

Chapter 3: Approach to EIA

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3.1. Introduction

- 3.1.1. This Chapter sets out the regulatory context for undertaking EIA and the assessment methodology that has been applied in the evaluation of effects, approach to mitigation and assessment of significance.
- 3.1.2. In accordance with Regulation 5(4) of the 2017 regulations, the EIA Report aims to avoid duplication of assessment by taking into account the results identified in the 2018 EIA Report. Electronic copies of the 2018 EIA Report are submitted with the S.36C application and hard copies will be available to view at the deposit locations.
- 3.1.3. The comparative environmental assessment for the Proposed Varied Development will include a description of the legislative and regulatory context, a summary of the baseline conditions for the Proposed Varied Development, a description of the general approach to the EIA Report and the scoping stage of the process. Each chapter will include a description of the assessment scope and the assessment methodology used to inform the chapter.
- 3.1.4. In this assessment **major** and **moderate** effects are considered 'Significant' in EIA terms, while **minor** and **negligible** effects are regarded as 'Not Significant'.

3.2. Legislative and Regulatory Context

- 3.2.1. This EIA Report has been prepared in line with Regulation 4(2) and (3) of the 2017 Regulations, which requires the identification, description, and evaluation of the likely significant effects of the Proposed Varied Development on the environmental factors listed in Regulation 4(3).
- 3.2.2. This EIA Report includes the information specified in Schedule 4 of the 2017 EIA Regulations, having regard to the obligations specified in Regulation 4(2) and Regulation 28(1A). Specifically, Regulation 28(1A) clarifies how the EIA process applies to variation applications and stipulates that variation applications remain subject to the EIA process, with modifications outlined in Regulation 28(2) where applicable. For variation applications to EIA developments, the Regulations require that the environmental effects of the proposed changes be specifically assessed. This includes identifying and evaluating any new or altered significant effects arising from the variation, rather than reassessing the entire consented development.
- 3.2.3. Accordingly, this EIA Report presents an assessment of the likely significant direct and indirect effects of the Proposed Varied Development on the environment; and compares the principal differences in environmental impacts

from those reported within the 2018 EIA Report. This accords with Regulation 28(2)(c) of the 2017 EIA Regulations that provides that an EIA report which accompanies a variation application must include: “the main respects in which the developer considers that the likely significant effects on the environment of the proposed varied development would differ from those described in any EIA report or environmental statement, as the case may be, that was prepared in connection with the relevant section 36 consent”.

- 3.2.4. Regulation 5(4) of the 2017 EIA Regulations states: “With a view to avoiding duplication of assessments, account is to be taken of the available results of other relevant assessments in preparing the EIA report.” Therefore, to prevent duplication, and where appropriate, the 2018 EIA Report: Tangy IV Wind Farm Environmental Impact Assessment Report, August 2018 has been taken into account for the preparation of this EIA Report.
- 3.2.5. In addition, several pre-commencement planning conditions attached to the S.36 consent have already been satisfied or partially satisfied in 2024 and 2025. Documents submitted to satisfy these conditions were prepared prior to the intended construction start of the Consented Development and contain updated survey or design information which has been considered within the technical assessment chapters of this EIA Report where relevant.
- 3.2.6. A summary of the status of each planning condition and the related documents is provided in **Technical Appendix 3.7: Planning Conditions Summary**. Documents which have been submitted to address planning conditions, and which are relevant to the comparative environmental impact assessment for the Proposed Varied Development application, are included in **Technical Appendices 3.7a-d**.

Definition of the Project for EIA Purposes

- 3.2.7. In preparing this EIA Report, consideration has been given to how the Proposed Varied Development should be defined as a ‘project’ for the purposes of EIA.
- 3.2.8. The recent case from the Inner House of the Court of Session confirmed in *Raeshaw Farms Ltd v Scottish Ministers and Energiekontor UK Ltd* [2026] CSIH 10 that a competent authority is required to undertake a fact-specific evaluation of whether a wind farm and its grid connection constitute a single project requiring cumulative assessment before any consent is granted. The relevant factors include, but are not limited to, the functional interdependence of the projects, whether both are promoted by the same entity, whether both

are being considered simultaneously by the same decision-making body, and whether either element could stand alone as a viable project.

