

# SCR-0090 - Appendix One - Consultation Responses

SEPA

**From:** [Planning South](#)  
**To:** [MD Marine Licensing](#)  
**Subject:** FAO [Redacted] : PCS-20003406 SEPA Response to SCR-0090  
**Date:** 22 October 2024 15:31:46  
**Attachments:** [image.png](#)

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Dear [Redacted]

**Electricity Works (Environmental Impact Assessment) (Scotland)  
Regulations 2017  
SCR-0090**

**EIA Screening for Section 36 consent variation – Extension to construction  
timeframes for installation of remaining WTGs  
Seagreen Alpha and Bravo Offshore Wind Farm, Firth of Forth**

Thank you for the above consultation.

Based on the information provided, with respect to interests relevant to our remit, we agree that EIA is **not required** for this proposal. Please refer to our standing advice and other guidance which is available on our [website](#). In addition, please also refer to our SEPA standing advice for the Department for Business, Energy and Industrial Strategy and Marine Scotland on marine consultations available [here](#).

I trust these comments are of assistance - please do not hesitate to contact me if you require any further information.

Kind regards,  
[Redacted]

Senior Planning Officer



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Dh'fhaodadh gum bi am fiosrachadh sa phost-d seo agus ceanglachan sam bith a tha na chois diomhair, agus cha bu chòir am fiosrachadh a bhith air a chleachdadh le neach sam bith ach an luchd-faighinn a bha còir am fiosrachadh fhaighinn. Chan fhaod neach sam bith eile cothrom fhaighinn air an fhiosrachadh a tha sa phost-d no a tha an cois a' phuist-d, chan fhaod iad lethbhreac a dhèanamh dheth no a chleachdadh arithist. Mura h-ann dhuibhse a tha am post-d seo, feuch gun inns sibh dhuinn sa bhad le bhith cur post-d gu [postmaster@sepa.org.uk](mailto:postmaster@sepa.org.uk). Togalach Aonghais Mhic a' Ghobhainn, 6 Craobhraid Parklands, Eurocentral, Baile a' Chuilinn, Siorrachd Lanraig a Tuath, ML1

4WQ. Faodar conaltradh còmhla ri SEPA a sgrùdadh no a chlàradh no a sgaoileadh gus obrachadh èifeachdach an t-siostaim a ghlèidheadh agus airson adhbharan laghail eile.

# Angus Council

**From:** [Redacted]  
**To:** [MD Marine Renewables](#)  
**Subject:** RE: SCR-0090 – Seagreen Wind Energy Limited – Section 36 consent variation – Seagreen Alpha and Bravo Offshore Wind Farm, Firth of Forth – Consultation on Request for Screening Opinion – Response Required by 11 November 2024  
**Date:** 22 October 2024 18:34:38  
**Attachments:** [image001.png](#)

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Dear Sir/Madam

**THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)  
REGULATIONS 2017 (“the EW Regulations”)  
CONSULTATION UNDER PART 2, REGULATION 8(5) OF THE EW REGULATIONS  
SCR-0090 – Seagreen Wind Energy Limited – Section 36 consent variation – Seagreen Alpha  
and Bravo Offshore Wind Farm, Firth of Forth**

Thank you for your email.

Angus Council has reviewed the submitted information and notes the proposed variation has the potential to result in likely significant effects upon fish and shellfish, marine mammals and ornithology, primarily as a result of cumulative impacts arising from construction works associated with this site and other OWF developments in the area, namely Berwick Bank OWF. However, it is also noted that the applicant has suggested measures they would undertake to mitigate effects upon these groups, such as coordinating with Berwick Bank OWF to avoid instances of concurrent piling. Angus Council would advise that in determining whether the Section 36 Variation application would require an EIA, the decision maker should take cognisance of any comments provided by relevant specialities bodies, such as NatureScot, in regard to the reasonableness of the aforementioned suggested impacts and mitigation measures. If specialist bodies have no concerns with regard to the conclusions offered by the applicant on these and other matters, Angus Council has no issues with the conclusion reached by the applicant in respect of whether the proposed Section 36 Variation would require an EIA.

I trust the above proves helpful.

