

Aberdeenshire Council

Our Ref: ENQ/2022/1894
Your Ref:

Ask for: Iain McMillan
Tel: 01467 534919
Email: iain.mcmillan@aberdeenshire.gov.uk

Marine Scotland
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

1 March 2023

Dear Sir/Madam

Marine Licence Consultation for Section 36 Consent and Generating Station Marine Licence Variation at Inch Cape Offshore Wind Farm, Firth of Forth

Thank you for consulting Aberdeenshire Council on this proposed variation to Inch Cape Offshore Wind Farm. The interests of Aberdeenshire Council are limited for this development to those effects or impacts which would occur within the Aberdeenshire Council Area. This primarily relates to seascape, landscape and visual impact as a result of the proposed development from viewpoints within Aberdeenshire.

The proposed variation relates to altering the approved turbine spacing, an increased use of hammer energy for installation of turbine foundations and confirmation of parameters pertinent to the Preferred Design Scenario 1 which are set out at Table 2.1 of the Section 36 Variation Application Report provided by the applicant.

The wireline visualisations which have been provided by the applicant within Appendix D and Appendix E of the Section 36 Variation Application Report are welcomed, and suitably demonstrate the effect of the proposed variation. Having considered the information provided and the impact of the proposed variation from viewpoints pertinent to Aberdeenshire Council, the authority is satisfied that while the variation would result in a change to the appearance of the development, the impact of this in respect of seascape, landscape and visual impact from viewpoints within Aberdeenshire would be negligible.

I can also confirm that Aberdeenshire Council would have no comment to make on the proposed increase in use of hammer energy during construction of the development. Similarly, the parameters set out by the applicant at Table 2.1 of the Section 36 Variation Application Report raise no concern to Aberdeenshire Council.

In summary, I can confirm that having considered the information provided, Aberdeenshire Council would have no objection to the proposed variations sought. I trust the above

suitably addresses this consultation request, however should you have any further queries, please contact the officer names at the top of this letter.

Yours faithfully

[Redacted]

Paul Macari
Head of Planning and Economy

Angus Council

From: [Stephanie G Porter](#)
To: [MS Marine Renewables](#)
Subject: RE: Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Offshore Wind Farm, Firth of Forth - Consultation - Response Required by 22 February 2023 OUR REF: 22/00592/PREAPP
Date: 16 January 2023 14:25:16

Dear Sir/Madam,

**ELECTRICITY ACT 1989
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR
VARIATION OF CONSENT) (SCOTLAND) REGULATIONS 2013
MARINE (SCOTLAND) ACT 2010**

**PROPOSED VARIATION TO EXISTING SECTION 36 CONSENT AND
GENERATING STATION MARINE LICENCE (NUMBER 06781/19/0) TO
REDUCE TURBINE SPACING AND CLARIFY THE DESIGN PARAMETERS AT
INCH CAPE OFFSHORE WINDFARM, FIRTH OF FORTH**

I refer to the above consultation and having reviewed the submitted information in so far as potential impacts on Angus I would advise, Angus Council do not object to the proposed variation but are concerned that the revision would give the impression of a greater number of turbines within the site when the wind farm is viewed from Angus. The amended turbine spacing makes the wind farm appear more 'cluttered' than the previously approved proposal and Angus Council are of the view that this revision isn't as successful in terms of seascape and visual impacts as the previously approved development. Angus Council would also advise that the opinion of Historic Environment Scotland is of importance in terms of potential impacts upon Bell Rock Lighthouse which is a category A listed building, as the submitted wirelines appear to show a more significant impact upon the setting of this listed building.

Yours sincerely,

Stephanie Porter | Team Leader – Development Standards | Planning & Sustainable Growth | Angus Council | Angus House | Orchardbank Business Park, Forfar, DD8 1AN | (01307 492378)

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BT

From: radionetworkprotection@bt.com
To: [MS Marine Renewables](#)
Subject: Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Offshore Wind Farm, Firth of Forth - Consultation - Response Required by 26 January 2023 WID11594
Date: 03 January 2023 13:44:29

OUR REF; WID11594

Good afternoon Lauren

Thank you for your email dated 15/122022.

We have studied the proposed windfarm development, with respect to EMC and related problems to BT point-to-point microwave radio links.

The conclusion is that, the off-shore Project indicated should not cause interference to BT's current and presently planned radio network.

Kind Regards
Chris

CAA

From: [Andy Wells](#)
To: [MS Marine Renewables](#)
Subject: 20221216 CAA Response to Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation Consultation
Date: 16 December 2022 07:42:09
Attachments: [image001.png](#)

Dear Lauren,

Thank you for sight of the variation report. The CAA has no comments to make.

Kind regards

Andy

Andy Wells

Manager Rulemaking and Safety Publications
Safety and Business Delivery
Civil Aviation Authority

Tel: 0330 138 3166

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Dundee City Council

From: [Alistair Hilton](#)
To: [MS Marine Renewables](#)
Subject: RE: Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Offshore Wind Farm, Firth of Forth - Consultation - Response Required by 22 February 2023
Date: 23 February 2023 09:52:26

Thank you for your email. I can advise that Dundee City Council has no comment on this variation application.



Alistair Hilton
Principal Planning Officer (Planning & Economic Development) at City Development

E alistair.hilton@dundeecity.gov.uk

P [01382 433760](tel:01382433760)

W www.dundeecity.gov.uk

A [Dundee House, 50 North Lindsay Street, DUNDEE, DD1 1QE](#)

East Lothian Council

From: [Squires, Jean](#)
To: [MS Marine Renewables](#)
Cc: [Morrison S \(Stephanie\)](#)
Subject: FW: Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Offshore Wind Farm, Firth of Forth - Consultation - Response Required by 22 February 2023
Date: 07 March 2023 18:56:57

Dear Lauren/Stephanie,

I refer to your consultation of this Council and have the following comments.

The variation is to give the option of placing the 72no. WTG at a minimum spacing of 1025m. The current minimum spacing is 1278m – a reduction of 253m, but still over 1km between each turbine. There will be no more WTG than previously approved and there is no increase to the approved height and dimensions of the WTG. However, the design previously assessed through EIA was for either a smaller number of large turbines, or a larger number of smaller turbines, so the design now envisaged could exceed the previously assessed ‘worst case’.

There is no finalised layout yet. Conditions 12 and 13 of the Section 36 consent required submission and approval of a Development Specification and Layout Plan, on which this Council will be consulted. No variation of this is sought, and we assume these conditions will therefore be retained.

In general the proposed revised layout with closer turbine spacing leads to a visual impact that is different to, but does not appear to be significantly greater during the day than the 2018 consented scheme in views from East Lothian.

An increase in edge turbines and the use of more, larger turbines has the potential to increase visibility at night time by increasing the impact of aviation lighting. Previously approved lighting schemes for other proposals however have only required high intensity lighting for corner and some intermediate edge turbines, not all edge turbines. If this was to be the case for this scheme also, then it is likely that the visual impact of the proposed scheme will not be significantly greater at night than the 2018 consented scheme.

