

BERWICK BANK WIND FARM

Pre-Application Consultation Report

Appendix 5
December 2022



APPENDIX 5. PROPOSAL OF APPLICATION NOTICE

(PoAN)

5.1 PoAN

PROPOSAL OF APPLICATION NOTICE	
Town and Country Planning (Scotland) Act 1997 (Section 35B) The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 (Regulations 4 -7)	
To be completed for all developments within the national or major categories of development	
Name of Council	East Lothian Council
Address	Planning and Environment - John Muir House
	Brewery Park
	Haddington
	East Lothian, EH41 3HA
Proposed development at [Note 1]	Land Between Mean Low Water Mark near Skateraw and Surrounding Branxton Substation Dunbar
Description of proposal [Note 2]	Onshore Electricity Transmission Infrastructure (refer to cover letter)
Notice is hereby given that an application is being made to	
[Note 3] East Lothian Council	Council by [Note 4] Grant Young on behalf of the applicant
Of [Note 5]	Young Planning and Energy Consenting, Suite 29, 196 Rose Street, Edinburgh, EH2 4AT
In respect of [Note 6]	Online Consultation Event
To take place on [Note 7]	7-18 March 2022 (refer to cover letter for detail)
[Note 8] The following parties have received a copy of this Proposal of Application Notice	
Dunbar Community Council, East Lammermuir Community Council, Cockburnspath and Cove Community Council and West Barns Community Council Cllr Sue Kempson, Cllr Paul McLennan, Cllr Norman Hampshire Please refer to cover letter for list of MSP's.	
[Note 9] For further details contact	Grant Young
on telephone number	07969737838
And/or at the following address	Suite 29, 196 Rose Street, Edinburgh, EH2 4AT
[Note 10] I certify that I have attached a plan outlining the site	
Signed	
On behalf of	SSE Renewables Limited
Date	24/12/2021

PROPOSAL OF APPLICATION NOTICE	
Town and Country Planning (Scotland) Act 1997 Regulation 6 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013	
NOTES FOR GUIDANCE	
[Note 1] – Insert postal address or location of proposed development [Note 2] – Insert description in general terms of the development to be carried out. [Note 3] – Insert Council name. [Note 4] – Insert name of applicant and/or agent [Note 5] – Insert applicant's and/or agent's postal address [Note 6] - Insert form of consultation the prospective applicant proposes to undertake e.g. public meeting [Note 7] – Insert date and venue of consultation [Note 8] – Insert list of those groups who have been invited to attend [Note 9] – Insert details as to how the prospective applicant/agent can be contacted (incl. name, address and tel. no) [Note 10] - Attach plan that outlines the location of the proposed development and is sufficient to identify the site	
Pre-application Consultation (PAC)	
Where PAC is required, the prospective applicant must, under sections 35B(1) and (2) (of the Act), provide to the planning authority a 'Proposal of Application Notice' at least 12 weeks (section 35B(3)) prior to the submission of an application for planning permission. The Proposal of Application Notice must include the information set out in section 35B(4) and in regulation 6, namely:	
<ul style="list-style-type: none"> i) a description in general terms of the development to be carried out;* ii) the postal address of the site at which the development is to be carried out, if available iii) a plan showing the outline of the site at which the development is to be carried out and sufficient to identify the site; iv) detail as to how the prospective applicant may be contacted and corresponded with; and v) an account of what consultation the prospective applicant proposes to undertake, when such consultation is to take place, with whom and what form it will take. 	
* You should provide an outline of the proposal's characteristics, and the identification of its category (e.g. Major development). Any subsequent application needs to be recognisably linked to what was described in the proposal of application notice.	
Submission of an Application after Pre-application Consultation Notice	
The submission of the proposal of application notice starts the PAC processing clock. After a minimum of 12 weeks, having carried out the statutory requirements and any additional requirements specified by the planning authority, an applicant can submit the application along with the required written Pre-application Consultation Report. Information in relation to the proposal of application notice must also be placed by the planning authority on the list of applications required under section 36A and regulation 21.	
Additional consultation activity (responding to the Proposal of Application Notice)	
The applicant is required to indicate in the proposal of application notice what consultation will be undertaken in addition to the statutory minimum. The planning authority must respond within 21 days of receiving the Notice to advise the applicant whether the proposed PAC is satisfactory or if additional notification and consultation above the statutory minimum is required in order to make it binding on the applicant. In doing so, planning authorities are to have regard to the nature, extent and location of the proposed development and to the likely effects, both at and in the vicinity of that location, of its being carried out (section 35B(8)). Additional consultation requirements should be proportionate, specific and reasonable in the circumstances. If there is no response to the proposal of application notice by the planning authority within 21 days, only the statutory minimum PAC activities will be required.	

