

Angus Council

From: [Ruari Kelly](#)
To: [MS Marine Renewables](#)
Subject: Seagreen Wind Energy Limited - Section 36 Consent and Marine Licence Variation - Seagreen Alpha and Bravo Offshore Wind Farm - Response required by 09 August 2022
Date: 28 June 2022 13:45:34

Dear Sir/Madam,

**THE ELECTRICITY ACT 1989
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF
CONSENT) (SCOTLAND) REGULATIONS 2013
MARINE AND COASTAL ACCESS ACT 2009**

**APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY
ACT 1989 FOR SEAGREEN WIND ENERGY LIMITED**

The submitted variation request proposes changes to increase the size of 36 of the consented wind turbine generators (WTGs); and increase the weight of seabed steel deposits associated with the offshore substation platforms (OSPs).

Having reviewed the submitted documentation it is concluded that the impacts of the proposed variation to the Seagreen Alpha and Bravo offshore wind farms, do not raise any new or significant issues in terms of material considerations relevant to Angus and on this basis Angus Council does not object to the application.

Yours sincerely,

Ruari Kelly

Ruari Kelly | Planning Officer (Development Standards) | Angus Council |
01307 492125 | kellyr@angus.gov.uk | www.angus.gov.uk

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COVID-19

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BT

From: radionetworkprotection@bt.com
To: [MS Marine Renewables](#)
Cc: radionetworkprotection@bt.com
Subject: RE: Seagreen Wind Energy Limited - Section 36 Consent and Marine Licence Variation - Seagreen Alpha and Bravo Offshore Wind Farms, Firth of Forth - Response required by 07 July 2022 - WID11866
Date: 06 June 2022 13:23:24
Attachments: [image002.png](#)



OUR REF: WID11866

Dear Sir/Madam

Thank you for your email dated 23/05/2022.

We have studied this variation proposal with respect to EMC and related problems to BT point-to-point microwave radio links.

The conclusion is that, as the original Site Boundary remains unchanged, the Project indicated should not cause interference to BT's current and presently planned radio network.

Please direct all queries to radionetworkprotection@bt.com

Kind regards

Laura Taylor

Engineering Services - Radio Planning
Networks



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Chamber of Shipping

From: [Robert Merrylees](#)
To: [MS Marine Renewables](#)
Subject: RE: Seagreen Wind Energy Limited - Section 36 Consent and Marine Licence Variation - Seagreen Alpha and Bravo Offshore Wind Farms, Firth of Forth - Response required by 07 July 2022
Date: 21 June 2022 12:35:04

Hi Kate,

Thank you for enquiring and forwarding on response.

Pleased to hear that the layout will remain as is, although somewhat surprised as developers usual line is that for larger turbines to be as efficient as possible they need greater spacing. Either not the case or the developer here is accepting an efficiency loss, or they intend to amend layout at a later stage.

Worth considering.

Kind regards

Robert

Robert Merrylees

Policy Manager (Safety & Nautical) & Analyst

UK Chamber of Shipping

30 Park Street, London, SE1 9EQ



rmerrylees@ukchamberofshipping.com

www.ukchamberofshipping.com

From: MS.MarineRenewables@gov.scot <MS.MarineRenewables@gov.scot>

Sent: 16 June 2022 10:37

To: Robert Merrylees <RMerrylees@ukchamberofshipping.com>

Subject: RE: Seagreen Wind Energy Limited - Section 36 Consent and Marine Licence Variation - Seagreen Alpha and Bravo Offshore Wind Farms, Firth of Forth - Response required by 07 July 2022

Hi Robert,

Seagreen have responded to your query – please see attached. If you require any further detail, please do let me know.

Kind regards,

Kate

Kate Taylor

Marine Licensing Casework Officer

Marine Scotland - Marine Planning & Policy

Email: kate.taylor2@gov.scot

Website: <https://www2.gov.scot/Topics/marine/Licensing/marine>

COVID-19: Marine Scotland - Licensing Operations Team(MS-LOT) is working from home and as a result determination of applications may take longer than our stated timelines. In addition MS-LOT is unable to respond to phone enquiries, please communicate with MS- LOT via email. Email addresses are MS.MarineRenewables@gov.scot for marine renewables correspondence or MS.MarineLicensing@gov.scot for all licensing queries.

From: Robert Merrylees <RMerrylees@ukchamberofshipping.com>

Sent: 13 June 2022 14:35

To: MS Marine Renewables <MS.MarineRenewables@gov.scot>

Subject: RE: Seagreen Wind Energy Limited - Section 36 Consent and Marine Licence Variation - Seagreen Alpha and Bravo Offshore Wind Farms, Firth of Forth - Response required by 07 July 2022

Dear MS Marine Renewables Team,

The Chamber of Shipping welcomes the opportunity to respond to the abovementioned application for variation of consent.

