

Responses Table

Subject	Respondent	Summary of Response	Council Response	Recommendation
General	Alistair Lings / Gala Waterways Group	Agree that the development of hydropower 'should be maximised where possible' (page 21). We urge SBC to prohibit development that could inhibit or restrict the potential reuse of historic hydropower infrastructure in Galashiels	Comments noted. The Council cannot predict where a third party may wish to locate a future hydropower scheme and therefore any potential inhibitions or restrictions would not be reasonable nor justified	No change
	Alan Bailey / Ruberslaw Wild Woods Camping	<p>Our direct and local experience of customer preferences for camping in unspoilt unindustrialised scenery is, we accept, at odds with the sweeping assertions made by VisitScotland et al that windfarms don't harm tourism at a national level. While their assertions may be defensible as relying on nation-wide statistical analysis which includes the urban tourist, their approach does not take into account actual experience at a specific and local level and is dangerous for small tourism businesses such as ours. The impact on our Tourism business through degradation of the scenic assets of the landscapes south of the Teviot, and particularly in Rulewater and in the Carter Bar and Ruberslaw panoramic zones of visibility, from the following windfarm proposals is of special concern to us:</p> <p>Hawick and Hermitage Ward: 55 turbines Selkirk Ward: 17 turbines Hawick and Denholm Ward: 84 turbines Additional turbines in withdrawn or refused</p>	Comments noted. There are instances where third parties have named wind farms as having a negative impact on tourism e.g. references within the Biggar Economics – Economic Impact of Wind Energy in the Scottish Borders 2013. However, there is no recognised national guidance nor studies which are recognised by Scottish Government as having any major impacts on tourism and therefore the Council cannot make up its own rules regarding this matter. The Council can request supporting information at the planning stage regarding any possible impacts on tourism for its consideration	No change

	Jane Bower	<p>applications that could be resurrected.</p> <p>I am disappointed that my local Community Council, Upper Liddesdale and Hermitage CC, seem to be unable even to draft a short letter. I wish to register my personal objection to the current draft SPG on renewable energy. It would seek to turn this area into a landscape of wind turbines. This would drive out even more of the people in an area suffering from depopulation, and discourage even the low level of tourism which the area currently experiences.</p>	<p>The Ironside Farrar Landscape Capacity study does identify areas within the Upper Liddesdale and Hermitage area where the landscape could absorb larger turbines. However, such proposals would be tested by planning applications and cumulative impact and other potential issues would be addressed at that stage</p>	<p>No change</p>
	The Coal Authority	<p>As you will be aware, the Scottish Borders Council area has been subjected to coal mining activity which has left a legacy. Whilst most past mining is generally benign in nature, potential public safety and stability problems can be triggered and uncovered by development activities. It is important that new development recognises the problems and how they can be positively addressed. However, it is important to note that land instability and mining legacy is not a complete constraint on new development. Whilst the draft SG document identifies a range of considerations for the various types of renewable energy development, The Coal Authority notes that no reference is made to the safety and stability implications posed by past coal mining activities and how this legacy should be taken into account in formulating development proposals. The Coal Authority is, however, aware that adopted Local Development Plan Policy IS13: <i>Contaminated Land</i>, requires developers to assess the risk posed by unstable land and, if necessary, undertake appropriate or remedial measures to</p>	<p>Comments noted. It is confirmed reference to the need to give consideration to policy IS13 – Contaminated Land has been incorporated within the SG.</p>	<p>Within Section “Other Development Considerations” a reference to policy 1S13 – Contaminated Land and its objectives has been included</p>

	<p>Minto Hills Conservation Group / Borders Network of Conservation Groups</p>	<p>render the site suitable for its proposed use. We therefore consider that it would be prudent to signpost Policy IS13 and its requirements within the SG.</p> <p>We are very conscious of the fact that the Draft Supplementary Guidance (SG) is heavily and unavoidably influenced by Scottish Government policy on planning and energy. What is clear is that SBC has made an admirable effort to reflect that while allowing for as much local input as is admissible. It is also clear that this Guidance should assist in protecting the Borders from the wrong wind farms in the wrong locations and from wind turbines which are too tall for given landscapes.</p> <p>Nevertheless, we have attempted to consider the published draft with objectivity and to apply logical and rational thought to that consideration. Where we suggest that something should be amended in the interests of fairness, transparency and ethical planning integrity we have, wherever possible, offered reasonable solutions, accepting that there may be others, all in an effort to be positively constructive.</p> <p>We appreciate that developers may view the draft from a different perspective and some may even seek to undermine as much of it as they feel could make life difficult for them and/or reduce their profit margins. However, although we are fairly confident that SBC will not need this reminder, we still take the opportunity to remind the Council and any developers who may venture to read this response, that the duty of the Council is to be fair and reasonable to all interested parties but that</p>	<p>Comments noted. The acknowledgement of the need to satisfy national planning requirements is noted. It is considered that the independent Landscape Capacity and Cumulative Impact study has confirmed that significant parts of the Scottish Borders are not capable of accommodating some of the larger turbines which the development industry are likely to seek to install.</p>	<p>No change</p>
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	Cockburnspath and Cove Community Council	<p>that does not, and never should, extend to seeking to protect the economic and financial interests of developers. If the latest subsidy regime means that developers seek to erect turbines which are much taller than those seen onshore in the UK before (two or three times the height of the turbines being considered when the precursors to this guidance were being drawn up), in order to make similar profits, then they cannot be surprised if the available selected landscape (which is more or less constant and its value therefore more or less absolute) cannot accommodate those greater heights.</p> <p>There can be no doubt that in our particular area (Cockburnspath (Ironside Farrar area 19i) significant developments have occurred over the last few years, and we are now faced, especially within the Lammermuir foothills, with an area of windfarm development, rather than an area with such developments. We particularly welcome the Ironside Farrar designated landscape study which identifies cumulative impact and makes comments on the scope for further development, identifying potentially more acceptable heights, acknowledging that the Lammermuir foothills around the border with East Lothian are reaching capacity and the necessity to “contain” developments within the landscape.</p> <p>SPP states that there are some areas of specific protection, but it is notable that in Group 3, reflected in the draft SG (pg 24) there appears to be a presumption in favour of wind energy development, if no significant areas of protection are identified. However, we welcome the emphasis</p>	<p>Support for the Ironside Farrar Landscape Capacity and Cumulative Impact study is noted. It is confirmed that the spatial framework as stated in SPP does in essence state that outwith areas of significant protection wind farms are likely to be acceptable. However this is subject to detailed consideration of identified policy criteria and requires consideration of landscape capacity and cumulative impact matters .</p>	No change
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		<p>placed on the “balancing act” similar to that contained in the old LDP policy D4 which introduces, alongside the landscape capacity study and spatial strategy, an attempt to ensure that turbine developments sit within the landscape in which they are proposed. We feel this is a very important clarification and one that should be defended rigorously in the planning process. When the first developments occurred at Crystal Rig, the turbines sat within a “bowl” in the landscape and were not particularly visible to the coastal margins. However, in recent years, the coastal margin has become more and more severely impacted by higher and higher turbines, which now significantly alter the local landscape forms and dominate the skyline for miles around. In particular, those at Aikengall are highly visible.</p> <p>The encroachment into the coastal margins, with turbines at Hoprigshiels, Ferneylea and Neuk demonstrate the creeping nature of such developments which are having a major effect on the scenic nature of the surrounding landscape, not to mention residential amenity of home owners. Although this community’s resistance to the Neuk turbines is well known to the Council, we are very concerned that there appears to be an acceptance that once turbines appear in a landscape, further turbines become somehow more acceptable. Whilst an altered landscape with existing turbines may make additional ones more acceptable in planning terms (due to the altered landscape from baseline) they are not acceptable in areas of “saturation” by communities living with them. We note the helpful designations of cumulative and</p>	<p>If a site is approved for a wind farms then it follows that consideration can reasonably be given as to whether there are opportunities for the site to be extended. In some more remote upland areas, for example, where the landscape may be more appropriate for wind farms extensions of existing wind farms may be supported. However, it is acknowledged that a wide range of opinions exist regarding this matter and the planning application process allows these to be submitted and considered.</p>	<p>No change</p>
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		<p>sequential effects, but in practice, have not seen these effects being fully taken account of in planning decisions, particularly where such decisions are taken under a Section 36, or where they are the focus of an appeal to ScotGov Reporters. It is very important that communities and Community Councils understand the various cumulative effects and we are grateful for the clarification in the SG.</p> <p>Maps are difficult to interpret in the draft SG, as there are few landmarks relating to villages/towns etc and it can be difficult to locate your particular area and therefore access related information. We would like to recommend the clearer mapping of some central towns, such as Eyemouth, Duns, Kelso etc in order to orientate the reader more easily, and on the on-line version, a zoom tool to allow more detail to be explored.</p> <p>Cockburnspath and Cove welcome the draft SG, and hope that it is accepted by Scottish Ministers as it provides much needed clarification and is well presented. It provides needed, updated guidance to developers and to communities, and supports SPP and NPF3 whilst strengthening the Council's position in terms of approvals or refusals by giving clear reference points which justify decisions and assist the transparency of the decision making process.</p>	<p>Although it is not considered justified for the 4no small individual maps on page 32 which make up the spatial framework to have settlement names added to them which would clutter their appearance given their small scale, the finalised spatial framework is the key output map. Consequently it has been enlarged onto a separate page with settlement names added.</p> <p>Support noted</p>	<p>The spatial framework has been enlarged in size with settlement names added to the base map.</p> <p>No change</p>
	Denholm & District Community Council	As Chair of Denholm and District Community Council, I wish to express the collective and unanimous dismay of my colleagues, following the	It is acknowledged that there is a very wide range of often strong and certainly conflicting opinions regarding wind	No change

		<p>presentation we received recently by an officer of Scottish Borders Council regarding the Draft SPG Guidance on Renewable Energy, and the consideration of windfarm development applications in our Region.</p> <p>I have no intention of going into great detail, which I understand has been very well represented to you by our neighbouring Southdean Community Council. However, it is important that you understand the level of consternation that this proposed change of policy has caused amongst our community. The position of SBC was presented as simply needing to implement Scottish Government policy, and that you have little option but to comply, but we would like to make it clear that we do not agree with that position.</p> <p>The changes proposed are based on a commercial consultant's assessment of the topography of the Borders and its ability to absorb windfarms of various sizes, and their cumulative effects. It appears that, as a result of the Draft SPG Guidance, the whole approach to considering planning applications for wind farms would change, with the possibility of far more developments being proposed and approved.</p>	<p>farms and some parties do not agree with Scottish Government's support and the statutory processes which are laid down to test wind farm applications. However, it must be acknowledged that any guidance produced by planning authorities must follow national planning requirements. If these national planning requirements are ignored within the preparation of this Supp Guidance in the first instance it would not be accepted by Scottish Ministers when it is referred to them. Consequently the considerable period of time spend by a range of bodies in preparing the SG and the efforts and time spent by consultees in submitting comments would be wasted. However, it must be recognised that within the legislation requirements there still remains an inevitable degree of subjectivity to be applied case by case as to the suitability of proposed turbines within a landscape as part of the planning application process.</p> <p>The Council has refused a number of applications for wind turbines where it was considered these were not appropriate and therefore it is not the case at all that the Council considers these applications as fait accompli approvals. It is considered the SG strikes the correct balance between supporting renewable energy proposals</p>	<p>No change</p>
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	<p>Hobkirk Community Council</p>	<p>reversed. We are left with the impression that the Scottish Government, in pursuit of its well documented thinking in favour of on-shore windfarms, (and by implication SBC) intend to ride rough-shod over the concerns of local residents, disregarding their opposition to such developments, at considerable detriment to the local tourist industry and economy. We predict that this will inevitably lead to a new rash of windfarm applications, some for projects previously rejected; indeed we see this has already occurred in the case of Barrel Law windfarm. We accept that there is an overall need for cleaner sources of energy. Nevertheless, we would contend that the position of SBC, in its response to SG, should be to reflect the views of its communities, and we would urge you to support our community in its general opposition to windfarm developments in our area, and therefore to oppose the implementation of the Draft SPG Guidance on Renewable Energy in its current form.</p> <p>Hobkirk Community Council welcomes the guidance in principle. It provides a framework for developers and individual householders wishing to develop renewable energy and also a framework for individuals and the community against which to judge proposals. It should make it less likely in future that proposals which are extremely unlikely to succeed do not demand excessive time and effort in consultation from individuals and community councillors who are unpaid volunteers. It should also make it less likely that in future there will be such an unequal playing field between full time professionals submitting proposals on behalf</p>	<p>Support for the SG is noted.</p>	<p>No change</p>
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	Mountaineering Scotland	<p>of developers and communities with very limited time and resources</p> <p>We recognise that Local Development Plans (LDP) and Supplementary Guidance (SG) are required to confirm to Scottish Planning Policy. Lacking local discretion, all local authority LDPs and SG are therefore very similar in substantive content. This draft SG is no exception but we commend its layout and clarity.</p> <p>There appears to be an error on page 44, Part H, where the text in the shaded box is the same as that in Part I on the same page.</p>	<p>Comments and support noted.</p> <p>The text within the boxes referred to is the same as the text is relevant to both topics, in essence confirming that the scale of contribution towards renewable energy targets must be weighed up against other significant adverse impacts which cannot be satisfactorily mitigated. However, for absolute clarity the blue box in respect of part H) has been amended to make reference to “..net economic impact...”</p>	<p>No change</p> <p>The blue box relating to part H) has been amended to refer to “..net economic impact...”</p>
	RES Ltd	<p>Generally support the aims and objectives of the supplementary guidance which is largely in accordance with Scottish Planning Policy. Comments in relation to chapter 8 listed separately</p>	<p>General support noted. Comments relating to chapter 8 are responded to separately</p>	<p>No change</p>
	Scottish Water	<p>Scottish Water is required to ensure that the proposed activity does not impact on the ability of Scottish Water to meet its regulatory requirements. Under Article 7 of the Water Framework Directive, waters used for the abstraction of drinking water are designated as Drinking Water Protected Areas (DWPA). The objective is to ensure that any activity</p>	<p>Comments noted. The Council will continue to consult Scottish Water on wind farm applications</p>	<p>No change</p>

	SEPA	<p>does not result in deterioration of waters within the DWPA. We would request that any proposals or applications for wind farms, solar farms or fuel storage are submitted to Scottish Water for review, to identify whether there are DWPAs present which would require protection through mitigation actions. Wind farms can have other potential impacts on our operations. For example, our below ground assets such as water and sewer mains can be affected by heavy construction traffic and may require protection. Some of our radio telemetry signals can be interfered with by wind turbine blades, depending on the location of the turbines. We would request that the document advises all proposals and applications be sent to Scottish Water for review so that we can assess for any impact on the following;- - Drinking water quality and quantity - Below-ground assets - Radio telemetry interference This allows Scottish Water to assess any potential impact on our operations and suggest adequate control measures if required.</p> <p>In general we support this SG as this is in accordance with the aspirations of SPP paragraph 154 which indicates that the planning system should ‘support the transformational change to a low carbon economy...including deriving electricity and heat from renewable sources’. For information SEPA have produced a background paper on Renewable Energy</p>	Support noted. The link to SEPA’s background paper on Renewable Energy has been added to the SG	The link to SEPA’s background paper on Renewable Energy has been added to the SG on page 50
	Community Windpower	The draft SG takes an overly cautious and constrained approach, contrary to emerging national policy and ignores market requirements. There needs to be more explicit recognition of the	It is strongly argued that the SG is in accordance with national planning requirements. It is acknowledged that turbines are likely to increase in height.	No change

