

East Lammermuir Community Council (ELCC) OBJECTS to this Planning Application. (Berwick Bank Wind Farm (BBWF) Onshore ref 23/00162/PPM & Offshore Ref 22/00005/SGC )

Whilst ELCC is supportive of the aims of Scottish Government and East Lothian Council in pursuing the renewable energy agenda, we cannot at this stage provide any level of support to this project. We do not object to the principle, but must urge a pause in the processing of this application and overall development. This request is primarily, but not exclusively, founded on concern as to the now certain temporal overlap and resultant combined impact of this and other major schemes already in train for this small rural community, coupled with major concern as to the policing of these schemes over such a large area once construction is underway.

This objection is made on six primary grounds, viz;

1. Size and scale of proposed buildings – associated visual impact and noise.
2. The absence of any cumulative impact assessments – taking into account the consented Eastern Link developments, proposed Branxton Battery Storage, proposed North Belton Battery Storage, proposed Crystal Rig IV windfarm and associated solar farm, final phase of Landfill operations at Oxwellmains, and eventual de-fuelling of Torness Power Station – cumulative assessments are needed of environmental, transport, and health impacts.
3. The strongly-held conviction amongst local residents that the construction phase of the work will have significant negative impacts on our amenity through danger to life, noise, vibration, dust, damage to private property, health and wellbeing.
4. Absence of any requirement on developers to work with other developers active in East Lammermuir at the same time.
5. Absence of joined-up engagement with local community – this effectively began on 25 April 2023 and is not in any way complete.
6. Unexamined opportunities to leave a positive legacy for the local community – some emerging ideas are set out below.

### **Further detail on grounds for objection**

#### **1. Sheer scale of development**

Firstly, it needs to be said that this proposal covers a huge geographic area - in footprint, significantly larger than the closest village Innerwick. The significant visual impact and unknown noise levels, potential danger of explosion or attack, are all mentioned numerous times by very local residents who will be directly affected.

The visual appearance of planned infrastructure is not in keeping with the neighbourhood. Inadequate efforts have been made to negate the impact in fields and on the coast.

Ongoing noise when plant and infrastructure become operational is a major concern affecting a number of households.

The sheer scale of this development inevitably affects different corners of the community in different ways. Details have been sketchy and there is, as far as we can glean from the developer, a significant level of optioneering still to do.

This has serious & permanent implications. For example: the Developer has proposed to submit noise & vibration characteristics of the HVDC Converter/Substation pre-Commissioning which is crucially post-consent. Whilst we understand that 21st Century Construction is largely procured on a Design & Build basis, if this proposition is accepted then there is no incentive for the Developer to offer the best solution for the Community as by this time, the development will be largely built. The Council can hardly then tell the Developer to take it all down & vacate the area! The Developer must surely therefore be obliged to submit a specification for the HVDC Converter/Substation (for each option as both are still possible, as is our understanding) with levels of Noise & Vibration. The Council can then seek expert opinion as to the level of noise/vibration before determining the Planning application.

## 2. Cumulative impact assessments - missing

The planned construction lies solely within the bounds of ELCC and we are therefore extremely well placed to comment on the impact of this project upon our community.

ELCC convened the first ever session involving all developers currently proposing to work in East Lammermuir on 25 April 2023. Attended by approximately 70 local people, this has provided the first opportunity for the community council to understand the concerns of local people, and to gather information about possibilities for improvement associated with the proposed developments. This evidence can be presented at an appropriate time.

Whilst ELCC is clear that the local community is hugely supportive of the aims of Scottish Government in pursuing the renewable energy agenda, we cannot at this stage support this project or the others coming forward.

There is significant dissatisfaction with the way the details surrounding this project have been communicated to residents.

We understand that the East Lothian Council Planning Committee can only comment on this current project but we (ELCC) must take account of past, present and future applications that all contribute to the modernisation of Scotland's electricity infrastructure. It is at best naïve to consider these separately and is doing an injustice to coherent planning and delivery. Most importantly, it risks ignoring the cumulative impact on local people whom the community council seeks to represent. East Lothian Council has adopted a focus on place in its approach to development.

That must lead to a consideration of the various proposed developments in the round, rather than relying on an antiquated planning consent system that looks at one development in isolation from all others.

### 3. Construction phase and associated risks

It is clear that the single biggest concern for local people right now is the traffic management required to safely service works such as those proposed. Recent local experience indicates that East Lothian Council has not been able to devise, agree or enforce appropriate traffic management for the NnG connection to the national grid at Crystal Rig.

Many residents affected by that work, and others closer to the present proposal, have submitted written concerns about hugely increased levels of traffic on wholly unsuitable roads and the challenges of managing that.

Traffic using local roads will increase beyond anything that has gone previously. Not only from construction traffic, and workers coming to the construction sites, but from inevitable road closures that will cause rat runs and unacceptable risk.

The local roads are largely “unclassified” and “Single Track”. On the vast majority of local roads two family cars can barely pass. Increased numbers and sizes of vehicles will cause dangerous situations to arise. This has not been addressed.

Suggested “road geometry” improvements are planned to facilitate access for construction traffic but these will be temporary and of low grade construction leading to ongoing maintenance, safety and usability issues.

No recognition has been given to the (infrequent) closure of the A1 due to maintenance, or accidents. This is local knowledge not used by the developer. Whilst the frequency of this may be low, the impact is enormous, and potentially life safety critical, with all northbound and southbound A1 traffic taking to the previously mentioned back roads.