Kind regards

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

**Covid:** As restrictions ease, the emphasis will continue to be on personal responsibility, good practice and informed judgement. [Get the latest information on Coronavirus in Scotland.](#)

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# Dundee City Council

**From:** [Redacted]  
**To:** [MD Marine Renewables](#)  
**Subject:** RE: SCR-0090 – Seagreen Wind Energy Limited – Section 36 consent variation – Seagreen Alpha and Bravo Offshore Wind Farm, Firth of Forth – Consultation on Request for Screening Opinion – Response Required by 11 November 2024  
**Date:** 31 October 2024 10:15:05  
**Attachments:** [image001.png](#)

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Thank you for consulting Dundee City Council.

I can advise that the council does not disagree with the conclusions of the reports in that the proposed works do not require an EIA.

Regards,



[Redacted]  
Principal Planning Officer (Planning & Economic Development) at City Development

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[Redacted]

**P** [01382 433760](tel:01382433760)

**W** [www.dundee.gov.uk](http://www.dundee.gov.uk)

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

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# East Lothian Council

Our Ref: EIA/SCREEN/24/05  
Date: 11 November 2024  
Direct Line: [Redacted] (messages only)  
E-Mail: [policy&projects@eastlothian.gov.uk](mailto:policy&projects@eastlothian.gov.uk)

John Muir House  
Haddington  
East Lothian  
EH41 3HA  
Tel 01620 827827

[Redacted], via email only:  
to [MD.MarineRenewables@gov.scot](mailto:MD.MarineRenewables@gov.scot)

Dear [Redacted],

**The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 (“the EIA Regulations”) Consultation under part 2, regulation 8(5) of the EW regulations**

**Request for Screening Opinion, Section 36 consent variation – Seagreen Alpha and Bravo Offshore Wind Farm, Firth of Forth**

I refer to your request dated 21 November 2024 for East Lothian Council to adopt an Environmental Impact Assessment (EIA) Screening Opinion for proposed amendments to the above Section 36 consent.

This Screening Opinion is based upon the information contained within your original Screening Request and associated documentation and correspondence submitted, including all proposed mitigation described in those documents. Should details of the proposed amendments change, including changes to proposed mitigation, a further EIA screening opinion may be required.

**Background**

The Seagreen Project is located in the North Sea, in the outer Firth of Forth and Firth of Tay region. It comprises the Offshore Wind Farm (OWFs) (which includes the Wind Turbine Generators (WTGs), their foundations and associated array cabling), together with associated infrastructure of the Offshore Transmission Asset (OTA) (which includes the Offshore Substation Platforms (OSPs) and their foundations and the offshore export cable which will make landfall at Carnoustie and connect to the Tealing substation). The consents granted give permission for the installation and operation of up to 150 WTGs, 5 OSPs and associated electrical infrastructure to export to Carnoustie. As described in the 2023 Construction Programme, 114 of the 150 WTGs have been constructed (ending construction works in April 2023) and have a grid connection into Tealing, Angus. Construction works for the inter-array cables are expected to finish in October 2024

The proposed Section 36 Variation is driven through the need to extend the installation window for the final 36 turbines and associated infrastructure consented as part of Seagreen Alpha and Bravo, but not yet constructed (Seagreen 1A).

**Screening Request – the proposed works**

SWEL are proposing a shift of commencement for constructing the Seagreen 1A infrastructure within a construction window to between January 2029 and December 2032 (where the window for installation is currently expected to expire in August 2025). Construction of the offshore elements of Seagreen 1A would be continuous once commenced, and will remain within the construction schedule assessed within Seagreen 2012.

## **EIA Screening process**

### *Requirement for screening*

The proposal does not fall under Schedule 1 of the EIA Regulations, therefore EIA is not automatically required.

An ES prepared under the previous EIA (Scotland) Regulations 2011 was submitted with the original applications for both onshore and offshore works. The project as a whole falls under the EIA Regulations Schedule 2 project type 3: Energy Industry (j) Installations for the harnessing of wind power for energy production. The proposed amendments therefore potentially fall under Schedule 2 project type 13 as a change or extension to an existing development included within parts 1-12 of Schedule 2 that 'may' have significant effects on the environment. The Council considers that the proposals 'may' have significant effects on the environment and must therefore determine whether the proposed development is likely to have a significant effect on the environment, and issue a Screening Opinion accordingly.