Condition 20 of the Section 36 consent requires that a Lighting and Marking Plan be submitted to Scottish Ministers, with approval only to be granted following consultation of this Council and others. I expect that discussions will be had with the CAA and any other relevant parties to ensure that that lighting, especially that visible from land, is kept to a minimum.

This Council, along with the Scottish Government and others, has declared a Climate Emergency. We recognise that the effect of this Variation is to increase the generating capacity of the proposal overall and support this. Although the proposal overall would appear likely to replace generation that has greater climate forcing emissions, it will create emissions in construction. No information appears to have been given on whether the Variation is likely to result in increased climate forcing emissions in construction. If this is the case we would encourage you to consider whether mitigation may be appropriate.

The Council values the marine mammals and birdlife which visit our shores, including those of European Sites. We would support the comments of NatureScot on these matters.

The Council has no objection to the granting of this Variation.

If you wish to discuss further any aspect of this response, please contact J Squires at jsquires@eastlothian.gov.uk

Regards,
J Squires
Pp Keith Dingwall
Planning Service Manager
East Lothian Council
Haddington
EH41 3HA

Ferryden and Craig
Community Council

From: [Ferryden CCC](#)
To: [MS Marine Renewables](#)
Subject: Re: Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Offshore Wind Farm, Firth of Forth - Consultation - Response Required by 26 January 2023
Date: 01 February 2023 09:59:49

Good morning,

Apologies for delay, please accept this email as confirmation of no objection,

Many thanks
Michelle Fletcher
Secretary/Treasurer

On Tue, 31 Jan 2023 at 15:11, <MS.MarineRenewables@gov.scot> wrote:

Dear Sir/Madam,

I am writing regarding the below consultation which ended last week on 26 January 2023. MS-LOT has not received a response from you, and therefore a nil return has been assumed.

Kind regards,

Lauren

Lauren Cowan

Casework Officer - Consenting

(she/her)

Marine Scotland - Marine Planning & Policy

Scottish Government | Marine Scotland | 5 Atlantic Quay | [150 Broomielaw](#) | [Glasgow](#) | [G2 8LU](#)

Email: lauren.cowan@gov.scot

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

My normal working pattern is 8-16, Monday to Friday.

Email addresses for Marine Scotland - Licensing Operations Team(MS-LOT) are MS.MarineRenewables@gov.scot for marine renewables correspondence or MS.MarineLicensing@gov.scot for all licensing queries.

Fife Council

From: [Bryan Reid](#)
To: [MS Marine Renewables](#)
Subject: 22/04186/CON Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation Consultation
Date: 18 January 2023 10:27:28

FAO Lauren Cowan

Good morning Lauren,

Having examined the details of the proposed variation to the Inch Cape Offshore Wind Farm Section 36 Consent and Marine License 06781 in so far as potential impacts on Fife, I can confirm that Fife Council would like to make the following comments.

With regard to the proposed reduction to the nominal turbine spacing from 1,278 meters to 1,025 meters, which would allow for the wind turbines to be arranged in an 'optimised border layout', this would alter the appearance of the approved development when viewed from Fife, with the wind turbines considered to appear more concentrated. Fife Council would request that Marine Scotland give consideration to the seascape, landscape and visual impacts of the development when assessing the applicant's proposed alteration to the condition wording to permit a reduction to nominal turbine spacing.

Fife Council has no comments to raise regarding the proposed increase to the hammer energy to install the foundations.

Lastly, regarding the confirmation of parameters for the preferred design scenario and the potential collision risk to birds, Fife Council has no comments to raise.

Kind regards,
Bryan Reid
Lead Professional - Strategic Development
Major Business and Customer Services
Planning Services
Fife Council

www.fife.gov.uk Follow us on twitter: [@FifePlanning](https://twitter.com/FifePlanning)

LISTEN | CONSIDER | RESPOND

Please note that I am unavailable every second Monday

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By email to:

MS.MarineRenewables@gov.scot

Marine Scotland (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: 300020430
19 January 2023

Dear Marine Scotland

**The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Inch Cape Offshore Limited - Proposed Variation to Offshore Transmission Works Marine
Licence - Inch Cape Offshore Windfarm (Revised Design), Firth of Forth
Consultation**

Thank you for your consultation which we received on 15 December 2022 seeking our comments on a proposed variation to the marine licence for the above proposed development. This letter contains our comments for our historic environment interests. That is world heritage sites, scheduled monuments and their setting, category A-listed buildings and their setting, Historic Marine Protected Areas (HMPAs), gardens and designed landscapes and battlefields on their respective Inventories and marine archaeology.

Our advice

We understand that the proposed changes to Marine Licence 06781 comprise an alteration of turbine spacing to maximise wind usage, increased hammer energy for the installation of turbine foundations and the confirmation of parameters set in the Preferred Design Scenario.

We previously responded to an EIA Screening for the proposed variations (28th July 2022, our reference 300020430), noting that the changes to the design would not result in additional significant impacts on marine archaeology or the setting of designated terrestrial assets. We therefore have no further comments to make regarding the information provided and we are content that the proposed variations will not result in any further significant impacts on our interests.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Sam Fox and they can be contacted by phone on 0131 668 6890 or by email on samuel.fox@hes.scot.

Yours faithfully

Historic Environment Scotland

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**

IFG

From: [Redacted]
To: [MS Marine Renewables](#)
Cc: [Cowan L \(Lauren\)](#); [Morrison S \(Stephanie\)](#); [Mcginn T \(Toni-Marie\)](#)
Subject: Re: Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Offshore Wind Farm, Firth of Forth - Consultation - Response Required by 26 January 2023
Date: 31 January 2023 15:19:08

Good afternoon

The IFG response was included in the SFF response as we make the same points.

Kindest

Jennifer

Sent from my iPhone

MCA

From: [navigation_safety](#)
To: [MS Marine Renewables](#)
Cc: [Cowan L \(Lauren\)](#); [Morrison S \(Stephanie\)](#); [Mcginn T \(Toni-Marie\)](#); [Nick Salter](#); [Vinu John](#); [Helen Croxson](#)
Subject: RE: Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Offshore Wind Farm, Firth of Forth - Consultation - Response Required by 26 January 2023
Date: 19 January 2023 09:49:06
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Good Morning Lauren,

Thank you for the opportunity to comment on the Marine Licence variation request for Inchcape Offshore Windfarm Limited. The UK Technical Services Navigation team of the Maritime and Coastguard Agency has reviewed the documents and marine plans received.

We understand the applicant's proposed variation includes a preferred layout change to an optimised border layout, leading to a reduction in overall turbine spacing from 1,278m to 1,025m. Turbine height will also be reduced from worst case maximum of 291m to 270.7m as measured from Lowest Astronomical Tide. We also note that the number of Wind Turbine Generators (WTGs) will be 72.

The applicant has also highlighted that an increase in hammer energy is required to successfully install the monopile WTG foundations. This increase will be from a maximum of 5,000kj to a maximum of 5,500kj.

The MCA confirms we have no objections to the marine licence variation on this occasion, provided all maritime safety legislation is followed and the original conditions of consent are adhered to.

A final layout plan is yet to be agreed with the MCA and we are waiting to hear back from the applicant.

