

[Redacted]

From: [Redacted]
Sent: 05 May 2017 13:19
To: [Redacted]
Cc: [Redacted]
Subject: Scoping Opinion Request - Inch Cape Offshore Wind Farm

Dear Sir/Madam,

ELECTRICITY ACT 1989

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000
The Electricity (Applications for Consent) Regulations 1990

MARINE (SCOTLAND) ACT 2010

The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)

SCOPING OPINION REQUEST FOR PROPOSED SECTION 36 APPLICATION AND MARINE LICENCES APPLICATIONS FOR INCH CAPE OFFSHORE WIND FARM AND ASSOCIATED OFFSHORE TRANSMISSION WORKS, OFF THE ANGUS COASTLINE

Inch Cape Offshore Limited (ICOL) have formally requested, in accordance with Regulation 7 of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 (as amended), (herein referred to as 'The Electricity Works') and Regulation 13 and Schedule 4 of The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended), (herein referred to as 'The Marine Works') a scoping opinion for the above proposal.

In 2014 ICOL gained consents for the construction and operation of the Inch Cape Offshore Wind Farm and associated OfTW, the consents are currently the subject of a Judicial Review. In parallel with the Judicial Review, ICOL is progressing the development of an offshore wind farm and associated offshore transmission works, described in the Scoping Report as the 'Revised Development'. The Revised Development is being developed to take advantage of advancements in offshore wind technology to achieve ICOL's twin objectives of improving project economics while reducing associated environmental effects. This has resulted in a significant reduction in turbine numbers and associated infrastructure.

The Revised Development will consist of an array of up to 72 turbines. The period of consent to be sought for the array is up to 50 years.

Under Regulation 7 of The Electricity Works and Schedule 4 of The Marine Works, Scottish Ministers are required to consult the specified statutory bodies (and other interested parties) as to their views on the information which ought to be provided in the Environmental Statement.

Paragraph 94 of the Scottish Government Planning Circular 3/2011 states that while every Environmental Statement should provide a full factual description of the development, the emphasis of Schedule 4 of The Electricity Works is on the 'main' or 'significant' environmental effects to which a development is likely to give rise. In many cases, only a few of the effects are of significance and require discussion in the Environmental Statement in any great depth. Other impacts may be of little or no significance for the particular development in question, and will need only very brief consideration, to indicate that their possible relevance has been considered.

As the Revised Development is broadly analogous to the Original Development, in terms of location and most aspects of its design, ICOL has adopted a particular approach to scoping. The Scoping Report sets out ICOL's intention to maximise, where appropriate, the use of existing data and the conclusions of the EIA for the Original

Development in the EIA for the Revised Development. This approach is intended to focus the Revised Development EIA on those potential impacts that are most likely to give rise to significant effects (or where uncertainty exists in relation to the validity of the previous assessments) and thereby avoid revisiting assessments where the conclusions reached previously in the Environmental Statement for the Original Development can be shown to be applicable to the Revised Development through the scoping process.

To assist the preparation of the Environmental Statement in this respect, we ask that you clearly indicate where you agree or disagree on those aspects to be scoped in or out of further assessment. **It will assist Marine Scotland in providing the scoping opinion if particular attention is paid to the questions asked by ICOL in the scoping report where relevant to your area of interest.**

You should note that your comments will be used to instruct the developer on what should be in the Environmental Statement, and also help them comply with the guidance in the [Scottish Planning Policy \(SPP\)](#) and [the National Marine Plan \(NMP\)](#). Therefore, the clearer your comments the more likely that the requirements will be met. You should also state which heading this information should be provided under in the Environmental Statement.

The ultimate aim of the scoping exercise, as discussed in [Planning Advice Note 1/2013: Environmental Impact Assessment \(PAN 1/2013\)](#), is to assist the developer in identifying the key environmental issues surrounding this proposal. Scottish Ministers achieve this aim by drawing on the knowledge of local authorities and consultees alike through the formal consultation process. However, PAN 1/2013 also states that the scoping exercise should give an early indication of where mitigation measures may be necessary. As required by The Electricity Works and The Marine Works, developers must provide a description of measures to prevent, reduce and where possible offset any significant adverse effects on the environment, in their Environmental Statement. To ensure the Environmental Statement includes this key section, consultees must highlight in their responses any areas where mitigation measures should be addressed. In tandem with the prioritising of environmental issues, this will allow Scottish Ministers to provide developers with a full and accurate opinion of what should be included in the Environmental Statement.

I would be grateful for your views by **2nd June 2017**. Please submit your comments electronically to ms.marinerenewables@gov.scot

The scoping report provided by ICOL is a substantial document, therefore if you are unable to meet this deadline, please contact us by no later than **19th May 2017** to discuss an alternative response date. If you have no comments to make please submit a "nil return" response. If we do not hear from you by **2nd June 2017** or such other date agreed before **19th May 2017**, then we will assume that you are content with the content of the scoping request and have no comment to make.

A copy of the scoping report has been made available at the following website address:

<http://www.gov.scot/Topics/marine/Licensing/marine/scoping/InchCape/InchCapeScoping2017>

If you wish to receive a hard copy of the scoping report, please contact [Redacted] Offshore Environment and Consents Manager at Red Rock.

If you have any queries regarding the above please contact [Marine Scotland](#).

Yours faithfully,

[Redacted]

Marine Renewables Casework Manager

marinescotland

Marine Scotland Licensing Operations Team

Scottish Government

Marine Laboratory, 375 Victoria Road, Aberdeen, AB11 9DB

Phone: [Redacted] | S/B: +44 (0)1224 876 544

[Redacted]

From: [Redacted]
Sent: 17 May 2017 11:43
To: [Redacted]
Cc: [Redacted]
Subject: Inch Cape

Good mornin [Redacted]

[Redacted] at Red Rock has given me your contact details. I have tried to call your office a few times over the past week but have been unable to speak with you.

