

Ms Esther Villoria
Aberdeen Offshore Wind Farm
3rd Floor, The Tun Building
4 Jackson's Entry
Holyrood Road
Edinburgh
EH8 8PJ

20th September 2017

Dear Ms Villoria

**THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017 (AS AMENDED)**

THE ELECTRICITY ACT 1989 (AS AMENDED)

DECISION NOTICE RELATIVE TO APPLICATION FOR MULTI-STAGE CONSENT

**FOR THE CONSTRUCTION AND OPERATION OF THE EUROPEAN OFFSHORE WIND
DEPLOYMENT CENTRE ELECTRICITY GENERATING STATION, ABERDEEN BAY,
APPROXIMATELY 2KM EAST OF BLACKDOG, ABERDEENSHIRE WITH A MAXIMUM
GENERATION CAPACITY OF 100 MW.**

1.1 Description of the Application

1.1.1 On 26th March 2013 the Scottish Ministers, granted in favour of Aberdeen Offshore Wind Farm Limited (Company Number SC278869) having its registered office at The Tun Building, 4 Jacksons Entry, 8 Holyrood Road, Edinburgh EH8 8AE ("the Company") consent under section 36 ("s.36") of the Electricity Act 1989 (as amended) relative to the above works. Condition 14 of the said s.36 consent, requires the Company to submit a Design Statement ("DS") for approval by the Scottish Ministers prior to commencing the above works.

1.1.2 A draft DS was submitted by the Company to the Scottish Ministers for consideration on 24th March 2016.

1.1.3 On 12th May 2017 the Company submitted to the Scottish Ministers the DS for approval and applied for multi-stage consent in relation thereto in accordance with condition 14 of the said s.36 consent. The DS was subsequently amended by the Company on 11th August 2017.

1.2 Summary of Consultation Responses

1.2.1 The Scottish Ministers consulted with the Maritime Coastguard Agency (“MCA”), the Northern Lighthouse Board (“NLB”), Scottish Natural Heritage (“SNH”), National Air Traffic Services (“NATS”), Aberdeenshire Council (“AC”) and Aberdeen City Council (“ACC”) in respect of the DS.

1.2.2 The MCA confirmed they were content with the DS, however requested that the turbine coordinates presented in Table 3 of the DS were given in Longitude and Latitude. The NLB confirmed they were content with the information contained within the DS and the proposed marking and lighting (Aids to Navigation) to be deployed along with the layout and design related mitigation measures to reduce the risk within the marine environment providing that the DS is implemented as approved. NATS confirmed they were content that the DS met the requirements of condition 14 of the said s.36 consent. AC made no comments on the DS.

1.2.3 SNH commented that the use of the same turbine type throughout the scheme was welcomed as it would greatly increase the simplicity of the overall design. SNH did recommend that if at all possible the use of logos and flags should be avoided. If however logos were required then reducing the number of turbines which they featured on or using one rather than both sides of the hub should be considered. In addition, SNH advised that they would welcome the synchronisation of the blade rotation between turbines as it would help to simplify the development's design and mitigate visual effects. In light of SNH's comments the Company amended the DS to the effect that the Company logo and the European Union (“EU”) flag would appear on one side of the nacelle only, being the right hand side (when viewed from the coast and with the wind turbine generators (“WTG”) orientated towards the prevailing wind from the south west). This would ensure that the logo and flag would commonly face out to sea rather than towards the coast albeit the reverse will occur if the wind direction is from the north east. The Company advised that synchronising the WTG to all rotate at the same speed was not possible due to many varying input factors however the Company noted that only 11 WTG were proposed for the above works with approximately 1km between them and advised therefore that they should rotate at approximately the same speed. SNH subsequently confirmed they were satisfied with the amended DS.

1.2.4. ACC initially advised they were not supportive of the inclusion of any logos or flags on any part of the turbines. In addition, they requested that where possible, within technical constraints, the positioning of turbines be amended to reduce as far as possible the adverse changes to visual composition of the array in particular in respect of viewpoints 1, 7 and 12 within the DS. ACC did however comment that the base design was overall an improvement and acknowledged that the impacts due to the yellow colour could not be changed for technical reasons. The Company advised that the inclusion of the EU flag was a requirement of the EU grant and the incorporation of this and the Vattenfall logo was detailed within the Environmental Statement (“ES”) submitted in respect of the said s.36 consent. The Company also advised that in addition to the above mitigation agreed with SNH in respect of the placement of the logo and flag, they would also reduce the size of the Vattenfall logo. The Company also noted that the location of each WTG may be subject to slight amendment to avoid Unexploded Ordnance or local seabed restrictions, however, all WTG would be situated within the 100 metre micro-siting allowance for the project.

