

Inch Cape Onshore Transmission Works

Regulation 11 Further Application

**Pre-Application Consultation
(PAC) Report**

November 2021



Inch Cape
OFFSHORE LIMITED

SDIC 
Red Rock Power Limited

ES3  Energy for generations



Document Reference

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Date

22nd November 2021

Inch Cape Offshore Wind Farm Onshore Transmission Works

Regulation 11 Further Application Pre-Application Consultation (PAC) Report

November 2021

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Glossary

Defined Term	Meaning
Application Site	The area within the red line planning boundary comprising the Consented Onshore Transmission Works (OnTW).
Consented OnTW	The OnTW, as was granted planning permission in principle on 22 February 2019 by the Scottish Ministers.
EIA Report	Report presenting the findings of an Environmental Impact Assessment (EIA).
2018 EIA Report	The Environmental Impact Assessment Report that was submitted to support the application for the Consented OnTW
Onshore Substation	The proposed electrical substation comprising of all the equipment and associated infrastructure required to enable connection to the electrical transmission grid
Onshore Transmission Works (OnTW)	Onshore transmission works associated with the Inch Cape Offshore Wind Farm comprising the construction, operation and decommissioning of an onshore substation, electricity cables and associated infrastructure required to export electricity from the Inch Cape Offshore Wind Farm to the National Electricity Transmission System
Offshore Wind Farm (OWF)	The Inch Cape OWF includes proposed wind turbine generators, foundations and substructures and inter-array cables.
Onshore Export Cables	Electricity cables running from transition joint pits to the Onshore Substation and from the Onshore Substation to the grid connection point at Cockenzie substation
Regulation 11 Further Application	A planning application submitted under Regulation 11 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 in respect of the Consented OnTW

Abbreviations and Acronyms

AMSC	Application for Approval of Matters Specified in Conditions
EIA Report	Environmental Impact Assessment Report
ELC	East Lothian Council
ICOL	Inch Cape Offshore Limited
NETS	National Electricity Transmission System
OnTW	Onshore Transmission Works
PAC	Planning Application Consultation
PAN	Proposal of Application Notice
PPP	Planning Permission in Principle



1 Introduction

1.1 Background

- 1 Inch Cape Offshore Limited (ICOL) was granted planning permission in principle (PPP) on 22 February 2019 (reference 18/00189/PPM) for the onshore transmission works (OnTW) associated with the Inch Cape Offshore Wind Farm, comprising the construction, operation and decommissioning of an onshore substation, electricity cables and associated infrastructure required to export electricity from the Inch Cape Offshore Wind Farm to the National Electricity Transmission System on land at the former Cockenzie Power Station site, Prestonpans, East Lothian.
- 2 The PPP is subject to a number of conditions, several of which require the submission of further detail to East Lothian Council (ELC) relating to the OnTW before any construction works can commence. The majority of these Applications for Approval of Matters Specified in Conditions (AMSCs) are dependent upon ICOL agreeing the final design of the substation in order to provide the required detail relating to the layout of the site, drainage design, substation design, colour of buildings and landscaping treatments.
- 3 The PPP requires these AMSCs to be submitted to ELC within 3 years of the date of the PPP, i.e. by 21 February 2022. Whilst ICOL has made significant progress in developing design options through consultation with the local community, final designs are still to be agreed with tenderers, stakeholders and checked for compliance.
- 4 However the event of the COVID-19 pandemic and the imposition of emergency lockdowns and other restrictions has had a significant impact on the construction industry leading to subsequent delays in the progress of development. Although the Scottish Government has now extended the duration of planning permissions (including PPP) to 30th September 2022¹, ICOL is making a Regulation 11 Further Application to ELC to extend the time for submission of the AMSCs beyond 30th September 2022. This is considered by ICOL to be a precautionary measure in the face of future COVID-19 uncertainty.
- 5 This Further Application is submitted under Regulation 11 of the Town and Country Planning (Development Management Procedure)(Scotland) Regulations 2013 (hereafter referred to as the Regulation 11 application). Regulation 11 provides that where a previous application was granted planning permission, development has not begun and the duration of the previous permission has not expired, a further application for planning permission (or planning permission in principle) may be made for the same development (Circular 3/2013). This Regulation 11 application therefore seeks a new PPP for the same development as that already approved in 2019, simply extending the time period for submission of AMSCs beyond 30 September 2022. There is no change proposed to the project description or to the application boundary.

¹ The Coronavirus (Scotland) Act 2020 as amended by The Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2021



1.2 Purpose of this document

- 6 As the Regulation 11 application relates to a 'national development', statutory pre-application consultation is required as part of the pre-application process. This document comprises the pre-application consultation (PAC) report in respect of the OnTW Regulation 11 Further Application and has been prepared by ICOL to document the PAC process undertaken to inform the application process.

2 Proposal of Application Notice

- 7 Prior to the submission of any planning application for a national or major development, prospective applicants must first submit a Proposal of Application Notice (PAN) to the planning authority, in this case ELC, advising of the proposed application and seeking agreement on the scope of pre-application consultation proposed. A minimum period of 12 weeks must pass following submission of the PAN before a planning application can be submitted. During this 12-week period, the applicant must carry out statutory pre-application consultation in accordance with proposals to be set out in the PAN and agreed with ELC.
- 8 A PAN was submitted to ELC on 29th June 2021. A copy of the PAN is included in **Appendix A**. ICOL submitted a letter to ELC with the PAN setting out further details on the proposed consultation measures, which is also included in Appendix A. A copy of the PAN was also submitted to Cockenzie and Port Seton Community Council and Prestonpans Community Council in accordance with the statutory requirements and also copied to the Coastal Regeneration Alliance, the Battle of Prestonpans Heritage Trust and The 360 Centre as recognised stakeholders.
- 9 During the COVID-19 emergency period, the Scottish Government temporarily suspended the statutory requirement for face-to-face public consultation events². In light of this, pre-application consultation was undertaken in accordance with the Scottish Government Guidance: Coronavirus (COVID-19) development planning consultation and engagement advice - May 2020. (**Appendix F**).
- 10 ELC confirmed its agreement to the proposed consultation measures set out in the PAN and accompanying ICOL letter. The ELC letter from 2 July 2021 is also included in Appendix A.
- 11 Below, ICOL has outlined the communication tools used to engage with the public in the local community regarding the Regulation 11 application and the nature of the comments received.

² in accordance with the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 (as amended by the Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020)



3 Consultation Format

- 12 The Scottish Government Guidance: Coronavirus (COVID-19): development planning consultation and engagement advice - May 2020 outlines how applicants of major infrastructure projects should undertake pre-application consultation with the community during the global pandemic. The aim of this procedure is to make sure that communities are still made aware of, and have an opportunity to comment on, these types of development proposals before a formal application is made. This allows community views to continue to be reflected during the process and gives the Applicant the opportunity to incorporate them into the proposals where possible before making a formal application, as has been the case for the Regulation 11 application.
- 13 The Guide outlines the consultation and involvement activities as:
- Community Council consultation;
 - Advertising virtual events; and
 - Virtual public engagement

4 Consultation Activity

- 14 Consultation activity to date has included:
- Pre-submission discussion of PAC activity with both the Cockenzie and Port Seton Community Council, and the Prestonpans Community Council, and the offer of virtual meetings;
 - updates to the dedicated project website [www. Inch Capewind.com](http://www.InchCapewind.com) including the addition of an online consultation page for the duration of the consultation period (9th-31st August 2021);
 - a dedicated email address for any Regulation 11 related queries;
 - virtual meeting held on 25th June with representative of Prestonpans Community Council; and
 - virtual community engagement live chat sessions held on 12th and 19th August 2021 from 2-4pm and 6-8pm.

4.1 Community Council Consultation:

- 15 Prior to the submission of the PAN, ICOL contacted both Community Councils to gauge opinion on the proposed consultation activity approach. Both agreed with the virtual approach and agreed to circulate information regarding the consultation.
- 16 In response to ICOL's offer of further discussion prior to the PAC period, Prestonpans Community Council requested a virtual meeting which took place on 25th June. Cockenzie and Port Seton Community Council approved the approach by email and did not require a meeting.
- 17 In addition to specific dialogue relating to the Regulation 11 application, ICOL took the opportunity to continue to keep the Preston Pans Community Council apprised of wider detailed



design work associated with the OnTW, which had previously been discussed with the Community Council. These issues related to the design of the substation and cable lay approach and anticipated timelines for the progression of detailed applications. These appear to be key areas of interest for the local community and ICOL confirmed that further information on these separate matters would be brought to the Community Councils for discussion as soon as these become available, and outwith the statutory Regulation 11 consultation requirements.

