XLCC Hunterston

Planning Statement

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XLCC

Document status

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Prepared by:

RPS

Jim Bailey
Director - Planning

20 Western Avenue
Milton Park
Abingdon, Oxfordshire OX14 4SH

T 01235 821888
E jim.bailey@rpsgroup.com

Prepared for:

XLCC

David Kelly
UK Development Manager

Contents

EXECUTIVE SUMMARY

This Planning Statement (PS) is submitted in support of a Planning Permission in Principle (PPP) application, which is submitted to North Ayrshire Council (NAC) on behalf of XLCC Ltd.

The application is for the erection of a high-quality high voltage cable manufacturing facility, including the construction of a 185m high extrusion tower with associated factories, research and testing laboratories, offices with associated stores, transport, access, parking and landscaping with on-site generation and electrical infrastructure and cable delivery system on a site at Hunterston (the Project).

The application site is a large, flat brownfield site with an area of 50.7 ha, which was previously used as a store for iron ore and coal. The facility will manufacture the cables and transport them via rollers along the existing jetty to awaiting ships, which will transport them to offshore and interconnector projects. The factory plot will be around 28.5 ha.

There is considerable, acknowledged need for the cables on a global scale, which are currently not manufactured in the UK. XLCC is proposing to build 2 factories in the UK to help meet this demand and reduce the UK's reliance on imports.

The site was selected for the Project, because it adjoins a deep seaport with an existing jetty; it is a large brownfield site; it has access to a large, highly skilled workforce; access is available by a range of travel modes; there are relatively few neighbouring properties; good proximity to electrical infrastructure and it is not liable to flooding

Hunterston is mentioned in Scottish Government documents, including the NPF3, where it is considered to be a key location to deliver development in the coming years. In the draft NPF4 it is identified as a National Development, where it is described as a strategic location for the port and energy sectors given its deep-water access and existing infrastructure.

The Project will have an important role to play in helping to meet the UK and Scottish Governments challenging targets for GHG reduction. The Scottish Government has a target of reducing the country to net zero by 2045, while the UK Governments target is 2050. UK production of high-quality high voltage cables will greatly increase the UK's ability to derive energy from offshore wind farms.

The development plan is the LDP2 of NAC, which states that Hunterston is a Strategic Development Area, and a range of developments will be supported on the site, including manufacturing, research and development and renewable energy uses. The Project will deliver on all of these proposals.

Hunterston PARC is owned by Peel Ports. They have produced a Framework document, which was adopted by NAC in December 2021. This proposes 3 key pillars of Port, Industry and Marine for the site. The Project will deliver on all 3 fronts.

It is clear that, in this context, the principle of the Project is well established as the proposed manufacturing use is supported by National Legislation, Policy and Guidance, as well as relevant policy in the development plan.

The size of the proposal, which includes the erection of a 185m high extrusion tower, has meant that an EIA has needed to be undertaken, which has addressed all of the key issues, including: landscape and visual impact, noise and vibration, air quality, traffic and transport, heritage, flooding and drainage, ground conditions and water quality, need and alternatives, socio-economic benefits and climate change.

The EIA found that, in terms of the Projects effect on the landscape, the proposal would be likely to have a significant effect, which could not be mitigated. This is mainly due to the need for a 185m tall extrusion tower, which is an essential part of the cable manufacturing process.

However, the EIA also found that the Project would have significant social, environmental and economic benefits. In particular, the Socio-Economic Assessment identified that the Project would potentially generate around 900 jobs directly and a further 2,700 jobs indirectly in the UK over the 25-year life cycle of the development. In an area of high unemployment and low recent investment, this represents a significant social and economic benefit, which will help to rebuild communities.

The Project will also make good use of a large, unused brownfield site in a location that is well served by multiple transport modes, including rail and sea. Overall, the Project would create jobs and investment in a location that needs them, while helping to combat climate change through the manufacture of high-quality sub-sea cables, to be used by the offshore renewable energy sector.

Consequently, in the planning balance, it is concluded that the significant benefits of the Project will outweigh the dis-benefits and, as such, Planning Permission in Principle should be granted.

1 INTRODUCTION

1.1 Background

1.1.1 This Planning Statement (PS) has been prepared by RPS on behalf of XLCC Limited (XLCC) to accompany a Planning Permission in Principle (PPP) application for the erection of a high-quality high voltage cable manufacturing facility including the construction of an up to 185m high extrusion tower with associated factories, research and testing laboratories, offices with associated stores, transport, access, parking and landscaping with on-site generation and electrical infrastructure and cable delivery system at a site at Hunterston Coal Yard, North Ayrshire (hereafter referred to in this report as the 'Project').

1.1.2 The proposal seeks to build a Manufacturing Facility, which will be situated on a large Brownfield Site of 50.7 hectares that was previously used as a store for iron ore in the 1970's and later for coal. The proposed Facility would manufacture high-quality high voltage cables and transport them via conveyors over a jetty onto cable ships at the deep-water port adjoining the Facility. The factory plot will be approx. 28.5 hectares.

1.1.3 The site is located within the North Ayrshire Council (NAC) policy boundary and is on part of the former Hunterston Coal Yard to the West of Scotland.

1.1.4 This Planning Statement will seek to:

- Describe the Site and its surroundings
- Describe in detail the proposed Project
- Review the planning history of the site
- Review the development plan and other relevant policies
- Provide an assessment of the Development against the context of relevant current planning policy, legislation and other material considerations.

1.2 The Applicant

1.2.1 XLCC was set up in 2020 and is a relatively new entrant to the energy market. It is UK based and is a renewable energy company.

1.2.2 XLCC's mission is to establish a new, export-led, green industry in the UK by producing world class high voltage cables. They seek to provide the connectivity required for renewable power to meet future global energy needs.

1.2.3 The company aims to provide a number of different services to deliver renewable power to the UK to help meet crucial climate goals. These include the production of high-quality high voltage cables, cable laying, cable protection, cable repairs and research and development into renewable energy cable systems.

1.3 Need for the Development

1.3.1 There has been a significant increase in the demand for high voltage cables in recent years and this has resulted in long delays for the delivery of the cables, as production has not increased in line with the increased demand. A report by Goldman Sachs in 2020 estimated that the average subsea annual average cable capacity between 2019-2030 would be only 890km, compared to demand being for up to 3,294km. This in turn has already slowed the pace and scale to which offshore renewable energy projects can be rolled out, which threatens the success of meeting global climate change objectives.

1.3.2 XLCC seeks to address this highly important global issue by producing high-quality high voltage cables in two factories in the UK. The cables will be extremely high quality and

suitable for interconnectors and offshore wind farms. This is important to note, because there have previously been issues with sub-optimum quality high voltage cables and this has resulted in a significant reduction in the renewable energy provided from offshore wind farms, when compared to expected capacity.

1.3.3 Throughout this planning statement it will be demonstrated that there is a strong need for increasing the supply of high voltage cables to aid in meeting the greater need for renewable energy production. The need for the proposed renewable energy manufacturing facility, and other associated infrastructure, will be reviewed and assessed against National and local policy and legislation.

1.4 The Site

1.4.1 The proposed site is located at Hunterston and forms part of the former Hunterston Coal Yard within the wider Hunterston Port and Resource Centre (Hunterston PARC). The site is located on the west coast of Scotland, south of the settlement of Fairlie, and north of the EDF Hunterston Power Station. The project site centre point grid reference is approximately NS 20238 53343 and is roughly 50.7 hectares in size.

1.4.2 The site was constructed to be used as an iron ore and coal-handling terminal in the early 1970's, with there being large amounts of heavy machinery in and around the port. A large portion of the site was reclaimed from the sea. Prior to the site being used as a stockyard, the land was predominantly used for agricultural purposes.

1.4.3 Iron ore was needed to produce Steel for British Steel Corporation's Ravenscraig steelworks. This was possible through delivering iron ore by ship to the 1-kilometre jetty in the Firth of Clyde to the north-west of the site. The jetty allowed two large ships to simultaneously unload their iron ore, where the iron ore would then be transferred to the land via the mechanised jetty. A railway runs around the site to the north and west, which allows the transportation of heavy goods directly from the site.

1.4.4 Southannan Sands is an intertidal zone and is designated as a Site of Special Scientific Interest (SSSI). It is located adjacent to the north and west of the site. Clydeport operated the port until it was taken over by The Peel Group in 2003. The site is no longer operational as an iron ore or coal stockyard, as the site was closed in 2016 and largely dismantled in 2019-2020.

1.4.5 The proposed site is located at Hunterston PARC, which contains overall an area of 130ha of brownfield development land. The site is largely screened from public view from the east and south, because of the site being bounded by a bund and tree belt. There is an extensive Tree Preservation Order (TPO) on the bund, and this has helped to create a healthy biodiverse area along the eastern boundary of the site. There are also designated areas of Ancient Woodland located to the east, south and north of the site. There is a purpose-built lagoon and bird sanctuary to the north.

1.4.6 The Hunterston PARC was set up after the closure of the coal and iron ore terminal, to promote the development of an energy and marine campus. It is hoped that innovative businesses in the energy market will be attracted to the site.

1.4.7 The Nuclear power stations, Hunterston A and B, located to the south-west of the site, are both being decommissioned, with Hunterston B nuclear power plant being closed, after 46 years, on 7th January 2022. The site of the two power stations is owned by EDF Energy and now begins a three-year process of defueling, after which the site will be handed over to the Nuclear Decommissioning Authority. There were 480 staff working at power plant B before its closure in January 2022. When the power plant was operational, it provided enough electricity to power 1.8 million homes.

1.4.8 The predominant means of access to Hunterston PARC is via the A78, as well as a bus link that connects the site to Largs, Irvine and Glasgow. The site enjoys multi modal access and can also be approached via rail and ship. The proposed site will be accessible for motor vehicles to the North via the A78.

1.4.9 Hunterston Estate is situated roughly 1km to the south of the site and contains Hunterston Castle, which was built in 1263, and the Mansion House, which was constructed in 1799 and comprised 72 rooms. It has been used extensively as a filming location since the 1990s and is still owned by the same family.

1.5 Site Selection Criteria

1.5.1 The area surrounding the site is dominated by port infrastructure, being located on the Firth of Clyde, which constitutes one of the deepest coastal waters in the British Isles. There is a 1-kilometre jetty to the west of the site that is 34 metres wide. The depth of water surrounding the jetty at outer birth is 36 metres at low water and the inner birth is 25.5 metres at low water. This allows for the maximum size of ship at the outer berth of 350,000 dead-weight tonnage (DWT) and the inner berth of 70,000 DWT.

1.5.2 XLCC is seeking to develop two UK based cable manufacturing facilities, which have been identified as being strategic locations, one of which is at Hunterston. The location at Hunterston has been selected by XLCC after extensive searches of ports in the UK that are suitable for adhering to the strict criteria to meet the projects requirements. There are only a very small number of ports within the UK that would be able to accommodate the proposed XLCC development, because of the very specific requirements for the Project.

1.5.3 These project requirements for the cable manufacturing facility include the need for a deep-water access port that lies adjacent to a large area of available development land. This is required as the cable manufacturing facility will feed cable directly onto a cable laying vessel, which will be 200m in length and will have a 40m beam. The site also requires a power source that is capable of providing around 40MW of electricity that the manufacturing process will demand. In addition, the rail network on site will be used for the delivery of raw materials and the existing road network will be essential for access to the highly skilled workforce that will be needed.

1.5.4 North Ayrshire Council (NAC) has identified the 130 hectares of brownfield land at Hunterston PARC, that is owned by Peel Port Group as a ‘Strategic Development Area’ in their Local Development Plan 2 (LDP2), adopted on 28 November 2019. The plan states that the area is of strategic national importance as an energy hub, a deep-water port and as a regional area of importance for employment.

1.5.5 The site has been supported as a National Development in the upcoming National Planning Framework (NPF4) by North Ayrshire Council, Peel Ports and the Scottish Enterprise. The site has been recognised within the Scottish Government’s Green Investment Portfolio as being both nationally and internationally important. More details regarding the planning policy context of the site are set out below.

1.5.6 To summarise, the key criteria which have led to the Site being selected for development include:

- Being a large brownfield site;
- Deep-sea port with existing jetty;
- Access to a large, highly skilled workforce;
- Ease of access to the site for materials, workforce, and machinery;
- Relative lack of nearby properties;
- Good proximity to electrical infrastructure; and
- Land not liable to flooding.

1.6 Application Documents

1.6.1 This Planning Statement (PS) should be read alongside the following submitted details:

- Covering letter
- Planning Permission in Principle (PPP) Application Form
- Certificate B
- Pre-Application Consultation (PAC) Report
- Outline Design Report, including figures and appendices
- Location Plan
- Illustrative Masterplan
- Parameters Plan
- Parameters Plan Overlay
- Site Sections
- Environmental Impact Assessment (EIA) Non-Technical Summary (NTS)
- EIA Chapters 1 to 14, Figures and Appendices

2 THE DEVELOPMENT

2.1 Overview

2.1.1 The Applicant is seeking Planning Permission in Principle (PPP) for the erection of a high voltage cable production facility, including the construction of a 185m tall extrusion tower with associated factories, research and testing laboratories, offices with associated stores, transport, access, parking and landscaping with on-site generation and electrical infrastructure and cable delivery system at a site at Hunterston PARC, North Ayrshire.

2.1.2 The high-quality high voltage cables will be for use in distributing renewable energy from a variety of sources. There are currently only four certified high voltage manufacturing facilities in Europe, with none being located in the UK. The manufacturing capacity of the cables in Europe is currently below 3,000km per year and XLCC aims to produce 4,000km per year from their proposed two manufacturing facilities in Scotland and elsewhere in the UK. With the Hunterston site having the capacity to produce up to 2,600km per year. In addition, the facility would have the capacity to store up to 2,600km of high voltage cable. These manufacturing facilities will be essential, as it is anticipated that the demand for specialist cables to serve the fast expanding, renewable energy generation and distribution of the UK, will increase 9-fold over the next decade. Without the capacity to meet the demand for the high voltage cables, there is likely to be a considerable reduction in the capacity for renewable energy production, which could undermine the UK and Scottish Governments ambitious renewable energy targets in the coming years.

2.1.3 Hunterston has been identified as a suitable site for high voltage cable manufacturing, because the cable manufacturing facilities require immediate access to a deep-water port, a large, relatively flat brownfield site and a large skilled workforce. All of which are immediately available at the location of Hunterston PARC, partly because the majority of the nuclear power station workforce are no longer required onsite, as the energy plant was decommissioned on the 7th January 2022. A deep-sea port is also essential as renewable power is often generated a long distance away from the households and industries that use the energy. Meaning that for subsea cables, the cables need to be transferred directly onto large cable loading ships from the manufacturing facility, to be transported direct to the source of electricity, for connection to the end user.

2.1.4 XLCC is aiming to create a mixed use, export-led, green industry use on the site by creating a facility that conducts research and development and manufactures high quality high voltage cables. The area of the main facility will cover 28.47Ha and an 185m tall extrusion tower will be constructed that will be essential in the manufacturing process for the high specification subsea cables. The total area of the site will cover approximately 50.7ha of land on part of the former Hunterston Coal and Iron Ore Yard.

2.2 Development Infrastructure

2.2.1 The development will be a manufacturing facility comprising an advanced manufacturing process that will produce high-quality high voltage cables to help boost the renewable offshore wind and interconnector capabilities of the UK. As the cables for subsea electricity transfer are large and heavy, the infrastructure needed for the development will understandably be large. As the high voltage cables require a very high level of reliability, due to the difficult nature of repairing subsea cables, it means that the cables need to include several protective layers to prevent damage from occurring as they lie on the seabed.

2.2.2 The buildings on the development site will consist of steel portal frames clad with an insulated building envelope with a colour scheme that will be sympathetic to the landscape, and the 185m extrusion tower will consist of a concrete core. The steel portal framed buildings will have a gross external area of 281,500m^2 and will be a maximum heigh of 45m above ground level.

2.2.3 The 185m extrusion tower is essential for the production of high voltage cables because the cooling process requires a vertical installation to enable the material extruded to cure in a circular manner. If the cable is cured horizontally, it will cure gathering to the bottom and create a defective and unusable cable. The height of the tower relates to the speed of the machinery and extruders. The machines move at 1 metre / minute and the cooling process takes a total of 185 minutes. Therefore, a tower with a 185m height is required.

2.2.4 External infrastructure for the facility will include car parking for 694 spaces, parking for 22 HGV's, with a number of storage areas and a landscaping scheme to soften the visual impact of the development. It is expected that a three-sided clad structure will house the cable carousels and conveyors along the existing jetty infrastructure to protect the cables from the harsh environment. This will enable the finished cable to be transferred to a cable laying vessel (CLV) directly from the manufacturing facility.

2.2.5 The proposed development in Hunterston will provide the site and the area with an internationally important manufacturing facility, which will significantly improve global connections and allow for the greater use of renewable energy through the increased and more effective utilisation of offshore wind farms. It is proposed that the development will be operational for 25 years, at which point market conditions will be reviewed to determine the future of the site.

2.3 Access

2.3.1 Access to the site for vehicles will be via a single point of access, which will be at the existing port entrance via Irvine Road (A78) for all stages of the development's operation. It is expected that there will be a 2m high paladin welded mesh security fence surrounding the site. The A78 connects to the M8 west of Glasgow and the M77 to the southeast at Kilmarnock. The expected traffic that will be present during the normal operation of the site will enable the delivery of materials and the movement of staff.

2.3.2 It is expected that there will be 900 full time employees based at the manufacturing facility, with approximately 162 of those being administrative and executive staff working normal daytime hours Monday to Friday. The remainder, approximately 648 full time employees will be working 4, 12-hour shifts, and the facility will operate 24/7. Although not all employees will have a vehicle on site each day due to options for car share, public transport, hybrid working and other alternatives. There are also dual cycleways/footpaths on both sides of the A78 linking to surrounding settlements, such as Fairlie to the north and Irvine to the south. A sufficient number of secure cycle parking spaces will also be provided on the site.