I have been working with MS LOT in relation to the Red Rock's request for a scoping opinion for the revised Inch Cape offshore project. I am aware that East Lothian Council has expressed some concern about the proposed approach to EIA for the application for planning permission for the onshore components of the project. I think that it would be useful for us to discuss the approach being adopted by the two consenting authorities for the distinct consents required for the project.

Could you please let me know a convenient time to call you to discuss? Happy to come to your offices to discuss if that would assist.

Thanks and regards,

[Redacted]

[Redacted]

The Scottish Government [Redacted]
To view our current casework please visit www.energyconsents.scot



[Redacted]

From: [Redacted]
Sent: 24 May 2017 13:21
To: [Redacted]
Cc: [Redacted]
Subject: RE: Inch Cape

[Redacted]

Could you please let me know a convenient time to call? I have a meeting with the applicant on Friday and it would be helpful to have some understanding of East Lothian Council's position in advance of that discussion.

Thanks and regards,

[Redacted]

[Redacted]

The Scottish Government [Redacted]
To view our current casework please visit www.energyconsents.scot



From: [Redacted]
Sent: 17 May 2017 11:43
To: [Redacted]
Cc: [Redacted]
Subject: Inch Cape

Good morning [Redacted]

[Redacted] at Red Rock has given me your contact details. I have tried to call your office a few times over the past week but have been unable to speak with you.

I have been working with MS LOT in relation to the Red Rock's request for a scoping opinion for the revised Inch Cape offshore project. I am aware that East Lothian Council has expressed some concern about the proposed approach to EIA for the application for planning permission for the onshore components of the project. I think that it would be useful for us to discuss the approach being adopted by the two consenting authorities for the distinct consents required for the project.

Could you please let me know a convenient time to call you to discuss? Happy to come to your offices to discuss if that would assist.

Thanks and regards,

[Redacted]

[Redacted]

The Scottish Government [Redacted]

[Redacted]

From: [Redacted]
Sent: 01 June 2017 16:59
To: [Redacted]
Cc: [Redacted]
Subject: FW: Quick query - Inchcape onshore works

Categories: Inch Cape

[Redacted]

Many thanks for your email which has been forwarded to me. Requests for a scoping direction would be sent to our Planning and Architecture Division rather than the Energy Consents Unit. I am not aware of anything having come in, but I will double check the position and come back to you.

I have just spoken with [Redacted] and have suggested a meeting between East Lothian Council, SG Planning and Architecture, Marine Scotland and Energy Consents to discuss scoping for both the offshore and onshore components. I think it sensible that we have a common understanding of the approach being adopted and relationship between the onshore and offshore work. I will send a doodle poll shortly to identify suitable dates.

In the meantime, very happy to discuss if that would assist.

Thanks and regards,

[Redacted]

[Redacted]

The Scottish Government [Redacted]
To view our current casework please visit www.energyconsents.scot



From: [Redacted]
Sent: 31 May 2017 16:36
To: [Redacted]
Subject: Inchcape onshore works

[Routed via PSN Network]

Hello,

East Lothian Council have recently been consulted on the production of a Scoping Opinion for Inchcape offshore works.

We have previously received a request for a Scoping Opinion for the onshore aspect of these works. We did not produce the Scoping Opinion in the statutory timescale and so the applicant indicated that they intended to seek a Scoping Direction. I cannot see any record of this online and wondered if you had received a request for this?

Regards,

[Redacted]

Planner (Monday – Thursday)

Planning Service

Development

East Lothian Council

John Muir House

HADDINGTON

EH41 3HA

Email:[Redacted]

Tel:[Redacted]

Web: www.eastlothian.gov.uk/ldp

Your ref: none given

Sent via email only to [Redacted]

[Redacted]
EXECUTIVE DIRECTOR
(SERVICES FOR
COMMUNITIES)

John Muir House
Haddington
East Lothian
EH41 3HA
[Redacted]

Dear [Redacted]

ELECTRICITY ACT 1989

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000
The Electricity (Applications for Consent) Regulations 1990

MARINE (SCOTLAND) ACT 2010

The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)

**SCOPING OPINION REQUEST FOR PROPOSED SECTION 36 APPLICATION AND MARINE LICENCES
APPLICATIONS FOR INCH CAPE OFFSHORE WIND FARM AND ASSOCIATED OFFSHORE
TRANSMISSION WORKS, OFF THE ANGUS COASTLINE**

I refer to your request for our views on the contents of the Scoping Opinion for the above proposal. I have some comments on the detail of assessment of the offshore works, but would also comment on the approach to EIA with regard to the connection between assessment of offshore and onshore works.

Consideration of Onshore Works

In section 3.2.7 paragraph 65 the Scoping Report states that the Onshore Transmission Works (OnTW) are not considered in detail within this Scoping Report as planning permission is being separately sought for these works. It is the Council's view that both onshore and offshore works are an integral part of the main project, which consists of the offshore Inch Cape Wind Farm and the onshore transmission works. The EU Interpretation line on associated works (2011) (Interpretation line suggested by the Commission as regards the application of Directive 85/337/EEC to associated/ancillary works) notes that "the environmental impact study for the main project should include a description of its likely significant effects, e.g. effects resulting from the use of natural resources or cumulative effects. Thus, an assessment of the environmental effects of the associated works (such as use of natural resources) should be included in the EIA for the main project..."

The Council was previously asked for a Scoping Opinion on the onshore part of the works. East Lothian Council gave its view that to allow a competent decision to be made on the application for renewal of permission for the onshore works, the Environment Statement for the onshore works would have to include or provide appropriate cross-reference to an up to date and adequate environmental assessment of the offshore works. The applicant did not agree with this approach and stated that a Scoping Direction from Scottish Ministers would be sought. It remains our view that current assessment for the whole project (onshore and offshore) is required. In the case of *Berkely v SSETR (2000)* [WLR21/7/2000 p420] Lord Hoffman said the Environment Statement should constitute a single and accessible compilation. East Lothian Council has previously accepted that this



requirement is met provided there is a link between the documents for the onshore and offshore works, and both are current and available.