To give a relevant example, which highlights a disconnect between local & national road transport infrastructure operation: During 2021-22, Contractors working for BT Open Reach obtained permits from East Lothian Council for local road closures in the Innerwick area as were required for installation of fibre optic broadband cables. During July, the Network Operator for the A1 were also carrying out maintenance which necessitated sections of the A1 between Cockburnspath roundabout & the Innerwick junction to be closed. These two closures coincided to the effect that from 18:30hrs until 06:30hrs on a number of nights, Innerwick was cut off to the North-West i.e. from Dunbar & beyond. Emergency Services would therefore not have been able to reach the Innerwick community for the duration of these overnight closures. When this fact was pointed out to the Roads department of East Lothian Council, hurried phone calls and emails were exchanged between Transport Scotland’s Network Operator & East Lothian Council. The potential consequences, had this disconnect not been spotted by one of our Community do not require spelling out.

East Lothian Council, Police Scotland and BEAR Scotland need to work together on this issue. It is not clear that BEAR Scotland or the Police have commented on the cumulative impact of the proposed work or works.

The proposal as planned will have significant impact on locals' access to the countryside. Staging and phasing of the project is unclear, and consequently how it overlaps with other concurrent projects currently in planning. Again, the scale of this (and other) development(s) is a factor.

Noise and dust from extensive and prolonged open trench cabling activity will affect many households. Equally vibration from trenchless working. The suggestion that 24-hour working should be permitted for the whole programme is clearly unacceptable.

Significant loss of daylight during construction activity (due primarily but not exclusively to temporary soil stockpiles) robbing certain dwellings of not only views, but more significantly, light.

#### 4. No requirement on developers to work together

The scale of the present development, and others planned for the next few years, mean that this development of national infrastructure is set to have a devastating impact on a small (in numbers) local population.

Have East Lothian Council, and/or Scottish Government, investigated their powers to require the developers to collaborate? If no such powers exist, what can all affected bodies do to create the conditions whereby the developers will collaborate?

We note with no pleasure that several of the developers (including SPEN and EDF) are currently objecting to the SSE application for compulsory purchase associated with the present proposal. This suggests developers in competition rather than collaboration. Where does the local community voice get heard in such circumstances, and in the inevitable 'turf war' that appears to be developing already?? During discussions with many bodies & political representatives at various levels, we have been told that "*of course Developers will be required to work together*" but we can see no clear, publicly transparent mechanism via which this can be put in place and enforced. We are certain that we need a means of enforcing collaboration, and that in the present circumstance a voluntary arrangement – whilst welcome – will prove insufficient.

#### 5. No requirement for meaningful engagement

Building on point 4, many local people now have experience of attending local engagement events, usually held in Innerwick Village Hall, and asking questions about associated developments to be told "that is someone else's responsibility".

Whose responsibility is it to make sure that there is a coherent plan for all proposed developments – and that plan is shared with the local population in a way that they can genuinely influence – and then the community is appropriately engaged during construction?

Is there no provision for this in national planning guidance – if such does exist, how is it being implemented locally in East Lammermuir?

## 6. Positive legacy opportunities not considered

NPF4 gives greater protection for greenspace, habitat and biodiversity in the interests of challenging climate change. It requires significant mitigation and offsetting activities from all new major developments. Where are these proposals set out in the application?

Local people clearly support these aims, and seek help in making East Lammermuir a safer, healthier place to live.

We need infrastructure that will enable and support active travel – including safe crossing points on the 8 mile stretch of the A1 that passes through East Lammermuir, effectively creating a barrier between most dwellings and the coast.

We need a local environmental forum, with dedicated support to reverse the de-wilding of the lowlands and uplands we live in.

We need zero-carbon properties to live in, demonstrating how Scotland can reduce our dependency on electricity and generate more of what is needed “at home”.

We need an effectively resourced network of local groups to take advantage of the potential community benefits that developers could so easily bring to East Lammermuir, with the right attitude and links to local skills and desires.

## **So what will help?**

East Lammermuir Community Council hopes to support future versions of this and associated proposals for renewable energy infrastructure. The following features will help us to do that;

- Cumulative Environmental Impact Assessments for all currently known proposed developments.
- Cumulative Traffic Impact Assessments for all currently known proposed developments.
- Cumulative Health Equality Impact Assessments for all currently known proposed developments.

- A signed, legally binding contract setting out how developers will collaborate in doing their work well in East Lammermuir. Such legal obligations are of course meaningless without a clearly visible mechanism whereby such obligations can and will be enforced.
- A signed, legally binding contract setting out how effective and meaningful engagement about each and every project, taking into account local knowledge, experience and aspiration will be done.
- A meaningful community sign-off for all Traffic Management Plans coupled with regular updating of same, and effective communication of such updates and any amendments to the Community.
- A meaningful community sign-off for all Construction Environmental Management Plans
- Safety review and re-design as necessary for all A1 junctions in East Lammermuir
- Haul roads for all traffic to all developments – avoiding the use of local roads altogether.
- Consideration of retaining haul roads post-construction as active travel paths for walking, wheeling and cycling.
- Active travel targets for all construction contractors whilst on site reflecting Scottish Government targets for % of journeys on foot, bicycles, and in electric vehicles.
- Scottish Government Guidance on Community Benefits for offshore wind generation, and clear commitment to implement these where appropriate.

Planning conditions requiring all of the above associated with any planning consent, and a clear commitment to enforce them.

The community therefore urgently calls for a **pause in consenting** Planning Approval until further information and collaboration over that already provided by the developer is prepared.

ELCC is happy to co-facilitate this with developers and East Lothian Council, and Scottish Government as appropriate, to ensure timely progress of the project.