### *Screening Appraisal*

The screening process must take into account the selection criteria listed in Schedule 3 of the EIA (Scotland) Regulations 2017. These are; the characteristics of the development; the location of the development, and the characteristics of the potential impact. The regulations also set out factors that should be considered at Section 4.3. These are sometimes referred to as EIA topics, and are: population and human health; biodiversity; land, soil, water, air and climate; and material assets, cultural heritage and the landscape.

The EIA (Scotland) Regulations 2017 included the factors previously set out in the 2011 regulations, and assessed through the ES of the original proposal. The 2017 regulations added 'human health' and 'climate' as factors. In addition, Section 4(4) of the new regulations adds that the EIA process should consider "the expected effects deriving from the vulnerability of the development to risks, so far as relevant to the development, of major accidents and disasters". There was no requirement to consider these factors in the original ES, so the Council must consider whether there could be significant environmental effects on climate or health, or whether there could be risk from a major accident or disaster from the proposals, and if so, whether this has already been reported in the ES.

## **Conclusion**

Having evaluated the potential significance of the likely environmental effects of the proposed changes I consider that the proposed amendments are unlikely to have a significant environmental effect to the extent that an expert and detailed study through EIA is needed to properly assess any effect. It is the opinion of East Lothian Council as Planning Authority that the proposed development **does not constitute 'EIA development'** under the terms of the EIA regulations.

The planning authority's opinion on the likelihood of significant environmental effects is reached only for the purpose of adopting this Screening Opinion under the EIA regulations. This Screening Opinion is given without prejudice to any subsequent consideration by the planning authority through any other formal process of the impacts of the proposed development, and the authority's assessment of the acceptability or otherwise of the proposed development relative to development plan policy and other material considerations.

Should you wish to discuss any of the above in more detail please contact the Policy and Strategy Team within the Planning Service via email to [policy&projects@eastlothian.gov.uk](mailto:policy&projects@eastlothian.gov.uk) . Alternatively, the team are available on Microsoft Teams via our email addresses.

Yours sincerely,  
[Redacted]

[Redacted]  
**Planning Service Manager**

# Historic Environment Scotland



**By email:**

[MD.MarineRenewables@gov.scot](mailto:MD.MarineRenewables@gov.scot)

Marine Directorate  
Marine Laboratory  
375 Victoria Road  
Aberdeen  
AB11 9DB

Longmore House  
Salisbury Place  
Edinburgh  
EH9 1SH

Enquiry Line: 0131 668 8716  
[HMConsultations@hes.scot](mailto:HMConsultations@hes.scot)

Our case ID: 300021099  
Your ref: SCR-0090  
05 November 2024

Dear Marine Directorate

**The Electricity Works (Environmental Impact Assessment) (Scotland)  
Regulations 2017  
Seagreen Alpha and Bravo Offshore Wind Farms  
Request for Screening Opinion**

Thank you for consulting us on this Environmental Impact Assessment (EIA) screening request, which we received on 17 October 2024. 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, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas.

The relevant local authority archaeological and conservation advisors will also be able to offer advice on historic environment impacts. This may include topics covered by [our advice-giving role](#), and also other topics such as unscheduled archaeology, category B and C listed buildings, and conservation areas.

We understand that the proposed development has already gone through an environmental impact assessment process and been granted Section 36 Consent. The current screening consultation relates to a request to vary that consent to defer the start date for one of the phases of construction.

**Our advice**

We have not identified any potentially significant effects on the historic environment from the proposed change in overall timing for the development and therefore have no reason to consider the proposals to be EIA development.

We hope this is helpful. If you would like to submit more information about this or any other proposed development to us for comment, please send it to our consultations mailbox, [hmconsultations@hes.scot](mailto:hmconsultations@hes.scot). If you have questions about this response, please contact [Redacted]



HISTORIC  
ENVIRONMENT  
SCOTLAND

ÀRAINNEACHD  
EACHDRAIDHEIL  
ALBA

Yours sincerely

**Historic Environment Scotland**

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

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**



HISTORIC  
ENVIRONMENT  
SCOTLAND

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EACHDRAIDHEIL  
ALBA

## ANNEX

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Historic Environment Scotland  
04 November 2024



NatureScot

[Redacted]