2.3.3 The development will be multi modal and it is anticipated that a proportion of deliveries will be arriving via lorry from the A78 access point to the north of the site. Other deliveries to the site will be arriving from the sea via the jetty, and from the railway adjoining the development to the east, north and west. It is estimated that a freight train on average, removes 60 HGV journeys from the roads. Meaning that there may be a need for HGVs to transport materials from the trains to the site, but that HGV journeys on the road network are likely to be limited.

2.3.4 Materials that will need to be transported to the site will include metals (steel, aluminium, lead), XLPE pellets, bitumen, polyethylene sheath, tapes and yarns, liquid nitrogen and conductor filing compound.

2.4 Construction

2.4.1 Construction activities at the site will comprise of:

- the site setup and securing the perimeter;
- pre-construction enabling works including site clearance, demolition of coal yard base and earthworks;
- provision of temporary/permanent drainage;

- earthworks and construction of foundations;
- construction of the extrusion tower and steel portal frame buildings;
- mechanical and electrical fit-out of buildings and enclosures;
- installation of pre-manufactured factory process equipment/components;
- connection of utilities;
- hard surfaces, paving, sustainable urban drainage (SuDS);
- landscape planting and habitat creation, secure fencing, restoration of temporary construction areas and ongoing habitat creation and management; and
- commissioning.

2.4.2 It is estimated that the factory will be constructed in one phase lasting approximately 24 months. With the extrusion tower being constructed using a process known as ‘slip forming,’ which will take approximately 52 weeks to complete alongside the factory phase of construction.

2.5 Health and Safety

2.5.1 The manufacturing facility is expected to operate 24 hours a day with workers operating on 12-hour shift patterns. It is therefore necessary to provide external lighting on the site to allow for the safe operation of the facility during night-time and at times of low light.

3 PLANNING HISTORY

3.1 Previous Applications

3.1.1 Given the application site's previous use as an iron ore and coal distribution yard, there is very limited available planning history relating to the site. The site has been subject to only three planning applications in the last 25 years, two of which were withdrawn before determination. The first withdrawn application was for the relocation of the existing railhead facility (ref.97/00739/PP).

3.1.2 The second application that North Ayrshire Council believe to have been withdrawn was a consultation for an Energy Consent for the erection of a multifuel power station (ref.10/00369/CON). The proposed site was mainly out with the current application site, with only a small portion to the south-western end.

3.1.3 The other application was for a temporary structure in 2015 and temporary consent was granted for a storage building in connection with the Hunterston Convertor Station (ref.15/00138). The building was permitted for 3 years and related to a building required during construction of the convertor station to the south-east of Hunterston B Nuclear Power Station. The permission has now expired, and the temporary structure has been removed.

3.2 EIA Criteria and Scoping

3.2.1 Environmental Impact Assessment (EIA) is the process of identifying and assessing the significant effects likely to arise from a project. Screening is the process of identifying whether or not EIA is required for a development and the intention of a scoping exercise is to gain agreement from all key parties regarding the proposed methodology and scope of the assessment.

3.2.2 Scoping was conducted by RPS group on behalf of XLCC in 2021 and the Scoping Report was agreed by NAC on 17th December 2021. Due to the nature and scale of the proposed development at Hunterston of the manufacturing facility, the screening report identified that a process of EIA needed to be undertaken in accordance with the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017. Where consideration within the EIA must be given to the likely impact of the development and the likely changes to the environment that will occur as a result. Consequently, the EIA report for the cable facility at Hunterston will be submitted in conjunction with this Planning Statement, and other associated documentation, as part of this PPP application.

3.2.3 The development site does not lie within a 'sensitive area' as defined by the EIA Regulations but lies adjacent to Southannan Sands SSSI. Additionally, the proposed development has a 185m extrusion tower that required detailed assessment to investigate the visual effect and the potential for significant environmental effects. EIA is not necessarily required for the cable manufacturing facility in isolation. However, the inclusion of the tower makes EIA a necessary requirement.

3.3 Pre-Application Public Consultation

3.3.1 The Project team for the EIA Scoping Report has undertaken consultation with, or requested information from, a number of organisations, including (but not limited to):

- Historic Environment Scotland.
- Largs Community Council.
- SEPA.
- Marine Scotland.
- North Ayrshire Council.

- Fairlie Community Council.
- NatureScot.
- Transport Scotland.
- Environmental Health Officer (EHO) North Ayrshire Council.
- Scottish Water.

3.3.2 A part of engaging with the local community was submitting a Proposal of Application (PAN) to North Ayrshire Council on 9th July 2021, as part of the Scoping Report that was agreed on 17th December 2021. A copy of the PAN was also sent to Fairlie, West Kilbride, Cumbrae, Largs and Skelmorlie Community Councils, as well as local councillors, MP and MSP.

3.3.3 Additional pre-application public consultation included the following:

- A live webchat was hosted between 3pm and 7pm on 25th August 2021 via Mcinally Associates
- Reminder letters were sent (via email) to all those on the original notification list advising arrangements for the public exhibition
- The online public exhibition was advertised in the Androssan and Salcoats Herald and Largs and Millport Herald on 11th August 2021
- The webpage hosting the public exhibition contained functions to leave comments on the proposals and also ask questions on the proposals. Any questions received were responded to within 48 hours of receipt
- The online public exhibition received some 266 unique visits, and 11 detailed responses / comments were received and responded to
- Further to the above, and prior to the online exhibition, representatives of XLCC met with local interested parties / community councils to present and discuss proposals.

3.3.4 More detail pertaining to the public consultation is contained within the Pre-Application Consultation (PAC) Report, which is submitted with this application.

4 KEY LEGISLATION

4.1 Town and Country Planning (Scotland) Act 1997

4.1.1 The principal planning statute in Scotland is the Town and Country Planning Act (Scotland) 1997 (the Planning Act) as amended by the Planning etc. (Scotland) Act 2006 and now the Planning (Scotland) Act 2019.

4.1.2 Section 25 of the Planning Act states that:

"*Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise*".

4.2 Climate Change (Scotland) Act 2009 as amended (2019)

4.2.1 The Climate Change Scotland Act 2009 was passed by Parliament on 24th June 2009 and was an Act of the Scottish Parliament to set a target for 2050 and an interim target for 2020 for reducing greenhouse gas (GHG) emissions.

4.2.2 In 2019, it was amended to commit the Scottish Government to reduce GHG emissions by 100% of 1990 levels by 2045 (see below).

4.3 The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019

4.3.1 Following the announcement of a climate emergency the Scottish Government introduced the new Climate Change (Emissions Reduction Targets) (Scotland) Bill (the Climate Change Bill) to Parliament on 23rd May 2018. It was passed on 25th September 2019, and received Royal Assent on 31st October 2019, becoming the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 (the 2019 Climate Change Act).

4.3.2 This Act introduces further targets to those of the preceding Climate Change (Scotland) Act 2009, seeking to commit to become a net-zero society by 2045 and sets interim targets of:

- At least 56% lower than baseline by 2020;
- At least 75% lower than baseline by 2030; and
- At least 90% lower than baseline by 2040.

4.3.3 The 2019 Climate Change Act amends the 2009 Climate Change Act and originally increased the 2050 target to 90%. In line with advice from the Committee on Climate Change (CCC) on 2nd May 2019, the Scottish Government amended the Climate Change Bill to set a target date of 2045 for reaching net-zero emissions, as per the resultant 2019 Climate Change Act.

4.3.4 Setting a 'carbon neutral', net-zero target of 2045 is ambitious and ahead of the rest of the United Kingdom's target date of 2050. The Scottish Government has set ambitious targets for the reduction of carbon emissions.

4.3.5 Renewable energy related schemes, such as the Project, will play a key role in bringing to fruition the decarbonisation of the key energy sector.

5 ENERGY POLICY: THE NEED TO ADDRESS CLIMATE CHANGE

5.1.1 The justification for the Project is set within the context of legislation, policy and guidance and renewable energy targets set at International, UK and Scottish Government levels. These are material considerations in the determination of the application. During a recognised Climate Emergency, there has been a focussed effort both to curb the emissions of greenhouse gases and to secure renewable sources for the generation, and secure supply of, electricity to reduce the dependence on fossil fuels.

5.1.2 The ambitious targets, which have been set, require the approval and implementation of a significant number of suitable renewable energy developments.

5.2 International, European and UK Policy Context

UN Framework Convention on Climate Change: The Paris Agreement (2015)

5.2.1 The central aim of the Paris Agreement was to strengthen the global response to the threat of climate change by keeping a global temperature rise below 2 degrees Celsius and to pursue efforts to limit the temperature increase even further to no more than 1.5 degrees Celsius.

5.2.2 Additionally, the Agreement aims to strengthen the ability of countries to deal with the impacts of climate change. To reach these ambitious goals, appropriate financial flows, a new technology framework, and an enhanced capacity building framework will be put in place, thus supporting actions by developing and most vulnerable countries, in line with their own national objectives. The Agreement also provides for enhanced transparency of action and support through a more robust transparency framework.

Clean Growth Strategy (2017)

5.2.3 This contains a key objective of ‘Delivering Clean, Smart, Flexible Power’ and details specific policies through which this can be achieved:

5.2.4 Policy 33 of the report states the government’s intention to phase out the use of unabated coal for electricity production by 2025;

5.2.5 Policy 35 sets government’s intentions to improve the route to market for renewable technologies, with up to £557 million for further Contract for Different auctions;

5.2.6 Policy 36 details plans to target a total carbon price in the power sector which will give businesses greater clarity on the total price they will pay for each tonne of emissions.

IPCC Special Report on Global Warming of 1.5°C (2018)

5.2.7 An IPCC Special Report was prepared discussing the potential impacts of global warming of 1.5°C above pre-industrial levels and related global GHG emission pathways in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty.

5.2.8 The report sets out that pathways limiting global warming to 1.5°C with no or limited overshoot would require rapid and far-reaching transitions in energy, land, and infrastructure, and deep emissions reductions in all sectors. A ‘wide portfolio’ of mitigation options and a significant upscaling of investments in those mitigation options is needed.

Committee on Climate Change Net Zero Report (2019)

5.2.9 In May 2019, the Committee on Climate Change published Net Zero – The UK’s Contribution to Stopping Global Warming. This report responded to a request from the Governments of the

UK, Wales and Scotland, asking the Committee to reassess the UK's long-term emissions targets. The report recommends a new emissions target for the UK: net zero gases by 2050 and recommends a 2045 net-zero target for Scotland to reflect Scotland's greater relative capacity to remove emissions than the UK as a whole. The Report highlights the falling cost of key renewable technologies, which are now generally comparable or lower in cost than power from fossil fuels, whilst bringing significant co-benefits such as reduced air pollution.

The Climate Change Act 2008 (and amendment 2019)

5.2.10 In November 2008, the Climate Change Act became law requiring the UK to reduce Carbon Dioxide (CO_2) emissions and was updated in 2019 to provide a legal basis for the target of securing a 100% reduction of greenhouse gas emissions to be achieved by 2050 (compared to 1990 levels). The Act created the Committee for Climate Change (now the Climate Change Committee) to give advice on climate budgets and report on progress. The CCCs latest carbon budget is referred to below.

The Sixth Carbon Budget: The UK's path to Net Zero (2020)

5.2.11 On 9 December 2020, the CCC released The Sixth Carbon Budget which updates intermediary targets for the UK's progress to net zero.

> *"Our recommended pathway requires a 78% reduction in UK territorial emissions between 1990 and 2035. In effect, it brings forward the UK's previous 80% target by nearly 15 years. There is no clearer indication of the increased ambition implied by the Net Zero target than this."*

5.2.12 In establishing intermediary targets towards net zero, the context exists for Local Authorities to recognise the action that must be taken sooner rather than later. As concluded in the Sixth Carbon Budget:

> *"The implication of this path is clear: the utmost focus is required from government over the next ten years. If policy is not scaled up across every sector; if business is not encouraged to invest; if the people of the UK are not engaged in this challenge – the UK will not deliver Net Zero by 2050."*

5.2.13 Key objectives should be as follows:

- Reducing demand and improving efficiency: Require changes that will reduce carbon-intensive activities and the improvement of efficiency in the use of energy and resources;
- take-up of low carbon solutions: Phase out fossil fuel generation by 2035;
- expansion of low carbon energy supplies: Increasing renewables to 80% of generation by 2050; and
- electricity generation: Will require a significant expansion of low carbon generation; This includes low-cost renewables.

5.2.14 Increasing the renewables penetration in the UK electricity mix to 80% by 2050 will largely be met with intermittent, non-dispatchable generation types (the CCC suggest that up to 140 GW of offshore wind should be deployed by 2050). To meet this target, there will be significant need for high voltage cabling.

National Audit Office – Achieving Net Zero (2020)

5.2.15 Published on 2 December 2020, the National Audit Office report to the UK Government examines the main risks to achieving net zero effectively and efficiently. The report is forthright in stating that most of the UK reductions in emissions have come about from the switch away from coal in electricity generation. Whilst reducing emissions further will require wider changes to the UK economy, further investment in renewable electricity generation will be required.

5.2.16 BEIS (The Department for Business, Energy and Industrial Strategy) projects that the UK will not meet its targets for emissions reduction unless action is taken to reduce the shortfall in achieving the targets set in the fourth and fifth carbon budgets. At paragraph 6 of the summary, the report states that:

> *"Achieving net zero is a colossal challenge and significantly more challenging than the Government's previous target to reduce emissions by 80% by 2050."*

5.2.17 At paragraph 13 of the Summary, the report confirms that BEIS will launch a net zero strategy prior to COP26 in November 2021. The strategy will set out the government's vision for transitioning to a net zero economy by 2050, encompassing all sectors that need to decarbonise, and closing the gap that currently exists in meeting the targets in the fourth and fifth carbon budgets. The strategy will set the level for the sixth carbon budget, review the cost of net zero and how it should be paid for, and establishing meeting net zero as part of the wider economic response to Covid-19.

The HM Government Energy White Paper - Powering our Net Zero Future (2020)

5.2.18 Following the Prime Minister's 10-point plan for a green revolution and National Infrastructure Strategy (November 2020), the White Paper marks a significant milestone in the UK's net-zero transition, setting a net-zero target by 2050 and outlining how this may be achieved. It relates to the generation, supply and use of energy with the drive towards net zero by 2050 at its core, along with energy efficient buildings and lower household bills. It signals a decisive move away from fossil fuel generation and highlights how planned Government investment has the potential to leverage billions of pounds more in private sector funding and support for over 250,000 jobs in the green economy by 2030.

5.2.19 Focusing on electricity is key for the transition away from fossil fuels and decarbonising the economy by 2050. Some commitments from this white paper include:

- Accelerate the deployment of clean electricity generation through the 2020s
- Invest £1 billion in UK's energy innovation programme to develop the technologies of the future such as advanced nuclear and clean hydrogen
- Ensure that the transformation of the electricity system supports UK jobs and new business opportunities, at home and abroad.

5.2.20 The Net Zero Innovation Portfolio has been developed and aims to "accelerate the commercialisation of innovative low-carbon technologies, systems and processes in power, buildings and industry to set the UK on the path to net zero and create world-leading industries and new jobs." It looks to focus on ten priority areas, including a focus on targeting 40GW of offshore wind by 2030.

National Infrastructure Strategy (2020)

5.2.21 This focuses on the investment and delivery of infrastructure, which is fundamental to delivering net zero emissions by 2050. The strategy sets out the UK Government's plans to deliver on this target, decarbonising the economy and adapting to climate change:

- Work towards meeting the net zero emissions target by 2050 – Decarbonise the UK's power, heat and transport networks, and take steps to adapt to climate change impacts. This will require increased investments in network infrastructure, storage and increased low carbon generation capacity.
- Reducing emissions across whole sectors of the economy must be done in a sustainable way that minimises cost.

Progress in Reducing Emissions – 2021 Committee on Climate Change Progress Report to Parliament

5.2.22 The 2021 Committee on Climate Change (CCC) Progress Report to Parliament was published in June 2021 and provides a review of Government efforts over the previous 12

months with regards to Climate Change. While UK emissions fell by 13% in 2020, much of this decline was likely a result of the Covid-19 pandemic and as such, lasting changes are far from certain. The CCC report recommends taking action to transition to a fully decarbonised electricity system. Furthermore, it sets a target to phase out gas-fired electricity generation in the UK by 2035, subject to ensuring security of supply.

5.2.23 There has been significant progress in the transition to renewables, with emissions from electricity generation having decreased by 65% from 2009 to 2019. However, the CCC report notes that generation shares from renewable resources will need to increase to support the transition to electric vehicles. The International Energy Agency has identified solar power as producing some of the cheapest electricity in history and forecasts that if there is a rapid built-out of renewables (particularly solar and wind), net zero emissions for the power sector can be achieved by 2035 in advanced economies, including the UK.

Net Zero Strategy 2021

5.2.24 This is the UK's national strategy for delivering emissions reductions in accordance with section 14 of the Climate Change Act, which is concerned with the duty to report on proposals and policies for meeting carbon budgets.

5.2.25 A key policy of the Net Zero Strategy is that by 2035, the UK will be powered entirely by clean electricity, subject to security of supply.

5.2.26 Key relevant information mentioned includes:

> To ensure wind and solar generation is reliable, these technologies must be complimented by flexible technologies such as interconnectors, helping to minimise the amount of generation and network capacity required to meet our demand needs. To achieve this, supply chains for technologies such as interconnectors need to be resilient to ensure the UK can build the capacity it needs for a reliable system.
>
> To reduce emissions across the economy, the energy sector must maximise 'system flexibility, including through storage technologies, demand side response, and interconnectors – to integrate renewables, balancing the intermittency of renewables and helping to maintain system operability' – Page 105

5.3 Scottish Climate Change and Energy Policy

National Renewables Infrastructure Plan 2014

5.3.1 The objective of the national renewables infrastructure plan is to ensure that appropriate sites are available in the right locations to provide a solid platform for the growth of the industry. The plan states that having the right locations for the industry is critical if Scotland is to become a home for the offshore renewables supply chain. Hunterston is acknowledged within this plan as an important location, possessing the potential for large scale manufacturing, assembly, and fabrication operations, serving the renewable energy industry.