The Chamber has reviewed the documentation and whilst it does not have any objection to 36 turbines being of greater dimension and scale than the rest across the development, the Chamber could not find any great detail as to how the 36 were to be spaced between each other and with the existing turbines of smaller dimension. The Chamber envisages that turbines of greater size will require greater spacing between turbines and that in the relatively limited area of the South East corner the placement of them may become a challenge. As such the Chamber would like to see greater information as to the spacing and placement of the 36, how they will maintain two lines or orientation for navigational traffic and SAR, and comply with MGN 654.

The Chamber hopes these comments are of assistance and looks forward to further information.

Yours faithfully,

Robert

Robert Merrylees

Policy Manager (Safety & Nautical) & Analyst

UK Chamber of Shipping

30 Park Street, London, SE1 9EQ



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Civil Aviation Authority

From: [Andy Wells](#)
To: [MS Marine Renewables](#)
Cc: [Windfarms](#)
Subject: RE: [External] Seagreen Wind Energy Limited - Section 36 Consent and Marine Licence Variation - Seagreen Alpha and Bravo Offshore Wind Farms, Firth of Forth - Response required by 07 July 2022
Date: 05 July 2022 12:38:41
Attachments: [image001.png](#)

Dear Sir/Madam,

Thank you for the opportunity to comment on the S36 consent and marine licence variation for Seagreen Alpha and Bravo Offshore Wind Farms in the Firth of Forth. The CAA has no further comments to make on this application, noting that the issue of radar mitigation has been covered in the Environmental Appraisal Report to our satisfaction.

Kind regards

Andy Wells

Andy Wells

Manager Rulemaking and Safety Publications
Safety and Business Delivery
Civil Aviation Authority

Tel: 0330 138 3166

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Dundee City Council

From: [David Gray01](#)
To: [MS Marine Renewables](#)
Subject: RE: Seagreen Wind Energy Limited - Section 36 Consent and Marine Licence Variation - Seagreen Alpha and Bravo Offshore Wind Farm - Response required by 09 August 2022
Date: 29 June 2022 16:23:26

Dear Kate,

Thank-you for consulting Dundee City Council on the above S36 and Marine Licence variation.

Having reviewed the application which proposes to increase the size and capacity of 36 of the 150 consented turbines, I can advise that Dundee City Council has no objection to the proposal. The proposal would be over 50km from the city and the proposed grid connection would be in East Lothian. As such, there would be no significant environmental or visual impact on Dundee beyond those which would be expected with the previously consented scheme.

Regards,



David Gray

Senior Manager - Planning (Planning & Economic Development) at Dundee City Council

E david.gray01@dundeecity.gov.uk

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

From: [Alistair Hilton](#)
To: [MS Marine Renewables](#)
Subject: RE: Seagreen Wind Energy Limited - Section 36 Consent and Marine Licence Variation - Seagreen Alpha and Bravo Offshore Wind Farm - Response required by 09 August 2022
Date: 23 May 2022 15:36:49

I can advise that Dundee City Council has no comment on the Variation.

Regards,



Alistair Hilton

Principal Planning Officer (Planning & Economic Development) at City Development

E alistair.hilton@dundeecity.gov.uk

P [01382 433760](tel:01382433760)

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

East Lothian Council

From: [Edgar, Robin](#)
To: [MS Marine Renewables](#)
Subject: APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989 FOR SEAGREEN WIND ENERGY LIMITED
Date: 05 July 2022 17:48:10

THE ELECTRICITY ACT 1989
THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT)
(SCOTLAND) REGULATIONS 2013
MARINE AND COASTAL ACCESS ACT 2009

APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989 FOR
SEAGREEN WIND ENERGY LIMITED

I refer to your consultation on the above application, which is for an increase in height of 36 wind turbine generators, and an increase in weight related to the OSPs.

The applicant has submitted an Environmental Appraisal Report in support of their application. This states that the proposed changes are needed to maximise supply chain opportunities and the production of renewable energy to meet government targets. The Council assumes this would result in a reduction overall in emissions of greenhouse gases, although no information is provided on this. There will also be benefits from production of energy here from security of supply. It is clearly beneficial to generate more renewable energy from this site if it can be done without unacceptable environmental effects.

At the Screening stage for this application, we noted that no further visual information had been produced for the potential visual or seascape effects on East Lothian. At that stage, we considered that due to distance, that there would not be any significant difference from the consented proposal in the daylight. We noted that there could be an increase in number and location of aviation lights visible at night due to the increased hub height. This was particularly a concern in views of the offshore islands from the area around North Berwick.

