeting the requirements set out in section 2 of [Appendix 1](#) below. The EIA Report must set out the information required by NPF4 policy 5 and clearly demonstrate how the mitigation hierarchy (as defined in NPF4) has been followed, to firstly avoid areas of peat, natural and near natural condition peat habitat, and, where this is not possible, to minimise the amount of peat that requires to be excavated.
- 1.2 Crossings must be designed to accommodate the 0.5% annual exceedance probability flows with an appropriate allowance for climate change, or information

provided to justify smaller structures. Our [Climate change allowances for flood risk assessment in land use planning](#) guidance sets out required allowances for climate change.

If you have queries relating to this letter, please contact us by email, via; planning.south@sepa.org.uk including our reference number in the email subject.

Yours sincerely

Peter Minting
Planning Officer
Planning Service

Ecopy to: Conor Burke conor.burke@gov.scot

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 at sepa.org.uk/environment/land/planning/.

Appendix 1: SEPA Energy generation and transmission EIA scoping requirements

This appendix sets out our minimum information requirements, and we would welcome discussion around these prior to formal submission to avoid delays. There may be opportunities to scope out some of the issues below and in [Appendix 2](#) depending on the site. Evidence must be provided in the submission to support why an issue is not relevant for this site. If there is a significant length of time between scoping and application submission, the developer should check whether our advice has changed.

1. Site layout

- 1.1 Each of the drawings requested below must detail all proposed upgraded, temporary and permanent infrastructure. This includes all tracks, excavations, landraising and other groundworks, buildings, borrow pits, pipelines, cabling, site compounds, laydown areas, storage areas and any other construction and built elements. All drawings must be based on an adequate scale with which to assess the information. This may mean that to show sufficient detail of smaller areas of the site, for peat depth, watercourse buffers and Groundwater Dependent Terrestrial Ecosystems in particular, as well as an overall whole site figure, multiple figures are required splitting the site into sections using larger scale maps. Such figures should show greater detail of where different elements of the proposed development are located in relation to those interests, to demonstrate how adverse effects have been minimised through the siting and design process.
- 1.2 We highlight that required buffers should be based on the outer extent of any proposed microsites and these should be clearly shown on the submitted drawings. The schedule of mitigation should also include a commitment that no microsites would take place that would result in infrastructure (excluding floating tracks) having a greater overall impact on peat, watercourses or GWDTE than the original location shown in the EIAR.
- 1.3 The layout should be designed to minimise the extent of new works on previously undisturbed ground. For example, a layout which makes use of lots of spurs or loops is unlikely to be acceptable, cabling must be laid in ground already disturbed

such as verges, and existing built infrastructure must be re-used or upgraded where possible.

- 1.4 A comparison of the environmental effects of alternative locations of infrastructure elements may be required. We seek absolute avoidance of development on the sensitive habitats detailed below. Where elements of a development have not avoided for example near-natural peatland, adequate justification should be provided for the proposed layout. The justification should include how any impacts are considered in relation to example the mitigation hierarchy as demonstrated through the Peat Management Plan (PMP) submission. This should be supported by drawings with overlays of the peat maps and any other constraints, such as visual impact, to clearly demonstrate how these constraints have influenced any plans for development on peatland and other sensitive habitats within our remit.

2. Peatland and other carbon rich soils

- 2.1 Peatland in near natural condition generally experiences low greenhouse gas emissions, is accumulating and may be sequestering carbon, has high value for supporting biodiversity, helps to protect water quality and contributes to natural flood management, irrespective of whether that peatland is designated for nature conservation purposes or not. Where proposals are on peatland or other carbon rich soils, the following should be submitted to address our requirements in relation to NPF4 policy 5 to protect carbon rich soils and the ecosystem services they provide (including water and carbon storage).
- 2.2 It should be clearly demonstrated that detailed site-specific assessment has informed the layout and design of the proposed development in accordance with the mitigation hierarchy in NPF4, to achieve the following in relation to peat and carbon rich soils:
- avoidance of near-natural peatland and of peat greater than 1 metre depth, and
 - avoidance of other carbon rich soils where there are alternative areas of the site where carbon rich soils are absent, and

- minimisation of the absolute volume of peat material excavated and disturbed during construction, operational life and in decommissioning.

2.3 The submission should include a series of layout drawings, at a usable scale, showing all permanent and temporary infrastructure, along with the ancillary construction work areas, with the extent of excavation required. These plans should be overlaid on the following:

- a) Peat depth survey showing peat probe locations, colour coded using distinct colours for each depth category. This must include adequate peat probing information to inform the site layout in accordance with the mitigation hierarchy in NPF4, which may be more than that outlined in the [Peatland Survey – Guidance on Developments on Peatland \(2017\)](#).
- b) Peat depth survey showing interpolated peat depths.
- c) Peatland condition mapping – the [Peatland Condition Assessment](#) photographic guide lists the criteria for each condition category and illustrates how to identify each condition category.

2.4 The detailed series of layout drawings above should clearly demonstrate that peat excavation has been avoided where possible. Where complete avoidance of peat and other carbon rich soils is not possible, justification should be provided to adequately demonstrate why this is the case, and it should be clearly demonstrated on the drawings that:

- a) Development proposals avoid any near natural peatland and the deepest areas of peat.
- b) All proposed excavation is on peat less than 1m deep, where feasible.

- c) The volumes of peat excavated have been reduced as much as possible, first through layout and then by design, making use of non-intrusive building and infrastructure design to minimise the impacts, for example the use of floating tracks.

2.5 The Outline Peat Management Plan (PMP) must include:

- a) A table setting out the volumes of acrotelmic, catotelmic and amorphous peat to be excavated. These should include a contingency factor to consider variables such as bulking and uncertainties in the estimation of peat volumes.
- b) A table clearly setting out the volumes of acrotelmic, catotelmic and amorphous excavated peat: (1) used in making good site specific areas disturbed by development, including borrow pits, (2) used in on and off site peatland restoration, and (3) disposed of, and the proposed means of disposal (if deemed unavoidable after all other uses of excavated peat have been explored and reviewed).
- c) Suitable evidence must be provided to demonstrate that any use of excavated material in making good areas disturbed by development, including borrow pits, is a suitable material for the intended use, the minimum necessary to achieve the intended environmental benefit and not a waste disposal operation. (For example, for reinstating ground and vegetation on track verges/shoulders we would typically expect peat use depths of up to 0.5m, with justification required for greater depths.) As well as information on the quantities, information should be included on the suitability of the material for the intended use, what the intended environmental benefit is, how it would be achieved and how it relates to the surrounding habitat.
- d) Details of proposals for temporary storage and handling of peat – [Good Practice during Wind Farm Construction](#) outlines the approach to good practice when addressing issues of peat management on site and minimising carbon loss.

- e) If peat is to be used in the reinstatement of borrow pits on site, cross sections and plans should also be provided showing the proposed maximum peat depth profiles for each category of peat, phasing and final restoration profiles in relation to surrounding land with a clear hydrological justification for the use of catotelmic peat also being given. The intended final target restoration habitat for each borrow pit should be specified, along with monitoring proposals and any required safety or other management measures. Details of how this will be maintained and managed in perpetuity should be included in the aftercare scheme.
- f) Use of excavated peat in areas not disturbed by the development itself is no longer a matter we provide planning advice on. Please refer to [Advising on peatland, carbon-rich soils and priority peatland habitats in development management | NatureScot](#) 2023, and the [Peatland ACTION – Technical Compendium](#), which provides more detailed advice on peatland restoration techniques. Unless the excavated peat is certain to be used for construction purposes in its natural state on the site from where it is excavated, it will be subject to regulatory control. The use of excavated peat off-site, including for peatland restoration, will require the appropriate level of environmental authorisation. Excavated peat will be waste if it is discarded, or the holder intends to or is required to discard it. These proposals should be clearly outlined so that we can identify any regulatory implications of the proposed activities. This will allow the developer and their contractors to tailor their planning and designs to accommodate any regulatory requirements. Further guidance on this can be found in the document [Is it waste - Understanding the definition of waste](#).

3. Water environment

- 3.1 Policy 11 of NPF4 requires that the project design and mitigation demonstrate how impacts on hydrology, the water environment and flood risk are addressed. The proposals should demonstrate how impacts on local hydrology have been minimised and the site layout designed to minimise watercourse crossings and avoid other direct impacts on water features. Measures should be put in place to protect any downstream sensitive receptors.

3.2 The submission must include a set of drawings showing:

- a) The footprint of all proposed temporary and permanent infrastructure (including all the ancillary construction work areas, for example excavations, landraising and other groundworks, storage, laydown and working areas) overlain with all waterbodies.
- b) The minimum buffer around each waterbody, as detailed in Table 1 of [Recommended Riparian Corridor Layer for use in Land Use Planning](#), from all construction activities including working and storage areas, or 50m where subsurface activities are more than 1m in depth. If these minimum buffers cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the waterbody, drawings of what is proposed in terms of any engineering works, and details of why the minimum buffer cannot be achieved and mitigation measures to protect the feature.
- c) A map showing the location, size, depths and dimensions of all borrow pits overlain with all waterbodies within 250m and showing a site-specific buffer around each waterbody proportionate to the depth of excavations. The information provided needs to demonstrate that a site-specific proportionate buffer can be achieved.

3.3 Further advice and our best practice guidance are available on our beta.sepa.scot/regulation/authorisations-and-compliance/easr-authorisations/water-activities/engineering/ and beta.sepa.scot/topics/water/ webpages.

4. Groundwater Dependent Terrestrial Ecosystems (GWDTE)

4.1 The construction and operation of developments can disrupt groundwater flow and have adverse impacts on GWDTE, which are protected under the Water Framework

Directive. The layout and design of the development must avoid adverse impacts on such areas, ensuring the water environment, including GWDTE, are protected.

- 4.2 As detailed in our [Guidance on Assessing the Impacts of Developments on Groundwater Dependent Terrestrial Ecosystems](#), a phased approach to the assessment of risks to GWDTE is recommended, with greater detail being required for higher risk sites or activities.
- 4.3 Where monitoring is required, please note that baseline monitoring is expected to commence at least 12 months ahead of the development works starting on site and this should be factored into the timescales for submitting the Environmental Impact Assessment Report (EIAR) and commencement of development.
- 4.4 A Phase 1 habitat survey should be provided unless the developer is already aware that GWDTE are likely to be present. Where initial assessment results indicate relevant habitats may be present, a National Vegetation Classification (NVC) survey should be submitted, along with the following information:
- a) A set of drawings demonstrating all GWDTE are outwith a 10m radius of all activities, 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m. The survey needs to extend beyond the site boundary where the distances require it, and the buffers based on the outer extent of any proposed micrositeing.
 - b) If the minimum buffers cannot be achieved, a conceptual site model (CSM) should be provided that includes interpretation of the hydrogeological setting, including the groundwater flow regime, and the ecological features present. This may be supported, as appropriate, by intrusive ground investigation, groundwater monitoring, or groundwater modelling in addition to topography, properties of the emergent water and the soil, and underlying geology. Please refer to [Guidance on Assessing the Impacts of Developments on Groundwater Dependent Terrestrial Ecosystems](#) for further advice on undertaking detailed site specific

qualitative and/or quantitative risk assessments and the minimum information we require to be submitted.

- c) Please note that while we will accept The UK Habitat Classification System (UKHab) as an alternative to a Phase 1 habitat survey, due to discrepancies in habitat definition and ambiguity in correspondence with NVC types, we do not accept the use of the UKHab as an alternative to NVC.

5. Existing water abstractions

- 5.1 SEPA expect developments and infrastructure to be designed and constructed such that the water environment, including existing water abstractions, are protected. The applicant should seek to avoid adverse impacts on existing water abstractions through the detailed design of the development and by implementing best practice construction techniques.
- 5.2 Where monitoring is required, please note that baseline monitoring is expected to commence at least 12 months ahead of the development works starting on site and this should be factored into the timescales for submitting the Environmental Impact Assessment Report (EIAR) and commencement of development.
- 5.3 The source (rather than the property it supplies) of both public and private water supply abstractions should be identified. The survey needs to extend beyond the site boundary where the distances require it (see point 5.5 a) below), and the buffers should be based on the outer extent of any proposed micro-siting. Scottish Water holds information regarding public water supplies, and the Local Authority holds records of private water supplies. Note that the information held by the Local Authority will sometimes relate to the property served by the private water supply, rather than the location and details of the source itself (e.g. the house rather than the borehole or spring). Therefore, the location and details of each private water supply source require confirmation, including a site walkover survey.

- 5.4 As detailed in our [Guidance on Assessing the Impacts of Developments on Groundwater Abstractions](#), a phased approach to the assessment of risks to groundwater abstractions is recommended, with greater detail being required for higher risk sites or activities.
- 5.5 The following information should be submitted where the assessment results indicate groundwater abstractions may be present:
- a) A set of drawings demonstrating the locations of the sources of all groundwater abstractions are outwith a 10m radius of all activities, 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m.
 - b) If the minimum buffers cannot be achieved a conceptual site model should be provided that includes interpretation of the hydrogeological setting, including the groundwater flow regime. This may be supported, as appropriate, by intrusive ground investigation, groundwater monitoring, or groundwater modelling. Please refer to [Guidance on Assessing the Impacts of Developments on Groundwater Abstractions](#) for further advice on undertaking detailed site specific qualitative and/or quantitative risk assessments and the minimum information we require to be submitted.
- 5.6 Monitoring requirements for Scottish Water abstractions should also be agreed with Scottish Water along with any appropriate remedial actions to prevent negative construction/post construction impacts on water quality.
- 5.7 The Drinking Water Quality Regulator for Scotland (DWQR) ensures that drinking water in Scotland is safe, monitors water quality, and oversees compliance with regulations, through local Environmental Health Departments. As such, we defer to the advice of the Local Authority on the protection of surface water supplies. As per section 3.2 b) above, we highlight that adequate buffers must be maintained between water bodies and development, and best practice pollution prevention

measures are followed. Further best practice advice and our regulatory requirements can be found on our beta.sepa.scot/regulation/authorisations-and-compliance/easr-authorisations/water-activities/discharges/water-run-off/ webpage and section 9 below.

6. Flood risk

- 6.1 We reiterate that, as detailed above, our position and advice is based on the determining authority determining that the proposal is supported under policy 22, as defined in NPF4, unless we are advised otherwise.
- 6.2 Advice on flood risk is available at [Flood Risk Standing Advice](#) and reference should also be made to [Controlled Activities Regulations \(CAR\) Flood Risk Standing Advice for Engineering, Discharge and Impoundment Activities](#).
- 6.3 Crossings must be designed to accommodate the 0.5% annual exceedance probability flows with an appropriate allowance for climate change, or information provided to justify smaller structures. Our [Climate change allowances for flood risk assessment in land use planning](#) guidance sets out required allowances for climate change.
- 6.4 In order to establish that the five bullet points within NPF4 policy 22a have been satisfied and where it is considered the development could result in an increased risk of flooding to a nearby receptor, then a flood risk assessment (FRA) must be submitted. Our [Technical Flood Risk Guidance for Stakeholders](#) provides generic requirements for undertaking Flood Risk Assessments as well as our [Climate change allowances for flood risk assessment in land use planning](#) guidance.
- 6.5 The FRA should specifically address the following issues:
 - a) All existing watercourses and drains on the site are fully identified and flow pathways understood in relation to the 1 in 200 year plus climate change flood levels for the catchment.

- b) The modelling should extend far enough upstream to capture any flow pathways which may impact the development site.
- c) Demonstration there is no increased flood risk to existing properties in the vicinity of the proposed development and, if possible, demonstrate an improvement.
- d) Any intended realignment or alteration of channels should also be outlined and accounted for within the FRA, with analysis showing pre and post development flood risk.
- e) Where applicable, flows should be shown to be accommodated within any altered channel to avoid flooding of existing structures, access roads or increased risk for others.

6.6 Generally, we are unable to support landraising within a flood risk area unless it is required for development outlined under the exceptions in policy 22a of NPF4. Which, as indicated above, we understand this proposal is unless notified otherwise, and as such we may be able to accept. However, where landraising is proposed within the flood risk area identified within the FRA, it should be linked to compensatory storage and demonstrated that there is no reduction in floodplain capacity or increased risk for others, and that the compensatory storage can be maintained in perpetuity. Notwithstanding this, any landraising must be shown to be minimised as far as possible.

6.7 Culverting for land gain would not be supported by us. If any works to alter watercourse channels are proposed, we would expect betterment to the channel and utilisation of this opportunity to help reduce flood risk to the wider site and any other nearby receptors.

