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**CHAPTER 5: SCOPING AND CONSULTATION**

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**Technical Appendices (Volume 4)**

Technical Appendix 5.1: 2019 Scoping Opinion

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Technical Appendix 5.4: 2020 Scoping Matrix

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## 5. Scoping and Consultation

### 5.1 Introduction

- 5.1.1 In general, the Environmental Impact Assessment (EIA) Regulations require that an EIA should describe the likely significant effects of a Proposed Development on the environment. Scoping of potential issues against the physical and operational aspects of a Proposed Development provides a basis for ensuring that the assessment of environmental effects is appropriately limited to issues of genuine potential significance. This ensures a proportionate approach focused on likely significant effects that have not already been considered. Consultation and engagement with stakeholders early in the process, with advice and input from key consultees being sought at the early stages of a project, helps greatly to inform decisions about the Proposed Development.
- 5.1.2 This Chapter describes the pre-application consultation process that was undertaken to determine the scope of the EIA Report, and the consultations that were undertaken to inform the local community of the Proposed Development. This Chapter also includes a brief description of the environmental features of potential significance associated with the Proposed Development which are addressed in detail in this EIA Report, and those that are scoped out.

### 5.2 Scoping

#### 2019 Scoping Exercise

- 5.2.1 A Scoping Report was issued to the Energy Consents Unit (ECU) on 15 August 2019 to seek a Scoping Opinion from the Scottish Ministers on the environmental information to be provided in this EIA Report.
- 5.2.2 The specific aims of the 2019 Scoping Report were to:
- set out the approach to the EIA, including the proposed content and structure of the EIA Report;
  - identify the issues which are to be assessed as part of the EIA;
  - agree the general approach to the assessment and the methodologies that would be used; and
  - identify those issues which should be scoped out of the EIA.
- 5.2.3 A Scoping Opinion (herein referred to as ‘the 2019 Scoping Opinion’) was subsequently provided by the ECU on 22 October 2019, a copy of which is included as Technical Appendix 5.1.
- 5.2.4 The responses contained within the 2019 Scoping Opinion were considered in detail during the EIA process. Technical Appendix 5.2 of this EIA Report includes a matrix detailing the key issues that were raised in the 2019 Scoping Opinion and how and where they are addressed in this EIA Report. Relevant comments are also addressed at the beginning of each technical chapter of this EIA Report.

#### Design Modifications following the 2019 Scoping Opinion

- 5.2.5 Following receipt of the 2019 Scoping Opinion, additional technical analysis and environmental survey works were carried out and the site design evolution and optimisation were progressed. Through this process it was considered that the site could

accommodate up to 20 turbines, delivering an installed capacity in excess of 50MW towards Scottish Government's renewable energy targets.

- 5.2.6 A full description of the design evolution process is described in Chapter 2: Site Selection and Design Evolution.

#### 2020 Scoping Exercise

- 5.2.7 The 2019 Scoping Opinion states that advice regarding the requirement for an additional Scoping Opinion be sought from Scottish Ministers if an application for consent has not been made within 12 months of the relevant Scoping Opinion. As no application for consent for the Proposed Development was made within 12 months of the 2019 Scoping Opinion, a letter requesting a refreshed scoping opinion (herein referred to as 'the 2020 Scoping Refresh letter') was issued to Scottish Ministers on 19 November 2020.

- 5.2.8 The specific aims of the 2020 Scoping Refresh letter requesting a refreshed scoping opinion were to:

- provide Scottish Ministers with an update on the Proposed Development, including the revised site design, turbine height and submission date;
- inform Scottish Ministers that the name of the project had been changed from 'Glencassley Wind Farm' to 'Achany Extension Wind Farm', to more accurately reflect the changes to the Proposed Development;
- provide clarification, where required, in relation to matters raised in the 2019 Scoping Opinion; and
- seek confirmation from Scottish Ministers where changes in the scope of the EIA Report may be deemed appropriate, either as a result of a change in guidance, policy or to the Proposed Development itself, since the 2019 Scoping Opinion.

