

Gate Check 1 Report

Balgray Wind Farm

Fred. Olsen Renewables Limited



Document Information		
Document title:	Energy Consents Unit Gatecheck 1 Report	
Date of issue:	20.09.2024	
Status:	Approved	
Prepared by:	Leila Tavendale	Date: 20.09.2024
Checked by:	Geum Howatson	Date: 20.09.2024
Approved by:	Euan Hutchison	Date: 20.09.2024

Version	Date	Purpose of amendment
01	20.09.2024	Original document for client review

Table of contents

Table of contents.....	2
1. Introduction.....	3
1.1. Introduction	3
1.2. The Applicant	3
2. Consultation & Engagement.....	4
2.1. Pre-Application Consultation	4
2.2. Stakeholder Consultation	4
2.3. Public Engagement.....	6
3. Design Iterations.....	8
3.1. Design Iterations to Date	8
3.2. Future Design Iterations	10
4. Scoping Responses	11
4.1. Planning Policy.....	12
4.2. EIA Report Requirements	14
4.3. Landscape and Visual	20
4.4. Ornithology	21
4.5. Ecology.....	22
4.6. Geology, Peat, Hydrology & Hydrogeology.....	28
4.7. Noise.....	30
4.8. Cultural Heritage.....	32
4.9. Traffic and Access	34
4.10. Aviation and Radar	36
4.11. Other Matters.....	38
5. Timeline to Submission	39

1. Introduction

1.1. Introduction

This Gatecheck 1 Report has been prepared by Locogen Consulting on behalf of Fred. Olsen Renewables ('the Applicant') in anticipation of an application under Section 36 of the Electricity Act 1989 for permission to construct and operate Balgray Wind Farm, to the east of Sibbaldbie, Lockerbie, Dumfries and Galloway ('the Proposed Development').

The Applicant submitted an Environmental Impact Assessment (EIA) Scoping Report to the Energy Consents Unit ('ECU') in December 2023 and received an EIA Scoping Opinion in April 2024.

This Section 36 Gatecheck Report provides the ECU with an update on the status of the Proposed Development and progress with the EIA Report. The report includes a summary of the design iteration process which the Applicant has undertaken to date (Section 3), the ongoing consultation and how the Applicant intends to address the points raised within the EIA Scoping Opinion (Sections 24).

1.2. The Applicant

The Proposed Development is being developed by Fred. Olsen Renewables who have been involved in the onshore wind industry since their first investment in 1996. Since then, they have endeavoured to sympathetically develop greenfield wind farm projects over a range of sites. In addition to the UK, they now have activities in Norway, Sweden and the Republic of Ireland where a number of projects are currently in development.

Fred. Olsen Renewables portfolio consists of 258 operational turbines, alongside a further 76 consented. This, combined with projects in Norway and Sweden, brings the total operational capacity to 804.9 MW – providing enough power for 698,344 homes.

Central to the Applicants success will be collaboration with communities, committing to local businesses and supporting the journey to 2030.

2. Consultation & Engagement

2.1. Pre-Application Consultation

Prior to the commencement of the pre application process, the Applicant wrote to NatureScot and the Galloway Fisheries Trust in July 2023 with the aim of initiating open discussion of the proposals at an early stage, particularly in relation to the proposed survey scope.

NatureScot

The letter to NatureScot sought to gauge their opinion of the proposed ecological assessment prior to commencement of ecology surveys.

NatureScot responded on 31st July 2023 to advise that there was no need to meet at that time on the basis that it appeared that the main elements of the project were covered satisfactorily. NatureScot noted the potential requirement for peat depth surveys to inform the EIA, however this assessment was to be covered by the appointed hydrology, hydrogeology and geology consultant.

A final comment was made in relation to the use of UKHab methodology, NatureScot expressed that although this assessment methodology is currently not supported in Scotland (but is in the wider UK-context), due to it not meeting EUNIS classification criteria, the dual use of NVC survey will allow EUNIS criteria to be met. At the time NatureScot did not perceive the proposed habitat survey scope as a limiting factor. Furthermore, in September 2023 the Scottish Government announced that NatureScot had been tasked with adapting the Department for Environment, Farming and Rural Affairs (DEFA's) existing biodiversity metric currently in place in England for use in Scotland. The metric will be used to evidence projects under NPF4 Policy 3 b. The use of UKHab as survey methodology therefore aims to futureproof the survey scope, as it is likely that UKHab will translate into a Biodiversity enhancement tool more easily.

The Applicant will develop and Outline Habitat Management Plan for submission with the Application, and intend to consult with NatureScot on the content of this document.

Galloway Fisheries Trust

The letter to Galloway Fisheries Trust requested a discussion on survey scope, and in particular whether electrofishing may be required. On 1st August an online meeting was held between Jamie Ribbens, Senior Biologist at the Galloway Fisheries Trust and Jack Bell, Head of Ecology & Environmental Compliance, Locogen.

Following this meeting, it was agreed to complete specialist surveys in line with current Marine Scotland Guidance (2021). The Galloway Fisheries Trust were appointed to undertake this assessment and have subsequently designed and implemented the survey scope to their satisfaction. The electrofishing and invertebrate sampling has been carried out, and results will be included in the EIA.

2.2. Stakeholder Consultation

The Applicant initially wrote to key stakeholders including the ECU, Dumfries and Galloway Council and Historic Environment Scotland in advance of the scoping submission to introduce the project and introduce early mitigation measures.

A summary of consultation is provided in Table 1 below.