The Environmental Appraisal Report submitted with the proposal confirms that there will be no hubs, and therefore no lighting, visible from the East Lothian coast. I assume this means the 'coast' as shown in the East Lothian Local Development Plan. The EAR notes that SWEL have also considered inland locations and note there would be theoretical visibility from North Berwick Law, but that although the hubs would be further above the horizon, there would not be an increase in the number of hubs visible from this point. The view at night from North Berwick Law is not a particular concern, as although people do climb this as a vantage point in the early evening, they are unlikely to do so in any great number after dark due to the rocky and steep terrain. This does indicate however that there may be lighting visible from places where the consented lighting would not have been seen. As no ZTV comparing the existing and consented scheme has been submitted, it is not possible to identify where these areas are. However, they are not on the coast.

Lighting, when it does appear, will do so behind the consented Neart Na Gaoithe windfarm, which is closer to the East Lothian coast and also has lighting.

The Council does not object to the application, as the benefits of being producing electricity at this site outweigh the detriment, which is expected to be minor, to the visual amenity of East Lothian and its seascape.

However, we would request that conditions are placed on the consent to ensure that any aviation lighting of the turbines is kept to the minimum required, and that lighting be switched off or removed if for reasons of technological advances or otherwise, it is no longer needed.

Regards

Robin

Robin Edgar
Team Manager, Policy and Strategy
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Haddington
EH41 3HA
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E Mail: redgar@eastlothian.gov.uk



Fife Council

From: [Martin McGroarty](#)
To: [MS Marine Renewables](#)
Cc: ellie.en.noble@sse.com
Subject: 22/01613/CON - KW- Seagreen Wind Energy Limited - Section 36 Consent and Marine Licence Variation - Seagreen Alpha and Bravo Offshore Wind Farm
Date: 04 July 2022 09:18:12

FAO Kate Taylor

THE ELECTRICITY ACT 1989

**THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT)
(SCOTLAND) REGULATIONS 2013**

MARINE AND COASTAL ACCESS ACT 2009

**APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989
FOR SEAGREEN WIND ENERGY LIMITED**

I refer to your consultation letter dated 23rd May 2022 regarding the above matter.

Having reviewed the information provided and, having met last week with the SSE Seagreen Project Team to discuss the changes to the scheme proposed in this variation, I can confirm that Fife Council has no adverse comment to make on the proposed variation.

I can also confirm that I have responded directly to SSE regarding their consultation on the updated EIA covering the proposed variation to the scheme and, again, have no adverse comments to make on behalf of Fife Council.

Fife Council would also like to take this opportunity to remind Marine Scotland, and operators such as SSE, that we are well-placed in terms of skills and industrial locations to assist the development, manufacture and roll-out of renewables technology at sites in Fife.

Kind regards,
Martin

Martin McGroarty

Lead Professional (Minerals)
Development Management
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Historic Environment Scotland



HISTORIC
ENVIRONMENT
SCOTLAND

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ALBA

By email to:

MS.MarineRenewables@gov.scot

Marine Scotland (Marine Renewables)
Marine Laboratory
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Aberdeen
AB11 9DB

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

HMConsultations@hes.scot

T: 0131 668 8575

Our case ID: 300021099

10 June 2022

Dear Marine Scotland,

The Electricity Act 1989

**Variation to Section 36 Consent and Marine Licence for the Seagreen Project, Firth of Forth
Environmental Appraisal Report (April 2022)**

Thank you for consulting us on proposals to vary the existing Section 36 consent for the Seagreen Project and the associated Environmental Appraisal Report (April 2022). We received this consultation on 23 May 2022 and have reviewed the information included for our historic environment interests. These include land-based heritage assets such as world heritage sites, scheduled monuments and their setting, category A-listed buildings and their setting, and gardens and designed landscapes (GDLs) and battlefields in their respective inventories. We have also considered the effects of the proposals on marine heritage assets including Historic Marine Protected Areas (HMPAs) and undesignated marine cultural heritage features.

We also recommend that you seek advice from the relevant archaeology and conservation service on the historic environment impacts of the proposals. This may include matters such as undesignated land-based archaeology, and category B and C-listed buildings.

Variation to Section 36 Consent and Marine Licence

We understand that the proposals seek to vary the existing section 36 consent to increase the size of 36 of the consented wind turbines and, also, increase the weight of steel seabed deposits associated with the off-shore substation platforms.

Our Advice

We do not wish to object to the proposed variations. Our advice at the EIA screening stage (22 February 2022, attached) identified that the proposed changes would not give rise to significant impacts on our historic environment interests further to those already identified in the Environmental Statement (2012) prepared in support of the original consents. We therefore have no further comments to offer.

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

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.engineshed.org.

Please contact us if you have any questions about this response. The officer managing this case is Alison Baisden who can be contacted by phone on 0131 668 8575 or by email on Alison.Baisden@hes.scot.

