

Seagreen 1A: Onshore Transmission Works

Planning Statement

March 2021

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Summary of Location of National Planning Framework & Development Plan Policy Assessment	
Policy	Location of detailed policy assessment
National Planning Framework 3	
National Development number 4	At various points throughout this Planning Statement
Cockenzie to Torness Area of Co-ordinated Action	This Planning Statement, paragraphs 7.3.5, 7.3.6
South East Scotland Strategic Development Plan (SESplan)	
Policy 1B: The Spatial Strategy: Development Principles	EIA Report "technical" chapters 4-11
Policy 10: Sustainable Energy Technologies	This Planning Statement, paragraph 7.3.2
Policy 11: Delivering the Green Network	This Planning Statement, paragraph 7.3.9
Policy 15: Water and Flooding	EIA Report Chapter 7: Hydrology, Hydrogeology and Ground Conditions
East Lothian Local Development Plan (LDP)	
Site specific LDP Policies	
Proposal EGT1: Land at Former Cockenzie Power Station	This Planning Statement, paragraphs 7.3.3, 7.3.8, 7.3.11
OS1: Protection of Open Space	This Planning Statement, paragraph 7.3.9
Proposal EGT3: Forth Coast Area of Co-ordinated Action	This Planning Statement, paragraphs 7.3.5, 7.3.6
Policy EGT4: Enhanced High Voltage Electricity Transmission Network	This Planning Statement, paragraph 7.4.1
General and Technical LDP Policies	
DC6: Development in the Coastal Area	EIA Report Chapter 4: Seascape, Landscape and Visual
DC9: Special Landscape Areas	EIA Report Chapter 4: Seascape, Landscape and Visual
DC10: The Green Network	EIA Report Chapter 4: Seascape, Landscape and Visual
DP1: Landscape Character	EIA Report Chapter 4: Seascape, Landscape and Visual
NH1: Protection of Internationally Designated Sites	EIA Report Chapters 5: Ecology and 6: Ornithology, Report to Inform HRA
NH2: Protection of Sites of Special Scientific Interest and Geological Conservation Review Sites	EIA Report Chapters 5: Ecology and 6: Ornithology
NH3: Protection of Local Sites and Areas	EIA Report Chapters 5: Ecology and 6: Ornithology
NH4: European Protected Species	EIA Report Chapters 5: Ecology and 6: Ornithology
NH5: Biodiversity and Geodiversity Interests, including Nationally Protected Species	EIA Report Chapters 5: Ecology and 6: Ornithology
NH9: Water Environment	EIA Report Chapter 7: Hydrology, Hydrogeology and Ground Conditions
NH10: Sustainable Drainage Systems	EIA Report Chapter 7: Hydrology, Hydrogeology and Ground Conditions
CH2: Development Affecting Conservation Area	EIA Report Chapter 8: Cultural Heritage and Archaeology
CH4: Scheduled Monuments and Archaeological Sites	EIA Report Chapter 8: Cultural Heritage and Archaeology

Summary of Location of National Planning Framework & Development Plan Policy Assessment	
Policy	Location of detailed policy assessment
CH5: Battlefields	EIA Report Chapter 8: Cultural Heritage and Archaeology
T2: General Transport Impact	EIA Report Chapter 9: Access, Traffic and Transport
T4: Active Travel Routes and Core Paths as part of the Green Network Strategy	EIA Report Chapter 9: Access, Traffic and Transport
NH11: Flood Risk	EIA Report Chapter 7: Hydrology, Hydrogeology and Ground Conditions
NH12: Air Quality	This Planning Statement, paragraph 7.13.1
NH13: Noise	EIA Report Chapter 10: Noise and Vibration
RCA1: Residential Character and Amenity	EIA Report Chapters 4: Seascape, Landscape and Visual, 9: Access, Traffic and Transport, and 10: Noise and Vibration
DP2: Design	EIA Report Chapters 2: Description of Development, 3: Design Evolution and Site Alternatives, and 4: Seascape, Landscape and Visual
W4: Construction Waste	This Planning Statement, paragraph 7.13.2

1 Executive Summary

- 1.1.1 Seagreen 1A Limited is applying for Planning Permission in Principle (PPP) for onshore electricity transmission infrastructure to export electricity from the Seagreen Offshore Wind Farm into the national electricity network (“the Proposed Development”). The Proposed Development is located on the coast of the Firth of Forth in between the settlements of Cockenzie & Port Seton and Prestonpans in East Lothian (“the Site”).
- 1.1.2 The Seagreen Offshore Wind Farm was consented in 2014 and is located in the outer Firth of Forth and Firth of Tay. This consent covers 150 wind turbines and the associated offshore infrastructure to export the energy generated by 114 of the turbines to landfall at Carnoustie in Angus. Separate planning permission has been secured for the onshore works to connect these 114 wind turbines to the national electricity transmission network at Tealing in Angus and construction of this onshore infrastructure is now underway.
- 1.1.3 The proposed Seagreen 1A project seeks consent for the onshore and offshore infrastructure required to connect the remaining 36 turbines to the national electricity transmission system. An application was made to the National Grid in October 2019 and the project was offered a grid connection at Cockenzie.
- 1.1.4 The offshore infrastructure will comprise one export cable, approximately 110 km in length, from the Seagreen Offshore Wind Farm to the landfall at Cockenzie. The offshore export cable is the subject of a separate application for a marine licence to Scottish Ministers via the Marine Scotland Licensing and Operations Team (MS-LOT). The onshore infrastructure, which is the subject of this application, comprises a substation, underground electricity cables and associated development. Together, the proposed offshore and onshore infrastructure will facilitate full export capacity from the Seagreen Offshore Wind Farm, thereby maximising its contribution towards renewable energy generation and reducing greenhouse gas emissions.
- 1.1.5 The Proposed Development falls within the National Development 4 designation within National Planning Framework 3 (NPF3) relating to the development of a “*High Voltage Electricity Transmission Network*” which is 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.*” The need for the Proposed Development is therefore established. Furthermore, recent changes since NPF3 was published in 2014 including the Scottish Government’s declaration of a climate emergency in May 2019; the Committee on Climate Change’s Progress Report of July 2019 highlighting the need for much greater progress on carbon emissions reductions in the future; and the introduction of the Climate Change (Emissions Reductions Targets) (Scotland) Act 2019 which commits Scotland to a target of net zero emissions of all greenhouse gases by 2045 have all significantly strengthened this need case.
- 1.1.6 Whilst national development status establishes the need for the proposals, NPF3 confirms that where national developments are not location specific (as is the case with the Proposed Development) that site selection will be needed. As previously identified, the location of the grid connection offer at Cockenzie was determined by National Grid. However NPF3, the adopted East Lothian Local Plan and the unadopted Cockenzie Masterplan all make specific reference that Cockenzie may present significant opportunities for renewable energy related investment including for offshore wind farm connections. It is therefore reasonable to conclude that the Proposed Development would be acceptable in principle at this location, subject to demonstrating that it will not result in any unacceptable community or environmental impacts.

- 1.1.7 The proposed substation and landfall locations have been the subject of a detailed site selection exercise. The main reasons for selecting the proposed substation site include the visual screening that is provided by the existing Cockenzie substation and the acoustic bunds associated with the former Cockenzie power station; the size of the site and the subsequent ability it affords to maintain a set back distance from the B1348 Edinburgh Road; its proximity to connecting infrastructure; and the compatibility of the proposed land use with those uses identified for the Zone 2: Energy Quarter in the Cockenzie Masterplan. The main reasons for selecting the proposed landfall location include the previous grant of planning permission for a landfall at this location for the onshore transmission works associated with the Inch Cape Offshore Wind Farm and its proximity to the proposed grid connection point.
- 1.1.8 The Environmental Impact Assessment (EIA) Report which accompanies this application identifies that the only significant impacts upon environmental resources and communities which cannot be addressed by mitigation would be some localised landscape and visual impacts. These significant landscape and visual impacts would be focused on the visual amenity of users of core path 146 which runs along the top of the existing acoustic bund between the site and Atholl View as well as on the landscape fabric of the substation site itself. However as acknowledge by the Reporter for the Inch Cape onshore substation, the sort of energy related development envisaged by NPF3 in this location was unlikely to ever be small scale or diminutive in appearance and therefore some localised landscape and visual impacts are an unavoidable consequence of such development. Notwithstanding, there will be an opportunity at the matters specified stage, when the final substation location, layout, massing and detailed design of the buildings are agreed to seek to minimise the landscape and visual impacts of the substation and enhance its design.
- 1.1.9 Aside from localised landscape and visual impacts, the EIA Report does not identify any other significant effects which could not be adequately addressed by mitigation that could be controlled by planning conditions.
- 1.1.10 Overall, it is therefore concluded that the Proposed Development is in accordance with the Development Plan. Approval of this application will secure the locally and nationally significant renewable energy and climate change benefits that the wider Seagreen Offshore Wind Farm project will deliver. There are no other material considerations sufficient to override these considerable benefits.

2 Introduction

2.1 Introduction

2.1.1 This Planning Statement has been prepared on behalf of Seagreen 1A Limited (“the Applicant”) in support of an application for Planning Permission in Principle (PPP) for the construction and operation of an onshore substation, underground electricity cables and associated temporary and permanent infrastructure to export electricity from the Seagreen Offshore Wind Farm into the national electricity transmission system network (“the Proposed Development”). The Proposed Development is located on the coast of the Firth of Forth in between the settlements of Cockenzie & Port Seton and Prestonpans in East Lothian (“the Site”).

2.2 About the Applicant

- 2.2.1 The Applicant is Seagreen 1A Limited, owned by SSE Renewables (49%) and Total (51%).
- 2.2.2 SSE Renewables is a leading developer and operator of renewable energy across the UK and Ireland, with a portfolio of around 4 GW of onshore wind, offshore wind and hydro. Part of the FTSE-listed SSE plc, its strategy is to drive the transition to a net zero future through the world class development, construction and operation of renewable energy assets.
- 2.2.3 Total is a broad energy Group, which produces and markets fuels, natural gas and low-carbon electricity. Its 100,000 employees are committed to better energy that is safer, more affordable, cleaner and accessible to as many people as possible.

2.3 Background to Project

- 2.3.1 The consented Seagreen Offshore Wind Farm is located in the outer Firth of Forth and Firth of Tay. 114 of the 150 consented offshore wind turbines have a grid connection into Tealing substation in Angus. The construction of this grid connection started in 2020.
- 2.3.2 The proposed Seagreen 1A project seeks consent for the onshore and offshore infrastructure required to connect the remaining 36 turbines to the national electricity transmission system. An application was made to National Grid in October 2019 and the project was offered a grid connection at Cockenzie, East Lothian with a connection date of October 2023.
- 2.3.3 The offshore infrastructure will comprise one export cable, approximately 110 km in length, from the Seagreen Offshore Wind Farm to the landfall (for marine licensing purposes ending at Mean High Water Springs) at Cockenzie. The offshore export cable is the subject of an application for marine licence made to Scottish Ministers via the Marine Scotland Licensing and Operations Team (MS-LOT), accompanied by an Environmental Impact Assessment Report (EIAR).

2.4 PPP Approach

2.4.1 As the application is for PPP, it is not possible at this stage to provide a detailed description of all elements of the Proposed Development. The PPP will define the application site boundary and development zones (parameters) within the application site boundary to illustrate the areas of search within which different elements of the Proposed Development will be located. The PPP will therefore acknowledge that the details of the project will evolve within those parameters and will be subject to the approval of ‘matters specified in conditions’.

- 2.4.2 On this basis, the Proposed Development aims to define the reasonable worst case spatial and temporal parameters such as to enable a robust assessment of the likely significant effects of the Proposed Development. Typical or indicative drawings are provided to illustrate the potential physical characteristics of the Proposed Development within the spatial parameters; however it is noted that detailed elements such as the dimensions, layout, colour, height, massing and access could all be varied within the development zones shown.
- 2.4.3 Section 2 of this Planning Statement describes the practical implications of the PPP approach, whilst Chapter 2 of the Environmental Impact Assessment Report (EIAR) describes the development parameters in full.

2.5 Environmental Impact Assessment

- 2.5.1 The EIAR has been prepared to accompany an application for PPP, in accordance with The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017¹ (herein referred to as the 'EIA Regulations'). The EIAR has been prepared to meet the requirements of Schedule 4 of the EIA Regulations and the Institute of Environmental Management and Assessment (IEMA) Quality Mark Criteria. The EIAR also takes account of the relevant guidance set out in the Scottish Government Planning Advice Note (PAN), which emphasises the importance of achieving a proportionate EIA scope, focussed on the likely significant effects.

2.6 Pre-Application Consultation

- 2.6.1 The Proposed Development is within the scope of development described by the Scottish Government's National Planning Framework (NPF) 3's national development number four. The Proposed Development is therefore afforded "national development" status for development management purposes. Therefore, under the Planning (Scotland) Act 2019, formal pre-application consultation is required.
- 2.6.2 The Applicant has engaged positively with East Lothian Council (ELC) in the scoping of the planning application documentation and associated assessments. A Proposal of Application Notice (PAN) was validated by ELC on 17 November 2020 (ELC reference 20/00010/PAN), and in a letter dated on 18 November 2020 ELC confirmed the proposed consultation activity was acceptable. An updated PAN (with the same redline boundary) was re-submitted on 2nd December and validated on 3rd December 2020, confirming revised dates for public consultation.
- 2.6.3 In accordance with Scottish Government guidance and regulations in relation to the temporary suspension of the requirement for public meetings during the COVID-19 emergency period and their replacement instead with an alternative online consultation modification of standard practice in light of the COVID-19 pandemic, the Applicant held an online virtual public exhibition from Monday 11 January to Monday 1 February 2021, open from 10 January 2021, with a request for feedback by 1 February 2021. The project team were also available to answer questions on the Proposed Development via an online 'live chat' facility to answer questions on the 18 January 2021 from 12:00 to 14:30 and 18:00 to 20:30.
- 2.6.4 Please refer to the accompanying Pre-Application Consultation (PAC) Report for full details of the consultation undertaken, which has been submitted as a supporting document with this planning application.

