



# **Spiorad na Mara Offshore Wind Farm**

## **Offshore Project**

### **Habitats Regulations Appraisal Derogation Case**

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## EXECUTIVE SUMMARY

This report forms part of the Habitats Regulations Appraisal (HRA) derogation case in relation to the offshore elements of Spiorad na Mara Offshore Wind Farm Project (the Project). It is set out in three key parts, which deal with distinct topics:

- Background Information (Sections 1-7) provides the project background and legal context surrounding the application of the HRA derogation provisions and includes:
  - Introduction to the Offshore Project and purpose of the report (Section 1);
  - Precautionary nature of the report (Section 2);
  - An overview of the legal context and HRA process (Section 3);
  - Relevant guidance (Section 4);
  - Relevant European sites and features (Section 5);
  - Potential impacts on the relevant features of the European sites (Section 6).
- No Alternative Solutions (Sections 7-12) comprises a **Report to Demonstrate No Alternative Solutions**. This part examines whether there are any feasible alternative solutions to the Offshore Project that meet its core project objectives;
- Imperative Reasons of Overriding Public Interest (Sections 13-14) comprises a **Report to Demonstrate Imperative Reasons of Overriding Public Interest**. This part identifies the IROPI that would enable a decision by the Scottish Ministers to authorise the Offshore Project, should a conclusion of AEOI be made (or such a conclusion is uncertain).

## BACKGROUND INFORMATION

Legal and project context and HRA process surrounding the application of the derogation provision of the Habitats Regulations

# 1 INTRODUCTION

## 1.1 OFFSHORE PROJECT OVERVIEW

- 1.1.1.1 Spiorad na Mara (Ltd) (the Applicant) is proposing the development of the Spiorad na Mara (Scottish Gaelic for Spirit of the Sea) Offshore Wind Farm (OWF) (the Project) located off the west coast of the Isle of Lewis / *Eilean Leòdhais* in the Western Isles / *Na h-Eileanan Siar*, Scotland / *Alba*. The Project will generate and transmit renewable electricity to the National Grid. The Applicant has a connection agreement with Scottish and Southern Electricity Networks (SSEN) for a connection to the grid network on mainland Scotland / *Alba* via SSEN's Alternating Current (AC) Substation and High-Voltage Direct Current (HVDC) Converter Station (referred to as the SSEN Lewis Hub). The Applicant is submitting separate consent applications for the Offshore Project (component infrastructure seaward of Mean High Water Springs (MHWS)), and the Onshore Project (the Onshore Transmission Works (OTW)) (component infrastructure landward of Mean Low Water Springs (MLWS)), for which a further consent application will be sought. The Offshore Project is shown below in **Plate 1-1**.
- 1.1.1.2 The Offshore Project would consist of up to 60 bottom fixed wind turbines spread across an approximately 140 km<sup>2</sup> Turbine Area (within the Array Area), approximately 5-13m km off the coast of the Isle of Lewis. In providing a source of renewable home grown energy, the Project will contribute towards Scotland's net zero ambitions. The Project has been developed within the ScotWind leasing round, within which the site is identified as N4. Crown Estate Scotland (CES) identify the ScotWind Leasing as being 'the process of making seabed available for commercial scale offshore wind projects', with the aim to 'benefit Scottish businesses and communities for decades to come as well as providing a major boost to United Kingdom (UK) clean energy production' (Crown Estate Scotland, 2023).
- 1.1.1.3 The draft updated Sectoral Marine Plan (SMP), published for consultation in May 2025<sup>1</sup>, is an update to the 2020 SMP. It includes the ScotWind Option Areas awarded a lease in 2022 (including the Offshore Project), the Innovation and Targeted Oil and Gas (INTOG) Option and Exclusivity Agreement Areas awarded agreements in 2023, and potential for up to 1 GW from offshore wind Test and Demonstration (T&D) sites. In total, the draft updated SMP considers a generating capacity of up to 37.4 GW, including the expected potential 900 MW contribution by the Project. Given the combined installed capacity of all projects identified under the Plan, all are required to meet the generating capacity indicated in the SMP. The requirement for all projects to be developed, if the target is to be met, is strengthened by the recent relinquishing of a lease for a 3 GW option site.

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<sup>1</sup> <https://www.gov.scot/publications/draft-updated-sectoral-marine-plan-offshore-wind-energy-2025/>  
Sporad na Mara Offshore Project HRA Derogation Case

- 1.1.1.4 The Project will therefore provide a critical part in achieving Scotland's net zero target for 2045, along with the other interim targets set out in the Climate Change (Scotland) Act 2009 and the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019. Once operational, the Project will directly contribute to these targets. In addition to Scotland's targets, the Project will also contribute to meeting UK targets including the achievement of Net Zero by 2050 (UK Government, 2024).
- 1.1.1.5 The construction and operation of the Offshore Project involves activities that are licensable under the Marine (Scotland) Act 2020 (between 0 and 12 nautical miles (nm)) and consent under Section 36 of the Electricity Act 1989. An application has therefore been made for the Offshore Project to Scottish Ministers and is to be considered on their behalf by the Marine Directorate-Licensing Operations Team (MD-LOT) as well as by relevant statutory and non-statutory stakeholders. A separate application for the Onshore Project (the Onshore Transition Works (OTW)) will be made to Comhairle nan Eilean Siar (CnES), the local authority for the Western Isles, under the Town and Country Planning (Scotland) Act 1997 (as amended).
- 1.1.1.6 HRA Stage 3 Screening identified potential for Likely Significant Effect (LSE) for a number of sites and features (Spiorad na Mara, 2024), addressing both the Offshore Project and OTW. While there are a number of designated sites and features common to both the Offshore Report to Inform Appropriate Assessment (RIAA) and the Onshore RIAA, for all of these sites and features a conclusion of no AEOI alone and in-combination has been drawn within the Offshore RIAA (including where relevant a whole project assessment). Therefore, this HRA Derogation Case (**Offshore Project HRA Derogation Case**) is required for the Offshore Project only - it is not considered that there will be any whole project contributions which will lead to an Adverse Effect on Integrity (AEOI) of sites. Full detail on the legislative requirements relevant to the Offshore Project are detailed within the Offshore Environmental Impact Assessment (**Offshore EIAR Chapter 2: Policy and Legislative Context, Volume 1a**) and the **Offshore RIAA**.
- 1.1.1.7 **Plate 1-1** below depicts the location of the Project Array, with the refined Turbine area within it (see Section 10.4.3 for further details). The Offshore Cable Area of Search and Onshore Cable Corridor are also shown for context.

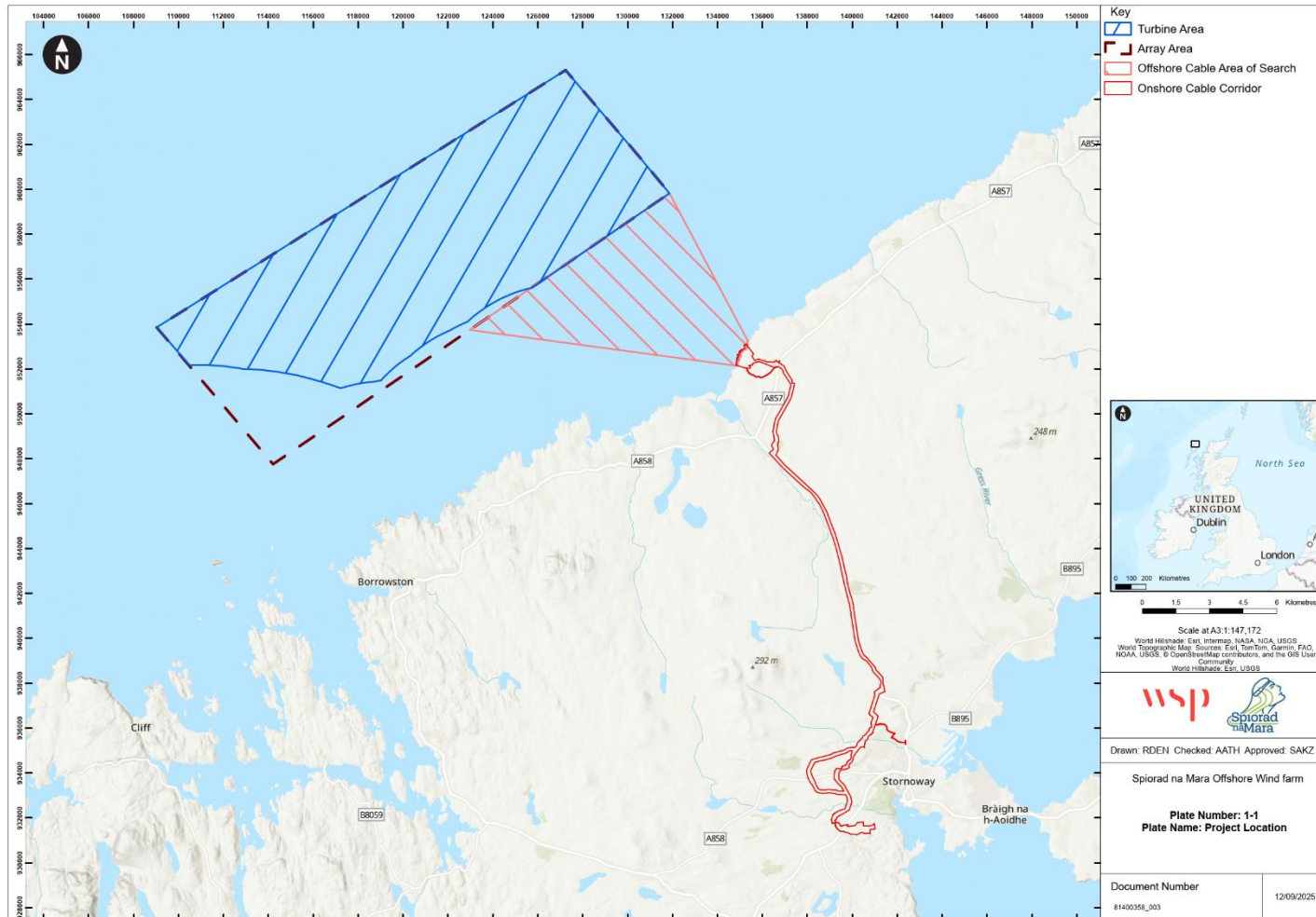


Plate 1-1 Location of the Project

## 1.2 THE PURPOSE AND SCOPE OF THIS SUBMISSION

- 1.2.1.1 The Conservation (Natural Habitats, &c.) Regulations 1994 (As Amended), The Conservation of Habitats and Species Regulations 2017 and The Conservation of Offshore Marine Habitats and Species Regulations 2017<sup>2</sup> are referred to collectively as the 'Habitats Regulations'. These Regulations give legal protection to European sites in Scotland. European sites are defined as Special Areas of Conservation (SACs) for the conservation of natural habitats, fauna and flora, and Special Protection Areas (SPAs) for the protection of all wild birds, their nests, eggs and habitats. Proposed SPAs (pSPAs) and proposed SACs (pSACs), sites which have not yet been officially designated, are afforded the same legal protection as fully designated sites. Collectively, these sites form the National Site Network.
- 1.2.1.2 A Habitats Regulations Appraisal (HRA) is a process required to determine whether there are any likely significant effects arising from the Offshore Project on a European site either alone or in combination with other plans or projects. Where that cannot be ruled out beyond all reasonable scientific doubt, then an Appropriate Assessment (AA) is required to determine whether those effects may adversely affect integrity of such European sites. That determination will be made by the Competent Authority for the AA, in this instance by Scottish Ministers, taking into account information provided by the Applicant in the **Offshore RIAA**.
- 1.2.1.3 Where an AEOI is predicted (or cannot be ruled out), the project cannot be authorised unless three sequential tests are met. Firstly, that there are no feasible alternative solutions (test 1), and secondly, the Habitats Regulations acknowledge that there may be imperative reasons of overriding public interest (IROPI) that can outweigh the possible damage to a European site (test 2), provided that the damage is compensated for (test 3). These further stages of the HRA process, that follow after the AA, are referred to here as the HRA Derogations.
- 1.2.1.4 This report forms part of the Full and Without Prejudice HRA derogation case for the Offshore Project and forms part of the Marine License and Section 36 (of the Electricity Act 1989) applications for the Offshore Project. Further detail on the criteria for inclusion in the HRA derogation case (whether Full or Without Prejudice) is provided in Section 2.2. This HRA derogation case addresses the relevant legislative and project specific contextual information, as well as providing clear demonstrations in subsequent sections that there are no feasible alternatives to the Offshore Project and that there are IROPI for proceeding with the Offshore Project. The information applies for both the Full and Without Prejudice Case. Further detail is provided as to how this is structured in Section 1.3.

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<sup>2</sup> The Conservation (Natural Habitats, &c.) Regulations 1994 (As Amended); The Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Marine Habitats and Species Regulations 2017.

1.2.1.5 In addition to this report, an overview of compensation measures is provided as a separate document (**Offshore Project: HRA Compensation Plan Roadmap**), referred to as the Compensation Roadmap). That document addresses the subject of identifying and securing appropriate compensatory measures and is described in Section 1.4.

## 1.3 THE STRUCTURE OF THIS REPORT

1.3.1.1 This report is structured as follows:

- Background Information (Sections 1-6) provides the project background and legal context surrounding the application of the HRA derogation provisions and includes:
  - Introduction to the Offshore Project and purpose of the report (Section 1);
  - Precautionary nature of the report (Section 2);
  - An overview of the legal context and HRA process (Section 3);
  - Relevant guidance (Section 4);
  - Relevant European sites and features (Section 5);
  - Potential impacts on the relevant features of the European sites (Section 6).
- No Alternative Solutions (Sections 7-12) comprises a **Report to Demonstrate No Alternative Solutions**. This part examines whether there are any feasible alternative solutions to the Offshore Project that meet its core project objectives;
- Imperative Reasons of Overriding Public Interest (Sections 13-14) comprises a **Report to Demonstrate Imperative Reasons of Overriding Public Interest**. This part identifies the IROPI that would enable a decision by the Scottish Ministers to authorise the Offshore Project, should a conclusion of AEOI be made (or such a conclusion is uncertain).

## 1.4 REPORT ON COMPENSATORY MEASURES

1.4.1.1 A separate report addressing compensatory measures has also been produced and submitted with the Application (**Compensation Plan Roadmap**). As agreed with NatureScot, MD-LOT, National Trust for Scotland and Royal Society for the Protection of Birds Scotland on 23<sup>rd</sup> July (Section 1.6), a full suite of finalised compensation documents has not been submitted at Application. However, the roadmap sets out a timeline for these and the process to be applied post-Application and prior to consent determination. It was noted by stakeholders that further detail would assist in decision making, which the Applicant will provide post-Application. The Applicant provides the report on compensatory measures with reference to the combined Full and Without Prejudice approach to the derogations and the precautionary nature of the submission (detailed in Section 2).

## 1.5 SECTORAL MARINE PLAN ASSESSMENT

1.5.1.1 The Offshore Project Array Area is located within Plan Option N4; Plan Options were set out within the Sectoral Marine Plan, with N4 referred to as being within the North region of the Plan. The

2020 Sectoral Marine Plan<sup>3</sup>, concluded no AEOI across all areas of the Plan, provided that certain mitigation measures were applied. No ornithological plan level mitigation was identified for the Offshore Project (N4 within the Plan). No reference to a potential AEOI or derogation risk was made in the Scottish Governments Screening Opinion for the Offshore Project (Scottish Government, 2024e). Defined cable routes, landfall locations and grid connection were not included within the 2020 Sectoral Marine Plan, with the assumption being that any area inshore of a Plan Option could be a cable route.

1.5.1.2 The updated draft SMP was published for consultation 30 May 2025 (Scottish Government, 2025b). The associated Appropriate Assessment (Scottish Government, 2025c) noted the following with respect to the Offshore Project (N4):

- The closest SPAs to the Offshore Project include sites important for red-throated diver, black-throated diver and great northern diver. Significant effects for the draft Plan alone were considered from development within N4, but given the sensitivity of red-throated diver, further consideration is required at project level;
- At a general level, potential for an increased collision risk or increased energetic requirements for migratory birds; and
- In-combination development of ScotWind projects and T&D projects within the North region [within which N4, the Offshore Project, sits] would result in an AEOI as a result of impacts on bird features, as per the conclusions of the West of Orkney RIAA (Xodus and MacArthur Green, 2023), identified as N1 in the Plan.

1.5.1.3 No reference to AEOI risk for other receptor groups was made in the updated draft SMP. It is noted that migratory fish (and freshwater pearl mussel (FWPM)) were excluded from the HRA process, with the Draft Plan noting:

*'Plan level effects on migratory fish, including from displacement and physical injury, have been identified across all OAs individually and cumulatively with other developments. However, uncertainty, in part related to an inability to identify connectivity back to individual natal rivers once species are in the marine environment, means that detailed assessment of impacts is expected at the project level'*

1.5.1.4 Other receptor groups excluded from the Plan HRA are terrestrial and freshwater habitats and associated species, bats and otter on the basis that there is no credible impact pathway, hence no potential for an LSE. Receptor groups that are included in the SMP Plan level HRA are habitats, birds and marine mammals.