7. Environmental enhancements

- 7.1 Policy 3 of NPF4 requires all EIA development to demonstrate that the proposal will conserve, restore and enhance biodiversity, including nature networks, so they are in a demonstrably better state than without intervention. EIA development should fully mitigate potential negative effects prior to identifying biodiversity enhancements, with the enhancements provided in addition to mitigation.
- 7.2 We highlight there may be opportunities for riparian planting along watercourses within landownership boundaries. Such planting could be explored as part of biodiversity enhancement proposals on watercourses that have been identified as having medium or high priority for riparian planting on [SEPA's Riparian vegetation planting opportunities GIS layer](#).
- 8. Forest removal and forest waste**
- 8.1 If forestry is present on the site, the site layout should be designed to avoid large scale felling, as this can result in substantial amounts of waste material and a peak in release of nutrients which can affect local water quality.
- 8.2 The submission must include drawings with the boundaries of where felling will take place and a description of what is proposed for this timber in accordance with [Use of Trees Cleared to Facilitate Development on Afforested Land – Joint Guidance from SEPA, SNH and FCS](#) and our guidance [Management of Forestry Waste](#).
- 9. Pollution prevention and environmental management**
- 9.1 The submission must include a schedule of mitigation, which includes reference to best practice pollution prevention and construction techniques (for example, limiting the maximum area to be stripped of soils and peat at any one time) and regulatory requirements. Please refer to the [Guidance for Pollution Prevention](#) (GPPs), along with our [beta.sepa.scot/regulation/authorisations-and-compliance/easr-authorisations/water-activities/discharges/water-run-off/](#) and [Water activities | Beta | SEPA | Scottish Environment Protection Agency](#) webpages, for more information and advice.

- 9.2 A commitment must also be included in the schedule of mitigation that micro-siting will not encroach into sensitive areas, to avoid adversely affecting mitigation measures identified in the EIAR that seek to avoid and/or minimise adverse effects on sensitive receptors (eg peat, watercourse and GWDTE buffers).

10. Life extension, repowering and decommissioning

- 10.1 The discarding of materials as waste should be avoided and the [waste hierarchy](#) applied to waste produced during construction, operation and decommissioning of the development. If there is an intention to discard materials then further guidance on this can be found in [Is it waste - Understanding the definition of waste](#), and our [beta.sepa.scot/regulation/authorisations-and-compliance/easr-authorisations/waste-activities/](#) webpage.
- 10.2 We also highlight that confirmation of the end re-use/disposal of any materials resulting from the removal of temporary infrastructure at the end of the construction phase, for example aggregate from temporary access tracks, should be provided so that we can advise the applicant on the relevant waste implications and authorisations. We have specific [Guidance on the reuse of Type 1 aggregate that should be referred to](#).
- ## **11. Other planning matters**
- 11.1 For all other planning matters, we refer you and the developer to the relevant standing advice in our [Development management thresholds and standing advice](#), which is also applicable to Electricity Act applications.

12. SEPA authorisation

- 12.1 We authorise several matters relating to water, waste management, radioactive substances, and pollution prevention and control. In 2018, the Scottish Government brought in the Environmental Authorisations (Scotland) Regulations 2018 (EASR 2018). The aim of these Regulations is to provide a standardised, simplified, common framework for environmental authorisations in Scotland, known as an Integrated Authorisation Framework (IAF).

- 12.2 From 1 November 2025, all water, waste management and industrial activities are now regulated under the Environmental Authorisation (Scotland) Regulations 2018 (EASR), as amended. Our beta.sepa.scot/regulation/ webpage provides good practice advice and guidance and defines those activities which may require authorisation by SEPA, along with details of how to contact us for more help, advice and how to apply for any necessary authorisations.
- 12.3 It is an applicant's responsibility to ensure their proposals will meet all relevant regulatory requirements and they are working within regulatory guidelines. We prefer all the technical information required for any SEPA authorisations to be submitted at the same time as the planning or similar application. We consider it to be at the applicant's commercial risk if planning permission is granted for a development/process which cannot gain authorisation from us, or if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising.

Appendix 2: SEPA's additional EIA scoping requirements by type of development

The below advice should be read in conjunction with the scoping advice in [Appendix 1](#) above.

1. Wind farms

- 1.1 Proposals for life extension, repowering and/or decommissioning of wind farms must demonstrate accordance with our guidance on the [Life extension and decommissioning of onshore wind farms](#). Table 1 of the guidance provides a hierarchical framework of environmental impact based upon the principles of sustainable resource use, effective mitigation of environmental risk (including climate change) and optimisation of long term ecological restoration. 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.

Good morning,

Thank you for seeking Scottish Forestry's input on the Dalfad Wind Farm consultation.

Scottish Forestry, as the Scottish Government agency responsible for forestry policy, support and regulation, welcomes the opportunity to provide feedback on the proposed sites and highlight relevant policy.

Scottish Government policy places a strong emphasis on protecting and enhancing existing woodland and minimising any loss. Key policies to consider are:

- Control of Woodland Removal Policy – has a strong presumption in favour of protecting Scotland's woodland resources and against the permanent removal of woodland. Woodland removal should be allowed only where it would achieve significant and clearly defined additional public benefits, and compensatory planting may form part of this consideration.
- National Planning Framework 4 (NPF4) Policy 6 – places a responsibility on relevant authorities to identify, protect and expand existing woodland.
- Climate Change Plan 2018- 2032 – is opposed to the permanent removal of woodland for the purposes of conversion to another land use.
- UK Forestry Standard (UKFS) – has a presumption against the permanent removal of woodlands for land-use change.

Together, the above policies demonstrate Scottish Government's commitment to ensuring that impacts on woodlands from development are prevented as far as possible.

Having assessed the information provided, it appears that the proposed new tracks intersect a number of areas of woodland. The direct and indirect impacts on trees and woodlands must be carefully assessed and effectively mitigated. The permanent removal of woodland is expected to be supported by clear evidence demonstrating how doing so will provide significant and clearly defined additional public benefits. Compensatory planting should be demonstrated as part of any proposal for removal.

Additionally, a number of sensitive sites, including ancient and native woodland and conservation designations, are present within and on the boundary of the Dalfad Wind Farm site. I note the inclusion of these sensitive sites in 'Figure 6.1 – Ecological Designated Sites and Ancient Woodland within 5km'. The Scottish Government's Control of Woodland Removal Policy sets out a strong presumption against removal of ancient woodland or any operation that threatens the stability of ancient woodland, including adjacent activities that may damage root systems. This also extends to woodland integral to the value of designated or special sites, such as Special Areas of Conservation, Special Protection Areas and Sites of Special Scientific Interest. As such, Scottish Forestry not only strongly recommends that these woodlands should not be removed, but also that any adverse impact on proximate woodland should be mitigated through appropriate buffer zones.

Scottish Forestry requests that a forestry section be included in the EIA. This should include, but is not limited to, the following:

- A tree survey following BS 5837 standards;
- An analysis to identify features of interest for all conservation designations within or in close proximity to the site;
- An evaluation of the direct and indirect impacts on woodland and tree assets, including the extent and nature of anticipated woodland loss;
- Detailed plans to avoid or mitigate negative effects on woodland and tree assets, including woodland avoidance strategies and loss of woodland minimisation techniques, and compensation plans as a last resort;
- A buffer zone analysis considering relevant buffer zones for sensitive sites, including ancient woodland.

Scottish Forestry welcomes continued engagement with the project and looks forward to reviewing further information regarding the impacts and proposed measures to address these when they are available.

Kind regards,

Will Chadwick
Woodland Creation Officer
Scottish Forestry

Tel: 07776 678645

Email: will.chadwick@forestry.gov.scot

Address: Central Scotland Conservancy | Bothwell House | Hamilton Business Park | Caird Park | Hamilton | ML3 0QA

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Website: forestry.gov.scot



Scottish Forestry is the Scottish Government agency responsible for forestry policy, support and regulation.

Conor Burke
Energy Consents Unit
The Scottish Government
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Your ref:
ECU00006322

Our ref:
GB01T19K05

Date:
19/02/2026

econsents_admin@gov.scot

Dear Sirs,

ELECTRICITY ACT 1989

THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR DALFAD WIND FARM

With reference to your recent correspondence on the above development, we acknowledge receipt of the Scoping Report (SR) prepared by SLR Consulting Limited in support of the above development.

This information has been passed to SYSTRA Limited for review in their capacity as Term Consultants to Transport Scotland – Roads Delivery & Operations Directorate. Based on the review undertaken, Transport Scotland would provide the following comments.

Proposed Development

The proposed development comprises up to 14 turbines with a total generating capacity of approximately 80 to 90 MW, located approximately 6km northeast of Cumnock. The nearest trunk road to the site is the A76(T) at Cumnock. Access to the site is proposed from the existing access to the former Dalfad Opencast Mine on the A70 which is part of the local road network.

Assessment of Environmental Impacts

Chapter 10 of the SR presents the proposed methodology for the assessment of Access, Traffic and Transport. This states that the assessment will be carried out in accordance with the Institute of Environmental Management and Assessment (IEMA) (now Institute of Sustainability and Environmental Professionals (ISEP)) Guidelines entitled Environmental Assessment of Traffic and Movement (July 2023).

These specify that road links should be taken forward for further assessment where the following two rules are breached:

- Rule 1: Include road links where traffic flows will increase by more than 30% (or the number of heavy goods vehicles will increase by more than 30%)
- Rule 2: Include road links of high sensitivity where traffic flows have increased by 10% or more.

The SR states that the Study Area will comprise the following:

- The A70 between the access to the Proposed Development and Junction 12 of the M74;
- The A70 between the access to the Proposed Development and Dettingen Roundabout on the A76(T); and
- The sections of the A76(T) to the immediate north and south of Dettingen Roundabout.

We note that base traffic data for the A76(T) will be collated from Traffic Scotland's National Traffic Data System (NTDS) for the following two sites:

1. ATCSW005 A76 Cumnock/Auchinleck Bypass-between A70 and B7083 (N); and
2. ATCSW005 A76 Cumnock/Auchinleck Bypass-between B7083 (S) and A70.

In addition, the SR states that low growth factor from the National Road Traffic Forecasts (NRTF) dataset will be applied to the base traffic data to determine peak construction year base flows.

As per the ISEP Guidelines, where estimated increases in traffic exceed the relevant threshold for any section of road, the following potential environmental effects would be assessed:

- Severance;
- Road vehicle driver and passenger delay;
- Non-motorised user delay;
- Non-motorised user amenity;
- Fear and intimidation of and by road users;
- Road user and pedestrian safety; and
- Hazardous / large loads.

Transport Scotland is satisfied with this approach.

It is noted that any impacts associated with the operational phase of the development are to be scoped out of the assessment. We would consider this to be acceptable in this instance.

Abnormal Loads Assessment

We note that the delivery of the turbine components during construction would require Abnormal Indivisible Load Vehicle (AILV) movements. Consequently, a report will be prepared to consider the potential routes for these AILVs and this report will be included as a Technical Appendix to the EIA Report. The effects of the passage of these AILVs will be considered in the assessment.

We would consider this appropriate and would add that Transport Scotland will require to be satisfied that the size of turbines proposed will not have any detrimental effect on structures within the trunk road route path.

The Abnormal Loads Assessment report should identify key pinch points on the trunk road network and swept path analysis should be undertaken, with details provided in respect of any required changes to street furniture or structures along the route.

I trust that the above is satisfactory but should you wish to discuss any issues raised in greater detail, please do not hesitate to contact me or alternatively, Alan DeVenny at SYSTRA's Glasgow Office can assist on 0141 343 9636.

Yours faithfully



Iain Clement

**Transport Scotland
Roads Delivery and Operations**

cc Alan DeVenny – SYSTRA Ltd.

From: [Kirsteen Macdonald](#)
To: [Econsents Admin](#)
Subject: Re: Request for Scoping Opinion - Dalfad Wind Farm - ECU00006322
Date: 16 February 2026 14:37:04
Attachments: [image001.png](#)
[image836491.png](#)
[image424243.png](#)
[image622070.png](#)
[image722558.png](#)
[image003898.png](#)

This proposal is located outwith the consultation area for Aberdeen Airport. As such we have no comment to make and need not be consulted further.

Kind regards
Kirsteen



Kirsteen Macdonald
Safeguarding Manager
Glasgow Airport

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06th March 2026

Re: ECU00006322 – Dalfad Wind Farm Wind Farm

To whom it may concern,

On behalf of Ayrshire Rivers Trust (ART) we would like to make the following comments with regards to the Dalfad Wind Farm.

ART provide professional management and ecological advice, guidance and support to organisations, consultants, developers and Ayrshire based District Salmon Fishery Boards in relation to all matters affecting the habitat and fishery. ART has detailed knowledge of the fishery and fish populations across Ayrshire based on over 25 years of electrofishing, invertebrate monitoring, habitat surveys and project work. As such we have extensive, up to date knowledge of the catchment as well as historic data on fish populations.

ART regularly work with wind farm developers to ensure compliance with regulations and planning conditions.

The proposed development should have appropriate risk assessments, a Water Quality and Fish Monitoring Programme (WQFMP) and suitable mitigation measures in place to protect fish, invertebrates and freshwater environments before any onsite work commences. As part of a WQFMP electrofishing surveys are commonly used to assess fish populations and aquatic habitat can be monitored by sampling aquatic invertebrates, which serve as an indicator of ecosystem health. Following standard practice and to comply with Marine Directorate's "[Monitoring watercourses in relation to onshore wind farm developments: generic monitoring programme](#)" monitoring of fish and aquatic invertebrates should take place at least 12 months prior to the commencement of the development (including any vegetation clearance, tree felling or soil stripping) to establish an ecological baseline. Ideally baseline data should be collected for 2 years prior to allow data to be interpreted without the influence of natural annual fluctuations. The electrofishing surveys should be conducted by experienced and Scottish Fisheries Co-ordination Centre (SFCC) trained team leader accompanied by staff trained to SFCC standards. Furthermore, surveys must be carried out under license from Marine Directorate and both the local rivers trust and District Salmon Fishery Boards must be consulted with in advance of surveys being carried out.

Salmon, sea-trout and eel numbers have declined greatly in recent years with many of the issues being related to the oceanic phase of these species' life cycles. However, it is crucial that the freshwater environments where salmon and trout spawn and develop are adequately protected. We are unclear as to the timings of any of the operations discussed in the scoping plan but would like to highlight that the period between November and May is especially sensitive in a watercourse context as fish spawning, (fish laying eggs within the substrates that make up the bed of the river) occurs around November and December with those eggs not hatching and emerging from the gravels until around May. Through this period the eggs that reside in the gravel are sensitive to siltation and vibrations. This is why SEPA have a general exclusion of work instream through this time period.

The proposed wind farm development is situated between two tributaries on the River Ayr catchment. The River Ayr salmon and sea trout populations falls under the management and control of the River Ayr District Salmon Fishery Board (RADSFb) As with all District Salmon



Fishery Boards, they have statutory powers in relation to all matters and activities surrounding and affecting salmonids within their catchment. They are statutory consultees for any developments within their catchment area that may impact on their fisheries.

The development has the potential to adversely impact various watercourses including the Glenmuir Burn, Glenmuir Water, Gass Water and smaller unnamed tributaries that drain the proposed development site.

The Glenmuir Water is an important tributary within the River Ayr catchment which supports Atlantic salmon, sea trout, brown trout, European eels and lamprey.

Assuming planning permission is granted, ART and RADSFB would expect for the Water Quality and Fish Monitoring Plan (WQFMP) to include electrofishing and macroinvertebrate surveys across all receptor watercourses that could be impacted by the development.

We have extensive historic records that show the Glenmuir Water is a hugely important spawning tributary of the River Ayr system. The Gass Water is a tributary of the Lugar Water and is inaccessible to migratory salmon and trout but does support a resident population of brown trout and European eels. The Gass Water enters the Lugar at Lugar Village, the Lugar runs through Cumnock and Ochiltree discharging into the River Ayr near Mauchline before meeting the sea at Ayr.

Baseline surveys should be followed by monitoring during construction and operation of the development and 12 months after the post-development restoration period to quantify and remediate the impacts, if any, on the fish populations or habitat. This is seen as best practice and is an opportunity to demonstrate that this development is carried out to the highest environmental standards.

Construction activities should not impede movement of any migratory and resident fish populations. New water crossings (temporary or permanent) should only be installed following SEPA and ART consultation and use best practice guidelines. Before the installation of any water crossings, a fisheries assessment and fish rescue may be required to protect the immediate population within the located area. ART routinely remove fish and relocate them away from areas that could be impacted by works. Culvert installations usually warrant such a rescue and the size and altitude of the burn is never a good predictor of the numbers of fish. Where there is good quality habitat that is accessible to trout the habitat will generally be utilised.

ART are positioned such that we can advise and assist with the design and necessary mitigation measures. There may be an opportunity for the works to have a positive impact on the water environment by upgrading old crossings (following a fisheries assessment and rescue) within the work area that may currently prevent or hinder fish migration due to poor historic environmental standards. We are aware that the existing culvert on the Gass Water is far from optimal for fish passage and that it to be upgraded. New or upgraded water crossings should follow SEPA's 'Engineering in the water environment: good practice guide.

Following this guidance should ensure that new water crossing do not become an obstacle to fish migration. Perched outfalls, insufficient water depth and/or high-water velocities through culverts are common problems that can cause habitat fragmentation. This is of particular importance for resident brown trout who carry out local migrations to access different habitats for refuge and as part of their life cycle.



We note that aquatic macroinvertebrate baseline information has not been mentioned nor included as part of the assessment methodology. We believe it is vital that these metrics are included in the baseline studies alongside electrofishing data to determine the current conditions of the water environment and ecosystem, the potential impacts and appropriate mitigation measures to protect watercourses during the construction, operation and decommissioning phase of the development.