Securing a green recovery on a path to net zero: Climate Change Plan 2018-2032 (Scottish Government, 2020)

5.3.2 This Climate Change plan update confirms how Scotland will aim to achieve the new emissions reduction targets of 75% emissions reduction by 2030 and to net zero by 2045. It outlines the requirement to secure a green recovery from the Covid-19 pandemic, which requires a co-ordinated, collaborative approach to achieve net-zero targets. The plan sets out a pathway to deliver the ambitious climate change targets and confirms that the policies mean that by 2032 there will be a substantial increase in renewable energy generation, particularly onshore wind capacity and a need to invest in onshore electricity. It also confirms the requirement for adoption of electricity-based solutions for heat and transport, to take advantage of the considerable potential for growth of onshore wind capacity in Scotland.

5.3.3 Key policies and commitments, as follows:

- Support the development of a wide range of renewable technologies by addressing current and future challenges, including market and policy barriers;
- Support improvements to electricity generation and network asset management, including network charging and access arrangements that encourage the deployment and viability of renewables projects in Scotland;
- A new renewable, all energy consumption target of 50% by 2030, covering electricity, heat and transport; and
- Support the development of technologies which can deliver sustainable security of supply to the electricity sector in Scotland and ensure that Scottish generators and flexibility providers can access revenue streams to support investments."

Scotland's Energy Strategy Position Statement March 2021

5.3.4 The Statement sets out how the Scottish Government intends to build upon the recent Programme for Government to focus on addressing climate change and recovering from the economic crisis brought about by Covid-19. It recognises the achievement of Scotland in reaching a 50% reduction (from 1990 levels) of GHG emissions. It follows the recent Climate Change Plan Update, which sets out the pathway to 2032 targets and includes further policies to the 2018 Climate Change Plan. It also sets out the pathway toward net zero ahead of the UN Framework Convention on Climate Change Conference of the Parties ('COP26').

5.3.5 The Statement emphasised the continued commitment to supporting onshore renewables in the right places to help meet net zero targets, stating that the continued growth of Scotland's renewable energy industry is fundamental to enabling us to achieve our ambition of creating sustainable jobs as we transition to net-zero.

Route map for Renewable Energy in Scotland

5.3.6 Securing low carbon energy supplies is a key element in achieving the target of reducing emissions by 80% by 2050 with an interim milestone of 42% by 2020. In recognition of this, the Scottish Government set targets, which include producing 100% of the country's demand for electricity from renewable sources by 2020, first detailed within the 2020 Route map for Renewable Energy in Scotland.

Protecting Scotland, Renewing Scotland: The Government's Programme for Scotland 2020-2021

5.3.7 In light of the climate emergency announced by the Scottish Government in April 2019, Scotland has already committed to some of the toughest statutory emissions reductions in the world. Adopting a net zero emissions target by 2045 underlines the ambition that Scotland will no longer contribute to global climate change.

5.3.8 The 2020-21 Government's Programme focuses on the transition to net zero and the opportunity it creates. Even in the unusual circumstances of the COVID-19 pandemic, the 2020-21 Programme contains objectives relating to achieving net zero and reducing CO2 emissions through various initiatives, including investment in and implementation of, renewable energy projects.

Reducing emissions in Scotland – 2020 Progress Report to Parliament

5.3.9 The Climate Change Committees 9th annual progress Report to the Scottish Parliament advises that Scotland's greenhouse gas emissions fell by 31% from 2008 to 2018. This was primarily due to action to reduce emissions in the power sector, where Scottish renewable electricity generation has tripled, and fossil-fuelled generation has fallen by more than 70% in the last decade. However, GHG emissions increased by 2% in 2018, compared to a reduction of 3% in 2017.

5.3.10 The report identifies a number of clear priorities for the Scottish Government. Central to these are producing a new Climate Change Plan before the year end, creating the pathway to deliver Net Zero by 2045, and putting in place a UK Emissions Trading system. Amongst the more detailed recommendations is that the next National Planning Framework should be aligned closely with achieving Net Zero 2045 – providing a favourable planning framework to provide a low carbon and efficient energy system and climate resilient infrastructure.

6 PLANNING POLICY AND ASSESSMENT

6.1 National Planning Framework 3 (NPF3)

6.1.1 This document is a long-term planning strategy for Scotland. It is the spatial expression of the Scottish Governments Economic Strategy, and of the Governments plans for development and investment in infrastructure. NPF3 identifies national developments and other strategically important development opportunities in Scotland and sets out the spatial development priorities for the next 20 to 30 years.

6.1.2 *A Successful Sustainable Place*: Within paragraph 1.2 the Scottish Government sets out its vision for Scotland which is (inter alia):

- *a low carbon place. We have seized the opportunities arising from our ambition to be a world leader in low carbon energy generation, both onshore and offshore. Our built environment is more energy efficient and produces less waste and we have largely decarbonised our travel.*

6.1.3 Paragraph 1.6 outlines that a sustainable, economically active rural area is essential to the Scottish governments vision. Paragraph 2.2 identifies that energy is one of the key sectors for economic activity and investment across all Scotland.

6.1.4 *A Low Carbon Place***:** This section outlines that the ambition of the Scottish Government is to achieve at least an 80% reduction in greenhouse gas emissions by 2050. This has now increased to a 100% reduction (by 2045).

6.1.5 Paragraph 3.2 recognises that the energy sector accounted for a significant share of greenhouse gas and this needs to be addressed.

6.1.6 Paragraph 3.6 states that the renewable energy sector currently employs around 11,000 people in Scotland and this number is expected to increase.

6.1.7 Paragraph 3.8 sets out by 2020 the Scottish Government will aim to reduce final energy demand by 12%, to achieve this, and maintain secure energy supplies, improved energy efficiency and further diversification of supplies will be required.

6.1.8 Paragraph 3.9 sets out that maintaining security of supplies and addressing fuel poverty remain key objectives.

6.1.9 Paragraph 3.13 states that '*The low carbon energy sector is fast moving and will continue to be shaped by technological innovation and a changing environment. As a result, our strategy must remain sufficiently flexible to adapt to uncertainty and change so we are well placed to make the most of the new opportunities that will undoubtedly emerge.'*

6.1.10 Paragraph 3.25 identifies that: opportunities for manufacturing and servicing to support renewable energy sector will grow across rural area changing Scotland's economic geography by broadening the distribution of employment and development.

6.1.11 Paragraph 3.34 states that major infrastructure investment for the renewable energy sector will lead to the upgrading of port and harbour facilities, including:

6.1.12 We expect that future infrastructure provision, combined with new business and industrial development, will reinforce the importance of key locations including ***Hunterston****, Peterhead and Cockenzie. We want to see a co-ordinated approach to guide development in these areas - making the most efficient use of resources, reducing environmental impacts and supporting high quality development.* (**Our emphasis**)

6.1.13 Paragraph 3.41 states that the low carbon agenda forms a crucial part of the Governments strategy. Development plans should promote a positive, planned approach to providing low carbon infrastructure across Scotland, with a number of key locations to deliver development in the coming years, including:

6.1.14 ***Hunterston*** *has long been identified as a priority for industrial and employment use. It benefits from good transport connections, and close proximity to the cities network. North Ayrshire Council and its partners are exploring future options for the site. Links with ongoing regeneration at Irvine through the Irvine Bay Urban Regeneration Company and its Life Sciences Enterprise Area will continue to be important. Future development at Hunterston should aim to make sustainable use of its key assets, including its deep-water access. Activities which could align with our national strategy include manufacturing and servicing support for offshore renewable energy development, building on the success of the onshore test facility for offshore wind turbines. There is local support for coastal tourism development in the area, and the site owner, Clydeport, has its own ambitions. Given its existing infrastructure, Hunterston will be an important landfall for strategic grid connections, including the link from Carradale in Argyll and the ISLES Project.* (**Our emphasis**)

6.1.15 *A Natural Resilient Place*: This section sets out that the Scottish Government will respect, enhance, and make responsible use of the natural and cultural assets within Scotland.

6.1.16 Paragraph 4.5 states that:

Biodiversity in Scotland is rich and varied. We have numerous internationally and nationally important habitats and species with a diverse network of protected sites, concentrated particularly in the north and west of Scotland, along our coasts and estuaries and in our upland areas.

6.1.17 Paragraph 4.7 indicates that a planned approach to development will be taken, which will help to strike the right balance between safeguarding assets, which are irreplaceable and facilitating change in a sustainable way, stating that:

The pressing challenge of climate change means that our action on the environment must continue to evolve, strengthening our longer-term resilience.

6.1.18 Paragraph 4.22 outlines that 'rural areas have a particular role to play in building Scotland's long-term resilience to climate change and reducing our national greenhouse gas emissions.'

6.2 National Planning Framework 4 (NPF4)

6.2.1 The Fourth National Planning Framework (NPF4) Positions Statement was published to provide an indication of the Scottish Government's current thinking on issues to be addressed by the emerging NPF4. It is not a policy document, but a consultation was undertaken on the document to inform the development of NPF4, which, once published, will become part of the Development Plan. It confirms the necessary shift required to achieve net zero-emissions by 2045. It identifies key opportunity 8 as requiring support for renewable energy and states:

> "*we will have to rebalance the planning system so that climate change is a guiding principle for all plans and decisions. We will need to focus our efforts on actively encouraging all developments that help to reduce emission*."

6.2.2 The Draft Fourth National Planning Framework (NPF4) detailing the long-term plan for Scotland by 2045 was laid in Parliament on 10th November 2021 and is now out for consultation until March 2022. The NPF4 is a material consideration and should therefore be given some weight in the determination of future proposals.

6.2.3 The draft comprises five parts:

- Part 1 – National Spatial Strategy

Paragraph 16 encourages the rediscovery of urban coasts and waterfronts, including:

Hunterston *is a strategic asset with deep water access, where there are plans for new economic development and employment uses. Coastal sites formerly used for baseload power generation – specifically Longannet and Cockenzie – benefit from existing assets and*

infrastructure that can be repurposed to form the basis of new proposals.

- Part 2 – National Developments

Paragraph 10 ***Hunterston Strategic Asset***

This national development supports the repurposing of Hunterston port as well as the adjacent former nuclear power station site. Hunterston has long been recognised as a strategic location for the port and energy sectors given its deep-water access and existing infrastructure.

The location and infrastructure offers potential for electricity generation from renewables, and a variety of commercial uses including port, research and development, aquaculture, the circular economy.

New development will need to work with the capacity of the transport network, include active travel links and be compatible with a location adjacent to sites with nuclear power uses. Designated biodiversity sites will require protection and enhancement where possible, and sustainable flood risk management solutions will be required. Aligned with the Ayrshire Growth Deal, investment in this location will support a wellbeing economy by opening up opportunities for employment and training for local people. A community wealth building approach is expected to form a part of future development proposals to ensure the benefits are retained locally as far as possible.

Need

These classes of development support the redevelopment and reuse of existing strategic assets and land contributing to a net zero economy. It also supports delivery of our spatial strategy by stimulating investment in the west of Scotland, potentially contributing to the wider aim of tackling inequalities.

Designation and classes of development

A development in the location within one or more of the Classes of Development described below and that would otherwise have been of a scale or type that is classified as 'major' by 'The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009', is designated a national development:

e) Land and buildings for industrial, commercial, research and development, and training uses;

Lifecycle greenhouse gas emissions assessment

- *Depending on the nature of the projects taken forward and considering both direct and indirect effects, the lifecycle greenhouse gas emissions assessment concludes this development will likely have an overall net positive impact on achieving national greenhouse gas emissions reduction targets.*
- Part 3 – National Planning Policy

Policy 2 Climate Emergency states that significant weight should be given to the Global Climate Emergency when considering all developments.

Policy 5 Community Wealth Building states that development plans should reflect a people-centred approach to local economic development.

Policy 16 Business and Employment states that development plans should allocate sites for business and employment in a way that supports a greener, fairer and more inclusive economy. Development for general industrial use should be compatible with the primary business function of the area. Development proposals for industry should take account of:

- surrounding **residential amenity** and sensitive uses
- population **health and wellbeing**, including **inequalities**
- **environmental quality and historic environment assets**
- **access, parking and traffic generation and air quality**

Policy 19 Green Energy requires Local development plans to seek to ensure that an area's full potential for electricity and heat from renewable sources is achieved. Policy 19 also states that Development proposals for all forms of renewable energy and low-carbon fuels, together with enabling works such as transmission and distribution infrastructure, and energy storage such as battery storage, should be supported in principle.

Annex A – NPF4 Outcomes Statement includes the following:

(e) meeting any targets relating to the reduction of emissions of greenhouse gases, within the meaning of the Climate Change (Scotland) Act 2009, contained in or set by virtue of that Act

Scottish Ministers consider that development of land supported by the policies and proposals in the NPF will contribute to this outcome by placing the global climate emergency at the heart of our strategy which addresses both emissions reduction and adaptation. Policy 2: Climate emergency states that when considering all development proposals significant weight should be given to the Global Climate Emergency.

6.3 Scottish Planning Policy (SPP)

6.3.1 This document provides details of Scottish Government policy on how nationally important land use planning matters should be addressed across the country. The SPP is focussed on four planning outcomes which are:

1. A successful sustainable place;
2. A low carbon place;
3. A natural, resilient place; and
4. A connected place

6.3.2 *The Planning System:* Paragraph 2 sets out that planning should take a positive approach to enabling high quality development and making efficient use of land to deliver long-term benefits for the public while protecting and enhancing natural and cultural resources.

6.3.3 *Outcomes; How Planning Makes a Difference:* Paragraph 11 sets out that the NPF3 and SPP share a single vision for the planning system in Scotland;

We live in a Scotland with a growing, low-carbon economy with progressively narrowing disparities in well-being and opportunity. It is growth that can be achieved whilst reducing emissions and which respects the quality of environment, place and life which makes our country so special. It is growth which increases solidarity – reducing inequalities between our regions. We live in sustainable, well-designed places and homes which meet our needs. We enjoy excellent transport and digital connections, internally and with the rest of the world.

Principal Policies

This SPP introduces a presumption in favour of development that contributes to sustainable development.

6.3.4 *Sustainability:* With regard to sustainability, paragraph 28 outlines that 'the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost.'

6.3.5 Paragraph 29 sets out that decisions should be guided by the following principles:

- *giving due weight to net economic benefit;*
- *responding to economic issues, challenges, and opportunities, as outlined in local economic strategies;*
- *supporting good design and the six qualities of successful places;*
- *making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;*
- *supporting delivery of accessible housing, business, retailing and leisure development;*
- *supporting delivery of infrastructure, for example transport, education, energy, digital and water;*
- *supporting climate change mitigation and adaptation including taking account of flood risk;*
- *improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;*
- *having regard to the principles for sustainable land use set out in the Land Use Strategy; • protecting, enhancing, and promoting access to cultural heritage, including the historic environment;*

- *protecting, enhancing, and promoting access to natural heritage, including green infrastructure, landscape, and the wider environment;*
- *reducing waste, facilitating its management, and promoting resource recovery; and*
- *avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air, and soil quality.*

6.3.6 Paragraph 32 indicates there will be a presumption in favour of sustainable development. However, this does not change the statutory status of the development plan as the starting point for decision-making. *'Proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising. For proposals that do not accord with up-to-date development plans, the primacy of the plan is maintained and this SPP and the presumption in favour of development that contributes to sustainable development will be material considerations.'*

Subject Policies

6.3.7 Promoting rural development:

6.3.8 Paragraph 74 states that: NPF3 sets out a vision for vibrant rural, coastal and island areas, with growing, sustainable communities supported by new opportunities for employment and education. Scotland's long coastline is an important resource both for development and for its particular environmental quality.

6.3.9 Paragraph 75 outlines that the planning system should encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing the environment.

6.3.10 Paragraph 89 states that: Plans should identify areas of largely developed coast that are a major focus of economic or recreational activity that are likely to be suitable for further development.

6.3.11 Supporting Business and Employment:

6.3.12 Paragraph 92 states that: NPF3 supports the many and varied opportunities for planning to support business and employment. These range from a focus on the role of cities as key drivers of our economy, to the continuing need for diversification of our rural economy to strengthen communities and retain young people in remote areas. Planning should address the development requirements of businesses and enable key opportunities for investment to be realised. It can support sustainable economic growth by providing a positive policy context for development that delivers economic benefits.

6.3.13 Paragraph 93 states that: The planning system should:

- promote business and industrial development that increases economic activity while safeguarding and enhancing the natural and built environments as national assets;
- allocate sites that meet the diverse needs of the different sectors and sizes of business which are important to the plan area in a way which is flexible enough to accommodate changing circumstances and allow the realisation of new opportunities; and
- give due weight to net economic benefit of proposed development.

6.3.14 *Valuing the Historic Environment:* With regard to the historic environment, paragraph 135 sets out that NPF3 recognises the contribution made by our cultural heritage to our economy, cultural identity, and quality of life.

6.3.15 Paragraph 137 sets out the policy principles of historic environment whereby designated and non-designated historic environment should be protected, any change should be sensitively managed to avoid or minimise adverse impacts, and ensure that its special characteristics are protected, conserved, or enhanced.

6.3.16 Paragraph 140 indicates that the siting and design of development should take account of all aspects of the historic environment.

6.3.17 Paragraph 148 sets out that planning authorities should protect and, where appropriate, seek to enhance gardens and designed landscapes

A Low Carbon Place

6.3.18 *Delivering Heat and Electricity*: Paragraph 152 outlines that the spatial strategy should facilitate the development of generation technologies that will help to reduce greenhouse gas emissions from the energy sector.

6.3.19 Paragraph 153 comments that: *Terrestrial and marine planning facilitate development of renewable energy technologies, link generation with consumers and guide new infrastructure to appropriate locations. Efficient supply of low carbon and low-cost heat and generation of heat and electricity from renewable energy sources are vital to reducing greenhouse gas emissions and can create significant opportunities for communities. Renewable energy also presents a significant opportunity for associated development, investment and growth of the supply chain, particularly for ports and harbours identified in the National Renewables Infrastructure Plan.*

6.3.20 Paragraph 154 indicates that the planning system should support the transformational change to a low carbon economy.

6.3.21 With regards to development planning paragraph 156 indicates that '*Strategic development plans should support national priorities for the construction or improvement of strategic energy infrastructure, including generation, storage, transmission and distribution networks. They should address cross-boundary issues, promoting an approach to electricity and heat that supports the transition to a low carbon economy*'.