4.2 Advertising:

- 18 Formal statutory notices relating to the Regulation 11 consultation events were placed in the East Lothian Courier on Thursday 29th July and Thursday 5th August 2021 giving details of the virtual consultation and feedback mechanisms. These adverts can be found in **Appendix B**.
- 19 A separate advert was designed and sent to both Community Councils to be used on their respective social media sites. **Appendix C** shows the advert on the Cockenzie and Port Seton Community Council Facebook page which was shared four times.

4.3 Media Coverage:

- 20 A press release was issued to the East Lothian Courier and placed on the ICOL project website. This generated a piece published online on 6th July 2021 and in the local paper on 8th July 2021 which outlined the PAC virtual event. A copy of the piece can be found in **Appendix D**.

4.4 Project Website:

- 21 A dedicated page was created on the project website and signposted in various locations around the site (home page, news page, about page) which can be seen at **Figure 1**.



Figure 1: Dedicated online consultation page on www.InchCapewind.com

August 2021

Welcome to the Online Consultation for the Further Application for Extension of Time (Regulation 11 Application). While we would normally be visiting you in person, we are continuing to follow the Scottish Government's Covid-19 Guidance and carrying out our public consultation online. Below you will find information about the proposed application.

This consultation will be live from **9th until 31st August 2021**.

CHAT WITH US! Live sessions

We will be hosting several live chat sessions which will allow people the chance to ask questions of the project team. These will take place on **Thursday 12th August and Thursday 19th August between 2-4pm and 6-8pm**.

When the sessions are live, a chat icon will appear in the bottom right of your screen. If you're not able to join in our live chat sessions and have questions, please don't hesitate to email us at info@inchcapewind.co.uk

INFORMATION PANELS

Under normal circumstances we'd be with you displaying information panels and chatting to you in a local venue. However due to the ongoing restrictions caused by the Covid-19 pandemic, we've had to move all consultation online.

To the right, you'll find the information panel pack which you can view and download. Once the online consultation period is finished, these will move into the project library on this website.

FEEDBACK

We'd love to hear from you! You can either fill in the feedback form [here](#) or contact us directly by email at info@inchcapewind.co.uk. Please note that any feedback given is not a representation to the planning authority. If a planning application is subsequently submitted, statutory notification and publicity will be undertaken at that time and you will have the opportunity to make formal representation then.

Many thanks for taking the time to visit our online consultation. When the consultation period is over, we will transfer the relevant files to the Library section of the website. If you have any further questions at any time, please don't hesitate to contact us by email at info@inchcapewind.co.uk

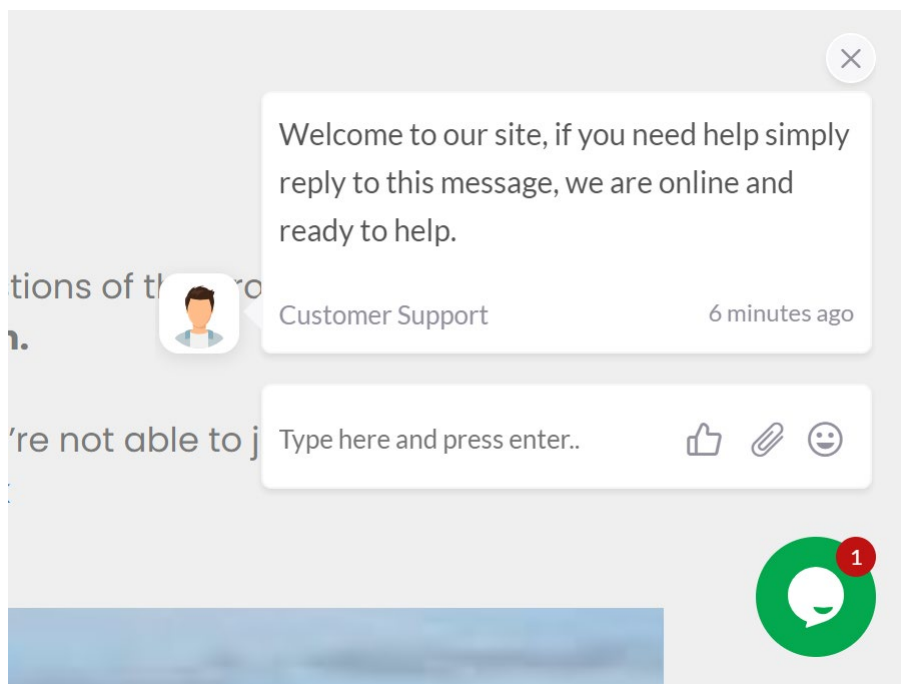
Information Panels
[Click Here](#)



22 The webpage provided:

- introduction to the consultation;
- information panels (**Appendix E**);
- link to feedback form;
- details of dedicated email address; and
- details of live 'chat' sessions (including link when live, **Figure 2**, below)

Figure 2: Live Chat Icon





5 Engagement response

- 23 During the live chat sessions, 4 distinct external users visited the site, one of which was identified as being from the Prestonpans area.
- 24 The live chat sessions were available for a total of 8 hours over two days and elicited no response.
- 25 No online feedback forms were submitted and no direct emails regarding the consultation were received.

6 Summary of Consultation

- 26 In summary, the virtual consultation undertaken around the Regulation 11 Further Application generated very little interest and no feedback. Given that this process simply seeks to extend the time allowed to submit the AMSC applications for consideration by ELC, this is not an unexpected outcome.

7 Future Consultation

- 27 ICOL is committed to the continued involvement of and consultation with the local community and other stakeholders throughout the wider development process including future engagement around detailed design.

7.1 Next Steps – Pre and Post Submission

- 28 Even though the pre-application consultation has been completed, this does not mean that the consultation will end. ICOL is committed to further consultation during the planning determination period, ensuring that local residents and stakeholders continue to be involved in the process and are kept informed of the proposal's progress.

7.2 Stakeholder/Interest group briefings

- 29 ICOL will continue to attend local community council meetings (virtual or in person) in order to provide continuity throughout this Regulation 11 application and the wider development process.

7.3 Media relations

- 30 Media relations activity will be ongoing. Once the Regulation 11 application has been submitted, a news release detailing the submitted proposal and further consultation avenues will be issued to the media. ICOL will respond to media enquiries and requests for information throughout the Regulation 11 determination time period.



7.4 Ongoing response to queries

- 31 ICOL will continue to respond to queries that are received via the various consultation channels i.e. email and website.

Appendices



Inch Cape OnTW Regulation 11 Further Application
Pre-Application Consultation (PAC) Report
November 2021

Appendix A

Proposal of Application Notice and Response

PROPOSAL OF APPLICATION NOTICE

Town and Country Planning (Scotland) Act 1997 (Section 35B)
The Town and Country Planning (Development Management Procedure) (Scotland)
Regulations 2013 (Regulations 4 -7)

To be completed for all developments within the national or major categories of development

Name of Council	East Lothian Council
Address	John Muir House
	Brewery Park
	Haddington
	EH41 3HA

Proposed development at [Note 1]	Site of former Cockenzie Power Station
	Edinburgh Road
	Cockenzie

Description of proposal [Note 2]	Proposed Regulation 11 application to extend
	the time period for submission of applications for
	matters specified in conditions (AMSCs)

Notice is hereby given that an application is being made to

[Note 3]	East Lothian	Council by [Note 4]	Inch Cape Offshore Limited
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Of [Note 5]

5th Floor, 49 Princes Street, Edinburgh, EH2 2BY
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In respect of [Note 6]	Proposed virtual consultation and live, interactive Q&A sessions (further details in covering letter)
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To take place on [Note 7]	9-31 August 2021 (live chat 1400-1600 & 1800-2000 on 12 and 19 August 2021)
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[Note 8] The following parties have received a copy of this Proposal of Application Notice

Cockenzie & Port Seton Community Council; Prestonpans Community Council;
Councillors Bruce, Gilbert, Innes, O'Donnell, McMillan & Hampshire; Craig Hoy MSP
Paul McLennan MSP & Martin Whitfield MSP & Kenny MacAskill MP;
Coastal Regeneration Alliance; Battle of Prestonpans Heritage Trust; 360Centre.