We would recommend including the following guidance as part of section 9.3.1 "Marine Scotland - Monitoring watercourses in relation to onshore wind farm developments: generic monitoring programme"

Following guidance from "Marine Scotland - Monitoring watercourses in relation to onshore wind farm developments: generic monitoring programme" we believe that baseline monitoring of the watercourses within and surrounding the development boundary should be included to detect and remediate any changes brought on during and after construction and operation. Ideally baseline data should be collected for 2 years prior construction to allow data to be interpreted without the influence of natural annual fluctuations.

NPF4 Policy 3 (Biodiversity) part (a) mandates that development proposals contribute to the enhancement of biodiversity, and where feasible, incorporate nature-based solutions. Any potential impacts, including cumulative impacts, on biodiversity, nature networks, and the natural environment should be minimized through meticulous planning and design. Additionally, part (b) of Policy 3 stipulates that where development necessitates an Environmental Impact Assessment, proposals should only be endorsed if it can be demonstrated that the project will conserve, restore, and enhance biodiversity, resulting in a more favourable condition than without intervention.

Visual assessments of the watercourse (downstream of onsite works) should be carried out daily to ensure pollution is not entering the watercourses. Silt protection measures should be regularly checked for their effectiveness, especially in advance of forecasted heavy rain and following periods of heavy rain. Recent pollution incidents in Ayrshire have been caused due to irregular checks and failed silt protection following heavy rain.

Water management plans should consider all potential avenues for pollution to enter watercourses and have appropriate pollution controls and silt mitigation measures in place prior to commencement of works.

The EIAR should consider the cumulative impact of existing developments in the surrounding area on the fish populations, habitat quality and water availability.

We hope that benefits to the environment can be realised through this development.

If you have any questions or require any clarification, then please just get in touch.

Yours sincerely,

Struan Candlish



Ayrshire Rivers Trust

working to improve Ayrshire's rivers and lochs

Fisheries Biologist.

A57

16/02/2026

Dear Sir/Madam

Re: Request for scoping opinion for proposed Dalfad Wind Farm ECU00006322

Thank you for the opportunity to respond to this request for scoping opinion on **Dalfad Wind Farm ECU00006322**. British Horse Society (BHS) represents the interests of the 3.4 million people in the UK who ride or who drive horse-drawn vehicles and is the largest and most influential equestrian charity in the UK. BHS is committed to protecting and promoting the interests of all horses and the people who care for them through our work in education, welfare, safety and access.

Outdoor Access

Access to safe off-road riding routes is vital to the health and wellbeing of horses and their riders. Under the terms of the Land Reform (Scotland) Act 2003, equestrians have the same rights of access to the outdoors as other non-motorised users, such as pedestrians and cyclists. Equestrian use should therefore be included when planning and designing wind farm proposals. Considering all access takers, including equestrians, in the early stages helps to avoid problems down the line and ensures that projects like this are an opportunity to preserve and improve access for all, rather than curtail it or restrict it to certain groups.

BHS would be willing to engage with the company to ensure the Access Management Plan considers the impact on walkers, cyclists and horse riders.

It is requested that there is consideration taken to create circular routes for all access takers. The use of equestrian friendly gates at the site would be advantageous with BHS able to advise further. Equestrian gate guidance has been attached for your approval. Cattle grids are not suitable for horses to cross so if these were to be considered used, an equestrian access gate to the side of the cattle grid would be requested.

BHS is here to help and can provide guidance on suitable surfaces and infrastructure to accommodate equestrians and other access takers. We would be very willing to work with the applicant on these aspects.

The Importance of Off-Road Riding

Access to safe off-road riding routes is vital to the health and wellbeing of horses and their riders. Equestrian road users are classed as vulnerable as they are more likely to be involved in a road accident and more likely to suffer the worst consequences.

Most riding accidents happen on minor roads and with increasing numbers of horses and riders seeking to access the countryside, adequate access to off-road riding should be a priority, especially in rural and semi-rural areas, and areas of high horse ownership, like East Ayrshire. Few riders access busy roads by choice (although the horse has as much right to be on public roads as cars, bikes and pedestrians) - but they often have few other places to ride or no other way to access their safe off-road riding.

Vehicles travelling to and from your site are likely to meet equestrians on the road and drivers should be advised of this risk. I have enclosed a copy of our "*Guidance to drivers of large vehicles*" document.

The Horse and the Rural Economy**For horses. For people. For life.**

The British Horse Society is an Appointed Representative of Howden Insurance Brokers Limited (Firm reference 309639) who are authorised and regulated by the Financial Conduct Authority.

Registered Charity Nos. 210504 (England and Wales), SC038516 (Scotland) and 1382 (Isle of Man).

Scotland's equestrian industry is worth over £300 million to the Scottish economy annually. This figure excludes the value of the horse racing industry, which is worth a further £300 million. East Ayrshire is an area of high horse ownership, so equestrianism is an important part of the rural economy. Recent joint research between SRUC and BHS showed current trends in the sector point to a continued increase in horse numbers and riding activity in all geographical areas of Scotland and across a wide cross section of society, leading to growth in the sector.

A national survey of riders who had recently given up their horse found that 27% of them had done so because they had lost access and had nowhere to ride. Failing to accommodate horses on our local path networks may lead to riders being forced to give up their horses, which in turn may damage the local economy.

I trust that the above information is of assistance. If you have any questions or would like to discuss the needs of equestrians further, please do contact me.

Kind regards

S Galbraith

Stacey Galbraith

Access Field Officer – Scotland

stacey.galbraith@bhs.org.uk

07757 258 712

02476 840 749



LARGE VEHICLE GUIDENCE

Horses are normally nervous of large vehicles, particularly when they do not often meet them. They can run away in panic if they are really frightened. Whilst their riders will do all they can to prevent this, should it happen, it could cause a serious accident for other road users, as well as for the horse and rider. In such a situation, the main factors causing the fear are:

- Being approached by something which is unfamiliar to them and intimidating
- A large moving object, especially if it is noisy • Lack of space between the horse and the vehicle
- The sound of the vehicles air brakes
- Anxiety on the part of the rider

How can you help?

- On seeing a rider, or riders, approaching – please slow down and be prepared to stop if necessary.
- Be aware that the sound of your airbrakes may spook the horse. • If the horse, or horses, show signs of nervousness as you get closer, please turn the engine off and allow them to pass.
- Please don't move off again until the riders are well clear of the rear end of the vehicle.
- If you are approaching riders and wishing to overtake them, please approach slowly, or even stop to give the rider's time to find a gateway, or other place off the road, where they can take refuge and create sufficient space between the horse and vehicle. Horses are very aware of things coming from behind, due to the position of their eyes.
- Please be patient. Most riders will do their best to reassure their horses even though they may be feeling a high degree of anxiety themselves.
- Note: the safest place for the rider's hands is on the reins, so if they are anxious, they may only be able to nod their thanks to you – but please do be assured that they will be very, very grateful for your consideration of their situation.

THE BRITISH HORSE SOCIETY IS VERY GRATEFUL TO ALL DRIVERS WHO ARE WILLING TO FOLLOW THESE GUIDELINES.

The law and management of public access rights vary widely between the four countries of the United Kingdom. Practical elements of the following advice apply in all of them but the legal requirements in Scotland and Northern Ireland may differ from those in England and Wales.

More advice is available on www.bhs.org.uk/accessadvice.

IMPORTANT This guidance is general and does not aim to cover every variation in circumstances. Where it is being relied upon, The Society strongly recommends seeking its advice specific to the site.

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Definition

A cattle grid, for highway purposes, is “a device designed to prevent the passage of animals, or animals of any particular description, but to allow the passage of all or some other traffic, and includes any fence or other works necessary for securing the efficient operation of the said device” (Highways Act 1980 (HA80) Section 82(6)).

Hazard for Horses

A horse which runs or steps into a cattle grid is likely to be very severely injured and may have to be destroyed. Therefore, it is very important that cattle grids are only installed in full compliance with the law and with best practice, and where no alternative solution to confine livestock is practicable. It is also important that any redundant grids are removed or filled in completely with a hard compacted material or concrete, so that they are not a

safety hazard; once they become overgrown with grass or filled with mud or leaves, a rider may not see them until it is too late.

Authority for installation

The installation of cattle grids on any road is covered by the Highways Act 1980 Section 82-90 and Schedule 10. Exceptionally, cattle grids in the New Forest can be provided under the New Forest Act 1964 Section 3 but are not dealt with here.

Who may install?

On public carriageways, only the highway authority may install cattle grids, though they may do it at the request of another party.

Where can they be installed?

Under the Highways Act 1980 Section 82 a cattle grid may only be constructed in a carriageway. This does not include bridleways and footpaths. See Private Cattle Grids (below) for installations in bridleways.

Procedure

When it is proposed to construct a cattle grid in a road, the procedure in the Highways Act must be followed and these include the publication of notices in the local press and posted adjacent to the site. There is provision for objections to be heard (Highways Act 1980 Schedule 10).

Bypasses

Restricted byways and byways open to all traffic are carriageways. The bypass on any carriageway (road or byway) must be wide enough to carry all legitimate traffic and any gate fitted may not be less than 10 feet wide (Highways Act 1980 Section 145).

When a grid is constructed in a carriageway, it must have "facilities for the passage of ... all other traffic unable to pass over the cattle-grid" within the width of the carriageway; "other traffic" includes driven or led animals, handcarts, ridden horses and wheeled vehicles drawn by animals (Highways Act 1980 Section 82(2)). If the road or byway is too narrow for both the cattle grid and bypass, then additional width must be dedicated as highway.

On a public bridleway or footpath which coincides with a private road, it is far simplest to construct the cattle grid in a bypass, not within the width of the public right of way (see [Private cattle grids](#)) unless the public bridleway or footpath is diverted by legal process (Highways Act 1980 Section 119).

Any structure on a highway must protect the safety of the user. The Highways Act does not specify how this must be done, but as cattle grids in a carriageway must provide for 'other traffic', the BHS states that it would be unsafe to install a bypass gate next to a cattle grid without a barrier between the gate and grid and, therefore, **there must be a barrier between the grid and the bypass**, extending beyond the grid throughout its length (its width being across the carriageway), so that horses cannot inadvertently step onto the grid when manoeuvring through the gate. The barrier should be about the height of a standard gate, or between 1.2m and 1.5m. Post and rail fencing is recommended. It should not be of wire or metal with any sharp edges.

The Society recommends that the hinges of the gate be on the side of the gate nearest the grid so that a horse is facing away from the grid in the safe position for opening gates (horse parallel to gate, facing away from hinge). When existing bypass gates that have been hung with the catch next to the grid are being replaced or repaired, they should be re-hung with the hinges next to the grid.

Where recommendations and indicative layout differ from British Standard specifications the Society will be proposing revisions to the standard next time it is revised.

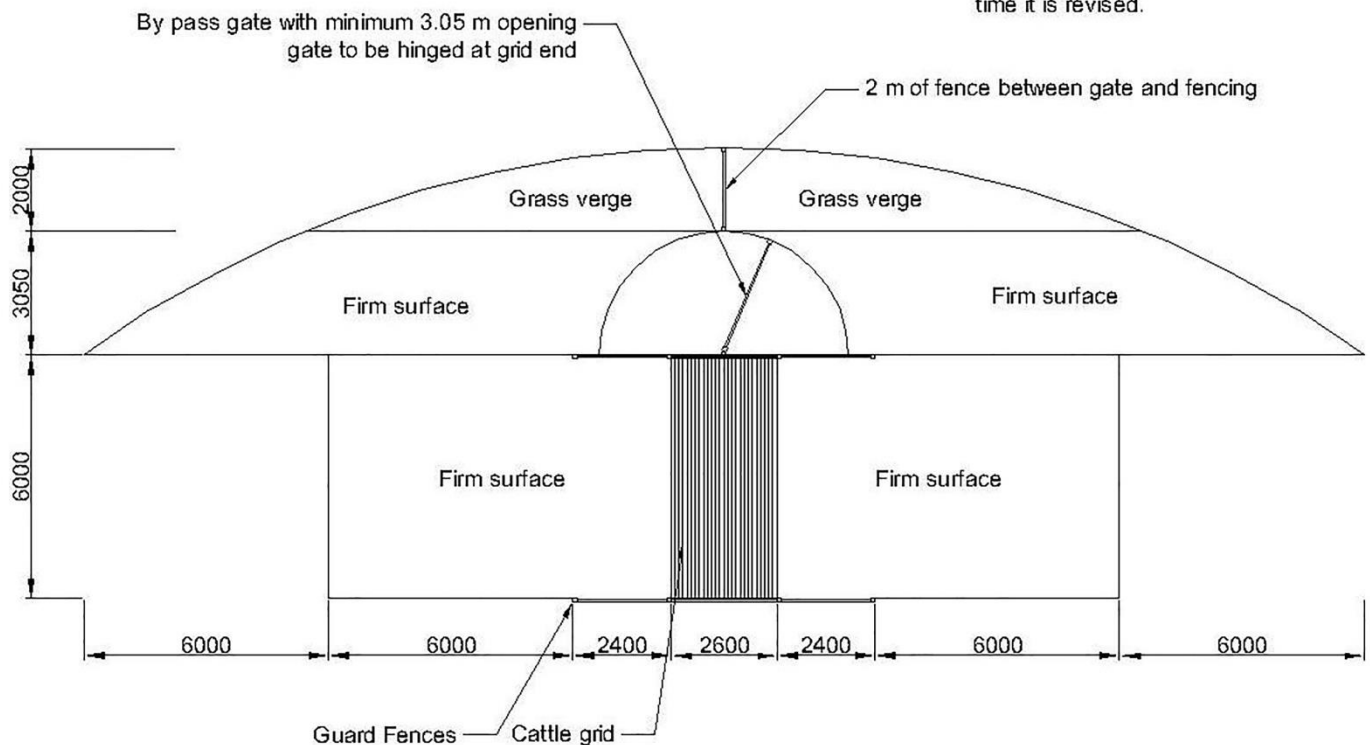


Figure 1 – Cattle grid dimensions

With larger farm machinery and wider access required, a cattle grid and bypass gate combination may occur where the latching post of the gate is next to the grid and both the post and the fence protecting users from the grid can be temporarily removed to allow use of the full width of the track by the machinery. In this situation, the gate must be installed at the centre point of the side of the grid, so that a horse is still protected from the grid by the barrier when opening the gate from either direction (the 'side' of the grid being parallel to the edge of the road).

All bypass gates should be across the highway, in line with the middle of the grid, and not at an angle to the grid or set in a fence parallel to the highway, since the latter means that there is no guard between a horse and the grid.

There should be sufficient clear manoeuvring space (a minimum of 1.8 metres and preferably 2 metres) between the gate catch and any fencing at right angles to the gate, to enable riders to operate the gate safely from horseback.

The Society's advice notes about gates and gate installation should be read in conjunction with this advice note as the advice it contains applies to cattle grid bypass gates.

The Society recommends that on roads with two lanes, unless the road has a separate two way track for equestrians alongside it, bypasses should be provided on both sides of

the cattle grid, so as to avoid the hazards caused by ridden and driven horses crossing and re-crossing the other lane of traffic in order to use the bypass.

Private cattle grids

An access road may coincide with a public right of way and cattle grids may be requested for stock control to replace a gate on a track that is a bridleway or byway (or footpath).

If the public right of way is a carriageway (a byway open to all traffic or a restricted byway) then a grid may be installed in the highway subject to the provisions of the 1980 Act as indicated above. However, under the Act, the highway authority would then be responsible for maintaining the cattle grid, bypass and any gates associated with it. The highway authority will need to consider very carefully whether it is expedient for it to take on this responsibility when the cattle grid is to facilitate the passage of private motor vehicular traffic and not public access.

If the public right is that of bridleway or footpath, then a cattle grid cannot legally be constructed within the width of the right of way and to do so would cause an obstruction.

It has been argued that a cattle grid may be provided on a bridleway or footpath under Section 147 of the Highways Act and, in a letter of 10 August 2009, the Secretary of State adopted this view if the width of the bridleway or footpath could accommodate a gate and safety fencing as well as the cattle grid. The Society considers this interpretation to be legally doubtful, substantiated by the conclusion in *Kind v Northumberland County Council*¹ that the Act does not permit 'other works' which force users off the right of way and because it compromises equality of access where there is currently no obstruction to free passage of all users.

Kind was a High Court case in which a footpath along a farm track road access was upgraded by modification order to a bridleway with a cattle grid across the full width of the track and a bypass gate off the line of the highway. It was upheld that a cattle grid cannot be authorised as an obstruction of the whole width of a right of way and that an informal bypass off the highway is not adequate.

The Society recommends that where it is proposed to install a cattle grid in a private road which carries a public bridleway, the landowner should either:

- (i) build the grid beside the bridleway so that the public right of way remains on its existing line, and apply for authorisation for a gate on the bridleway; or

¹ [2012] EWHC 603

- (ii) seek a legal order to divert the bridleway through a bypass at the side of the proposed grid and authorisation for a gate on the bridleway

If the gate is to be a new provision, then authorisation for the structure must be sought from the highway authority. Any new gate on a bridleway must be at least 1.525m (5ft) wide between the posts and be operable while mounted. It should meet the Society's recommendations for manoeuvring space, latch and all other criteria in its guidance (BHS advice on Gates or Gate Installation) and comply with the British Standard 5709. The bypass must be at least 4m wide to accommodate the manoeuvring space required to operate the gate, as per BHS Advice on Gates.

