

MORAY WEST OFFSHORE WINDFARM

Onshore Transmission Infrastructure Environmental Impact Assessment (EIA)

Moray Offshore Windfarm (West) Limited

Technical Appendix 3.1

Scoping Opinion and Scoping Responses



THE TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997, as amended

**THE TOWN & COUNTRY PLANNING (ENVIRONMENTAL IMPACT
ASSESSMENT) (SCOTLAND) REGULATIONS 2017**

THE MORAY COUNCIL

Our ref; 17/00549/S36SCO

JOINT SCOPING OPINION

Scoping opinion sought in relation to onshore transmission infrastructure for Moray Offshore Windfarm (West) MOWW. Infrastructure likely to be located within both Aberdeenshire Council and Moray Council administrative areas and MOWW have requested that a joint scoping opinion be provided from both Authorities.

1. INTRODUCTION

1.1 A request for a Scoping Opinion, under the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 (the EIA Regulations) was received in respect of the construction of electricity transmission lines and a substation in the vicinity of Blackhillock, Keith. The underground transmission lines will make landfall somewhere along the Moray or Aberdeenshire coast, and travel south west towards Blackhillock, where a new substation will prepare/convent the transmitted power for acceptance into the national grid at the recently constructed new SSE Blackhillock substation.

1.2 The request was accompanied by an EIA “Scoping Report” (June 2017) which sets out the developers proposed scope of an Environmental Statement (ES) to be prepared under the EIA procedures. The submitted report identifies both potentially significant environmental effects for a number of key issues or topics that will be examined and other issues that might be considered to be “non-significant” and therefore not considered (or “scoped out”) of the proposed/required assessment. In addition, a broad outline of the structure (or topic headings) is identified for the EIA Report to accompany the planning application.

2. AIM OF SCOPING OPINION

2.1 This response to the request i.e. this Scoping Opinion (as prepared by Moray Council (MC) and Aberdeenshire Council (AC) is intended to provide advice and guidance to the developer on issues identified in the submitted EIA report, and to enable the developer to address all identified issues within the EIA Report to be submitted with the planning application. This Opinion (the response) is therefore intended to assist and inform the preparation of the EIA Report.

2.2 The EIA Report is required to identify and determine the significance of all environmental effects associated with the development, including matters (or key topics/issues) identified in the submitted report and this response. At all times, the EIA

Report must provide a robust assessment of all environmental impacts or effects of the development although it is acknowledged that at this time the precise location of the landfill, transmission line and substation has yet to be determined.

2.3 This Scoping Opinion is provided without prejudice to formal consultation of any formal application for planning permission accompanied by an EIA Report that may be submitted for the proposed development.

3. GENERAL COMMENTS

3.1 In preparing this response, consultation has been undertaken with consultation bodies, as identified in the 2017 Regulations. Details of the more substantive responses are the appended to this Opinion (Appendix) and reflect the views for areas covered by both Aberdeenshire and Moray Council by SEPA, SNH, Historic Environment Scotland and Scottish Water.

Responses from individual Planning Authorities

3.2 ABERDEENSHIRE COUNCIL

- Historic Environment/Archaeology: Both Aberdeenshire and Moray Council Areas are covered by the Aberdeenshire Council Archaeology Service (ACAS). Within the response submitted, there is agreement with the identified potential effects as detailed in Table 5.4.1 on archaeological and cultural heritage assets, and of those for “indirect effects on the setting of designated assets resulting from below ground infrastructure” to be scoped out of further assessment in the EIA. In this instance no further recommendations for mitigation requirements or assessments other than those identified within Section 5.4.3 “Potential Mitigation Measures”, and Section 5.4.4 “Approach to EIA”. In response to Scoping Question 5.4.2, ACAS is in agreement with the approach proposed for the assessment of direct effects on known and as yet unknown assets.
- EMF Impacts: I can confirm that we agree that this can be scoped out of the ER. From experience however, this is an issue which while having no demonstrable impact is often raised by members of the public/third parties during the planning application process. In the past developers have included a summary within any Environmental Statement/ EIA Report explaining the minimal impact simply to allay any concerns raised during the process – usually informed and/or raised through the Pre Application Consultation process in the first instance. As such while we agree that this can be scoped out and have no concerns over this issue, you may wish to consider whether an element of commentary on the issue is necessary depending on reactions or issues raised during any consultation events.
- LVIA: While accepting that the landfall point and cable route are not yet known, it appears that the Scoping report has largely identified the likely sensitive receptors within Aberdeenshire. On this basis too, the proposed study area of the LVIA and format for visualisations are acceptable. We are in agreement that operational and decommissioning impacts of the underground cables can be scoped out subject to confirmation of the route and cables to be buried and left in-situ. Table 5.3.1 will require to be updated to reference the recently adopted Aberdeenshire Local Development Plan 2017 (ALDP 2017),

similarly policies and landscape areas as identified in this ALDP 2017 will require to be incorporated into any assessment.

- Ecology and Nature Conservation: Largely we are satisfied with the suite of protected species and habitat surveys proposed for the EIA Report. The coastal strip between Cullen and Whitehills is also included in the 2017 ALDP as a Local Nature Conservation Site of value for geology, entomology and ornithology. Although not a statutory designation it does highlight features of value that are not otherwise covered by the SSSI designation and potential adverse impacts on this may also be worth consideration.
- Traffic and Transport: The Scoping report has identified the potential for the development to impact on core paths, as well as wider transport and traffic issues, and has scoped this into the proposed EIA. Operational effects can be scoped out. We are satisfied with this and have no other comments on this section.
- Socio-economics, Tourism and Recreation: We agree that operational effects of the cable and landfall can be scoped out along with housing demand associated with labour. With regard to recreation, although it is difficult to quantify as it is informal, Sandend beach is very well used by walkers, surfers, kayaks, SUPs and families. If the cable landfall is likely to be there then consideration will have to be given to this use and mitigation or management identified. It is understood that both Moray Canoe and Kayak Club and Deveron Canoe Club use this beach for surf kayaking and they may be able to provide more detail on the level of use of the beach.
- Land Use: The Scoping Report has identified a Mineral Safeguarding Zone at Cotton Hill Fordyce. The approach to including, assessing and mitigating impacts, subject to the finalisation of the cable route, are considered to be appropriate.
- Environmental Health issues:- Aberdeenshire Environmental Health understands that an Environmental Impact Assessment (EIA) is to be undertaken regarding this application this should comprise of, but not be exclusive to, Air Quality including dust and traffic movement .
- ALDP 2017 Policies:
 - R1 Special Rural Areas (*Coastal Zone*)
 - P1 Layout Siting and Design (*potentially depending on route, landfall and location of physical terrestrial infrastructure*)
 - P4 Hazardous and potentially polluting developments and contaminated land
 - P5 Digital Infrastructure (*potentially depending on inclusion of telecommunication cables within trenches*)
 - E1 Natural heritage
 - E2 Landscape
 - HE1 Protecting historic buildings, sites and monuments
 - HE2 Protecting historic and cultural areas
 - PR1 Protecting important resources
 - PR2 Protecting important development sites
 - C2 Renewable Energy.

3.3 MORAY COUNCIL

- Historic Environment/Archaeology:- Please note the comments from ACAS that are common to both planning authorities, inclusive of the matters to be scoped out. The

advice covered by the ACAS and Historic Environment Scotland should also be incorporated.

- Environmental Health issues:- In answer to the scoping question in Section 5.6.1 on page 81 of the Scoping report I would comment as follows –
As well as unattended monitoring for “Baseline characterisation” for long periods, there should be incorporated an element of attended sound monitoring too, in order to inform the assessor on the conditions experienced. A further comment in relation to Table 5.6.1 is in relation to the third heading “Vibration effects...resulting from the laying and operation of the onshore cable circuits”, whereby no potential effects are considered. I would seek a further elaboration/ justification on this conclusion when drilling techniques such as Horizontal Direct Drilling can be used in close proximity to housing.

5.8.1 Air Quality - In answer to this question at Section 5.8.1 I would confirm I agree with this conclusion and recognise that the CEMP implementation can suitably cover this aspect.

It is also agreed that an EMF matter is beyond the scope of the EIA Report.

