

Leithenwater Wind Energy Hub

Dear Councillor,

We are writing to you about our Section 36 application for the Leithenwater Wind Energy Hub ("Leithenwater") that we submitted to the Scottish Government Energy Consents Unit (ECU) in April 2024, reference number ECU00004619, and that we understand will be considered in your Planning Committee on the 5th October. Ahead of the committee, we wish to highlight a number of points about Leithenwater for your consideration.

Community Support

- The Host Community Council, Peebles and District and the neighbouring Community Councils of Innerleithen and District and Eddleston and District have all already written in **letters of support** to the ECU for Leithenwater. It is noted that there has only been a single formal representation of objection from a member of the public registered with the ECU.

Landscape and Visual Impacts

- A key reason for the Leithenwater development being progressed by the applicant was because the location was within one of only a few areas identified in Scottish Borders' current **Renewable Energy Supplementary Planning Guidance (SPG)**¹ as having capacity for new wind developments at tip heights over 120m that was not already developed or within a local Special Landscape area designation. We have engaged with this and wider planning policies and guidance in good faith.
- NatureScot, the national body for National Scenic Areas, have **not objected** to the proposed Leithenwater development in relation to landscape and visual impacts. They were very clear that the Upper Tweeddale NSA would not be compromised by Leithenwater.
- Comparison between Leithenwater, at up to 200m tip heights, and Bowbeat, at 80m tip heights, is made in the Officer's report. This is inappropriate because Bowbeat will be decommissioned before or around the time that Leithenwater becomes operational. Further to this, the Onshore Wind Policy Statement is categorical that "Meeting the ambition of a minimum installed capacity of 20 GW of onshore wind in Scotland by 2030 will require taller and more efficient turbines. **This will change the landscape.**"²

Golden Eagles

- The applicant has worked closely with NatureScot utilising satellite tag data provided by Rural Upland Nature (RUN – formerly the South of Scotland Golden Eagle Project) in order to assess the potential impact of the development on golden eagles in the vicinity.
- NatureScot have formally confirmed that '...golden eagle are unlikely to be significantly affected by this proposed development...' and have **not objected**.
- No juvenile Golden Eagles have fledged from nests within the vicinity of the development therefore satellite tag data is not available. The applicant received this information directly from RUN which, in turn, informed the SEI. There is also no *evidence* to support the opinion that the main collision risk is likely to be from juveniles where satellite tag data may well not be available.³ To be clear, there is a substantial body of peer reviewed scientific evidence relating to the interaction of Scottish Golden Eagles with wind farms and this, along with field data and satellite tag data from RUN, has informed the assessment. This research

¹ <https://www.scotborders.gov.uk/plans-guidance/renewable-energy-supplementary-guidance>

² <https://www.gov.scot/publications/onshore-wind-policy-statement-2022/>

³ Responses of GPS-Tagged Territorial Golden Eagles *Aquila chrysaetos* to Wind Turbines in Scotland (2023) <https://doi.org/10.3390/d15080917>

demonstrates that juvenile Golden Eagles are no more likely to collide with wind turbines than adult golden eagles and that all age groups tend to avoid wind turbines.

- The assertion in the Officer's report that "golden eagle activity is understood to be higher than shown in the data provided" is conjecture and we have not been made aware of any evidence or information to justify this assertion, with our assessments and surveys being carried out in line with NatureScot guidelines and SEI informed by input directly from RUN. We repeatedly requested feedback from, and provided clarification to, the SBC Biodiversity Officer following submission of SEI but were not informed of these concerns following our clarification. NatureScot have considered the submitted evidence, some provided directly from RUN, and **not objected** to the proposal. We ask that the proposal is also considered by SBC on the basis of the evidence and not unsubstantiated reports.
- Further to this, in paragraphs 16.117 and 16.118, the Biodiversity Officer demonstrates a fundamental misunderstanding of the process that has been used to assess the effects of the Proposed Development on ornithology receptors under the EIA Regulations, and the wider policies underpinning the assessment. This process was set out during Scoping, and again within the EIA Report and the SEI Report. The process is in accordance with the guidelines for ecological impact assessment detailed by the Chartered Institute for Ecology and Environmental Management (CIEEM) and in line with assessment guidance published by NatureScot (referenced within previous reports). Firstly, as the assessment relates to Golden Eagles, effects are assessed in relation to the species' population within a defined spatial unit and not in relation to individuals (juveniles), particularly when there is no evidence of these individuals being present or at greater risk than other individuals in the populations (see above). Secondly, NPF4 Policy 4f sets out the requirements for granting consent for a proposed development when species protected by legislation are present. The application for consent is in full compliance with NPF4 Policy 4f. Thirdly, LDP Policy EP1 relates to protected species, defined as European Protected Species for which European Sites can be designated; in Scotland, these include otter, Atlantic Salmon and bat species but not Golden Eagles. Regardless of this latter point, the legal status of Golden Eagles has been acknowledged and taken into account within the assessment.

Grid Route Assessment

- The applicant has provided a grid route assessment for the proposed Leithenwater development based on the best information available at the time. This grid assessment should be considered in combination with the wind farm application which has demonstrated that it shall not give rise to any further likely significant in-combination effects. This is the critical conclusion – that, despite the **completely unavoidable** uncertainty in the grid route, it is not likely for there to be any further significant effects from the grid connection in-combination with the wind farm. This provides sufficient information for the determining authority, the ECU and Scottish Ministers in this case, to make conclusions. This approach has now been accepted on numerous projects which have proceeded to determination since the Raeshaw ruling.
- As is standard, a separate planning consent will be sought for the grid connection by the grid operator (Scottish Power Energy Networks) in due course to demonstrate suitability and acceptability supported by an Environmental Impact Assessment for the defined route.
- Therefore, the **necessary** absence of information on the grid connection is not considered a fair reason for objection to the Leithenwater development when, as is usual and required under the available planning legislation, the grid connection shall be subject to a separate planning application.

○

Community Commitments

- Belltown has committed to £5,000 per installed MW, index linked, of **Community Benefit Fund (CBF)**, likely to represent **c. £400,000 each year for 40 years** and we have already provided early funding to several projects locally.
- In addition to a CBF, and following discussions over the last 12 months with Peebles, Innerleithen and Eddleston Community Councils – discussions which remain in progress – we are offering **Community Ownership** of Leithenwater in the form of **1% ownership** at no cost and an additional **4% at cost** (i.e. less than market value) which will significantly increase the monies available to be disbursed. Using assumptions from a Biggar Economics analysis, Belltown estimated the 1% stake could be worth approximately **£1,350 per MW per year**. An additional **4% ownership stake available at cost** could contribute roughly **£600 per MW per year**. Combined with the existing **£5,000 per MW per year community benefit fund**, the overall package was estimated at **just under £7,000 per MW per year**.

Summary

Through the EIA process, we have sought to balance the potential of the site to generate renewable electricity against environmental impacts, including the potential to maximise net economic impact and improve the biodiversity within the immediate site area.

We are confident that Leithenwater would deliver tangible benefits for the local communities and the economy of the Scottish Borders. The Host and neighbouring community councils support the project and we believe there is positive momentum and support for progressing it.

We hope that you can support our application when it is considered at committee.

Kind regards,

Ben & The Leithenwater Project Team.