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Seagreen Wind Energy Limited
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1 Waterloo Street
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Ref: A4MR-SEAG-Z-LGL810-SLE-548

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**Seagreen Alpha and Seagreen Bravo Offshore Wind farms
Section 36 Consent Variation Request**

**The Electricity Act 1989
The Electricity Generating Stations (Applications for Variation of Consent) (Scotland)
Regulations 2013 (the “Variation Regulations”)**

Seagreen Wind Energy Limited (Company number 06873902) (“SWEL”), on behalf of Seagreen Alpha Wind Energy Limited (Company number 07185533) and Seagreen Bravo Wind Energy Limited (Company number 07185543), applied for and was granted two section 36 consents and associated marine licences for the construction and operation of the Seagreen Alpha and Bravo offshore wind farms on 10 October 2014.

SWEL, on behalf of Seagreen Alpha Wind Energy Limited and Seagreen Bravo Wind Energy Limited, hereby submits this letter and the associated documents as an application for variation of the extant section 36 consents under section 36C of Electricity Act 1989.

SWEL also requests that should the variation of the section 36 consents be granted, the associated marine licences are also varied by the Scottish Ministers under section 72 of the Marine and Coastal Access Act 2009 and section 30 of the Marine (Scotland) Act 2010.

The variation application is supported by an Offshore Consents Variation Report¹ providing detail on the variation sought.

Background

Following the conclusion in November 2017 of legal challenge proceedings by the RSPB against the grant of the existing section 36 consents and marine licences granted in 2014, Seagreen has reviewed its consenting strategy. That review has also had regard to the Contract for Difference (CfD) auction announced for spring 2019, which Seagreen intends to participate in. This auction will be extremely competitive and it is therefore essential that the Seagreen consents maximise the chances of success in the auction by taking advantage of the developments in Wind Turbine Generator (WTG) technology which have occurred since the section 36 applications were made to increase the maximum generating capacity of the wind farms.

¹ Offshore Consents Variation Report, Ref. A4MR-SEAG-Z-DEV210-SRP-345, March 2018

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Fluor Registered Address: Fluor Centre, 140 Pinehurst Road, Farnborough, Hampshire GU14 7BF. Company registration No. 1274885



Annex 1 Description of the Development in each section 36 consent provides that “*the Development, located as shown on Figure 1 below, shall have a permitted generating capacity not exceeding 525MW...*”

Condition 7 of each of the section 36 consents provides that “*the Development must be constructed and operated in accordance with the terms of the Application and related documents, including the accompanying ES, the SEIS and Annex 1 of this letter, except in so far as amended by the terms of this section 36 consent*”.

Chapter 5, Project Description of the ES provides each project will have “*a maximum generating capacity of 525MW*”². The SEIS provides that the maximum capacity of each wind farm will be 525MW³.

The description of the works, condition 2.2 in each of the marine licences provides that each of the Alpha and Bravo developments will have “*a maximum generating capacity of up to 525MW*”.

Variation sought

SWEL requests that the section 36 consents and marine licences are varied to delete the capacity limit and to allow deviation from the ES and SEIS so as to allow installation of higher rated WTGs. This would have no implications for the environmental effects of the project. It would, however, allow larger capacity WTGs to be constructed under the existing consent parameters.

This variation can be properly considered and determined under the variation procedure as set out in the Variation Regulations and the equivalent procedure in relation to marine licences, and associated guidance⁴ (the Guidance) as it will not result in a development which is fundamentally different in character, scale or environmental impact from that authorised by the existing consents. This is the key test for the availability of the variation procedure, as explained in the Guidance in terms of the appropriateness test in paragraph 12. The character of the development will be the same, remaining an offshore wind using 3 bladed wind WTGs. There will be no change to the red line boundary. SWEL considers that the proposed variation would be a proportionate and reasonable use of the variation procedure in line with the considerations regarding evolving technological developments discussed in paragraphs 6 to 9 of the Guidance.

The variation sought is therefore to remove the 525MW per site generating limit. The only change would be to the technology within the WTGs which has advanced considerably since the applications for the 2014 consents were prepared. As set out in the table below none of the physical parameters of the developments would change and there would be no implications for the environmental effects of the project.

²Seagreen Phase 1 Offshore Project Environmental Statement, September 2012, Volume 1 part 1, Chapter 5, table 5.1

³ SEIS NTS table 1, October 2013

⁴ A Guidance Note to support the process for Applying for Variation of section 36 consents of the Electricity Act for Generating Stations in Scotland, Scottish Government Energy Consents and Deployment Unit, September 2015

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Parameter	Existing consents	Consents as varied
Number of wind turbine generators (WTGs)	Up to 75 per Alpha and Bravo project (Maximum of 150 in total)	No change
Maximum capacity	525MW each	No limit
Maximum blade tip height (from LAT)	209.7 metres	No change
Rotor diameter	122 to 167 metres	No change
Hub height (from LAT)	87.1 to 126.2 metres	No change
Minimum blade tip clearance (from LAT)	29.8 to 42.7 metres	No change
Blade width	Up to 5.4 metres	No change
Minimum spacing	1,000 metres	No change
Foundation types	Gravity Base Structure Suction Caisson Pin piled jackets (Dimensions and installation methods are as described in the ES and SEIS)	No change

EIA considerations

The existing consents were assessed in compliance with the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 and the Marine Works (Environmental Impact Assessment) Regulations 2007 as set out within the 2012 Offshore ES, 2013 SEIS and HRA. The variation request does not change any of the physical works or parameters authorised by the current consents. The conclusions of the ES and SEIS therefore remain valid. As set out in the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, in the case of variation applications, these will only constitute EIA development requiring assessment where the variation is a schedule 1 development or is likely to have significant effects on the environment. In this case the variation sought does not extend or increase the size of the projects or create any new likely significant effect. An EIA for the variation is accordingly not required. The submission of no environmental implications arising from this variation is explained in further detail in the Offshore Consents Variation Report submitted as part of this application.