2.7 Planning Application Documentation

This Planning Statement

2.7.1 This Planning Statement forms part of a comprehensive suite of documentation which accompanies the planning application. In describing the pre-application process, site description and the Proposed Development, this Planning Statement comprises an overarching statement and cross refers to more technical assessments which form part of the suite of documentation, where appropriate.

2.7.2 This Planning Statement comprises the following sections:

- *A summary table of relevant NPF and Development Plan policies, identifying the location of detailed policy assessment within the planning application documentation;*
- *Section 1 – an Executive Summary;*
- *Section 2 – this introductory section;*
- *Section 3 – which describes the Site and the Proposed Development;*
- *Section 4 – describing the approach to determining this application for PPP;*
- *Section 5 – which describes the statutory Development Plan and its relevant policies;*
- *Section 6 – which describes other relevant material considerations, including NPF, emerging policy and Scotland’s energy legislation and policy;*
- *Section 7 – comprising an assessment of the Proposed Development against relevant Development Plan policies and other material considerations;*
- *Section 8 – a summary of proposed mitigation and planning conditions resulting from EIA, policy assessment and the Applicant’s experience of similar developments; and*
- *Section 9 – conclusions.*

Wider suite of documents

2.7.3 This Planning Statement should be read alongside:

- *Environmental Impact Assessment Report (EIAR);*
- *Report to Inform Habitat Regulations Assessment and Appropriate Assessment; and*
- *PAC Report.*

2.7.4 The scope of planning application documentation, as well as the assessment which underpins it, was informed by pre-application discussions with representatives of ELC and relevant statutory and non-statutory consultees.

3 Site Description and Proposed Development

3.1 The Site

- 3.1.1 The Proposed Development site ('the Site') covers an area of approximately 22.9 ha and is located on the coast of the Firth of Forth, on open land between the towns of Prestonpans to the west and Cockenzie and Port Seton to the east, approximately 15 km east of Edinburgh. The Site extends from the Mean Low Water Springs (MLWS) through Preston Links, includes the existing Cockenzie substation and extends eastwards as far east as the B6371.
- 3.1.2 The Site ranges from sea level to approximately 16.5 m above ordnance datum. Historical land use within the Site includes collieries, mineral railway lines, a gas works and associated gasholder, a refuse tip and electricity substations. The current land uses included within the Site comprise a small intertidal area between MLWS at Prestonpans Beach and a car park located next to Prestonpans Beach. An amenity grassland area, commonly referred to as the Greenhills, is located north of the B1348, which includes the John Muir Way long distance trail. The Site is crossed by the B1348 Edinburgh Road. The Site to the south of the B1348 is mostly comprised of a mixture of amenity grassland areas and rough grassland with small areas of self-seeded trees and regenerating vegetation. The Site includes the hardstanding associated with a former gasholder, currently occupied by a car wash business, the existing Cockenzie substation and a private road (formerly associated with the coal store and former power station) which connects between the B1348 and the B6371. The private road is gated at each end and there is no public access. ELC includes a path linking Whin Park around the south side of the existing Cockenzie substation as a 'Core Path'¹.
- 3.1.3 Other relevant features within the Site include, within the inter-tidal area, a section of disused pipeline which historically transferred waste ash from the former Cockenzie Power Station to Levenhall Lagoons in Musselburgh. Within the eastern-most part of the site, running approximately parallel to the B6371, is the Tranent to Cockenzie Waggonway.
- 3.1.4 The inter-tidal area is within the Firth of Forth Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and Ramsar site, which extends along the Firth coast line both south east and north west (albeit with a "gap" in designation adjacent to the former Cockenzie Power Station site, before it continues beyond).
- 3.1.5 The majority of the Site is located within the north western extent of the Inventory Battlefield of the Battle of Prestonpans, which includes the aforementioned Waggonway.
- 3.1.6 A network of public footpaths is located in the immediate area surrounding the Site to the south of the existing Cockenzie substation. A grassed 'acoustic screening bund'² of approximately 10 m above the surrounding ground level is located along the southern boundary, which also has a footpath along its top (core path 145/146) affording views of the surrounding area. Two overhead power lines are located within the Site, connecting to the existing Cockenzie substation.
- 3.1.7 The nearest residential properties to the Site are located along Whin Park to the north east, on the B1348 in Prestonpans and along Atholl View to the south west, albeit the properties on

¹ URL: https://www.eastlothian.gov.uk/downloads/download/12660/east_lothians_core_paths_plan (accessed 25/01/2021)

² This bund was originally consented and formed as a landscape feature designed to provide noise attenuation between the Persimmon Homes residential development on the site of the former Longdykes Market Garden and the then operational Cockenzie Power Station. ELC Application reference 00/01165/OUT and 03/00786/REM

Atholl View have little interaction with the Site due to the intervening bund. In addition to residential properties, the Whin Park industrial estate is located immediately north of the Site and a dental surgery and health centre is located immediately west, in Prestonpans.

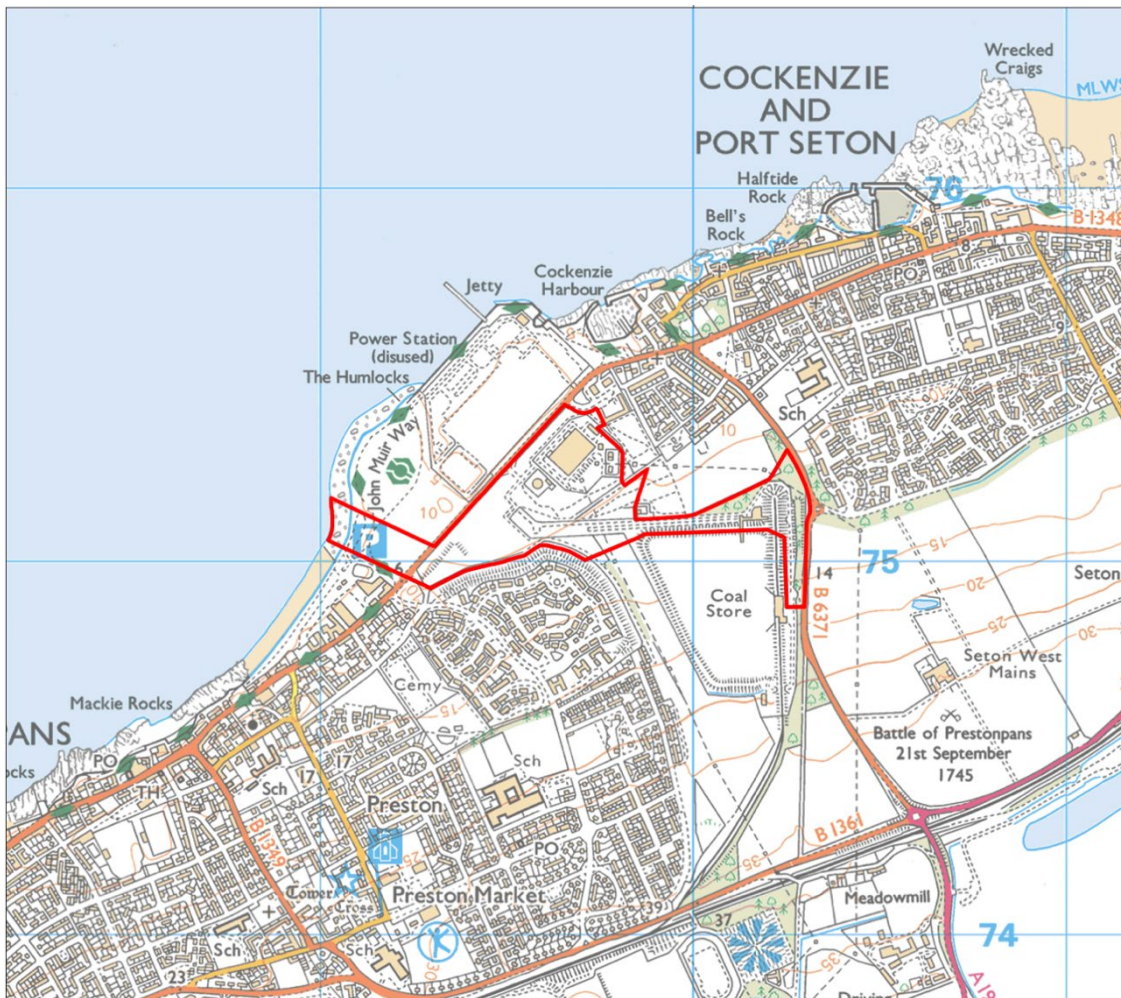


Figure 1: Planning Application Boundary

3.2 The Proposed Development

3.2.1 Chapter 2 of the EIA provides a detailed description of the Proposed Development, the key elements of which comprise:

- One shore end export cable from the Seagreen Offshore Wind Farm between the Mean Low Water Spring (MLWS) mark and the transition joint bay;
- One transition joint bay, where the shore end export cable would interface with the onshore export cable;
- One onshore export cable, running from the transition joint bay to the onshore substation;
- Potential joint bay and temporary pulling pits, for installation of the onshore export cable (potentially located anywhere within the onshore export cable development zone);
- The onshore substation;
- One grid connection cable linking the onshore substation and the existing Cockenzie substation;

- Temporary construction compound and working areas;
- Permanent and temporary access and site tracks; and
- Associated works

3.2.2 There is no operational need to limit the lifetime of a renewable energy development. Increasing the operational period allows the costs of renewable energy to be reduced and maximises the contribution that developments can make towards climate change and renewable energy targets. Therefore, permission is being sought for the Proposed Development in perpetuity.

3.2.3 The Proposed Development Zones drawing which accompanies the application for PPP, replicated within the EIA Report (EIAR) as Figure 2.1 and below as Figure 2, illustrates Proposed Development zones within the Site.

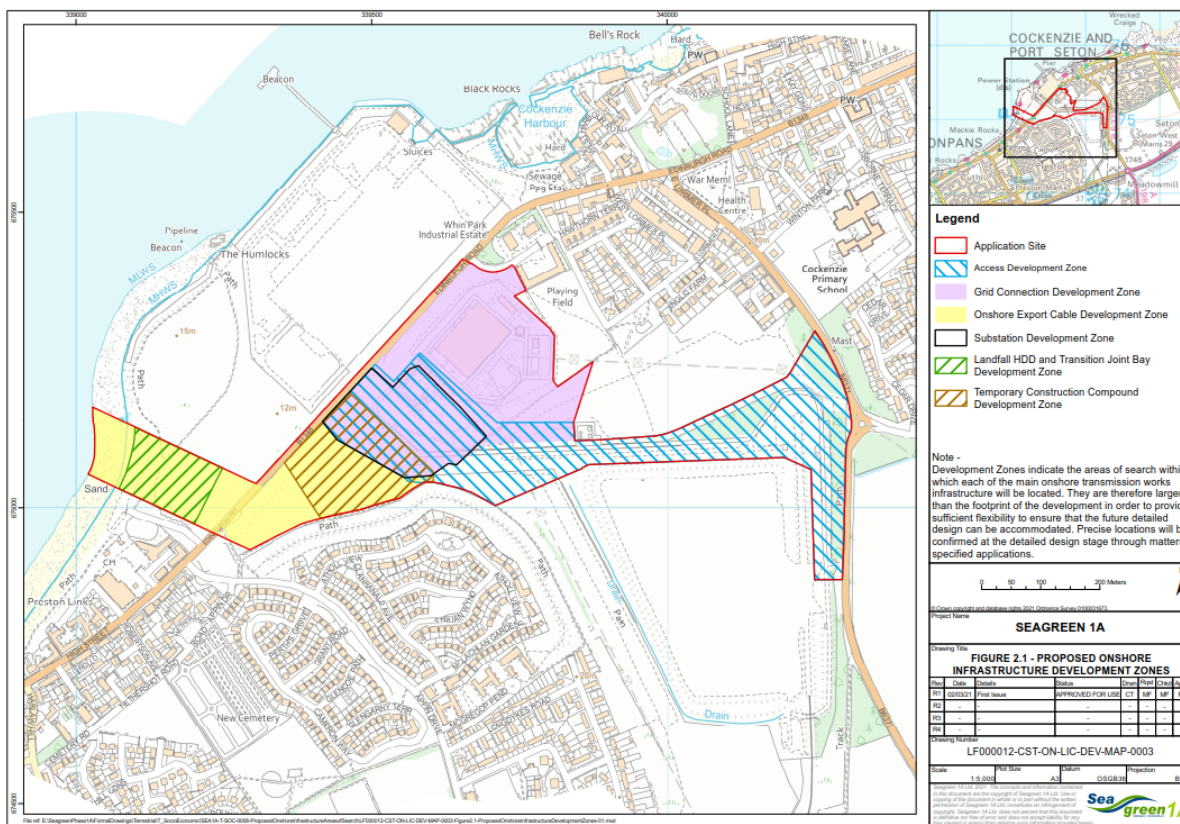


Figure 2: Proposed Development Zones

3.2.4 Within these development zones, a series of maximum (or “worst case”) development parameters form the basis of this application, as well as the associated EIA process documented within the accompanying EIAR. Chapter 2 of that EIAR details the development parameters, which include:

- Shore end export cable making landfall between MLWS and a transition joint bay, installed using Horizontal Directional Drilling or similar trenchless technique. Located within the following development parameter zones illustrated in Figure 2: Onshore Export Cable Development Zone; and Landfall HDD and Transition Joint Bay Development Zone;
- An underground transition joint bay at Preston Links which would be a maximum of approximately 20 m in length, 3 m in width and 2.5 in depth. Following reinstatement

two manhole covers will remain. Located within the Landfall HDD an Transition Joint Bay Development Zone;

- *One onshore underground cable, typically installed via open cut methods within a working corridor of approximately 20 m, except where trenchless techniques are necessary. Upon reinstatement no above ground evidence of the cable will remain, with the potential exception of cable marker post of approximately 570 mm in height by 215 mm width, located at crossing points and changes in cable direction. Located within the following development parameter zones: Onshore Export Cable Development Zone; and Grid Connection Development Zone;*
- *Onshore substation, including development platform of approximately 2.2 ha in area, upon which electrical infrastructure with a maximum height of 18 m will be sited. That electrical (and associated) infrastructure includes. Located within the Substation Development Zone;*
- *Outdoor electrical equipment including shunt reactors and transformers. Located within the Substation Development Zone;*
- *A building housing dynamic reactive compensation equipment. Located within the Substation Development Zone;*
- *A building housing gas insulated switchgear and a control room. Located within the Substation Development Zone;*
- *A building housing harmonic filter equipment. Located within the Substation Development Zone;*
- *Earthing equipment. Located within the Substation Development Zone;*
- *Operational circulation roads within the Access Development Zone;*
- *Operational phase car parking for servicing vehicles. Located within the following development parameter zones: Access Development Zone; and Substation Development Zone;*
- *Surface water run-off SUDS within the Substation Development Zone;*
- *A surrounding 2.5 m high palisade security fence and associated security lighting. Located within the Substation Development Zone; and*
- *New and/or improved junctions and access roads/tracks between the B6371 and the B1348. Located within the Access Development Zone.*

3.2.5 During construction:

- *At least two temporary construction areas, a main construction compound of approximately 50 m by 50 m; and a substation construction compound of approximately 125 m by 110 m, located within the Temporary Construction Compound Development Zone;*
- *A potential construction area of approximately 2,500 sqm on Preston Links, in the event of a trenchless landfall technique, plus launch and receptor pits each of approximately 1,250 sqm, located within the Landfall HDD and Transition Joint Bay Development Zone; and*
- *A temporary haul road the length of the cable corridor, with a maximum width of 5 m, within the Access Development Zone.*

3.2.6 With the exception of construction work associated with the cable landfall (where 24 hr working is required), construction works are limited to 0700 to 1900 Monday to Saturday.

