

Archived: 27 January 2021 17:27:22

From: [REDACTED]

Sent: Mon, 25 Jan 2021 11:58:35

To:

Cc: [REDACTED]

Subject: Proposed Local Development Plan (LDP) - Representation on behalf of SSE Renewables

Sensitivity: Normal

Attachments:

[REDACTED]

CAUTION: External Email

Dear Sir or Madam,

Please find attached representation on behalf of our client SSE Renewables in respect of Policy ED9 Renewable Energy.

I would be grateful if you could confirm receipt.

Kind regards,

[REDACTED]

[REDACTED]

GRADUATE PLANNER

Montagu Evans LLP, 302 St. Vincent Street, Glasgow, G2 5RU

[REDACTED]
[Property Week Best Places to Work 2018, 2019 and 2020](#)



THINK BEFORE YOU PRINT OR POST. PLEASE CONSIDER THE ENVIRONMENT.

This e-mail is intended solely for the person to whom it is addressed. It may contain confidential or privileged information. If you have received it in error, please notify the sender immediately and destroy the transmission. You must not copy, distribute or take any action in reliance on it.

BEWARE OF CYBER-CRIME: Our banking details will not change during the course of a transaction. Should you receive a notification which advises a change in our bank account details, it may be fraudulent and you should notify Montagu Evans who will advise you accordingly.

Montagu Evans LLP is a limited liability partnership registered in England and Wales. Registered number OC312072. A list of members' names is available for inspection at the registered office 70 St Mary Axe, London EC3A 8BE.

PD12737

Forward Planning
Council Headquarters
Newton St Boswells
Scottish Borders
TD6 0SA

302 St. Vincent Street
Glasgow
G2 5RU
Tel: +44 (0) 141 204 2090

25 January 2021

Dear Sir or Madam,

PROPOSED LOCAL DEVELOPMENT PLAN – REPRESENTATION ON BEHALF OF SSE RENEWABLES

We write on behalf of SSE Renewables to respond to the Scottish Borders Council (SBC) Proposed Local Development Plan (LDP) consultation in respect of Policy ED9 Renewable Energy.

SSE Renewables is a subsidiary of SSE Plc, which is one of the UK's leading energy companies, involved in the generation, transmission, distribution and supply of electricity, and in the extraction, storage, distribution and supply of gas. Their purpose is to responsibly provide the energy and related services now and in the future.

SSE's vision is to be a leading provider of energy and related services in a low-carbon world. Their strategy is to create value for shareholders and society from developing, owning and operating energy and related infrastructure in a sustainable way.

GENERAL COMMENTS

Paragraph 1.1 of Policy ED9 should be updated to include specific reference to the Scottish Government's emissions reductions targets as set out by the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019. These are significant and legally binding commitments which must be central to planning policy. We consider this should be strengthened by the inclusion of a statement which specifically acknowledges how SBC will contribute to achieving these ambitious and challenging targets through the Proposed LDP. These legally binding targets should also be incorporated at Paragraph 1.4, or replace the existing wording.

The recently published NPF4 Position Statement states:

"We expect that NPF4 will confirm our view that the Global Climate Emergency should be a material consideration in considering applications for appropriately located renewable energy developments."

Furthermore, SBC declared a Climate Emergency at a meeting on 25 September 2020. Galashiels councillor and council deputy leader Sandy Aitchison spoke in favour of declaring a climate emergency, telling the meeting:

"The declaration of a climate emergency is the first and very important step to publicly acknowledge that such an emergency does exist and that we are now producing a plan going forward to ensure that we even better the Scottish Government's timings and certainly the UK Government's."

The Proposed LDP should therefore be amended to reference the Scottish Government and SBC's declaration of a Climate Emergency, include a statement on how SBC will contribute to addressing the Climate Emergency through the Proposed LDP, and acknowledge this as an important material consideration in the determination of renewable energy developments. These are significant statements and legally binding commitments from the Scottish Government that must be central to planning policy and therefore reflected in the Proposed LDP.