[Note 9] For further details contact	Nikki Keddie (Stakeholder Manager)
--------------------------------------	------------------------------------

on telephone number	07739719092
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And/or at the following address	nikki.keddie@inchcapewind.co.uk
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[Note 10] I certify that I have attached a plan outlining the site

Signed	
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On behalf of	Inch Cape Offshore Limited
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Date	29 June 2021
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PROPOSAL OF APPLICATION NOTICE

Town and Country Planning (Scotland) Act 1997
Regulation 6 of the Town and Country Planning (Development Management Procedure) (Scotland)
Regulations 2013

NOTES FOR GUIDANCE

- [Note 1] – Insert postal address or location of proposed development
- [Note 2] – Insert description in general terms of the development to be carried out.
- [Note 3] – Insert Council name.
- [Note 4] – Insert name of applicant and/or agent
- [Note 5] – Insert applicant's and/or agent's postal address
- [Note 6] - Insert form of consultation the prospective applicant proposes to undertake e.g. public meeting
- [Note 7] – Insert date and venue of consultation
- [Note 8] – Insert list of those groups who have been invited to attend
- [Note 9] – Insert details as to how the prospective applicant/agent can be contacted (incl. name, address and tel. no)
- [Note 10] - Attach plan that outlines the location of the proposed development and is sufficient to identify the site

Pre-application Consultation (PAC)

Where PAC is required, the prospective applicant must, under sections 35B(1) and (2) (of the Act), provide to the planning authority a 'Proposal of Application Notice' at least 12 weeks (section 35B(3)) prior to the submission of an application for planning permission. The Proposal of Application Notice must include the information set out in section 35B(4) and in regulation 6, namely:

- i) a description in general terms of the development to be carried out;*
- ii) the postal address of the site at which the development is to be carried out, if available
- iii) a plan showing the outline of the site at which the development is to be carried out and sufficient to identify the site;
- iv) detail as to how the prospective applicant may be contacted and corresponded with; and
- v) an account of what consultation the prospective applicant proposes to undertake, when such consultation is to take place, with whom and what form it will take.

* You should provide an outline of the proposal's characteristics, and the identification of its category (e.g. Major development). Any subsequent application needs to be recognisably linked to what was described in the proposal of application notice.

Submission of an Application after Pre-application Consultation Notice

The submission of the proposal of application notice starts the PAC processing clock. After a minimum of 12 weeks, having carried out the statutory requirements and any additional requirements specified by the planning authority, an applicant can submit the application along with the required written Pre-application Consultation Report. Information in relation to the proposal of application notice must also be placed by the planning authority on the list of applications required under section 36A and regulation 21.

Additional consultation activity (responding to the Proposal of Application Notice)

The applicant is required to indicate in the proposal of application notice what consultation will be undertaken in addition to the statutory minimum. The planning authority must respond within 21 days of receiving the Notice to advise the applicant whether the proposed PAC is satisfactory or if additional notification and consultation above the statutory minimum is required in order to make it binding on the applicant. In doing so, planning authorities are to have regard to the nature, extent and location of the proposed development and to the likely effects, both at and in the vicinity of that location, of its being carried out (section 35B(8)). Additional consultation requirements should be proportionate, specific and reasonable in the circumstances. If there is no response to the proposal of application notice by the planning authority within 21 days, only the statutory minimum PAC activities will be required.

Scottish Ministers expect planning authorities to develop and maintain up to date lists of bodies and interests with whom applicants should consult in particular types of case. These lists should be available to applicants, who can draft proposal of application notices in light of that information. Further advice on planning community engagement activity can be found in Planning Advice Note 81: Community Engagement – Planning With People.

Minimum consultation activity

Consultation with community councils - Under regulation 7 an applicant must consult every community council any part of whose area is within or adjoins the land where the proposed development is situated. This includes community councils in a neighbouring planning authority.

The public event - Regulation 7 also requires the holding of at least one public event for members of the public where they can make comments to the prospective applicant on their proposals. This 'public event' must be advertised at least 7 days in advance in a newspaper circulating in the locality of the proposed development. The advertisement for the public event must include:

- a description of, and the location of, the proposed development;
- details as to where further information may be obtained concerning the proposed development; the date and place of the public event;
- a statement explaining how, and by when, persons wishing to make comments to the prospective applicant relating to the proposal may do so; and
- a statement that comments made to the prospective applicant are not representations to the planning authority. If the applicant submits an application there will be an opportunity to make representations on that application to the planning authority.

Applicants will gain less from poorly attended or unrepresentative PAC events and should ensure that processes are put in place that will allow members of the community to participate meaningfully in any public event. The public event should be reasonably accessible to the public at large, including disabled people. It may be appropriate for the public event to take place over a number of dates, times and places. Applicants should ensure that individuals and community groups can submit written comments in response to the newspaper advertisement.

There is a need to emphasise to communities that the plans presented to them for a proposed planning application may alter in some way before the final proposal is submitted as a planning application to the planning authority. Even after PAC, and once a planning application has been submitted to the planning authority, communities should ensure that any representations they wish to make on the proposal are submitted to that authority as part of the process of considering the planning application.

Any personal data that you have been asked to provide on this form will be held and processed in accordance with Data Protection Legislation.

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29 June 2021

**Planning Department
East Lothian Council
John Muir House
Brewery Park
Haddington, EH41 3HA**

**Attention: Keith Dingwall (Planning)
BY EMAIL**

Dear Keith

PROPOSAL OF APPLICATION NOTICE RELATING TO A REGULATION 11 'FURTHER APPLICATION' IN RESPECT OF THE EXISTING PLANNING PERMISSION IN PRINCIPLE FOR ONSHORE TRANSMISSION WORKS ASSOCIATED WITH THE INCH CAPE OFFSHORE WIND FARM COMPRISING THE CONSTRUCTION, OPERATION AND DECOMMISSIONING OF AN ONSHORE SUBSTATION, ELECTRICITY CABLES AND ASSOCIATED INFRASTRUCTURE REQUIRED TO EXPORT ELECTRICITY FROM THE INCH CAPE OFFSHORE WIND FARM TO THE NATIONAL ELECTRICITY TRANSMISSION SYSTEM.

LAND AT FORMER COCKENZIE POWER STATION SITE, PRESTONPANS, EAST LOTHIAN

EAST LOTHIAN COUNCIL PLANNING REFERENCE 18/00189/PPM

Further to recent discussions, I enclose for your attention a completed Proposal of Application Notice (PAN) and site plan relating to the above proposed application.

You will be aware that Inch Cape Offshore Limited (ICOL) was granted planning permission in principle (PPP) on 22 February 2019 for the above development, referred to as the onshore transmission works (OnTW) associated with the Inch Cape Offshore Wind Farm.

The PPP was subject to a number of conditions, several of which require the submission of further details to East Lothian Council (the Council) relating to the OnTW before any construction works can commence. The majority of these Applications for Matters Specified in Conditions (AMSCs) are dependent upon ICOL agreeing the final design of the substation in order to provide the required detail relating to the layout of the site, drainage design, substation design, colour of buildings and landscaping treatments.

The PPP requires these AMSCs to be submitted to the Council within 3 years of the date of the PPP, i.e. by 21 February 2022. Whilst ICOL has made significant progress in developing design options through consultation with the local community, final designs are still to be agreed with tenderers, stakeholders and checked for compliance. In recognition of the impact of COVID-19 and the potential for further unforeseen delays ICOL intends to make a Regulation 11 application under The Town and Country Planning (Development Management Procedure)(Scotland) Regulations 2013 to extend the time period for submission of the AMSCs.