- Drainage/Flooding:- The EIA Report should identify all required/proposed measures to mitigate against the effects of flooding during both construction and operation phases of the development. The precise cable route and substation location being as yet undetermined means that details of specific mitigation or flood prevention cannot yet be specified.
- LVA:- It is noted that Para 2.5 of the Scoping report refers to decommissioning of the substation down to foundation level. Acknowledging that the application coming forward may yet be in principle only, the specific extent of decommissioning of all above ground structures inclusive of plant, fences, lighting columns etc. at the substation would need to be clarified to assess the landscape impact in perpetuity beyond the operational duration of the transmission infrastructure.

In para 5.3.5 of the Scoping Report, reference is made to reviewing the progress on the Dorenell windfarm to Blackhillock substation transmission line. This has now been consented and construction of the composite pole overhead line is to start soon.

- Ecology and Nature conservation Issues:- MC are in agreement with the proposed suite of Protected species and habitat surveys, subject to the advice contained in response from SEPA and SNH. Where the cable route or substation location are likely to occupy area possibly host to GWDTE, then such assessments may be required.
- Traffic and Transport:- It is noted that the Scoping Report indicates the provision of a Construction Traffic Management Plan, and this would be essential. This should include the approach to dealing with abnormal loads and wear and tear agreements on key roads.
- Socio-economics, Tourism and Recreation ; - the proposed approach and scope looks acceptable.
- Land use:- separate to the main body of the Moray Local Development Plan 2015, there is a separate supplementary Guidance on Rural Groupings which identify the various smaller groupings. Several of these smaller groupings lie within the Scoping area, and if located close to the proposed cable route should be identified as a consideration.

If the development is likely to lead to the loss of any woodland, then an approach to the provision of compensatory woodland planting should be covered by the EIA report.

4. REGARDING THE SPECIFIC QUESTIONS RAISED IN THE SCOPING REPORT

(i) Are there any additional baseline data sources available that could be used to inform the Environmental Impact Assessment (EIA)?

The Forestry Commission have a national forest inventory, that may inform the extent of woodland to be affected by the development, but this may be more pertinent once a more definite cable route and substation site is selected.

(ii) Have all potential effects resulting from the OnTI been identified for each of the EIA topics within this scoping report?

Yes, subject to inclusion of an assessment of compensatory woodland planting, if required.

(iii) Does the reader agree with the effects to be scoped in, and out, of the EIA?

Yes. Please note the responses of other consultees in the appendix.

(iv) For those effects scoped in, does the reader agree that the methods described are sufficient to inform a robust impact assessment?

Yes, subject to suggested changes by those consultees as contained within the appendix.

Q5.1.1 Is the proposed approach and method of assessment of hydrology, hydrogeology and geology acceptable?

Yes, subject to the input from the consultees contained within the appendix.

Q5.2.1 Are MC, AC and Statutory Nature Conservation Organisations in agreement with the proposed suite of protected species and habitat surveys?

Yes, subject to the input from the consultees contained within the appendix.

Q5.3.1 Are SNH, MC and AC in agreement with the proposed LVIA Study Area radius for the LVIA and the proposed format for the visualisations?

Note the previous comments above from AC that the Table 5.3.1 will require to be updated to reference the recently adopted Aberdeenshire Local Development Plan 2017 (ALDP 2017) and related similarly policies and landscape areas as identified in this ALDP 2017 will require to be incorporated into any assessment.

The study area radius should be increased from 6km to 10km to include the A96(T) corridor north west of Keith, as un-interrupted views of Blackhillock on the northern flanks of Cairds Hill exist.

Depending upon the timing of any detailed submissions, potential effects from the other substations at Blackhillock for SSE Networks (nearing completion) and Beatrice Offshore

Windfarm Ltd (under construction) may be sufficiently progressed such that they can be meaningfully included in cumulative photomontages.

Q5.4.1 Is HES in agreement with the proposed method of assessment and approach to the selection of assets?

See HES response which confirms they are.

Q 5.4.2 Is ACAS in agreement with the approach proposed for the assessment of direct effects on known and as yet unknown assets?

Yes.

Q5.5.1 Is the approach and method of assessment for traffic and transport acceptable?

Yes, although the EIA Report should acknowledge that the two local Roads Authorities and Transport Scotland, may have differing approaches to some matters. The relevant chapters and CTMP should acknowledge those different approaches.

Q5.6.1 Is the EHO in agreement with the proposed approaches to the sound monitoring and baseline characterisation.

See the responses from the Environmental Health Sections in Paragraphs 3.2 and 3.3 above.

Q5.7.1 Is the proposed approach and method of assessment for socio economics, tourism and recreation acceptable?

Yes.

Q5.8.1 Is the proposed approach to scope out air quality acceptable?

See the answer given in paras 3.2 and 3.3 above. Aberdeenshire Council wish to see the inclusion of air quality. For consistency, it may be appropriate therefore to be scoped into whole project.

Q5.9.1 Is the proposed approach and method of assessment for land use acceptable?

Yes.

Q5.10.1 Is the proposed approach to scope out the EMFs from further assessment and from the ER acceptable?

Yes.

Q5.10.2 Is the proposal to assess potential effects on population and human health within the environmental topic sections and not within the a specific stand alone section acceptable

Yes, although please again note that Aberdeenshire Environmental Health alone would wish air quality to remain, and have mentioned this specifically in in relation to dust and traffic

movements in paragraph 3.2 above. Therefore so as to avoid any ambiguity, this matter should remain within the scope of the EIA report for the whole development.

5. CONCLUSIONS

5.1 It is recommended that at all times, the EIA Report reflects the Scottish context and includes correct information and referencing to up-to-date publications. Inclusion of a glossary to explain terminology used in the EIA Report would also be helpful, for example in explaining the various technologies involved.

5.2 In principle and without prejudice to the submission of the required EIA Report, the broad structure and remit for investigation as outlined in the submitted report is considered acceptable and agreed, except where comment is made elsewhere in this response, including comments from consultees (Appendix).

5.3 This Scoping Opinion is prepared in response to a request from the developer and is intended to assist and inform the preparation of an EIA Report and the required application for the development.

5.4 A number of potential issues to be “scoped out” are also accepted with the notable exception of air quality. Those matters as identified are remaining within the EIA report do present a comprehensive account of all relevant environmental effects, positive and negative, associated with the proposals.

5.1.3 The developer is therefore recommended to have full regard to all matters identified in this Scoping Opinion when preparing the EIA Report to be included with the formal application for planning permission/permissions. This will assist in the determination of the application and hopefully, avoid the need for further information requests/submissions during formal consideration of the proposal.

5.1.4 This Scoping Opinion is provided at the developer’s request and is without prejudice to consideration of any formal application for planning permission that may be submitted for the proposed development (to either Moray Council or Aberdeenshire Council as Planning Authorities).

Signed: Neal MacPherson, Principal Planning Officer, Ba(Hons), MSc, MRTPI
(on behalf of Moray Council and Aberdeenshire Council)

Date: August 2107

APPENDIX

The following consultation bodies were consulted on this Scoping Opinion. Details of consultee responses are appended for information.

1. Historic Environment Scotland
2. SNH
3. SEPA
4. Scottish Water
5. Aberdeenshire Archaeological Services



Scottish Natural Heritage Dualchas Nàdair na h-Alba

All of nature for all of Scotland
Nàdar air fad airson Alba air fad

[Sent by email]

Neal MacPherson, Principal Planning Officer
Development Management Planning – Moray Council
and;

Stuart Murison, Senior Planner
Development Management Planning – Aberdeenshire Council

Date: 12 July 2017
Our ref: CNS/DC/MOR

Dear Neal and Stuart

EIA Scoping Opinion under Town and Country Planning (Environmental Impact Assessment)(Scotland) Regulations 2017

17/00940/S36SCO Scoping opinion onshore transmission infrastructure landward of Mean Low Water Spring for Moray Offshore Wind farm (West) 'Moray West'

Thank you for your consultation dated 27 June 2017. I apologise for the slight delay in our response.

Background

This project includes both onshore and offshore transmission elements. SNH's marine team is leading on the offshore sections and has recently responded to Marine Scotland Licensing Operations Team (MSLOT) on scoping for the offshore infrastructure. Local authority and MSLOT remits overlap slightly within the intertidal zone therefore SNH will be commenting to both MSLOT and the local authorities on the cable landfall. Local SNH staff will be advising the local authorities and liaising with the SNH marine team to ensure that advice is consistent and relevant to your remit.