Inter-tidal Area and Marine Licensing

- 3.2.7 A separate marine licence application has been submitted to Marine Scotland for the offshore electricity transmission infrastructure. The marine licensing process extends up to Mean High Water Springs (MHWS), creating an area of “overlap” within the inter-tidal area between MHWS and MLWS, where both planning and marine licences apply. In terms of planning controls relating to development in this area (which will comprise an export cable constructed using a trenchless method), an element of consistency between consents is essential.

3.3 Design Evolution and Site Alternatives

- 3.3.1 An extensive site selection exercise, identifying optimum substation and landfall locations and cable route, is documented within Chapter 3 of the EIAR.
- 3.3.2 From a technical perspective, the proposed Substation Development Zone, is considered to be acceptable in principle due to availability of land and the proximity to the grid connection location at Cockenzie substation. While the proposed Substation Development Zone currently occupies a car wash business, this is subject to a short-term and temporary lease. Whilst the substation zone is relatively close to neighbouring residential areas and recreational routes (i.e. there is a core path which follows the top of the screen mound located to the north of Atholl Place and Preston Crescent), sufficient space for mitigation of potential impacts exists. Relevant features of the proposed Substation Development Zone include:
- *visual screening and backdrop is provided by the existing Cockenzie substation, and the screen mound located to the north of Atholl Place and Preston Crescent;*
 - *the site has sufficient space to maintain the building line set back distance from the B1348 Edinburgh Road;*
 - *It would be possible to access the substation from the existing Coal Yard service road (subject to engineering assessment and possible upgrade) or Edinburgh Road; and*
 - *The site is predominantly brownfield, being located within the former Power Station coal yard area and over the footprint of a former gasholder.*

Landfall Site Option

- 3.3.3 The proposed landfall location was confirmed as having been suitable for the Inch Cape Offshore Wind Farm onshore transmission works, which was previously approved as part of the first ICOL planning permission, which has since expired. Therefore, this provided relative certainty over both the technical feasibility and the associated planning and environmental processes. Relevant features of the landfall location include:
- *it would reduce construction phase impacts on surrounding residential receptors by increasing the distance from residential receptors;*
 - *it would avoid crossing third party land, where possible, including the boat club;*
 - *it would minimise activity within the Preston Links area; and*
 - *it would minimise potential impacts on the existing access road and car park at Prestonpans beach.*

Recommended Cable Corridor between Substation Zone and Landfall Sites

- 3.3.4 The proposed Onshore Export Cable Development Zone was selected on the basis that it takes a direct route through the ‘Green Hills’ (Preston Links) amenity area, thus minimising the extent of disruption during construction. The route would reflect the route of the original Inch

Cape Offshore Wind Farm planning permission (ref 14/00456/PPM). The route was previously approved, and therefore the principle of the planning acceptability has been established. In addition, it was recognised that the existing bunding around nearby residential dwelling would reduce construction impacts.

3.4 Relevant Planning History

Inch Cape Offshore Ltd planning applications

- 3.4.1 In September 2014, ELC granted Inch Cape Offshore Limited (ICOL) PPP for the onshore transmission works (14/00456/PPM) associated with the Inch Cape Offshore Wind Farm. This permission related to a site to the south of the former Cockenzie coal yard, but the landfall point, and cable route from landfall is broadly similar to what is being proposed in this application. ICOL subsequently determined not to implement this permission, and that permission expired in September 2017.
- 3.4.2 In February 2018 ICOL instead submitted an application (18/00189/PPM) for PPP for the onshore transmission works on the site of the former Cockenzie Power Station. This application was granted PPP by Scottish Ministers (CIN-ELN-001) in February 2019. Further details of this development, including details of the layout, siting, design and external appearance of the onshore substation approved as part of that permission, will be the subject of future matters specified applications.
- 3.4.3 The Proposed Development is consistent with the landfall location and initial stretch of cable route identified within ICOL's original planning permission, relevant commentary from ELC's Report to Planning Committee includes:
- *Confirmation that a landfall and cable route across Preston Links is consistent with relevant open space and landscape policies;*
 - *That a "backdrop" of existing infrastructure significantly mitigates visual impacts of the substation;*
 - *That the enclosing of electrical equipment within a building, where possible, is desirable from a landscape and visual impact perspective; and*
 - *Appropriate assessment of infrastructure similar to that proposed confirmed no adverse affects on Natura 2000 sites.*
- 3.4.4 Further, the report accompanying the Scottish Ministers' decision of 22 February 2019 on ICOL's second application includes a series of relevant quotes:
- *NPF3's statement of need in respect of high voltage electricity transmission is significant and affords development of the type proposed national development status;*
 - *Speculative proposals should not impact the delivery of national development-designated infrastructure;*
 - *The benefits of such development are significant in terms of overall investment, support for climate change objectives, delivery of the Scottish Government's renewable energy targets and construction-related employment opportunities;*
 - *Development anticipated by NPF3 and the national development designation is anticipated to be of a significant scale;*
 - *Views out to sea are a more likely focus than those of the substation, which takes a more coastal location than that proposed;*

- *Significant landscape and impacts are localised and can be mitigated through sensitive design;*
- *The proposal does not detract from the appreciation of features or landscape which add to the interpretation of the battlefield;*
- *There is no suggestion of adverse affects on Natura 2000 sites;*
- *Clarifies the status of the 2017 Masterplan;*
- *Proposal consistent with NPF and relevant site specific LDP policies; and*
- *Acknowledges the development significant and of national importance.*

Other Historic Planning Activity

- 3.4.5 In October 2011, the Scottish Government granted planning permission for the construction of a cross country pipeline of approximately 17.5 km to transfer gas to a repowered Cockerzie Power Station (10/00002/SGC). The application related to a potential gas-fired power station, plans for which were not progressed by ScottishPower Generation.
- 3.4.6 In June 2014, Scottish Enterprise submitted a Proposal of Application Notice in respect of a mixed use "energy park" across a wider site. No subsequent planning applications were progressed.
- 3.4.7 In December 2017, an application by Lark Gas Assets was withdrawn (17/00770/P) for the construction of gas powered electricity generation plant and associated works.
- 3.4.8 In January 2019, ELC granted Perfection Car Wash planning permission for change of use of former gas holder to car wash facilities, erection of two storage containers, covered area and associated works for a temporary period of one year (18/01136/P).
- 3.4.9 In February 2020, ELC refused PPP for rocket testing facility at a site to the south, within the former coal storage yard (19/00588/P).

Other "Speculative Proposals"

- 3.4.10 Whilst the Applicant is aware of other potential "speculative proposals", none are the subject of formal or specific proposals. Further, we are aware that ELC is considering the viability of the use of the wider former Cockerzie Power Station site for the development of cruise and port related infrastructure.

4 Basis for Determining a Planning Application

4.1.1 Section 25 of the Town & Country Planning (Scotland) Act 1997 states:

"Where in making any determination under the Planning Act, regard is to be had to the Development Plan that determination shall be made in accordance with the Development Plan unless material considerations indicate otherwise."

4.1.2 Section 37 should be read alongside Section 25. Section 37 (2) states:

"In dealing with an application, the Planning Authority shall have regard to the provisions of the Development Plan so far as material to the application and to any other material considerations."

4.1.3 The House of Lords in its judgement in the City of Edinburgh Council v Secretary of State for Scotland case 1998 (SLT120) ruled that if a proposal accords with the Development Plan and no other material considerations indicate that it should be refused, planning permission should be granted. It ruled that:

"Although priority must be given to the Development Plan in determining a planning application, there is built in flexibility depending on the facts and circumstances of each case."

4.1.4 The judgement set out the following approach to determining a planning application:

- *Identify the provisions of the Development Plan that are relevant to the decision;*
- *Consider them carefully looking at the aims and objectives of the plan as well as the detailed wording of policies;*
- *Consider whether or not the proposal accords with the Development Plan;*
- *Identify and consider relevant material considerations for and against the proposal; and*
- *Assess whether these considerations warrant a departure from the Development Plan.*

4.1.5 This judgement sets out a clear and methodical approach to determining a planning application and clarifies how the Development Plan should be used.

4.1.6 The determining authority must first consider whether the proposal accords with the Development Plan. It is important to consider not only the detailed wording of policy, but the aims and objectives of the policy maker. If a proposal is considered to accord with the Development Plan, it follows that consent should be granted unless any site specific matters preclude consent.

4.1.7 Scottish Planning Policy (SPP) further clarifies this point. Paragraph 8 sets out the 'core principles' which should underpin the 'modernised system'. The third core principle states:

"Confidence in the planning system needs to be reinforced through the efficient and predictable preparation of plans and handling of applications; transparency in decision making and reliable enforcement of the law and planning decisions."

4.1.8 The House of Lords has ruled that material considerations must satisfy two tests:

- *They must be considerations, in other words, they must have consequences for the use and development of land or the character of the use of the land; and*
- *They must be material to the circumstances of the case and they must relate to the Proposed Development.*

4.1.9 This was articulated in a further court decision Tesco Stores v Dundee [2012] PTSR 983. The key was that the courts have confirmed that the Development Plan provides the planning

authority with discretionary powers and these can be used flexibly, with the importance of balancing the Development Plan with other material considerations.

5 Development Plan Policy

5.1 Introduction

5.1.1 The statutory Development Plan for the site comprises:

- *SESplan Strategic Development Plan ("SESplan", approved 2013); and,*
- *East Lothian Local Development Plan ("the LDP", adopted 2018).*

5.1.2 This Planning Statement does not quote policy verbatim but rather summarises relevant elements of policies of relevance to the Proposed Development. The following summaries do not reference all elements of policies, only those considered relevant to the Proposed Development.

5.2 SESplan Strategic Development Plan (2013)

5.2.1 At Paragraph 17, SESplan aims are detailed including: "contribute to the response to climate change through mitigation and adaptation and promote high quality design/development."

5.2.2 Table 1 below summarises the relevant SESPlan policies.

Table 1: Summary of Relevant SESplan Policies	
Policy	Applicant Summary
1B The Spatial Strategy: Development Principles	Ensures that Development Plans will protect identified designated natural and built or cultural heritage assets which is relevant in the context of the setting of the site specific designations in close proximity to the site and proposed cable route.
10 Sustainable Energy Technologies	Part a) is dated in that Cockenzie Power Station no longer exists but part b) encourages renewable energy proposals that aim to contribute to national targets for energy creation in which this proposal forms a part of.
11 Delivering the Green Network	Supports the maintenance, improvements and creation of the Green Network which is important for connectivity in the locale, especially at a coastal location.
15 Water and Flooding	Relates to strategic policy on flooding which is relevant in the context of the sites coastal location.

5.2.3 Policy 10 is dated in that it relates to a "new non-nuclear baseload" national development designation in NPF2, which has since been superseded by NPF3. More generally, SESplan predates the Scottish Government's updates to National Planning Framework and Scottish Planning Policy (detailed within Section 5) and is considered aged as a result. A replacement SESplan has reached an advanced stage of preparation and is detailed within Section 5 of this Planning Statement.

5.3 East Lothian Local Development Plan (2018)

5.3.1 On the accompanying proposals map to the adopted Local Development Plan (refer to Figure 3, below), the planning application boundary lies within the middle of the defined settlement boundaries of Port Seton and Cockenzie. The Site lies within the wider site of the former Cockenzie Power Station site under designation **EGT1**, and well as **OS1**. There are also a number of **Core Paths** that run adjacent to/ within the site.

