



Outlook

FW: (EXT): S.36 Application - Request for Additional Information - Cruach Clenamacrie Wind Farm [SWLLP-LEGALDIV.FID5258318]

From Whelton, Craig [REDACTED]
Date Thu 5/7/2026 12:55 PM
To [REDACTED]
Cc Luke MAJOR [REDACTED]; Isla Ferguson [REDACTED]; Corey Simpson [REDACTED]; Alexander HAMILTON [REDACTED];
[REDACTED]

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Joy

We have been passed your email to our clients, Voltalia, dated 20 April 2026.

In your email you advise that Scottish Ministers are requesting additional environmental information for the Cruach Clenamacrie Wind Farm under Regulation 19 of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017. It is not stated in your email, but this request would seem to be predicated on Ministers having considered and concluded that the proposed windfarm and grid connection are a single project for EIA purposes.

The question as to the extent of the "Project" is a matter of fact for Ministers as decision maker to determine. However, that decision requires to be made within the relevant legal framework (as outlined in the *Raeshaw* decision previously referenced in correspondence). However, your email does not confirm that Ministers consider this to be a single project, nor does it set out Ministers' assessment or reasoning if that is their position.

We should be grateful for confirmation of Ministers' position as to what it considers to be the Project for EIA purposes, including the reasons for their position. This information is required having regard to the Court decision in *Raeshaw*, and the requirement, as identified by the Court in that case, that decision makers set out the reasons as to what they consider to be the Project for EIA purposes.

Scottish Minister's request asks for "*a proportionate assessment of the potential for significant effects of the grid connection by itself*" [emphasis added]. On the understanding Scottish Ministers consider the grid connection to form part of a single project with the wind farm, we do not understand it to be a requirement under the EIA Regulations for a standalone assessment of individual components of a single project. Such an approach would not appear consistent with the requirements of the Regulations. As confirmed previously, our clients intend to provide additional environmental information to include an assessment of the grid route as part of the wind farm.

Cruach Clenamacrie has been selected as a Gate II project, and therefore benefits from a prioritised grid connection. We would be grateful if you could provide the requested clarifications as to Scottish Ministers' position as soon as possible.

Many thanks

Craig Whelton
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