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<sup>3</sup> <https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2020/10/sectoral-marine-plan-offshore-wind-energy/documents/sectoral-marine-plan-offshore-wind-energy/sectoral-marine-plan-offshore-wind-energy/govscot%3Adocument/sectoral-marine-plan-offshore-wind-energy.pdf>

## 1.6 CONSULTATION RELEVANT TO THE HRA DEROGATION CASE

- 1.6.1.1 Pre-Application, the Applicant engaged with MD-LOT and other relevant statutory and non-statutory stakeholders regarding the development of the HRA derogation case including:
- MD-LOT;
  - MD-SEDD;
  - National Trust for Scotland;
  - NatureScot; and
  - RSPB Scotland.
- 1.6.1.2 During this meeting, key discussion points included confirmation of the Roadmap approach for Application with further refinement to follow post-Application and a brief overview and discussion of mediumlist measures.
- 1.6.1.3 Wider consultation beyond that specific to the HRA derogation case has been undertaken on the Offshore Project to Application is detailed in **Offshore EIAR Appendix 5.4: Stakeholder Consultation and Engagement, Volume 1d; Offshore EIAR Appendix 14.6: EIA Ornithology Consultation, Volume 2c** and **Offshore RIAA Appendix C: Consultation** and is not repeated here.
- 1.6.1.4 MD-LOT provided an EIA Scoping Opinion (dated May 2024) which highlighted that the Application should include consideration of the need for a derogation as below, with associated compensation and evidence of meeting the derogation tests:

*‘risks to bird species, including collision risk and displacement, as well as potential impact to birds on migratory pathways. Consequently, this may require the consideration/submission of a derogation package under the Habitats Regulations with identification of suitable compensation measures as well as evidence of meeting all the required tests. The Developer should continue to liaise with Marine Directorate on this point going forward’*

- 1.6.1.5 Consultation on a potential HRA derogation case was undertaken with stakeholders was undertaken on 23 July 2025, as project level assessments advanced, and greater certainty of project level impacts alone and in-combination became available. That consultation meeting focused on discussion around the compensation measures proposed for inclusion in the Roadmap (with feedback received from that meeting focusing the compensation measures progressed). Further consultation was held in early 2026, to help guide the refinement of the measures for Application and to frame how the compensation measures will be progressed post-Application.

## 1.7 SUPPORTING INFORMATION

- 1.7.1.1 This document refers to information that has been submitted as part of the Offshore Project Application. Such information is not reproduced here but can be found in the full documents as set out in **Table 1-1** below.

Table 1-1 Other Application documents relevant to the HRA derogation case

Document Title	Document Ref. no.
<b>Application Documents</b>	
Offshore EIA Marine Licence Application Forms	SNM-SNM-PAC-FRM-1001 and SNM-SNM-PAC-FRM-1002
S.36 Application Letter	SNM-SNM-PAC-LTR-1001
<b>Offshore Environmental Impact Assessment</b>	
EIAR Chapter 1: Introduction, Volume 1a	SNM-SNM-PAC-CHP-1001
EIAR Chapter 2: Policy and Legislative Context, Volume 1a	SNM-SNM-PAC-CHP-1002
EIAR Chapter 3: Offshore Project Description, Volume 1a	SNM-SNM-PAC-CHP-1003
EIAR Chapter 4: Consideration of Alternatives, Volume 1a	SNM-SNM-PAC-CHP-1004
EIAR Chapter 9: Physical and Coastal Processes, Volume 2a	SNM-SNM-PAC-CHP-1009
EIAR Chapter 10 Marine Sediment and Water Quality, Volume 2a	SNM-SNM-PAC-CHP-1010
EIAR Chapter 11: Benthic and intertidal Ecology, Volume 2a	SNM-SNM-PAC-CHP-1011
EIAR Chapter 12: Fish Ecology, Volume 2a	SNM-SNM-PAC-CHP-1012
EIAR Chapter 13: Marine Mammals, Volume 2a	SNM-SNM-PAC-CHP-1013
EIAR Chapter 14 Marine and Nearshore Ornithology, Volume 2a	SNM-SNM-PAC-CHP-1014
EIAR Chapter 15 Offshore Archaeology and Cultural Heritage, Volume 2a	SNM-SNM-PAC-CHP-1015
EIAR Chapter 16 Shipping and Navigation, Volume 2a	SNM-SNM-PAC-CHP-1016
EIAR Chapter 17 Military and Civil Aviation, Volume 2a	SNM-SNM-PAC-CHP-1017
EIAR Chapter 23: Combined Effects Assessment, Volume 2a	SNM-SNM-PAC-CHP-1023
EIAR Chapter 24: Summary of Likely Significant Residual Effects, Volume 2a	SNM-SNM-PAC-CHP-1024
EIAR Chapter 25: Summary of Offshore Mitigation / Statement of Offshore EIA Commitments, Volume 2a	SNM-SNM-PAC-CHP-1025
Appendix 5.4: Stakeholder Consultation and Engagement, Volume 1d	SNM-SNM-PAC-APP-1054
Appendix 14.6: EIA Ornithology Consultation, Volume 2c	SNM-SNM-PAC-APP-1146
<b>Accompanying Reports</b>	
Offshore Report to Inform Appropriate Assessment	SNM-SNM-PAC-RPT-1001
Appendix A: Confirmed Screening Conclusions	SNM-SNM-PAC-APP-1001
Appendix B: Information on Designated Sites	SNM-SNM-PAC-APP-1002
Appendix C: Consultation	SNM-SNM-PAC-APP-1003
Appendix D: Offshore Ornithology Apportioning	SNM-SNM-PAC-APP-1004
Appendix E: HRA Population Viability Analysis Report	SNM-SNM-PAC-APP-1005
Appendix G: Offshore Ornithology In-Combination Data Tables	SNM-SNM-PAC-APP-1007

## 2 THE PRECAUTIONARY BASIS OF THIS SUBMISSION

### 2.1 THE APPROACH TO ASSESSMENT

2.1.1.1 The HRA process for the Offshore Project has been informed by the Screening Report (Spiorad na Mara, 2024), which identified the European sites and features where potential for Likely Significant Effect (LSE) applied. Following stakeholder consultation, some screening conclusions were updated, such as amendments to screening for red throated diver, where NatureScot requested that the 9km screening distance applied be increased due to existing evidence of regular flights of 11-13.5km recorded on the Western Isles. Details of such consultation are identified in Appendix C of the Offshore RIAA (**Offshore RIAA, Appendix C**), with Confirmed Screening Conclusions presented in Appendix A to the Offshore RIAA (**Offshore RIAA Appendix A: Confirmed Screening Conclusions**). The approach to screening is therefore precautionary and ensures a robust approach to identifying all potential for LSE has been applied.

2.1.1.2 The **Offshore RIAA** undertook an assessment for each of the European sites and features screened in. Both the Screening Report (Spiorad na Mara Ltd, 2024) and **Offshore RIAA** accompany the Application (**Table 1-1**), to provide the Competent Authority with the information required to undertake an Appropriate Assessment. With respect to offshore ornithology, the assessment has been undertaken and presented in a number of ways, as discussed and agreed with stakeholders (see **Offshore RIAA, Appendix C** and **Offshore EIAR Appendix 14.6, Volume 2c**). These approaches are summarised below for the Offshore Project alone and in-combination:

- The NatureScot Approach (to provide assessment conclusions that rely on the assessment parameters preferred by NatureScot);
- The Applicant's Approach (where the Applicant has identified alternative parameters for assessment these have been applied, accompanied by a justification for their inclusion);
- For the in-combination assessment only, a 'with and without Berwick Bank' approach for both the NatureScot and Applicant's Approach as requested by MD-LOT;
- Exclusion of compensated numbers from consented in-combination projects where the competent authority has confirmed the need to compensate, and compensation is secured through the terms of the consent for the relevant project.

2.1.1.3 The approach to assessment therefore ensures that the most precautionary parameters are applied in one or more assessment scenario. Further information on the precautionary nature of assessment can be found in Section 1.1.1.5 of the **Compensation Roadmap**.

2.1.1.4 The conclusions of the **Offshore RIAA** present both the Applicant's Approach and the NatureScot Approach. The conclusions for the Offshore Project Alone, using both the Applicant's and NatureScot scenarios, indicate there is no potential for AEOI. The conclusion for the Offshore Project In-combination, following the Applicant's approach, concluded AEOI for kittiwake at West

Westray SPA, with AEOI unable to be ruled out at a further four sites (kittiwake and gannet). Following the NatureScot approach to assessment, AEOI could not be ruled out at a further three sites (kittiwake and razorbill). With and without Berwick Bank assessment conclusions have also been presented, following advice from MD-LOT.

2.1.1.5 Assessing using a parameter-based design envelope approach means that the assessment considers a maximum design scenario whilst allowing the flexibility to make improvements in the future in ways that cannot be predicted at the time of submission of the consent applications. The assessment of the maximum design scenario for each receptor establishes the maximum predicted adverse impact and, as a result, greater impact would not arise should any other development scenario (as described in **Table 1-7** of the **Offshore RIAA, Offshore EIAR Chapter 3: Offshore Project Description, Volume 1a** and **Offshore EIAR Chapter 14: Marine and Nearshore Ornithology, Volume 1a**) to that assessed be taken forward in the final scheme design. The **Offshore RIAA** also includes specific details on the maximum design scenario with respect to key impact pathways.

## 2.2 INFORMATION PROVIDED ON A FULL AND WITHOUT PREJUDICE BASIS

2.2.1.1 As noted above, the conclusions of the **Offshore RIAA** include an Applicant's Approach and a NatureScot Approach. The conclusion of the assessment have been brought forward to the HRA derogation case into two categories, a Full Derogation Case and a Without Prejudice Derogation Case. It should be noted that the project level contribution in all cases is very small, and for many is considered in tangible. The two categories are defined as follows:

- Full derogation case: where the Applicant's approach concludes an AEOI or cannot conclude no AEOI in-combination with other plans or projects beyond reasonable scientific doubt;
- Without prejudice derogation case: Where the NatureScot approach concludes an AEOI, or an AEOI cannot be ruled out in-combination.

2.2.1.2 Therefore, while the Applicant does not accept that the application of the HRA derogation provisions is necessary in all instances for the Offshore Project, the Applicant has provided the information necessary to support a HRA derogation case for the Offshore Project, which could be relied upon by the Scottish Ministers if required.

2.2.1.3 Section 1.2 of this document provides further information on the European sites and species considered within the HRA derogation case, with a summary provided in **Table 2-1**.

2.2.1.4 It is clear in **Table 2-1** that the potential for the Project to contribute to an in-combination AEOI is in relation to very small impacts, all being less than one individual bird per annum per site. In this context, the consideration of alternatives is important – because an alternative would need to be less damaging. The impacts are so small that for any alternatives considered, a reduction in impact would not materially alter the conclusion of the assessment (i.e. the damage would remain the

same – at less than one individual bird per annum per site), unless that alternative was sufficient to reduce the impact to zero.

Table 2-1 Species and sites included within the HRA derogation case (full and without prejudice) accompanying the Offshore Application

Species (Qualifying features)	Designated Site(s)	Annual Project Alone Adult Mortality		Conclusion (in-combination)		Full or Without Prejudice Derogation Case
		Applicant's Approach	NatureScot approach	Applicant's Approach	NatureScot Approach	
Gannet	Forth Islands SPA	0.72	0.72-0.92	AEOI cannot be ruled out	AEOI cannot be ruled out	Full
	Outer Firth of Forth and St Andrews Bay Complex SPA	Foraging SPA, impact compensated to the Forth Islands SPA		AEOI cannot be ruled out	AEOI cannot be ruled out	Full
Kittiwake	East Caithness Cliffs SPA	0.73	0.73-0.90	AEOI cannot be ruled out	AEOI cannot be ruled out	Full
	North Caithness Cliffs SPA	0.19	0.19-0.24	No AEOI	AEOI cannot be ruled out (with respect to the upper NatureScot approach only)	Without Prejudice
	Flamborough and Filey Coast SPA	0.64	0.79	AEOI cannot be ruled out	AEOI cannot be ruled out	Full
	West Westray SPA	0.21	0.21-0.26	AEOI	AEOI	Full
Razorbill (assemblage feature)	Seas off St Kilda SPA	Foraging SPA, impact compensated to the St Kilda SPA.		No AEOI	AEOI cannot be ruled out (with respect to the upper NatureScot approach only)	Without Prejudice
	St Kilda SPA	0.05	0.09-0.20	No AEOI	AEOI cannot be ruled out (with respect to the upper NatureScot approach only)	Without Prejudice

## 3 THE LEGAL FRAMEWORK AND HABITATS REGULATIONS APPRAISAL PROCESS

### 3.1 THE NATURE DIRECTIVES AND UK HABITATS REGULATIONS

3.1.1.1 The EU Birds Directive (Directive 2009/147/EC) and EU Habitats Directive (Council Directive 92/43/EEC), which are collectively referred to here as the Nature Directives, seek to conserve particular natural habitats and wild species across the EU by, amongst other measures, establishing a network of sites ("European sites"). The EU Habitats Directive also sets out the requirements concerning the authorisation of plans or projects which may adversely affect European sites via Articles 6(3) and 6(4) which informs the basis of the HRA process.

3.1.1.2 The Nature Directives were transposed into domestic law prior to the UK's departure from the European Union through a series of secondary pieces of legislation, the principle pieces as follows:

- The Conservation (Natural Habitats, &c.) Regulations 1994 (1994 No. 2716);
- The Conservation of Habitats and Species Regulations 2017 (2017 No. 2017) (which transposes the obligations in the Nature Directives into English and Welsh law and for Scotland in relation to certain specific activities (reserved matters));
- Several amendments to the 1994 Regulations that apply on land and in Scotland's inshore waters up to the most recent Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2019;
- The Conservation of Offshore Marine Habitats and Species Regulations 2017 (2017 No. 1013).

3.1.1.3 Collectively these secondary pieces of legislation are referred to as the 'Habitats Regulations'.

3.1.1.4 The Habitats Regulations define European sites as Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Sites of Community Importance (SCI). Proposed SPAs (pSPAs) proposed SACs (pSACs) and candidate SACs (cSACs) are also afforded the same protection as European sites (Scottish Government, 2015). European offshore marine sites are also referred to as "European sites" for the purposes of this document. How Ramsar sites are addressed in Scotland was clarified in 2019<sup>4</sup>, specifically that:

*'Where Ramsar interests coincide with Natura qualifying interests protected under an SPA or an SAC, as the case may be, the interests are thereby given the same level of (legal) protection as Natura sites'*

3.1.1.5 Scottish Government policy on Ramsar sites was subject to consultation in late 2024 (Scottish Government, 2024a), with the current information available being reference to policy from July

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<sup>4</sup> <https://www.gov.scot/publications/implementation-of-scottish-government-policy-on-protecting-ramsar-sites/>  
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2025<sup>5</sup> where ‘listed Ramsar sites in Scotland should be treated as if they were European sites for the purposes of land use change decision making’ and ‘any plan or project which could affect a Ramsar site will involve undertaking a HRA to determine whether the proposal is likely to have a significant effect on the notified natural features of the site.

## 3.2 THE NATURE DIRECTIVES AND IMPLICATIONS OF EU EXIT

- 3.2.1.1 Following the UK’s departure from the European Union (EU) on 31 December 2020 (EU Exit), the UK is no longer an EU Member State. Through the Conservation of Habitats and Species Amendment (EU Exit) Regulations 2019 (“EU Exit Regulations”), the HRA process implemented under the Habitats Regulations continues to apply, subject to minor technical changes (Scottish Government, 2020b) as summarised below.
- 3.2.1.2 A key change relates to functions previously undertaken by the European Commission (EC) in designating future European sites and providing opinions on IROPI. Post Brexit, these have been transferred to the appropriate authority in the UK (in this case Scottish Ministers for devolved matters relating to Scotland). Accordingly, the UK’s withdrawal from the EU is considered to have no material bearing on the requirement for, or process relating to, the HRA for the Offshore Project.
- 3.2.1.3 As regards HRA terminology and process, this report will still refer to “the Habitats Regulations”, “European sites” and HRA caselaw. However, European sites in the UK are collectively termed the “UK site network” and no longer form part of the Natura 2000 network. The HRA will not refer to any obligations under the Nature Directives but may have regard to EC guidance, so far as it is relevant.