SNH ADVICE

We will respond directly to the applicant's scoping questions following specific advice relating to key natural heritage issues. We include 2 recommendations.

- **Protected areas**

Of relevance to the onshore works, the scoping study area includes 2 nationally important nature conservation sites; -

- Mill Wood Site of Special Scientific Interest (SSSI) and;
- Cullen to Stake Ness Coast SSSI

Mill Wood SSSI is relatively small and designated for its upland birch woodland. Given its size and location it is perhaps less likely that transmission infrastructure would select a route that traverses this site.

Cullen to Stake Ness Coast SSSI is however more expansive and extends along the coastline from Cullen Bay in Moray to just west of Whitehills in Aberdeenshire. Cullen and Portsoy harbours are excluded from the SSSI as is most of Sandend Bay. It's designated for biological and geological interests and both the landfall and the onshore cabling could impact on some/all of these interests.

The scoping report refers to the Cullen to Stake Ness Coast SSSI under the headings; -

- 5.1 hydrology, hydrogeology and geology and; -
- 5.2 ecology and nature conservation

There is potential for landfall works to adversely impact the nationally important hard-rock (Dalradian) interest of this SSSI, through physical damage and/or by obscuring outcrops (except in relatively small areas of sandy bays where this interest does not exist). The greatest potential impact would be through trenching in hard rock areas, although this seems unlikely given the availability of sandy bays.

In section 5.1.2.1 'construction effects', the potential to impact directly on geological interests of the SSSI is not referred to. At this stage we don't know whether it will be possible to avoid the SSSI or mitigate fully any potential impacts on the geological interests.

1. We would recommend that the EIA includes a clear assessment of potential impacts on the geological interest of the SSSI.

The ecology section does recognise the potential to impact on the biological interests of the SSSI and proposes a suite of appropriate surveys to inform the EIA.

2. We recommend the applicant facilitate ongoing liaison and technical discussions with SNH regarding cable landfall methods well in advance of EIA report preparation.

• **Applicant's scoping questions**

The scoping report asks 4 key questions of consultees; -

(i) Are there any additional baseline data sources available that could be used to inform the Environmental Impact Assessment (EIA)?

SNH: We refer Moray West to the National Coastal Change Assessment which provides Scotland-wide historical analysis of sea-level and coastal changes - www.dynamiccoast.com . This resource can help inform future projections of future coastal change. This is highly relevant to ensure that the landfall installation remains suitably protected throughout its design life in the context of predicted sea-level rise and changing coastal sediment supply.

(ii) Have all potential effects resulting from the OnTI been identified for each of the EIA topics within this scoping report?

SNH: With respect to SNH's remit, and notwithstanding our comment above relating to the apparent omission of geological impacts from section 5.1.2.1 'construction effects', we are satisfied that the potential effects have been recognised.

(iii) Does the reader agree with the effects to be scoped in, and out, of the EIA?

SNH: We agree.

(iv) For those effects scoped in, does the reader agree that the methods described are sufficient to inform a robust impact assessment?

SNH: We agree.

Concluding remarks

While we are supportive of the principle of renewable energy, our advice is given without prejudice to a full and detailed consideration of the impacts of the proposal if presented as a future application.

If you have any queries please do not hesitate to contact me.

Yours sincerely

Jennifer Heatley
Operations Officer - Tayside and Grampian
jennifer.heatley@snh.gov.uk

Karen Taylor, SNH Marine Team

Our ref: PCS/153619
Your ref: 17/00940/S36SCO

If telephoning ask for:
Zoe Griffin

11 July 2017

Neal MacPherson
Moray Council
High Street
Elgin
IV30 1BX

By email only to: consultation.planning@moray.gov.uk

Dear Mr MacPherson

Town and Country Planning (Scotland) Acts
Scoping opinion onshore transmission infrastructure landward of Mean Low Water Spring for Moray Offshore Windfarm (West) - onshore transmission infrastructure

Thank you for consulting SEPA on the scoping opinion for the above development proposal by your email received on 13 June 2017. We would welcome engagement with the applicant at an early stage to discuss any of the issues raised in this letter.

Advice to the planning authority

We consider that the following key issues must be addressed in the Environmental Impact Assessment process. To **avoid delay and potential objection**, the information outlined below and in the attached appendix must be submitted in support of the application.

- a) Map and assessment of all engineering works within and near the water environment including buffers, details of any flood risk assessment and details of any related CAR applications.
- b) Map and assessment of impacts upon any Groundwater Dependent Terrestrial Ecosystems and buffers.
- c) Map and assessment of impacts upon groundwater abstractions and buffers.
- d) Peat depth survey and table detailing re-use proposals.
- e) Map and table detailing any forest removal.
- f) Schedule of mitigation including pollution prevention measures.

- g) Map of proposed waste water drainage layout if applicable.
- h) Map of proposed surface water drainage layout for each substation compound and construction SUDS.
- i) Decommissioning statement.

Further details on these information requirements and the form in which they must be submitted can be found in the attached appendix. We also provide site specific comments in the following section which can help the developer focus the scope of the assessment.

1. Site specific comments

- 1.1 We have reviewed the Scoping Report dated June 2017 for Moray West Onshore Transmission Infrastructure and note the following:
- There are small areas of peat and carbon rich soils within the study area. We expect the application to be supported by a comprehensive site specific Peat Management Plan should any part of the development pass through/be built on these areas.
 - The Scoping Report has captured all the potential impacts on waterbodies. However, we highlight the existence of a number of raised bogs that haven't been included in the report e.g. Foggy moss (NE of Keith) and Whitley moss (NE of Keith). A Phase 1 habitat survey for whole of cable length (see sections 4.1 and 5.1 of Appendix for required corridor width of survey).
 - Based on the information provided at this stage it is unclear whether that any development will take place within 250 m of a groundwater supply source; the ES should provide evidence to confirm this.
 - Provided watercourse crossings are designed to accommodate a 1 in 200 year event and other infrastructure is located well away from watercourses we do not foresee from current information a need for detailed information on flood risk.
 - We wish to highlight the presence of a former WWII radar station at Crannoch Hill at at NJ 5301 6703. Under the contaminated land regime SEPA are responsible for dealing with land that may cause unacceptable radiation exposure as a result of radioactive contamination from historic activities. Any proposed works in proximity to this site should be further discussed with us.

2. Questions asked in the Executive Summary

Are there any additional baseline data sources available that could be used to inform the Environmental Impact Assessment?

- 2.1 We note only one raised bog is cited in the Scoping Report. However, we wish to highlight several more exist within the study area (mainly north east of Keith) which will need to be considered in terms of the Water Framework Directive. The Inventory of Raised Bogs is a subset of "An inventory of lowland raised bogs in Great Britain" (SNH Research Survey & Monitoring Report # 78); a study to determine the extent and condition of raised bog habitat in Great Britain. This is available for download at [SNH natural spaces](#)
- 2.2 Cullen Bay is a designated EU Bathing Beach under the Revised Bathing Water Directive (2006/7/EC). Further information on bathing water designations can be found on our website [here](#).

Have all potential effects resulting from the Onshore Transmission Infrastructure been identified for each of the EIA topics within this Scoping Report?

- 2.3 In general, relating to our interests we agree that all the potential effects resulting from the proposed development have been identified. However, we wish to reiterate the potential effects that may need to be identified in terms of both human health and hydrology/geology

should any proposed works be in the vicinity of the former radar station at Crannoch Hill as highlighted above.

Does the reader agree with the effect to be scoped in. and out, of the EIA?

2.4 Yes, we agree.

For those effects scoped in, does the reader agree that the methods described are sufficiently to inform a robust impact assessment?

2.5 Yes, we agree but please refer to our advice contained in the attached appendix.

3. Offshore Works

3.1 We have recently responded to a consultation from Marine Scotland for the Offshore elements of the Moray Offshore Windfarm (response attached for reference).