Yours faithfully,

Historic Environment Scotland

Marine Scotland Science

T: [REDACTED]
E: MSS_Advice@gov.scot

Kate Taylor
Marine Scotland Licensing Operations Team
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

06 July 2022

SEAGREEN ALPHA AND SEAGREEN BRAVO OFFSHORE WIND FARMS – SECTION 36 VARIATION

Marine Scotland Science (MSS) have reviewed the relevant documentation and have provided the following comments.

Marine Ornithology

MSS have considered the documentation compiling a consent variation application submitted by Seagreen and received by MSS on 1 June 2022. For ornithological interests the consent variation concerns changing several key parameters for 36 of the 150 consented turbines that were used in collision risk modelling, namely:

- Maximum rotor diameter: 167 m to 242 m
- Maximum blade chord width: 5.4 m to 7.6 m
- Maximum tip height above LAT: 209.7 m to 285 m
- Minimum air gap above LAT: 29.8 m to 34 m
- Maximum hub height above LAT: 126.2 m to 165 m

Following consultation with NatureScot (NS) and Royal Society for the Protection of Birds (RSPB), Seagreen updated their collision risk modelling estimates to capture these proposed variations to allow assessment of collision risk for three main receptor species (northern gannet, black-legged kittiwake and herring gull). Collision risk modelling was undertaken following a range of scenarios: deterministic, using the Band model (2012) with Option 2 for flight heights (assumes a uniform distribution of collision risk flight height heights based on proportion of birds at sea and specific aggregated data and modelled flight data) and stochastic: using the sCRM tool (McGregor 2018) using Option 2 and Option 3 for flight heights (Option 3 is an extension to Option 2 that uses a greater range in flight distribution between the turbine blades and a calculated variable risk, and only applies to kittiwake and herring gull). Option 1 for flight heights was unavailable for collision modelling due to a lack of site-specific data.

Results of the collision risk modelling indicated that for all but one scenario, the variation will have lower collision risks than the consented project. The one exception was for herring gull when modelling following the Band method with Option 2 for flight heights. In this scenario, one additional

herring gull was predicted to be taken, when compared to the original modelling for the consented project. We advise that the increased collision risk estimate for this species is acceptable at this level, when considering the limitations of this model scenario with respect to how flight height is simulated.

Based on the evidence provided, MSS agree with NS that there would be no material change to predicted ornithological impacts from the proposed variation.

Hopefully these comments are helpful to you. If you wish to discuss any matters further, then please contact the REEA Advice inbox at MSS_Advice@gov.scot.

Yours sincerely,

Renewable Energy Environmental Advice group
Marine Scotland Science



Maritime & Coastguard Agency

From: [Nick Salter](#)
To: [MS Marine Renewables](#)
Cc: [Vinu John](#)
Subject: RE: Seagreen Wind Energy Limited - Section 36 Consent and Marine Licence Variation - Seagreen Alpha and Bravo Offshore Wind Farms, Firth of Forth - Response required by 07 July 2022
Date: 28 June 2022 09:11:34
Attachments: [image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
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[image012.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image017.png](#)
[image018.png](#)

Dear Kate,

We have no objections to the variation to increase the size of WTG and weight of the platform.

Best regards,

Nick

Nick Salter

Offshore Renewables Lead
Marine Licensing and Consenting
UK Technical Services Navigation

nick.salter@mca.gov.uk



Maritime &
Coastguard
Agency

Maritime & Coastguard Agency

c/o Falmouth Marine Office
Pendennis Point
Castle Drive, Falmouth
Cornwall, TR11 4WZ



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Ministry Of Defence



Defence Infrastructure Organisation

Defence Infrastructure Organisation
Safeguarding Department
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DMS Whittington
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Your Reference:

Tel: [REDACTED]

Our Reference: 16092 & 16093

Email: james.houghton109@mod.gov.uk

The Scottish Government
Marine Scotland Licensing Operations Team
Marine Laboratory
375 Victoria Road
Aberdeen
AB11 9DB

5 July 2022

By email only

Dear Sir/Madam,

ELECTRICITY ACT 1989

THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT) (SCOTLAND) REGULATIONS 2013

MARINE AND COASTAL ACCESS ACT 2009

Thank you for consulting the Ministry of Defence (MOD) on this application, made under section 36C of the Electricity Act 1989, through which a variation of consent is sought to increase the size of 36 of the consented 150 wind turbine generators ("WTGs"), and to increase the weight of the seabed steel deposits associated with the offshore substation platforms.

Consent was originally granted for Seagreen Alpha and Bravo on 10 October 2014. Seagreen Alpha and Bravo each consist of 75 WTGs, each with a maximum height of up to 209.7m above Lowest Astronomical Tide (LAT). Consents for both Seagreen Alpha and Bravo were varied to remove a stated generating capacity through a decision issued under S.36C of the Electricity Act 1989 on 28 August 2018.