- 5.2.9 On 24 November 2020, the ECU confirmed to the Applicant (via email) that the 2020 Scoping Refresh letter had been issued to all consultees that had been previously consulted during the 2019 Scoping process. All consultees were requested to provide a response by 16 December 2020. The ECU also confirmed that they did not intend to provide another formal scoping opinion in relation to the 2020 Scoping Refresh, but the Applicant should include any further scoping comments from consultees in the EIA Report.

- 5.2.10 The following consultees provided an updated scoping response in relation to the 2020 Scoping Refresh letter:

- British Telecom (BT);
- Crown Estate (CE);
- Defence Infrastructure Organisation (DIO);
- Historic Environment Scotland (HES);
- Highlands and Islands Airports Ltd (HIAL);
- Joint Radio Company (JRC);
- Mountaineering Scotland (MS);
- NATS Safeguarding (NATS);

- NatureScot<sup>1</sup>;
- Royal Society for the Protection of Birds (RSPB);
- Scottish Environmental Protection Agency (SEPA);
- Scottish Forestry (SF);
- Scotways (SW);
- Transport Scotland (TS); and
- The Highland Council (THC).

5.2.11 Technical Appendix 5.4 of this EIA Report includes a matrix detailing the key issues that were raised by consultees following the submission of the 2020 Scoping Refresh letter and how and where they are addressed in this EIA Report. Relevant comments are also addressed at the beginning of each technical chapter of this EIA Report.

### 5.3 Key Scoping Issues

5.3.1 The 2019 Scoping Opinion made reference to site specific issues of interest to the Scottish Ministers, to be considered and addressed in addition to those laid out in responses from consultees. The issues raised were as follows.

#### Scottish Water

*Scottish Water provide information on whether there are any drinking water protected areas or Scottish Water assets on which the development could have any significant effect. Scottish Ministers request that the Company contacts Scottish Water and makes further enquiries and includes details in the EIA report of any relevant mitigation measures provided.*

5.3.2 In the 2019 Scoping Opinion, Scottish Water noted that, according to their records, there are no Scottish Water drinking water catchments or water abstraction sources designated as Drinking Water Protected Areas (DWPA) under the Water Framework Directive, located in the area that may be impacted by the Proposed Development. No further consultation with Scottish Water in relation to DWPA's or Scottish Water assets was therefore undertaken.

#### Private Water Supplies

*Scottish Ministers request that the Company investigate private water supplies within close proximity to the Proposed Development, which may be impacted by the development. The EIA report should include details of these supplies identified by this investigation, the Company should provide an assessment of the potential impacts, risks, and any mitigation which would be provided.*

5.3.3 Details of private water supplies (PWS) located within, or with hydrological connectivity to, the Site have been reviewed and an assessment of potential impacts on relevant PWS and other groundwater abstractions is included in Chapter 10: Hydrology and Hydrogeology. No PWS were identified within 250m of the Site. There is infrastructure proposed near watercourses within the upper catchment area of the Badintagairt PWS as part of the Proposed Development (see Figure 10.2). However, as no construction is proposed within 250m of a PWS there is no requirement for a separate detailed risk

<sup>1</sup> Previously Scottish Natural Heritage

assessment for PWS abstractions (in line with SEPA LUPS guidance 4 and 31<sup>2</sup>). Water quality is considered separately in Chapter 10: Hydrology and Hydrogeology.