Appendix 5. Proposal of Application Notice (PoAN)

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

Minimum consultation activity

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

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

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

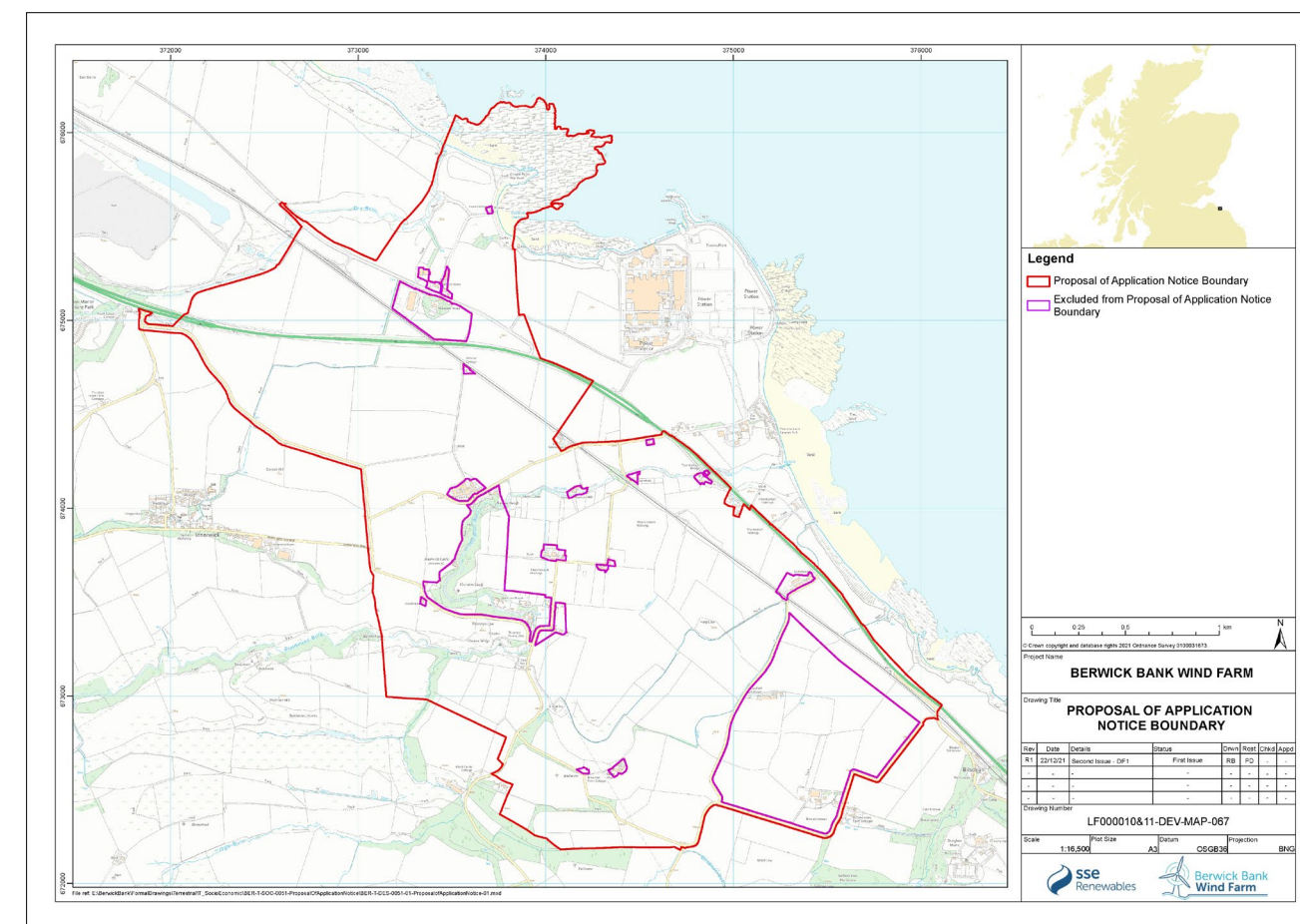
Applicants will gain less from poorly attended or unrepresentative PAC events and should ensure that processes are put in place that will allow members of the community to participate meaningfully in any public event. The public event should be reasonably accessible to the public at large, including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

