

# Chapter 3: Approach to EIA

3.1. INTRODUCTION .....	1
3.2. LEGISLATIVE AND REGULATORY CONTEXT .....	1
3.3. BASELINE .....	5
3.4. SCOPING OF THE EIAR .....	6

## Appendices

- Technical Appendix 3.1 Scoping Report
- Technical Appendix 3.2 Scoping Opinion
- Technical Appendix 3.3 Further Scoping Consultation
- Technical Appendix 3.4 Gatecheck 1 Report
- Technical Appendix 3.5 Consultee Responses to Gatecheck 1 Report
- Technical Appendix 3.6 Planning Conditions Summary
- Technical Appendix 3.6a Habitat Management Plan
- Technical Appendix 3.6b Biogenic Carbon Report
- Technical Appendix 3.6c Biodiversity Net Gain Report
- Technical Appendix 3.6d Deer Management Plan
- Technical Appendix 3.6e Construction Environmental Management Plan (CEMP) Cover Sheet
- Technical Appendix 3.6e Construction Environmental Management Plan (CEMP)
- Technical Appendix 3.6f Private Water Supply Risk Assessment
- Technical Appendix 3.6g Water Quality and Fish Monitoring Plan (WQFMP)
- Technical Appendix 3.6h Species Protection Plan
- Technical Appendix 3.6i Breeding Bird Protection Plan – REDACTED FIGURE

### 3.1. Introduction

- 3.1.1. This Chapter sets out the general approach that has been taken to complete the comparative environmental assessment for the EIAR for the Proposed Varied Development. This 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 EIAR and the scoping of the EIAR. Each chapter of the EIAR will include a description of the assessment scope and the assessment methodology used to inform the chapter.
- 3.1.2. 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 EIAR has been prepared in line with Regulation 4(2) and (3) of the 2017 EIA 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). This EIAR 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).
- 3.2.2. 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. Accordingly, this EIAR 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 either the 2021 EIAR or the 2022 AIR (as applicable). 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*".

3.2.3. 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 previous environmental information listed below have been taken into account for the preparation of this EIAR:

- 2021 EIAR: Bhlaraidh Extension Wind Farm Environmental Impact Assessment Report, August 2021. Prepared for the Section 36 application for a proposed 18 turbine layout; and
- 2022 AIR: Bhlaraidh Extension Wind Farm Additional Information Report, March 2022. Produced as part of the Section 36 application to identify changes to the assessment for a proposed revised 15 turbine site (the Consented Development).

3.2.4. In addition, several pre-commencement planning conditions attached to the Section 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 EIAR where relevant. A summary of the status of each planning condition and the related documents is provided in **Technical Appendix 3.6: Planning Condition 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 3.6a-i**.

### ***Methodology***

3.2.5. The EIAR provides impact assessment chapters for the relevant factors specified in Regulation 4(3) of the 2017 EIA 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 2021 EIAR 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 EIAR has been prepared with reference to baseline information collected and presented as part of the previous environmental impact assessment reports prepared for the site (2021 EIAR and 2022 AIR), 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.

3.2.6. In taking this approach, the EIAR 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 Scheme.

3.2.7. Scottish Government guidance on S36C applications reinforces this approach, advising that the EIAR should concentrate on the likely significant effects of the development as it would exist if the variation were approved. Accordingly, this EIAR provides a targeted assessment of the environmental implications of the proposed changes, ensuring compliance with both regulatory and policy expectations.

3.2.8. 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 environment 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.

3.2.9. In this assessment **major** and **moderate** effects are considered ‘Significant’ in EIA terms, while **minor** and **negligible** effects are regarded as ‘Not Significant’.

3.2.10. As stated within the introduction, details on assessment scope and methodologies are described in each technical chapter (EIAR Chapters 4-15). The EIAR 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 2021 EIAR and 2022 AIR) to a significant level.

3.2.11. Without implementation of the Consented Scheme 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***

3.2.12. 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 EIAR 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.

3.2.13. **Figure 8.10: 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***

- 3.2.14. The EIA process has been managed by the Applicant with assessments undertaken by third party 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 EIAR have been prepared by professional EIA practitioners with relevant experience and holding relevant degree level qualification and membership of appropriate professional bodies.
- 3.2.15. 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 **Technical Appendix 1.1, EIAR Team, Volume 4 Technical Appendices**. The specialist consultants appointed by the Applicant are as follows:
  - Socio-economics - BiGGAR Economics;
  - Landscape and Visual – ASH design + assessment Ltd (ASH);
  - Ecology and Ornithology – RPS Consulting Services Ltd (RPS);
  - Geology and Carbon Balance – SLR Consulting Ltd;
  - Archaeology and Cultural Heritage – Headland Archaeology;
  - Traffic, Transport and Access – Pell Frischmann Ltd; 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. 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 EIAR focusses primarily on any change to the significant 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. Existing survey data has been utilised for all topics ‘scoped in’ to the EIAR as it is considered that all previous survey data collected remains valid. Baseline conditions will therefore be assumed to be as per the **2021 EIAR and 2022 AIR**, supplemented with information contained within documents submitted to satisfy planning conditions where relevant. This will allow a comparison of effects for the topics ‘scoped in’ to the EIAR between the Consented and Proposed Varied Developments.

3.3.4. 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 EIAR.

3.3.5. The cumulative baseline scenario is reviewed for each topic and updated where necessary.

### **3.4. Scoping of the EIAR**

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 May 2025 under Regulation 12 of the EIA Regulations. This was the Applicant’s formal request for a Scoping Opinion from the Scottish Ministers. The Scoping Opinion (**Technical Appendix 3.2: Scoping Opinion**) was received from the Scottish Ministers in July 2025.

3.4.2. Although not a legal requirement for a Section 36C application, in line with good practice, a Gatecheck 1 Report (**Technical Appendix 3.4: Gatecheck 1 Report**) was submitted to the ECU in September 2025. The report provides the ECU with an update on the status of the Proposed Varied Development and progress with the EIAR . 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 3.5 Consultee Responses to Gatecheck 1 Report**As stated in paragraph 3.2.6 above, any relevant information contained within these reports will be described within each technical chapter (**EIAR Chapters 4-15**).