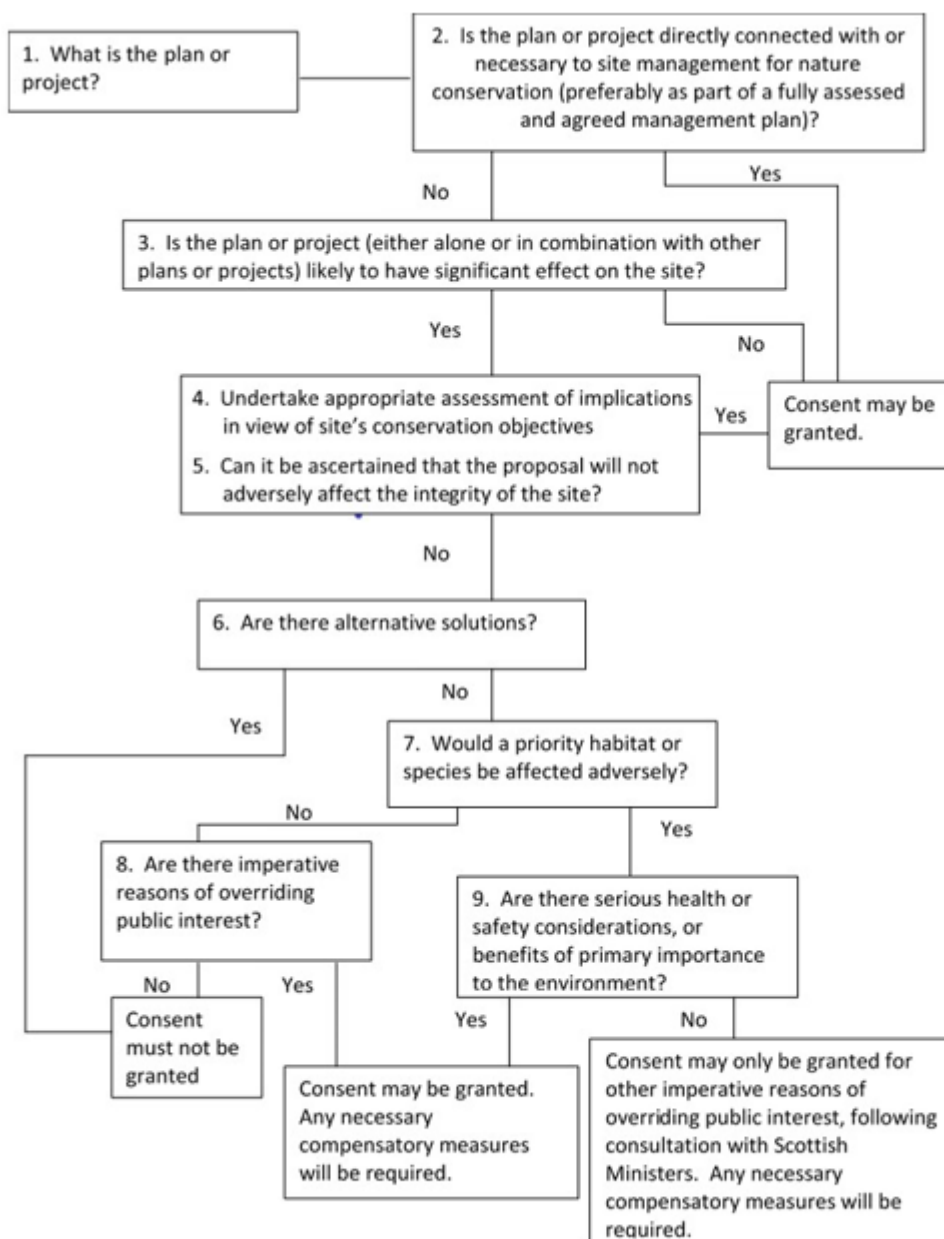
## 3.3 THE HABITATS REGULATIONS APPRAISAL PROCESS

- 3.3.1.1 As referenced in Section 3.1, the requirements underpinning the HRA process are set out in Articles 6(3) and 6(4) of the Habitats Directive. The HRA process is multi-stage, the scope and need for each subsequent stage informed by the previous. There is some variation in HRA guidance as to the way in which the key steps or stages of the HRA process are broken down and defined. HRA guidance in place from NatureScot (2025) is derived directly from the relevant provisions of the Habitats Regulations and is reproduced as **Plate 3-1**, outlined in 9 stages.

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<sup>5</sup> <https://www.gov.scot/publications/updated-scottish-government-policy-protecting-ramsar-sites/>  
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Plate 3-1 How to consider plans and projects that could affect European sites (SPAs and SACs) (from NatureScot, 2025)



### 3.4 HABITATS REGULATIONS APPRAISAL STAGES 1-5: LIKELY SIGNIFICANT EFFECTS AND APPROPRIATE ASSESSMENT

3.4.1.1 The need for and application of the HRA derogation provisions flows from the outputs of HRA Stages 1-5. These Stages require that any project likely to have a significant effect on a European site (alone or in-combination) must be subject to an AA of the implications for that European site in view of the site's conservation objectives. For the Offshore Project, these conservation objectives are presented within Appendix B of the Offshore RIAA (**Offshore RIAA Appendix B: Information**

**on Designated Sites**), which both updates the Screening conclusions (Stage 3) following publication of the Screening Report (Spiorad na Mara, 2024) and receipt of stakeholder comments (**Offshore RIAA, Appendix C**) and provides the information required to undertake an Appropriate Assessment (Stages 4 and 5).

3.4.1.2 The requirements of HRA Stages 6–9 are applied based upon the nature and the extent of any AEOI identified through Stages 1-5.

## 3.5 APPLICANT'S STAGES 1-5 CONCLUSIONS

3.5.1.1 Sections 8 and 13 of the Offshore RIAA (**Offshore RIAA**) that accompanies the Application presents the conclusions for HRA Stages 1-5 and provides the information required by the Competent Authority to make a determination on whether or not an AEOI applies for ornithology (or if one cannot be ruled out). With regards Stage 3, the conclusion presented is that an LSE cannot be ruled out for several SPAs and SACs, with the relevant features progressed to Stages 4 and 5 of the HRA process.

3.5.1.2 With respect to the Maximum Design Scenario and in the context of the HRA derogation case, where a conclusion of no AEOI could not be drawn in Stages 4 and 5, that is summarised in **Table 2-1**.

3.5.1.3 Further information on the outcome of Stages 1-5 of the HRA process, and the sites and features considered here under Stages 6-9, is provided in Section 6.

## 3.6 HABITATS REGULATIONS APPRAISAL STAGES 6-9: DEROGATION PROVISIONS

3.6.1.1 HRA Stages 6-9 are typically referred to as the 'derogations'. For a plan or project where Stages 1-5 resulted in a conclusion of AEOI (or it cannot be ruled out), and provided the Competent Authority (Scottish Ministers) are satisfied that the requirements of Stages 6-9 are all met, the derogations provide a route for consent to be granted. Stages 6-9 are applied in sequential order and encompass the requirement to demonstrate that:

- No feasible alternative solutions exist, which meet the objectives of the project;
- IROPI exist for the implementation of the project;
- Compensation measures have been identified and secured to counter the AEOI.

3.6.1.2 **Table 3-1** presents the statutory considerations for determining the alternatives and IROPI test.

Table 3-1: Regulations relating to alternative solutions and IROPI (as amended post-Brexit)<sup>6</sup>

Regulation	Post Brexit Considerations of Alternative and IROPI
49(1)	<i>If they are satisfied that, there being no alternative solutions, the plan or project must be carried out for imperative reasons of overriding public interest (which, subject to paragraph (2), may be of social or economic nature), the competent authority may agree to the plan or project notwithstanding a negative assessment of the implications for the site.</i>
49(2)	<i>(2) Where the site concerned hosts a priority natural habitat type or a priority species, the reasons referred to in paragraph (1) must be either- (a) reasons relating to human health, public safety, or beneficial consequences of primary importance to the environment; or (b) other reasons which in the opinion of the European Commission are imperative reasons of overriding public interest.</i>

3.6.1.3 If satisfied that there are no feasible alternative solutions and the Offshore Project must proceed for IROPI, Scottish Ministers will be under an obligation to ensure that any necessary compensation measures are secured. The relevant statutory requirements in respect of compensation are set out in **Table 3-2**.

Table 3-2: Legal text of Regulations relating to compensatory measures (as amended post-Brexit)<sup>6</sup>

Regulation	Post Brexit Compensatory measures
53	<i>Where in accordance with regulation 49 (considerations of overriding public interest)- A plan or project is agreed to, notwithstanding a negative assessment of the implications for a European site, or A decision, or consent, permission or other authorisation, is affirmed on review, notwithstanding such an assessment, The Secretary of State shall secure that any necessary compensatory measures are taken to ensure that the overall coherence of Natura 2000 is protected.</i>

3.6.1.4 The approach taken by the Applicant with regard to alternative solutions is set out in No Alternative Solutions Sections 7 to 12. The case for IROPI is presented in Imperative Reasons of Overriding Public Interest Sections 13 and 14.

3.6.1.5 The Habitats Regulations do not define what is meant by or may comprise “compensatory measures” or when they must be delivered. There is also no definition of the “overall coherence of Natura 2000” (i.e. the UK site network). In principle, both are broad concepts. The limited case law on compensation confirms:

<sup>6</sup> As per the Conservation (Natural Habitats, &c.) Regulations 1994 (1994 No. 2716)  
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- Compensation is distinct from mitigation (i.e. measures which prevent, avoid, or reduce the harm to the integrity of the affected European site)<sup>7</sup>;
- Compensation can be delivered inside or outside a European site<sup>7</sup>.

3.6.1.6 As there is no binding EU or UK case law that fixes the precise parameters of, or timing for, the delivery of compensation. It will be a matter of judgement for Scottish Ministers to determine what is “necessary” by way of compensation, acting reasonably and proportionately. The Scottish Ministers may have regard to European Commission (EC) opinions and guidance.

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<sup>7</sup> Case C-521/12 Briels and Others, paragraphs 38-39  
Sporad na Mara Offshore Project HRA Derogation Case

## 4 GUIDANCE DOCUMENTS

### 4.1 KEY SOURCES

4.1.1.1 The following Scottish, UK and EC guidance documents address the HRA derogation provisions and are referred to in this document, where applicable and appropriate. Scottish Government's (2020b) guidance advises that existing guidance should continue to be used after Brexit. Therefore, reference to EC guidance remains relevant.

#### 4.1.2 SCOTTISH GUIDANCE

4.1.2.1 The following Scottish Guidance has been considered during the development of this HRA derogation case:

- NatureScot (2023b) European Site Casework Guidance: How to consider plans and projects affecting Special Areas of Conservation (SACs) and Special Protection Areas (SPAs);
- Scottish Government (2020b) EU Exit: The Habitats Regulations in Scotland;
- Scottish Government (2018) Marine Scotland Consenting and Licensing Guidance: For Offshore Wind, Wave and Tidal Applications;
- Searle *et al.*, (undated) Compensatory Measure Advice Note;
- Searle *et al.*, (undated) Scottish guidance on the principles underpinning the assessment of compensatory measures in relation to ecology, monitoring and socio-economics;
- CMS (2021) Habitats Regulations Appraisal (HRA) Derogations for Offshore Wind Projects in Scotland – Legal Framework for Decisions;
- DTA Ecology (2021a: in draft) Policy guidance document on demonstrating the absence of Alternative Solutions and imperative reasons for overriding public interest under the Habitats Regulations for Marine Scotland;
- DTA Ecology (2021b: in draft) Framework to Evaluate Ornithological Compensatory Measures for Offshore Wind. Process Guidance Note for Developers. Advice to Marine Scotland.

#### 4.1.3 UK GUIDANCE

4.1.3.1 The following UK Guidance has been considered during the development of this HRA derogation case:

- DTA Ecology (2025) The Habitats Regulations Assessment Handbook;
- Department for Environment Food & Rural Affairs (Defra) Policy Paper Changes to the Habitats Regulations 2017 – Published 1 January 2021 (DEFRA, 2021a);
- DEFRA Habitats regulations assessments: protecting a European site. Guidance. December 2023 (DEFRA, 2023);

- DEFRA Best Practice guidance for developing compensatory measures in relation to Marine Protected Areas. July 2021. Version for consultation (Defra, 2021b);
- DEFRA Consultation on policies to inform updated guidance for Marine Protected Area (MPA) assessments. February 2024. Version for consultation;
- DEFRA (2012) Habitats Directive: guidance on the application of Article 6(4). Alternative solutions, imperative reasons of overriding public interest (IROPI) and compensatory measures.

#### **4.1.4 EUROPEAN COMMISSION GUIDANCE**

4.1.4.1 The following EU Guidance has been considered during the development of this HRA derogation case:

- EC (2019): Managing Natura 2000 Sites: The provisions of Article 6 of the Habitats Directive 92/43/EEC;
- EC (2007): Guidance document on Article 6(4) of the Habitats Directive 92/43/EEC: clarification of the concepts of Alternative solutions, imperative reasons of overriding public interest, compensatory measures, overall coherence, opinion of the Commission;
- EC Methodological Guidance for the Habitats Directive: Assessment of plans and projects significantly affecting Natura 2000 sites, methodological guidance on the provision of Articles 6(3) and 6(4) of the Habitats Directive (2001) ("EC Methodological guidance");
- Managing Natura 2000 Sites – The provision of Article 6(3) of the 'Habitats' Directive 92/43/EEC (2000) (MN 2000"), first published in 2000 and updated in 2019.

## 5 RELEVANT FEATURES AND CONDITION OF THE EUROPEAN SITES

5.1.1.1 Appendix B to the Offshore RIAA (**Offshore RIAA, Appendix B**) provides web links to the relevant site based information for all sites screened in (where available). Such links include (where available) information on the sites, their condition, guidance documents and conservation objectives. The most recent condition assessment available for each of the sites and features identified in **Table 2-1** is provided in **Table 5-1**. Further detail on the effects is provided in Section 6.

Table 5-1 Relevant sites and features for the full and without prejudice HRA derogation case with condition (where available)

Site	Feature	Basis of derogation case	Condition Assessment	Date of Condition Assessment
East Caithness Cliffs SPA	Kittiwake	Full	Favourable maintained	29 Nov 2016
Flamborough and Filey Coast SPA	Kittiwake	Full	Not available	
Forth Islands SPA	Gannet	Full	Favourable maintained	24 Sept 2018
North Caithness Cliffs SPA	Kittiwake	Without Prejudice	Unfavourable, no change	12 Aug 2024
Outer Firth of Forth and St Andrews Bay Complex SPA	Gannet	Full	Favourable maintained	29 Mar 2023
Seas off St Kilda SPA	Razorbill (assemblage feature)	Without Prejudice	Not available	
St Kilda SPA	Razorbill (assemblage feature)	Without Prejudice	Unfavourable declining	15 Mar 2018
West Westray SPA	Kittiwake	Full	Unfavourable declining	13 Aug 2024

## 6 EFFECTS ON EUROPEAN SITE FEATURES

### 6.1 MARINE AND NEARSHORE ORNITHOLOGY

6.1.1.1 The **Offshore RIAA** identified potential AEOI (or could not rule out AEOI) for certain ornithological features of a number of SPAs, with these identified in **Table 2-1**. The conclusions are specifically in relation to collision risk and distributional response in the Operation & Maintenance phase of development. The following species are relevant to the Full and / or Without Prejudice HRA derogation case:

- Kittiwake (collision risk and distributional response) (Full and Without Prejudice case);
- Gannet (collision risk and distributional response) (Full case only);
- Razorbill (distributional response, assemblage feature) (Without Prejudice case only).

6.1.1.2 Collision risk for seabirds may apply when birds fly through an operational offshore wind farm, for example whilst foraging for food, commuting between breeding sites and foraging areas, or during migrations. The term 'collision risk' refers to the potential for a bird(s) to collide with a turbine or its blades, with the potential for mortality to result.

6.1.1.3 A distributional response refers to the disturbance of birds and the displacement and / or barrier effect that could occur if birds avoid the area occupied by the Offshore Project during operation. A distributional response may impact bird populations by affecting site usage which may be for foraging, resting or moulting. As a result of a distributional response, an individual bird may experience a decrease in fitness, due to the effect of re-locating to an alternative location and / or changes to energy budgets due to the increased energy expenditure when avoiding a wind farm. These impacts, in turn, may have indirect effects on birds in areas that may be some distance from the wind farm including reduced energy acquisition as a result of increased competition at other foraging sites which could result in further reductions in fitness affecting reproductive success.

#### 6.1.2 OTHER RECEPTOR GROUPS

6.1.2.1 For all other receptor groups considered in the **Offshore RIAA**, including otters, benthic ecology, marine mammals (harbour porpoise *Phocoena phocoena*), migratory fish and freshwater pearl mussel, a conclusion of no AEOI, alone or in-combination, was made. These groups are not discussed further here as there is no requirement for a HRA derogation case.



# NO ALTERNATIVE SOLUTIONS

Report to demonstrate no alternative solutions

## 7 INTRODUCTION TO THE ASSESSMENT OF ALTERNATIVES

### 7.1 INTRODUCTION

7.1.1.1 This section of the HRA derogation case examines whether there are any feasible alternative solutions to the Offshore Project. Drawing on the approach taken by previous derogation decisions for offshore wind in Scotland and relevant guidance (DTA, 2021a; Defra, 2012 and 2023, EC, 2021), the Applicant has adopted the four steps set out in **Table 7-1** which consider the potential alternative solutions in a structured and sequential process.

Table 7-1: Sequential Approach to Consideration of Alternatives

Step	Detail	Report Section
Step 1	Identify the need and core project objectives for the Offshore Project	Section 8
Step 2	Identify relevant works & potential residual harm to European sites	Section 9
Step 3	Consideration of alternatives	Section 10
Step 4	Assess and compare the impact of any feasible alternative solutions on the UK site network <sup>8</sup>	Section 11

### 7.2 APPROACH TO ALTERNATIVE SOLUTIONS

7.2.1.1 The legal context surrounding the application of Article 6(4), including how this is implemented through the HRA process, is set out in Section 3 of this derogation document. The Habitats Regulations do not define “alternative solutions” and there is limited precedent at the Scottish, UK or EU level. The most recent examples of offshore wind farms which have achieved consent under a derogation in Scotland include: Green Volt (Scottish Government, 2024b); West of Orkney, (Scottish Government, 2025a), Salamander, (Scottish Government, 2025e) and Berwick Bank, (Scottish Government, 2025d).