We note that the Scottish Government passed the Coronavirus (Extension and Expiry)(Scotland) Bill on the 25th June 2021, which may also amend the Town and Country Planning (Emergency Period and Extended Period)(Coronavirus)(Scotland) Regulations 2021, such that the expiry date of the PPP may automatically be extended until September 2022. Should this be the case the need for this application will be reviewed, however until this is confirmed, ICOL intends to proceed as above.

The proposed Regulation 11 application will be classed as a national development and will therefore require statutory Pre-Application Consultation appropriate for this class of development.

It is confirmed that a copy of this PAN has also been served to the following parties, on the same date as this letter:

Community Councils	
Cockenzie and Port Seton Community Council	
Prestonpans Community Council	
Local Members	
Preston/Seton/Gosford Ward	Councillor Lachlan Bruce
	Councillor Neil Gilbert
	Councillor Fiona O'Donnell
Senior Members	
	Councillor Willie Innes
	Councillor John McMillan
	Councillor Norman Hampshire
Parliamentarians	
	Kenny MacAskill MP
	Paul McLennan MSP
	Craig Hoy MSP
	Martin Whitfield MSP
Other Parties	
Coastal Regeneration Alliance	
Battle of Prestonpans Heritage Trust	
The 360 Centre	

During the COVID-19 emergency period, the Scottish Government has temporarily suspended the statutory requirement for face-to-face public consultation events. In light of this, the proposed consultation will be undertaken in accordance with the Scottish Government's Planning Guidance on pre-application consultations published in April 2020.

The following consultation is proposed:

- A virtual public 'exhibition' will be hosted on the Inch Cape Offshore project website (www.inchcapewind.com). A dedicated web page will explain the purpose of the consultation. It will also include a link to a feedback form where comments and questions, as well as any requests for further information, can be submitted directly to the Project Team. The webpage will be live from 9th to 31st August 2021. Email and hard copies of the information hosted on the webpage will also be made available on request.

- Live, interactive sessions will also take place to allow interested parties to ask questions of the project team. These sessions are proposed to run between 1400-1600hrs and 1800-2000hrs on both 12th and 19th August 2021. A live link will appear on the dedicated project page during the advertised times.
- Members of the public will be invited to submit feedback on the proposal until close of business on 31st August. Any questions, or comments requiring a response will be responded to as soon as possible.

The consultation webpage and its interactive sessions will be advertised locally in the East Lothian Courier in the two weeks prior to the launch of the consultation page (29th July and 5th August 2021), and details, including the advert, will be passed to the local Community Councils to promote via their social media pages. Attached is a draft of this newspaper notice and I would be grateful if you could review and confirm that this complies with the revised procedures published by the Scottish Government.

Feedback from this exercise will be included in a Pre-Application Consultation (PAC) Report, which will be used to inform the concurrent EIA process, and be submitted as part of the formal application pack. It will be made clear that feedback given to the Applicant directly, whilst being included in the PAC Report, is not a formal representation to the planning authority and that the opportunity to make any formal representations will become available once the application has been lodged. Further details regarding this process will be promoted to stakeholders at the appropriate time.

I trust that the enclosed PAN and the above detail provides you with sufficient information to confirm the acceptability of the proposed consultation plan.

Yours Sincerely,

Adam Ezzamel, Project Director, ICOL

Cc: David Allan ELC

Draft advert text:

PROPOSAL: A REGULATION 11 'FURTHER APPLICATION' IN RESPECT OF THE EXISTING PLANNING PERMISSION IN PRINCIPLE FOR ONSHORE TRANSMISSION WORKS ASSOCIATED WITH THE INCH CAPE OFFSHORE WIND FARM COMPRISING THE CONSTRUCTION, OPERATION AND DECOMMISSIONING OF AN ONSHORE SUBSTATION, ELECTRICITY CABLES AND ASSOCIATED INFRASTRUCTURE REQUIRED TO EXPORT ELECTRICITY FROM THE INCH CAPE OFFSHORE WIND FARM TO THE NATIONAL ELECTRICITY TRANSMISSION SYSTEM ON LAND AT FORMER COCKENZIE POWER STATION SITE, PRESTONPANS, EAST LOTHIAN.

EAST LOTHIAN COUNCIL PLANNING REFERENCE 18/00189/PPM

Inch Cape Offshore Limited (ICOL) was granted planning permission in principle on 22 February 2019 for the above development, referred to as the onshore transmission works associated with the Inch Cape Offshore Wind Farm. In recognition of the impact of COVID-19 and the potential for further unforeseen delays ICOL intends to make a Regulation 11 application under The Town and Country Planning (Development Management Procedure)(Scotland) Regulations 2013 to extend the time period for submission of Applications for Matters Specified in Conditions.

Due to ongoing COVID-19 restrictions, pre-application consultation on this matter will take place online rather than in-person, following the Scottish Government Guidance.

A dedicated consultation webpage will be live on the project website www.inchcapewind.com from **9th- 31st August 2021** and will include a link to a feedback form where comments and questions, as well as requests for further information can be submitted directly to the project team. Alternatively you can email info@inchcapewind.com with any queries.

Live interactive chat sessions will also take place between **14:00 – 16:00 hrs and 18:00 – 20:00 hrs on both Thursday 12th August and Thursday 19th August 2021**. The chat icon will appear on the consultation webpage during those times.

If you do have questions or comments on the proposal, we request that these be submitted either live during our chat sessions, via the feedback form or directly by email by no later than **5pm on 31st August 2021**.

Please note that any feedback given is not a representation to the planning authority. If a planning application is subsequently submitted to East Lothian Council, statutory notification and publicity will be undertaken at that time and you will have the opportunity to make formal representation then.

Our Ref: 21/00001/PAN
Ask For: Daryth Irving
Direct Line: 01620 827364
Date: 2 July 2021

Inch Cape Offshore Limited
5th Floor
49 Princes Street
Edinburgh
EH2 2BY

Dear Sir/Madam

Proposal of Application Notice – Proposed Regulation 11 application to extend the time period for submission of applications for matters specified in conditions (AMSCs) at Site Of Former Cockenzie Power Station, Edinburgh Road, Prestonpans, East Lothian.

I refer to the above Proposal of Application Notice, received by the Council on the 30 June 2021.

The development proposal set out in your Proposal of Application Notice relates to a class of development belonging to the category of national developments as set out in The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 and as such a Proposal of Application Notice is required.

On behalf of East Lothian Council as Planning Authority I can confirm that the consultation activity you propose is acceptable. You must ensure that the newspaper advertisement of the public event and any other awareness raising measures complies with the Scottish Government temporary requirements as set out at <https://www.gov.scot/publications/coronavirus-covid-19-planning-guidance-on-pre-application-consultations-for-public-events/> and in particular that it references the central web location for the consultation activity, details as to where further information about the proposed development may be obtained, the date and how to take part in the proposed web consultation, details on how, and by when persons wishing to make comments to the prospective applicant relating to the proposed development may do so. It must also be stated that comments made to the prospective applicant are not representations to the Planning Authority.

Yours faithfully,

DI

Daryth Irving
Senior Planner

Appendix B

Statutory Notices in East Lothian Courier

LOCAL LISTINGS
PUBLIC NOTICES

To advertise telephone: **01620 822451**
or email: advertising@eastlothiancourier.com

Planning Notices | Traffic Notices | Legal Notices | Probate Notices | Other Notices
Church and Religious Notices | Tenders and Contracts | Goods Vehicle Operator Licences

Planning Notices

**EAST LOTHIAN COUNCIL
TOWN AND COUNTRY PLANNING**

NOTICE IS HEREBY GIVEN that application for Planning Permission/Listed Building Consent/Conservation Area Consent has been made to East Lothian Council, as Planning Authority, as detailed in the schedule hereto. The applications and plans are open to inspection at <http://pa.eastlothian.gov.uk/online-applications/> Any representations should be made in writing or by e-mail to the undersigned within 21 days of this date: 30/07/21
Keith Dingwall Service Manager - Planning,
John Muir House, Brewery Park HADDINGTON
email: environment@eastlothian.gov.uk

SCHEDULE

21/00930/P Development in Conservation Area 4 Giffordgate Haddington East Lothian EH41 4AS Extension to house

21/00938/P Development in Conservation Area Fidora Cottage 17 Westerdures Park North Berwick East Lothian EH39 5HJ Extension to house

