

ANNEX D Appropriate Assessment Validation**LICENCE/CONSENT VARIATION – VALIDATION OF APPROPRIATE ASSESSMENT****1 Licence details:**

<u>Licensee/Developer Name:</u>	Highland Wind Limited (“the Company”)
<u>Site Details:</u>	Pentland Floating Offshore Wind Farm (“the Development”), to be located approximately 7.5 kilometre (“km”) off the coast of Dounreay, Caithness.
<u>Date Existing Licence/Consent Issued:</u>	Original Consent/Licence (“the Original Consent”): 28 June 2023 Varied Consent/Licence (“Variation 01”): 3 April 2024
<u>Date of Existing Appropriate Assessment (“AA”):</u>	Original 2023 AA (“the Original AA”): Appropriate Assessment - Pentland Floating Offshore Wind Farm - Dounreay, Caithness marine.gov.scot Variation March 2024 AA (“the Existing AA”): Appropriate Assessment - Pentland Floating Offshore Wind Farm - Dounreay, Caithness - 00010577, 00010578 & Section 36 Consent marine.gov.scot

2 Summary of proposed variation application:

The Company submitted an application to vary its section 36 (“s.36”) consent and generating station marine licence for the Development on 27 January 2026. The Original Consent was granted on 28 June 2023 and subsequently varied on 3 April 2024. The Company now seeks to make a further variation to the s.36 consent and associated generating station marine licence (MS-00010578) (“Variation 02”) to enable necessary flexibility to respond to Wind Turbine Generator (“WTG”) availability and global supply chain dynamics.

Variation 02 seeks to vary the s.36 consent and associated marine licence in the following manner:

- Increase rotor diameter from 1 x WTG with rotor diameter of 220 metres (“m”) and 5 x WTGs with rotor diameter of 250m, to a maximum of 6 x WTGs with rotor diameter 260m;
- Reduce minimum blade tip clearance from 35m to a minimum of 28m;
- Reduce blade width from 7m to a maximum of 6.93m;
- Reduce revolution speed (“RPM”) from 8 to a maximum of 6.61;
- Reduce operational time from an average of 95% (operational) and 5% (downtime) to an average of 88% (operational) and 12% (downtime); and

- Align proposed project design refinements within associated offshore generating station marine licence MD-00010578.

The table below provides a comparison of the parameters in the Original Consent, Variation 01 and the proposed Variation 02:

Design Parameters	The Original Consent	Variation 01	Variation 02
Number of WTGs	7	6	5 or 6
Rotor Diameter (m)	Up to 260	1 WTG 220, 5 WTG 250	236 or 260
Minimum Blade Clearance from Sea-Level (m)	35	35	28 or 30
Rotor Swept Area (square m)	316,673	283,448	262,461, 265,464 318,557 or
Blade Width (m)	9	7	5.1 or 6.93
RPM	10	8	6 or 6.61
Estimated WTG Operational:Downtime (% On:% off)	95:5	95:5	88:12
WTG footprint area (square km)	10	5.85	5.85

The Company considered the potential changes to effects caused by the proposed changes in design parameters in a Variation Application Report (“the Variation Application Report”) submitted in support of the Variation 02 application.

The Original AA and the Existing AA both concluded no adverse effect on site integrity (“AEOSI”) for all designated sites and features, both alone and in-combination with other projects. However, in the Original AA, although no AEOSI for puffin and kittiwake at the North Caithness Cliffs Special Protection Area (“SPA”) was concluded, this was due to the operating period being reduced pre-consent from 25 years to 10 years. Due to project refinements proposed in the Variation 01 application (including reduction of the number of WTGs from seven to six), the Existing AA concluded no AEOSI for the puffin and kittiwake features of the North Caithness Cliffs SPA, even with an operating period of 25 years. In its Variation Application Report, the Company acknowledged these previous concerns regarding the kittiwake and puffin features of the North Caithness Cliffs SPA and subsequently focussed its assessment on the potential implications of the proposed changes of the Variation 02 application on these ornithological features.

The Company considered in the Variation Application Report that, as there are no proposed changes to the WTG footprint area, there will be no increase in displacement impacts to any other ornithological species and, consequently, these were not considered further.