Consultee	Date	Persons	Description of Correspondence
Energy Consents Unit (ECU)	10.01.2024	Applicant to ECU	Project introduction meeting

	08.02.2024	Applicant to ECU	Final consultee list agreed between FORL and the ECU
Dumfries and Galloway Council	09.01.2024	Dumfries and Galloway Council to the Applicant	Roads department within the council submitted feedback detailing concerns of the access being proposed within the Scoping Report
	25.01.2024	Applicant to Dumfries and Galloway Council	Project introduction meeting
	25.01.2024	Dumfries and Galloway Council to the Applicant	Project introduction meeting debrief and request for hard copies of ZTVs
	11.04.2024	Applicant to Dumfries and Galloway Council	Printing and delivery of ZTVs to Dumfries and Galloway Council offices
	30.04.2024	Dumfries and Galloway Council to the Applicant	Request for additional / alternative viewpoints to be considered by Planning Officer
	02.05.2024	Applicant to Dumfries and Galloway Council	Acknowledgement of additional viewpoints to be considered. And request for additional feedback from Council's Landscape Architect and Archaeologist Feedback from these departments has not been received to date
	18.06.2024	Dumfries and Galloway Council to the Applicant	Request for project update
	26.06.2024	Applicant to Dumfries and Galloway Council	Project update provided
	27.06.2024	Dumfries and Galloway Council to the Applicant	Advice provided relating to key concerns the council have regarding the project, mainly around the proposed tip heights of up to 230m
	16.07.2024	Applicant to Dumfries and Galloway Council	Updated project layout plans provided and request for meeting to discuss
	17.07.2024	Dumfries and Galloway Council to the Applicant	Request for Wirelines and visualisations of project

	30.08.2024	Applicant to Dumfries and Galloway Council	Project update, provision of wirelines and request for feedback
Historic Environment Scotland	20.03.2024	Applicant to Historic Environment Scotland	Request for a meeting pre-scoping submission
	26.03.2024	Historic Environment Scotland to Applicant	Confirmation that no formal meeting would be facilitated prior to scoping submission due to insufficient time before a response to the ECU would be required
	27.03.2024	Applicant to Historic Environment Scotland	Phone call which confirmed objection to proposal due to positioning of Scheduled Monument hillfort in the centre of the site, and that a 'to do' list of visualisations and wirelines that would be required as part of the EIAR.

Table 1: Summary of Consultation to Date

The Applicant will seek to engage further with Dumfries and Galloway Council for formal feedback on recent layout and project changes in advance of submission of the Application.

2.3. Public Engagement

The Applicant has undertaken a programme of pre-application community engagement in accordance with best practices.

The project website (<https://balgraywindfarm.co.uk/>) went live in November 2023 and contains information on the Proposed Development including the site location, indicative layouts, ZTVs and details of the Community Consultation Events.

Community Consultation Events

The Applicant has undertaken a programme of pre-application community engagement in accordance with best practice.

The first series of Public Exhibitions took place in February 2024 as follows:

- 19th February 2024 – Lockerbie Ice Rink – 6pm to 8pm, exclusively advertised to all properties within 2km of the project due to the high number of households
- 20th February 2024 – Lockerbie Ice Rink – 1pm to 8pm
- 21st February 2024 – Boreland Village Hall – 3:30pm to 8pm

The events on 20th and 21st February were advertised in the Annandale Herald and the Dumfries & Galloway Standard, on the Balgray Wind Farm Website, by mail drop to all properties within 10km of the Proposed Development and emails to local community councils, ward councillors, Members of Scottish Parliament (MSPs) and Members of Parliament (MPs).

The Applicant is proposing to hold a second series of community consultation events in November 2024 as follows:

- 6th November 2024 – Boreland Village Hall, exclusively advertised to all properties within 2km of the project due to the high number of households
- 7th November 2024 – Boreland Village Hall
- 8th November 2024 – Lockerbie, venue to be confirmed

The event timings will be confirmed in due course and advertised in the same manner as the original events noted above.

Community Councils

The Applicant wrote to the following Community Councils and Ward Councillors in advance of the submission of the Scoping Report:

- Lockerbie and District CC
- North Milk CC
- Wamphray CC
- Johnstone CC - DISBANDED
- Royal Burgh of Lochmaben and District
- Templand CC
- Hoddum and Ecclefechan
- Middlebie and Waterbeck
- Langholm, Ewes and Westerkirk
- Eskdalemuir
- Kirkmichael
- Royal Four Towns

The Applicant subsequently attended meetings with North Milk Community Council on the 11th September 2024 and with Lockerbie Community Council on the 17th of September 2024.

The Applicant will attend future Community Council meetings if they are invited to do so.

3. Design Iterations

3.1. Design Iterations to Date

The layout of the Proposed Development is the outcome of an iterative process which began in 2020. At each stage, the layout has been amended to take account of information gained from site surveys or comments received from consultees and technical advice from independent experts appointed to develop the project.

Following receipt of the EIA Scoping Opinion, the Applicant has undertaken further design iterations with the aim of maximising the capacity of the Proposed Development whilst also minimising the potential environmental impacts.

A summary of the main iterations is described at

Table 2 below and shown in Figure 1, Figure 2 and Figure 3.

Table 2: Summary of design iterations to date

Design Iteration	No. Turbines	Date	Description
Preliminary Layout (Figure 1)	19	2020	High level initial layout designed to maximise generation, without considerations of on-site constraints and using additional land parcels which are no longer part of the Proposed Development
Scoping Layout (Figure 2)	7	January 2024	The site area reduced in size due to changes in landowner agreements and feedback reviewed in relation to the previously proposed Newfield scheme. Turbine positions identified based on known on-site constraints (prior to more detailed site exploration) and most suitable layout to maximise turbine performance.