Cattle grids on common land

The Highways Act 1980 Section 82(4) governs the placing of any part of a cattle grid and its bypass(es) in common or waste land adjoining a carriageway. However, the provision of cattle grids elsewhere on common land is governed by the Commons Act 2006 Section 38, and will require the Secretary of State's permission unless it is covered by one of the exceptions.

Many commons carry rights of access for air and exercise on horseback (often wrongly referred to as permissive access for ridden horses) and riders are strongly recommended to contact their County or Regional BHS Access and Bridleway Officer, or the BHS Access and Rights of Way Department, immediately they become aware of a proposal for any new cattle grid on, or adjacent to, common land as such would compromise equestrian rights of access.

If this is a saved or printed copy, please check www.bhs.org.uk/accessadvice for the latest version (date top of page 2).

The law and management of public access rights vary widely between the four countries of the United Kingdom. Practical elements of the following advice apply in all of them but the legal requirements in Scotland and Northern Ireland may differ from those in England and Wales.

More advice is available on www.bhs.org.uk/accessadvice.

IMPORTANT This guidance is general and does not aim to cover every variation in circumstances. Where it is being relied upon, The Society strongly recommends seeking its advice specific to the site.

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Gates are a barrier which can be a major hazard to riders. They may obstruct a public right of way because they are too difficult for most users to negotiate but horse riders are affected more than most because they also need one hand for the horse.

Even the best gate which is easily operated in ideal conditions is still a potential hazard and an inconvenience for riders. Non-riders may not realise that while a pedestrian may barely interrupt their stride to negotiate a gate, a rider will take at least five times as long, even at the best gate and with a high skill level of horse and rider. The ideal for safety and convenience is that there should be no gates across a route. This is reflected in the British Standard 5709:2018 for Gaps, Gates and Stiles.

Although nothing in law explicitly says a gate on a bridleway, byway or road must be openable from horseback, it is arguable that there was no need to state it, because any highway other than a footpath is a right of way *on horseback*, so a rider should not have to dismount to exercise their right.

The Equality Act 2010 and the Countryside and Rights of Way Act 2000 advocate the 'least restrictive option' to inconvenience or obstruct the fewest users. The least restrictive option is a gap, with a gate used only where a gap is impractical and where it is necessary for the control of animals. Equestrian users may have impaired mobility and a horse provides them with many health benefits of exercise and access to countryside as well as some freedom of travel. Gates can be limiting factors on the distance and routes that people can use independently.

There are many situations where a gap would be practical instead of a gate, such as between arable fields or where there is no livestock, including any route which becomes enclosed so not grazed. Any gate not currently required for the control of livestock could be removed or secured in its open position. This reduces wear on gates and the ground as well as improving the passage and safety of users. Tying back a gate in winter when stock is off the land is also beneficial in reducing footfall around the gateway when the ground is most vulnerable to poaching, which can improve ease of access and retention of vegetation. A horse having to manoeuvre to negotiate a closed gate will have many more footfalls, commonly turning tightly, so causing much more poaching than going straight through a gateway with the gate removed or tied back. If removed, a gate can be replaced in future if it is again required for the control of livestock.

Where a gate is deemed necessary, it should be easy and convenient to use by equestrians as well as other users. A newly authorised gate should comply with the British Standard for Gaps Gates and Stiles,¹ which includes consideration of its site because although a gate itself might comply with the Standard, hazards in its site may make it an obstruction to riders.

It is important for safety that the site has adequate manoeuvring space—commonly under-estimated by non-riders—and be clear of hazards such as uneven or sloping ground, holes, deep mud, overgrowth and barbed or electric wire.

Gates on a bridleway meeting a road should be set back by 4m because of obvious dangers to users (and motorists) while riders negotiate the gate in either direction. A gate on a byway meeting a road should be set back by 6m so a horsedrawn vehicle is clear of the road while waiting for the gate to be opened or closed.

¹ BS5709:2018

BHS priorities in order of preference

For all of 1 to 3 below, the gap with or without a gate should be **no less than 1.525m on a bridleway, 3.048m on a byway**.² The options, in order of desirability are:

1. A gap
2. A gate which is easily operable from horseback without self-closing mechanism
3. A self-closing gate only where required for essential livestock security with *at least eight seconds* closing speed from 90 degrees³

'Essential livestock security' is considered to be alongside a road or onto a track which is open to a road.

Basic requirements

Several factors reduce the risk, difficulty and inconvenience of gates for equestrians and the BHS considers that all gates used by riders⁴ should comply with the following basic requirements:

- Be openable with **one and the same hand**, so the same hand that operates the latch moves the gate, either with the latch or by the latch remaining lifted or retracted while the hand moves to the gate
- Be operable while mounted with no need to lift or exert strength to operate the latch or move the gate
- Have manoeuvring space of 4m by 4m at each side, including 1.2m beyond the latch in line with the gate, and 6m length before and after the gate on a byway
- Have firm, level (i.e. not sloping in any direction), even ground with no vegetation overgrowth (from the surface, sides or overhanging) within the manoeuvring space
- Provide an opening of at least 1.525m on a bridleway, 3.048m on a byway
- Open to no less than 90 degrees
- Be set back from a road by 4m on a bridleway, 6m on a byway

² Unless subject to a traffic regulation order suspending the right for mechanically propelled four-wheeled vehicles, or on a restricted byway, when a 1.8m gap may be accepted if necessary to restrict motor vehicles and if locally used horsedrawn vehicles can fit, unless agreed by the council with horse drivers that a 1.525m gap for ridden horses and a key or code lock for horse drivers is acceptable.

³ Gates must open to more than 90 degrees. The recommended minimum time may vary depending on the type of mechanism but will be no less than eight seconds.

⁴ Riders need to operate a gate from mounted, whereas drivers of horsedrawn vehicles would be on foot.

One and the same hand

At all times, a rider needs a hand for the horse, so has only one for the gate. Having to use both hands for the gate or one for the latch and one for the gate (e.g. gravity latch lifted by one hand while the other pushes or pulls the gate) means that the rider has reduced control of the horse and increased the risk of snagging reins or martingale on the latch.

Swapping hands may lose control of the horse during the transition as there are few latches which will remain lifted or retracted while swapping hands, leading to frustration and inconvenience.

A rider has already compromised their control of the horse by having to lean away from the centre of balance to operate the latch; further loss of control by using both hands, and the physical twist and effort required increases the risk of a fall or injury if the horse does not remain still. While many horses can be trained to cooperate in safe gate operation, there are always sudden sounds or movements which might affect safety. Latch operation which is part of one movement to open or close a gate increases the safety and convenience of a gate and makes it less of a limitation to use.

Spring bolts

A spring bolt latch into a hole or gravity latch should be fitted with a rod as its lever extending above the top rail. Spring bolt latches without an extended lever are rarely possible to operate while mounted and can require considerable strength even on foot so may constitute an inconvenience, hazard or obstruction on a public right of way.

A spring bolt should ideally be protected where it sticks out from the gate to avoid injury from it. Some horrific injuries have been incurred by horses and riders from protruding spring bolts, when gates have closed against horse or rider. Retracting D-loop bolts are recommended to reduce the chance of injury, or a welded D-loop that shields a straight bolt.

Double gates

Double gates must have one gate firmly anchored. Both gates moving may produce an impossible situation for anyone alone especially in wind or where the gates will not stay in one position. While this situation may be possible to deal with on foot if the user can keep hold of both gates, that is impossible when sufficient space to take a horse through is needed, even if the rider has been forced to dismount to deal with the obstruction, and a rider on foot may not be able to reach both gates as well as keep hold of the horse.

Self-closing gates

Self-closing mechanisms can be dangerous for riders. Having opened a gate, many riders will not be able to keep one hand on it to hold it open as they pass because they cannot reach or because to do so would compromise control of the horse. They will swing the gate wide enough to let it go and ride through the gap.

This is not safe with gates that close quickly as the narrowing gap may cause the horse to panic or the horse or rider may be hit by the gate or the post. Serious injuries from these gates are common and the BHS strongly recommends against their use unless the closing speed is at least eight seconds from 90 degrees.

The risk at self-closing gates is much increased by additional hazards such as lack of space to manoeuvre, uneven ground, overgrowth, slope, deep mud or standing water.

Where a site cannot meet the [Basic requirements](#) (page 2), a self-closing gate should be avoided or removed.

Self-closing gates are commonly impossible to use when riding one horse and leading another or when leading more than one horse on foot. A horse may be led when ridden by a novice, child or disabled rider. Bridleways, byways and roads include the right to lead a horse and to ride one horse and lead others. 'Riding and leading' has been a normal activity on the highway for as long as horses have been used as transport.

Authorisation of additional gates on bridleways

A new (additional) gate may only be authorised on a bridleway by a highway authority under certain conditions, usually for the control of animals. Highway authorities are strongly recommended to apply the British Standard 5709:2018 and the [Basic requirements](#) on page 2 if authorising an additional gate, and to ensure the authorisation is subject to review and will be withdrawn if the gate is no longer needed.

Dismounting

Dismounting is **not** the answer to a gate that cannot be operated from horseback. Even on the ground, the rider needs one hand for the horse. It may not be safe or possible to tie the horse somewhere close, open the gate, untie the horse, move it through, tie it again, close the gate, untie the horse. Dismounting and mounting are potentially hazardous, especially with other factors such as boggy ground or livestock. They are manoeuvres when a rider is vulnerable because their control of the horse is most limited, and risk is elevated in the moments between leaving the ground and regaining full control in the saddle. Many serious falls and injuries occur while mounting or dismounting. Requiring a rider to dismount for a gate is not a reasonable solution.

Mounting without a mounting block is not possible for many riders and is not recommended because of the strain it puts on the horse's back, the rider and the saddle. Many riders have limited agility and have difficulty mounting or dismounting but can enjoy the exercise of riding for miles once in the saddle.

Provision of mounting blocks is not the solution to gates which are inoperable from horseback, they should be made operable because even with a mounting block, having to dismount carries a risk and is an inconvenience which may not be reasonable.

The Highways Act 1980 Section 146 states that a gate must "prevent unreasonable interference with the rights of the persons [using the right of way]". Having to dismount and remount to open a gate is unreasonable interference with the passage of a rider, because the process takes many times longer and substantially interferes with the passage of a rider as well as increasing risk of injury. A mounted rider may take at least five times longer than a pedestrian to negotiate a gate, even if the gate is of high standard with adequate space around it; if they have to dismount, it could be ten times more time or longer, depending how far they have to walk for assistance to remount.⁵

Where it is claimed that a gate has never been able to be opened from horseback and that the right of way came into being subject to the limitation of riders dismounting, an alternative gate site or different gate should be sought.

Manoeuvring space

Sufficient manoeuvring space around the gate on firm, level (not sloping) ground is particularly important and included in British Standard 5709:2018.

The recommended safest method of opening a gate is to approach the gate from the hinge end and align the horse parallel to the gate facing away from the hinges with the latch level with the horse's shoulder so that the rider can reach and operate it easily, without stretching or being off-balance. This position requires space of 1.2m for the horse's head and neck beyond the latch in line with the gate. Space for the horse to approach the gate and turn to this position is required (see [BHS Advice](#) on Opening Gates).

This method (called 'heels to hinges') is recommended because it reduces the chance of the reins, bridle or martingale becoming caught on the gate or its latch, or of the horse's head being hit by the gate or latch (if the latter protrudes). It enables the rider to operate the gate one-handed, using the same hand throughout and controlling the horse with the other hand, thus avoiding a loss of control of the horse or gate while the rider changes hands.

⁵ This is based on observation

Allowance needs to be made for the space taken up by the gate as the rider pulls it open and by the horse as it reverses while the rider operates the gate, if opening towards them. Two or more horses travelling together will need more space; normally a group of three horses should be allowed for, since a horse may become difficult to control if left alone while its companions move on. A rider may also be leading a second horse, which makes operating gates even more of a challenge.

Ideally, for safe and effortless operation of a 1.525m bridle gate, a minimum clear manoeuvring space of 4m square should be provided before and after the gate, including space beyond the latch for the horse's head and neck, with an additional 4m length of waiting space if use by groups of horses is likely. For a longer gate the area on the opening side may need to be greater, depending on the length of the gate.

Riders of larger horses may not be able to operate a 1.525m bridlegate using the heels to hinges method because the length of the horse means the rider cannot keep a hand on the gate. The rider may have to approach diagonally, which makes the space required at the latch end particularly important, so that riders can position the horse beyond the latch so that they may reach the latch with the hand closest to the hinges.

Using methods other than heels to hinges to open a gate commonly have the horse approaching the gate at right angles and the rider operating the latch with the hand closest, which is then reliant on the gate remaining unlatched while manoeuvring the horse and pushing or pulling that gate wide with the other hand. Self-closing gates frequently defeat this method.

The need for manoeuvring space means that gates must not be placed where the available width is less than 3m such as on bridges, fenced bridleways or narrow lanes, especially if there is a vertical barrier at the latch end which prevents a rider positioning their horse with its head and neck beyond the latch.

Gates beside roads should be set back to allow manoeuvring space off the carriageway and, ideally, the waiting space beside a road should be large enough for at least three horses to wait before or after passing through a gate, because a horse may become difficult to control if asked to wait on its own on one side of the road when its companions have crossed.

On a byway, the length from a road or other obstacle should be 6m to give space for a horse and carriage.

One or two way opening

Models of gate hinges and latching mechanisms are commonly available which allow two-way opening, which improves ease of access for many users, especially with a cycle, pushchair, or mobility aid, but also for pedestrians with impaired balance. Some riders will push a gate away from them given the option, but some will prefer to draw it towards

them, usually because it gives them more control over a horse that may rush through a gap which is too small. A two-way gate gives the option to everyone, so are ideal, however, they can be less stockproof, and are often made to close with too much force, which can be difficult for any user, including riders.

Gate width

Some of the bridleway gates which cause problems or accidents for riders prove to be less than the statutory minimum width of 1.525m between the gateposts on a bridleway (Section 145 of the Highways Act 1980). The highway authority may exercise its statutory powers to require the width of a gate to be increased or for it to be removed.

A gate 1.525m to 1.8m is easier to manage than a longer field gate and its lighter weight will cause less load on the gate post so that it may remain functional for longer and require less maintenance through its life.

On byways, which are carriageways, gates should be 10 feet or 3.048m. On restricted byways and byways open to all traffic with suspended rights with a motor vehicle, if there is evidence that it is necessary to prevent use with four wheeled motor vehicles (other than quad bikes), the Society may accept a gate of 6 feet or 1.828m between the posts. This width will permit passage of most modern horsedrawn vehicles with care.

Gate latches

Many latch designs are adequate and safe, although not all will be appropriate in every situation. The most universal is a spring latch, at mid-height on the gate so giving greatest stock security, operated by an extended lever to the top of the gate, so most convenient for a rider. However, it needs an additional mechanism at the latch itself to be operable by someone on the ground unable to use the extended lever unless it has a gravity latch.

Some riders do not like extended levers because of the risk of reins or martingale being caught on them, perhaps due to not adopting the recommended 'heels to hinges' method of opening a gate, which may be because there is inadequate manoeuvring space. Increasing the space available to accommodate safe operation of the gate should be considered before removing the rod because few riders can safely operate a gravity latch or spring bolt at mid-height on the gate without an extended lever.

Levers as a hazard to riders may also be because of their height above the top of the gate. They should not protrude more than 200mm above the top rail to reduce risk of bridles being caught. 'Trombone' style levers, which arch over the top of the gate to end below the second rail, are preferable to mitigate this hazard. The rounded top should be no more than 200mm above the gate rail so that the open end of the rod is low enough to

be unlikely to catch any horse's reins or martingale even if the rider loses control and the horse lowers its head.

Riders and their horses vary, as do their opinions on the optimum latch and their experience. However, the Society's recommendations aim to be accessible by all, even if not the first choice for some, they should not exclude anyone.

Primary requirements are:

1. A latch release that can be operated with one hand, the same hand that will move the gate.
2. A latch that can be operated from horseback with the lever or latch on the top of the gate, so the rider does not have to bend so low as to risk being unbalanced.
3. A latch and gate opening that does not need physical strength to operate.⁶
Consider a gate that could be opened by a child.

Latches should also:

- Be operable easily from either side of the gate.
- Have no protrusions or edges that can injure the horse or the rider's leg.
- Allow some leeway for the gatepost to move a little and for the rider to secure the latch quickly and easily without straining.
- If the mechanism is within the space between the posts, posts should be further apart to ensure safety is not compromised.
- Avoid requiring movement in more than one direction. A handle that requires lifting as well as pulling or sliding sideways will be particularly difficult for riders who lack strength. Such latches are often described as cattle-proof and seem to be very easily bent or distorted and hard to operate, even if fine when first installed.
- Have one securing mechanism. Multiple closures, such as a gravity latch and a chain, increase the inconvenience and likelihood of them being left undone, so have one mechanism which works.
- Mechanisms requiring fine motor movement, such as a spring hook on a chain, should be avoided, as requiring too much dexterity, especially when wet or cold and wearing gloves.

