

Appendix I

Consultation Responses

Historic Environment Scotland



HISTORIC
ENVIRONMENT
SCOTLAND

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ALBA

By email to:

MD.MarineRenewables@gov.scot
Marine Directorate (Marine Renewables)
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131 668 8716
HMConsultations@hes.scot

Our case ID: 300083110
Your ref: SCR-0121
04 March 2026

Dear Marine Directorate

The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 SCR-0121 - Offshore Solutions Group Limited – Moray FLOW-Park – Inner Moray Firth – Consultation on Request for Screening Opinion

Thank you for consulting us on this Environmental Impact Assessment (EIA) screening request, which we received on 17 February 2026. This letter contains our comments for our historic environment interests. That is cultural World Heritage Sites, scheduled monuments and their setting, category A-listed buildings and their setting, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas.

The relevant local authority archaeological and conservation advisors will also be able to offer advice on historic environment impacts. This may include topics covered by [our advice-giving role](#), and also other topics such as unscheduled archaeology, category B and C listed buildings, and conservation areas.

Our advice

We have reviewed the information provided, and based on the details available at this stage, we do not consider the proposal likely to result in significant effects on our interests.

As of 01 January 2025, we no longer provide advice on undesignated underwater cultural heritage. However, we expect impacts on the historic environment to be considered regardless of whether the development proceeds through the EIA process. Based on the information supplied, there is potential for setting impacts on terrestrial assets, particularly scheduled monuments, and we would therefore welcome consultation on the associated marine licence application.

We wish to highlight that our Designation Service is currently reviewing a proposal to designate a number of Valentine Tanks on the seabed as a Historic Marine Protected Area (HMPA). Tank 3 appears to lie within the proposed development boundary. The application form, including the tank locations, is available to download from [our designation portal](#) (reference: 300083393). We understand that the applicant is aware of this.

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH
Scottish Charity No. **SC045925**
VAT No. **GB 221 8680 15**



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We expect to make our recommendation to Scottish Ministers in Spring 2026 on whether the tanks meet the criteria for designation.

We hope this is helpful. If you would like to submit more information about this or any other proposed development to us for comment, please send it to our consultation mailbox, hmconsultations@hes.scot. If you have questions about this response, please contact Jessica Malone at [Redacted]

Yours sincerely

Historic Environment Scotland

The Highland Council

From: [Redacted]
To: [MD Marine Renewables](#); [Redact]
Subject: 26/00763/SCRE & SCR-0121- Moray FLOW Park
Date: 24 March 2026 09:52:22

Dear Kate,

Thank you for consulting The Highland Council on the request for a Screening Opinion for the Moray FLOW Park project, and thank you also for agreeing to the extension of time to allow us to provide our response.

Having reviewed the submitted information, the Council's view is that the proposal should be screened in as EIA development. In particular, we consider that the scale and location of the proposal has the potential to give rise to significant landscape, seascape and visual effects, including:

- Potential visibility across a wide coastal extent, including from sensitive receptor locations on the Black Isle; and
- Potential impacts on the Sutors of Cromarty, Rosemarkie and Fort George Special Landscape Area;

Please let me know if you require any further clarification at this stage.

Kind Regards,

Jack

Jack Wiseman

Principal Planner- Strategic Projects Team
Planning & Building Standards I Development & Infrastructure Service
The Highland Council, Glenurquhart Road, Inverness, IV3 5NX
E: [Redacted]
T: 01463702573

You're invited to share feedback on your recent experience with Highland planning authority! On behalf of planning authorities across Scotland, the National Planning Improvement Team is undertaking an annual survey. This survey is intended to be filled out by all users of planning authorities in Scotland to collect your views on the service you have received. This is your opportunity to say what is working and where improvements could be made. It should only take a few moments of your time, it is completely anonymous, and all your responses help the planning authorities improve their offer to you. The National Planning Improvement team will publish the results of the survey at the beginning of next year and each planning authority will be provided with a breakdown for their area.

[National Planning Improvement - Customer and Stakeholder Survey 2025](#)

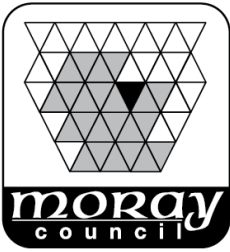
Follow up documentation for existing planning applications must be submitted via the 'Post Submission Additional Document' (PSAD) online form, quoting the correct application reference number at ePlanning.scot. If your submission relates to the satisfaction of planning conditions for a National or Major development please upload the form available at <https://shorturl.at/APQT9> with your PSAD submission. This advice is given without prejudice to the future consideration of and decision on any application received by the Council. Register at consult.highland.gov.uk to be kept updated on Development Plan documents in Highland.