The Scoping Report submitted does not cover the detailed assessment of the onshore works, and accordingly here I only comment on the offshore part of the assessment covered by the Scoping Report. However, it is East Lothian Council's view that assessment of both parts of the project should be up to date at the point of decision and that further consideration of the scope of assessment of the onshore aspect of the works will be required.

Approach to EIA

For evaluation of significance of impact, paragraph 158 notes that only Moderate/Major or Major effects are taken as significant. There could be some potential for impacts identified as 'moderate' to be significant also, particularly for impacts involving a partial loss to a key feature of baseline conditions impacting on a moderately sensitive receptor.

HRA

The previous assessment considered impacts on the Firth of Forth Special Protection Area and Forth Islands Special Protection Area, both of which are partly within East Lothian. This Council is content to leave comment on this and other ornithological aspects of the assessment to Scottish Natural Heritage, who have particular expertise and responsibilities in this area.

Offshore Human Environment

Landscape

The SNH guidance 'Visual Representation of wind farms' was revised in February 2017 and should be used for any SLVIA. Guidelines for Landscape and Visual Impact Assessment (GLVIA3) by the Landscape Institute and Institute of Environmental Management and Assessment, 3rd Edition 2013 should be used for any SLVIA. East Lothian Council has carried out a Local Landscape Designation Review (2016) published as Technical Note 9 and Appendices I to VI and we would refer the applicant to this as an additional data source (see 'additional information' below).

The Scoping Report notes that Environmental Impact Assessment (EIA) must assess likely significant effects of proposed development and that the revised Environmental Statement (ES) will be more focussed. It looks to demonstrate that the conclusions reached in the original EIA are valid and that those outcomes that will not encounter a significant effect will be scoped out of the application. We have concern that the applicant may therefore scope out any visuals from East Lothian as the previous scheme was not identified as having a significant impact on views from East Lothian. We would want to see visuals from East Lothian for the reasons detailed below. We would also expect consideration to be given to the landscape and visual impact of any onshore works within the scope of this ES as this is an integral part of this scheme that could have significant impact on East Lothian due to onshore works being proposed within East Lothian. The only mention of this in the scoping report is the assessment of the impact of installation vehicles and related works at the landfall location for the export cable corridor during the construction phase.

Section 9.1 of the Scoping Report discusses the Seascape, Landscape and Visual Receptors.

The development area for both the original and revised remains unchanged.

East Lothian's coastline lies at the edge of the previously assessed 50km radius area from the outermost turbines. The previous assessment was for turbines up to a maximum tip height of 215m. The current proposal is for turbines up to 301m to blade tip. This is a significant 40% increase in height. The scoping report (in para 444) concludes that due to the increase in turbine height there will be a requirement to assess the physical presence of the wind turbines against visual amenity, amongst

other factors. SNH guidance advises that ZTVs for wind turbines over 150m should extend to 45km and it was agreed in the previous EIA that as the proposed wind turbines were 215m the ZTV should extend to 50km from the outermost wind turbine. In para 450 the scoping report states that the 50km study area used for the original development is still considered valid for the revised increase in height and that wind turbines at this distance are unlikely to give rise to significant effects. However even given the allowance for earth curvature (as detailed in Annex D of SNH guidance 'Visual Representation of wind farms' revised February 2017) the proposed turbines at 301m to blade tip with a rotor diameter of 180m (maximum currently available) will sit 134m to blade tip above the horizon with the nacelle 44m above the horizon. This changes the impact of the proposals, increasing their visibility and possibly the impact and effect of movement on viewers. The scoping report notes that the assessment will be for turbines with a rotor diameter of 250m. This lowers the hub height, however blades of this length are not currently available. Therefore assessing the proposed lower hub height would not necessarily represent a worst case scenario.

Although there is no specific guidance in relation to assessing the cumulative impact of offshore windfarms in our opinion the SNH guidance on 'assessing the cumulative impact of onshore wind energy developments' March 2012 would be applicable for this development. The Scoping Report has only identified turbines within the 50km ZTV for cumulative assessment, however in our opinion there are wind turbines outwith this distance that will add to the cumulative impact on views from East Lothian that should be included in this cumulative assessment. SNH recommend maximum 60km from proposed site, but the assessment should focus on likely significant effects. We suggest that consideration be given to including the onshore turbines at Earls Seat in Fife and those at Crystal Rig and Aikengall in East Lothian/Scottish Borders at a minimum when assessing cumulative impact from East Lothian.

The SNH guidance 'Visual Representation of wind farms' revised February 2017 notes in section 5 paras 217 and 218 notes that lighting required for offshore turbines is often one of the major visual issues relating to this type of development and refers to paras 174-177 'Turbine Lighting' for guidance on how to provide visualisations showing the impact of night time lighting of turbines.

The 50km boundary intersects with East Lothian at one of our darkest and least developed areas along the Tantallon to Tynninghame coast. This is identified as a Special Landscape Area in the proposed East Lothian LDP. The Tantallon Coast Statement of Importance for this SLA describes this coastline as the wildest, most remote and least developed area of mainland East Lothian. The Statement of Importance specifically states that despite the busy shipping lanes and views of development in Fife much of this section of the coast still has an elemental feel deriving from the presence of the sea, rocky cliffs and expansiveness of sands at Ravensheugh combined with wide coastal skies. We would be concerned that additional development of a large horizontal field of wind turbines set within the sea could detract from the 'wildness' feel of the area both in day time views and on the night time darkness and dusk/dawn views. We would request therefore that the effects of night lighting on East Lothian are assessed. An assessment should be made of the proportion of horizontal field occupied by the turbines assessed cumulatively with the existing development visible within the views, including settlement and other windfarms existing, granted and in planning.

