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INTRODUCTION

- 6.1 This Chapter sets out the scoping process that has been undertaken as part of the EIA for the Proposed Development. It also details additional consultation that has been undertaken in respect of the Proposed Development with consultees.
- 6.2 The purpose of scoping and consultation is to:
- ensure that statutory consultees and other bodies with a particular interest in the environment are informed of the Proposed Development and provided with an opportunity to comment at an early stage in the EIA process;
 - obtain baseline information regarding existing environmental site conditions;
 - establish key environmental issues and identify potential effects to be considered during the EIA;
 - identify those issues which are likely to give rise to significant environmental effects and therefore which require more detailed study and those which can be justifiably excluded from further assessment;
 - provide focus to the EIA process so that assessment is focussed in areas where there is likely to be significant effects; and
 - provide a means of confirming the most appropriate methods of assessment.

PRE-SCOPING CONSULTATION

Pre-Application Advice Meeting

- 6.3 The Applicant and SLR attended a virtual pre-application advice meeting with THC and NatureScot on 10 March 2021 to discuss the Proposed Development and anticipated planning application submission. A pre-application advice pack (ref: 21/00638/PREMAJ) was received from THC on 06 April 2021. This information was used to inform the Scoping Report.
- 6.4 Key issues raised by THC and other key stakeholders, as a result of the pre-application meeting, for consideration in the design and scope of the EIA were set out in the Scoping Report and included matters as follows:
- Landscape and Visual;
 - Ecology;
 - Ornithology;
 - Hydrology and Peat;
 - Noise;
 - Cultural Heritage;
 - Transport; and
 - Access.
- 6.5 Additionally, THC noted that:

- they are keen to see local communities benefit directly from the use of their local resources; and
- the possibility of including energy storage onsite is of interest and encouraged¹.

Design Workshop

6.6 A design workshop was held with THC planners and landscape architect on 22 July 2021 to discuss various turbine layout options for the scheme. Verbal advice from THC personnel was received during the workshop. This was followed up by further layout options being explored, considering the verbal advice and feedback provided, and presented to THC planners and landscape architect via email. Additional comments were received by email from THC on 08 September 2021 in response to the various options at that time. The feedback provided was used to inform the turbine layout which evolved from the pre-application design meeting, to scoping and subsequently finalised for the planning application.

SCOPING

- 6.7 The Scoping Report (available on The Highland Council Planning Portal) was submitted to The Highland Council (THC) on 26 August 2022 to accompany a request for them to adopt a Scoping Opinion under Regulation 17 of EIA Regulations.
- 6.8 A Scoping Response was received from THC on 19 October 2022 and included advice from the consultees listed in **Table 6-1**. Where consultees had not responded, these were followed up and, in some cases, further responses were then received as noted by the dates in the Table.

Table 6-1
Consultee Responses Received

Consultee	Date of Response
The Highland Council (THC)	19/10/2022
Highlands & Islands Airports Limited (HIAL)	21/09/2022
Historic Environment Scotland (HES)	17/10/2022
Ministry of Defence	28/10/2022
NATS Safeguarding	06/10/2022
NatureScot	08/12/2022
RSPB	07/10/2022
Scottish Environment Protection Agency (SEPA)	14/10/2022
Scottish Water	21/09/2022
Transport Scotland	05/10/2022

¹ At this stage energy storage is not included in the Proposed Development although the potential for other technologies could be considered in the future e.g. battery storage; but does not form part of this application.

- 6.9 The full Scoping Opinion (Ref: 22/03875/SCOP) is available on THC website.
- 6.10 A summary of the key issues raised in the Scoping Opinion is provided in **Technical Appendix 6.1**. The Scoping Opinion is detailed in the consultation tables contained within each EIA Report **Chapters 7 to 15**, with reference to how the comments have been addressed. The EIA Report has been prepared with regards to the Scoping Opinion received from THC in October 2022 and further consultation held with consultees and THC.

FURTHER CONSULTATION

- 6.11 In addition to the formal scoping process, further consultation was undertaken with several organisations regarding specific issues. In particular, follow up consultation was undertaken with:
- HES – to discuss methodology and assessment of setting;
 - HIAL – to discuss potential effects on safeguarding criteria leading to removal of initial holding objection;
 - NatureScot – to discuss ornithology surveys and methodology, avoidance rate to be used for White-Tailed Eagles, collision risk, cumulative assessment methods and viewpoints for the LVIA;
 - THC – to discuss viewpoints for LVIA, cumulative dataset, traffic counts, access management plan and noise methodology to be used given the complexity of the cumulative situation; and
 - Telecommunication link operators including Arqiva, BT, Vodafone and JRC – to ensure that the proposed turbine layout would not cause interference to their fixed links.
- 6.12 The full responses are detailed in the technical Chapters and are not repeated here.