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unless so stated.

Mura h-eil na beachdan a tha air an cur an cèill sa phost-d seo a' buntainn ri gnothachas Chomhairle na Gàidhealtachd, 's ann leis an neach fhèin a chuir air falbh e a tha iad, is chan eil iad an-còmhnaidh a' riochdachadh beachdan na Comhairle, no buidhnean buntainneach, agus chan eil am post-d seo na phàirt de chunradh sam bith mura h-eil sin air innse.

Moray Council



Economy, Enterprise and Operations

Andrew Miller

Acting Principal Planning Officer

Moray Council

Po Box 6760 Elgin Moray IV30 1BX

Telephone: 01343 563274

Licensing Operations Team
Marine Directorate
Scottish Government Marine Laboratory
375 Victoria Road
Torry
Aberdeen
AB11 9DB

E-mail: [Redacted]

Website: www.moray.gov.uk

Your reference: SCR-0121

Our reference: 26/00216/MARLIC

13 March 2026

Dear Sir(s)/Madam

**RE: THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017 (“the 2017 MW Regulations”)**

CONSULTATION UNDER PART 2, REGULATION 10(5) OF THE 2017 MW REGULATIONS

SCR-0121 – Offshore Solutions Group Limited – Moray FLOW-Park – Inner Moray Firth

I refer to your consultation request sent to Moray Council dated 17 February 2026 seeking the Council’s views on whether the proposed works are an EIA project as defined under the EIA Regulations. Thank you for allowing us extra time to respond to the consultation request.

The Council’s remit in many of the selection criteria under Schedule 3 of the EIA Regulations is limited. Considering the Schedule 3 criteria, the Council would highlight the following:

- The proposed site takes in a relatively large portion of the outer fringes of Burghead Bay, stretching from Culbin Forest to Burghead.
- Notwithstanding comments from the applicant in their Screening Request document, part of the site appears to fall within safeguarded airspace for operations at Kinloss Barracks (i.e. consultation required with the MOD on any development in excess of 15 metres in height). Appropriate assessment should be given to the impact of the proposal on the safe operations of Kinloss Barracks.
- Impacts of the proposal in terms of light and noise are not clearly explained – we would highlight that consideration needs to be given to any impacts to onshore receptors as a result of the proposed development.
- The proposal will have an impact on the landscape. Whilst the supporting documentation notes there are no national designations in close proximity to this site, there is a locally designated landscape designation in proximity to this proposal in



Moray (Culbin to Burghead Special Landscape Area (SLA)). This area has been designated for its special qualities, as informed by the Moray Landscape Designation Review. This has been designated because the SLA comprises part of the renowned Moray coast and the more diverse coastal forest which adjoins it. While all this coast is a popular destination for recreation, it is particularly well-frequented close to Findhorn. The Culbin area includes nationally important coastal features and wildlife habitats. The intriguing history of this stretch of the Moray coast also adds a further dimension to the richness of this landscape with nationally important WWII structures forming an important part of its character.

- Adverse landscape impacts from the proposal could result in an impact on tourism and the local economy.
- The large area of water taken in by the proposal could have an adverse impact on existing marine economic activities in Moray, notably fishing and recreation.

The above comments do not consider impacts on national and international natural heritage designations, of which there are a number in and around the Moray Firth that may be impacted by this proposal. We would leave consideration of these impacts to those best placed to determine them (e.g. NatureScot, SEPA, etc.). However, given the sensitivities of these designations and in combination with the matters highlighted above, **it is the opinion of Moray Council that the proposal comprises EIA development.**

If Marine Directorate/Scottish Ministers determine that EIA is not required, we would expect these matters to be considered via the licencing process.

Please note that this response does not comprise pre-application advice by Moray Council, nor should it be taken as any indication that Moray Council does or does not support the proposed development. The above list is not exhaustive and is based on the information available at this stage. Additional considerations may emerge as the development progresses through subsequent regulatory processes.

I hope the above is of assistance but if you have any queries on this please contact me on the details at the top of this letter.

Yours faithfully

[Redacted]

Andrew Miller
Acting Principal Planning Officer

NatureScot



NatureScot NàdarAlba

Scotland's Nature Agency
Buidheann Nàdair na h-Alba

Ms Kate Taylor
Marine Directorate
By email MD.MarineRenewables@gov.scot

9 March 2026

Our ref: CEA183455 - ID104516
Your ref: SCR-0121

Dear Ms Taylor

The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 Screening request for Moray FLOW-Park – Moray Firth

Thank you for your consultation on the above screening request dated 17 February 2026. We provide advice on Protected Areas below.