The Bass Rock is set off this coast and a significant impact could be caused if the turbines are viewed in views of the Bass Rock from important tourist viewpoints from the coast such as Yellowcraig and Broad Sands to the west of North Berwick, North Berwick beaches and Seabird Centre, North Berwick Law, Seacliff beach, and Tantallon Castle. This should be assessed and representative wirelines provided to show whether/how the proposals impact on the setting of the Bass Rock and other offshore islands, including the Isle of May.

The scoping report asks if the previous images would be suitable for use in the current SLVIA. Viewpoint 25 from Dunbar Cliffs was the only previous viewpoint submitted from East Lothian. The location of this viewpoint is suitable as this is representative of coastal visitors, walkers on the John Muir Way as well as local residents/settlement. SNH guidance 'Visual Representation of wind farms'

revised February 2017 notes in section 206 that visualisations should be prepared that represent the specific time of day and season when there is optimal visibility and clarity. The submitted image has cloud overshadowing the section of the sea where the turbines would be located which gives the impression of haziness in this view. We suggest that a new image in line with SNH's recommendations be provided for this viewpoint. Photographs should be cropped and enlarged from a photograph taken with a 50mm fixed focal length.

Given the increased size of the turbines we would request an additional viewpoint from North Berwick Law. Although outwith the 50km distance its raised elevation will increase visibility of the proposed turbines from it. This viewpoint represents an important visitor attraction and viewpoint within East Lothian. It also provides 360o views making it an ideal location to assess cumulative impacts of both onshore and offshore wind turbines.

With regard to the specific questions asked in the scoping report:

- **Can you confirm that the 50km radius study area is appropriate for the purposes of the SLVIA?**
We would suggest a ZTV up to 60km given SNH's guidance on cumulative assessment and the proposed increased size of the turbines.
- **Are you happy with the proposed methodology and approach to conducting the SLVIA?**
Yes provided the additional information with regard to impact of onshore works are included and the viewpoints from East Lothian are not scoped out and the assessment of the night time impact is included.
- **Can you confirm that you consider the use of the same viewpoints previously agreed for the Original Development appropriate?**
We are happy with the viewpoint from Dunbar cliffs, but also request the inclusion of a viewpoint from North Berwick Law and assessment of the impact on the Bass Rock on viewpoints from East Lothian as wirelines as well as night-time lighting assessment.
- **Are you satisfied that the viewpoint photography previously taken can be used again (updated where appropriate)?**
No – see above comments
- **Are you satisfied with the proposed approach to the cumulative SLVIA? Are there any changes to those projects listed that you consider should be included in the cumulative SLVIA?**
We suggest that consideration be given to including the onshore turbines at Earls Seat in Fife and those at Crystal Rig and Aikengall in East Lothian/Scottish Borders at a minimum when assessing cumulative impact from East Lothian.

Cultural Heritage

In terms the Historic Environment for the Offshore works potential indirect effects should be considered. The onshore works should be considered as part of the assessment as noted above.

Essentially doubling the blade heights will potentially have significant impacts on a number of Heritage receptors in East Lothian including (but not limited to) North Berwick Law and Dunbar Battery. The choice of the final receptors to be assessed should be based upon a ZTV, which identifies the potential heritage receptors that may be impacted upon. For avoidance of doubt, 50km is not considered a sufficient distance for production of a ZTV; the ZTV for cultural heritage receptors should show any area within East Lothian which has theoretical visibility regardless of distance.

The identified receptors should be considered for cumulative impacts as well as individually as there is the potential for impact associated with other offshore (and in some cases onshore) windfarms.

The Scoping Report does not appear to assess any Historic Environment receptors in East Lothian.

Weather effects (climatic factors)

There is some evidence emerging that windfarms can have an impact on local weather (see for example citations in <http://www.see.leeds.ac.uk/admissions-and-study/research-degrees/icas/rossbrooks/> and “Impacts of Wind farms on Land Surface Temperatures in Nature Climate Change at <http://www.nature.com/nclimate/journal/v2/n7/full/nclimate1505.html> . The possible effects suggested include formation of sea fog or alternatively ‘holes’ in clouds, and warmer surface night time temperatures. If this is the case, there could be consequent impacts including on landscape/seascape through formation of cloud; implications for precipitation (including precipitation patterns onshore); and possibly biodiversity through local temperature changes.

While recognising that this is very much an emerging area, and it is by no means certain that such an effect would occur, or if it did, be significant, some consideration should be given to the possibility, including a cumulative effect with other proposals in the area. If the effect is unknown provision for monitoring should be considered.

Additional information for the applicant

The development plan for East Lothian consists of the South East Scotland Plan (SESPlan) and the East Lothian Local Plan 2008, links to which can be found here: http://www.eastlothian.gov.uk/info/204/local_development_plan/231/statutory_development_plans/3 . The proposed East Lothian Local Development Plan has just been submitted to the DPEA for Examination. Links to submitted documents can be found here: http://www.eastlothian.gov.uk/info/204/local_development_plan/1818/proposed_ldp_submitted_to_scottish_ministers_for_examination/2 . Other supporting documentation (including Technical Note 9: Landscape Review) can be found here: http://www.eastlothian.gov.uk/info/204/local_development_plan/1777/proposed_local_development_plan

If you have any questions about the above please contact in the first instance [Redacted] on [Redacted] [Redacted] or via email to policy&projects@eastlothian.gov.uk .

