ossian

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Marubeni

CIP
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Cover Letter and Section 36 Consent Application

FAO Emma Lees
Offshore Renewable Energy Projects Consenting Leader
Marine Directorate Licensing Operations Team
Marine Laboratory
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28 June 2024

Dear Ms Lees

Electricity Act 1989 (as amended)
The Electricity (Applications for Consent) Regulations 1990 (as amended)
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended)
Marine and Coastal Access Act 2009
The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)

Application by Ossian Offshore Wind Farm Limited (Ossian OWFL) for Consent to Construct and Operate a Generating Station, Ossian Wind Farm

Ossian OWFL is a joint venture project, led by SSE Renewables (SSER) along with partners, Marubeni Corporation and Copenhagen Infrastructure Partners (CIP).

SSER is a leading developer, owner, and operator of renewable energy across the United Kingdom (UK) and Ireland, with a significant portfolio of almost 5 GW of offshore projects.

CIP is the world's largest dedicated fund manager within greenfield renewable energy investments and a global leader in offshore wind. The funds managed by CIP have, to date, raised approximately EUR 26 billion for investments in energy and associated infrastructure from more than 150 international institutional investors.

Marubeni Corporation is a Japanese conglomerate with extensive interests in power generation and renewable energy with involvement in the development and operation of over 2 GW of onshore and offshore wind farms.

This application is being submitted by Ossian OWFL for consent under Section 36 of the Electricity Act 1989 (Section 36 Consent) for the construction and operation of an offshore generating station (the Ossian Array).

This letter also includes applications for the following Marine Licences under Part 4 of the Marine and Coastal Access Act 2009:

- Marine Licence – Generating Station (wind turbines, floating foundations, mooring and anchors inter array cables, associated scour and cable protection and all associated fixtures, fittings, and protections).
- Marine Licence – Offshore Transmission Infrastructure (up to fifteen Offshore sub-station platforms (fixed bottom foundation OSPs)/Offshore convertor station platforms and interconnector cables together with scour and cable protection).

Overview of the Proposed Development

The Ossian Array is located seaward of Mean High Water Spring (MHWS) in Scottish offshore waters and comprises the offshore wind farm (Generating Station) (i.e. the wind turbines, their floating foundations, moorings and anchors and associated inter-array cabling), together with associated transmission infrastructure including OSPs/Offshore convertor station platforms, their foundations, interconnector cables and cable protection.

The Ossian Array site boundary is located approximately 80 km (43NM) south-east of Aberdeen (east coast of Scotland) from the nearest point, comprising an area of approximately 859 km².

A maximum of 265 floating wind turbines will be installed, with associated floating foundations, mooring and anchoring systems and associated infrastructure. There will also be up to six large OSPs, or up to three large and twelve small OSPs which will be installed on piled jacket or suction caisson jacket foundations. The wind turbines will connect to each other and to the OSPs via inter-array cables, and the OSPs will be connected to each other via interconnector cables.

Overview of the Project

The Ossian Array is the generation asset of Ossian Wind Farm (the Project). The Project will generate and export renewable power from the Ossian Array to the National Grid, via connection points located onshore in England (see further information below). The Project's offshore export connection infrastructure will be separately consented via an application for marine licences to the Marine Directorate Licensing Operations Team (MDLOT) (on behalf of Scottish Ministers) in respect of the offshore export cables located within Scottish offshore waters including export cables located within the Array site boundary; and a Marine Licence to the Marine Management Organisation (MMO) in respect of the offshore export cables located in English waters.

The onshore components of the Project include landfall infrastructure, onshore cables, onshore substation/convertor station and connection (onshore cables) to the National Grid Electricity Transmission (NGET) 400 kV Grid Substations located at Lincolnshire Connection Node and Weston Marsh, Lincolnshire. The onshore components of the Project have been designated by the Secretary of State for the Department for Energy Security and Net Zero (SofS) as development to be treated as a

nationally significant infrastructure project, pursuant to a designation under Section 35 of the Planning Act 2008 dated 23 May 2024. Therefore, the onshore components of the Project will be subject to an application for a Development Consent Order (DCO) regime under the Planning Act 2008.

The offshore and onshore transmission elements of the Project have been considered cumulatively with the Ossian Array where appropriate as part of this application.

Detailed Description of the Works – Generating Station

The Ossian Array will comprise the following key offshore components:

- up to 265 floating wind turbines each comprising a tower section, nacelle, hub and three rotor blades, and associated floating foundations which will support the wind turbines;
- mooring and anchoring systems for each floating foundation which will connect the floating foundation to the seabed;
- connectors and ancillaries for mooring and anchoring systems, including buoyancy elements and clump weights;
- scour and cable protection;
- a network of up to 1,261 km of dynamic/static inter-array cabling linking the individual floating wind turbines to OSPs; and
- discrete condition monitoring equipment (such as sensors, cameras, dataloggers etc.), as required for safe and efficient operation of the Array infrastructure.

Description of the works – offshore transmission infrastructure

The Ossian offshore transmission infrastructure forming part of the Ossian Array application will comprise of the following key offshore components:

- Up to six large, or up to three large and up to 12 small OSP's with fixed jacket foundations;
- Interconnector cables between OSPs; and
- Scour and cable protection.

Compliance with the Environmental Impact Assessment (EIA) and Habitats Regulations

An Environmental Impact Assessment (EIA) has been completed for the Proposed Development in accordance with the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended), and the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended). The EIA Report (Volumes 1 to 4) has been submitted as part of this consent application.

