



# Inch Cape Onshore Transmission Works

New Energy for Scotland

Planning Statement  
2018

**SDIC**   
**Red Rock Power Limited**

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## Glossary

Application Site	The area within the red line Planning Boundary comprising the Onshore Transmission Works (OnTW), as defined.
Consented Offshore Transmission Works (OfTW)	Offshore substation platforms and their foundations and substructures, interconnector cables and offshore export cables, as consented by the Scottish Ministers on 10 October 2014.
Consented Offshore Wind Farm	Wind turbine generators and their foundations and substructures, and inter-array cables, as consented by the Scottish Ministers on 10 October 2014.
EIA Report	Report presenting the findings of the Environmental Impact Assessment (EIA).
ICOL's Offshore Transmission Works (OfTW)	Offshore substation platforms (OSPs) and their foundations and substructures, interconnector cables and Offshore Export Cables. This refers to either the Consented OfTW or Revised OfTW, as defined.
ICOL's Offshore Wind Farm	This includes proposed wind turbine generators, foundations and substructures and inter-array cables. This refers to either the Consented Offshore Wind Farm or Revised Offshore Wind Farm, as defined.
Onshore Substation	The electrical substation comprising of all the equipment and associate infrastructure required to enable connection to the electrical transmission grid.
Onshore Substation Site/Substation Site	The indicative area within the Application Site where the Onshore Substation and screening will be located.
Onshore Transmission Works (OnTW)	All proposed works within the Application Site, typically including the Onshore Substation, cables transition pits, cable jointing pits, underground electricity transmission cables connecting to the Onshore Substation and further underground cables required to facilitate connection to the national grid. This includes all permanent and temporary works required. See <i>Chapter 5: Description of Development</i> for full details.
Original Application Site	The red line planning boundary in which the Original OnTW was to be located in accordance with planning permission in principle with East Lothian Council (ELC) reference 14/00456/PPM.
Original Onshore Substation	The electrical substation comprising of all the equipment and associate infrastructure required to enable connection to the electrical transmission grid as was granted planning permission in principle in September 2014, under ELC reference 14/00456/PPM.
Original OnTW	The OnTW, as was granted planning permission in principle in September 2014, under ELC reference 14/00456/PPM.
Original OnTW EIA	The Environmental Impact Assessment (EIA) that was prepared to support the planning application for the Original OnTW and reported in the Original OnTW ES, as defined.
Original OnTW ES	The Environmental Statement (ES) that was submitted to support the application for the Original OnTW in 2014.
Scoping Opinion	The Scoping Opinion adopted by ELC as to the scope and information to be provided in support of an application for the OnTW, as defined.
Scoping Report	Report prepared as the first stage of the EIA process in support of a request for a Scoping Opinion from ELC, under Regulation 17 of the EIA Regulations. The Report was submitted in July 2017.

## Abbreviations and Acronyms

<b>DECC</b>	Department of Energy and Climate Change
<b>EGPS</b>	Scottish Government Electricity Generation Policy Statement
<b>EIA</b>	Environmental Impact Assessment
<b>ELC</b>	East Lothian Council
<b>ELLP</b>	East Lothian Local Plan
<b>EPS</b>	European Protected Species
<b>ES</b>	Environmental Statement
<b>GW</b>	Gigawatts
<b>HRA</b>	Habitats Regulations Assessment
<b>ICOL</b>	Inch Cape Offshore Limited
<b>LDP</b>	Local Development Plan
<b>MIR</b>	Main Issues Report
<b>NGET</b>	National Grid Electricity Transmission
<b>NPF3</b>	National Planning Framework 3
<b>OfTO</b>	Offshore Transmission Owner
<b>OfTW</b>	Offshore Transmission Works
<b>OnTW</b>	Onshore Transmission Works
<b>PPP</b>	Planning Permission in Principle
<b>SESplan</b>	Strategic Development Plan for Edinburgh and South East Scotland
<b>SPP</b>	Scottish Planning Policy
<b>WFD</b>	Water Framework Directive



# **1 Planning Statement**

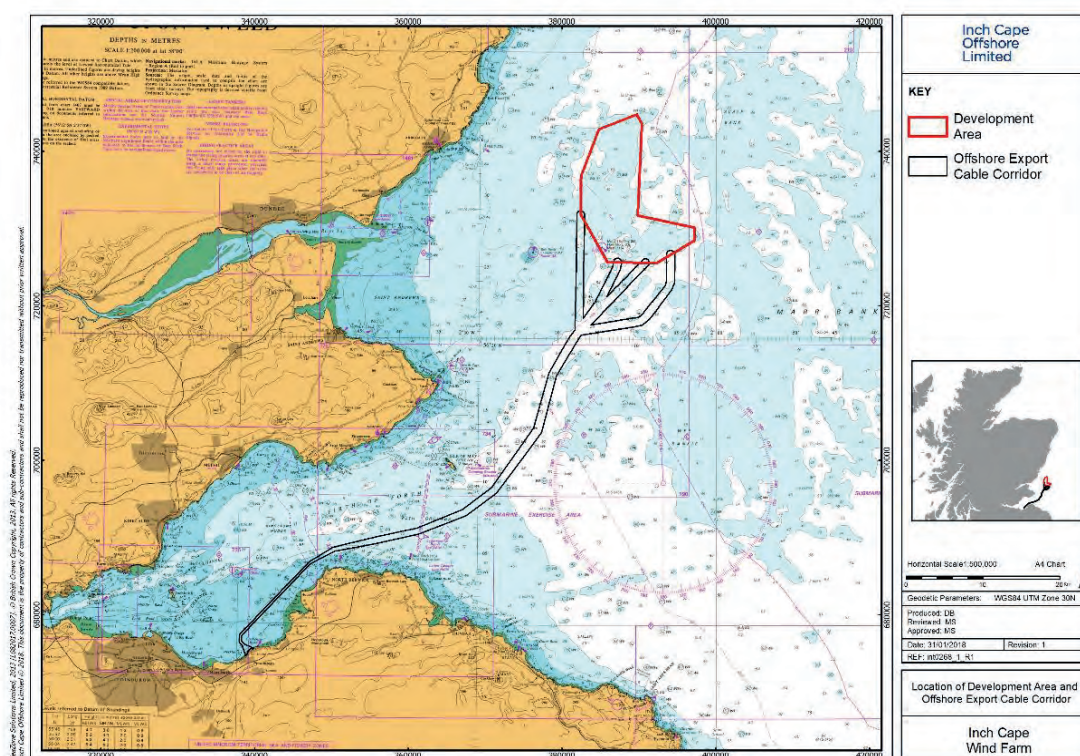
## **1.1 Introduction**

- 1 This Planning Statement has been prepared by Savills (UK) Limited on behalf of Inch Cape Offshore Limited (ICOL) to accompany its application for Planning Permission in Principle (PPP) for an Onshore Substation, electricity cables and associated infrastructure, (the Onshore Transmission Works (OnTW)), required to connect ICOL's Offshore Wind Farm to the National Electricity Transmission System (NETS). Throughout this Planning Statement the proposed development is referred to as the OnTW.
- 2 This Planning Statement assesses the OnTW in light of adopted and emerging planning policies and other material considerations where relevant, concluding with substantiated comments about the extent to which the OnTW complies with the Development Plan and the relevance and weight to be attached to other material considerations in the planning balance exercise.
- 3 This Planning Statement accompanies an Environmental Impact Assessment Report (EIA Report) submitted in support of the planning application. The Planning Statement does not form part of the EIA Report, but should be read in tandem with that document, as many of the references in this Planning Statement refer to material that is produced in full in the EIA Report.
- 4 The OnTW have been subject to Environmental Impact Assessment (EIA) and this has been undertaken in accordance with the provisions of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, (the EIA Regulations). This Planning Statement forms an integral component of the package of documents accompanying the planning application, which also comprises:
  - EIA Report including Non-Technical Summary (NTS) and Technical Appendices;
  - A Pre-Application Consultation Report (PAC);
  - OnTW Habitats Regulations Appraisal; and
  - Project Assessment (Summary of the Onshore and Offshore Environmental Impact Assessments).
- 5 As the area of the Application Site exceeds 2 hectares (ha), the planning application falls to be determined as a major development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. ICOL has complied with the various requirements associated with major development proposals including publication of a Proposal of Application Notice (PAN), undertaking statutory pre-application consultation and associated follow up reporting activities, as presented in the PAC report accompanying this submission.

## 1.2 The Applicant and Project background

- 6 ICOL has been established to develop, finance, construct, operate, maintain and decommission the Inch Cape Offshore Wind Farm.
- 7 In July 2013, ICOL submitted separate applications to Marine Scotland for consent under Section 36 of the Electricity Act 1989 and Section 25 of the Marine (Scotland) Act 2010 for the Consented Offshore Wind Farm and Offshore Transmission Works (OfTW), (see definition in glossary). In October 2014, ICOL was granted consent under section 36 of the Electricity Act 1989 and Marine Licences under the Marine (Scotland) Act 2010, for the Consented Offshore Wind Farm and OfTW.
- 8 In January 2015, the Royal Society for the Protection of Birds Scotland (RSPB) raised a legal challenge to the Outer House of the Court of Session seeking a judicial review of the October 2014 consent decisions for four offshore wind projects in the Forth and Tay, including the Consented Offshore Wind Farm.
- 9 In July 2016, the Outer House of the Court of Session found in favour of the RSPB and quashed the October 2014 Forth and Tay consent decisions, including the Consented Offshore wind farm.
- 10 In August 2016, the Scottish Ministers lodged a reclaiming motion to the Inner House of the Court of Session to appeal the Outer House decision. In May 2017 following the Scottish Ministers' successful reclaiming motion, the decision of the Outer House of the Court of Session to quash the offshore consents was overturned. In November 2017, RSPB Scotland's application to the Supreme Court for permission to appeal the Inner House judgement was refused. As such, ICOL holds legally valid offshore consents for the Consented Offshore Wind Farm and OfTW.
- 11 While the reclaiming motion for judicial review was in progress, ICOL began the process of preparing a new consent application for the Revised Offshore Wind Farm and OfTW. The Revised Offshore Wind Farm and OfTW application is being progressed to take advantage of advancements in offshore turbine technology that have taken place since consents were granted in October 2014. The Revised Offshore Wind Farm comprises up to 72 turbines of up to 301 m to blade tip compared to up to 110 turbines of 215m to blade tip for the currently consented scheme.
- 12 While all relevant consents for the offshore works are present through the successful reclaiming motion, ICOL will maintain progress on the new application for the Revised Offshore Wind Farm and OfTW which is anticipated to be submitted in summer 2018.
- 13 It should be noted that ICOL intends to build either the Consented Offshore Wind Farm or the Revised Offshore Wind Farm, currently in the pre-application phase, but not both.

- 14 ICOL's Offshore Wind Farm will be located across a 15 to 22 kilometres (km) range to the east of the Angus coastline, as shown in Figure 1 below. ICOL's Offshore Wind Farm will be connected to the mainland via the Offshore Export Cable, which runs for approximately 80 km from ICOL's Offshore Wind Farm before making Landfall at Cockenzie.



**Figure 1 Inch Cape Offshore Wind Farm and Offshore Transmission Works**

- 15 Prior to submission of the applications to Marine Scotland, in January 2012 ICOL accepted an onshore grid connection offer from National Grid Electricity Transmission to an existing substation at Cockenzie. The Offshore Wind Farm is expected to generate in the order of 2,194 gigawatt (GW) hours of electricity per annum based on 784 MW of installed capacity. Based upon these figures, the Offshore Wind Farm could displace a minimum of 1.3 million tonnes of CO<sub>2</sub> from the average CO<sub>2</sub> release of all fossil fuel mix each year from entering the atmosphere and could provide energy equivalent to the needs of just over 500,000 households, based on average UK consumption.

### 1.3 The Proposed Development

- 16 EIA Report *Chapter 5: Description of Development* provides full details of the OnTW. However, three key elements are involved:-
- Indicative Landfall location for the OfTW;
  - Indicative Onshore Substation Site; and
  - Onshore Export Cables from the Onshore Substation to the grid connection point.

- 17 The OnTW will involve other works such as security fencing, areas of earthworks and associated landscape planting, as described below.
- 18 ICOL is applying for Planning Permission in Principle (PPP) only at this stage as it is possible that some components of the OnTW may change in response to detailed engineering, discussions with suppliers and for technical reasons associated with ICOL's Offshore Wind Farm. It is not therefore possible at this stage to provide a detailed description of all elements of the OnTW, their exact dimensions, colours or footprints etc. If PPP is granted, further applications for approval of matters specified in conditions (AMSC) would require to be submitted and approved before any works on site could commence. These applications would provide further detail on the reserved matters and would be subject to public consultation.
- 19 The description of development presented in *Chapter 5: Description of Development* of the EIA Report and summarised below provides as much detail as possible about the OnTW at this stage in the process. To ensure the EIA is carried out on a worst case scenario, certain assumptions about the OnTW have been built into the assessment process thus ensuring the EIA is based around pre-defined parameters for all elements of the OnTW.
- 20 The OnTW comprises the following main elements:
- Landfall where two Offshore Export Cables from the Inch Cape Offshore Wind Farm will be brought ashore and will run underground to the Cable Transition Pits;
  - Cable Transition Pits where two Offshore Export Cables interface with two sets of Onshore Export Cables;
  - Onshore Export Cables running from the Cable Transition Pits to the Onshore Substation, laid in two trenches for running between the Cable Transition Pits and the Onshore Substation;
  - If the Onshore Export Cables are installed in sections, jointing pits will be required to join the sections together;
  - Onshore Substation, which is required to process the electricity from the Offshore Wind Farm and to comply with the requirements of the NETS;
  - Onshore Export Cables from the Onshore Substation to the grid connection point, laid in trenches and/or ducts for running the underground Onshore Export Cables between the Onshore Substation and the grid connection point; and
  - Application Site Access will be via a new access from the B1348.



## 1.4 The Application Site

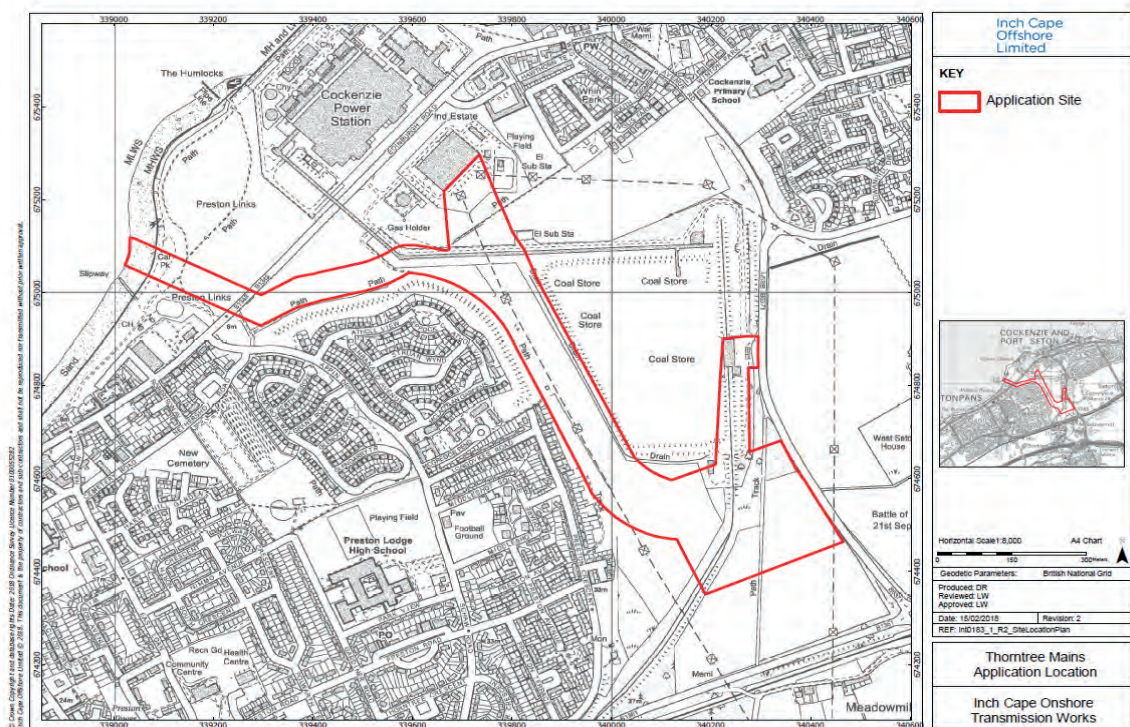
- 21 The Application Site is located on the site of the former Cockenzie Power Station, as shown by Figure 2 below. The site extends to approximately 10.2 ha in area and incorporates land on both the north and south sides of the B1348. The Application Site comprises vacant brownfield land, mostly concrete, following the demolition of the former Cockenzie Power Station. Preston Links to the west is an undulating landscape which was formed by the South of Scotland Electricity Board over the original links surface and is used as an informal area of open space.
- 22 To the north of the Application Site is the Firth of Forth and the route of the coastal path, incorporating part of the John Muir Way. The Application site is bisected by the B1348, to the south of which there is the existing 275 Kv substation, which forms ICOL's grid connection point. To the immediate east is remediated land associated with the former Cockenzie Power Station. Beyond that further to the east is the settlement of Cockenzie. Residential properties are located to the south and south east of the site, the closest being approximately 180 m away.
- 23 The proximity of the grid connection point was a key factor in ICOL's site selection process and decision to relocate the OnTW from the previous site (see *Chapter 4: Site Selection and Alternatives* of the EIA Report). The favourable local planning policy designation and national policy considerations were also factors behind the decision to choose the Application Site, as discussed further in Sections 4, 6 and 7 of this Planning Statement.



