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1. Introduction and Background

1.1 Introduction

1.1.1 Limekiln Wind Limited (hereafter referred to as 'the Applicant') has submitted an application to the Scottish Ministers under Section 36C (the 'S36C application') of the Electricity Act 1989 ('the 1989 Act'). The S36C application proposes the variation of the Section 36 consent (2018 Consent) granted by Scottish Ministers on 21 June 2019 under the 1989 Act for the construction and operation of the Limekiln Wind Farm ('Consented Development').

1.1.2 In addition, the Applicant is seeking direction under section 57(2) of the Town and Country Planning (Scotland) Act 1997 ('the 1997 Act') that planning permission would be deemed to be granted in respect of the varied description of the proposed development ('the Revised Consented Development').

1.1.3 The purpose of the S36C application, is to vary to the Description of the Development to change the specification of the 21 turbines by increasing the maximum tip height from up to 126 m and 139 m to a maximum of 149.9 m. Furthermore, the Applicant is seeking to:

- Reroute certain access tracks, reducing the track length by 1 km;
- Remove one borrow pit;
- Increase the period of consent from 30 to 40 years; and
- Relocate the construction compound and increase its size from 100 m x 100 m to 150 m x 100 m.
- Relocate five water crossings and insert two more; and
- Increase the size of the crane hardstandings from 40 m x 22 m to 40 m x 35 m
- Remove permanent anemometer mast

1.1.4 Further information regarding the Revised Consented Development is detailed in Chapter 4: Description of the Revised Consented Development in Volume 1 of the Environmental Impact Assessment Report (EIA Report) which accompanies the application.

1.2 Purpose of Design and Access Statement

1.2.1 The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008¹ require applications for 'major' development to be supported by a Design and Access Statement. There is no statutory requirement for applications for consent under the 1989 Act to be supported by a Design and Access Statement, however the Applicant has opted to provide one as a good practice measure.

1.2.2 This Design and Access Statement (DAS) describes the design process and the resultant development proposals for the Revised Consented Development, which

¹ Town and Country Planning (Development Management Procedure)(Scotland) Regulations 2008, (SSI 2008/432)

lies 2 km south of Reay within the administrative boundary of the Highland Council in Scotland (refer to **Volume 2: Figure 1.1**).

- 1.2.3 The purpose of this DAS is to provide information on the principles and approach that have guided the design process. This DAS demonstrates how the site and its surroundings have been fully assessed to ensure that the final design solution is the most suitable for the site. It describes the starting point for the Revised Consented Development design, and subsequent alterations to the layout that were made in response to the issues that were identified through the appraisal process.
- 1.2.4 This DAS should be read in conjunction with the EIA Report for the Application, which also contains information on the design strategy (**Volume 1: Chapter 2**), predicted landscape and visual effects (**Volume 1: Chapter 9**), and traffic and access related effects (**Volume 1: Chapter 7**).

1.3 The Applicant

- 1.3.1 The Applicant is the formal entity of a joint venture agreement between Infinergy Limited (a renewable energy developer) and Boralex Limited Liability Partnership (LLP).

1.4 Development Description

- 1.4.1 The Revised Consented Development site boundary lies approximately 2 km to the south of the nearest settlement, Reay. The site occupies an area of 1,139 ha and the central grid reference for the site is NC 98270 60620.
- 1.4.2 No buildings or structures are present on site with the closest residential property approximately 2.03 km from the nearest proposed turbine.
- 1.4.3 Table 1.1 summarises the key changes proposed to the Consented Development. A complete description of the proposed changes is provided in Chapter 4: Description of the Revised Consented Development (EIA Report Volume 1). The layout of the Revised Consented Development is illustrated in **Figure 1.3** in Appendix A of this Statement.

