



THE CONSERVATION (NATURAL HABITAT, &c.) REGULATIONS 1994 (AS AMENDED)

LICENCE TO DISTURB MARINE SPECIES

Public Case Handling Report for Licence Number: EPS-00012333

Site	Benthic Survey - MachairWind - Preliminary Offshore Export Cable Corridor
Company	MachairWind Ltd. ScottishPower Renewables, 9th Floor, 320 St Vincent Street, Glasgow
Brief Description of Project	MachairWind Offshore Wind Farm - Export Cable Corridor (ECC)
Associated Licences	EPS-00012333 BS-00012334

Species	harbour porpoise (<i>Phocoena phocoena</i>);bottlenose dolphin (<i>Tursiops truncatus</i>);minke whale (<i>Balaenoptera acutorostrata</i>);Risso's dolphin (<i>Grampus griseus</i>);white sided dolphin (<i>Lagenorhynchus acutus</i>);short beaked common dolphin (<i>Delphinus delphis</i>);killer whale (<i>Orcinus orca</i>);white-beaked dolphin (<i>Lagenorhynchus albirostris</i>);long-finned pilot whale (<i>Globicephala melas</i>)
Inshore/Offshore	Inshore

TEST 1	Purpose of licence
	Imperative reasons of overriding public interest (including those of a social or economic nature and beneficial consequences of primary importance for the environment)
Comments	
Is a specific need being addressed?	
The applicant confirms a benthic survey is required to map the seabed and the characteristics of the Offshore ECC. Sampling stations will be sited to enable sufficient coverage of seabed habitats and biotopes and a representative spread of depth throughout the preliminary Offshore ECC.	
What benefit does the activity provide or what need does it address – social, economic, environmental, health and safety etc?	
The applicant confirms the survey is considered essential due to the need to accurately assess the Offshore ECC for further development and that disturbance to cetacean species will be temporary in nature. With the mitigations that will be put in place, there is no potential for injury. The benefit of undertaking the site investigation survey and allowing for the Project to progress, has the potential for long-term benefit to Scotland and the renewables industry, helping Scotland to reach the overall target for greenhouse gas emissions.	
Why is the activity essential – what are the consequences if the activity does not proceed?	
This benthic survey is considered essential due to the need to accurately assess the Offshore ECC. Should the benthic site investigation survey not proceed, the completion and development of the MachairWind OWF would not be possible.	
What public interest is served	
The applicant confirms the development offers the deployment of a proven technology in a location with recognised wind resource and offers to deliver a low-cost, low-carbon supply of up to 2GW of clean, green renewable electricity. This would make a significant contribution to tackling climate change and achieving Net Zero whilst having the potential to generate enough renewable electricity to power over 2 million homes. The delivery of the project will also enable ScottishPower to build on its long-standing presence and track record of investing in and working with local communities and businesses across Argyll & Bute.	
Is the activity in relation to any government targets or policies?	
The applicant adds that the proposed benthic surveys will comply with the policies of the National Marine Plan, namely; Gen 9: Natural Heritage and Gen 13: Noise.	
Test 1 satisfied?	YES

TEST 2	Satisfactory alternatives
Comments	
The Applicant confirms alternative options were considered prior to the inclusion of a benthic survey with regards to the scope and extent of the survey within the Offshore ECC. The proposed benthic survey and use of the USBL outlined in the Applicant's RA is considered the only viable way to ensure the accurate planning and assessment of the Project. The Applicant considers survey location, duration and extent. The smallest number of sampling stations within the Offshore ECC results in the minimum survey duration possible which is 45 noisy days. Reducing the number of sampling stations any further would reduce data coverage quality and materially reduce the value that would be gained from the survey and resultant data. This would prevent characterisation of the Offshore ECC environment to a level required for the EIA process and to inform preliminary design considerations. The Applicant considers survey equipment and methodology. The benthic survey has been chosen to provide the most efficient dataset that can be used to assess the Project's EIA and environmental feasibility. The design of the benthic survey considers the provision of the required data for the preliminary phase but without survey techniques which may be superfluous for the current objectives. The results of the benthic survey will allow the most effective development and design decisions to be made. For future site investigation, it will provide data to allow the design of the most effective surveys. The benthic survey meets the preliminary survey requirements with the minimal practicable impact to marine mammals and basking sharks. Existing site specific data gathered in 2021 alongside desktop studies in the Offshore ECC have enabled an understanding of ground conditions and benthic community assemblages. This has allowed refinement of survey methodologies to ensure the most efficient benthic survey is being implemented. The Applicant confirms there are no satisfactory alternatives identified to the use of the USBL required during the benthic survey and although there might be different types of positioning equipment that could be used, it is often constrained by the specific purpose of the survey, and the alternative equipment may not be effective. Should the benthic site investigation survey not proceed, the delivery of the Development would not be possible.	
Test 2 satisfied?	YES

TEST 3	Favourable conservation status
Comments	
NatureScot confirmed the activities are not capable of having an adverse impact on the favourable conservation status of the EPS concerned.	
Test 3 satisfied?	YES

Date application received: 15/05/2026

Consultation start date: 08/06/2026

Consultation end date: 06/07/2026

Notes

Date	title	Text
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National Marine Plan considerations:

The decision is: In accordance and no further action required

Comments: - Gen 9: Natural Heritage: Development and use of the marine environment must; comply with the legal requirements for protected areas and protected species, not result in significant impact on the national status of priority marine features and protect and, where appropriate, enhance the health of the marine area, and Gen 13: Noise: Development and use in the marine environment should avoid significant adverse effects of man-made noise and vibration, especially on species sensitive to such effects, have been considered.

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