Regards,

[Redacted]

Pp
[Redacted]
Planning Service Manager
East Lothian Council

[Redacted]

From: [Redacted]
Sent: 05 June 2017 11:11
To: [Redacted]
Subject: Scoping consultation response ELC
Attachments: Scoping consultation response ELC.docx; Undeliverable: Scoping consultation response ELC.docx

FAO [Redacted]

[Redacted]

I've attached our response to your consultation on the Scoping for Inchcape Offshore Windfarm. We did attempt to send this on Thursday (see attached) however I incorrectly addressed this and did not see the 'undeliverable' till this morning, apologies. I hope this can still be accepted,

[Redacted]

[Redacted]

Planner (Monday – Thursday)
Planning Service
Development
East Lothian Council
John Muir House
HADDINGTON
EH41 3HA

Email: [Redacted]
Tel: [Redacted]
Web: www.eastlothian.gov.uk/ldp

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[Redacted]

From: [Redacted]
Sent: 05 June 2017 16:07
To: [Redacted]
Cc: [Redacted]
Subject: Inch Cape - Scoping Consultation - ELC - Acknowledgement of receipt

Dear [Redacted]

Many thanks for submitting a response on behalf of ELC. MS-LOT confirm receipt of this e-mail and that this response has been accepted.

Kind regards

[Redacted]

From: [Redacted]
Sent: 05 June 2017 11:11
To: [Redacted]
Subject: Scoping consultation response ELC

FAO [Redacted]

[Redacted]

I've attached our response to your consultation on the Scoping for Inchcape Offshore Windfarm. We did attempt to send this on Thursday (see attached) however I incorrectly addressed this and did not see the 'undeliverable' till this morning, apologies. I hope this can still be accepted,

[Redacted]

[Redacted]
Planner (Monday – Thursday)
Planning Service
Development
East Lothian Council
John Muir House
HADDINGTON
EH41 3HA

[Redacted]

Web: www.eastlothian.gov.uk/ldp

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Minutes – Inch Cape SLVIA Scoping report

Date: 22 May 2017

Location: ICOL Offices, Edinburgh

Subject: SLVIA - Scoping report and introduction to the Revised Development

Attendees: [Redacted]

ITEM	MINUTE
1.0	A question was asked about the general appropriateness of the 50 km study area. Noting that this was considered appropriate for the Original Development but further consideration is required for the larger turbines.
	<p>ICOL explained that due to the curvature of the earth and visual acuity that the 50 km buffer remained appropriate. Illustrative wire lines from the extents of the 50km study area were included in the Scoping Report to provide an illustration of the development at this distance and show that significant effects are unlikely to arise, and so in line with EIA regulations will not be considered. [Redacted] also noted that there were no significant effects assessed for the original development at distances greater than 33km.</p> <p>ICOL will also produce more information (further than that already in the scoping report) on the general position of the 50 km study area being sufficient.</p>
2.0	ELC noted that they would like to see a wireline from North Berwick Law as it's an important location both culturally and visually.
	ICOL explained that the location would be outside the 50km study area, a wireline was brought up from the location using wind farmer software so that it could be seen. ICOL agreed that a draft wireline would be produced for illustrative purposes, however that such distances it was not likely to lead to a significant effect and therefore is not proposed to be included for full assessment.
3.0	[Redacted] asked about the cumulative study area, and how this was defined.

	ICOL noted that the 50km study area was considered appropriate study area for the cumulative assessment, again with focus on proportionality and likely significant effect.
4.0	SNH noted that there might be a new coastal character assessment available soon for some of the study area but that they are happy that the revised development continues to use the seascape and landscape character baseline that was defined as part of the original application.
	ICOL noted that it was their intention to use the existing defined baseline from the Original Development for assessing the effects of the Revised Development upon the seascape and landscape.
5.0	ELC noted that ELC have draft updated local landscape areas which would become finalised when the East Lothian Council's LDP is adopted in early 2018. However, the information is available to use in draft format. ■ to send round the link to the proposed plan.
	ELC to send link, the proposed plan will be taken into consideration during the assessment.
6.0	Discussion was had about the existing photography and the suitability of reusing this again.
	<p>■ noted that although the photography does not completely adhere to current SNH guidance that any differences would be unlikely to be visible. ■ also noted that the photography for the original application was well received and it was proposed only to update this where there was a material difference in the baseline that would warrant a new photograph.</p> <p>SNH noted that they could possibly rely on the old photography but a more detailed review would be required. This would be submitted as part of their scoping opinion.</p>
7.0	SNH and MS noted that they will have a discussion regarding the cumulative scenario to ensure that advice to other developers is consistent with that provided to ICOL.
	SNH and MS noted that these discussions would be held internally and decisions would be made and included in their scoping opinion.
8.0	SNH noted that there may be further considerations for sequential visual impacts and this would be included in the scoping opinion
	This information would again be provided in time to form part of the Scoping Opinion.
9.0	ELC asked if any night time visualisations will be carried out.
	<p>SNH noted that an assessment was undertaken for the original development, but no montages produced. If SNH request this in their Scoping Opinion it will be for dusk photography so that the foreground context is apparent from the photographs.</p> <p>■ noted that there is no guidance currently available on how best to produce lighting</p>

