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By email only to: [ae.associates@btinternet.com](mailto:ae.associates@btinternet.com)

Our ref: ECU00003459

25 July 2022

Dear Adele Ellis

## **ELECTRICITY ACT 1989**

### **THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 (AS AMENDED)**

#### **SCREENING OPINION OF THE SCOTTISH MINISTERS IN RESPECT OF THE PROPOSED APPLICATION FOR CONSENT UNDER SECTION 36 OF THE ELECTRICITY ACT 1989 TO CONSTRUCT AND OPERATE THE PROPOSED TEALING SOLAR ENERGY PARK AND ASSOCIATED INFRASTRUCTURE, NEAR DUNTRUNE, DDF4 0PR**

Thank you for your request dated 30 March 2022 requesting a screening opinion in respect of a proposed application under section 36 of the Electricity Act 1989 (“the Electricity Act”) to construct and operate the Tealing Solar Energy Park, exceeding 117MW in installed capacity. (“the Proposed Development”).

The Proposed Development is to be located on land located within the vicinity of the small settlements of Gagie, Kellas and Duntrune, the city of Dundee lies in the region of 6 miles to the south, with the A90 approximately 600m to the west, the village of Wellbank lies 1.58km to the east, within the planning authority area of Angus Council (“the Planning Authority”).

The proposal requires to be screened by the Scottish Ministers in accordance with regulation 7 of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended) (“the Regulations”). Following a request for a screening opinion made under regulation 8(1), Scottish Ministers are required to adopt an opinion on whether the Development is or is not EIA development.

The screening application letter was accompanied by supporting documentation which included Site Layout maps.

## **The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017**

The regulations set out at 8(2) the information that must accompany a request to the Scottish Ministers to adopt a screening opinion. Regulation 10 requires that the Scottish Ministers must seek that information if it is not included within the application documentation. Scottish Ministers consider the information included in the application letter and supporting documents is sufficient to meet the requirements set out in regulation 8(2), and that the submitted information has been compiled taking into account the selection criteria in schedule 3 of the regulations.

### **Statutory Consultation**

Under regulation 8(5) of the regulations, Scottish Ministers are required to consult the planning authority within whose land the proposed application is situated. The planning authority, Angus Council, was consulted and responded on 27 April 2022 advising that, in their view, the proposed development does not constitute EIA development. A copy of the planning authority's response is annexed to this screening opinion (**Annex A**).

Please see attached the consultation response from Angus Council, which sets out the reasoning behind its conclusion that no EIA would be required for the proposed development.

### **Scottish Ministers' Considerations**

EIA development is defined in the regulations, in respect of an application, as a proposed development which is either Schedule 1 development, or Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

The proposed development constitutes Schedule 2 development in terms of the regulations.

In adopting a screening opinion as to whether Schedule 2 development is EIA development, the Scottish Ministers must in all cases take into account such of the selection criteria in Schedule 3 of the regulations as are relevant to the proposed development, and the available results of any relevant assessment.

Scottish Ministers have taken the selection criteria in Schedule 3 and all of the information submitted in respect of the screening request into account, and have taken account of the views of the planning authority. Scottish Ministers agree with the planning authority's view, and adopt the opinion that **the proposal does not constitute EIA development and that any application submitted for this development does not require to be accompanied by an EIA report.**

In accordance with regulation 7(2), this opinion is accompanied by the following written statement with reference to the relevant selection criteria within Schedule 3 of the regulations. In accordance with the regulations, a copy of the screening opinion has been sent to the planning authority.

### **Written Statement**

The proposal is for the development of a solar energy park development. The development is Phase 2 of an accompanying development nearby for Phase 1 which includes the battery storage element for which an application has been submitted and is currently being assessed.

## *Characteristics of Development*

The Development consist of 4 parcels of land with a total acreage of 421 acres and a capacity of up to 117MW. The Company note there is a chance the capacity generated could be reduced but will not be exceeded.

The 4 parcels of land are described as follows:

- Parcel 1 – Dodds Farm: 170 acres of land consisting of 5 fields sloping to the South East normally used for arable food production. Approximate generation 45MW.
- Parcels 2, 3 & 4 – Gagie Home Farm:
  - Parcel 2: 160 acres of land bisected by Murroes Burn with some fields close to the village of Duntrune. Approximately 44MW.
  - Parcel 3: 56 acres of land close to Sweet Burn to the south with the electricity grid connection point in the north in a 4 acre plot together with the battery storage plant. Approximately 15MW.
  - Parcel 4: 35 acres of agricultural land consisting of 3 fields set back from the residential development to the east. Approximately 10MW.