SSE Renewables are disappointed by the level of ambition within the Proposed LDP. The recently published NPF4 Position Statement states:

"Climate change will be the overarching priority for our spatial strategy. To achieve a net zero Scotland by 2045 and meet the interim emissions reduction targets of 75% by 2030 and 90% by 2040, an urgent and radical shift in our spatial plan and policies is required."

Paragraph 1.5 confirms that the renewable energy policies of the Proposed LDP are a 'roll forward' of adopted LDP policy, rather than the urgent and radical shift in policies which is required to address the Climate Emergency. This fails to acknowledge key developments and policy ambitions that have been announced by the Scottish Government since the current LDP was adopted, and SSE Renewables therefore consider that the Proposed LDP does not set the necessary context or policy ambition required to address climate change over the lifetime of the plan. SBC should therefore significantly update Policy ED9 to encompass the urgent and radical shift of policy required to support emissions reduction targets.

The statement at Paragraph 1.6 that *"Planning applications for wind turbines can be contentious, and there are very strong and differing opinions on them"* should be removed from the Proposed LDP. This should be replaced by a general statement confirming the Council will follow national guidance in terms of determining applications and support development in appropriate locations. Paragraph 1.6 also references the importance of greater turbine heights in terms of achieving greater operational efficiency, and the Proposed LDP should be updated to recognise the need for taller turbines to meet climate change targets.

Paragraph 1.8 references the wind energy spatial framework as required by current SPP. Updating the current spatial framework for onshore wind is listed as a priority policy change within the NPF4 Position Statement, in order to allow development outwith National Parks and National Scenic Areas where they are demonstrated to be acceptable on the basis of site specific assessments. As the existing spatial framework for onshore wind, based on existing SPP, is therefore likely to be superseded early in the plan period, reference to said spatial framework should be removed in favour of a policy position which considers proposals for onshore wind development on the basis of site specific assessments. This will align the emerging policy with the significant changes to national policy on climate change, renewable targets and the green recovery.

Paragraph 1.8 also includes reference to the Ironside Farrar Landscape Capacity and Cumulative Impact study published in November 2018. SSE Renewables believe Landscape Capacity Studies are no longer a sensible or credible tool for assessment (despite the current guidance on their use from SNH (now NatureScot)). Constraining development primarily based on outdated guidance is no longer acceptable in the current political climate, and a policy based upon the merits of individual projects would be more supportive and allow the scale of development required to meet climate change targets.

Accordingly, reference to Landscape Capacity Studies should be removed from the plan and replaced with a reference to assessment of landscape sensitivity on a site specific basis. We consider that reference to consideration of landscape

sensitivity for development, as opposed to capacity of a landscape to accommodate a certain turbine typology, would be a more appropriate policy framework and support the scale of development required to meet climate change targets.

Paragraph 1.10 references Supplementary Planning Guidance (SPG) from December 2013. The continued relevance of this document over the Proposed LDP period is highly questionable, due to the age of the guidance and the current lack of subsidy making this scale of development no longer feasible. SSE Renewables do not consider this existing SPG remains useful and as such reference to this guidance should also be removed from the Proposed LDP.

SSE Renewables do not agree with the statement at Paragraph 1.11 that Policy ED9 and associated SG forms a sound basis for determining renewable energy applications, and therefore object to Policy ED9 in its current form. Policy ED9 should be amended as set out below.

POLICY ED9 – RENEWABLE ENERGY DEVELOPMENT

SSE Renewables welcome the statement under the above heading that *"The Council will support proposals for both large scale and community scale renewable energy development including commercial wind farms"*, giving due regard to relevant environmental and community considerations.

As noted above, updating the current spatial framework for onshore wind is listed as a priority policy change within the NPF4 Position Statement. As the existing spatial framework for onshore wind, based on existing SPP, is therefore likely to be superseded early in the plan period, reference to said spatial framework should be removed in favour of a policy position which considers proposals for onshore wind development on the basis of site specific assessments. This will align the emerging policy with the significant changes to national policy on climate change, renewable targets and the green recovery.