Design Chill Layout (Figure 3)	6	August 2024	Turbine 1 relocated to avoid area of peat identified during Phase 1 peat probing and to allow for sufficient stand-off distance from tree line. Turbine relocated into an area of lower groundwater dependency. Turbine 2 relocated to minimise wake effects between turbines caused by the re-siting of Turbine 1. Turbine 3 relocated outwith buried archaeology buffer and watercourse buffer. Turbine 4 unchanged. Turbine 5 removed due to concerns regarding the landscape and visual impacts associated with this turbine. Turbine 6 unchanged. Turbine 7 relocated to allow sufficient stand-off distance for bats from tree line and simplify watercourse crossing of Hewke Burn. All turbines reduced from tip height of 230m to 200m to further decrease landscape and visual impacts.
---------------------------------------	----------	--------------------	--

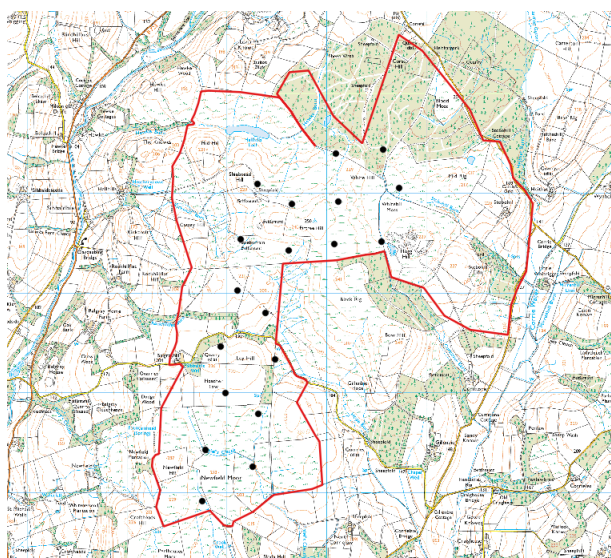


Figure 1: Initial layout

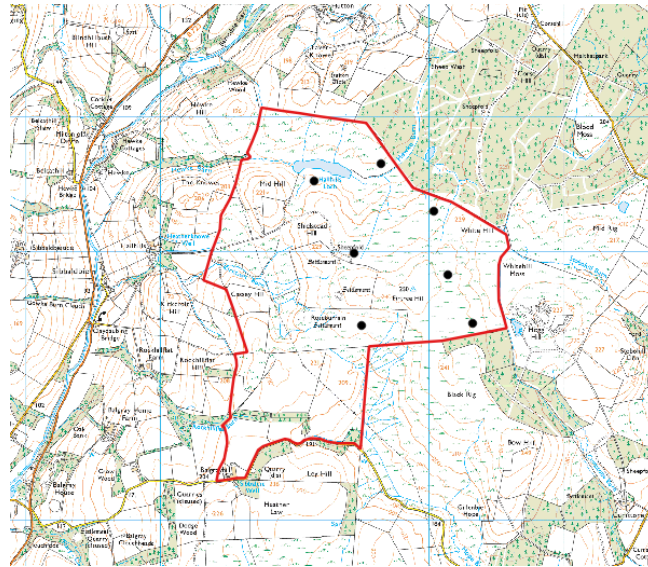


Figure 2: Scoping layout

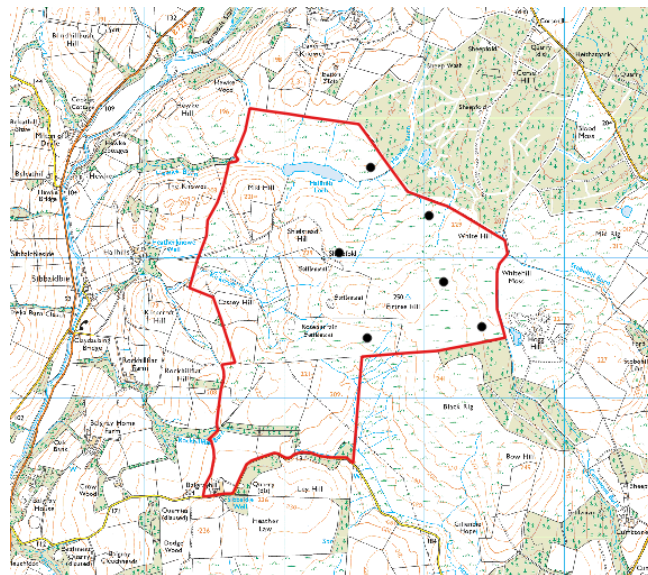


Figure 3: Design chill layout

3.2. Future Design Iterations

The Applicant and their EIA team have gathered environmental baseline information for the site across several technical areas to develop a layout design that considers both the environmental and technical constraints identified, and the consultee comments received. The EIA Report will include details of the design iterations leading up to the final submitted design.

The Applicant has received feedback that access from the South of the Proposed Development is unfavourable. As such, the Applicant is investigating an access route from the North of the Proposed Development.

