

Marine Scotland Licensing Operations Team (MS-LOT)  
Marine Scotland  
By email

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6 May 2022

Attn: Marine Scotland Licensing Operations Team (MS-LOT)

**Granton Harbour – Marine Licenses 06807/19/0 (Dredging) and 06806/19/0  
(Construction)  
Request for a Screening Opinion**

We write on behalf of our clients, PiP Asset Management, to formally request a screening opinion under The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 for the above-named project. The screening request relates to a temporal extension to the above noted marine licenses so capital dredging and construction works can continue through to July 2025.

As required by Part 2, Paragraph 10 of the above Regulations we have provided information relevant to this proposal (attached) which includes:

- (2) A request for a screening opinion under paragraph (1) must include –
  - a) a description of the location of the proposed works, including a plan sufficient to identify the area in which the works are proposed to be sited;
  - b) a description of the proposed works, including in particular—
    - (i) a list of all of the regulated activities which are proposed;
    - (ii) a description of the physical characteristics of the proposed works and, where relevant, works to be decommissioned; and
    - (iii) a description of the location of the proposed works, with particular regard to the environmental sensitivity of geographical areas likely to be affected;
  - c) a description of the aspects of the environment likely to be significantly affected by the proposed works; and
  - d) a description of any likely significant effects, to the extent of the information available on such effects, of the proposed works on the environment resulting from either, or both, of the following:—
    - (i) the expected residues and emissions and the production of waste, where relevant;
    - (ii) the use of natural resources, in particular soil, land, water and biodiversity.
- (3) A request for a screening opinion may, in addition to the information required in accordance with paragraph (2), also be accompanied by a description of any features

of the proposed works or proposed measures envisaged to avoid or prevent significant adverse effects on the environment.

- (4) The information referred to in paragraph (2) is to be compiled taking into account, where relevant—
- a) the selection criteria set out in schedule 3; and
  - b) the available results of any relevant assessment.

The information provided is drawn from a desk-based appraisal of the site in relation to its environmental setting.

If you have any questions related to the information provided, please do not hesitate to contact the undersigned.

Yours sincerely  
**for EnviroCentre Ltd**

(issued electronically)

**Emma Cormack**  
**Principal Consultant**

**Campbell Stewart**  
**Associate Director**

Enc: Granton Harbour (Marine Licenses 06807/19/0 (Dredging) and MS-06806/19/0 (Construction))

CC: Gary Freckleton

## GRANTON HARBOUR (MARINE LICENSES 06807/19/0 (DREDGING) AND MS-06806/19/0 (CONSTRUCTION))

### Introduction

PiP Asset Management Ltd seek a formal Screening Opinion from Marine Scotland as the Consenting Authority under Part 2, Regulation 10(1) of the Marine EIA Regulations in respect of the temporal variation of both of the above noted marine licenses for Granton Harbour. The approximate Grid Reference for the site is 323710 677705 with the site boundary shown in Drawing No 776305-GIS001, Appendix A.

### Site Location

Granton Harbour lies on the Firth of Forth, about 1.6km west of Newhaven and 4km north of Edinburgh City centre. The harbour sits within the Granton Harbour regeneration development area which fronts the Firth of Forth. It is approximately 9.5Ha in size, bounded to the north by the Western Breakwater, to the east by the Eastern Harbour and to the south by Granton Waterfront Development.

### 2018 Environmental Impact Assessment

An Environmental Impact Assessment Report (reference 8170, hereafter referred to as the EIAR) was prepared under the Marine EIA Regulations to accompany the marine licence applications for the construction and dredging/disposal activities associated with the development. The applications were submitted to Marine Scotland in October 2018.

The EIAR considered the environmental impact associated with developing the existing harbour into a marina, including land reclamation, construction of a quay wall, revetment, mole extension and associated dredging. The EIAR concluded there were no significant impacts associated with the development as long as the mitigation measures identified in Chapter 8 Schedule of Mitigation of the EIAR were adhered to.