Summary

Based on the information provided, we advise that this proposal has the potential to result in significant effects on the environment, in context to Protected Areas. We therefore consider that, with respect to our interests, the above proposed works are an EIA project as defined in the MW EIA Regulations.

Appraisal of impacts and our advice

The proposed Moray FLOW-Park sits within the Moray Firth Special Protection Area (SPA) protected for its marine waterbirds (mostly non-breeding) and the Moray Firth Special Area of Conservation (SAC) protected for its bottlenose dolphin and subtidal sandbanks.

The site is adjacent to the Moray and Nairn Coast SPA/Ramsar site protected for its breeding osprey and range of non-breeding coastal birds (e.g. red-breasted merganser).

The site is also adjacent to the Culbin Bar SAC protected for its shifting sand dunes and the Culbin Sands, Culbin Forest and Findhorn Bay SSSI protected for the scale, complexity and diversity of its coastal geomorphology.

The site is within connectivity distance of the Dornoch Firth and Morrich More SAC protected for harbour seal.

Full details of all protected areas can be found by searching for the site name in sitelink: <https://sitelink.nature.scot/home>.

Moray Firth SPA

Due to the size, location and characteristics of this development, combined with its potential impacts, there is a likelihood that we may object to this proposal in context to this Protected Area.

Fodderty Way, Dingwall Business Park, Dingwall, IV15 9XB
Sligh Fodderty, Pàirc Gnìomhachais Inbhir Pheofharain, Inbhir Pheofharain, IV15 9XB

01463 701610 [nature.scot](https://www.nature.scot)

NatureScot is the operating name of Scottish Natural Heritage

This is a large and novel development, sitting wholly within this SPA, which is internationally important for its non-breeding waterbirds and breeding shag. It is proposed to subsume approximately 1% of this SPA by direct footprint.

This development sits within this SPA and in proximity to areas (e.g. Culbin coast, Findhorn river mouth outflow and Burghead Bay) that can be favoured by SPA species, such as velvet scoter, common scoter and long-tailed duck, etc. The large development footprint is likely to result in displacement effects to SPA waterbirds (day and/or night), potentially making the development site unattractive for future use by these birds. This could include structural displacement pressures, changes to benthic foraging habitats, potential increases in/displacement of vessel activity and subsequent disturbances. Where SPA birds are currently in 'unfavourable' or 'declining' condition, the objectives of management should ideally be focussed on restoration, rather than creating additional pressures/impacts within the SPA. Therefore, the potential pressures of this proposal may affect the 'condition status' of SPA birds, see <https://sitelink.nature.scot/site/10490> for up-to-date information.

We note the transit routes to and from the FLOW-Park are excluded from this screening exercise. However, we advise that vessel activity involved in towing base units is an inevitable part of this proposal, especially if these transits deviate from normal vessel activity and routes. Therefore, this aspect should also be included within a shadow HRA process (EIA) to assess potential impacts. We can provide more guidance on this aspect during EIA scoping, or we are happy to provide additional advice during this pre-application stage.

Unfortunately, no alternative options have been provided during this screening stage, even though 'avoidance' is considered high priority within the mitigation hierarchy. There may be an alternative option outwith this SPA, coinciding with minimal vessel activity, but further into the centre of the Moray Firth (in slightly deeper water), which has potential to reduce adverse impacts. We are happy to discuss this further during this pre-application stage.

As this is such a large and novel development, proposed in such a sensitive location, it's quite possible that other potential impacts may become evident or clearer as this proposal develops. This may be especially the case when more detail is provided, in addition to the results of bird survey work and consolidation of desk-based baseline data/information.

We provided advice to the developer (30 October 2024) on the level of bird survey work required to support this proposal, but we are unclear what level of work has been initiated thus far. We would be happy to provide pre-application advice on interim bird survey results to date, if this could assist to reduce potential impacts upon this SPA.

Moray Firth SAC

The proposed FLOW Park sits wholly within this SAC. As identified by the developer, the potential impacts to bottlenose dolphin during construction, decommissioning, operation and maintenance include underwater noise from piling, mooring lines, increased vessel related disturbance, risk of collision/entanglement (including when mooring lines are not attached to FLOW foundations) and displacement through disruption of movement/migratory patterns. There may also be impacts to prey species through underwater noise and habitat loss.

This proposal also has the potential to impact on the subtidal sandbank feature of this SAC as the footprint of the FLOW Park overlaps with part of this feature. Subtidal sandbanks can be sensitive to physical disturbance and changes in water quality. Advice to support management of this SAC is

to remove or avoid pressures associated with new anchorage/mooring areas where seagrass beds and horse mussels are present. Benthic surveys will therefore be required to inform any appropriate assessment.