Best regards,

Vaughan.

Vaughan Jackson

Offshore Renewables Project Lead
UK Technical Services Navigation



Maritime &
Coastguard
Agency

[Redacted]

vaughan.jackson@mca.gov.uk

Maritime & Coastguard Agency

Bay 2/25, Spring Place
105 Commercial Road,
Southampton SO15 1EG



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www.gov.uk/mca

MOD - DIO



Defence Infrastructure Organisation

Ministry of Defence
Safeguarding Department
St George's House
DIO Headquarters
DMS Whittington
Lichfield
Staffordshire
WS14 9PY

Your Reference:

Tel: [Redacted]

Our Reference: DIO10039940

Email: james.houghton109@mod.gov.uk

Ms Lauren Cowan
Scottish Government
Marine Scotland
Marine Planning and Policy
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

26 January 2023

By email only

Dear Ms Cowan,

ELECTRICITY ACT 1989 THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT) (SCOTLAND) REGULATIONS 2013 MARINE (SCOTLAND) ACT 2010

Thank you for consulting the Ministry of Defence (MOD) on the application to vary the existing section 36 consent and generating station marine licence issued for the Inch Cape Offshore Wind Farm project which would be located in the Firth of Forth.

I write to confirm the safeguarding position of the MOD regarding variation application.

Consent was originally granted subject to conditions for the Inch Cape wind farm through a letter dated 10 October 2014. Subsequently a varied consent (dated 17 June 2019) was issued that reduced the maximum number of wind turbine generators (WTG) and increased the parameters of those WTGs that may be erected. As with the initial consent a number of conditions were applied, those particularly relevant to MOD interests were:

- Condition 20 which requires the submission, approval, and implementation of a lighting and marking plan;
- Condition 21 which requires, prior to the commencement of any development, the submission and approval an Air Traffic Control Radar Mitigation Scheme (ATC Scheme) as well as implementation of that ATC Scheme;
- Condition 22 which requires, prior to the commencement of any development, the submission and approval of an Air Defence Radar Mitigation Scheme; and
- Condition 23 which requires the submission of sufficient data to ensure that the wind farm can be accurately charted for aviation and navigational safety.

Through the current variation application, consent is sought to reduce the spacing of WTGs to a nominal 1025m, a reduction from the 1278m specified in the previous consent (dated 17 June 2019). It is

understood that the variations proposed would be limited to Annex 1 (Description of the Development) of the Section 36 decision, and Part 2, Section 2.1 of the Marine Licence only, there would be no change whatsoever to the other content of either decision notice and all extant conditions would remain in effect.

After reviewing this submission, I can confirm that the MOD has no objection to the specified amendments to Annex 1 of the Section 36 decision and Part 2, Section 2.1 of the Marine Licence.

MOD Safeguarding wishes to be consulted and notified about the progress of planning applications and submissions relating to this proposal to verify that it will not adversely affect defence interests.

I hope this adequately explains our position on the matter. If you require further information or would like to discuss this matter further, please do not hesitate to contact me.

Further information about the effects of wind turbines on MOD interests can be obtained from the following websites:

MOD: <https://www.gov.uk/government/publications/wind-farms-ministry-of-defence-safeguarding>

Yours sincerely

James Houghton
Senior Safeguarding Manager

MSS

T: +44 (0)131 244 2500
E: MSS_Advice@gov.scot

Lauren Cowan
Marine Scotland Licensing Operations Team
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

25 January 2023

ICOL - VARIATION REQUEST

Marine Scotland Science (MSS) have reviewed the request from MS-LOT and provide the following advice.

Commercial fisheries

The Inch Cape offshore wind farm will consist of a maximum of 72 wind turbines and the current spacing between wind turbines is 1,278 m. This variation seeks to reduce the spacing between turbines to 1,025 m.

A minimum of 1,000 m spacing between turbines is the general recommendation in relation to commercial fisheries. It is important to maintain this spacing as commercial fishing in the windfarm area includes mobile fishing such as trawling for Nephrops and scallop dredging in addition to potting, which require adequate spacing for safe navigation and vessel manoeuvrability within the windfarm. MSS advise that this reduction in spacing between turbines still meets the recommended spacing requirements in relation to commercial fisheries and are therefore content with this proposed variation.

Hopefully these comments are helpful to you.

Yours sincerely,

Renewable Energy Environmental Advice group
Marine Scotland Science

NatureScot



NatureScot NàdarAlba

Scotland's Nature Agency
Buidheann Nàdair na h-Alba

Lauren Cowan
Marine Scotland – Marine Planning & Policy
Scottish Government
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

01 February 2023

Our ref: CNS\OSWF\Inch Cape

Your ref: 06781/19/0

By email only: ms.marinerenewables@gov.scot

Dear Lauren

ELECTRICITY ACT 1989

THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT) (SCOTLAND) REGULATIONS 2013

MARINE (SCOTLAND) ACT 2010

Thank you for consulting NatureScot on the application for a marine licence variation (to licence 06781/19/0) at Inch Cape Offshore Limited (ICOL).

Proposal

The proposed variation would enable:

- an increase in wind turbine generators (WTGs) around the border of the Development Area, with the remaining WTGs arranged in a grid in the centre of the Development Area, and a change of the minimum spacing to 1,025m;
- increased hammer energy to 5,500kJ to successfully install the foundations;
- confirmed parameters pertinent to the Preferred Design Scenario, that fall between Scenario A and Scenario B as defined in Marine Licence 06781; and
- reduction in the maximum number of OSPs to one, which we assume will not impact the maximum inter-array cable length or scour protection

Background

In preparation of this response we have reviewed:

Silvan House, 3rd Floor East, 231 Corstorphine Road, Edinburgh EH12 7AT
Taigh Silvan, 3mh Làr an Ear, 231 Rathad Chros Thoirphin, Dùn Èideann EH12 7AT

0131 316 2600 nature.scot

NatureScot is the operating name of Scottish Natural Heritage

- Inch Cape Wind Farm Section 36 Variation Application – Screening Report (the ‘Screening Report’);
- our response to the EIA Screening consultation – email dated 29/07/2022;
- our clarification email dated 07/10/2022; and
- Inch Cape Wind Farm Section 36 Variation Application Report (the ‘Variation Report’) and appendices.

We note that this proposed variation has been screened out of the requirement for EIA.

This response letter incorporates and builds on the advice previously provided.

NatureScot advice - general

In our Screening Response (dated 29/07/2022) we noted that:

1. the final proposed revision of the Section 36 and Marine Licence condition text (highlighted in yellow) (Screening Report, Table 5.2) is not worded clearly. We advise that this is reviewed and reworded in the application.

We advise that this point has been addressed in the Variation Report, and the proposed alterations (Variation Report Table 5.2) read clearly.

NatureScot advice – SLVIA

In our Screening Response (dated 29/07/2022) we advised that there would be no change to the significance of effects on seascape, landscape or visual receptors and so a new SLVIA is not required; however

2. the Variation Report should include revised wirelines that demonstrate and substantial changes in the appearance of the wind farm, and to provide a baseline for consideration against the Design Statement, that is a requirement of the original consent, to provide visualisations to indicate the as built windfarm.