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

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


5.2 Plan of the site

We submitted the below application boundary map as part of the above PoAN.



Appendix 5. Proposal of Application Notice (PoAN)

5.3 PoAN cover letter

Young Planning & Energy Consenting 

24 December 2021

Planning & Environment
East Lothian Council
John Muir House
Brewery Park
Haddington
EH41 3HA

Young Planning & Energy Consenting Ltd
Suite 29
196 Rose Street
Edinburgh
EH2 4AT

Dear Sir/Madam

BERWICK BANK WIND FARM - ONSHORE TRANSMISSION INFRASTRUCTURE COMPRISING ONSHORE ELECTRICITY CABLES, ELECTRICITY SUBSTATION (OR CONVERTER STATION), AND ASSOCIATED INFRASTRUCTURE INCLUDING LANDSCAPING, DRAINAGE INFRASTRUCTURE, PARKING AND SERVICING AREAS, AND ROAD AND JUNCTION ALTERATIONS; SUBMISSION OF PROPOSAL OF APPLICATION NOTICE ON BEHALF OF SSE RENEWABLES LTD

SSE Renewables Ltd (“SSER”) is developing the Berwick Bank Wind Farm, an offshore wind farm located in the outer Firth of Forth with potential to generate up to 4.1GW of renewable energy. Please note, for the submission of the planning application the applicant may remain as shown above, or the application may be submitted by another company within the SSE group.

Electricity produced by the offshore wind farm will connect to the national electricity transmission grid at the Branxton Grid Substation being separately developed by ScottishPower Transmission (East Lothian Council Proposal of Application Notice (21/00004/PAN)).

Onshore Transmission Infrastructure
The enclosed Proposal of Application Notice (PoAN) relates to the Berwick Bank Onshore Transmission infrastructure, comprising (and collectively referred to as “the OnTI”):

- Onshore electricity cables from cable landfall near Skateraw Harbour (from Mean Low Water Springs) to a new onshore electricity substation or converter station;
- That new onshore electricity substation or converter station (“the substation”) located in an agricultural field south of the A1;
- Onshore electricity cables from the substation to the aforementioned new Branxton Grid Substation; and
- Associated infrastructure, potentially including (but not limited to):
 - Landscaping;
 - Parking and servicing areas;
 - Drainage infrastructure; and
 - Temporary and/or permanent new access tracks/road, road and junction alterations/improvements.


The area within the PoAN boundary extends to just under 600-hectares, to allow for cable routing, inclusion of access roads, substation siting and mitigation. For the avoidance of doubt, built development will not occur across the entirety of this area. Once installed, the electricity cables will largely be underground, the only permanent above-ground electricity infrastructure will comprise of the substation, which SSER expect to occupy a footprint of approximately (up to) 10-ha.

Offshore elements of the Berwick Bank Wind Farm (i.e., those seaward of Mean High Water Springs) are the subject of a separate consenting process managed by Marine Scotland.

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Registered in Scotland: SC537185

Young Planning & Energy Consenting 

This OnTI relates to a previous Environmental Impact Assessment Scoping Opinion adopted by East Lothian Council, dated 1 October 2020.