In overview, the land parcels making up the Development will be populated by the construction and/or operation of:

- arrays of solar panels mounted on metal frames;
- inverters and transformers – based on shipping container type construction and typically measuring 6m long x 2.9m high and 2.4 wide;
- temporary buildings during construction;
- lithium storage batteries in 1.3m x 1.3m x 2.2m tall modules with integral cooling and fire suppressant;
- on site substation compound, located upon substantive concrete foundations and will penetrate the ground by a minimum of 1 metre;
- deer fencing;
- CCTV cameras facing along and inwards from the perimeter to prevent unauthorised access;
- permeable access roads will be developed to allow delivery, maintenance and inspection of components of the plant;
- DC cables connecting the solar panels together with heavier cables buried in the ground to connect arrays to the inverters;
- AC cables buried at a depth of 600 to 1000mm to allow interconnection of the wider site to the electrical substation.

The Company describe that during construction, temporary welfare facilities will be provided for the construction teams. These will include toilets, washing facilities, rest and first aid rooms and will be of a modular nature appropriate to the size of the installation workforce. A fenced and secure area will be set-aside for this as well as set-down for equipment.

The Company describe battery storage being arranged in groups with an inverter/management system and transformer per group and raised on a low platform on a permeable base to assist natural drainage. The substation compound will include a control room, smaller cabinets to the southern border of the sites will provide space for the connecting circuits and isolator switches.

The Company describes the production of waste for the Development. During construction waste will be in the form of packaging such as pallets, shrink wrapping and cardboard boxes for the solar panels & switchgear etc.

The Construction Management Plan will deal with the efficient and environmentally friendly disposal of these materials. In addition, there will be some cable cutting waste which will be taken for re-cycling of any valuable metal content.

The Company describes potential pollution and nuisances of the Development. The inverters will have cooling fans and transformers will have a low hum, both of which produce low-level noise. A Noise Impact Assessment will be undertaken in relation to the site and mitigation measures will be taken as necessary depending on the findings and proximity to receptors.

The Company describe any risks and Health and Safety considerations related to the Development. There is risk to human health from solar developments and any risks will be included in the Health and Safety Risk Assessment and mitigated as appropriate. The Company note the site is fenced and security cameras fitted and only trained personnel are allowed on site. Risks related to construction and the operation of solar developments will be included in the Construction Management Plan and mitigated if possible.

The Company details the potential for pollution and run-off risk due to engineering works during construction. Pollution Mitigation Indices will be in place to try to mitigate any risk associated with this. The Development is not expected to give rise to contamination or pollution which would present risk to human health, and will be designed to comply with industry safety standards with no significant effects predicted.

The Company describe the risk of fire arising from the Development. There is a fire risk with lithium batteries however modern battery storage systems have very sophisticated management and safety systems with suppressant (halide) systems in the event of a fire. The Company note fire risk safety procedures will be fully implemented to ensure safety.

The Company included a map of the watercourses with the Screening Request and described the potential for surface water and/or river flooding. All watercourses and any potential to private and public water supplies will be assessed by fully qualified Hydrology & Hydrogeology Environmental Consultants with any design and mitigation fully implemented. The potential for flood risk has been included within layout design and any areas identified excluded from the Development. The Company note regular monitoring of water quality will be undertaken to ensure compliance, and infiltration testing will be carried out on site and a suitable surface water drainage discharge method will be designed in order to ensure there will be no risks to pollution.

The Development will utilise the existing access tracks where possible with any additional access tracks and parking comprised of permeable aggregate. The permeable roads will be sufficient to effectively mitigate any suspended solids, metals and hydrocarbons held within surface water. The Company note SUDS measures will effectively prevent any sediment entering surrounding watercourses.

The Company describe the impact on soil and agriculture from the Development. The Development is predominantly on four separate parcels of prime quality agricultural land, identified in the Planning Authority's Strategic Landscape Capacity Assessment for Solar Energy as having low capacity for solar energy development. The Planning Authority describe prime agricultural land as a resource of national importance and the Development has the potential to remove this from productive arable use. The Company note that whilst used for the solar development, there will be wild flower meadows planted to increase the biodiversity and improve the soil quality.

