

Redacted
Aberdeen Offshore Wind Farm Ltd
St. Andrew's House
Haugh Lane
Hexham
NE46 3QQ

Our Ref: 018/OW/AOWFL-9

Date: 11 December 2018

Dear Redacted ,

SCREENING OPINION UNDER PART 2, REGULATION 8 OF THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 (AS AMENDED) (“the 2017 EW Regulations”)

Thank you for your email dated 27 August 2018, requesting a screening opinion (“Screening Request”) to inform an application to vary the existing consent, granted under section 36 consent (“the s.36 consent”) of the Electricity Act 1989 (as amended), granted on 26th March 2013 to Aberdeen Offshore Wind Farm Ltd., for the construction and operation of the European Offshore Wind Deployment Centre (“EOWDC”).

In considering your Screening Request, the Scottish Ministers have consulted the relevant planning authorities (Aberdeenshire Council and Aberdeen City Council) as to their view on whether the proposed s.36 consent variation application (“the Proposed Development”) is an environmental impact assessment (“EIA”) development. In addition, the Scottish Ministers have consulted Scottish Natural Heritage (“SNH”). Copies of the consultation responses are attached for your review (Appendix 1).

The Proposed Development is to extend the duration of the s.36 consent, from 22 years to 25 years (following final commissioning of the development and excluding decommissioning), so to align with the design life of the wind farm assets.

The Proposed Development constitutes a change to a schedule 2 development (as defined in the 2017 EW Regulations) which has already been authorised and the proposed change may have significant adverse effects on the environment. The Scottish Ministers therefore consider the Proposed Development to fall under paragraph 3 of schedule 2 of the 2017 EW Regulations.

When making a determination as to whether schedule 2 development is an EIA development, the Scottish Ministers must take into account the selection criteria set out in schedule 3 to the 2017 EW Regulations. In this regard, the Scottish Ministers have considered the following:

Characteristics of the Proposed Development

The construction and final commissioning of the EOWDC has already been completed. The Proposed Development will not amend the size or design of the EOWDC.

Based on the information above and advice received, the Scottish Ministers are of the opinion that the characteristics of the Proposed Development are unlikely to have significant effects on the environment.

Location of the Proposed Development

Whilst the geographical location of the EOWDC resulted in multiple environmental receptors requiring to be considered when the s.36 consent was granted, the Proposed Development will not alter the site boundary. The Scottish Ministers do not anticipate that the Proposed Development will have a negative impact on the absorption capacity of the natural environment.

Based on the information above and advice received, the Scottish Ministers are of the opinion that the location of the Proposed Development is unlikely to have significant effects on the environment.

Characteristics of potential impacts

The Scottish Ministers agree with SNH's advice that the extended duration of the s.36 consent would not result in significant effects on the environmental receptors of concern.

The Scottish Ministers are of the opinion that it is unlikely that there will be any significant effects on the environment as a result of the characteristics of the potential impacts of the Proposed Development.

Conclusion

In view of the findings above, the Scottish Ministers are of the opinion that the Proposed Development is not an EIA project under the 2017 EW Regulations and an EIA is not required to be carried out in respect of the Proposed Development.

If you alter the Proposed Development in any way you are advised to contact Marine Scotland – Licensing Operations Team to confirm if the screening opinion is still valid.

A copy of the screening opinion has been forwarded to the relevant planning authorities. This screening opinion has been made publicly available through the Marine Scotland Information webpage: <http://marine.gov.scot/ml/european-offshore-wind-deployment-centre>. If you require any further assistance or advice on this matter, please do not hesitate to contact me.

Yours sincerely

Redacted
Marine Scotland Licensing Operations Team

Appendix 1

Consultee responses to the request for a Screening Opinion

Aberdeen City Council

The Environmental Policy team at Aberdeen City Council does not have any concerns with the proposal for an Extension of Consent.

Aberdeenshire Council

Thank you for your email dated 20/09/2018 offering the opportunity to comment on the screening opinion request in relation to extending the duration of the s.36 consent.

Having read the information provided, it is noted that there is mention that 'all operational-phase impacts were assessed as long-term impacts' and as such, there appear to be no additional impacts warranting an additional EIA anticipated by virtue of the extension of time.

Aberdeenshire Council would, however, still recommend that consideration be given to:

- the altered positioning of the WTGs as noted in the 'changes to screening' section to ensure there are no additional significant visual or other impacts arising from the changes;
- ensuring that there are no time sensitive elements/surveys within the approved EIA that would be impacted by time; and
- ensuring that the mitigation approved within the application is still appropriate.

As an aside, although not encapsulated within this enquiry, it should be confirmed that the altered positioning of the WTGs do not need a separate planning permission.

SNH

Having reviewed the information provided I can confirm that SNH does not require any new EIA to be submitted in support of the request to extend the duration of consent for Aberdeen offshore wind farm.

We agree with the assessment of effects presented in Table 1 of the screening request: that extending the duration of consent will not result in any additional impacts to environmental receptors of concern.