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Dear Ms Bamlett

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
Marine (Scotland) Act 2010
The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)
The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017

Application by Berwick Bank Wind Farm Limited (BBWFL) for Consent to Construct and Operate a Generating Station, Berwick Bank Wind Farm

Berwick Bank Wind Farm Limited (BBWFL) is a wholly owned subsidiary of SSE Renewables Limited. SSE Renewables is a leading developer, owner and operator of renewable energy across the UK and Ireland with a UK portfolio that includes the 3.6 GW Dogger Bank Wind farm in the North Sea and the 1.1 GW Seagreen Offshore Wind Farm in the Firth of Forth.

This application is being submitted by BBWFL for consent under Section 36 of the Electricity Act 1989 (Section 36 Consent) for the construction and operation of an offshore generating station (the Berwick Bank Wind Farm).

This letter also includes applications for the following Marine Licences under Part 4 of the Marine and Coastal Access Act 2009 and Part 4 of the Marine (Scotland) Act 2010:

- Marine Licence – Generating Station (wind turbines, foundations, inter array cables, associated scour and cable protection and all associated fixtures, fittings and protections).
- Marine Licence – Offshore Transmission Infrastructure (Part 1) (up to eight OSPs/Offshore converter station platforms, up to eight interconnector cables and up to eight export cables).
- Marine Licence - Offshore Transmission Infrastructure (Part 2) (up to two OSPs/Offshore converter station platforms and up to one interconnector cable).

Overview of the Proposed Development

The offshore components of the Berwick Bank Wind Farm (the Project) located seaward of Mean High Water Spring (MHWS) are referred to as the 'Proposed Development' and include the offshore wind farm (Generating Station) (the wind turbines, their foundations and associated inter-array cabling), together with associated transmission infrastructure including Offshore Substation Platforms (OSPs)/Offshore converter station platforms, their foundations, interconnector cables, offshore export cables and cable protection. The onshore components of the Project include landfall infrastructure (trenchless technology), onshore cables, onshore substation/converter station and connection (onshore cables) to the Scottish Power Energy Networks (SPEN) 400 kV Grid Substation located at Branxton, East Lothian. The onshore components are subject to a separate application for planning permission from East Lothian Council (ELC).

The Proposed Development array area covers an area of 1,010.2 km² in the outer Firth of Forth, approximately 47.6 km offshore of the East Lothian coastline and 37.8 km from the Scottish Borders coastline at St. Abbs. The Proposed Development array area is already the subject of Agreement for Lease (AfL) from Crown Estate Scotland (CES). The Proposed Development export cable corridor up to MHWS covers an area of 167.9 km². This is where the offshore export cables and associated cable protection will be located.

The generating station will comprise up to 307 wind turbines which will be installed in the Proposed Development array area, with either suction caisson jacket or piled jacket foundations, inter array cabling, scour and cable protection.

There will also be up to ten OSPs/Offshore converter station platforms within the Proposed Development array area which will also be installed on piled jacket or suction caisson jacket foundations. These OSPs/Offshore converter station platforms will be connected via interconnector cables. Up to eight offshore export cables will then connect the OSPs/Offshore converter station platforms to the landfall on the East Lothian coast, at Skateraw Harbour (hereafter referred to as the 'Skateraw Landfall').

BBWFL is also developing an additional export cable and grid connection to Blyth, Northumberland (hereafter the "Cambois connection"). This additional grid connection was agreed between the Project and the National Grid Energy Systems Operator (NGESO) in June 2022 and will enable the Project to reach full generating capacity (4.1 GW) by the early 2030's.

Applications for the necessary consents (including marine licences) to support the Cambois connection are being applied for separately once further development work has been undertaken on this offshore export corridor. An EIA will be prepared to support any relevant consent applications that are required to deliver the Cambois Connection which will also consider cumulative effects with the Proposed Development. The Cambois Connection has also been considered cumulatively as part of this Application.

In order to allow the Project to deal with the OSP/offshore converter stations for the Cambois connection separately, along with the marine licences for that connection, the OSPs/Offshore converter station platforms have been split across two Marine Licences (Offshore Transmission Infrastructure Part 1 and Offshore Transmission Infrastructure Part 2). A description of the works relating to these two Marine Licences (Offshore Transmission Infrastructure Part 1 and Offshore Transmission Infrastructure Part 2) is provided below.

Description of the Works – Generating Station

The Berwick Bank generating station will comprise of the following key offshore components:

- Up to 307 wind turbines (each comprising a tower section, nacelle and three rotor blades).
- Maximum parameters of the largest wind turbines:
 - Maximum rotor blade tip height of 355 m (measured from Lowest Astronomical Tide (LAT))
 - Maximum rotor blade diameter of 310 m
 - Minimum rotor blade tip to sea clearance of 37 m (measured from LAT)
 - Maximum hub height of 200 m (measured from LAT)
 - Minimum wind turbine spacing of 1,000 m
 - Maximum wind turbine spacing of 4,650 m
- Wind turbine foundations including steel lattice jacket towers with pin piles or suction caissons.
- Up to 1,225 km of inter array cabling
- Scour protection and inter array cable protection

Description of the works – offshore transmission infrastructure (Part 1)

The Berwick Bank offshore transmission infrastructure Part 1 will comprise of the following key offshore components:

- Up to eight OSP/offshore convertor station topsides
- Up to seven interconnector cables with total length up to 85 km.
- Up to eight export cables with total maximum length of up to 872 km.
- Scour protection and cable protection

Description of the works – offshore transmission infrastructure (Part 2)

The Berwick Bank offshore transmission infrastructure Part 2 will comprise of the following key offshore components:

- Up to two OSP/offshore convertor station topsides (housing electrical infrastructure).
- One interconnector cable with total length up to 30 km.