4. Scoping Responses

Scoping responses were received from the following consultees:

Consultee	
Historic Environment Scotland	Highlands and Islands Airport
Scottish Environmental Protection Agency	HSE (Health and Safety Executive)
NatureScot	Joint Radio Company
Aberdeen Airport	National Grid
BT	NATS Safeguarding
Crown Estate Scotland	Network Rail
Defence Infrastructure Organisation	North Milk Community Council
Edinburgh Airport	Office for Nuclear Regulation
Fisheries Management Scotland	Scottish Forestry
Galloway Fisheries Trust	The Coal Authority
Glasgow Airport	The Met Office
Glasgow Prestwick Airport	Transport Scotland

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

Consultee	
Dumfries & Galloway Council	Oban Airport
British Horse Society	Royal Burgh of Lochmaben and District Community Council
Civil Aviation Authority – Airspace	Royal Four Towns Community Council
Eskdalemuir Community Council	RSPB Scotland
Hoddum and Ecclefechan Community Council	Scottish Rights of Way and Access Society (ScotWays)
John Muir Trust	Scottish Wildlife Trust
Kirkmichael Community Council	Scottish Wild Land Group (SWLG)
Langholm, Ewes and Westerkirk Community Council	The River Annan Trust and Salmon Fishery Boards
Lockerbie and District Community Council	Visit Scotland
Middlebie and Waterbeck Community Council	Wamphray Community Council
Mountaineering Scotland	Woodland Trust

Tables 3 - 14 below summarise the responses received in relation to each of the topics identified within the Scoping Report, noting that others may also develop through the remainder of the EIA process until submission.

4.1. Planning Policy

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

Table 3: EIA Scoping Opinion - Planning Policy

Consultee	Scoping comment	Response to consultee	Further EIA consultation
NatureScot	Policy 3 of National Planning Framework 4 (NPF4) requires that new developments deliver positive net gain for biodiversity. For a wind farm, the main mode of delivery is through the implementation of a habitat management plan (HMP) that compensates for any residual effects resulting from the proposal. We strongly advise that the application includes a well-developed HMP that allows consultees to assess the merits of the proposal in line with NPF4. We recommend taking account of our developing with nature guidance and our habitat management plans guidance to inform the proposal and plans.	Noted.	The Applicant will undertake further consultation with NatureScot on the draft Outline Habitat Management Plan in advance of submission of the Application.
HSE (Health and Safety Executive)	HSE have identified that there is a pipeline belonging to Scottish Gas Networks Ltd that crosses the land boundary (7933-2190 Lockerbie/Dumfries (REF:M01)). The wind development are not within the consultation zones of the pipeline, however, HSE recommends that the pipeline operator be contacted for comments.		
North Milk Community Council	Whilst accepting that this is a Scoping Consultation rather than a Planning Application, NMCC has received no comments in favour of this proposal but has received comments that the proposal is not wanted for reasons such as:- cumulative impact given the many wind farms both operational & proposed in this immediate area; impact on local roads not designed to carry such heavy loads as turbine components; visual impacts; impact on birds especially red kites, falcons and golden eagles in the area.	Noted.	The Applicant is continuing to engage with North Milk Community Council, including attendance at Community Council Meetings, in advance of submission of the Application. The Applicant will continue to attend Community Council meetings where they are invited to do so.

	A previous planning application (Newfield Wind Farm) which incorporated some of the land covered by the Balgray Wind Farm proposal was refused consent 10 years ago. Accepting that the Newfield Wind Farm proposal covered a larger area and utilised more turbines (which were all significantly shorter than the proposed Balgray WF turbines), NMCC would like to see information presented in an easily digestible way (e.g. table format) which addresses how the Balgray WF proposal overcomes/mitigates the reasons for the refusal of the Newfield WF.	The Applicant had no involvement in the development of Newfield Wind Farm, but has considered the feedback that North Milk Community Council provided to us on Newfield Wind Farm and had specific regard to the reasons for refusal of that project in designing the Proposed Development. The EIA Report will provide detailed assessment of the Proposed Development in line with current legislation, policy and guidance.	
--	--	---	--

4.2. EIA Report Requirements

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

Table 4: EIA Scoping Opinion – EIA Requirements

Consultee	Scoping comment	Response to consultee	Further EIA consultation
North Milk Community Council	Environmental impact study covering the commissioning and lifetime operations of the proposed wind farm	The EIA Report will consider impacts of the Proposed Development.	
	With reference the proposed battery storage:- where is the battery storage being manufactured/assembled; Fire Risk Assessment, impact study and emergency response requirements for the battery storage	At this stage, a manufacturer for the battery storage units has not been appointed. Assessment of the impacts of the battery storage (including fire risk) will be included in the EIA Report.	

	Percentage of actual local content of works within the supply chain as anything sourced out with Dumfries & Galloway could not properly be described as "local content"	Noted. The Socio-Economic Assessment in the EIA Report will make specific reference to the capacity of the local area to directly benefit from contracts awarded during the development and construction of the Proposed Development	
	With reference to local jobs :- what exactly the intent here is during preconstruction, construction, commissioning and operations and maintenance through the lifetime of the wind farm	Noted. As above.	
	Comprehensive impact assessment document detailing delays and disruption impacts upon surrounding community during the pre and construction phases	The Traffic and Transport Assessment of the EIA Report will assess the effects in relation of access, traffic and transport.	
	Who are the OEMs of the proposed turbines	At this stage, it is not possible to commit to a specific turbine manufacturer or model.	

	Where are the monopolies being manufactured	This information is not available at this stage as it is not possible to commit to a specific turbine manufacturer or model.	
--	---	--	--

	Where are the OEMs manufacturing the turbine blades and what are the anticipated blade disposal methods at the end of the wind farm's operating life	Information on the manufacturing is not available at this stage as a specific turbine and manufacturer has not yet been selected. The EIA Report will propose that a Decommissioning Method Statement is prepared and agreed with consultees, employing best practice guidelines at the time. The Applicant anticipates that this can be secured by way of an appropriately worded Planning Condition.	
--	---	--	--