7.2.1.2 The approach to alternative solutions adopted by the Applicant has been developed drawing upon relevant European Commission (EC) opinions<sup>9</sup>, UK and EC guidance (principally, European Commission (2019) and DEFRA (2012, 2023)) and Scottish planning decisions (including Berwick Bank, Salamander, Green Volt and West of Orkney (Scottish Government 2025d, 2025e, 2024b and 2025a)). It is considered that such opinions, guidance, and planning decisions provide useful precedents for Scottish Ministers or MD-LOT.

<sup>8</sup> Regulations 4 and 33, EU Exit Regulations stipulate that the “Nature 2000” must now be read and construed as references to the coherence of the “National Site Network” i.e. UK Site Network.

<sup>9</sup> EC opinions may be persuasive but do not constitute binding EU judgements

7.2.1.3 On this basis, the following key principles have been applied to the four steps detailed above in **Table 7-1:**

- The first step in considering alternatives is to establish key project objectives to frame the development of the Project, with a rationale for each objective;
- The project objective(s) that frame the search for alternatives can legitimately be narrow in scope, provided they are genuine and essential;
- Consideration of alternatives should not consider every theoretically imaginable alternative, but be limited to options which are feasible and have legitimate financial, legal and technical potential;
- Options which do not address the need and / or fail to meet the objective(s) are not a feasible alternative;
- The “do nothing” option should be considered, but will not be a feasible alternative unless the need and project objectives can be achieved by doing nothing<sup>10</sup>;
- Alternative forms of energy generation are not alternatives to offshore wind<sup>11</sup>;
- Cost is a legitimate consideration in determining feasibility. Any alternative solutions must be economically feasible and allow a project to fulfil the terms of its exclusivity agreement with Crown Estate Scotland<sup>12</sup>;
- If a number of feasible alternatives are identified, the relative effects on the integrity of the UK site network should be compared;
- Feasible alternatives that are likely to give rise to similar AEOIs on the European site concerned, or the UK site network, can be discounted;
- Finally, the availability of a feasible alternative solution with a lesser effect on integrity should not necessarily be decisive. The principle of proportionality should apply. An alternative providing marginal reduction in harm for corresponding material loss of public benefit may not be a proper alternative.

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<sup>10</sup> R (Plan B Earth) v Secretary of State for Transport [2020] EWCA Civ 214 at para 116. Scottish Government (2024) did not consider the ‘do nothing’ approach for Green Volt to be a feasible alternative solution, based on project objectives, the emission reduction requirements of the Climate Change (Scotland) Act 2009 and the British Energy Security Strategy

<sup>11</sup> The SOS HRA for Hornsea 3 (Section 11.2 of the HRA), (BEIS, 2020) and Scottish Government (2024b) provide relevant examples

<sup>12</sup> The Scottish Governments Derogation Case for Green Volt (Scottish Government, 2024b)

## 8 STEP 1: THE NEED

### 8.1 THE CORE OBJECTIVES OF SPIORAD NA MARA OFFSHORE WIND FARM

8.1.1.1 The core Project objectives are set out below in **Table 8-1**.

Table 8-1 Core Project Objectives for the Spiorad na Mara Offshore Wind Farm

Objective no.	Spiorad na Mara Wind Farm Objectives	Basis
1	Support Scottish Government targets to deliver 50% renewable energy by 2030 and an additional 40 GW of offshore wind in Scotland by 2040, while also supporting UK government objectives to reduce greenhouse gas emissions by 78% by 2035.	<ul style="list-style-type: none"> <li>Urgent action is required to achieve Scottish and UK decarbonisation targets.</li> </ul>
2	Support the Scottish Government’s ambition to achieve near decarbonisation by 2050, with the intention of providing a secure energy supply for the future while reducing Scotland’s impact on the climate through the deployment of renewable energy infrastructure such as offshore wind farms.	<ul style="list-style-type: none"> <li>Production of renewable electricity at scale will be required to enable achievement of targets.</li> </ul>
3	Maximise generation and export capacity within the constraints of limited available seabed for fixed foundation offshore wind in Scottish and UK waters to maximise benefits for Scottish and UK decarbonisation targets.	<ul style="list-style-type: none"> <li>Seabed availability for fixed foundation offshore wind is limited, and must be maximised to assist in the achievement of Scottish and UK decarbonisation targets.</li> <li>Fixed foundation offshore wind is a proven technology which can provide low carbon electricity generation at scale in the short to medium term, at lower cost than other technologies (e.g. floating offshore wind).</li> <li>There is greater capacity within the supply chain for fixed foundation wind projects.</li> </ul>

Objective no.	Spiorad na Mara Wind Farm Objectives	Basis
4	Support and develop the local supply chain to maximise the economic benefits of renewables build out to the Isle of Lewis, Outer Hebrides west coast of Scotland, providing a significant contribution to the growth of the industry in an area where offshore wind currently has limited presence; the Project is one of 4 proposed for the west coast of Scotland region, only two of which are fixed foundation.	<ul style="list-style-type: none"> <li>• Development of the local supply chain is a key priority for Scottish Government.</li> <li>• The Project represents a strategic opportunity to anchor a western cluster of renewable energy projects, as most OWF projects are clustered on the east or northern coasts of the country.</li> <li>• Temporary and local jobs will be available to support local people, and supported by the employment of new workers in the region.</li> <li>• Development of new skills within the region.</li> </ul>
5	Deliver a significant volume of domestically produced, low cost, low carbon renewable electricity to the national grid from 2031, with the potential to meet the average annual electricity needs of up to 1.2 million Scottish homes, providing energy security for the future and reducing exposure to volatile fossil fuel markets, to deliver a just and fair energy transition.	<ul style="list-style-type: none"> <li>• Geopolitical uncertainty highlights the need for a secure, home-generated supply of energy.</li> <li>• Cost effective energy is needed across Great Britain.</li> </ul>

## 8.2 THE CLEAR AND URGENT NEED FOR THE PROJECT

8.2.1.1 The need for the Project and other offshore wind farms is clear at local, national and international level. The expansion of offshore wind is required to assist in addressing several key issues, namely:

- The local need for renewable energy (Section 8.2.2);
- The global need to tackle climate change through decarbonisation (Section 8.2.3);
- The Scottish need for secure and reliable energy, with domestic offshore wind part of the supply (Section 8.2.4);
- The need to grow the Scottish renewable energy supply chain (Section 8.2.5).

8.2.1.2 The ways in which the Offshore Project can contribute to these needs are set out below.

### 8.2.2 THE LOCAL, SCOTTISH AND UK NEED FOR RENEWABLE ENERGY

8.2.2.1 Spiorad na Mara is located on the west coast of Scotland, 6-13 km off the coast of the Isle of Lewis. To date, the only offshore wind farm that has been developed on the west coast of Scotland is Robin Rigg. The West of Orkney offshore wind farm has recently been consented, lying around 30 km off the West coast of Orkney. There are no built or consented projects within the region of the Western Isles and only two fixed ScotWind sites lie on this coast. This limits the renewable capacity and associated economic and social opportunities available in this region. The Project is therefore a key opportunity for renewable energy to be produced at scale outside of the existing clusters within eastern Scottish waters, helping to ensure a just transition to renewables across the whole country.

8.2.2.2 It should also be noted that the development of the Project provides an opportunity to commence the development of a new offshore wind cluster for Scotland on the west coast, which could link into the upgraded SSEN Lewis Hub development currently underway (SSEN, 2025). Spiorad na Mara and Havbredey are both co-owned by the Northland Power/ ESB joint venture, hence there are development synergies due to common resourcing across the projects. Northland Power also participate alongside other onshore and offshore renewables developers and public sector agencies in Lewis through the Renewable Energy: Major Developments Forum, which includes Talisk and other onshore projects such as Stornoway Wind Farm. There is active coordination and data sharing between projects, with a focus on maximising community benefits, providing a unique opportunity for the diversification of renewable energy within the Western Isles.

8.2.2.3 The need for affordable energy for consumers is included in both Scottish and UK policy, with the development of Scotland's offshore wind sector noted as vital for ensuring cost effective energy availability across Great Britain (Scottish Government, 2023; UK Government, 2024). Renewable energy production has helped to lower the cost of energy for consumers, and the comparable lower costs for fixed foundation versus floating foundation wind has been reflected in the latest

announcement of Contracts for Difference (CfD), which helps to set a viable and known strike price for renewable energy producers whilst providing affordable energy<sup>13</sup>.

8.2.2.4 There is a strong track record of the successful deployment of fixed foundation offshore wind projects in Scotland, the UK and globally, resulting in optimised development costs and competitive prices for customers. However, within ScotWind, opportunities for fixed foundation wind developments are restricted to six out of 19 sites - accounting for a combined capacity of 10.76 GW out of the total 36.43 GW, with only 6.99 GW located in the west and north regions due to constraints related to water depth and the limited availability of suitable coastal locations. As such, it is essential to ensure the Offshore Project progresses as one of the designated six fixed wind sites under ScotWind<sup>14</sup>. The Offshore Project represents 13% of the total 6.89 GW allocated to the west and north regions and 18% of the fixed foundation capacity available through ScotWind in the region. This highlights the importance of the Offshore project not only for capacity reasons, but also shows the significant contribution it could make to enhancement of supply chains in the region.

### 8.2.3 THE NEED TO ADDRESS CLIMATE CHANGE THROUGH DECARBONISATION

8.2.3.1 There is a strong global need to address climate change through the shifting of energy generation from fossil fuels to renewable sources. 196 Parties, including the UK, signed the Paris Agreement<sup>15</sup> to halt climate change to below a 2°C warming level, demonstrating the global drive towards a greener future. Many countries have written stretching and legally binding targets in order to support this goal, which will require urgent decarbonisation of national energy grids. In Scotland, the government committed in 2017 to meeting 50% of energy demand through renewable sources by 2030 and a near decarbonisation of the energy system by 2050<sup>16</sup>. In the 2020 update to the Climate Change Plan (Scottish Government, 2020c), new emission targets to 2032 are set out including a requirement for continued rapid growth in renewables (including substantial growth in new offshore wind).

8.2.3.2 Similarly, the UK government has pledged to reduce emissions by 68% by 2030 (from 1990 levels) and to be net zero by 2050<sup>17</sup> - which will require around 95 GW of offshore wind deployment by 2050 (Climate Change Committee, 2024). It is of note that Scottish Government have recently (January 2026) undertaken consultation on and updated the Scottish Offshore Wind Policy

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<sup>13</sup> <https://www.gov.uk/government/collections/contracts-for-difference>

<sup>14</sup> Marchair, Sporad na Mara, Talisk, Havbredy and West of Orkney offshore wind farms

<sup>15</sup> <https://www.un.org/en/climatechange/paris-agreement>

<sup>16</sup> <https://www.gov.scot/policies/renewable-and-low-carbon-energy/#:~:text=By%202030%20we%20aim%20to%20generate%20the,have%20decarbonised%20our%20energy%20system%20almost%20completely.&text=The%20Scottish%20energy%20strategy%20published%20in%20December,consumption%20to%20be%20supplied%20by%20renewable%20sources> .

<sup>17</sup> The Climate Change Act 2008 (2050 Target Amendment) Order 2019. <https://www.legislation.gov.uk/ukdsi/2019/9780111187654>

<sup>17</sup> The Climate Change Act 2008 (2050 Target Amendment) Order 2019.

<https://www.legislation.gov.uk/ukdsi/2019/9780111187654>

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Statement from 2020 (previously set out as 8-11 GW by 2030), to 40 GW of new capacity (defined as that which is not already operational at the time of consultation in 2025) by 2040<sup>18</sup>. This was updated to maximise the significant economic opportunity of offshore wind for Scotland balanced against constraints, making a clear statement of Scotland's offshore wind ambition. The reset target relies on the success of ScotWind projects such as Spiorad na Mara to fulfil the 40 GW ambition. The requirement for all projects to be developed, if the target is to be met, is strengthened by the recent handing back of a lease for a 3 GW option site.

8.2.3.3 The development of the Project would provide an immediate step forwards in domestic-generated renewable energy at scale, avoiding the release of an estimated 1.7 million tonnes of CO<sub>2</sub> annually and powering the equivalent of 1.2 million homes per annum (Spiorad na Mara, 2025), therefore assisting in the achievement of both Scottish and UK climate targets.

#### **8.2.4 THE SCOTTISH NEED FOR SECURE AND RELIABLE ENERGY, WITH DOMESTIC OFFSHORE WIND AS PART OF THE SUPPLY**

8.2.4.1 Recent geopolitical events such as the invasion of Ukraine by Russia have decreased the stability of energy prices, leading to an increase in the price of gas by 200% (BEIS, 2022). Subsequently, the urgent need to establish a secure and reliable domestic energy supply within both Scotland and the wider UK has become even more apparent. For Great Britain, an ambition is held to produce at least 95% of energy through renewable sources by 2050 in order to meet decarbonisation targets. This is set out in policy for the UK and Scotland by the respective governments (BEIS, 2022; Scottish Government, 2023). In order to meet these targets, 43-50 GW of offshore wind capacity will be required across the UK by 2030 (BEIS, 2022), which will be assisted by the rapid development of fixed wind farms (a tested and ready to deploy technology, with an existing supply chain) rather than reliance on new technology innovation in the future. Additional storage capacity is also planned (23-27 GW of battery storage and 4-6 GW of long-duration storage) to facilitate generation through renewable means, to increase domestic grid resilience (UK Government, 2024).

8.2.4.2 Scotland is uniquely placed to meet these targets by harnessing its geographic position, which holds great potential for generation of renewable energy through offshore wind. However, there are only a finite number of locations currently available within Scottish waters. Through the ScotWind leasing rounds, 19 sites have been made available for offshore wind to date<sup>19</sup>. The development of Spiorad na Mara makes use of an important licensing area to produce reliable energy through wind generation, available to the west coast of Scotland, a region that to date has been under resourced by such projects and where relatively few of the ScotWind projects are located.

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<sup>18</sup> <https://www.gov.scot/publications/update-2020-offshore-wind-policy-statement-scotlands-offshore-wind-ambition-2/documents/>

<sup>19</sup> <https://www.offshorewindscotland.org.uk/the-offshore-wind-market-in-scotland/scotwind-leasing-round/>  
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## 8.2.5 THE NEED TO GROW THE SCOTTISH RENEWABLE ENERGY SUPPLY CHAIN

- 8.2.5.1 Development of the local supply chain alongside the development of offshore wind is a key priority within the Scottish Government, emphasising the need for a just transition within the marine energy sector. Clear policy objectives on how decarbonisation should be achieved whilst maximising economic opportunities for Scotland such as those set out in the Scottish Energy Strategy (Scottish Government, 2017), Just Transition: A Fairer, Greener Scotland (Scottish Government, 2021) and Offshore Wind Focus (Scottish Government, 2024c) highlight the need for the development of green skills and jobs for the Scottish workforce, building on those currently available within high-carbon sectors such as oil and gas.
- 8.2.5.2 The Crown Estate Scotland issued advice on the Supply Chain Development Statements (SCDS)<sup>20</sup>, required on a project specific basis during ScotWind leasing. As part of these SCDSs, the 19 ScotWind projects collectively committed to investing £28 billion into potential Scottish economic activity<sup>21</sup>. Specifically, Spiorad na Mara has committed £470 million within the Scottish supply chain throughout the Project's lifecycle, with ambition to spend a further £430 million (Spiorad na Mara, 2023). Mechanisms for achieving this ambition include:
- Identifying existing potential suppliers in the projects' locality;
  - Actively developing new local supply sources for the project and broader industry;
  - Informing the supply chain of requirements for each project stage;
  - Requiring contractors to provide opportunities to local suppliers;
  - Collaborating with other projects, support agencies and the industry to expand supply chain opportunities.
- 8.2.5.3 This investment is, however, dependent on external parties and a local supply chain being progressed and available, with sufficient capacity on an internationally competitive basis. Critical to local supply chain commitments is access to suitable port facilities. Specific to the Project, the preferred port for operation and maintenance is Stornoway. Locating the O&M port in Stornoway is expected to bring long term investment and jobs to the port, due to the 35 year lifetime of the operational phase. Scottish Government have recently (January 2026) announced £1.8 million funding to support the development of Stornoway Port's proposed Deep Water South Project. Deep Water South aims to position the Outer Hebrides as a centre for future offshore wind projects, by accommodating a range of vessels for offshore wind development<sup>22</sup>.
- 8.2.5.4 Based on the most recent guidance from the Climate Change Committee's (CCC) Seventh Carbon Budget, to meet a Balanced Pathway scenario of an 87% reduction in UK emissions (from 1990 levels) by 2042, 15 GW of capacity from renewables (offshore and onshore wind and solar) in 2023 will need to grow to 66 GW by 2045 in the UK. This will require increased OWFs accompanied by

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<sup>20</sup> <https://crownestatescotland.com/sites/default/files/2023-07/supply-chain-development-statement-summary.pdf>

<sup>21</sup> [ScotWind leasing round | Crown Estate Scotland](#)

<sup>22</sup> <https://www.gov.scot/news/increasing-offshore-wind-investment-and-ambition/>

expansion to the transmission grid and quickening the grid connection process. On the Isle of Lewis, a planned new SSEN project, the Western Isles HVDC Link Project, is currently in planning to allow for the expansion of renewable energy generation in the Western Isles, as the existing electricity network is at full capacity (SSEN, 2025).