21/00896/P Development in Conservation Area 4 The Gardens Village Green Road Dirleton North Berwick EH39 5EH Repainting of house

21/00164/P Listed Building Affected by Development Former Templedean Hall Nursing Home Templedean Park Haddington East Lothian EH41 3ND Alterations, extensions to building (Class 8), erection of ancillary building and associated works

21/00956/P Development in Conservation Area 26 Walden Terrace Gifford Haddington EH41 4QP Erection of fence (Retrospective)

21/00861/P Development in Conservation Area and Listed Building Affected by Development 10 Temple Mains Steading Main Street Innerwick Dunbar East Lothian Installation of air source heat pump

21/00918/P Development in Conservation Area Aldi Foodstore Limited Whittingehame Drive Haddington EH41 4AG Alterations, change of use of shop (Class 1) to 3 storage and distribution buildings (Class 6) (each with ancillary trade counter for trade and retail sales) and associated works

21/00961/LBC Listed Building Consent 10 Temple Mains Steading Main Street Innerwick Dunbar EH42 1EF Installation of air source heat pump

20/01423/P Development in Conservation Area Railway Line And Land West Of East Linton Primary School East Linton East Lothian Erection of railway station platforms, waiting shelters, bicycle shelters, footbridge, lifts, car parking and associated works

21/00781/P Listed Building Affected by Development Land At The Heugh North Berwick Erection of 1 house and associated works

21/00717/P Development in Conservation Area 3A Balderstone's Wynd North Berwick EH39 4JH Alterations to flat, formation of decked area, erection of handrails and side screen (Part Retrospective)

21/00165/LBC Listed Building Consent Former Templedean Hall Nursing Home Templedean Park Haddington East Lothian EH41 3ND Alterations, extensions to building, formation of hardstanding areas, erection of walls, piers, gates and railings

21/00921/P Development in Conservation Area Upfield East Saltoun Pencaitland EH34 5EB Installation of solar panels

21/00889/P Development in Conservation Area Old Amusement Arcade Site Lamer Street Dunbar East Lothian Erection of 1 house and associated works

21/00910/P Development in Conservation Area 9 Linkfield Court Windsor Park Musselburgh East Lothian EH21 7LN Replacement doors and side screens

Legal Notices

INCH CAPE OFFSHORE LIMITED (ICOL)

PROPOSAL: A REGULATION 11 'FURTHER APPLICATION' IN RESPECT OF THE EXISTING PLANNING PERMISSION IN PRINCIPLE FOR ONSHORE TRANSMISSION WORKS ASSOCIATED WITH THE INCH CAPE OFFSHORE WIND FARM COMPRISING THE CONSTRUCTION, OPERATION AND DECOMMISSIONING OF AN ONSHORE SUBSTATION, ELECTRICITY CABLES AND ASSOCIATED INFRASTRUCTURE REQUIRED TO EXPORT ELECTRICITY FROM THE INCH CAPE OFFSHORE WIND FARM TO THE NATIONAL ELECTRICITY TRANSMISSION SYSTEM ON LAND AT FORMER COCKENZIE POWER STATION SITE, PRESTONPANS, EAST LOTHIAN.

EAST LOTHIAN COUNCIL PLANNING REFERENCE 18/00189/PPM

Inch Cape Offshore Limited (ICOL) was granted planning permission in principle on 22 February 2019 for the above development, referred to as the onshore transmission works associated with the Inch Cape Offshore Wind Farm. In recognition of the impact of COVID-19 and the potential for further unforeseen delays ICOL intends to make a Regulation 11 application under The Town and Country Planning (Development Management Procedure)(Scotland) Regulations 2013 to extend the time period for submission of Applications for Matters Specified in Conditions.

Due to ongoing COVID-19 restrictions, pre-application consultation on this matter will take place online rather than in-person, following the Scottish Government Guidance.

A dedicated consultation webpage will be live on the project website www.inchcapewind.com from 9 th - 31st August 2021 and will include a link to a feedback form where comments and questions, as well as requests for further information can be submitted directly to the project team. Alternatively you can email info@inchcapewind.com with any queries.

Live interactive chat sessions will also take place between 14:00 – 16:00 hrs and 18:00 – 20:00 hrs on both Thursday 12th August and Thursday 19th August 2021. The chat icon will appear on the consultation webpage during those times.

If you do have questions or comments on the proposal, we request that these be submitted either live during our chat sessions, via the feedback form or directly by email by no later than 5pm on 31st August 2021.

Please note that any feedback given is not a representation to the planning authority. If a planning application is subsequently submitted to East Lothian Council, statutory notification and publicity will be undertaken at that time and you will have the opportunity to make formal representation then.

Planning Notices

**EAST LOTHIAN COUNCIL
TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE)
(SCOTLAND) REGULATIONS 2013**

Notice of application to be published in a local newspaper under regulation 20(1) The application the subject of this notice together with the plans and other documents submitted with it may be examined at <http://pa.eastlothian.gov.uk/online-applications/> Representations may be made in writing to the undersigned within 21 days of this date: 30/07/21
Keith Dingwall Service Manager Planning, John Muir House, Brewery Park, Haddington, EH41 3HA
Email: environment@eastlothian.gov.uk

21/00909/P Land Adjacent To Neart Na Gaoithe Substation Innerwick East Lothian Formation of hardstanding area

21/00563/P Membland Gifford East Lothian EH41 4JH Change of use of woodland area for the erection of domestic garage

Traffic Notices

TEMPORARY TRAFFIC RESTRICTIONS

ROAD TRAFFIC REGULATION ACT 1984

East Lothian Council and Police Scotland have approved the temporary restrictions for the below:

1.Newton Port, Haddington – 02/08 to 13/08

Road Closure – Utility Works;

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If you have any interest in working within this busy company please forward your CV to liz.smith@lemac.com or post to Lemac, Hospital Road.Haddington.

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Whitekirk Hill, North Berwick

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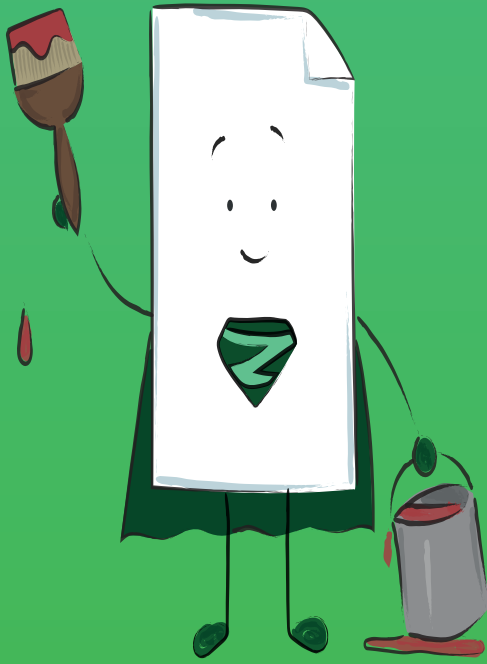
A range of shifts are available.

July 2021 saw the opening of our new Luxury Lodges we are looking at expanding our team to offer the very best in dining and customer service. If you think you can be a star addition, we'd love to hear from you.

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F&B@whitekirkhill.co.uk**

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LOCAL LISTINGS PUBLIC NOTICES

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EAST LOTHIAN COUNCIL PLANNING REFERENCE 18/00189/PPM

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If you do have questions or comments on the proposal, we request that these be submitted either live during our chat sessions, via the feedback form or directly by email by no later than 5pm on **31st August 2021**.

Please note that any feedback given is not a representation to the planning authority. If a planning application is subsequently submitted to East Lothian Council, statutory notification and publicity will be undertaken at that time and you will have the opportunity to make formal representation then.