	<p>Jones Lang LaSalle on behalf of 2020 Renewables Ltd and EDF Energy Renewables Ltd</p>	<p>need to accept higher tip heights overall: in the same way that 120m for turbine height became relatively 'standard' in the industry, there needs to be acceptance, for the reasoning set out above, that much higher tip heights approaching 200m will become the new normal. The draft SG needs to be much more realistic in order for the Scottish Borders to continue to play its part in helping to deliver Government policy objectives and to attract investment in the sector. This does not mean that environmental considerations should be ignored, but they do need to be properly balanced against the matters set out above with proper recognition given to the opportunities to deliver more energy yield – that can only come through larger schemes in conjunction with increased tip heights.</p> <p>Circular 6/2013 covers the matters that can be included within SG as part of the LDP process. It is clear that Regulation 27(2) of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 requires Supplementary Guidance to: <i>"1. cover topics specifically identified in the SDP or LDP as being topics for Supplementary Guidance; and</i></p>	<p>However it must be acknowledged that this does not mean the Scottish Borders landscape can and must automatically accommodate e.g. turbines of 200m in height, and any adverse impacts on the landscape and environment should not be downplayed nor ignored. If the Landscape Capacity study, following a very detailed and comprehensive methodology, indicated a maximum height for turbines within certain areas where anything above that would be considered unacceptable in terms of impacts on the landscape, it would be extremely difficult for the Council to disregard this work and the conclusions and significantly change this stance i.e despite the Council having expressed via the Landscape Capacity study what is considered to be an acceptable height of turbines, it is now suggesting support for much larger turbines which they previously stated would be unacceptable.</p> <p>It is disagreed that the Supp Guidance goes beyond the requirements of Circular 6/2013 and Regulation 27(2) of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008. The production of this SG was a requirement by the Reporter following the Examination of the LDP and is referred to within policy</p>	<p>No change</p>
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		<p><i>supplementary guidance</i>".</p> <p>The Government's letter on the topic of Supplementary Guidance made it very clear that supplementary guidance "<i>may only deal with the provision of further information or detail in respect of policies or proposals set out in the local development plan and then only provided those are matters which are expressly identified in a statement contained in the plan as matters which are to be dealt with in supplementary guidance</i>".</p> <p>The July 2013 LCS is referred to in the LDP Policy ED9 and it is clear from the policy wording that there will be SG prepared on wind energy. The update to the 2013 LCS document is welcomed. However, it is submitted that the inclusion of the LCS and the inclusion of new policy tests (which are considered to go well beyond the relevant policies in the LDP) within the SG are inappropriate and do not satisfy the required tests.</p> <p>The SNH report entitled 'Landscape Capacity Scotland - a review guide to good practice' (2010) includes as one of its main findings that Landscape Capacity Studies can be useful to inform development plans. It is submitted that the 2016 LCS should be a document to inform the LDP but should not form part of the LDP through inclusion as an appendix or as an integral part of the SG. The document entitled SNH Guidance 'Spatial Planning for Onshore Wind Turbines – natural heritage considerations' (June 2015) provides further advice on the role of Landscape Capacity Studies and states that they form part of the evidence base for development plan documents: "<i>The guidance provides advice on additional</i></p>	<p>opening para in Chapter 8 reference is made to the blue boxes being an "additional guidance <u>policy</u>". This is not technically correct to be considered as an additional policy and reference to this as being a policy has been removed.</p> <p>The role and worth of Landscape Capacity studies is acknowledged within SPP (paras 169 bullets 4 and 6, paras 202 – 204. SPP FAQs Dec 2014 confirms this relevance). The IF Landscape Study is clearly acknowledged and referenced within policy ED9 of the LDP as a document which clearly has an important role to play in guiding the LDP. The Council consider it undoubtedly has an integral role within the SG and therefore should be recognised as a component part of it. It is acknowledged that the IF study is a strategic study and is not site specific</p>	<p>No change</p>
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		<p><i>assessments, such as landscape capacity studies, which can provide an evidence base for the Development Plan and the production of supplementary guidance.”</i></p> <p>Figure 1 on page 4 of the document clearly shows that Landscape Capacity Studies should not be part of SG documents but used to support it. Box 1 on page 10 states:</p> <p><i>“Box 1 Landscape capacity study process</i> <i>It is important that landscape capacity studies for wind farms are robust and transparent.</i> <i>We are keen to work with planning authorities to ensure that landscape capacity studies are kept up to date. Authorities are encouraged to approach SNH for further support where this is required.</i> <i>In order to achieve this, capacity studies should be:</i></p> <ul style="list-style-type: none"> <i>-easy to access, particularly in electronic format located and referenced clearly on appropriate web pages.</i> <i>-developed through a transparent process, including an open formal public consultation.</i> <i>-underpinned by a robust and objective assessment.</i> <i>-easy to follow and understand.</i> <i>-ideally, kept up to date, to reflect the rapidly evolving pattern of development. In some areas they may require updating every 2-3 years, and this may not fit in with the regular development plan cycle.</i> <i>-referred to in the development plan, which should include policies on how they will be used to support decisions.</i> <p><i>The absence of a completed (or up to date) landscape capacity study should not be used to delay decision making.”</i></p>	<p>and planning applications can test its recommendations on a case by case basis. However its role should not be underplayed by the development industry. Although The SNH report entitled ‘Landscape Capacity Scotland - a review guide to good practice’ (2010) states that “The findings of a study is likely to be required to inform the development plan (para 8.1)” this does not necessarily mean a study should not be part of the development plan.</p>	
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		<p>It is submitted that Landscape Capacity Studies are useful in indicating relative sensitivities of landscape character areas and perform an important role in the protection of certain landscapes.</p> <p>They are also useful in identifying potentially suitable areas for wind farm development. However they are not able to provide a substitute for professional assessment of individual applications. It is submitted that the 2016 LCS should be referred to in the SG as a document that has informed the SG but should not be part of the SG itself. Our client objects to the inclusion of the 2016 LCS as part of the SG for the following reasons:</p> <ul style="list-style-type: none"> • it places undue weight on the 2016 LCS within the planning process; • it does not adequately facilitate the judgement of individual schemes on their own merits; • the 2016 LCS would not be able to respond to the ever changing cumulative situation; and • the 2016 LCS' inclusion in the SG (and therefore the LDP) is contrary to SNH Guidance that Landscape Capacity Studies should be a reference document to support the SG. <p>The way in which the LCS has been prepared is a concern. It is considered that the LCS is not in fact a landscape capacity study but is a review of landscape sensitivity to wind farm development. Please note that Moray Council has recently consulted on its draft Onshore Wind SG and associated updated Landscape Capacity Study.</p>	<p>It is considered the IF study has been carried out in the appropriate manner and is similar to other Landscape Studies Ironside Farrar have carried out for other planning authorities. These are recognised as competent studies and the Council has no reason to</p>	<p>No change</p>
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	Banks Renewables	<p>Moray Council had originally intended to include the Landscape Capacity Study (LCS) as part of the SG but in response to representations on the matter, has decided that the appropriate approach is to have the LCS as a Technical Study and a material consideration, but it will not form part of the statutory SG. It is recommended that SBC consider the Moray Council approach.</p> <p>In summary, Section 22 of the 1997 Act enables the adoption of supplementary guidance in connection with an LDP. Regulation 27(2) of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 describes the allowable content of supplementary guidance, and provides that it should only be adopted if the matters contained in it are expressly identified in a statement contained in the LDP as a matter to be dealt with in supplementary guidance. The same Regulation makes clear that supplementary guidance “may only deal with the provision of further information or detail in respect of the policies of proposals set out in the LDP.”</p> <p>The elements of the draft SG relating to wind farms are written in a very negative manner. They have not been written in the spirit of encouraging further onshore wind farm development within the Scottish Borders, putting it at odds with the suite of documents the Scottish Government published in January, namely Draft Climate Change Plan, Scottish Energy Strategy and the Onshore Wind Policy Statement, which all encourage further onshore wind farm development to ensure that the targets set by the Climate Change (Scotland) Act can be met at the lowest cost.</p>	<p>downplay their value or the methodology in which they are produced. Whilst the development industry challenge landscape studies when they do not support their proposals, it must be stated they completely contradict this position and inform the Council of the value of landscape studies when the studies support their position. The Council does not agree with the Moray approach referred to and is satisfied the SG, the need of which has been clearly identified within policy ED9 of the adopted LDP 2016, has been prepared in the correct manner</p> <p>It is strongly disagreed that the text is written in a negative manner. Banks Renewables’ response completely ignores the need to strike a balance between supporting renewable energy and given weighting to protecting the landscape and the environment. These are very clearly laid out in SPP and NPF3. NPF3 promotes sustainable development though this is not at any cost, stating that this is to be achieved “...whilst protecting our natural and</p>	Ref to the new Scott Govt documents referred to have been added on page 8
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	<p>Borders Network of Conservation Groups/ Minto hills Conservation Group</p> <p>Mark Steele Consultants Ltd</p>	<p>Although they been active in supporting its member groups in objecting to the inappropriate siting of wind farms and in communicating concerns over policy and procedures to Scottish Government and Scottish Borders Council, it does not set its face against appropriate, efficient and beneficial renewable energy production. Indeed, many of the individuals who belong to our member groups have installed micro-renewable schemes for their own homes or businesses.</p> <p>With reference to the Draft SG: Renewable Energy it is concluded that it should be updated to reflect</p>	<p>cultural assets” (para 1.1). SPP re affirms support for renewable energy and need to attain national energy targets. However a balance must be sought “The right development in the right place: it is not to allow development at any cost” (para 28), and “The planning system should.... facilitate positive change while maintaining and enhancing distinctive landscape character” (para 194) The Scottish Govt documents referred to were only draft documents at the time of this draft Supp Guidance being prepared and therefore they could not be referred to as the finalised version were unknown. However, in Dec 2017 the final policy versions were published. Reference to these has been added to this SG on page 8 and electronic links have been added for further reference</p> <p>Comments noted</p> <p>It is considered sufficient reference is</p>	<p>No change</p> <p>No change</p>
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	<p>and Ian Kelly on behalf of Burncastle Farming Ltd</p> <p>Ian Kelly on behalf of Burncastle Farming Ltd / Ian Kelly on behalf of Raeshaw Farms Ltd</p>	<p>current SNH guidance documents and that key statements referring to landscape impact, cumulative impact and landscape capacity should be retained in the final version. Caution should also be exercised with the use of the term acceptability</p> <p>Although the Draft Guidance is well intentioned it is considered that there is possibly too much detail especially in Section 8. Two aspects arise from that. Firstly, as has been seen in wind farm Public Inquiries elsewhere, when Supplementary Guidance has been addressed in evidence and cross examination, there have been clear suggestions that the detail in such Supplementary Guidance is going beyond the tests set out in the relevant “parent” policy. Secondly, it is perhaps this excessive detail that is leading to the possibility that, as part of the Scottish Government’s new Planning Act, the use of Supplementary Guidance could be either banned or be significantly restricted.</p> <p>With the Scottish Borders Council experience of a variety of wind farm proposals it could be suggested that many of the technical issues are well known and well understood. Therefore, notwithstanding the comments that follow, it is submitted that there is a strong case for the Supplementary Guidance to focus on the Spatial Framework in combination with a revised and consistent assessment of the remaining landscape capacity having regard to cumulative impact and additional cumulative impact. Having such a dual</p>	<p>given to up to current SNH guidance documents and links to those relevant are incorporated within the SG</p> <p>It is inevitable when an SG is prepared for a contentious subject there will be a wide range of responses with often conflicting views. It is therefore impossible to produce an SG on a subject such as renewable energy which all parties will agree upon. Section 8 relates to Development Management where is it considered substantial text is required to give guidance for the benefit of a wide range of users. It is considered section 8 is fair, is of a sufficient size and key information and guidance would be lost if it was substantially reduced in size. The Council is satisfied the SG complies with national requirements</p> <p>It is considered the SG raises and reiterates the relevant key issues and there is no reason to reduce its size as is suggested. The preparation of spatial framework is very clear and straightforward and there is no reason to expand upon this further. The Ironside Farrar study gives sufficient advice on landscape and cumulative impact issues to be considered</p>	<p>No change</p> <p>No change</p>
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		<p>focus in the final version of the Supplementary Guidance would be entirely consistent with the two overarching effects set out in paragraph 6 above.</p> <p>Having regard to the known situation of wind farm applications being approved on appeal contrary to the terms of Supplementary Guidance it is considered that the Guidance needs to openly address the issue of the public's perception of the document. Whilst it is accepted that it is a strategic study that cannot go into the detail of a wind farm specific LVIA (whether or not that is part of an EIA process) the public do give considerable weight to the plain English meaning of the words used. Therefore, if an area is assessed as having, say, no landscape capacity for turbines over 80m, then the clear expectation of the public is that no such turbines will be approved. There are no easy answers to this aspect but it is considered that the Guidance needs to specifically grapple with it.</p> <p>It is clear that the continuation of the no subsidy regime for on shore wind turbines will, in Scotland, lead to two overarching effects:</p> <p>a. A focus on larger turbines probably from 150m to 200m in height</p> <p>b. A focus on repowering applications for existing sites with those repowering proposals consisting of turbines of the above larger scale</p> <p>It is respectfully submitted that the comments included in this response, should be considered positively by the Council. However, it is also submitted that, given the above two overarching effects and given that these effects are already apparent, the Council needs to rapidly produce</p>	<p>It is not agreed that the public believe that if a proposal does not comply with the Ironside Farrar Landscape Study it will automatically be refused. The SG makes it clear that if a proposal exceeds the findings of the IF study the onus is on the applicants to show through more detailed site specific information and visualisations that the proposal can be supported. The Council is not aware of any widespread evidence which suggests the public does not understand this.</p> <p>Comments noted. It must be acknowledged that the development capacity of a landscape to absorb wind turbines must have a limitation. Whilst there will be disagreement by a range of parties as to what that limitation will be, if for example, a landscape capacity study suggests a maximum height of turbines as being appropriate within a landscape, it would be extremely difficult to then suggest and convince others that that landscape is now capable of accommodating, e.g</p>	<p>No change</p> <p>No change</p>
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	<p>Natural Power Consultants on behalf of Fred Olsen Renewables Ltd</p>	<p>revised, consistent and more focussed Supplementary Guidance to address the spatial framework and the remaining landscape capacity, particularly for very large turbines. A further (but short timeframe) round of public consultation would be appropriate.</p> <p>Given the release of national policy documents by the Scottish Government for consultation on Scotland’s energy strategy and policy framework it is essential that the SG is amended in terms of its general direction and approach as well as any specific elements to reflect and implement the requirements of these important national policy documents. Whilst it is recognised that these national policy documents are currently still in draft stage, they nevertheless represent a significant milestone in the development of a national energy strategy and must therefore be reflected in the final version of the SG. If the final SG is adopted ahead of these national documents being finalised, it would then a commitment should be made that the Council’s policies and guidance will be updated in accordance with updated national policy.</p> <p>The Supplementary Guidance (SG) and its general approach is welcomed however it should be ensured that it is produced as a guidance document which supplements the policies in the LDP and not an additional policy document forming additional policies which might be contradictory to</p>	<p>turbines a further 60m in height. Whilst the Council is well aware turbine heights will increase, this does not mean that inappropriately large scales of turbines must be accommodated in the landscape where they have been previously deemed unsuitable. There is no justification to amend or reconsult on the SG as suggested. Planning applications will continue to be dealt with on a case by case basis</p> <p>The Scottish Govt documents referred to were only draft documents at the time of this draft Supp Guidance being prepared and therefore they could not be referred to as the finalised version were unknown. However, in Dec 2017 the final policy versions were published. Reference to these has been added to this SG on page 8 and electronic links have been added for further reference</p> <p>It is strongly argued that the format of the SG is appropriate. It must be acknowledged that the SG will be used by a range of bodies with different interests and needs and the</p>	<p>Ref to the new Scott Govt documents referred to have been added on page 8</p> <p>The words “Supplementary Planning policy 1” have been removed from the</p>
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		<p>the established requirements of the LDP. With that in mind we strongly suggest that introduction to the document be deleted in its current form and rewritten to reflect the supplementary nature of the document. As a starting point we suggest the introduction to the SG on page 7 is a better reflection of this point than that given on page 3. In terms of how this is presented in the detail of the SG Policy ED9 alongside the current SPP provide an adequate policy framework for assessing planning and other applications relating to wind and other renewable energy developments. Throughout the document however the council has sought to introduce additional policies and policy requirements which are in some case at odds with policy ED9 and the SPP or without explanation or justification go beyond the requirements of ED9 and the SPP.</p> <p>This is at odds with the purpose and intention of supplementary Guidance as set out in 27(2) of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 which state that:</p> <p>‘Supplementary guidance adopted and issued under section 22(1) of the Act in connection with a particular strategic development plan or local development plan may only deal with the provision of further information or detail in respect of the policies or proposals set out in that plan and then only provided that those are matters which are expressly identified in a statement contained in the plan as matters which are to be dealt with in supplementary guidance.’</p> <p>The SG should therefore be limited to the provision of further information or detail in respect of policies</p>	<p>development industry are not in a position to dictate its format. The Council has no vested interest in the SG and only seeks to ensure it is prepared in what they consider to be in a fair and well laid out format. The Council considers this to be the case. It is considered the SG is in compliance with 27(2) of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008, giving further relevant advice and guidance. It does not go beyond these requirements. It must be noted that the blue boxes referred to within the SG mirror those included within South Lanarkshire’s SG : Wind Energy 2015. That SG is touted by the Scottish Govt as a good example of such an SG and therefore the practice of including the blue boxes was acceptable and agreed by them. It is acknowledged that in the first “blue box” on page 25 reference is made to it being a Supplementary Guidance Policy. However, this is not technically correct to be considered as an additionally policy and therefore this reference has been removed</p>	<p>blue box on page 31</p>
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		set out in the LDP. Whilst welcoming the information with respect to the topic of renewable energy introduced by policy ED9 which it has done, we object to the additional policies within it. These are generally included (but not limited to) the framed blue shaded text in the SG. We therefore strongly recommend removing the blue shaded areas of text and retaining and where necessary updating the relevant remaining text as guidance throughout the SG having regard to the additional requirements set out in the Scottish Governments draft Energy Strategy.		
Introduction	Jones Lang LaSalle on behalf of 2020 Renewables Ltd and EDF Energy Renewables Ltd	<p>The third paragraph on page 3 correctly relates the draft SG relates to Policy ED9 of the LDP. The text should make it clear that the SG forms part of the Development Plan for the Scottish Borders supplementing the relevant policy within the LDP, namely policy ED9, but making it clear that the SG does not go beyond the provisions of that policy. It should also be made clear that the advice in the SG provides a fuller interpretation of LDP policies as they relate to onshore wind energy development.</p> <p>Circular 6/2013 and the Town and Country Planning (Development Planning) (Scotland) Regulations 2008, together with the All Heads of Planning letter of 15 January 2015 in relation to Supplementary Guidance make it very clear that there are important parameters to the scope and content of SG. This needs to be specifically acknowledged and properly adhered to in the final SG.</p>	The SG was required by the Reporter following the Examination of the LDP. The SG as has a recognised purpose as suggested by the title – it is supplementary guidance to policy ED9. Quite clearly it therefore must expand upon the component parts of policy ED9 otherwise there is no purpose in the Reporter requesting it. It does not pretend nor state it has elevated status above the LDP. It is not considered necessary to re-enforce this. The letter from the Chief Planner to all heads of Planning referred to states “ <i>..the guidance may only deal with the provision of further information or detail in respect of policies or proposals set out in the local development plan and then only provided those are matters which are expressly identified in a statement contained in the plan as matters which are to be dealt with in supplementary guidance.</i> ” The Council	No change