- 3.2.9. The Proposed Varied Development comprises a variation to the existing S.36 consent for Tangy IV Wind Farm under S.36C of the 1989 Act. The export of electricity generated by the wind farm requires a connection to the electricity transmission network operated by Scottish and Southern Electricity Networks Transmission ('SSEN-T').
- 3.2.10. SSEN-T is in the course of applying to Scottish Ministers for consent under Section 37 ('S.37') of the 1989 Act for the construction of the Tangy IV Wind Farm and Cnoc Buidhe Wind Farm 132 kV OHL Shared Use Connection (the 'Shared Use Grid Connection') connecting the Proposed Varied Development and Cnoc Buidhe Energy Hub to Carradale Substation in Argyll and Bute. The S.37 application is anticipated to be submitted to Scottish Ministers at the end of June 2026.
- 3.2.11. The Applicant recognises, however, that this is ultimately a matter for determination by the competent authority and not for the Applicant itself. A precautionary approach has therefore been adopted, and each technical chapter of this EIA Report assesses the potential effects of the grid connection alongside those of the Proposed Varied Development, to the extent that information on the grid connection is reasonably available.
- 3.2.12. The information relied upon is drawn from SSEN Transmission's EIA Scoping Report (refer to **Technical Appendix: 3.5: Tangy IV Wind Farm and Cnoc Buidhe Wind Farm 132 kV OHL Shared Use Connection Environmental Impact Assessment Scoping Report**) and the Scoping Opinion adopted by Scottish Ministers on 18 June 2025 (ECU00006122) (refer to **Technical Appendix 3.6 Tangy IV Wind Farm and Cnoc Buidhe Wind Farm 132 kV OHL Shared Use Connection - Environmental Impact Assessment Scoping Opinion**). Both documents are the most detailed publicly available descriptions of the grid connection at the time of writing. This approach is consistent with the requirements of Schedule 4 (3) of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, which provides that the information in an EIA Report shall be reasonable having regard to current knowledge and methods of assessment.

Methodology

- 3.2.13. The EIA Report provides impact assessment chapters for the relevant factors specified in Regulation 4(3) of the 2017 Regulations where they are likely to be significantly affected, taking account of the description of the Proposed Varied Development, the mitigation by design, other mitigation measures and the assessment scope agreed with relevant consultees. Each assessment chapter describes the assessment methodology, the criteria by which a

significant effect is defined and a comparison against the findings of the 2018 EIA Report for the Consented Development. A summary of this process is as follows:

- i. Prepare a summary of the likely significant effects of the Consented Scheme against the baseline conditions at the site. This EIA Report has been prepared with reference to baseline information collected and presented as part of the previous environmental impact assessment report prepared for the site, subject to updates where this was deemed to be necessary and proportionate as an outcome of the sensitivity analysis.
 - ii. Undertake a sensitivity analysis of the relevant environmental assessments that were prepared for the Consented Scheme to determine if the results remained appropriate, or if an updated assessment would be required. By way of example, for the purposes of carrying out a like for like comparison, an updated assessment might be required where the changes to the baseline, methodology or cumulative context could result in a change to the likely significant effects of the Consented Scheme.
 - iii. Provide an assessment of the effects of the Proposed Varied Development. This is carried out in the context of the same baseline or updated baseline, where appropriate for the purposes of carrying out a like for like comparison.
 - iv. Provide a description of the main aspects in which the effects of the Proposed Varied Development differ from those identified for the Consented Scheme.
- 3.2.14. In taking this approach, the EIA Report provides an assessment of the Proposed Varied Development as a whole and describes any additional effects associated with the Proposed Varied Development when compared to the Consented Development.
- 3.2.15. Scottish Government guidance on S.36C applications reinforces this approach, advising that the EIA Report should concentrate on the likely significant effects of the development as it would exist if the variation were approved. Accordingly, this EIA Report provides a targeted assessment of the environmental implications of the proposed changes, ensuring compliance with both regulatory and policy expectations.

- 3.2.16. To address the requirements of Regulation 28, the four-step process outlined above has been completed to enable a comparative environmental assessment to be carried out:
- i. Summary of likely significant effects of the Consented Scheme;
 - ii. Sensitivity analysis of the relevant environmental assessments that were prepared for the consented scheme to ascertain if the results remained appropriate, or if an updated assessment would be required;
 - iii. Provide an assessment of the effects of the Proposed Varied Development; and
 - iv. Provide a description of the main aspects in which the effects of the Proposed Varied Development differ from those identified for the consented scheme.
- 3.2.17. As stated within the introduction, details on assessment scope and methodologies are described in each technical chapter (EIA Report Chapters 5-15). The EIA Report will highlight any new significant effects introduced as a result of the Proposed Varied Development, as well as any change in intensity of existing effect (stated within the 2018 EIA Report to a significant level).
- 3.2.18. Without implementation of the Consented Development to construction, and in the absence of any interventions in respect of the previously reported baseline environment of the site, the baseline environmental conditions are expected to remain largely unchanged over time. The existing land use, condition and management would be expected to continue largely unaltered. Other committed development in the surrounding area would alter the baseline context of the site in the future. Operational, under construction and consented (not yet constructed) wind farms have been considered as part of the baseline (see also 'Cumulative Effects' section below). As such, no future baselines are factored into this assessment.