We note from Variation Report Table 2.2 the intention is to solely address this requirement via submission of a separate Design Statement. Marine Scotland should consider whether this approach is adequate.

NatureScot advice – marine mammals

In our Screening Response (dated 29/07/2022) we advised that:

3. we agreed that the increase in hammer energy, based on the modelling submitted, was not significant under EIA regulations, despite being an increase on the 2018 EIA predictions in terms of the number of impacted individuals (PTS onset and displacement); however
4. the updated Variation Report should include details of the numbers of animals and percentages of reference populations affected by this variation. This will enable direct comparison with the original consented parameters, and with other marine energy developments. It will also assist with consideration of subsequent EPS licence applications.

We note that Appendix B of the Variation Report (“*Inch Cape Pile Driving Noise Assessment: Potential Effects of Use of Greater Hammer Energies on Marine Mammals and Fish*”) is not new (dated 20 January 2022). The Variation Report provides the same information as the Screening Report, and therefore our conclusion remains the same (see point 3 above).

Variation Report Table 3.1 addresses our point 4 by including a direct comparison of the original 2018 EIAR modelling and the updated modelling based on increased hammer energies.

NatureScot advice – marine mammals – additional commentary

In the Variation Report, paragraph 31, it is stated that further modelling is being undertaken to reduce conservatism, that discussions with ourselves (and MSS) are ongoing, and that the final methodology and mitigation will be agreed and approved via the piling strategy. We have not yet had these discussions on mitigation and piling strategy, and so it is difficult to provide further comments at this stage. We look forward to discussions on the final methodology and mitigation within the piling strategy.

However we can advise that it is likely that standard pre-piling mitigation measures will be sufficient to avoid instant PTS. It is the cumulative risk of impacts which remains uncertain.

NatureScot advice – fish ecology

The proposed new hammer energy being modelled (5,500kJ) results in vastly increased areas of effects on fish receptors.

Table 1 - effect zone for mortality and mortal injury under peak SPL criterion for fish receptor group

	2018 assessment	2022 assessment
Pin pile	0.01km ²	0.23km ²
Monopile	0.04km ²	0.33km ²

Table 2 - effect zone for mortality and mortal injury under cumulative SEL criterion for fish receptor group

	2018 assessment	2022 assessment
Pin pile	5km ²	100km ²
Monopile	4.15km ²	99km ²

The cumulative SEL area (km²) figures in particular are significantly different to, and orders of magnitude larger than, other offshore wind developments.

We have considered how these outputs may relate to the modelling framework chosen by Inch Cape compared with other developments but, given the proprietary nature of all the models used, we are unable to interrogate or ‘sense check’ the figures provided, which are of concern and in our view seem unrealistic.

As such, we request that Inch Cape provide further supporting evidence on the modelling approach taken, any precaution built into the model, and rationale on how this 100km² effect zone can be assessed as not significant.

Further, we understand that this current assessment focusses on the same species as the 2018 EIAR, but given these vastly increased areas of effects on fish receptors, impacts on other species should also be considered.

We request that Inch Cape provide further supporting evidence to justify no significant effect – we highlight the following points that should also be considered:

- Groups 3 and 4 fish species spans a wide range of species, including prey species for marine mammals and seabirds. We suggest that the supporting documentation considers impacts on these prey species, and secondary impacts on predators.
- Spawning herring may be less likely to flee from disturbance during the spawning period. Coull et al (1998) modelled herring spawning ground to be about 5km away from the array area, and there is likely to be patches of suitable habitat within the array area that should be addressed within the report.
- Sandeel also have limited ability to move/flee from disturbance. Adult sandeel show a preference for sandy seabed which is seen in a patchwork within the development site with several km between patches. However, sandeel do not have swim bladders, are a group 1 fish, and should be assessed separately from herring and group 3/4 fish species.

NatureScot advice – marine ornithology

In our email dated 29/07/2022 we advised that the Variation Report should include updated Collision Risk Modelling which:

5. discusses or corrects deviations from NatureScot guidance that were seen in the EIA Screening Report (see highlighted cells in Table 1 below),
6. incorporates variability, e.g. via the use of stochastic CRM (sCRM) as per McGregor et al (2018)
7. includes mean collision estimates and associated 95% confidence limits, in tabular form as generated by the sCRM tool;
8. uses Band model Option 2 as a default, with other additional Options presented if appropriate.

Table 3 – Collision Risk Modelling – deviations from guidance

	Species	Band Model Option	Avoidance Rate	Nocturnal Activity Score	Bird Length	Wingspan	Flight speed	Flight type
ICOL	Gannet	2	98.90%	1 (=0%)	0.94	1.73	14.9	Flapping

NatureScot advice		2	0.989 (±0.002 SD)	1.32* 0.08 ± 0.10**	0.94 (± 0.325 SD)	1.72 (±0.0375 SD)	14.9	Gliding
ICOL	Kittiwake	2	98.90%	2 (=25%)	0.39	1.08	13.1	Flapping
NatureScot advice		2	0.989 (±0.002 SD)	2 (25%) and 3 (50%)	0.39 (±0.005 SD)	1.08 (±0.04 SD)	13.1 (±0.40 SD)	Flapping
ICOL	Herring Gull	2	99.50%	2 (=25%)	0.6	1.44	12.8	Flapping
NatureScot advice		2	0.995 (±0.001 SD)	2 (25%) and 3 (50%)	0.6	1.44 (±0.03 SD)	12.8 (±1.8 SD)	Flapping

*Deterministic model **Stochastic model

We advise Marine Scotland that the sCRM in the Variation Report has incorporated most of the points from Table 1 above. The remaining points have been addressed in the accompanying text (Appendix C, page 6). We also confirm that the Variation Report CRM does include variability, and includes mean collision estimates and 95% confidence limits (Appendix C, Table 5). It also uses Band model Option 2 with one exception – Option 3 is also used for herring gull.

Our subsequent email of 07/10/2022 clarified that the Variation Report should include:

9. both deterministic and stochastic CRM – deterministic to enable direct comparison with the consent CRM, and sCRM to provide consistency with more recent CRM outputs from other projects;
10. inclusion of standard deviations (SD) for densities into the stochastic recalculation of collision estimates, preferably using a 'bootstrapped' sample, or justification as to why a different approach was chosen.

We advise Marine Scotland that the Variation Report does include both deterministic (Appendix C, Tables 2 and 4) and stochastic (Appendix C, Tables 3 and 5) collision risk modelling.

We also advise that sCRM has included standard deviations, and the decision not to use a bootstrapped sample has been justified in the report (Appendix C, page 6).

Therefore, the Variation Report has addressed each of the above points 5-10.

Finally, we are content that the Variation Report demonstrates that collision risk to key seabird species is no worse than that previously assessed in the 2018 EIAR scenarios (see Appendix C, Table 4).

Conclusion

We advise Marine Scotland that the Variation Report addresses the points previously raised by NatureScot, with one exception. We highlight that the applicant has not produced revised wirelines and intends to address SLVIA requirements through a forthcoming Design Statement. Marine Scotland should consider whether this approach is adequate.