	Banks Renewables	Whilst the term 'spatial framework' is correctly referenced elsewhere in the SG, it is described as an "...onshore spatial strategy..." on page 3. To avoid confusion with previous SBC Supplementary Planning Guidance (SPG) whereby it refers to spatial strategies, it should be renamed as the 'spatial framework' to accord with Scottish Planning Policy (SPP)	is clear the SG satisfies this	
	Borders Network of Conservation Groups	The concept of "identifying areas where wind farms will not be acceptable, areas of significant protection, areas with potential for wind farm development..." is first mentioned here although it is a concept with which SBC and interested parties are familiar given the initial Landscape Capacity Assessment produced by Ironside Farrar in 2013. However, it is worth pointing out that this framework leads to the only logical conclusion, even when considered alongside the "need to mitigate the causes of climate change", ie that there is finite capacity for wind farms in any given landscape. The meaning of the phrase "and indicating the minimum scale of onshore development that the framework applies to" is unclear - eg does it refer to the minimum height of turbines to which the framework applies, or does it somehow refer to the minimum level of total renewables development within the Scottish Borders (unlikely, but it could be read that way).	Agree with comment. In terms of consistency the text should be amended where required to consistently refer to the spatial <i>framework</i> as opposed to the spatial <i>strategy</i>	Text has been amended where required to refer to spatial <i>framework</i> as opposed to spatial <i>strategy</i>
	Minto Hills Conservation	The concept of "identifying areas where wind farms will not be acceptable, areas of significant	It is agreed that there is finite capacity for any given landscape. The phrase "and indicating the minimum scale of onshore development that the framework applies to" was required via para 161 of SPP and refers to the minimum height to which the framework applies	No change
			It is agreed that there is finite capacity for any given landscape.	No change

	Group	protection, areas with potential for wind farm development..." is first mentioned here although it is a concept with which SBC and interested parties are familiar given the initial Landscape Capacity Assessment produced by Ironside Farrar in 2013. However, it is worth pointing out that this framework leads to the only logical conclusion, even when considered alongside the "need to mitigate the causes of climate change", ie that there is finite capacity for wind farms in any given landscape.		
Background	Jones Lang LaSalle on behalf of 2020 Renewables Ltd and EDF Energy Renewables Ltd	On page 4 there is reference to the planning balance the Council will seek between renewable energy development and environmental considerations. This is appropriate, however it is considered unnecessary to state that " <i>this is particularly a more challenging balance with regards wind farm proposals</i> " – there is no evidence to indicate that this is the case and such unsubstantiated value judgements should be left out of the document.	Planning applications for wind farms are very contentious proposals given the wide range of conflicting opinions they generate. The main issue is predominantly the balance between supporting renewable energy against any perceived impacts on the landscape and environments. Consequently it is considered the wording within the SG is justified.	No change
	Borders Network of Conservation Groups	In the third paragraph on page 4 the second sentence begins "This is particularly a more challenging balance..." without indicating what is being compared, ie more than what? It is suggested the meaning would remain if it were phrased as "This is a particularly challenging balance...".	It is considered wind farm proposals more than any other types of proposals challenge the question of balance between supporting renewable energy and protecting the landscape and environment. It is therefore considered the text is correct.	No change
Aim of Supp Guidance	Jones Lang LaSalle on behalf of 2020 Renewables Ltd and EDF Energy Renewables Ltd	On page 5 (second paragraph) there is reference to what are termed " <i>main key outputs in order to guide the development management process</i> ". It should be made clear here that the guidance on renewable energy, the spatial framework and further guidance and criteria referenced within	SPP makes reference to the value and important role of Landscape Capacity studies (paras 169 bullets 4 and 6, paras 202 – 204 & SPP FAQs Dec 2014) and the use and reference to the Ironside Farrar Landscape Study is	No change

		<p>policy ED9 are all included within the SG. However, for the reasons set out should be made clear that the 2016 LCS is a technical study and forms a material consideration supporting the SG but does not form part of it.</p> <p>The fourth bullet on page 5 is important: namely, it states that the SG provides further guidance on the criteria referenced within Policy ED9 of the LDP. This is a correct description of what the SG should be doing, however, it is clear that Chapter 8 of the draft SG goes well beyond the provisions of policy ED9, introduces different terminology and indeed in our view introduces additional policy tests which are inappropriate.</p>	<p>specifically mentioned within policy ED9 of the LDP. Whilst acknowledging the IF study is a technical study it is disagreed that their role should be underplayed and the Council considers it should be considered to form part of the SG.</p> <p>Clearly for the SG to have any meaningful use it must expand upon identified policy criteria, giving as the title clearly suggests - "supplementary guidance". It is not considered that the SG does go beyond the provisions of SG. The Scottish Government have identified the South Ayrshire Supplementary Guidance on Wind Energy 2015 to be an exemplar example of an SG. The South Ayrshire SG incorporates supplementary "blue box" tests which SBC have mirrored within the SG. It is acknowledged that in the first "blue box" on page 25 reference is made to it being a Supplementary Guidance Policy. However, this is not technically correct to be considered as an additionally policy and therefore this reference has been removed</p>	<p>The words "Supplementary Planning policy 1" have been removed from the blue box on page 31</p>
	<p>Ian Kelly on behalf of Burncastle Farming Ltd / Ian Kelly on behalf of Raeshaw Farms</p>	<p>It is considered that the aims should be focussed on the two middle bullet points – the spatial framework and landscape capacity. However, the stated intention that the Guidance should apply equally to wind energy proposals both above and</p>	<p>Renewable energy covers a very wide range of topics and issues to be addressed and it would not be appropriate to focus only on the spatial framework and landscape capacity.</p>	<p>No change</p>

	Ltd	below the 50MW S36 threshold is very much welcomed.	Support regarding the intention of the SG is noted.	
	Mark Steele Consultants on behalf of Burncastle Farming Ltd	Chapter 3 'Aim of Supplementary Guidance' confirms that 'This SG is considered to be concise and easily navigated, making reference and expanding upon what are considered to be the salient matters to be addressed and giving electronic links to further information on specific subjects where required. However, the lack of paragraph numbers makes referencing the document difficult and potentially confusing.	It is considered the SG can be easily navigated without the need for paragraph numbering.	No change
Policy Considerations	Hobkirk Community Council	We believe that the policy concentrates too much on reducing CO2 through the development of renewable technologies at the expense of tackling the emissions caused by transport and domestic heating. Furthermore we think that there is an overemphasis on the development of onshore wind at the expense of other forms of renewable energy.	It is acknowledged that the majority of the SG relates to wind energy. However, there is no doubt that given the volume of correspondence and debate the subject generates it is justified this is an area of renewable energy which needs addressed the most. It is considered the text regarding Other Renewable Energy types is fit for purpose and gives the correct level of advice and detail. A section on the promotion of heat mapping has been added to the SG at the request of the Scottish Government	A reference to heat mapping has been added to chapter 5 of the SG
	Scottish Government	The Scottish Government have recently published a consultation draft Energy Strategy and Onshore Wind Strategy. You may wish to take this into account in chapter 4 policy considerations.	The Scottish Govt documents referred to were only draft documents at the time of this draft Supp Guidance being prepared and therefore they could not be referred to as the finalised version were unknown. However, in Dec 2017	Reference to the Scott Govt policy documents on Energy Strategy and Onshore wind Strategy has been