	Where are the nacelles and generators being manufactured?	This information is not available at this stage as it is not possible to commit to a specific turbine manufacturer or model.	
Historic Environment Scotland	We note that the Scoping Report does not provide the legislation relevant to EIA and the historic environment. We expect these to be referenced in the Cultural Heritage chapter of the EIA Report.	This information will be provided in the EIA Report.	
	We note that table 12.6 uses a matrix for significance of effect that is inconsistent with that which is outlined in the EIA Handbook, resulting in some outcomes potentially being classified of lesser significance (i.e. 'major/moderate effect rather than 'major' or 'moderate/minor' effect rather than 'moderate'). We recommend that the EIAR follows the assessment methodology laid out in Appendix 1 of the EIA Handbook.	Noted.	
	We welcome that that site visits are proposed to designated assets within the study area and/or ZTV that may experience potential impacts on their setting. However, we note that Section 12.2.3 proposes scoping out a site visit to the inner study area (i.e. the proposed development site), as a walkover survey was conducted in 2020. We strongly recommend that a site visit be conducted to the development site and that viewpoints from within the site be considered to inform the current EIA Report. All site visits should be undertaken by a suitably experienced heritage professional with an understanding of heritage issues.	The Applicant has carried out a number of site visits throughout the EIA process.	The Applicant will seek to arrange site visits with the Dumfries and Gallway Council Archaeologist and HES in advance of submission of the Application.

	We note that visualisations are discussed in the Landscape and Visual Impact Assessment chapter (with Viewpoint 12 in particular being situated at Burnswark Hill Fort (SM667)) and in the Cultural Heritage chapter only as they pertain to the cumulative assessment, but further cultural heritage specific visualisations are likely to be required. If initial assessment identifies potential significant impacts on heritage assets, wireframe visualisations should be produced to help analyse those impacts. If this exercise confirms the potential impacts as being significant, then photomontages should also be prepared for the relevant assets. Further recommendations for site-specific visualisations are provided in the forthcoming section of this annex	Noted. Further Cultural Heritage Viewpoints have been identified and agreed with Historic Environment Scotland, and will be included within the EIAR.	
	We note that the standard and additional mitigation outlined in section 12.2.4 of the Scoping Report refers only to mitigation relating to direct physical impacts within the proposed site boundary and that no specific approaches to mitigation measures for impacts on setting have been described. We highly recommend that where significant impacts on heritage assets are identified and prove capable of mitigation, this should be taken into account to inform the iterative design process in order to avoid or reduce those effects to a level that is no longer significant. This may involve exploring design options to change or reduce the development layout, turbine heights and number of turbines to identify whether significant adverse impacts can be mitigated.	Noted. Impacts on cultural heritage assets have been considered in the design iteration and this is reflected in the Design Chill layout.	

4.3. Landscape and Visual

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

Table 5: EIA Scoping Opinion – Landscape and Visual

Consultee	Scoping comment	Response to consultee	Further EIA consultation
NatureScot	Significant landscape and visual impacts are likely to arise due to this application and there may be scope to reduce these impacts through appropriate design mitigation. 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. We agree with the scoping assessment that there will be no potential for significant effects on the East Stewartry Coast National Scenic Area (NSA) and that this can be scoped out of the assessment.	Noted.	
North Milk Community Council	It would be helpful if the assessment relating to residential properties actually involved discussion with the relevant households rather than assumptions being made about internal room layouts & usage together with how each property's gardens are used – desktop exercises are not able to fully appreciate this aspect (e.g. assumptions made that a kitchen will be at the rear of a property when this is not always the case/kitchen may be dual aspect, etc, etc)	Noted. These points will be addressed as far as practicably possible within the Residential Visual Amenity Assessment within the Landscape and Visual Assessment in the EIA Report.	

4.4. Ornithology

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

Table 6: EIA Scoping Opinion – Ornithology

Consultee	Scoping comment	Response to consultee	Further EIA consultation
NatureScot	NatureScot agrees that the scope of the ornithological survey and assessment seems appropriate for the site although we reserve the right to comment further once the full assessment and data are presented in the EIA.	Noted.	

4.5. Ecology

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

Table 7: EIA Scoping Opinion – Ecology

Consultee	Scoping comment	Response to consultee	Further EIA consultation
North Milk Community Council	Part of the area has a population of marsh fritillary butterfly. This is a rare species, a Scottish Biodiversity Priority and a European protected species which was only thought to occur in the far west of Scotland and on some of the islands. As far as is known this population is the only one in the south of Scotland. The site has been seen by a few butterfly specialists as well to confirm the value of the site. The main breeding area is in Whitehill moss and would not be directly disturbed by turbines on the current layout. However, the population and particularly the habitat that it depends on could be sensitive to changes in water that feeds the moss. This comes down the slope from the Whitehill - Fir Tree Hill ridge along which tracks and turbines are planned. It may be that disturbance to this important area can be avoided but it needs to feature prominently in the planning. In addition, more of the site has value in supporting a whole range of plant and animals that are less common and should be conserved should the development proceed. One immediate risk is the turbine near Hallhills Loch. This is on a calcareous flushed slope with a number of uncommon or scarce plant species and the spring flushes here could be impacted by the engineering of tracks and turbine bases. The loch itself has water vole and also acts as a potential satellite site for the marsh fritillary (it has been seen there once). The biodiversity value could be sustained with a development of this nature but it would require careful planning and probably some relocation of at least one of the turbines. Subsequently the site would need to continue to be extensively grazed. There is a concern that the current uncertainty about the future management of the area has reduced grazing on the Balgray area and longer term this could allow the moss to become less suited to the butterflies and other plant and animals.	Noted. A butterfly specialist has been appointed to carry out assessment on site. The Outline Habitat Management Plan, on which the Applicant will consult with NatureScot prior to submission of the Application is centred around the preservation and improvement of habitat for the Marsh Fritillary Butterfly.	Engage with NatureScot, as outlined above.