MATTERS SCOPED OUT OF DETAILED CONSIDERATION

- 6.13 Paragraph 76 of Circular 1/2017 is clear that it is the ‘significant’ environmental effects to which a Proposed Development is likely to give rise that should be the primary focus of the EIA Report and that the requirement *“is to include the information that may reasonably be required for reaching a reasoned conclusion on the significant effects of the project on the environment”*. Other lesser impacts may need *“only brief treatment to indicate that their possible relevance has been considered”*.
- 6.14 Paragraph 3.1 of Planning Advice Note 1/2013 similarly outlines that EIAs should be proportionate and fit for purpose. *“Proportionality can best be achieved by seeking information from the planning authority and the Consultation Bodies on the scope of the assessment, paying attention to their views from the outset, and by focussing on the significant environmental effects of the Proposed Development”*. A similar emphasis is contained at paragraph 5.4 of Planning Advice Note 1/2013 that outlines that the EIA Report should contain a clear analysis of the significant areas of impact and should highlight key issues relevant to the decision.
- 6.15 On the basis of the desk based and survey work undertaken, the professional judgement of the EIA team, experience from other relevant projects, policy guidance or standards, and with the agreement of THC and the relevant consultees through the scoping process, a number of topic areas

have been 'scoped out'. The following main issues have been scoped out of the EIA:

Ecology

6.16 Matters scoped out of the EIA with respect to ecology include:

- further desk study: the desk study and survey data undertaken for the consented Ben Sca Wind Farm Extension cover the Balmeanach site and are from within the past two years and it is unlikely that significant other, more recent relevant data are available from desk-based sources;
- impacts on designated sites: the only designated sites within 10km of the site are designated either for their geological interest or for marine features. There are therefore unlikely to be any impacts on features for which these sites are designated;
- surveys for invertebrates, reptiles and amphibians: in accordance with current NatureScot (2020) guidance, surveys for these species are not considered necessary to inform the EIA. Instead, a habitat-based assessment is undertaken to inform the assessment of potential impacts and the need for mitigation measures during construction;
- bats: no at-height bat detector surveys have been undertaken. Excluding at-height surveys is considered to be appropriate in this situation, as none of the turbine locations are situated within woodland and the current NatureScot guidelines state that, except in woodland, monitoring at height is unlikely to detect the presence of any species not already recorded using detectors at ground level. There is also no supporting evidence (i.e. from the desk study or results of bat surveys from nearby wind farms) that suggest a high level of bat activity is likely and therefore surveys at height cannot be justified; and
- deer: a separate deer management statement was not considered necessary, based on the findings of the Ben Sca Wind Farm EIA Report (2019), and is therefore not included.

Ornithology

6.17 Matters scoped out of the EIA with respect to ornithology include:

- impacts on designated sites: considering the distance between the Cuillins Special Protection Area (SPA) and the site boundary (14.24km), and maximum foraging range of the designated feature (golden eagle - 9km), there are unlikely to be any impacts on any species for which the SPA is designated; and
- impacts on species which do not represent Valued Ornithological Receptors (VORs) at the site: in accordance with the Chartered Institute of Ecology and Environmental Management (CIEEM) guidelines detailed assessment is only required for VORs as listed in **Chapter 9: Ornithology**.

Hydrology, Hydrogeology and Soils

- 6.18 Matters scoped out of the EIA with respect to hydrology, hydrogeology and soils include:
- Detailed Flood Risk Assessment: Published mapping confirms that most of the site is not located in an area identified as being at flood risk. A simple screening of potential flooding sources (fluvial, coastal, groundwater, infrastructure etc.) is presented in **Chapter 10: Hydrology, Hydrogeology and Soils** and measures that would be used to control the rate and quality of runoff are specified;
 - Drainage Impact Assessment: there are no proposed watercourse crossings. Principles for the control of drainage shed from the Proposed Development is specified in **Chapter 10: Hydrology, Hydrogeology and Soils**. These would be developed as part of the detailed site design, should the site be granted planning permission, and a site-specific drainage plan would be a pre-development planning condition; and
 - Water Quality Monitoring: Classification data is available from SEPA for the watercourses at site and there are no known sources of potential water pollution at site that might give rise to the need for water quality monitoring.

Cultural Heritage and Archaeology

- 6.19 Matters scoped out of the EIA with respect to cultural heritage include:
- designated assets identified in **Chapter 11: Cultural Heritage and Archaeology** that fall within 10km of the proposed turbine locations but are not considered to be affected by the Proposed Development; and
 - indirect and cumulative impacts of the Proposed Development on Category C Listed Buildings: Scotland's Listed Buildings by Historic Scotland (2014), described Category C Listed Buildings as of local rather than national or regional importance.

Site Access, Traffic and Transport

- 6.20 Matters scoped out of the EIA with respect to traffic and transport include:
- operational phase effects: due to the potential negligible environmental effects. The development, once operational, would have negligible traffic/ transport related impacts, caused by rare maintenance vehicles travelling to the site. Abnormal load vehicle access is unlikely but may be needed should a turbine component require replacement.