## *Location of Development*

The Development is made up of four separate parcels of land which will have connectivity. The land is to be leased from four separate landowners allowing for a form of diversification for the farming enterprises. The Company note the design of separate parcels of land is due to the desire to ensure that as a whole the character of the agricultural landscape is retained.

The Development is to be located on land located within the vicinity of the small settlements of Gagie, Kellas and Duntrune, the city of Dundee lies in the region of 6 miles to the south, with the A90 approximately 600m to the west, the village of Wellbank lies 1.58km to the east.

The Parcels of land are located as follows:

- Parcel 1 – Dodds Farm: 170 acres of land consisting of 5 fields sloping to the South East.
- Parcels 2, 3 & 4 – Gagie Home Farm:
  - Parcel 2: 160 acres of land bisected by Murroes Burn with some fields close to the village of Duntrune.
  - Parcel 3: 56 acres of land close to Sweet Burn to the south.
  - Parcel 4: 35 acres of agricultural land consisting of 3 fields set back from the residential development to the east.

The Company note the area contains built, cultural and natural heritage designations. The Planning Authority note the Development has potential to impact the setting of important built and cultural heritage assets, including the A-listed Gagie House and its associated landscape. The Scheduled Monument Craig Hill, Fort and Broch lies 3km from the Development. The Planning Authority note the Development has the potential to adversely impact views from and to important built and cultural heritage assets.

The Planning Authority note there are residential properties nearby and note while rural in character, the area accommodates a reasonable number of houses and many of those would be close to identified Development areas. The occupants of those properties generally have an outlook onto an undeveloped, agricultural landscape. The Development would introduce a new, man-made feature in the area which would essentially be industrial in character. The Development has potential to be an unavoidable presence from some of the dwellings and it has potential to significantly impact the amenity of occupants, especially those closest to and having the appearance of being enclosed by the Development.

The Company describe an area to the rear of the properties in Duntrune that has been identified as a site to Development into community space for dog walking and a play park. The Company describe a green walkway/bridle path is being incorporated into the design, with a community allotment/orchard. The green walkway is planned to have native trees, hedging and plants and offer habitats and environment for species, with wildflower planting. Each of the parcels of land involved in the Development will have areas of setback from the residential properties and are planned to have wildflowers, grasses, hedging and shrubs. The Company note a full Landscape and Visual Impact Assessment and Noise Impact Assessment will accompany an application.

The Planning Authority note SEPA flood maps identify that there are areas within the proposed development site that are subject of flood risk. The Development has potential to impact run-off rates and drainage patterns in the area.

The Company note Gagie Marsh Site of Special Scientific Interest sits to the east of one of the parcels of land of the Development. The Planning Authority state it is designated for its wetland plant communities and is one of the few remaining wetland habitats of this type, with a wide range of vascular plants. The management statement for the site indicates that monitoring the water level of the marsh and managing water levels to avoid the site drying out and minimise flooding are important to maintain the range and richness of the fen vegetation. The Development has potential to adversely impact the SSSI by altering run-off rates and drainage. The Company note a full Ecological Appraisal will be undertaken and a setback to mitigate any potential impact.

The Company note from the initial Ecological Survey undertaken for the adjoining Phase 1 BESS site, there was no evidence of groundwater dependent terrestrial ecosystems which may be affected by the Development. The Company note the whole area will be reassessed to ensure that this remains the case. If evidence is found full mitigation measures will be implemented.

The Company do not make any statement on any protected species in the vicinity of the Development sites.

The Planning Authority note the nearby Dodd Hill is an area where the council's Strategic Landscape Capacity Assessment for Solar Energy indicates there is low capacity for solar energy development. Carrot Hill is a popular recreational viewpoint and is located to the north of the proposed development area. Carrot Hill has a car park and viewpoint and the short walk to the trigonometry point at the summit of the hill is a popular and accessible recreational walk. The view from the summit of Carrot Hill towards Dundee and the Tay Estuary is locally valued. The Development has potential to affect the recreational value of the area.

The Company notes on cumulative effects there is an application for an 80MW battery energy storage system in application stage. The Company state this is the only comparable development in the area. The Planning Authority note there was a solar development previously granted planning permission at the nearby former Tealing airfield, located 1km to the west of the A90.

### *Characteristics of the Potential Impact*

Scottish Ministers agree with the Planning Authority on the characteristics of the potential impact and adopt their conclusions. Continued engagement with Angus Council during the pre-application stage is strongly encouraged.