5.3.2 The landfall coastal location is designated as a part of a wider SPA, SSSI and Ramsar Site.

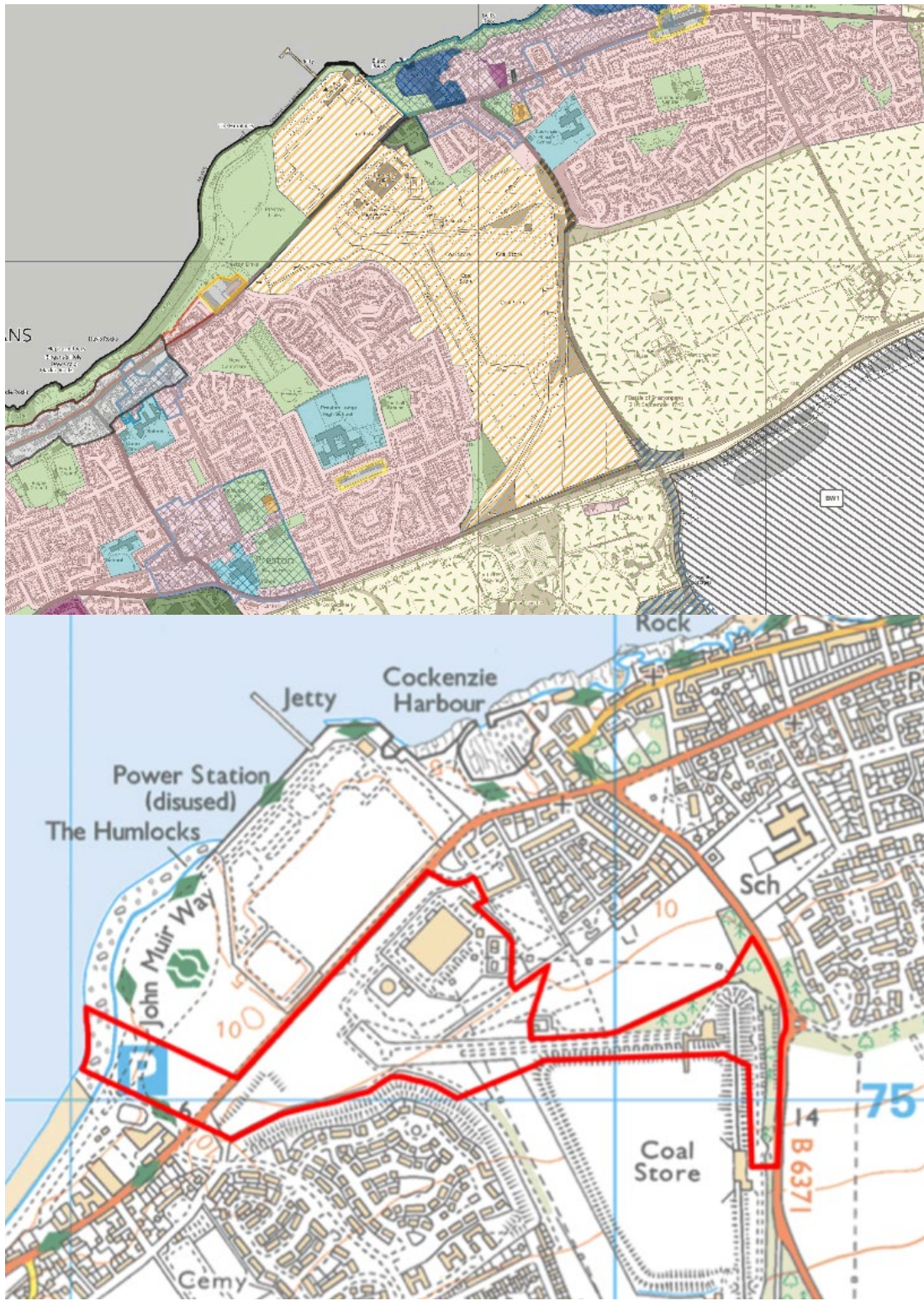


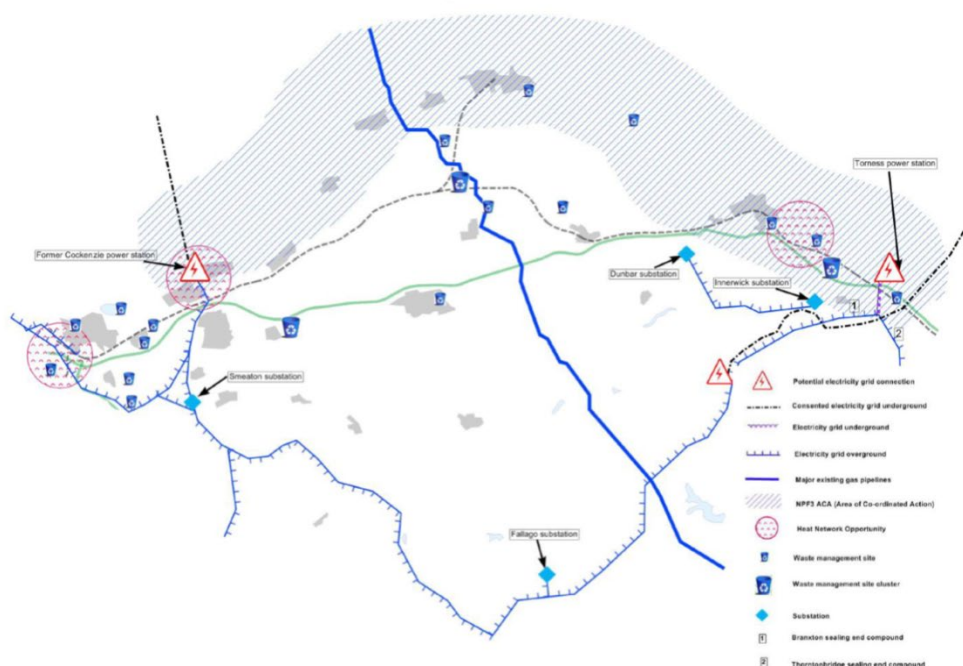
Figure 3: Extract from East Lothian Local Plan (2018) Proposals Map (key included within LDP Proposals Map), with planning application boundary for context

5.3.3 Table 2 below summarises the relevant site specific and development specific Local Development Plan policies.

Table 2: Summary of Relevant Site Specific and Development Specific LDP Policies

Policy	Applicant Summary
Proposal EGT1: Land at Former Cockenzie Power Station	Identifies Cockenzie for significant opportunities for renewable energy related development which is relevant as the site already has accepted investment for renewable energy related development and this proposal builds on that. Also references safeguarding of land for future thermal power generation and carbon capture infrastructure. In the event of competing uses priority given to those which make the best use of locational assets and bring greatest economic benefits. The Cockenzie masterplan which although it holds no material status, does show the site within the Energy Quarter where such development is acceptable in principle.
OS1: Protection of Open Space	Resists development and protects areas of open space and lists criteria where it would be acceptable. The proposed Onshore Export Cable Development Zone crosses open space.
Proposal EGT3: Forth Coast Area of Co-ordinated Action	Supports electricity grid connections on the Forth Coast at Cockenzie to facilitate offshore energy generation in which this proposal seeks to achieve. Requires: combined infrastructure, where possible, prioritised of connections to existing infrastructure; and proposals do not adversely affect European sites.
Policy EGT4: Enhanced High Voltage Electricity Transmission Network (linked to Strategy Diagram 3, below)	Supports enhancement of high voltage electricity transmission network subject to acceptable impacts (in terms of landscape, visual, community, natural and cultural heritage) around the locale which is what this proposal seeks to achieve in the context of a comprehensive assessment of potential receptors.

Strategy Diagram 3: Energy Generation, Distribution and Transmission and Waste Facilities



5.3.4 Table 3 below outlines the other relevant technical Local Development Plan Policies.

Table 3: Summary of Relevant Technical LDP Policies

Policy	Applicant Summary
DC6: Development in the Coastal Area	The site lies within the Developed Coast where development will be supported in principle but likely subject to assessment to Habitats Regulation Assessments with the coastal location designated as a Ramsar site, SSSI, and SPA.

Table 3: Summary of Relevant Technical LDP Policies	
Policy	Applicant Summary
DC9: Special Landscape Areas	Lists criteria where development would be acceptable in such locations. The proposed landing point and cable route crosses a Special Landscape Area , 32 Prestonpans Coast.
DC10: The Green Network	Ensures that all development contributes to the Green Network which is important for connectivity in the locale, especially at a coastal location.
DP1: Landscape Character	Provides assessment criteria from a landscape character perspective to ensure integration and appropriate mitigation. This is relevant in the context of its location along the Edinburgh Road (B1348).
NH1: Protection of Internationally Designated Sites	Ensures that development with significant effect on Natura 2000 sites requires appropriate assessment and resists development which would negatively impact, with potentially relevant caveats. The site is located on the defined Developed Coast , with the proposed landing point and cable route crossing a SPA/ Ramsar site .
NH2: Protection of Sites of Special Scientific Interest and Geological Conservation Review Sites	Identifies criteria for acceptable development within a SSSI with the proposed landing point and cable route crossing such.
NH4: European Protected Species	Sets out limited circumstances where development can impact EPS.
NH5: Biodiversity and Geodiversity Interests, including Nationally Protected Species	Sets out limited circumstances where development can impact such features.
NH9: Water Environment	Sets out policy protection to the water environment and promotion of enhancements which is relevant to any development.
NH10: Sustainable Drainage Systems	Promotes the use of Sustainable Urban Drainage Systems which is relevant to any built development.
CH2: Development Affecting Conservation Area	Resists development which would affect a conservation area or its setting in the context of the Cockenzie and Port Seton Conservation Area is located in close proximity to the north.
CH4: Scheduled Monuments and Archaeological Sites	Resists development which would affect a Scheduled Monument or Archaeological Site in the context of Seaton West Mains is a Scheduled Ancient Monument located in close proximity to the south of the site.
CH5: Battlefields	Resists development which would affect a Battlefield Site with the majority of the Site being within the Battle of Prestonpans Battlefield .
T2: General Transport Impact	Identifies requirements for new development to ensure no adverse impacts from a range of traffic, transport, access related perspectives which would be relevant to any Proposed Development.
T4: Active Travel Routes and Core Paths as part of the Green Network Strategy	Provides policy protection to existing core path and active travel networks, ensuring development does not undermine such features.
NH11: Flood Risk	Resists development that would be at unacceptable risk of flooding, or which increase the probability of flooding elsewhere.
NH12: Air Quality	Impacts on air quality to be assessed in considering development proposals.
NH13: Noise	This policy provides protection to relevant receptors on noise in the context of potential receptors like nearby residential units.
RCA1: Residential Character and Amenity	Protects residential amenity in existing housing areas from adverse impacts of uses other than housing. Although a former industrial site, it is located in close proximity to the communities for Cockenzie and Port Seton.
DP2: Design	Requires design standards for all new development
W4: Construction Waste	Requires Site Waste Management Plans, having regard to the waste hierarchy, submitted in respect of major developments.

5.3.5 The Proposed Development is considered in the context of the LDP policies in Section 6 of this Planning Statement.

6 Other Material Considerations

6.1.1 National Planning Policy sits at the top of the planning policy hierarchy and sets the strategic aims and objectives which must be incorporated into the Development Plan.

6.2 National Planning Framework 3 (2014)

6.2.1 The **National Planning Framework** (NPF) is a long-term strategy for Scotland. It is the spatial expression of the Government Economic Strategy, and of their plans for development and investment in infrastructure. NPF3 sets out the Scottish Government's vision for Scotland, specifically including "a low carbon place", with aspirations to be a world leader in onshore and offshore low carbon energy generation. Associated objectives include an 80% reduction in greenhouse gas emissions by 2050.

6.2.2 Pursuant to this vision, NPF3 identifies national developments and other strategically important development opportunities in Scotland. It is accompanied by an Action Programme which identifies how they expect it to be implemented, by whom, and when.

6.2.3 Statutory Development Plans must have regard to the NPF, and Scottish Ministers expect planning decisions to support its delivery. NPF3 informs development and investment decisions of the Scottish Government, its agencies, planning authorities, private investors and other bodies.

6.2.4 By 2020, the Government aim to reduce total final energy demand by 12%. To achieve this, and maintain secure energy supplies, improved energy efficiency and further diversification of supplies will be required. They want to meet at least 30% of overall energy demand from renewables by 2020 – this includes generating the equivalent of at least 100% of gross electricity consumption from renewables, with an interim target of 50% by 2015. Heat accounts for a significant share of our energy consumption, and by 2020 they are aiming to source 11% of heat demand and 10% of transport fuels from renewable sources.

6.2.5 The Government want to continue to capitalise on our wind resource, and for Scotland to be a world leader in offshore renewable energy. In time, they expect the pace of onshore wind energy development to be overtaken by a growing focus on our significant marine energy opportunities, including wind, wave and tidal energy. Both terrestrial and marine planning have a key role to play in reaching these ambitious targets by facilitating development, linking generation with consumers and guiding new infrastructure to appropriate locations. The Government are clear that development must work with and sustain our environmental assets, and should provide opportunities for communities.

6.2.6 Section 6 of NPF3 notes that national developments have been defined in recognition of their "need" in the delivery of the Scottish Government's wider spatial strategy for Scotland. It continues within paragraph 6.1 by specifically noting that "...national development status establishes the need for a project...".

6.2.7 NPF3's national development 4 relates to the high voltage electricity transmission network throughout Scotland, specifically:

- a) "new and/ or upgraded onshore electricity transmission cabling of or in excess of 132 kilovolts, and supporting pylons.
- b) new and /or upgraded onshore sub stations directly linked to electricity transmission cabling of or in excess of 132 kilovolts.

c) *new and/ or upgraded onshore converter stations directly linked to onshore and/or offshore electricity transmission cable(s) of or in excess of 132 kilovolts.*

d) *new and/ or upgraded offshore electricity transmission cabling of or exceeding 132 kilovolts”.*

6.2.8 Annex A to NPF3 confirms that planning applications for development within one or more classes listed in the aforementioned points a) – d) is designated as “*national*” for the purpose of the Section 26A of the Town and Country Planning (Scotland) Act 1997 (as amended) and the associated Town and Country Planning (Hierarchy of Developments) (Scotland) 2009.

6.2.9 In describing national development designations, Annex A to NPF3 includes the following statement of need in respect of national development number 4:

“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”.

“Cockenzie, and the Forth coast extending to Torness, is also a potentially important energy hub. There are significant plans for offshore wind to the east of the Firths of Forth and Tay. Proposals for grid connections for these projects are now emerging, requiring undersea cabling connecting with converter stations and substations. We want developers to work together to minimise the number and impacts of these developments by combining infrastructure where possible. Whilst we have safeguarded Cockenzie as a site for future thermal generation, it may present significant opportunities for renewable energy-related investment. We expect developers, East Lothian Council and the key agencies, including Scottish Enterprise to work together to ensure that best use is made of the existing land and infrastructure in this area. Given the particular assets of Cockenzie, if there is insufficient land for competing proposals, we wish to see priority given to those which make best use of this location’s assets and which will bring the greatest economic benefits”.