6.3.22 Paragraph 169 sets out a checklist for assessing energy infrastructure developments, these considerations will vary from site to site but are likely to include:

- *net economic impact, including local and community socio-economic benefits such as employment, associated business, and supply chain opportunities;*
- *the scale of contribution to renewable energy generation targets;*
- *effect on greenhouse gas emissions;*
- *cumulative impacts – planning authorities should be clear about likely cumulative impacts arising from all the considerations below, recognising that in some areas the cumulative impact of existing and consented energy development may limit the capacity for further development;*
- *impacts on communities and individual dwellings, including visual impact, residential amenity, noise, and shadow flicker;*
- *landscape and visual impacts, including effects on wild land;*
- *effects on the natural heritage, including birds;*
- *impacts on carbon rich soils, using the carbon calculator;*
- *public access, including impact on long distance walking and cycling routes and scenic routes identified in the NPF;*
- *impacts on the historic environment, including scheduled monuments, listed buildings and their settings;*
- *impacts on tourism and recreation;*
- *impacts on aviation and defence interests and seismological recording;*
- *impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;*
- *impacts on road traffic;*
- *impacts on adjacent trunk roads;*

- *effects on hydrology, the water environment and flood risk;*
- *the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration;*
- *opportunities for energy storage; and*
- *the need for a robust planning obligation to ensure that operators achieve site restoration*

A Natural, Resilient Place

6.3.23 *Valuing the Natural Environment:* With regards to the natural environment, paragraph 194 outlines that the planning system should;

- *facilitate positive change while maintaining and enhancing distinctive landscape character;*
- *conserve and enhance protected sites and species, taking account of the need to maintain healthy ecosystems and work with the natural processes which provide important services to communities;*
- *promote protection and improvement of the water environment, including rivers, lochs, estuaries, wetlands, coastal waters, and groundwater, in a sustainable and co-ordinated way;*
- *seek to protect soils from damage such as erosion or compaction;*
- *protect and enhance ancient semi-natural woodland as an important and irreplaceable resource, together with other native or long-established woods, hedgerows and individual trees with high nature conservation or landscape value;*
- *seek benefits for biodiversity from new development where possible, including the restoration of degraded habitats and the avoidance of further fragmentation or isolation of habitats;*
- *support opportunities for enjoying and learning about the natural environment.*

6.3.24 Paragraph 202 indicates that the siting and design of development should take account of local landscape character and local authority decisions should take account of potential effects in landscapes and the natural and water environment. Developers should seek to minimise adverse impacts.

6.3.25 Paragraph 203 outlines that: *planning permission should be refused where the nature or scale of a proposed development would impact unacceptably on the natural environment. Direct or indirect effects on statutorily protected sites will be an important consideration, but designation does not impose an automatic prohibition on development.*

6.3.26 Sites of Special Scientific Interest are covered in paragraph 212, where development which affects them should only be permitted where the objectives of the designation will not be compromised or '*any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.'*

6.3.27 Paragraph 214 outlines that the presence, or potential presence, of a legally protected species is an important consideration on determining application. Steps must be taken to try and establish their presence and the level of any protection of the specie must be factored into the planning and design of the development and impacts must be considered prior to the determination of the application.

6.3.28 *Maximising the Benefits of Green Infrastructure:* Paragraph 220 outlines that planning should; '*protect, enhance and promote green infrastructure, including open space and green networks, as an integral component of successful placemaking*.' and paragraph 221 indicates the planning system should;

- *consider green infrastructure as an integral element of places from the outset of the planning process;*
- *assess current and future needs and opportunities for green infrastructure to provide multiple benefits;*
- *facilitate the provision and long-term, integrated management of green infrastructure and prevent fragmentation; and*
- *provide for easy and safe access to and within green infrastructure, including core paths and other important routes, within the context of statutory access rights under the Land Reform (Scotland) Act 2003.*

6.3.29 *Managing Flood Risk and Drainage:* Paragraph 255 sets out that the planning system should promote:

- *a precautionary approach to flood risk from all sources, including coastal, water course (fluvial), surface water (pluvial), groundwater, reservoirs, and drainage systems (sewers and culverts), taking account of the predicted effects of climate change;*
- *flood avoidance: by safeguarding flood storage and conveying capacity, and locating development away from functional flood plains and medium to high-risk areas;*
- *flood reduction: assessing flood risk and, where appropriate, undertaking natural and structural flood management measures, including flood protection, restoring natural features and characteristics, enhancing flood storage capacity, avoiding the construction of new culverts, and opening existing culverts where possible; and*
- *avoidance of increased surface water flooding through requirements for Sustainable Drainage Systems (SuDS) and minimising the area of impermeable surface.*

6.3.30 Paragraph 256 outlines that the planning system should prevent development which would have a significant probability of being affected by flooding or would increase flooding elsewhere. With regards to SuDs, paragraph 268 indicates that they should be appropriate to the development and long-term maintenance arrangements should be in place.

A Connected Place

6.3.31 Promoting Sustainable Transport and Active Travel:

6.3.32 Paragraph 270 states that: The planning system should support patterns of development which:

- *optimise the use of existing infrastructure;*
- *reduce the need to travel;*
- *provide safe and convenient opportunities for walking and cycling for both active travel and recreation, and facilitate travel by public transport;*
- *enable the integration of transport modes; and*
- *facilitate freight movement by rail or water.*

6.3.33 Paragraph 279 states that: Significant travel-generating uses should be sited at locations which are well served by public transport, subject to parking restraint policies, and supported by measures to promote the availability of high-quality public transport services.

6.3.34 Paragraph 283 states that: Planning authorities and port operators should work together to address the planning and transport needs of ports and opportunities for rail access should be safeguarded in development plans.

6.3.35 Paragraph 286 indicates the new development likely to generate a significant increase in the number of trips should be supported with a transport assessment. This should identify any potential cumulative effects which need to be addressed.

6.3.36 Paragraph 291 outlines that: Consideration should be given to appropriate planning restrictions on construction and operation related transport modes when granting planning permission, especially where bulk material movements are expected.

6.4 The Development Plan

6.4.1 Section 25 of The Town and Country Planning Act (Scotland) 1997 (the Planning Act) as amended by the Planning etc. (Scotland) Act 2006 and now the Planning (Scotland) Act 2019 states that:

"*Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise*".

6.4.2 The site falls within the North Ayrshire local planning authority boundary and therefore the North Ayrshire Local Development Plan 2: 2019 (LDP2) is the primary statutory Development Plan for the site.

North Ayrshire Local Development Plan 2019

Introduction

6.4.3 North Ayrshires Local Development Plan 2: 2019 (LDP2) was adopted in November 2019 and sets out how North Ayrshire Council seeks to guide development and investment in the area over the next 20 years. Within the Local Plan, Hunterston is identified as a Strategic Project of national importance, as a deep-water port and an energy hub. North Ayrshire regard this adopted Local Development Plan as a critical tool in achieving inclusive growth for the area.

6.4.4 This section will consider the relevant policies within LDP2 in relation to the proposed manufacturing facility at Hunterston PARC.

Foreword

6.4.5 This states that:

Hunterston is a key employment location within North Ayrshire and offers deep water sea-port facilities and infrastructure that make it a national asset. We want the future National Planning Framework to strengthen its commitment to supporting Hunterston as national development as an energy hub and maximising the economic potential of the port's deep-water access.

Strategic Policy 1: Spatial Strategy – Towns and Villages

6.4.6 This policy contains a list of Strategic Development Areas, which includes Hunterston.

6.4.7 The policy supports development proposals in towns and villages that:

c) Generate new employment opportunities by identifying a flexible range of business, commercial and industrial areas to meet market demands including those that would support key sector development at Hunterston.

e) Prioritise the re-use of brownfield land over greenfield land by supporting a range of strategic development that will deliver the regeneration of vacant and derelict land through its sustainable and productive re-use.

6.4.8 Policy SP1 states that the council will support development proposals out with identified towns and villages, such as the application site, including for the following:

c) developments with a demonstrable specific locational need including developments for renewable energy production.

6.4.9 Development proposals should avoid damage to our coastline unless economic benefits arising from the proposal outweighs its economic impact. In principle the council will support proposals that:

b) assist to develop North Ayrshire's coastal economy and marketability.

e) enhance existing strategic coastal marine assets and infrastructure.

g) provide jobs to North Ayrshire communities.

6.4.10 The development creates a huge opportunity for new employment in the area (900 jobs to be created) and Hunterston is noted in Policy SP1 as being a key development area for this. There will be a real sense of place at the site that has been compared to more of a university campus than a manufacturing facility and the re-use of brownfield land satisfies SP1.

Strategic Policy 2: Placemaking

6.4.11 Policy SP2 details placemaking policy and states that there are six qualities that make a successful place. These are:

- *Distinctive*
- *Welcoming*
- *Safe and Pleasant*
- *Adaptable*
- *Resource Efficient*
- *Easy to Move Around and Beyond*

6.4.12 Policy SP2 states that placemaking policy will ensure the area is safer and healthier by making sure that all development contributes to making quality places.

Strategic Policy 3: Strategic Development Area 1: Hunterston

6.4.13 Hunterston is identified as a Strategic Development Area of National Importance in SP3. The site is identified as being the Hunterston Deep Water Port and Bulk Terminal and it is noted that North Ayrshire strongly support the sites allocation in NPF4 (as referred to above).

6.4.14 The potential of the site at Hunterston is huge. It has the deepest sea entrance on the west coast of the UK. It can accommodate the largest capacity sea vessels and handle most types of bulk cargoes. The site has 200 acres (80 ha) available for development. The operational facility includes a multidirectional conveyor with a fast discharge rate.

6.4.15 At Hunterston Deep Water Port the following types of development will be supported**:**

- *Renewables generation, manufacture, maintenance, research and development, testing and training (including support for a renewables skills academy)*

6.4.16 In SP3, Hunterston is recognised as being of strategic national importance as an energy hub and deep-water port. The proposed development satisfies SP3 and the manufacture of high-quality high voltage cables will greatly aid in the generation of renewable energy.

6.4.17 The proposed development is therefore deemed to be incredibly well suited for the site, as it will make use of the deep-water port to manufacture and supply subsea cables that will significantly increase the capacity of offshore renewable wind energy being supplied to the UK. It is considered that the proposed development complies with the vision for the Strategic Development Area and wholly complies with Policy SP3.

Policy 2: Regeneration Opportunities

6.4.18 Policy 2 states that the LPA will support and even promote the development of brownfield land (including vacant and derelict land) that is within its settlements. The LPA will also support solutions that would improve the economic outlook of the surrounding area such as:

- *Greening (Woodland planting, allotments etc.)*
- *Renewable Energy Generation*
- *Protection and enhancement of green and blue networks*

6.4.19 The proposal will regenerate an existing brownfield site and make a contribution to place-making, in accordance with policy 2.

Policy 7: Business and Industry Employment Locations

6.4.20 Policy 7 notes that the Council will support and promote the development of the locations listed in Schedule 5 for business and industry uses. The proposed site falls within the Hunterston Strategic Development Area, which is designated in Schedule 5 for business and industry use.

6.4.21 As the proposed development will be for business and industry for the production of renewable energy enabling cables, the development fully complies with Policy 7.

Policy 9: Preserving and Enhancing our Conservation Areas

6.4.22 This policy states that: Development within or adjacent to a Conservation Area, that preserves or enhances its character and appearance, and is consistent with any relevant Conservation Area Appraisal or Management Plan, will be supported providing it can be demonstrated that it retains appropriate scale, proportion, siting, massing, design, and use of materials whilst not inhibiting high quality innovative design.

6.4.23 The effect of the proposed development on Conservation Areas in the local area is assessed in chapter 6 of the EIA, which accompanies this application.

Policy 10: Listed Buildings

6.4.24 This policy states that: The layout, design, materials, scale, siting and use of any development affecting a Listed Building or its setting should be appropriate to the character and appearance of the listed building.

6.4.25 The effect of the proposed development on Listed Buildings in the local area is assessed in chapter 6 of the EIA, which accompanies this application. Chapter 6 also assesses the effect of the development on Historic Gardens and Designated Landscapes, Scheduled Monuments and Non-designated Archaeological Sites and Monuments (Policies 11, 12 and 13).

Policy 14: Green and Blue Infrastructure

6.4.26 Policy 14 puts great emphasis on developments protecting and enhancing the natural features and habitats within the existing green and blue infrastructure. It states that:

- *All proposals should seek to protect, create, enhance and/or enlarge our natural features and habitats which make up our green and blue infrastructure (including open space), ensuring no unacceptable adverse environmental impacts occur*.

6.4.27 The impact of the proposed development on natural features and habitats has been extensively analysed in Chapter 5 of the EIA Report that is submitted alongside this Planning Statement.

Policy 15: Landscape and Seascape

6.4.28 Policy 15 states that the Council will:

- *support development that protects and/ or enhances our landscape/seascape character, avoiding unacceptable adverse impacts on our designated and non-designated landscape areas and features.*

6.4.29 The site itself is not subject to any landscape designations and is currently a derelict brownfield site that used to store iron ore and coal. Additionally, the site is not subject to any landscape designations. However, the effect of the development on assets, such as National Scenic Areas, Special Landscape Areas, Wild Land and Local Landscape Features is assessed in chapter 7 of the EIA, which accompanies this application.

Policy 16: Protection of our Designated Sites

6.4.30 Policy 16 states that the Council will:

- *support development which would not have an unacceptable adverse effect on our valuable natural environment as defined by the following legislative and planning designations*

6.4.31 The site itself is not designated. However, the effect of the development on designated sites, such as Natural Conservation Sites of International Importance, Nature Conservation Sites of National Importance, Nature Conservation Sites of Local Importance, Marine Protected Areas, Biodiversity Action Plan Habitats and Species and Protected Species is assessed in chapter 5 of the EIA, which is submitted with this application.

Policy 18: Forestry, Woodland, Trees and Hedgerows

6.4.32 Policy 18 details that development proposals will only be supported if the development would not result in the loss or deterioration of an ancient or long-established plantation or semi-natural woodland unless there are overriding public benefits that would outweigh the loss of the woodland habitat.

6.4.33 There are a number of ancient woodland designations and tree preservation orders within close proximity to the site. However, there are not any onsite. Meaning that the proposed development fully complies with Policy 18.

Policy 22: Water Environment Quality

6.4.34 Policy 22 states that NAC will support development that achieves the objectives of the Water Framework Directive and the River Basin Management Plan for Scotland. Generally, development which would lead to the deterioration of the water environment will be resisted unless it would deliver significant social, environmental or economic benefits. It goes on to state that:

6.4.35 Development will be required to ensure no unacceptable adverse impact on the water environment by:

a) Protecting and enhancing the ecological status and riparian habitat, natural heritage, landscape values and physical characteristics of water bodies (including biodiversity and geodiversity);

b) Protecting and enhancing existing flood plains; protecting opportunities for public access to and recreation and enjoyment on and around lochs, rivers, burns, wetlands and the coastal marine area; and

c) Having regard to any designated Bathing Waters. Where engineering works are required in or near water bodies, there will be a presumption in favour of soft engineering techniques and against the culverting of watercourses, unless there is no suitable alternative. Proposals for culverting of watercourses for land gain may only be justified if the applicant can demonstrate that:

- No other practical option exists that would allow the watercourse to remain open; and
- The proposed development is of over-riding public interest.

6.4.36 Measures will be implemented to ensure that the Project complies with Policy 22.

Policy 23: Flood Risk Management

6.4.37 Policy 23 states that the Council will support development that demonstrates accordance with the Flood Risk Framework as shown in Schedule 7 of LDP2, relevant flood risk management strategies and local flood risk management plans.

6.4.38 Development proposals should:

- *Clearly set out measures to protect against, and manage, flood risk.*
- *Include sustainable urban drainage systems (SuDS) where surface water is proposed to be discharged to the water environment, in accordance with the Water Environment (Controlled Activities) (Scotland) Regulations 2011 as amended.*
- *Include provision of temporary/construction phase SuDS. • include appropriate long-term maintenance arrangements.*

- *Be supported by an appropriate flood risk assessment where at risk of flooding from any source in medium to high-risk areas and for developments in low to medium risk areas identified in the risk framework (schedule 7).*
- *Take account of SEPA's flood risk and land use vulnerability guidance (2018) and any relevant updates to, or replacements of this guidance*

6.4.39 The proposed development has been assessed as being at little to no flood risk as set out in Chapter 8 of the EIA Report, Hydrology and Flood Risk that is submitted alongside this Planning Statement. The Report has detailed a Flood Risk Assessment that was conducted. It also demonstrated that the project would not result in an increase in flood risk off-site and therefore the project fully complies with Policy 23.

Policy 27: Sustainable Transport and Active Travel

6.4.40 This policy states that North Ayrshire Council will support developments that:

- *contributes to an integrated transport network that supports long term sustainability.*
- *reduces inequality by improving the accessibility and connectivity of employment opportunities and local amenities.*
- *provides safe and convenient sustainable transport options and supports modal shift to sustainable transport and active travel.*
- *reduces the need to travel or appropriately mitigates adverse impacts of significant traffic generation, road safety and air quality, including taking into account the cumulative impact.*
- *enables the integration of transport modes and facilitates movement of freight by rail or water (in preference to road). This would include, for example, the provision of infrastructure necessary to support positive change in transport technologies, such as charging points for electric vehicles and the safeguarding of disused railway lines with the reasonable prospect of being used as rail, tram, bus rapid transit or active travel routes.*

6.4.41 The LPA will take account of the following:

- *the implications of development proposals on traffic, patterns of travel and road safety.*
- *significant traffic generating uses should be sited at locations that are well served by public transport, subject to parking restraint policies, and supported by measures to promote the availability of high-quality public transport services. Where this is not achievable, we may seek the provision of subsidised services until a sustainable service is achievable.*

6.4.42 Developments likely to generate significant additional journeys will be required to be accompanied by a Transport Assessment, Air Quality Assessment and a Travel Plan.