3.2 We note it is currently the applicant's intention to produce a separate Environmental Report (ER) to capture the outcomes of the Environmental Impact Assessment (EIA) for both the Moray West Offshore Wind Farm and the associated Offshore Transmission Infrastructure. However, as there is a geographical overlap between the various consenting regimes (i.e. the area between Mean Low Water (MLW) and Mean High Water (MHW), we would encourage the applicant to consider producing a single ES, which covers all aspects of the proposed development. This will enable a full assessment of the potential effects of the development as a whole within this overlap, rather than assessing certain details of the development individually. If this cannot be done we ask that the ES for the onshore works is submitted at the same time as the ES for the offshore works to ensure consistency and potential delays in the consultation process for either project.

3.3 We would welcome the possibility of Marine Scotland taking the lead in coordinating/overseeing the submission of all documents and encourage the applicant to submit all supporting documents required for the planning application at the same time as the Marine Licence application.

Regulatory advice for the applicant

4. Regulatory requirements

4.1 Proposed engineering works within the water environment will require authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended). Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.

4.2 Further details of regulatory requirements and good practice advice for the applicant can be found on the [Regulations section](#) of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulations team in your local SEPA office at: 28 Perimeter Road, Pinefield, ELGIN IV30 6AF Tel: 01343 547663.

If you have queries relating to this letter, please contact me by telephone on 01224 266636 or e-mail at planning.aberdeen@sepa.org.uk.

Yours sincerely

Zoe Griffin
Senior Planning Officer
Planning Service

ECopy to: Case officer, neal.macpherson@moray.gov.uk;
Marine Scotland, Jessica.Drew@gov.uk

Copy to: Sarah Pirie, Moray Offshore Windfarm (West) Ltd, 4th Floor, 40 Princes Street,
Edinburgh, EH2 2BY

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](#).

Appendix 1: Detailed scoping requirements

This appendix sets out our scoping information requirements. There may be opportunities to scope out some of the issues below depending on the site. Evidence must be provided in the submission to support why an issue is not relevant for this site in order **to avoid delay and potential objection**.

If there is a delay between scoping and the submission of the application then please refer to our website for our latest information requirements as they are regularly updated; current best practice must be followed.

We would welcome the opportunity to comment on the draft submission. As we can process files of a maximum size of only 25MB the submission must be divided into appropriately named sections of less than 25MB each.

1. Site layout

- 1.1 All maps must be based on the Ordnance Survey 1: 10 000 scale or greater base mapping to provide an adequate scale with which to assess the information. Each of the maps below must detail all proposed upgraded, temporary and permanent site infrastructure. This includes all tracks, excavations, buildings, borrow pits, pipelines, cabling, site compounds, laydown areas, storage areas and any other built elements. Existing built infrastructure must be re-used or upgraded wherever possible to minimise the extent of new works on previously undisturbed ground.

2. Engineering activities in the water environment

- 2.1 The site layout must be designed to avoid impacts upon the water environment. Where activities such as watercourse crossings, watercourse diversions or other engineering activities in the water environment cannot be avoided then the submission must include a map showing:
 - a) All proposed temporary or permanent infrastructure overlain with all lochs, wetlands and watercourses.
 - b) A minimum buffer of 50 m around each loch or watercourse. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse, drawings of what is proposed in terms of engineering works.
 - c) Detailed layout of all proposed mitigation including all cut off drains, location, number and size of settlement ponds.
- 2.2 If water abstractions or dewatering are proposed, a table of volumes and timings of groundwater abstractions and related mitigation measures must be provided.
- 2.3 Further advice and our best practice guidance are available within the water [engineering](#) section of our website. Guidance on the design of water crossings can be found in our [Construction of River Crossings Good Practice Guide](#).

- 2.4 Refer to Appendix 2 of our [Standing Advice](#) for advice on flood risk. Watercourse crossings must be designed to accommodate the 0.5% Annual Exceedance Probability (AEP) flows, or information provided to justify smaller structures. If it is thought that the development could result in an increased risk of flooding to a nearby receptor then a Flood Risk Assessment must be submitted in support of the planning application. Our [Technical flood risk guidance for stakeholders](#) outlines the information we require to be submitted as part of a Flood Risk Assessment.

3. Disturbance and re-use of excavated peat and other carbon rich soils

- 3.1 Scottish Planning Policy states (Paragraph 205) that "Where peat and other carbon rich soils are present, applicants must assess the likely effects of development on carbon dioxide (CO₂) emissions. Where peatland is drained or otherwise disturbed, there is liable to be a release of CO₂ to the atmosphere. Developments must aim to minimise this release."
- 3.2 The planning submission must a) demonstrate how the layout has been designed to minimise disturbance of peat and consequential release of CO₂ and b) outline the preventative/mitigation measures to avoid significant drying or oxidation of peat through, for example, the construction of access tracks, drainage channels, cable trenches, or the storage and re-use of excavated peat.
- 3.3 The submission must include:
- a) A detailed map of peat depths (this must be to full depth and follow the survey requirement of the Scottish Government's [Developments on peatland: Site surveys and best practice](#)) with all the built elements (including peat storage areas) overlain to demonstrate how the development avoids areas of deep peat and other sensitive receptors such as Groundwater Dependent Terrestrial Ecosystems.
 - b) A table which details the quantities of acrotelmic, catotelmic and amorphous peat which will be excavated for each element and where it will be re-used during reinstatement. Details of the proposed widths and depths of peat to be re-used and how it will be kept wet permanently must be included.
- 3.4 To avoid delay and potential objection proposals must be in accordance with [Guidance on the Assessment of Peat Volumes, Reuse of Excavated Peat and Minimisation of Waste](#) and our [Regulatory Position Statement – Developments on Peat](#).
- 3.5 Dependent upon the volumes of peat likely to be encountered and the scale of the development, applicants must consider whether a full Peat Management Plan (as detailed in the above guidance) is required or whether the above information would be best submitted as part of the schedule of mitigation.
- 3.6 Please note we do not validate carbon balance assessments except where requested to by Scottish Government in exceptional circumstances. Our advice on the minimisation of peat disturbance and peatland restoration may need to be taken into account when you consider such assessments.

4. Disruption to Groundwater Dependent Terrestrial Ecosystems (GWDTE)

- 4.1 GWDTE are protected under the Water Framework Directive and therefore the layout and design of the development must avoid impact on such areas. The following information must be included in the submission:
- a) A map demonstrating that all GWDTE are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the

distances require it.

- b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all GWDTE affected.

- 4.2 Please refer to [Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems](#) for further advice and the minimum information we require to be submitted.

5. Existing groundwater abstractions

- 5.1 Excavations and other construction works can disrupt groundwater flow and impact on existing groundwater abstractions. The submission must include:
 - a) A map demonstrating that all existing groundwater abstractions are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.
 - b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all existing groundwater abstractions affected.
- 5.2 Please refer to [Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems](#) for further advice on the minimum information we require to be submitted.

6. Forest removal and forest waste

- 6.1 If forestry is present on the site, we prefer a site layout which avoids large scale felling as this can result in large amounts of waste material and a peak in release of nutrients which can affect local water quality.
- 6.2 The submission must include a map 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](#).

7. Borrow pits

- 7.1 Scottish Planning Policy states (Paragraph 243) that “Borrow pits should only be permitted if there are significant environmental or economic benefits compared to obtaining material from local quarries, they are time-limited; tied to a particular project and appropriate reclamation measures are in place.” The submission must provide sufficient information to address this policy statement.
- 7.2 Should any borrow pits be required for the development the following information should also be submitted:
 - a) A map showing the location, size, depths and dimensions of each borrow pit.
 - b) A map showing in relation to each proposed excavation, stocks of rock, overburden, soils and temporary and permanent infrastructure including tracks, buildings, oil storage, pipes and drainage, overlain with all lochs and watercourses to a distance of 250 metres from working areas.