Table 1.1 Summary of differences between the Consented Development and the Revised Consented Development

	Consented Development	Revised Consented Development	Summary of Key Change
Maximum No. of Turbines	21	21	No change, including positions
Turbine capacity	3 MW	4.2 MW (indicative)	Overall increase of 25.2 MW (indicative)
Maximum Turbine tip height	126 m and 139 m	149.9 m	Up to 23.9 m increase
Turbine Foundation	400 m ³	645 m ³	Increase of up to 245 m ³

Crane Hardstandings	40 m x 22 m (880m ²)	40 m x 35 m (1,400 m ²)	Increase of size by 520 m ²
On-site access track length	19.4 km	18.4 km (of which 3.1 km has now been constructed under the Consented Development)	Relocation of some access tracks. 1 km track removed. Additional 750 m length of 4x4/HGV track included between T55 and T60.
Temporary Construction Compound	Located to the north east of the site. 100 m x 100 m (10,000 m ²)	Located to the north west of T22 100 m x 150 m (15,000 m ²)	Relocated approx. 1 km to the south. Width increased by 50 m
Watercourse crossings	5	7	Increase by two. Five of these crossings are in new locations.
Borrow Pits	2	1	Reduction by one
Permanent anemometer mast	1	0	No longer required
Construction rock volume Requirements	118,000 m ³	170,100 m ³	Increase of 51,100 m ³ . This includes rock already used for the Consented Development enabling works.
Operational Land take	13.24 ha	13.33 ha	Increase of 0.09 ha
Operational lifetime	30 years	40 years	Increase of 10 years

2. Design

2.1 Key Design Considerations

2.1.1 The design process for the Revised Consented Development considered changes required to the Consented Development to allow Core Path CA11.03 to remain open throughout the construction period whilst also accommodating the increased tip height and associated infrastructure.

2.1.2 Whilst taking f

2.2 Planning Policy Context

2.2.1 A separate Planning Statement has been prepared to support the application and should be referred to for a detailed planning policy appraisal. Chapter 5: Energy

& Planning Policy in Volume 1 of the EIA Report describes the legislative and policy background relevant to the Revised Consented Development. A summary of the planning policy context is included below.

National

- 2.2.2 The National Planning Framework⁵ (NPF3) is a long-term strategy for Scotland. It is the spatial expression of the Scottish Government's Economic Strategy, and of plans for development and investment in infrastructure. Part of the vision is of Scotland as a low carbon place, where the opportunities arising from the ambition to be a world leader in low carbon energy generation have been seized. NPF3 is informed by, and aims to help achieve, the Scottish Government's climate change and renewable energy targets. NPF3 acknowledges the energy sector accounts for a significant share of Scotland's greenhouse gas emissions and addressing this requires capitalising on Scotland's outstanding natural advantages, including its significant wind resource. NPF3 makes it clear that onshore wind will continue to play a significant role in de-carbonising the energy sector and diversifying energy supply.
- 2.2.3 The Scottish Government has published a number of policy documents and its own targets. The most relevant policy, legislative documents and more recent statements published by the Scottish Government include:
- The Letter from Chief Planner to all Heads of Planning in relation to energy targets and SPP (November 2015);
 - Scottish Energy Strategy (December 2017);
 - Onshore Wind Policy Statement (December 2017);
 - The Scottish Government's declaration of a Climate Emergency (April 2019);
 - The Scottish Government's 'Programme for Government' (September 2020);
 - The Scottish Climate Change Plan Update (2020); and
 - The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 and the legally binding net zero target for 2045 and interim targets for 2030 and 2040.
- 2.2.4 The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 requires that "The Scottish Ministers must ensure that the net Scottish emissions account for the net-zero emissions target year is at least 100% lower than the baseline (the target is known as the "net-zero emissions target")." The target year is 2045 and the Act also sets out challenging interim targets. It requires that:
- "The Scottish Ministers must ensure that the net Scottish emissions account for the year—*
- (a) 2020 is at least 56% lower than the baseline,*
- (b) 2030 is at least 75% lower than the baseline, and*
- (c) 2040 is at least 90% lower than the baseline."*
- 2.2.5 It is important to note that these targets are minimum targets, they are not maximums or aspirations. The targets legally bind the Scottish Ministers and have largely been legislated to set the framework for Scotland's response to the Climate Emergency.

2.2.6 The Revised Consented Development relates to the generation of electricity from renewable energy sources and comes as a direct response to national planning and energy policy objectives.

