



## Scottish Natural Heritage Dualchas Nàdair na h-Alba

All of nature for all of Scotland  
Nàdar air fad airson Alba air fad

Offshore Wind Sectoral Marine Plan Consultation  
Marine Scotland Planning and Policy (GB North)  
Scottish Government  
Victoria Quay  
Edinburgh  
EH6 6QQ

By e-mail to [SectoralMarinePlanning@gov.scot](mailto:SectoralMarinePlanning@gov.scot)

25 March 2020

Dear Sir / Madam,

### **Draft Sectoral Marine Plan for Offshore Wind Energy (2019) Response and Comments from Scottish Natural Heritage (SNH)**

Thank you for providing us with the opportunity to review and comment upon the draft Plan above and its associated documentation. Our principal comments on it are set out below, followed by our responses to the specific questions set out in the consultation document. Our response to the Strategic Environmental Assessment Environmental Report is presented under Question 8 below, but has also been submitted, separately, through the SEA Gateway. We are also pleased to be able to provide you with our Landscape and Visual Impact appraisal<sup>1</sup> of each of the Draft Plan Option (DPO) areas and the opportunities for mitigating these, through windfarm siting and design. We had hoped to be able to submit this earlier within the consultation period and apologise that this was delayed slightly. Should you wish to discuss any of the matters raised in our response we would be pleased to do so. Please contact George Lees at [george.lees@nature.scot](mailto:george.lees@nature.scot) / 01738 444177.

#### General Points

1. First and foremost we wish to commend the general principles behind the Plan. We are strongly committed to working together with Scottish Government to tackle climate change, meet Scotland's ambitious emissions targets and reduce our reliance on fossil fuels. Harnessing the exceptional wind resources available to us across Scotland's seas will play a major part in helping to realise these goals. But it is vital, in order to protect the rich and diverse nature our seas support and the unique and distinctive character of our coastlines, that this is undertaken in a strategic and sustainable manner. Crucially, this means focusing development on those areas best able to support offshore wind technologies, where environmental impacts can be minimised. The Plan led approach promoted by Marine Scotland goes a long way to helping secure this and we commend it.
2. We also endorse the systematic process through which the DPO areas were derived. In particular, we commend the open and consultative approach you have taken with us and other organisations to ensure our involvement in the process of reviewing earlier iterations of the Plan and its associated documentation, and in incorporating our feedback on these.
3. We especially welcomed the opportunity to review and comment in detail upon the draft Plan, the draft Habitats Regulations Appraisal (HRA), Strategic Environmental Assessment (SEA), Social and Economic Impact Assessment (SEIA), Sustainability Appraisal (SA) and Regional Locational

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<sup>1</sup> Due to the size and detail of this document this has been submitted separately to you.

Guidance (RLG) last autumn and the extent to which our principal comments, offered then, have been taken on board. We can now offer our strong support to the Plan and have relatively few outstanding concerns where we recommend further amendments may be required.

### Principal Comments

4. As previously advised we strongly support the need for temporary restriction on windfarm development at DPO Areas E3 and NE2-6 until such time that enough evidence on the environmental capacity for seabirds exists to reduce the risk to an acceptable level. Specifically, we advise that, due to concerns regarding the predicted in-combination impacts of existing and consented offshore windfarms (OWFs) on specific east coast SPAs and seabird species, no development should be permitted until and unless research and post consent monitoring of existing OWFs in eastern Scotland demonstrate that capacity for further development, with respect to SPA impacts, exists. We welcome the additional clarification provided in the HRA document on the studies that will be necessary to secure this information, and offer some additional advice on this work at para 41.
5. While this key element of Plan level mitigation is recognised in the consultation package, we note that there is some inconsistency within and between the Plan, the HRA, the SEA, and SA on how this is referred to and what it means in practice in terms of leasing and consenting in these DPOs (see responses to questions 8 and 9). We would encourage clear and consistent wording to be applied within and across all documents.
6. We also strongly support the specific Plan level mitigation identified for DPOs E1 and E2, in recognition that kittiwakes, gannets and razorbills, with potential connectivity to East Coast SPAs, may be foraging within these areas. At this stage, we would be unable, at the Plan level, to conclude no in-combination Adverse Effects On Site Integrity (AEOSI) arising from developments in these DPOs alongside those of existing consented OWF development in this region. Accordingly we believe it necessary for regional studies of seabird density and SPA connectivity to be undertaken in these DPOs to establish whether these species are present in sufficient numbers for some or all of the sea area within E1 and E2 to be subject to the same temporary restriction on development as applied at E3 and NE2-6 or whether and where they are sufficiently low as to enable leasing and consenting to proceed with no further Plan mitigation measures required.
7. While this key mitigation measure is referred to in the HRA, it is not mentioned in the SEA. As above it is important that this measure, and its implications for leasing and consenting, is referred to clearly and consistently within and across all relevant consultation documents. This should include the summary tables NTS3 (in the SEA) and 6 (in the SA), and the list of Plan Level Mitigation proposals at S6.3 of the SEA, where no mention of this mitigation measure is given, unlike the mitigation identified for E3 and NE2-6.
8. We are fully supportive of the Iterative Plan Review (IPR) process that is set out, most fully, in S11.4-11.5 of the HRA, and the identification of this as critical to development of the Plan and ensuring that no AEOSI arises from it. We note that a similar recommendation was made in 2013 in relation to the previous Sectoral Plan but that, as that Plan was never formally adopted, the IPR process was not implemented. The actions set out in the HRA report clarifying how this might this time be delivered are therefore welcomed and, in particular, the added details provided since the earlier draft of this report.
9. The role of the proposed Advisory Group in helping to ensure objective, informed and transparent delivery of the IPR process is crucial. Equally important will be its role in guiding the work required to resolve the ornithological issues which presently constrain development and validating the research and monitoring results which arise from this. Establishment of this Group and agreement of its Terms of Reference is therefore an urgent priority and need not, in our view, be delayed until adoption of the Plan.