**Figure 2 OnTW Application Site Boundary**

## 1.5 Relevant Planning History

- 24 In September 2014, ICOL received PPP for the OnTW under East Lothian Council (ELC) reference 14/00456/PPM, (see enclosed site plan), which related to a site located to the south of the former Cockenzie Coal Store, as shown on Figure 3 below. Due to a change in the overall project programme, primarily as a result of the Judicial Review to the offshore consents, ICOL initiated steps to renew this PPP in November 2016. This involved the submission of an EIA Scoping Request and a Proposal of Application Notice (PAN). The PAN was agreed with ELC, and ICOL undertook two pre-application consultation events to disseminate information about the renewal application to the local community. These events took place on 19 and 24 January 2017 and were attended by approximately 50 people.
- 25 In recognition of feedback from these events and following ongoing dialogue with ELC over the OnTW site, ICOL completed an updated site feasibility assessment which looked at various environmental and technical factors associated with the Original OnTW site and other locations in the vicinity. As a result of this assessment and following dialogue with ELC, ICOL decided not to progress any further with the renewal application but to instead change the location of the OnTW to the site of the former Cockenzie Power Station, the Application Site. For clarity, PPP 14/00456/PPM has now expired.



**Figure 3 Original OnTW Application Site**

- 26 As part of the pre-application process for the OnTW, ICOL submitted a new PAN on 12 May 2017, following which ICOL completed two rounds of public consultation on 6 June 2017 at Prestonpans Primary School and on 14 June 2017 at The Port Seaton Centre. ICOL has been in regular dialogue with ELC as part of the pre-application process and has also taken part in various workshops regarding a new masterplan for Cockenzie that was initiated by ELC back in

the Autumn of 2016. The Cockenzie Masterplan was approved in November 2017 and is discussed further in Section 7 of this Planning Statement.

- 27 In deciding to relocate the OnTW to the current Application Site, one of ICOL's key drivers has been to locate the OnTW as close as possible to the grid connection point, which is located at the existing substation at Cockenzie to the immediate south of the B1348. Locating the OnTW as close as possible to the grid connection point limits environmental impacts and also minimises the costs of constructing cables and other infrastructure, costs that would ultimately be passed on to the consumer in the form of supplier levy.
- 28 The Application Site is located in very close proximity to the proposed connection into the national grid as discussed above. When ICOL was developing its 2014 OnTW proposals, it was not considered feasible to consider land at the former Cockenzie Power Station due to possible development or further commercial opportunity by Scottish Power Generation (SPG), which is why this site was not initially considered.
- 29 In the period since PPP was granted for the Original OnTW, there has been a significant material change in circumstances regarding the former Cockenzie Power Station site and surrounding land that leads ICOL to consider this as a potential site for the OnTW, including:-
  - An announcement by SPG in August 2015 that it would no longer continue with its plans to construct a combined cycle gas turbine (CCGT) power station at the site, having previously been granted consent for this development in October 2011;
  - Demolition of the power station and associated infrastructure in September 2015; and
  - The preparation of a masterplan for the future use of land at Cockenzie, which includes the Application Site, the site of the Original OnTW and surrounding land (discussed in Section 7).

## **1.6 Energy Policy Considerations**

- 30 There are a range of energy policy statements, agreements and legislation at the international and UK and Scottish Government levels that set the context for renewable energy developments and associated infrastructure, including the very recent Scottish Energy Strategy (SES), published by the Scottish Government in December 2017. These documents are considered material to the determination of this planning application and the documents have much in common, including:
  - There is an acknowledgement that generating energy from fossil fuels releases harmful greenhouse gases that contribute to climate change;
  - Global efforts should be focused on limiting further global warming to no more than 2°C to limit the effects of global warming;
  - A much greater proportion of our energy demands must come from renewable sources to limit greenhouse gas emissions; and



- There is an acknowledgement in the various publications that offshore wind will have an increasingly vital role to play in achieving the identified targets while at the same time providing significant economic and supply chain opportunities for Scotland.

31 The key energy policy documents relevant to the OnTW are considered below. The OnTW is not a generator of renewable electricity, but it forms an essential component of the infrastructure needed to transmit renewable electricity (in this case from ICOL's Offshore Wind Farm) to the transmission and distribution network and on to consumers.

32 The Scottish Government very clearly sees projects such as the OnTW as an essential component of the infrastructure needed to meet targets for renewable energy generation, meet statutory climate change targets and increase the UK's security of energy supplies. Further discussion on this point is set out later in the commentary on National Planning Framework 3 (NPF3), but it is considered appropriate to identify some of the most pertinent international and national policy drivers and directives that set the context for the OnTW.

### 1.6.1 International Agreements and Directives

#### 2009 Copenhagen Accord

33 Further to a conference in December 2009 of the signatories to the United Nations Framework Convention on Climate Change (UNFCCC), over 125 countries agreed to the Copenhagen Accord - setting out a range of objectives concerning greenhouse gas emissions and climate change and reiterating the need to contain these through international co-operation in the field of sustainable economic and social development.

34 The Copenhagen Accord is not legally binding but as a party to the Accord, the United Kingdom has agreed a range of proclamations and objectives, including that:

- climate change is '*one of the greatest challenges of our time*', which must be combated '*urgently*';
- the ultimate objective is to stabilise greenhouse gas concentration in the atmosphere '*at a level that would prevent dangerous anthropogenic interference with the climate system*';
- any increase in global temperature should be '*below 2 degrees Celsius*';
- '*deep cuts*' in emissions are required;
- emissions should peak '*as soon as possible*'; and
- lower emissions are '*indispensable to sustainable development*'.

#### United Nations Intergovernmental Panel on Climate Change – Fifth Assessment report (2014)

35 According to the Summary Sheet accompanying the above document, fossil fuel power generation should be phased out '*almost entirely*' by the end of the century to limit warming to 2°C above pre-industrial levels. Projects such as the OnTW can assist with the achievement of these objectives, and ICOL's Offshore Wind Farm is expected to generate in the order of 2,194 gigawatt (GW) hours of electricity per annum based on 784 MW of installed capacity.



The OnTW will allow this significant amount of renewable electricity to be brought ashore from ICOL's Offshore Wind Farm, significantly reducing the reliance on fossil fuels as a means of generating electricity.

### **2015 Paris Accord**

- 36 The 21st session of the Conference of Parties to the United Nations Framework Convention on Climate Change was held from 30th November to 11th December 2015 in Paris (Paris 2015). The aim of Paris 2015 was to reach a universal, legally binding agreement to enable climate change to be combated effectively and to boost the transition towards resilient, low-carbon societies and economies. The agreement reached at Paris 2015 will enter into force in 2020 and will seek long term change including the reduction of greenhouse gas emissions in order to limit global warming to below 2°C.

## **1.6.2 National Obligations**

### **The Climate Change (Scotland) Act 2009**

- 37 Part 1 of The Climate Change (Scotland) Act 2009 sets out the statutory framework for greenhouse gas emission reductions in Scotland. This sets an interim 42 per cent reduction target for 2020, with the power for this to be varied based on expert advice, and an 80 per cent reduction target for 2050. To help ensure the delivery of these targets, the 2009 Act also requires that the Scottish Ministers set annual targets, in secondary legislation, for Scottish emissions from 2010 to 2050.
- 38 The 2009 Act is a key legislative expression of Scottish Government policy as far as national energy policy is concerned. It sets the legislative basis for reducing greenhouse gas emissions as well as paving the way for the transition to a low carbon economy.
- 39 Since enactment of the 2009 Act, the Scottish Government has published a suite of new documents outlining how it proposes to achieve the legally binding emission targets, the most recent of which is the SES discussed below.
- 40 Part 4 of the Act places duties on public bodies (including local authorities) relating to climate change. The duties came into force on 1 January 2011 (section 44) and require that a public body must, in exercising its functions, act:
- in the way best calculated to contribute to delivery of the Act's emissions reduction targets;
  - in the way best calculated to deliver any statutory adaptation programme; and
  - in a way that it considers most sustainable.

### **Scottish Energy Strategy (2017)**

- 41 The Scottish Energy Strategy (SES) was published in December 2017 and sets out the Scottish Government's strategy through to 2050, marking a '*major transition*' over the next three decades in terms of energy management, demand reduction and generation. The Ministerial

Foreword notes that *‘Scotland’s electricity production has changed enormously since the turn of the century, sparked by the huge and welcome increase in new renewable generation’*. The SES is a live document, a route map towards delivery of the two new energy targets set for 2030 and 2050.

42 The overall SES 2050 vision for energy in Scotland is *‘A flourishing, competitive local and national energy sector, delivering secure, affordable, clean energy for Scotland’s households, communities and businesses’*. The vision is guided by three core principles namely:

- A whole system view;
- An inclusive energy transition; and
- A smarter local energy model.

43 The 2050 vision is expressed around six priorities, two of which are considered to be of particular relevance to the OnTW:

- **System security and flexibility** – Scotland should have the capacity, the connections, the flexibility and resilience necessary to maintain secure and reliable supplies of energy to all of our homes and businesses as our energy transition takes place. This priority corresponds with the need case for the OnTW in the context of National Development 4 ‘High voltage electricity transmission network’, discussed later Section 7; and
- **Renewable and low carbon solutions** – we will continue to champion and explore the potential of Scotland’s huge renewable energy resources, and its ability to meet our local and national heat, transport and electricity needs – helping to achieve our ambitious emissions reduction targets.

44 The SES sets two new targets for the Scottish energy system by 2030, as follows:

- The equivalent of 50 per cent of the energy for Scotland’s heat, transport and electricity consumption to be supplied from renewable sources; and
- An increase by 30 per cent in the productivity of energy use across the Scottish economy.

45 Page 33 of the SES recognises that reaching the 50 per cent target by 2030 *‘will be challenging’* but the target demonstrates *‘the Scottish Government’s commitment to a low carbon energy system and to the continued growth of the renewable energy sector in Scotland’* (underlining added).

46 Diagram 10 and the accompanying commentary of the SES discusses how this 2030 target may be met, with Scottish Government analysis suggesting that *‘renewable electricity could rise to over 140% of Scottish electricity consumption, ensuring its contribution to the wider renewable energy target’*. The SES continues and states that *‘this assumes a considerably higher market penetration of renewable electricity than today – requiring in the region of 17GW of installed capacity by 2030 (compared to 9.5GW in June 2017)’*.

47 The commentary on the ‘whole system view’ on page 12, confirms that the SES marks an important ‘advance in Scottish Government energy policy’. The SES does not therefore

represent a ‘business as usual approach’ and it notes that the move to ultra-low emission vehicle technology will change both our electricity and transport systems. Page 24 comments that a greater proportion of heat and transport demand is likely to be met by electricity, allowing continued growth of low carbon electricity generation, combined with smart storage and other technologies. Page 57 of the SES acknowledges that the possible electrification of heat and transport at a large scale could place ‘much greater demand on the renewable electricity sector’.

- 48 The SES sets out two indicative scenarios of what Scotland’s energy system may look like in 2050. These scenarios are aimed at generating discussion and there is recognition that, by 2050, Scotland’s energy system is unlikely to accurately reflect either of these scenarios; most probably elements of the two as well as options that have yet to be developed. What is particularly relevant to note, however, is the comment on page 33 of the SES that ‘Scotland’s long term climate change targets will require the near complete decarbonisation of our energy system by 2050, with renewable energy meeting a significant share of our needs’. (underlining added).
- 49 This aspiration is further amplified by the comment on page 41 of the SES that ‘Renewable and low carbon energy will provide the foundation of our energy system, offering Scotland a huge opportunity for economic and industrial growth’.
- 50 The SES acknowledges that all renewable and low carbon solutions will have a role to play in meeting the 2030 and 2050 targets. In the technology specific commentary on offshore wind, the SES acknowledges on page 44 that this technology ‘is now substantially cheaper than new nuclear generation’, while acknowledging the huge industrial and economic potential attached to offshore wind development. Opportunities associated with the offshore wind supply chain are acknowledged and the SES clearly states that the Scottish Government is ‘determined to continue supporting and growing this sector in Scotland’.
- 51 While much of the commentary in the SES is focused on demand reduction and generation, it is clear that achievement of the 2030 or 2050 targets cannot be achieved without a corresponding investment in and upgrade of the electricity transmission system. To that end, the SES is considered material to determination of this planning application and provides strong policy support for the OnTW as a means of distributing electricity generated by ICOL’s Offshore Wind Farm, helping to bolster the support chain network, contribute to the energy mix and assist with system security and flexibility – all key aims of the SES.

**The Scottish Government, 2020 Routemap for Renewable Energy in Scotland (updated December 2013 and September 2015)**

- 52 The targets set out in the Scottish Government’s 2020 Routemap for Renewable Energy in Scotland have been updated by the new SES targets, which take a longer term view of the Scottish energy system beyond 2020 to 2030 and then to 2050.
- 53 The 2013 Update does, however, remain relevant as this sets out the Scottish Government’s aim to ensure that we have a largely decarbonised electricity system by 2030. It states that

this can be achieved by achieving a carbon intensity of 50 gCO<sub>2</sub>/kWh of electricity generation in Scotland. In 2010, the carbon intensity of the grid was officially reported to be 347 gCO<sub>2</sub>/kWh but by 2015 this had fallen 151 gCO<sub>2</sub>/kWh<sup>1</sup>. Achievement of the 2030 decarbonisation target will require an 83 per cent reduction in carbon intensity in relation to electricity generation in Scotland between 2011 and 2030. The OnTW will facilitate such a reduction through their linkages with ICOL's Offshore Wind Farm.

- 54 In the 2015 Offshore Wind Sectoral update, it is stated that offshore wind is showing increasing promise as a source of renewable energy, and huge economic value. The Consented Offshore Wind Farm is identified as one of four offshore wind farms that were consented in 2014, which between them have the potential to create between 6,167 and 18,212 jobs during construction and save 135 million tonnes of CO<sub>2</sub> over their lifetime. The OnTW are essential to enable delivery of these benefits.
- 55 In the section entitled 'Looking to the Future' the 2015 Update states that with the right support renewable energy technologies have the potential to transform our energy system, and become a cornerstone of Scotland's economy. Significantly, there is recognition that the UK's electricity grid does not have the capacity to support new renewable electricity generation, a pertinent statement in the context of the OnTW, which are essential if the renewable energy generating capacity of ICOL's Offshore Wind Farm is to be realised.

### **The Scottish Government, Electricity Generation Policy Statement, 2013**

- 56 The Electricity Generation Policy Statement (EGPS) 2013 examines the way in which Scotland generates electricity, and considers the changes which will be necessary to meet the renewable energy generation targets that the Scottish Government has established.
- 57 There are four key principles which underpin the Scottish Government's vision for a stable and desirable future generation mix for Scotland, as follows:
- A secure source of electricity supply;
  - At an affordable cost to consumers;
  - Which can be largely decarbonised by 2030; and
  - Which achieves the greatest possible economic benefit and competitive advantage for Scotland.
- 58 Paragraph 1 of the EGPS sets out early recognition of Scotland's massive green energy potential, noting that it has a quarter of Europe's tidal and offshore wind potential and a tenth of its wave power.
- 59 Paragraph 13 sets the context for the rest of the EGPS by stating:
- 60 *'The Scottish Government's policy is clear – alongside actions to reduce demand for energy, we want to see both a rapid expansion of renewable electricity across Scotland and new or*

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<sup>1</sup> The Scottish Greenhouse Gas Emissions Annual Target Report for 2015, Scottish Government, October 2017

*upgraded and efficient thermal capacity, with commitment to recover waste heat and progressively fitted with Carbon Capture and Storage’.* (underlining added).

