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25 November 2025

Dear Arhontia

Thank you for your email of 29 September 2025 on behalf of your client, Peterhead Harbour Authority, where you submitted an updated Screening Request for the proposed extension of Smith Quay, Peterhead.

As stated in your email, since the original screening opinion, and following results of ground investigation surveys, it has become necessary to make alterations to the proposed design of the Project. In summary the key changes are as follows:

- A more traditional open piled construction methodology is required resulting in a larger number of smaller diameter piles.
- The length of the extended quay has increased from up to 80m to up to 85m, with the current working design being 83.2m.

It is intended that the proposed works will be authorised by a Harbour Revision Order (HRO) made under Section 14 of the Harbours Act 1964. A Marine Licence under Part IV of The Marine (Scotland) Act 2010 will also be required.

Under paragraph 4 of schedule 3 of the Harbours Act 1964, Ministers must decide whether a proposed application relates to a project which requires an EIA, or “screening decision”. At the same time as giving a screening decision, Ministers may also give their opinion under paragraph 6 of schedule 3 about the scope and level of detail which the applicant will be required to supply in an environmental statement, where one is needed.

As you will be aware, where Scottish Ministers are notified of a proposed HRO which authorises a project they are required in terms of paragraph 4 of Part 1 of Schedule 3 to the 1964 Act to decide:

- Whether that application relates to a project which is of a type specified in Annex I or Annex II to Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment as amended – the Environmental Impact Assessment (EIA) Directive; and
- If it relates to a project which is of a type specified in Annex II, whether taking into account the selection criteria, the project is a relevant project.

Ministers are also required to determine whether the project is likely to have a significant effect on a European site and, if so, whether an appropriate assessment is required in terms of regulation 48 of the Conservation (Natural Habitats & Etc) Regulation 1994.

Scottish Ministers have considered the characteristics of the project (as described and shown on the draft submitted plans and drawings) and have concluded that:

- The application relates to a project which is not of a type specified in Annex I;
- The application relates to a project which is of a type specified in paragraph 10(e) of Annex II to the EIA Directive, as the application relates to the construction of a port installation; and
- Having regard to the selection criteria, it is not a relevant project in terms of Schedule 3 to the 1964 Act.

Accordingly, an EIA is **not** required in terms of the 1964 Act.

The applicant has requested a pre-application scoping opinion under paragraph 3 of Schedule 3 of the Harbours Act 1964. This letter comprises the requested scoping opinion, which is provided on behalf of Scottish Ministers.

Scottish Ministers have consulted with the relevant environmental bodies – the Scottish Environment Protection Agency (SEPA), NatureScot and Aberdeenshire Council – on whether an Environmental Statement should be provided by the applicant under the terms of the Directive, and if so, the extent of the information referred to in Annex IV to the Directive which the applicant should supply in the statement.

In addition, consultees were also requested to confirm whether, in their view, the project is likely to have a significant effect on a European site and, if so, whether an appropriate assessment is likely to be required under regulation 48 of the Conservation (Natural Habitats, etc.) Regulations 1994.

The consultation period has now concluded. Please find the responses from the various consultees as Annexes to this letter.

We trust that you will be able to address any issues raised by the various consultees before submitting your formal application for an HRO. It would, of course, be open to the consulting bodies to object to this application for consent if they still have concerns when the application is presented.

Please do not hesitate to contact me if you wish to discuss any aspect of this letter or the application process.

Yours sincerely



Dario Dalla Costa
Ports Policy Advisor

ABERDEENSHIRE COUNCIL

Dear Sir/Madam

EIA Screening Request for Amendments to Smith Quay Extension Project at Smith Quay, Peterhead Harbour, Peterhead, Aberdeenshire**The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017****EIA Screening Request for Amendments to Smith Quay Extension Project at Smith Quay, Peterhead Harbour, Peterhead**

I refer to the above and to your application for a screening opinion under Regulation 8 of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017.

The Planning Authority is required to provide and record a formal screening opinion based upon an assessment of the location, nature, purpose and possible effects of the development. Based on this assessment it is our opinion that an Environmental Statement (EIA) is not required.

Under the terms of the above Regulations, the proposed development is of a type listed under Schedule 2.

The following statement gives full reasons for this conclusion:

Under Schedule 2, Section 10 (g): Infrastructure Projects, Construction of harbours and port installations, including fishing harbours (unless included under Schedule 1), as the proposed works are to be carried out on a site that exceeds 1 hectare and given the changes being proposed from ENQ/2025/0700 are marginally larger that an EIA is not required.

You have the right to apply to Scottish Ministers for a screening direction should you disagree with the above opinion.

This opinion will be held for public inspection for a two-year period, or until a planning application is submitted at which time the opinion will be transferred to the planning register with the application.

Should you wish to discuss any matters relating to this issue, please contact the above named officer.

Yours faithfully
Paul Macari
Head of Planning and Economy

NATURESCOT

Peterhead Harbour Revision Order - Smith Quay Extension

Thank you for consulting NatureScot on the amendment to the above Harbour Revision proposal. I can confirm that the advice provided in our original response of 20 May 2024 (attached) remains valid and we have no additional comments at this stage.

Regards
Fiona

Fiona Mutch | Operations Officer - North
NatureScot | Inverdee House | Baxter Street | Torry | Aberdeen | AB11 9QA |



Peterhead Smith
Quay Extension - scre

SCOTTISH ENVIRONMENT PROTECTION AGENCY

To Whom It May Concern,

Marine (Scotland) Act 2010**Harbour Revision Order Section 14 of the Harbours Act 1964****ENVIRONMENTAL IMPACT ASSESSMENT SCREENING AND SCOPING REQUEST****Proposed Development at Peterhead Harbour**

Thank you for the above consultation. Based on the information provided, it appears that this application falls below the thresholds for which SEPA provide site specific advice. Please refer to our standing advice and other guidance which is available on our [website](#).

In addition, please also refer to our SEPA standing advice for the Department for Business, Energy and Industrial Strategy and Marine Scotland on marine consultations available [here](#). Please note there have been some revisions to this standing advice since our previous response sent on but the relevant sections we highlight to you remain the same, i.e, Dredging Operations within Bathing Water Areas, Pollution Prevention, On-shore works and Restoration, Dredge spoil and Waste above the low water mark.

As it appears the development would fall under the above standing advice, we confirm, with regards our interests, no EIA is required.

If there is a significant site-specific issue, not addressed by our guidance or other information provided on our website, with which you would want our advice, then please reconsult us highlighting the issue in question and we will try our best to assist.

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

Kind regards,
Zoe Griffin
Senior Planning Officer
planning.north@sepa.org.uk