## Landscape and Visual Impact Appraisal and Design Guidance

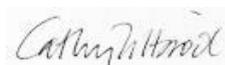
10. As you are aware, since being advised of the AoS on which the current DPOs are founded, we have undertaken a thorough assessment of the likely visibility of OWF arrays, were they to be located in each of the DPOs proposed in the Plan, and the associated impacts which might arise. In so doing we have considered Scotland's nationally important protected landscapes and distinctive coastal landscape character and how best to safeguard these. This reflects our ethos of encouraging well designed, sustainable development of the right scale in the right place. This work was greatly informed by detailed graphics provided by Aquatera consultancy, including wireline images of potential OWFs of varying turbine heights from key coastal viewpoints, and by earlier ZTV (Zones of Theoretical Visibility) work mapping the distances from the coast beyond which offshore wind turbines, again of different heights, would no longer be visible.
11. Building on our assessment of the impact upon landscapes and visibility of OWF development in each of the DPOs, we have also drafted specific recommendations and design guidance in relation to each DPO on how significant impacts might best be avoided or mitigated. Typically, where potentially significant landscape impacts exist, these focus on limiting development to certain regions of the DPO, limiting the maximum turbine height and/or grading turbine height across the site. **We are not seeking to change any of the DPOs *per se* but encourage Crown Estate Scotland, through the leasing process, to focus development upon those areas of each DPO where significant impacts to landscape and visibility can be minimised, as indicated on the maps we provide with our advice.** Equally, we would advise Marine Scotland and developers that OWF proposals in other areas of these DPOs may raise significant landscape or visual issues.
12. Our landscape advice and associated guidance, including schematics of each DPO, has been submitted separately today to [SectoralMarinePlanning@gov.scot](mailto:SectoralMarinePlanning@gov.scot), due to its size and detail. We appreciate that this advice and guidance has not been seen, in this detail, by you to date and would be happy to meet and discuss any elements of it with you. Please note that it is our intention to make this advice and design guidance publically available, imminently, though our website so as to inform and assist developers bidding for leases in the upcoming ScotWind leasing round.
13. A final observation, having undertaken this work, is that we believe the significance of potential impacts to landscape and visibility for a number of the DPOs, as expressed in the SEA and SA, to be under-estimated. This relates in part to the application, erroneously in our view, of a generic 15km threshold around the coast beyond which impacts to landscape are deemed to be of less significance. We recognise that changes to the significance of such impacts have been made since the draft SEA and SA were produced but consider these remain under-estimated for some sites, specifically DPOs N1, N2, NE1, NE2 and NE4.

## Outstanding Comments From Review Of Draft Documentation

14. Having reviewed the current documentation we are pleased to see that many of the key comments we provided on the draft reports, last autumn, have been addressed. Even so, there are some, on the HRA, SEA, SEIA, SA and RLG which we consider remain important but which *appear* not to have been addressed. These are listed under the responses to questions 8-12.

We hope these comments are helpful and, of course, would be keen to work with you to resolve any that are unclear and to deliver a viable and sustainable plan for the offshore wind sector. Please don't hesitate to get back in touch with my colleague George Lees ([George.lees@nature.scot](mailto:George.lees@nature.scot) / 01738 458621) if you wish to discuss any matter.

Yours faithfully,



Cathy Tilbrook  
Head of Sustainable Coasts and Seas  
Scottish Natural Heritage