POLICY ED9 – SUPPLEMENTARY GUIDANCE

The Proposed LDP acknowledges that the Council's SG on Renewable Energy 2018 is based on Paragraph 169 of Scottish Planning Policy 2014 (SPP). SPP is due to be superseded by NPF4 in 2022, and the Scottish Government have made clear through the recent publication of the NPF4 Position Statement that updating this spatial framework will be a priority policy change within NPF4. This is also likely to include a significant revision of Paragraph 169 to take into account the urgent and radical shift in policies required to address the Climate Emergency. Reference to the SG on Renewable Energy 2018 and SPP policies should therefore be removed from the Policy ED9. Constraining development primarily based on outdated guidance is no longer acceptable in the current political climate, and a policy based upon the merits of individual projects would be more supportive and allow the scale of development required to meet climate change targets.

POLICY ED9 – CONSIDERATION OF WIND ENERGY PROPOSALS

With regards to the criteria for the consideration of wind energy proposals, SSE Renewables consider that reference to the onshore spatial framework should be removed. As previously noted updating the current spatial framework for onshore wind is listed as a priority policy change within the NPF4 Position Statement, and the existing spatial framework for onshore wind (based on existing SPP) is therefore likely to be superseded early in the plan period. Reference to the spatial framework should therefore be removed in favour of a policy position which considers proposals for onshore wind development on the basis of site specific assessments. This will align the Proposed LDP policy with the significant changes to policy at national level.

Further to comments above, reference to the Landscape Capacity and Cumulative Assessment should be removed from the criteria list and replaced with a reference to assessment of landscape sensitivity on a site specific basis. The Landscape Capacity and Cumulative Impact report was published in November 2018 – prior to declaration of the Climate Emergency and prior to the net-zero target – and is considered out of date in terms of modern turbine scales and the prevailing national

policy position. It does not take into account the significant legislative and regulatory changes which have occurred since 2018, and there is now a demonstrably greater need for further renewable energy developments than there was at the time the study was published. The continued relevance of this document over the Proposed LDP period is therefore highly questionable, and reference to it should be removed. We consider that reference to consideration of landscape sensitivity for development, as opposed to capacity of a landscape to accommodate a certain turbine typology, would be a more appropriate policy framework and support the scale of development required to meet climate change targets.

POLICY ED9 – REPOWERING

Policy ED9 is also lacking in positive support for the repowering of existing renewable onshore wind sites to maintain capacity by confirming this will be a material consideration. In terms of repowering the NPF4 Position Statement confirms a key potential policy change of:

“Strengthening our support for re-powering and expanding existing wind farms.”

The existing repowering policy as set out in the SG on Renewable Energy 2018 does not set out the required support for the repowering of existing wind farms which will be required to meet net-zero targets – to ensure that existing capacity is not lost and noting that smaller turbines are no longer available on the market to replace those existing. SSE Renewables consider that Policy ED9 should be expanded to confirm EDC’s support in principle for repowering / lifetime extensions, superseding the policies set out in the SG, and include confirmation that such proposals will be considered on their individual merits.

CONCLUDING STATEMENT

SSE Renewables would recommend the Scottish Borders Council Proposed LDP is amended to reflect national Climate Change policy and the emerging policy position of NPF4. SBC should see this as an opportunity to lead the way on planning policy which can contribute to net-zero targets, rather than waiting for the formal publication of NPF4. The Climate Emergency needs action now, and awaiting the publication of further guidance is not considered an acceptable policy position.

It is also strongly recommended the Council reassess their policy regarding onshore wind. SSE Renewables are committed to onshore wind as the lowest-cost new-build electricity generation in Scotland, and would welcome a similar commitment from SBC. Creating a positive planning policy position which is supportive of renewable energy development will contribute to sustainable economic growth in SBC and make a significant contribution to achieving national emissions targets.

We would welcome the opportunity to meet you to discuss these comments further if required, and would in any event be grateful if you could keep us informed of progress on the review of the LDP as it moves forward to Examination.

Yours sincerely,



Associate

DDI: 

Mobile: 

Email: 