Scottish Forestry	The Scottish Forestry has no comment to make as the development does not appear to present any impact upon forestry.	Noted. In the event that this position changes, the Applicant will discuss the position with Scottish Forestry.	
The Galloway Fisheries Trust	Proposed electrofishing and aquatic invertebrate surveys, which follows the Marine Directorate guidance titled 'Monitoring watercourses in relation to onshore wind farm developments: generic monitoring programme. This guidance states the need for fish surveys and aquatic invertebrates and provides guidance and minimum standards. Locogen agreed for these surveys to be undertaken.	Noted. The Galloway Fisheries Trust were appointed by the Applicant to carry out electrofishing and invertebrate surveys. These surveys are now complete.	
	The baseline fish survey can be used to highlight sensitivities that should be considered when designing roads, silt control methods, water quality monitoring points, water crossing designs, timing of works, etc. Importantly it will also inform the production of a 'Fish Monitoring Plan' which should cover pre, during and post construction phases.	The EIA will recommend that a Fish Monitoring Plan is prepared in the event that the Application is consented. The Applicant will propose that this is secured by an appropriately worded planning condition. ...	

	Any new water course crossing over the Hewke Burn must ensure fish access is protected. If instream works are planned in a watercourse supporting trout then such works should avoid taking place between October – May to protect spawning redds. Also a fish rescue by electrofishing should take place prior to instream works in fish supporting water courses.	Noted. A proposed access track to Turbine 6 will cross Hewke Burn in one location. Water course crossing will be designed in line with SEPA Guidance. Fish access will be protected. This matter will be considered in detail in the EIA.	
	We would appreciate the opportunity to comment in due course on the proposed 'biodiversity net gain' work. We are very supportive of peatland restoration but would also request that opportunities to increase the resilience of water courses to climate change impacts is considered. This can include riparian tree planting, natural flood management etc. GFT would be keen to discuss possible opportunities with the developer.	Noted. The Applicant is developing an Outline Habitat Management plan which includes Biodiversity Net Gain work, for submission with the EIA. The Applicant will engage with The Galloway Fisheries Trust on the content of this document.	Engage with The Galloway Fisheries Trust on the content of the Outline Habitat Management Plan.

	It is good to see that it is planned to avoid any construction on the area of deepest peat. It is a concern though that a turbine is proposed very close to the deepest area of peat and there could be a risk that the hard standing / road could impact on the hydrology of the wider peatland?	Noted. Phase 2 Peat Probing has been carried out to confirm peat depths on site. Turbines have been micrositied away from areas of deep peat.	
Fisheries Management Scotland	The proposed development falls within the district of the Annan District Salmon Fishery Board, and the catchment relating to the Galloway Fisheries Trust. It is important that the proposals are conducted in full consultation with these organisations (DSFBs and Trusts). Due to the potential for such developments to impact on migratory fish species and the fisheries they support, FMS have developed, in conjunction with Marine Scotland Science, advice for DSFBs and Trusts in dealing with planning applications. We would strongly recommend that these guidelines are fully considered throughout the planning, construction and monitoring phases of the proposed development.	Noted. The Applicant has carried out consultation with The Galloway Fisheries Trust who have also been appointed to carry out electrofishing and invertebrate surveys on site. The Marine Scotland 2021 Guidance has been followed.	

NatureScot	We are happy with the scope presented for ecological interests and support the work proposed to assess the site for Marsh Fritillary, which is a UK biodiversity action plan species and is a rarity in Southern Scotland. With regards the potential change in baseline if the site is approved for forestry, we are happy that the assessment considers the impacts on habitats as they stand at present. Should the forestry proposal gain consent prior to submission for Balgray, then we do not perceive this as a significant issue in terms of the EIA. Changes to habitat composition and associated impacts will be dealt with through the forestry application process. In terms of measuring habitat loss, we agree that this is calculated based on the habitat present for the majority of the project. It is worth noting that, if the land is planted with forestry, the interaction between the windfarm and bats may become a consideration that would otherwise not be an issue and may require assessment	Noted.	
Scottish Environmental Protection Agency	We welcome the intention to include an assessment of GWDTE based on National Vegetation Classification (NVC) mapping. We understand it is currently considered unlikely that areas of moderate or high potential GWDTE will actually be groundwater dependent. In order to agree with that conclusion, we would need to have the opportunity to review the ecology surveys and assessment of the site. We also note the reference to a wetland area and small springs in Section 9.2 of the report so would expect these to be mapped and identified and, along with other potential GWDTE identified, assessed and appropriate buffers implemented in accordance with our guidance as part of the EIAR. If GWDTE are identified a site-specific assessment of the likelihood that habitats are true GWDTE will be required.	Noted.	

	While we are broadly content with the proposed assessment approach in relation to UKHab we have been made aware of concerns regarding the use of this methodology for detailed surveys of wetland habitats, therefore until these issues are resolved, we will require a NVC survey at the application stage. These concerns relate to discrepancies in habitat definitions of common Scottish wetland communities; ambiguity in correspondences to NVC types; unclear descriptions of physical characteristics and the limitation in representation of mosaics of multiple habitat types (typical in upland and wetland areas).	Noted. UKHab and NVC Surveys have both been completed.	
	The approach in relation to the potential for a change in the baseline seems sensible, i.e. calculating habitat loss for areas to be planted with commercial forestry based on the forestry extent if it is consented. Particularly in context of the lifespans of the plantation and wind farm. However, we recommend that the wind farm developer and forestry agent working on the woodland creation scheme work collaboratively to ensure that sensitive habitats identified through early survey work are not impacted by either proposal.	Noted.	