8.2.5.5 Local jobs are also expected to be created through the Project's implementation, with both permanent and temporary positions available throughout the lifecycle of Spiorad na Mara. During construction, over 171 jobs would be created in the Western Isles per annum, with up to 370 FTE through the operational phase to support the operations and maintenance activities. The Project aims to ensure as many of these jobs as possible are available to islanders<sup>23</sup>. As set out within Section 6.6.1.8 of **Offshore EIAR Chapter 6: Socio-Economics, Volume 1b** it is of note that the proportion of the workforce in the Western Isles employed in construction is higher than the national average (7.39% compared to 4.9% nationally). This could indicate that construction jobs related to the project would be particularly beneficial to the local workforce.

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<sup>23</sup> [Public-Consultation-Booklet-Digital-Version-FINAL.pdf](#)  
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## 9 STEP 2: RELEVANT WORKS AND RESIDUAL POTENTIAL DAMAGE

9.1.1.1 As detailed in Section 5 (the sites, features and quantum included within the HRA derogation case) and Section 6 (the pressures and project aspects driving the risk of an AEOI), the relevant effects associated with the species identified for inclusion within this HRA derogation case (**Table 2-1**) are summarised below.

Table 9-1 Summary of the sites and features

Site	Feature	Conclusion of AEOI		Relevant effect
		Applicant's Approach	NatureScot Approach	
East Caithness Cliffs SPA	<b>Kittiwake</b>	AEOI cannot be ruled out	AEOI cannot be ruled out	Collision and distributional response
Flamborough and Filey Coast SPA	<b>Kittiwake</b>	AEOI cannot be ruled out	AEOI cannot be ruled out	Collision and distributional response
Forth Islands SPA	<b>Gannet</b>	AEOI cannot be ruled out	AEOI cannot be ruled out	Collision and distributional response
North Caithness Cliffs SPA	<b>Kittiwake</b>	No AEOI	AEOI cannot be ruled out	Collision and distributional response
Outer Firth of Forth and St Andrews Bay Complex SPA	<b>Gannet</b>	AEOI cannot be ruled out	AEOI cannot be ruled out	Collision and distributional response
Seas off St Kilda SPA	<b>Razorbill (assemblage feature)</b>	No AEOI	AEOI cannot be ruled out	Distributional response
St Kilda SPA	<b>Razorbill (assemblage feature)</b>	No AEOI	AEOI cannot be ruled out	Distributional response
West Westray	<b>Kittiwake</b>	AEOI	AEOI	Collision and distributional response

9.1.1.2 Collision risk as a pressure can therefore impact kittiwake and gannet. The potential for impact is limited to the operational and maintenance phase of the Offshore Project, when birds are in flight. The key drivers of this risk within the Offshore Project description assessed in the **Offshore RIAA** are as follows:

- Array location;
- Number of turbines;
- Air gap (distance between lower top height and sea surface);
- Rotor diameter.

9.1.1.3 Distributional response as a pressure can therefore impact kittiwake, gannet and razorbill. The potential for impact is focused on the operational and maintenance phase of the Offshore Project, when the WTG are in situ. The key drivers of this risk within the Offshore Project description assessed in the **Offshore RIAA** are as follows:

- Array location;
- Array extent.

9.1.1.4 For the other elements of the Offshore Project description assessed within the **Offshore RIAA**, there are none that would have a bearing on collision risk or distributional response with respect to the species considered and cannot be alternative solutions.

## 10 STEP 3: CONSIDERATION OF ALTERNATIVES

10.1.1.1 Several alternatives to the development of the Offshore Project have been considered. In each case, the alternatives have been compared against the Offshore Project objectives as outlined in Section 8 to determine if they are feasible alternatives, which would meet the objectives of the Offshore Project. The alternatives broadly sit under the following categories, with further detail provided throughout Section 10:

- Do nothing;
- Alternative locations;
- Alternative designs;
- Other operational alternatives.

10.1.1.2 As referenced by the Scottish Government (2024b), when considering alternatives consideration is also given to the UK's Overarching National Policy Statement for Energy (EN-1, DESNZ (2025)). Among other considerations, EN-1 specifically states with respect to the critical national priority (CNP) for provision of nationally significant low carbon infrastructure:

*'Government has therefore concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure'*

*'Government strongly supports the delivery of CNP Infrastructure and it should be progressed as quickly as possible'*

*'For projects which qualify as CNP Infrastructure, it is likely that the need case will outweigh the residual effects in all but the most exceptional cases'*

*'requires a significant number of deliverable locations for CNP Infrastructure and for each location to maximise its capacity'*

*'the fact that there are other potential plans or projects deliverable in different locations to meet the need for CNP Infrastructure is unlikely to be treated as an alternative solution'*

*'the existence of another way of developing the proposed plan or project which results in a significantly lower generation capacity is unlikely to meet the objectives and therefore be treated as an alternative solution'*

*'Where, following Appropriate Assessment, CNP Infrastructure has residual adverse impacts on the integrity of sites forming part of the UK national site network, either alone or in combination with other plans or projects, the Secretary of State will consider making a derogation under the Habitats Regulations'*

## 10.2 DO NOTHING

- 10.2.1.1 The 'do nothing' option would mean not proceeding with the Project. Halting the development of the Project would remove all potential risk of harm to qualifying features in **Table 2-1** arising from the development and operation of the Project. However, the 'do nothing' option would not meet any of the objectives of the Project, as outlined in **Table 8-1**. The 'do nothing' option would also hinder the ability to meet the need (as referenced in Section 8) for installed renewable energy in Scotland, would not be consistent with the national and international commitments to reduce carbon emissions and mitigate the effects of climate change, and would hinder the ambitions set out in the British Energy Security Strategy<sup>24</sup>.
- 10.2.1.2 Further, the Project is one of the six offshore wind farms proposed through ScotWind on the west coast of Scotland. Of the 37.4 GW total in the draft updated SMP, just 2.3 GW is located in the 'West' region (including the 2 GW ScotWind project, Machair) and 5.35 GW in the 'North' region (including the ScotWind projects of West of Orkney (2 GW), Havbredey (1.5 GW), Talisk (495 MW) and the Offshore Project (0.9 GW)). Of these, only the Project, West of Orkney and Machair will utilise the established technology of fixed foundation, the remainder are floating wind. The supply chain is 'fixed wind ready' due to the track record within Scotland of deploying these turbines, thus OWFs using this technology are more likely to aid in rapid decarbonisation. Therefore, the Project is crucial in enabling the supply of renewable energy from the west coast to the Scottish grid, supporting jobs and infrastructure across Scotland.
- 10.2.1.3 There is the possibility that alternatives to new electricity infrastructure, such as a reduction in total demand through energy efficiency or hydrogen as an alternative fuel source could mean the 'do nothing' option could mean some of the Projects' objectives at a strategic scale may not be hindered (while failing to meet Objectives at the local scale). However, as set out in national policy<sup>25</sup>, the UK Government has considered these options and considered there is still a need to increase electricity generation capacity. In addition, green hydrogen would still require electricity to ensure this remains a clean energy source.
- 10.2.1.4 Therefore, the 'do nothing' option would fail to meet objectives 1, 2, 3, and 5 of the Project and has been discounted as a feasible alternative.

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<sup>24</sup> <https://www.gov.uk/government/publications/british-energy-security-strategy/british-energy-security-strategy>

<sup>25</sup> <https://www.gov.uk/government/publications/national-policy-statement-for-renewable-energy-infrastructure-en-3/national-policy-statement-for-renewable-energy-infrastructure-en-3>

## 10.3 OTHER LOCATIONS

### 10.3.1 ARRAY LOCATIONS NOT IN UK EEZ OR WITHIN NON SCOTTISH SECTIONS OF THE UK EEZ

- 10.3.1.1 Alternative locations for an offshore wind farm outside the UK EEZ would not meet any of the core Project objectives, including those which aim to address UK need for net zero, decarbonisation and a domestic supply of renewable energy.
- 10.3.1.2 With regard to a location within the UK EEZ but outside Scottish waters, in the decision on the Green Volt offshore wind farm, the Scottish Government (2024b) confirmed that *'offshore wind farm projects located either outside Scottish territorial waters, i.e., within UK territorial waters, or in other countries, are not an alternative to the Project since this would not meet the identified objectives which are specific to Scottish waters with a view to achieving Scotland's offshore wind and net zero ambitions'*.
- 10.3.1.3 In addition, sites outside the UK will be required by other Member States and countries to achieve their own respective targets and in respect of climate change and renewable energy. Development of non-UK sites could also detract from the development of a stronger Scottish supply chain for renewable energy and is unlikely to hold the security of energy supply provided by home-generated electricity.
- 10.3.1.4 Therefore, locations outside Scottish or UK waters cannot be an alternative solution to the Project and would fail to meet all Project objectives.

### 10.3.2 OTHER ARRAY LOCATIONS WITHIN SCOTTISH EEZ

- 10.3.2.1 The available locations for offshore wind farm development within Scottish waters are limited. Crown Estate Scotland (CES) holds the exclusive rights to manage the leasing of seabed for offshore wind development within Scottish waters, with seabed made available for offshore wind development selectively in successive offshore leasing rounds. CES has not publicised any intention to hold further leasing rounds in the immediate term and therefore the only alternative locations within the Scottish EEZ for an offshore wind farm are locations currently with ScotWind or INTOG; these locations would not deliver on the Projects' objectives. Notably, INTOG lease areas would not offer sufficient capacity and an alternative ScotWind lease area would fail to maximise the potential from all lease areas and fail to support the local supply chain on the Isle of Lewis.
- 10.3.2.2 Furthermore, 19 sites are included in the most recent ScotWind round (following the merging of two projects, and noting the recent handing back of a lease for a 3 GW option site). If Scotland is to achieve its climate and renewable energy ambitions (such as an additional 40 GW offshore wind by 2042), as set out in Section 8.2 it is expected that all these projects will be required to develop in a timely manner.

## 10.4 CONSIDERATION OF FEASIBLE DESIGN ALTERNATIVES

10.4.1.1 An important part of the development process for the Offshore Project has been understanding the drivers for potential significant impacts (for EIA and HRA) and determining where such impacts could be mitigated including through consideration of physical project footprint, potential design or construction options, and the refinement of project infrastructure. **Offshore EIAR Chapter 4: Consideration of Alternatives, Volume 1a**, summarises the site selection process for the Offshore Project, the alternatives considered and the reasons for selecting the chosen options, in the context of the Offshore Project's obligations with regards to the EIA regulations. The consideration of alternatives in an HRA context is wider than that required under the EIA regulations, and those considered have been set out within this report. The Consultation is a key part of this process informing all stages, and has helped to refine the final Offshore Project description through wider spatial, design and process considerations.

10.4.1.2 All elements of the Offshore Project description have been considered through the assessment process, to ensure that feasible and practical mitigation has been considered, developed and incorporated, where deemed appropriate to do so. The Offshore Project has incorporated a number of commitments (including primary design principles which are integral to the Offshore Project and installation techniques) when preparing the Application, to eliminate and/or reduce the Offshore Projects' impact across a range of receptors (including but not limited to those considered within this HRA derogation case). These are outlined in full in **Offshore EIAR Chapter 25: Summary of Offshore Mitigation / Statement of Offshore EIA Commitments, Volume 2a**.

10.4.1.3 It is important to note that not all alternatives considered and included within the project description within **Table 1-7** of the **Offshore RIAA, Offshore EIAR Chapter 3, Volume 1a** and **Offshore EIAR Chapter 4, Volume 1a** are relevant to the HRA derogation case. Section 6 above highlights the pressures driving the AEOI risk for relevant sites and species, with these being as follows:

- Array location (collision risk and distributional response);
- Array extent (distributional response);
- Number of turbines (collision risk);
- Air gap (distance between lower tip height and sea surface);
- Rotor diameter (collision risk);
- Periods of shutdown (collision risk).

10.4.1.4 The alternatives considered here therefore relate to the above only, with these discussed in Sections 10.4.2 to 10.4.6 below.

## 10.4.2 ARRAY LOCATION

- 10.4.2.1 The array location is relevant for the bird species considered here, where the pathway for potential AEOI arises due to collision risk and/or distributional response.
- 10.4.2.2 The array location for the Offshore Project was defined by the CES ScotWind leasing round. For the Offshore Project, the array location is defined as the Array Area. A clear case is made to demonstrate that alternative array locations are not feasible alternatives for the Offshore Project (see Section 10.3) and could fail to meet all Offshore Project objectives if placed outside of Scottish waters. Array location is therefore not considered further as an alternative.

## 10.4.3 ARRAY EXTENT (THE TURBINE AREA)

- 10.4.3.1 The array extent is relevant for the bird species considered here, where the pathway for potential AEOI arises due to distributional response and/or collision. For the Offshore Project, all wind turbine generators (WTGs) will be located within the Turbine Area.
- 10.4.3.2 The Turbine Area, as depicted within **Plate 1-1** is by necessity located within the Array Area, as WTGs cannot be located outside the boundary defined by the lease (see Section 1.1.1.2). The potential for a distributional response is a function of the location and extent of individual WTGs and is assessed via a combined WTG footprint plus species specific buffer (**Offshore EIAR Appendix 14:2 Displacement Report, Volume 2c**). In principle, a reduction in the Turbine Area is likely to result in a reduced distributional effect on birds.
- 10.4.3.3 The Turbine Area is defined in **Offshore EIAR Chapter 4, Volume 1a** and was implemented following stakeholder consultation. The turbine area refinement has taken into account a number of environmental aspects including marine ornithology and visual and landscape impacts. The Turbine Area selected addressed stakeholder concerns particularly around visual impact (including a 6 km set back of all turbines from the coast, an 11 km setback from North Uist (to accommodate Harris Wild Land Area) and an up to 7 km setback from the South Lewis, Harris and National Scenic Area), with marine ornithology taken into account as follows:
- 'hot spot analysis to determine the distribution of five key sensitive seabird species within the Array Area (from 24 month of digital aerial survey) indicated the highest density of four of the key seabird species (Gannet *Sula bassana*, Guillemot *Uria aalge*, Razorbill *Alca torda* and Puffin *Fratercula arctica*) in the south and southwest region of the Array Area. As all these species are susceptible to the effects of disturbance, which may occur beyond the boundaries of the Array Area itself, increasing the distance from the Array Area boundary to this hot spot may reduce the risk of birds being displaced.'
- 10.4.3.4 A species specific buffer is applied to the Turbine Area when calculating the potential for impact from the distributional effect on birds (as presented in **Offshore EIAR Appendix 14.2, Volume 2c**). The inclusion of a buffer can effectively mask some of the benefit to be gained from a reduction in

Turbine Area, as a percentage reduction in Turbine Area is not directly reflected in an equal percentage reduction in Turbine Area plus buffer (i.e. a smaller overall percentage reduction in total area results when a buffer is applied). In addition, a reduction in Turbine Area does not necessarily result in a proportional reduction in distributional response, with the distribution of birds within the Turbine Area plus buffer also important. Removal of a high bird density part of the Turbine Area would have a disproportionately large benefit when compared to the same spatial extent removed from the Turbine Area from a low bird density area. Although in general the bird densities across the Array Area are relatively evenly distributed (**Offshore EIA Appendix 14.1: Ornithology Baseline Report, Volume 2c**), there is a key exception to the south of the Array Area and towards the south and east of the Array Area. Here, a hot spot is evident for the four named species above (see 10.4.3.2). The Array Area has been refined to form the Turbine Area, thus reducing the overlap with the ornithological hot spot.

- 10.4.3.5 With respect to collision risk, the larger the turbine area the greater the number of birds at potential risk of collision (assuming that bird numbers are linked to area). Through reducing the turbine area, and in particular reducing areas of greater bird density as per the hot spot described above, the number of birds at risk of collision also reduce.
- 10.4.3.6 However, the lack of other hot spot areas means that any further reduction in Turbine Area would have a disproportionately small benefit to the key bird species (as no further areas of relatively higher bird density exist) and would therefore need to be at a significant scale to offer any reduction in assessed impact, particularly given the small impact numbers of the Offshore Project (see Section 2.2.1.4). Such a change would have a disproportionate effect on the ability of the Offshore Project to safeguard against currently unknown constraints or to install sufficient number of wind turbines to generate the installed capacity cited within the agreement for lease with the CES. A reduced Turbine Area would reduce the capacity of the Offshore Project thus conflicting with the UK's Overarching National Policy Statement for Energy (Policy EN-1, DESNZ (2025)) to drive expansion of renewable energy, and would not fulfil Project Objective 3 to maximise installed capacity. While design options and turbine locations remain under determination, it is critical to retain some flexibility for layout and micro siting of turbines to mitigate against factors such as ground conditions. It also ensures that the final design can optimise annual energy production through such micro siting.
- 10.4.3.7 It is considered that further restrictions on the Turbine Area would prevent the Offshore Project from meeting Objectives 1, 3 and 5 relating to maximising the production of renewable energy for Scotland and providing power for up to 1.2 million Scottish homes. It is therefore not a feasible alternative for the Offshore Project.