- 61 The EGPS clearly sees offshore wind playing an increasingly important role in the future of Scotland’s energy mix, with paragraph 32 noting that with up to 10 GW of offshore wind and over 1.6 GW of wave and tidal projects currently planned, Scotland has the potential to make a major contribution to the EU’s overall renewables target, while also contributing significantly to greater security of supply because of the decentralised nature of the generating facilities.
- 62 Paragraph 39 outlines the short and long term objectives of the Scottish Government with regards to offshore renewables, stating that this resource is expected to play a major role in meeting targets for 2020 and beyond. The post 2020 targets have now been set by the SES, as discussed above, a document which is described as *‘an important advance’* and a *‘major transition’* in Scotland’s post 2020 energy system requirements.
- 63 Paragraph 39 further describes offshore renewables as presenting a *‘huge economic opportunity’*, with particular reference made to the manufacturing, supply chain, job creation and training opportunities presented by offshore renewables.
- 64 Of particular relevance to the OnTW is the commentary in the EGPS on *‘Delivering Scotland’s Future Transmission Grid’*. The EGPS states in paragraph 78 that the vision is *‘to connect, transport and export Scotland’s full energy potential. Scotland can and must play its part in developing onshore and offshore grid connections to the rest of the UK and to European partners’*. The OnTW will form an important link between offshore renewable electricity generation and the onshore distribution network and will help deliver the EGPS vision, with offshore renewables fulfilling their full potential in the coming decades.
- 65 Paragraphs 83 and 84 note that the period 2012-2020 will see significant activity to reinforce and develop the electricity distribution system. The scale of investment required is described as *‘significant’* and will boost capacity, bring new renewables developments on stream and create new jobs. Paragraph 90 makes reference to the identification of these works as a national development in the then proposed, but now adopted, NPF3. This issue is discussed later in Section 7 of this Planning Statement.
- 66 Paragraph 107 states that wind (offshore and onshore) will play a *‘critical role’* in achieving the 2020 target of generating the equivalent of 100 per cent of Scotland’s electricity supply from renewable sources. This statement, while relating to the 2020 target, is considered to be of continued relevance to the more aspirational 2030 and 2050 targets, set out in the SES.
- 67 In paragraph 138 of the Conclusions and Summary Section, the EGPS states that in order to meet the stated objectives, one of which includes decarbonisation of the electricity sector by 2030, the Scottish Government considers that a *‘rapid expansion of renewable generation capacity....will ensure that all of Scotland’s long term electricity needs can be met without the need for new nuclear power stations’*. The OnTW will not generate renewable electricity, but will facilitate its transmission from ICOL’s Offshore Wind Farm to the national grid and the OnTW are therefore an essential component of the wider electricity infrastructure required to meet this and the more recently expressed 2030 and 2050 renewable energy targets.

## 1.7 Development Plan Assessment

- 68 The primacy of the Development Plan in determining planning applications is established by Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (as amended). These provisions require decision makers to determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise. This Section of the Planning Statement assesses the OnTW against the relevant provisions of the Development Plan, with other material considerations assessed in Section 7.
- 69 The approved Development Plan comprises the South East Scotland Strategic Development Plan (SESPlan) approved by Scottish Ministers in June 2013 and the East Lothian Local Plan adopted by East Lothian Council in October 2008.
- 70 A replacement SESPlan is currently going through an examination process and a new Local Development Plan (LDP) for East Lothian is nearing completion too. Neither of these documents have been adopted or approved and they remain material considerations only, discussed in Section 7. Between them, SESPlan and the Local Plan contain a number of policies that are material to determination of the application for PPP. *Chapter 2: Policy and Legislation* of the EIA Report identifies and briefly discusses the policies of the Development Plan considered to be of relevance to the OnTW, as summarised in Table 2.1 of *Chapter 2: Policy and Legislation* of the EIA Report. Those same policies are considered in detail in this Section of the Planning Statement against the predicted environmental effects of the OnTW, as reported in the various Chapters of the EIA Report.

### Approach to Planning Policy Assessment

- 71 The planning policy assessment starts with SESplan, as the higher regional level document, before moving on to consider the more detailed and site specific land use allocations and planning policies in the Local Plan. The assessment of Local Plan policies firstly considers the OnTW against those land use planning policy designations that overlap with the Application Site before going on to consider other relevant planning policies on a subject by subject basis.
- 72 In some instances, there is an overlap between the aims and objectives of various planning policies. Therefore, in order to avoid unnecessary duplication of planning policy assessments, it is not proposed to undertake a full assessment of the OnTW against all planning policies, whenever such an assessment has already been carried out as part of a review of a previously worded similar policy. In such cases, policy assessments are kept brief and cross reference made to the earlier and fuller policy assessment where this is considered to be directly applicable to the particular policy under consideration.
- 73 Throughout the policy assessment and unless otherwise specified, references to construction effects are considered to also equate to those associated with decommissioning. In most cases, individual EIA Report Chapters have not considered the potential environmental effects of decommissioning in significant detail. The reason for this is that the effects associated with decommissioning are considered to be of a similar nature to construction effects, but of a smaller scale and shorter duration and can, in many instances, be subject to the same



mitigation measures or would be subject to additional measures that would be defined as part of the detailed decommissioning plan.

- 74 For clarity, it should be noted that the following policy assessment is based upon the projected residual effects of the OnTW outlined in the EIA Report, following the implementation of embedded and other specific mitigation measures. This includes, where appropriate, observations and conclusions in respect of any cumulative assessment.
- 75 All residual positive and negative effects indicated as Moderate, Moderate/Major and Major are considered significant, unless otherwise specified in individual technical chapters.

### **Strategic Development Plan for Edinburgh and South East Scotland (SESplan) 2013**

- 76 SESplan was approved by Scottish Ministers in June 2013 and sets out the spatial strategy for the development of the City Region in the period to 2023. SESplan provides the strategic policy context for development within the City of Edinburgh, East Lothian, Fife, Midlothian, Scottish Borders and West Lothian.
- 77 Much of the focus in SESplan is on the future provision of housing land, both in terms of strategic requirements and the locations of the main development areas. These discussions are not considered relevant to the OnTW. However, in discussing the overall vision for the SESplan area, paragraph 15 states that both the urban and rural environments will need to withstand and respond to the effects of climate change in the period to 2032. One of the aims of SESplan as outlined in paragraph 17 is to *'contribute to the response to climate change through mitigation and adaptation and promote high quality design/development'*.
- 78 Response(s) to climate change could be taken to mean a number of measures including responding to increased river and sea levels, directing new development to areas at least risk of flooding and also accepting changes in the landscape as a result of new developments linked directly with efforts to combat climate change. The OnTW could therefore be seen as one direct consequence of the acknowledged need for change in the urban and rural environments to address issues raised by climate change, as acknowledged by SESplan.
- 79 The SESplan Spatial Strategy identifies five sub-regional areas within which specific actions, growth targets and strategic development allocations are identified. The Application Site is located within an area referred to in SESplan as the 'East Coast' as shown on Figure 4 of SESplan. Commentary on issues affecting the East Coast are set out in paragraphs 48-59 of SESplan; however, there is no specific mention of offshore renewables or associated onshore infrastructure in these paragraphs.
- 80 Figure 2 of SESplan does, however, identify key strategic improvements to transport and other infrastructure which are required for existing and future development. Within the accompanying narrative on the East Coast, Figure 2 identifies the requirement for electricity grid reinforcements.
- 81 Figure 4 of SESplan identifies land at Cockenzie as a location for a new non-nuclear base electricity generating facility, reflective of the 'national development' status of this project in

NPF2 at that time. As discussed earlier in this Statement, SPG has confirmed that it no longer intends to progress with plans for its CCGT plant, an extant consent which was in place when SESplan was prepared. NPF3 does still identify land at Cockenzie as suitable for a potential thermal generation plant or carbon capture and storage facility and this is reflected in National Development 3. This issue is discussed further in Section 7.

- 82 Energy is discussed as a topic in paragraphs 124-125 of SESplan and the accompanying Policy 10 'Sustainable Energy Technologies'. Paragraph 124 recognises the need to derive a higher proportion of heating and energy requirements from renewable sources and to reduce overall energy consumption. SESplan requires that Local Development Plans promote the use of renewable energy and encourage development that will contribute to achievement of various specified renewable energy targets.
- 83 Paragraph 125 of SESplan recognises that there are a range of renewable energy technologies with varied impacts. For onshore developments, SESplan states that key issues to be considered include location, landscape, environmental quality and community impacts. SESplan Policy 10 seeks to promote sustainable energy sources by requiring LDPs to set a framework for the encouragement of renewable energy proposals that aim to contribute towards achieving national targets for electricity and heat, taking into account relevant economic, social, environmental and transport considerations. Policy 10 also requires Local Development Plans to support the future development and associated infrastructure requirements of Longannet and Cockenzie power stations in relation to their role as non-nuclear baseload capacity.
- 84 With SPG confirming that it no longer intends to progress with its CCGT proposals, and given the absence of any other strategic energy infrastructure projects in close proximity to the Application Site, the OnTW can take place without compromising any other strategically significant projects for the East Coast as identified in SESplan. The Application Site extends to 10.2 ha only and a significant amount of land around Cockenzie remains available, should such a proposal ever come forward.
- 85 The OnTW will assist in achieving national renewable energy targets by transmitting renewable electricity generated by ICOL's Offshore Wind Farm to the NETS for onward transmission to end users. ICOL's Offshore Wind Farm has the potential to provide renewable electricity for the equivalent of approximately 500,000 households and the OnTW therefore have a key role to play in this strategically significant offshore wind farm. The OnTW are considered to be consistent with the wider aims and aspirations of SESplan, both in terms of matters relating specifically to energy issues as well as the wider SESplan spatial strategy.
- 86 Overall, therefore, the OnTW is considered to be in accordance with the relevant strategic aims and objectives of SESplan.

#### **East Lothian Local Plan 2008**

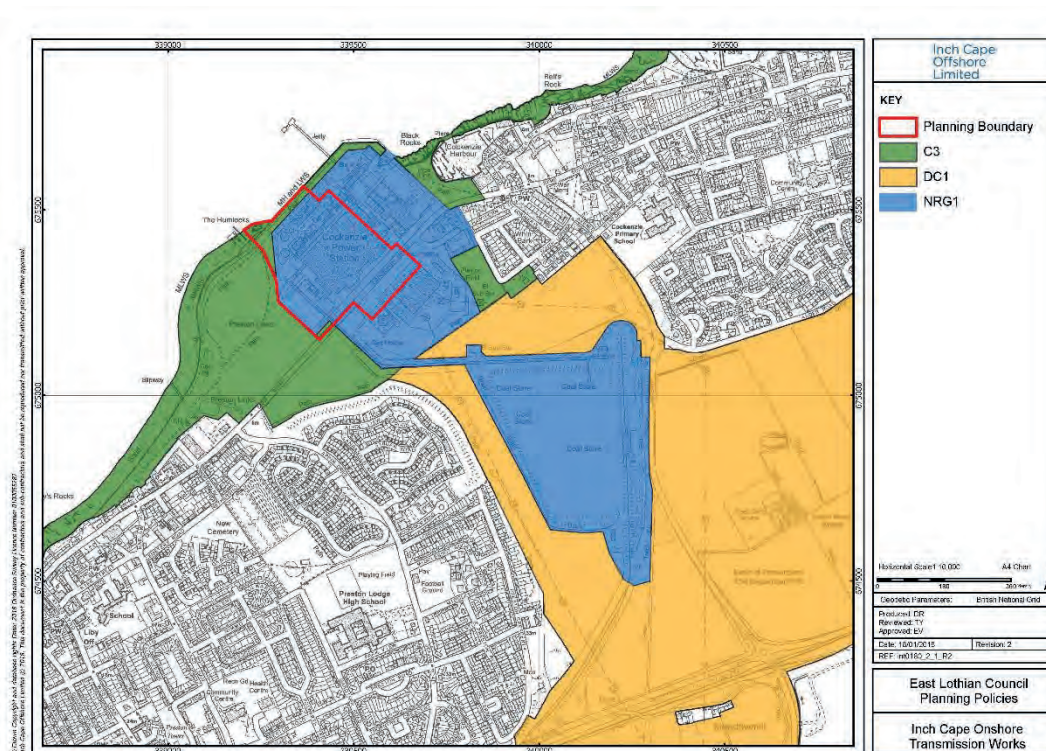
- 87 The Local Plan sets out detailed policies and proposals for the use of land and buildings across East Lothian. It identifies specific sites for new development as well as areas to be protected from development, or where only certain forms of development will be acceptable.



- 88 The Local Plan consists of a Written Statement, a main Proposals Map, and a series of more detailed Inset Maps for East Lothian's main settlements. The Local Plan does not contain any land use allocations or associated planning policies linked directly to the onshore infrastructure requirements of offshore wind farms. The OnTW must, therefore, be assessed against the more generic, rather than use specific, policies of the Local Plan.
- 89 The Application Site is situated within the area covered by the inset map relating to Prestonpans, Cockenzie & Port Seton, Tranent, Macmerry, Seton Mains, Longniddry and Gladsmuir. That inset map shows that the Application Site overlaps with two land use designations, which form the principal basis for the consideration of the planning application.
- 90 There are several other Local Plan policies considered relevant to determination of this planning application. These policies are summarised in Table 2.1 in *Chapter 2: Policy and Legislation* of the EIA Report and are discussed in greater detail in later paragraphs of this Planning Statement.

#### **Site Specific Land Use Allocations and Planning Policies**

- 91 The relationship of the Application Site to Proposals Map designations is shown on Figure 4 below. The two land use designations and associated policies that overlap with the Application Site are as follows:
- Policy NRG1 - 'Electricity Generating Stations'; and
  - Policy C3 - 'Protection of Open Space'.
- 92 The Application Site is located close to, but ultimately outwith, two nature conservation related planning policy designations namely:
- Policy NH1a - Internationally Protected Areas; and
  - Policy NH1b - Sites of Special Scientific Interest.
- 93 The OnTW is discussed in relation to these policies following the narrative on Policies NRG1 and C3.



**Figure 4 OnTW Application Site and Local Plan designations**

### **Policy NRG1 – Energy Generating Stations**

- 94 As Figure 4 shows, the vast majority of the Application Site overlaps with land covered by the NRG1 policy designation. This policy designation relates to land associated with the former Cockenzie Power Station and policy NRG1 safeguards such land for 'use as or in association with a power generating station'. Since the Local Plan was adopted in 2008, the Cockenzie Power Station has been demolished, however, policy NRG1 does not only safeguard the site for this now ceased use, it is wider in scope and refers more generically to 'a power generating station'.
- 95 It is acknowledged that the OnTW is not a 'a power generating station' but they are linked to an offshore generating station and are required to transmit the significant (up to 784 MW) renewable electricity generated by ICOL's Offshore Wind Farm. In that regard, the OnTW is clearly a use 'in association with a power generating station' and is entirely consistent with the objectives behind Policy NRG1.
- 96 Energy related matters are discussed in Chapter 9 of the Local Plan. Paragraph 9.6 confirms that the Council is supportive of Scottish Government policy that seeks to secure a greater proportion of energy generation from renewable resources. There is no specific mention of offshore wind energy or associated onshore infrastructure in the Local Plan and no associated planning policies. Paragraph 9.6 does, however, make the general observation that all renewable energy proposals will be considered in terms of their benefits and potential impacts on the local environment and features of interest.

- 97 The main above ground structure associated with the OnTW, the Onshore Substation, will be located within the NRG1 boundary. It is relevant to note that the Original OnTW application site also overlapped with this NRG1 allocation and was previously found to be acceptable in planning policy terms by ELC.
- 98 While a number of other Local Plan policies need to be considered in arriving at conclusions about the OnTW, the NRG1 designation is considered to be supportive of the principle of further energy related uses within this part of Cockenzie. As such, the OnTW is considered in principle to be the right development in the right place (see also commentary on SPP).

### **Policy C3 - Protection of Open Space**

- 99 As Figure 4 shows, only a small proportion of the Application Site towards its northern and southern boundaries is located with the Policy C3 designation. This policy states that recreational, leisure and amenity open space and facilities which make a significant contribution to the recreational needs of the community or the amenity or landscape setting of an area will be retained in use as such. Alternative uses will only be considered in certain circumstances as follows:
- The loss of a part of the land would not affect its recreational, amenity or landscape potential;
  - Alternative provision of equal community benefit and accessibility would be made available; or
  - Provision is clearly in excess of existing and predicted requirements.
- 100 The area of designated C3 land affected by the OnTW would only be subject to temporary disturbance associated with construction activities, mainly bringing the Offshore Export Cables onshore at the Landfall location. There would be no permanent above ground structures or works within designated C3 land and any disturbance to this designation would be temporary in nature only.
- 101 Notwithstanding this, EIA Report Figure 12.4 confirms that the route of Core Path 276 and a Right of Way traverses the northern area of this C3 designation. Core Path 276 forms part of the John Muir Way, a long distance promoted footpath which extends along the coastline from Dunbar to Musselburgh and was extended to Helensburgh in 2014. Access to these routes will need to be temporarily diverted during construction activities. *Chapter 12: Socio-Economics, Tourism, Land-Use and Recreation* of the EIA Report confirms that these works will necessitate a temporary diversion of this short affected section of the John Muir Way for a maximum period of up to eight weeks in total.
- 102 In addition, there will be a requirement for temporary closure of a small area of open space (approximately 0.3 ha) within the Application Site along the north western boundary for health and safety reasons during cable installation which would require approximately two weeks per cable. This area of open space falls within the C3 designation and forms part of the much wider area of open space at Preston Links, known also as Green Hills. The wider area of open space

outside the Application Site boundary will be unaffected by the OnTW and will remain accessible and undisturbed during construction and operational periods.