Common gate latches

- A **chain or rope loop** is simple, cheap and easily maintained, and works well, if movement in the posts does not cause it to become too tight. It is easier to use if the loop is stapled to the gate rather than loose or stapled to the post because it

⁶ 75 per cent of riders are female, 34 per cent are children (BHS report Health Benefits of Riding 2010); some have arthritic hands or other disabilities (Equality Act 2010).

can be used to pull the gate open or closed. It should not require untying or a link releasing as this will demand both hands (see **One and the same hand**).

- **Hook and eye** The hook should be on the top rail of the gate, and the eye on the gatepost. Easy for riders to use and has proved stockproof for both cattle and sheep when installed on one-way gates up to 10 feet wide. A hook with extended shank on a few links of chain provides flexibility which can reduce maintenance if posts shift.
- A **horizontal spring latch** is commonly found on metal field gates. It **MUST HAVE** a lever (a rod attached perpendicular to the spring) extending above the top rail of gate. Without the extended lever, it can be difficult for people with less strength even on foot, requiring both hands, and mostly impossible from horseback. A 'trombone' style rod bent over the top of the gate and extending below the second top rail is less likely to catch reins. Retrofit kits are available to improve existing spring latches. Protruding straight spring bolts should be replaced by D-loop bolts, which are available as a retrofit kit or shielded when they are protruding.
- A **triangular gravity latch** commonly requires one hand to lift it and the other to move the gate free of it so is undesirable for equestrians as this means dropping the reins. If used, it should have an extended handle, or a length of chain or cord stapled to the top of the post, so that it can be operated from the top of the gate.

Gates associated with railway crossings

To enable horses and riders or drivers to spend as little time within the railway boundaries as possible, gates should always open away from the railway, should be slowly self-closing and should have no latches.

If a latch is necessary to prevent livestock from straying onto the railway, the gate should be set back into the field leaving a 'corridor' at least 4m wide and 6m long on the railway side so that horses are away from the railway line while operating the gate. On the principle of least restrictive option, fencing the livestock off the right of way should be considered first.

On railway crossings where there are latched vehicle gates with narrow pedestrian gates beside them, the Society strongly recommends that the pedestrian gates are replaced with bridle gates where riders are likely to wish to use the crossing. See [BHS Advice](#) on Level Crossings.

Gates associated with cattle grids

See [BHS Advice](#) on Cattle grids for legal requirements and the Society's recommendations on design. Key safety points are:

- The gate should be hung with hinges closest to the grid so that the horse is as far from the grid as possible while the rider is operating the catch.
- There must be a fence or barrier separating the grid from the gate and its immediate approach so that a horse cannot step into the grid while manoeuvring to open the gate.

All other requirements for gates in this Advice Note also apply.

Further information

[BHS Advice](#) on:

- Gate Installation
- Opening Gates
- Vehicle Barriers
- Level Crossings

British Standard 5709:2018

Equality Act 2010

Dept of Environment, Food and Rural Affairs:

- 'Good practice guidance for local authorities on compliance with the Equality Act 2010'
 - Annex B page 10 paragraph B.7
 - Annex C page 14 paragraphs C6-C10
 - Annex D page 16 paragraph D.1
 - Annex E page 22 paragraph E.22
 - Annex G page 26 of 35 paragraphs G3-G4
- Circular 1/09 6.7-11 (England)
- Circular 5/93 (Wales)

Highways Act 1980 Section 145 – highway authority may require gate to be widened

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From: radionetworkprotection@bt.com
To: [Econsents Admin](#)
Cc: [Conor Burke](#); radionetworkprotection@bt.com
Subject: RE: Request for Scoping Opinion - Dalfad Wind Farm - ECU00006322 - WID14231
Date: 06 March 2026 16:42:54
Attachments: [image003.png](#)
[image005.png](#)

General

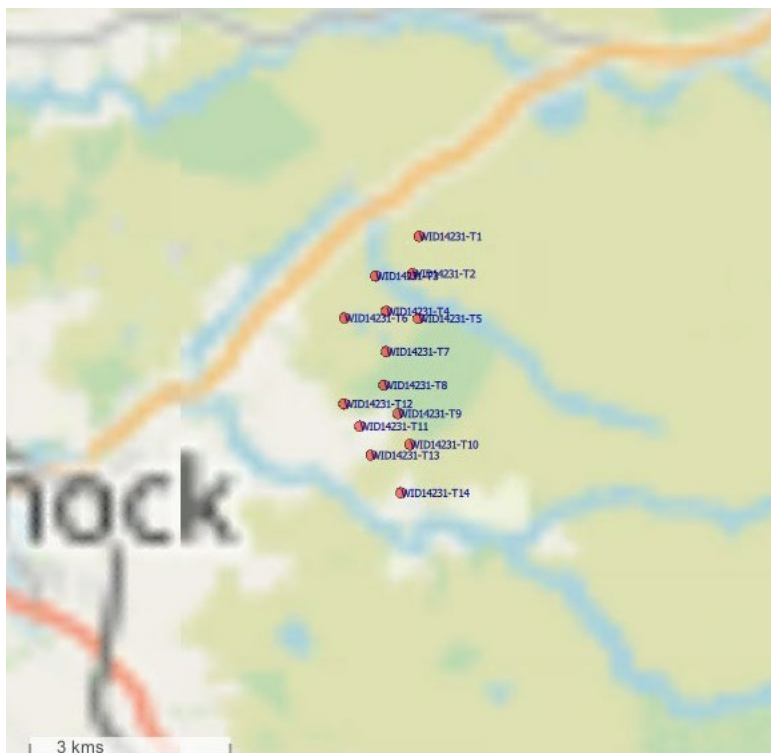


-
-
OUR REF: WID14231

Thank you for your email.

We have studied this proposal, using proposed co-ordinates provided in 'Table 3.1, page 6, of the Scoping Report', with respect to EMC and related problems to BT point-to-point microwave radio links.

The conclusion is, the project indicated should not cause interference to BT's current and presently planned radio network.



BT requires 100m minimum clearance from any structure at height to the radio link path. It should be noted that this decision is for the date of its issue, includes no micro-siting, as

the use of the spectrum is dynamic and can change on an ongoing basis. Therefore, please reconsult us if there are any changes during the planning process with heights and locations of any structures, and its finalisation, as we may have new links assigned by Ofcom over its duration.

Please note this refers to BT Radio Links only, you will need to contact other providers separately for information relating to other supplier links / equipment.

Please direct all queries to radionetworkprotection@bt.com

Kind regards

Laura Taylor (TDCA)
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Kind regards

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Defence Infrastructure Organisation

Teena Oulaghan
Safeguarding Manager
Ministry of Defence
Safeguarding Department
St George's House
DIO Headquarters
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Lichfield
Staffordshire
WS14 9PY

Telephone [MOD]: 07970 170934

E-mail: teena.oulaghan100@mod.gov.uk

Your Reference: ECU00006322

Our Reference: DIO10070148

Conor Burke
Energy Consents Unit
Scottish Government
4th Floor
5 Atlantic Quay
150 Broomielaw
G2 8LU

By email only

13 March 2026

Dear Conor,

ELECTRICITY ACT 1989. THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017. REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION FOR DALFAD WIND FARM.

Thank you for consulting the Ministry of Defence (MOD) in relation to the Scoping Opinion for the proposed Dalfad Wind Farm.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the MOD as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

I am writing to advise you that the MOD has concerns with the proposal.

The proposal concerns the development of up to 14 turbines, at various heights to blade tip. Turbines 1-13 each have a maximum blade tip height of 200 metres above ground level (agl) and Turbine 14 has a maximum blade tip height of 149.9 metre agl. The proposed development has been assessed using the location data (Grid References) below provided in the developers Dalfad Wind Farm Environmental Impact Assessment Scoping Report dated 28 January 2026.

Turbine no.	Easting	Northing	Height in metres agl
1	263469	623815	200
2	263351	623260	200
3	262799	623243	200

4	262944	622710	200
5	263425	622587	200
6	262314	622631	200
7	262925	622109	200
8	262875	621607	200
9	263075	621176	200
10	263236	620709	200
11	262497	621005	200
12	262269	621346	200
13	262647	620567	200
14	263079	619990	149.9

The principal safeguarding concerns of the MOD with respect to this development of wind turbines relates to their potential to create a physical obstruction to air traffic movements.

Physical Obstruction

The application site falls within Tactical Training Area 20 (TTA 20T), an area within which fixed wing aircraft may operate as low as 100 feet or 30.5 metres and Low Flying Area 16 (LFA 16), 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.

To address the impact up on low flying given the location and scale of the development, 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.

The development proposed includes wind turbine generators that exceed a height of 150m agl and are therefore subject to the lighting requirements set out in the Air Navigation Order 2016. In addition to CAA requirements, the MOD will require the submission, approval, and implementation of an aviation safety lighting specification that details the installation of MOD accredited aviation safety lighting.

Summary

The MOD has concerns with this proposal due to the potential impact to low flying aircraft operating in the development area.

The MOD must emphasise that the advice provided within this letter is in response to the information detailed in the developer's document titled 'Dalfad Wind Farm Environmental Impact Assessment Scoping Report' dated 28 January 2026. 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 requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

I hope this adequately explains our position on the matter. If you require further information or would like to discuss this matter further, please do not hesitate to contact me.

Further information about the effects of wind turbines on MOD interests can be obtained from the following websites:

MOD: <https://www.gov.uk/government/publications/wind-farms-ministry-of-defence-safeguarding>

Yours sincerely



Teena Oulaghan
Safeguarding Manager

From: [Safe Guarding](#)
To: [Econsents Admin](#)
Cc: [Safe Guarding](#)
Subject: ECU00006322 - Dalfad Wind Farm
Date: 18 February 2026 11:58:35
Attachments: [image001.png](#)

Good afternoon,

In respect of the above, I can confirm the location of this development falls out with our Aerodrome Safeguarding zone for Edinburgh Airport therefore we have no objection/comment.

With best regards,
Claire

Claire Brown
Aerodrome Safeguarding & Compliance Officer




Our values

t: +44 (0)131 344 3845 m: 07771 842927
My working hours are Monday-Friday
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From: [#GLA Safeguarding](#)
To: [Econsents Admin](#)
Subject: Re: Request for Scoping Opinion - Dalfad Wind Farm - ECU00006322
Date: 19 March 2026 11:32:28
Attachments: [image001.png](#)
[image981773.png](#)
[image836376.png](#)
[image865669.png](#)
[image752356.png](#)
[image951118.png](#)

This proposal is located outwith our radar consultation zone and is below the height that requires IFP assessment.

Kind regards
Kirsteen



#GLA Safeguarding
#GLA Safeguarding

☎ 07808 115 881
✉ glasafeguard@glasgowairport.com
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📍 Glasgow Airport, Erskine Court, St Andrews Drive, Paisley, PA3 2TJ

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***By email only***

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

26 February 2026

Glasgow Prestwick Airport

**ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017
ELECTRICITY ACT 1989: REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36
APPLICATION FOR DALFAD WIND FARM IN THE PLANNING AUTHORITY AREA OF EAST
AYRSHIRE COUNCIL**

1. Glasgow Prestwick Airport ('GPA', 'The Airport') is supporting the Scottish and UK Governments' drive to release 20GW of renewable energy projects by 2030, working to facilitate over 4GW of potential wind power within a 45 nautical mile radius of the aerodrome. We continue to be actively engaged with numerous developers to address aviation safeguarding issues, including the resolution of infringements to published instrument flight procedures associated with The Airport.
2. We have reviewed the scoping documents available on the Energy Consents Unit (ECU) portal for the Dalfad Wind Farm (**ECU00006322**) and respond to the request on aviation matters only.

Glasgow Prestwick Airport Ltd
Aviation House, Prestwick, Ayrshire, Scotland, KA9 2PL

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www.glasgowprestwick.com

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The Airport's Windfarm Safeguarding Assessment Process

3. In aviation, safety in the air is paramount. That being the case, the Airport has considered the application in line with its Windfarm Safeguarding Assessment Process. The steps of that process are undertaken to ensure that the Airport meets the requirements imposed upon it through the Civil Aviation Publications (CAPs) which are promulgated by the Airport's regulator, the Civil Aviation Authority (CAA).
4. The initial safeguarding assessment HAS identified potential adverse effects on the Airport's Primary Surveillance Radar (PSR), Instrument Flight Procedures (IFPs) and VHF Ground to Air communications infrastructure.

The Airport's Initial Safeguarding Assessment

5. The Initial Safeguarding Assessment indicates that while this proposed development lies outwith Glasgow Prestwick Airport's Controlled Airspace (CAS), it is in an area where the Airport's ATC regularly provide an air traffic service, and as such if any of the turbines are confirmed visible to the Airport's primary surveillance radar then mitigation will be required.
6. Other issues raised in the Operational Impact Assessment include:
 - i. Potential for disruption to Instrument Flight Procedures.
 - ii. Potential loss of VHF Ground to Air communications above and on the lee side of the windfarm as a consequence of the large turbines and the cumulative effect of adding to existing developments.
 - iii. Cumulative impact –Any potential cumulative impact will be determined initially by a formal Radar Line of Sight Assessment, followed by a Terma Radar Modelling Assessment and Operational Risk Assessment.

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Primary Surveillance Radar (PSR)

7. Preliminary Radar Line of Sight ("RLoS") analysis at the maximum turbine tip heights of 200m for the proposed Dalfad Wind Farm indicates that there is a likelihood that some of the proposed turbines will be visible to the Airport's primary radar(s). A formal assessment will be required to confirm this analysis, with further safeguarding works dependent upon the results.

Wind turbine moving parts when seen by radar lead to false tracks being generated on the airports Terma radar, this is commonly understood to be called "Clutter" or "False Targets". The "Clutter" or false tracks can then lead to track seduction or ghost tracks.

The Terma Radar optimisation involves creating an area of special track processing that is equivalent to the area of the wind turbine ellipses. This has two functions:

- i. It prevents wind turbines generating false tracks, therefore mitigating the "Clutter Impact".
- ii. It prevents real aircraft tracks from being output in these areas, which is why they are sometimes referred to as "Micro Blanking". This mitigates track seduction. There is a negative impact where a real aircraft track is within these areas, the track is not output to the display which is referred to as a lost/missed detection/track.

The high resolution of Terma Radar ensures that these areas are as small as possible.

However, too many of these small blanking areas in a geographical area regularly utilised by aircraft, for example where multiple windfarms are in close proximity to each other, will increase the probability of loss of radar detection of aircraft and therefore increase the risk of these degradative effects impacting on aviation safety – for example, loss of, late or no detection of aircraft in conflict with traffic receiving an Air Traffic Control service from Airport controllers.

Aircraft track loss

Aircraft track loss is the phenomenon by which an aircraft's track on an air traffic controller's screen can be lost (or 'dropped') by the radar's processor and 'disappear'. This is due to the density of micro-blanks, either in an area specific to a large wind farm or, when wind farms are close together, extended areas of surveillance coverage. A dropped track will be missing from the air traffic controller's screen for an extended period of time while the radar re-acquires the track. This is a safety risk, and the likelihood of such an event must be considered in terms of its operational impact and further mitigated if necessary.

Track Seduction

In the context of radar tracking, "track seduction" refers to the phenomenon where a radar system incorrectly associates a target track with a different target, clutter, or noise. This means the radar system, instead of following the actual target's path, is misled into tracking a phantom target created by interference, or:

Track seduction occurs when a track on a target is erroneously associated with a plot from another target, clutter or noise source, such as wind turbines.

8. Furthermore, mitigation is not an automatic process nor is it guaranteed to work. In line with the Airport's Windfarm Safeguarding Assessment Process and mindful of the work that is already in progress, it will be necessary to conduct a radar modelling assessment to assess the anticipated PD in the airspace above the turbines and the potential for aircraft track loss due to cumulative impact.
9. The anticipated PD must be acceptable from an aviation safety perspective. Although it is possible to estimate the PD following optimisation of Terma, the results are not guaranteed. The actual PD which is achieved after radar optimisation will have to be confirmed by a post construction flight trial.
10. Assuming that an acceptable, and confirmed, PD is achieved post optimisation, the mitigation will have to be kept in place by the Airport for the lifetime of the windfarm. A mitigation agreement which sets out the provisions necessary to test, implement and operate the mitigation safely for the lifetime of the development is a critical and essential part of this process.

Instrument Flight Procedures (IFPs)

11. With a maximum turbine height of 200m and at an altitude of 475m (1559ft) above mean sea level, there is potential for infringement of IFPs and protected IFP surfaces. Given the geographical position of the site, we would recommend a Stage 1 IFP Assessment as the most appropriate for this proposed development, which provides a 'yes/no' answer as to the existence of any infringements.

Technical Safeguarding – VHF Communication Equipment

12. A detailed Technical Safeguarding Assessment in respect of the protection of the Airport's VHF Radio Navigation Equipment(s) in accordance with CAP670 - Part B, Section 4: GEN 02: Technical Safeguarding of Aeronautical Radio Stations Situated at UK Aerodromes and Appendix A to GEN 02: Methodology for the Prediction of Wind Turbine Interference Impact on Aeronautical Radio Station Infrastructure may be required.

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13. Any adverse effects identified as a result of an assessment will require to be mitigated for the lifetime of the windfarm.