### **Fish Surveys**

*Scottish Ministers request the Company takes account of the advice provided by Marine Scotland Science and Kyle of Sutherland District Salmon Fishery Board – in relation to guidelines on survey / monitoring programmes.*

- 5.3.4 As requested in the 2019 Scoping Opinion, fishery surveys have been undertaken in relation to the Proposed Development. Freshwater ecology, aquatic habitats, fish and designated sites are detailed within Chapter 8: Ecology and in Technical Appendix 8.5: Ecology and Fisheries Survey Report. Engineering activities in the water environment are considered in Chapter 10: Hydrology and Hydrogeology.
- 5.3.5 Baseline water quality monitoring would be carried out pre-construction and subsequent monitoring during the construction and operation phases of the Proposed Development in line with the CEMP, an outline of which is provided in Technical Appendix 3.1.

### **Peat**

*Scottish Ministers are aware that based on the information currently available there are areas of Class 1 – Nationally important carbon-rich soils, deep peat and priority peatland habitat located within the site and therefore peat depth and vegetation surveys along with a peat management plan will be required as part of the EIAR along with a Peatslide Hazard Risk Assessment.*

- 5.3.6 Peat depth and vegetation surveys, including a National Vegetation Survey, Peatland Condition Assessment and Phase 1 and Phase 2 peat probing, have been undertaken for the Proposed Development. The results of these surveys are contained within Chapter 8: Ecology and Chapter 11: Geology and Carbon Balance. The layout of the Proposed Development has been informed by the detailed peat probing and analysis of peat depths to minimise impacts on deeper areas of peat where practicable. A Peat Landslide Hazard and Risk Assessment and a draft Peat Management Plan are included in this EIA Report as Technical Appendix 11.2 and 11.3 respectively.

### **Wild Land**

*Scope and methodology of Wild Land assessments should be decided following discussions between the Company and Scottish Natural Heritage.*

- 5.3.7 Following review of the 2020 Scoping responses, a Wild Land Assessment has been undertaken for two Wild Land Areas: WLA 34 (Reay – Cassley) and WLA 37 (Foinaven – Ben Hee). The Wild Land Area Assessment has been completed in accordance with NatureScot's Wild Land Assessment Guidance: 'Assessing Impacts on Wild Land Areas – Technical Guidance' (NatureScot, 2020) and are detailed in Chapter 7 Landscape and Visual. Confirmation of the approach has been discussed with Scottish Natural Heritage (now NatureScot).

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<sup>2</sup> LUPS-GU31: Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems, Version 3 (September 2017); GPP 4: Treatment and disposal of wastewater where there is no connection to the public foul sewer (November 2017)

### Viewpoints

*A list of viewpoints should be agreed with The Highland Council and SNH, Historic Environment Scotland and Mountaineering Scotland and presented in the EIAR.*

- 5.3.8 Viewpoint locations have been determined following review of advice provided through the Scoping process, and through further consultation with THC and NatureScot. During the Scoping refresh exercise undertaken in 2020, Mountaineering Scotland ‘noted *‘the improved clarity on the Proposed Development’* and that they welcomed *‘the reinstatement of Carn Chuinneag as a viewpoint’*. No further consultation was therefore undertaken with Mountaineering Scotland in relation to viewpoints. A final viewpoint list was agreed with THC and NatureScot.

### Aviation Lighting

*Aviation Lighting may be required due to the proposed scale and location of turbines. Further advice on aviation lighting is available from SNH. Consequently, the LVIA in the EIAR should include a robust Night Time Assessment.*

- 5.3.9 The selection of a turbine with a tip height below 150m ensures that a visible lighting scheme is not a mandatory requirement under Civil Aviation Authority (CAA) requirements. It is acknowledged that a suitable aviation lighting scheme would still require to be agreed with the Ministry of Defence (MOD), but it is anticipated that this would be infrared lighting. As such, a night-time lighting assessment has been scoped out of the LVIA, as presented in Chapter 7: Landscape and Visual.

### Cultural Heritage

*Full consideration of impacts the Proposed Development will have on the scheduled monument Dail Langwell, broch and other heritage assets that might be impacted should be fully considered in the EIAR.*

- 5.3.10 Potential impacts on cultural heritage assets, including the scheduled monument Dail Langwell, broch, have been considered in Chapter 12: Cultural Heritage.