4.6. Geology, Peat, Hydrology & Hydrogeology

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

Table 8: EIA Scoping Opinion – Geology, Peat, Hydrology & Hydrogeology

Consultee	Scoping comment	Response to consultee	Further EIA consultation
North Milk Community Council	In respect of the presence of known private water supplies (to NMCCs knowledge at least x6 residential properties rely on PWS) which may be affected by the proposal the following comments are made:- NMCC considers that a risk assessment detailing the control measures to be taken to ensure the safety and security of this supply should be completed and this body of work should be pro-actively communicated to the relevant properties before the risk arises.	Noted. The Applicant has determined which properties surrounding the site have private water supplies and proposes to implement Water Quality Monitoring on any watercourses within the site boundary that may be hydrologically connected to a Private Water Supply. This will be set out within the Construction Environment Management Plan (CEMP). The outline CEMP will be included in the EIA Report and secured by way of an appropriately worded Condition.	

	In regards to flooding, we assume that SEPA etc will request a flooding risk assessment however local knowledge is that Dryfe Water, particularly the length from near Hewke Mill to Sibbaldie, floods when there is heavy rain and at this point in the river, various tributaries flow into from the hillsides upon which Balgray WF is proposed therefore NMCC would welcome flood mitigation measures to be covered in the EIA including how those mitigation measures will be proactively communicated to the affected properties.	Noted. Initial assessments by the Applicant have suggested that the increase in hardstanding on the site is unlikely to increase the flood risk; however, the Applicant is seeking to install SuDS on site to reduce the existing flood risk baseline and promote infiltration.	
Scottish Environmental Protection Agency	Based on the peat depth survey information provided we agree this appears to show a general absence of peat, peaty soils / carbon rich soils across most of the site. This means there is space to ensure the site layout avoids those areas with peat depths 1m. We request the site design is modified so that the development avoids peat > 1m depth.	Noted. Turbines and associated infrastructure have been micrositied away from areas of peat > 1m deep.	The analysis of results from Phase 2 Peat Probing is ongoing.
	Based on the SNH Carbon and Peatland Map 2016 an area of Class 3 peat is on site and it appears two of the wind turbines are planned on this. As Class 3 includes carbon-rich soil and sometimes deep peat, further probing around the planned infrastructure will be needed there to ensure deep peat is avoided. A peat condition assessment should also be undertaken to identify pristine or near-natural areas which must be avoided, and to identify modified, drained and actively eroding areas for restoration and enhancement.	Noted. Phase 2 Peat Probing has been completed on site and the analysis of these results will enable further micrositings.	The analysis of results from Phase 2 Peat Probing is ongoing.
	From the Proposed Site Layout, we understand there are a many water features across the site (Hewke Burn, Hallhills Loch, Kirkcroft Burn, Rockhillflat Burn and Hope Burn) and at this stage it appears a number of wind turbines are proposed in close proximity to them. It is our expectation that a 50m buffer is applied to all water features. We also recommend that where possible existing access tracks are reused and / or upgraded wherever possible to minimise the extent of new works on previously undisturbed ground.	Noted. The Applicant has maintained a 60m buffer from all water features, with the exception of 2 points where the proposed access tracks cross water bodies.	

4.7. Noise

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

Table 9: EIA Scoping Opinion – Noise

Consultee	Scoping comment	Response to consultee	Further EIA consultation
North Milk Community Council	ETSU-R-97 Guidance appears to be the standard industry benchmarking guidance wrt noise generated by wind turbines. Please confirm what the candidate turbine is for this aspect.	The Noise Assessment is still to be undertaken. The candidate turbine used will be published in the EIA Report. There are no properties within the 35dB buffer and the Applicant proposes to undertake noise monitoring for completeness only.	The Applicant proposes to undertake further consultation with Dumfries & Galloway Council to confirm noise monitoring locations for monitoring to be undertaken prior to submission of the Application.

Defence Infrastructure Organisation	The development site identified falls within the statutory consultation zone associated with the seismological recording station at Eskdalemuir (the array), an asset that forms part of the UK contribution to the Comprehensive Nuclear Test Ban Treaty. Research has confirmed that wind turbines of current design generate seismic noise which can interfere with the operational functionality of the array. In order to ensure the United Kingdom can continue to implement its obligations in maintaining the Comprehensive Nuclear Test Ban Treaty a finite seismic noise capacity for the 50km radius surrounding the array, based on the findings of research, is managed by the MOD. At this time, there is no seismic noise capacity available. The MOD must, therefore, make you aware that we will likely object to proposals for wind energy development in this location due to the unacceptable impact the proposed wind energy development would have on the operation and capability of the array.	The Applicant is a member of Eskdalemuir Working Group. The most up to date position will be presented in the EIA Report.	
--	---	--	--

4.8. Cultural Heritage

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

Table 10: EIA Scoping Opinion – Cultural Heritage

Consultee	Scoping comment	Response to consultee	Further EIA consultation
Historic Environment Scotland	Historic Environment Scotland's main concerns are the potential for physical impacts to the scheduled monument (SM2265) within the proposed development site boundary alongside potential impacts on the setting of monuments within and surrounding the site boundary. With the information currently provided at this stage, we advise that the following assets may experience potential significant impacts: • Firtree Hill, fort (SM2265); • Hutton mote, motte (SM1); • Broom Hill, fort 1400m NW of Shaw (SM3350); • Gillesbie Cottages, moated site 160m NNE of (SM10478); • Gillesbie Tower (SM10433); and • Castle Hill, fort (SM8366).	Noted.	
	For each of the assets discussed above we recommend that, as a minimum, visualisations are provided for views outwards from the monuments to aid the assessment of potential impacts on their settings. If wireframes can be provided at an early stage, this may assist with both the potential to identify significant impacts and to scope out any monuments if significant impacts are not likely, as well as identify if mitigation by design is possible. It will also assist with identifying where photomontages will be required for detailed assessment in addition to wireframes. We would be happy to provide further advice on visualisations as the iterative design of the development progresses, however as noted above, it would be helpful if initial wireframes can be provided as early as possible.	Noted. Additional consultation will be undertaken with Historic Environment Scotland and Dumfries & Galloway Council on this matter if required.	