The current proposed variation would result in the tip height of 36 of the consented 150 WTGs being increased from a maximum of 209.7m LAT to a maximum of 285m LAT. No other amendments to physical parameters of the WTGs or associated infrastructure are proposed.

Following MOD representations, conditions were applied to consents issued for both Seagreen Alpha and Bravo requiring:

- The submission, approval, and implementation of a Lighting and Marking Plan (Condition 19);
- The submission, approval, and implementation of an Air Traffic Control Radar Mitigation Scheme to address the impact of the development on the operation of Primary Surveillance Radar at RAF Leuchars (Condition 20);
- The submission, approval, and implementation of an Air Defence Radar Mitigation Scheme to address the impact of the development on the operation of air defence radar at Remote Radar Head Buchan (Condition 21);

- The submission, approval, and implementation of an Air Defence Radar Mitigation Scheme to address the impact of the development on the operation of air defence radar at Remote Radar Head Brizlee Wood (Condition 22); and
- The submission, of sufficient information to ensure that the development can be accurately marked on aviation and nautical charts (Condition 24)

After reviewing this submission, I can confirm that the MOD has, subject to extant conditional requirements being replicated on any consent issued, no objection to the variations proposed.

I trust this adequately explains our position on the matter. If you require further information or would like to discuss this matter further, please do not hesitate to contact me.

Further information about the effects of wind turbines on MOD interests can be obtained from the following websites:

MOD: <https://www.gov.uk/government/publications/wind-farms-ministry-of-defence-safeguarding>

Yours faithfully,

James Houghton
Senior Safeguarding Manager

NATS

From: [NATS Safeguarding](#)
To: [MS Marine Renewables](#)
Subject: RE: Seagreen Wind Energy Limited - Section 36 Consent and Marine Licence Variation - Seagreen Alpha and Bravo Offshore Wind Farms, Firth of Forth - Response required by 07 July 2022 [SG09266]
Date: 25 May 2022 09:28:12
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Our Ref: SG09266

Dear Sir/Madam

NATS is happy to support this variation.

Yours faithfully

NATS

NATS Safeguarding

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www.nats.co.uk



Northern Lighthouse Board



Northern Lighthouse Board

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Your Ref: Seagreen OWF – S36 & ML Variation Application
Our Ref: AL/OPS/ML/O6_02_727

Ms Kate Taylor
Marine Licensing Casework Officer
Marine Scotland – Marine Planning and Policy
Marine Laboratory
375 Victoria Road
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AB11 9DB

24 May 2022

THE ELECTRICITY ACT 1989

THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT) (SCOTLAND) REGULATIONS 2013

MARINE AND COASTAL ACCESS ACT 2009

APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989 FOR SEAGREEN WIND ENERGY LIMITED

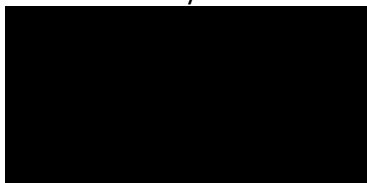
Thank you for your e-mail correspondence dated 23rd May 2022 relating to the application submitted by **Seagreen Wind Energy Ltd** a variation to the existing consent under Section 36 of the Electricity Act 1989, with regard to an increase in the size of 36 consented but not constructed Wind Turbine Generators (WTG), and an increase in weight of seabed steel deposits associated with the Offshore Substation Platforms (OSP).

Northern Lighthouse Board have no objection to the proposed variation and advise the following;

- Should a fundamental design change for the Transition Piece of the WTG structure occur for these 36 WTG, an assessment should be made to ensure that they remain compliant with Navigational Lighting and Marking requirements, as prescribed within the Seagreen OWF Lighting and Marking Plan.
- If any alterations to the positioning of navigational lighting and marking on the Transition Piece is required, this should be discussed with NLB at the earliest opportunity.

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Yours sincerely



Peter Douglas
Navigation Manager

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To find out more, please see our Privacy Notice at www.nlb.org.uk/legal-notice/

NatureScot

From: [Caitlin Cunningham](#)
To: [MS Marine Renewables](#)
Subject: RE: Seagreen Wind Energy Limited - Section 36 Consent and Marine Licence Variation - Seagreen Alpha and Bravo Offshore Wind Farms, Firth of Forth - Response required by 07 July 2022
Date: 13 June 2022 15:02:31

Dear Kate,

Thank you for the consultation on the proposed Section 36 and Marine Licence variation submitted by Seagreen Wind Energy Limited (SWEL).

SWEL is proposing to vary the 2014 Consents to increase the size of 36 of the consented but not constructed WTGs (114 turbines at 209.7m are currently under construction) and increase the weight of the seabed steel deposits associated with the OSP. No changes to the turbine locations are proposed.