6.3 Scottish Planning Policy (2014, updated 2020)

6.3.1 Scottish Planning Policy (SPP) is a statement of the Scottish Government’s policy on how nationally important land use planning matters should be addresses across the country.

6.3.2 The SPP states that:

“The 1997 Act requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. As a statement of Ministers’ priorities the content of the SPP is a material consideration that carries significant weight.”

6.3.3 And that:

“Planning should take a positive approach to enabling high quality development and making efficient use of land to deliver long term benefits for the public while protecting and enhancing natural and cultural resources.”

6.3.4 As part of the drive towards a low carbon economy, the first principal policy of the SPP ‘introduces a presumption in favour of development that contributes to sustainable development’. SPP notes that:

“The Scottish Government’s central purpose is to focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through creating sustainable economic growth.”

6.3.5 SPP states that policies and decisions should be guided by the following principles:

- *Giving due weight to net economic benefit;*
- *Responding to economic issues, challenges and opportunities, as outlined in local economic strategies;*
- *Supporting good design and the six qualities of successful places;*
- *Making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;*
- *Support delivery of accessible housing, business, retailing and leisure development;*
- *Support the delivery of infrastructure, for example transport, education, energy, digital and water;*
- *Supporting climate change mitigation and adaptation including taking account of flood risk;*
- *Improving health and wellbeing by offering opportunities for social interaction and physical activity, including sport and recreation;*
- *Having regard to the principles for sustainable land use set out in the Land Use Strategy;*
- *Protecting, enhancing and promoting access to cultural heritage, including historic environment;*
- *Protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and wider environment;*
- *Reducing waste, facilitating its management and promoting resource recovery; and*
- *Avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.*

6.3.6 In respect of energy infrastructure developments, paragraph 169 notes that relevant considerations will depend upon the scale of proposals and site characteristics, but could include:

- *"net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities;*
- *the scale of contribution to renewable energy generation targets;*
- *effect on greenhouse gas emissions;*
- *cumulative impacts – planning authorities should be clear about likely cumulative impacts arising from all of the considerations below, recognising that in some areas the cumulative impact of existing and consented energy development may limit the capacity for further development;*
- *impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker;*
- *landscape and visual impacts, including effects on wild land;*
- *effects on the natural heritage, including birds;*
- *impacts on carbon rich soils, using the carbon calculator;*
- *public access, including impact on long distance walking and cycling routes and scenic routes identified in the NPF;*
- *impacts on the historic environment, including scheduled monuments, listed buildings and their settings;*
- *impacts on tourism and recreation;*

- *impacts on aviation and defence interests and seismological recording;*
- *impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;*
- *impacts on road traffic;*
- *impacts on adjacent trunk roads;*
- *effects on hydrology, the water environment and flood risk;*
- *the need for conditions relating to the decommissioning of developments, including ancillary*
- *infrastructure, and site restoration;*
- *opportunities for energy storage; and*
- *the need for a robust planning obligation to ensure that operators achieve site restoration.”*

Other Relevant Parts of SPP

Subject matter/paragraphs	Applicant Summary
Coastal Planning, para 87	Encourages integrated approach ensuring complementary terrestrial and marine planning.
Natura 2000 & Ramsar Sites, paras 207-11	National policy protection for internationally protected sites, setting out requirement for appropriate assessment to ensure no adverse impacts on the integrity of such a site, as well as circumstances where derogation may be appropriate.
National Designations, paras 212-213	Development affecting sites including SSSI should only be permitted where objectives and integrity will not be compromised, or where effects are clearly outweighed by social, environmental or economic benefits of national importance.
Protected species, para 214	Requires investigation in the event of evidence of protected species, with protection afforded by legislation factored into the planning system.
Flooding, paras 254-257	Establishes a precautionary policy basis for consideration of flood risk as part of development proposals potentially at risk of flooding, or which have potential to cause flooding elsewhere.
Cultural Heritage, paras 135-151	Establishes a policy of relevance to a range of heritage-related designations, including listed buildings and conservation areas, ensuring protection and care for the historic environment and facilitating positive change underpinned by an understanding of such features.
Transport, paras 269-271	Establishes a series of transport-related policy principles, including encouraging development which optimises use of existing infrastructure, and provides safe and convenient access.

6.4 National Planning Framework 4 – Position Statement (2020)

- 6.4.1 This Position Statement sets out the Scottish Government’s current thinking to inform further discussions on the content of a draft revised framework for consultation. It aims to support those discussions and is not, in itself, a document setting out policy.
- 6.4.2 *A Plan for Net Zero Emissions* – as a priority the Scottish Government will need to facilitate the roll out of renewable electricity and renewable and zero emissions heat technologies. There is a need to switch to low and zero carbon fuel sources, and support the delivery of associated infrastructure. They will also consider whether proposed national developments can help deliver on their vision including offshore renewable energy generation and networks.

- 6.4.3 *A Plan for Better, Greener Places* – the Scottish Government will consider how the future development of coastal areas and communities can be achieved in a way that helps them adapt to long term challenges. Terrestrial and marine planning come together in our coastal areas, and NPF4 will align with Scotland’s National Marine Plan as well as sectoral plans for offshore wind and aquaculture, emerging regional marine plans, plans for ports and harbours and the Blue Economy Action Plan.
- 6.4.4 The Scottish Government expect to lay the draft NPF4 in the Scottish Parliament in autumn 2021 which will then be consulted on publicly after that stage. In that context, the emerging NPF4 is of very limited weight at this stage and therefore appropriately referenced and relevant weight will be applied to its content.
- 6.4.5 The Applicant, as part of the wider SSE Renewables group, has engaged in the preparation of NPF4 and is aware of ELC having done similar. The long-term national significance of the Cnockenzie site is recognised, albeit the basis of such significance has moved away from the delivery of thermal generation and associated carbon capture infrastructure.

6.5 SESplan 2

- 6.5.1 SESplan 2 reached an advanced stage in its preparation, having been submitted to Ministers for approval following the July 2018 conclusion of an examination process. Whilst the submission was rejected by Ministers, the reasons for that rejection are of no relevance to the Proposed Development. As such, SESplan 2, as it relates to matters of relevance to the Proposed Development, can be considered acceptable to Ministers. SESplan 2 can therefore be considered representative of up-to-date strategic policy in respect of the Proposed Development, and significant weight can be attached to the Proposed SESplan 2 (October 2016), incorporating the findings of Scottish Government Reporters, dated 20 July 2018.
- 6.5.2 Parts of relevance to the Proposed Development are outlined below, from SESplan 2’s commentary on ‘A Low Carbon Economy’:
- *Table 4.1: Significant Business Case – Cnockenzie identified as part of the ‘Forth Coast Cluster’ a significant cluster identified primarily for development associated with energy and port uses: ‘cluster of coastal sites providing opportunities for a range of uses [including]...low carbon energy generation or other uses associated with Area of Coordinated Action...’, and*
 - *In considering Table 4.1, Reporters consider that ‘...the description of the principal sectors and opportunities associated with the Forth Coast Cluster within the proposed plan would encompass supporting infrastructure including cables and substations for major offshore wind farm developments...’.*
- 6.5.3 Although not in the form of specific policies, SESplan 2 also compels planning authorities, through Development Planning processes (as opposed to from a development management perspective), to provide sufficient protections for the natural environment, protected cultural features and local communities, as well as ensuring infrastructure is placed to deliver sustainable development.
- 6.5.4 ELC has indicated that its Regional Spatial Strategy, preparation of which will commence as part of the ongoing implementation of planning reform in Scotland, will be based upon SESplan2.

6.6 Scottish Energy Legislation and Policy

Scotland's Legislative Emission Reduction Targets

- 6.6.1 The Climate Change (Scotland) Act 2009 sets a long-term legislative framework to ensure a reduction in Scotland's greenhouse gas emissions by 42% by 2020 and ultimately, by 80% by 2050.
- 6.6.2 The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 (Scottish Government, 2019a) sets targets for the reduction of greenhouse gases emissions. The objective is to contribute appropriately to the world's efforts to deliver on the Paris Agreement reached at the 21st Conference of the Parties of the United Nations Framework Convention on Climate Change. The Emissions Reduction Targets include a reduction of all greenhouse gases to net-zero by 2045 at the latest, with interim targets for reductions of at least 56% by 2020, 75% by 2030 and 90% by 2040.

Climate Emergency – National and Local

- 6.6.3 The Scottish Government declared a "climate emergency" in April 2019, which resulted in the aforementioned 2045 net zero targets.
- 6.6.4 In declaring the climate emergency the Scottish Government also recognised the role of the planning system in delivering associated objectives: *"...the next National Planning Framework and review of the Scottish Planning Policy will include consideration focus on how the planning system can support our climate change goals."*
- 6.6.5 East Lothian Council declared its own climate emergency in August 2019, noting: "We believe that it's not too late for us to turn things around but to do so requires transformative change and action now.

"East Lothian Council therefore resolves to;-

Declare a Climate Emergency that requires urgent action to make all our Council Services net Zero Carbon as soon as reasonably practicable or in any case by 2045 and to lobby, support and work with all relevant agencies, partners and communities to fulfil this commitment. East Lothian Council will also commit to work with our communities and partners towards making East Lothian a carbon neutral county as well as enabling the county to deliver its part of wider national and international commitments."

2020 Routemap for Renewable Energy in Scotland

- 6.6.6 The "2020 Routemap" was originally published in 2011, with various subsequent updates, the last of which was published in September 2015.
- 6.6.7 The securing of a low carbon energy supply is a key element in achieving the target of an 80% reduction in emissions by 2050 (with an interim milestone of 42% by 2020). In recognition of this the Scottish Government has set further targets which include producing 100% of Scotland's electricity demand from renewable sources by 2020.
- 6.6.8 The 2020 Routemap includes sectoral routemaps, including for offshore wind, the 2015 update stating: "Offshore wind is showing increasing promise as a source of renewable energy, and huge economic value... The Scottish Government... remains committed to using its devolved powers to help the sector fulfil its promise."
- 6.6.9 The offshore wind sectoral routemap refers to *Scotland's Offshore Wind Route Map – Developing Scotland's Offshore Wind Industry to 2020 and Beyond* (2013), which elaborated upon 2020 Routemap commitments, both in the delivery of offshore wind developments and

the wider industry required to deliver on potential. This 2013 document has largely been superseded by the Offshore Wind Policy Statement (2020), discussed below.

The Scottish Energy Strategy: The Future of Energy in Scotland

- 6.6.10 The Scottish Energy Strategy: The Future of Energy in Scotland sets out the Scottish Governments 2050 vision for energy in Scotland. One of the six 2050 vision includes renewable and low carbon solutions, specifically championing and exploring Scotland's huge renewable energy resources and ability to support energy targets.
- 6.6.11 Offshore wind is acknowledged as a significant part of this vision, with Scotland's competitive advantage also acknowledged.

Electricity Generation Policy Statement

- 6.6.12 The Scottish Government published its Electricity Generation Policy Statement in 2013. The Statement assessed generation methods, whilst identifying necessary changes in order to meet climate change targets.
- 6.6.13 The Statement recognises that Scotland's renewables potential and considers that with successful deployment, could deliver up to £46bn of investment, whilst also delivering more than sufficient quantities of electricity to meet Scotland's demand. The excess could be exported to the rest of the UK and continental Europe, assisting delivery of carbon reduction target further afield
- 6.6.14 The Statement sets out that to achieve the 100% target, Scotland's installed renewable generation capacity must almost double over the 10 year period to 2020, with wind (both onshore and offshore) expected to account for around 13 GW of capacity by 2020.

Offshore Wind Policy Statement

- 6.6.15 The Offshore Wind Energy Policy Statement (Scottish Government, 2020) sets out ambitions to capitalise offshore wind development and the role this technology could play in meeting commitments of net zero by 2045, as required by The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019. The Offshore Wind Energy Policy Statement builds upon the ambitions outlined in Scotland's Energy Strategy (Scottish Government, 2017), which sets out the 2050 energy vision. Scotland's Energy Strategy forms a key component of the implementation of the Offshore Wind Energy Policy Statement through the identification of suitable offshore wind farm development areas.
- 6.6.16 Specifically, the Offshore Wind Energy Policy Statement targets 11 GW of offshore wind capacity in Scottish Waters by 2030, including Seagreen 1A's contribution towards the wider Seagreen development.

Low Carbon Scotland: Climate Change Plan – Third Report on Proposals and Policies 2018-2032

- 6.6.17 Published in September 2018, the document provides an overview of the Scottish Government's Climate Change Plan 2018-2032 (CCP). The document contains the most up-to-date renewable electricity generation data available:

"In 2015, Scotland had reduced its emission by 41% from the 1990 baseline, and in 2017 Scotland generated 68.1% of its electricity requirements from renewables. Scotland's success in decarbonising electricity paves the way for transformational change across all sectors of the economy and society, particularly as electricity will be increasingly important as a power source for heat and transport."

- 6.6.18 The CCP envisages that by 2032 Scotland will have reduced its emissions by 66%, while growing the economy, increasing the wellbeing of communities, and protecting and enhancing Scotland's natural environment. Further, the CCP proposes that by 2032 Scotland's electricity system will be largely decarbonised, with an increased role as a power source for transport and heat.

Protecting Scotland's Future: The Scottish Government's Programme for Scotland 2019-20

- 6.6.19 In light of the climate emergency, Scotland has committed to some of the most ambitious statutory emissions reductions in the world. A net zero emissions target by 2045 highlights the ambition that Scotland will no longer contribute to global greenhouse gas emissions and climate change.
- 6.6.20 The Scottish Government's 2019-20 Programme focuses on the transition to net zero and the identifies associated opportunities. Key objectives of the 2019-20 Programme are centred around reduction of CO2 emissions and encourage investment in and implementation of renewable energy projects. In addition, the Programme highlights the role of the planning system in achieving the net zero objectives.