6.4.43 The proposal will make a positive contribution to sustainable travel, especially through its potential to use rail and water modes to take traffic off the roads. The transport effects of the proposal are assessed in chapter 10 of the EIA, which accompanies this application.

Policy 29: Energy Infrastructure Development

6.4.44 Policy 29 states that the Council will support development proposals for energy infrastructure development, including wind, and other renewable sources, where they will contribute positively to their transition to a low carbon economy and have no unacceptable adverse environmental impacts, taking into consideration (including cumulatively) the following:

- Environmental
- Community
- Public Safety

- Buildings: Low and Zero Carbon Generating Technology

6.4.45 The proposed undersea cable manufacturing facility will make a significantly positive contribution to increasing the capacity of the offshore renewable energy industry in the UK. It will contribute positively to the transition to a low carbon economy and aid in meeting renewable energy targets, both in Scotland and the UK.

Schedule 1: Schedule of land Ownership

6.4.46 Section 15 (3) of the Act requires LDP's to contain a schedule of land that is owned by the planning authorities and affected by any of the policies, proposals or views expressed in the plan. Land at Hunterston Port and Energy Hub is owned by North Ayrshire Council, which is allocated for development by Strategic Policy 3: Strategic Development Areas.

Schedule 5: Schedule of Employment Locations

6.4.47 This includes Hunterston, within North Coast and Cumbrae, with a site area of 277ha

7 RELEVANT MATERIAL CONSIDERATIONS

7.1.1 Section 25 of The Town and Country Planning Act (Scotland) 1997 (the Planning Act) as amended by the Planning etc. (Scotland) Act 2006 and now the Planning (Scotland) Act 2019 states that:

"*Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise*".

7.1.2 This section will assess the proposed development against material considerations.

7.2 Energy Storage and Management Drivers

7.2.1 There has been an increasing focus on how the UK can provide consumers with secure, clean and affordable electricity. Seen with Scotland committing to a shift to renewable energies as seen in the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, with the aim of reducing baselines greenhouse gas emissions by 90% by 2040.

7.2.2 There is a considerable demand for high voltage cables, although there is a severe lack in the global manufacturing capacity. It is estimated that 8% of the UK's energy will eventually be generated from the production of the cables. The cables will enable a large and direct supply of renewable offshore wind energy to the UK.

7.3 Climate Emergency

7.3.1 North Ayrshire Council declared a climate emergency in June 2019 and have committed to achieving net-zero carbon emissions by 2030. As a result, North Ayrshire Council released the Environmental Sustainability & Climate Change Strategy 2021-2023 with the document setting out their aim of creating a sustainable, climate ready area. The report details how the council is going to deliver an inclusive and green economy and what they have achieved so far.

7.4 Net Zero – The UK's Contribution to Stopping Global Warming

7.4.1 The Net Zero report was published in May 2019 and reassesses the UK's long-term emissions targets in response to requests from the Governments of the UK. The key findings of the report detailed that The Committee on Climate Change recommended a new target of net-zero greenhouse gases by 2050 for the UK and 2045 for Scotland. Scotland's shorter target date was stated as being due to their greater relative capacity to remove emissions.

7.4.2 The report detailed that there were various ways to achieve the net-zero greenhouse gas targets that were committed to as part of the Paris Agreement. These included utilising known technologies, individuals and businesses making improvements in their ways of living and from clear, stable well-designed policies.

7.5 Socio-Economic Benefit

7.5.1 The total cost of the building and fitting of the manufacturing facility is expected to be £250 million, with £150 million of that being equipment and £100 million would be for construction. It has been estimated in Chapter 14 in the RPS EIA Report 'Summary of Effects' that during the peak construction period, that there will be capital investment to support 70 jobs in North Ayrshire, 490 jobs in Scotland and 1.330 jobs in the UK. During the operational phase, there will be 1,010 jobs created in North Ayrshire,1,600 jobs in Scotland and 3,610 jobs in the UK.

7.5.2 The population of North Ayrshire in 2020 was 134,000, this represents a decline of 2.8% since 2010. Compared to the UK's population that increased by 6% and Scotland's by 3.8%. North Ayrshire has a relatively high proportion of its workforce employed in the manufacturing

industry at 10.7% when compared to the UK at 7.8%. Combined with this, North Ayrshire has a higher unemployment rate for people of the working age than the UK, being 5.1% and 4.7% respectively. This suggests that the Hunterston site is well suited for a manufacturing site due to the availability of the workforce and the current nature of employment in the area.

7.5.3 The development is expected to create high quality employment opportunities in the Hunterston area during the construction and operational phase of the development which will have a socio-economic benefit for the wider community. As people of working age may be attracted to the area for the development, which will combat the current declining population in North Ayrshire and help to lower unemployment rates that are currently higher than the UK average. It has been estimated that the operational phase of the development would contribute 3,610 jobs to the UK with an economic impact of £183 million GVA.

7.5.4 The socio-economic benefit of the development has been assessed to be major and significant for the North Ayrshire economy in Chapter 14 of the EIA Report, 2022 created by RPS. It is noted that "by creating high quality employment in North Ayrshire, it will meet the strategic objectives of supporting places with low productivity and high deprivation" whilst also supporting research and development and the expansion of renewable energy.

7.5.5 The North Ayrshire Council released the Environmental Sustainability & Climate Change Strategy 2021-2023 with the document setting out their aim of creating a sustainable, climate ready area. The report details how the council is going to deliver an inclusive and green economy and what they have achieved so far.

7.6 North Ayrshire Council (2021): Environmental Sustainability and Climate Change Strategy 2021-2023

7.6.1 This strategy states that the Hunterston Strategic Development Area is identified in the Scottish National Planning Framework and recognised as one of the UKs most important strategic energy locations.

7.6.2 "The imminent decommissioning of all nuclear stations at Hunterston, alongside a cessation of handling of carbon fuels within Hunterston, means it is at a crossroads in its transition from an energy hub with a significant environmental footprint to a UK centre for clean energy production, supporting clean/blue/circular economy uses and the development of a net zero industrial location." (Page 21)

7.6.3 "The UK Government recognises the strategic importance of Hunterston and £18m has been secured through Ayrshire Growth Deal to develop centres of excellence in innovation, advanced technologies and applied research with a focus on the blue and green economies including low carbon energy /circular economy/aquaculture/advanced manufacture and the servicing of assets for the offshore wind and renewable energy sector." (Page 21)

7.7 Hunterston PARC

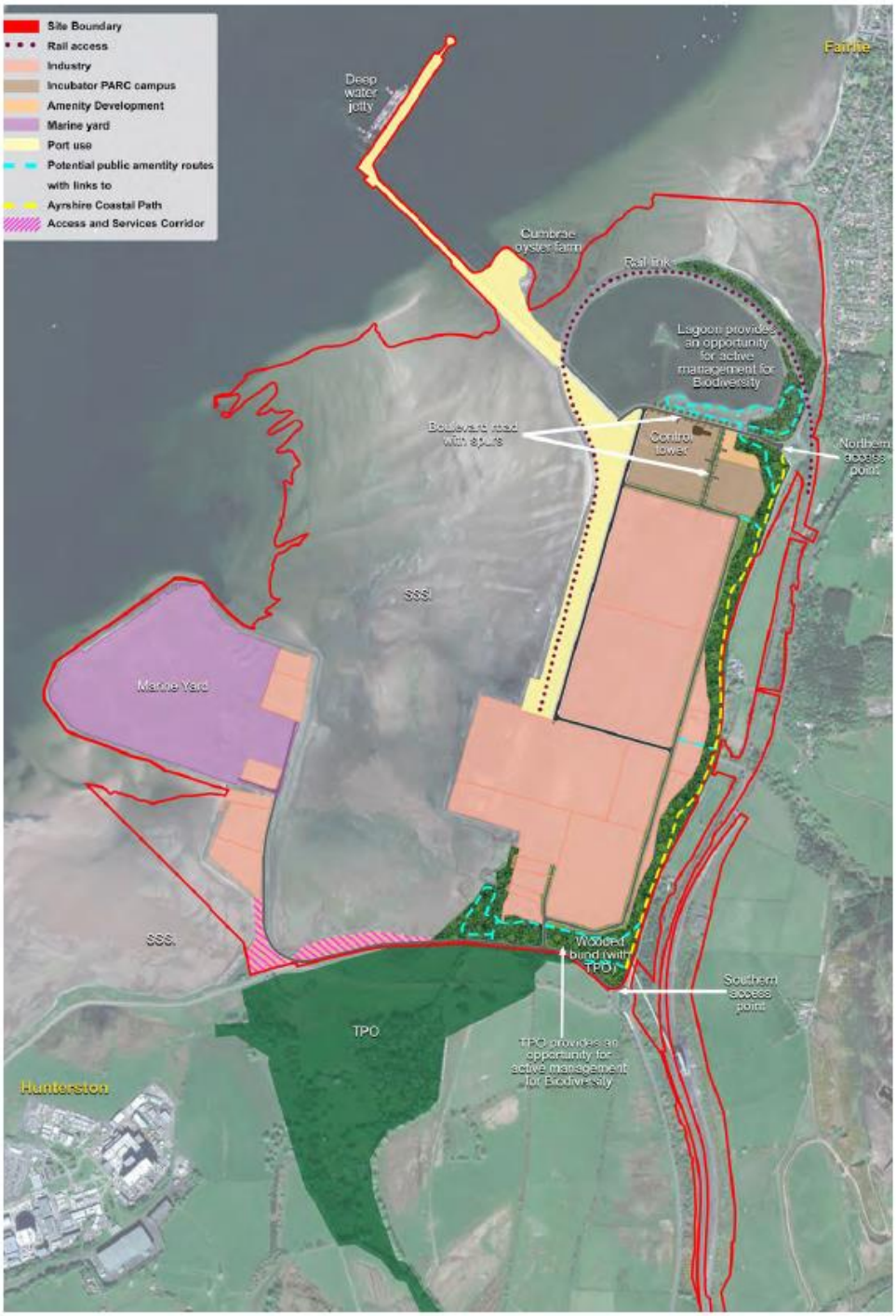
7.7.1 Peel Ports published a Development Framework Draft for Consultation in September 2021. It does not form part of the development plan, but in December 2021, North Ayrshire Council agreed to approve the Framework in that it would become a material consideration in the determination of future planning applications on the site.

7.7.2 Although not directly part of the LDP, it is considered that it meets Strategic Policy 3's statement, for this part of Hunterston at least, that "Hunterston is an area where co-ordinated action and a master planned approach is required."

7.7.3 The Framework analyses the constraints and opportunities of the site, which has a total area of nearly 1,000 acres (400ha) containing 320 acres (130ha) of brownfield land, a SSSI, a lagoon and a large, wooded area protected by a TPO.

What is proposed?

7.7.4 Under three identified key themes of Port, Industry and Marine the site intends to offer a clear potential to help deliver on important challenges facing Scotland and the UK. Potential uses of the site will help to tackle climate change (NetZero2045) assisting in the delivery of the circular economy, utilising existing significant grid connections after the closure of Hunterston B, exercising the ability of multimodality (Rail, Sea and Road) and the important reuse of world class existing assets to help tackle increases in carbon production.



7.7.5 The above diagram, taken from the Hunterston PARC Framework, shows the proposed development framework with the layout of uses for the site, including Industry, Port use and transport links.

Three Pillars Principle

7.7.6 The site is based on three main principles of Port, Marine and Industry. These have been distilled from the location, previous uses of the site and the uniqueness of the offering in a global setting.

7.7.7 Hunterston PARC offers a uniquely accessible opportunity for industry, power generators, importers and exporters to come together for mutual benefit.

Industry

7.7.8 Hunterston PARC wants to attract, nurture and develop industry that takes Scottish communities further than others, that will become World leaders and Innovators for the benefits to be shared globally.

7.7.9 The site will be a great place for research, development and testing of technologies associated with turbines, battery and tidal, which was derived from the previous consultation, was a key theme from respondents, who wish to see the site as a Green Energy Hub.

7.8 Emerging Planning Policy

7.8.1 Emerging planning policy includes the National Planning Framework 4 (NPF4), and this has been discussed in detail above in section 6.2 of this report.

7.9 National Renewables Infrastructure Plan 2014

7.9.1 The national renewables infrastructure plan seeks to make sure that the right sites are available in appropriate locations, to maximise the potential and growth of relevant industries. It is noted that this will be critical for Scotland if it is to become a hub for offshore renewable energy supplies. The Plan identifies Hunterston as a site for possessing the potential for large scale manufacturing, assembly, and fabrication operations.

7.10 Planning Advice Notes

7.10.1 PAN 1/2011 Planning and Noise (Scottish Government 2011) provides guidance on how the planning system can help to prevent and limit the adverse effects of noise from development.

7.10.2 Paragraph 14 states that:

The selection of a site, the design of a development and the conditions which may be attached to a planning permission can all play a part in preventing, controlling and mitigating the effects of noise. Discussions with the planning authority prior to submitting an application will assist in deciding the level of detail required from an applicant in respect of noise. The level of detail required should be balanced against the degree of risk to environmental quality, public health and amenity. More detailed assessments may be required for proposals that are likely to generate significant noise; for noise sensitive proposals which may affect existing noise sources and for proposals that may affect noise levels within or close to NMAs or Quiet Areas.

7.10.3 Paragraph 15 states that:

Issues which may be relevant when considering noise in relation to a development proposal include:

- *Type of development and likelihood of significant noise impact,*
- *Sensitivity of location (e.g. existing land uses, NMA, Quiet Area),*
- *Existing noise level and likely change in noise levels,*
- *Character (tonal, impulsivity etc), duration, frequency of any repetition and time of day of noise that is likely to be generated, and*

- *Absolute level and possible dose-response relationships e.g. health effects if robust data available.*

7.10.4 Paragraph 31 states that:

Due to its variable character industrial noise is generally difficult to assess. Since background noise levels vary throughout a 24-hour period it will usually be necessary for Noise Impact Assessments to assess the acceptability of noise levels for separate periods (e.g. day, evening, night and weekend) chosen to suit the hours of operation of the proposed development. Noise that may result from traffic generated by new industrial developments is likely to be a relevant consideration.

7.10.5 It is clear that the effect of noise from the construction and operation of the Project on receptors will need to be assessed. If there is any effect, mitigation will be required.

7.10.6 PAN 51 Planning, Environmental Protection and Regulation (Scottish Executive, 2006) supports existing policy on the role of the planning system in relation to environmental protection regimes.

7.11 Technical Advice Notes

7.11.1 TAN11 Assessment of Noise (Scottish Government 2011) provides guidance, which may assist in the technical evaluation of noise assessments. The TAN sets out how a Noise Impact Assessment should be undertaken, to assess the likely noise effect from a proposed development. It explains which factors the LPA should consider when assessing the noise effect of a development. Methods of mitigation of the effects are also explained.

7.12 Summary

7.12.1 The benefits of the proposed development are great for enabling significant growth in the capacity of offshore renewable energy. The material considerations detailed above in Chapter 7 provide extra weight in favour of the undersea cable manufacturing facility at Hunterston. Notably, as the site has been identified for the specific purpose that the development is seeking, which will provide a facility that will greatly aid in meeting climate targets and help the UK reach carbon net zero in accordance with the UK Governments legally binding timetable.

8 PLANNING ASSESSMENT

8.1 Principle of Development

8.1.1 Section 25 of The Town and Country Planning Act (Scotland) 1997 (the Planning Act) as amended by the Planning etc. (Scotland) Act 2006 and now the Planning (Scotland) Act 2019 states that:

"*Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise*".

8.1.2 The Project site falls within the North Ayrshire Council (NAC) boundary and therefore the North Ayrshire Local Development Plan 2: 2019 (LDP2) is the primary statutory Development Plan for the site.

8.1.3 LDP2 Policy 1: Spatial Strategy – Towns and Villages contains a list of Strategic Development Areas, including Hunterston. New development is supported, including the following:

c) Generate new employment opportunities by identifying a flexible range of business, commercial and industrial areas to meet market demands including those that would support key sector development at Hunterston.

e) Prioritise the re-use of brownfield land over greenfield land by supporting a range of strategic development that will deliver regeneration of vacant and derelict land through its sustainable and productive re-use

8.1.4 Developments out with towns and villages, such as the Project site, will be supported where they include the following:

c) developments with a demonstrable specific locational need including developments for renewable energy production.

8.1.5 Development proposals should avoid damage to our coastline unless economic benefits arising from the proposal outweighs its economic impact. In principle the council will support proposals that:

b) assist to develop North Ayrshire's coastal economy and marketability.

e) enhance existing strategic coastal marine assets and infrastructure.

g) provide jobs to North Ayrshire communities.

8.1.6 In this positive context, the Project will create 900 new jobs on a brownfield site in a coastal location, serving the renewable energy industry. Clearly, the Project will meet many of the criteria of LDP2 policy 1.

8.1.7 The Project site is the subject of LP2 Strategic Policy 3: Strategic Development Area 1: Hunterston. Policy SP3 states that Hunterston is recognised as being of strategic national importance as an energy hub and deep-water port. The proposed development satisfies SP3 and the manufacture of high voltage cables will greatly aid in the generation of renewable energy.

8.1.8 The proposed development is therefore deemed to be incredibly well suited for the site, as it will make use of the deep-water port to manufacture and supply subsea cables that will significantly increase the capacity of offshore renewable wind energy being supplied to the UK.

8.1.9 It is considered that the proposed development complies with the vision for the Strategic Development Area and wholly complies with LP2 Policy SP3.