### Habitats Regulation Appraisal (HRA)

Due to the proximity of works to European designated sites, the marine license applications were accompanied by a HRA (refer to Edinburgh Marina, Technical Appendix 5-4: Habitat

Regulation Appraisal, Ref 8399, dated 28 September 2018) to determine the effect of the proposed development on the qualifying features of the following designated sites:

- Firth of Forth Special Protection Area (SPA);
- Firth of Tay and Eden Estuary Special Area of Conservation (SAC)
- Forth Islands SPA;
- Imperial Dock Lock, Leith SPA;
- Outer Firth of Forth and St Andrews Bay Complex proposed SPA (pSPA);
- Isle of May SAC;
- Berwickshire and North Northumberland Coast (SAC); and
- River Teith SAC.

The HRA Screening process could only rule out Likely Significant Effects (LSEs) of all the qualifying features of Firth of Tay and Eden Estuary SAC. Therefore, the effects on the qualifying features for the other seven sites were taken forward for further consideration in the next HRA stage, an Appropriate Assessment.

The Appropriate Assessment concluded that if mitigation measures outlined within the EIA Report (EIAR) are adhered to, along with the pollution prevention mitigation described in Chapter 13 of the HRA report, then there would be no significant effects on the integrity of the designated sites with regard to the conservation objectives for the sites' qualifying features.

## Climate Change

Climate change has taken a prominent position within policy and legislation at a national level, with the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019<sup>1</sup> amending the Climate Change (Scotland) Act 2009<sup>2</sup>. The 2019 Act sets a target date of 2045 for Scotland reaching net-zero emissions.

In addition, under Schedule 4(4), the Marine EIA Regulations require:

*“A description of the factors specified in Regulation 5(3) likely to be significant affected by the works... (Including) climate (for example greenhouse gas emissions, impacts relevant to adaption)”*

Note: Climate change was considered in the 2018 EIAR in Chapter 6.7. In summary it was concluded that the primary concern was in relation to flooding and that as this topic was scoped out of the EIA it did not constitute a significant environmental aspect.

## Proposed Temporal Variation

Under the current Marine Scotland authorisation, capital dredging and construction activities at the port are licensed until July 2022.

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<sup>1</sup> Climate Change (Emission Reduction Targets) (Scotland) Act 2019 (asp 15). Available at: <https://www.legislation.gov.uk/asp/2019/15/enacted>

<sup>2</sup> Climate Change (Scotland) Act 2009 (asp 12). Available at: <https://legislation.gov.uk/asp/2009/12/contents>

COVID restrictions in 2020/1 has significantly delayed the commencement of the works to the extent that work will not start within the period authorised by both licenses. As such it is proposed to extend the marine licenses by 3 years to July 2025 which should allow sufficient time to complete the works.

## EIA Screening

Under the Marine EIA Regulations, proposals are screened to determine whether they fall within one of the types or scales of development which would require an EIA. In screening an application, consideration is given to whether the proposal would fall into any of the categories set out in Schedules 1 or 2 of the Regulations.

The EIA Regulations do not attempt to define 'significant effects' as each development must be dealt with in its own merits. Schedule 1 of the Regulations lists types and scales of development for which an EIA will always be required. Schedule 2 of the Regulations lists types and scales of development for which an EIA might be required, subject to assessment under Schedule 3.

### **Assessment in Relation to Schedule 1**

The proposed alteration to the works is not of a type/scale listed in Schedule 1 of the Regulations; it is therefore necessary to assess the proposal in terms of Schedule 2

### **Assessment in Relation to Schedule 2**

The proposed development was originally identified as being a Schedule 2 development as it fell under the following classes:

*Paragraph 12 (a) - Marinas where the area of the enclosed water surface exceeds 1,000m<sup>2</sup>.*

*Paragraph 1(e) - Reclamation of land from the sea (all works)*

*Paragraph 10(m) - Coastal work to combat erosion and maritime works capable of altering the coast through the construction for example, of dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works.*

The Schedule 2 class in which the proposed temporal extension to the works could fall under are:

*Paragraph 13 - Any change to or extension of works of a description mentioned in paragraphs 1 to 12 of Column 1 of this table where those works are already authorised, executed or in the process of being executed.*

The applicable threshold and criteria in relation to this Paragraph are that the thresholds and criteria in the corresponding part of Column 2 of Schedule 2 applied to the works as changed or extended are met or exceeded and in such a case the change or extension may have significant adverse effects on the environment.