- 103 Given the small area of C3 designation affected by the OnTW, the ability to divert the walking routes, the short duration of such a diversion and the availability of a much wider area of open space available during construction activities, it is considered that the OnTW can be justified in respect of Policy C3 (i). Furthermore, it is relevant to note that the OnTW will not lead to any permanent loss of designated open space. All disturbance will be temporary in nature and will be reinstated to its existing use following cable laying and associated works.

#### **Policy C6 - Rights of Way & Policy C7 - Core Paths and Other Routes**

- 104 Linked to Policy C3 are Policies C6 and C7. Policy C6 states that the East Lothian Council will assert Rights of Way and bridleways and keep them free from obstruction. Policy C7 is related to Policy C6 and confirms that the East Lothian Council will develop a network of Core Paths, and that development that affects such paths will only be permitted where the overall integrity of the route and network is maintained.
- 105 An assessment of the potential effects of the OnTW upon Rights of Way and Core Paths is presented in Chapter 12: *Socio-Economics, Tourism, Land-Use and Recreation* of the EIA Report. For the purposes of considering public access and recreation, a study area comprising land within the Application Site and the open space areas, including the Green Hills area, adjacent to the Application Site was defined. Within this area, the Rights of Way and Core Paths discussed in relation to Policy C3 were identified, the routes of which are shown on EIA Report Figure 12.4
- 106 The construction phase of the OnTW will require a temporary diversion to the John Muir Way and Core Path 276 (and associated Right of Way) for a period of up to eight weeks in total. Overall, the EIA Report concludes that the construction of the OnTW would not result in any significant effects upon public access and recreation in the defined Study Area. This relatively short period of disturbance, and temporary footpath diversion, is not considered to give rise to any conflicts with the requirements of either Policy C6 or C7, particularly given that the temporary diversion will ensure that members of the public will be able to continue to use these routes during the construction period.

#### **Policy NH1a - Internationally Protected Areas**

- 107 The north western boundary of the Application Site is located in close proximity to an area covered by Policy NH1a, 'Internationally Protected Areas'. This policy sets out the basis for considering development proposals which may have an adverse effect on the conservation interests of a Natura 2000 area (including proposed Special Protection Areas (SPA) or Special Areas of Conservation (SAC) or a Ramsar Site). Proposals which would have an adverse effect on these designations will only be permitted where there are no alternative solutions and there are imperative reasons of over-riding public interest, including those of a social or economic nature.

- 108 *Chapter 6: Ecology* of the EIA Report considers the potential impacts of the OnTW on ecological and ornithological receptors, including the qualifying interests of the aforementioned designations. The wider study area for this element of the EIA extends to 40 km from the Application Site for coastal/marine International/European designated sites while the Local Study Area, which considers terrestrial International/European, National and local designated sites, extends to the Application Site and a 2 km buffer.
- 109 There are no terrestrial International/European designated sites within the Local Study Area; however, within the Wider Study Area, *Chapter 6: Ecology* of the EIA Report confirms the presence of the following internationally protected areas, as shown on EIA Report Figure 6.2:
- Firth of Forth SPA and Ramsar site;
  - Imperial Dock Lock, Leith SPA;
  - Forth Islands SPA; and
  - The proposed Outer Firth of Forth and St. Andrews Bay Complex pSPA.
- 110 The coastal habitats which form part of these designations support important populations of several intertidal and near shore waterbird species as well as the prey that they feed upon. In assessing the significance of any identified impacts, these designations were considered of 'high' sensitivity as noted in Table 6.5 (*Chapter 6: Ecology* of the EIA Report).
- 111 In order to ensure the EIA focused on the potential for 'significant' environmental effects and was proportionate, an initial sieving exercise was undertaken to consider each of these designations and determine whether they would be taken forward for detailed consideration, based upon their qualifying interests and distance from the Application Site. Three of the four international designations were scoped in for further assessment as part of the EIA process with Imperial Dock Lock, Leith SPA scoped out due to its distance from the Application Site (12.3 km), because no direct impacts are predicted and because the occurrence of common tern (the only qualifying interest) in proximity to the Application Site was infrequent.
- 112 The EIA considered the potential impacts upon each of these designations arising from the construction, operational and decommissioning phases of the OnTW. Impacts were considered in isolation, in terms of interaction with other elements of the wider ICOL Offshore Wind Farm and OfTW and also in cumulative terms with other projects.
- 113 The EIA considered potential construction phase impacts potentially arising from temporary habitat disturbance, disturbance of intertidal and near shore waterbirds and the pollution of habitats. On each account, identified impacts were considered at worst to be Minor/Moderate and non-significant. Potential operational effects were considered against similar criteria (except for temporary habitat disturbance) and again on each account identified impacts were considered at worst to be Minor/Moderate and non-significant. The same conclusions were arrived at when the OnTW was considered in a cumulative context and also in terms of interactions with other ICOL works associated with the offshore wind farm.
- 114 Where a project is considered likely to have a significant effect on a European Designated Site, the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended in Scotland) (referred



to hereafter as the Habitat Regulations), requires that the competent authority (in this case the Council) makes an appropriate assessment of the implications for the site in view of that site's conservation objectives. Only after having ascertained that the project will not adversely affect the integrity of the European site shall the competent authority agree to the project.

- 115 Information to inform a Habitats Regulations Appraisal (HRA) has been prepared and submitted with the planning application. Taking on board embedded mitigation for the OnTW and in combination with good practice mitigation to be outlined in the Construction Environment Management Plan (CEMP), it is concluded that the OnTW will not have an adverse effect on the site integrity of any of these designations.
- 116 Based upon the findings of the assessment presented in *Chapter 6: Ecology* of the EIA Report and the Information to inform an HRA, it is concluded that there would be no adverse effect beyond Minor/Moderate significance on any of the identified internationally protected areas. Impacts that are identified are not considered to be significant and no conflicts would arise with the requirements of Policy NH1a.

#### **Policy NH1b - Sites of Special Scientific Interest**

- 117 Accompanying Policy NH1a is Policy NH1b. This policy sets out protection for Sites of Special Scientific Interest (SSSI) and only permits development affecting SSSIs in a small number of specified circumstances including where the objectives and overall integrity of the designation will not be compromised, any significant adverse effects are clearly outweighed by social, economic or environmental benefits of national importance and there are no alternative solutions.
- 118 Within the Local Study Area there is one SSSI, the Firth of Forth SSSI, the boundaries of which are shown on EIA Report Figure 6.1 (*Chapter 6: Ecology*). This SSSI is of national interest for both biological and geological features and has various qualifying interests including many bird species and habitats. While the SSSI is of national importance, it is still regarded as a 'high' sensitivity receptor in the EIA Report and it was scoped in for assessment as part of the EIA on the basis that there are large numbers and a wide variety of over-wintering and passage wetland birds which the SSSI supports, many of which occur in the intertidal and near-shore coastal habitats immediately adjacent to the Application Site.
- 119 The impact assessment presented in *Chapter 6: Ecology* of the EIA Report concludes that during the construction, operation and decommissioning phases of the OnTW in isolation, in combination with other aspects of ICOL's Offshore Wind Farm and OfTW and finally in combination with other relevant development projects, identified impacts would be of no more than Minor/Moderate significance. This is not significant in EIA terms, and the EIA Report concludes that the OnTW will not result in any decrease in biodiversity (including upon the SSSI) at the local or wider geographic level, either in isolation, cumulatively or as part of ICOL's OfTW and Offshore Wind Farm.
- 120 Accordingly, it is considered that the OnTW satisfies the test set out in policy NH1b as regards SSSIs.

**Policy NH2 - Wildlife and Geological Areas**

- 121 Policy NH2 states that where '*damaging development*' is permitted which affects any designated sites of natural heritage value, appropriate mitigating measures must be provided to enhance and safeguard the remaining interest, where possible.
- 122 As discussed in the commentary on Policies NH1a and NH1b, the OnTW will not give rise to any significant residual environmental effects upon any internationally or nationally designated sites. While some environmental effects are identified these are not considered significant in EIA terms and it is not considered that the OnTW could therefore reasonably be described as '*damaging development*'.
- 123 Notwithstanding this, it is important to note that ICOL has committed to a range of mitigation measures to minimise or avoid potential environmental and ecological impacts occurring as a result of the OnTW. In the EIA Report, mitigation measures are referred to as either embedded mitigation or additional mitigation. For ecology, *Chapter 6: Ecology* of the EIA Report concludes that since all potential impacts associated with the OnTW are predicted to result in effects of no more than Minor/Moderate significance, following assessment with embedded mitigation, no additional mitigation is required. For clarity, the embedded mitigation measures identified in *Chapter 6: Ecology* of the EIA report include the following measures:
- commitment to the preparation of a CEMP;
  - the appointment of an Ecological Clerk of Works; and
  - adherence to best practice measures when dealing with terrestrial mammals, breeding birds and marine non-native species.
- 124 This approach to the mitigation of potential environmental effects is considered to be entirely consistent with Policy NH2 and will result in the OnTW giving rise to impacts of no more than Moderate (and not significant) impacts upon designated sites of natural heritage value.

**Policy NH3 - Important Local Biodiversity Sites**

- 125 Policy NH3 states that development which harms a Scottish Wildlife Trust Site or a Listed Wildlife Site (shown on the Scottish Wildlife Trust sites map), a Regionally Important Geological or Geomorphological Site, or a site containing a Priority Habitat or a significant population of Priority Species (as listed in the East Lothian Biodiversity Action Plan), will only be permitted where any harm to the natural heritage interest is outweighed by the public benefits of the development and no suitable alternative sites are available.
- 126 *Chapter 6: Ecology* of the EIA Report considers the potential effects of the OnTW upon these receptors, where relevant. That Chapter confirms that there are no National or Local Nature Reserves within the Local Study Area. These potential receptors were therefore not subject to assessment in the EIA.
- 127 The biodiversity value of the Application Site is considered to be negligible, being predominantly made up of concrete and compacted hardcore following the demolition of the former Cockenzie Power Station as well as the hardstanding associated with the Cockenzie

Substation. Notwithstanding this, *Chapter 6: Ecology* of the EIA report notes that, while the East Lothian Biodiversity Action Plan has now expired (2008-2013), it remains relevant and identifies a number of Priority Habitats and Species which may occur within the Local Study Area. These include intertidal and scrub habitats and a variety of species including intertidal and near shore water birds, farmland birds, raptors, mammals such as otters, bats and badgers, and reptiles such as common lizard. Details of these species obtained through desk study and consultation are set out in Table 6.3 of the EIA Report (*Chapter 6: Ecology*), many of which we subsequently scoped out from further assessment as noted in Table 6.7 of the EIA Report (*Chapter 6: Ecology*).

- 128 Those species and sites that were taken forward for further assessment were considered for potential effects during the construction, operation and decommissioning phases of the OnTW considering potential effects arising from disturbance, pollution and other activities. *Chapter 6: Ecology* of the EIA Report states that the OnTW will not result in any decrease in biodiversity at the local or wider geographic level. If anything, it is considered that the establishment of landscape vegetation (as part of landscape mitigation) around the Onshore Substation is expected to enhance the diversity of vegetation within the site of the former Cockenzie Power Station. This is likely to provide shelter, foraging and breeding habitats for locally occurring invertebrates, small mammals and birds, thus making a positive contribution to biodiversity enhancement at the site level.
- 129 As the EIA Report Table 6.8 (*Chapter 6: Ecology*) confirms, none of the impacts upon any site or species is predicted to be significant and the OnTW are therefore considered to comply with the requirements of policy NH3.

#### **Policy DP12 - Biodiversity Assessment & Policy DP13 – Biodiversity Assessment**

- 130 Policy DP12 requires the submission of information with a planning application providing information about trees, hedges, woodland and aquatic habitats in order to ascertain potential impacts of a development proposal on biodiversity interests. The submission of the EIA Report with the planning application which considers these interests, where relevant, demonstrates compliance with the requirements of Policy DP12.
- 131 Policy DP13 seeks to ensure that development does not result in a net loss of the biodiversity of a site, unless it meets specific criteria including that the development has been designed to minimise such losses, mitigation is implemented or the impacts of any biodiversity loss will be outweighed by the contribution of the development to the good planning of the area.
- 132 It has already been established through the commentary on Policy NH3 that the Application Site is of negligible biodiversity value due to its previous use and current condition. It is further considered that the proposed landscape planting, primarily for landscape and visual mitigation purposes, will enhance the diversity of vegetation within the Application Site. This potential contribution is not expected to be significant but it is clear that there are no potential conflicts with the requirements of Policy DP13.



**Policy NH4 - Areas of Great Landscape Value**

- 133 Policy NH4 'Areas of Great Landscape Value' (AGLV) states that development that harms the landscape character and appearance of these designations will not be permitted. No part of the Application Site is located on land designated as an AGLV. The closest AGLV is located 2.4 km from the Application Site, referred to as the Longniddry North Berwick Coastline Area of Great Landscape Value (AGLV). Potential indirect impacts of the OnTW upon this AGLV are set out in *Chapter 8: Landscape and Visual* of the EIA Report.
- 134 As *Chapter 8: Landscape and Visual* of the EIA Report notes, there is no description of this AGLV designation or reasons given for the identification or extent of the AGLV. However, from observation, the EIA Report considers the AGLV to be closely associated with the coastal edge and the juxtaposition of land and sea and is considered to have a high value as a landscape receptor.
- 135 The Zone of Theoretical Visibility (ZTV) map (Figure 8.1, *Appendix 8B: Landscape and Visual Figures* of the EIA Report) for the OnTW shows that from locations within the AGLV there will be theoretical visibility of the Onshore Substation. However, due to the presence of intervening vegetation and buildings, and considering the separation distance too, it is not considered that there will be any significant harm to the landscape character or appearance of this AGLV.
- 136 The OnTW is therefore consistent with the objectives of Policy NH4.

**Policy DP14 - Trees on or adjacent to development sites**

- 137 Policy DP14 seeks to ensure that the design and layout of new development should incorporate trees that make a significant positive contribution to the setting, amenity or nature conservation of an area.
- 138 There are no trees within the Application Site and very few mature trees in the immediately surrounding area. Existing vegetation in the vicinity of the Application Site is shown on Figure 8.5: Landscape Analysis (*Appendix 8B: Landscape and Visual Figures* of the EIA Report).
- 139 Part of ICOL's embedded mitigation involves a combination of earth mounding and planting to minimise visibility of the OnTW, particularly the Onshore Substation. Indicative proposals for this additional tree planting are contained in Figure 8.6 (a and b) of *Appendix 8B: Landscape and Visual Figures* of the EIA Report. These proposals will introduce more tree planting into an area where there is presently very little planting and will, over time, not only screen the OnTW but contribute to the wider setting, amenity and nature conservation value of the area, consistent with the terms of Policy DP14.
- 140 Further commentary on issues relating to tree planting and landscape and visual issues are set out in the later commentary in relation to Policy DP1.

### **Policy ENV1 - Residential Character and Amenity**

- 141 Policy ENV1 states that the predominantly residential character and amenity of existing or proposed housing areas will be safeguarded from the adverse impacts of uses other than housing. Development incompatible with the residential character and amenity of an area will not be permitted. The Application Site is not located within an existing or proposed residential area; however, without mitigation the OnTW could potentially adversely affect residential amenity of the closest residential properties. The three most likely sources of impact that could affect residential amenity are likely to be those arising from noise emissions, emissions to air and landscape and visual effects.
- 142 *Chapters 8: Landscape and Visual, Chapter 10: Noise and Chapter 13: Air Quality* of the EIA Report consider the potential effects of the OnTW on each topic, with their findings relative to residential amenity and Policy ENV1 considered in the following paragraphs.