Planning Notices

EAST LOTHIAN COUNCIL TOWN AND COUNTRY PLANNING

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Keith Dingwall Service Manager - Planning,
John Muir House, Brewery Park HADDINGTON
email: environment@eastlothian.gov.uk

SCHEDULE

21/00948/P Listed Building Affected by Development Mill House Crauchie East Linton East Lothian EH40 3EB Alterations, extension, formation of dormer to 1 house to form 2 houses and formation of hardstanding areas

21/00968/P Development in Conservation Area 161A High Street Dunbar East Lothian EH42 1ES Formation of dormer, installation of roof windows and roof vents

21/00946/P Development in Conservation Area 130 - 134 High Street Dunbar East Lothian EH42 1JJ Alterations to shop/cafe/outbuildings and alterations, part change of use of outbuildings to form 1 house and associated works

21/00759/LBC Listed Building Consent West Parish Kirk Court Street Haddington EH41 3AF Erection of signage

ExchangeandMart
www.exchangeandmart.co.uk

Planning Notices

EAST LOTHIAN COUNCIL TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013

Notice of application to be published in a local newspaper under regulation 20(1) The application the subject of this notice together with the plans and other documents submitted with it may be examined at <http://pa.eastlothian.gov.uk/online-applications/> Representations may be made in writing to the undersigned within 21 days of this date: 06/08/21
Keith Dingwall Service Manager Planning, John Muir House, Brewery Park, Haddington, EH41 3HA
Email: environment@eastlothian.gov.uk
19/00087/P Cowden Hill Drive Archerfield Dirleton East Lothian Erection of 6 Cottages and 10 Cabins to be used for holiday accommodation and associated works

Traffic Notices

TEMPORARY TRAFFIC RESTRICTIONS ROAD TRAFFIC REGULATION ACT 1984

East Lothian Council and Police Scotland have approved the temporary restrictions for the below:

1. A6137, Aberlady – 09/08 to 20/08

Parking Suspension – Utility Works;

Full details can be found at

www.tellemcscotland.gov.uk

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The following terms and conditions apply to the placing of an order for insertion of an advertisement ("ad") in Newsquest Media Group Ltd ("Newsquest") printed or electronic publications, including ads created by advertisers through our online self-service facilities. Each order will form a separate agreement and English law will apply. Any charge to these conditions must be agreed by us in writing (which means by exchange of letter, fax or email). An "advertiser" means any person or organisation placing an ad on their own account or on behalf of another.

Contents
All ads must comply with our deadlines and our production and quality specifications. The advertiser also confirms that the ad complies with all applicable legislation, regulations and codes of practice, including for example laws against discrimination on grounds of age, sex, race or religion and laws of fair trading and credit advertising and the codes supervised by the Advertising Standards Authority ("ASA"). We may refuse an ad before acceptance for any reason, or reject or require changes to an ad so as to comply with legal or moral obligations placed on us or the advertiser, to avoid infringing the rights of a third party or any relevant code of practice, or to meet our technical specifications. The advertiser further confirms that: i) the publication of the ad will not breach any contract, infringe the copyright, trademark, or other right of any third party and is not libellous of any person; ii) all licences and consents from third parties necessary for the publication of the ad have been obtained and paid for; including consent from living persons identified in copy or pictures (photographic or otherwise); iii) in respect of an investment ad, the contents have been approved by, or the advertiser is, an authorised person within the meaning of the Financial Services Act 1986 as amended or the ad is otherwise permitted under that Act.

No hyperlinks or metatags may be included in an online ad unless we have agreed in writing.
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All ads must be paid for in full at the time of booking unless credit has been agreed. The price shall be the amount fixed by our published rate card on the date of acceptance of the order plus VAT where applicable. We will cancel publication of an ad for which payment has not been received on time. Interest will be charged on late payments pursuant to the Late Payment of Commercial Debts (Interest) Act 1998 at the rate of 8% above the Bank of England's base lending rate from the date payment is due together with the reasonable administration costs of collecting an overdue debt.

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We may cancel the order at any time without liability if the advertiser breaches these conditions and the breach is not capable of remedy or it continues for seven days after we have given notice of it, or if we reasonably believe the advertiser is unable to pay debts or the advertiser goes or threatens to go out of business or if we decide to discontinue the relevant publication.

We will try to satisfy an advertiser's request regarding the positioning of an ad, but no guarantee of position can be given unless agreed by us and paid for at the rate then current.

Errors
We are not liable for any error, misprint or non-appearance of an ad unless caused by our negligence. In which case our total liability to the advertiser shall be limited to a re-insertion or proportionate refund. The advertiser is solely responsible for checking the advertisement on each insertion and ordering correction where necessary before the copy deadline. Nor are we liable for an error or misprint that, in our reasonable opinion, does not materially detract from the ad. We shall not be liable in any case for losses relating to any business or public fundraising of the advertiser, such as lost customers, revenue or profit.

Copyright
Ads are accepted on condition that we have the right to publish and distribute them in all editions in any form or medium, including for example online and in all electronic media as well as paper. The copyright in work or material we contribute to or re-work for an ad belongs to us. We will dispose of advertiser's copy, artwork, photographs or other materials after six months unless collected.

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We shall not be liable if our publishing activities are restricted or prevented by any law, act or event beyond our reasonable control (including for example power cuts or industrial dispute). In such case, the advertiser shall accept publication when available or otherwise may cancel the order by written notice and pay only for work done and materials used. We shall try to maintain continuity of online services, but we do not guarantee that they will be free of interruption and they may be suspended for maintenance or other reasons from time to time.

We will use the advertiser's details for internal administration. Unless the advertiser tells us not to in writing at any time, we may also share details with other Newsquest companies or with carefully selected third parties, who may send information about goods and services, though you may tell us not to at any time. We may also disclose the name, address and other details of advertisers to the police, trading standards officials or any other relevant authority or third party where required by law or where it is reasonable and lawful to do so. See our Privacy Policy at www.newsquest.co.uk/about/privacy-policy/

The advertiser will be liable to pay us for all costs, losses, expenses and damages of any kind suffered or incurred by us as a result of legal claims or actions, actual or threatened, arising from the advertiser's breach of these conditions or the publication of an ad, unless arising from our own negligent act or failure.

Our delay or failure to enforce or our waiver of any of our rights under these terms and conditions on any occasion shall not restrict the exercise or enforceability of such rights in the future.

These terms and conditions are governed and interpreted in accordance with the laws of England and Wales and subject to the exclusive jurisdiction of the courts of England and Wales.

recruitment



Night Project Worker

Musselburgh (MUSNPW0721)
Salary scale: £20,884 - £21,967 (pro rata)
20 hours per week

We are looking for an enthusiastic individual with the right values to join our service assisting and supporting vulnerable homeless people to achieve better lives.

An SVQ3 qualification in social care would be advantageous however not necessary.

The closing date for submission of completed application forms is:
12 noon on Friday 27 August 2021.

To apply, please visit www.btha.org.uk/items/BTHA-Jobs to download the application pack with reference MUSNPW0721.

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Whitekirk Hill, North Berwick

WE ARE HIRING.

Available positions are:

2 x Chef de Partie

2 x Kitchen Porters

A selection of Waiting Staff for The Orangery and Adventure Play Barn

A range of shifts are available.

July 2021 saw the opening of our new Luxury Lodges we are looking at expanding our team to offer the very best in dining and customer service.

If you think you can be a star addition, we'd love to hear from you.

Please send your CV to:
F&B@whitekirkhill.co.uk



Lemac is a local manufacturing business located in Haddington.

We currently have a number of positions vacant across our busy site.

General production operators - We are looking for production staff who are keen and willing to learn, to work on our production lines. Previous manufacturing experience would be advantageous but not essential.

If you have any interest in working within this busy company please forward your CV to liz.smith@lemac.com or post to Lemac, Hospital Road, Haddington.

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Appendix C

Social media coverage on Facebook


ICOL OnTW Regulation 11 PAC - Social media posts

**Cockenzie and Port Seton Community Cou...**









Videos [See all](#)




2:37


As it's volunteers week I feel It's appropri...




58

890 views · a year ago

 **Page transparency** [See all](#)

**Cockenzie and Port Seton Community Council**

8 August at 09:59 · 

Inch Cape

To find out more about the proposal to submit a Further Application for an extension of time for the submission of information to East Lothian Council on the design of the Onshore Transmission Works at Cockenzie, East Lothian, please visit the dedicated online consultation page at www.inchapewind.co.uk


Consultation will run from:
9th – 31st August 2021

Live 'chat' sessions will take place on:
12th and 19th August from 2-4pm and 6-8pm




The virtual consultation will give you the chance to learn more and ask questions about the plans.

www.inchapewind.co.uk

For more information email info@inchcapewind.co.uk

**Inch Cape**


OFFSHORE LIMITED



Energy for growth

Inch Cape Onshore Transmission Works Virtual Consultation

www.inchapewind.co.uk



Appendix D

Media coverage

BY

Marie Sharp Local Democracy Reporter 6 JUL 2021

Covid Scotland: East Lothian wind farm power project at Cockenzie faces delays

Public will be asked for views on extending deadline for substation design which is due to end in February.