We also advise Marine Scotland that the Variation Report demonstrates that the proposed changes (to layout and hammer energies) do not result in significant increases in risk to key marine mammal and seabird receptors.

However, we highlight the vastly increased zone of effect on key fish receptors. We advise Marine Scotland that further supporting evidence is needed to address impacts on prey fish species, herring spawning grounds, and sandeel within these zones of effect, and to provide further rationale as to why these effects are assessed as not significant.

Yours sincerely

Malcolm Fraser

Marine Sustainability Adviser – Sustainable Coasts and Seas

malcolm.fraser@nature.scot

0131 316 2629

NatureScot follow-up

From: [Malcolm Fraser](#)
To: [MS Marine Renewables](#)
Cc: [Cowan L \(Lauren\)](#); [Morrison S \(Stephanie\)](#)
Subject: RE: Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Offshore Wind Farm, Firth of Forth - Consultation - Response Required by 26 January 2023
Date: 09 March 2023 09:37:53

Lauren/ Stef –

Thank you for contacting us to seek clarity on HRA implications of the proposed Inch Cape Variation (to spacing and hammer energies).

You have asked:

- do the conclusions of the 2019 Appropriate Assessment remain valid (in light of the variation to layout and hammer energies)?
- do we have comments on the new Conservation Objectives (COs) for e.g. Outer Firth of Forth and St Andrews Bay Complex SPA?
- do the changes to impacts on fish receptors affect the HRA?

Validity of the 2019 Appropriate Assessment

In considering whether the [2019 Appropriate Assessment](#) should be updated, we are mindful of the following aspects:

- Since 2019, the Outer Firth of Forth and St Andrews Bay Complex has progressed from pSPA to SPA – however note [policy protection](#) afforded to proposed sites;
- Since 2019 new Conservation Objectives have been set for this site – however we consider there is a direct read-across from old COs to new COs (see below);
- The 2019 Appropriate Assessment did not assess impacts to any fish qualifying interests but did include the need to mitigate underwater noise impacts through the Piling Strategy (see below) – this approach remains valid.

In reviewing the Variation Report assessment, we conclude that the proposed changes (to layout and hammer energies) would not result in significant increases in risk to key marine mammal and seabird receptors, nor would impacts to fish receptors be materially different. As such we consider the conclusions from the 2019 Appropriate Assessment remain valid.

New Conservation Objectives (COs) for the Outer Firth of Forth and St Andrews Bay Complex SPA

Draft COs for the Outer Firth of Forth and St Andrews Bay Complex SPA were published in November 2021. This was followed by the publication of [Conservation and Management Advice in March 2022](#) which confirmed the COs and added substantial site-specific advice.

These new COs (see Table 1 below) provide clarity and additional detail, in comparison to the previous generic COs which were common to all SPAs. Nevertheless there is a read-across from old-style COs to new COs. In our view this addition of detail does not necessarily require revision of prior Appropriate Assessments.

Table 1. Comparison between old and new style Conservation Objectives (COs) for the Outer Firth of Forth and St Andrews Bay Complex SPA.	
Old CO	New CO
To avoid deterioration of the habitats of the qualifying species (listed below) or significant	1. To ensure that the qualifying features of the Outer Firth of Forth and St Andrews Bay

disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained; and To ensure for the qualifying species that the following are maintained in the long term:	Complex SPA are in favourable condition and make an appropriate contribution to achieving Favourable Conservation Status. 2. To ensure that the integrity of the Outer Firth of Forth and St Andrews Bay Complex SPA is restored in the context of environmental changes by meeting objectives 2a, 2b and 2c for each qualifying feature:
Population of the species as a viable component of the site	2a The populations of the qualifying features are viable components of the Outer Firth of Forth and St Andrews Bay Complex SPA.
Distribution of the species within site	2b. The distribution of the qualifying features is maintained throughout the site by avoiding significant disturbance of the species.
Distribution and extent of habitats supporting the species	2c. The supporting habitats and processes relevant to qualifying features and their prey resources are maintained, or where appropriate restored at the Outer Firth of Forth and St Andrews Bay Complex SPA.
Structure, function and supporting processes of habitats supporting the species	2c. The supporting habitats and processes relevant to qualifying features and their prey resources are maintained, or where appropriate restored at the Outer Firth of Forth and St Andrews Bay Complex SPA.
No significant disturbance of the species	2b. The distribution of the qualifying features is maintained throughout the site by avoiding significant disturbance of the species.

HRA implications for fish receptors

We support the position outlined in the Variation Report (section 4) that the proposal does not lead to new or materially different impacts on fish receptors. We are content that impacts to fish receptors from underwater noise are best addressed through the Piling Strategy and in particular the use of soft start. We are content that the assessment to fish receptors remains under EIA and is not required under HRA.

I hope this advice is clear.

--

Malcolm Fraser (he/ him) | **Marine Sustainability Adviser**

NatureScot | Silvan House | 3rd Floor East | 231 Corstorphine Road | Edinburgh | EH12 7AT | t: 0131 316 2629

NàdarAlba | Taigh Silvan | 3mh Làr an Ear | 231 Rathad Chros Thoirphin | Dùn Èideann | EH12 7AT

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From: MS.MarineRenewables@gov.scot <MS.MarineRenewables@gov.scot>
Sent: 27 February 2023 14:46
To: Malcolm Fraser <Malcolm.Fraser@nature.scot>
Cc: Lauren.Cowan@gov.scot; Stephanie.Morrison@gov.scot
Subject: RE: Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Offshore Wind Farm, Firth of Forth - Consultation - Response Required by 26 January 2023

Hi Malcolm,

Thank you for clarifying NatureScot's position with regards to SLVIA aspects and confirming that your other advice still applies.

Could I please follow-up on HRA aspects of the proposed variation and ask whether NatureScot are satisfied that the conclusions of the original Appropriate Assessment carried out in 2019 are still valid?

I note that the conservation objectives have changed for some of the designated sites since this was originally undertaken, including the Outer Firth of Forth and St Andrews Bay Complex SPA, and wanted to check whether this affects the conclusion? I also note that while LSE is not mentioned in your response, you have highlighted the increased zone of effect in regards to fish receptors, so wanted to check whether this may also affect the conclusion?

I would be grateful for any advice you could provide on this matter.

Please continue to copy in Stef in your responses as I am due to go on an extended period of annual leave from the end of this week.

Many thanks,

Lauren

Lauren Cowan
Casework Officer - Consenting
(she/her)

Marine Scotland - Marine Planning & Policy
Scottish Government | Marine Scotland | 5 Atlantic Quay | 150 Broomielaw | Glasgow | G2 8LU

Email: lauren.cowan@gov.scot
Mobile: [Redacted]
Website: <http://www.gov.scot/Topics/marine/Licensing/marine>

My normal working pattern is 8-16, Monday to Friday.

Email addresses for Marine Scotland - Licensing Operations Team(MS-LOT) are MS.MarineRenewables@gov.scot for marine renewables correspondence or MS.MarineLicensing@gov.scot for all licensing queries.