- c) A site-specific buffer drawn around each loch or watercourse proportionate to the depth of excavations and at least 10 m from access tracks. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse, drawings of what is proposed in terms of engineering works.
- d) A ground investigation report giving existing seasonally highest water table including sections showing the maximum area, depth and profile of working in relation to the water table.
- e) A site map showing cut-off drains, silt management devices and settlement lagoons to manage surface water and dewatering discharge. Cut-off drains must be installed to maximise diversion of water from entering quarry works.
- f) A site map showing proposed water abstractions with details of the volumes and timings of abstractions.
- g) A site map showing the location of pollution prevention measures such as spill kits, oil interceptors, drainage associated with welfare facilities, recycling and bin storage and vehicle washing areas. The drawing notes should include a commitment to check these daily.
- h) A site map showing where soils and overburden will be stored including details of the heights and dimensions of each store, how long the material will be stored for and how soils will be kept fit for restoration purposes. Where the development will result in the disturbance of peat or other carbon rich soils then the submission must also include a detailed map of peat depths (this must be to full depth and follow the survey requirement of the Scottish Government's [Developments on peatland: Site surveys and best practice](#)) with all the built elements and excavation areas overlain so it can clearly be seen how the development minimises disturbance of peat and the consequential release of CO₂.
- i) Sections and plans detailing how restoration will be progressed including the phasing, profiles, depths and types of material to be used.
- j) Details of how the rock will be processed in order to produce a grade of rock that will not cause siltation problems during its end use on tracks, trenches and other hardstanding.

8. Pollution prevention and environmental management

- 8.1 One of our key interests in relation to developments is pollution prevention measures during the periods of construction, operation, maintenance, demolition and restoration.
- 8.2 A schedule of mitigation supported by the above site specific maps and plans must be submitted. These must include reference to best practice pollution prevention and construction techniques, regulatory requirements, the daily responsibilities of ECOWs, how site inspections will be recorded and acted upon and proposals for a planning monitoring enforcement officer. Please refer to the [Pollution prevention guidelines](#) for further information.
- 8.3 Due to the designation of Bathing Water at Cullen, the bathing area and the waters that drain directly to it will need to be protected from any biological pollution during the bathing season.

9. Radioactive Contaminated Land

- 9.1 The Radioactive Contaminated Land (Scotland) Regulations 2007 come into force at the

end of October 2007. SEPA has the responsibility under these regulations for the investigation, identification, characterisation and regulation of remediation of radioactive contaminated land (RCL). The Statutory Guidance was issued 31 March 2008 and is available [here](#) or a printed copy can be obtained from RadioactiveWasteTeam@scotland.gsi.gov.uk.

- 9.2 If after scoping and further project design it is likely development is proposed within 1km of the former Radar station at Crannoch Hill please consult us further so we can provide site specific environmental issues that will need to be addressed. Generally, details of methods of excavation and how any potentially contaminated excavated material will be treated and ultimately disposed of will be required.

10. Decommissioning / Repowering

- 10.1 Proposals to discard materials that are likely to be classed as waste would be unacceptable under current waste management licensing and under waste management licensing at time of decommissioning if a similar regulatory framework exists at that time. Further guidance on this may be found in the document [Is it waste - Understanding the definition of waste](#).
- 10.2 The layout and the general principles for decommissioning must demonstrate waste minimisation and compliance with the above waste regulatory position.

Our ref: PCS/153238
Your ref: Moray Offshore
Windfarm West

If telephoning ask for:
Zoe Griffin

3 July 2017

Jessica Drew
Marine Scotland
375 Victoria Road
Aberdeen
AB11 9DB

By email only to: MS.MarineRenewables@gov.scot

Dear Ms Drew

The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017
The Marine Works (Scotland) 2017
SCOPING OPINION REQUEST FOR PROPOSED MARINE LICENCE APPLICATION
FOR MORAY OFFSHORE WINDFARM (WEST) LIMITED, OFFSHORE TRANSMISSION
INFRASTRUCTURE, Moray Firth

Thank you for your email consultation to SEPA dated 2 June 2017 requesting a scoping opinion for the above development proposal.

Advice for Marine Scotland

- 1.1 We note that this Scoping Opinion is for the offshore transmission infrastructure only of the Moray Offshore Windfarm (West). We confirm we have also received a Scoping Report for the Onshore Transmission Infrastructure and will comment on this separately.
- 1.2 We note it is currently the applicant's intention to produce a single Environmental Report (ER) to capture the outcomes of the Environmental Impact Assessment (EIA) for both the Moray West Offshore Wind Farm and the associated Offshore Transmission Infrastructure and that a separate ER will be produced for the associated Onshore Transmission Infrastructure in support of a planning application to the relevant Planning Authority.
- 1.3 However, as there is a geographical overlap between the various consenting regimes (i.e. the area between Mean Low Water (MLW) and Mean High Water (MHW)), we would encourage the applicant to consider producing a single ES, which covers all aspects of the proposed development. This will enable a full assessment of the potential effects of the development as a whole within this overlap, rather than assessing certain details of the development individually. We would welcome the possibility of Marine Scotland taking the lead in coordinating/overseeing the submission of all documents and encourage the applicant to submit all supporting documents required for the planning application at the

same time as the Marine Licence application.

- 1.4 As we only now comment on proposals for works above MLWS which fall under the appropriate Town and Country Planning (Scotland) Act, please refer to our standing advice on marine consultations within guidance document [SEPA standing advice for The Department of Energy and Climate Change and Marine Scotland on marine consultations](#).
- 1.5 If, after consulting this guidance, you consider that a particular part of this proposal is novel or raises a particular environmental issue relevant to our interests which is not addressed by the standing advice, then we would welcome the opportunity to be re-consulted. Please note that the site specific issue on which you are seeking our advice must be clearly indicated in the body of your consultation request.
- 1.6 The Scoping Report invites consultees to consider four questions:
Are there any baseline data sources available that could be used to inform the Environmental Impact Assessment?

We note and welcome that our Water Body data collated in support of the Water Framework Directive has been referenced in the report. This data is available on the [Scottish Environment](#). A summary table of the 'overall status' and an indication of whether there has been 'change' or 'no change' in status in the last year is provided for each water body in the search results, below the spotfire map. Classification results are updated annually (following any necessary verification requiring to be completed post-publication). If the applicant requires further information for a water body which has undergone a change in status in the last year they can request verification of the change by emailing the RBMP Unit (rbmp@sepa.org.uk) entitling your email "Urgent request for data verification"

Have all potential effects resulting from the Offshore Transmission Infrastructure been identified for each of the Environmental Impact Assessment topics within this Scoping Report?

In relation to our interests we agree with the effects that have been scoped in and out. In particular we welcome the potential effect of the possible introduction of marine non-native species being identified.

Do you agree with the effects to be scoped in, and out, of the Environmental Impact Assessment?

In relation to our interests we agree with the effects that have been scoped in and out.

For those effects scoped in, do you agree that the methods described are sufficient to inform a robust impact assessment?

In relation to our interests we agree that the methods described are sufficient to inform a robust impact assessment.

One of SEPA's key interests in relation to major developments is pollution prevention measures during the periods of construction, operation, maintenance, demolition and restoration. We advise that the applicant should, through the EIA process, to systematically identify all aspects of site work that might impact upon the environment, potential pollution risks associated with the proposals and identify the principles of preventative measures and mitigation. This will establish a robust environmental management process for the development. A draft Schedule of Mitigation should be produced as part of this process. This should cover all the environmental sensitivities, pollution prevention and mitigation measures identified to avoid or minimise environmental effects. Please refer to the Pollution prevention guidelines.

An Environmental Management Plan is a key management tool to implement the Schedule of Mitigation and welcome the fact that one will be produced prior to construction. We recommend that the principles of this document are set out in the ES outlining how the draft Schedule of Mitigation will be implemented. This document should form the basis of the more detailed site specific Environmental Management Plan which, along with detailed method statements, may be required by condition.

Regulatory advice for the applicant

- 1.7 Details of regulatory requirements and good practice advice for the applicant can be found on the [Regulations section](#) of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulations team in your local SEPA office at: 28 Perimeter Road, Pinefield, Elgin, IV30 6AF Tel: 01343 547663

If you have any queries relating to this letter, please contact me by telephone on 01224 635553 or e-mail at planning.aberdeen@sepa.org.uk.

Yours sincerely

Zoe Griffin
Senior Planning Officer
Planning Service

ECopy to: Sarah Pirie, Moray Offshore Windfarm (West) Ltd, info@morayoffshorerenewables.co.uk; Marine Scotland Case Officer, jessica.drew@gov.scot; Highland Council Case Officer, simon.hindson@highland.gov.uk

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 page



29 June 2017

Neal MacPherson
Principal Planning Officer
Moray Council

SCOTTISH WATER

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

By email to: consultation.planning@moray.gov.uk

0141 414 7444
www.scottishwater.co.uk
EIA@scottishwater.co.uk

Dear Mr MacPherson,

Moray West Onshore Transmission Infrastructure – Scoping Report

Thank you for consulting with Scottish Water regarding the above proposed development.