### **Visual Amenity**

- 143 The landscape and visual impact assessment (LVIA) set out in *Chapter 8: Landscape and Visual* of the EIA Report has considered potential impacts of the OnTW on visual amenity of the surrounding area which informed the siting and design of the Onshore Substation. This assessment included an assessment of the visual amenity of residential receptors within a five kilometre Study Area, as shown by EIA Report Figure 8.1 (*Appendix 8B: Landscape and Visual Figures* of the EIA Report).
- 144 The susceptibility of different visual receptors to change in views and visual amenity varies according to the occupation or activity of people experiencing the view at particular locations and the extent to which their attention or interest may therefore be focused on the views and the visual amenity. Table 8.3 in *Chapter 8: Landscape and Visual* of the EIA Report confirms that residential receptors have a 'high' level of susceptibility to changes in visual amenity.
- 145 It is anticipated that the impacts arising from the Onshore Export Cable Corridor, Landfall, Transition Pits and Jointing Pits will be limited to the construction phase only and once the ground is reinstated, there will be no impact on visual amenity. The assessment of visual amenity on residential areas therefore focused on the operational phase of the OnTW, with particular regards to the Onshore Substation. It is, however, acknowledged in *Chapter 8: Landscape and Visual* of the EIA Report that some short term and localised significant impacts on visual amenity for residents will arise during the construction phase.
- 146 Site survey has established that due to intervening landforms, buildings and vegetation, when combined with the distance of views, no visibility or limited visibility is predicted from the majority of the settlements within the 5 km Study Area. There will be no significant effect on visual amenity arising from the Onshore Substation for residents of Musselburgh, Wallyford, Longniddry or Tranent. However, on the basis of the ZTV (see Figure 8.1 of *Appendix 8B: Landscape and Visual Figures* of the EIA Report) and field surveys, the following residential areas are predicted to have potential views of the OnTW:-
- Residents of properties on Whin Park (west edge of Cockenzie);

- Residents of properties close to Cockenzie Harbour;
  - Residents of properties on Appin Drive (east edge of Prestonpans).
- 147 Six of the viewpoints selected as part of the landscape and visual impact assessment are representative or illustrative of views experienced by residential receptors, as noted in EIA Tables 8.6a and 6b (*Chapter 8: Landscape and Visual* of the EIA Report). These viewpoints are:
- Viewpoint 1, B1348;
  - Viewpoint 2, Cockenzie Harbour;
  - Viewpoint 5, B1348;
  - Viewpoint 9, A199;
  - Viewpoint 11, Cockenzie Harbour; and
  - Viewpoint 12, John Muir Way.
- 148 For each VP, the assessment presented in *Chapter 8: Landscape and Visual* of the EIA Report provides a summary of the view of the OnTW and describes the degree of change experienced at year 1 following completion of construction activities and then again at year 15, following the establishment of landscape mitigation. For the above mentioned representative residential receptors, significant effects on visual amenity are predicted at VPs 1 and 12. While some effects on visual amenity at the other VPs locations were identified, these are not considered to be significant.
- 149 By year 15 and following the establishment of landscape planting, Table 8.6b in *Chapter 8: Landscape and Visual* of the EIA Report considers that the Onshore Substation will still give rise to significant effects upon the visual amenity of residential receptors at these two VPs. This is considered to give rise to a slight conflict with Policy ENV1, but it is important to note that identified impacts are localised only and will not affect large areas of nearby settlements. Furthermore, the question to be addressed is whether these identified significant effects are deemed to be unacceptable when all other planning policy and other material consideration are taken into account. This point is addressed in Section 8 of this Planning Statement.

### **Air Quality**

- 150 *Chapter 13: Air Quality* of the EIA Report looks at the potential significant impacts on air quality arising from the OnTW and focuses on the construction and decommissioning stages as operational impacts on air quality are not likely to lead to significant effects.
- 151 The assessment process assumes embedded mitigation will be in place, through a CEMP which would look at a range of matters to minimise dust emissions such as minimisation of double handling of materials, rapid re-vegetation of earthworks and bunds and imposition of a speed limit on site.
- 152 Table 13.5, *Chapter 13: Air Quality* of the EIA Report identifies the range of receptors considered sensitive to dust emissions within a defined Study Area, several of which include residential receptors and are therefore relevant to the assessment of Policy ENV1. These are

receptor locations DR4, DR5, DR6, DR7, DR8, DR9, DR10 and DR11. Separation distances between these receptors and the Application Site range from 190 m to 345 m.

- 153 The assessment considered the potential effects arising from a range of activities that could give rise to dust emissions including importing and exporting material, temporary stockpiling of material, construction activities, etc. In considering the overall number of properties within the defined Study Area and their distance from the Application Site, the EIA Report Chapter considers the sensitivity of the area to dust deposition impacts to be 'low', following the approach set out in Table 13.6 (*Chapter 13: Air Quality* of the EIA Report).
- 154 The background PM<sub>10</sub> concentration for the 1 km<sup>2</sup> grid square containing the Study Area is estimated to be 11.2 µg/m<sup>3</sup>; well below the national annual Air Quality Objective of 18 µg/m<sup>3</sup>. The EIA Report also considers the sensitivity of the area to human health impacts as a result of PM<sub>10</sub> to be 'low', following the approach set out in Table 13.7 (*Chapter 13: Air Quality* of the EIA Report).
- 155 The EIA Report considers that through good practice and implementation of appropriate mitigation measures, it is expected that the release of dust through the construction phase of the OnTW would be effectively controlled and mitigated. Accordingly, no significant residual environmental effects are predicted, when considering the OnTW in isolation and the cumulatively with other projects. No adverse implications for residential amenity are therefore predicted as a result of emissions to air, satisfying in part Policy ENV1 objectives.

### **Noise**

- 156 *Chapter 10: Noise and Vibration* of the EIA Report considers the potential effects arising from noise associated with the construction, operation and decommissioning of the OnTW. This assessment considered Noise-Sensitive Receptors (NSRs), defined as properties which are potentially sensitive to noise and, as such, require protection from nearby noise sources.
- 157 A number of NSRs have been identified within a defined Study Area extending to within 600 m of the Application Site. The Study Area represents the area containing the closest residential properties, these being those located on Edinburgh Road and Hawthorn Terrace, approximately 180 m from the Application Site boundary to the north-east, as shown on Figure 10.1 and noted in Table 10.2 (both found within *Chapter 10: Noise and Vibration* of the EIA Report).
- 158 Baseline noise surveys were undertaken in 2017 to supplement those available from the Original OnTW EIA from 2014 and are identified in Tables 10.3 and 10.4 of *Chapter 10: Noise and Vibration of the EIA Report*. These findings were considered alongside noise emissions for all anticipated noise sources to consider the potential noise effects from the OnTW.
- 159 The noise assessment methodology involved the development of a noise model to consider the construction and operational phases of the OnTW, whereby noise levels generated by all anticipated noise sources have been predicted at the closest NSRs. For all phases of the OnTW, the noise model has taken into account the distance between the identified noise sources and the receptors, and the amount of attenuation due to atmospheric absorption. In all cases, the

noise model assumes downwind propagation, i.e. a wind direction that assists the propagation of sound from the source to the receptor i.e. a worst case scenario.

- 160 In the assessment, residential properties were either considered as very high sensitive receptors (during night time) or high sensitive receptors (during day time). Table 10.20 (*Chapter 10: Noise and Vibration* of the EIA Report) sets out the anticipated effects of construction activities on the ambient noise levels at each of the NSRs. This shows that the predicted construction noise levels would not have an impact on the majority of existing ambient noise levels as they would not lead to an increase of 3 dB.
- 161 For NSR04 (Hawthorn Terrace) during the daytime and night-time period, the predicted increase in the ambient noise level due to construction noise is +5 dB, a change which may be perceptible against the existing ambient noise levels.
- 162 However, it should be noted that, with respect to the daytime period, the predicted noise levels in Table 10.20 (*Chapter 10: Noise and Vibration* of the EIA Report) represent the worst case scenario, whereby all phases of construction are assumed to be occurring at the same time. This is unlikely to be the case, as activities would be phased over the anticipated construction programme and are therefore likely to result in lower noise levels at the closest receptors.
- 163 With respect to the night-time period for construction activities, this relates to the pull-in of each of the two Offshore Export Cables. Each cable pull-in would occur separately, lasting for a maximum of two nights, with a period of two weeks between each. Therefore, the resulting noise levels will only occur for a very short period during the night-time, and will not be indicative of 'normal' operations during the construction phase.
- 164 Table 10.24 (*Chapter 10: Noise and Vibration* of the EIA Report) sets out the anticipated effects of operational activities on the ambient noise levels at each of the NSRs. This shows that there would be no change to the existing ambient noise levels at the closest NSRs, with the exception of an increase at Hawthorn Terrace during the night-time period of +1 dB; however, this is not considered to be significant taking account of relevant planning advice notes and other standards, all of which are considered fully in *Chapter 10: Noise and Vibration* of the EIA Report Chapter.
- 165 Cumulative noise was considered in conjunction with the proposed new settlement at Blindwells, both as a noise sensitive and noise generating use in its own right during the construction period. No significant effects were predicted with this or any other cumulative developments.
- 166 Table 10.28 of *Chapter 10: Noise and Vibration* of the EIA Report presents a summary of the noise effects associated with the OnTW before and after mitigation. For the construction phase and the operational phase daytime of the OnTW and taking account of possible noise from various sources of plant and machinery and construction traffic, the assessment concludes that all residual effects will be no effect or Negligible. For the operational phase night time a Minor residual effect was found. There are therefore no conflicts with Policy ENV1 arising as a result of noise from the OnTW.

167 In conclusion, therefore, it is acknowledged that the OnTW will give rise to some residual significant effects on the visual amenity of some properties in the vicinity of the Application Site. These effects will remain significant even after the establishment of landscape planting but they will affect a small number of local receptors only. By comparison, no significant adverse effects for residential amenity are predicted to arise as a result of either noise or air quality impacts. These acknowledged policy conflicts are not considered insurmountable given the site specific planning policy NRG1, which promotes energy related uses, a point discussed further in the concluding commentary on Development Plan policies.

#### **Policy ENV3 - Listed Buildings**

168 Policy ENV3 states that '*new development that harms the setting of a Listed Building will not be permitted*'. The OnTW will not give rise to any direct effects on Listed Buildings as none are located within the Application Site. To consider the potential indirect effects of the OnTW on Listed Buildings an Archaeological Study Area (ASA) was defined comprising a buffer of five kilometres around the Application Site, as shown Figure 9.1 in *Chapter 9: Cultural Heritage* of the EIA Report. Within the ASA, there are 19 Category A Listed Building, 150 Category B Listed Buildings and 120 Category C Listed Buildings, not all of whose settings would be potentially affected by the OnTW.

169 In order to ascertain which Listed Building were taken forward for further assessment, the ZTV for the OnTW was interrogated, after which 10 Listed Buildings or Structures were identified for assessment of setting impacts as identified in paragraph 47 of *Chapter 9: Cultural Heritage* of the EIA Report.

170 The subsequent assessment of the OnTW on the setting of these Listed Buildings concluded that there would either be no effect on the setting of the Listed Building in question or an impact of Minor adverse significance only at worst (Category B Cockenzie Harbour). For clarity, these findings relate to the construction, operational and decommissioning phases of the OnTW.

171 Based on this assessment, it is concluded that the OnTW will not harm the setting of any Listed Building and the OnTW is consistent with the objectives of Policy ENV3.

#### **Policy ENV7 - Scheduled Monuments and Archaeological Sites**

172 Policy ENV7 adopts a protectionist approach to these cultural heritage assets. The policy sets out a requirement for an archaeological assessment and states that '*development that would harm a site of archaeological interest or its setting, particularly a Scheduled Monument, will not be permitted*'. The only exception to this will be situations where archaeological advice concludes that the significance of the remains is not sufficient to justify their physical preservation in situ when weighed against other material considerations, including the benefits of the proposed development. In other circumstances, and where it is feasible within a proposed development to accommodate, preserve and enhance archaeological features or their setting, public access to and interpretation of these features will be expected.



- 173 A similar approach to assessing effects on Scheduled Monuments and archaeological sites was adopted as explained in relation to the previous Listed Building commentary. Within the ASA 15 Scheduled Monuments were identified, two of which are also Properties in Care (PIC) and one is also A-Listed. These Scheduled Monuments are also identified in *Chapter 9: Cultural Heritage* of the EIA Report, following which the setting of each was considered in light of the OnTW.
- 174 The subsequent assessment of the OnTW on the setting of these Scheduled Monuments concluded that no impact to the setting of any Scheduled Monument or other archaeological site would occur. For clarity, these findings relate to the construction, operational and decommissioning phases of the OnTW.
- 175 Based on this assessment, it is concluded that the OnTW will not harm the setting of any Scheduled Monument or other archaeological site and the OnTW is consistent with the objectives of Policy ENV7.

#### **Policy ENV8 - Gardens and Designed Landscapes**

- 176 Policy ENV8 states that development that would harm the conservation objectives of areas included within 'The Inventory of Gardens and Designed Landscapes' will not be permitted. As assessment of the effects of the OnTW on such receptors is presented in *Chapter 8: Landscape and Visual* and *Chapter 9: Cultural Heritage* of the EIA Report as it relates to Gardens and Designed Landscape (GDLs). Within the identified 5km Study Area there are four GDLs.
- 177 The four GDLs are:
- Cockenzie House approximately 450 m east of the Application Site;
  - Seton House (Palace) located approximately 2 km east of the Application Site;
  - Pinkie House located approximately 4.8 km south west of the Application Site; and
  - The western periphery of Gosford House GDL is located approximately 5 km from the Application Site just inside the Study Area.
- 178 Following a ZTV analysis, all four GDLs were shown as having theoretical visibility of the Onshore Substation. However, further analysis confirmed that the OnTW will not have any significant effects on the setting of the GDLs. In arriving at these conclusions, the assessments set out in the EIA Report considered the presence of boundary walls and mature trees which screened view of the OnTW from the receptors. There are therefore no conflicts with the provisions of Policy ENV8.

#### **Policy DP1 - Landscape and Streetscape Character**

- 179 Policy DP1 states that all new built development must be well integrated into its surroundings, retain important existing natural and physical features into the development in a positive way, use appropriate landscaping to provide an attractive setting to the development and, where justified, provide a landscape structure for the site.



- 180 The Application Site is located on the site of the former Cockenzie Power Station, now demolished and the site restored. There are a number of landscape features within the Application Site. These include sea walls to the north and groups of shrubs on amenity grass between the site of the former Cockenzie Power Station and the Edinburgh Road (B1348). In addition, a stonewall boundary with informal grassland to the rear sits between the existing Cockenzie substation and the Edinburgh Road. These are also located within the Application Site boundary.
- 181 The area surrounding the Application Site varies with the open expanse of the Firth of Forth estuary immediately to the north, Cockenzie Harbour and the settlement of Cockenzie to the east and the large existing Cockenzie substation to the south. The landscape to the west is more open and consists of open space with grass mounds known as Preston Links, which is crossed by a number of pathways including the John Muir Way.
- 182 *Chapter 8: Landscape and Visual* of the EIA provides further commentary on the nature of the landform surrounding the Application Site and discusses the preliminary design principles that have been applied to the site design and layout to date. Although the application seeks PPP only, careful consideration has been given to the preliminary location, design and orientation of the OnTW, particularly the Onshore Substation, in order to prevent, reduce and where possible offset potential significant landscape and visual effects.
- 183 Embedded mitigation has formed a key component of ICOLs strategy to integrate the OnTW into the landform. The visual impact of the Onshore Substation has been a key consideration in development of the OnTW, which will be the tallest structure within the Application Site, up to 12.3 m in height. Indicative colour treatment and textural finishes are proposed in order to try and relate the proposed structures to the existing Cockenzie substation on the south side of the B1348. In addition to the Onshore Substation, there will be a number of external components within the Application Site. In order to screen these elements from the B1348, it is proposed that walls of up to seven metres will be constructed on either side of the switchgear building, to be clad in a material similar to that of the switchgear building.
- 184 Further details on each element of the OnTW is set out in *Chapter 5: Description of Development* of the EIA Report which also includes photographs of similar plant from other locations and includes at Figure 5.9 an indicative representation of the Onshore Substation layout.
- 185 Further mitigation in the form of earth mounding and associated landscape planting is proposed to help screen the OnTW, especially the Onshore Substation, and integrate it into the landscape, as shown by Figures 8.6a and 8.6b (*Appendix 8B: Landscape and Visual Figures* of the EIA Report). It is intended that, where possible, implementation of the landscape mitigation described in *Chapter 8: Landscape and Visual* of the EIA Report will commence at the start of the construction phase meaning that, by the start of the operational phase, the earth mounding and associated tree and shrub planting around the perimeter of the Onshore Substation will be in place.

- 186 Such an approach is entirely consistent with the objectives of Policy DP1, and seeks to provide an appropriate landscape structure for the Application Site and integrate it into its surroundings.
- 187 In order to further assist the assessment of the potential effects of the OnTW on wider landscape character and visual amenity, twelve representative viewpoints were chosen from which the degree of predicted change arising from the OnTW (focusing on the Onshore Substation) could be assessed. These viewpoints are shown on Figure 8.2 (*Appendix 8B: Landscape and Visual Figures* of the EIA Report) and have been selected to include representative landscape and visual receptors within the Study Area. The selected VPs are shown on Figure 8.1 (*Appendix 8B: Landscape and Visual Figures* of the EIA Report) and are then considered separately in terms of potential effects upon landscape character and visual amenity at each VP.
- 188 Tables 8.5a and 8.5b in *Chapter 8: Landscape and Visual* of the EIA Report consider the effects on landscape character at each of the VPs at year 1 and then at year 15, following the establishment of mitigation planting. At year 1, significant effects upon landscape character are identified at the following five VPs:
- VP1 - B1348 (Edinburgh Road);
  - VP4 – John Muir Way;
  - VP 6 – B1348 (Edinburgh Road);
  - VP10 – Preston Links; and
  - VP12 - John Muir Way.
- 189 By year 15, following the establishment of landscape planting, Table 8.5b, *Chapter 8: Landscape and Visual* of the EIA Report considers that significant residual effects on landscape character will remain at all but one of the above VP locations, VP1.
- 190 Tables 8.6a and 8.6b, *Chapter 8: Landscape and Visual* of the EIA Report provide a similar assessment of the impacts of the Onshore Substation upon visual amenity at each of the twelve VPs. At year 1, significant effects upon visual amenity are identified at the following five VPs:
- VP1 - B1348 (Edinburgh Road);
  - VP4 – John Muir Way;
  - VP 6 – B1348 (Edinburgh Road);
  - VP10 – Preston Links; and
  - VP12 - John Muir Way.
- 191 By year 15, following the establishment of landscape planting, Table 8.6b, *Chapter 8: Landscape and Visual* of the EIA Report considers that significant residual effects upon visual amenity will remain at all of the above VP locations.