We have reviewed the Environmental Appraisal and annex reports and we are content that there would be no material change to predicted ornithology or seascape/landscape impacts from the proposed variation.

I hope this is of assistance.

Best Wishes,

Caitlin

Caitlin Cunningham (She/Her) | **Marine Sustainability Adviser** | **Sustainable Coasts & Seas**
NatureScot | Homeworker | t: [REDACTED]
[nature.scot](https://www.nature.scot) | [@nature_scot](https://twitter.com/nature_scot) | *Scotland's Nature Agency* | *Buidheann Nàdair na h-Alba*

RSPB



MS-LOT
Marine Scotland
By email: MS.MarineRenewables@gov.scot

08 July 2022

Dear Ms Taylor,

Section 36 Consent Variation Application - Seagreen Alpha and Bravo Wind Farm, Firth of Forth

Thank you for consulting RSPB Scotland on the proposal to increase the parameters of 36 consented but not yet constructed wind turbine generators and increase the weight of the seabed steel deposits associated with the offshore substation platforms. In comparison to those already consented, we understand the parameters of turbines being proposed would have a higher minimum airgap, larger rotor swept area, and a higher maximum tip height relative to LAT. The turbines would also have a larger capacity (16MW) compared to those originally consented (7MW).

Our comments primarily relate to seabird collision risk, though we recommend the decision maker also consider the impact of the changes to seabed steel deposits in relation to sandeel supporting habitats.

The Seagreen project, in-combination with the Neart na Gaoithe and Inch Cape offshore wind farms, were predicted to have very substantial impacts on protected seabird populations at the time they were first considered. RSPB Scotland objected to the original projects as the impact on seabirds from project in isolation and in-combination with the aforementioned offshore windfarm would constitute adverse effects on integrity of nearby SPAs, including the Forth Islands and Fowlsheugh designated sites.

For this application, updated modelling, following consultation with NatureScot and the RSPB, is presented in table 8 of Appendix C, using the Band deterministic CRM option 2 with, as advised, flight height data from Johnston *et al.* with *corrigendum* (2014). It is stated that Avoidance Rates from Bowgen and Cook (2018) were used for these calculations, but it is not clear that this is in fact the case. We suspect the SNCB recommended avoidance rates were used and, if this is the case, we consider this to

RSPB Scotland Headquarters
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The RSPB is part of BirdLife International, a Partnership of conservation organisations working to give nature a home around the world.

be the correct approach. Notwithstanding this issue, the model indicates estimated annual mortality from the constructed 114 wind turbines plus 36 wind turbines subject to this application would be **317** Northern gannet, **347** Black-legged kittiwake and **22** European herring gull. This is a substantial number of birds and is a yearly figure. Our concerns about how this may impact the overall populations of these species in the Firth of Forth and Tay area is further exacerbated by the recent outbreak of avian flu and the severe consequences to seabirds, especially the Bass Rock gannet population.

Other model versions are presented, but we do not agree with how they have been parameterised and therefore base our conclusions on the above modelling, carried out following the consultation with NatureScot and the RSPB.

The line of argument presented in the application is that the 114 wind turbines already built plus the 36 wind turbines subject to this application would have a lower estimate annual mortality for Northern gannet, Black-legged kittiwake, and European Herring gull compared to design parameters contained within the Section 36 consent for the 150 wind turbines.

While this is correct, it must be acknowledged that the developer is not building to the worst-case scenario presented in the design envelope for the 150 wind turbines. Although it was theoretically within their remit to do so, they have submitted a Development Specification and Layout Plan (DSLPL) to meet the requirements of condition 12 of the Section 36 consent. This sets the dimensions and generating capacity of each wind turbine and is confirmation of final works specification and layout. It sits alongside the Section 36 consent granted and should not be ignored. Both these documents together should be considered the fall-back position. If this is not to be the case, a fully justified explanation must be provided by Scottish Ministers.

Data has been presented for the 36 wind turbines consented but not yet built. We understand this is based on the DSLPL parameters. The results from this indicate the proposed changes would result in slightly higher estimate collision risk mortality for Northern gannet, Black legged kittiwake, and European herring gull. While in total, (i.e. 114 built plus the new 36), this would result in a lower mortality than the Section 36 consent, it would be worse for seabirds in comparison to the confirmed final works specification under the parameters of that consent.

Furthermore, the annual collision risk outputs should not be presented as quotas that can be met. The concept of headroom is not acceptable especially given the current impact of avian flu on seabird colonies. Where DSLPL parameters and as-built annual collision risk mortality estimates are lower than the worst-case scenario associated with the original consent, the difference in the number of birds killed should be considered a reduced impact rather than being automatically available for another for another project to take advantage or make use of. This matter must also be given full consideration by Scottish Ministers.

RSPB Scotland believe the question to consider in the determination of this application should be whether the benefits of increased electricity generation outweigh the increased collision risk mortality estimates combined with any other adverse impacts associated with the changes proposed.