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), The Marine Works (Environmental Impact Assessment) 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 (Natural Habitats, & c.) Regulations 1994, The Conservation of Habitats and

Species Regulations 2017 and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (collectively referred to as the “Habitats Regulations”). In accordance with these 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 eight European sites (Special Protection Areas (SPAs)) supporting populations of kittiwake and one or more of the following species: guillemot, razorbill and puffin. 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 Project 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 Secretary of State (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 to the extent required.

Documentation Enclosed

The documents submitted as part of the Berwick Bank Wind Farm Section 36 Consent application and associated Marine Licence applications include:

- This cover letter to the Section 36 Consent Application
- Three 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;
 - Offshore Transmission Infrastructure Part 1 (under both the Marine and Coastal Access Act 2009 and the Marine (Scotland) Act 2010) for up to eight OSPs/offshore convertor station platforms and interconnector cables located in the Proposed Development array area and up to eight export cables; and
 - Offshore Transmission Infrastructure Part 2 under the Marine and Coastal Access Act 2009 for two OSPs/offshore convertor station platforms and interconnector cables located in the Proposed Development array area.
- Environmental Impact Assessment (EIA) Report:
 - Non-Technical Summary
 - Volume 1 – Introductory Chapters
 - Volume 2 – Specialist Assessment Chapters

- Volume 3 – Technical Appendices and Annexes including a Navigational Risk Assessment (NRA) and Audit Document
- 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
 - Appendices including Habitat Regulations Appraisal (HRA) Screening Report
- Derogation Case Documents:
 - Statement of Need
 - Derogation Case
 - Colony Compensatory Measures Evidence Report
 - Fisheries Compensatory Measures Evidence Report
 - Implementation and Monitoring Plan
 - Derogation Case – Environmental Impact Assessment (EIA) Report
 - Derogation Case – Report to Inform an Appropriate Assessment (RIAA)
- Consent Application Accompanying Documents:
 - MPA Assessment
 - Marine Archaeology Technical Report
 - Offshore Planning Statement
 - Onshore and Offshore Pre-Application Consultation (PAC) Report

Onshore Applications

The Berwick Bank onshore transmission infrastructure associated with the Berwick Bank Wind Farm is the subject of a separate application for planning permission under the Town and Country Planning (Scotland) Act 1997.

Public Notices / Advertisements

Public notices advising that BBWFL has submitted applications for a Section 36 Consent and accompanying Marine Licences to Marine Scotland and inviting the public to submit comments on the application will be placed in the following publications on dates to be agreed with Marine Scotland's Licensing Operations Team:

- East Lothian Courier
- The Herald
- The Courier
- Edinburgh Gazette
- Fishing News
- Lloyds list

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 Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017, the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 and the Electricity (Applications for Consent) Regulations 1990.

Hard copies of the application documents will be made available for the public to view in the following locations:

Location	Address	Opening Hours
East Lothian Council Headquarters	John Muir House Brewery Park Haddington EH41 3HA	Open Monday to Thursday 9am - 5pm Friday 9am - 4pm
Dundee City Council	Dundee House 50 North Lindsay Street Dundee DD1 1QE	Open Monday, Tuesday, Thursday and Friday 8.30am - 5pm Wednesday 9.30am - 5pm
Scottish Borders Council Council Headquarters	Newtown St. Boswells Melrose TD6 0SA	Monday to Thursday: 8am-5pm Friday 8am - 4pm Saturday 9am - 12noon
Angus Council	Orchardbank Business Park Orchardbank Forfar Angus DD8 1AN	Monday to Friday: 8am-5pm
Fife Council	Methil Customer Service Centre and Library Wellesley Road, Methil, Fife KY8 3PA	Monday, Tuesday, Thursday & Friday 9-12 and 1-5. Wednesday 10-12 and 1-5.

In addition to the hard copies available to view at the locations above, an electronic copy of the application will also be made available at the following location:

Location	Address	Opening Hours
Dunbar Library	Bleachingfield Community Centre Dunbar EH42 1DX	Monday, Tuesday and Friday 9 am to 1 pm, 2 pm to 5 pm Wednesday 10 am to 1 pm, 2 pm to 5 pm Thursday 9 am to 1 pm, 2 pm to 7 pm

Once the application has been accepted by Marine Scotland Licencing Operations Team, the application documents will be published online at: <https://www.berwickbank.com>

Hard copies can also be made available on request. These will be subject to a charge of £350. Requests for hard copies of the application documents can be made at: berwickbank@sse.com



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

Yours faithfully,

[Redacted]

Alex Meredith
Project Director