Drinking Water Protected Areas

A review of our records indicates that the Burn of Davidson, the River Deveron, the Herricks Springs and Burns intakes and the Shenwell Springs catchments lie within the scoping area (please see accompanying catchment map). These areas are designated as Drinking Water Protected Areas (DWPAs) under Article 7 of the Water Framework Directive. It is therefore essential that water quality and water quantity in these locations are protected. As springs can be very sensitive sources, it is requested that the transmission infrastructure is located outwith and at a distance from the catchments of the Herricks Springs and Burns intakes and the Shenwell springs (there will be some uncertainty in relation to the exact catchment boundaries of the springs shown). If this is not practicable, then Scottish Water must be contacted as soon as possible to agree mitigation proposals. For your information, Annex 1 details a list of precautions and protection measures to be taken within a DWPA and the wider drinking water catchment.

Scottish Water Assets

The location of Scottish Water assets (including water supply and sewer pipes, water and waste treatment works etc.) should be confirmed through obtaining detailed plans from our Asset Plan Providers. Details of our Asset Plan Providers are included in Annex 1.

All Scottish Water assets potentially affected by the development should be identified, with particular consideration being given to access roads and pipe crossings. If necessary, local Scottish Water personnel may be able to visit the site to offer advice. All of Scottish Water's processes, standards and policies in relation to dealing with asset conflicts must be complied with.

In the event that asset conflicts are identified then early contact should be made with the Scottish Water Asset Impact Team (AIT) at service.relocation@scottishwater.co.uk. All detailed design proposals relating to the protection of Scottish Water's assets should be submitted to the AIT for review and written acceptance. Works should not take place on site without prior written acceptance by Scottish Water.

In addition to the precautions and protection measures to be undertaken when works are to take place within a DWPA or drinking water catchment, Annex 1 also includes a list of precautions to be taken when working within the vicinity of Scottish Water assets. This list of precautions is not exhaustive but should be taken into account as the development progresses through the planning and development process.

It should be noted that the development will be required to comply with Sewers for Scotland and Water for Scotland 3rd Editions 2015, including provision of appropriate clearance distances from Scottish Water assets.

If you have any questions relating to the above, or in relation to the information presented in Annex 1, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Rebecca Williams'.

Rebecca Williams
Strategic Planner – Environmental Impact Assessment
EIA@scottishwater.co.uk

Enc(s)

cc. stuart.murison@aberdeenshire.gov.uk and rona@gobeconsultants.com

Annex 1: Precautions to protect drinking water and Scottish Water assets during development activities

General requirements

1. The proposed timing of the works, including planned start and completion dates, should be submitted to Scottish Water in advance of any activities taking place on-site. This information should be submitted to **EIA@scottishwater.co.uk**.
2. If a connection to the water or waste water network is required, a separate application must be made to the Scottish Water Development Operations Team for permission to connect. It is important to note that the granting of planning consent does not guarantee a connection to Scottish Water assets. The Development Operations Team can be contacted by telephone on **0800 389 0379** or via email at **developmentoperations@scottishwater.co.uk**.
3. In the event of an incident occurring that could affect Scottish Water we should be notified without delay using the Customer Helpline number **0800 0778 778** and the local contact if known.

Protecting drinking water quality

Regulatory requirements

4. Scottish Water is required to ensure that any activity within a drinking water catchment does not affect the ability of Scottish Water to meet its regulatory requirements.
5. Water Treatment Works are designed to treat the specific parameters of the raw water source they receive (i.e. the specific chemical, biological and other characteristics of natural, untreated water). If the characteristics of the raw water change or deteriorate, it can affect the ability of the works to supply drinking water to customers at the required standards.
6. The regulations relating to the quality of drinking water supplied by Scottish Water are the Water Supply (Water Quality) (Scotland) Regulations 2001. Quality Standards are derived from the European Drinking Water Directive 98/83/EC.
7. Drinking water catchments feed Scottish Water abstractions which supply water to water treatment works. Under Article 7 of the Water Framework Directive, waters used for the abstraction of drinking water are designated as Drinking Water Protected Areas (DWPA). The objective of the Water Framework Directive is to ensure that no activity results in the deterioration of waters within the DWPA. If an activity falls within a DWPA or drinking water catchment, it is essential that water quality and quantity are protected

Specific precautions for drinking water protection

8. A detailed, site specific Construction Method Statement including e.g. Construction Environmental Management Plan, Risk Assessment, Pollution Prevention and Contingency Plan must be submitted to Scottish Water at least three months prior to the works commencing. This should be agreed with Scottish Water prior to any operations taking place. Any other associated documents (e.g. Drainage Plan, Peat Management Plan etc.) should also be submitted and agreed with Scottish Water at least three months prior to works commencing. In the first instance, this information should be supplied to **EIA@scottishwater.co.uk**.
9. Where possible, infrastructure and activities should be located outside of the drinking water catchment. If this can be demonstrated to be impracticable then all infrastructure and activities should be located 100m from any watercourse where possible, and a minimum of 50m distant where 100m can be demonstrated to be undeliverable.
10. Any potential effect on the hydrology of the area resulting from the construction and operation of the proposed development should be assessed and the findings presented in the Environmental Statement or environmental appraisal accompanying the planning application. This should include consideration of natural drainage patterns, base flows/volume, retention/run-off rates and potential changes to water quantity. Any required mitigation measures and proposed monitoring should also be detailed in the Environmental Statement or environmental appraisal accompanying the planning application.
11. When constructing roads, drainage ditches and trenches, drainage should not be directed into adjacent catchments but retained within the existing catchment.
12. Any potential pollution risk which could affect water quality should be considered and mitigation measures implemented to prevent deterioration in water quality and pollution incidents. This includes sediment run-off, soil or peat erosion, management of chemicals and oils, etc. (see also point 16 below). This should be considered for operations at all stages of development including pre- and post-construction.

13. Mitigation measures to prevent pollution to watercourses should be outlined in the Environmental Statement or environmental appraisal accompanying the planning application, and adopted in the Construction Method Statement/Construction Environmental Management Plan prior to work starting onsite. Any measures implemented should be regularly checked, maintained and improved if pollution occurs.
14. Watercourses that feed into any watercourses or reservoirs that Scottish Water abstracts from should be considered when developing new road or access infrastructure. Any crossing of these watercourses should be kept to a minimum. Pollution prevention measures should be put in place at each crossing point and silt traps, or equivalent, should be installed at regular intervals to minimise the risk from pollution.
15. Once constructed, site roads and access routes should be regularly maintained to ensure minimal erosion, and hence run-off and pollution, from the road surface. Site roads should be constructed from inert, non-metalliferous material, with low erodibility and low sulphide content.
16. No refuelling or storage of fuel or hazardous materials should take place within the drinking water catchment area. If this can be demonstrated to be impracticable, then the appropriate Scottish Environment Protection Agency (SEPA) Pollution Prevention Guidelines (PPG 2: Above ground oil storage, PPG 6: Working and Construction and Demolition Sites, PPG 8: Safe storage and disposal of fuel oils, PPG 21: Pollution incident response planning and PPG 22: Incident response – dealing with spills) should be followed. 50m buffers should be applied to all surface watercourses, groundwater borehole abstraction points and springs. Oil storage should be in accordance with The Water Environment (Oil Storage) Regulations (Scotland) 2006. There should be dedicated oil storage areas created. Spill kits should be located within all vehicles, plant and high risk areas.
17. Waste storage, concrete preparation and all washout areas should not be within the drinking water catchment area. If this can be demonstrated to be impracticable then this should be in dedicated areas 50m from a watercourse and designed to be contained and to prevent escape of materials/run-off to the environment.
18. Welfare/waste water facilities should preferably be located outside the drinking water catchment. If not practicable, then portable toilets should be used and waste disposed of off-site. Alternatively secondary treatment and soakaways should be used and, if required, a sampling chamber installed and sampling programme agreed. The proposed method of managing welfare and waste water facilities should be detailed in the Environmental Statement or environmental appraisal accompanying the planning application. If sampling is required, Scottish Water should be contacted via **EIA@scottishwater.co.uk** in the first instance.
19. Any proposed abstractions for activities such as welfare facilities or cement batching plants should be detailed in the Environmental Statement or environmental appraisal accompanying the planning application.
20. Induction training should be given to all personnel on-site and should include Scottish Water site sensitivities in relation to drinking water catchments and assets (see below), as well as spill response as outlined in PPG 22: Dealing with spills.
21. Construction and Environmental Management Plans, Pollution Prevention and Contingency Plan and associated documents should include the Scottish Water Customer Helpline Number **0800 0778 778** and the local contact details.