With regard to kittiwake at the North Caithness Cliffs SPA, the Company undertook updated collision risk modelling (“CRM”), distributional response modelling (“DRM”) and population viability analysis (“PVA”) which considered the effects of the three proposed Variation 02 WTG design scenarios and compared the results to those for the respective Variation 01 application assessments. The Variation Application Report notes that, when



updated DRM is considered alongside the updated CRM, PVA demonstrates a reduction in population level impacts for Variation 02 compared to Variation 01 for the Development alone. The Company concluded that there is no appreciable difference to the impact from the Development alone due to the Variation 02 application.

In relation to puffin at the North Caithness Cliffs SPA, the Company detailed in the Variation Application Report that, as there is no change to the WTG footprint area between Variation 01 and Variation 02, the impact is expected to remain unchanged and, consequently, reassessment of puffin displacement is not necessary.

In relation to assessing in-combination impacts, the Company, in its Variation Application Report, considered that, as there is no appreciable difference to the impacts from the Development alone from the Variation 02 application, the conclusions for the in-combination assessment would be unchanged from those presented in the Existing AA.

As such, where other projects have considered Variation 01 in their in-combination assessments for kittiwake at North Caithness Cliffs SPA, the Company considered that the conclusions would be unchanged if they assessed Variation 02 data instead. Offshore Wind Farms (“OWF”) with submitted applications that have considered Variation 01 in their in-combination assessments are: Outer Dowsing; Salamander; Ossian; Caledonia North; Caledonia South; Muir Mhòr; Cenos; West of Orkney; Buchan; Aspen; and Ayre.

Additionally, Berwick Bank OWF submitted its application prior to Variation 01. However, it has committed to compensating for its impact to the kittiwake feature of the North Caithness Cliffs SPA. Therefore, Berwick Bank does not need considered in the in-combination assessment for Variation 02.

Furthermore, the Company considers that in-combination impacts with the Culzean Floating Pilot Project do not need to be considered due to the extremely small impact of Culzean alone on the kittiwake feature of the North Caithness Cliffs SPA.

The Company also proposed in the Variation Application Report that any other project that identifies a potential likely significant effect (“LSE”) on kittiwake at the North Caithness Cliffs SPA and submits a consent application will be required to consider the Development in its in-combination assessments.

Subsequently, the Variation Application Report concluded that there would be no appreciable difference in project alone effects for the kittiwake feature of the North Caithness Cliffs SPA as a result of the proposed Variation 02 application. The overall conclusion was that there will be no AEOSI, both alone or in-combination with other projects.

In the Variation Application Report, the Company concluded that there will be no change to the potential impacts on marine mammals, fish and shellfish receptors from those assessed in the Existing AA and, as such, no further assessment is required.

In summary, the Company concluded, in its Variation Application Report, that the Variation 02 application does not give rise to appreciably different impacts and, as such, the conclusions of the Existing AA remain valid.

3 Summary of consultation responses – in relation to European protected sites:

NatureScot, operating name of Scottish Natural Heritage, was consulted and provided its response on 18 March 2026.

NatureScot agreed with the Company's proposal that it was appropriate not to reassess the impact to puffin at the North Caithness Cliffs SPA, as the impact on puffin is expected to remain unchanged due to the WTG footprint area of the Development remaining unchanged in the Variation 02 application.

As the changes proposed in the Variation 02 application relate to parameters important to collision risk, NatureScot had already agreed, in its pre-application advice dated 12 August 2025, that reassessment of collision risk to kittiwake would be appropriate, as well as reassessment of distributional responses for kittiwake. It confirmed in its pre-application advice dated 20 October 2025 that the assessment should be focussed on the kittiwake feature. NatureScot noted in its advice dated 18 March 2026 that the assessment used a 0km buffer instead of the recommended 2km buffer. However, NatureScot also acknowledged the Company's explanation for this which, it noted was reasonable. Consequently, NatureScot interpreted the Company's result with caution. NatureScot stated that it largely agreed with the assessment undertaken by the Company and that the Variation 02 application does not give rise to an increase in predicted impacts. NatureScot also agreed with the conclusion of no AEOSI from the Development alone on kittiwake at the North Caithness Cliffs SPA.