Reducing Emissions in Scotland – 2020 Progress Report to Scottish Parliament

- 6.6.21 The Climate Change Committee's 9th annual progress Report to the Scottish Parliament stated that Scotland's greenhouse gas emissions fell by 31% during the period 2008-2018. A reduction in emissions in the energy sector, where Scottish renewable electricity generation has tripled and fossil-fuelled generation has fallen by more than 70% during the same period, was a significant contributing factor. Greenhouse gas emissions increased by 2% in 2018, following a reduction of 3% in 2017.
- 6.6.22 Scottish Government priorities include the production a new CCP before the year end, focusing upon the 2045 net zero target and aligning the emerging NPF4 with this target. In doing so, the Report recognises the role of NPF in contributing towards a favourable planning framework to deliver a low carbon, efficient energy system and climate resilient infrastructure. In doing so, NPF should provide a positive planning policy basis for major renewable energy projects, including onshore elements of offshore wind.

Update to the CCP – Securing a Green Recovery on a Path to Net Zero

- 6.6.23 In December 2020 the Scottish Government published a draft update to the CCP. The plan sets out the approach to delivering a green recovery, and a pathway to delivering world leading climate change targets through the period to 2032. By 2032 Scotland's electricity system will be transformed, with over 100% of electricity demand met from renewable sources, reflecting a substantial increase in renewable generation, particularly through offshore and onshore wind capacity. Whilst much of Scotland's electricity generation has decarbonised since publication of the 2020 Routemap, there is a need for increased investment in renewable energy, particularly offshore wind. The consenting process will be reviewed to ensure the development process is as efficient as possible.
- 6.6.24 Draft NPF4 will be laid before Parliament in September 2021 with addressing climate change as a guiding principle for all plans and decisions, whilst a new Energy Strategy is to be produced in 2021 and an update Electricity Generation Policy Statement in 2022.

6.7 Former Cockenzie Power Station and Surrounding Area – Masterplan Report (2017)

- 6.7.1 The Masterplan is not adopted and therefore carries limited weight for decision making purposes. Despite this lack of status, in considering the latest ICOL proposal the Reporters included extensive commentary, noting the documents worth in providing an indication of potential aspirations.
- 6.7.2 The Masterplan has developed a clear vision for the future of the site over the next 25 years with local communities and stakeholders in a manner which facilitates and reflects a shared understanding of the future opportunities and options. It is expected that the Masterplan will be the main evidence source in developing the Supplementary Guidance to the East Lothian Local Development Plan, and therefore provides an evidence-base for policy formulation in relation to future uses of the site and potentially the assessment of planning applications in relation to the provisions of National Planning Framework 3 (NPF3), or an updated NPF during the lifetime of the East Lothian Local Development Plan (ELLDP).
- 6.7.3 The Cockenzie Masterplan recognises the variation in character and assets across the site, and that there is not the same scope for physical change and development in all areas, due to physical, cultural or heritage opportunities and constraints. The Cockenzie Masterplan is therefore divided into four zones:
- *Zone 1 Coastal;*
 - *Zone 2 Energy Quarter;*
 - *Zone 3 Coal Store; and*
 - *Zone 4 Battle of Prestonpans.*
- 6.7.4 The key deliverables of the Masterplan are:
- *NPF compliant – energy and additional mixed use;*
 - *90,000m² of employment space and 3,500 jobs (approximately);*
 - *Investment potential – phasing options;*
 - *Strategic connection and community access;*
 - *New green links and recreational space;*
 - *Scale, identity and positive brand; and*
 - *Strong community input.*



Figure 4: Extract from Masterplan Report (2017)

6.7.5 The proposal is located within **Zone 2 Energy Quarter** which is 'proposed to address the requirement for the site to accommodate a potential range of energy uses'.

6.7.6 Zone 2 Energy Quarter development summary within the masterplan states that:

- *Zone 2 is to some extent constrained by the presence of the transformer building, but this is also one of its primary assets, representing the opportunity to develop the site as a significant energy quarter, with energy production, handling incoming offshore energy, and other appropriate associated uses such as compounds, maintenance, workshops and officer and other support facilities.*
- *This zone may be accessed either from the Edinburgh Road to the north via a new spur from the roundabout on the B6371 to the east to permit work to take place from an initial stage in the development of the site.*
- *Zone 2 is at the heart of the developed part of the masterplan and is connected to the other zones as well as settlements and spaces outwith the site boundary via an extensive series of paths and linked spaces.*

6.8 ClimatEvolution – A Vision for a Place-Based Transition to Climate Resilience in East Lothian

6.8.1 ELC has commenced its ClimatEvolution process, which sets out an overall vision for the future development and use of land in and around Tranent, Prestonpans, Cockenzie/ Port Seton, Macmerry and Longniddry, Blindwells new settlement and the former Cockenzie Power Station site. ELC anticipates the adoption of the resultant document as formal Supplementary Guidance (SG) to the LDP.



Figure 5: Extract from *ClimatEvolution Report (2020)*

- 6.8.2 ClimatEvolution is not a fixed masterplan, and has no current clear route to delivery and containing only indicative proposals. Instead it is a place based response to the Council's Climate Change Strategy. It sets out an ambitious vision for this area over the next 30 years, mitigating and supporting the proposals for built development here and providing a basis for seeking project funding.
- 6.8.3 ClimatEvolution explores ways to enable a transition to carbon neutral and enable major community benefits such as healthy walking and cycling links, an attractive natural environment, employment opportunities, innovative energy generation and leisure facilities. It also looks at making the most of the area's unique history, including being the site of the Battle of Prestonpans, and its mining and agricultural heritage.
- 6.8.4 Although the former Cockenzie Power Station site is identified within the '*Climate Resilient Zone*', it does not lie within the designated '*Climate Resilient Zone Core Area*' as defined by the Countryside Around Town designation within the LDP. Within the consultation document, the former power station site is shown in Figure 9 '*Land Ownership and Allocated Land*' as Proposal EGT1 as allocated within the adopted LDP, but more predominantly across the document as the indicative masterplan layout articulated within the '*Former Cockenzie Power Station and Surrounding Area Masterplan Report 2017*'.
- 6.8.5 Although the ClimateEvolution Vision and Action Plan has not as yet been taken forward and adopted by ELC as SG, it has the potential to be the main evidence source in developing SG to the LDP and provides an evidence base for policy formulation in relation to future uses of the site and potentially the assessment of planning applications in relation to the provisions of NPF3, or an updated NPF during the lifetime of the East Lothian LDP.
- 6.8.6 The process remains at an early stage, with publications to date of limited weight in development management terms.

7 Policy Assessment

7.1 Introduction

7.1.1 This section provides an assessment of the Proposed Development and considers the key issues associated with the application in the context of the Development Plan policies, material considerations, and the pre-application discussions which have been undertaken. In doing so, the policy assessment follows the established approach described within Section 4 of this Planning Statement.

7.1.2 This Planning Statement provides a detailed assessment in terms of the principle of development, site specific planning policies and development specific policies. In respect of all other aforementioned considerations, brief assessment against relevant policies is provided below, with detailed assessment within the relevant EIAR chapter, to which cross reference is provided.

7.1.3 The policy assessment considers the following:

- *Principle of Development;*
- *Site Specific Planning Policies;*
- *Development Specific Policies;*
- *Landscape and Visual Impact;*
- *Ecology;*
- *Ornithology;*
- *Hydrology, Hydrogeology and Geology;*
- *Cultural Heritage and Archaeology;*
- *Access, Traffic and Transport;*
- *Noise and Vibration;*
- *Land-use, socioeconomics and Tourism; and*
- *Other Considerations.*

7.1.4 Each issue is considered in turn below.

7.2 Principle of Development

7.2.1 The starting point of any policy assessment should be the recognition of the acceptability of the principle of the Proposed Development.

7.2.2 The principle of development is established from several perspectives:

- *National development number 4 as defined by NPF3, recognising the strategic significance of, and need for, the Proposed Development;*
- *Described within NPF3 as part of the Cnockenzie to Torness Area of Co-ordinated Action, where offshore wind farm connections are supported, as identified within LDP Prop EGT3 and associated Strategy Diagram 3;*
- *Essential infrastructure required for the delivery of a major offshore wind farm development, offshore wind forming an essential part of the Scottish Government's anticipated energy future;*
- *Consistent with site specific LDP policy EGT1, itself consistent with NPF3 as it relates to the Site and its surroundings;*

- *Consistent with LDP policy EGT4 which supports electricity transmission-related development consistent with NPF; and*
- *In development management terms, the Proposed Development is consistent with recent planning history of the Site and its surroundings, with two major similar onshore transmission infrastructure developments approved, one largely to the north of the Site (18/00189/PPM) and one on and to the south (14/00456/PPM). In respect of the former, a Scottish Government drew strong conclusions regarding the acceptability of a very similar development in a very similar location, replicated at paragraph 9.1.2 of this Statement.*

7.2.3 National planning policy encourages local planning authorities to take a positive approach to development that could contribute to sustainable economic growth. Scottish Planning Policy seeks to direct development towards the most suitable locations, and supports regeneration proposals which will make the full and appropriate use of land.

7.3 Site Specific Planning Policies

7.3.1 The Site is located within what the LDP Proposals Map identifies as the wider site of the former Cockenzie Power Station site under designation **EGT1**, and well as **OS1**.

7.3.2 The aims and objectives of the Development Plan are to *inter alia* promote the development of urban brownfield land for appropriate uses, and to enable the growth in the economy by developing key economic sectors. The Applicant's vision is to drive the transition to a net zero future through the development, construction and operation of renewable energy assets, to help deliver the Scottish Government's strategy to meet targets of electricity generation through renewable resources (as outlined in paragraphs 6.6.1 to 6.6.15 of this Statement). Specifically in respect of SESplan's Policy 10 in this regard, in considering the original ICOL application, ELC states:

"As the proposed onshore electrical transmission infrastructure would help to facilitate the provision of a significant renewable energy source that could contribute towards achieving national targets for electricity, the proposal is consistent with Policy 10 of the approved South East Scotland Strategic Development Plan (SESplan)."

7.3.3 In considering the latest ICOL application, the Reporter states at paragraph 7.26:

"The benefits of the proposal... are significant in terms of overall investment, support for climate change and the governments renewable energy targets as well as for employment opportunities in the construction phase... I consider that the net economic benefit is legitimately placed in the context of the project as a whole and the important role of the proposed infrastructure as part of a significant wind energy proposal."

7.3.4 Proposal EGT1 includes that "land at Cockenzie may also present significant opportunities for renewable energy related investment".

7.3.5 It is considered that there is sufficient land within the former Cockenzie Power station for competing proposals. With none currently at an advanced stage, priority must be given to those which make best use of the location's assets and which will bring the greatest economic benefit in line with PROP EGT1, and NPF3. The Proposed Development is one of national importance (consistent with the Reporters' recognition of such at paragraph 7.10 of the latest ICOL decision report) and will provide a significant investment to connect the remaining 36 turbines to the national electricity transmission system, bringing green renewable energy to thousands of homes in Scotland. It would also be located adjacent to a proposal for Inch Cape

- Offshore Wind Farm, and make best use of existing assets being located next to an existing transformer building.
- 7.3.6 Cockenzie and the Forth Coast area extending to Torness is identified in NPF3 as an 'area of co-ordinated action' and considered to be a potentially important energy hub within the NPF3 strategy, helping to deliver a low carbon Scotland. NPF3 passively indicates that the site 'may' present significant opportunities for renewable energy related investment, including onshore grid connections for offshore wind energy developments, such as the interconnector for the Inch Cape Offshore Wind Farm.
- 7.3.7 One new substation is already consented near the former Cockenzie Power Station to serve the proposed Inch Cape Offshore Wind Farm. NPF3 expects developers to work together to minimise impacts by combining infrastructure where possible. Opportunities for new grid connections in proximity to existing electricity grid infrastructure at Cockenzie and Torness should be prioritised before the use of any other location on the coast is considered. Refer to Section 2, paragraph 2.5 for relevant planning history to the immediate locale, where there is recent precedent of planning applications being granted for similar onshore transmission infrastructure for offshore wind farms, and access to the national grid network. This clearly indicates that there is an acceptance of principle of use at this location for such proposals. A comprehensive and robust site selection process was undertaken within a wider study area which concluded the proposed site being the preferred option to take forward from technical and environmental perspectives, and utilising land beside existing similar infrastructure to minimise impact.
- 7.3.8 Within the Scottish Ministers decision regarding the Inch Cape proposal (CIN-ELN-001, January 2019), which is similar in nature to this Proposed Development but closer to the coast, the Reporter concluded that that proposal complied with Proposal EGT1 and NPF3 as is for a National Development, Cockenzie has recognised potential for this use, no current competing proposals and the proposal represented the current best use for the site. ICOL's approved development comfortably sits alongside the Proposed Development within the wider EGT1 site, and as acknowledged at paragraph 3.4.10 of this Statement, no other proposals have emerged. ELC has mentioned a desire that emerging proposals do not sterilise the site so as to in their own right make cruise liner-related development unviable; this Proposed Development does not affect the deliverability of such development.
- 7.3.9 The cable corridor route between the landfall and the substation location maximises, as far as relevant, the route that previously granted planning permission for the Inch Cape Offshore Limited planning permission in principle (14/00456/PPM). The route minimises significant crossing with the only significant linear obstacle being the Edinburgh Road, which cannot be avoided. The cable corridor route would be located underground, and therefore the Proposed Development would not result in the permanent loss of any open space or have any adverse impacts on the Preston links. On this matter, in considering the original ICOL planning application, which in this area considers the same site, ELC states: "*The transition pits and on-shore cabling would be sited underground. Consequently they would have minimal impact on the landscape character and appearance of the area, including that of Preston Links and the adjacent beach.*" In that context, the proposal adheres to the aims and objectives of **SESplan Policy 11 and LDP Policy OS1**.
- 7.3.10 The Proposed Development adheres to and actively carries out the aims and objectives of both SPP and NPF3 in that it is directing the renewable energy development to the right place and ensures the re-development of brownfield land. The proposal is a significant investment

and carries out a project of national significance, promoting green renewable energy in line with the Scottish Government's strategy and expectations.