1.2.5 ACC subsequently sought further clarification regarding how much of the side of the nacelle bearing the logo and flag would be visible and also the size requirement of the EU flag. ACC also suggested alternative positioning in respect of both EU flag and Vattenfall

logo which would ensure neither would be visible from land. The Company confirmed that using the available data it had concluded that the frequency at which the right hand side of the nacelle would face away from the coast was in the order of 53.4% of the time (when winds are between approximately 120 degrees and 240 degrees). When the wind was in any other sector the logo would either be at an oblique angle or face the viewer and this would be different at each location on the coast. The Company also confirmed that there were no specific size requirements for the EU flag however, it should be visible from vessels passing at Mean Sea Level in clear conditions and therefore the Company considered that 2 metres wide and 1.5 metres high was an appropriate size. The Company confirmed they had considered ACC's proposals for placing the logo and flag on transition pieces/foundations instead of on the nacelles however advised that it was not possible due to the risk of causing interference and confusion with the navigation ID markings placed on the transition piece/foundations. ACC accepted that in this instance technical issues overrode design considerations and that their acceptable alternatives had been closed down largely due to technical reasons.

1.3 Reasons and Considerations on which this decision is based

1.3.1 In addition to the above consultation, the Company submitted a draft DS to the Scottish Ministers on 24th March 2016 which was issued to consultees for comment in 15th April 2016. These comments were forwarded to the Company for consideration. In addition, the Scottish Ministers have considered advice in relation to the draft DS which they obtained from a Principal Landscape Architect experienced in preparing and reviewing design statements.

1.3.2 The DS was formally submitted to the Scottish Ministers by the Company on 12th May 2017 and subsequently amended by the Company on 11th August 2017.

1.3.3 The Scottish Ministers have fully considered all other representations received regarding the DS.

1.3.4 The Scottish Ministers have also considered the information detailed in the 'Independent Evaluation of the Potential Impact of the Aberdeen Offshore Wind Farm upon Salmon and Sea Trout' by Anthony D. Hawkins together with the reviews undertaken by the Company, CH2M, Scottish Natural Heritage and Nathan Merchant of the Centre for Environment Fisheries and Aquaculture Science relative thereto. The said information is either available on the Marine Scotland licensing page of the Scottish Government's website or upon request to the Scottish Ministers.

1.3.5 In addition, the Scottish Ministers have considered advice provided by Marine Scotland Science that there is no new information since the said s.36 consent was granted which has led to the identification of significant effects where none were previously identified in the Environmental Statement ("ES") and Supplementary Environmental Information Statement ("SEIS").

1.4 Reasoned Conclusion

As set out above, the Scottish Ministers are satisfied that they have sufficient information to enable them to reasonably conclude that either the effects of the DS have already been considered within the ES and SEIS previously assessed in respect of the said s.36 consent or the DS does not identify any additional significant environmental effects.

In taking into account the information set out above the Scottish Ministers are satisfied that this information is relevant, appropriate and up to date.

1.5 Determination and Terms of Decision

1.5.1 The Scottish Ministers, hereby approve the DS as submitted on 11th August 2017 and grant multi-stage consent in relation thereto.

1.5.2 In the event that the Company wishes to update or amend the DS, the Company must submit, in writing, details of the proposed updates or amendments to the Scottish Ministers for their written approval prior to the planned implementation of the proposed updates or amendments. It is not permissible for any works associated with the proposed updates or amendments to proceed prior to the granting of such approval.

1.5.3 Unless otherwise agreed, in writing by the Scottish Ministers, all works must proceed in accordance with the DS.

1.5.4 This Decision Notice has been published on the Marine Scotland licensing page of the Scottish Government's website:

<http://www.gov.scot/Topics/marine/Licensing/marine/scoping/EOWDC>.

1.5.5 A copy of this Decision Notice has also been sent to the relevant planning authorities.

Signed by


Kerry Bell
20 September 2017
Authorised by the Scottish Ministers to sign in that behalf