8.1.10 The Project site is also identified in the NFP3, which is a material consideration and includes, in paragraph 3.41, the following:

Hunterston *has long been identified as a priority for industrial and employment use. It benefits from good transport connections, and close proximity to the cities network. North Ayrshire Council and its partners are exploring future options for the site. Links with ongoing regeneration at Irvine through the Irvine Bay Urban Regeneration Company and its Life Sciences Enterprise Area will continue to be important. Future development at Hunterston should aim to make sustainable use of its key assets, including its deep-water access. Activities which could align with our national strategy include manufacturing and servicing support for offshore renewable energy development, building on the success of the onshore test facility for offshore wind turbines. There is local support for coastal tourism development in the area, and the site owner, Clydeport, has its own ambitions. Given its existing infrastructure, Hunterston will be an important landfall for strategic grid connections, including the link from Carradale in Argyll and the ISLES Project.* **(Our emphasis)**

8.1.11 More recently, the fourth version of the NPF (NPF4) is now out to consultation and it is also a material consideration in the planning approvals process. Part 2 of NPF4 includes a number of National Developments, including, in paragraph 10, Hunterston Strategic Asset, which states that:

This national development supports the repurposing of ***Hunterston*** *port as well as the adjacent former nuclear power station site. Hunterston has long been recognised as a strategic location for the port and energy sectors given its deep-water access and existing infrastructure.*

The location and infrastructure offer potential for electricity generation from renewables, and a variety of commercial uses including port, research and development, aquaculture, the circular economy. ***(Our emphasis)***

8.1.12 A number of potential development uses are listed, including:

e) land and buildings for industrial, commercial, research and development, and training uses.

8.1.13 All of these uses are proposed by the Project.

8.1.14 Consequently, it is very clear that the Project is acceptable in principle, given that it wholly accords with up-to-date adopted development plan policy and the proposal is strongly supported by Scottish Government guidance in the NPF3 and NPF4, which are highly relevant material considerations in the decision-making process.

8.2 Impact on the Landscape Character of the Area

8.2.1 LDP2 policy 15 states that the council will: support development that protects and/ or enhances our landscape/seascape character, avoiding unacceptable adverse impacts on our designated and non-designated landscape areas and features.

8.2.2 NAC also states that ‘For all development with the potential to have an impact on either Landscape Character or Landscape features (including their setting), appropriate mitigation measures should be considered as part of any planning application. Where there is potential for development to result in significant adverse landscape/visual impact, a landscape and visual impact assessment (LVIA) will be required’.

8.2.3 The Project site is not subject to any landscape designations and is currently a derelict brownfield site that used to be used to store large quantities of iron ore and coal. However, the effect of the Project on landscape assets in the surrounding area, such as National Scenic Areas, Special Landscape Areas, Wild Land and Local Landscape Features has been assessed by means of a LVIA in chapter 7 of the EIA, which accompanies this PPP application.

8.2.4 The LVIA assessed the effects of the Project on a large number of potential receptors, and it reached a number of conclusions:

Summary of Landscape and Seascape Effects

Operational Effects

8.2.5 The Project would introduce a large-scale industrial development, including a 185m high tower structure, access roads and hardstanding into a site which comprises a large area of post-industrial bare ground, rubble and hardstanding which remain following its previous use as the Hunterston Coal Yard and ore terminal. The deep-water jetty for the mooring of vessels would be retained and improved as part of the Project. The existing earth bunds and mature tree and shrub planting to the east of the Project Site would be retained to provide a significant environmental buffer to the transport corridors of the A78 and railway and provide a transition to the attractive agricultural, wooded and moorland landscape of the Clyde Muirshiel Regional Park and SLA to the east. The proposals would include green and blue infrastructure to provide functioning external spaces within an industrial facility. The elevations of buildings will incorporate a range of materials, finishes, textures and colours designed to break up the visual scale of the development and reference the context and various backdrops found within the wider dramatic landscape and seascape of the Firth of Clyde.

8.2.6 The sensitivity of the urbanised landscape of the site is considered to be low and remediation of existing site conditions through redevelopment can deliver some beneficial changes. The scale of the development would be large and prominent in a partly developed and industrial coastal context. However, the change in character of a disused site to an industrial facility would not result in the loss of any important features or characteristics and would not result in significant adverse effects on the character of the Project Site.

8.2.7 The Project will intensify the urban character of this part of the North Ayrshire coastline. The tower, in particular, would form a new focus and landmark in the wider 50 km radius study area. Ten landscape character types have been assessed within the study area. The long-term effects on these character types would generally range from **Minor to Moderate** adverse and are not considered individually to be significant.

8.2.8 Parts of the very highly valued North Arran NSA/WLA and Waterhead Moor – Muirshiel WLA would also experience **Moderate** adverse effects due to potential effects on their Special Qualities relating to distant views and tranquillity, which will not be significant.

8.2.9 At a national seascape scale the Outer Firth with Islands Coastal Character Type is focused on the location of the Project Site and extends out to coincide relatively closely with the proposed ZTV and the limits of the study area for this assessment. The upland landscapes of the Isles of Arran and Bute, Clyde Muirshiel Regional Park and Loch Lomond and the Trossachs National Park are of high or very high sensitivity and form a backdrop or distinctive focal points within the seascape character area and help to define it as a single unit at a national scale. Panoramic views across the seascape allow much of the area to be experienced as a single unit defined by the geographical extent of the Firth of Clyde. The proposed development would form a recognisable, prominent or dominant new feature that has the ability to influence the seascape of the coastal character type as a whole. When considered at a national seascape scale the Outer Firth with Islands Coastal Character Type includes nationally designated landscapes of recognised scenic quality which elevates areas to a high and very high sensitivity. Overall, when considered as a single seascape unit, its sensitivity is medium to very high and the magnitude of change would be medium, resulting in a **Moderate to Major** adverse level of effect in the long term, which will be significant.

Construction Effects

8.2.10 The duration of the construction period is anticipated to be approximately 24 months. The construction activities would temporarily change the perception of the site and local landscape and seascape character however, due to the existing poor condition of the disused site, there would be minimal adverse impacts on the site itself during the construction phase and effects would not be significant. The large scale and generally discordant nature of the construction activities including high level cranes and activities to construct the 185 m high tower would influence the character of the surrounding landscape and seascape within the 50 km radius study area.

8.2.11 The construction activities would form a new focus in the ten landscape character types within the wider study area. The temporary, short-term effects on these character types would generally range from **Minor to Moderate** adverse and will not individually be significant.

8.2.12 Parts of the very highly valued North Arran NSA/WLA and Waterhead Moor – Muirshiel WLA would also temporarily experience **Moderate** adverse effects due to potential effects on their Special Qualities relating to distant views and tranquillity, which will not be significant.

8.2.13 The Project site is located in the Outer Firth with Islands coastal character type, which extends over a large part of the seascape and coastal landscapes within the study area, which coincide with the ZTV. The seascape character area has a national scale, encompassing all of the landscape character types assessed and forms an overview of how these different areas connect and combine to form a part of Scotland that can be experienced together in only one location. The large-scale construction site would be located within an area of complex seascape character defined by a backdrop of uplands on the mainland and a series of smaller and larger offshore islands. The height of the buildings and infrastructure under construction and the presence of high-level cranes would temporarily form a discordant feature that would influence the seascape character. The Outer Firth with Islands coastal character type includes nationally designated landscapes of recognised scenic quality which elevates areas to a high and very high sensitivity. Overall, when considered as a single seascape unit the magnitude of change would be medium, resulting in a **Major** adverse level of effect in the short term, which will be significant.

Summary of Visual Effects

Operational Effects

8.2.14 Visual receptors in many locations in close proximity to the Project Site would gain views in a coastal location which includes agricultural land, settlements, large scale industrial and energy infrastructure and the wilder seascape of the Firth of Clyde. The cluster of buildings at the new development would be visible within a fringe of well-developed scrub and trees or across the open expanse of water. The large scale of the buildings and in particular the height of the main tower structure would form a prominent and at times dominant addition to views. The character of the views would be altered, and the scale and nature of the development would form a new focus. The development would at times form the largest visible industrial feature in the landscape and the tower structure would break the skyline of the Clyde Muirshiel rugged uplands or the islands within the firth beyond. The proposed lighting associated with the scheme would introduce a large number of new light sources in an area which is currently relatively dark, reflecting in the sea. People using footpaths, open spaces or the sea are receptors of high sensitivity to a small or medium magnitude of change in view, resulting in a **Minor to Major** adverse level of effect in the day and at night, which is significant in the day and at night for people using the Ayrshire Coast Path (Viewpoints 1, 2, 5, 12 and 17), for walkers at night using the Black Hill Circular Walk, Clyde Muirshiel Regional Park (Viewpoint 6) and at Great Cumbrae Island, Farland Point (Viewpoint 13). Effects on private views gained from residential properties at Glenside and Southannan Mains to the east of the Project Site will be significant and on views gained by some marine based receptors within the Firth of Clyde.

8.2.15 Effects on visual receptors within other parts of the study area would not be significant. In some near views the cable factory development would replace a large part of the visible area of disused land at Hunterston, providing some beneficial visual effects which are able to partially offset any adverse effects. In other near views from the south, east and north the tower structure would form the only visible element of the new development above intervening woodland and tree belts. The Project would form a prominent and somewhat incongruous addition to some rural views where no other industrial infrastructure is visible. Other receptors within the wider study area would gain distant and mid-distance views towards the proposed development. The large scale of the buildings and in particular the height and vertical form of the main tower structure would form either a prominent, recognisable, or barely perceptible addition to the view depending on the presence of intervening landscape and vegetation and the distance over which the view would be gained. The character of coastal views would be altered to some extent and the development would form a new focus in some views. The

proposed lighting associated with the scheme would introduce new light sources and rows of high-level aviation warning lights on the tower. Views would be gained in a variety of contexts ranging from partially settled and developed coastline and wild and attractive seascape and islands. The long-term effects of visual receptors in these locations, as a result of the Project, would range from **Negligible to Moderate** adverse, which will not be significant.

Construction Effects

8.2.16 The construction activities would be short term in nature and would temporarily change views gained by visual receptors within the study area as a result of the large scale and generally discordant nature of the construction activities including high level cranes and activities. There would be no significant adverse effects on views at any of the individual representative viewpoint locations assessed.

8.2.17 There would be significant sequential effects on walkers using the Ayrshire Coastal Path which follows the majority of the coastline of the mainland within the study area. The construction site and activities on the tree and scrub fringed platform of land would form a prominent, temporary addition to views. The character of the coastal views would be partially altered, and the scale and discordant nature of the activities would form a new focus of views gained within journeys of approximately 2 km when walking north towards the Project Site and approximately 12 km when walking south towards the Project Site. Tall structures under construction and high-level cranes would break the skyline of the Muirshiel rugged uplands beyond. People walking on the path are receptors of high sensitivity to a small to medium magnitude of change in transient views, temporarily resulting in a **Minor to Moderate** adverse level of effect in the day and at night, which as a sequence of views experienced over an entire journey will be significant.

8.2.18 Significant adverse effects would also be experienced by high sensitivity marine based recreational receptors using the sea west of the Project site in close proximity to the construction site and activities. The construction activities, particularly those at high level associated with the tower and high-level cranes would be visible across the open expanse of water. The large scale and discordant nature of the activities would form a prominent and at times dominant addition to views. Temporary lighting would be visible in a relatively dark context, reflecting in the sea.

8.2.19 Overall, chapter 7 LVIA concluded that the Construction of the Project would result in:

- Landscape and Seascape Effects – Minor to Major
- Visual Effects – Minor to Moderate

8.2.20 Furthermore, the Operation of the Project would result in:

- Landscape and Seascape Effects – Minor to Major
- Visual Effects – Negligible to Major

8.2.21 Clearly, there will be a range of effects from the Project on a number of receptors, because it will be a very large development, including a 185m high tower. Consequently, a range of mitigation measures will be required in order to soften the effects of the Project on the landscape and seascape. These measures will include the use of high-quality materials and the implementation of a comprehensive landscaping scheme, both of which NAC will be able to control with suitable conditions placed on the PPP decision notice.

8.3 Residential Amenity (Noise and Vibration)

8.3.1 Planning Advice Note 1/2011 Planning and Noise and Technical Advice Note 11: Assessment of Noise (2011) make it clear that the Scottish Government requires developers to address the issue of potential noise disturbance of receptors in planning applications. If noise effects are identified, it will be up to the developer to initiate mitigation measures to ensure that residential amenity is not adversely affected by the development.

8.3.2 Chapter 11 of the EIA, Noise and Vibration assesses the potential effects of the Project on receptors, in the context of advice and guidance contained within the PAN and TAN. The scope of the assessment includes noise from on-site construction works and traffic, as well as operational noise from the Project. In addition to the effects from the Project, cumulative effects from the Project and other permitted developments were also assessed.

8.3.3 Chapter 11 concludes that during the construction phase, there is likely to be a direct, temporary, medium-term residual noise effect on receptors of minor adverse significance. There is expected to be no effect from vibration. During construction, the effects from noise can be mitigated by communicating with residents, restricting hours of working by condition, using agreed access routes, using quieter equipment, locating noise activities away from receptors (if possible), maintaining equipment to a high standard and (if piling is required) using quieter methods of piling.

8.3.4 During the operational phase, there is likely to be a direct, long-term residual noise effect on receptors of negligible to minor adverse significance. There is expected to be no effect from vibration. The majority of noise from the operational phase will be generated within buildings. Appropriate use of insulated cladding will be required to contain noise within the fabric of the buildings.

8.3.5 With consideration of the context, the cumulative operational noise impact is considered to be either negligible or low (depending on location). As the sensitivity of receptors is high, there is likely to be a direct, long term noise effect on receptors of minor adverse significance.

8.3.6 Overall, subject to the use of suitable conditions during the construction phase, and the proposed mitigation measures being applied in the operational phase, the Project will not result in any significant effects on residential amenity and would not, in noise and vibration terms, conflict with national or local policies and advice.

8.4 Ecology and Nature Conservation

8.4.1 LDP2 Policy 14 Green and Blue Infrastructure puts great emphasis on developments protecting and enhancing the natural features and habitats within the existing green and blue infrastructure. It states that:

- *All proposals should seek to protect, create, enhance and/or enlarge our natural features and habitats which make up our green and blue infrastructure (including open space), ensuring no unacceptable adverse environmental impacts occur*.

8.4.2 The impact of the proposed development on natural features and habitats has been extensively analysed in Chapter 5 of the EIA Report.

8.4.3 LDP2 Policy 16 Protection of our Designated Sites states that the Council will:

- *support development which would not have an unacceptable adverse effect on our valuable natural environment as defined by the following legislative and planning designations*

8.4.4 The site itself is not designated. However, the effect of the development on designated sites, such as Natural Conservation Sites of International Importance, Nature Conservation Sites of National Importance, Nature Conservation Sites of Local Importance, Marine Protected Areas, Biodiversity Action Plan Habitats and Species and Protected Species is assessed in chapter 5 of the EIA, which is submitted with this application.

8.4.5 LDP2 Policy 18 Forestry, Woodland, Trees and Hedgerows details that development proposals will only be supported if the development would not result in the loss or deterioration of an ancient or long-established plantation or semi-natural woodland unless there are overriding public benefits that would outweigh the loss of the woodland habitat.

8.4.6 There are a number of ancient woodland designations and tree preservation orders within close proximity to the site. However, there are not any on the site itself.

8.4.7 Chapter 5 of the EIA report deals with ecology. Investigations revealed that a number of ecological features have been identified on the site, as follows:

- Designated Sites;
- Habitats;
- Protected Species:
- Otter;
- Badger;
- Reptiles;
- Red Squirrel; and
- Marine Mammals.

Assessment of Construction Effects

Designated Sites

8.4.8 The Project site is located within 0.1km of to Southannan Sands SSSI and Ballochmartin Bay SSSI, both designated for intertidal marine habitats, saline lagoons and sandflats. Any impact as a result of the construction phase of the development is likely to be derived from a pollution incident.

8.4.9 Mitigation and control measures will ensure that there would be no potential for effects on the designated sites as a result of pollution run-off. Taking into account the mitigation measures proposed, the overall effect on the designated sites during the construction phase of the development is assessed as likely to be **Minor Adverse (not significant).**

Habitats

8.4.10 The construction phase of the Project will result in the loss of habitats beneath the development footprint. The total area to be lost will be 28.33 ha, with habitat change of 0.54 ha.

8.4.11 The dominant habitat on the site is bare ground, which makes up 28.05 ha of the overall area. It will be lost as a result of the proposed development and is of negligible value. The other small areas of habitats lost or changed on site have been assessed as minor, while the overall conservation value of the habitats present has been assessed of local value and predominantly of a low sensitivity. Therefore, the overall effect of the construction phase of the Project on the habitats present when taking in consideration the proposed mitigation is deemed to be **Minor Adverse (not significant).**

Protected Species

Otter

8.4.12 The loss of habitat within the Project site is unlikely to affect otter, because they tend to live on watercourses. Therefore, the magnitude of any impacts associated with the construction phase of the development on otters have been assessed as low, with the international conservation value of otter species assessed as of medium sensitivity in the context of the development. As such, taking into account the mitigation as proposed, the overall effect on otter is assessed as **Minor Adverse (not significant).**

Badger

8.4.13 In the absence of mitigation, the loss of habitat within the site boundary and associated buffer is highly unlikely to affect badger. No active setts were identified within the project site and associated buffer, and ground associated with the site itself is largely bare and not considered optimal for foraging or sett construction. It is possible that badger may commute through the area on occasion from nearby Allan Wood to the east, which may pose potential traffic collision risk to any individuals. As such, it is considered that construction would have a minor adverse impact leading to a **Minor Adverse (not significant)** effect on badger.

Reptiles

8.4.14 It is anticipated that permanent loss of suitable reptile habitat is unlikely, and the magnitude of any impacts associated with the construction phase of the development have been assessed as low. Reptiles are known to be susceptible to disturbance from humans, and there is the potential for low levels of displacement as a result of construction activities. It is therefore considered that taking into account the mitigation as proposed, the overall effect on reptiles is assessed as **Minor Adverse (not significant**).

Red Squirrel

8.4.15 No red squirrel resting sites or feeding signs were found within the Project site, however; a squirrel drey was noted just out with the eastern site boundary. Due to the nature of any construction disturbance to the species being temporary and short term, the magnitude of any impacts associated with the construction phase of the development have been assessed as low. As there are no trees within the site that could support the species, the associated effects of the construction phase of the Project to red squirrel, taking into account all proposed mitigation, is assessed as **Minor Adverse (not significant).**

Marine Mammals

8.4.16 NatureScot has advised that the marine mammals: harbour porpoise, bottlenose dolphin, common dolphin, minke whale, harbour seal and grey seal are found in the Firth of Clyde, as is basking shark. There is the potential for these species to be affected by noise during construction. Piling will be used as part of the development to construct foundations for some of the buildings proposed. All piling will be undertaken onshore, and the method used will be auger piling with the exception of sheet piling around the basement for the extrusion tower. While there is potential for noise to be transmitted from onshore piling operations, via ground-based vibrations, these are expected to be minimal and would not represent any risk to marine species.