- 7.3.11 In that context, we strongly contend that the proposal adheres to the aims and objections of the Development Plan, specifically **Proposals EGT1 and EGT3**, where the principle of use is already excepted in the context of the locales planning history, and that the allocation actively promotes significant opportunities for renewable energy related investment.
- 7.3.12 Although the Cockenzie Power Station Masterplan is not adopted and therefore carries limited weight for decision making purposes, the site lies within an area designation as an 'Energy Quarter' which is proposed to address the requirement for the site to accommodate a range of energy uses, and recognises the potential in the context of the existing transformer building to assist in the handling of incoming offshore energy.
- 7.3.13 ELC's ClimatEvolution exercise is at an early stage. Discussions with representatives of ELC have suggested that watercourse is intended for part of the Site. Specific proposals are only indicative and the ClimatEvolution documents issued to date do not illustrate such a proposals. Notwithstanding, the Applicant considers there to be sufficient land available to accommodate both the Proposed Development and ELC's aspiration, and will continue to liaise with ELC in order to micro-site appropriately.

7.4 Development Specific Policies

- 7.4.1 As referenced through this Statement, the Proposed Development falls within the scope of NPF3's national development 4. This designation provides significant weight to the principle of the Proposed Development, as well as the Scottish Government's recognition of the need for the Proposed Development.
- 7.4.2 SESplan2 recognises NPF3's national development 4, albeit principally from a Development Planning perspective of less relevance to the determination of this application, whilst the EIA process demonstrates the consistency of the Proposed Development with **SPP's paragraph 169**.
- 7.4.3 The proposal also adheres to **Proposal EGT3** which supports grid connections on the Forth Coast at Cockenzie to facilitate offshore energy generation, and, **Policy EGT4** which supports the enhancement of high voltage electricity transmission networks subject to acceptable impacts around the locale, specifically in light of its acceptable:
- *Landscape and visual impacts;*
 - *Community impacts;*
 - *Natural heritage impacts; and*
 - *Cultural heritage impacts, all through the provision of appropriate mitigation measures.*
- 7.4.4 The proposal also complies with SESplan **Policy 10** in that it encourages renewable energy proposals that aim to contribute to national targets for energy creation in which this proposal forms a part of.

7.5 Landscape and Visual Impact

- 7.5.1 Chapter 4 of the EIAR identifies significant effects of a localised nature, relating to:
- *Construction and operational effects within the Proposed Development substation compound; and*

- *Construction and operational effects on the visual amenity of CP146 which extends along the top of a screen mound that encloses the northern and eastern sides of Atholl View residential area.*
- 7.5.2 Inclusion of approved ICOL substation would add significantly to the established developed context, being seen within an open grassland context (albeit within the footprint of the former power station) and forming a substantial lateral extension to existing development, crossing the B1348 and establishing new grid development in an area currently valued for its openness and connecting views out to sea and along the east Lothian coastline. This is likely to result in localised significant 'in addition' and 'in-combination' effects on the character of the Musselburgh and Prestonpans Coastal Margins landscape and Prestonpans Coast SLA. In contrast, the Proposed Development would be positioned within an existing development envelope enclosed by screen mounds and vestigial features of the former Cockenzie power station, and as such would represent only a slight addition to both the current baseline and the cumulative context of the consented ICOL substation.
- 7.5.3 **Policy DC9** lists criteria where development would be acceptable in such locations. The proposed landing point and cable route crosses a **Special Landscape Area**, 32 Prestonpans Coast. The Proposed Development, whilst introducing further built development and grid infrastructure close to the SLA, would be positioned away from key aspects of the coastal edge that form the special qualities of the SLA, including:
- *its openness and views out from the coastline;*
 - *views westwards towards Edinburgh and the Forth Bridges particularly from the John Muir Way, NCR76 and the B1348;*
 - *It would also not adversely affect the rocky foreshore; or*
 - *The seascape and landscape setting of Prestonpans.*
- 7.5.4 The Proposed Development would be concentrated to the south of the B1348 in an enclosed location where remnants of previous energy developments are present as well as existing, large scale and more imposing structures are present and is therefore not anticipated to result in significant effects on the special qualities of the SLA. In addition, the Reporter on the ICOL decision report, at paragraph 7.41, said: "*...The sort of energy related development envisaged by the National Planning Framework was unlikely ever to be small scale or diminutive in appearance.*" ELC's position in considering the original ICOL planning application, where the substation had a similar backdrop, considered that "*...the proposed substation would not appear as an unduly incongruous, dominant or intrusive feature.*" Further, in enclosing plant in a building "*...it is concluded that the substation would not have an unacceptable landscape or visual impact.*"
- 7.5.5 The Proposed Development does not harm the special character of the area and the public benefits of the Proposed Development clearly outweigh any adverse impacts; therefore complies with **Policy DC9**.
- 7.5.6 **Policy DP1** provides assessment criteria from a landscape character perspective to ensure integration and appropriate mitigation. It is anticipated that reinstatement and landscaping of land used for temporary construction compounds, around substation, at the transition joint bay and along the cable route would ensure that the Proposed Development complies with that policy.
- 7.5.7 The Proposed Development is consistent with **Policy DP2** in that it is appropriate in terms of positioning, size, form, massing, proportion and scale and is of an appropriate palette of materials and colours.

7.5.8 In respect of **Policy DC10**, the Applicant is open to contributing towards improved access around the immediate Site surroundings, potentially delivering improvements illustrated within Figure 6 of ELC's Green Network Strategy. Further, following reinstatement of the cable route on completion of construction activities, areas of open space will remain available for continuation of existing uses.

7.5.9 The detailed land and visual impact assessment can be found in Chapter 4 of the EIAR.

7.6 Ecology

7.6.1 An Extended Phase 1 Habitat survey of the Site was undertaken in November 2020 which recorded the following:

- *A dominance of open amenity grassland habitats;*
- *Tall ruderal scrub and woodland habitat with potential to support nesting birds;*
- *Intertidal areas of rocky shoreline;*
- *Mature woodland with potential to support bat roosts (no bat roost potential trees identified); and*
- *Vegetation and landforms with potential to provide badger sett locations (although no setts identified).*

7.6.2 No ground water dependant ecosystem habitats were recorded.

7.6.3 No habitats specified in the notification for the SSSI are present within the Site. Intertidal habitat present consists of rocky shore and sand/mud areas.

7.6.4 No signs of protected species were recorded during the ecology survey. No protected species listed with TWIC records were recorded on Site during the ecology survey.

7.6.5 There is habitat suitable for badgers within the Site including woodland stands and dense scrub areas. Although no signs of this species (such as setts or evidence of foraging) were recorded there is still potential for this species to utilise these favourable habitats areas.

7.6.6 Mature trees were inspected for bat roost potential, none of which had suitable features.

7.6.7 There was evidence of deer (*Cervidae* sp.) and rabbit (*Oryctolagus cuniculus*) on the Site (determined by droppings). Kestrel (*Falco tinnunculus*) and sparrowhawk (*Accipiter nisus*) were observed briefly hunting on the Site.

7.6.8 No ponds suitable for great crested newt were identified on the Site.

7.6.9 The only protected feature notable for this Site would be the potential for nesting birds within woodland and scrub habitats with any clearance required to be undertaken out of season.

7.6.10 The Proposed Development covers a small section (0.6 ha) of coastline designated under the Firth of Forth SSSI, representing 0.008% of the total SSSI area. The installation of one shore end export cable would cross the Mean Low Water Spring (MLWS) mark (under 10 m water depth) and run underground through the intertidal area to the transition joint bay within the SSSI area.

7.6.11 In the event that the cable is installed using a trenchless installation method there would be no habitat disturbance in the SSSI area and no likely significant effects on the SSSI.

7.6.12 The Site lies within the Developed Coast where development will be supported in principle by **Policy DC6** especially when the Proposed Development would be concentrated to the south of the B1348 in an enclosed location where remnants of previous energy developments are

present as well as existing, large scale and more imposing structures. Therefore, it is not anticipated to result in significant effects on the Developed Coast. The Proposed Development accords with other LDP policies so is consistent with **Policy DC6**.

- 7.6.13 The ecology assessment that has been undertaken has found that within the Site there are no habitats specified in the notification for the SSSI; no signs of protected species; no ground water habitats; with the only protected feature being that of potential for nesting birds which is dealt with in the section below on Ornithology. The proposal also only covers a small section of coastline designated as a SSSI and if a trenchless installation method was used there would be no habitat disturbance and no likely significant effects on the SSSI.
- 7.6.14 In that context, the Proposed Development does not adversely affect such features and therefore complies with the aims and objectives of **SESplan Policy 1B, LDP Policies NH2, NH4, and NH5** and the requirements of **SPP paras 212-214**.
- 7.6.15 Full details of the Extended Phase 1 Habitat survey can be found within Chapter 5 of the EIAR.

7.7 Ornithology

- 7.7.1 Baseline surveys of the ornithological interests of the Site and analysis of available data from other sources was undertaken. This indicates that several bird species regularly using the survey area are components of qualifying populations of adjacent SPAs. These populations therefore comprise sensitive Important Ornithological Features (IOF) for which an assessment of potential effects has been undertaken.
- 7.7.2 The most sensitive IOF, of international importance, are those species for which numbers using the Site represent >1% of the qualifying population of the SPAs. The species and SPA qualifying interest to which they belong are:
- *Non-breeding waders (Firth of Forth SPA); Oystercatcher, ringed plover and turnstone;*
 - *Non-breeding waterfowl (Firth of Forth SPA and Outer Firth of Forth and St Andrews Bay Complex SPA); Red-throated diver, slavian grebe, eider, common scoter, velvet scoter, red-breasted merganser, long-tailed duck and great-crested grebe; and*
 - *Non-breeding seabirds (Firth of Forth SPA and Outer Firth of Forth and St Andrews Bay Complex SPA); Shag, cormorant, herring gull.*
- 7.7.3 Additional species assessed to be using the site at nationally-important numbers (high sensitivity) comprised red-necked grebe, with populations of purple sandpiper assessed to be of regional importance (medium sensitivity).
- 7.7.4 The only predicted effects on sensitive IOF are disturbance during construction. Species regarded as particularly sensitive to disturbance are non-breeding waders at high-tide roosts, shag and cormorant roosts and non-breeding waterfowl foraging in the near shore area.
- 7.7.5 The effects of disturbance during construction are predicted to be of limited duration and affect low numbers of IOF, representing very small proportions of the qualifying populations. Therefore, the effects are concluded to lead to at most a minor magnitude of change, and moderate impact (not significant).
- 7.7.6 An assessment of potential effects for the conservation objectives of the Firth of Forth Islands SPA, Imperial Dock Lock Leith SPA, Firth of Forth SPA and Ramsar Site, and Outer Firth of Forth and St Andrews Bay SPA has concluded No Likely Significant Effects as a result of the Proposed Development.

- 7.7.7 As the Proposed Development relates to Natura 2000 sites there are significant similarities with the original ICOL application, upon which ELC commented: *"It can therefore be concluded that the appropriate assessments clearly ascertain that there will be no adverse affect from the Proposed Development on the integrity of the Special Protection Areas in respect of their conservation objectives. On this consideration the principle of the Proposed Development is consistent with Policies NH1a and NH1b of the adopted East Lothian Local Plan 2008."*
- 7.7.8 This position is echoed by the Reporter on the latest ICOL decision, at paragraph 7.71.
- 7.7.9 Therefore, having given full consideration to all available evidence the final conclusion reached is that the Proposed Development will not prejudice the SPA's conservation objectives. It will therefore have no adverse impact on the integrity of the SPAs. In that context, the Proposed Development would comply with **SESplan Policy 1B, LDP Policies NH1, NH3, NH4, and NH5**, and associated national policy at **SPP paras 207-211**.
- 7.7.10 Mitigation measures to reduce effects of disturbance and a full ornithological assessment can be found in Chapter 6 of the EIAR.

7.8 Hydrology, Hydrogeology and Geology

- 7.8.1 This section considers the likely significant effects on hydrology, hydrogeology and geology associated with the construction, operation and decommissioning of the Proposed Development. The full assessment can be found in Chapter 7 of the EIAR.
- 7.8.2 No additional significant potential impacts on hydrology, hydrogeology or geology as a result of the operation of the Proposed Development have been identified. Impacts on water features including the Firth of Forth and unnamed burn are addressed through design interventions or standard mitigation practice such that the magnitude of the impact is predicted to be 'Negligible' therefore the effect is predicted to be 'Negligible' and not significant. Therefore, the Proposed Development would not have a detrimental impact on the water environment so complies with **Policy NH9**.
- 7.8.3 SuDS will be developed at the matters specified in conditions stage and will adhere to the aims and objectives of **Policy NH10**.
- 7.8.4 The Proposed Development is not within an area of medium to high flood risk and is therefore consistent with SESplan **Policy 15**. Similarly, the Proposed Development is not at risk of flooding, nor does it increase the probability of flooding elsewhere; it is therefore consistent with Policy **NH11** and the national planning policy principles established by **SPP at paras 254-257**.

7.9 Cultural Heritage and Archaeology

- 7.9.1 The Site is located on land formerly associated with Preston Links Colliery (Site 30) and latterly Cockenzie Power Station. Due to the post-medieval and modern disturbance of the Site for extraction and redevelopment works it is likely that any below ground remains have been truncated, damaged or disturbed by this later activity. This assessment has identified 29 heritage assets within the Site, one of which is the Inventory Battlefield of Prestonpans (Site 135 & 79). The other remains largely relate to the extraction works on the Site documented on historic mapping from the mid-19th century and the development of the Site in the later 20th century associated with Cockenzie Power Station and are judged to be of Negligible and Low importance. The Proposed Development will avoid twelve identified heritage assets and

the resultant level of effect on the remaining heritage assets, including a portion of the Inventory Battlefield, is considered to be **not significant** in EIA terms.