2.2.7 The revised Consented Development would make a contribution to the attainment of emissions reduction, renewable energy and electricity targets at both the Scottish and UK levels.

2.3 Environmental Considerations

2.3.1 In addition to the policy considerations identified, key environmental issues and constraints considered in the design process were established through a combination of desk-based research, extensive field survey and consultation (through the EIA scoping process).

2.3.2 The design process considered the following environmental issues:

- Landscape character and residential visual amenity (EIA Report, Volume 1: Chapter 9 and Volume 3);
- Ornithology, including updated collision risk modelling (EIA Report, Volume 1: Chapter 12);
- Ecology, including updating the baseline ecological conditions around the Revised Consented Development via field surveys ((EIA Report, Volume 1: Chapter 11);
- Public road network in the vicinity of the site to assess the potential for traffic and transport effects on road users (EIA Report, Volume 1: Chapter7);
- Cultural Heritage, including an updated desk-based assessment and walkover survey (EIA Report, Volume 1: Chapter 10);
- Geology, Hydrology and Hydrogeology, including additional peat surveys to establish peat depths and assessments of the proposed water crossings (EIA Report, Volume 1: Chapter 13);
- Forestry, including the preparation of a revised forestry plan for felling, restocking and compensatory planting (EIA Report, Volume 1: Chapter 14) ; and
- Noise, including an updated noise assessment based on the proposed indicative turbine models (EIA Report, Volume 1: Chapter 13).

2.4 Design Evolution and Alternative Layouts

2.4.1 The Proposed Varied Development is one that builds on the Consented Scheme, with the turbine locations remaining the same.

Design Evolution

2.4.2 The main design changes between the Consented Development and the Revised Consented Development are set out in Table 1.1 above.

Iterations of the Design

2.4.3 This section describes the following layouts and identifies the key changes between each design iteration:

- Layout 1: Consented Development (June 2019)
- Layout 2: Revised Consented Development Scoping Layout (March 2021)
- Layout 3: Revised Consented Development layout (June 2021)

Layout 1 – Consented Development

2.4.4 Layout 1, Consented Development, is presented in **Figure 1.1** in Appendix A of this Statement. This layout comprised of:

- 21 wind turbines, 15 with a maximum blade tip height of 139 m; and six with a maximum blade tip height of 126 m;
- Turbine foundations and associated crane hardstandings;
- An onsite network of underground cables;
- A series of onsite access tracks;
- An onsite substation and control/maintenance building;
- Two borrow pits;
- Temporary works including a construction compound 100 m x 100 m;
- Five water crossings; and
- A permanent anemometer mast.

Layout 2 - Revised Consented Development Scoping Layout

2.4.5 The Scoping Layout considered the same site boundary and number of turbines (21) and turbine placements as the Consented Development. **Figure 1.2** in Appendix A of this Statement illustrates the Scoping Layout. Key differences are highlighted in Table 2.1

Table 2.1 Overview of Consented Development and Revised Consented Development Scoping Layout

	Consented Development	Revised Consented Development Scoping Layout	Reasoning
On site access track layout design	Use of Core Path CA11.03 to access majority of turbines. Total length 19.4 km	Track redesign to avoid use of Core Path CA11.03. Total length approx. 17.4 km	To allow Core Path CA11.03 to remain open throughout construction
Borrow pits	Two borrow pits (A&B)	Remove borrow pit A, propose use of only borrow pit B.	Sufficient material is expected to be available in borrow pit B
Turbine Foundations & Hardstandings	400 m3 turbine foundations. 880 m2 hardstandings	645 m3 turbine foundations. 1,400 m2 hardstandings	To accommodate larger tip height turbines

Construction compound	100 x 100 m	100 x 150 m	To confidently accommodate all elements of construction compound including a concrete batching plant.
Permanent anemometer mast	One permitted	Removed	No longer required as wind data can be collected from turbines directly