The Company state the four parcels of land will have connectivity and the design of separate parcels of land is due to the desire to ensure the landscape character as a whole is retained as agricultural land. The Planning Authority however note as there are residential properties nearby that currently look onto an undeveloped, rural landscape, the Development would undoubtedly introduce a new man-made feature into the area and has the potential to change the landscape character. The Company do note community greenspace will be provided alongside the Development to account for this, and promote wildflower planting and increased biodiversity.

The Planning Authority notes the area contains built, cultural and natural heritage designations and the Development has potential to impact the setting of these. A full Landscape and Visual Impact Assessment and a Noise Impact Assessment should accompany an application and the design should take into account the proximity to residential properties and cultural and natural heritage designations.

The Planning Authority note SEPA flood maps identify that there are areas within the proposed development site that are subject of flood risk, and The Development has potential to impact run-off rates and drainage patterns in the area. The Company detail the potential for flood risk has been included within layout design and any areas identified have been excluded from the Development. A Flood Risk Assessment and SUDs design should accompany an application.

The Company note Gagie Marsh SSSI sits to the east of one of the parcels of land of the Development. The Planning Authority note its designation for wetland plant communities and wetland habitat and note the potential for adverse impacts due to altering run-off rates and drainage. The Company detail setback for build development will ensure that the site is not adversely affected by pollution or setting, and the Flood Risk Assessment and SUDs design will take this into account. A full Ecological Appraisal should accompany an application with appropriate mitigation required.

The Company note no evidence of groundwater dependent terrestrial ecosystems has been recorded for the Development. Ecological Surveys should assess this and mitigation measures put in place if required. No comment is made on any protected species of flora or fauna and a Protected Species Survey should accompany an application.

The Company describe the Development as predominantly being on four separate parcels of prime quality agricultural land. The Planning Authority note that not enough information has been provided to justify site selection or demonstrate why prime agricultural land has been identified for development. Scottish Ministers request that full justification to this land use accompanies an application, and addresses the Planning Authority's comment of the land having '*low capacity for solar energy development*'.

The Planning Authority note the nature of the development proposed is not particularly complex, but the associated land-take is reasonably significant. The Development has potential to impact a significant area of prime quality agricultural land, a SSSI, the setting of built and cultural heritage assets, the amenity of persons that live in and use the area for recreational purposes, and areas of landscape that are locally valued and sensitive to change. While limited information is provided with the screening request, it is likely that those impacts would be relatively localised; are not inter-related or complex; some could potentially be mitigated, and others could properly be considered through the consenting process with the provision and consideration of relevant supporting information.

The application should include details of an assessment carried out by the Company to determine the potential for any private water supplies and their catchments to be affected, as well as mitigation measures for any public or private water supply affected by the development from the start of construction throughout the operational period to the conclusion of decommissioning.

The Planning Authority note they have reservations regarding the acceptability of the Development but do not consider that it is environmental impact assessment development. Scottish Ministers also note a response was received by Angus Council on behalf of Angus & Dundee Local Group of the Scottish Wildlife Trust (**Appendix B**) expressing concerns about the visual impact of the Development and the impact on natural heritage.

Scottish Ministers note the Planning Authority's reservations and request that proper consideration and detail accompanies in relation to the following:

- Justification and further detail on loss of a significant area of prime quality agricultural land;

- A full Ecological Appraisal particularly in relation to Gagie Moss SSSI;
- Landscape and Visual Impact Assessment;
- Cultural and Heritage Assessment;
- Transport and Access Statements;
- Noise Impact Survey;
- Flood Risk Assessment and Sustainable Urban Drainage Design;
- Hydrology and Hydrogeology Environmental Survey;
- Glint & Glare Assessment;
- Full Habitat Survey.

The should be supplied among any other necessary surveys and investigations as part of the application process.

This screening opinion does not constitute pre-application advice, and is provided without prejudice to the assessment of any application under section 36 of the Electricity Act 1989.

Yours sincerely



Gina Mackenzie Loughrey  
A member of the staff of the Scottish Government

cc Angus Council



## APPENDIX A

**From:** [Ruari Kelly](#)  
**To:** [Econsents Admin](#)  
**Subject:** FAO Gina Mackenzie Loughrey - EIA Screening Opinion Consultation - Tealing Solar Energy Park  
**Date:** 30 May 2022 12:11:37  
**Attachments:** [2200322EIASCR\\_TealingSolarPark.pdf](#)

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Dear Sir/Madam,


Please find attached Angus Council's screening opinion consultation response.