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**From:** MARINEENERGY <MARINEENERGY@nature.scot>  
**Sent:** 14 November 2024 15:23  
**To:** MD Marine Renewables  
**Cc:** [Redacted]  
**Subject:** RE: SCR-0090 – Seagreen Wind Energy Limited – Section 36 consent variation – Seagreen Alpha and Bravo Offshore Wind Farm, Firth of Forth – Consultation on Request for Screening Opinion – Response Required by 11 November 2024  
**Attachments:** 2024-11-14 Seagreen Screening Request NatureScot Response .pdf  
**Categories:** Saved in eRDM

Hi [Redacted] ,

Thank you for the extension to our response on the proposed Seagreen Section 36 Variation.

Please find our advice attached.

We note the proposed changes to commencement of construction to a period that will overlap with construction of several other OWF developments. The original Seagreen cumulative assessment would not have included the ScotWind proposals, it is also unlikely that the ScotWind proposals due to be submitted will have considered Seagreen 1A in their cumulative assessments given the change in likely commencement dates. On this basis it may be appropriate to ensure you are satisfied that cumulative impacts have been adequately addressed for all proposals spatially and temporally.

Best regards,  
[R  
d

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[Redacted]

Scottish Government, Marine Laboratory  
Aberdeen, AB11 9DB

14 November 2024

Sent by email to:  
MD.MarineRenewables@gov.scot

Our ref: CNS / REN / OSWF / Outer  
Forth / Seagreen

Dear [Redact ,

**SEAGREEN WIND ENERGY LIMITED – SECTION 36 CONSENT VARIATION – SEAGREEN ALPHA AND BRAVO OFFSHORE WIND FARM, FIRTH OF FORTH**

Thank you for your consultation received on the 04 October 2024 regarding a Screening Opinion Request associated with the Section 36 consent variation for the Seagreen Alpha and Bravo Offshore Wind Farm.

We have reviewed the following documents associated with the Screening Opinion Request:

- Screening Letter (LF000012-CST-OF-LIC-LET-0001)
- Screening Report (LF000012-CST-OF-LIC-REP-0001)
- Screening Report Appendix A – Seagreen Phase 1A Habitats Regulations Appraisal (LF000012-CST-OF-LIC-REP-0002)

Following this review we provide the following comments.

**Section 36 Variation Screening**

*Proposed Seagreen project variation*

The proposed Section 36 Variation is being sought for the final 36 wind turbine generators (WTGs) and associated infrastructure originally consented - Seagreen Alpha and Bravo application (referred to as Seagreen 1A), that was accompanied by an Environmental Impact Assessment Report. The Section 36 consents currently stipulate that the commencement of Phase 1A must be a date no later than 3 years from the commissioning of the first WTG of Seagreen Alpha and Bravo (Phase 1).

Seagreen Wind Energy Limited (SWEL) are seeking to delay the commencement of construction of Phase 1A to within a construction window between January 2029 and December 2032. On this

basis SWEL are proposing a variation to the existing Section 36 consents to specify that the commencement of Phase 1A “*must be a date no later than 9 years 8 months from the Commissioning of the First WTG*”. Revised construction timelines have been provided and it is noted that works will be continuous and remain within the total 576 days as originally consented. It is our understanding that no other changes have been proposed with regard to the design envelope, construction durations, WTG locations, location of project activities or installation methods. However, we note with the extended commencement date there may be additional changes between now and the commencement date that may require additional consideration, if outside of the original Seagreen assessed and consented windfarm parameters.

### *Screening response*

Upon our review of the relevant technical appraisals conducted as part of the screening process (ornithology, marine mammals, natural fish and shellfish resource and nature conservation and HRA) we are content with the conclusion that the Section 36 Variation should be screened out of the requirement for EIA on the basis that the Variation will not give rise to any likely significant adverse environmental effects in addition to those previously assessed as part of the original consents. In addition, we agree with the conclusions that no Adverse Effect on Site Integrity is determined for all considered sites for both project alone and in-combination.

The proposal to accompany the Section 36 Variation with a supporting Environmental Appraisal Report is welcomed and we provide the following comments regarding items we require to be considered / updated.

### **Cumulative impacts**

#### *Ornithology*

Potential increased cumulative impacts to ornithological receptors are considered in Section 5.1.3 of the Screening Report. Broadly, we are content with the conclusion that the proposed Variation in construction programme will not result in significant impacts on ornithology, either project alone or in-combination.