### Ecology

*Scottish Ministers advise the Company to take into account The Highland Councils comments regarding Habitat Management Plan, Deer [sic] Management plans if any present within the site and also Biodiversity Action Plans, and contact Scottish Natural Heritage for further information.*

- 5.3.11 An outline Habitat Management Plan (HMP) is provided as Technical Appendix 8.10. The core aims of the outline HMP are to restore and enhance blanket bog. In accordance with the 2019 Scoping Opinion and further discussions with NatureScot, Chapter 8: Ecology includes consideration of potential impacts on on-site peatland habitats and deer management. A Deer Management Plan (DMP) and a draft Peat Management Plan (PMP) are also included as Technical Appendices 8.9 and 11.3 respectively. Potential impacts on any relevant UK Biodiversity Action Plan (BAP) species and habitats resulting from the Proposed Development are assessed in Chapter 8: Ecology (habitats and non-avian species) and Chapter 9: Ornithology (avian species).

**Ornithology**

*The Company should take note of RSPB Scotland advice in respect “scoped in effects” to be assessed for the purposes of the EIAR. It is also recommended by the Scottish Ministers that decisions on bird surveys – species, methodology, viewsheds & duration: site specific & cumulative – should be made following discussion between the Company, SNH and RSPB Scotland.*

- 5.3.12 Advice provided by RSPB Scotland in the 2019 Scoping Opinion has been noted in developing the scope of ornithology surveys. Further consultation has been undertaken with RSPB Scotland and NatureScot. Further details are provided in Chapter 9: Ornithology.

**Other Issues**

*Scottish Ministers are aware that further work is to be undertaken on things like surveys, management plans, peat, finalisation of viewpoints, transport routes, cultural heritage, Wild Land, cumulative assessments and they request that they are kept informed of relevant discussions.*

- 5.3.13 The ECU of the Scottish Government have been kept informed of all relevant discussion relating to the Proposed Development throughout the EIA stage through telephone, email and virtual meetings with the Applicant.

**Mitigation Measures**

*The Scottish Ministers are required to make a reasoned conclusion on the significant effects of the Proposed Development on the environment as identified in the EIA. The mitigation measures suggested for any significant environmental impacts identified should be presented as a conclusion to each chapter. Applicants are also asked to provide a consolidated schedule, in tabular form, of all mitigation measures proposed in the environmental assessment, where that mitigation is relied upon in relation to reported conclusions of likelihood or significant [sic] of impacts.*

- 5.3.14 Mitigation measures relevant to a particular technical discipline are included within the relevant chapter, and all mitigation measures are collated within a schedule of mitigation (see Chapter 18: Schedule of Mitigation).

**5.4 Further Consultee Engagement**

- 5.4.1 Further engagement has been undertaken with relevant parties since receipt of the 2019 Scoping Opinion, notably ECU, THC, NatureScot, the John Muir Trust and RSPB Scotland, as described in Paragraphs 5.4.2 – 5.4.11.

**Energy Consents Unit**

- 5.4.2 The Applicant has kept the ECU informed on the project throughout the EIA process. This included an update on the project to ECU on 27 October 2020 and 11 March 2021 (via Teams meeting), including the project’s history, key constraints, submission timescales and further consultations. Pre-application gate check meetings have also been held with the ECU prior to submission of the application and accompanying EIA Report.

**The Highland Council**

- 5.4.3 The Applicant has maintained dialogue with The Highland Council throughout the EIA process. This has included seeking confirmation with regard to the selection of viewpoint

locations and other wind farm sites to be included in the cumulative assessment, as well as providing general project updates and layout information.