Aviation Lighting

14. GPA are content with the identification of the requirement for a primary aviation lighting scheme as required by UK CAA for obstacles greater than 150m in height above local ground level in accordance with Article 222 of the UK Air Navigation Order (ANO) 2016) in the Scoping Report 11.4.
15. GPA note that while solely a matter for the CAA to consider, should the final aviation lighting scheme consider the use of Aircraft Detection Lighting System (ADLS) dependent upon Electronic Conspicuity (EC) Equipment(s) and be part of any alternate proposed lighting scheme, GPA respectfully request that they are consulted with further.

Cumulative Impact

16. The Airport also raises concerns in respect of the cumulative impact, due to existing and proposed windfarms in the vicinity of the proposed Dalfad Wind Farm. There are currently 6 existing or proposed developments with an aviation impact to GPA within a 5nm radius of the Dalfad site, and 22 within a 10nm radius, mainly to the South. Those risks include:
- i. Terma not being able to provide the required level of mitigation. If cumulative impact is confirmed (via the Terma Radar Modelling and Operational Impact Assessments), this will result in the Airport having to source (at the appropriate point) additional radar mitigation over and above the onsite Terma radar.
 - ii. adverse impact on VHF communication equipment.
17. If the turbines are confirmed as not being visible to the Airport's Primary Surveillance Radar then there would be no cumulative impact caused by the proposed development.

Dalfad Wind Farm – Outstanding Safeguarding Works

18. The following safeguarding works require completion before the Airport is in a position to fully remove its holding objection;
- i. A detailed formal Radar Line of Sight Assessment to confirm (or otherwise) the results of the preliminary safeguarding assessment.
 - ii. An IFP assessment against the Airport's published flight procedures (both RNAV/RNP and conventional); In this case, given the location of the proposed development, we would recommend a Stage 1 Assessment, which gives a 'Yes/No' result to the question of whether any IFP infringements are present. The findings of any Developer provided IFP reports would



need to be verified by our contracted IFP Safeguarding provider. The results of points i. and ii. will dictate which, if any, of numbers iii to vi below would be required.

- iii. Baseline PD Flight Trial & Terma Radar Modelling Assessment – to establish Terma Reduction Factor Figure.
- iv. The output of the Baseline PD flight Trial, the Terma Radar Modelling Assessment and the associated Operational Impact Assessment will allow GPA to determine if there is a turbine cumulative impact in this sector and whether additional radar mitigation (over and above the onsite Terma radar) is required.
- v. The commissioning of a VHF radio communication assessment in the vicinity of the proposed windfarm against the Airport's VHF Ground to Air radio equipment(s) infrastructure to ascertain any areas of loss of voice communications between an aircraft receiving an Air Traffic Control service from GPA Air Traffic Control.
- vi. Successful conclusion of a Mitigation Agreement which sets out the provisions necessary to test, implement and operate the mitigation safely for the lifetime of the development. This would allow the objection to be removed subject to the results of whichever of the above assessments should be required.

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Conclusions

19. The proposed Dalfad Wind Farm raises aviation safety concerns which could have an operational impact on the Airport as an Air Navigation Services Provider (ANSP), and the Airport is anticipating engagement with the Developer to undertake the actions necessary to resolve the issues as detailed in this response. The Airport will continue to work through its Operational Impact Assessment process to consider the various impacts of the proposal and how they can be addressed. The commission of a Radar Line of Sight Assessment and an IFP Stage 1 Assessment would quickly determine the further safeguarding work required, if any.
20. Consequently, the Airport must lodge a **holding objection** to the development until all technical and operational aviation safety matters detailed above are addressed to the satisfaction of the Airport, any aviation safety measures dictated by the Airport Wind Farm Safeguarding Process are implemented, and a mitigation agreement is put in place for the life of the windfarm.

Yours faithfully

REDACTED

Ian Hutchinson
Aerodrome Safeguarding Manager
For and on behalf of Glasgow Prestwick Airport Limited

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From: [LUP enquiries](#)
To: [Econsents Admin](#)
Subject: RE: Request for Scoping Opinion - Dalfad Wind Farm - ECU00006322
Date: 18 February 2026 11:11:37
Attachments: [image002.png](#)
[image003.png](#)

Good morning,

Thank you for your email of 13th February 2026 regarding for Dalfad Wind Farm - ECU00006322.

Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

- HSE's response is limited to our role in the land use planning system for the control of major industrial hazards involving hazardous substances.
 - HSE is not responding in our regulatory role in the health and safety system
1. The proposed development is not of a type that would store or process hazardous substances in quantities relevant to the potential for industrial major accidents with respect to The Planning (Hazardous Substances) Regulations 2015.

2. The proposed development is not located within a safeguarding zone of an Explosives site licensed under the Explosives regulations 2014 or the Dangerous goods in harbour area regulations 2016.

3. The development is not located within HSE's land-use-planning consultation zones for major-accident-hazard pipelines and hazardous substances consented sites (licensed explosives sites are covered in the previous paragraph).

Due to the above 3 points, there appears to be no need to consult HSE Land Use Planning.

4. If there is a major accident hazard establishment with no HSE consultation zones, in the vicinity of the proposed development, and you are concerned that the proposed development might increase the risk or consequences of a major accident at the existing establishment then please directly consult the operator of the establishment, as appropriate.

5. General health and safety at work

HSE realises that Environmental Risk Assessments are not expected to include general health and safety at work however we take this opportunity to point out that it may be beneficial for employer(s) to undertake a risk assessment as early as possible to satisfy themselves that their design and operation will meet requirements of relevant health and safety legislation as the project progresses.

Kind Regards,
Tim

lupenquiries@hse.gov.uk



For HSE's Land Use Planning Advice Terms and Conditions, please click on the following link [HSE's Planning Advice Web App - Login \(hsl.gov.uk\)](#) and then click on 'terms and conditions'.

The Health and Safety Executive (HSE) is conducting a programme of research to understand the needs of people using their services for Land Use Planning Advice (including HSE's planning advice web app), Hazardous Substances Consent and their related guidance. This helps us create services that work better for the public and for government. Participation is voluntary. If you would like to be informed about opportunities to participate, please read and complete this consent form: <https://forms.office.com/e/twNqwPkE9x>. If you need a different format or have questions about this research, please contact the user research team on LUPuserresearch@hse.gov.uk and we will do our best to help. Thank you.

From: Joint Radio Company <wftracker@jrc.co.uk>
Sent: 17 February 2026 10:28
To: Econsents Admin
Cc: Conor Burke; windspen@jrc.co.uk
Subject: Re: Request for Scoping Opinion - Dalfad Wind Farm - ECU00006322

If any details of this proposal change, particularly the position or scale of any turbine(s), this clearance will be void and re-evaluation of the proposal will be necessary.

Dear Conor

Planning Ref: ECU00006322

Name/Location: Dalfad Wind Farm

Turbine(s) at NGR:

Turbine	Easting	Northing	Tip height (m)	Hub height (m)	Rotor diameter (m)
1	263469	623815	200	119	162
2	263351	623260	200	119	162
3	262799	623243	200	119	162
4	262944	622710	200	119	162
5	263425	622587	200	119	162
6	262314	622631	200	119	162
7	262925	622109	200	119	162
8	262875	621607	200	119	162
9	263075	621176	200	119	162
10	263236	620709	200	119	162
11	262497	621005	200	119	162
12	262269	621346	200	119	162
13	262647	620567	200	119	162
14	263079	619990	149.9	*82	*136

Hub Height: 119m *(except T14: 82m)

Rotor Radius: 81m *(except T14: 68m)

Following additional analysis, this proposal is cleared - **subject to 50m Micrositing** - with respect to radio link infrastructure operated by the local energy networks.

JRC analyses proposals for wind farms (and other developments) on behalf of the UK Fuel & Power Industry. This is to assess their potential to interfere with radio systems operated by utility companies in support of their regulatory operational requirements.

In the case of this proposed wind energy (or other) development, JRC does not foresee any potential problems based on known interference scenarios and the data you have provided.

However, if any details of the wind farm (or other development) change, particularly the disposition or scale of any turbine(s) or structure(s), it will be necessary to re-evaluate the proposal. This is due to the immediate proximity of protected links.

In making this judgement, JRC has used its best endeavours with the available data, although we recognise that there may be effects which are as yet unknown or inadequately predicted. JRC cannot therefore be held liable if subsequently problems arise that we have not predicted.

It should be noted that this clearance pertains only to the date of its issue. As the use of the spectrum is dynamic, the use of the band is changing on an ongoing basis and consequently, developers are advised to seek re-coordination prior to considering any design changes.

Regards

Wind Farm Team

Friars House
Manor House Drive
Coventry CV1 2TE
United Kingdom

Office: 02476 932 185

JRC Ltd. is a Joint Venture between the Energy Networks Association (on behalf of the UK Energy Industries) and National Grid.

Registered in England & Wales: 2990041

[About The JRC](#) | [Joint Radio Company](#) | [JRC](#)

We maintain your personal contact details and are compliant with the Data Protection Act 2018 (DPA 2018) for the purpose of 'Legitimate Interest' for communication with you. If you would like to be removed, please contact anita.lad@jrc.co.uk.

From: [NATS Safeguarding](#)
To: [Econsents Admin](#)
Cc: [Conor Burke](#)
Subject: RE: Request for Scoping Opinion - Dalfad Wind Farm - ECU00006322 [SG40975]
Date: 18 February 2026 11:09:35
Attachments: [image002.png](#)
[image003.png](#)

Our Ref: SG40975

Dear Sir/ Madam

We refer to the application above. The proposed development has been examined by our technical safeguarding teams. In the timeframe given to us we have been unable to thoroughly investigate the effects of the proposed development on our Operations, however, the relevant teams are being consulted.

Based on our preliminary technical findings, the proposed development does conflict with our safeguarding criteria. Accordingly, NATS (En Route) plc objects to the proposal. We will notify you within 4-6 weeks of the results of our operational assessment. Only if this assessment shows the impact to be acceptable will we be able to withdraw our objection.

We would like to take this opportunity to draw your attention to the legal obligation of local authorities to consult NATS before granting planning permission for a wind farm. The obligation to consult arises in respect of certain applications that would affect a technical site operated by or on behalf of NATS (such sites being identified by safeguarding plans that are issued to local planning authorities).

In the event that any recommendations made by NATS are not accepted, local authorities are further obliged to notify both NATS and the Civil Aviation Authority ("CAA") of that fact (which may lead to the decision made being subject to review whether by the CAA referring the matter for further scrutiny or by appropriate action being taken in the courts).

As this further notification is intended to allow the CAA sufficient time to consider whether further scrutiny is required, we understand that the notification should be provided prior to any granting of permission. You should be aware that a failure to consult NATS, or to take into account NATS's comments when deciding whether to approve a planning application, could cause serious safety risks for air traffic.

If you have any queries regarding this matter you can contact us using the details as below.

Yours faithfully

NATS

NATS Safeguarding

E: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk

NATS Internal

From: [NATS Safeguarding](#)
To: [Econsents Admin](#)
Cc: [Conor Burke](#)
Subject: RE: Request for Scoping Opinion - Dalfad Wind Farm - ECU00006322 [SG40975]
Date: 27 February 2026 10:27:41
Attachments: [image001.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[SG40975 Dalfad Wind Farm - TOPA Issue 1.pdf](#)

Our Ref: SG40975

Dear Sir/Madam

We refer to the application above. The proposed development has been examined by our technical safeguarding teams and conflicts with our safeguarding criteria.

Accordingly, NATS (En Route) plc objects to the proposal. The reasons for NATS's objection are outlined in the attached report TOPA SG40975.

We would like to take this opportunity to draw your attention to the legal obligation of local authorities to consult NATS before granting planning permission. The obligation to consult arises in respect of certain applications that would affect a technical site operated by or on behalf of NATS (such sites being identified by safeguarding plans that are issued to local planning authorities).

In the event that any recommendations made by NATS are not accepted, local authorities are obliged to follow the relevant directions within Planning Circular 2 2003 - Scottish Planning Series: Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) (Scotland) Direction 2003 or Annex 1 - The Town And Country Planning (Safeguarded Aerodromes, Technical Sites And Military Explosives Storage Areas) Direction 2002.

These directions require that the planning authority notify both NATS and the Civil Aviation Authority ("CAA") of their intention. As this further notification is intended to allow the CAA to consider whether further scrutiny is required, the notification should be provided prior to any granting of permission.

It should also be noted that the failure to consult NATS, or to take into account NATS's comments when determining a planning application, could cause serious safety risks for air traffic.

Should you have any queries, please contact us using the details below.

Yours faithfully

NATS

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Fareham, Hants PO15 7FL
www.nats.co.uk



NATS Internal

From: NATS Safeguarding**Sent:** 18 February 2026 11:08**To:** 'Econsents_Admin@gov.scot' <Econsents_Admin@gov.scot>**Cc:** Conor.Burke@gov.scot**Subject:** RE: Request for Scoping Opinion - Dalfad Wind Farm - ECU00006322 [SG40975]

Our Ref: SG40975

Dear Sir/ Madam

We refer to the application above. The proposed development has been examined by our technical safeguarding teams. In the timeframe given to us we have been unable to thoroughly investigate the effects of the proposed development on our Operations, however, the relevant teams are being consulted.

Based on our preliminary technical findings, the proposed development does conflict with our safeguarding criteria. Accordingly, NATS (En Route) plc objects to the proposal. We will notify you within 4-6 weeks of the results of our operational assessment. Only if this assessment shows the impact to be acceptable will we be able to withdraw our objection.

We would like to take this opportunity to draw your attention to the legal obligation of local authorities to consult NATS before granting planning permission for a wind farm. The obligation to consult arises in respect of certain applications that would affect a technical site operated by or on behalf of NATS (such sites being identified by safeguarding plans that are issued to local planning authorities).

In the event that any recommendations made by NATS are not accepted, local authorities are further obliged to notify both NATS and the Civil Aviation Authority ("CAA") of that fact (which may lead to the decision made being subject to review whether by the CAA referring the matter for further scrutiny or by appropriate action being taken in the courts).

As this further notification is intended to allow the CAA sufficient time to consider whether further scrutiny is required, we understand that the notification should be provided prior to any granting of permission. You should be aware that a failure to consult NATS, or to take into account NATS's comments when deciding whether to approve a planning application, could cause serious safety risks for air traffic.

If you have any queries regarding this matter you can contact us using the details as below.

Yours faithfully

The NATS logo is displayed in a bold, dark blue, sans-serif font.

NATS Safeguarding

E: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk

Prepared by:
NATS Safeguarding Office



Technical and Operational Assessment (TOPA)

For Dalfad
Wind Farm Development

NATS ref: SG40975

Scottish Government ref: ECU00006322

Issue 1

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Publication History

Issue	Month/Year	Change Requests and summary
1	February 2026	Scoping Request

Document Use

External use: Yes

Referenced Documents

1. Background

1.1. En-route Consultation

NATS en-route plc is responsible for the safe and expeditious movement in the en-route phase of flight for aircraft operating in controlled airspace in the UK. To undertake this responsibility it has a comprehensive infrastructure of RADAR's, communication systems and navigational aids throughout the UK, all of which could be compromised by the establishment of a wind farm.

In this respect NATS is responsible for safeguarding this infrastructure to ensure its integrity to provide the required services to Air Traffic Control (ATC).

In order to discharge this responsibility NATS is a statutory consultee for all wind farm applications, and as such assesses the potential impact of every proposed development in the UK.

The technical assessment sections of this document define the assessments carried out against the development proposed in section 3.

2. Scope

This report provides NATS En-Route plc's view on the proposed application in respect of the impact upon its own operations and in respect of the application details contained within this report.

Where an impact is also anticipated on users of a shared asset (e.g. a NATS RADAR used by airports or other customers), additional relevant information may be included for information only. While an endeavour is made to give an insight in respect of any impact on other aviation stakeholders, it should be noted that this is outside of NATS' statutory obligations and that any engagement in respect of planning objections or mitigation should be had with the relevant stakeholder, although NATS as the asset owner may assist where possible.

3. Application Details

Scottish Government submitted a request for a NATS technical and operational assessment (TOPA) for the development at Dalfad Wind Farm. It will comprise turbines as detailed in Table 1 and contained within an area as shown in the diagrams contained in Appendix B.

Turbine	Lat	Long	East	North	Tip Height (m)
1	55.4890	-4.1624	263469	623815	200
2	55.4840	-4.1640	263351	623260	200
3	55.4837	-4.1727	262799	623243	200
4	55.4789	-4.1701	262944	622710	200
5	55.4780	-4.1625	263425	622587	200
6	55.4781	-4.1801	262314	622631	200
7	55.4735	-4.1701	262925	622109	200
8	55.4690	-4.1707	262875	621607	200
9	55.4652	-4.1673	263075	621176	200
10	55.4611	-4.1645	263236	620709	200
11	55.4635	-4.1764	262497	621005	200
12	55.4665	-4.1801	262269	621346	200
13	55.4596	-4.1738	262647	620567	200
14	55.4546	-4.1667	263079	619990	149.9

Table 1 – Turbine Details

4. Assessments Required

The proposed development falls within the assessment area of the following systems:

En-route Surv	Lat	Long	nm	km	Az (deg)	Type
Great Dun Fell Radar	54.6841	-2.4509	75.1	139.2	309.3	CMB
Lowther Hill Radar	55.3778	-3.7530	14.9	27.6	291.8	CMB
Perwinnes Radar	57.2123	-2.1309	123.8	229.3	213.9	CMB
Tiree Radar	56.4556	-6.9230	109.6	202.9	121.4	CMB
En-route Nav	Lat	Long	nm	km	Az (deg)	Type
None						
En-route AGA	Lat	Long	nm	km	Az (deg)	Type
None						

Table 2 – Impacted Infrastructure

4.1. En-route RADAR Technical Assessment

4.1.1. Predicted Impact on Lowther RADAR

Using the theory as described in Appendix A and development specific propagation profile it has been determined that the terrain screening available will not adequately attenuate the signal, and therefore this development is likely to cause false primary plots to be generated. A reduction in the RADAR's probability of detection, for real aircraft, is also anticipated.