Focusing on whether the proposed changes are better or worse than the original design parameters contained within the Section 36 consent also sidesteps the question of whether an offshore windfarm in this location with the predicted impact to seabirds is acceptable in principle. We maintain that it is not. Our position remains that this project in isolation and in combination with the Neart na Gaoithe and Inch Cape offshore wind farms constitute adverse effects on the integrity of nearby SPAs, including the Forth Islands and Fowlsheugh designated sites and that this has not been fully addressed as required through the Habitats Regulations.

Our actions to reduce the impacts of climate change must not be to the further detriment of our natural environment. Seabirds are our most internationally significant avian group, yet they are under unprecedented threat and declining across the globe faster than any other bird group. In UK waters breeding seabirds have declined by almost 25% since the 1980s and in Scotland as much as 49%¹. The poor state of our seas is reflected in the UK's failure to achieve Good Environmental Status (GES) as required by the UK Marine Strategy and Scotland's National Marine Plan. Seabirds, a key indicator, are not only failing but moving further from the target². Meeting climate change-related ambitions must not be at the expense of the degradation of natural environments. One concern cannot be addressed at the expense of the other, they are not mutually exclusive.

Yours sincerely,

A black rectangular box redacting the signature of the Senior Marine Conservation Planner.

Senior Marine Conservation Planner

¹ [Scottish Biodiversity Indicator – The Numbers and Breeding Success of Seabirds \(1986 to 2019\) | NatureScot](#)

² [updated UK Marine Strategy Part Two \(publishing.service.gov.uk\)](#)

Scottish Borders Council

From: [Miller, Craig](#)
To: [Taylor K \(Kate\)](#)
Cc: [MS Marine Renewables](#); [Chris.Houston@sse.com](#)
Subject: [OFFICIAL] FW: Seagreen Wind Energy Limited - Section 36 Consent and Marine Licence Variation - Seagreen Alpha and Bravo Offshore Wind Farm - Response required by 09 August 2022
Date: 19 July 2022 15:45:20
Attachments: [image001.png](#)
[image003.png](#)

Kate

Having now considered this Variation and liaised with my Landscape and Ecology colleagues, I write to confirm that we would have no objections to the Variation,

Regards

Craig

Craig Miller
Principal Planning Officer
Planning Housing and Related Services
Scottish Borders Council
Tel: 01835 825029
E-mail : cmiller@scotborders.gov.uk

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How are you playing [#yourpart](#) to help us keep the Borders thriving?



Scottish Awards for
Quality in Planning
2017: Award Winner

Scottish Environmental Protection Agency

From: [Planning South East](#)
To: [MS Marine Renewables](#)
Cc: [Taylor K \(Kate\)](#)
Subject: FW: Seagreen Wind Energy Limited - Seagreen Alpha and Bravo Offshore Wind Farms (SEPA 5352)
Date: 24 May 2022 17:02:08

OFFICIAL

Kate,

Thank you for your email.

SEPA usually only responds to onshore consultations, we therefore have no comments to make on this document, as the changes are related to the offshore aspects of the project.

Please however do not hesitate to contact us again if there are any particular aspects you would like to discuss.

Regards

Silvia Cagnoni
Senior Planning Officer
Scottish Environment Protection Agency
e: planningsoutheast@sepa.org.uk



Scottish Fishermen's Federation

From: [Malcolm Morrison](#)
To: [MS Marine Renewables](#)
Subject: RE: Seagreen Wind Energy Limited - Section 36 Consent and Marine Licence Variation - Seagreen Alpha and Bravo Offshore Wind Farms, Firth of Forth - Response required by 07 July 2022
Date: 21 July 2022 10:40:52

Nil response from SFF.

Scottish Water

Wednesday, 01 June 2022



Marine Licensing
375 Victoria Road

Aberdeen

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

Seagreen Alpha and Bravo Offshore W, Firth of Forth, FIFE, KY15 4PN
Planning Ref: Section 36 Consent and Marine Licence Variation
Our Ref: DSCAS-0065946-SR7
Proposal: APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE
ELECTRICITY ACT 1989 FOR SEAGREEN WIND ENERGY LIMITED

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

For all extensions that increase the hard-standing area within the property boundary, you must look to limit an increase to your existing discharge rate and volume. Where possible we recommend that you consider alternative rainwater options. All reasonable attempts should be made to limit the flow.

No new connections will be permitted to the public infrastructure. The additional surface water will discharge to the existing private pipework within the site boundary.

