

Planning Permission in Principle application 23/00616/PM by SPEN (concerning the new substation at Branxton & associated temporary haul road)

## Comments from East Lammermuir Community Council November 2023

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 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 substation is the key to all of the other developments, none of them can proceed as planned if the substation is not built. This request is primarily, but not exclusively, founded on concern as to the evident combined impact of this and perhaps 7 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 nine primary grounds, viz;

- 1. Secrecy of decision about site**
- 2. Cumulative impact**
- 3. Loss of amenity**
- 4. Visual impact**
- 5. Evidence that community will not be involved appropriately**
- 6. Failure to minimise carbon impact – heat**
- 7. Environmental impacts – inevitable loss of Biodiversity**
- 8. Insufficient geological investigation of proposed site**
- 9. Safety of traffic movements**

More detail is provided below on each of these grounds for objection.

### **1. Secrecy of decision about site**

There was no meaningful public consultation regarding the chosen site. Ofgem held a short consultation, advertised only on its own website, in March 2022 with a provisional decision in April 2022 to approve the construction of a substation at Branxton. The site selection process was therefore concluded at this point, before this planning process opened.

At a public meeting on 23 October 2023 in Innerwick Village Hall, the SPEN representative told the 25 local people present that “Branxton was not our preferred site”.

At a public meeting held 10 November 2023, the current Site Director at Torness Power Station told the public that “only SSE has approached Torness to discuss development on our (EDF-owned) land at Torness” Suggesting that SPEN did not discuss a coastal, seaward-side of mainline railway and A1 Trunk Road site for the substation – which would arguably have significantly reduced disruption for local people and the environment.

NPF4 demands effective public engagement in planning decisions.

**ELCC object to this proposal on the grounds that NPF4 has not been followed in the site selection process.**

## **2. Cumulative impact**

Once a substation with 21 connection ports is built, there is an inevitability of further proposals to connect to the national grid at that site. The Grid Connections Register shows agreed contracted dates for connection for four battery storage energy systems at Branxton, [East Coast Grid Services Branxton Energy Storage Facility; Gresham House Branxton BESS; Branxton PV & BESS; Lawfield & Branxton Energy Park]; and the Aikengall BESS is near enough to have relevance. None of these last four are assessed in the current documents.

At the same time, Permanent Works Plan Part 11 (n) shows four ducts beneath the road and railway in the small compounds between Station House and Thornfield, apparently for undetermined future use. What is actually being assessed here – if future proofing, surely we need to do it properly.

We have been told that the real purpose of the proposal is to facilitate the onshoring of Berwick Bank Windfarm power, and taking it off again via the Eastern Link 1. Separating out the substation and applying for planning permission in advance requires that all other parts of this scheme will obtain planning permission in due course. This hinders taking an overall look at all the proposals.

There are clear opportunities to align construction methods and thus reduce environmental damage and local nuisance. How will the planning process ensure this happens?

**ELCC objects to the consideration of this proposal in isolation from the other developments in the same area. There can be no assessment of cumulative impact regarding traffic, noise, pollution, habitats etc. without considering all developments. There can be no safeguarding of environment and biodiversity when separate developers plan their own access routes and construction methods without being forced to collaborate wherever possible.**

## **3. Loss of amenity**

The construction period for the current proposal is some 55 months in duration. This will certainly lead to the collapse of some small local businesses, the deterioration of physical and mental health of local residents due to persistent noise, vibration, visual disturbance, dust, and uncertainty.

In terms of construction working hours, there can be no justification for working outside Monday – Friday except in exceptional circumstances. Any such permissions must include local residents voices.

**ELCC objects, since significant amenity will be lost as a result of the proposals as they are currently written. This is avoidable.**

#### **4. Visual impact – children’s ask for invisibility**

The planning application states that the proposal would have ‘major adverse effects on the landscape’ (Chapter 15, pt.7). A SPEN consultation leaflet advertising sessions held in January and February 2023 features a drawing of the finished development, perhaps primarily reminiscent of a military-industrial installation amongst some beautiful green fields and woodlands. East Lammermuir Community Council consulted with all the children in local schools at Innerwick and Stenton during September. There was a strong call for any new electricity infrastructure buildings to be “invisible” once complete. Whilst the external structures required for the current design may be difficult to hide, there appears to be no attempt to “green” the buildings themselves with for example sedum roof covering.