From: Malcolm Fraser <Malcolm.Fraser@nature.scot>
Sent: 14 February 2023 15:38
To: Morrison S (Stephanie) <Stephanie.Morrison@gov.scot>
Cc: Cowan L (Lauren) <Lauren.Cowan@gov.scot>; MS Marine Renewables <MS.MarineRenewables@gov.scot>; Malcolm J (Jessica) <Jessica.Malcolm@gov.scot>
Subject: RE: Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Offshore Wind Farm, Firth of Forth - Consultation - Response Required by 26

January 2023

Stef, Lauren –

I apologise, that's entirely my fault. We withdraw our comments on the SLVIA aspects of the Variation Report, as found in our consultation response, dated 01 Feb 2023. Our advice on other topics still applies.

I hope this short email is sufficient for your records.

All the best.

--

Malcolm Fraser (he/ him) | **Marine Sustainability Adviser**

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From: Stephanie.Morrison@gov.scot <Stephanie.Morrison@gov.scot>

Sent: 14 February 2023 15:17

To: Malcolm Fraser <Malcolm.Fraser@nature.scot>

Cc: Lauren.Cowan@gov.scot; MS.MarineRenewables@gov.scot; Jessica.Malcolm@gov.scot

Subject: RE: Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Offshore Wind Farm, Firth of Forth - Consultation - Response Required by 26 January 2023

Hi Malcolm,

Thanks for your response. We shall review and get back to you if we have any further questions.

In the meantime, please may I ask if you have reviewed the wirelines submitted under [Appendix A](#) of the aforementioned variation application? These wirelines were originally submitted with the screening request, but have been included as an appendix to the variation application. Within [Appendix D and E of Appendix A](#), ICOL shows the 2018 layout against the layout proposed in the current 2022 variation application.

I believe this is the source of confusion for MS-LOT as you state that wirelines of the revised layout have not been included with the application? We would be grateful for any further clarity you can provide on the matter.

Kind regards,

Stef

Stef Morrison
Marine Licensing & Consenting Casework Manager
Marine Scotland - Marine Planning & Policy

Scottish Government | Marine Laboratory | 375 Victoria Road | Aberdeen | AB11 9DB

Mobile: [Redacted]

Email: Stephanie.Morrison@gov.scot

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

Please note I work from home Monday - Friday. If you receive this email late at night or early in the morning it means I am working flexibly. Flexibility works for me, but please do not feel that you should have to pick this up outside of your working hours.

From: Malcolm Fraser <Malcolm.Fraser@nature.scot>

Sent: 14 February 2023 14:31

To: MS Marine Renewables <MS.MarineRenewables@gov.scot>

Cc: Morrison S (Stephanie) <Stephanie.Morrison@gov.scot>; Cowan L (Lauren) <Lauren.Cowan@gov.scot>

Subject: RE: Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Offshore Wind Farm, Firth of Forth - Consultation - Response Required by 26 January 2023

Hi Lauren –

Thanks for contacting us with two follow-up queries on our advice on the above variation application at Inch Cape Offshore Limited.

This email responds to both queries.

SLVIA

In our EIA Screening Response (dated 29/07 2022) we advised that our preferred approach was that the Variation Report should include wirelines of the revised layout. This would have provided more clarity on the impacts of the variation, prior to the submission of the Design Statement. We do not envisage that the change in layout will result in a change to the significance of effects on seascape, landscape or visual receptors.

The Variation Report did not include wirelines, and the proposed approach is to include visualisations in the Design Statement. Our advice is for MS-LOT to consider whether this approach is adequate at this stage – as this is a decision relating to the consenting requirements we defer to your judgement.

Fish ecology

You've asked whether additional information on fish impacts should be provided now, or as part of the Piling Strategy.

We've discussed this and conclude that it depends on whether or not the area of effect actually is c. 100km² or if there is an issue with the noise modelling.

If the impact zone on fish is actually c. 100km² then our advice is that basing the fish impact assessment for the variation on the previous EIAR fish impact assessment is no longer a valid approach.

The predicted area of effect has increased vastly and it changes the range of receptors that require assessment to include: prey species, sandeel, and much larger area of herring spawning ground. In this scenario – we would expect a revised fish impact assessment to be submitted as soon as possible.

If there is an error in the modelling and the 100km² area of effect is a mistake then we are content for this to be corrected in the Piling Strategy.

I hope this advice is helpful, you can contact me if you want to discuss it further.

All the best.

--

Malcolm Fraser (he/ him) | **Marine Sustainability Adviser**

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From: MS.MarineRenewables@gov.scot <MS.MarineRenewables@gov.scot>

Sent: 09 February 2023 10:19

To: Malcolm Fraser <Malcolm.Fraser@nature.scot>

Cc: Stephanie.Morrison@gov.scot; Lauren.Cowan@gov.scot

Subject: RE: Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Offshore Wind Farm, Firth of Forth - Consultation - Response Required by 26 January 2023

Hi again Malcolm,

I have an additional question regarding the NatureScot response, specifically the further supporting evidence NatureScot has asked for regarding fish receptors. Would NatureScot be content for the new supporting evidence to be provided with the piling strategy? Or would NatureScot prefer this to be provided now?

Many thanks,

Lauren

Lauren Cowan
Casework Officer - Consenting
(she/her)

Marine Scotland - Marine Planning & Policy
Scottish Government | Marine Scotland | 5 Atlantic Quay | 150 Broomielaw | Glasgow | G2 8LU

Email: lauren.cowan@gov.scot

Mobile: [Redacted]

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

My normal working pattern is 8-16, Monday to Friday.

Email addresses for Marine Scotland - Licensing Operations Team(MS-LOT) are MS.MarineRenewables@gov.scot for marine renewables correspondence or MS.MarineLicensing@gov.scot for all licensing queries.

From: MS Marine Renewables <MS.MarineRenewables@gov.scot>

Sent: 09 February 2023 08:09

To: Malcolm Fraser <Malcolm.Fraser@nature.scot>

Cc: Cowan L (Lauren) <Lauren.Cowan@gov.scot>; Morrison S (Stephanie) <Stephanie.Morrison@gov.scot>

Subject: RE: Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Offshore Wind Farm, Firth of Forth - Consultation - Response Required by 26 January 2023

Good morning Malcolm,

Thank you for providing NatureScot's response to this consultation.

Could I ask a question regarding one of the points raised: could you please clarify NatureScot's requirements for revised wirelines? I am unclear on what evidence NatureScot is looking for regarding this point and would be grateful for any clarification you can provide.

Many thanks,

Lauren

Lauren Cowan
Casework Officer - Consenting
(she/her)

Marine Scotland - Marine Planning & Policy
Scottish Government | Marine Scotland | 5 Atlantic Quay | 150 Broomielaw | Glasgow | G2 8LU

Email: lauren.cowan@gov.scot

Mobile: [Redacted]

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

My normal working pattern is 8-16, Monday to Friday.

Email addresses for Marine Scotland - Licensing Operations Team(MS-LOT) are MS.MarineRenewables@gov.scot for marine renewables correspondence or MS.MarineLicensing@gov.scot for all licensing queries.