4.1.2. En-route operational assessment of RADAR impact

Where an assessment reveals a technical impact on a specific NATS' RADAR, the users of that RADAR are consulted to ascertain whether the anticipated impact is acceptable to their operations or not.

Unit or role	Comment
Prestwick Centre ATC	Unacceptable
Military ATC	Acceptable

Note: The technical impact, as detailed above, has also been passed to non-NATS users of the affected RADAR, this may have included other planning consultees such as the MOD or other airports. Should these users consider the impact to be unacceptable it is expected that they will contact the planning authority directly to raise their concerns.

4.2. En-route Navigational Aid Assessment

4.2.1. Predicted Impact on Navigation Aids

No impact is anticipated on NATS' navigation aids.

4.3. En-route Radio Communication Assessment

4.3.1. Predicted Impact on the Radio Communications Infrastructure

No impact is anticipated on NATS' radio communications infrastructure.

5. Conclusions

5.1. En-route Consultation

The proposed development has been examined by technical and operational safeguarding teams. A technical impact is anticipated, this has been deemed to be unacceptable.

Appendix A – Background RADAR Theory

Primary RADAR False Plots

When RADAR transmits a pulse of energy with a power of P_t the power density, P , at a range of r is given by the equation:

$$P = \frac{G_t P_t}{4\pi r^2}$$

Where G_t is the gain of the RADAR's antenna in the direction in question.

If an object at this point in space has a RADAR cross section of σ , this can be treated as if the object re-radiates the pulse with a gain of σ and therefore the power density of the reflected signal at the RADAR is given by the equation:

$$P_a = \frac{\sigma P}{4\pi r^2} = \frac{\sigma G_t P_t}{(4\pi)^2 r^4}$$

The RADAR's ability to collect this power and feed it to its receiver is a function of its antenna's effective area, A_e , and is given by the equation:

$$P_r = P_a A_e = \frac{P_a G_r \lambda^2}{4\pi} = \frac{\sigma G_t G_r \lambda^2 P_t}{(4\pi)^3 r^4}$$

Where G_r is the RADAR antenna's receive gain in the direction of the object and λ is the RADAR's wavelength.

In a real world environment this equation must be augmented to include losses due to a variety of factors both internal to the RADAR system as well as external losses due to terrain and atmospheric absorption.

For simplicity these losses are generally combined in a single variable L .

$$P_r = \frac{\sigma G_t G_r \lambda^2 P_t}{(4\pi)^3 r^4 L}$$

Secondary RADAR Reflections

When modelling the impact on SSR the probability that an indirect signal reflected from a wind turbine has the signal strength to be confused for a real interrogation or reply can be determined from a similar equation:

$$P_r = \frac{\sigma G_t G_r \lambda^2 P_t}{(4\pi)^3 r_t^2 r_r^2 L}$$

Where r_t and r_r are the range from RADAR-to-turbine and turbine-to-aircraft respectively. This equation can be rearranged to give the radius from the turbine within which an aircraft must be for reflections to become a problem.

$$r_r = \sqrt{\frac{\lambda^2}{(4\pi)^3}} \sqrt{\frac{\sigma G_t G_r P_t}{r_t^2 P_r L}}$$

Shadowing

When turbines lie directly between a RADAR and an aircraft not only do they have the potential to absorb or deflect, enough power such that the signal is of insufficient level to be detected on arrival.

It is also possible that azimuth determination, whether this done via sliding window or monopulse, can be distorted giving rise to inaccurate position reporting.

Terrain and Propagation Modelling

All terrain and propagation modelling is carried out by a software tool called ICS Telecom (version 11.1.7). All calculations of propagation losses are carried out with ICS Telecom configured to use the ITU-R 526 propagation model.

Appendix B – Diagrams



Figure 1: Proposed development location shown on an airways chart

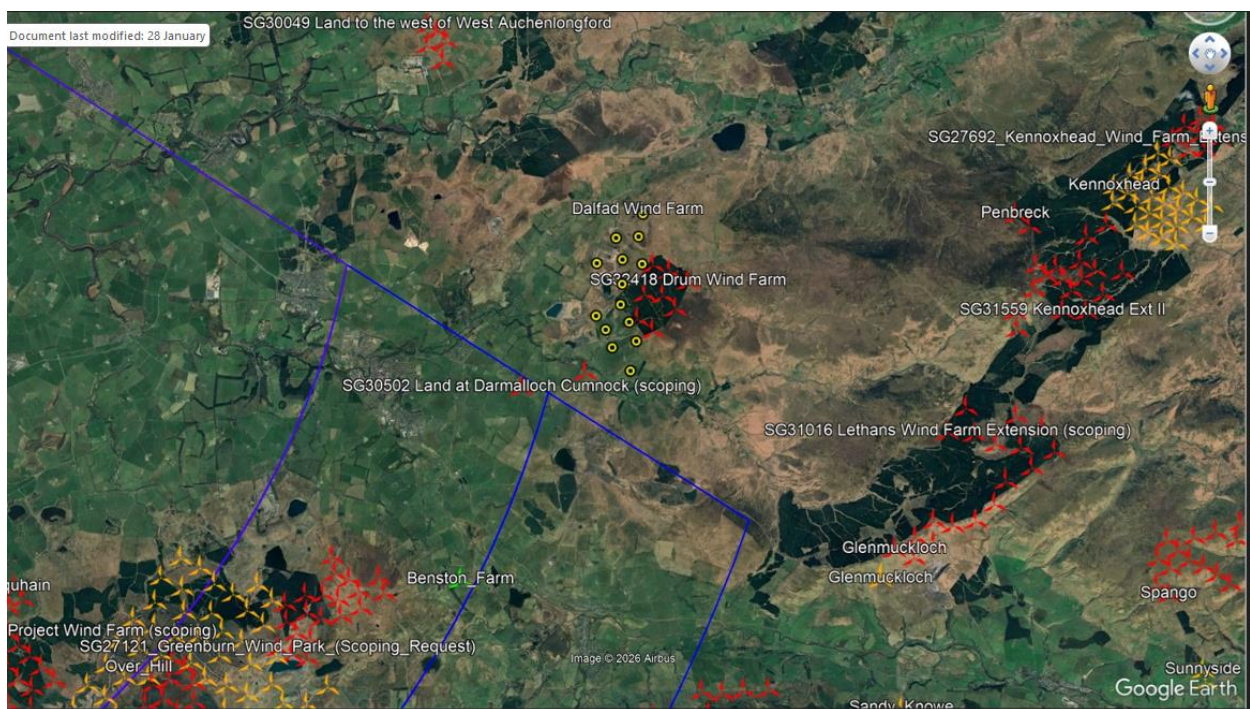


Figure 2: Proposed development shown alongside other recently assessed applications





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

Network Rail
Town Planning
151 St Vincent Street
Glasgow
G2 5NW

Martin Henderson
Town Planning Technician

Planning reference: ECU00006322
Case Officer: Conor Burke

E-Mail:
TownPlanningScotland@networkrail.co.uk

Network Rail ref: 49 2026
17/02/2026

Dear Mr Burke,

**THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)
(SCOTLAND) REGULATIONS 2017
REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36
APPLICATION FOR Dalfad Wind Farm**

Thank you for consulting Network Rail regarding the above development.

We would strongly suggest that reference to the issues below are included in the Scoping Opinion to ensure that potential impacts of both the construction and completed development on the current and future safe and efficient operation of the railway are assessed:

- A Traffic Assessment should be included to assess the effects of construction traffic on existing traffic flows and the public road network. Preferred construction traffic routes should be indicated. This will enable Network Rail to assess the possible impacts where/if the traffic crosses over/under our infrastructure and the suitability of these crossings.

Yours sincerely
REDACT

**Martin Henderson
Town Planning Technician**

From: [ONR Land Use Planning](#)
To: [Econsents Admin](#)
Subject: ONR Land Use Planning - Application ECU00006322
Date: 16 February 2026 12:09:57
Attachments: [image001.png](#)
[image001.png](#)

Dear Sir/Madam,

ONR land use planning processes are published here: <http://www.onr.org.uk/land-use-planning.htm>.

ONR has no comment on planning application reference: ECU00006322 as it does not meet ONR's consultation criteria:

DEPZ	Any new development, re-use or re-classification of an existing development that could lead to an increase in residential or non-residential populations thus impacting on the off-site emergency plan. Any new development, re-use or re-classification of an existing development that could pose an external hazard to the site. Any re-use or re-classification of an existing development that could introduce vulnerable groups to the DEPZ.
Outer Zone	Any new residential development of 200 dwellings or greater. Any re-use or re-classification of an existing development that will lead to a material increase in the size of an existing development (greater than 500 persons). Any new non-residential development that could introduce vulnerable groups to the OCZ. Any new development, re-use or re-classification of an existing development that could pose an external hazard to the site.

Kind regards,

Land Use Planning
 Office for Nuclear Regulation
ONR-Land.Use-planning@onr.gov.uk

This letter is sent by email only

Conor Burke
Case & System Officer
Energy Consents Unit
The Scottish Government: Conor.Burke@gov.scot

06/03/2026

Dear Conor,

**ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017**

**REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 36 APPLICATION
FOR Dalfad Wind Farm**

Thank you for consulting RSPB Scotland on the Scoping Opinion for this proposal. We have the following comments in relation to the questions posed and additional information.

General comments

This proposal is in a sensitive location due to its proximity to designated sites, RSPB's own reserve holding and the Powharnal restoration area as defined under former Minerals agreement for restoration. We, therefore, have significant concerns regarding the potential impact of this proposal both directly and indirectly to sites, species and habitats related to the above sites. We detail these below.

Designated sites

We agree with the conclusion drawn in the Scoping Report that there is potential connectivity between the proposed site and the Muirkirk and North Lowther Uplands Special Protected area (SPA) given its proximity immediately adjacent to this site and agree that information should be provided as part of the EIA to allow for an Appropriate Assessment to be carried out by the competent authority (7.3.4; 7.6.1).

RSPB Scotland
2 Lochside View
Edinburgh Park
Edinburgh
EH12 9DH

Tel: 0131 317 4100
📱 @RSPBScotland
📧 @RSPBScotland
rspb.org.uk/Scotland



The RSPB is part of BirdLife International, a network of passionate organisations, working together to save nature across the world.

We note reference to the North Lowther Uplands SSSI (7.4.1) although it is not confirmed that the related breeding bird assemblage at this site will be assessed as part of the EIA. **We, therefore, recommend that these features are scoped into the EIA**, namely, non-breeding and breeding Hen Harrier, breeding Golden plover, Merlin, Peregrine falcon and Short-eared owl.

RSPB's Airds Moss Reserve

RSPB's reserve at Airds Moss encompasses land within designated sites (Muirkirk and North Lowther Uplands SPA) and the Airds Moss Special Area of Conservation (SAC). Our management is aimed at maintaining and enhancing habitat for qualifying species and designated habitats associated with these sites. There is potential connectivity between this proposal and our land holding in relation to breeding Curlew and Black Grouse. As such, we strongly recommend that impacts to these species are given full consideration in the EIA to reduce impacts both on site and in buffer zones that may relate to our land holding.

Powharnal

We note that turbines are proposed to be located within Powharnal restoration area. RSPB Scotland sits on the Powharnal Management Committee (PM), which is chaired by East Ayrshire Council, and employs the Project Manager who oversees implementation of the Powharnal Mitigation Management Plan (PMMP) Aftercare Plan. The purpose and intent of the PMMP Aftercare Plan is to ensure that open cast coal mining activities on the PMMP Core Land and post mining restoration and aftercare on the PMMP Core Land have not adversely affected, and do not adversely affect, the integrity of the Muirkirk and North Lowther Uplands Special Protection Area. Additionally, the PMMP Aftercare Plan seeks to promote management of PMMP Management Land more generally in a manner that benefits biodiversity. The EIA should consider the implications of development within this site and in line with planning regulations relating to this agreement.

Target species

Black Grouse

As the Scoping report highlights, RSPB's data confirms lekking Black Grouse both on site and within the buffer area used for survey work to inform this project. Our data dates confirms activity including on our own reserve from 2016 onwards, including data of lekking males in 2025 on the boundary of this project, which would not have been identified through desk-based study. We, therefore, disagree with the conclusions drawn that *'..use of the Site is likely infrequent'*, which is based on results of survey undertaken to inform this proposal which did not record Black Grouse on site through survey or incidentally during wider survey work (7.4.2.1). Given that our data confirms their presence in this area, we seek confirmation on the survey methodology used to record lekking birds to inform this project and question its robustness in assessing the status of Black Grouse relating to this proposal. In addition, and as the confidential Figure 7.4 confirms, the lek sites recorded on adjacent land have ecological connectivity with the development area, with the illustrated

buffer areas at a 500 and 750m overlapping with the project boundary and the proposed location of turbines. Since the ecological range of grouse is for a 1.5-2km radius of lek sites, the overlap in terms of potential use of habitat on site is potentially much greater. This factor should be included in the EIA in relation to potential impacts of this proposal to red listed Black Grouse.

Breeding/wintering Raptors

We note the presence of Annex 1 breeding and wintering raptors as illustrated in Confidential Figure 7.4. Given the location of these species in relation to proposed infrastructure, impacts through operational displacement and disturbance should be fully assessed within the EIA alongside relevant mitigation measures which would include changes to design layout.

Q7.1 Do consultees agree with the species proposed to be scoped out of the detailed assessment, and the resultant identified IOFs?

Yes

Q7.2 Do consultees believe that there are any further species, or any designated sites which need to be considered in the assessment?

Yes. Designated features of the North Lowther Uplands SSSI (non-breeding and breeding Hen Harrier, breeding Golden plover, Merlin, Peregrine falcon and Short-eared owl).

Q7.4 Do consultees agree that the methodology and scope of the proposed ornithological impact assessment is appropriate?

We recommend that the status of Black Grouse is reviewed in line with relevant data provided by RSPB for lekking activity both on site and within buffer zones and that infrastructure layout is informed directly by this data to minimise impacts. We acknowledge that the Scoping Report suggests that the use of this data is likely (7.5).

We also recommend that the assessment of impact to Black Grouse (site and cumulative) is based on the regional status of this species based on annual monitoring which can be confirmed by RSPB Scotland on request. We should also highlight that the relevant NHZ would be 19 (not 17 as suggested in the EIA 7.3.2). However, since this is now ten years out of date (2015), we consider regional data as described above, to be a more appropriate baseline to use to assess impacts.

Q7.5 Do consultees have any suggestions for habitat management measures?

We are unable to make comment on this detail without seeing the results of EIA. However, and without prejudice to our final position, we would highlight that sites as described above and qualifying species should be the focus of restoration measures considered for Biodiversity Enhancement measures in addition to those that may be required as part of mitigation or compensatory measures.

Yours sincerely,



Julia Gallagher
Senior Conservation Officer
Scottish Lowlands & Southern Uplands

From: Leadbeater, Jamie <Jamie.Leadbeater@sse.com> on behalf of Transmission Planning Notifications And Land Management <Transmission.ple@sse.com>
Sent: 16 February 2026 16:43
To: Econsents Admin
Subject: ECU00006322 - - Dalfad Wind Farm - SSEN Transmission

F.A.O Conor Burke

Thank you for consulting SSEN Transmission.

Given we are not the licensed electrical transmission operator for East Ayrshire Council administrative area, we have "no comments" to make. Subsequently, we suggest you seek comment from Scottish Power Energy Networks Transmission.

Kind regards,

Jamie Leadbeater BA (Hons) DipTP MSc MRTPI
Senior Town & Country Planner

SSEN Transmission - Land team

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

Date 17/02/2026

Dear Sirs,

Proposal: **ECU00006322**
Site: **Dalfad Wind Farm**
Our Ref: **SPD J-29629**

With reference to the application regarding the above project, in principle, SP Distribution Plc have no objection to the proposals, however, I would advise you that SP Distribution Plc have 33kv overhead line, and HV overhead line and underground cables within the vicinity of the proposals.

SP Distribution Plc must therefore reserve the right to protect and/or deviate our apparatus at the applicant's expense.