Kind regards,

Ruari

Ruari Kelly | Planning Officer (Development Standards) | Angus Council | 01307 492125 | [kellyr@angus.gov.uk](mailto:kellyr@angus.gov.uk) | [www.angus.gov.uk](http://www.angus.gov.uk)

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Your Ref:  
Our Ref: 22/00322/EIASCR

30 May 2022

Gina Mackenzie Loughrey  
Directorate for Energy and Climate Change  
By email to: - [Econsents\\_Admin@gov.scot](mailto:Econsents_Admin@gov.scot)



Dear Madam,

**THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017  
RESPONSE OF ANGUS COUNCIL TO A REQUEST TO SCOTTISH MINISTERS FOR A SCREENING OPINION SUBMITTED UNDER REGULATION 8 OF THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017  
INSTALLATION OF A SOLAR ENERGY PARK EXCEEDING 100MW IN INSTALLED CAPACITY AT SOLAR LAND AROUND GAGIE, KELLAS  
SCREENING REFERENCE – 22/00322/EIASCR**

Angus Council has been consulted by Scottish Ministers under Regulation 8 of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 and asked to express their view on whether the installation of a solar energy park exceeding 100MW in installed capacity at Solar Land around Gagie, Kellas is EIA development or not.

The proposal falls within Schedule 2 Category 3(a) – Energy Industry (as the area of the development exceeds 0.5ha) of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017.

In screening the development, it is necessary to consider the characteristics of the proposed development in combination with its proposed location to identify the potential for interactions between it and its environment and therefore determine whether the proposed development is likely to have significant effects on the environment. In determining whether a particular development is likely to have such effects, this authority has taken account of the selection criteria in Schedule 3 to the Regulations (Annex A of Circular 1/2017 refers). Three categories of criteria are listed:

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1. Characteristics of the development
2. Location of the development
3. Characteristics of the potential impact

The council is mindful that regulation 8 of both the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 and the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 require a request for a scoping opinion to be accompanied by amongst other things, a

description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected; a description of the aspects of the environment likely to be significantly affected by the proposed development; and, a description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment. The submitted screening opinion request provides limited information regarding the environmental sensitivity of the area, or on the nature or extent of environmental impact arising from the development.

Available information indicates that the area contains built, cultural, and natural heritage designations; it is interspersed with residential property; much of the site comprises prime quality agricultural land; and areas are identified in the council's Strategic Landscape Capacity Assessment for Solar Energy as having low capacity for solar energy development.

The proposed development has potential to impact the setting of important built and cultural heritage assets, including the category A listed Gagie House and its associated landscape. The specific interest of each asset and its relationship with surrounding landscape has not been reviewed as part of the screening exercise, but there is potential that some have an interest that relates to the wider landscape setting. The development has potential to adversely impact views from and to important built and cultural heritage assets. The screening request does not recognise the presence of these assets and it does not provide information to demonstrate that impact on the designated site could or would be effectively mitigated.

Gagie Marsh site of special scientific interest sits to the east of the proposed development. It is designated for its wetland plant communities and is one of the few remaining wetland habitats of this type, with a wide range of vascular plants. Although small, Gagie Marsh is of particular interest owing to its range of wetland plant communities which contain over 100 vascular plants. Marshlands fed largely by burns or rivers are scarce in the area, with few other similar intact examples. The management statement for the site indicates that monitoring the water level of the marsh and managing water levels to avoid the site drying out and minimise flooding are important to maintain the range and richness of the fen vegetation. The development has potential to adversely impact the SSSI by altering run-off rates and drainage. The screening request does not provide information to demonstrate that impact on the designated site could or would be effectively mitigated.

SEPA flood maps identify that there are areas within the proposed development site that are subject of flood risk. The development has potential to impact run-off rates and drainage patterns in the area. The screening request does not describe impacts arising from the development on flood risk in the area or provide information to demonstrate that associated impact could or would be effectively mitigated.

While rural in character, the area accommodates a reasonable number of houses and many of those would be close to identified development areas. The occupants of those properties generally have an outlook onto an undeveloped, agricultural landscape. The development would introduce a new, man-made feature in the area which would essentially be industrial in character. The development has potential to be an unavoidable presence from some of the dwellings and it has

potential to significantly impact the amenity of occupants, especially those closest to and having the appearance of being enclosed by the development.