From: Malcolm Fraser <Malcolm.Fraser@nature.scot>

Sent: 01 February 2023 15:04

To: MS Marine Renewables <MS.MarineRenewables@gov.scot>

Subject: RE: Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Offshore Wind Farm, Firth of Forth - Consultation - Response Required by 26 January 2023

FAO: Lauren Cowan

Thank you for consulting us on the above Marine Licence Variation, and for allowing additional time to complete our response.

Our consultation response is attached to this email.

All the best.

--

Malcolm Fraser (he/ him) | **Marine Sustainability Adviser**

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From: Malcolm Fraser <Malcolm.Fraser@nature.scot>

Sent: 24 February 2023 14:43

To: Cowan L (Lauren) <Lauren.Cowan@gov.scot>; MS Marine Renewables <MS.MarineRenewables@gov.scot>

Cc: Abi.Cowing@inchcapewind.co.uk

Subject: RE: Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Response

Lauren (CC Abi Cowing) –

ICOL provided additional information on the impact of increased hammer energies on fish receptors, by email dated 20 February 2023.

- We welcome this additional information which clarifies the differences between the 2018 and 2022 approaches to noise modelling.
- We accept that the 2022 noise model is very precautionary, most notably in the lack of a modelled flee response by fish, including a lack of response to soft-start piling.
- We note that the worst-case scenario of increased hammer energies on group III fish receptors is instantaneous mortality within 320m linear distance, however if a flee response is incorporated this is reduced to <178m linear distance.
- We advise that currently the only available mitigation for this impact is to ensure that soft-start methods are used.

We therefore accept the position that, if sort-start piling methods are secured, then the impacts of the proposed increase to hammer energies upon fish receptors are not significant.

We hope this advice is clear.

All the best.

--

Malcolm Fraser (he/ him) | **Marine Sustainability Adviser**

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NLB



Northern Lighthouse Board

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Your Ref: ICOWF – S36 & ML Variation
Our Ref: AL/OPS/ML/O6_04_764

Ms Lauren Cowan
Marine Licensing Casework Officer
Marine Scotland – Marine Planning and Policy
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

20 December 2022

ELECTRICITY ACT 1989

THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT) (SCOTLAND) REGULATIONS 2013

MARINE (SCOTLAND) ACT 2010

Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Offshore Wind Farm, Firth of Forth

Thank you for your e-mail correspondence dated 15th December 2022 relating to the application submitted by **Inch Cape Offshore Ltd** for a variation to its existing section 36 consent and generating station marine licence (06781/19) for the Inch Cape Offshore Wind Farm project, Firth of Forth. It is noted that the variation request seeks to reduce to turbine spacing and clarify the design parameters.

Northern Lighthouse Board have no objection to the proposed variations to the turbine spacing and design parameters. However, it is noted that a final layout for the windfarm is not prescribed within these s36 and Marine Licence variation requests. NLB will provide updated Lighting and Marking recommendations for a revised layout when this is submitted.

Yours sincerely

[Redacted]

Peter Douglas
Navigation Manager

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RSPB

From: [planning.scotland](#)
To: [MS Marine Renewables](#)
Subject: Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Offshore Wind Farm, Firth of Forth - Consultation - Response Required by 26 January 2023
Date: 25 January 2023 14:46:43
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Dear Lauren,

Thank you for consulting RSPB Scotland on the proposed changes to Inch Cape Offshore Windfarm and variation to its marine licences and generating consent. Due to limited capacity we are unable to provide a detailed response.

There have been several changes to the development since it was originally consented despite the original design envelope containing sizeable parameters. The variation procedure is not intended as a way of authorising any change in a developer's plans that would result in development that would be fundamentally different in character or scale from what is authorised by the existing consent. We recommend the determining authority consider this matter when considering the application.

The Inch Cape project, in-combination with the Neart na Gaoithe and Seagreen offshore wind farms, were predicted to have very substantial impacts on protected seabird populations at the time they were first considered. RSPB Scotland objected to the original projects as the impact on seabirds from project in isolation and in-combination with the aforementioned offshore windfarm would constitute adverse effects on integrity of nearby SPAs, including the Forth Islands and Fowlsheugh designated sites. We note that the proposed changes are predicted to slightly reduce impacts and view this positively in the context of the existing impacts. Nonetheless, we maintain our objection due to the cumulative impacts of the developments on these designated sites.

Many thanks,

Catherine

Catherine Kelham | she/her
Senior Marine Conservation Planner
0131 317 4100 | Mon-Fri Office Hours



RSPB Scotland Headquarters

2 Lochside View
Edinburgh Park
Edinburgh
EH12 9DH
rspb.org.uk



RYA

From: [Pauline McGrow](#)
To: [MS Marine Renewables](#)
Subject: RE: Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Offshore Wind Farm, Firth of Forth - Consultation - Response Required by 26 January 2023
Date: 20 January 2023 14:24:04
Attachments: [image002.png](#)
[image005.png](#)

Hi Lauren,

I write to inform you that RYA Scotland has no comment that they wish to make on this consultation.

Kind Regards

Pauline

Pauline McGrow
Senior Administrator
Mob: [Redacted]

Royal Yachting Association Scotland
T: 0131 317 7388
E: pauline.mcgrow@ryascotland.org.uk

-



RYA Scotland, Caledonia House, 1 Redheughs Rigg, South Gyle, Edinburgh, EH12 9DQ
T: 0131 317 7388, Fax: 0844 556 9549

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Scottish Borders Council

From: [Miller, Craig](#)
To: [MS Marine Renewables](#)
Cc: [Cowan, L. \(Lauren\)](#); [Sweeting, S. \(Stephanie\)](#); [McGinn, T. \(Toni-Marie\)](#)
Subject: [OFFICIAL] Inch Cape - Variation in layout and design parameters - 18/01109/S36
Date: 16 January 2023 09:30:01
Attachments: [image001.png](#)
[image003.png](#)

Dear Madam

I refer to your consultation dated 15 December regarding the above which I have considered on behalf of SBC.

The changed arrangement of 72 turbines uniformly and predominantly along all edges of the site is a much less imaginative arrangement from a design perspective leading generally to a denser and heightened visual impact from different viewpoints. Nevertheless, given the distance from the Scottish Borders Council's area and looking at the minimal impacts from the nearest Viewpoint (25) to our area, I can confirm there would be little reason for this Council to oppose on grounds of visual impacts.

I, therefore, confirm no objection from SBC to the Variations sought,

Regards

Craig Miller
Principal Planning Officer
Planning Housing and Related Services
Scottish Borders Council
Tel: 01835 825029
E-mail : cmiller@scotborders.gov.uk

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Scottish Water

Wednesday, 11 January 2023



Marine Licensing
375 Victoria Road

Aberdeen

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Steps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

Inch Cape Offshore Windfarm, off the cost of Arbroath, Arbroath, DD7 6LT
Planning Ref: Inch Cape Offshore Windfarm
Our Ref: DSCAS-0078087-WXN
Proposal: Inch Cape Offshore Windfarm (Revised Design), Firth of Forth -
Section 36 consent and Generating Station marine licence Variation - Variation
Application

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Drinking Water Protected Areas

A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Ruth Kerr
Development Services Analyst
PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Seagreen

From: [Noble, Ellie](#)
To: [MS Marine Renewables](#)
Cc: [Maxwell, Ed](#)
Subject: Inch Cape S36c Consent consultation
Date: 23 January 2023 08:51:38

Dear Lauren,

Thank you for consulting Seagreen on Inch Cape's current S36c variation (deadline 26 Jan 23). We have reviewed the variation and have no objection to make however we would request that we be consulted on the detail of the project when Inch Cape's Piling Strategy and Construction Programme are submitted.