In advice provided pre-application, dated 25 November 2025, NatureScot agreed with the Company's assertion that if the alone mortality figures for the Variation 02 application are lower than that of Variation 01 then all projects that have submitted an application after Variation 01 will have already accounted for the impacts of the Development. NatureScot, in its advice dated 18 March 2026, then noted the Company's approach to the in-combination assessment in relation to exclusion of projects where they have submitted an application after submission of the Variation 01 application. Furthermore, NatureScot noted that it was content with the exclusion of Berwick Bank Wind Farm from the in-combination assessment of kittiwake at the North Caithness Cliffs SPA due to Berwick Bank's compensation commitments.

NatureScot confirmed that, due to the counterfactual population size and counterfactual growth rate values for Variation 02 remaining within the range of those consented for Variation 01, it agreed there would be no AEOSI of the North Caithness Cliffs SPA with respect to the kittiwake qualifying feature, either from the Development alone or in-combination with other projects.

Further consultation with NatureScot was undertaken regarding the Caithness and Sutherland Peatlands Ramsar site. NatureScot advised, in its response dated 10 June 2026, that all Ramsar features which overlap with Special Area of Conservation ("SAC") features could be screened out due to lack of connectivity with the Development. NatureScot confirmed that all breeding bird assemblage features, with the exception of the red throated diver and black throated diver, could also be screened out. The red throated diver and black throated diver were considered within the Original AA. NatureScot confirmed the assessment and conclusions for these features also apply to the Ramsar site features so, consequently, the conclusions of the Existing AA remain valid.

However, in its 10 June 2026 correspondence, NatureScot also noted the requirement for greylag goose as a qualifying feature of the Caithness and Sutherland Peatlands

Ramsar site to be screened into further assessment, advising that the migratory CRM tool should be used in assessing impacts to this species. In a further consultation response dated 5 August 2026, NatureScot confirmed that it was content with the assessment of wildfowl and wader collision risk on migration by the Company in section 9.6.4 of its Report to Inform the Appropriate Assessment for the Original AA. On this basis NatureScot advised it supported the conclusion that there would be no AEOSI to any wildfowl or wader qualifying interest of any Scottish SPA or Ramsar site, either from the Development alone or in combination with other projects.

Furthermore, NatureScot concluded in its 5 August 2026 correspondence that Variation 02 does not introduce additional significant effects for any marine mammal (bottlenose dolphin, harbour porpoise, harbour seal and grey seal), fish (Atlantic salmon) or shellfish (fresh-water pearl mussel) SAC qualifying interests considered in the Existing AA. Consequently, there is no AEOSI of any SAC, from the Development alone or in combination with other projects, as per the advice provided by NatureScot on 13 October 2022.

NatureScot, in its correspondence dated 5 August 2026, also concluded more broadly that the conclusions of the Existing AA remain valid and can be applied to Variation 02.

4 Summary of other information in relation to European protected sites (MSS responses, external reports):

Marine Directorate - Science, Evidence, Data and Digital ("MD-SEDD") was consulted pre-application and provided advice on 8 January 2026. MD-SEDD confirmed it agreed with NatureScot and the Company that the impact to puffin at the North Caithness Cliffs SPA did not need reassessed as the impact is expected to remain unchanged.

Furthermore, MD-SEDD agreed that the conclusions of the Existing AA remain applicable as there are little appreciable changes in the overall population level assessment conclusions between Variation 01 and the Variation Application Report.

MD-SEDD noted that it was satisfied with the Company's proposed approach to the in-combination assessment as subsequent projects will have accounted for these impacts in their in-combination assessments.

5 Updated in-combination assessment:

- a) *Detail new plans or projects since date of existing AA.*
- b) *List plan or project titles for which licences/consents have expired since date of existing AA.*
- c) *Update assessment.*