[edinburghlive](#)



The former Cockenzie Power Station site.

Plans to build a substation to bring offshore power onto land at the former Cockenzie Power Station site are facing delays.

Operators Inch Cape Offshore Limited (ICOL) are planning to seek an extension to the planning permission granted for the building which will bring in power from its [wind farm](#) off the Angus coast.

The substation, which has been dubbed a “giant shed” by local community councillors, is the only project to be given the go ahead on the 24-hectare site, which was bought by [East Lothian Council](#) in 2018.

The local authority took ownership of the site and surrounding land from [ScottishPower](#) after producing its Cockenzie Masterplan – a visionary document outlining community hopes and economic opportunities for it. However to date only ICOL have gained planning approval for a project on the site and it was granted by [Scottish Ministers](#) who controversially called in the application from the council.

Among projects under consideration for the site or being looked into are a port terminal and green energy plants.

ICOL says the impact of Covid-19 means that it will need more time to come up with detailed designs and meet conditions included in the planning permission in principle granted by East Lothian Council two years ago.

The permission runs out in February and the firm has notified the local authority of its intention to hold public consultations as it prepares to apply for an extension.

Nikki Keddie, Stakeholder Manager at Inch Cape Offshore Limited, said: “The project has planning permission in principle for the onshore substation and related works which was granted in 2019.

“However this permission expires in 2022 and due to the impact of COVID-19 we are now intending to apply for more time to finalise the design of the substation and to submit the information required in the conditions attached to the consent.

“We will be running online consultation events in August to gather local views on this and all are welcome to attend and participate.”

Inch Cape plans to run a virtual public exhibition on its website www.inchcapewind.com from Aug 9 to 31.

There will also be live, interactive sessions to allow interested residents and organisations to put over their questions or ask for further information between 1400-1600hrs and 1800-2000hrs on both August 12 and 19.

It is stressed the consultation is on the proposal to extend the deadline. Full details are due to be advertised locally at the end of this month.

Appendix E

Information panels

Regulation 11 – Further Application Consultation Request for Extension of Time

Onshore Transmission Works, Cockerzie

August 2021



Inch Cape
OFFSHORE LIMITED



Red Rock Power Limited



Energy for
generations

Welcome

Welcome to the Virtual Community Consultation for the Inch Cape Wind Ltd (ICOL) Further Application for an extension of time to the Onshore Transmission Works at Cockenzie, East Lothian.

- In the following slides you will find a selection of information boards outlining the proposed Further Application – what it is and why we’re proposing it.
- All of these panels will be available to download from the website library following the consultation period. Please take your time to study the information and please do not hesitate to contact us if you have any questions.
- We would be grateful if you could complete a ‘Feedback Form’ which can be found on the consultation page of the website. Your feedback to us is extremely useful, however it is important to note that it does not constitute a formal submission to the East Lothian Council, which needs to be done separately.
- We will be hosting 2 rounds of live ‘chat’ to discuss the project with you. Details of these sessions are listed on the consultation page of the website.
- There are other ways to obtain further information and to contact us:
 - Our website www.inchcapewind.co.uk will be updated with all the latest information. In addition to East Lothian Council’s Planning Portal. We will publish the full set of planning application documents on the website once the application has been submitted.
 - Email us at info@inchcapewind.co.uk



Further Application - What is it?

- A Further Application is one way to ask for more time to complete and submit the information required by the Council before we can begin work on site.
- One way of doing this is via a process called a 'Regulation 11 Application'. It is one of the types of application that can be made under the planning regulations in Scotland and those regulations mean that we have to ask people for their views.
- Although we would normally visit you in person to talk things over, under the circumstances, and in line with the guidance, we think it's still safer to do this online.



Further Application - Why are we proposing it?

- The Covid-19 pandemic has caused disruption and delay to lots of things, including ICOL's operations and the companies we work with.
- Our Planning Permission in Principle (PPP) has conditions attached which mean we have to submit more detailed information to the Council. They must assess and approve it by a certain time before we can start work.
- Most of these conditions, officially called 'Applications for Matters Specified in Conditions' (AMSCs), are to do with the final design of the substation, including:
 - Site layout;
 - The height of the substation;
 - Substation building design and colour scheme;
 - Drainage design; and
 - Landscaping around the building.
- This information needs to be submitted to and approved by the Council within 3 years, i.e. by 21 February 2022.
- We are nearly there with finishing the design work however Covid-19 has delayed the final stages. As we don't want to miss our deadline, we're simply asking for more time to develop and submit our final plans.



Next Steps

- Even though this application is identical to the one we made in 2018, we have been asked by the Council to check if anything has changed in terms of our original environmental impact assessment (EIA).
- So at the same time we are asking you what you think about this extension of time, we have also asked the Council what they (and the other statutory consultees) would like to see included in the application – this is called a Scoping Request.
- A link to the Scoping Request will be available [here](#) after 16th August.
- The Council will let us know if they would like to see us assess anything extra, which will then be provided in an Environmental Impact Assessment Report (EIAR).
- There will be another opportunity to comment on the EIAR once it is ready and if we decide to go forward with this application.
- Please take a moment to fill in our feedback form [here](#) or if you'd prefer, send us an email at info@inchcapewind.co.uk Thank you!





Inch Cape
OFFSHORE LIMITED

Appendix F

Scottish Government Planning Guidance on pre-application consultations

SCOTTISH GOVERNMENT GUIDANCE: COVID 19 EMERGENCY AND PRE-APPLICATION CONSULTATION AND REQUIREMENTS FOR A PUBLIC EVENT.

1. The COVID-19 emergency means it is not currently possible to hold public meetings without unacceptably posing a significant risk to public health. So that the development management system can continue to function and that planning applications can continue to be submitted, we have put in place legislation to temporarily suspend the requirement for a public event in relation to Pre-Application Consultation (PAC).
2. This note provides guidance on both the effect of the Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020, which makes that temporary suspension, and on alternative online consultation.

Temporary suspension of the requirement for a ‘public event’

3. The existing legislation relating to Pre-Application Consultation (PAC) on proposals for major and national developments require that a ‘public event’ is undertaken as part of the developer’s engagement with the community. An application for planning permission for such developments cannot be made to the planning authority until the PAC requirements, including the public event, have been complied with. In light of the current ban on public gatherings and advice on social distancing, we recognise that it is not possible for such events to take place in person at present.
4. It is important that the planning system continues to function during this period. Where it is possible to submit and to assess and determine applications, keeping projects on track will be important to supporting our future economic and societal recovery, businesses and jobs and avoiding delays to necessary infrastructure, housing and other developments.
5. The Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020 therefore suspend temporarily the requirement for a public event. They come into effect on 24 April 2020.
6. This suspension will apply where:
 - the Proposal of Application Notice (PAN) relating to an application was or is submitted prior to the end of the emergency period¹ (including if it was submitted before the emergency period began), and
 - the application for planning permission itself is made within 6 months following the end of the emergency period.
7. Those who served a PAN including the statutorily required public event, or other voluntary consultation steps that would now no longer be viable in light of the COVID 19 public health policy, prior to the amendment regulations

¹ The Coronavirus (Scotland) Act 2020 currently specifies this as 30 September 2020, although this can be made earlier or later by virtue of regulations.

coming into force, do not need to serve a new PAN specifying alternative approaches. Those prospective applicants should instead conduct alternative means of online engagement (see paragraphs 17 - 25 below).