Section 36 consent variations sought

As both the section 36 consents are in largely identical terms (other than the references to Alpha and Bravo) they are considered together. Each consent is shown with tracked changes in Appendix 2 of the supporting Offshore Consents Variation Report.

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Annex 1 description of development

Annex 1 of each consent provides:

“The Development, located as shown on Figure 1 below, shall have a permitted generating capacity not exceeding 525MW and shall comprise a wind-powered electricity generating station in the FFZ including:

1. not more than 75 three-bladed horizontal axis wind turbine generators each with:

- (a) a maximum blade tip height of 209.7 metres (measured from LAT);*
- (b) a rotor diameter of between 122 and 167 metres;*
- (c) a hub height of between 87.1 and 126.2 metres (measured from LAT);*
- (d) a minimum blade tip clearance of between 29.8 and 42.7 metres (measured from LAT);*
- (e) blade width of up to 5.4 metres; and*
- (f) a minimum spacing of 1,000 metres;*

2. all foundations, substructures, fixtures, fittings, fixings, and protections;

3. inter array cabling and cables up to and onto the offshore substation platforms; and

4. transition pieces including access ladders / fences and landing platforms,

and, except to the extent modified by the foregoing, all as specified in the Application and by the conditions imposed by the Scottish Ministers. References to “the Development” in this consent shall be construed accordingly.”

The variation sought is to remove the capacity limit so that annex one in each consent reads:

“The Development, located as shown on Figure 1 below, shall comprise a wind-powered electricity generating station in the FFZ including:

1. not more than 75 three-bladed horizontal axis wind turbine generators each with:

- (a) a maximum blade tip height of 209.7 metres (measured from LAT);*
- (b) a rotor diameter of between 122 and 167 metres;*
- (c) a hub height of between 87.1 and 126.2 metres (measured from LAT);*
- (d) a minimum blade tip clearance of between 29.8 and 42.7 metres (measured from LAT);*
- (e) blade width of up to 5.4 metres; and*
- (f) a minimum spacing of 1,000 metres;*

2. all foundations, substructures, fixtures, fittings, fixings, and protections;

3. inter array cabling and cables up to and onto the offshore substation platforms; and

4. transition pieces including access ladders / fences and landing platforms,

and, except to the extent modified by the foregoing, all as specified in the Application and by the conditions imposed by the Scottish Ministers. References to “the Development” in this consent shall be construed accordingly.”

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Annex 2 conditions

Should the variation to the Annex 1 description be granted it is not considered to be necessary to amend any of the existing conditions of the section 36 consents. The terms of condition 7 can remain unchanged as the section 36 Annex 1 description as varied will authorise deviation from the generating capacity limits set out in the ES and SEIS.

Marine licence variations sought

The Alpha marine licence (licence number 04676/14/0) and Bravo Marine licence (licence number 04677/14/0) both contain the same description of the works (under exception of the name of the development). That description is;

“2.2 Description of the Works

An offshore wind electricity generating station, known as the Seagreen [Alpha/Bravo] Offshore Wind Farm, with a maximum generating capacity of up to 525 MW, consisting of up to 75 wind turbine generators (“WTGs”) including foundations, substructures, fixtures, fittings, fixings and protections and associated infrastructure including, but not limited to, inter-array cabling to the connection point on the Offshore Sub-station Platforms (“OSPs”), up to 3 meteorological masts and up to 3 wave buoys (should they be located in the Site) and transition pieces including access ladders, fences and landing platforms. The substructure and foundation design for the WTGs and meteorological masts will consist of either one of, or a combination of, the following design options:

- *a four leg steel jacket with driven piles;*
- *a four leg steel jacket with suction piles; or*
- *Gravity Base Structure (“GBS”).”*


SWEL seeks the deletion of the words “*with a maximum generating capacity of up to 525 MW,*” from each of the marine licences.

The details of the variations sought are shown in tracked change on the section 36 consents in Appendix 2 of the supporting Offshore Consents Variation Report. The tracked changes sought to the marine licenses are also described in the supporting Report.

Summary

The variations are sought to remove the capacity limits in the existing consents in order to allow the installation of higher rated WTGs within the parameters already consented resulting in a more efficient development. SWEL accordingly requests that the maximum capacity limit is removed from the Section 36 consents for both Alpha and Bravo wind farms and that the corresponding limit in the marine licences is also deleted. No variation is sought or required to any other parameter of the consents and there are no changes to the environmental effects from those already assessed.

Yours sincerely



Heather Donald
Consents Manager
For and behalf of Seagreen Wind Energy Limited