#### Noise

- 5.4.4 A meeting between the Applicant (including the Applicant's appointed noise consultant) and an Environmental Health Officer from THC (herein referred to as the 'THC EHO') took place on 26 May 2020 (via phone) to discuss the approach and methodology for baseline noise surveys and assessment. Following this meeting, the Applicant provided a methodology to the THC EHO (via email on 01 July 2020) confirming approach and programme for noise surveys, as detailed in Chapter 15: Noise.
- 5.4.5 The THC EHO responded to the Applicant on 18 April 2021, to confirm that they were in agreement with the methodology proposed, and further on-going dialogue with the EHO is being maintained. Baseline noise measurements were carried out at two locations (Badintaggart and Glencassley Castle) between the 16 July 2020 and 11 September 2020.

#### Landscape and Visual

- 5.4.6 THC were consulted on viewpoint selection and cumulative assessment as part of the Landscape and Visual Assessment (see Chapter 7).
- 5.4.7 THC provided a response to the 2020 Scoping Refresh Letter on 05 February 2021 (as detailed in Technical Appendix 5.3), which included several revised comments on the landscape and visual assessment. In response to these comments, the Applicant issued a letter to THC (sent via email on 05 March 2021), which provided an update on the site layout and some further information on the landscape and visual assessment, including a final proposed viewpoint (VP) list. THC responded to this consultation on 08 April 2021 (via email) and confirmed that they were in agreement with the Applicant's approach to the landscape and visual assessment for the Proposed Development, including the proposed VP list. This consultation is summarised in Chapter 7: Landscape and Visual.

#### **John Muir Trust**

- 5.4.8 Following a request from The John Muir Trust, the Applicant provided an update on the Proposed Development to the John Muir Trust on 25 February 2021 (via Teams meeting).

#### **NatureScot**

- 5.4.9 NatureScot have been kept informed and consulted throughout all stages of the EIA process.

#### Bat Surveys

- 5.4.10 The Applicant's ecological consultant contacted NatureScot on 27 May 2020 (via email) to confirm bat survey approach and methodology (as detailed in Chapter 8: Ecology) for the Proposed Development. NatureScot responded on 08 June 2020 to confirm they were in agreement to the Applicant's proposed approach, including delay of Spring survey due to Covid restrictions.

#### Habitats

- 5.4.11 On 02 March 2021, the Applicant provided NatureScot with a letter (sent via email) which provided an update on the site layout, including information on baseline habitat and peat depth information. NatureScot responded to this letter (via email) on 12 April 2021. A



summary of the key points raised by NatureScot in response to this consultation and the Applicant's response is included in Chapter 8: Ecology and Chapter 11: Geology and Carbon Balance.

#### Landscape and Visual Impacts

- 5.4.1 In parallel with THC, NatureScot were consulted (on 02 and 18 March 2021 via email) on the proposed viewpoint selection and cumulative assessment for the Landscape and Visual Assessment (see Chapter 7) for the Proposed Development. A ZTV and an indicative layout of the Proposed Development was also provided to NatureScot as part of the 2020 Scoping Refresh Letter. NatureScot responded to this consultation (via email) on 22 March 2021 to confirm that they were content for THC to advise on which developments needed to be considered in the cumulative assessment for the Proposed Development. No further response from NatureScot was received in relation to LVIA viewpoints. However, further comments from NatureScot were received in relation to the wild land assessment as part of the Gate Check process. This is discussed in Paragraphs 5.5.4 and 5.5.5.

#### **RSPB Scotland**

- 5.4.2 A meeting with RSPB Scotland also took place on 07 April 2021 (via Teams). During this meeting, the Applicant's ornithological consultant provided a brief update on the HMP, including a summary of the proposed peatland restoration measures to compensate for losses to blanket bog, and rewetting to provide benefits to wader species away from turbine locations. The Applicant also provided a high-level overview of the proposed design mitigation process, including the mitigation hierarchy and likely compensation requirements.
- 5.4.3 A summary of the issues raised by RSPB Scotland during this meeting, and the Applicant's response are provided in Chapter 8: Ecology, in relation to habitat and protected species surveys, and Chapter 9: Ornithology, in relation to ornithological interests.