	<p>visualisations and if required a coordinated approach to this will be necessary with NNG and Seagreen to ensure that the assessment is consistent between the applications.</p> <p>Currently as per the previous application, there no intention to produce night time montages.</p>
10.0	<p>ELC asked about the possibility of having wire lines from Tantallon Castle, Ravensheugh Sands and Yellow Craig</p>
	<p>ICOL noted that these areas were outside of the 50km study area, and were unlikely to lead to a significant effect. Likewise the VPs assessed last time were provided as a representative range of locations. ICOL agreed to provide these to ELC for illustrative purposes only.</p>
11.0	<p>ELC asked about the possibility of having 'windfarmer' software data</p>
	<p>It was agreed that there would be data control and licensing issues with this and therefore could not be provided. Wirelines (as noted above) will be provided for the 4 additional key locations.</p>
12.0	<p>█ observed that with the change in turbine height it would now likely be possible to make out individual turbines from some onshore locations. █ also noted that the scenario associated with this may mean a more complex relationship cumulatively (including that of onshore sites).</p>
	<p>█ acknowledged this and noted that this will be part of the assessment.</p>
13.0	<p>Kincardine Offshore Windfarm may need to be taken into consideration during the cumulative assessment</p>
	<p>ICOL noted that this will be considered.</p> <p>SNH noted that a view point from Stonehaven may be a possible cumulative VP for assessment and suggested reviewing the Kindcardine Offshore Windfarm EIA for the viewpoint locations used</p>
14.0	<p>SNH asked the question as to whether there was any merit in updating the FTOWDG design sensitivity analysis given the proposed change in turbine numbers, spacing and height.</p>
	<p>█ noted that we would look into this, as █ wasn't involved in the original. Further information to be provided.</p>
15.0	<p>Marine Scotland noted that consultation responses should focus on the questions within the Scoping Report, with additional information as required to be provided also</p>
16.0	<p>SNH noted that their response to the suitability of the 50km study area would not be provided to form minutes of the meeting but would be provided in the Scoping Opinion.</p>

--	--

[Redacted]

From: [Redacted] redrockpower.co.uk>
Sent: 07 June 2017 15:01
To: [Redacted]

Subject: Inch Cape: SLVIA Scoping meeting minutes
Attachments: INC1-EC-NEW-070-RNE-MOM-003 SLVIA Scoping Meeting 22 May 2017 Minutes.docx

Hi all,

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If you are able to provide any comments by 14th June please.

[Redacted] - apologises we've not been in touch, but we plan on sending through the additional information that was discussed at the meeting though in the next couple of days.

Please let me know if there are any queries.

Many thanks

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[Redacted]

From: [Redacted] redrockpower.co.uk>
Sent: 08 June 2017 15:06
To: [Redacted]

Cc: [Redacted]
Subject: Inch Cape: SLVIA further information
Attachments: ICOL_SLVIA_Study_Area_Note.pdf; Wires and ZTV for ELC.zip

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[Redacted]

From: [Redacted]
Sent: 12 June 2017 11:53
To: [Redacted] @redrockpower.co.uk
Cc: [Redacted]
Subject: RE: Inch Cape: SLVIA further information

[Redacted]

Thanks for sending the wirelines through.

It remains East Lothian Council's view as expressed to Marine Scotland in our response to Scoping, that these wirelines should be included within the Environment Statement along with the others noted in our response to Scoping. The viewpoint from North Berwick Law in our view should be submitted in the photographic format described in SNH guidance on visual representation of windfarms. The other views noted in our response we consider to be acceptable as wirelines.

These comments only concern the SLVIA and not cultural heritage which needs to be considered separately.

Regards,

[Redacted]

[Redacted]

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[Redacted]

From: [Redacted] @redrockpower.co.uk>
Sent: 13 June 2017 10:18
To: [Redacted]
Cc: [Redacted]
Subject: RE: Inch Cape: SLVIA further information

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HADDINGTON
EH41 3HA

[Redacted]

Web: www.eastlothian.gov.uk/ldp

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Sent: 08 June 2017 15:06

To: [Redacted]

Cc: [Redacted]

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Cc: [Redacted]
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Cc: [Redacted]
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[Redacted]

From: [Redacted] @redrockpower.co.uk>
Sent: 15 June 2017 09:15
To: [Redacted]
Cc: [Redacted]
Subject: RE: Inch Cape: SLVIA further information

Good morning [Redacted]

Thank you for your email.

We do understand the sensitivity of North Berwick Law in terms of being a popular summit hill walk providing panoramic views, and in consultation with SLR, we agree that it will be included as a specific viewpoint within the assessment for the Revised Development.

In terms of the East Lothian coastline and the wirelines that were produced for our meeting, we are pleased that you also find them useful in showing the limited impacts that would occur and we agree to include them as illustrative wireline viewpoints within an appendix to the ES, which would be referenced in the main document with a summary assessment.

We would like to clarify that we still propose to retain the 50km study area as whilst we are prepared to include a full assessment of North Berwick Law as a specific viewpoint we do not consider that this view is representative of effects on the wider coastline where significant effects are very unlikely due to lower lying land and curvature of the earth.

We hope that you find the above approach acceptable.

Kind regards,

[Redacted]

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[Redacted]

From: [Redacted]
Sent: 20 June 2017 15:50
To: [Redacted]
Cc: [Redacted]

Subject: RE: Inch Cape: SLVIA further information

[Redacted]

Thank you for agreement on including North Berwick Law as a viewpoint, and the addition of the wireframes as an appendix. I think this is a good approach given both the wide area that is potentially affected and the desirability of keeping assessment focussed, and we appreciate that. Would it be possible to request the preparation of one further wireframe, and if helpful its inclusion in the ES appendix? The viewpoints we suggested for wireframes were proposed to inform understanding of the interaction of the proposal with the seascape, of which the distinctive islands of the Forth are an important feature. Since the meeting (and submitting our Scoping Response) we have given this some further consideration, in particular as regards the proposal in relation to the Forth islands. There are several viewpoints where we thought it might be useful to have further wirelines, however there is one general view in particular which we do not consider is properly covered by those we previously requested. This is the view towards the Bass Rock from approximately 358200, 685137. This point on the A198 has a good view towards the Bass from the cliff top, which is likely to be similar to those obtained from North Berwick Golf course and the coast road/cliff top generally. We think this would be sufficiently different from the others previously requested as it has the Bass Rock on the horizon, rather than framed by the sea as in the view from North Berwick Law, and also (we think) would have the island and the proposal viewed together. This road was one of the most frequently mentioned places in our recent consultation on Special Landscape Areas as having good views, and is promoted by East Lothian Council as 'Scotlands Golf Coast Road'.