a) New plans or projects since the Existing AA

Aspen OWF	Construction and operation of an OWF approximately 84km off the Aberdeenshire coast consisting of up to 72 WTGs. This project is at application stage.
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Ayre Offshore Wind Farm	Construction and operation of an OWF 22km east of the Orkney mainland and approximately 57km from Wick, Caithness consisting of up to 67 WTGs. This project is at application stage.
Balfour Beatty - Forth Rail Bridge	Bridge Maintenance.
Bridge Maintenance - A9 Cromarty Bridge, Culbokie	10 year bridge maintenance works to carriageway and walkways.
Berwick Bank Wind Farm	Construction and operation of an OWF approximately 47.6km offshore off the East Lothian coastline and 37.8km from the Scottish Borders coastline at St Abb's, consisting of up to 307 WTGs.
BP North East Offshore Wind Limited Array Area and Export Cable Corridor Geophysical Surveys	Geophysical survey of Flora Offshore Wind Farm array area and export cable corridor. Surveys due to be complete by 31 May 2028.
Buchan Offshore Wind Ltd	Construction and operation of an OWF approximately 75km at its closest point off the Aberdeenshire coast, northeast of Fraserburgh in the outer Moray Firth, consisting of up to 70 WTGs. This project is at application stage.
Caledonia North Offshore Wind Farm	Construction and operation of an OWF approximately 28km from Wick at its northern limit, and 48km from Banff at its southern limit, consisting of up to 77 WTGs.
Caledonia South Offshore Wind Farm	Construction and operation of an OWF approximately 45km from Wick and 35km from Banff, consisting of up to 78 WTGs.
Cambois Cable Connection	Construction and operation of up to four HVDC export cables from up to two offshore converter station platforms within Berwick Bank Wind Farm to landfall at Cambois, Northumberland. A range of trenching tools may be used, and cable protection will be used where target burial cannot be achieved. Proposed to begin in Q4 2026 with completion expected in Q4 2029.
Cenos Offshore Wind Farm and Transmission Infrastructure	This INTOG project consists of up to 95 WTGs 200 km off the Aberdeenshire coast with a cable to landfall near Peterhead. Cables to oil and gas assets will be applied for separately at a later date. Construction is due to commence in 2030 and take up to five years with the project becoming fully operational by 2035 at the latest.
Construction and capital dredging - Faray, Orkney	Construction of an extended slipway and new landing jetty and capital dredging to facilitate the construction and further servicing of a community owned wind farm.
Culzean Floating Offshore Wind Turbine Pilot Project	Licensed single WTG with a generating capacity of 3MW, providing power to the Culzean Oil and Gas Platform. Located 222km East of Aberdeen.
Eastern Inner Dock Quay, Port of Nigg - Quayside Construction	Creation of an Inner berth to existing dock to provide a quay suitable for ship berthing. New quay - 290 metres long and 36 metres wide. The works will take

	approximately two years to complete, the anticipated start dates for work is Jan 2025.
Green Volt Offshore Wind Farm and Associated Transmission Infrastructure	This INTOG project consists of up to 35 WTGs 80 km off the Aberdeenshire coast with a cable to landfall near Peterhead and another export cable to the Buzzard platform. Construction is due to commence in 2027 with the project becoming operational in the late 2020s.
Inch Cape Offshore Ltd	Pre-construction boulder clearance and UXO ID of the array and ECC for Inch Cape Offshore Windfarm between Q3 2025 and Q4 2027. It is anticipated that 20,000 boulders will be moved. UXO ID will be carried out using Multi-beam Echo Sounder and Ultra-Short Baseline.
Invergordon Service Base Phase 5	Construction to extend quay with piled wall, rock armour and infill to increase laydown area with additional construction of heavy load pad, RoRo area and widening of access. Includes capital dredging and deposit of 1,854,150 wet tonnes at Sutors. Sept 2025 - Sept 2030.
Kessock Bridge Maintenance	10 year maintenance licence for Kessock Bridge, Inverness.
Kincardine Bridge - Bridge Maintenance	7 year maintenance licence for Kincardine Bridge. Works will commence in 2025 and conclude by 2032.
Muir Mhòr Offshore Wind Farm	Construction and operation of an OWF approximately 63km east of Peterhead, consisting of up to 67 WTGs. This project is at application stage.
Orbital Eday 3 - Fall of Warness Tidal Test Site, European Marine Energy Centre ("EMEC")	The Orbital Eday 3 proposal is to construct, alter or improve one Orbital O2-X tidal energy device at the EMEC Fall of Warness Tidal Test Site.
Ossian Offshore Wind Farm	Construction and operation of an OWF approximately 80km southeast of Aberdeen, consisting of up to 265 WTGs. This project is at application stage.
Oyster translocation Dornoch Firth	Creation of cultch bed, and subsequent deposit of native oysters.
Port of Dundee Quay Improvement	Construction of new piled wall 106m long using impact and vibro-piling for 48 piles. Back-hoe dredging of 490,000 cubic metres with deposit at the Middle Bank site.
UXO Clearance - Eastern Green Link 1 - Scotland-England	UXO clearance utilising low and high order deflagration (90% estimated as low order) between Q2 and Q3 2026.
Salamander Offshore Wind Farm	A maximum of 7 floating WTGs to be installed approximately 35 km off the coast of Peterhead, Aberdeenshire. The project is currently at application stage.
Surveys - Netherton Corridor, Aberdeenshire	Geophysical, benthic and geotechnical surveys of a cable corridor between Netherton, Aberdeenshire and the sea border with England.
Spittal to Peterhead HVDC Cable	The project will consist of a high voltage direct current (HVDC) link including approximately 172 km of subsea cable. The cable will be buried along the route where possible, and where this cannot be done alternative cable