- 7.9.2 An assessment of the impact of the Proposed Development on the setting of designated heritage assets carried out via site visits found that there be a Minor impact on the setting of the Inventory Battlefield and a Neutral impact on Cockenzie and Port Seton Conservation Area (Site 6). These levels of effect are **not significant** in EIA terms, do not result in adverse effects on Conservation Areas or Battlefields, and therefore the Proposed Development complies with **Policies CH2** and **CH5**. The assessment in general found that the Proposed Development would have No Impact on the designated heritage assets within the cultural heritage study area and would therefore adhere to the aims and objectives of **Policy CH4**. Further, the Proposed Development is consistent with the national planning policy principles detailed by **SPP at paras 135-151**.
- 7.9.3 Notwithstanding, and in accordance with best practice, a programme of archaeological works is proposed.
- 7.9.4 Please refer to Chapter 8 of the EIAR for full details on the Cultural Heritage and Archaeology assessment.

7.10 Access, Traffic and Transport

- 7.10.1 This assessment has considered the effects on the local road network of HGV traffic associated with the construction phase of the Proposed Development.
- 7.10.2 A robust assessment has been undertaken using the worst-case scenario for two-way construction traffic movements and the worst-case scenario for each link by assuming the distribution of traffic along each road. Specific construction routes have been identified which minimise traffic through main settlements. The assessment concludes that effects of increased traffic as a result of the Proposed Development are deemed to be **Not Significant**.
- 7.10.3 The assessment also concludes that no significant cumulative effects are predicted during construction of the Proposed Development, particularly during concurrent construction works with the ICOL development.
- 7.10.4 It is also noted that the increased traffic leads to potential effects that are temporary in nature, can be accommodated by the existing road network within the Study Area, and can be managed effectively by implementation of a Construction Traffic Management Plan.
- 7.10.5 In general terms the Proposed Development is consistent with the policy principles established within **SPP paras 269-271**. More specifically, the Proposed Development complies with the aims and objectives of **Policy T2** as it would not have adverse impacts on road safety, or the capacity of the surrounding road network to deal with traffic unrelated to the Proposed Development.
- 7.10.6 In respect of **Policy T4**, whilst there may be a temporary requirement to manage access along the John Muir Way, this will be minimised and will be short-term during construction works. The Applicant will work with ELC to agree appropriate temporary signage and other management measures, minimising disruption and ensuring continuity of pedestrian movements throughout construction. The Proposed Development does not undermine the John Muir Way or other active travel networks and is therefore consistent with **Policy T4**.
- 7.10.7 The full details of the Access, Traffic and Transport Assessment can be found in Chapter 9 of the EIAR.

7.11 Noise and Vibration

- 7.11.1 Worst-case sensitive receptor locations have been identified and used in the assessment.
- 7.11.2 Construction working may require periods of evening and night activity to complete the HDD works, expected to last for a period of several weeks' durations on each occasion. The assessment indicates that mitigation is required to be developed within construction method statements, accompanied by monitoring to ensure established noise limits are not exceeded. This is proposed to be developed in conjunction with ELC and can be conditioned. The residual effects are stated in Table 10.24 of the EIAR.
- 7.11.3 Operational noise has been assessed and the results indicate that noise control mitigation is necessary to some of the plant and equipment. Indicative sound reduction levels for enclosures and other noise control to cooling plant have been set out based on initial plant selection. The details can be conditioned by ELC. The residual effects are stated in Table 10.24 of the EIAR.
- 7.11.4 By guiding development to the right locations can help to prevent and minimise the consequences of noise. It has been demonstrated through a robust assessment that operational noise post mitigation would be not significant and therefore adheres to the aims and objectives of **Policy NH13** as the Proposed Development would not result in or be subject to unacceptable levels of noise. **Policy RCA1** protects residential amenity in existing housing areas from adverse impacts of uses other than housing but in this instance there are no adverse impacts and therefore the Proposed Development complies with that policy.
- 7.11.5 Full details of the detailed noise and vibration assessment, including full details of all proposed mitigation, can be found in Chapter 10 of the EIAR.

7.12 Land Use, Socio-economics and Tourism

- 7.12.1 The land use, socio-economics, tourism and recreation effects of the Proposed Development have been assessed with the full details outlined in Chapter 11 of the EIAR.
- 7.12.2 The assessment found that the land is identified as appropriate for onshore works for offshore wind farms, and that there are proposals for adjacent land to be developed into mixed use employment land. The local economy has a relatively high level of out-commuting, as well as a proportionally higher share of employment in the construction sector. Tourism is relatively important to the regional economy, though there are a limited number of tourism assets in the vicinity of the Proposed Development. There are also a number of core paths, as well as national recreational routes that pass through the site.
- 7.12.3 The Proposed Development would be sited in an area that has been designated for onshore works related to offshore wind farms.
- 7.12.4 It is estimated that during the development and construction phase, the Proposed Development could support:
- £132 million GVA and 2,050 years of employment in East Lothian; and
 - £5 million GVA and 80 jobs annually during each year of operation.
- 7.12.5 The economic impact in East Lothian and Scotland during the operation and development phase is expected to be negligible.

- 7.12.6 It was also found that the effects on recreational routes, such as the John Muir Way and NCR76 would not be significant, though there would be some minor disruption to recreational routes during construction and development.
- 7.12.7 There were also no effects no significant effects found on tourism assets in the local area, such as the Prestonpans Battlefield, Prestongrange Museum and the Waggonway Museum. In respect of the Reporters' conclusion on the impact of the ICOL development on the Battlefield, there is likely consistency, i.e. *"the proposal would not obscure or prevent an appreciation of features or landscape which add to the interpretation or appreciation of the battlefield."*
- 7.12.8 There may be cumulative effects associated with ICOL's onshore works, which is also expected to connect to the grid at site of the former Cockenzie Power Station. No significant effects are expected. There would also be cumulative effects associated with Seagreen Offshore Wind Farm, which is expected to have significant beneficial effects on the Scottish economy during its construction, as the Proposed Development is needed for it to export electricity to the grid at full potential.
- 7.12.9 Overall, there were no significant adverse effects found.

7.13 Other Planning Policy Considerations

- 7.13.1 The Proposed Development will not result in either a breach of National Air Quality Standards or an increase in concentrations of air pollution within an existing Air Quality Management Area, and is therefore consistent with **Policy NH12**. Notwithstanding, a Dust and Air Quality Management Plan forms part of the proposed Construction Environmental Management Plan (CEMP), based upon the Outline CEMP which forms Technical Appendix 2.2 to the EIAR and to be agreed with ELC through the approval of matters specified in conditions process.
- 7.13.2 The "matters specified" process will also include the agreement of a Site Waste Management Plan, consistent with the spirit of **Policy W4** (although in respect of a national development rather than the major development specified by that policy).

7.14 Scottish Energy Legislation and Policy

- 7.14.1 In significantly contributing to the delivery of a major offshore wind farm development, support for which is enshrined throughout Scottish energy policies designed to meet the 2045 net zero requirement (itself enshrined in legislation), the Proposed Development is truly of national significance and importance.
- 7.14.2 Offshore wind is recognised as a key element of Scotland's future decarbonised electricity industry, with Scotland's competitive advantage and the potential wider economic benefits of the offshore wind sector recognised throughout extant energy policy.
- 7.14.3 In supporting the wider Seagreen development, Scotland's Offshore Wind Strategy establishes the need for the Proposed Development from an energy policy perspective. Terrestrial infrastructure such as the Proposed Development is essential to delivering on the potential Scotland's offshore wind sector, itself a key strategic element of the delivery of the net zero legislative target.
- 7.14.4 Ultimately, support for the Proposed Development as part of the wider Seagreen development contributes towards the Scottish Government and East Lothian Council meeting commitments under their respective climate emergency declarations.

8 Summary of Proposed Mitigation and Planning Conditions

8.1.1 Chapter 12 of the EIAR describes those mitigation measures proposed by the Applicant pursuant to the EIA process documented within Chapters 4-11 of the EIAR.

8.1.2 In addition to those documented within Chapter 12 of the EIAR, more general "mitigation" measures, taking the form of planning conditions, are required in order for the post-PPP and construction processes to be efficiently and appropriately managed, as well as ensuring the final development is sensitive to the Site and its surroundings.

- *A general condition should require development to be undertaken in accordance with the description within EIAR, unless altered by subsequent "matters specified" applications or subsequent planning conditions, or unless otherwise agreed with ELC;*
- *Phasing Plan – the development will be constructed in several phases, potentially by different contractors. A planning condition should require a phasing plan, with subsequent "matters specified" applications and conditions discharge processes based upon this phased approach. The associated planning condition should make clear that a phase of development can progress once conditions associated with that phase have been addressed to the satisfaction of ELC. By way of an example, potential development phases could include (non-exhaustive and not representative of proposed phasing):*
 - Enabling works including vegetation clearance, relocation of services, topsoil stripping and storage, compound establishment;
 - Cable landfall;
 - Onshore cable installation;
 - Substation platform and civils works;
 - Substation structural and electrical works; and
 - Substation landscaping.
- *Where the cable crosses a linear feature (landfall, water course, road, etc), a Construction Method Statement will detail the crossing method;*
- *A Construction Traffic Management Plan will include specific construction access routes and via this plan, arrangements for junction improvements and alterations, road/track widening and alteration, will be provided and approved;*
- *A Site Waste Management Plan will be provided as part of the approval of matters specified in conditions process;*
- *A Construction Dust and Air Quality Management Plan will form part of a Construction Environmental Management Plan provided as part of the approval of matters specified in conditions process; an Outline Construction Environmental Management Plan forming Technical Appendix 2.2 to the EIAR); and*
- *Proposed working hours condition: "With the exception of construction work associated with the installation of the shore-end export cables, construction works associated with the Development shall be limited to 0700-1900 Monday to Saturday, unless otherwise agreed in advance with the Planning Authority. Construction works associated with the installation of the shore-end export cables are permitted outwith these hours following prior notification of such works to the Planning Authority at least seven days before the works are due to commence."*

8.1.3 The scope of these suggestions is informed by the Applicant and its project teams experience of similar developments elsewhere, including in East Lothian. These are intended to reflect

atypical requirements and are in addition to the standard design-related matters specified requirements which will be attached to the PPP.

- 8.1.4 As has been the case with similar developments elsewhere in East Lothian, we anticipate a planning condition requiring the marine licence for the offshore Seagreen 1A export cable to be in place prior to onshore construction commencing. Similarly, we note that construction-related drainage and hydrology matters are for consideration by SEPA through the Construction Site Licensing process, rather than being matters for planning control.
- 8.1.5 We would welcome the opportunity to discuss appropriate wording for planning conditions associated with these mitigation measures with ELC, as well as those detailed within Chapter 12 of the EIAR.

9 Conclusions

9.1.1 The key planning issues associated with the proposal are considered in this statement and in more detail within the range of supporting documents submitted as part of this planning application.

9.1.2 Following comprehensive assessment, we contend that the Proposed Development is consistent with relevant policy. This contention, given the similarities between the proposals, is consistent with the Reporters on the ICOL decision, drawing their conclusions at paragraph 7.105, as follows:

- *"The proposal would comply with Proposal EGT1 of the Local Development Plan as it is for a National Development, Cockenzie has recognised potential for this use, there are no current competing proposals and this proposal represents the current best use of the site...;*
- *For the same reasons consistency with the relevant terms of the National Planning Framework would be achieved...;*
- *A co-ordinated approach in accordance with Proposals EGT 1, EGT3 and the National Planning Framework(paragraph 3.41) is demonstrated as far as possible at this stage. The proposal is in general accordance with the Cockenzie masterplan...;*
- *For the reasons set out in paragraphs 7.11, 7.12 and 7.98 the terms of the Strategic Development Plan (SESplan), specifically Policy 10, would not result in overall conflict with the Development Plan...;*
- *There is an identified significant landscape impact but with mitigation and in the context of the support established through Local Development Plan Proposal EGT1 consistency with Policy DC6 on Development in the Coastal Area, DP1 on Landscape Character and DP2 on Design would be achieved...;*
- *Subject to the appropriate mitigation the proposal would also comply with the other relevant local Development Plan policies namely Policies NH1 and NH2 on protection of designated sites, Policy T2 on transport, T4 on active travel routes, Policy OS1 on open space, Policy CH5 on battlefields...;*
- *The proposal contributes to the sustainable development objectives of Scottish Planning Policy given its significant benefits in enabling onshore transmission from the North Cape (sic) Off-Shore Wind Farm...;*
- *Aside from landscape and visual impact I have identified no other significant environmental effects...; and*
- *My current assessment, at this stage in the planning process, is that there would be no adverse effect on the integrity of any site protected under the Habitats Regulations.*

For these reasons I consider the proposal is in accordance with the Development Plan and the National Planning Framework. It gains support from Scottish Planning Policy and national renewable energy targets and priorities. I find no other material considerations sufficient to over-ride this considerable support. Consequently, I recommend that planning permission in principle is approved subject to the recommended conditions as set out in Appendix 1."

9.1.3 The Reporters' conclusions, with which we agree, could equally be applied to the Proposed Development.

9.1.4 Notwithstanding, the policy assessment of the Proposed Development clearly justifies the Proposed Development in its own right. The Proposed Development is entirely consistent with site specific NPF and Development Plan policy, whilst the comprehensive EIAR documents

demonstrate that, subject to appropriate mitigation, the environmental impacts of the Proposed Development are entirely acceptable. The existence of a recent decision by Scottish Ministers, based upon a Reporters' recommendation, for a very similar form of development at an adjacent site, is compelling ratification of such.

- 9.1.5 Offshore wind is recognised as having a significant role as part of Scotland's decarbonised energy sector, the Proposed Development forming an essential part of a major offshore wind development. The Proposed Development can therefore be considered to contribute towards the delivery of Scotland's legally binding net-zero 2045 requirement.
- 9.1.6 This status, when coupled with NPF3's national development number 4, establishes the need for the Proposed Development from both energy and planning perspectives.
- 9.1.7 Support for the Proposed Development as part of the wider Seagreen 1A development contributes towards the Scottish Government and East Lothian Council meeting commitments under their respective climate emergency declarations.
- 9.1.8 Further details of the Proposed Development, within the parameters established through this application for PPP, will be agreed with ELC through future applications for approval of matters specific in conditions.
- 9.1.9 Through our Planning Statement and the other supporting documentation submitted with this application, we have proposed appropriate general and development-specific mitigation and planning controls, demonstrating that there are no adverse impacts that outweigh the proposals' benefits and respectfully request that planning permission in principle is granted.