## 10.4.4 NUMBER OF TURBINES

- 10.4.4.1 The number of WTGs is relevant for the bird species considered here, where the pathway for potential AEOI arises due to collision risk.
- 10.4.4.2 The number of WTGs is a key factor in determining collision risk. A reduction in WTG numbers, assuming all else is equal, has the potential to reduce collision risk on the principle that there would be fewer 'opportunities' for a bird to collide with a turbine.
- 10.4.4.3 Within the Turbine Area, the Offshore Project description (**Offshore EIAR Chapter 3, Volume 1a**) presents a design envelope from within which the final design parameters will be selected. This is to allow for flexibility in the final design stage, while presenting the 'worst case scenario' for various parameters. These represent a reduction on the 66 WTGs included in initial community consultation materials (Sporad na Mara, 2024). As described in **Offshore EIAR Chapter 4, Volume 1a**, this reduction in maximum WTG numbers will mitigate for visual and ornithological impacts.
- 10.4.4.4 For each WTG type under consideration, key turbine parameters differ to enable the potential estimated capacity of 900 MW (as per the Project Objectives and as detailed in the grid connection agreement with the National Grid Energy System Operator) to be maintained, with these key differences between the larger and smaller WTG options summarised in **Table 10-1**. It is of note that some of these parameters are also considered here as design alternatives (see Section 10.4.5 for consideration of air gap, which is linked to the maximum blade tip height and hub height, and rotor diameter), with a decrease in WTG numbers potentially requiring an increase in these parameters.

Table 10-1 Maximum Design Parameters for Wind Turbine Generators Assessment

Assessment Parameter	Smaller WTG type	Larger WTG type
Number of WTGs	60	44
Maximum Rotor Diameter	236 m	280 m
Maximum Blade Tip Height (above Mean Sea Level (MSL))	293.8 m	338.4 m
Maximum Chord (rotor blade width)	5.3 m	8 m
Maximum rotation per minute	9.3 rpm	10 rpm
Maximum Swept Area of Rotor <sup>26</sup>	2,624,612 m <sup>2</sup>	2,709,310 m <sup>2</sup>

- 10.4.4.5 The collision risk modelling (**Offshore EIAR Appendix 14.3: Collision Risk Modelling Report, Volume 2c**) has been undertaken based on a worst case scenario for collision, which for the Offshore Project is the smaller WTG type above. This is due to bird flight distribution generally increasing at lower altitudes, and with smaller turbines, a greater proportion of the rotor diameter

<sup>26</sup> This has been included as it provides useful context throughout the alternatives chapter, rather than as a parameter that has been assessed.

will fall within these lower altitudes. Thus, the likelihood for collisions to occur, increases. Maintaining flexibility in the design envelope for WTG type is essential to ensure that maximum installed capacity (Objective 3) for the site can be delivered. Flexibility is required to ensure the Offshore Project remains feasible for example by flexibility in future supply chains and to ensure the Project remains competitive through the Contracts for Difference (CfD) process<sup>27</sup>. The ability of the Project to remain competitive will be important to ensure resilience in UK market conditions. As the offshore wind industry continues to evolve in an effort to improve safety, efficiency and to reduce costs, including a range of potential WTG numbers and size is routine practice for an offshore wind farm application in the UK. Most applications include for a range of WTG physical parameters and reference the maximum number of WTGs, precisely to afford that required flexibility and competitiveness when the build out of a project may be some years in the future. The Applicant requires such flexibility in design to ensure that they are not precluded from taking advantage of new, safer or more cost effective technology, at final design stage. This balanced approach ensures that the Project's generation objectives are met, in supporting national decarbonisation and energy security goals, whilst maintaining sufficient flexibility to maximise the generation capacity of the Project, and proceed within the framework of environmental constraints and stakeholder engagement.

10.4.4.6 A further restriction on the number of WTGs, assuming all else is equal (see **Table 10-1**), and whilst maintaining the installed capacity, is not considered a feasible alternative on the basis that it could jeopardise the financial feasibility of the Project, or result in significant project delivery risk whilst not resulting in a material reduction in impact to birds (see Section 2.2.1.4).

#### 10.4.5 AIR GAP AND ROTOR DIAMETER

10.4.5.1 The air gap (the distance between the blade tip at its lowest point and the sea surface) is relevant for the bird species considered here (kittiwake and gannet), where the pathway for potential AEOI arises due to collision risk.

10.4.5.2 Increasing the air gap effectively increases the space between the sea surface and turbine blades through which birds can fly, with potential to decrease the risk of collision. However, increasing the air gap needs to be considered in the context of a number of other factors that are material to the feasibility of the Offshore Project.

10.4.5.3 Factoring in the competing risks and impacts from an increased air gap, a balanced decision has been reached that 30m is considered to be the minimum height for the air gap at this time, when considering engineering risk, safety at sea and collision risk impact to seabirds. Due to the water depths, metocean conditions and WTG sizes, increasing the air gap would require taller or heavier towers or a raised foundation interface, which in turn increases the lift height and crane capacity

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<sup>27</sup> <https://commonslibrary.parliament.uk/research-briefings/cbp-9871/>  
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needed for turbine installation and therefore restricts the project to a very small pool of high-specification installation vessels whose availability is already limited and highly competitive. At the same time, raising the rotor increases overturning moments at the seabed, meaning foundations must become significantly larger and heavier to maintain stability and fatigue performance, driving costs up further.

- 10.4.5.4 In water depths of up to 65m, these increased structural and installation demands can exceed what the seabed, installation vessels, or practical foundation sizes that can be accommodated across the whole site, meaning parts of the array area may no longer be suitable for turbine placement. Therefore, 30m air gap is feasible to deliver from an engineering risk perspective (both installation and operation) whilst also considering risk to ornithology receptors.
- 10.4.5.5 The rotor diameter is also relevant for the bird species considered here (kittiwake and gannet), where the pathway for potential AEOI arises due to collision risk.
- 10.4.5.6 Rotor diameter dictates the swept area of a WTG; a larger rotor diameter (longer blades) is able to capture more wind and generate more energy. It also means (all other parameters being equal) that as the swept area increases, for an individual hypothetical WTG, there would be an increased risk of collision. Total project rotor area (or swept area) is also linked to WTG number (Section 10.4.4) and the air gap discussed above, since to enable the same installed capacity a trade off between the number of turbines and rotor diameter of individual turbines is required (see **Table 10-1**).
- 10.4.5.7 A reduction in total project rotor diameter cannot be achieved, without changing other parameters, if the installed capacity (a key Project objective) of the Offshore Project is to be maintained. For other parameters to be changed, such as an increase in WTG size, such changes would need to remain within that set out in the Project Design Envelope (PDE) together with being compatible with the WTG technology and installation vessels that currently exist. Therefore, without affecting the PDE, rotor diameter cannot be reduced and is therefore not a feasible alternative for the Offshore Project as this would fail to deliver on Project Objectives 1, 3 and 5 whilst not resulting in a material reduction in impact to birds (see Section 2.2.1.4).
- 10.4.5.8 Collision risk for birds is also the product of the collision risk per WTG and the number of turbines; however, as the typical flight height of birds is skewed towards low altitudes (most kittiwake and gannet flights are at altitudes of less than 80 m Johnston *et al.*, 2014), for the same total project generating capacity, the collision risk is expected to be higher when that is achieved by a larger number of turbines with a small rotor diameter, than when it is achieved by a smaller number of larger turbines, as seen in the maximum design parameters in **Table 10-1**. In other words, the maximum rotor swept area is important for determining collision risk, but it is linked to other parameters and reducing one parameter when seeking to reduce impact means increasing others. The worst case scenario for collision risk has applied the combination of parameters resulting in the greatest collision risk.

10.4.5.9 The maximum design parameters in **Table 10-1** provide for the required flexibility in the PDE, as referenced above, without which the Offshore Project will not remain feasible. To reduce the rotor diameter, and to maintain the installed capacity, would require other parameters to increase (e.g. number of WTGs) and would therefore not provide an alternative as this would fail to deliver on Project Objectives 1, 3 and 5 whilst not resulting in a material reduction in impact to birds (see Section 2.2.1.4).

#### 10.4.6 PERIODS OF SHUTDOWN

10.4.6.1 For the species where collision risk is a contributor to the conclusions as presented in **Table 2-1** (kittiwake and gannet), i.e. an AEOI could not be ruled out, significant and lengthy shutdown periods would need to be implemented to lead to a meaningful reduction in collision risk (see Section 2.2.1.4 with respect to small numbers) and would have no bearing on distributional response (which is also a contributor to the conclusions). These extended shutdown periods would reduce overall Project feasibility, through limiting the ability of the Offshore Project to generate renewable electricity. In addition, shut down periods are known to increase strain on component parts of WTGs, thus increased operation and maintenance costs would likely arise. There are also potential grid connection implications and increased wear on turbines.

10.4.6.2 It is considered that inclusion of shutdown periods would prevent the Offshore Project from meeting Objectives 1, 3 and 5. It is therefore not a feasible alternative for the Offshore Project.

## **11 STEP 4: ASSESSMENT AND COMPARATIVE ANALYSIS OF FEASIBLE ALTERNATIVE SOLUTIONS**

11.1.1.1 Step 4 of the derogation process involves the assessment of any feasible alternatives identified in Step 3. However, as the previous Steps 1-3 have set out, all alternatives have been considered and there are no feasible alternatives either at plan level or at project level that could be incorporated into the Offshore Project while delivering on the Objectives. The Offshore Project has already considered all Alternatives and incorporated any that are feasible through commitments made in the Application.

## 12 SUMMARY AND OVERALL CONCLUSIONS ON ALTERNATIVE SOLUTIONS

12.1.1.1 Sections 7 to 11 have set out the alternative solutions considered as part of this HRA derogation case, including clear and justified reasons for discounting these alternatives to the Offshore Project. In conclusion, it is the Applicant's position that none of the alternatives identified and considered have the potential to meet the Project Objectives and, therefore, there are no alternatives to the Offshore Project. That conclusion is drawn with reference to the potential for impact, with any alternative considered resulting in significant project delivery risk whilst not resulting in a material reduction in impact to birds (see Section 2.2.1.4). The design alternatives have been considered alongside the magnitude of predicted impacts and the level of design changes which would be required to achieve a lessened effect. For more detail, see Section 2.2.1.4. This consideration of alternatives has been undertaken to provide the evidence to Scottish Ministers and MD-LOT, should it be required, that there are no feasible alternatives to the Offshore Project.

Table 12-1 Summary of potential alternatives considered and discounted for the Offshore Project

Alternative	Alternative Summary	Reason for Discounting	Relevant Project Objective(s)
Do nothing (Section 10.2)	Not progressing the Offshore Project	Renewable energy would not be generated.	Objectives 1, 2, 3 and 5
Alternative locations (Section 10.3)	Array locations not in UK EEZ or within non Scottish sections of the UK EEZ	A Scottish source of renewable energy and associated supply chain would not be developed.	All objectives
	Other array locations within Scottish EEZ	No sites outside of the existing ScotWind areas are available for offshore wind. All such sites will need to be developed in order to meet targets such as 40 GW capacity by 2042.	Objective 4
Alternative designs (Section 10.4)	Reduction of the Turbine Area	The ability of the Offshore Project to generate renewable energy would be compromised.	Objectives 1 and 5
	Reduction of turbines	The ability of the Offshore Project to generate renewable energy would be compromised.	Objectives 1, 3 and 5
	Increase of air gap	There are technical difficulties for installation and operation with increasing air gap, such as engineering risk and safety at sea, which mean increasing the air gap further is not feasible.	Objectives 1, 3 and 5
	Rotor diameter	Rotor diameter cannot be reduced without limiting other WTG parameters, which would likely reduce generating capacity	Objectives 1, 3 and 5

Alternative	Alternative Summary	Reason for Discounting	Relevant Project Objective(s)
	Periods of shutdown	The ability of the Offshore Project to generate renewable energy would be compromised	Objectives 1, 3 and 5

# IMPERATIVE REASONS OF OVERRIDING PUBLIC INTEREST

## Report to Demonstrate IROPI

## 13 INTRODUCTION TO IMPERATIVE REASONS OF OVERRIDING PUBLIC INTEREST

13.1.1.1 A HRA derogation requires that a project having an AEOL (or where it is uncertain) on a European site, and where there are no feasible alternative solutions, may proceed if there are reasons of IROPI for doing so. This section of the HRA derogation case is provided to demonstrate that Scottish Ministers can be satisfied that there are IROPI for the Offshore Project, should their Appropriate Assessment conclude, or cannot rule out, an AEOL in respect of any European Site. Where a project is to proceed on the grounds of IROPI, it is necessary to secure any compensatory measures necessary to ensure the overall coherence of the UK Site Network. That information is provided, if required, within the **Compensation Roadmap**.

13.1.1.2 This part of the document sets out the case for why the Offshore Project must be carried out for IROPI in view of its social and economic benefits. These align with and are required in order for the policy aspirations and legal commitments made by Scottish and UK Government to be achieved at national and international level. The IROPI case presented clearly demonstrates that the Offshore Project can play a major role in the rapid development of the limited supply of fixed foundation wind sites in Scotland, a well established approach to delivering renewable energy. This is especially important on the west coast of Scotland where offshore wind supply is currently limited, to support the achievements of key Scottish and UK Government legally binding targets for rapidly installed low carbon domestic energy, and to provide a substantial social and economic stimulus to the local area.

13.1.1.3 The IROPI information in this document is structured as set out in **Table 13-1** below.

Table 13-1 Structure of the IROPI Case in this report

Section Title	Section in Report	Section Content
The Offshore Projects' IROPI Case	<b>Section 13.2</b>	The scope of the IROPI case
	<b>Section 13.3</b>	<b>Imperative:</b> demonstrating the need, urgency and importance of the Offshore Project.
	<b>Section 13.4</b>	<b>Public interest:</b> being clear on the Offshore Projects' public interest, and not solely private interest (although a private interest can deliver on a public objective)'.
	<b>Section 13.5</b>	<b>Long-term interest:</b> demonstrating that the Offshore Project will provide a long-term public interest.
	<b>Section 13.6</b>	<b>Overriding:</b> balancing the public interest of the Offshore Project with its impacts on the relevant European sites.
IROPI conclusion	<b>Section 14</b>	The conclusion of the IROPI case to support the Offshore Project.

## 13.2 THE SCOPE OF IROPI

13.2.1.1 The scope of IROPI is discussed within published NatureScot (2025) guidance and guidance notes such as DEFRA (2012, 2023) and Managing Natura 2000 (EC, 2018). NatureScot (2025) identifies IROPI, where a priority habitat or species is not present, as being those of a social or economic nature. Overall, the following principles can be drawn from the guidance:

- Imperative - this highlights that the Offshore Project is essential, urgent and important, with the Offshore Project objective(s), considered indispensable or essential (imperative). Relevant objectives can include examples such as:
  - Actions or policies aimed at protecting (e.g. health, safety, environment);
  - Policies that are fundamental to State and Society;
  - Activities of an economic or social nature, where these fulfil specific obligations of public service.
- Public interest - there must be a public and not solely private interest (although a private interest can coincide with a public objective);
- Long-term<sup>28</sup> - short-term interests are unlikely to be considered overriding because the conservation objectives of the Habitats and Birds Directives are long term interests;
- Overriding - the public interest of development must outweigh the harm or risk of harm to the relevant European site(s).

13.2.1.2 As referenced by the Scottish Government (2024b), when considering alternatives consideration is also given to the UK's Overarching National Policy Statement for Energy (EN-1, DESNZ (2025)). This specifically notes the following with respect to IROPI and need case for HRA derogations and Marine Conservation Zone (MCZ) assessments (reference to alternatives is provided in Section 10):

*'The Secretary of State will consider the particular circumstances of any plan or project, but starting from the position that energy security and decarbonising the power sector to combat climate change... are capable of amounting to imperative reasons of overriding public interest (IROPI) for HRAs, and ... the benefit to the public is capable of outweighing the risk of environmental damage, for CNP Infrastructure'*

*'Provision of such information will not be taken as an acceptance of adverse impacts and if an applicant disputes the likelihood of adverse impacts, it can provide this information as part of its application 'without prejudice' to the Secretary of State's final decision on the impacts of the potential development.'*

*'For projects which qualify as CNP Infrastructure, it is likely that the need case will outweigh the residual effects in all but the most exceptional cases'*

13.2.1.3 As highlighted in 13.2.1.1 in NatureScot (2025), where a site hosts a priority species or natural habitat, the available considerations for IROPI are more restrictive and are limited to "reasons

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<sup>28</sup> Long term here is taken to mean multiple years, and for an ecological interest would refer to multiple breeding cycles

relating to human health, public safety, or beneficial consequences of primary importance to the environment or other reasons which in the opinion of the European Commission are imperative reasons of overriding public interest” (from Regulation 49 of the Habitats Regulations 1994<sup>29</sup>). There are no priority species in any SAC in Scotland and no bird species, including those listed in Annex I of the Birds Directive, has priority status in the context of the Habitats Directive<sup>30</sup> and therefore the more restrictive definition of IROPI does not apply to this HRA Derogation Case.