**ELCC objects on behalf of local children (and adults) who wish to see greater effort made to camouflage or green the proposed buildings. The current visual impact is not acceptable and obviously totally out of character with the area as it stands.**

#### **5. Evidence that community will not be involved appropriately**

ELCC conducted a survey of East Lammermuir residents in September and October 2023. We asked how well they felt they were being informed and listened to about the proposed electricity developments in the area. Just 16% of respondents said well or very well.

Since the secret selection of the Branxton site, SPEN have established a mixed record in relation to talking to and listening to the community. There has been some excellent practice, with open and transparent sharing of information to help local people to assess what is proposed. There have been other examples where the SPEN representatives have not known what colleagues have shared, or (worse) denied such information.

The group of companies seeking to develop electricity infrastructure in East Lammermuir have proposed that a Charter be developed setting out ways of working. Local residents and the community council support this approach, which should be founded on the principle that “we will leave this area better than when we arrived”. It will embed a collaborative approach with the intention to maximise environmental sustainability and minimise impact on people and nature.

No development should be permitted until the chief executive of the relevant transmission or development company has signed up to proposed charter.

One consequence of this will be a clear reliable mechanism by which community voices can be effectively included in all CTMP design and decisions – prevent problems – respond to issues.

Equally, developers will have to involve the community in any decisions to change proposed construction process eg crushing, blasting.

Taking a specific example, the SPEN traffic documentation at Appendix 4.2. (Schedule of mitigation) says that SPEN will agree an "appropriate way of working with ELC. . .Transport Scotland. . . . the Police as appropriate". That may be the traditional way of working but it will not be sufficient in East Lammermuir. The community must have a voice.

**ELCC objects to the proposal at present, because a Charter was proposed in June 2023, but has not yet been finalised and signed.**

## **6. Heat**

NPF4 demands that environmental sustainability and reduction of carbon emissions be put at the heart of new developments in Scotland. Clearly, the generation and dispersal of heat into the air is no longer an acceptable way of working. Yet the current proposals make no mention of capturing the significant amount of heat that the substation will undoubtedly generate. Therefore there is no mention of the possible use this heat could be put to.

This is entirely out of step with East Lothian Council's Heat and Energy Efficiency Strategy.

**ELCC therefore objects to the proposal and demands a planning condition requiring the capture and provision of heat from the development - plus community ownership of heat captured.**

## **7. Inevitable reduction in Biodiversity**

The EIAR talks about Biodiversity no net loss but this is a greenfield site abutting an important deep glen at Thornton Burn. A desk-based biodiversity gain calculation based on destroying a natural habitat and offsetting it with some new planting is not valid. The application requires a new bridge to span the Thornton Glen to carry the Eastern Link cable. This will require the felling of an area of woodland (including ancient oak trees) right next to the proposed Branxton site.

**ELCC objects to the proposal as the requirement to demonstrate no net loss in biodiversity is not met.**

## **8. Poor geological investigation**

Local expertise suggests that the geological assessment of the ground at Branxton is flawed. There is a strong likelihood that thick layers of red sandstone of Devonian age lie immediately beneath the existing fields. If this proves to be the case, very significant blasting operations will be required to remove the stone – causing further loss of amenity for local residents. The removal of such ancient stone is in turn highly likely to significantly disrupt water flows, in unpredictable ways - and so potentially permanently damage the quality of the water in the Thornton Burn.

**To conclude, the site is not sufficiently geologically investigated to judge its suitability for such a large construction project and to make it possible to predict its hydrogeological impact. This should be rectified before a considered decision about the appropriateness of the site can be made.**

## **9. Traffic safety**

ELCC has a long history of concern about the safety of traffic at A1 junctions in East Lammermuir. The present documents are woefully inconsistent in this regard, not even consistent about construction traffic turning off and onto A1 as a bare minimum.

The likelihood that other proposed developments will also be seeking to use the A1 and its junctions at the same time as the present proposal only magnifies these dangers.

**ELCC objects to the proposal as we require a master plan, taking account of this and all associated developments, to review access to and egress from the A1 between Cockburnspath roundabout and Spott Road roundabout.**

## **Conclusion**

**East Lammermuir Community Council has listened to local people's views and drawn together a list of reasons to object to the current proposal.**

**We urge the Planning Committee to mitigate all of these concerns with strong planning conditions – and if that is not possible, to refuse consent for the application in its current form until a better proposal can be agreed.**