#### **Scottish Environment Protection Agency**

- 5.4.4 Further consultation had been planned with Scottish Environment Protection Agency (SEPA) to provide the updated layout, habitat and peat depth information during early 2021. Whilst information was provided to SEPA (via the ECU) in March 2021, it was not possible to engage with SEPA at this time due to the cyber-attack that SEPA were victim to in December 2020. SEPA made contact with the Applicant during April 2021, following the submission of the Gate Check Report (as detailed in Paragraph 5.5.10), to confirm they were now operating in a limited capacity and to request the information to be resent. The Applicant resent the information on 04 May 2021.
- 5.4.5 SEPA provided feedback in response to peat depth and NVC habitat information on 20 May 2021 (via email). In their response they noted that they had some preliminary concerns with impacts on deeper areas of peat. SEPA accepted some of these concerns could be addressed through a suitable planning condition to allow the micro-siting of infrastructure into shallower areas of peat. Concerns were however raised in relation to peat depths in the vicinity of Turbine 8, and the hardstanding at Turbine 19. A call between the Applicant and SEPA was arranged during June 2021 to discuss these comments and concerns. Given the late stage in the EIA process and impending submission of the application, the Applicant confirmed to SEPA that further micro-siting

opportunities within the defined micro-siting limits would be explored in consultation with SEPA following submission of the application.

## 5.5 Gate Check

5.5.1 In accordance with the requirements of the gate checking procedures for Applications under Section 36 of The Electricity Act 1989, a Gate Check Report was issued to the ECU and statutory consultees in April 2021. The purpose of the Gate Check Report is to outline consultations with statutory and non-statutory consultees, engagement (or proposed engagement) with the local community and how matters raised during the scoping process have been dealt with in the EIA Report. Statutory consultees are invited to comment on the Gate Check Report to ensure they are satisfied with the approach taken within the EIA Report prior to submission of the application. A copy of the Gate Check Report is provided in Technical Appendix 5.5.

5.5.2 Consultation responses were received from THC, HES, NatureScot and SEPA, as described in Paragraphs 5.5.3 – 5.5.11 below. Consultation responses to the Gate Check report were considered prior to the EIA Report being finalised.

### The Highland Council

5.5.3 THC responded to the Gate Check Report on 04 May 2021 to confirm that they were content that the Applicant had responded appropriately to the points raised in the THC scoping response and that THC had no further comments to make at this time.

### NatureScot

5.5.4 NatureScot responded to the Gate Check Report on 29 April 2021, recommending that the Applicant engage in further consultation regarding the Wild Land viewpoint locations. They emphasised that Wild Land viewpoints should be in locations where the wild land qualities are well expressed and the influence of other development, such as wind farms, in the baseline is not so apparent and do not need to be in the same location as the landscape and visual viewpoints.

5.5.5 As described in Paragraph 5.4.1, the Applicant had previously set out the approach to the WLA to NatureScot in a letter dated 2nd March 2021, which stated:

*“With respect to the assessment of views from wild land areas, we confirm that the wild land assessment will be undertaken from a range of locations at different elevations, in addition to the mountain summit viewpoints included as part of the scoping refresh”.*

5.5.6 Following the receipt of NatureScot’s Gate Check response, the Applicant issued a further email to ECU and NatureScot on 21 May 2021 to clarify that they had been able to identify suitable viewpoint locations for the WLA and that the addition of further locations or revisions to locations already visited would not lead to any greater benefit in undertaking the WLA. This response also confirmed that the Applicant’s approach and coverage for the wild land assessment is in line with current NatureScot guidance. Further detail on NatureScot’s Gate Check response in relation to Wild Land viewpoint locations, including the Applicant’s response, is provided in Chapter 7: Landscape and Visual.