- 192 The OnTW has been designed to minimise impacts on landscape character and visual amenity, wherever possible incorporating mitigation earthworks and planting, details of which would be finalised and agreed with the Council as part of a detailed design, should PPP be granted. The VP assessment shows that while mitigation measures can and will be adopted to minimise the landscape and visual effects of the OnTW, especially the Onshore Substation, significant residual effects will remain upon some locations.
- 193 The identification of these remaining effects does not mean that planning permission should be refused, rather, that these effects must be considered in the overall planning balance alongside the benefits of the OnTW in deciding whether to grant planning permission.
- 194 Matters to be addressed by the decision maker include the nature and number of receptors potentially affected, the degree of compliance with other planning policies, the wider aims and aspirations of the Development Plan as a whole, the wider benefits of the OnTW and the weight to be attached to other material considerations. Concluding comments on the extent of overall Development Plan compliance are set out later in this Section of the Planning Statement while material considerations are discussed in Section 7.

#### **Policy DP2 - Design**

- 195 Policy DP2 identifies eight sub-criteria that the design of all new development proposals must consider, with the two most relevant to the OnTW being:-
- the design of all new development must be appropriate to its location in terms of size, massing, form, scale, etc; and
  - the design of all new development must also create or contribute to a sense of place and complement local character.
- 196 As the planning application seeks PPP only at this stage, detailed consideration of design issues as mentioned in these policies have not been subject to significant scrutiny. However, as explained in the earlier commentary on Policy DP1, careful consideration has been given to establishing key design principles for the layout of the OnTW and the basis of a landscape mitigation strategy that provide a platform for further more detailed design work at a later point.
- 197 If PPP is granted, ICOL will clearly need to explore the various requirements of Policy DP2 in greater depth as part of the detailed application process. However, as far as practicable at this PPP stage, ICOL has given a significant level of consideration to landscape and design issues as part of the site layout process and considered the potential landscape and visual impacts associated with the OnTW, as detailed in *Chapter 8: Landscape and Visual* of the EIA Report.
- 198 The greatest potential for landscape and visual change associated with the OnTW would be associated with the Onshore Substation. This building will be approximately 14 metres high and will be the most widely visible aspect of the OnTW. The Onshore Substation would not, however, be higher or bigger in scale than the existing nearby Cockenzie substation located to the south of the B1348. The Onshore Substation would introduce an additional industrial building into the landscape into an area already characterised by large scale buildings and

associated infrastructure, even following demolition of the former Cockenzie Power Station. In principle, the OnTW would therefore be in keeping with the nature of the surrounding land use, and more importantly, would introduce an energy related use onto a site specifically safeguarded for such uses through Local Plan Policy NRG1.

- 199 The scale of development proposed is appropriate to the area and would be much smaller in size than the former Cockenzie Power Station which previously occupied part of the Application Site. There will inevitably be landscape and visual impacts associated with the OnTW, some of which are significant, but ICOL has already given and will continue to give priority to developing a design strategy and landscape mitigation plan appropriate to the surroundings, which minimises visual intrusion upon the most sensitive of receptors and can, in time, complement the local industrial character of the area. ICOL has decided to underground the cable connection rather than install an overhead line. This will minimise visual intrusion and all disturbed areas will be reinstated on completion of the construction phase.
- 200 As far as possible at this PPP stage, ICOL has given considerable attention to design considerations, as required by Policy DP2. The design of the Onshore Substation will be subject to further detailed consideration as will the landscape mitigation strategy but through the EIA process ICOL has laid the foundations for a sound detailed design and landscape strategy for the OnTW in keeping with the requirements of Policy DP2.

**Policy DP15 'Sustainable Urban Drainage Systems'**

- 201 Policy DP15 states that all development proposals that require to be serviced by a Sustainable Urban Drainage System (SuDS) scheme must have such details incorporated at the time of the planning application, unless exceptional circumstances prevent such a provision.
- 202 *Chapter 7: Hydrology, Geology and Hydrogeology* of the EIA Report confirms that provision has been made for SuDS as part of the embedded mitigation. At present there is no discharge of surface water run-off from the Application Site to surrounding watercourses or drains, with all surface water run-off ultimately discharged to the Firth of Forth to the north of the Application Site. There is a commitment from ICOL to use SuDS, the precise details of which would be developed at a detailed design stage should PPP be granted. This could be controlled through the imposition of a planning condition, in the same way as this matter was controlled through the Original OnTW PPP.
- 203 Details of how surface water runoff will be managed during both the construction and operational phases of the OnTW will be included within the CEMP and will include SuDS techniques, such as temporary sumps to collect and attenuate runoff prior to controlled discharge and monitoring the rate and quality of discharge from the Application Site. It is likely the CEMP will be developed through dialogue with SEPA to ensure it will achieve an appropriate level of protection for the water environment within and surrounding the Application Site.
- 204 During the construction phase surface water will be managed to ensure surface water runoff does not affect the construction of buildings or other infrastructure. During the operational

phase, a permanent drainage system will be installed which will ensure that any surface water run-off generated by the Application Site continues to discharge to the Firth of Forth and there will be no increase in flows to the surrounding watercourses.

- 205 *Chapter 7: Hydrology, Geology and Hydrogeology* of the EIA Report considers that given the commitment to use SuDS the potential impact on surface water levels and flows is assessed as Negligible and not significant in EIA terms. While the absence of SuDS at the planning application stage is contrary to Policy 15 requirements, this application seeks PPP only. There will be a requirement for further detail to be submitted as part of a future application for matters specific in conditions and appropriate planning controls exist to ensure this is secured as part of any PPP.

#### **Policy DP16 - Flooding**

- 206 Policy DP16 states that development likely to cause unmanageable flood risk, either on or off site, or would require additional unplanned public investment for flood prevention works will not be permitted. The Policy then sets out a list of detailed requirements for development proposals in areas of importance for natural drainage and flood control.
- 207 As *Chapter 7: Hydrology, Geology and Hydrogeology* of the EIA Report confirms, a Flood Risk Assessment (FRA) was undertaken as part of the EIA and was used to inform site layout considerations (see *Appendix 7A* of the EIA Report). The FRA considered all potential sources of flooding including tidal, fluvial and groundwater sources and the findings were used to set a minimum development level and assess tidal flood levels and required mitigation.
- 208 Table 7.4 in *Chapter 7: Hydrology, Geology and Hydrogeology* of the EIA Report identifies potential risks to the OnTW posed by flooding sources. This confirms that surface water is considered to be the highest source of flood risk at medium to high whereas coastal flooding and groundwater presents a medium risk. The risk of flooding to the Application Site is primarily as a consequence of its proposed elevation, which will be below surrounding ground levels.
- 209 The FRA outlines appropriate mitigation measures to ensure that the medium risks are reduced to acceptable levels. This includes the following measures:
- it is anticipated that the Application Site will be set at an elevation of approximately 3.5 mAOD to ensure that the development level remains above the predicted maximum groundwater level;
  - a surface water drainage scheme will be installed which will discharge to the Firth of Forth. The drainage scheme will also alleviate any residual groundwater flood risk; and
  - around the north-western side of the Application Site a proposed berm will tie in with the existing tidal defences at an elevation of c.6.2 mAOD to upgrade the standard of the tidal defences to c. one metre above the maximum predicted tidal level.
- 210 *Chapter 7: Hydrology, Geology and Hydrogeology* of the EIA Report considers that given this range of proposed mitigation measures, the potential magnitude of impact from flooding to

the Application Site during the operational phases is assessed as Minor and not therefore significant. The surface water drainage strategy which is outlined within the FRA (*Appendix 7A* of the EIA Report) will ensure that surface water run-off is managed to prevent flooding to the Application Site and prevent the OnTW from increasing the flood risk to others. The CEMP will provide details of how surface water runoff will be managed during the construction phase to ensure that the overall impact on runoff rates is negligible and flood risk is not increased during this phase of the OnTW.

- 211 Based upon this work it is not considered that the OnTW will give rise to an ‘unmanageable flood risk’ and there are no conflicts with Policy 16.

#### **Policy T2 - General Transport Impact**

- 212 Policy T2 states that new development must have no significant adverse impact consequences for road safety. The Policy elaborates this further through reference to the need to consider issues relating to the convenience and safety of walking and cycling in the surrounding area; accessibility to public transport; the capacity of the surrounding road network and any residential amenity consequences as a result of an increase in motorised traffic.
- 213 *Chapter 11: Traffic and Transport* of the EIA Report considers the potential impacts resulting from the traffic generated by the OnTW during the construction, operation and decommissioning phases. Most traffic related impacts are anticipated to occur during the construction phase as traffic generated during the operational phase will be minimal and associated with maintenance activities only.
- 214 Figure 11.1 within *Chapter 11: Traffic and Transport* of the EIA Report identifies the proposed construction traffic route to the Application Site while Figure 11.2 of the same Chapter identifies 10 links which were considered in detail to ascertain potential impacts of additional traffic generation. These links are set out below with a fuller description provided in *Chapter 11: Traffic and Transport* of the EIA Report:
- Link 1: A198 between A1 overbridge and A198 roundabout;
  - Link 2: A198 between the B6371 / B1361 roundabout and the A1 slip roads;
  - Link 3: B6371 between the A198 / B1361 roundabout and Alder Road;
  - Link 4: A198 east of the B6371 / B1361 roundabout;
  - Link 5: B1361 west of the B6371 / A198 roundabout;
  - Link 6: A1 east of A198;
  - Link 7: A1 west of A198;
  - Link 8: B6371 between Alder Road and South Lorimer Place;
  - Link 9: B6371 between South Lorimer Place and B1348; and
  - Link 10: B1348 Edinburgh Road.



- 215 The methodology adopted as part of the traffic and transport assessment involved obtaining information on existing traffic flows, applying traffic growth forecasts, identifying a potential construction date and then considering the potential effects of the construction traffic upon the future baseline at each of the above links, considering potential impacts upon a range of considerations, discussed further below.
- 216 The construction period is envisaged to commence in 2020 / 2021. The start of the construction process is the most intensive in terms of traffic movements due to the groundworks involved and thus the peak daily construction traffic generated is also envisaged in 2020 / 2021. To ensure the EIA progressed on the basis of a worst case scenario assessment, traffic growth rates were applied for each link for a baseline year of 2020.
- 217 As part of the embedded mitigation, *Chapter 11: Traffic and Transport* of the EIA Report confirms that a Construction Traffic Management Plan (CTMP) will be prepared and agreed with the Road Authority prior to construction. The CTMP will seek to ensure good working practices throughout the construction period and will address matters such as details of temporary signage requirements, arrangements for road maintenance and cleaning, details of the alterations to the access to the B1348 etc.
- 218 The methodology for the traffic assessment was agreed through the EIA Scoping process and was undertaken following relevant guidance for assessing the environmental effects of traffic, set out within The Institute of Environmental Assessment (IEA) (now the IEMA) publication 'Guidance Note Number 1: Guidelines on the Environmental Assessment of Road Traffic', 1993 (the IEMA Guidelines).
- 219 The IEMA Guidelines recommend further analysis of the potential impacts of development traffic on link roads under two rules, as follows:
- Rule 1: Include road links where traffic flows will increase by more than 30 per cent (or the number of heavy goods vehicles will increase by more than 30 per cent); and
  - Rule 2: Include any other specifically sensitive areas where total traffic flows have increased by 10 per cent or more.
- 220 The IEMA Guidelines are based upon knowledge and experience of the environmental effects of traffic. Rule 1 is based upon research and experience of the environmental effects of traffic, with less than a 30 per cent increase generally resulting in imperceptible changes in the environmental effects of traffic. At a simple level, the guidance considers that projected changes in total traffic flow of less than 10 per cent creates no discernible environmental effect.
- 221 In cases where the IEMA thresholds are exceeded, Table 2.1 of the IEMA guidelines set out a list of environmental effects which should be assessed to determine the magnitude of impact. These are listed below:
- Noise;
  - Vibration;

- Visual impact;
  - Severance;
  - Driver delay;
  - Pedestrian delay;
  - Pedestrian amenity;
  - Accidents and safety;
  - Hazardous loads;
  - Air pollution; and
  - Dust and dirt.
- 222 The assessment process identified receptors who may be sensitive to changes in traffic conditions, as follows:
- people at home;
  - people in work places;
  - sensitive groups such as children;
  - the elderly or the disabled;
  - sensitive locations such as hospitals, churches, schools or historical buildings;
  - people walking or cycling;
  - open spaces;
  - recreational sites;
  - shopping areas;
  - sites of ecological/nature conservation value; and
  - sites of tourist/visitor attractions.
- 223 For each identified link, Table 11.8 of *Chapter 11: Traffic and Transport* of the EIA Report identified the sensitivity of the receptors along the 10 road links, which then informs whether IEMA threshold 1 or 2 will be followed. Two road links (Link 9: B6371 between South Lorimer Place and B1348 and Link 10: B1348 Edinburgh Road) were deemed to have receptors of moderate sensitivity. As a result, the rule 2 IEMA threshold of 10 per cent applies to these two road links.
- 224 The remaining eight road links were deemed to have receptors of low sensitivity. As a result, the rule 1 IEMA threshold of 30 per cent applies to these eight road links.
- 225 The peak months for traffic movements are five and six where a maximum of 67 two-way HGV movements per day is predicted and a maximum of 120 staff car arrivals are also predicted. To ensure a robust assessment, the peak HGV movements during months five and six and the

peak staff car movements during months five and six are assumed to overlap and occur at the same time to create a combined peak scenario.

- 226 The peak and average construction vehicle movements generated by the OnTW have been assessed against the 2020 baseline traffic flows to determine the magnitude of change, as summarised in Table 11.10 (peak) and Table 11.11 (average) in *Chapter 11: Traffic and Transport* of the EIA Report. Following the IEMA guidance, the peak construction traffic flows generated by the OnTW will result in increases that are below the IEMA thresholds on Links 1, 2, 4, 5, 6 and 7. *Chapter 11: Traffic and Transport* of the EIA Report considers that these increases will result in imperceptible effects along these links meaning that significance of the increase in traffic flows along these road links is not significant.
- 227 By comparison, peak construction traffic flows generated by the OnTW would result in increases that exceed the IEMA thresholds during some hours of the day for Links 3, 8, 9 and 10. Assessments were therefore undertaken to determine the significance of the effect along these road links resulting from the peak construction traffic flows generated by the OnTW against prescribed headings including severance, driver delay, pedestrian amenity, pedestrian delay etc. Following consideration of these issues, *Chapter 11: Traffic and Transport* of the EIA Report concludes that no significant adverse effects were identified as a result of construction traffic movements when the OnTW were considered in isolation.
- 228 No significant effects from the operation and maintenance of the OnTW were predicted either.
- 229 Cumulative effects of construction vehicle movements were considered alongside the proposed new settlement at Blindwells. To ensure a robust assessment, it was assumed that this development will be constructed during the time periods that the OnTW would be constructed. Combined construction traffic flows associated with both developments are presented in Table 11.12 and peak construction period percentage changes on each of the 10 links identified in Table 11.13 in *Chapter 11: Traffic and Transport* of the EIA Report.
- 230 Cumulative peak construction flows assumed both developments would be on site at the same time to present a worst case scenario. This approach resulted in the IEMA thresholds being exceeded for Links 3, 8, 9 and 10. The baseline traffic flows, the increases in traffic flows and the resultant percentage increases (magnitude of change) on these four road links for the cumulative peak construction periods are calculated as being the same as those for the peak OnTW construction in isolation. This is because the construction traffic flows generated by the proposed new settlement at Blindwells, do not generate any traffic along these four road links. Therefore, the assessments undertaken for the OnTW in isolation on these four road links are the same as the cumulative peak construction assessment scenario and the same residual effects are envisaged. Cumulative peak construction traffic flows would therefore not be significant.
- 231 A summary of these various assessments are presented in Table 11.14 in *Chapter 11: Traffic and Transport* of the EIA Report which confirms that no significant residual effects upon any of the identified links are identified for all phases of the OnTW in isolation and cumulatively with other identified developments.