Planning Hierarchy & Regulatory Context
Submission of this PoAN (and associated future community consultation and Pre-Application Consultation Report) are underpinned, for the purpose of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, by the OnTI’s “national” development status, itself by virtue of National Planning Framework 3’s national development number 4.

In response to the ongoing Covid-19 situation the Scottish Government, via the Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020, allows online community consultation as a temporary alternative to the more traditional physical public events which would occur as part of pre-application community consultation undertaken prior to the submission of a planning application for a national development.

Community consultation to date
SSER has, to date, undertaken two rounds of community consultation events:

- In November 2020, based upon an online virtual “village hall” platform, provided an introduction to the Berwick Bank Wind Farm project. Through the online platform, members of the public could engage with representatives of the project team. This first event broadly coincided with EIA scoping exercises, with feedback informing the refinement of project development parameters and associated assessments; and
- In December 2021 which, in addition to the same online virtual “village hall” consultation platform, involved a consultation event attended by approximately 70 members of the local community, on 9 December 2021 in Innerwick Village Hall.

The Berwick Bank project team has also carried out a Community Roadshow, which involved the project team attending 17 different local venues across 5 days, the purpose of this event was to allow the public further opportunity to pass feedback directly onto members of the project team. In addition, the team have also attended local events such as Fringe By The Sea 2021 and ran various information sessions across the event.

In addition, a dedicated project website (www.berwickbank.com) has been established and, amongst other project-related information, includes all documentation provided as part of these previous events.

Intended community consultation
A further virtual consultation event is planned for early-March 2022 through the Berwick Bank Wind Farm website (www.berwickbank.com). The platform will replicate that which formed the basis of previous event, with facilities for direct communication between the Berwick Bank project team and the local community, as well as for the provision of feedback which will inform the finalising of the proposed development.

The virtual exhibition platform will be live between 7 March - 18 March 2022, with live chat sessions where the project team will be present on the following times:

- 9 March 12:00 - 14:00 & 16:00 - 18:00; and
- 10 March 12:00 - 14:00 & 16:00 - 18:00.

In addition, whilst cognisant of the ongoing Covid-19 situation and prioritising the health of all involved, SSER is keen, where possible, to continue face-to-face engagement with the local community. As such, if a physical public event is possible during the pre-application consultation period, this will supplement the virtual event.

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The PAC Report which will accompany the forthcoming planning application will fully document all community consultation undertaken by SSER in respect of the Berwick Bank Wind Farm, i.e. that undertaken to date and that to be undertaken pursuant to this PoAN.

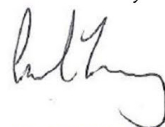
A copy of this Proposal of Application Notice has been issued to the following parties:

- Dunbar Community Council;
- East Lammermuir Community Council;
- Cockburnspath and Cove Community Council;
- West Barns Community Council;
- Councillor Sue Kempson;
- Councillor Paul McLennan;
- Councillor Norman Hampshire;
- Colin Smyth MSP;
- Carol Mochan MSP;
- Brian Whittle MSP;
- Sharon Dowery MSP;
- Emma Harper MSP;
- Craig Hoy MSP; and
- Martin Whitfield MSP.

SSER look forward to ongoing engagement with the local communities, its representatives and officers from East Lothian Council as it progresses the preparation of its planning application.

We would appreciate confirmation of the registration of this PoAN at your earliest convenience. Please do not hesitate to contact me in the event of any queries.

Yours faithfully



GRANT YOUNG BA (Hons) MSc URP MRTPI
DIRECTOR, YOUNG PLANNING & ENERGY CONSENTING
 For and on behalf of SSE RENEWABLES LTD

Enc

cc Paul Darnbrough SSE Renewables
 Caitlin Duffy SSE Renewables
 Dunbar Community Council
 East Lammermuir Community Council
 Cockburnspath and Cove Community Council
 West Barns Community Council
 Councillor Sue Kempson
 Councillor Paul McLennan
 Councillor Norman Hampshire
 Colin Smyth MSP
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