Layout 3 Revised Consented Development Layout

2.4.6 The Revised Consented Development Layout is presented in **Figure 1.3**, and would comprise of the following:

- 21 wind turbines, with a maximum blade tip height of 149.9 m;
- Turbine foundations and associated crane hardstandings;
- An onsite network of underground cables;
- A series of onsite access tracks. Proposed length is 18.4 km of which 3.1 km has been constructed under the enabling works for the Consented Development;
- An onsite substation and control/maintenance building;
- One borrow pit;
- Temporary works including a construction compound 100 m x 150 m; and
- Seven water crossings;

2.4.7 It should be noted that the indicative alignment of the revised access track for the Scoping Layout, shown in **Figure 1.2**, has been substantially altered as part of the Revised Consented Development. This is in response to technical specifications received from the turbine supplier, emerging environmental and technical constraints gathered during the EIA and consultee comments. In particular the comments of Matt Dent the access officer at THC who was concerned about the number of times the scoping report revised access track crossed Core Path CA11.03. The changes to the access track to produce the alignment in the Revised Consented Development have substantially reduced the number of times the proposed access track crosses Core Path CA11.03.

2.4.8 As with the Scoping Layout, the Revised Consented Development considers the same site boundary and turbine locations as the Consented Development. An overview of the differences between the Consented Development and the Revised Consented Development are laid out in Table 1.1.

3. Access

3.1 Introduction

3.1.1 As part of the EIA the Applicant has undertaken a full traffic and transport assessment for the construction, operational and decommissioning phases of the Proposed Development. Full details are provided in Chapter 7 of the EIA Report.

3.2 Vehicular Access

3.2.1 Access to the site through all phases of the Revised Consented Development would be from an upgraded junction at the A836 / U4724 Milton Road and subsequently through a new purpose built access track.

3.2.2 Specialist loads such as the turbine components will be transported to the site from Scrabster Harbour using specialist vehicles via the A9 and A836. An Abnormal Indivisible Load Route Survey was undertaken to assess the implications of increasing the size of turbine from a maximum blade tip height of 139m associated with the Consented Development to 149.9m which is proposed to be associated with the Revised Consented Development.

3.2.3 During construction the Applicant will implement a number of measures to help mitigate the effects of the abnormal load convoys and construction traffic. These measures will be discussed and agreed with ABC and Transport Scotland prior to construction; the detailed measures shall be included within the Construction Traffic Management Plan (CTMP) for the site.

3.2.4 Traffic levels during the operational phase of proposed development would be one or two vehicles per week for maintenance purposes. Traffic levels during the decommissioning of the proposed development are expected to be lower than during the construction phase as some elements could be left in situ and others broken up on-site.

3.3 Public Access

3.3.1 Within the site, consideration has been given to pedestrians and cyclists alike due to potential interactions between construction traffic and users of the core path. These measures will be formulated into a Core Path Management Plan.

3.3.2 Users of the Core Path will be separated from construction traffic through the use of barriers. Crossing points will be provided where required, with core path users having right of way. Appropriate temporary road signage would be provided to assist at these crossing for the benefit of all users.

4. Consultation

4.1 Statutory Consultation

4.1.1 Consultation with statutory consultees has been undertaken throughout the design iteration and environmental assessment of the Revised Consented Development. Three main stages of consultation have been undertaken, Pre-Application Consultation, Scoping, and Additional Consultation, as detailed below.

Pre-Application Consultation

- 4.1.2 In conjunction with carrying out initial assessments a meeting was held in February 2021 with The Highland Council and NatureScot to explain the intentions of the Applicant and to ensure that due process was adhered to with respect to scoping the content of the EIA Report.

Scoping

- 4.1.3 In accordance with Regulation 12 of Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended) ('the EIA Regulations 2017'), the Applicant sought a Scoping Opinion from the Scottish Ministers on the environmental information to be provided in the EIA Report. The request was accompanied by a Scoping Report, which set out a summary description of the Revised Consented Development, identified the issues proposed to be included in the EIA Report and proposed an approach to the assessment of effects in each case. The Scoping Report was simultaneously issued to a list of statutory and non-statutory consultees. A Scoping Opinion was received from the Scottish Ministers on 11th May 2021.