For a plan of the apparatus, please contact
requestforplansscotland@spenergynetworks.co.uk

For advice on working near our apparatus, please visit
https://www.spenergynetworks.co.uk/pages/working_near_our_network.aspx
or contact customer.resolution@spenergynetworks.co.uk

Yours faithfully

C Burrows

Land & Planning Clerical Assistant

Monday, 16 February 2026



Local Planner
Energy Consents Unit
5 Atlantic Quay
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G2 8LU

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

Dalfad Wind Farm
Planning Ref: ECU00006322
Our Ref: DSCAS-0149571-C7X
Proposal: Up to 14 Wind Turbines. Approximately 6 km north-east of Cumnock

Please quote our reference in all future correspondence

Scottish Water has no objection to this proposal. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Drinking Water Protected Areas

A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

Asset Impact Assessment

Scottish Water records indicate that there is live infrastructure in the proximity of your development area that may impact on existing Scottish Water assets.

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via our Customer Portal for an appraisal of the proposals.

The applicant should be aware that any conflict with assets identified will be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Written permission must be obtained before any works are started within the area of our apparatus.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should refer to our guides which can be found at <https://www.scottishwater.co.uk/Help-and-Resources/Document-Hub/Business-and-Developers/Connecting-to-Our-Network> which detail our policy and processes to support the application process, evidence to support the intended drainage plan should be submitted at the technical application stage where we will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will typically require surface water to be eliminated from any new discharges of trade effluent.

Next Steps:

All developments that propose a connection to the public water or waste water infrastructure are required to submit a Pre-Development Enquiry (PDE) Form via our Customer Portal prior to any formal technical application being submitted, allowing us to fully appraise the proposals

I trust the above is acceptable however if you require any further information regarding this matter, please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Angela Allison

Development Services Analyst

PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Supplementary Guidance

- Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - Site Investigation Services (UK) Ltd
 - Tel: 0333 123 1223
 - Email: sw@sisplan.co.uk
 - www.sisplan.co.uk
- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Development Operations department at the above address.
- If a connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or a Sustainable Drainage System (SUDS) proposed to vest in Scottish Water is constructed.
- Please find information on how to submit application to Scottish Water at our Customer Portal.



The Coal
Authority

A119

200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG

T: 01623 637 119 (Planning Enquiries)

E: planningconsultation@coal.gov.uk

W: www.gov.uk/coalauthority

**For the attention of: Mr C Burke - Case & Systems Officer
Energy Consents Unit**

[By email: Econsents_Admin@gov.scot]

3rd March 2026

Dear Mr Burke

Re: ECU00006322 - Scoping Opinion for proposed section 36 application for Dalfad Wind Farm; Approximately 6 Kilometres (km) Northeast of Cumnock, East Ayrshire, Scotland

Thank you for your notification of the 13th February 2026 seeking the views of the Coal Authority on the above.

The Coal Authority, trading as the Mining Remediation Authority, is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

Our records indicate that within the area identified for the project there are 25 mine entries, shallow coal workings and area where coal has been removed by surface mining methods. These features may pose a potential risk to surface stability and public safety.

The Coal Authority is of the opinion that building over the top of, or in close proximity to, mine entries should be avoided wherever possible, even after they have been capped, in line with our adopted policy:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

The submitted Scoping Report, dated 28 January 2026, and prepared by SLR Consulting Limited acknowledges that coal mining features are present within the site. They note that the EIA Report will include a Coal Mining Risk Assessment as one of its technical appendices/assessments. We would expect this assessment gives consideration to how the layout of the development can be designed to avoid structures, including wind turbines, being located over, or within influencing distance of, mine entries and their zones of influence.

We are pleased to see that the Scoping Report authors recommend that a CMRA is included within the EIA report so that potential risks posed by coal mining features can be properly considered.

If you would like to discuss this matter further, please contact me on the above number.

Yours sincerely

Melanie Lindsley *BA (Hons), DipEH, DipURP, MA, PGCertUD, PGCertSP, MRTPI*
Principal Planning & Development Manager

Disclaimer

The above consultation response is provided by the Coal Authority as a statutory consultee and is based upon the latest available data and the electronic consultation records held by the Coal Authority since 1 April 2013. The comments made are also based on the information provided to the Coal Authority and/or information that has been published for consultation purposes. The views and conclusions contained in this response may be subject to review and amendment by the Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided.



From: [The Coal Authority-Planning](#)
To: [Conor Burke](#)
Subject: Automatic reply: [External] Request for Scoping Opinion - Dalfad Wind Farm - ECU00006322
Date: 13 February 2026 09:36:42

PLEASE READ THE BELOW INFORMATION

Thank you for contacting the Planning and Development team at the Coal Authority.

If your email relates to a statutory consultation we will provide comments within 21 days in England and Wales, and 14 days in Scotland, unless you have specified otherwise.

Please be advised that we will not provide bespoke comments if your consultation or enquiry can be answered by the below information.

For all other enquiries, a member of our team will get back to you within 10 working days.

If you are emailing from a Local Planning Authority:

Consultation requests on application types or proposed developments which fall on our published Exemptions List

The Coal Authority's Planning and Development team do not require the submission of a Coal Mining Risk Assessment (CMRA) in the case of those application types and proposed developments which fall on our published Exemptions List and consultation with us is not required. You can find further information on our [Exemptions List](#).

If you are a non-coalfield Authority

The Coal Authority have no comments to make regarding planning applications or planning policies in areas which lie outside of the coalfield and therefore we will not provide a formal response to any consultations received. You can check if you are a coalfield Authority [here](#).

If you are NOT emailing from a Local Planning Authority:

Additional or amended information relating to a live planning application

Please be advised that we are unable to accept or respond to requests to consider information relating to live planning applications. Such requests need to be submitted to

the Case Officer at the relevant Local Planning Authority for them to formally re-consult us. As the Local Planning Authority is the decision making body they need to be aware of any additional, or amended, information submitted to support the application.

Please Note: Where reference is made to The Mining Remediation Authority in wider publications this is the trading name of the Coal Authority ('TCA') established pursuant to Section 1 of the Coal Industry Act 1994, of 200 Lichfield Lane, Berry Hill, Mansfield, Nottinghamshire, NG18 4RG. The Coal Authority remains the legal name of the Authority

Kind regards

The Coal Authority's Planning and Development team

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Marine Directorate – Science Evidence Data and Digital (MD-SEDD) advice on freshwater and diadromous fish and fisheries in relation to onshore wind farm developments.

July 2020 updated September 2023

Marine Directorate – Science Evidence Data and Digital (MD-SEDD) provides internal, non-statutory, advice in relation to freshwater and diadromous fish and fisheries to the Scottish Government's Energy Consents Unit (ECU) for onshore wind farm developments in Scotland.

Atlantic salmon (*Salmo salar*), sea trout and brown trout (*Salmo trutta*) are of high economic value and conservation interest in Scotland and for which MD-SEDD has in-house expertise. Onshore wind farms are often located in upland areas where salmon and trout spawning and rearing grounds may also be found. MD-SEDD aims, through our provision of advice to ECU, to ensure that the construction and operation of these onshore developments do not have a detrimental impact on the freshwater life stages of these fish populations.

The Electricity Works (Environmental Impact Assessment) (EIA) (Scotland) Regulations (2017) state that the EIA must assess the direct and indirect significant effects of the proposed development on water and biodiversity, and in particular species (such as Atlantic salmon) and habitats protected under the EU Habitats Directive. Salmon and trout are listed as priority species of high conservation interest in the Scottish Biodiversity Index and support valuable recreational fisheries.

A good working relationship has been developed over the years between ECU and MD-SEDD, which ensures that these fish species are considered by ECU during all stages of the application process of onshore wind farm developments and are similarly considered during the construction and operation of future onshore wind farms. It is important that matters relating to freshwater and diadromous fish and fisheries, particularly salmon and trout, continue to be considered during the construction and operation of future onshore wind farms.

In the current document, MD-SEDD sets out a revised, more efficient approach to the provision of our advice, which utilises our generic scoping and monitoring programme guidelines (<https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren>). This standing advice provides regulators (e.g. ECU, local planning authorities), developers and consultants with the information required at all stages of the application process for onshore wind farm developments, such that matters relating to freshwater and diadromous fish and fisheries are addressed in the same rigorous manner as is currently being carried out and continue to be fully in line with EIA regulations. At the request of ECU, MD-SEDD will still be able to provide further and/or bespoke advice relevant to freshwater and diadromous fish and fisheries e.g. site specific advice, at any stage of the application process for a proposed development, particularly where a development may be considered sensitive or contentious in nature.

MD-SEDD will continue undertaking research, identifying additional research requirements, and keep up to date with the latest published knowledge relating to the

impacts of onshore wind farms on freshwater and diadromous fish populations. This will be used to ensure that our guidelines and standing advice are based on the best available evidence and also to continue the publication of the relevant findings and knowledge to all stakeholders including regulators, developers and consultants.

MD-SEDD provision of advice to ECU

- MD-SEDD should not be asked for advice on pre application and application consultations (including screening, scoping, gate checks and EIA applications). Instead, the MD-SEDD scoping guidelines and standing advice (outlined below) should be provided to the developer as they set out what information should be included in the EIA report;
- if new issues arise which are not dealt with in our guidance or in our previous responses relating to respective developments, MD-SEDD can be asked to provide advice in relation to proposed mitigation measures and monitoring programmes which should be outlined in the EIA Report (further details below);
- if new issues arise which are not dealt with in our guidance or in our previous responses, MD-SEDD can be asked to provide advice on suitable wording, within a planning condition, to secure proposed monitoring programmes, should the development be granted consent;
- MD-SEDD cannot provide advice to developers or consultants, our advice is to ECU and/or other regulatory bodies.
- if ECU has identified specific issues during any part of the application process that the standing advice does not address, MD-SEDD should be contacted.

MD-SEDD Standing Advice for each stage of the EIA process

Scoping

MD-SEDD issued generic scoping guidelines

(<https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren>) which outline how fish populations can be impacted during the construction, operation and decommissioning of a wind farm development and informs developers as to what should be considered, in relation to freshwater and diadromous fish and fisheries, during the EIA process.

In addition to identifying the main watercourses and waterbodies within and downstream of the proposed development area, developers should identify and consider, at this early stage, any areas of Special Areas of Conservation where fish are a qualifying feature and proposed felling operations particularly in acid sensitive areas.

If a developer identifies new issues or has a technical query in respect of MD-SEDD generic scoping guidelines then ECU should be informed who will then co-ordinate a response from MD-SEDD.

Gate check

The detail within the generic scoping guidelines already provides sufficient information relating to water quality and salmon and trout populations for developers at this stage of the application.

Developers will be required to provide a gate check checklist (annex 1) in advance of their application submission which should signpost ECU to where all matters relevant to freshwater and diadromous fish and fisheries have been presented in the EIA report. Where matters have not been addressed or a different approach, to that specified in the advice, has been adopted the developer will be required to set out why.

EIA Report

MD-SEDD will focus on those developments which may be more sensitive and/or where there are known existing pressures on fish populations (<https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/fishreform/licence/status/Pressures>). The generic scoping guidelines should ensure that the developer has addressed all matters relevant to freshwater and diadromous fish and fisheries and presented them in the appropriate chapters of the EIA report. Use of the gate check checklist should ensure that the EIA report contains the required information; the absence of such information may necessitate requesting additional information which may delay the process:

Developers should specifically discuss and assess potential impacts and appropriate mitigation measures associated with the following:

- any designated area, for which fish is a qualifying feature, within and/or downstream of the proposed development area;
- the presence of a large density of watercourses;
- the presence of large areas of deep peat deposits;
- known acidification problems and/or other existing pressures on fish populations in the area; and
- proposed felling operations.

Post-Consent Monitoring

MD-SEDD recommends that a water quality and fish population monitoring programme is carried out to ensure that the proposed mitigation measures are effective. A robust, strategically designed and site specific monitoring programme conducted before, during and after construction can help to identify any changes, should they occur, and assist in implementing rapid remediation before long term ecological impacts occur.

MD-SEDD has published guidance on survey/monitoring programmes associated with onshore wind farm developments (<https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren>) which developers should follow when drawing up survey and/or monitoring programmes.

If a developer considers that such a monitoring programme is not required then a clear justification should be provided.

Planning Conditions

MD-SEDD advises that planning conditions are drawn up to ensure appropriate provision for mitigation measures and monitoring programmes, should the development be given consent. We recommend, where required, that a Water Quality Monitoring Programme, Fisheries Monitoring Programme and the appointment of an Ecological Clerk of Works, specifically in overseeing the above monitoring programmes, is outlined within these conditions and that MD-SEDD is consulted on these programmes.

Wording suggested by MD-SEDD in relation to water quality, fish populations and fisheries for incorporation into planning consents:

1. No development shall commence unless a Water Quality and Fish Monitoring Plan (WQFMP) has been submitted to and approved in writing by the Planning Authority in consultation with Marine Directorate – Science Evidence Data and Digital (MD–SEDD) and any such other advisors or organisations.
2. The WQFMP must take account of the Scottish Government’s MD-SEDD guidelines and standing advice and shall include:
 - a. water quality sampling should be carried out at least 12 months prior to construction commencing, during construction and for at least 12 months after construction is complete. The water quality monitoring plan should include key hydrochemical parameters, turbidity, and flow data, the identification of sampling locations (including control sites), frequency of sampling, sampling methodology, data analysis and reporting etc.;
 - b. the fish monitoring plan should include fully quantitative electrofishing surveys at sites potentially impacted and at control sites for at least 12 months before construction commences, during construction and for at least 12 months after construction is completed to detect any changes in fish populations; and
 - c. appropriate site specific mitigation measures detailed in the Environmental Impact Assessment and in agreement with the Planning Authority and MD-SEDD.
3. Thereafter, the WQFMP shall be implemented within the timescales set out to the satisfaction of the Planning Authority in consultation with MD- SEDD and the results of such monitoring shall be submitted to the Planning Authority on a 6 monthly basis or on request.

Reason: To ensure no deterioration of water quality and to protect fish populations within and downstream of the development area.

Sources of further information

NatureScot (previously “SNH”) guidance on wind farm developments -

<https://www.nature.scot/professional-advice/planning-and-development/advice-planners-and-developers/renewable-energy-development/onshore-wind-energy/advice-wind-farm>

Scottish Environment Protection Agency (SEPA) guidance on wind farm developments –

<https://www.sepa.org.uk/environment/energy/renewable/#wind>

A joint publication by Scottish Renewables, NatureScot, SEPA, Forestry Commission Scotland, Historic Environment Scotland, Marine Scotland Science (now MD-SEDD) and Association of Environmental and Ecological Clerks of Works (2019) Good Practice during Wind Farm Construction -

<https://www.nature.scot/guidance-good-practice-during-wind-farm-construction>.

Annex 1 (revised September 2023)

Marine Directorate – Science Evidence Data and Digital (MD-SEDD) – EIA Checklist

The generic scoping guidelines should ensure that all matters relevant to freshwater and diadromous fish and fisheries have been addressed and presented in the appropriate chapters of the EIA report. Use of the checklist below should ensure that the EIA report contains the following information; the absence of such information ***may necessitate requesting additional information*** which could delay the process:

MD-SEDD Standard EIA Report Requirements	Provided in application YES/NO	If YES – please signpost to relevant chapter of EIA Report	If not provided or provided different to MD-SEDD advice, please set out reasons.
1. A map outlining the proposed development area and the proposed location of: ○ the turbines, ○ associated crane hard standing areas, ○ borrow pits, ○ permanent meteorological masts, ○ access tracks including watercourse crossings, ○ all buildings including substation, battery storage; ○ permanent and temporary construction compounds; ○ all watercourses; and ○ contour lines;			

2. A description and results of the site characterisation surveys for fish (including fully quantitative electrofishing surveys) and water quality including the location of the electrofishing and fish habitat survey sites and water quality sampling sites on the map outlining the proposed turbines and associated infrastructure. This should be carried out where a Special Area of Conservation (SAC) is present and where salmon are a qualifying feature, and in exceptional cases when required in the scoping advice for other reasons. In other cases, developers can assume that fish populations are present;			
3. An outline of the potential impacts on fish populations and water quality within and downstream of the proposed development area;			
4. Any potential cumulative impacts on the water quality and fish populations associated with adjacent (operational and consented) developments including wind farms, hydro schemes, aquaculture and mining;			

5. Any proposed site specific mitigation measures as outlined in MD-SEDD generic scoping guidelines and the joint publication “Good Practice during Wind Farm Construction” (https://www.nature.scot/guidance-good-practice-during-wind-farm-construction);			
6. Full details of proposed monitoring programmes using guidelines issued by MD-SEDD and accompanied by a map outlining the proposed sampling and control sites in addition to the location of all turbines and associated infrastructure. At least 12 months of baseline pre-construction data should be included. The monitoring programme can be secured using suitable wording in a condition.			
7. A decommissioning and restoration plan outlining proposed mitigation/monitoring for water quality and fish populations. This can be secured using suitable wording in a condition.			

Developers should specifically discuss and assess potential impacts and appropriate mitigation measures associated with the following:	Provided in application YES/NO	If YES – please signpost to relevant chapter of EIA Report	If not provided or provided different to MD-SEDD advice, please set out reasons.
1. Any designated area (e.g. SAC), for which fish is a qualifying feature, within and/or downstream of the proposed development area;			
2. The presence of a large density of watercourses;			
3. The presence of large areas of deep peat deposits;			
4. Known acidification problems and/or other existing pressures on fish populations in the area; and			
5. Proposed felling operations.			