A Habitats Regulations Appraisal (HRA) has also been completed as required under the Conservation of Offshore Marine Habitats and Species Regulations 2017 (the Habitats Regulations). In accordance with the Habitats Regulations, a Report to Inform an Appropriate Assessment (RIAA) (Parts 1 to 3) has

been completed based on the outcome from the HRA Screening (assessment of likely significant effects (LSE)).

Derogation case

Under the Habitats Regulations, where the risk of adverse effects on the integrity (AEOI) of a protected site cannot be excluded, decision-makers may grant consent for a plan or project that must be carried out for imperative reasons of overriding public interest (IROPI) where there are no alternative solutions and subject to compensatory measures to ensure that the overall coherence of the national site network is maintained. These three tests (no alternative solutions, IROPI and compensatory measures) form the "Derogation Case" on which the decision-maker should be satisfied before granting consent for a plan or project.

Conclusions reached in the RIAA have identified the potential for AEOI on seven European sites (Special Protection Areas (SPAs)) supporting populations of kittiwake, razorbill and gannet. In view of these conclusions, it is necessary to provide the requisite information and justification (the Derogation Case) to satisfy the HRA Derogation provisions in respect of the species for the SPAs identified. The documents comprising the Derogation Case are included as part of this application. The Derogation Case made as part of the Application provides robust and sufficient information to allow the Scottish Ministers to grant the applications for the Ossian Array in compliance with the Habitats Regulations.

It is also noted that in circumstances where AEOI are identified for a European site outside Scotland or the Scottish offshore region, the Scottish Ministers must notify the SofS and can only agree to the project after having been notified of the SofS's agreement. As such, the enclosed documents provide a comprehensive Derogation Case that can be relied upon by the Scottish Ministers and SofS.

Documentation Enclosed

The documents submitted as part of the Ossian Array Section 36 Consent application and associated Marine Licence applications include:

- This cover letter to the Section 36 Consent Application.
- Two Marine Licence application forms and supporting information for the following:
  - Generating station in the Proposed Development array area (beyond 12 nm) under the Marine and Coastal Access Act 2009; and
  - Offshore Transmission Infrastructure (under the Marine and Coastal Access Act 2009) for up to 15 OSPs/offshore convertor station platforms and interconnector cables located in the Array site boundary.
- Environmental Impact Assessment (EIA) Report:
  - Non-Technical Summary;
  - Volume 1 – Introductory Chapters;
  - Volume 2 – Array EIA Report Technical Specialist Assessments;
  - Volume 3 – Array EIA Technical Reports; and

  - Volume 4 – Outline Management Plans.
- Report to Inform an Appropriate Assessment (RIAA):
  - Executive Summary;
  - Part One – Introduction;
  - Part Two – Special Area of Conservation (SAC) Assessments;
  - Part Three – Special Protection Area (SPA) Assessments; and
  - Appendices including Habitat Regulations Appraisal (HRA) Screening Report.
- Derogation Case Documents:
  - Derogation Case;
  - Appendices including:
    - Ecological Evidence Report;
    - Compensation Plan;
    - Compensation Implementation and Monitoring Plan;
    - Compensation Environmental Impact Assessment (EIA) Report; and
    - Compensation: No Likely Significant Effects (LSE) Report.
- Consent Application Accompanying Documents:
  - Planning and Need Statement.

Public Notices / Advertisements

Public notices advising that Ossian OWFL has submitted applications for a Section 36 Consent for the Ossian Array and accompanying Marine Licences to the Scottish Ministers and inviting the public to submit comments on the application will be placed in the following publications on dates to be agreed with MD-LOT:

- The Edinburgh Gazette
- The East Lothian Courier
- The Courier
- The Herald (national publication)
- Press and Journal
- Fishing News

The adverts will advise the public how to participate in the consultation on the application, in accordance with the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended), the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 and the Electricity (Applications for Consent) Regulations 1990.

Hard copies can also be made available on request, which will be subject to a charge of £125 (including postage and packaging), or alternatively on USB stick free of charge (including post and packaging). Copies of a short non-technical summary are available free of charge. Requests for hard copies of the application documents can be made at contact@ossianwindfarm.com. An electronic copy of the application and associated Environmental Statement will be made available for inspection at the following locations:

Location	Address	Opening Hours
Dunbar Library	Bleachingfield Community Centre Dunbar EH42 1DX	Monday, Tuesday, and Friday: 09:00 to 13:00 and 14:00 to 17:00 Wednesday: 10:00 to 13:00 and 14:00 to 17:00 Thursday: 09:00 to 13:00 and 14:00 to 19:00 Saturday: 10:00 to 13:00 Sunday: Closed
Carnoustie Library	21 High Street Carnoustie DD7 6AN	Monday: 10:00 to 16:00 Tuesday: 14:00 to 20:00 Wednesday: 10:00 to 14:00 Thursday: 10:00 to 16:00 Friday: 10:00 to 16:00 Saturday: 10:00 to 13:00 Sunday: Closed
Stonehaven Library	Evan Street Stonehaven AB39 2ET	Monday: Closed Tuesday: 09:00 to 18:00 Wednesday: 09:00 to 17:00 Thursday: Closed Friday: 09:00 to 17:00 Saturday: 10:00 to 14:00 Sunday: Closed

Once the application has been accepted by MD-LOT, the application documents will also be published online at: http://www.ossian-eia.com

We look forward to hearing from you in relation to the formal acceptance of the applications.

Yours faithfully,

[redacted]

David Willson (Jun 28, 2024 16:07 GMT+1)

David Willson
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Ossian S36 Consent Application Letter

Final Audit Report 2024-06-28

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