As the site is located in, what is considered to be an environmentally sensitive area, it is necessary to assess the proposed alterations to the site design against the criteria contained in Schedule 3 in order to establish whether the proposed change would be deemed a “significant effect” and thereby require an EIA to accompany any application to vary the marine construction license.

### ***Assessment in Relation to Schedule 3***

Schedule 3 of the Regulations provides selection criteria for the screening of Schedule 2 developments. It must be noted that there are no rigid thresholds providing a universal test of whether or not an EIA is required. The proposal must be considered on a case-by-case basis by virtue of factors such as its nature, size or location. The fundamental test to be applied in each case is whether that particular type of development proposed, and its specific impacts are likely, in that particular location, to result in significant effects on the environment.

The main concerns in relation to marine construction and dredging activities identified in the 2018 EIAR were:

- The Water Environment, in particular waves, sediment transport and water quality;
- Ecology in relation to Ornithology, Marine Mammals & Non-Native Species and Otter;
- Underwater Noise associated with piling operations; and
- Navigational resulting from the breakwater extension.

The 2018 EIAR considered the above and defined appropriate mitigation measures to limit any impact as summarised in the Schedule of Mitigation and Dredging Environmental Management Plan dated November 2019 (Document Reference Number 8794) and the Construction Environmental Management Plan dated March 2022 (Document Reference Number 9879). We are therefore of the opinion that the temporal extension to the dredging license to July 2025 will not have a significant impact on the outcomes of the 2018 EIAR and associated HRA AA conclusions.

### **Assessment in Relation to Climate Change**

As noted above, climate change was considered in the 2018 EIAR, in line with best practice guidance, and summarised in Chapter 6.7. The 2018 EIAR concluded that due to the nature of the proposed development, it would not result in any significant impact upon climate. It was outlined that development vulnerability to climate change would primarily relate to flood risk, which was scoped out of the EIA, given the water compatible nature of the development, and the consideration that the proposed works are unlikely to alter the flood risk. It is noted that climate projections for sea level rise have been updated since completion of the 2018 EIAR, with the publication of the UKCP18 projections. However, given flood risk was scoped out, this has no material impact on the assessment and conclusions.

We are therefore of the opinion that the temporal extension of the capital dredge and marine construction licenses to July 2025 will not alter the 2018 EIAR conclusions in relation to climate change.

## Assessment of Cumulative Impacts

The 2018 EIAR considered the cumulative effects of the development which all related to the dredging and disposal of dredged material. At the time of writing in 2018, data supplied by Marine Scotland indicated that just under 1.25 million tonnes (wet) of dredged material were disposed of within the licensed sites in the Firth of Forth in 2017. In comparison to this, the proposed material for disposal from Granton Harbour is 86,980m<sup>3</sup>, which assuming a bulk density of 1.8, would equate to 156,564 tonnes (wet) dredged material.

Information provided by Marine Scotland in 2022, as outlined in Table 1 below, indicates that a total of 349,545 tonnes (wet) were deposited at the licensed marine disposal sites in 2021.

**Table 1: Dredge Volumes**

Site ID	2020 Licensed Capacity	2021 Deposited volumes
FO038 – Narrow Deep and Narrow Deep B	No set capacity	180,073 tonnes
FO041, FO042, FO043 – Oxcars Main, Ext A and Ext B	No set capacity	169,472.2 tonnes
FO044 – Bo’Ness	No set capacity	0

Given the small-scale dredge and disposal volumes going to sea, no set annual licensed capacity, and the similar chemical composition of other dredge operations within the Firth of Forth, the dredge and disposal operations associated with Granton Harbour are unlikely to have any cumulative effects either by volume or chemical composition as per the original 2018 EIAR.

## Assessment of New Sediment Accumulation

A new bathymetric survey was undertaken in the harbour in April 2022 to assess the changes in sediment volume since the original EIAR submission was submitted in 2018. The calculations indicate that there has been an increase of 9,983m<sup>3</sup> within the harbour area.