5.5.7 NatureScot also recommend that the existing access track to Achany Wind Farm should receive an appropriate level of ecological and ornithological survey work where the new borrow-pit and construction compound are proposed, to inform potential impacts of construction access. They advised that these work locations should be cleared and established ahead of the bird breeding season, to help reduce the risk that the

development programme is impinged by protected species. Further detail on NatureScot's Gate Check response on this matter, including the Applicant's response, is provided in Chapter 8: Ecology and Chapter 9: Ornithology.

- 5.5.8 Finally, NatureScot noted that they had recently provided the Applicant with detailed pre-application advice on the wind farm layout in relation to peatland habitats, deer and a HMP. Further detail on this pre-application advice is provided in Chapter 8: Ecology, in relation to habitat management and deer, and Chapter 11: Geology and Carbon Balance, in relation to peatland habitats.

#### **Historic Environment Scotland**

- 5.5.9 HES responded to the Gate Check Report on 29 April 2021 to confirm that they were content that the details provided in the report reflected their involvement with, and advice regarding, the EIA process for the Proposed Development.

#### **Scottish Environment Protection Agency**

- 5.5.10 SEPA responded to the Gate Check response on 30 April 2021 to note that while they acknowledged the Applicant had not been able to consult with SEPA following the cyber-attack in December 2020, they were now able to receive consultations. SEPA advised that due to the scale and location of this proposal, they would strongly encourage the Applicant to consult with them with regards to the peat depth surveys, NVC survey and the draft peat management plan before the submission of the final EIA Report.
- 5.5.11 Further consultation was subsequently undertaken with SEPA in May 2021, as described in Paragraph 5.4.4-5.4.5.

### **5.6 Consultation with the Local Community**

#### **Public Exhibitions**

- 5.6.1 Public exhibition events were held within the local area in November 2019 to allow members of the general public to obtain information and pass comment upon the Proposed Development. The events were advertised in the local area, in local newspapers. The Applicant also made contact with the community councils, local councillors and a local MSP directly, to inform them of the events. Information about the exhibition was also advertised on the project webpage and a post card advertising the exhibition was sent to 1,576 local properties within a 15km radius from the site entrance.
- 5.6.2 Public Exhibition events included:
- 27 November 2019 (3pm to 7pm) – Rosehall Village Hall; and
  - 28 November 2019 (10am to 4pm) – Lairg Village Hall;
- 5.6.3 Feedback forms were provided at the exhibitions for attendees to complete. The feedback received during the public exhibition events is recorded within the Pre-Application Consultation Report, submitted with the Section 36 Application.

#### **Virtual Online Exhibitions**

- 5.6.4 Due to the ongoing Covid-19 pandemic in 2020 and 2021, a virtual online exhibition was held between 24 and 30 May 2021, to allow members of the general public to obtain information and pass comment upon the Proposed Development. The online events were advertised in a consistent manner as the previous exhibitions, in the local area and in

local newspapers. The Applicant also made contact with the community councils, local councillors and a local MSP directly, to inform them of the events. Information about the exhibition was also advertised on the project webpage and a post card advertising the exhibition was sent to 1,422<sup>3</sup> local properties within a 15km radius from the site entrance.

5.6.5 The Virtual Online Exhibition included two live chat sessions with the Applicant at the following times:

- 25 May 2021 (5pm to 7pm); and
- 27 May 2021 (2pm to 4pm).

5.6.6 Live chat sessions were available during the virtual online exhibitions to allow attendees to ask the Applicant questions about the Proposed Development. Online feedback forms were also available on attendees to complete. The feedback received during the virtual online exhibition events is recorded within the Pre-Application Consultation Report, submitted with the Section 36 Application.

### **Consultation with Community Councils and Local Representatives**

5.6.7 Meetings with Community Councils included:

- Creich Community Council: Presentation (via Zoom call) to the Community Council regarding the Proposed Development on 19 January 2021; and
- Ardgay and District Community Council: Presentation (via Zoom call) to the Community Council regarding the Proposed Development on 08 March 2021.

