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Scottish Government
Riaghaltas na h-Alba

Mr Peter Moore
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115 George Street
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Date: 10 December 2025

Dear Mr Moore,

SCREENING OPINION UNDER THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 AND THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017

Thank you for your screening opinion request submitted on 9 October 2025 ("the Screening Report") in regards to the proposed variation to Highland Wind Limited's ("the Developer") section 36 ("s.36") consent and marine licence for the offshore generation station. The changes proposed involve a refinement of the wind turbine generator ("WTG") parameters ("the Proposed Development").

The Proposed Development is to be undertaken as part of the Pentland Floating Offshore Wind Farm project, for which marine licences and a section 36 consent were granted on 28 June 2023, and subsequently varied 3 April 2024 ("the Consented Development"). The Consented Development is an Environmental Impact Assessment ("EIA") project, therefore the Scottish Ministers consider the Proposed Development to fall under paragraph 13 of schedule 2 of The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 ("the 2017 MW Regulations"), with the Proposed Development meeting the corresponding threshold described in column 2 of schedule 2. The Scottish Ministers also consider the Proposed Development to fall under paragraph 3 of schedule 2 of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 ("the 2017 EW Regulations"). Consequently, the Scottish Ministers are obliged to adopt a screening opinion as to whether the Proposed Development is, or is not, an EIA project under both the 2017 MW Regulations and the 2017 EW Regulations.

Under regulation 10(5) of the 2017 MW Regulations and regulation 8(5) of the 2017 EW Regulations, the Scottish Ministers have consulted with NatureScot (operating name of Scottish Natural Heritage), the Scottish Environment Protection Agency ("SEPA"), Orkney Islands Council, The Highland Council, and Historic Environment Scotland ("HES") as to their views on whether the Proposed Development is an EIA project. Copies of the consultation responses received are attached for your review (at Appendix I).

When making a determination as to whether schedule 2 works are an EIA project, the Scottish Ministers must provide their reasons in a written statement, taking into account the selection criteria set out in schedule 3 of the 2017 MW Regulations and schedule 3 of the 2017 EW Regulation, as are relevant to the Proposed Development. This is set out below.

Characteristics of the works

Physical changes to the Consented Development focus on refining the WTG parameters. This involves increasing the rotor diameter from one WTG with rotor diameter of 220 metres ("m") and five WTGs with rotor diameter of 250 m, to a maximum of six WTGs with a rotor diameter of 260 m; reducing the air gap from 35 m to a minimum of 28 m; reducing the blade width from 7 m to a maximum of 6.93 m; reducing revolutions per minute from 8 to a maximum of 6.61; and operational time from an average of 95%:5% (operational:downtime) to an average of 88%:12% (operational:downtime).

The Proposed Development, as constructed, would then adhere to one of the three following design scenarios from within the project design envelope (previously assessed as part of the Consented Development) which will be selected post-consent:

1. Design Scenario 1: 6 x WTGs with rotor diameter 260 m and air gap of 30 m
2. Design Scenario 2: 5 x WTGs with rotor diameter 260 m and air gap of 28 m
3. Design Scenario 3: 6 x WTGs with rotor diameter 236 m and air gap of 28 m

The number of consented turbines, the footprint of the WTG array area and the parameters of the associated infrastructure (including the number of floating foundations, mooring lines, anchors/piles, cables and amount of cable or scour protection) of the Proposed Development remains unchanged from the Consented Development. There will otherwise be no temporal change to the Consented Development and its operational lifespan will remain at 25 years.

Location of the works

The Proposed Development is to be located approximately 7.5 kilometres off the coast of Dounreay, Caithness. The Proposed Development is contained entirely within 12 nautical miles of mean high water springs. Any aspects of the Consented Development that are changed by the Proposed Development will occur entirely within the WTG array area.

NatureScot confirmed it is content with the approach and findings outlined by the Developer in the Screening Report, and advised that an EIA is not required to support the Proposed Development.

With regard to the addendum to the Screening Report providing updated ornithological modelling in relation to protected sites under the Habitats Regulations Appraisal ("HRA") process. NatureScot advised in its response that the ornithological assessment should be revised, considering updated project alone and in combination impacts associated with the Proposed Development with a focus on collision risk modelling for kittiwake, as a qualifying feature of the North Caithness Cliffs SPA, and inclusion of 95% confidence intervals for population viability analysis results. The Scottish Ministers agree with NatureScot and are content that the revised ornithological assessment form part of the marine licence and consent variation application submission. The Scottish Ministers are content that any impacts to the kittiwake qualifying feature of the North Caithness Cliffs SPA can be managed through a HRA carried out as part of the variation application submission process.

Additionally, NatureScot reviewed the Seascape, Landscape, Visual Impacts Assessment forming part of the Screening Report. NatureScot advised that it does not consider the

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landscape, visual or cumulative effects arising from the Proposed Development to meet the 'national interest' threshold in relation to impacts on this receptor.

HES agreed with the Screening Report's conclusion that there will be no further significant impacts from the Proposed Development that were not previously assessed under the Consented Development. HES therefore advised it had no further comment to make on the Proposed Development.

Characteristics of the potential impact

SEPA advised that with respect to interests relevant to its remit, the Proposed Development will be unlikely to have a significant effect on the environment and, therefore, an EIA is not required.

The Highland Council stated that, while there may be an impact on the receiving environment, it is not considered to be significant. Therefore, The Highland Council did not consider the Proposed Development to constitute an EIA development and therefore an EIA is not required. The Highland Council also supported NatureScot's request for a revised ornithology assessment that focuses on collision risk modelling for kittiwake to support the variation application.

Orkney Islands Council had no comment to make on 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 MW Regulations and the 2017 EW Regulations, and, therefore, an EIA is **not required** to be carried out in respect of the Proposed Development.

If you increase, alter or extend the Proposed Development, you are advised to contact Marine Directorate - Licensing Operations Team again to confirm if the screening opinion is still valid.

A copy of the screening opinion has been forwarded to, Orkney Islands Council and The Highland Council planning department. The screening opinion has also been made publicly available through the Marine Scotland Information website.

If you require any further assistance or advice on this matter, please do not hesitate to contact me.

Yours sincerely,

Claire McGregor
Marine Directorate - Licensing Operations Team