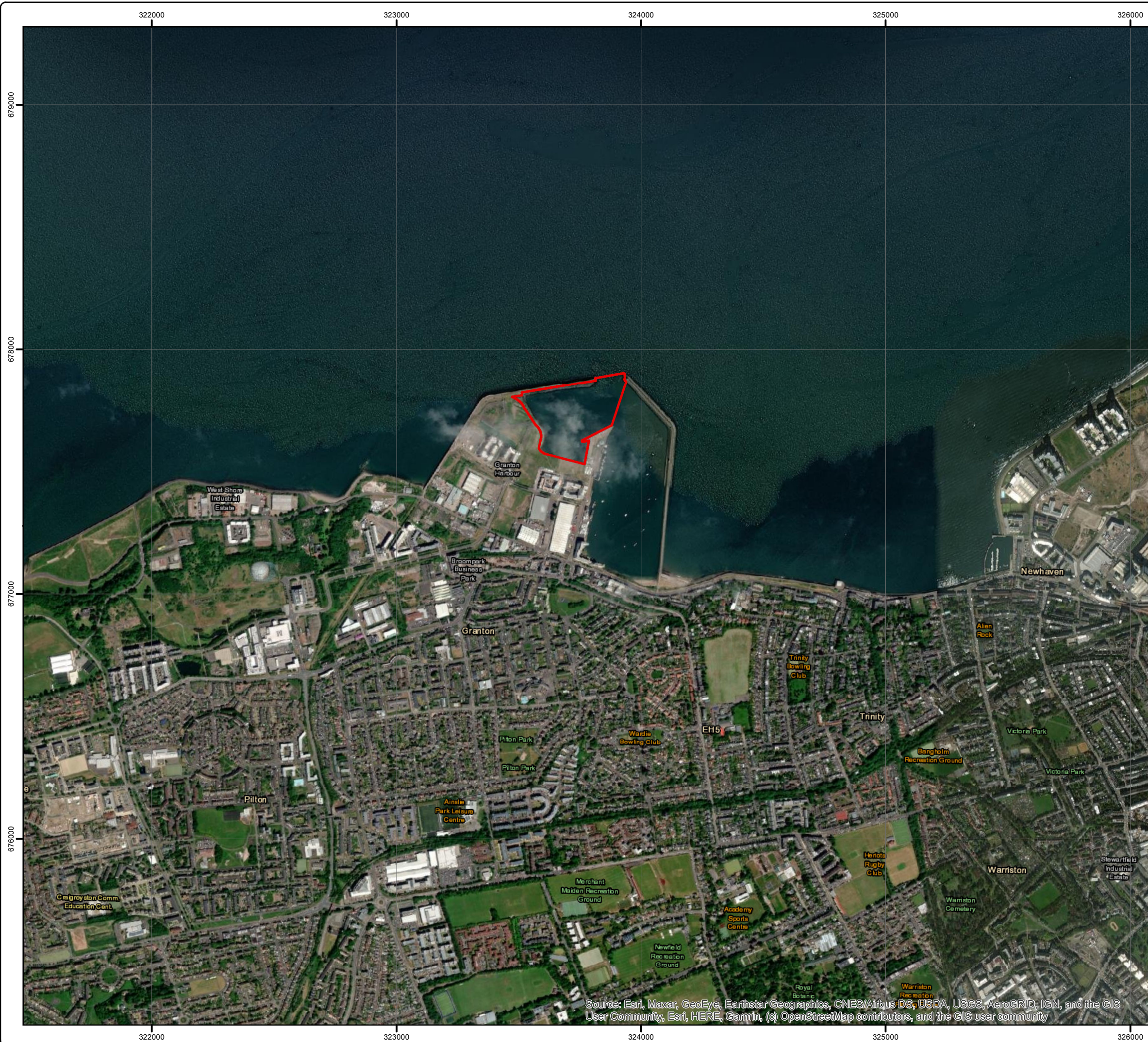
Further discussion with the client has indicated that this material will be dredged and brought to land for reuse in the wider site development along with the material previously agreed to be brought to land for treatment and disposal.

## Conclusions

In conclusion, we are of the opinion that the temporal extension to the Marine License to July 2025 will have no significant impacts on the site or surrounding area and its notable environmental features.

## **A     DRAWINGS**





Legend

Site Boundary

Do not scale this map		
Client		
Edinburgh Marina Granton Harbour Ltd		
Project		
Edinburgh Marina		
Title		
Site Location Plan		
Status		
FINAL		
Drawing No.		Revision
776305-GIS001		
Scale	A3	Date
1:15,000		5 May 2022
Drawn	Checked	Approved
GV	EC	CCAS
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