Best wishes

Ellie Noble

Ellie Noble | Consents Team Manager (Seagreen Wind Energy Ltd)

SSE Renewables

1 Waterloo Street

Glasgow

G2 6AY

T: [Redacted]

E: Ellie.en.noble@sse.com

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SFF

From: [Mohammad Fahim Hashimi](#)
To: [MS Marine Renewables](#)
Cc: [Cowan L \(Lauren\)](#); [Morrison S \(Stephanie\)](#); [Mcginn T \(Toni-Marie\)](#); [Malcolm Morrison](#)
Subject: RE: Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Offshore Wind Farm, Firth of Forth - Consultation - Response Required by 26 January 2023
Date: 24 January 2023 15:13:41

Dear Lauren,

The Scottish Fishermen's Federation is pleased to respond to this application for Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation on behalf of the 400 plus fishing vessels in membership of its constituent associations: The Anglo Scottish Fishermen's Association, Fife Fishermen's Association, Fishing Vessel Agents and Owners Association, Mallaig & North West Fishermen's Association, Orkney Fisheries Association, Scottish Pelagic Fishermen's Association, the Scottish White Fish Producer's Association, Shetland Fishermen's Association and also the NECrIFG CHAIR.

We express our objection over the application to the variation of the former license since reducing turbine spacings is focused on optimising wind generation while ignoring other factors e.i. ability to fish after the wind farm is operational, navigational issues, visibility from shore and more. As a result, the mobile gear fishing will have great difficulty fishing within this array given the reducing clearance between WtGs. Therefore, we strongly object to this variation request.

Best regards,
Fahim

Sport Scotland

From: [Kerry Gibson](#)
To: [MS Marine Renewables](#)
Subject: Inch Cape Offshore Windfarm (Revised Design), Firth of Forth - Section 36 consent and Generating Station marine licence Variation
Date: 26 January 2023 10:38:28

Good Afternoon,

Thanks for the above consultation. I have reviewed the relevant documents and have consulted with RYAS and can confirm that **sportscotland** have no objections.

If you require any further assistance, please let me know.

Kerry Gibson | Planner | **sportscotland**
Doges | Templeton on the Green | 62 Templeton Street | Glasgow | G40 1DA

| m: [Redacted]

w: www.sportscotland.org.uk

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Aithris-àichidh – Tha am post-d seo diomhair agus air a rùnachadh a-mhàin don neach gu bheil e air a sheòladh. Mura h-e thusa an neach sin, feuch gun cuir thu às don phost-d seo is ceangalan sam bith agus leth-bhreacan uile, agus cuir fios sa bhàd gu an neach-seòlaidh. Cuimhnich mas e do thoil e gu bheil cleachdadh neo-ùghdarraichte sam bith air an sgrìobhainn seo air a thoirmeasg gu tur.

Mar bhuidheann poblach, tha **spòrsalba** a' tighinn fo riatanasan an Achd Saorsa Fiosrachaidh (Alba) 2002 a thaobh foillseachadh air fiosrachadh sam bith (a' gabhail a-steach conaltradh eileagtronaigeach) a dh'fhaodadh a bhith aige mu chuspair sònraichte, nuair a thèid sin iarraidh air le neach no buidheann sam bith. Ma bhios dragh ann mu dheidhinn seo, is urrainn do **spòrsalba** comhairleachadh mun chùis. Gus teagamh a sheachnadh, bidh co-dhùnadh **spòrsalba** deireannach a thaobh ceistean foillseachaidh is neo-fhoillseachaidh.

Is e **spòrsalba** a tha a' gleidheadh dàta pearsanta a bheir sibh dhuinn ann am puist-dealain sam bith.

Thoiribh an aire gum bi an dàta pearsanta a bheir sibh dhuinn air a stòradh agus/no air a ghiullachd le **spòrsalba**

Transport Scotland

From: [McPhillips G \(Gerard\)](#)
To: [MS Marine Renewables](#)
Cc: [LOGAN Lesley](#)
Subject: RE: Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Offshore Wind Farm, Firth of Forth - Consultation - Response Required by 26 January 2023
Date: 24 January 2023 17:24:23

FAO Lauren Cowan MS.MarineRenewables@gov.scot

Lauren,

Thank you for the opportunity for Transport Scotland to comment on the proposed Variation to the existing Section 36 consent and generating station marine licence for the Inch Cape Offshore Wind Farm project, Firth of Forth.

I can confirm that Transport Scotland was consulted on the original 2018 application and provided a response in a letter dated 12 September 2018. In this, we requested a Condition relating to the submission of a Construction Traffic Management Plan (CTMP) be attached to any consent granted. This was to ensure that any abnormal loads associated with construction of the development could be transported on the trunk road network safely with no detrimental impact on structures within the route path. I note that this Condition was included within the Marine Scotland Decision Notice dated 17 June 2019, reference 048/OW/RRP-10.

I understand the proposed variation comprises the following:

- Altered turbine spacing to allow an optimised border layout to maximise wind resource use;
- Increased hammer energy required to successfully install the foundations; and
- Confirmed parameters pertinent to the Preferred Design Scenario.

Having reviewed the Section 36 Variation Application Report dated 22 November 2022, I note that no further significant impacts have been identified to arise from the Proposed Variation, and it is considered that no EIA is required. I can therefore confirm that Transport Scotland is satisfied that the conclusions, as presented in our original letter dated 12 September 2018, remain valid. I would however again seek confirmation that the Condition relating to the Construction Traffic Management Plan be attached to any Variation consent granted.

Regards.

Gerard



Gerard McPhillips
Transport Scotland
Development Management Quality Manager
Roads Directorate
T: 0141 272 7379
M: [Redacted]
gerard.mcphillips@transport.gov.scot
transport.gov.scot

UK Chamber of Shipping

From: [Robert Merrylees](#)
To: [MS Marine Renewables](#)
Cc: [Cowan L \(Lauren\)](#); [Sweeting S \(Stephanie\)](#); [Mcginn T \(Toni-Marie\)](#)
Subject: RE: Inch Cape Offshore Limited - Section 36 Consent and Generating Station Marine Licence Variation - Inch Cape Offshore Wind Farm, Firth of Forth - Consultation - Response Required by 26 January 2023
Date: 16 December 2022 10:30:50

Dear Marine Scotland/Laruen,

Thank you for the consultation on the licence variation.

The UK Chamber of Shipping has reviewed the application and offers a nil return.

Kind regards,

Robert

Robert Merrylees

Policy Manager (Safety & Nautical) & Analyst

UK Chamber of Shipping

30 Park Street, London, SE1 9EQ

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