## 13.3 IMPERATIVE

### 13.3.1 CLIMATE CHANGE AND DECARBONISATION

13.3.1.1 Climate change is a global issue, with the effects already being experienced worldwide. In Scotland, more extreme weather events such as intense rainfall and subsequent flooding and a hotter climate have already been experienced (Scottish Government, 2024d). Research indicates that climate change is already costing the Scottish economy billions of pounds per year through environmental, cultural, health, social care, justice and security effects (Watkiss *et al.*, 2021). In order to tackle climate change, clean, renewable energy is required to power our world. Decarbonisation of our energy supply will be vital in ensuring the continuation of daily lives, processes and industry without exacerbating the global climate crisis. This clearly demonstrates the urgent need for Scotland and the UK to possess a reliable renewable energy supply and develop a climate resilient economy<sup>31</sup>.

13.3.1.2 By its very nature as an offshore wind farm, the Project would contribute to that decarbonisation process through the provision of an estimated 900 MW of renewable electricity. As set out within Section 8.11 of **Offshore EIAR Chapter 8: Greenhouse Gases, Volume 1b**, the Project is expected to deliver significant lifecycle carbon savings through low-emission renewable electricity generation. Based on the estimated generation, the wind farm will have offset its lifecycle GHG emissions after approximately 49,798 GWh of electricity production. This milestone would be reached after approximately 30% of operational lifetime or around 128 months (~10 years). The GHG intensity estimated for the Project is 48 tCO<sub>2</sub>e/GWh, which is substantially lower than conventional fossil-fuel-based generation methods. Fixed offshore wind also provides the opportunity to rapidly work towards meeting this aim with a reliable and tested technology, which is ready to deploy at scale.

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<sup>29</sup> <https://www.legislation.gov.uk/uksi/1994/2716/regulation/49/made>

<sup>30</sup> <https://www.nature.scot/doc/priority-habitats-qualifying-interests-scotlands-special-areas-conservation-sacs-scotland#:~:text=Article%20of%20the%20Habitats,Directive%20or%20the%20Habitats%20Regulations>

<sup>31</sup> Scottish National Adaptation Plan 2024-2029 [Climate change: Scottish National Adaptation Plan 2024-2029 - gov.scot](https://www.gov.scot/publications/scottish-national-adaptation-plan-2024-2029/pages/10/)  
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13.3.1.3 The Scottish Government's (2025a, 2025d and 2025e) derogation cases for the West of Orkney Wind Farm, Berwick Bank Wind Farm and Salamander Wind Farm identified a number of objectives relevant to assessing and weighing IROPI. The key aspects of public interest identified can be summarised as follows:

- The climate emergency declared by Scottish Government in 2019, with global impacts and an urgent need for response and consequences including human health, social, economic and environment;
- Scottish and UK legislation that bring legal obligations to address climate change;
- Scottish and UK Government strategies and policies aimed at decarbonising, net zero and a cost effective secure energy supply;
- Development of the Scottish supply chain for ScotWind projects;
- Strong ambitions in terms of the amount of offshore wind required and the speed at which that is required.

13.3.1.4 It is notable that Scottish Government (2025a) considered with respect to West of Orkney that 'the Project will make an important material contribution to delivering on these statutory duties and thereby mitigating the effects of climate change'. Similarly, it was noted that the Scottish Government (2024b) considered that the abatement of the climate crisis by the development of the Green Volt offshore wind farm "will in turn alleviate the nature crisis, given that many of the pressures exerted by the nature crisis emanate from the climate crisis".

13.3.1.5 All of the above also applies to the Offshore Project and the public benefit of the Offshore Project with respect to climate change and decarbonisation is therefore clear, with this being both imperative and long term.

### **13.3.2 ENERGY SECURITY, JUST TRANSITION AND AFFORDABILITY**

13.3.2.1 The Offshore Project provides an opportunity to support the development of a climate resilient economy for Scotland by supporting local supply chains, the provision of local jobs and a domestic renewable energy supply. The development of fixed-bottom offshore wind also ensures the provision of economically viable power to the grid, as the tried and tested fixed-bottom wind farms can be installed and maintained at a lower cost than other offshore renewables. This is in line with objectives highlighted as a priority by Scottish and UK government and set out in numerous documents which support net zero ambitions through a just transition. These include the Draft Energy Strategy and Just Transition Plan (Scottish Government, 2023), the Scottish Government's Economic Transformation (Scottish Government, 2022), the Scottish National Adaptation Plan for 2024-2029 (2024d) and British Energy Security Strategy (HM Government, 2022).

13.3.2.2 The development of a wind farm within Scottish waters will contribute to increasing energy security for Scotland and the UK, helping to power the equivalent to 1.2million<sup>32</sup> homes per annum through renewable generation (Sporad na Mara Public Consultation Booklet, 2024, **Offshore EIAR Chapter 4, Volume 1a**). This is vital given the unstable political landscape of the war in Russia and associated energy crisis, and will contribute to meeting Scottish and UK Government targets for the generation of domestic renewable energy (**Offshore EIAR Chapter 8, Volume 1b**). In addition, this will provide renewable electricity at a competitive cost to consumers given the relative ease of deployment for fixed wind when compared with other renewable technologies. Thus the timely development of the Offshore Project is required to ensure energy security and affordability for Scotland.

13.3.2.3 The development of offshore wind on the west coast of Scotland could also help to ensure the benefits of the green transition are felt across the nation, providing jobs within the Western Isles rather than contributing to already established clusters in the north and east of Scotland (Scottish Government, 2023; **Offshore EIAR Chapter 6, Volume 1b**). Hence, the Offshore Project provides an opportunity to enhance the economy of the north western Scottish Islands whilst maintaining a just transition to a greener economy.

## 13.4 PUBLIC INTEREST

### 13.4.1 INTRODUCTION

13.4.1.1 Although a private joint venture, securing public benefit from offshore wind relies on experience and finance from the private sector. Both companies in the Joint Venture bring substantial technical expertise and finance to deliver the Project and realise the potential 900 MW capacity. Northland Power Ltd has a 35 year track record in the development, ownership and operation of offshore and onshore wind, solar, natural gas and battery energy storage projects<sup>33</sup>, with ESB having over 30 years of experience in delivering wind farms in the UK<sup>34</sup>.

13.4.1.2 The pursuit of decarbonisation as part of the fight against climate change is undoubtedly within the interests of public health and society. As outlined in Section 8 national targets in Scotland and the UK for the provision of renewable energy would be facilitated by the development of the Project. The Offshore Project location has been selected following a clear framework through the ScotWind leasing rounds, which identified optimal sites within Scottish waters, following a plan led approach to the development of the seabed. Thus, although the Project itself is being led by a

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<sup>32</sup> More than 1.2 million homes powered per annum based on the average Scottish annual household electricity consumption of 3,078kWh in 2022 (<https://www.gov.uk/government/statistics/regional-and-local-authority-electricity-consumptionstatistics>) together with a minimum projected 50%

wind load factor and a projected installed capacity of up to 900MW

<sup>33</sup> <https://www.northlandpower.com/en/about-northland/about-northland.aspx>

<sup>34</sup> [Our Wind Farms | Renewable Energy Sources UK | ESB Energy](#)

private entity, the Project is driven by national interests in decarbonisation and therefore has a strong public interest. The framework through which the site has been selected seeks to protect the environment and human health from the consequences of climate change and maximise the wider economic and societal benefits to Scotland; this also has a clear public interest.

13.4.1.3 Supply Chain Development Statements (SCDSs) have been required from the Project outset, meaning the opportunities for developing the Scottish renewables supply chain are being maximised. Millions of pounds of Scottish revenue is expected to be generated by the Project, which will in turn be passed to the Scottish Government for public spending (Sporad na Mara, 2023). Such financial commitments have a clear public interest. Further information on the socioeconomic benefits of the Project is provided below in Section 13.4.2.

## 13.4.2 SOCIOECONOMIC BENEFITS

13.4.2.1 In the absence of priority habitats and species (see paragraph 13.2.1.1), socio-economic benefits can be considered as part of an IROPI case. Therefore, the section below outlines the potential socioeconomic benefits that are of public interest and which the Project would deliver.

### Development of local supply chain capacity and capability

13.4.2.2 The need to grow the Scottish renewable energy supply chain is emphasised in Section 8.2.5. The development of the Project will require specialist input from that supply chain, which is estimated to be worth in the region of £470 million over the Project lifetime (Sporad na Mara, 2023). To facilitate the use of local suppliers, the Applicant has already begun engagement with large contractors, local educational institutions and support agencies. As set out within Section 6.6.1.8 of **Offshore EIAR Chapter 6, Volume 1b**, it is of note that the proportion of the workforce in the Western Isles employed in construction is higher than the national average (7.39% compared to 4.9% nationally). This could indicate that construction jobs related to the project would be particularly beneficial to the local workforce.

13.4.2.3 As referenced above, the ScotWind leasing round required applicants to submit a SCDS to Crown Estate Scotland, detailing commitments and ambitions for supply chain spend in Scotland, the rest of the UK, Europe and elsewhere, for each stage of the Project's development. Based on the 2023 SCDS for Sporad na Mara, the Applicant has already committed to an investment of £470 million in Scotland, with a further £900 million of potential expenditure (Sporad na Mara, 2023). That investment is heavily contingent on the local supply chain having the capacity and capability to service the Scottish projects. The contribution to this by the Project is outlined below.

### Economic productivity

13.4.2.4 It is estimated in Section 6.8 of **Offshore EIAR Chapter 6, Volume 1b** that the Project could deliver between £65 million and £70 million of direct, indirect and induced additional GVA over the construction period across the Western Isles during the construction period (according to Applicant

data) and £648 million and £697 million of direct, indirect and induced GVA within the Western Isles during the operational phase. See **Table 13-2** and **Table 13-3** below.

Table 13-2: Construction phase GVA effects (total GVA over the 2028/29 to 2032/33 construction period)<sup>35</sup>

Region	Lower Case (£millions)		Upper Case (£millions)	
	Local (Western Isles)	National (Scotland)	Local (Western Isles)	National (Scotland)
Direct	£32	£225	£34	£242
Indirect	£11	£76	£12	£82
Induced	£22	£159	£24	£171
<b>Total</b>	<b>£65</b>	<b>£460</b>	<b>£70</b>	<b>£495</b>

Table 13-3: Operation and Maintenance Phase GVA effect (total over 35 year operational period)

Region	Lower case (£millions)		Upper case (£millions)	
	Local (Western Isles)	National (Scotland)	Local (Western Isles)	National (Scotland)
Direct	£330	£328	£355	£353
Indirect	£76	£75	£81	£81
Induced	£242	£240	£260	£258
<b>Total</b>	<b>£648</b>	<b>£642</b>	<b>£697</b>	<b>£691</b>

## Employment and skills development

13.4.2.5 The development of the Project will assist in achieving the target of Scotland’s National Strategy for Economic Transformation (Scottish Government, 2022) “generating new, well-paid jobs from a just transition to net zero” in a rural community, providing secure employment for local people and the supply chain. Temporary jobs will be available during the 5 year construction phase (commencing 2028/29), as well as long term employment opportunities during the operational lifespan of the Project – which is expected to be at least 35 years. This will be a new source of employment in the green sector for local people and could help to boost incomes of those living on the Isle of Lewis. New families could also be attracted to the area. Specifically, the Project is expected to directly generate 175-188 FTE permanent, long-term jobs throughout operation within the Western Isles, which equates to around 5% of the baseline workforce in manufacturing and construction sectors locally.

<sup>35</sup> Offshore EIA Chapter 6: Socio-economics, Volume 1a  
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13.4.2.6 Employment opportunities are expected to cover a range of positions, including:

- Operations and maintenance engineers;
- Health and safety;
- Administration;
- Office management;
- Stakeholder managers;
- Support vessel crew;
- IT support staff.

13.4.2.7 It is estimated in Section 6.9 of **Offshore EIAR Chapter 6, Volume 1b**, that the Project could to directly provide these jobs during both the construction and operational phases of the Project. Specifically, up to 159 FTE jobs within the Western Isles during construction, and 370 jobs annually in the Western Isles during the operation and maintenance phase, as set out in **Table 13-4** and **Table 13-5** below.

Table 13-4: Construction phase employment effects (average FTE per annum between 2028/29 and 2032/33)

	Lower case		Upper case	
	Local Western Isles	National Scotland	Local Western Isles	National Scotland
Direct	75	528	80	569
Indirect	32	226	34	243
Induced	52	371	56	399
<b>Total</b>	<b>159</b>	<b>1,125</b>	<b>171</b>	<b>1,210</b>

Table 13-5: Operation and Maintenance Phase Employment Effects (FTE) (average over project life)

	Lower case		Upper case	
	Local (Western Isles)	National (Scotland)	Local (Western Isles)	National (Scotland)
Direct	175	174	188	187
Indirect	64	64	69	69
Induced	105	104	113	112
<b>Total</b>	<b>344</b>	<b>342</b>	<b>370</b>	<b>367</b>

13.4.2.8 The Applicant has stated (Spiorad na Mara Public Consultation Booklet, 2024) that “Our aim is to keep as many of these jobs as possible, particularly the long-term roles, on the island.” The Applicant recognises that there is a process of skills development required on the Isle of Lewis in order to ensure local people are able to benefit from the new employment opportunities.

Therefore, work is underway with contractors, local educational institutions and support agencies

to provide skills development, employment training and apprenticeships for local people. Specifically, the Project is supporting local apprenticeship positions through the Fit 4 Offshore Renewables (F4OR) programme which in turn supports Navantia UK's centre of excellence for offshore energy infrastructure at Arnish. This will support the recruitment and training of local workers to gain qualifications through a blend of practical work experience and learning (Spiorad na Mara, 2025).

### Community benefit

13.4.2.9 The Applicant has committed a community benefit fund for the operational lifetime of the Project, making £4.5 million per year (index-linked) available to local people on the west coast of the Isle of Lewis, specifically, those within Council Wards 6 and 7. An independent consultant (Aquatera) was commissioned to engage with the local community and gather local views on the governance, administration and potential uses of the West Coast Fund and also on wider community benefits that could be delivered by, or through, the Project. The report, which was published in October 2025<sup>36</sup>, identified some clear community preferences in relation to the fund's management and distribution and ideas for potential wider benefits. The Applicant has committed to working through the recommendations and next steps in the report, in order to progress this important work. Separate from the consideration and development of long-term community benefit initiatives associated with the Project, the Applicant is already providing support to local communities through its Sponsorship and Small Donations programme. This is something that Northland, one of the Joint Venture partners, does as part of its projects all over the world, while ESB also operates programmes to support the communities in which it operates. Typically, support is given following an approach from a local organisation and discussions between them and Project representatives regarding the activity, event or initiative for which support is sought. Over the last three years, over £100,000 was pledged to the community. Throughout 2023 and 2024, a range of local community, sporting and cultural activities and initiatives were supported, including:

- Lewis Pipe Band;
- Ness Over 40s Football Club;
- Deasbad Nàiseanta nan Àrd-sgoiltean 2024;
- Co-funding of a Science, Technology, Engineering and Mathematics (STEM) Co-ordinator for the Highlands and Islands, delivered through the UHI;
- War Memorials Restoration Project;
- Western Isles Association for Mental Health (WIAMH);
- Hebridean Emigration Metagama Centenary;
- Western Isles Library Services;
- Western Isles Island Games Association (WIIGA).

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<sup>36</sup> <https://www.aquatera.co.uk/news/spiorad-na-mara-community-benefits-consultation-final-report>  
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- 13.4.2.10 In the first half of 2025, the Applicant supported a further nine local organisations with individual contributions, including Western Isles Archers, Lewis Science Festival, Ness Football Academy, Nicolson Institute Gaelic Choir and Isles FM.
- 13.4.2.11 As with the community benefit proposals, participation in the Sponsorship and Small Donations programme is separate from the planning process for the Project. There are no arrangements as part of the Sponsorship and Small Donations programme that require beneficiary support for the Project or that prohibit objections to it.
- 13.4.2.12 The Applicant also committed, in early 2025, to a Scholarships Programme, providing support for students planning to enter a four-year degree course at a university in Scotland to study a STEM or Gaelic language/culture-related courses. Over a period of four years, 20 scholarships, valued at £10,000 each (£2,500 per year, for four years), will be awarded to successful applicants. The scholarships are available to all final-year students at the four secondary schools in the Outer Hebrides, located in Lewis, Harris, Benbecula and Barra. Studies within STEM courses such as engineering, environmental and ecological sciences, renewable energy, sustainable development, biodiversity, earth, marine or biological sciences or Gaelic language and culture will be considered.
- 13.4.2.13 To further support STEM activities and encourage interest in these subjects among school children locally, since 2023 the Applicant has co-funded the employment, by the University of the Highlands and Islands (UHI), of STEM Co-ordinators for Lewis and Harris.
- 13.4.2.14 Therefore, the development of the Project is already delivering and will continue to bring positive socioeconomic contributions to the Isle of Lewis., providing further clear evidence of its public interest.