As regards the study area for landscape and visual impacts of this proposal alone (i.e. not cumulative impacts) consider as stated in our Scoping Response to Marine Scotland that this should extend to 60km. For East Lothian, a very small part of the area with open sea views in the general direction of Inchcape is caught within the 50km study area proposed. The ZTV up to 80km supplied shows that there is considerable theoretical visibility within East Lothian in areas between 50 and 60km where a sea view is part of the character of the area, including some of the most strongly coastal areas of East Lothian with views towards the proposal. Although Inch Cape is at some distance which undoubtedly reduces its presence in the view, it nonetheless has a potential to become an element within such sea views, which is a change to baseline conditions.

Regards,

[Redacted]

[Redacted]
Planner (Monday – Thursday)
Planning Service
Development
East Lothian Council
John Muir House
HADDINGTON
EH41 3HA

[Redacted]

Web: www.eastlothian.gov.uk/ldp

From: [Redacted] redrockpower.co.uk
Sent: 15 June 2017 09:15
To: [Redacted]
Cc: [Redacted]

Subject: RE: Inch Cape: SLVIA further information

Good morning [Redacted]

Thank you for your email.

We do understand the sensitivity of North Berwick Law in terms of being a popular summit hill walk providing panoramic views, and in consultation with SLR, we agree that it will be included as a specific viewpoint within the assessment for the Revised Development.

In terms of the East Lothian coastline and the wirelines that were produced for our meeting, we are pleased that you also find them useful in showing the limited impacts that would occur and we agree to include them as illustrative wireline viewpoints within an appendix to the ES, which would be referenced in the main document with a summary assessment.

We would like to clarify that we still propose to retain the 50km study area as whilst we are prepared to include a full assessment of North Berwick Law as a specific viewpoint we do not consider that this view is representative of effects on the wider coastline where significant effects are very unlikely due to lower lying land and curvature of the earth.

We hope that you find the above approach acceptable.

Kind regards,

[Redacted]

From: [Redacted]
Sent: 14 June 2017 11:53
To: [Redacted]
Cc: [Redacted]

Subject: RE: Inch Cape: SLVIA further information

[Redacted]

We consider the sensitivity of North Berwick Law to be 'High' as it involves 'people engaged in outdoor recreation'; this is a well used and popular recreational asset, with a viewpoint indicator at the top. We consider the Magnitude of Impact may be moderate, in that it is potentially a partial loss or alteration of one or more key elements/features of baseline conditions, in this case the sea view/horizon. Using your matrix on page 41, this would represent a Major/moderate impact which is significant. We therefore request a full assessment and photomontages for the viewpoints both at Dunbar (which has the potential to be significant on its own due both to recreational and residential use) and North Berwick Law – due to its high sensitivity as noted above.

It is our view that the impact on the landscape and seascape as a whole has the potential to be significant, and the purpose of the ES is to understand the nature of this impact. This could include the impact of the development on views from East Lothian overall, even though not all of these views might alone and in themselves be significant. We consider that the additional wireframes would allow wider public understanding of the impact (or lack of) on views from the beaches and attractions in East Lothian, and would therefore aid their participation in decision making. We are not requesting photographs from these viewpoints but that the wireframes already produced be included.

To allow for a focussed and proportionate study however we have not requested that full analysis be done from each of these additional wireframe viewpoints, nor the provision of the amount of photomontage material suggested by SNH in their guidance on visual representation of windfarms.

Regards,

[Redacted]

Planner (Monday – Thursday)

Planning Service

Development

East Lothian Council

John Muir House

HADDINGTON

EH41 3HA

[Redacted]

Web: www.eastlothian.gov.uk/ldp

From: [Redacted]

redrockpower.co.uk

Sent: 13 June 2017 10:18

To: [Redacted]

Cc: [Redacted]

Subject: RE: Inch Cape: SLVIA further information

Thanks for this [Redacted]

It remains our position that we feel that impacts from these viewpoints are not likely to lead to significant effects- especially from Yellow Craig, Ravensheugh Sands and Tantallon. As noted within the scoping report, scoping meeting, and subsequent note, our approach will be to follow EIA guidance and focus the EIA on those impacts that are likely to lead to a significant effect. The feedback received throughout the scoping meetings was that consultees were very supportive of this approach.

As discussed at the meeting, the VP's have been selected to provide a representative overview of the potential impacts, if we were to include 5 viewpoints in East Lothian at c. 50km from the nearest likely proposed turbine we don't believe this would materially add to the assessment. We feel that the viewpoint from Dunbar adequately provides a representative view for East Lothian at such distances.

We feel that the additional wires and justification note produced for ELC, provided sufficient information to demonstrate that impacts from these viewpoints are not likely to lead to significant effect and therefore we maintain that they should not be included within the EIA .

Kind regards,

[Redacted]

From: [Redacted]

Sent: 12 June 2017 11:53

To: [Redacted]

Cc: [Redacted]

Subject: RE: Inch Cape: SLVIA further information

[Redacted]

Thanks for sending the wirelines through.

It remains East Lothian Council's view as expressed to Marine Scotland in our response to Scoping, that these wirelines should be included within the Environment Statement along with the others noted in our response to Scoping. The viewpoint from North Berwick Law in our view should be submitted in the photographic format described in SNH guidance on visual representation of windfarms. The other views noted in our response we consider to be acceptable as wirelines.

These comments only concern the SLVIA and not cultural heritage which needs to be considered separately.

Regards,

[Redacted]

[Redacted]

Planner (Monday – Thursday)

Planning Service

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[Redacted]

Web: www.eastlothian.gov.uk/ldp

From: [Redacted]

redrockpower.co.uk

Sent: 08 June 2017 15:06

To: [Redacted]

Cc: [Redacted]

Subject: Inch Cape: SLVIA further information

Hi all,

I've now received ELC's comments on the minutes to the SLVIA meeting, I'll wait to hear back from SNH before addressing these and reissuing an updated version.