	<p>Jones Lang LaSalle on behalf of 2020 Renewables Ltd and EDF Energy Renewables Ltd</p>	<p>Page 7 correctly references policy ED9 of the LDP and highlights the terminology referred to in the policy and the critical part of the ED9 policy test, namely that renewable energy developments, including wind energy proposals will be approved <i>“provided that there are no relevant unacceptable significant adverse impacts or affects that cannot be satisfactory mitigated”</i>. This is the terminology that should be consistently used in the draft SG and not departed from.</p>	<p>the final policy versions were published. Reference to these has been added to this SG on page 8 and electronic links have been added for further reference</p> <p>Comments noted. The particular wording in question is a part of policy ED9 (Renewable Energy Development) which in essence relates to giving consideration to the balance between consideration of environmental impacts and economic benefits of a proposal. The text makes reference to the consideration of “..... relevant <i>unacceptable significant adverse impacts or affects</i> that cannot be satisfactory mitigated....” which was added by the Reporter following the Examination of the LDP. However it must be pointed out that in the next sentence the Reporter does not refer to this specific wording, omitting the word “unacceptable”. Consequently the policy wording is not entirely consistent as to what text wording should be applied. On the assumption the test within policy ED9 should incorporate the word “<i>unacceptable</i>”, rather than constantly making reference throughout the SG to the “<i>unacceptable significant adverse impacts or affects</i>” every time this test needs to be referred to, within para 5 on page 7 of Chapter 4 : Policy Considerations it has been stated that reference to this will be shortened to</p>	<p>made on page 8</p> <p>At the end of the section on Local Policy on page 7 text has been added which confirms that ref to policy ED9 text relating to “<i>unacceptable significant adverse impacts or affects</i>” will be shortened to “<i>unacceptable impacts</i>” within the SG. However, it is confirmed this does not change the full policy test as worded in policy ED9</p>
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		<p>Page 8 makes reference to “national energy targets” but only refers to those relating to the year 2020. The references would seem to be copied directly from paragraph 154 of SPP which is correct however, Scotland’s carbon reduction targets (and indeed those of the UK) extend well beyond 2020 as set out in the Climate Change (Scotland) Act and the recently produced draft Scottish Energy Strategy and Climate Change Plan – all of which set out ambitious stretching targets for 2030, 2050 and into the very long term. Whilst it is acknowledged that some of these specific targets in the draft Scottish Government documents may change, there may be an opportunity for the Council to take into account the settled position on these additional targets before it finalises the draft SG and such references could be made in this section in Chapter 4.</p> <p>Page 8 also makes reference to social / economic and other benefits. Whilst the references in the three bullet points under the heading are welcome, it is noted that there is no reference to the benefit of “<i>associated business and supply chain opportunities</i>” – this is a specific criteria at paragraph 169 of SPP and should be included.</p> <p>The draft SG provides a link to the Government’s</p>	<p>“<i>unacceptable impacts</i>”. It is made clear that this is solely for ease of text and is not being suggested as an alternative to the main policy test.</p> <p>The Scottish Govt document referred to was only a draft document at the time of this draft Supp Guidance being prepared and therefore they could not be referred to as the finalised version was unknown. However, in Dec 2017 the final policy version was published. Reference to this has been added to this SG on page 8 and an electronic link has been added for further reference</p> <p>Comments noted. The reference has been extended to include “associated business and supply chain opportunities”</p> <p>There are probably a few hundred</p>	<p>Reference to Scottish Govt updated national energy targets are added on page 8</p> <p>Reference to social economic benefits has been amended to include reference to “...associated business and supply chain opportunities”</p> <p>The SG has been</p>
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	Banks Renewables	<p>Good Practice principles relating to community benefits. It is noted that there is no link to the Government's Good Practice guidance in terms of shared ownership. Shared ownership is an important consideration and this was emphasised to all Heads of Planning in the Government's letter of November 2015 and should be referred to.</p> <p>For consistency with SPP, paragraph 5 (on page 6) should set out that the 'spatial framework' is specifically for onshore wind (as indicated within SPP paragraph 161).</p> <p>The reference to the Scottish Government's Good Practice Principles for Community Benefits from Onshore Renewable Energy Developments 2015 (on page 8) is incorrect. It should state "...community benefits which are not material considerations", not simply "benefits" as it currently does. There are circumstances where community benefits can be material. This section of the SG should therefore be changed to reflect this, making reference to the requirement to assess community benefits against the test in the Scottish Government circular to ascertain if they are material or not.</p>	<p>documents, advice / guidance notes, etc from a vast range of sources with some relevance to wind farms. The SG cannot reference them all. The Council is aware of the Government's Good Practice guidance in terms of shared ownership. However, as this matter has been raised the SG has been amended to include reference to the Scottish Government's Good Guidance practice in terms of shared ownership.</p> <p>Comments noted. The SG has been amended to confirm that the spatial framework relates only to wind farm proposals.</p> <p>Given that the sentence is specifically referring to the "... <i>Community Benefits</i>.." document it is hard to believe any party would then misinterpret that the corresponding "benefits" in the same sentence referred to something else. However, for absolute clarity the word "community" has been added to the sentence.</p>	<p>amended to include reference to the Scottish Government's Good Guidance practice in terms of shared ownership on page 9</p> <p>The SG has been amended to confirm that the spatial framework relates only to wind farm proposals in the 1st para on page 30</p> <p>The SG has been amended to include the word "community" in the 2nd para on page 9</p>
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	<p>Borders Network of Conservation Groups</p>	<p>The sentence on page 6 which states “SPP does not single out any of the aforesaid sustainable principles to have extra weighting over others” does not make fully clear to which principles it refers. It is suggested that these principles should appear under a heading ‘sustainable principles’ for clarity.</p>	<p>Comments noted. Text has been amended to confirm SPP does not single out any sustainable types to have extra weighting over others.</p>	<p>Sentence 2 in the 4th para on page 6 has been amended to confirm SPP does not single out any sustainable types to have extra weighting over others.</p>
	<p>Borders Network of Conservation Groups / Minto Hills Conservation Group</p>	<p>On page 7, in the second paragraph under the heading ‘Local Policy’ we suggest that the first sentence would convey the intended meaning better if the word ‘sufficiently’ was inserted between “unacceptable impacts which cannot be” and “mitigated”. Otherwise the implication is that even the lowest possible level of mitigation would be sufficient to make the application acceptable. Mitigation will always be a question of degree and it is of course up to the planning authority to assess whether the mitigation is sufficient, or falls well short of what is required.</p> <p>The following sentence properly refers to the balance between the wider economic, environmental and other benefits of the proposal and the potential damage arising from it. We make a procedural suggestion on this in Chapter 8 on Development Management Considerations and, if accepted, that could helpfully also be reflected here.</p>	<p>The text referred to was incorporated into policy ED9 of the LDP in line with the recommendation of the Reporter following the Examination of the LDP. The Council cannot change this particular line of text within the adopted LDP. Proposed text amendments re Chapter 8 have been responded to in that section of this table. It is not considered any amendments need to be made to the text within the “Local Policy” heading section</p>	<p>No change</p>
		<p>On page 8, under ‘National Energy Targets’, it is stated that there is no cap on these.</p>	<p>Comments noted. Whilst it is acknowledged that some parties will</p>	<p>No change</p>

	<p>Borders Network of Conservation Groups</p>	<p>We accept that, if something in public policy is desirable, eg a decrease in infant mortality, then it makes no sense to stop efforts towards that end once a target has been achieved. However, we contend that it is not fully established that wind energy is the best or even a good way to create the proportion of energy in Scotland that it does at present. In contrast to the action required to reduce infant mortality, which presumably has no harmful effects, increasing the electricity produced by wind energy does. Nevertheless we appreciate that SBC is obliged to follow Scottish Government policy in this regard. However, the logic and rationale behind the obligation of local authorities to assist the Scottish Government in meeting these targets, as well as the effect of that obligation on SBC's statutory duty as a planning authority, dissipates as soon as the targets are reached. We therefore suggest that, since the target for electricity produced by renewables will be met by all of the constructed and consented wind farms in the pipeline, the contribution towards Scottish Government targets of any wind farm subject of a planning application while that circumstance pertains is not a material consideration or, at very best, should not carry nearly as much weight as it would have prior to this circumstance.</p> <p>There are UK national factors to take into account, as follows.</p> <ol style="list-style-type: none"> 1. The main responsibilities for energy production and regulation in Scotland are reserved by the UK Government. In that respect it should be noted that the Levy Control Framework (LCF) caps subsidies at £7.6bn in 2020 (albeit with a generous 20% extra 	<p>feel it unjustified to give weighting to consider how much contribution a proposal may give to national targets when these targets have already been reached, the Council cannot overrule these requirements set by Scottish Government.</p> <p>Comments noted. It is acknowledged there are concerns from third parties who are concerned there will be no embargos on further wind farms when the Scottish Govt renewable energy targets have been met, resulting in unnecessary wind farms. However,</p>	<p>No change</p>
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	<p>Borders Network of Conservation Groups / Minto Hills Conservation Group</p>	<p>headroom). 2. The LCF cap is based on operational and currently consented renewable electricity generation capacity achieving an implied output of approximately 110 TWh by 2020. The Renewable Energy Foundation currently estimates the likely figure at about 148 TWh, or an overshoot of about 30%. Therefore, under current UK policies, there is simply no requirement for further consented capacity. 3. Whilst it can be claimed that SPP2 specifically rules out grid capacity as a reason for refusing individual wind farms, it must be remembered that UK policy governs energy production. Can wind farms be consented when there is no economic justification for doing so, and with no prospect of the generated power being needed or subsidised? It is clear that UK policy renders this particular part of Scottish policy irrelevant and it should therefore be ignored.</p> <p>Still on page 8, the social and economic benefits listed should, as we have proposed above, be factors in a comprehensive estimate prepared as part of a developers application and actual performance and outcomes subsequently judged against that after date of first operation if an application is approved.</p> <p>Also in this section the subject of community</p>	<p>there is no cap on the energy targets and the Council cannot change Scottish Govt policy via the LDP or this Supp Guidance.</p> <p>The Council will accept information provided by developers alongwith their application in good faith. If we are in doubt about information submitted we may ask for further clarity. It is acknowledged that predicting social and economic benefits can be difficult. The accuracy of these forecasts can be checked after any approval, although any conclusions from that could not result in a decision being retracted.</p> <p>Comments noted. It is considered that</p>	<p>No change</p> <p>No change</p>
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		<p>ownership is referenced. We note that, in the Glossary of Terms pp 57-60, 'community' is defined as "A body of people. A community can be based on location (for example people who live or work in or use an area) or common interest (for example the business community, sports or heritage groups)". While accepting that this is as good a general definition of community as one might expect in a dictionary, for the purpose of this SG we suggest that it is not nearly specific enough. As it stands, a 'community' seeking community ownership or a stake in ownership of a wind farm in the Scottish Borders could be two members of ISIS based in the Middle East, or all of the wind developer's employees living outwith Scotland who might be gifted a stake as part of a staff incentive, or two pupils at a local kindergarten. Furthermore, there can be no guarantee that even a dozen members of a local community are in any way representative of that local community: they may just be the people with enough capital and the minimum sense required to invest in such a precarious enterprise. We suggest that a closer definition be sought, including residency in the immediate area as at least one criterion, with perhaps a requirement that some percentage of the profits made be invested locally. Likewise, we suggest that, although community benefits are quite properly not a material consideration, the fact that they are mentioned on page 8 provides the opportunity to consider whether there should be a definition of community for this purpose also, which should probably differ from the definition for community ownership since the aim must be to ensure that the projects or</p>	<p>the definition of "community" within the SG is a fair and reasonable description. However community payments are handled and given out is outwith the scope of the Council.</p>	
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	Ian Kelly on behalf of Burncastle Farming Ltd / Ian Kelly on behalf of Raeshaw Farms Ltd	<p>initiatives most needed, in the opinion of the community councils concerned, should receive priority. We offer this since it has come to our notice that community benefits from a wind farm in the Southern Borders have gone to communities as far afield as Perth.</p> <p>This chapter simply repeats what is in other policy documents that are already in the public domain and, therefore, is not needed.</p>	A summary of salient policy considerations relevant to renewable energy is considered vital to the SG for easy reference and clarity. The chapter on policy considerations should therefore remain in the SG	No change
Role of the Council	Jones Lang LaSalle on behalf of 2020 Renewables Ltd and EDF Energy Renewables Ltd	This is an extremely short chapter and it is considered that the brief text would be better included in the introduction to the SG. This would then leave Figures 1, 2 and 3 in the Chapter, however these simply provide a 'snapshot' in time of planning application status in the SBC area and will very quickly go out of date. It is suggested that these would be better included in an Appendix to the SG. Furthermore, the graphics on Figures 1 and 2 are confusing and not clear. If these figures are to be reproduced the graphic illustrations need to be better defined.	It is important to highlight early in the SG that the Council remains supportive of renewable energy whilst at the same time addresses the need to support sustainable requirements of protecting the landscape and environment. Figures 1 and 2 confirm the high number of applications submitted and their status. This is important to confirm the continuing development interest in turbines. This is a very real matter to acknowledge in order to foresee the overall pressures within the Scottish Borders in terms of, for example, cumulative impact. These should be of interest to a range of parties and should not be hidden away in an appendix as the respondent suggests. Although there is a lot of information in the figures the electronic	No change, although it should be noted a section on heat mapping has been added to the chapter on the Role of the Council

	Banks Renewables	At the point at which the SG is likely to become adopted, Figure 1 will be nearly 1 year out of date. It would be useful to have this figure is updated prior to adopting the SG.	versions can be zoomed into for clarity. It should be noted a section on heat mapping has been added to the chapter on the Role of the Council	
	Borders Network of Conservation Groups / Minto Hills Conservation Group	No comment other than that the maps showing distribution of different renewable energy applications are useful, as always.	Figs 1 and 2 (Re renewable energy approvals) have updated prior to the SG being finalised	Figs 1 and 2 on pages 11 and 12 have been updated prior to the SG being finalised
	Ian Kelly on behalf of Burncastle Farming Ltd / Ian Kelly on behalf of Raeshaw Farms Ltd	The text here is entirely superfluous and could be deleted. The figures/maps are potentially very useful, but also show up an important technical issue that needs to be addressed, especially for the later spatial framework and landscape capacity figures. Interested parties will either download these figures and print them or view them on a mobile or other device. For many of them the underlying OS detail can be very difficult to see precisely, meaning that it can be difficult to check the Guidance provisions for a specific location. It would be helpful to find some way of enabling higher resolution figures.	Support noted	No change
			The text referred to is entirely relevant to laying down the Council's role in the process and should remain within the SG. Figures / maps within the SG can be zoomed into on the electronic version	No change
Renewable Energy Types	Scottish Government	The SG provides useful guidance on the planning considerations around various low carbon potential heat sources however is does not provide the level of detail that is expected through Scottish Planning	It is stated within the introductory text to policy ED9 of the LDP that further work will be developed with regards to heat mapping. However, given the	Reference to heat mapping has been incorporated into chapter 5 of the SG