### 1.7.1 Conclusions on Development Plan Policies

- 232 As this policy assessment reveals, there are a wide range of planning policies of potential relevance to determination of the planning application for the OnTW. While neither SESplan nor the Local Plan contain any planning policies relating specifically to the onshore elements of offshore wind farms, they both contain supporting statements regarding the important role of renewable energy developments in achieving Scottish Government renewable energy targets.
- 233 There is also recognition in SESplan that this part of the East Coast has been identified as a location where electricity grid reinforcements are required. The OnTW can form a part of this upgraded network and contribute to wider goals regarding future electrical infrastructure expressed in SESplan.
- 234 This planning policy assessment demonstrates that the OnTW complies, for the most part, with the aims and objectives of most of the identified planning policies. In particular, it is considered that the choice of Application Site is entirely consistent with Policy NRG1, which safeguards the Application Site and adjoining land for uses '*in association with a power generating use*'. The proximity of the Application Site to the grid connection point and landfall location at Cockenzie is further evidence of the appropriateness of the Application Site for the OnTW.
- 235 The EIA Report has identified little in the way of significant residual environmental effects, which in turn has led to a corresponding positive Development Plan analysis. In particular, it is significant to note that the OnTW will not give rise to any conflicts with nature conservation planning policies, including those related to European designations, nor those related to Scheduled Monuments or other archaeological sites.
- 236 Identified significant residual impacts and associated policy conflicts relate solely to landscape and visual considerations. *Chapter 8: Landscape and Visual* of the EIA Report notes that significant residual effects will arise on the landscape character and visual amenity on a number of receptors, even at Year 15 following the establishment of landscape mitigation. These residual effects are as a result of the Onshore Substation only and no significant residual effects are predicted as a result of the Landfall operations or Onshore Export Cable. On all other accounts, the OnTW will not give rise to any insurmountable policy conflicts.
- 237 The Development Plan clearly sees the Cockenzie area and the former Cockenzie Power Station Site more specifically as being important in the context of future energy related development. It must therefore be accepted that development will come forward, possibly of a large scale, and that some environmental effects will arise, if policy aspirations are to be realised. The EIA Report has demonstrated that ICOL has gone to significant lengths to minimise the number and significance of environmental effects associated with the OnTW, such that significant residual effects are limited to localised landscape and visual effects only. Taking these factors into consideration, as a whole it can be concluded that, the OnTW complies with the relevant provisions of the Development Plan.
- 238 It is also important to consider the potential relevance of other material considerations in weighing up the arguments for and against a development proposal and those material

considerations considered relevant to the OnTW are discussed in Section 7 of this Planning Statement.

## **1.8 OTHER MATERIAL CONSIDERATIONS**

### **1.8.1 National Planning Framework 3 (2014)**

239 National Planning Framework 3 (NPF3) is a long term strategy for Scotland. Scottish Ministers expect planning decisions to support delivery of the key aims and objectives of NPF3. NPF3 is therefore a visionary document that sets out a spatial strategy for Scotland with associated plans and priorities for investment.

240 When taken alongside Scottish Planning Policy (SPP), NPF3 when applied at the national, strategic and local levels will help the planning system deliver the visions and outcomes for Scotland and will contribute to the Scottish Government's central purpose, which *'is to create a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth'* (Ministerial Foreword).

241 While NPF3 can be a material consideration in all planning applications, it is considered of particular relevance to the OnTW. This is because the OnTW falls within the definition of a National Development within NPF3. National Development 4 relates to the development of *'high voltage electricity transmission infrastructure'* and NPF3 states that these classes of development are needed *'to support the delivery of an enhanced high voltage electricity transmission grid which is vital in meeting national targets for electricity generation, statutory climate change targets, and security of energy supplies'*. By definition, therefore, the OnTW are of national importance.

242 Paragraph 6.8 of NPF3 confirms that where national developments are not location specific as is the case with the OnTW, site selection will be needed. NPF3 further notes that all developments will require the appropriate level of environmental assessment and public consultation, and will need to demonstrate that environmental impacts can be avoided, or mitigated to an acceptable level at the consenting stage. The EIA Report and PAC Report submitted with the planning application consider these requirements in detail while further information on site selection is set out in *Chapter 4: Site Selection and Alternatives* of the EIA Report.

243 While NPF3 does not identify the Application Site as a particular location for National Development 4 projects, the Cockenzie specific commentary in paragraph 3.41 of NPF3 clearly notes that this area will be of interest to developers of offshore wind farms as a location which may present significant opportunities for renewable energy-related investment.

244 NPF3 also identifies land, but not a specific site, at Cockenzie as a potential location for another National Development. Cockenzie is one of four potential locations identified in National Development 3 as potentially suitable for *'Carbon Capture and Storage Network and Thermal Generation'*. NPF3 states that these classes of development are needed to support the delivery of a carbon capture and storage network to establish Scotland as a centre of expertise in this technology.

- 245 The potential attractiveness of Cockenzie for such uses is discussed in paragraph 3.41 of NPF3. While land at Cockenzie is safeguarded for a possible National Development 3, NPF3 makes it clear that this is not an inflexible position. If competing proposals emerge in the Cockenzie area, such as those related to offshore wind farm proposals, and there is insufficient land for competing proposals, the Scottish Government wishes to see priority given to those which make best use of this location's assets and which will bring the greatest economic benefits.
- 246 There are currently no competing proposals for alternative land uses within Cockenzie and the OnTW could therefore be viewed as the first stage in a wider redevelopment of this area. In this regard, it is significant to note that ELC has recently published a masterplan for Cockenzie which clearly sees the future of this area as being much more than simply land safeguarded for a potential National Development 3. This issue is discussed further in Section 7.
- 247 While National Development status does not remove the requirement to obtain the necessary consents, including planning permission, this enhanced status does reflect the importance of these projects to the delivery of the Scottish Governments overall spatial strategy, with associated environmental and economic benefits. With regards to National Development 4, paragraph 6.5 of NPF3 states that the Scottish Government wants '*to see planning enabling development of onshore links to support offshore renewable energy development*'. This is clearly an important statement in the context of this application for PPP and NPF3 therefore clearly sets out the need case for the OnTW (see NPF3 para 6.1).
- 248 More generally, the Scottish Government's overall vision for Scotland as set out in paragraph 1.2 of NPF3 contains 4 key elements, the first 3 of which are considered relevant to OnTW as summarised in the following paragraphs.

**(1) A successful, sustainable place**

- 249 Key to achievement of this element of the vision is a growing low carbon economy which provides opportunities that are more fairly distributed between and within all of Scotland's communities.
- 250 Paragraph 2.2 of NPF3 identifies energy as one of the key sectors of the Scottish economy while paragraph 2.7 seeks to ensure that development facilitates adaptation to climate change, reduces resource consumption and lowers greenhouse gas emissions. Paragraph 2.8 of NPF3 states that much can be gained by focusing on energy resources.

**(2) A low carbon place**

- 251 NPF3 (paragraph 1.2) seeks to ensure that 'we seize opportunities arising from our ambition to be a world leader in low carbon energy generation, both onshore and offshore', (underlining added). There is an acknowledgement in paragraph 3.2 of NPF3 that at present the energy sector accounts for a significant share of our greenhouse gas emissions. Paragraph 3.1 states that planning has a key role to play in delivering on the commitments set out in Low Carbon Scotland, which includes full decarbonisation of electricity supply by 2030.



- 252 The OnTW will allow renewable electricity generated by ICOL's Offshore Wind Farm to be connected to the NETS, potentially supplying the equivalent of over 500,000 homes with renewable electricity. Without the OnTW, these renewable energy benefits would not be realised as ICOL's Offshore Wind Farm would not be constructed, with significant adverse consequence for renewable energy targets, employment creation and inward investment in Scotland.
- 253 Paragraph 3.9 confirms that the Scottish Government wants to continue to capitalise on Scotland's wind resource, and for Scotland to be a 'world leader in offshore renewable energy', a particularly pertinent statement in this case.
- 254 Paragraph 3.25 of NPF3 sets out the economic benefits of a growing renewable energy sector noting that there will be job opportunities for manufacturing and servicing to support the sector, as well as providing job opportunities in rural areas. ICOL estimates that in Scotland the expenditure made by ICOL's Offshore Wind Farm and OnTW could generate Gross Value Added of between £115 million and £378 million in the construction phase and between £12.5 million per annum and £17.9 million per annum in the operation and maintenance phase. The OnTW are required to realise these significant economic benefits and will bring their own level of investment, as set out in *Chapter 12: Socio-Economics, Tourism, Land-Use and Recreation* of the EIA Report. These economic benefits must be accorded due weight in the overall planning balance as will be discussed further in relation to paragraph 29 of SPP.

### **(3) A natural, resilient place**

- 255 This component of the NPF3 vision envisages a Scotland where natural and cultural assets are respected, improving in condition, and represent a sustainable economic, environmental and social resource for the nation. There is a further aspiration in paragraph 1.2 that *'our environment and infrastructure have become more resilient to the impacts of climate change'*. Paragraph 4.7 continues that the pressing issue of climate change means that action on the environment must continue to evolve, strengthening longer-term resilience.
- 256 While the OnTW will not generate renewable electricity, they would make a significant contribution to these aspirations by ensuring that renewable electricity generated by ICOL's Offshore Wind Farm reaches consumers on the mainland. NPF3 recognises as much in paragraph 3.28 and states that electricity grid enhancements will facilitate increased renewable electricity generation across Scotland. In recognition of this, National Development 4 was included in NPF3 focusing on enhancing the high voltage transmission network to support this, which will help to facilitate offshore renewable energy developments. The OnTW will therefore help achievement of this third aim by facilitating the transition to a low carbon economy and making a valuable contribution to Scotland's response to the challenges of climate change.
- 257 In conclusion, therefore, it is considered that NPF3 is strongly supportive of the OnTW by specifically identifying high voltage electricity projects as developments of national importance. The National Development status identifies the need for the OnTW and, while the Application Site is not specifically identified as an exact location for the OnTW, it is

significant to note that NPF3 recognises that Cockenzie presents opportunities for works associated with offshore wind farms. The identification of Cockenzie as a location potentially suitable for National Development 3 projects is acknowledged, but this does not preclude other developments from coming forward at this location, a point recognised by paragraph 3.41 of NPF3.

### 1.8.2 Scottish Planning Policy (2014)

258 Complementing the NPF3 objectives outlined above, SPP reiterates the importance of the planning system in achieving sustainable development.

259 Paragraph V SPP states that where the term ‘must’ is used it reflects a legislative requirement to take action. Where ‘should’ is used it reflects Scottish Ministers’ expectations of an efficient and effective planning system. These definitions are important in considering the weight to be attached to the various sections of SPP.

260 In this context of this clarification, it is important to note that in the opening paragraph of the ‘Low Carbon Place’ section of SPP, paragraph 152 states that *‘NPF3 is clear that planning must facilitate the transition to a low carbon economy’* (underlining added). Furthermore, SPP also clarifies in paragraph V that the Principal Policies on Sustainability and Placemaking are overarching and should be applied to all development. The Principal Policy on Sustainability is of particular relevance to this planning application, particularly given the age of the Local Plan which is *‘out of date’* in the context of paragraphs 32 and 33 of SPP, discussed further below.

#### SPP Overview

261 SPP outlines the importance of the planning system in achieving sustainable development. The emphasis in the SPP vision to a low-carbon economy, reducing emissions and sustainability are recurring themes throughout the document. The OnTW can make positive contributions to these aspirations, facilitating the transmission of up to 784 MW of renewable electricity to the national grid from ICOL’s Offshore Wind Farm. This will help reduce carbon emissions by potentially displacing the emission of 1.3 million tonnes of CO<sub>2</sub> that would otherwise be emitted should the equivalent amount of electricity be generated from a fossil fuel mix.

262 SPP notes the Climate Change (Scotland) Act 2009 targets for reducing greenhouse gas emissions *‘by at least 80% by 2050, with an interim target of reducing emissions by at least 42% by 2020’* (paragraph 18). While the OnTW will not generate renewable electricity, they will help achieve these targets as part of the wider offshore wind farm.

#### SPP Principal Policies

263 SPP provides policy commentary under two key themes (1) Principal Policies and (2) Subject Policies. There are two Principal Policies in SPP (Sustainability and Placemaking) which are underpinned by several policy principles, as discussed in the following paragraphs.

264 The first policy principle states that *‘This SPP introduces a presumption in favour of development that contributes to sustainable development’*, considered to mean a presumption

in favour of granting planning permission where it is determined by the decision-maker that the development in question *'contributes to sustainable development'*.

265 The OnTW is considered to be a form of development that contributes to sustainable development, as it will facilitate the transmission of renewable energy generated offshore to consumers onshore. It would also assist in delivering the second 'Outcome' of SPP 'A Low Carbon Place', which seeks to reduce carbon emissions and *'particularly by supporting diversification of the energy sector'* (paragraph 17). As discussed in the earlier commentary on NPF3, the Scottish Government has an ambition for Scotland to be a world leader in low carbon energy generation, including offshore projects. The OnTW will help deliver this objective.

266 SPP (paragraph 32) makes it clear that the presumption in favour is a material consideration in the determination of all planning applications, but it becomes a significant material consideration when the Development Plan is out of date (paragraph 33).

267 The Local Plan was adopted by ELC in 2008. According to paragraph 33 of SPP it is therefore out of date as it is more than 5 years old. The presumption in favour therefore becomes a significant material consideration in the assessment of this planning application. The extent to which the OnTW contributes to sustainable development necessitates consideration of the criteria set out in paragraph 29 of SPP, the most pertinent being:-

- **Giving due weight to the net economic benefit of proposals** – As reported in *Chapter 12: Socio-Economics, Tourism, Land-Use and Recreation* of the EIA Report, the total capital expenditure for the OnTW is estimated to be in the region of £60.5 million. In addition, it is estimated that the GVA made by ICOL's Offshore Wind Farm will be between £115 million and £378 million in the construction phase and between £12.5 million per annum and £17.9 million per annum in the operation and maintenance phase. The construction of the OnTW would directly support around 40 full time equivalent (FTE) jobs for a period of approximately 16 to 18 months. ICOL's Offshore Wind Farm could create up to 1,200 jobs in Scotland during construction and around 135 long term operational jobs<sup>2</sup>. It is acknowledged that a significant proportion of these jobs will be drawn from outwith the East Lothian area but the numbers are significant in a Scotland wide context with some local additional jobs too;
- **Making efficient use of existing capacities of land, building and infrastructure including supporting town centre and regeneration priorities** – the Application Site is located on the site of the former Cockenzie Power Station. It is therefore a brownfield site with an energy related history with locational benefits in terms of proximity to the landfall location and grid connection point. The choice of site location is consistent with this principle and further detailed design work at later stages will seek to make further efficiencies in land use where possible;
- **Supporting delivery of infrastructure, for example transport, education, energy, digital and water** - The OnTW are identified as a nationally significant project in terms of NPF3 which also creates the need case. National Development 4 projects will assist in *'meeting*

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<sup>2</sup> [http://www.inchcapewind.com/news/inch\\_cape\\_wind\\_farm\\_approved](http://www.inchcapewind.com/news/inch_cape_wind_farm_approved)

*national targets for electricity generation, statutory climate change targets, and security of energy supplies’;*

- **Supporting climate change mitigation and adaptation including taking account of flood risk’** – the OnTW will make a significant and positive contribution to this principle by transmitting up to 784 MW of renewable electricity from ICOL’s Offshore Wind Farm; and
- **Avoiding over development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality** – the Application Site extends to 10.2 ha in area. The land required for the OnTW has been minimised as far as possible by concentrating built development to the north of the B1348 thereby reducing the area of land required, and potentially sterilised, for underground cables to and from the substation, if it were to be located further away from Landfall and the grid connection point. In terms of the ELC’s Cockenzie Masterplan (2017), a significant amount of land remains available for development on both the north and south side of the B1348 for alternative future uses. The EIA Report fully considers the potential impacts of the OnTW on the amenity of nearby land uses as well as impacts to water, air and soil quality. On each account, no insurmountable significant environmental impacts were identified that cannot be overcome by mitigation.

- 268 This assessment demonstrates that the OnTW complies with the key principles of SPP paragraph 29 and can be positively considered as a form of development that contributes to sustainable development.
- 269 The third policy principle of SPP states ‘*planning should direct the right development to the right place*’ (paragraph 28). ELC has previously accepted that Cockenzie is an appropriate location for OnTW, by granting planning permission for the now expired PPP 14/00456/PPM. While the current Application Site is located in a different location from the previous permission, it is located in close proximity on a brownfield site, with a past history of energy generation and distribution uses, it is closer to the grid connection point, closer to the landfall and further away from sensitive land uses such as cultural heritage receptors. The same adopted Local Plan policies apply to the OnTW as were applicable when the Original OnTW was determined and there were no objections to the previous application from consultees such as SEPA, Historic Environment Scotland, SNH.
- 270 The Application Site is unaffected by any international or national natural heritage, landscape or cultural heritage designations. It is, however, located in close proximity to the boundary of the Firth of Forth SPA, Ramsar site and SSSI, as shown Figure 6.1 in *Chapter 6: Ecology* of the EIA Report. The potential environmental effects of the OnTW upon these receptors has been considered in *Chapter 6: Ecology* of the EIA Report which concludes that there will be no significant residual effects associated with the construction or decommissioning of the OnTW, including cumulative impacts. Similar conclusions are reached in the majority of other assessment chapters and while it is acknowledged that the OnTW will give rise to some significant environmental effects, these are localised and affect a small number of receptors only, mainly the visual amenity of people using Core Paths in the vicinity of the Application Site and Preston Links.