## 13.5 A LONG-TERM INTEREST

- 13.5.1.1 As detailed within the ScotWind briefing note (Crown Estate Scotland, 2023), the leasing of the seabed for renewable energy developments “will benefit Scottish businesses and communities for decades to come as well as providing a major boost to UK clean energy production”. The process has been initiated due to the legally binding targets for decarbonisation set out by both the Scottish and UK governments, which will require net zero to be reached by 2045 and 2050 respectively.
- 13.5.1.2 The operational lifetime of the Project is expected to be at least 35 years (excluding any potential Project life extension or repowering), thus a long-term source of renewable energy will be created through the development of the Project, which addresses the urgent need for decarbonisation whilst ensuring future energy security and grid decarbonisation.
- 13.5.1.3 The development of the local supply chain and skills could also leave a legacy of a community resilient to climate change and ready for the transition to a green economy.

13.5.1.4 It is therefore clear that the Offshore Project will provide a long-term public benefit.

## 13.6 OVERRIDING INTEREST

### 13.6.1 RELEVANT SCOTTISH EXAMPLES INVOLVING OFFSHORE WIND DEMONSTRATING IMPERATIVE REASONS OF OVERRIDING PUBLIC INTEREST

13.6.1.1 The derogation case for Green Volt (Scottish Government, 2024d) factored in the scale of the project level of impact (being of small magnitude at individual SPAs), the overriding nature of decarbonisation of the oil and gas sector and the reduction in carbon emissions. Specifically, the IROPI case was based on:

- **Decarbonisation and reduction in carbon emissions:** supporting Scottish and UK legally binding net-zero targets to deliver on the climate crisis. The requirement to decarbonise fossil fuel production together with the nature conservation benefit from mitigating the climate crisis was also cited;
- **Energy security:** reducing reliance on fossil fuels and enhancing grid resilience;
- **Economic benefits:** job creation, innovation in floating wind technology and alignment with national marine planning objectives.

13.6.1.2 These were considered to be core to the IROPI reasoning of human health, public safety and beneficial consequences of primary importance for the environment. Note was also made of the expected impact from climate change to the relevant bird species and designated sites. The conclusion was that there is an imperative reason that justifies the need for Green Volt, overriding the AEOI (Marine Directorate, 2024).

13.6.1.3 The Scottish Government (2025a) in the derogation case for West of Orkney considered the long-term public interest of the West of Orkney through the decarbonisation of the energy sector and ensuring the security of the electricity supply to be core to the IROPI reasoning of human health, public safety and beneficial consequences of primary importance for the environment. The decision was made in light of the Scottish and UK legal commitments and policy framework to urgently deliver on tackling the climate crisis. The contribution to energy security from renewables was also cited. The conclusion was that 'all viable projects are necessary and urgent', with the need for West of Orkney overriding the AEOI.

13.6.1.4 In both Scottish Government 2025d and 2025e (for Berwick Bank Wind Farm and the Salamander Offshore Wind Farm respectively) the derogation case was concluded on the basis of the immediate need to increase energy from offshore renewables for both energy security and climate mitigation. It concluded that the public benefit from the project was both essential and urgent, outweighing the harm to designated sites. In Scottish Government 2025d, the use of established technology that could be constructed and deployed in a deliverable timeframe was also referenced.

## 13.6.2 A BALANCING EXERCISE

### The Spiorad na Mara Offshore Project's Overriding Interest set Against the Envisaged Harm

- 13.6.2.1 It is for the Competent Authority (Scottish Ministers) to carry out a balancing exercise of the imperative and overriding benefit for the Offshore Project against any risk of harm in the form of an AEOI to the UK Site Network (and the degree of such harm). To inform this judgement exercise, the following sections consider the predicted impacts on the European sites and species in **Table 5-1** against the Imperative (Section 13.3), Public (Section 13.4) and Long Term (Section 13.5) need for the Offshore Project.
- 13.6.2.2 In these predictions, the Applicant has applied the precautionary principle to ensure full consideration of impacts to the sites identified in **Table 2-1**. The approach to these numbers includes significant precaution (with such precaution outlined in the Offshore RIAA), with the resultant impact numbers being very small, in most instances less than one individual per SPA. The inclusion of a number of the sites and features on a Without Prejudice basis is a function of that precautionary assessment.
- 13.6.2.3 For all of the site level totals, the contribution to the in-combination total made by the Offshore Project is extremely small and potentially in tangible. Further, at many of these sites there is at least one project awaiting a consent decision with a public domain derogation case. Should these projects achieve consent with a requirement for compensation, then the in-combination total on which the conclusion of AEOI has been drawn would be reduced, potentially releasing headroom sufficient for the very small and in tangible contribution by the Offshore Project without resulting in a conclusion of AEOI (or enabling a conclusion of no AEOI).
- 13.6.2.4 It is clear from these conclusions that while there is a risk of an AEOI to the UK Site Network, the contribution made by the Offshore Project is a very small proportion of that risk, which is primarily driven by in-combination factors (a proportion of which is likely to require compensation as projects receive consent decisions). In addition, it is widely accepted that the nature conservation crisis is dual with the climate crisis, and that to solve the former the latter requires mitigation (e.g. Taylor, 2025). Taylor (2025) cited nature based solutions to tackle climate change, but that they are 'are not a substitute for the rapid phase-out of fossil fuels and must not delay urgent action to decarbonise our economies'. Therefore, although the Offshore Project may result in a very small amount of harm to the UK Site Network, through its contribution to decarbonisation the Offshore Project will also support the nature conservation crisis.
- 13.6.2.5 The public benefit from the Offshore Project is clear – in terms of its contribution to decarbonisation and reduction in greenhouse gas emissions, in terms of energy security and in terms of the wider public benefit set out throughout Section 8.2.

## 14 THE SPIORAD NA MARA OFFSHORE PROJECT'S IROPI CONCLUSIONS

- 14.1.1.1 The information set out within Section 13 demonstrates the irrefutable need for the Offshore Project to be developed for reasons of IROPI.
- 14.1.1.2 The Project will be required in order to achieve legally binding and ambitious decarbonisation targets at both a Scottish and UK level, with the rapid mobilisation of the established technology in fixed-bottom turbines capable of generating an estimated potential 900 MW of renewable energy. The Offshore Project makes use of one of the limited potential locations for fixed-bottom offshore wind, providing certainty for the future energy supply.
- 14.1.1.3 The Project provides an opportunity for the benefits of a just transition to a net zero society to be expanded into the west coast of Scotland, using a proven and reliable technology for which there is a proven supply chain. The placement of the Project off the coast of Lewis will provide an opportunity for Western Isles communities and businesses to benefit economically from the expansion of fixed offshore wind within Scottish waters, whilst providing renewable electricity to power a significant number of homes.
- 14.1.1.4 If the conclusions of Scottish Ministers within the AA concludes an AEOI or cannot rule out an AEOI against any of the sites/features set out in Section 6, there is a clear case for the Offshore Project to still proceed on the basis of IROPI as set out within this report, as the benefits outweigh the risks of any adverse effects on these sites.

## 15 GLOSSARY OF TERMS AND ABBREVIATIONS

15.1.1.1 A list of key terms and acronyms used in this HRA Derogation Case are provided in **Table 15-1** and **Table 15-2**.

Table 15-1 Acronyms and abbreviations

Term	Definition
AA	Appropriate Assessment
AC	Alternating Current
AEOI	Adverse Effect on Integrity
CCC	Climate Change Committee
CES	Crown Estate Scotland
CnES	Comhairle nan Eilean Siar
CNP	Critical National Priority
CRM	Collision Risk Model
cSAC	Candidate Special Area of Conservation
DEFRA	Department for Environment, Food and Rural Affairs
DESNZ	Department for Energy Security and Net Zero
EC	European Commission
EEZ	Exclusive Economic Zone
EIA	Environmental Impact Assessment
EIAR	Environmental Impact Assessment Report
EU	European Union
FTE	Full Time Equivalent
FWPM	Freshwater Pearl Mussel
GHG	Greenhouse Gas
GVA	Gross Value Added
GW	Gigawatts
HDVC	High-Voltage Direct Current
HRA	Habitats Regulation Appraisal
INTOG	Innovation and Targeted Oil and Gas
IROPI	Imperative Reasons of Overriding Public Interest
LSE	Likely Significant Effect
MCZ	Marine Conservation Zone
MD-LOT	Marine Directorate Licensing and Operations Team
MHWS	Mean High Water Springs
MLWS	Mean Low Water Springs
MPA	Marine Protected Area
MSL	Mean Sea Level
MW	Megawatts
nm	Nautical Miles
OSP	Offshore Substations Platform

<b>Term</b>	<b>Definition</b>
OTW	Onshore Transmission Works
OWF	Offshore Wind Farm
PDE	Project Design Envelope
pSAC	Proposed Special Area of Conservation
pSPA	Proposed Special Protection Area
RIAA	Report to Inform Appropriate Assessment
SAC	Special Area of Conservation
SCDS	Supply Chain Development Statements
SCI	Site of Community Importance
SMP	Sectoral Marine Plan
SNCB	Statutory Nature Conservation Body
SPA	Special Protection Area
SSEN	Scottish and Southern Electricity Network
STEM	Science, Technology, Engineering and Mathematics
T&D	Test & Demonstration
UGC	Underground Cabling
UHI	University of the Highlands and Islands
UK	United Kingdom
WTG	Wind Turbine Generator

Table 15-2 Glossary

Term	Meaning
the Applicant	Spiorad na Mara Limited (the Project owner)
Array Area	The offshore area within which the offshore wind turbine generators (WTGs), associated foundations, Array Cables and Offshore Substation Platform (OSP) (if required) will be located. This area encompasses the Turbine Area that will contain all above water surface infrastructure (WTGs / OSP) and an additional area within which further below water infrastructure (foundations and cables) may also be located.
Appropriate Assessment (AA)	<p>An assessment to determine the implications of a plan or project on relevant national site network sites in view of that site's conservation objectives. National site network refers to the network of protected areas that were previously part of the European Union's Natura 2000 network. This network is composed of Special Areas of Conservation (SACs) and Special Protection Areas (SPAs).</p> <p>An AA forms part of the Habitats Regulations Appraisal (HRA) and is required when a plan or project (either alone or in-combination with other plans or projects) is likely to have a significant effect on a national site network. Where there are adverse impacts, it also includes an assessment of the potential mitigation for those impacts.</p>
Array Cables	<p>The offshore electrical and communication cables that connect infrastructure located within the Array Area, for:</p> <p>Scenario 1: Array Cables will be used to connect Wind Turbine Generators (WTGs) to each other, and to connect WTGs to the OSP.</p> <p>Scenario 2: Array Cables will be used to connect WTGs to each other.</p>
Compensation / Compensatory Measures	The term compensatory measures is not defined in the Habitats Regulations. Compensatory measures are however, considered to comprise those measures which are independent of the project, (including any associated mitigation), and are intended to offset the negative effects of the plan or project so that the overall ecological coherence of the UK site network is maintained.
Competent Authority	A competent authority is the authority with the power or duty to determine whether or not a proposal can proceed. A competent authority may include any Minister, government department, public or statutory undertaker, public body of any description, or person holding a public office. The term derives from the Habitats Regulations and relates to the exercise of the functions and duties under those Regulations. Competent authorities are defined in the Habitat Regulations as including "any Minister, government department, public or statutory undertaker, public body of any description or person holding a public office".
Derogation	Term used in HRA to apply to the Stages post Appropriate Assessment (if required). Includes consideration of alternatives, IROPI and the requirement for compensation.

Term	Meaning
Distributional Response	Defined by NatureScot (NatureScot (2023a)). The two key distributional responses assessed in relation to offshore wind farms are displacement and barrier effects.
Environmental Impact Assessment (EIA)	The process of evaluating the likely significant environmental effects of a proposed project or development over and above the existing circumstances (or 'baseline').
Environmental Impact Assessment Report (EIAR)	The Environmental Impact Assessment Report (EIAR) prepared to assess the likely significant effects of the Project on the environment.
European Offshore Marine Site	SACs, sites of Community Importance, SPAs and proposed SACs (pSACs) as referred to in The Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 <sup>37</sup>
European sites	Formerly known as 'Natura Sites', European Sites are those that are designated through the Habitats Directive and Birds Directive (via national legislation as appropriate). European sites in Scotland/ <i>Alba</i> are considered to be Special Protection Areas (SPAs), Special Areas of Conservation (SACs), candidate SACs and Sites of Community Importance (SCI), Potential SPAs (pSPA), possible SACs (pSACs), Ramsar sites (designated under international convention) and proposed Ramsar sites.
Grid Substation	The onshore substation located adjacent to and connecting to the SSEN Lewis Hub. This allows the voltage to be increased to meet onward transmission requirements.
Habitats Directive	European Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora.
Habitats Regulations	Related to the conservation of natural habitats and of wild fauna and flora, translated into specific legal obligations in Scotland / <i>Alba</i> by the Conservation (Natural Habitats, &c.) Regulations 1994 (As Amended); The Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Marine Habitats and Species Regulations 2017.
Habitats Regulations Appraisal (HRA)	Under the Habitats Regulations, all competent authorities must consider whether any plan or project could affect a European site before it can be authorised or carried out. This includes considering whether it will have a 'likely significant effect' on a European site, and if so, they must carry out an 'appropriate assessment' (AA). This process, known as Habitats Regulations Appraisal (HRA) determines likely significant effects and (where appropriate) assesses adverse impacts on the integrity of European sites. The process consists of up several sequential stages, which include: screening for LSE, appropriate assessment to determine AEOI, assessment of alternative solutions, assessment of imperative reasons of over-riding public interest (IROPI) and compensatory measures.

<sup>37</sup> <https://www.legislation.gov.uk/uksi/2007/1842/contents>  
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Term	Meaning
HRA derogation provisions	The sequential legal tests that must be met if a Competent Authority is to agree to a project notwithstanding a negative assessment of the implications for a European site. This consists of a 3-step process where first it must be demonstrated that no feasible alternative solutions to the project exist, secondly that there are imperative reasons of overriding public interest for the project to proceed and finally that suitable compensatory measures are secured that preserve the coherence of the site network.
Impact	Change that is caused by an action; for example, land clearing (action) during construction which results in habitat loss (impact)
Landfall	This consists of works from offshore Horizontal Directional Drill (HDD) exit pits (located below MLWS) to onshore at the Transition Joint Bays (TJB) (located above MHWS). The infrastructure and installation methods associated with the Landfall involves both onshore and offshore components.
Lease Area	Legal agreement from the Crown Estate Scotland whereby an option over an area of foreshore or seabed is granted to a developer for an agreed purpose. If required permissions are gained, the developer exercise their rights to enter into a lease. In this case this is the same spatial area as the Array Area.
Long-term	Changes that occur over multiple years and over multiple breeding cycles.
Marine Directorate (MD)	Civil service directorate for Scotland / <i>Alba</i> , which is responsible for the integrated management of Scotland / <i>Alba's</i> seas.
Marine License	Licence required for certain activities in the marine environment and granted under either the Marine and Coastal Access Act 2009 or the Marine (Scotland) Act 2010.
Natura 2000 Network	A coherent European ecological network of Special Areas of Conservation and Special Protection Areas comprising sites located within European Union Member States. This term is now superseded in the UK context by the term 'UK site network'.
Offshore Application	The application for Marine Licences under the Marine (Scotland) Act 2010 (between 0 and 12nm) and a Section 36 consent under the Electricity Act 1989.
Offshore Cables	Electrical and communication cables located within the Array Area and Offshore Cable Area of Search. The Offshore Cables consist of Array Cables, Array Cables to Landfall, and Export Cables.
Offshore Project	The components of the Sporad na Mara offshore wind farm (the Project) located seaward of Mean High Water Springs (MHWS).
Onshore Transmission Works	The components of the Sporad na Mara offshore wind farm (the Project) located landward of Mean Low Water Springs (MLWS).
Project	The Sporad na Mara offshore wind farm development. This term describes the whole development, including all offshore and onshore components.

<b>Term</b>	<b>Meaning</b>
Scoping Opinion	A report presenting the written opinion of the Scottish Ministers, as to the scope and level of detail of information to be provided in the Report to Inform Appropriate Assessment (RIAA) for the Project.
Scottish Ministers	The Ministers of the devolved Scottish Government, who exercise statutory functions transferred from the UK Government. The Scottish Ministers support the First Minister in leading the Scottish Government.
Screening	The HRA stage to determine if the Project is likely to have a significant effect on a European Site on its own or in combination with other proposals.
Special Area of Conservation (SAC)	An area designated under the EC Habitats Directive to ensure that rare, endangered or vulnerable habitats or species of community interest are either maintained at or restored to a favourable conservation status.
Special Protection Area (SPA)	An area designated under the Wild Birds Directive (Directive 74/409/EEC) to protect important bird habitats. Implemented under the Wildlife and Countryside Act 1981.
Scottish and Southern Electricity Networks (SSEN) Lewis Hub	This is the National Grid Electricity Transmission (NGET) interface. A transmission system operator substation into which the Project will connect for onward transmission through the existing grid network.
Turbine Area	A reduced area within the Array Area where above water surface infrastructure would be located i.e. Wind Turbine Generators (WTG) or Offshore Substation Platform (OSP) (if required). This area has been developed and refined through stakeholder engagement and environmental assessment.
UK Site Network	The network of European Sites in the UK. Prior to the UK's exit from the EU these sites formed part of the EU ecological network known as "Natura 2000".
Wind Turbine Generator	The wind turbines that generate electricity consisting of tubular towers and blades attached to a nacelle housing mechanical and electrical generating equipment.

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