	<p>Borders Network of Conservation Groups / Minto Hills Conservation group</p>	<p>Policy (SPP). While the LDP does contain policy that is supportive of heat networks eg Policy PMD2 (a), and makes reference to the opportunity for heat from waste at Easter Langlee in Galashiels, neither the LDP or SG provide the level of detail on the location of heat networks or policies to support the implementation of heat networks. It is recommended that the SG be revised to identify where heat networks, heat storage and energy centres exist or would be appropriate and include policies to support the implementation of district heating, in accordance with paragraphs 158 – 160 of the SPP. You may wish to note that we have provided online guidance on Planning and Heat which may be helpful in developing policy on heat networks.</p> <p>In responding to this chapter we believe that the explanations given in the draft are missing a degree of objectivity, portraying each of the types of renewables other than wind power in the most positive possible lights. We believe that it is necessary to balance this with some of the actual and recognised negatives, including environmental impact, so offer the following additional information which we suggest should be incorporated in order to put each of the energy production types into context, both for developers and for those within SBC, officers and members, involved in planning. Clearly, you may wish to seek independent assurance on this.</p>	<p>comments from the Scott Govt heat mapping works has been incorporated as part of this SG. This is referred to in chapter 6 of the SG and includes reference to supply and demand. The opportunities for heat mapping will continue to be developed and it is considered that what is now included within the SG is a useful reference and progress which will continue to be develop via the new LDP. It is understood by the Council that Circular 6/2013, which covers matters that can be included within the SG, and Regulation 27(2) of the Town and Country Planning (Development Planning) Scotland Regs 2008 prevent the provision of further “policies” as suggested.</p> <p>Renewable energy types other than wind farms are generally much less contentious than wind farm proposals and it is considered that the text and the balance of issues and matters to be considered referred is a fair reflection.</p>	<p>No change</p>
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<p><i>Micro-renewables incl</i></p>	<p>Ian Kelly on behalf of Burncastle Farming Ltd / Ian Kelly on behalf of Raeshaw Farms Ltd</p> <p>Borders Network of Conservation Groups / Minto Hills Conservation Group</p>	<p>It is considered that there is too much superfluous text here. The important aspects are the lists of good planning practice. These should be retained alongside perhaps a diagram or two to succinctly convey this information much of which will, in any event, be obvious to the users of the document.</p> <p>'Micro' in this context means 'very small'. Their contribution to total generation is minimal, to energy security, zero and because, perversely, the subsidy for small scale developments is greater than for large ones, the cost, ultimately borne by all consumers, is out of proportion to any national benefit.</p> <p>While solar panels generally have minimal impact and raise few objections from neighbours, this is not always the case for small scale wind. Small turbines can be disproportionately noisy and the usual fin stabilisation causes them to yaw, increasing visual impact. Their installation has led to serious conflict with neighbours. Vibration can also cause damage if they are mounted on a building. These factors should be mentioned in this chapter in order to alert applicants, planners and members of the Planning and Building Standards Committee to the pitfalls which they should seek to avoid.</p>	<p>It is considered that the balance of text is fair and justified in relation to each topic referred to within this section.</p> <p>It is agreed micro turbines have a much greater potential to cause noise disturbance and should not be permitted close to properties whose residents do not benefit from them. Many such turbines are permitted development and do not require planning consent and therefore any consequent noise complaints would be investigated by the Council after installation and appropriate mitigation / abatement measures would be investigated at that stage on a case by case basis</p>	<p>No change</p> <p>Within the <i>micro-renewables including solar photovoltaic panels</i> section text has been added to read “ In terms of noise many domestic turbines are permitted development and do not require planning consent. Any consequent noise complaints would be investigated by the Council after installation and appropriate mitigation / abatement measures would be investigated at that stage on a case by case basis”</p>
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<i>Biomass</i>	<p>Borders Network of Conservation Groups / Minto Hills Conservation Group</p>	<p>The actual sustainability of biomass is questionable. Burning wood releases about 25% more carbon dioxide per kilowatt hour of energy than burning coal. Sustainability thus depends on how the fuel is produced. The use of straw, if the cereal is replanted, or coppiced brushwood, will mean that the CO2 can be reabsorbed rapidly. On the other hand, whole trees will take 20-50 years to do this. There is insufficient woodland in the UK to sustain large scale biomass consumption and there is no effective control over how the production of imported fuel is managed, therefore no guarantee that it is sustainable.</p>	<p>Comments noted. Whilst it is acknowledged that the respondents have some clear concerns as to the actual contribution of biomass to sustainability it nevertheless is a renewable energy type supported and promoted by the Scott Govt and consequently requires reference within this SG.</p>	<p>No change</p>

<p><i>Energy from Waste</i></p>	<p>Cockburnspath and Cove Community Council</p>	<p>Small scale biomass can provide useful domestic heating for properties which are not on the gas grid. However there can be issues around fuel storage, reliability, and the ability of elderly home owners to handle 10kg bags of pellets. The use of biomass should be discouraged where piped gas is available.</p> <p>We note the mention of ZWP in this respect and fully endorse the need to move to a zero waste society. Effective use of waste is key to this process, and the harnessing of heat and power thus generated is a crucial contribution towards both ZWP , renewable targets and a sustainable society. An EfW plant therefore needs to harness as much of the “waste” heat and use it effectively. Heat networks are central to this, but in reality, difficult to put into place, as few places require heat 24/7. EfW therefore needs to be situated close to end users of such heat to allow a heat plan to operate successfully and not just minimise a business’s own overheads. There needs to be a gain to others in terms of the use of that heat reflecting a reduction in reliance on traditional heat production and carbon emissions. In Denmark and some other continental countries, small EfWs are located in communities, reducing transport of waste, and also allowing heat to be used by the local community. This would seem to be a sustainable model, but in rural areas, such as we have in Scottish Borders, such effective use of waste heat is often very difficult to achieve, and we find ourselves with large scale EfWs located some distance away from waste production, necessitating numerous and increasing vehicle deliveries in order</p>	<p>Comments and support noted</p>	<p>No change</p>
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	SEPA	<p>to transport waste around the country. This is not, in our view sustainable. We therefore back the points made on page 18 of the draft SG.</p> <p>We support the reference to the Zero Waste Plan. We also welcome the reference to the need to consider waste in relation to forestry management associated with wind farms, however this requirement may be applicable also for other type of renewable energy and therefore we recommend expanding on this as appropriate in the SG. We also support the reference to district heating and heat mapping as appropriate for the types of renewable energy proposed. This is in line with our guidance. Ref is made to SEPA paper on heat networks and district heating</p> <p>Energy from Waste (EfW)- We recommend highlighting the need for a developer of an EfW plant to obtain an authorisation from SEPA. There is also no signposting to the guidelines on SEPA's website. See http://www.sepa.org.uk/regulations/waste/energy-from-waste/</p> <p>We would welcome reference in the SG to the fact that proposals require information to demonstrate that the proposal will comply with the Thermal Treatment of Waste Guidelines in terms of the efficiency of the plant and the acceptability in principle of the proposed heat plan. Please see link to the guideline below: http://www.sepa.org.uk/media/28983/thermal-treatment-of-waste-guidelines_2014.pdf</p> <p>When consulted on EfW facilities we will consider the energy efficiency of the facility and also opportunities for heat recovery and the potential to</p>	<p>Support noted. The SG has been updated to include the need for an EfW plant to obtain SEPA authorisation and the guidance note on the SEPA website referred to.</p> <p>Reference has also been made for the need that a proposal should comply with the Thermal Treatment of Waste Guidelines in terms of the efficiency of the plant and the acceptability in principle of the proposed heat plan with a link to the guidance identified.</p>	<p>SG has been updated on page 24 to include ref for the need for an EfW plant to obtain SEPA authorisation and the guidance note on the SEPA website is referred to. Reference has also been made on page 26 for the need that a proposal should comply with the Thermal Treatment of Waste Guidelines and a link is given to the guidance</p>
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<i>Anaerobic Digestion</i>	Borders Network of Conservation Groups / Minto Hills Conservation Group	<p>site new plants close to existing and potential users of heat and power.</p> <p>If suitable sites and quantities of feedstock are available then combustion of waste to generate electricity could be sensible. Rather than recycling plastics and paper it might be better to combust these in a specially designed power station. However any such facility would have a significant local impact and would have to be located on an industrial site.</p>	Comments noted. It is considered there are adequate planning policies within the LDP which lay down sufficient tests to gauge such proposals	No change
	Cockburnspath and Cove Community Council	Some concerns have been expressed locally about the tendency for crops being grown specifically to feed anaerobic digestion, thus losing/using actual agricultural land to feed waste needs and achieve subsidies. Higher consideration needs to be given to protecting agricultural land from adverse planning in order to protect it for food production and we would like to see this emphasised within the SG.	The planning system has no jurisdiction over farmers carrying out other farming operations within their holding. However, if a change of use of the land is required for a non- agricultural use, consideration can be given to the loss of any prime quality agricultural land.	No change
	SEPA	<p>There may be a need for a developer of an AD plant to obtain authorisation from SEPA depending on the inputs to and the capacity of the plant. We recommend that this is mentioned in the SG.</p> <p>The use of the biogas produced from AD plants requires to comply with The Thermal Treatment of Waste Guidelines 2014 and is a material planning consideration in determining relevant planning applications. We would therefore welcome reference to the guidelines for detailed planning information requirements. http://www.sepa.org.uk/media/28983/thermal-treatment-of-waste-guidelines_2014.pdf</p>	The SG has been amended to confirm an AD plant may require authorisation from SEPA and a link to the SEPA Thermal Treatment of Waste Guidelines referred to is included.	The SG has been amended on page 26 to confirm an AD plant may require authorisation from SEPA and a link to the SEPA Thermal Treatment of Waste guidance is included

	<p>Borders Network of Conservation Groups / Minto Hills Conservation Group</p>	<p>The original justification for this process was to consume organic waste. However most installations import plant material specifically grown for this purpose, what some would describe as a misuse of arable land, and certainly not something which can accurately be described under the general umbrella of waste treatment, as in Chapter 6.</p> <p>Nevertheless, if that is really what the majority of the public and their representatives want (provided they even know this) then of course that is fine, BUT the process should not be described as the recycling of 'waste'. The local impact of AD plants not consuming on-site waste or other feedstock can be particularly severe in terms of very large numbers of vehicle movements during the short harvesting season. In addition, a visual impact is created by the large scale storage facilities needed for an entire year's feedstock. Where these storage facilities do not exist, feedstock is continuously supplied from storage points where it was originally produced/ harvested. For example, a large amount of bagged silage/haylage is currently being moved piecemeal from its point of production (last year) in a field some miles away from the large AD plant at Charlesfield to that plant. Smaller AD plants are even more likely to be supplied by off site fuels on a continuous basis due to a lack of adequate storage facilities.</p> <p>Bio fuel being grown on prime agricultural land uses up acreages previously used to produce human food thus the production comes at a cost of home grown and local food sustainability.</p> <p>The gas produced is of low quality and requires</p>	<p>Comments noted. It is considered the text gives sufficient reference to the issues identified and these would be considered in detail at the planning application stage</p>	<p>No change</p>
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<p><i>Hydropower</i></p>	<p>SEPA</p>	<p>processing before it can be fed to the gas grid. Small-scale installations using genuine waste or other feedstock <i>produced on-site</i> should be acceptable on isolated farms where there the gas can be used locally. All AD plants generate machinery noise to a greater or lesser degree since this is needed for loading the plant on a frequent basis.</p> <p>Hydropower - SEPA aims to ensure that an appropriate balance between promoting hydropower and protecting the water environment and other water users is always achieved. We recommend highlighting the need for a developer of a hydropower scheme to obtain an authorisation from SEPA. This section should also mention that hydropower schemes must ensure the objectives of the Water Framework Directive are met. Of key relevance is the potential for cumulative impacts across water catchment and development plans provide an opportunity to identify and address these. In terms of hydroelectric schemes our guidance states:</p> <ul style="list-style-type: none"> • Development Plans should encourage such proposals to be sited and designed appropriately to avoid individual and cumulative adverse impacts on the water environment. • Development plans should identify suitable and unsuitable areas of search for hydropower proposals and/or a criteria based policy providing guidance on where 	<p>Text has been added to confirm hydropower schemes require an authorisation from SEPA. A link to the SEPA guidance referred to has also been included</p>	<p>Text has been added on page 27 to confirm hydropower schemes require an authorisation from SEPA. A link to the SEPA guidance referred to has also been included</p>
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		<p>hydropower proposals can be located. We would welcome specific reference to the SEPA hydropower guidance, available at: http://www.sepa.org.uk/media/136104/planning-guidance-on-hydropower-developments.pdf</p>		
	Borders Network of Conservation Groups / Minto Hills Conservation Group	<p>River run hydropower can be environmentally friendly but the potential for this in Southern Scotland is likely to be very limited. As referred to in this section of Chapter 6, it has been posited recently in the Scottish Borders that the mill lades and races constructed to power woollen and textile mills and no longer used for that purpose might be potential starting points for small scale hydro. While this is certainly possible in theory, the actual output is likely to be insignificant and hugely expensive. Only large scale hydropower makes sense. Medium and small scale hydro like Pitlochry which was constructed decades ago has only had a long term pay-off because inflation wiped out the initial capital cost. Small scale hydro is economically questionable.</p>	<p>It is acknowledged that there may be financial issues in implementing hydropower schemes but that is not a reason to prevent promoting such schemes within the SG</p>	No change
<i>Ground Source Heat Pumps</i>	Borders Network of Conservation Groups / Minto Hills Conservation Group	<p>Heat pumps are in general unsuitable for existing properties as they require extensive internal works to install underfloor or extra large radiators. This is because they cannot efficiently produce heat at the temperatures used by conventional central heating systems, and so need two to three times the area of radiators (which are actually convectors rather than radiators). Ground source heat pumps may be a sensible option for new build properties which are not connected to the gas grid.</p>	<p>Comments noted. Ground source heat pumps remain an alternative sustainable energy option and should remain in the SG. The option as to whether they are implemented or not will lie with the householder.</p>	No change

	SEPA	<p>Air source heat pumps will be inefficient in Scottish winters, are noisy and so unsuitable for use except for isolated properties.</p> <p>There may be a need for a developer of a borehole ground source heat pump to obtain authorisation from SEPA depending on the design</p>	Text has been added to state that consent may be needed from SEPA for a borehole ground source heat pump and SEPA should be contacted at an early stage.	Text has been added on page 28 to state that consent may be needed from SEPA for a borehole ground source heat pump and SEPA should be contacted at an early stage.
Wind Energy <i>General</i>	<p>2020 Renewables Ltd / EDF Energy Renewables Ltd</p> <p>Borders Network of Conservation Groups / Minto Hills Conservation Group</p>	<p>Chapter 7 introduces the first proposed new “supplementary guidance policy” number 1 – in a blue box. It is noted that the other policy boxes which appear throughout Chapter 8 are un-numbered which is confusing and inconsistent.</p> <p>In the second sentence, which refers to the number of approved turbines at time of writing in the Scottish Borders and their energy producing potential, we suggest that informative and useful contextual information would be provided if that amount of energy, ie 747 MW, were compared to the amount of electricity required by homes in the Scottish Borders, also at time of writing.</p>	<p>It is not considered the policy boxes are either confusing nor inconsistent</p> <p>There is no doubt that the energy supplied by wind farms approved to date within the Scottish Borders far exceed the needs of the Scottish Borders. However, it is not the case that each planning authority should only supply the needs for within their own administrative boundaries and it is acknowledged that some planning authority landscapes offer limited opportunities for turbines, often those</p>	<p>No change</p> <p>No change</p>

	<p>Ian Kelly on behalf of Burncastle Farming Ltd, Ian Kelly on behalf of Raeshaw Farms</p>	<p>It would be more relevant to give this chapter the title of “Wind Energy Spatial Framework” as that is what the chapter is actually about. It is considered that it would be helpful if the limitations of the SPP2 Table 1 approach were set out. The most obvious of these is the failure to include areas that merit significant protection on account of cumulative impact and/or the absence of landscape capacity.</p>	<p>with the highest population density e.g city areas. Confirming this output and its proportion to the Scottish Borders population would therefore serve little purpose.</p> <p>The Wind Energy Spatial framework is clearly referred to in Chapter 7. It is clearly set out within Table 1 in SPP and there is no remit to deviate from it. It specifically does not take cognisance of cumulative impact although that is addressed via Landscape Capacity studies</p>	<p>No change</p>
	<p>Ian Kelly on behalf of Burncastle Farming Ltd / Ian Kelly on behalf of Raeshaw Farms Ltd</p>	<p>It is perfectly understandable that the Council might wish to further explain or to give more detailed guidance on how the criteria in LDP Policy ED9 will be applied by the Council. However, when Adopted the Supplementary Guidance now acquires Development Plan status. It is this key statutory provision that has led, in other cases, to the claims that the similar detailed content of other Supplementary Guidance is seeking to either:</p> <ol style="list-style-type: none"> a. Introduce tests that go beyond the tests set out in the parent policy, or b. Set a different threshold for acceptability from that which would flow from the application of the parent policy <p>The operation of Policy ED9 should be perfectly obvious from the policy wording itself. If that is not the case then the Policy should be modified rather than be “supported” by detailed explanations in Supplementary Guidance. It is submitted that the text in this chapter should be removed.</p>	<p>Policy ED9 as modified by the Reporter following the Examination of the LDP lists development management considerations. That in itself is of little benefit as further guidance is required for the benefit of a range of interested parties. That is the role of the document as supplementary <i>guidance</i>. It is considered the SG does not go beyond the tests nor the threshold of acceptability of policy ED9. It is considered the text is appropriate.</p>	<p>No change</p>