- 271 NPF3 paragraph 3.41 recognises that Cockenzie may present significant opportunities for renewable energy related investment. For ICOL the proximity of the Application Site to the grid connection point is a crucial factor in justifying the choice of site location. When these factors are considered against the findings of the EIA Report, which identifies very few significant residual impacts, it is considered that the OnTW are *‘the right development in the right place’* and therefore consistent with the third policy principle of SPP.

#### **A Low Carbon Place**

- 272 Within this section of SPP, paragraph 152 recognises that Scotland has significant renewable energy resources, including offshore resources. Paragraph 153 comments on the vital role that an *‘efficient supply’* of low carbon electricity from renewable energy sources can play in reducing greenhouse gas emissions. The OnTW will help in exploiting these recognised offshore resources and make a valuable contribution to wider renewable energy and greenhouse gas reduction targets.
- 273 Paragraph 153 of SPP recognises that the renewable energy industry presents a significant opportunity for supply chain benefits and the OnTW is a case in point, with the job creation and GVA to the Scottish economy previously highlighted.
- 274 Paragraph 154 of SPP comments that the planning system should *‘support the development of a diverse range of electricity generation from renewable energy technologies’*. The OnTW are associated with an offshore wind farm, and their approval will allow further investment in and development of this technology to complement the more advanced status of onshore wind as a key contributor to renewable energy generation targets.
- 275 For renewable energy developments to be able to provide an *‘efficient supply’* of low carbon electricity they must also be commercially viable. A key consideration in the selection of Cockenzie as a key area of search for the OnTW site was the proximity to the Landfall and also the grid connection point. The Application Site provides a number of advantages in this respect as it is located only a short distance from the Landfall point to the north, significantly limiting the distance underground cables must travel to the substation. Equally, the distance from the substation to the grid connection point has been significantly reduced and ICOL is seeking to re-use as much of the infrastructure left in place by the former Cockenzie Power Station as possible to further reduce costs, e.g. the ducts under the B1348 to the grid connection point. These actions all contribute towards an *‘efficient supply’* of low carbon electricity and are supported by SPP.

#### **Paragraph 169**

- 276 Paragraph 169 of SPP identifies the range of considerations likely to be relevant to the determination of energy infrastructure developments, and is therefore relevant to the OnTW. It covers some of the same issues set out in paragraph 29 of SPP which have in large part already been considered in relation to relevant Local Plan policies. Notwithstanding this, a brief consideration of paragraph 169 criteria is set out below:

- Net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities – The construction of the OnTW would directly support around 40 full time equivalent (FTE) jobs for a period of approximately 16 to 18 months. It is estimated that ICOL's Offshore Wind Farm could create up to 1,200 jobs in Scotland during construction and around 135 long term operational jobs<sup>3</sup>;
- The scale of contribution to renewable energy generation targets – the OnTW will transmit up to 784 MW of renewable electricity generated by ICOL's Offshore Wind Farm making a significant and positive contribution to the Scottish Government's renewable energy generation targets;
- Effect on greenhouse gas emissions – ICOL's Offshore Wind Farm could displace a minimum of 1.3 million tonnes of CO<sub>2</sub> from the average CO<sub>2</sub> release of all fossil fuel mix each year from entering the atmosphere and could provide energy equivalent to the needs of just over 500,000 households, based on average UK consumption. Without the OnTW these significant benefits cannot be realised;
- Cumulative impacts – no significant residual cumulative impacts were identified in any of the EIA Report Chapters;
- Impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker – some significant residual effects on the visual amenity of several receptors were identified that cannot be mitigated;
- Landscape and visual impacts, including effects on wild land – some significant effects on localised landscape character of the urban area are identified, but no effects were identified for any international or national landscape designations;
- Effects on the natural heritage, including birds – no significant adverse residual effects were identified upon any natural heritage designations or protected species, including birds;
- Impacts on carbon rich soils, using the carbon calculator – not applicable;
- Public access, including impact on long distance walking and cycling routes and scenic routes identified in the NPF3 – there will be some temporary disturbance upon Core Paths and Public Rights of Way in the vicinity of the Application Site during the construction period only. Temporary diversions will be put in place to ensure access remains open and the period of disruption is likely to last up to eight weeks only;
- Impacts on the historic environment, including scheduled monuments, listed buildings and their settings – no direct or indirect significant residual impacts were identified upon any cultural heritage receptors;
- Impacts on tourism and recreation – some minor impacts upon tourism were identified due to the passage of the B1348 through the Application Site. This road is also known as the Golf Coast Road and a temporary negative effect of Minor significance, at worst, is

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<sup>3</sup> [http://www.inchcapewind.com/news/inch\\_cape\\_wind\\_farm\\_approved](http://www.inchcapewind.com/news/inch_cape_wind_farm_approved)



predicted as a result of a decrease in visitor numbers using the Golf Coast Road during construction of the OnTW;

- Impacts on aviation and defence interests and seismological recording – not applicable
- Impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised – not applicable
- Impacts on road traffic – no significant residual effects are anticipated from the OnTW;
- Impacts on adjacent trunk roads – no significant residual effects are anticipated from the OnTW;
- Effects on hydrology, the water environment and flood risk – the FRA has been undertaken and identified a range of mitigation measures that will ensure that the site is not at risk of flooding and does not give rise to flood risk elsewhere. Detailed proposals for the management of surface water during the construction and operational phases will be developed through a CEMP, to incorporate SuDS;
- The need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration – not considered necessary;
- Opportunities for energy storage – not applicable;
- The need for a robust planning obligation to ensure that operators achieve site restoration - not considered necessary.

277 There will be some environmental impacts associated with the OnTW as with all forms of development; however, SPP does not require developers to demonstrate no significant impacts upon each and every receptor in order to comply with policy. Considering all relevant assessment criteria and the very limited potential for significant environmental effects, it is considered that the OnTW can be positively assessed against paragraph 169 of SPP when all relevant factors are considered.

### 1.8.3 SESplan Proposed Strategic Development Plan (October 2016)

278 The second Proposed Strategic Development Plan (the Proposed SESplan) was submitted to Scottish Ministers for examination on 26 June 2017. The Examination process is well underway and the Directorate of Planning and Environmental Appeals (DPEA) website notes an April 2018 target date for the Examination report.

279 The first reference to the former Cockenzie Power Station site is in paragraph 3.16, which notes that the site:-

*'is not is not currently subject to specific proposals for carbon capture and storage and thermal generation. It remains part of an Area of Coordinated Action, but relevant stakeholders should consider a wider range of potential future uses for this site', (underlining added).*

280 This commentary is reflected in Table 4.1 of the Proposed SESplan which notes the former Cockenzie Power Station Site forms part of the Forth Coast Business Cluster where the

principal sectors are identified as energy and port use. The associated commentary states that these locations provide opportunities for a range of uses, in particular ‘port use such as renewables manufacture and servicing, thermal and low carbon energy generation or other uses associated’. There is a similar reference to these potential uses in the ‘Low Carbon Economy’ section of the Proposed SESplan and paragraph 4.26 specifically notes the ‘opportunity for these sites to contribute to renewables manufacture, servicing of offshore renewables and any possible longer-term opportunities to contribute to a carbon capture and storage network’.

- 281 The Proposed SESplan therefore acknowledges that the former Cockenzie Power Station Site is currently suitable for more than just one potential land use and the range of uses potentially suitable for the site reflect National Developments 3 and 4 of NPF3. SESplan does not, therefore, seek to safeguard the former Cockenzie Power Station site for one particular use over any other form of development; indeed it is encouraging stakeholders to consider a much broader range of potential uses. While the current focus of the Proposed SESplan is on energy generation, manufacture, servicing and other associated uses, it is noted that a future review of the National Planning Framework may provide an opportunity to consider an even wider range of uses on the site.

#### 1.8.4 Proposed East Lothian Local Development Plan

- 282 ELC has prepared a new Proposed LDP that will replace the Local Plan, when adopted. The Proposed LDP has yet to be adopted and is at present at the examination stage with appointed Reporters, who have considered outstanding objections to the Proposed LDP.
- 283 Within the Proposed LDP, the Application Site is located within an area referred to as Cockenzie Power Station (as delineated on Inset Map 32 – Prestonpans, Port Seton & Cockenzie). ELC’s proposed site specific LDP policy as it relates to the former Cockenzie Power Station site is PROP EGT1. Within this proposed policy, ELC is proposing to safeguard the entire PROP EGT1 area (which includes the Application Site) for land uses involving thermal generation proposals and carbon capture and storage facilities only. The Proposed LDP states in paragraph 2.51 that any other form of development *‘cannot be supported at the site until such time as a thermal generation proposal is implemented or unless or until its National Development status is reviewed in any revision of NPF3’*.
- 284 In response to this proposed policy, ICOL submitted representations to the Proposed LDP consultation, calling for a change to PROP EGT1 to make it more flexible towards other potential land uses and to properly reflect the contents of NPF3. ELC did not modify the Proposed LDP and therefore ICOL’s objection was considered by the Reporters as part of the wider Proposed LDP Examination.
- 285 A Report on the findings of the Reporters’ Examination into the Proposed LDP is expected in February 2018 and ICOL anticipates that a supplementary statement on the Reporters’ report would be appropriate to consider the OnTW in the context of the Reporters’ recommendations.

#### 1.8.5 Former Cockenzie Power Station and Surrounding Area Masterplan (November 2017)

- 286 At the same time as ELC was preparing its replacement LDP, it commenced work on the above document (the Masterplan) for land at Cockenzie, essentially the area within the EGT1 boundary identified on the Proposed LDP Proposals Map. The Masterplan sets out a vision for the future of the site over the next 25 years and seeks to maximise the economic benefits and job potential of the site, building upon the site's existing assets to support a flourishing economy.
- 287 ELC published the final Masterplan in November 2017 noting on page 9 that *'it has the potential to be the main evidence source for the Supplementary Guidance (SG), subject to the agreement of East Lothian Council to initiate the appropriate procedures towards adoption of the Masterplan as SG'*. The same page continues and states that *'The principles outlined in this Masterplan can be used to inform future decisions by the Council and other stakeholders undertaking development on the site of the former Cockenzie Power Station and surrounding area'*. The masterplan is therefore non-statutory guidance.
- 288 The Masterplan essentially divides the EGT1 area into four. The Application Site is located predominantly within an area referred to as 'Zone 1 – Coastal', which is land to the north of the B1348. The Masterplan, on page 54, notes that *'The development portion is proposed as an energy and mixed-use area, and uses could include potential opportunities arising for offshore energy to be brought into the site, and potentially ancillary energy-related activities'*. Other noted possible uses include employment based retail, recreation and restaurant, bar and café use, with provision for a hotel and commercial health and fitness.
- 289 'Zone 2 – Energy Quarter', is located to the south of the B1348 and includes a portion of the Application Site. The Vision for this area *'is proposed to address the requirement for the site to accommodate a potential range of energy uses. This could range from energy production to handling power from an off-shore location, to more passive energy types and other uses associated with energy production.....'*
- 290 The Masterplan therefore appears to adopt a stance that is at odds with the Proposed LDP, in as much as it acknowledges the potential for the EGT1 site to accommodate a range of uses, including works associated with offshore wind farms, such as the OnTW. The Proposed LDP position, as expressed through PROP EGT1 is much more rigid, specifically stating that forms of development other than those involving thermal power generation and/or carbon capture and storage will not be permitted during the lifetime of NPF3.

#### 1.8.6 Summary on Material Considerations

- 291 NPF3 is of particular relevance to and supportive of the OnTW as they fall within the definition of National Development 4. The need case for the OnTW as part of an improved high voltage electricity transmission network is recognised in NPF3 and the OnTW will help achieve other NPF3 aims and objectives in relation to renewable energy, helping to tackle climate change and to create opportunities for economic growth as part of a low carbon economy.

- 292 SPP is similarly supportive and it is considered that the OnTW will help deliver sustainable development. As the Local Plan is out of date, the presumption in favour of development that contributes to sustainable development becomes a 'significant' material consideration and this coupled with NPF3 clearly provides support for the OnTW, following on from a positive Development Plan assessment.
- 293 The Proposed SESPlan clearly acknowledges that the former Cockenzie Power Station site presents opportunities for '*a range of uses*'. The current focus is on port and energy generation and related uses, reflecting NPF3, but the Proposed SESPlan does not seek to safeguard the site for one particular use over all others, an approach that the Proposed LDP has sought to adopt.
- 294 It is acknowledged that the ELC Proposed LDP is nearing completion and ELC's proposed policy PROP EGT1 does not provide specific support for the OnTW. However, a report on objections to the Proposed LDP is expected imminently and ICOL will make a further statement on these findings in due course.
- 295 While the Cockenzie Masterplan does not hold the same weight as the aforementioned material considerations, it is a recently published document that sets out ELC's vision of how Cockenzie may be developed in future generations. As far as it is relevant to the OnTW, the Masterplan recognises that there is potential for the PROP EGT1 site to accommodate a range of uses, including works associated with offshore wind farms such as ICOL's OnTW.

## 1.9 Planning Balance and Conclusions

- 296 The OnTW will not generate renewable electricity. They will, however, ensure that up to 784 MW of renewable electricity generated by ICOL's Offshore Wind Farm can be brought ashore and then distributed to end users across the country, supplying the equivalent of approximately 500,000 homes with their average electricity requirements, the equivalent of 22.1 per cent of Scottish Homes.
- 297 The need for such infrastructure to help achieve the Scottish Government's ambitious renewable energy targets is set by National Development 4 of NPF3, which also recognises that Cockenzie may present significant opportunities for renewable energy related investment.
- 298 ELC previously granted PPP for the Original OnTW in 2014 on a site located a short distance from the Application Site concluding that the Original OnTW were in compliance with the variety of Development Plan policies and were supported by other material considerations such as national policy statements. PPP was granted accordingly. The approved and adopted Development Plan framework that was relevant to the Original OnTW is the same adopted and approved Development Plan framework that is relevant to the OnTW, including the main site specific planning policy NRG1.
- 299 While some significant environmental impacts have been identified through the EIA process, these are not considered to be particularly complex or of such significance as to find a conflict with the Development Plan overall. Very few forms of development are impact free and the

OnTW are no exception. Identified significant environmental impacts are limited to those of a landscape and visual nature and are localised in extent, affecting a small number of receptors only. It is for decision makers to consider such impacts in the overall planning balance, weighing these up against the economic and renewable energy benefits of the OnTW.

- 300 This Planning Statement has assessed the OnTW with reference to the findings of a new EIA process, as contained in the EIA Report, and has comprehensively demonstrated that the OnTW complies with the Development Plan as a whole. While the OnTW will give rise to some individual policy conflicts, mainly those relating to landscape and visual considerations, it is considered to comply with all other planning policies, notably the site specific Policy NRG1 which supports power generating and associated uses. It follows that PPP must be granted unless material considerations indicate otherwise.
- 301 Since the Original OnTW was approved, a number of significant planning and energy related documents have been produced which are material to the OnTW. The most significant of these is NPF3, which specifically identifies the development of a high voltage electricity transmission network as National Development 4. The OnTW falls within the definition of National Development 4, meaning they are of national significance. This is a significant material consideration in support of the OnTW and while NPF3 does not solely identify Cockenzie as a location for possible National Development 4 projects, the attractiveness of this location to offshore wind farm developers is noted in NPF3.
- 302 SPP clearly also lends support to the OnTW. The OnTW will help meet SPP objectives relating to a Low Carbon Place as well as SPP Principal Policies, particularly the contribution it can make to achievement of sustainable development. Earlier commentary on SPP has established that the presumption in favour is a significant material consideration in this application, further supporting the case for the OnTW.
- 303 The OnTW will enable the transmission of up to 784 MW of renewable electricity from ICOL's Offshore Wind Farm and help Scotland become a world leader in offshore renewable energy, a key objective of NPF3. Publication of the SES in December 2017 marks an important '*advance in Scottish Government energy policy*' and achievement of the 2030 and 2050 targets means that renewable energy will need to meet a significant share of future energy needs. The OnTW will help meet these objectives by transmitting power generated by ICOL's Offshore Wind farm to end users across the country, placing less reliance on the need to generate electricity from fossil fuels.
- 304 The Proposed SESPlan 2016 very clearly sees Cockenzie as a location offering opportunities for a range of uses, with a current emphasis upon port and energy related uses, including opportunities to service the offshore renewables industry. By contrast, the Proposed LDP does not adopt a similarly flexible approach to future land uses and a report into objections to the Proposed LDP is expected soon, following which ICOL will make a further supplementary statement.
- 305 Taking all relevant factors into consideration, it is considered that the OnTW is clearly in accordance with the Development Plan and benefits from strong support in the form of

national planning and energy policy, all of which have been updated since the Original OnTW was granted PPP in 2014. On this basis, it is submitted that PPP should be granted.



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