Assessment of Operational Effects

Designated Sites

8.4.17 It is not considered that any additional mitigation measures will be required during the operational phase. Once the infrastructure is in place any potential for impact will be lesser than that identified within the construction phase. If mitigation previously stated from the construction phase is carried through during the operational phase, **no significant impacts** are predicted.

Habitats

8.4.18 Once the infrastructure is in place, it is not anticipated that any further habitat loss would be experienced. The use of service vehicles across the Site has the potential for fuel spills/pollution events. However, the frequency of this is likely to be very low, and the implementation of best practice (i.e. all vehicles must contain spill kits) would result in a negligible impact on habitats during operation leading to a **Minor Adverse (not significant)** effect.

Protected Species

8.4.19 During the operational phase of the Project there is the potential for disturbance to protected species through human presence on the site and during production and maintenance activities. Any protected species identified around the site will have become habituated to any noise/vibration as a result of the construction phase. Any activity and use of vehicles across the Project Site will be significantly reduced from those experienced during the construction phase, this in tandem with the continued implementation of suitable speed limits, the potential impacts are assessed as being of low magnitude and low sensitivity and their effects as **Minor Adverse (not significant)** for all species.

Marine Habitats and Associated Species

8.4.20 No impact pathways have been identified for marine species and habitats as a consequence of shipping associated with the Project. Cable Laying Vessels (CLVs) will make infrequent

visits for up to a week at a time to receive finished lengths of cable. Such visits would represent a **negligible change** to shipping movements expected at Hunterston PARC.

8.4.21 Consequently, after detailed assessment, it has been concluded that the impact of the Project on ecology will be **Minor Adverse** (not significant). Therefore, it is considered that the Project complies with relevant development plan policies with regard to effects on ecology.

8.5 Heritage

8.5.1 LDP2 Policy 9 Preserving and Enhancing our Conservation Areas states that: Development within or adjacent to a Conservation Area, that preserves or enhances its character and appearance, and is consistent with any relevant Conservation Area Appraisal or Management Plan, will be supported providing it can be demonstrated that it retains appropriate scale, proportion, siting, massing, design, and use of materials whilst not inhibiting high quality innovative design. The effect of the proposed development on Conservation Areas in the local area is assessed in chapter 6 of the EIA, which accompanies this application.

8.5.2 LDP2 Policy 10 Listed Buildings states that: The layout, design, materials, scale, siting and use of any development affecting a Listed Building or its setting should be appropriate to the character and appearance of the listed building. The effect of the proposed development on Listed Buildings in the local area is assessed in chapter 6 of the EIA, which accompanies this application. Chapter 6 also assesses the effect of the development on Historic Gardens and Designated Landscapes, Scheduled Monuments and Non-designated Archaeological Sites and Monuments (Policies 11, 12 and 13).

8.5.3 Chapter 6 of the EIA assessed the effects of the Project on a range of heritage assets in a 5km study area, including:

- 10 Scheduled Monuments
- 137 Listed Buildings (including 11 category A, 59 category B and 67 category C)
- One Inventory Garden or Designed Landscape (Kelburn Castle)
- One Conservation Area (Millport)

8.5.4 In addition, Cumbrae Old Lighthouse has been included, even though it lies out with the 5km study area, because there are clear views from it to the Project site.

Assessment of Construction Effects

8.5.5 As all the Ore Terminal plant and related structures have been cleared from the stockyard and the jetty will be retained and utilised as part of the proposed development it is considered that there will be no construction impacts upon known heritage assets. There is **negligible** potential for unrecorded archaeology to be present owing to past construction impacts. There is therefore **negligible** potential for construction impacts upon previously unrecorded archaeology.

Assessment of Operational Effects

8.5.6 The operation phase of the Project will result in change in the setting of a number of heritage assets in the surrounding area. Where visible from heritage assets, the large scale of the Project buildings, in particular the tower, will result in the Project becoming a prominent feature in their setting. It is considered that this will result in a significant effect in respect of one asset: Millport Conservation Area, where an effect of **Moderate** significance is predicted. In respect of other assets where impacts are predicted, the predicted effects will be of **Minor** significance.

Overall Heritage Effects

8.5.7 Chapter 6 has considered the potential effects of the Project upon heritage assets within the Project site and in the surrounding area. It is based on a baseline study comprising desk-based research and site visits and supported by visualisations. There are no designated heritage assets within the Project site or adjacent to it.

8.5.8 The Project site takes in the former Hunterston Ore and Coal Terminal. This was built in the 1970s on agricultural and intertidal land in an area that lay in the intertidal zone through most of the Holocene. It would accordingly have had low archaeological potential. However, this potential was removed completely by the construction of the Terminal, which is known to have involved ground reduction and other disturbance that would have removed any archaeological features that may have been present. The Terminal itself is considered to represent a heritage asset of local importance. Within the Project site plant has been removed. Construction of the Project therefore has no potential to physically affect heritage assets. No mitigation is therefore proposed in respect of construction effects.

8.5.9 The Project site is largely screened from view by woodland, topography and the built form from designated heritage assets in the surrounding area. However, owing to its height, the extrusion tower has potential to be visible from a number of designated heritage assets in the surrounding area, resulting in a change in their setting. It is considered that **in one instance this will result in a significant effect: Millport Conservation Area**. In all other instances, likely effects are not considered to be likely to be significant. No mitigation of the predicted effects is possible and hence none is proposed.

8.5.10 Consequently, it is considered that there will be a minor breach of LDP2 policy 9, with regard to the effect of the Project on the setting of the Millport Conservation Area. This anticipated significant effect will be considered in the Planning Balance section below.

8.6 Flood Risk and Drainage

8.6.1 LDP2 Policy 23 Flood Risk Management states that the Council will support development that demonstrates accordance with the Flood Risk Framework as shown in Schedule 7 of LDP2, relevant flood risk management strategies and local flood risk management plans.

8.6.2 Development proposals should:

- *Clearly set out measures to protect against, and manage, flood risk.*
- *Include sustainable urban drainage systems (SuDS) where surface water is proposed to be discharged to the water environment, in accordance with the Water Environment (Controlled Activities) (Scotland) Regulations 2011 as amended.*
- *Include provision of temporary/construction phase SuDS.*
- *Include appropriate long-term maintenance arrangements.*
- *Be supported by an appropriate flood risk assessment where at risk of flooding from any source in medium to high-risk areas and for developments in low to medium risk areas identified in the risk framework (schedule 7).*
- *Take account of SEPA's flood risk and land use vulnerability guidance (2018) and any relevant updates to, or replacements of this guidance.*

8.6.3 The proposed development has been assessed as being at little to no flood risk as set out in Chapter 8 of the EIA Report, Hydrology and Flood Risk that is submitted alongside this Planning Statement. The Report has detailed a Flood Risk Assessment that was conducted. It also demonstrated that the project would not result in an increase in flood risk off-site and therefore the project fully complies with Policy 23.

8.6.4 In 2019, NAC published a developers guide for development on drainage, sustainable urban drainage systems and flooding, which is a material consideration.

8.6.5 Chapter 8 of the EIA assesses the likely effects of the Project on Hydrology and Flood Risk. The Summary of Effects states that the construction phase of the development has the potential to cause a degradation of water quality to waterbodies through an increase in soil erosion and accidental release of sediment, appropriate embedded mitigation measures, have been identified to minimise potential impacts. Therefore, the effect is considered to be of **minor adverse significance.**

8.6.6 The majority of the Project site has been assessed as being at 'little to no flood risk' from fluvial or coastal flooding. Using SEPA's 2080 coastal and fluvial mapping, the built development will be located outside of the associated area of risk. Therefore, the Project would not result in a loss of floodplain storage or alter fluvial flow paths.

8.6.7 The Scottish Environmental Protection Agency (SEPA), which was consulted at the pre-application stage, identifies the site as lying within a potential vulnerable area to groundwater flooding. However, BGS data with regards to groundwater levels was not available at the Project site. Water in the boreholes was subject to tidal fluctuations. Upon confirmation of the groundwater table, specific mitigation measures will be incorporated to appropriately manage risks, as well as inform concrete specifications and dewater requirements.

8.6.8 Further details of the geological and hydrogeological nature of the Project site can be found in Chapter 9: Hydrogeology, Geology and Ground Conditions.

8.6.9 The operation of the Project will not result in an increase of surface water runoff as shown in the surface water drainage strategy available in Appendix 8.1: Flood Risk Assessment, Annex A.

8.6.10 The Flood Risk Assessment (FRA) in Appendix 8.1, demonstrates that the Project would be at a low risk of flooding over its lifetime, and it will not result in an increase in flood risk off-site.

8.6.11 The operation of the Project would require routine maintenance of key elements. Maintenance may involve the use of chemicals and oils, as such there is the potential for spillages to occur, which may affect the water quality of surrounding waterbodies. Operational practices would involve management plans under appropriate Environmental Permits (where required) including spill procedures and clean up and remediation of contaminated water runoff in order to mitigate against any decrease in water quality status. Furthermore, an 8m development free easement will be provided from the Glenn Burn and the coastline. The effects of operation on surrounding waterbodies are considered to be of **minor beneficial to minor adverse significance**, which is **not significant.**

8.6.12 Cumulative impacts from nearby projects have been assessed and no significant cumulative effects have been identified. Any new development will be required to attenuate surface water runoff, where practicable, to the greenfield runoff rate and provide appropriate management techniques to treat potentially contaminated runoff, prior to discharge into the local drainage network, in accordance with local planning policies, including LDP2 policy 23.

8.6.13 Consequently, it is considered that the Project will not result in any insurmountable drainage and flood risk issues. Therefore, the Project, in these respects, complies fully with development plan policy and material considerations.

8.7 Geology and Ground Conditions

8.7.1 LDP2 Policy 22 Water Environment Quality states that NAC will support development that achieves the objectives of the Water Framework Directive and the River Basin Management Plan for Scotland. Generally, development which would lead to the deterioration of the water environment will be resisted unless it would deliver significant social, environmental or economic benefits.

8.7.2 The Hunterston PARC Framework is a key material consideration in respect to this matter and it states that:

Planning applications submitted to North Ayrshire Council would be expected to be accompanied by a desktop study covering a historical assessment of past site usage.

In certain circumstances, intrusive site investigation surveys and remediation strategies would be undertaken, and the outcome submitted for assessment and approval either as part of a planning application or in compliance with a planning condition attached to a consent.

Peel Ports are currently producing a desktop remediation strategy which will form part of this framework.

8.7.3 Chapter 9 Hydrology, Geology and Ground Conditions contains a Non-Technical Summary of the findings with regard to the Project site, as follows:

8.7.4 The Project site is underlain by superficial Marine Beach and Raised Beach Deposits overlying the Kelly Burn Sandstone. The underlying groundwater forms part of the West Kilbride and North Ayrshire Coastal waterbodies in the Clyde basin district and classifies the overall groundwater quality as good. The site is not indicated to be located in a groundwater Source Protection Zone (SPZ) and there are no sensitive groundwater abstractions in the vicinity of the site.

8.7.5 The nearest surface water feature is the Largs Channel coastal water body immediately west of the site and numerous watercourses surround the site the closest being tributaries of Glen Brun and Burn Gill. Within the Largs Channel is Southannan Sands which is designated a Site of Special Scientific Interest (SSSI).

8.7.6 A review of historical maps indicates the northern part of the site is reclaimed land which c. 1979 was developed, along with the remainder of the site, as a coal stockyard as part of the Hunterston Ore Terminal. It is understood that the reclamation works are likely to have included the import of quarried aggregate from local sources. However, the extent and nature of imported material used for this purpose is unconfirmed. Made Ground is expected to be present across the Project site as a result of the past construction and demolition activities.

8.7.7 Off-site historical potential sources of contaminants of concern include railway lines, storage tanks and electricity substations.

8.7.8 A Phase 2 ground investigation of a site immediately south of the Project site comprised a series of trial pits and hand augers. It identified no contaminant exceedances of Generic Assessment Criteria for a commercial land use in relation to the underlying soils. Metal concentrations within groundwater encountered during trial pit excavation exceeded selected marine surface water screening values.

8.7.9 The assessment has considered potential impacts on the underlying aquifers, surface watercourses, ecological sites and human health. The Project incorporates mitigation measures, including the implementation of a detailed Code of Construction Practice (CoCP), installation of an on-site drainage system and use of best practice pollution control measures.

8.7.10 With mitigation measures in place during the construction and operation of the Project, **no significant effects are predicted.**

8.7.11 Consequently, it is considered that the Project will not result in any insurmountable Geology and Ground Conditions issues. Therefore, the Project complies with the requirements of development plan policy and relevant material considerations.

8.8 Traffic and Transport

8.8.1 LDP2 Policy 27 Sustainable Transport and Active Travel states that NAC will support development that:

- *contributes to an integrated transport network that supports long term sustainability*
- *reduces inequality by improving the accessibility and connectivity of employment opportunities and local amenities*
- *provides safe and convenient sustainable transport options and supports modal shift to sustainable transport and active travel.*
- *reduces the need to travel or appropriately mitigates adverse impacts of significant traffic generation, road safety and air quality, including taking into account the cumulative impact.*
- *enables the integration of transport modes and facilitates movement of freight by rail or water (in preference to road). This would include, for example, the provision of infrastructure necessary to support positive change in transport technologies, such as*

charging points for electric vehicles and the safeguarding of disused railway lines with the reasonable prospect of being used as rail, tram, bus rapid transit or active travel routes.

8.8.2 The LPA will take account of the following:

- *the implications of development proposals on traffic, patterns of travel and road safety.*
- *significant traffic generating uses should be sited at locations that are well served by public transport, subject to parking restraint policies, and supported by measures to promote the availability of high-quality public transport services. Where this is not achievable, we may seek the provision of subsidised services until a sustainable service is achievable.*

8.8.3 Developments likely to generate significant additional journeys will be required to be accompanied by a Transport Assessment, Air Quality Assessment and a Travel Plan.

8.8.4 Chapter 10 of the EIA Traffic and Transport reports the outcome of the assessment of likely significant environmental effects arising from the Project in relation to transport. The Non-Technical Summary of the report summarises its findings, as follows:

8.8.5 The Traffic and Transport environment for the Project is characterised by a fairly mature semi-rural network or pedestrian/cycle and road infrastructure, with a main multi-modal access point off the A78(T).

8.8.6 The A78(T) is a two-way 7.3m single carriageway road. It is generally of a standard that can accommodate mixed-type traffic. To the south-east of the site, the A78(T) bypasses Ardrossan and becomes a two-way dual carriageway from Dalry Road at the Chapel Hill roundabout.

8.8.7 A 3m wide combined footway/cycleway lies on the western side of the carriageway. While this width is not continuous further south, the route runs alongside the A78(T) and forms part of the future National Cycle Route 753 (NCN753), which will extend along the coast to link NCN73 in Ardrossan with the NCN75 at Gourock.

8.8.8 Baseline conditions have been informed by a review of infrastructure and amenity, as well as traffic surveys sourced from the DfT for 15 locations. These traffic surveys were factored to represent a common 2022 Baseline situation, representing the period of construction and a 2024 Forecast Baseline to represent conditions on the opening of the Project.

8.8.9 From the traffic survey information, it has been possible to determine the magnitude of impact arising from the Project based on the changes in traffic that would occur across the road network. These changes have been presented for both 'All vehicles' and more specifically for 'HGVs' for all of the links for which traffic data was available.

8.8.10 However, a more detailed assessment was undertaken taking into account the Highway Users at the following identified locations (according to the following receptor sensitivity):

- A78 Main Street, Largs (High)
- A78 Main Road, Fairlie (Medium)
- Abbey Primary and Kilwinning Academy Schools (Low)

8.8.11 The environmental criteria relating to Traffic and Transport that have been assessed are as follows:

- Pedestrian Severance and Delay
- Driver Stress and Delay
- Pedestrian and Cycle Amenity
- Accidents and Road Safety

8.8.12 The Project includes specific mitigation to off-set its impacts during construction and operation phases. These measures include the following:

- Construction Phase

8.8.13 Commitment to implement a Construction Environment Management Plan (CEMP) with, from the perspective of Traffic and Transport, specific restrictions on the routing of HGVs.

- Operational Phase
  - Provision of bus stops on the A78 or U-turn facilities at entrance to the site;
  - Extension the footway/cycleway on site access road to enhance accessibility for active modes of travel; and
  - Implementation of a Travel Plan to promote sustainable transport.

8.8.14 The assessment undertaken for the construction and operation phase has identified the following:

- Construction Phase
  - A short-term minor adverse effect on all three sensitive receptors (i. e. A78 Main Street, Largs; A78 Main Road, Fairlie; and A737 Dairy Road, Kilwinning) across all Traffic and Transport environmental criteria.
- Operational Phase
  - A short-term minor adverse effect on Pedestrian Severance and Delay, Driver Stress and Delay Pedestrian and Cycle Amenity at the sensitive receptors identified in Largs and Fairlie;
  - A negligible effect on Pedestrian Severance and Delay, Driver Stress and Delay Pedestrian and Cycle Amenity at the sensitive receptor identified in Kilwinning; and
  - A short-term minor adverse effect on all three sensitive receptors in relation to Accidents and Road Safety.

8.8.15 The individual and combined assessment of all changes in conditions reported across the Traffic and Traffic environmental criteria leads to the **conclusion that the impact of the Project will not be significant**, during both the construction and operation of the facility.

8.8.16 Consequently, it is considered that the Project will not result in any unresolvable traffic and transport effects. Therefore, the Project complies with development plan policy and relevant material considerations, subject to the implementation of a CEMP during construction and a TP during the operation of the development.

8.9 Air Quality

8.9.1 LDP2 Policy 27 Sustainable Transport and Active Travel includes the following statement by NAC:

We will support development that: …

… reduces the need to travel or appropriately mitigates adverse impacts of significant traffic generation, road safety and air quality, including taking into account the cumulative impact (my underlining).