	<p>Minto Hills Conservation Group / Border Network of Conservation Groups</p>	<p>This chapter covers the subjects which Development Management should consider during the application processing period. The Council needs better information than it possesses or receives at present to be in a position to assess these subjects adequately for the purpose of (a) assessing whether there are unacceptable significant adverse impacts which cannot be mitigated and (b) judging whether the wider economic, environmental and other benefits of the proposal outweigh the potential damage arising from it. That information (whether gleaned from general research or specific information provided by a developer) should relate to the quantitative and qualitative difference between eg landscape and visual impact assessed by developers before existing wind farms were built, and the actuality once constructed. The same is true for noise and shadow flicker nuisance to adjacent dwellings, as well as for anticipated economic benefits compared to actual benefits during and following construction. We are aware that BNCG has suggested that Council appreciation of this type of wider knowledge might be achieved by conducting the type of comparative studies commissioned by its neighbour Northumberland County Council, or at least by referring to these studies in reaching its assessments of applications. The truth is of course that the Scottish Government should be commissioning independent research on anticipated and actual impacts of wind farms, and if it does not do so that may be tantamount to neglect of the welfare and wellbeing of citizens of rural</p>	<p>It is considered that information submitted by developers at the planning application stage re for example, energy production from turbines, is generally sufficient, although further info can be requested if required. It is extremely difficult to make a judgement or suggest there is some acknowledged national formula which clearly balances and gives a definitive conclusively tests the weight given to the economic benefits of a windfarms against any perceived adverse impacts on the environment / landscape. In the absence of such information, which would be most unlikely to be agreed by all parties in any event, it is inevitable there will continue to be a degree of subjectivity when considering wind farm applications</p>	<p>No change</p>
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		<p>areas, as well as of its own duties in respect of planning integrity and effectiveness.</p> <p>In order to make the best possible kind of judgements necessary for policy ED9, planning authorities such as SBC would also need to know from the developer eg the minimum contribution to energy production expected of each turbine, in its specific wind location, relative to its connection to a specific section of the National Grid, as well as the level of constraint payments likely given that grid position. Therefore, in order to be able to assess “the wider economic, environmental and other benefits of the proposal” we suggest that it would be reasonable for SBC to require developers to submit as accurate as possible an estimate of all of these factors and for the result to be judged against the average for these factors across existing onshore windfarms in the UK.</p> <p>There must be realistic sanctions for failure to deliver ‘promised’ benefits, otherwise developers are susceptible to the practice of over-promising and under-delivering, to the detriment of the environment, communities and energy production. We suggest that one reasonable way of applying such a deterrent sanction would be requiring the developer to pay for an independent assessment commissioned by the planning authority, within 12 months of the wind farm coming into operation, of whether or not, for example, economic benefits have been achieved and, if the result of this falls short of what was estimated by a given proportion over a given period of time (eg 10% over 12 months) then</p>	<p>Comments noted. Application submissions and supporting information are taken in good faith and it is acknowledged that predicted levels of economic benefits, job creations etc may prove to be wrong in practice. Any consequent review of this could not revoke the planning consent. Any proposals regarding penalties for such anomalies in practice are outwith the remit of the Council</p>	<p>No change</p>
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		<p>the developer should be required to either (a) pay a pre-set level of punitive compensation for as long as that situation persists, split 50:50 between a charity set up by the SBC for the purpose of aiding those in fuel poverty or some such cause and the community councils most closely affected by the wind farm, or (b) de-construct the wind farm.</p> <p>One of the negatives in the balance of net economic outcomes of the construction of wind farms must be the considerable damage inflicted on the narrow country roads in the Scottish Borders by hugely greater and much heavier than normal traffic flow during the construction period. We feel sure that SBC Roads Department would be able to quantify and cost this relatively easily, even if just based on the Robertson road leading to Langhope Rig Wind Farm. We believe that it is extremely unfair that cash-strapped councils (a) can not insist on a planning fee commensurate with the size of application; and (b) are not allowed to insist on a large contribution to local infrastructure. We suggest that this needs to be raised with the Scottish Government, perhaps via the Heads of Planning forum.</p>	<p>Comments noted. As part of the Env Assessment submitted with the planning application there would be a Transport Assessment which would consider the likely access routes to the site. If approval was granted a consequent Traffic Management scheme would be submitted confirming the routes for normal and other vehicles (e.g turbine site delivery vehicles) and the condition of the road would be monitored before and after construction works ceased. Any damage to the road as a result of site vehicles would require an upgrade by the developer.</p>	<p>No change</p>
<p><i>Spatial Framework</i></p>	<p>Mark Steele Consultants Ltd on behalf of Burncastle Farming Ltd</p>	<p>SG Chapter 7 acknowledges that 'Many of the larger scale commercial approvals have taken place in the Lammermuir Hills within the northern part of the Scottish Borders, predominantly at Crystal Rig, Aikengall and Fallago Rig' and that (in addition to other approvals within and outwith the Scottish Borders) '...cumulative impact is a significant issue to be considered'. However, it should be made clear (as explained in</p>	<p>Comments noted. It is acknowledged that combined cumulative impacts is an issue to be addressed and it is considered that reference to this issue is fairly acknowledged in chapter 8 part B. There are a wide range of cumulative impact issues to be addressed and it is considered these are also satisfactorily referenced within</p>	<p>No change</p>

		<p>the SG Spatial Framework) that it is the combined cumulative effects (i.e. the ‘total’ effects rather than the ‘additional’ effects attributable to individual developments) that are of principal concern. This is due to the attritional cumulative effects of incremental windfarm and/or windfarm extension developments constructed in close proximity. Adverse effects are compounded by variable turbine type, height and blade diameter. This is a result of the largely unplanned creation of windfarm ‘clusters’ and the adverse effects are clearly demonstrated by the Crystal / Aikengall ‘cluster’ (but poorly illustrated by the SG photograph (page 23) of the Crystal Rig Windfarm). The SG Spatial Framework section on ‘Landscape Impact’ confirms that ‘The Council will support proposals if:</p> <p>They are capable of being accommodated in the landscape in a manner which respects its main features and character as identified in the Scottish Borders “Landscape Capacity and Cumulative Impact Study” (2016) and which minimises effects on the landscape and the wider area through careful choice of site, layout and overall design’.</p> <p>It is important that the final part of this paragraph is maintained in the final version of the SG.</p> <p>The SG Spatial Framework section on ‘Landscape Impact’ also confirms that ‘The Borders Landscape Assessment provides the baseline descriptions for subsequent landscape studies. The Ironside Farrar Landscape Capacity and Cumulative Impact Study (2016) is referred to in this chapter and comprises of three main themes:</p> <ul style="list-style-type: none"> • A strategic landscape capacity study 	<p>the IF Landscape study. Chapter 8 part C of the SG states links to other relevant documents</p> <p>It is considered the first 2 bullet points are very clear and fair, in that an area of land may offer opportunities for turbine development, but that does not mean there should be no limit as to how much it can be developed before it is considered the part of landscape in question has reached saturation point</p>	<p>No change</p>
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		<p>investigating the underlying capacity of landscapes within Scottish Borders to accommodate wind energy development;</p> <ul style="list-style-type: none"> • A cumulative assessment examining the level of cumulative development of operating, consented and proposed wind turbines and windfarms in Scottish Borders; • Guidance on remaining development capacity and on the size and types of wind turbine development throughout Scottish Borders that would be acceptable in landscape terms, taking account of the first two considerations’. <p>There is an underlying tension between the first two bullet points, as focusing windfarm development within areas identified as having current capacity may result in future cumulative effects.</p> <p>The SG Spatial Framework section on ‘Visual Impact’ confirms that ‘The Council will support proposals if: They do not have significant detrimental visual impact, taking into account views experienced from surrounding residential properties and settlements, public roads and paths, significant public viewpoints and important recreational assets and tourist attractions’.</p> <p>The second part could be more succinctly expressed as follows: ‘They do not have significant detrimental visual impact on views experienced from surrounding residential properties and settlements, public roads and paths and important public viewpoints, recreational assets and tourist attractions’</p>	<p>which would prevent the approval of further turbines</p> <p>It is considered the text referred to within the SG is appropriate as is worded</p>	<p>No change</p>
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	<p>Minto Hills Conservation Group / Borders Network of Conservation Groups</p>	<p>Page 24 sets out the spatial framework requirements of the latest Scottish Planning Policy (SPP). The section on 'community separation for consideration of visual impact' contains the SPP descriptor "An area not exceeding 2km around cities, towns and villages identified on the local development plan with an identified settlement envelope or edge. The extent of the area will be determined by the planning authority based on landform and other features which restrict views out from the settlement". We agree with the SBC stance that it would be inefficient and unnecessary to carry out 2km surveys of each of the 88 identified settlements in the LDP. However, we would add that the SPP descriptor appears to mean that anyone living in an isolated house or a group of houses without an identified settlement envelope or edge has less right to be protected by the planning authority than someone living in the middle of a town. Towns are built-up areas already and town and city dwellers accept that there is understandably likely to be more development there than in rural areas. However, the kind of thinking betrayed by the SPP descriptor and its implications, which we accept has been prevalent in wind farm planning for years and is imposed by Scottish Government policy, is nevertheless inherently, even if unintentionally, iniquitous and turns logic on its head. Quite apart from the above iniquity there have been recent wind farm applications in the Scottish Borders where there have been a considerable number of dwellings, not actually constituting a</p>	<p>It is agreed the spatial framework within SPP does not specifically identify individual dwellings under the heading "Community separation for consideration of visual impact". The Council cannot amend the text references. However, para 169 of SPP makes reference for Development management to consider "impacts on communities and <i>individual dwellings</i>". Consequently impacts on individual dwellings can be considered within the decisions making process.</p>	<p>No change</p>
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	Banks Renewables	<p>village, within 2km of the nearest turbine of a proposed wind farm. In many instances these numbers amount to many more than the number of dwellings in many identified Borders villages. We have to assert that this is illogical, unreasonable and, most importantly, grossly unfair. For all of these reasons we strongly suggest that, while abiding by SPP, SBC ought to insert its own addition to that descriptor in SG Policy 1 on page 25. This should reflect the point that, while the 2km separation imposed by SPP applies to towns and villages identified in the LDP, SBC considers that 2km of protection for all dwellings whether single, multiple or in identified settlements or not, is a fair and equitable starting point from which to consider the separation of any dwelling from turbines in respect of visual and noise impact, accepting that every case will have to be judged individually on landform, screening etc.</p> <p>Banks Renewables consider the wording “...<i>important initial starting point</i>...” in relation to the spatial framework somewhat reduces the spatial frameworks significance as the primary method for identifying areas that are likely to be most appropriate for onshore wind farms in accordance with SPP. Paragraph 163 of SPP clearly sets out that “...<i>additional constraints should not be applied at this stage</i>.” The phrase ‘important initial starting point’ implies that there are additional constraints to be considered, an approach which is contrary to SPP. Banks Renewables request the sentence “<i>The spatial framework is an important starting point to be considered for all wind turbine proposals which exceed the aforesaid height</i>” replaced with</p>	The spatial framework has an important role to play. However, it is not the sole test for determining planning applications and it is considered the text referred to is fair.	No change
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		<p>the following wording taken from SPP – <i>The spatial framework identifies those areas that are likely to be most appropriate for onshore wind farms.</i></p> <p>As with the landscape capacity outputs inserted into the SG, it would be useful to have the spatial framework breakdown and spatial framework itself magnified to make the plans more legible.</p>	<p>Electronic on line versions of the maps can be zoomed into. The final spatial framework has had place names added to the base map to ease navigation</p>	<p>The spatial framework on page 33 has had place names added to the base map</p>
<p>Development Management Considerations – <i>Landscape and Visual Impacts and effects on wild land</i></p>	<p>Mark Steele Consultants Ltd on behalf of Burncastle Farming Ltd</p>	<p>The reference to ‘Siting and designing wind farms in the landscape – Version 2’ (page 30) should be amended to ‘Siting and designing wind farms in the landscape – Version 3 (February 2017)’</p> <p>The statement that ‘SNH will shortly be publishing guidance on Wild Land’ should be amended to reflect the now published SNH Guidance.</p> <p>The SG Spatial Framework section on ‘Cumulative Impacts’ confirms that ‘The Council will support proposals if: Their cumulative impact in combination with operational and approved wind energy developments and applications pending determination, is acceptable’.</p> <p>It is important that the reference to ‘in combination’ is retained in the final version.</p> <p>However the use of the term ‘acceptable’ is problematic, as acceptability should be determined</p>	<p>Since the draft SG was produced some new / amended relevant documents have been produced and it is agreed the SG should make reference to them. Such inclusions are confirmed elsewhere within this table. The SG has been amended to include reference to the updated SNH document ‘Siting and designing wind farms in the landscape – Version 3 (February 2017)’. The Council is not aware that the finalised SNH Guidance on Wild Land has been published.</p> <p>Comments noted. In keeping with text amendments relating to policy ED9 as stated elsewhere in this table, within the “Cumulative Impact” section it is proposed the words <i>is acceptable</i> are replaced by the words <i>have no unacceptable impacts</i>.</p> <p>While the SNH definition is the basis for assessment of cumulative effects in GLVIA, the Council has paraphrased it to reaffirm the basis on which the</p>	<p>The SG has been amended to include reference to the updated SNH document ‘Siting and designing wind farms in the landscape – Version 3 (February 2017) on page 38</p> <p>Within the “Cumulative Impact” section on page 39 the words <i>is acceptable</i> have been replaced by the words <i>have no unacceptable impacts</i> in the blue box.</p> <p>The following has</p>