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Ruth Kerr

Development Operations Analyst

Tel: 0800 389 0379

developmentoperations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

The Royal Yachting Association

From: [Pauline McGrow](#)
To: [MS Marine Renewables](#)
Subject: RE: Seagreen Wind Energy Limited - Section 36 Consent and Marine Licence Variation - Seagreen Alpha and Bravo Offshore Wind Farms, Firth of Forth - Response required by 07 July 2022
Date: 26 May 2022 16:09:47
Attachments: [image003.png](#)
[image006.png](#)

Hi Kate,

I write to inform you that RYA Scotland has no comment that they wish to make on this application.

Kind Regards

Pauline

Pauline McGrow
Senior Administrator
Mob: [REDACTED]

Royal Yachting Association Scotland
T: 0131 317 7388
E: pauline.mcgrow@ryascotland.org.uk



RYA Scotland, Caledonia House, 1 Redheughs Rigg, South Gyle, Edinburgh, EH12 9DQ
T: 0131 317 7388, Fax: 0844 556 9549

Protecting your personal information is important to us, view our full Privacy Statement [here](#)



Transport Scotland

Energy Consents Unit
The Scottish Government
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Your ref:

Our ref:
GB01T19K05

Date: 4/7/2022

econsents_admin@gov.scot

Dear Sirs,

THE ELECTRICITY ACT 1989

THE ELECTRICITY GENERATING STATIONS (APPLICATIONS FOR VARIATION OF CONSENT) (SCOTLAND) REGULATIONS 2013

MARINE AND COASTAL ACCESS ACT 2009

APPLICATION TO VARY CONSENT UNDER SECTION 36C OF THE ELECTRICITY ACT 1989 FOR SEAGREEN WIND ENERGY LIMITED

With reference to your recent correspondence on the above development, we acknowledge receipt of the Environmental Appraisal Report (EAR) prepared by Seagreen Wind Energy Limited (SWEL) in support of the above development.

This information has been passed to SYSTRA Limited (SYSTRA) for review in their capacity as Term Consultants to Transport Scotland – Roads Directorate. Based on the review undertaken, we would provide the following comments.

Proposed Development

In October 2014, Scottish Ministers awarded consents and licences to SWEL to construct and operate Seagreen Alpha and Bravo Offshore Wind Farms (OWFs) and associated infrastructure of the Offshore Transmission Asset (OTA), collectively known as the Seagreen Project. The project consists of 150 turbines located in the outer Firth of Forth, east of the Angus coastline, with the nearest trunk road to the site being the A90(T) approximately 15km inland. We understand that construction of 114 of the 150 consented turbines began in September 2021.

Transport Scotland has been consulted through the application process for the Seagreen Project and was consulted on a Traffic and Transportation Plan (TTP) prepared by RPS Group Ltd which was prepared to address the requirements of the relevant Conditions attached to the S36 consent.

The TPP presented a mitigation strategy for the impact of road-based traffic arising from the installation of the Seagreen components. Transport Scotland provided a response on 30th April 2020 in relation to this strategy.

Variation Application

We understand that SWEL is requesting a variation to the Section 36 Consent for the Seagreen Project, with the proposed changes as follows:

- Increased size of 36 of the consented wind turbine generators (WTGs) from a maximum tip height of 209.7m to 285m; and
- Increased weight of seabed steel deposits associated with the offshore substation platforms (OSPs) from 13,000 tonnes to 22,560 tonnes. This relates to the steel of the jacket structure along with the piles associated with fixing the jackets in place.

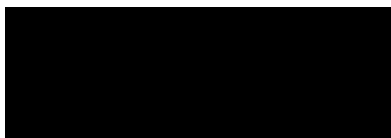
We note that a Screening Opinion under the Electricity Works EIA Regulations and Marine Works EIA Regulations was made by Scottish Ministers on 13th April 2022. This concluded that the Variation to the Seagreen Alpha and Bravo Section 36 Consent and OTA Marine Licence does not comprise EIA development under the Electricity Works EIA Regulations or the Marine Works EIA Regulations and, therefore, an EIA is not required. Having reviewed the EAR, we note it has been submitted to summarise technical assessments presented in the Screening Report, detail additional information requested by stakeholders during the pre-application consultation and provide any relevant updates between submitting the Screening Report and the submission of the S36C Application.

Assessment of Environmental Impacts

The EAR presents updated assessments on the potential impacts on receptors relating to ornithology, seascape, landscape & visual and military & civil aviation. We note that for the remaining technical topics, no new or materially different impacts were identified compared to the consented Seagreen Project, therefore, Transport Scotland is satisfied that the conclusions of our previous response to the TPP issued on 30th April 2020 remain valid, and no further traffic assessment is required.

I trust that the above is satisfactory but should you wish to discuss any issues raised in greater detail, please do not hesitate to contact me or alternatively, Alan DeVenny at SYSTRA's Glasgow Office on 0141 343 9636.

Yours faithfully



Iain Clement

**Transport Scotland
Roads Directorate**

cc Alan DeVenny – SYSTRA Ltd.