

Validation of Appropriate Assessment (“AA”)

Licensee/Developer Name: Neart na Gaoithe Offshore Wind Limited (“the Company”) (Company No. SC356223)

Site Details: Neart na Gaoithe Offshore Wind Farm approximately 15.5km to the east of Fife Ness in the Firth of Forth (“the Development”)

Date of existing Licence/Consent: Section 36 consent (“2018 Consent”) and marine licences 06677/18/0 and 06678/18/0 all dated 3 December 2019

AA Validation Completed by: [REDACTED] 9 April 2019

Summary of proposed Variation Application.

Variation Application to amend the 2018 Consent in the following respects:

- Removal of references to the offshore substation platforms and offshore export cables from the description of the Development;
- Amend the minimum blade tip clearance from 35 metres to 36 metres;
- Amend the blade width from 4.5 metres to 5.5 metres.

The increase of the maximum blade width differs from the parameters assessed by the Company in the Habitats Regulations Appraisal Report (submitted in March 2018) (“HRA Report”) which were based on a maximum blade width of 5 metres. The difference between the Variation Application and the parameters assessed in the HRA Report is 0.5 metres. The increase of the minimum blade tip clearance by one metre from 35 metres to 36 metres is within the design envelope assessed within the HRA Report. The maximum number of turbines, the spacing between turbines, overall footprint and existing capacity of the Development, as previously consented, will remain the same.

If consent is granted for this Variation Application, the Scottish Ministers will vary the marine licences in respect of the Development, in accordance with section 30(3)(d) of the Marine (Scotland) Act 2010 to ensure that the marine licences and the 2018 Consent are consistent.

Summary of consultation responses – in relation to European protected sites.

Scottish Natural Heritage (“SNH”) advised that it had no comments to provide in respect of the Variation Application but noted that the proposed changes make some very slight improvements to collision risk estimates for some seabird species.

East Lothian Council did not object provided that SNH was content that any adverse effects on the integrity of a European protected site within or adjacent to East Lothian, or where the qualifying interests visit East Lothian or the coast off East Lothian, are no worse than in respect of the currently consented Development.

RSPB Scotland acknowledged the changes sought and the minimal effect that these changes would have on the predicted environmental impacts compared to the Development as contained in the 2018 Consent. On the basis of the very minimal changes to the environmental assessment outputs, RSPB Scotland advised that it did not wish to make any further comment and instead referred back to its response to the application for the 2018 Consent, noting that its original position remained relevant and valid.

The Scottish Seabirds Centre acknowledged the Variation Application was predicted to marginally reduce the overall impact on seabird populations but reiterated its concerns about the overall level of impact on seabird populations and the in-combination effect of the Development with Inch Cape and Seagreen Alpha and Bravo offshore wind farms on the integrity of a number of internationally important Special Protection Areas in the Firth of Forth.

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

Not applicable – No advice from MSS was sought.

Conclusion - Consideration of whether the AA completed for the December 2018 decision for the 2018 Consent is still valid.

The implications of the proposed blade width and blade tip variations are considered to have no worse effect on ornithological features through either the potential for displacement or barrier effects than what was previously assessed and consented.

The Variation Application presented collision risk modelling (“CRM”) outputs for gannet, kittiwake and herring gull for the varied design and compared these with the outputs for the 2018 Consent Development design. CRM outputs for the other seven species considered in the March 2018 Environmental Impact Assessment Report (“EIA Report”) and HRA Report (lesser black-backed gull, great black-backed gull, black-headed gull, common gull, little gull, Arctic skua and great skua) were not presented due to very low predicted impacts. For gannet and kittiwake, CRM outputs were slightly lower for the varied design compared with the 2018 Consent Development design. For herring gull, there was no change between the consented and varied designs. The potential effects of the Variation Application have been shown to be the same or less than the effects concluded in the HRA Report for the 2018 Consent.

The Special Areas of Conservation considered in the AA for the application for the 2018 Consent will not be affected by the proposed Variation Application and therefore are not required to be considered further.

No consultation responses, advice, external reports or representations have been received which would invalidate the conclusions or alter the outcome of the AA dated 2 November 2018 in respect of the 2018 Consent and marine licences which were granted for the Development on 3 December 2018.