		<p>with reference to the overall planning balance within the operation of planning policy.</p> <p>The SG Spatial Framework section on ‘Cumulative Impacts’ refers to ‘...three forms of cumulative effect...’ However, these definitions are no longer in frequent use and the reference to ‘combined’ visibility can be confused with the previous reference to ‘in combination’.</p> <p>Therefore, these paragraphs should be deleted, as the reference to SNH guidance should suffice.</p> <p>As previously discussed, the reference to ‘threshold of acceptability’ (page 32) is problematic</p> <p>Furthermore, the statement that ‘There will be a presumption against all wind farm development in areas where cumulative impacts are judged to be significant and adverse’ implies that the ‘threshold of acceptability’ is ‘significant and adverse’ cumulative effects. Whilst the reference to ‘acceptability’ should be amended, it is important that the reference to ‘significant and adverse’ cumulative effects is retained in the final version.</p> <p>The SG Spatial Framework section on ‘Cumulative Impacts’ states that ‘The assessment of cumulative impacts is complex and will be informed by relevant guidance including the SNH guidance, June 2015, titled: “Spatial Planning for Onshore Wind Turbines – natural heritage considerations”. This includes reference to the consideration of clusters of wind farms that are in separate landscape character types and where the objective is to maintain the distinction between those character types’.</p> <p>‘Spatial Planning for Onshore Wind Turbines – natural heritage considerations’ (page 10) quotes the SPP (page 70) definition of cumulative impacts: ‘Impact in combination with other development.</p>	<p>cumulative assessment is undertaken, but small amendments to text have been undertaken to ensure it more closely reflects SNH (2012)</p> <p>The following has been inserted into SG after paragraph 1 of the <i>Cumulative Impacts</i> section which starts ‘With a large number of operational and consented windfarms within.....’</p> <p>GLVIA3 refers to both changes to landscape and visual amenity caused by the proposed development in conjunction with other development, past, present or likely to occur in the future.</p> <p>Cumulative landscape effects can impact on</p> <ol style="list-style-type: none"> 1. the physical fabric by affecting the landscape components such as woodlands, rural roads and hedgerows, or 2. the character of the landscape by changing the landscape character to such an extent that they create a different landscape character type, including the character of landscapes recognised to be of special value, this recognition may take the form of national or local designations such as National Scenic Areas or Special landscape Areas (and Wild Land Areas) <p>Cumulative effects on visual amenity can be caused by</p> <ol style="list-style-type: none"> 1. combined visibility - where the observer is able to see two or more 	<p>been inserted into SG after paragraph 1 of the <i>Cumulative Impacts</i> section which starts ‘With a large number of operational and consented windfarms within.....’</p> <p>GLVIA3 refers to both changes to landscape and visual amenity caused by the proposed development in conjunction with other development, past, present or likely to occur in the future.</p> <p>Cumulative landscape effects can impact on</p> <ol style="list-style-type: none"> 1. the physical fabric by affecting the landscape components such as woodlands, rural roads and hedgerows, or 2. the character of the landscape by
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		<p>That includes existing developments of the kind proposed, those which have permission, and valid applications which have not been determined. The weight attached to undetermined applications should reflect their position in the application process’.</p>	<p>developments from one viewpoint, either in combination - where the developments are in the observers view at the same time, or in succession - where the observer has to turn his or her head to see two or more developments</p> <p>2. sequential effects where the observer has to move to another viewpoint to see different developments and are generally assesses for routes such as roads, railway lines and paths. Two windfarms need not be intervisible, or even visible from a common viewpoint – to have impacts on the landscape experience for those travelling through an area.</p>	<p>changing the landscape character to such an extent that they create a different landscape character type, including the character of landscapes recognised to be of special value, this recognition may take the form of national or local designations such as National Scenic Areas or Special landscape Areas (and Wild Land Areas)</p> <p>Cumulative effects on visual amenity can be caused by</p> <p>1. combined visibility - where the observer is able to see two or more developments from one viewpoint, either in combination - where the developments are</p>
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		<p>The reference to 'in combination' is of particular relevance to the previous discussion of attritional</p>	<p>It is noted that it is considered important to retain the reference to 'in</p>	<p>in the observers view at the same time, or in succession - where the observer has to turn his or her head to see two or more developments 2. sequential effects where the observer has to move to another viewpoint to see different developments and are generally assesses for routes such as roads, railway lines and paths. Two windfarms need not be intervisible, or even visible from a common viewpoint – to have impacts on the landscape experience for those travelling through an area.</p> <p>No change</p>
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	<p>Jones Lang LaSalle on behalf of 2020 Renewables Ltd and EDF Energy Renewables Ltd</p> <p>Northumberland National Park Authority</p>	<p>cumulative effects arising from windfarm ‘clusters’ and proposals to add to or extend the life of these clusters.</p> <p>Chapter 8 is a key chapter in the SG and will have a number of comments on its contents. The first paragraph of Chapter 8 appropriately references policy ED9 of the LDP. It sets out that the section expands upon the listed subjects of policy ED9 “<i>giving more detailed guidance and useful information</i>”. However the text goes on to say “where relevant there is an additional guidance policy at the beginning of each subject”.</p> <p>On page 25 it is also stated that there are no National Parks located within the Scottish Borders and that therefore the only recognised constraints within this group are the National Scenic Areas at Eildon & Leaderfoot and Upper Tweeddale which are identified in fig 5(i). In addition, figure 6 on page 26 identifies large swathes of land as being potentially suitable for wind farm development with all turbines being of a height greater than 15 metres. A portion of this area appears to also include the Cheviot Uplands and the Cheviot Foothills Special Landscape Areas. However, given the fact that Northumberland National Park lies to the south east boundary it is puzzling as to why it is not referred to in any great detail in the draft supplementary guidance document as is the fact that any potential cross border implications have not been examined.</p>	<p>combination’ in final version.</p> <p>The text means additional guidance will be given to policy ED9 as opposed to being a new policy in itself. The text has been amended to clarify this.</p> <p>The spatial framework has been prepared in full accordance with SPP. The Northumberland National Park is located outwith the Scottish Borders and therefore it cannot be identified within the spatial framework. However, it is acknowledged that cross boundary issues are an important consideration and clearly the Northumberland National Park Authority would be consulted on any planning applications which may be of interest to them. It is agreed the SG can be amended to make specific reference to the consideration of any impacts of turbines on Northumberland national park within the “Cross Boundary Section” on page 62.</p>	<p>Text in chapter 8 which refers to “where relevant there is an additional guidance policy at the beginning of each subject” has been amended to exclude the word “policy”.</p> <p>SG has been amended to make specific reference to the consideration of any impacts of turbines on Northumberland national park within the “Cross Boundary Section” on page 62.</p>
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	2020 Renewables Ltd / EDF Energy Renewables Ltd	<p>The spatial framework plans which follow on page 26 need to be made clearer in terms of their graphics and consideration should be made to providing some base map reference in the background graphic so as to aid orientation of designation zonings within the SBC area. Full page graphics would be better than the very small ‘thumbnails’ currently included within Figure 5.</p>	<p>Although it is not considered justified for the 4no small individual maps which make up the spatial framework to have settlement names added to them which would clutter their appearance given their small scale, the finalised spatial framework is the key output map. Consequently it has been enlarged onto a separate page with settlement names added.</p>	Settlement names have been identified on the base map of the spatial framework on page 33
	Banks Renewables	<p>Banks Renewables is concerned that in comparison to the SG’s commentary on spatial frameworks, there is considerably more emphasis throughout the document on the “Landscape Capacity and Cumulative Impacts Study” (2016). As set out in SPP landscape and visual impact is a development management consideration and therefore it should be addressed on a site by site basis through site specific studies. The spatial framework should be considered as the overarching locational, strategic and spatial document for the acceptability of siting wind farms. Banks Renewables objects to the text proposed in the blue box on page 27, as there is not reference to site specific studies, acceptability appears to be based on compliance with the 2016 capacity study. To address this concern, the following text should be removed from the blue box “as identified in the Landscape Capacity and Cumulative Impact Study 2016”.</p> <p>It should be made clear that the Borders Landscape Assessment (1998) and the Ironside</p>	<p>The spatial framework is clearly set out by SPP and offers no flexibility. Consequently the spatial framework is very easy to prepare and map and is self explanatory and therefore there is very little accompanying text required. The Landscape Capacity Study however is a major document given the vast size of the Scottish Borders and the many detailed component parts which need to be addressed. It is considered the volume of text required to explain the document and summarise the main component parts is justified. The role and use of Landscape Capacity studies are acknowledged by Scottish Government /SPP and the SG refers to the Ironside Farrar study accordingly. It is considered the text referred to within the blue box is justified</p> <p>The Borders Landscape Assessment and the Ironside Farrar study are</p>	<p>No change</p> <p>No change</p>