Potential cumulative impacts to qualifying features of Special Protection Areas (SPAs) are considered in Section 4.1.2 of the Screening Report Habitats Regulations Appraisal (HRA). It is noted that vessel numbers specific to Phase 1A have not been provided in this Screening Report HRA. It would be beneficial to see installation / construction vessel numbers for Phase 1A presented in the Environmental Appraisal Report so that this information can be considered in the context of cumulative vessel movements, particularly with regard to the Outer Forth and St Andrews Bay Complex SPA. Demonstration that vessel movements specific to Phase 1A will have a minimal increase to overall regional vessel movements will help provide confidence that the Variation will not result in a measurable, material effect on the SPA populations of seabirds. This is especially important in the context of Berwick Bank (if consented) which reported significant increases in vessel movements during construction (41-47% above existing movements) with

concerns raised by us regarding impacts to the Outer Firth of Forth and St Andrews Bay Complex SPA in our additional information response<sup>1</sup>.

On this basis we require the following to be included in the supporting Environmental Appraisal Report:

- Updated vessel movements specific to Phase 1A to be presented to provide confidence that the Variation will not result in any additional significant increases in vessel movements with potential implications for SPAs (specifically pertinent to Outer Firth of Forth and St Andrews Bay Complex).

### *Marine Mammals*

Potential increased cumulative impacts to marine mammals are discussed and assessed in Section 5.2.3 of the Screening Report. We note that the original cumulative assessment would not have included the ScotWind proposals, it is also unlikely that the ScotWind proposals due to be submitted will have considered Seagreen 1A in their cumulative assessments given the change in likely commencement dates. This is also true regarding Inch Cape and their changing construction timelines. We advise it may be appropriate for MD LOT to satisfy themselves that cumulative impacts have been adequately addressed for all proposals in both spatial and temporal terms.

It is noted that underwater noise modelling has not been updated, with modelling from the 2012 ES used to assess potential cumulative impacts. We advise that updated underwater noise modelling should be undertaken for the remaining 36 WTGs to inform a revised marine mammals cumulative assessment. The revised marine mammals cumulative assessment should be undertaken using population modelling (iPCoD) for bottlenose dolphins, harbour porpoise, minke whales, harbour seals and grey seals to ensure that the assessment reflects current best practices and appropriately quantifies potential impacts. The updated cumulative assessment should consider the potential for cumulative impacts in the context of both the whole Management Unit (MU) and the UK portion of the MU in order to better represent the likely size of populations affected by the potential impact pathways.

On this basis we require the following items to be included in the supporting Environmental Appraisal Report:

- Updating of the underwater noise modelling for the final 36 WTGs.
- Undertake cumulative iPCoD modelling for marine mammals and consider potential cumulative impacts in the context of both the whole MU and the UK portion of the MU.

### *Fish and Shellfish*

Potential increased cumulative impacts to fish and shellfish ecology are discussed and assessed in Section 5.3.3 of the Screening Report.

It is noted that for underwater noise modelling the 2012 ES used the weighted species specific 130 dBht perceived level as an indicator of traumatic hearing damage for the assessment. As noted in

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<sup>1</sup> <https://marine.gov.scot/node/24135>

Section 5.3.3.1 recent projects make use of Popper *et al.*, (2014) and on this basis we would expect to see updated underwater noise modelling for the final 36 turbines which incorporate the Popper *et al.*, (2014) methodology. It would be beneficial to see this presented in the Environmental Appraisal Report alongside the original 2012 ES methodology in order for a direct comparison to be made.

On this basis we require the following items to be included in the supporting Environmental Appraisal Report:

- Updating of the underwater noise modelling for the final 36 WTGs and conduct an assessment using the Popper *et al.*, (2014) methodology. Results should be presented in the Environmental Appraisal Report alongside the original 2012 ES methodology in order for a direct comparison to be made.

I hope this advice is of assistance. Please contact me in the first instance for any further advice, copying to our marine energy mailbox – [marineenergy@nature.scot](mailto:marineenergy@nature.scot).

Yours sincerely,

[Redacted]

Marine Sustainability Adviser – Sustainable Coasts and Seas

[Redacted]