Much of the land identified for development is categorised a prime quality agricultural land. Prime agricultural land is a resource of national importance. The development has potential to remove a significant area of prime quality agricultural land from productive arable use. The screening request is not accompanied by any information to justify site selection or to demonstrate why prime agricultural land has been identified for development in preference to previously developed land in the wider area. The former Tealing airfield located around 1km to the west of the A90(T) and a relatively short distance from the proposed development has previously been granted planning permission for a solar development.

Dodd Hill is an area where the council's [Strategic Landscape Capacity Assessment for Solar Energy](#) indicates there is low capacity for solar energy development. Carrot Hill is a popular recreational viewpoint and is located to the north of the proposed development area. Carrot Hill has a car park and viewpoint and the short walk to the trigonometry point at the summit of the hill is a popular and accessible recreational walk. The view from the summit of Carrot Hill towards Dundee and the Tay Estuary is locally valued. The development has potential to affect the recreational value of the area significantly and adversely.

The nature of the development proposed is not particularly complex, but the associated land-take is reasonably significant. The development has potential to impact a significant area of prime quality agricultural land, a site of special scientific interest, the setting of built and cultural heritage assets, the amenity of persons that live in and use the area for recreational purposes, and areas of landscape that are locally valued and sensitive to change. While limited information is provided with the screening request, it is likely that those impacts would be relatively localised; are not inter-related or complex; some could potentially be mitigated, and others could properly be considered through the consenting process with the provision and consideration of relevant supporting information. The council has reservations regarding the acceptability of the proposal but does not consider that it is environmental impact assessment development.

The council has not undertaken consultation with external bodies in relation to the screening request, but a representation received from the Angus & Dundee Local Group of the Scottish Wildlife Trust (A&DLG) is attached for information.

If calling or telephoning, please ask for Ruari Kelly on 01307 492125 or e-mail [KellyR@angus.gov.uk](mailto:KellyR@angus.gov.uk)

Yours sincerely

Ruari Kelly  
Planning Officer (Development Standards)

## APPENDIX B

Mr Ruari Kelly, Case Officer  
Angus Council Planning and Sustainable Growth  
Orchardbank Business Park  
Forfar DD8 1AN

Lomond View  
Kinnaird, by Inchtute  
Perthshire PH14 9QY

17<sup>th</sup> May 2022

Dear Sir,

### **22/00322/EIASCR Installation of a solar energy park exceeding 100MW in installed capacity and associated infrastructure Solar Land Around Gagie Kellas**

I write on behalf of Angus & Dundee Local Group of the Scottish Wildlife Trust (A&DLG) to make comments and an objection to the above application.

First, we are strongly in favour of alternatives to the use of fossil fuels to generate electricity. Our concern here is that the developer, AE Associates, argues that the present application, 22/00322/EIASCR, does not require an Environmental Impact Assessment because it is only an update of the proposal 20/00864/EIASCR which Angus Council determined on 8<sup>th</sup> January 2021 to be non-EIA development.

A&DLG holds that an EIA is essential for the current application.

1. this development will have a large visual impact. Application 20/00864/EIASCR was for 80MW solar array on three separate sites occupying about 132ha. The proposed development, 22/00322/EIASCR, is much larger, occupying six separate parcels of land, including part of Dodd Hill.

2. we note that, in its Screening Opinion dated 8<sup>th</sup> January 2021, Angus Council claimed that the absence of any “natural heritage designations” would suggest there were no protected species in or around the location of the development, but “this can be fully identified through a Phase 1 Habitat Survey.” Despite that comment in the checklist, the Council concluded that the 80MW solar array did not require an EIA. Gagie Moss SSSI is close to one of the locations identified in the map of sites for the solar panels.

AE Associates believe that “the proposed development does not fall under an EIA requirement due to the proposed development being of a design and nature that retains the landscape character of the area, safeguards residential amenity, and has no unacceptable levels of noise impact, ecological, historic, or archaeological impact.” Without a full EIA those claims cannot be justified. The “greening” measures offered to mitigate the impact of significant changes to the Angus landscape are inadequate if we have no record of what is in the location now.

In conclusion, we are not opposed to this solar energy park, but we maintain that the formal application should be submitted with an EIA.

Yours faithfully,

DrJ.A.T. Woodford  
Vice-Chairrman, SWT Angus and Dundee Local Group

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