Cumulative Effects

- 3.2.19. 2017 EIA Regulations require that, in assessing the effects of a particular development proposal, consideration is also given to the cumulative effects which might arise from the proposed variation in conjunction with other development proposals in the vicinity. The cumulative assessments in the technical chapters of the EIA Report consider, where appropriate, the cumulative effects arising from the addition of the Proposed Varied Development to cumulative developments which are the subject of a valid planning application where there is sufficient information to enable them to do

so. Operational, under construction and consented (not yet constructed) wind farms have been considered as part of the baseline review.

- 3.2.20. As noted above, the cumulative assessment also considers the cumulative impact of the grid connection where the impacts are known. The cumulative assessment in this EIA Report is based on the route corridor advised by SSEN-T and, where the detailed design has not been finalised, adopts a reasonable worst-case approach to ensure that potential effects are not understated. The reasonable worst-case parameters applied for each environmental topic are identified in the relevant technical chapters.
- 3.2.21. **Figure 5.10: Cumulative Sites Included in the Assessment** shows the locations of wind farms that are included in cumulative assessment for the Proposed Varied Development. Each technical chapter identifies an appropriate cumulative study area independently, as some impacts may be judged as requiring assessment over a larger radius than others. Please note, developments at Scoping stage are not typically included as cumulative developments.

Statement of Competence & Project Team

- 3.2.22. The EIA process has been managed by the Applicant with assessments undertaken by third party and internal competent experts. In accordance with Regulation 5(5) of the 2017 EIA Regulations, the Applicant has ensured that the assessments undertaken and reported within this EIA Report have been prepared by professional EIA practitioners with relevant experience and holding relevant degree level qualification and membership of appropriate professional bodies.
- 3.2.23. Each of the technical impact assessment chapters has been produced by consultants external to the Applicant. A summary of the technical team's qualifications is presented in Volume 4 Technical Appendix 1.1: Capability Statement. The specialist consultants appointed by the Applicant are as follows:
- Landscape and Visual – ASH design + assessment Ltd (ASH);
 - Ornithology – Tetra Tech/RPS Consulting Services Ltd (RPS)
 - Ecology – Tetra Tech/RPS;
 - Geology, Soils, Peat – AECOM
 - Surface Water – AECOM
 - Archaeology and Cultural Heritage – CFA Archaeology Ltd;
 - Noise – Hoare Lea Acoustics Ltd (baseline reanalysis), SSE Internal Acoustics Team (site-specific limit derivation and assessment);
 - Traffic, Transport and Access – Pell Frischmann Ltd;
 - Shadow Flicker - SSE Internal Acoustics Team; and

- Aviation – Coleman Aviation Ltd.

3.3. Baseline

- 3.3.1. The Proposed Variations to the Consented Development include an increased rotor diameter and tip height of turbines, with resultant repositioning of some turbine locations, and some minor changes in location and size of the hardstand areas and access tracks. The general arrangement of the site layout remains as close as possible to the consented layout and construction methodology and mitigation will remain as previously reported.
- 3.3.2. While comparative assessments have been undertaken as required to demonstrate no change to the significance of previously reported predicted effects during construction and decommissioning, the EIA Report focusses primarily on any change to the significance of effects likely to arise during the operation of the Proposed Varied Development, and specifically on the following main determining issues highlighted by Scottish Ministers in the Consented Development decision notice:
- the landscape and visual impacts and their cumulative effects including the effects of aviation lighting;
 - the impact on designated sites and protected landscapes; and
 - the extent to which the Proposed Development accords with and is supported by Scottish Government policy.
- 3.3.3. Where turbines, tracks and hardstand areas have been repositioned or realigned, any survey data gaps have been considered accordingly and updated surveys completed as required to inform the updated assessment. Use of and validity of existing data is explained further under each individual each chapter of this EIA Report.
- 3.3.4. The cumulative baseline scenario is reviewed for each topic and updated where necessary.

3.4. Scoping

- 3.4.1. As stated in Chapter 1, the Scoping Report (**Technical Appendix 3.1: Scoping Report**) was submitted to the ECU of the Scottish Government in July 2025 under Regulation 12 of the EIA Regulations. Its case reference is ECU00006203. The Scoping Opinion (**Technical Appendix 3.2: Scoping Opinion**) was received from the Scottish Ministers in September 2025.
- 3.4.2. Although not a legal requirement for a S.36C application, in line with good practice, a Gatecheck 1 Report (**Technical Appendix 3.3: Gatecheck 1**

Report) was submitted to the ECU in March 2026. The report provides the ECU with an update on the status of the Proposed Varied Development and progress with the EIA Report. It summarises the design iteration process which the Applicant has undertaken to date and how the Applicant has engaged with consultees. It summarises the responses received within the EIA Scoping Opinion and details how the Applicant intends to respond to these.

- 3.4.3. Consultee feedback to the Gatecheck 1 Report is contained within **Technical Appendix 3.4: Post Scoping Pre-application Consultation**. Any relevant information contained within these reports will be described within each technical chapter (**Volume 2 – Chapters 5-15**).