	protection will be utilised, such as rock armour. The proposed start date is November 2025, with a proposed completion date of December 2030.
West of Orkney Offshore Wind Farm	West of Orkney OWF is located approximately 28km from the west coast of Hoy, Orkney and 23km from the north coast of Scotland within the N1 Plan Option. Construction due to commence in Q2 2027.
Western Isles HVDC Link - Geophysical and Geotechnical Surveys	Surveys to obtain data on seabed and benthic conditions to inform final stages of cable routing and design, cable installation, and undertake post-installation surveys and cable monitoring. Includes borehole sampling around landfall sites.

A number of new licences to carry out periodic maintenance dredging and sea deposit of dredged material and to deposit fish farms have been issued and will have LSE on the qualifying interests of the same designated sites as the Development. However, any impact from these projects will be minor and short term, therefore not having a significant contribution to in-combination effects with the Development.

b) Plans or project with expired licences since the Existing AA

- Scour Repairs and Preventative Action - River Dee Viaduct, Ferryhill, Aberdeen City
- Geophysical and Geotechnical Surveys - Kilchoan Ferry Terminal
- Geophysical Surveys - Mainland to North Rona
- Geophysical Surveys - Moray FLOW Park
- Kishorn Port- Maintenance of Dry Dock Abutments
- Morven Offshore Wind Farm - Geophysical Surveys of Export Cable Site
- Acoustic inspection survey of nearshore pipelines, St Fergus Gas Terminal
- Ferry Terminal Development - Uig, Isle of Skye

c) Updated in-combination assessment

This assessment encompasses in-combination effects between the Development and other projects since the Existing AA was completed on 26 March 2024 on the following designated sites: Berriedale and Langwell Waters SAC; Endrick Water SAC; Faray and Holm of Faray SAC; Inner Hebrides and the Minches SAC; Little Gruinard River SAC; Langavat SAC; Moray Firth SAC; North Harris SAC; River Bladnoch SAC; River Borgie SAC; River Dee SAC; River Moriston SAC; River Naver SAC; River Oykel SAC; River South Esk SAC; River Spey SAC; River Tay SAC; River Teith SAC; River Thurso SAC; River Tweed SAC; Sanday SAC; Ailsa Craig SPA; Aukerry SPA; Buchan Ness to Collieston Coast SPA; Caithness and Sutherland Peatlands SPA; Calf of Eday SPA; Canna and Sanday SPA; Cape Wrath SPA; Copinsay SPA; East Caithness Cliffs SPA; Fair Isle SPA; Fetlar SPA; Flannan Isles SPA; Forth Islands SPA; Foula SPA; Fowlsheugh SPA; Handa SPA; Hermaness, Saxa Vord and Valla Field SPA; Hoy SPA; Marwick Head SPA; Mingulay and Berneray SPA; Mousa SPA; North Caithness Cliffs SPA; North Rona and Sula Sgeir SPA; Noss SPA; Rousay SPA; Rum SPA; Priest Island SPA; Ramna Stacks and Gruney SPA; St. Kilda SPA; Sule Skerry and Sule Stack SPA; Sumburgh Head SPA; Troup, Pennan and Lion's Heads SPA; West Westray SPA; and Caithness and Sutherland Peatlands Ramsar site.