5.6.8 A representative from the Kyle of Sutherland Development Trust and the local MP attended the presentation presented to Creich Community Council on 19 January 2021.

5.6.9 Lairg Community Council and Rogart Community Council were also contacted by the Applicant. Lairg Community Council confirmed that they did not require an update on the Proposed Development, as they had received a copy of the presentation from a neighbouring Community Council. However, Lairg Community Council did request a separate meeting with the Applicant to discuss Community Benefit. Rogart Community Council did not respond to the Applicant's invitation to provide an update on the Proposed Development.

5.6.10 The Applicant held a meeting with representatives from Creich and Ardgay & District community councils on 8 June 2021, to discuss community benefits.

5.6.11 The feedback received during the community council meetings, as well as any correspondence with local representatives, is recorded within a Pre-Application Consultation Report, submitted with the Section 36 Application.

## **5.7 Issues Scoped out of Assessment**

5.7.1 The following section describes the topics for which detailed assessment is scoped out of the EIA Report for the Proposed Development.

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<sup>3</sup> Postcards used to advertise the public exhibitions were issued to address data supplied by Royal Mail's Postcode Address file, which is updated quarterly.

**Forestry**

- 5.7.2 There are no areas of commercial forestry within the site itself. The existing Achany Wind Farm access track passes through commercial forestry and there are small extents occurring along the floor of Glen Cassley; however, no significant effects on forestry are considered likely, and assessment of forestry has been scoped out.

**5.8 Other Issues**

- 5.8.1 The 2017 EIA Regulations introduced a number of factors to be considered within an EIA Report; specifically, those factors listed under Regulations 4(3) and 4(4), and Schedule 4. Table 5.1 describes how this EIA Report has addressed these factors.

**Table 5.1: Assessment of Factors Identified in Regulations 4(3), 4(4) and Schedule 4**

Topic	Potential for Significant Effects
Population and Human Health	Potential effects relating to population and human health have potential to arise from shadow flicker, air quality and noise. Noise is assessed in Chapter 15. Shadow flicker and air quality are addressed in Chapter 17: Other Issues.
Biodiversity (in particular species and habitats protected under Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora)	The requirement to consider impacts on biodiversity is addressed in Chapter 8: Ecology, and Chapter 9: Ornithology.
Land and Soil (and natural resources availability)	The potential effects on soils and geology are considered in Chapter 11: Geology and Carbon Balance and associated appendices.
Water (and natural resource availability)	The potential effects on the water environment are considered in Chapter 10: Hydrology and Hydrogeology.
Air and Climate	Potential effects on air and climate are addressed in Chapter 17: Other Issues.
Material Assets, Cultural Heritage	Chapter 12: Cultural Heritage, includes an assessment of the potential for significant effects on material assets and cultural heritage including architectural and archaeological assets and historic landscape.
Landscape	Chapter 7: Landscape and Visual, considers the potential effects, including cumulative, on landscape and visual receptors.
Major Accidents and Disasters	Potential effects relating to major accidents and disasters are addressed in Chapter 17: Other Issues.
Interaction Between Factors (cumulative effects)	The potential for cumulative effects is outlined within Chapter 4: EIA Process and Methodology, and detailed within each of the technical chapters (chapters 7-16), where appropriate.

## 5.9 References

*Electricity Act 1989*. Available at: [http://www.legislation.gov.uk/ukpga/1989/29/pdfs/ukpga\\_19890029\\_en.pdf](http://www.legislation.gov.uk/ukpga/1989/29/pdfs/ukpga_19890029_en.pdf) (23 April 2021).

*Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017*. Available at: <http://www.legislation.gov.uk/ssi/2017/101/contents/made> (Accessed 23 April 2021).

*The Construction (Design and Management) Regulations 2015*. Available at: <http://www.legislation.gov.uk/uksi/2015/51/contents/made> (Accessed 23 April 2021).