8. The change to the regulations removing the requirement for a public event does not in itself suspend or alter any additional step, beyond the statutory minimum, that has already been required by the planning authority in response to a PAN². Where, however, such an additional requirement could not be complied with due to the current public health policy on public gatherings and social distancing it would, in the circumstances, be open to a planning authority to consider withdrawing that requirement. This could be done without the service of a new PAN, though the prospective applicant and planning authority are advised to keep a written record of any such change.
9. In relation to any new PAN, the planning authority still has 21 days from receipt of the PAN to require any additional consultation steps beyond the new statutory requirements. In doing so, careful consideration must be given to what additional steps are possible given the current public health policy requirements.
10. The temporary suspension of the requirement for a public event does not reduce the Government's commitment to early engagement in relation to major development proposals. We expect prospective applicants to replace this requirement with alternative consultation measures instead, using web based approaches – see further guidance below. We have committed within our planning reform programme to enhance community engagement in planning; including improvements to the pre-application process, such as the introduction of a mandatory second public event. That commitment remains and we will continue to make progress on this for future implementation.

Remaining PAC Requirements and changes

Proposal of Application Notice (PAN)

11. Other than the public event, the other PAC requirements still apply during this current emergency. That is, the prospective applicants will still be required to:
 - place a newspaper notice indicating how to engage with the pre-application process (see paragraphs 13 - 15 below)
 - serve a PAN³ on the planning authority; and,
 - serve a PAN on the community councils whose area covers or adjoins the proposal site (as part of the requirement to consult such community councils)
12. That PAN must contain:

² Section 35B(7) of the Town and Country Planning (Scotland) Act 1997 allows the planning authority to respond to a PAN within 21 days of receipt requiring additional pre-application consultation steps.

³ In the current emergency, where possible, prospective applicants should look to serve these on planning authorities, community councils or other parties electronically.

- (a) a description in general terms of the development to be carried out,
- (b) if the site at which the development is to be carried out has a postal address, that address,
- (c) a plan showing the outline of the site at which the development is to be carried out and sufficient to identify that site,
- (d) details as to how the prospective applicant may be contacted and corresponded with, and
- (e) an account of what consultation the applicant intends to undertake, when such consultation is to take place, with whom and what form it will take.

Newspaper Notice

13. A newspaper notice will still be required, though the required content during the emergency will be:

- (i) a description of, and the location of, the proposed development;
- (ii) details as to where further information may be obtained concerning the proposed development (including online⁴);
- (iii) a statement explaining how, and by when, persons wishing to make comments to the prospective applicant relating to the proposal may do so; and
- (iv) a statement that comments made to the prospective applicant are not representations to the planning authority and if the prospective applicant submits an application there will be an opportunity to make representations on that application to the planning authority.

14. **In addition to this**, and instead of the details of the public event, this notice needs to give an indication of the alternative consultation arrangements and how and when they will operate, and how to find out more information in that regard, including online.

15. With regard to items ii) and iii) in paragraph 13, these requirements, around accessing information and allowing comments to be made by a specified date, still apply **in addition** to any online alternative to a public event (see paragraph 21 - 24). This 'one way' submission of comments, is intended to run for a longer period for those not attending a public event – running from the date of the newspaper notice.

16. In the absence of a public event, and in the current circumstances, prospective applicants should check to see what advice or assistance planning authorities may be able to give in raising awareness of alternative consultation measures. Similarly, community councils may also be able to assist with this, and may have views, which prospective applicants can consider, on how information could best be conveyed to them as part of any

⁴ Added by the Town and Country Planning (Temporary Miscellaneous Modification) (Coronavirus) (Scotland) Regulations 2020.

consultation. Responsibility for conducting PAC rests, however, entirely with the prospective applicant.

Alternatives to a ‘Public Event’

17. There is no statutorily specified alternative to a public event during the period of the COVID 19 outbreak but Scottish Ministers expect prospective applicants to propose reasonable alternatives based on the information in this guidance (see paragraphs 18 – 20 and 25 below). Planning authorities retain their ability to require additional consultation steps to those specified in legislation (see paragraph 9).

First steps

18. As indicated in paragraph 16, it is recommended that prospective applicants, before serving a PAN, check to see whether planning authorities and community councils can advise on, or assist in, raising awareness of PAC in the absence of a public event. That may influence how they develop their consultation package.

Approaches

19. The intention is to find alternative ways to enable the exchange of views that would otherwise be achieved by face to face interaction. That is, it is not considered sufficient for alternative consultation to allow only ‘one way traffic’, with those submitting views not seeing a response until the application itself is made with a PAC report.

20. The following is what the Scottish Government would expect to see as a minimum temporary substitute for a face to face public event:

- Information hosted at a central, free, publicly accessible web location (the choice of additional platforms as routes into this location is for the applicant). This information must:
 - i) set out the pre-application consultation steps being undertaken, the location of information, how to engage and time limits;
 - ii) identify the location of the development site
 - iii) present the proposal for the site; and
 - iv) be as user friendly as possible.
- Live and interactive web-based consultation – for example, this could be at least one event of 2 – 3 hours duration with live question and answer session and link to other online opportunities for the public to make comment, ask questions and receive responses (in case they prefer not to comment during live events). It is expected that any such time-limited online sessions would need to be scheduled to facilitate public participation.

Notes

- (1) The central web location for the information in the first bullet and the details of the live event(s) in the second bullet should be referenced in the newspaper notice and in any other awareness raising measures.
- (2) It is expected that any online consultation undertaken by prospective applicants would comply with current Data Protection obligations.

In relation to the published information (first bullet above):

- (3) A member of the public must be able to access the information and engage in this minimum level consultation through one route, i.e. while different platforms and online tools could be used to raise awareness of the consultation, different elements of the information should not be scattered across platforms.
- (4) Ideally, members of the public should **not** be effectively required to join or sign-up to a particular website/forum to access the information (for example, a social media platform).
- (5) The information should be able to be read at whatever pace the person accessing it requires, downloaded and printed.
- (6) The public should be allowed a period of not less than seven days to submit questions or views electronically.
- (7) The prospective applicant must respond⁵ to questions or requests for clarification and allow for any further reply in that regard. This can either be during the consultation period mentioned in the previous bullet, or the prospective applicant should indicate a later date when such response will be made and a period thereafter (being not less than 48 hours) for any final comment.

The other requirements on making information available and allowing comments

- 21. It should be noted that paragraph 20 relates primarily⁶ to a replacement of the public event – the two way exchange described in paragraph 19. Prospective applicants are **also** still required to make information available to the public, which can be online, and allow comments to be submitted to them by a specified date - the ‘one way’ submission of views outlined in paragraph 15.
- 22. As both of these forms of engagement: i) the alternative to a public event and ii) the making available of information and ability to submit comments, will likely now be conducted online, there is a risk of a blurring of the two.
- 23. It is important however that there is still a longer period than the recommended minimum for the alternative to a public event, during which the

⁵ It is appreciated that some requests, as opposed to questions about alternatives considered or seeking clarification, will not necessarily be able to have a full response during PAC.

⁶ Notes (1) to (5) apply to any information online as part of PAC.

public can access information on the proposals and submit comments, albeit without necessarily getting a response in advance of the application and PAC report. Although we have not previously specified a period for this, having now done so for the alternative to a public event, during the emergency period that longer period should be at least 21 days from the placing of the newspaper notice.

24. It would be up to the prospective applicant whether they simply extended the period of the measures listed in paragraph 20 for at least 21 days, or ran distinct procedures in parallel or consecutively (i.e. information online and the ability to just submit comments for at least 21 days, and a separate process running for at least seven days in which there was a two way engagement).

Additional consultation

25. The following suggestions are ways in which prospective applicants could build on this minimum, depending on resources and capabilities of the parties involved:

- Have an online video presentation or hosted slideshow to help explain the proposals and support basic online content;
- Provide FAQ's and answers in addition to any individual responses.
- Have additional telephone access opportunities for Q&A, particularly with those who do not have internet access in mind. Any such contact numbers and timing should be indicated in the newspaper notice and other awareness raising measures. Calls should ideally be free but not more than local rate calls.
- Where these parties are able and willing to assist in raising awareness of the consultation, send links to the online material to planning authorities and community councils and other community groups.

Learning from Experience

26. It would be useful to have any feedback as regards the use of online approaches to pre-application consultation, as community engagement is one area we are looking at extending as part of the work in relation to implementation of The Planning (Scotland) Act 2019.

Scottish Government
DLGC
Planning and Architecture Division
April 2020