These habitats can also have low resilience to the introduction or spread of invasive non-native species. A robust biosecurity plan will therefore be an important part of any future application. The high impact marine invasive species slipper limpet (*Crepidula fornicata*) is present within the Moray Firth. Any biosecurity plan will therefore need to consider how to avoid the spread of this species.

Moray and Nairn Coast SPA/Ramsar site

Although FLOW foundations are not expected to require storage during the summer, the osprey breeding season is 1 April – 31 August so storage may overlap with this sensitive period during which osprey connected with this SPA/Ramsar will forage in coastal waters. In addition, if surface marker buoys are used to mark the end of mooring lines when the FLOW Park is empty, it is possible that osprey may experience displacement impacts from potentially important foraging areas, such as at the mouth of the River Findhorn.

Non-breeding red-breasted merganser are also a protected feature of this SPA. Unlike the other wading birds protected by this SPA, which forage in intertidal areas, red-breasted merganser will also regularly forage in subtidal waters so may experience displacement impacts because of this development. Red-breasted merganser is also a feature of the Moray Firth SPA (see above comments).

Culbin Bar SAC and Culbin Sands, Culbin Forest and Findhorn Bay SSSI

We consider that this proposal has the potential to impact the shifting sand dune feature of this SAC and the coastal geomorphology feature of this SSSI. As identified by the developer, moored FLOW foundations, mooring lines and anchors may lead to changes in current speeds, wave energy or turbulence leading to changes in existing sediment transport systems, all of which support these protected features. We can provide further advice on these issues at EIA scoping.

Dornoch Firth and Morrich More SAC

Harbour seal connected to this SAC will use the designated haul out at Findhorn, which, as the developer has identified, lies approximately 700m from the proposed FLOW Park. The potential impacts to harbour seal are the same as those identified above for bottlenose dolphin with the addition of the seal pupping period (June – July), which will require consideration as it is a particularly sensitive time for this species.

Concluding remarks

We advise mainly on Protected Areas, or potential impacts of National Importance. Potential impacts to these Protected Areas will require thorough assessment to inform the project design and layout, any mitigation required, and determination of any subsequent application.

Please note that the above does not list all potential impacts on all Protected Areas, and so there may be other impacts that would require assessment in due course. We can advise further on this during EIA scoping.

This advice is given without prejudice to a full and detailed consideration of the impacts of the proposal if submitted for formal consultation as part of the EIA or licensing process.

Yours sincerely

Nathan McLaughlan
Operations Manager – Coastal Infrastructure

Fodderty Way, Dingwall Business Park, Dingwall, IV15 9XB
Sligh Fodderty, Pàirc Gnìomhachais Inbhir Pheofharain, Inbhir Pheofharain, IV15 9XB

01463 701610 nature.scot

NatureScot is the operating name of Scottish Natural Heritage

SEPA

From: [Planning.North](#)
To: [MD Marine Renewables](#)
Subject: PCS-20008047 SEPA Response to SCR-0121
Date: 18 February 2026 10:02:31
Attachments: [image.png](#)

To Whom It May Concern,

Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017
SCR-0121
Offshore Solutions Group Limited – Moray FLOW-Park
Inner Moray Firth

Thank you for the above consultation. SEPA does not routinely provide marine screening advice. Please refer to our standing advice and other guidance which is available on our [website](#).

In addition, please also refer to our SEPA standing advice for the Department for Business, Energy and Industrial Strategy and Marine Scotland on marine consultations available [here](#).

If there is a significant site-specific issue, not addressed by our guidance or other information provided on our website, with which you would want our advice, then please reconsult us highlighting the issue in question and we will try our best to assist.

Kind regards,
Zoe Griffin
Senior Planning Officer



For the future of our environment

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luchd-faighinn a bha còir am fiosrachadh fhaighinn. Chan fhaod neach sam bith eile cothrom fhaighinn air an fhiosrachadh a tha sa phost-d no a tha an cois a' phuist-d, chan fhaod iad lethbhreac a dhèanamh dheth no a chleachdadh arithist. Mura h-ann dhuibhse a tha am post-d seo, feuch gun inns sibh dhuinn sa bhad le bhith cur post-d gu postmaster@sepa.org.uk. Togalach Aonghais Mhic a' Ghobhainn, 6 Craobhruid Parklands, Eurocentral, Baile a' Chuilinn, Siorrachd Lannraig a Tuath, ML1 4WQ. Faodar conaltradh còmhla ri SEPA a sgrùdadh no a chlàradh no a sgaoileadh gus obrachadh èifeachdach an t-siostaim a ghlèidheadh agus airson adhbharan laghail eile.