	For Firtree Hill, fort (SM2265), the proposals should take care to avoid physical impact on this scheduled monument. Works to scheduled monuments require written permission, in the form of scheduled monument consent, obtained from Historic Environment Scotland beforehand. Without prejudicing any final decision in response to a resulting application, it is unlikely that consent would be granted for any work relating to this proposed development.	Noted.	
	We recommend that two additional visualisations be provided for Firtree Hill fort (SM2265) to aid the assessment: • Firstly, from the undesignated Roseburra settlement (Canmore ID: 66758 / HER reference: MDG7108) towards the direction of Firtree Hill fort in order to understand the potential impact on the visual and spatial relationship between the two monuments. • Secondly, a visualisation from land in the valley of the Kirkcroft burn that the fort would have overlooked, looking broadly east towards the monument, such as from the track heading east from Hallhills farm.	Noted.	
	There is potential that the proposed turbines will appear in key views from or towards these two monuments discussed above, in some instances potentially dominating the local and more distant landscape and detracting from our ability to understand, appreciate and experience them in their landscape setting. Further information, such as the aforementioned visualisations and locations of access tracks, is required to allow us to understand whether the potential impacts would be capable of mitigation by design or whether the impacts would be of a level that would raise concerns such that we might object.	Noted. Additional consultation will be undertaken with Historic Environment Scotland and Dumfries & Galloway Council on this matter if required.	

4.9. Traffic and Access

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

Table 11: EIA Scoping Opinion – Traffic and Access

Consultee	Scoping comment	Response to consultee	Further EIA consultation
Network Rail	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.	Noted. This will be included in the EIA Report.	
Traffic Scotland	Traffic Scotland note that the study area for the assessment will include the A74(M), in addition to local roads. This is considered appropriate. It is also noted that base traffic for the A74(M) will be extracted from publicly available traffic count data. Transport Scotland would add that a source of traffic data is Traffic Scotland's National Traffic Data System, where current traffic data should be utilised where possible. In addition, it should be noted that base traffic data will require to be factored to the construction year flows, using National Road Traffic Forecasts (NRTF) Low Growth.	Noted.	
	With regard to accident data, we note it is proposed to use Crashmap to obtain accident statistics. We would state that more up to date statistics can be obtained directly from Transport Scotland for the trunk road network.	Noted.	
	A full Abnormal Loads Assessment report should be provided with the EIAR that identifies key pinch points on the trunk road network. Swept path analysis should be undertaken and details provided with regard to any required changes to street furniture or structures along the route.	Noted. An Abnormal Loads Assessment will be included in the EIAR.	

	We would also state that any proposed changes to the trunk road network must be discussed and approved (via a technical approval process) by the appropriate Area Managers	Noted.	
--	--	--------	--

4.10. Aviation and Radar

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

Table 12: EIA Scoping Opinion – Aviation and Radar

Consultee	Scoping comment	Response to consultee	Further EIA consultation
NATS Safeguarding	NATS object based on the impacts of the Proposed Development on Lowther Hill Radar	Noted. This will be investigated further.	The Applicant will undertake further consultation with NATS, if required, in advance of submission of the EIA Report.
	NATS object to the wind development as their technical and safeguarding team anticipate a technical impact regarding Prestwick Centre Air Traffic Control as the development is within their safeguarding zone and could impact their radars.	Noted. However, the Scoping Response from Prestwick Airport states that the Proposed Development benefits from a substantial amount of terrain shielding from the GPA Primary Surveillance Radar and therefore they had no comment or valid objection to make,	Consultation will be undertaken with NATS Safeguarding and Glasgow Prestwick Airport prior to submission of the EIA Report to clarify the position.

Defence Infrastructure Organisation	In this case the development 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 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. If the developer is able to overcome the issues stated above, 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.	Noted.	
---	---	--------	--

4.11. Other Matters

The following comments were received as part of the EIA Scoping Opinion on other technical subjects to be included within the EIA Report.

Table 13: EIA Scoping Opinion – Other Matters

Consultee	Scoping comment	Response to consultee	Further EIA consultation
North Milk Community Council	The risk assessment on this aspect should include the residential properties which may be affected together with shadow flicker's potential impact for road users in the vicinity of the proposed wind farm.	Noted. Shadow Flicker will be assessed in the EIA Report.	

5. Timeline to Submission

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



In the event that there are any changes to this timeline, the ECU will be notified promptly.

Notice of the application will be advertised as follows:

- Annandale Herald and the Dumfries & Galloway Standard for two successive weeks;
- The Scotsman, on one occasion; and
- The Edinburgh Gazette, on one occasion.

The draft advert wording will be sent to the ECU for approval not less than two weeks in advance of the proposed publication date.

The Gate Check 2 meeting will be held not less than two weeks before submission of the application.

It is proposed that hard copies of the EIA report will be made available to view during opening hours at the following locations, subject to agreement with the ECU, Dumfries and Galloway Council and local communities:

- DG Customer Services – Lockerbie, High Street, Lockerbie, DG11 2JL
- Lockerbie Town Hall, High Street, Lockerbie, DG11 2ES