Noise

- 6.21 Matters scoped out of the EIA with respect to noise include:
- low frequency and infrasound: as there is no evidence of health effects as a result of these from wind turbines;
 - amplitude modulation: including 'excess amplitude modulation' and 'other amplitude modulation', in line with the Institute of Acoustic (IOA) Good Practice Guidance and THC

guidance, is not something that can be adequately assessed at the planning stage;

- noise associated with traffic during the operation of the Proposed Development: as this is likely to be low and not significant in the context of the existing road network; and
- vibration effects: as a result of construction and operational activities and associated traffic, considering the distances to the closest noise sensitive receptors (NSRs).

Socio-economics and Land Use

6.22 Matters scoped out of the EIA with respect to socio-economics and land use include:

- construction phase: this would be relatively short term (approximately 18 months) it is not expected that construction workers from outside the Wider Study Area (WSA) would have a significant effect on the demand for healthcare or educational services. Effects on demand for such community services are therefore scoped out; and
- land use effects during the operational phase: as the operation of the wind farm would have minimal effect on agricultural or recreational uses.

Air Quality

6.23 Given the remote location of the site, the generation of dust during construction activity is unlikely to have a direct impact on any human receptors and would be controlled by means of best practice to be described in **Chapter 10: Hydrology, Hydrogeology and Soils, Chapter 12: Site Access, Traffic and Transport and Technical Appendix 3.1: Outline CEMP**.

6.24 Consideration has been given to the potential impacts that dust generation could have on any identified sensitive ecological or hydrological receptors within **Chapter 8: Ecology and Chapter 10: Hydrology, Hydrogeology and Soils**.

6.25 Other than the above potential dust impacts, no further air quality effects are predicted to occur due to the Proposed Development and, therefore, air quality is not considered further in this EIA.

Decommissioning

6.26 Over the period of operation of the wind farm it is recognised that there would likely be changes in legislation and guidance, environmental designations, the status/condition of sensitive environmental receptors and stakeholder objectives that may affect decommissioning and restoration methodologies.

6.27 At the end of its operational life, the Proposed Development would be decommissioned or an application may be submitted to repower the site. The decommissioning period would take up to a year and effects are likely to be similar in nature to the construction period, although to a lesser degree. A detailed Decommission and Restoration Plan (DRP) would be agreed with THC and other appropriate regulatory authorities in line with best practice guidance and requirements of the time.

6.28 With this in mind, assessment of the decommissioning of the Proposed Development has been scoped out of this EIA where applicable as at this stage the future baseline conditions cannot be predicted accurately and both the proposals for refurbishment/decommissioning and the future regulatory context are unknown.

COMMUNITY CONSULTATION

- 6.29 As a major planning application, the appropriate level of pre application phase consultation was considered with due cognisance to Planning Circular 3/2022: Development Management Procedures.
- 6.30 A Proposal of Application Notice (PAN) was submitted to THC and relevant Community Councils and Development Trusts on 22 September 2022. Since the PAN was submitted prior to 01 October 2022, transitional provisions in the Town and Country Planning (Pre-Application Consultation) (Scotland) Amendment Regulations 2021 note that the earlier Pre-Application Consultation requirements under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 apply.
- 6.31 The PAN provided detail on the Proposed Development and also on the consultation events which were subsequently held as follows:
- 26 October 2022, 3pm to 7pm: Online Virtual Exhibition;
 - 22 November 2022, 4pm to 8pm: Dunvegan Community Hall;
 - 23 November 2022, 2pm to 6pm: Edinbane Community Hall; and
 - 13 December 2022, 3pm to 7pm: Struan Primary School.
- 6.32 The following Community Councils and Development Trusts were invited to the public exhibitions:
- Dunvegan Community Council;
 - Dunvegan Community Trust;
 - Edinbane Community Company;
 - Glendale Community Council;
 - Skeabost & District Community Council;
 - Struan Community Council;
 - Struan Community Development Group; and
 - Struan Community Trust.
- 6.33 In addition to the above public consultation event, all households within approximately 10km of the site boundary were written to, to advise them of the public exhibitions. The Applicant has also met with a number of community councils and residents' associations.
- 6.34 Public consultation is a key element of the environmental assessment process; therefore, as part of the wider consultation process, attention was given to community engagement in cognisance of Planning Circular 3/2010: Community Engagement. Local Community Councils were contacted during development of the proposals.

- 6.35 The Applicant has been discussing the shared ownership offer associated with the Proposed Development with a number of Community Development Trusts and other representative bodies within the Highland Council administrative areas, as well as Local Energy Scotland with a view to drawing together interested parties into a single community group which could participate in shared ownership in the project.
- 6.36 Further details of the Public Exhibitions and Community Consultation held in respect of the Proposed Development are contained in the **PAC Report** submitted as part of the application for the Proposed Development.