Protecting drinking water in peatland areas

22. When peat is present within the proposed area of activity the Environmental Statement or environmental appraisal accompanying the planning application should include an assessment on the potential release of colour and dissolved organic carbon quality as a result of changes to hydrology and/or physical disturbance. This should cover the construction and post construction phases.
23. Excavations and ground disturbance in areas of deep peat should be avoided. Deep peat is considered to be peat greater than 0.5m deep.
24. The natural hydrology within peat should be maintained and/or restored. Any necessary measures to maintain natural drainage of peat and sub-surface hydrology, such as tailored drain spacing on access tracks, should be implemented as part of the design of the development.
25. Scottish Water requests that, where possible, access tracks in the drinking water catchment are constructed as floating tracks with adequate provision for maintaining existing drainage patterns.
26. Exposed soils and peat can release sediment, colour and dissolved organic carbon. The use of geotextiles, turf replacement and/or reseeded, should be undertaken as soon as possible.
27. Restoration of any degraded peat should be considered for areas within the drinking water catchment.

Protecting drinking water due to forestry activity

28. An assessment of any forestry activity, including felling, planting or other activity, likely to affect the drinking water catchment should be included in the Environmental Statement or environmental appraisal accompanying the planning application. Any specific mitigation measures should be identified and incorporated into the Construction Environmental Management Plan for the site prior to works commencing.
29. The Environmental Statement or environmental appraisal accompanying the planning application should include details on the harvesting/clearance process for any felling/woodland removal. The least disturbing method/s should be selected where possible.
30. Any historic drains and ditches within the site boundary that discharge directly to a watercourse in the drinking water catchment, these should be blocked and slowly discharged to a buffer area in line with current Forestry Commission Forest and Water Guidelines. Where possible, this should be undertaken in advance of any work being carried out on site, to provide protection for watercourses during site activities.

Monitoring requirements to protect drinking water quality

31. During construction, a programme of daily visual inspection of the watercourses, flow conditions (i.e. high, medium, low, or no flow), prevailing weather and any other pertinent observations, will be required to be implemented. The results should be recorded and the information submitted to Scottish Water (i.e. in a monthly progress report). This should be undertaken when water quality samples are taken. In the first instance proposals for monitoring should be provided to EIA@scottishwater.co.uk.
32. Depending on the vulnerability of the public water supply, Scottish Water may request that a water sampling programme shall be established and agreed with Scottish Water. This should assess the baseline water quality for a minimum of one year prior to any activities commencing on-site where possible, including ground investigations and any felling activities, to allow an accurate understanding of baseline conditions at the site. Water sampling should continue during construction and then post-construction for a minimum of one year. Following completion of one year of sampling post-construction, this should be reviewed to determine whether this should continue for a further agreed period. The parameters, frequency and sampling locations will also need to be agreed with Scottish Water. This monitoring will establish if any decline in water quality can be attributed to the development. It may also be necessary to establish trigger levels to determine when any potential issues should be reported to Scottish Water.
33. The appointed Contractor/Site Foreman or Ecological or Environmental Clerk of Works should have relevant knowledge and experience to provide advice and monitor compliance with measures for the protection of water quality in relation to abstractions for water supply.
34. Depending on the vulnerability of the public water supply, Scottish Water may request that a dedicated Environmental Manager be appointed and present on-site to assess and monitor any effects caused by the development.

Guidance documents

35. Please ensure that appropriate Guidance Documents are followed:
 - Floating Roads on Peat. Forestry Civil Engineering and SNH. (August 2010).
 - Constructed tracks in the Scottish Uplands, 2nd edition. SNH (June 2013).
 - Forests and water UK Forestry Standard Guidelines, 5th Edition. Forestry Commission (2011).
 - General Binding Rules under the Controlled Activities Regulations (see The Water Environment (Controlled Activities) Scotland Regulations (as amended) A Practical Guide, Version 7.2, SEPA (March 2015)).
 - SEPA Pollution Prevention Guidance (<http://www.sepa.org.uk/regulations/water/guidance/>).

Protecting Scottish Water assets

36. If an activity associated with a development proposal is located within close proximity to Scottish Water assets, including water and waste water pipe infrastructure, treatment works and reservoirs etc., it is essential that these assets are protected from damage. To this end, the developer will be required to comply with Scottish Water's current process, guidance, standards and policies in relation to such matters.
37. Copies of Scottish Water's relevant record drawings can be obtained from the undernoted Asset Plan Providers. This is distinct from the right to seek access to and inspect apparatus plans at Scottish Waters area offices, for which no charge is applied.

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

National One-Call

Tel: 0844 800 9957

Email: swplans@national-one-call.co.uk

www.national-one-call.co.uk/swplans

38. It should be noted that the site plans obtained via the Asset Plan providers are indicative and their accuracy cannot be relied upon. It is therefore recommended that the developer contacts the **Scottish Water Asset Impact Team** at service.relocation@scottishwater.co.uk for further advice if assets are shown to be located in the vicinity of the proposed development, and where the exact location and the nature of the infrastructure shown could be a key consideration for the proposed development. An appropriate site investigation may be required to confirm the actual position of assets in the ground. Scottish Water will not be liable for any loss, damage or costs caused by relying upon plans or from carrying out any such site investigation.
39. Prior to any activity commencing, all known Scottish Water assets should be identified, located and marked-out.
40. Scottish Water expects method statements, safe systems of work and risk assessments to be prepared and submitted in advance to Scottish Water for formal review and acceptance. These documents shall consider and outline in detail how existing Scottish Water assets are to be protected and/or managed for the duration of any construction works and during operation of the development if relevant. These documents must be submitted to Scottish Water's Asset Impact team for formal prior written acceptance.
41. The developer shall obtain written acceptance from Scottish Water's Asset Impact Team where any site activities are intended to take place in the vicinity of Scottish Water's assets. The Asset Impact Team can advise on any potential risk mitigation measures that may be required.
42. Scottish Water and its representatives shall be allowed access to Scottish Water assets at all times for inspection, maintenance and repair. This will also ensure that the Scottish Water assets are protected and that any Scottish Water requirements are being observed.
43. Any obstruction or hindrance of access to Scottish Water assets should be avoided. The prompt and efficient use and manipulation of valves, hydrants, meters or other apparatus is required at all times. There should also be no interference with the free discharge from water main scours or sewer overflows.
44. In the event of an incident occurring that could affect Scottish Water, including any damage to assets, Scottish Water should be notified without delay, using the Customer Helpline number **0800 0778 778**, and the local contact if known. Scottish Water apparatus should not be interfered with or operated by anyone other than Scottish Water personnel.
45. The 'offset distance' is the distance between any Scottish Water asset and adjacent properties and structures. Scottish Water reserves the right to ask for an offset distance in accordance with its own current policy and standards and to suit specific circumstances. The details of this requirement should be confirmed with Scottish Water as an early part of the design process.
46. Stationary plant, equipment, scaffolding, construction or excavated material, etc. should not be placed over, or close to, any Scottish Water assets without the prior written consent of Scottish Water which may be withheld depending on circumstances on-site.
47. Special care should be taken to avoid the burying of Scottish Water assets or the obstruction of sewers or manholes with fill or other material. Arrangements for altering the level of any chambers should be agreed in advance with Scottish Water and these should be constructed in accordance with Scottish Water requirements. The cost of any work to Scottish Water assets will be met by the project developer.
48. Excavation works (e.g. of wind turbine foundations) should not be carried out in the proximity of a water or waste water main without due notice having been given to Scottish Water and prior written acceptance obtained. The developer will comply fully with any Scottish Water specific site requirements.
49. Any tree planting associated with the development (e.g. compensatory planting or screening etc.) should be undertaken in line with Water for Scotland 3rd Edition (April 2015) to ensure that Scottish Water assets are not put at risk by future growth of tree roots.
50. Vibration in close proximity to Scottish Water pipelines or ancillary apparatus should be managed in accordance with British Standard 5228-1:2009 (Code of practice for noise and vibration control on construction and open sites). The predicted levels of vibration should be agreed in advance with Scottish Water as part of the risk assessment and method statement and agreed vibration monitoring arrangements will be required.