Additional Consultation

- 4.1.4 Following the formal scoping consultation process the Applicant has also undertaken ongoing consultation on a case-by-case basis.

4.2 Public Consultation

- 4.2.1 The Applicant has undertaken consultation for the Revised Consented Development application in line with Scottish Government Guidance: Coronavirus (COVID-19): development planning consultation and engagement advice - May 2020 by engaging with stakeholders virtually to present plans and gather feedback.
- 4.2.2 The Applicant has been engaged in dialogue with the local community council and residents since the Limekiln Wind Farm project was launched 10 years ago. Through the various planning applications and determination processes, the Applicant has maintained contact, and in the run up to the initial enabling works for the Consented Development, increased engagement in order to ensure the public were fully informed and engaged.
- 4.2.3 To date consultation activity has included:
- distribution of newsletters to local residents;
 - updates to the dedicated project website www.limekilnwindfarm.co.uk;
 - including an online consultation page;
 - a Freephone telephone number and dedicated email address;
 - virtual meetings with the Caithness West Community Council; and
 - virtual community engagement live chat sessions held on 18th and 19th May from 2-4pm and 6-8pm and then again on 1st and 2nd June from 2-4pm and 6-8pm.

Virtual Community Engagement

- 4.2.4 A new online consultation page was developed for the website which was live from Tuesday 11th May until 4th June 2021. This gave stakeholders the flexibility to view the information presented and give feedback over a longer period than the standard public community open days.
- 4.2.5 Two rounds of live virtual community engagement 'chat' were held on 18th and 19th May from 2-4pm and 6-8pm and then again on 1st and 2nd June from 2-4pm and 6-8pm. Previous community virtual events held by Infinergy guided the times and format in order to ensure as many stakeholders as possible had the opportunity to engage. One person, known to the team, engaged in the first live chat session and was able to continue an existing and ongoing discussion. The use of live chat also meant that the Managing Director of Infinergy was able to join due to the nature of the event. The remainder of the chat sessions attracted only one other member of the public.
- 4.2.6 Invitations to the public exhibitions were sent as part of the newsletter, to all households within a 10km radius of the project. Furthermore, in order to publicise the exhibition to the wider community, a press advertisement was also placed in the Caithness Courier on the 7th May 2021.
- 4.2.7 The website www.limekilnwindfarm.co.uk continues to be active to provide information for residents and their representatives about the proposal and was updated as the proposal developed. It also allowed for questions to be asked via info@limekilnwindfarm.co.uk - the dedicated email facility for the project.

5. Programme

5.1 Construction

- 5.1.1 The estimated onsite construction period for the Proposed Development is expected to take approximately 22 months and includes a programme to reinstate all temporary working areas. Normal construction hours will be between 0700 to 1900 Monday to Friday and 0700 to 1300 on Saturdays. Quiet on-site working activities such as electrical commissioning have been assumed to extend outside the core working times noted above where required. No work at the site will be undertaken on Sundays, except in a period of low wind whereupon heavy crane lifting and turbine erection may continue. The Applicant is committed to proper rest periods for the workforce during the work cycle.
- 5.1.2 Details of the construction programme would be provided to The Highland Council in a Construction Environmental Management Plan (CEMP) prior to the commencement of construction; and this requirement will be addressed through separate appropriately worded planning conditions.

5.2 Operation and Decommissioning

- 5.2.1 This assessment assumes that the operational lifespan of the Revised Consented Development would be 40 years, after which it would be appropriately decommissioned. The environmental effects of decommissioning are considered to be the same, or less, as during construction but over a much shorter time period.

6. Conclusion

- 6.1.1 The design of the Revised Consented Development has been informed by a robust EIA and design iteration process, taking into account the Consented Development, potential environmental impacts and their effects, physical constraints, and health and safety considerations. The information used to inform the design iteration process included consultation responses received, baseline data and the impact assessment undertaken.
- 6.1.2 It is acknowledged that in practice every wind farm site has some local impact; however, the design has prioritised the minimisation of these where possible and mitigation is detailed within the technical chapters of the EIA Report where this has not been possible.

APPENDIX A