Impacts from the harbour works, bridge maintenance and geophysical surveys are small scale and any residual impacts will be localised, so will not contribute significantly to in-combination effects with the Development.

The following OWF projects were not included in the Original AA or the Existing AA:

- Ayre;
- Berwick Bank;
- Buchan;
- Caledonia North;
- Caledonia South;
- Cenoss;
- Culzean Floating Offshore Wind Turbine Pilot Project;
- Green Volt;
- Muir Mhòr;
- Ossian;
- Salamander; and
- West of Orkney.

The applications for Aspen, Ayre, Buchan, Cenoss, Ossian and Muir Mhòr OWFs were submitted after Variation 01 and, as such, will have accounted for the impacts of the Development in their assessments, as noted above by the Company and agreed with NatureScot and MD-SEDD.

The AAs for Green Volt OWF and Culzean Floating Offshore WTG Pilot Project were also undertaken after Variation 01 was consented and account for the Development in their in-combination assessments.

The AAs for Berwick Bank, Caledonia North, Caledonia South, Salamander and West of Orkney OWFs concluded AEOSI, or that they were unable to conclude no AEOSI, on the kittiwake feature of the North Caithness Cliffs SPA and, therefore, will require to compensate for their impacts. Thus, they will have no in-combination effects with the Development.

For all other sites and species, the assessed impact from Variation 02 is unchanged from that assessed for Variation 01 and, as Variation 01 was considered within the AAs for these projects, there are no additional in-combination effects requiring assessment.

6 Conclusion - consideration of whether AA completed for the original decision is still valid:

The Scottish Ministers conclude that the Existing AA remains valid in its conclusion of no AEOSI on the Berriedale and Langwell Waters SAC; Endrick Water SAC; Faray and Holm of Faray SAC; Inner Hebrides and the Minches SAC; Little Gruinard River SAC; Langavat SAC; Moray Firth SAC; North Harris SAC; River Bladnoch SAC; River Borgie SAC; River Dee SAC; River Moriston SAC; River Naver SAC; River Oykel SAC; River South Esk SAC; River Spey SAC; River Tay SAC; River Teith SAC; River Thurso SAC; River Tweed SAC; Sanday SAC; Ailsa Craig SPA; Auskerry SPA; Buchan Ness to Collieston Coast SPA; Caithness and Sutherland Peatlands SPA; Calf of Eday SPA; Canna and Sanday SPA; Cape Wrath SPA; Copinsay SPA; East Caithness Cliffs SPA; Fair Isle SPA; Fetlar SPA; Flannan Isles SPA; Forth Islands SPA; Foula SPA; Fowlsheugh SPA; Handa SPA; Hermaness, Saxa Vord and Valla

Field SPA; Hoy SPA; Marwick Head SPA; Mingulay and Berneray SPA; Mousa SPA; North Caithness Cliffs SPA; North Rona and Sula Sgeir SPA; Noss SPA; Rousay SPA; Rum SPA; Priest Island SPA; Ramna Stacks and Gruney SPA; St. Kilda SPA; Sule Skerry and Sule Stack SPA; Sumburgh Head SPA; Troup, Pennan and Lion's Heads SPA; and West Westray SPA, either from the Development alone or in-combination with other projects, provided the conditions listed in the Existing AA are adhered to.

Updated Scottish Government policy was issued on 9 July 2025 stating that Ramsar sites (listed under the Ramsar Convention on Wetlands of International Importance) should be treated as if they were European sites. Prior to this updated policy position, Ramsar sites received statutory protection primarily through designation either as a SAC, SPA or Site of Special Scientific Interest. Compliance with the updated policy means that where a plan or project is likely to have a significant effect on the notified natural features of any Ramsar site, the site must be considered in an AA. The Existing AA was completed prior to this policy being issued so did not consider Ramsar sites, however the Scottish Ministers have considered the Caithness and Sutherland Peatlands Ramsar site as part of this AA validation and conclude no AEOSI.

Name	Assessor or Approver	Date
Claire McGregor	Assessor	6 August 2026
Marc MacFarlane	Assessor	6 August 2026
Ben Walker	Assessor	6 August 2026
Louise Msika	Approver	12 August 2026