8.9.2 Planning Advice Notes (PANs) contain advice on good practice. PAN51 (Scottish Executive 2006) Planning, Environmental Protection and Regulation supports existing policy, including the role of the planning system in relation to environmental protection.

8.9.3 The Scottish Governments draft NPF4 contains the following statement:

Minimising and mitigating environmental hazards and pollution and embedding an evidence-based approach to the avoidance and alleviation of health impacts from new development.

We will also include new policies to improve air quality alongside reducing climate change emissions (my underlining).

8.9.4 Chapter 13 of the EIA Air Quality contains a Summary of Effects, which states that:

8.9.5 This assessment has considered dust effects during the construction phase and the air quality impacts during the operational phase of the Project.

8.9.6 Impacts during the construction phase, such as dust generation and plant vehicle emissions, are predicted to be of short duration and only relevant during the construction phase. The results of the risk assessment of construction dust impacts undertaken using the IAQM dust guidance, indicate that before the implementation of mitigation and controls, the risk of dust impacts will be medium. Implementation of the highly recommended mitigation measures described in the IAQM **construction dust** guidance should reduce the residual dust effects to a level categorised as **not significant.**

8.9.7 For the operational phase, arrivals at and departures from the Project site may change the number, type and speed of vehicles using the local road network. Changes in road vehicle emissions are an important consideration during this phase of the Project. Detailed atmospheric dispersion modelling has been undertaken for the first year in which the Project is expected to be fully operational, in 2024. Pollutant concentrations are predicted to be well within the relevant health-based air quality objectives. Using the criteria adopted for this assessment together with professional judgement, the **operational air quality effects** are considered to be **not significant** overall, and no mitigation is considered to be necessary.

8.9.8 Using professional judgement, the **resulting air quality effects** of the Project are considered to be **not significant overall.**

8.9.9 Consequently, it is considered that the Project will not result in any significant effects on air quality, both during the construction and operational phases of the development. Therefore, the Project will comply with the relevant development plan policy and relevant material considerations, subject to the implementation of appropriate mitigation measures to suppress dust emissions during the construction phase, which NAC will be able to control with a suitable condition.

8.10 Climate Change

8.10.1 As explained above, the UK and Scottish Governments have produced a considerable body of work, setting out how they will reduce carbon emissions in the next 20-30 years.

8.10.2 The issue of the Projects impact on Climate Change is examined in chapter 12 of the EIA. The Summary of Effects states that:

8.10.3 The potential impact of greenhouse gas (GHG) emissions due to the Project, resulting in an effect on the global atmospheric GHG concentration that contributes to climate change, has been assessed and reported in this chapter.

8.10.4 The construction stage of the Project would result in both direct and indirect GHG emissions: these would arise from the embodied carbon emissions associated with the construction materials used, the GHG emissions arising from the transportation of construction materials to site and GHG emissions from onsite construction plant. Total construction stage emissions, based on benchmark data, have been estimated to be in the order of 127,688 tCO_2e, resulting in an **adverse** effect that is significant.

8.10.5 The operation of the Project has the potential to cause direct and indirect GHG emissions from the consumption of electricity, transportation of materials and waste to and from the site, staff commuting, and venting of methane. Operational stage GHG emissions have been estimated to be 53,263 tCO_2e per annum based on present-day emission factors, resulting in an **adverse** effect that is significant.

8.10.6 Further mitigation has been recommended for the construction and operational phases, which has the potential to significantly reduce total GHG emissions compared to a typical business-as-usual approach and could therefore contribute to the goals set out in local and national

policy for decarbonisation, in line with the Scotland's trajectory towards net zero. In that case, the Project could potentially avoid significant adverse effects and have a **negligible residual effect.**

8.10.7 While the effect of the Project will be adverse, the transmission cable manufacturing capacity provided is expected to facilitate increased deployment of renewable and low carbon energy generation. This lies outside the boundary of the EIA scope, but it should be noted that in that broader context, the operation of the Project is likely to **significantly aid** Scotland and the UK in **transitioning to a low carbon economy.**

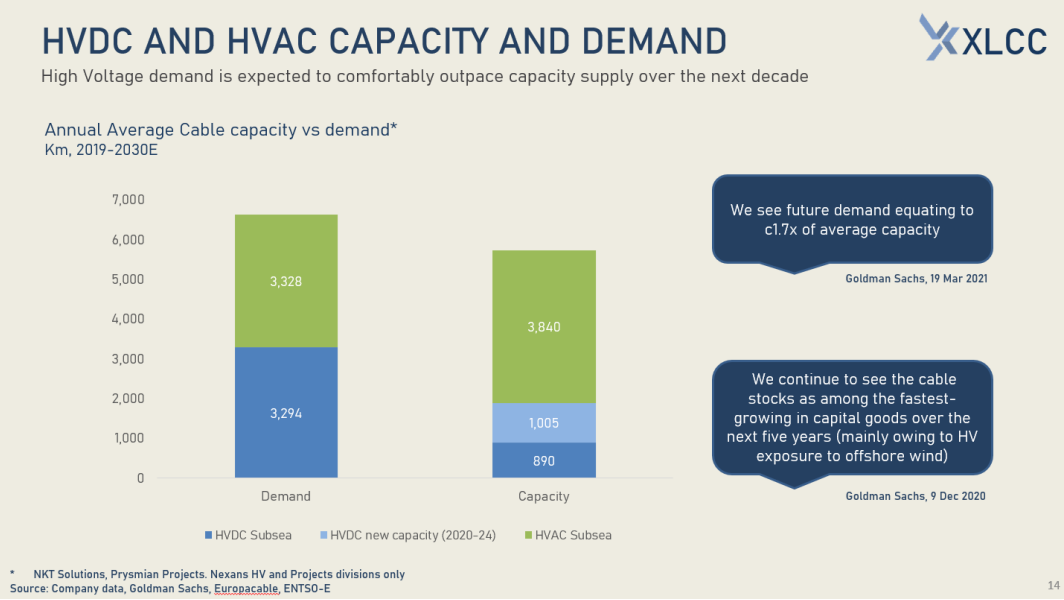
8.10.8 Consequently, it is considered that, although the construction and operational phases of the Project will have an adverse effect through the emission of GHGs. Overall, however, the effect of the Project will be positive, through the supply of high voltage cables, which will significantly contribute to the de-carbonisation of the UK's energy supply. Therefore, the Project will make a positive contribution to tackling the challenge of climate change, in compliance with UK and Scottish Government legislation, policy and guidance.

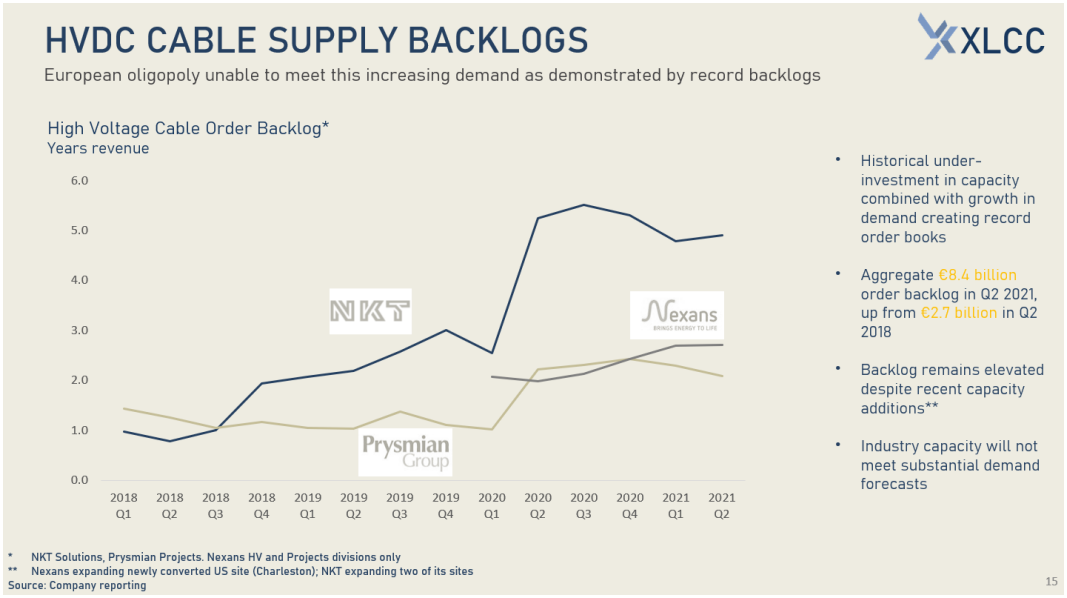
8.11 Need and Alternatives

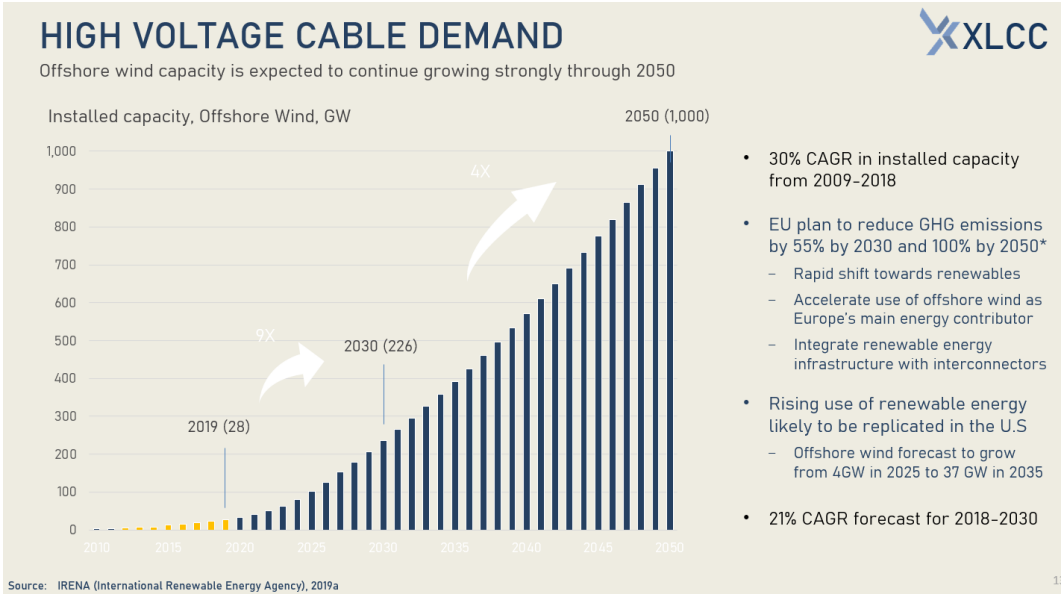
8.11.1 There is an increasing demand for high voltage cable to connect offshore wind farms with the grid. The increasing demand has led to long lead-in times, which put at risk the timely delivery of renewable energy developments, which are needed to meet the UK and Scottish Governments targets. More high voltage cable capacity is needed to ensure that more renewable energy projects come forward at pace to meet climate change objectives.

8.11.2 The Project will help to address this issue by enabling the manufacture of high voltage cable, which is suitable for interconnectors and offshore wind farms, enabling projects to procure the critical cable in a more expedient manner. Currently, all such high voltage cables must be sourced from abroad and this is causing significant delays in the procurement of offshore wind farm projects.

8.11.3 The below graphs and tables sum up the issue:







These plates are taken from the EIAR Report Chapter 3 Need and Alternatives.

8.11.4 In response to the anticipated demand set out above, the applicant company (XLCC) is seeking to develop 2 separate cable manufacturing facilities in the UK.

8.11.5 XLCC has conducted an exhaustive search of available ports in the UK that were capable of complying with the fundamental Project parameters.

8.11.6 A cable manufacturing facility of the type proposed requires a significant area of available development land adjacent to a high-quality port facility with deep water access for the cable laying vessels which will have a 10m draft, 40m beam and 200m length.

8.11.7 The site must be proximal to a power source capable of delivering the c.40MW electrical loads that the facility will demand. Excellent road and rail access for materials delivery as well as proximity to a highly skilled workforce were also important factors in site selection.

8.11.8 There are a very small number of ports in the UK that would be capable of hosting the XLCC development whilst meeting all of its requirements, two of which are being pursued.

8.11.9 Overall, Hunterston PARC is considered to be a suitable location for the Project for the following reasons:

- Land availability
- Availability of a large skilled workforce
- Suitability of jetty and berth
- Proximity to energy infrastructure
- Access to trunk roads, public transport and rail network
- Location away from main settlements and
- Location in an area of low flood risk.

8.11.10 Consequently, it has been concluded by the applicants that Hunterston PARC is one of only a very small number of port locations where the Project can successfully take place. Therefore, the Project complies with relevant development plan policy, as well as material considerations, including UK and Scottish Government legislation, policy and guidance.

8.12 Planning Balance

8.12.1 As explained above, the Project will have an adverse effect on a number of receptors. The visual perception of the local landscape will be changed by the construction of a large manufacturing facility, including a 185m high extrusion tower, on the banks of the Firth of Clyde. Mitigation measures will be undertaken, but they will not be sufficient to completely remove the Project from the setting of heritage assets and other sensitive receptors.

8.12.2 However, the Project will bring significant social, environmental and economic benefits, which should be weighed against the visual impact in the planning balance.

8.12.3 Firstly, the Project will bring jobs to the local area. During the construction phase, up to 575 jobs will be created and during the operational phase, a total of 900 jobs (738 factory shift workers and 162 support staff) will be created for at least 25 years. In addition, up to 2,500 new jobs will also be created in the supply chain, as local companies will be able to bid for supplier and service contracts for the facility. North Ayrshire has a declining population, with a declining number of working age. The area has low economic activity rates, high employment and low wages compared to the Scottish and UK averages. The Project will help to reverse these trends.

8.12.4 Secondly, the Project will manufacture high quality high voltage cable for use in the renewable energy industry for which there is a considerable and increasing worldwide need. The cables will be used to connect offshore wind farms to the mainland, which will help the UK and Scottish Governments to deliver on their targets to reduce carbon emissions over the next 30 years. If carbon net zero is to be achieved within the legally binding time period, schemes like the Project need to be delivered as expeditiously as possible.

8.12.5 Thirdly, the Project will restore and make effective use of a derelict brownfield site, which has not been used productively for several years. The Project will help to bring to fruition the Hunterston PARC scheme, which will remove what is currently an eyesore from the Scottish shoreline. The Project will also help to deliver the major economic development that is envisaged at Hunterston by National, Regional and Local legislation, policies and guidance.

8.12.6 Overall, it is considered that in the Planning Balance, the social, environmental and economic benefits of the Project, outweigh the dis-benefits and this should be taken into account by the decision-takers in order to bring forward the proposal in a timely manner.

9 CONCLUSIONS

9.1.1 The application is for the erection of a high-quality high voltage cable production facility, including the construction of a 185m high extrusion tower with associated factories, research and testing laboratories, offices with associated stores, transport, access, parking and landscaping with on-site generation and electrical infrastructure and cable delivery system on a site at Hunterston (the Project).

9.1.2 The application site is a large, flat brownfield site with an area of 50.7 ha, which was previously used as a store for iron ore and coal. The facility will manufacture the high voltage cables and transport them via rollers along the existing jetty to awaiting ships, which will transport them to offshore wind farms. The factory plot will be around 28.5 ha.

9.1.3 There is considerable, acknowledged need globally for the cables, which are currently not manufactured in the UK. XLCC is proposing to build 2 factories in the UK to help meet this demand and reduce the UK's reliance on imports.

9.1.4 The site was selected for the Project, because it adjoins a deep seaport with an existing jetty; it is a large brownfield site; it has access to a large, highly skilled workforce; access is available by a range of travel modes; there are relatively few neighbouring properties; good proximity to electrical infrastructure and it is not liable to flooding

9.1.5 Hunterston is mentioned in Scottish Government documents, including the NPF3, where it is considered to be a key location to deliver development in the coming years. In the draft NPF4 it is identified as a National Development, where it is described as a strategic location for the port and energy sectors given its deep-water access and existing infrastructure.

9.1.6 The Project will have an important role to play in helping to meet the UK and Scottish Governments challenging targets for GHG reduction. The Scottish Government has a target of reducing the country to net zero by 2045, while the UK Governments target is 2050. UK production of high voltage cables will greatly increase the UK's ability to derive energy from offshore wind farms.

9.1.7 The development plan is the NAC LDP2, which states that Hunterston is a Strategic Development Area, and a range of developments will be supported on the site, including manufacturing, research and development and renewable energy uses. The Project will deliver on all of these proposals.

9.1.8 Hunterston PARC is owned by Peel Ports. They have produced a Framework document, which was adopted by NAC in December 2021. This proposes 3 key pillars of Port, Industry and Marine for the site. The Project will deliver on all 3 fronts.

9.1.9 It is clear that, in this context, the principle of the Project is well established, because the proposed manufacturing use is supported by National Legislation, Policy and Guidance, as well as relevant policies in the development plan and other local guidance.

9.1.10 The size of the proposal, which includes the erection of a 185m high extrusion tower, has meant that an EIA has needed to be undertake, which has addressed all of the key issues,

including: landscape and visual impact, noise and vibration, air quality, traffic and transport, heritage, flooding and drainage, ground conditions and water quality, need and alternatives, socio-economic benefits and climate change.

9.1.11 The EIA found that, in terms of the Projects effect on the landscape, the proposal would be likely to have a significant effect, which could not be mitigated. This effect is largely caused by the 185m tower, which is an essential part of the cable manufacturing process.

9.1.12 However, the EIA also found that the Project would have significant social, environmental and economic benefits. In particular, the Project would potentially generate around 900 jobs directly and a further 2,700 jobs indirectly over the 25-year life cycle of the development. In an area of high unemployment and low recent investment, this represents a significant social and economic benefit, which would help to rebuild communities.

9.1.13 The Project would also make effective and productive use of a large, unused brownfield site in a location that is well served by multiple transport modes, including rail and sea. Overall, the Project would create jobs and investment in a location that needs them, while helping to combat climate change through the manufacture of high-quality undersea cables, to be used by the offshore renewable energy sector.

9.1.14 Consequently, in the planning balance, it is concluded that the benefits of the Project will outweigh the dis-benefits and, as such, Planning Permission in Principle should be granted.