As discussed at the meeting ICOL were to provide ELC with additional wirelines from other viewpoints in East Lothian as well as a ZTV that goes beyond the 50km study area, apologises these have taken longer to distribute than anticipated but I have now attached these.

Accompanying these wires and ZTV is an additional note which expands on the information produced in the Scoping Report. This information is in relation the proposed Study Area for SLVIA. As can be seen from this note, ICOL are still proposing that a 50km study area remains sufficient and proportionate to assess the potential significant effects from the Revised Development.

We hope that this information is clear and helps inform any responses to the proposed study area, should you require any additional information please let me know.

Kind regards,

[Redacted]

From: [Redacted]
Sent: 07 June 2017 15:00
To: [Redacted]

Subject: Inch Cape: SLVIA Scoping meeting minutes

Hi all,

Please find attached the SLVIA minutes from the meeting on 22nd May 2017, if you have any comments please amend using track changes and comment boxes please.

If you are able to provide any comments by 14th June please.

[Redacted] - apologises we've not been in touch, but we plan on sending through the additional information that was discussed at the meeting though in the next couple of days.

Please let me know if there are any queries.

Many thanks

[Redacted]

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[Redacted]

From: [Redacted]
Sent: 18 July 2017 17:54
To: [Redacted]
Cc: [Redacted]
Subject: Onshore and Offshore windfarms - consenting arrangements
Attachments: Briefing Paper and agenda.docx
Categories: Inch Cape

[Routed via PSN Network]

All,

I refer to the meeting arranged for this Thursday in our offices on the above. There has been a request to change the time of the meeting to 11 am, and expect the meeting time to be confirmed by [Redacted] tomorrow.

I attach a draft agenda, and a draft briefing note which outlines some of our concerns about the consenting process. I have prepared this with the aim of encouraging rather than limiting discussion of the issues, and if there are any other topics or issues you would like to cover please do raise them at the meeting.

If you haven't been here before, the location of our offices and car parking is available to download from this link: http://www.eastlothian.gov.uk/downloads/file/1434/haddington_office_location_and_directions . Please go John Muir House Main Reception, which is on Brewery Park, Haddington, EH41 3HA. There you will be signed in and can obtain a permit for the car park if you need one.

I look forward to seeing you on Thursday.

Regards,

[Redacted]
Planner (Monday – Thursday)
Planning Service
Development
East Lothian Council
John Muir House
HADDINGTON
EH41 3HA

[Redacted]

Web: www.eastlothian.gov.uk/ldp

[Redacted]

From: [Redacted]
Sent: 20 July 2017 18:24
To: [Redacted]

Subject: Inch Cape Onshore Transmission Works: Request for Scoping Opinion
Attachments: Inch Cape OnTW Scoping Request Letter 13.07.17.pdf; Inch Cape Onshore Scoping Report 13.07.17.pdf

Dear All,

Scoping Opinion under Regulation 17(1) of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017

Please reply directly to me and copy in the team inbox policy&projects@eastlothian.gov.uk

Inch Cape Offshore Limited (ICOL) have submitted a request for a Scoping Opinion from East Lothian Council under the above regulations, for Onshore Transmission Works. ICOL state they intend to apply to this Council for planning permission in principle for a substation, electricity cables and associated infrastructure to connect their proposed offshore windfarm to the national grid. The proposed application site lies to the east of Preston Links, and consists of a partially restored brownfield site previously used for Cockenzie Power Station. Consent was previously granted for onshore transmission works on a different site, subject of planning application reference 14/00456/PPM. Consent has previously been granted consent for an offshore windfarm at Inchcape, which is currently subject to legal challenge. ICOL have also asked Marine Scotland to provide a Scoping Opinion for a different offshore scheme. Further information on this is available on Marine Scotland's website at <http://www.gov.scot/Topics/marine/Licensing/marine/scoping>

Please could you therefore give me any comments you have on the Scoping Report (attached), including any matters which should be addressed in the Environment Report related to your area of interest. The purpose of Scoping is to identify and focus attention on the significant environmental impacts of the proposed works. Other matters can be mentioned to show that they have been considered. Any likely requirements for mitigation should also be identified at this stage where possible. If you have preferred methodology which the applicant should use, this should be included with your comment. If you hold any information which could be relevant to the assessment of this proposal, an indication of what this is and how it can be obtained should be included with your comments.

Note, it has previously been this Council's view that the on-shore transmission and substation works at Cockenzie constitute an integral part of the project which includes both offshore and onshore works. However, the applicant has previously requested a Scoping Opinion for the offshore works from Marine Scotland, and impacts of that aspect of the works will be identified through that process. Please therefore focus your comments on the onshore aspect of the works as described in the Scoping Report.

If you require more information from the applicant in order to make your comments, the regulations provide for 21 days in which this can be requested. If you do require such further information it is important that you inform me so that I can request this before **1 August 2017**.

Please send me any comments you have by **9 August 2017**. If you would like to respond but cannot do so in the time available, contact me as soon as possible so that I can request an extension of time from the applicant, however note that there are statutory timescales for the production of a Scoping Opinion and it may therefore not be possible to agree extra time. If you wish a hard copy of the Scoping Report, for those of you within East Lothian Council, they are available from the Planning Service Room; for those outwith the Council, please contact:

[Redacted]
Onshore Environment and Consents Manager
5th floor, 40 Princes Street
Edinburgh EH2 2BY
United Kingdom
[Redacted]

If you have no comments I would appreciate it if you could send a 'nil return',

Regards,

[Redacted]
Planner (Monday – Thursday)
Planning Service
Development
East Lothian Council
John Muir House
HADDINGTON
EH41 3HA

[Redacted]

Web: www.eastlothian.gov.uk/ldp

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