51. The developer will consider the possibility of increased loading on Scottish Water apparatus and measures will be taken to eliminate or mitigate increased loading on assets. Care should be taken to identify any assets which may be crossed by vehicles on the access route to the site and crossing points will be engineered to the requirements of Scottish Water. Any pipe crossing proposals are subject to prior written acceptance by Scottish Water.
52. Scottish Water will not accept liability for any costs incurred in fulfilling any of the above requirements during the development planning, construction or operational phases, either by the developer, the developer's associates, contractors or any other person or organisation involved in the project.
53. If the developer damages any Scottish Water asset they will be held liable for any costs resulting from this.
54. Scottish Water may require costs associated with the development to be reimbursed by the developer or the developer's agents.

Stuart Murison

From: Bruce Mann
Sent: 19 June 2017 14:47
To: Stuart Murison
Cc: Wendy Forbes; Claire Herbert
Subject: For Consideration - EIA Scoping Request: Moray West Offshore Wind Farm - Onshore Transmission Infrastructure - Archaeology

Dear Stuart,

SCOPING OPINION REQUEST FOR MORAY OFFSHORE WINDFARM (WEST), ONSHORE TRANSMISSION INFRASTRUCTURE - Archaeology Comments

Thank you for consulting me with regard to the above Scoping Opinion request and how it relates to impacts on archaeology. Having reviewed the documentation, including Section 5.4 'Historic Environment' of the submitted Scoping Report June 2017, I can make the following comments:

- 1) I agree with the identified potential effects as detailed in Table 5.4.1 on archaeological and cultural heritage assets, and of those for 'indirect effects on the setting of designated assets resulting from below ground infrastructure' to be scoped out of further assessment in the EIA in this instance.
- 2) There are no further considerations of potential or known impacts on archaeology and cultural heritage from my perspective that require further assessment.
- 3) I have no further recommendations for mitigation requirements or assessments other than those identified within Section 5.4.3 'Potential Mitigation Measures', and Section 5.4.4. 'Approach to EIA'.

Taking all of the above into consideration I can confirm that I have no additional requirements for the Scoping Request, and that those already scoped in for further assessment are appropriate. Thus in answer to Scoping Question 5.4.2, I can confirm that ACAS is in agreement with the approach proposed for the assessment of direct effects on known and as yet unknown assets.

Furthermore please note that the Moray Council area of the Scoping Request falls under the Archaeology Service's remit as well as we have a Service Level Agreement with them. As such our response will be the same as the above to the Moray Council which will make any joint response going forward easier from a historic environment perspective.

Should you have any queries regarding the above then please do not hesitate to contact me,

Best wishes
Bruce

Bruce Mann MA MCIfA FSA Scot
Archaeologist
Planning & Building Standards
Infrastructure Services
Aberdeenshire Council
Woodhill House
Westburn Road
Aberdeen
AB16 5GB

Archaeology Service for Aberdeenshire, Moray, Angus, and Aberdeen City Councils

Tel: 01224 664731 Internal 725 4731

Web Site - <https://www.aberdeenshire.gov.uk/leisure-sport-and-culture/archaeology/>

Any "TR" attachments with this email are for Aberdeenshire Council TRIM users only.



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

By email to:

consultation.planning@moray.gov.uk
stuart.murison@aberdeenshire.gov.uk

The Moray Council
Planning and Development
High Street
Elgin
Moray
IV30 1BX

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMC consultations@hes.scot

Our ref: AMN/16/GE
Our case ID: 300020921
Your ref: 17/00940/S36SCO

05 July 2017

Dear Sirs

The Town and Country Planning (Environmental Impact Assessment) (Scotland)
Regulations 2017
Moray Offshore Wind Farm (West) - Onshore Transmission Infrastructure landward of
Mean Low Water Springs
Scoping Report

Thank you for your consultation which we received on 28 June 2017 about the above scoping report. We have reviewed the details in terms of our historic environment interests. This covers 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 (HMPAs).

Your own archaeological and cultural heritage advisors will also be able to offer advice on the scope of the cultural heritage assessment. This may include heritage assets not covered by our interests, such as unscheduled archaeology, and category B- and C-listed buildings.

Proposed Development

We understand that the proposed development comprises the Onshore Transmission Infrastructure (OnTI) for the Moray West Offshore Wind Farm. This will consist of up to 2 offshore export cables between Mean Low Water Springs (MLWS) and the transition joint bays, transition joint bays at the onshore landfall connection point, up to 2 onshore export cables, an onshore substation and onshore cable circuits connecting the new substation to the Blackhillock substation.

Separate scoping exercises have already been carried out for the offshore wind farm itself and the Offshore Transmission Infrastructure components of the development.

Scope of assessment

Potential Direct Impacts

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

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**



We can confirm that there are a number of scheduled monuments, category A listed buildings and an Inventory garden and designed landscape within the proposed development study area. There are no World Heritage Sites or Inventory battlefields within the development study area.

We are content that the EIA will only consider direct impacts on historic environment assets within the footprint of the OnTI. The designated assets within the study area should be assessed for potential direct impacts from both the cable corridor and substation site. We understand that the cable route corridor will be further narrowed down during detailed design of the project, as will the location of the substation and we would be happy to provide further comment as the cable corridor route and substation site are refined.

We are content that decommissioning impacts for the cable corridor can be scoped out of the assessment as long as the current plan to leave the cable infrastructure in situ remains accurate. Should the plan change this aspect of the project may need to be reassessed.

Potential Setting Impacts

There are a number of heritage assets within our remit in the study area and surrounding vicinity of the proposed substation whose settings have the potential to be adversely impacted by it. Given that the location of the substation is yet to be identified it is difficult to provide more detailed comment about potential setting effects at this stage, however, we agree that setting effects from the operation of the substation should be scoped in to the assessment. We agree that effects from decommissioning the substation are likely to be the same as those of construction and that these are likely to be temporary and reversible and can be scoped out of the assessment.

We are content that both the construction and operation of the cable corridor is unlikely to have significant impacts on the setting of assets within our remit and we are therefore content to agree that these impacts can be scoped out of the EIA.

Potential Cumulative Impacts

We agree that potential cumulative impacts should be considered in the assessment, however, we recommend that the local authorities should be consulted regarding the other developments which should be considered in the cumulative impact assessment as they will have current and up to date information regarding developments in the surrounding area.

The Scoping Report

We are generally content with the overall methodology set out in the Scoping Report. We are content with the baseline data sources provided for our remit. We welcome that potential setting impacts will be scoped in to the assessment and we strongly welcome that our Managing Change Guidance Note on Setting will be used to provide the methodology for assessment. We welcome that a ZTV will be used to identify assets which may receive potential setting impacts from the development and we would be



happy to provide further comment once a substation site has been identified and a ZTV at appropriate scale is available. We will also be happy to provide comment on any necessary visualisations once this level of information is available.

Section 5.4.3 of the report on Potential Mitigation Measures states that HES will be consulted if any designated assets are likely to be affected in relation to direct impacts. We would like to take this opportunity to state that any direct impacts on designated assets should be avoided as a priority. Any direct impacts on a scheduled monument, for example, would require scheduled monument consent (SMC) and there is no guarantee that consent would be granted for such works.

Summary

We would request further consultation on the proposed development as the design of the project progresses. As noted above, there is currently the potential for both direct impacts and setting impacts to designated historic environment assets of national importance and we will be able to provide more useful and directed comment as the design of the project is refined.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Victoria Clements who can be contacted by phone on 0131 668 8730 or by email on Victoria.Clements@hes.scot.

Yours faithfully

Historic Environment Scotland

MORAY WEST

OFFSHORE WINDFARM

Contact

Moray Offshore Windfarm (West) Limited
4th Floor, 40 Princes Street
Edinburgh EH2 2BY
Tel: +44 (0)131 556 7602