		<p>Farrar Study (2016) should act as reference documents only and should not be the single two considerations in assessing the acceptability of wind energy proposals. This is currently the interpretation of the wording and this is contrary to SPP as there is a complete disregard of the purpose of the spatial framework. By acting as reference documents instead, there is still the flexibility for a site specific assessments to be carried out, which will be done at a finer detail than a regional assessment, to demonstrate the suitability of the site.</p> <p>Banks Renewables objects to the text contained in the blue box (on page 28) as it is contrary to SPP and the Local Development Plan 2016 (LDP). With regards to impact on the natural environment, paragraph 203 of SPP sets out that the test is an "...unacceptable impact on the natural environment." not simply a significant impact. The test in the blue box currently does not include a test of acceptability. It is therefore contrary to SPP. In addition it is also contrary to the test set out in LDP Policy ED9. Policy ED9 sets out that renewable energy developments will be supported where they can be "...accommodated without unacceptable significant adverse impacts or effects..." By their very nature, large scale onshore wind farm developments will result in some significant effects and to infer that the council will only support wind farm proposals if they do not have a significant detrimental effect would effectively preclude all onshore wind farm developments. This would be contrary to Scottish Government policy. To ensure</p>	<p>important documents to be considered and it is correct that reference should be made to them. It is not suggested these are the sole reference documents and other relevant documents are referenced throughout the SG. For example the spatial framework is specifically and very clearly referenced within the SG as being a material consideration though this reference is not further required nor be expanded upon within the Landscape & Visual Impact section.</p> <p>Comments noted. The particular wording in question is a part of policy ED9 (Renewable Energy Development) which in essence relates to giving consideration to the balance between consideration of environmental impacts and economic benefits of a proposal. The text makes reference to the consideration of "..... relevant <i>unacceptable significant adverse impacts or affects</i> that cannot be satisfactory mitigated...." which was added by the Reporter following the Examination of the LDP. However it must be pointed out that in the next sentence the Reporter does not refer to this specific wording, omitting the word "unacceptable". Consequently the policy wording is not entirely consistent as to what text wording should be applied. On the assumption the test</p>	<p>At the end of the section on Local Policy on page 7 text has been added which confirms that ref to policy ED9 text relating to "<i>unacceptable significant adverse impacts or affects</i>" will be shortened to "<i>unacceptable impacts</i>" within the SG. However, it is confirmed this does not change the full policy test as worded in policy ED9</p>
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	<p>Natural Power Consultants on behalf of Fred Olsen Renewables Ltd</p>	<p>compliance with national and local policy, the test in the blue box should be change to ‘They do not have an unacceptable significant adverse effect ...’</p> <p>Whilst areas of wild land are afforded significant protection under SPP, SPP does not preclude onshore wind farm development within these designations. The SG should be worded more positively to reflect SPP. At the end of the first paragraph it the SG should states “further consideration will be required to demonstrate that any significant effect on the qualities of the wild land can be substantially overcome by siting, design or other mitigation.”</p> <p>(p31) ‘The consideration to the effects on wild land should not be limited to solely development within them.’ Unless and until guidance is released by SNH, this statement should be removed. Having to assess</p>	<p>within policy ED9 should incorporate the word “<i>unacceptable</i>”, rather than constantly making reference throughout the SG to the “<i>unacceptable significant adverse impacts or affects</i>” every time this test needs to be referred to, within para 5 on page 7 of Chapter 4 : Policy Considerations it has been stated that reference to this will be shortened to “<i>unacceptable impacts</i>”. It is made clear that this is solely for ease of text and is not being suggested as an alternative to the main policy test. The blue box test referred to was used by South Ayrshire Council within their SG on Wind Energy 2015 which is recognised by the Scott Govt as an exemplar case.</p> <p>It is considered level of reference and balance between wind turbines and wild land areas is correct and accurately reflects SPP</p> <p>Para 169 of SPP states that consideration should be given to the effect of proposals on wild land. If there is a proposal for, for example, a small single turbine within a wild land area</p>	<p>No change</p> <p>No change</p>
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		<p>potential effects upon a development out with such a designation has the effect of creating additional buffers around the area and as per paragraph 196 of SPP: 'Buffer zones should not be established around areas designated for their natural heritage importance.</p> <p>(p32) 'In addition, windfarm impacts will be assessed along with other impacts from other land uses (e.g. quarry uses) which in combination may produce significant adverse cumulative impacts.' We have concerns about the inclusion of this statement as an additional general requirement of the SG. Whilst it is acknowledged that on occasion there may be site specific issues that arise where there may be a cumulative effect on a given receptor from an adjacent land use and a proposed wind farm, these will by their nature be both site and topic specific and should where relevant, be considered as part of the detailed scoping process of the wind farm. Any subsequent requirement for assessment can then be discussed and if necessary and justified agreed through the Scoping process. Such a requirement should be not however be ubiquitous. It is not clear from the Council's LDP that other (non-energy related) development proposal would have to consider renewable energy development in their cumulative assessments. We therefore suggest this part is</p>	<p>and another proposal for a number of large dominating turbines marginally outwith the wild land area, it cannot be argued that only the small turbine can qualify for consideration of any effects on the wild land area when clearly the larger proposal is much more contentious in terms of effects. Consequently unless the awaited SNH guidance confirms to the contrary, the reference within the SG is correct and justified.</p> <p>It is considered that the statement "In addition, windfarm impacts will be assessed along with other impacts from other land uses (e.g. quarry uses) which in combination may produce significant adverse cumulative impacts" is entirely justified, although clearly such assessment would only be required in certain cases.</p>	<p>No change</p>
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	<p>Amec Foster Wheeler on behalf of EDF Energy Renewables</p>	<p>removed.</p> <p>Page 28 – 3rd bullet: “<i>Guidance on remaining development capacity...</i>” This should be changed to ‘Strategic <i>guidance on remaining development capacity...</i>’ in order to reflect the strategic nature of the Updated LCS and the fact that it is not a Cumulative Landscape and Visual Assessment of any proposed development and as such the limitations of the document should also be acknowledged.</p> <p>Page 28 – “It is the Council’s view that the design and location of any wind farm must reflect the scale and character of local landscapes. In this respect, the Borders Landscape Assessment (1998) and the Ironside Farrar Study (2016) will inform the assessment of future wind energy proposals.” The use of the term ‘reflect the scale and character of local landscapes is ambiguous and open to a range of interpretation, not least because it will be difficult for any wind farm development to fully equate to the scale of the landscape.</p> <p>The following alternative is recommended: ‘<i>It is the Council’s view that the design and location of any wind farm must seek to minimise landscape and visual effect on the character of local landscapes, achieving a scale and nature of effect that can be deemed acceptable. In this respect, the Borders Landscape Assessment (1998) and the Ironside Farrar Study (2016) will inform the assessment of future wind energy proposals.</i>’</p>	<p>It is made quite clear within the SG that Landscape Capacity studies are strategic studies (e.g. 4th para on page 54) and this is recognised by all parties throughout the planning process. There is no justification to keep re-iterating this point.</p> <p>It is agreed that alternative text be added to state “<i>It is the Council’s view that the design and location of any wind farm must seek to minimise landscape and visual effect on the character of local landscapes, achieving a scale and nature of effect that can be deemed acceptable. In this respect, the Borders Landscape Assessment (1998 currently being updated) will inform the assessment of future wind energy proposals.</i>’ The need for reference to the Ironside Farrar Study 2016 is referred to further within the text on page 35</p>	<p>No comment</p> <p>Amended text has been added to page 35 to read “It is the Council’s view that the design and location of any wind farm must seek to minimise landscape and visual effect on the character of local landscapes, achieving a scale and nature of effect that can be deemed acceptable. In this respect, the Borders Landscape Assessment (1998 currently being</p>
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		<p>In the 'blue shaded' box it is noted that what the Council will support in relation to Visual Effects appears to be disproportionately higher than the equivalent comment on Landscape in a blue shaded box on page 27. The former requires that wind farm development would not have 'significant detrimental impact', whereas the latter (on landscape) and in line with the relevant policies and policy ED9 of the LDP, requires an 'accommodation' approach and or 'unacceptable significant impact'. It should be noted that as significant landscape and visual effects are unavoidable for wind farm development a 'test' of no 'significant detrimental impact' is unreasonable. Please also refer to the comments raised by JLL in the cover letter – namely that the proposed new policy 'tests' set out in the draft SG (in the 'blue boxes') are inconsistent with and go much further than the lead policy in the LDP, namely Policy ED9.</p> <p>No explanation is provided as to what constitutes a 'significant public viewpoint' or an 'important recreational asset and tourist attractions'.</p>	<p>The blue box within the visual section has been amended to read "The Council will support proposals if : They have an <i>unacceptable</i> visual impact...."</p> <p>This is in keeping with text within other blue boxes within the SG and it is confirmed the blue boxes are not new policies, instead giving further guidance on the specific subject matter. It is not considered the blue box within the Landscape Impact section requires amending.</p> <p>The reference to public viewpoints and important recreational assets and tourist attractions is justified. These recreational assets and tourist</p>	<p>updated) will inform the assessment of future wind energy proposals.' The need for reference to the Ironside Farrar Study 2016 is referred to further within the text on page 35</p> <p>The blue box within the visual impact section has been amended to read "The Council will support proposals if : They do not have an <i>unacceptable</i> visual impact...."</p> <p>No change</p>
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		<p>Page 29, 1st paragraph – The terminology, in particular ‘magnitude’ and ‘sensitivity’ needs to be updated in line with GLVIA 3. The ‘sensitivity’ of a receptor is now considered as a product of ‘susceptibility’ and ‘value’, and the ‘level’ or ‘nature of effect’ is considered as more than the assessment of distance and includes reference to magnitude, geographical extent and duration. This comment also applies the methodology of the Updated LCS.</p> <p>Page 29 3rd paragraph – Reference is made to guidance from SNH on wind farm development and whilst there are many SNH guidance documents, the Draft SG singles out one piece of advice from the current SNH Siting and Designing Windfarms in the Landscape Version 3 (February 2017), noting that “wind farms should be of a minor vertical scale in relation to key features of the landscape and of minor size compared to other features and foci within the landscape or separated from these by a sufficiently large area of open space so that direct</p>	<p>attractions will be identified on a case by case basis at the planning application stage. It would be difficult to give definitive definitions of these which all interested parties would agree upon, and it is not considered this has been a major issue.</p> <p>While ‘magnitude’ and ‘sensitivity’ are commonly used in LVIA, and continue to be thus used, GLVIA 3 promotes the use of new overarching terminology as follows;</p> <ol style="list-style-type: none"> 1. ‘magnitude’ to be replaced by ‘nature of effect’ 2. ‘sensitivity’ to be replaced by ‘nature of receptor’ <p>in order to better demonstrate transparency of process and that a wide range of factors has been considered in assessing the significance of effects.</p> <p>It is considered the quote that ““wind farms should be of a minor vertical scale in relation to key features of the landscape and of minor size compared to other features and foci within the landscape or separated from these by a sufficiently large area of open space so that direct scale comparison does not occur.” is absolutely fair and correct to be quoted. It is not suggested this is an overriding consideration.</p>	<p>Text on page 36 changed to replace the word “magnitude” by “nature of effect” and “sensitivity” replaced by “nature of receptor”</p> <p>No change</p>
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		<p>scale comparison does not occur.” It would be noted that in providing this guidance, SNH is promoting an aim or objective for wind farm development, but that it is not something that can practically be achieved when viewed from all viewpoints or receptor locations. Whilst development should accord with the general guidance and ‘spirit’ of the SNH guidance, particular objectives, such as this should not be singled out or elevated to development requirements.</p> <p>Page 29, Under the heading “An assessment of the visual effects on the following interests (where relevant) will be requested” the 3rd, 4th and 5th bullets should be removed and referenced in the Heritage section, unless a clarification ensuring that a Landscape and Visual Impact Assessment (LVIA) is required as opposed to a Heritage assessment, is provided as follows:</p> <ul style="list-style-type: none"> • The landscape and visual amenity of heritage sites which are visited by people to enjoy the landscape such as Scheduled Ancient Monuments, Inventory Battlefields and significant un-designated archaeological sites, structures and historic or archaeological landscapes. • The landscape and visual amenity of locally prominent and valued buildings, including listed buildings and conservation areas which are visited by people to enjoy the landscape. • Historic Gardens and designed landscapes, open to the public to enjoy the landscape. <p>Additional bullets could be considered to include as</p>	<p>Visual effects cover a number of scenarios and subject matters and it is considered correct that this part of the SG should make reference to possible impacts on the built and natural heritage. How much weight is given to potential impacts will take cognisance of matters such as the status and the no of visitors an attraction has.</p>	<p>No change</p>
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		<p>follows:</p> <ul style="list-style-type: none"> • The landscape and visual amenity of other tourist / visitor sites and attractions where the focus of the receptor will be on the enjoyment of the landscape for example well visited hill tops, picnic sites and features of tourist / visitor interest, include Historic Environment Scotland and National Trust properties or similar. • The landscape and visual amenity of other recreational sites / locations and attractions where the focus of the receptor involves an appreciation of the landscape, for example parks and golf courses. • The landscape and visual amenity of other community sites / locations and public realm areas where the focus of the receptor involves an appreciation of the landscape, for example cemeteries or town squares. • Scotland's Great Trails and other nationally promoted tourist / recreational routes for walkers, road users, cyclists and horse riders. <p>Page 30 – for completeness, the Draft SG should include a list of 'Iconic Viewpoints' as an appendix rather than referring back to the 2011 SPG. The list of 'Iconic Viewpoints' should also be reviewed to ensure that they are fully justified.</p>	<p>It is agreed the SG should list "Iconic Viewpoints" rather than require reference back to the 2011 SPG on Wind Energy. These have been reviewed and are incorporated within Appendix D</p>	<p>Iconic Viewpoints within the Scottish Borders to be considered at the planning application stage have been taken from the SG on Wind Energy 2011 and incorporated into Appendix D</p>
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	<p>Borders Network of Conservation Groups / Minto</p>	<p>Page 30, 1st paragraph – It should be noted that assessment viewpoints for LVIA are not ‘representative’. To accord with GLVIA 3 they may be ‘representative’ or ‘illustrative’ or ‘specific’. They often fall into the latter category and represent the ‘worst case’ rather than the ‘representative’ view from a road or route for example.</p> <p>Page 30, last 3 bullets – It should be noted that the SNH guidance referred to has been updated: <i>SNH Siting and Designing Windfarms in the Landscape Version 3 (February 2017)</i> and that further updates on guidance are anticipated. SBC should re-check the status of all windfarm guidance, and any new guidance, prior to adopting this Draft SG.</p> <p>Page 32 – “There will be a presumption against all wind farm development in areas where cumulative impacts are judged to be significant and adverse.” This statement, as explained by JLL in the cover letter, is contrary to national planning policy and guidance and is not acceptable. In many cases there will be significant and adverse cumulative effects, but each application must be judged on a case by case basis and consideration given to whether the proposed development can be accommodated and if the effects are acceptable.</p> <p>Agree that the Borders Landscape Assessment (1998) and the updated Ironside Farrar Study (2016)(once revised in response to our valid</p>	<p>It is considered the word “representative” is appropriate for the purposes of the test in question</p> <p>It is acknowledged that when an SG is prepared and finally adopted within the interim period of a number of months some documents referred to have updated. The SG has been updated to incorporate any such changes and the SNH updated guidance referred to has been included within the document</p> <p>It is agreed that the determination of applications involves more than a test as to whether a wind farm has a significant and adverse impact and that any such impacts must be weighed up against the wider economic benefits. Text has been amended to confirm this</p> <p>Comments noted</p>	<p>No change</p> <p>SG has included reference to <i>SNH Siting and Designing Windfarms in the Landscape Version 3 (February 2017)</i> on page 38</p> <p>On the 2nd para on page 40 the removal of words “significant and adverse” and replaced by the words “unacceptable when weighed up against the economic and other benefits of the proposal”</p> <p>No change</p>
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	<p>Hills Conservation Group</p>	<p>concern outlined stated elsewhere) should inform the assessment of future wind energy proposals and as such become material planning considerations as soon as this SG document is adopted by SBC.</p> <p>In general we are satisfied that the remainder of this chapter covers appropriate guidance for Development Management Considerations. However, we would suggest the following additions and amendments as reasonable and logical procedures both to ensure that some of the considerations outlined are indeed taken into account, and to clarify or emphasise others. On page 29 reference is made to good practice in the assessment of visual effects published by SNH. The last of these mentioned is “video montages (if appropriate)”. We would contend that this is appropriate in <i>all</i> cases since all wind turbines move, for at least some of the time. It is not as if the latest technology available to produce video montages is either difficult or expensive so it is perfectly reasonable to expect video montages for all applications for wind turbines other than single, domestic scale proposals. Guidance for public consultation should strongly recommend that such video montages are included in face to face consultations and hyper-links included in the EIA. We deem this to be only reasonable and eminently</p>	<p>It is considered video montages can be useful and should be requested where considered relevant. However, it is not considered this should be an absolute requirement for all applications. In many instances it is considered the information provided is sufficient.</p>	<p>No change</p>
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		<p>fair.</p> <p>There is a list of interests for which a visual assessment will be requested where relevant. The first of these is naturally “residences, towns and villages within 2km of a wind farm”. Very many of the nearby residents who have commented on a planning application for a wind farm or even a single turbine have indicated to us how astonished they were to learn of the proposal, not officially, but by word of mouth, often long after the application has been submitted. We suggest that, despite the statutory requirement for notification of a planning application to nearby residents being limited to those within 20m of the proposed site, a planning authority must be perfectly entitled, in the case of structures exceeding a minimum height, eg 40m, to extend this notification requirement on applicants to residences within 2km of the nearest turbine, failing which a graded extension of notification, increasing with the height of the structure(s) concerned might be considered. Again, we are certain that this would be both reasonable and fair, especially since developers will need to ascertain the dwellings within a 2km radius in any case. We also suggest that, where turbines of 120m and more are being considered, a planning authority should logically and reasonably impose a significantly greater set-back distance. This guidance could either be included here or later, on</p>	<p>The Council has no jurisdiction to extend the neighbour notification distance over and above the Scottish Government’s listed statutory requirement. It is considered that as part of the Council’s consultation and advertisement process interested / affected parties become aware of proposals, although it is acknowledged this procedure is not perfect. Any amendments to the neighbour notification distance would need to be instigated by the Scottish Government</p>	<p>No change</p>
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		<p>page 33 within chapter 8, after the first paragraph.</p> <p>In the same list (on page 29 - 30) we suggest that 'common riding routes' are included, either within an existing heading, such as the third bullet point, or as a stand-alone bullet point. Naturally, SPP does not mention these since they are largely unique to the Borders and so unlikely to be on the radar of civil servants and politicians outwith this Borderland, but this 'interest' would surely be a justified inclusion of a local circumstance since the routes are of considerable historical, cultural and civic significance to all of the people of the Scottish Borders.</p> <p>In the paragraph following the list (on page 30) the document gives guidance on selecting viewpoints. While this guidance is appropriate we believe the import of the second sentence "In choosing viewpoints, applicants should consider the likely effects on different receptors, such as residents..." could be enhanced by an encouragement to developers to be more outward-looking and inclusive in this respect. No matter how assiduous developers might be in selecting appropriate viewpoints, it is highly unlikely that they will be able to acquire the local knowledge and sensitivity of place available from local communities. We therefore suggest that developers should be advised to seek some of the locally</p>	<p>The list referred to is not definitive and the Council may ask for visual assessments to be carried out for further interests when considered necessary on a case by case basis. This would include consideration of Common Riding Routes and it should be noted this has been requested and provided previously.</p> <p>At present selecting viewpoints is largely down to the opinions of the Council's planning officers and landscape architects and SNH. It is considered this is sufficient, although if during the consultation process other potential viewpoints are identified by other parties these can be considered. If an applicant does not submit requested information then there would be an issue to be considered that the proposal may not be able to be fully judged due to the lack of full information. This would not be in the applicant's best interests.</p>	<p>No change</p> <p>No change</p>
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		<p>relevant viewpoints by contacting the community councils, within the normal distance from the proposed windfarm for formal consultation, prior to submission of the application, in order to seek any relevant viewpoints additional to those selected by developers themselves, plus any other local iconic viewpoints deemed particularly important for inclusion by them and the residents they represent. We also suggest that compliance with the aim of this list should be encouraged by adding something along the following lines to the paragraph following the list: 'Any omission of one or more of these interests where relevant prior to the P&BSC consideration of same, without adequate explanation, after an applicant has been alerted to it/them by the SBC or via a submission to the SBC by a statutory consultee, may become a material consideration against approval'. This cannot be objected to by developers since there would be adequate opportunity for them to either heed the alert, or provide an adequate explanation why an interest has not been addressed, with either of these actions/options naturally being subject to objective scrutiny by the Planning Department prior to P&BSC consideration. Yet again, we seek to encourage compliance through reasonable measures.</p> <p>In the following paragraph which mentions screening by topography and woodland, we suggest that the reference, instead of being to</p>	<p>With regards to the proposed text reference "woodland which is not likely to be harvested within the following 25 years", it is a transient matter and it would be difficult to confidently or</p>	<p>No change</p>
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	<p>Scottish Natural Heritage</p>	<p>simply “woodland” should be to ‘woodland which is not likely to be harvested within the following 25 years’. Commercial woodland is never going to constitute permanent screening and therefore is unlikely to outlast the wind farm, especially if approaching maturity at the time of application. Whilst some developers may protest that commercial woodland is very likely to be replanted where felled, others already accept this point and make reference to it in the EIAs submitted. To argue against this principle is illogical as there will be a gap of almost two human generations during growth, in which screening is not present.</p> <p>The information on landscape and visuals on pages 28 to 29 is useful but we suggest that they are separated out more clearly. This should include a bullet point list for landscape that is similar to those for visual effects on page 29. Specific elements of landscape that may need to be assessed in addition to Landscape Character Assessment and how the proposal conforms to the capacity study include:</p> <ul style="list-style-type: none"> • National Scenic Areas and their special qualities; • Special Landscape Areas; • Wild land areas. <p>We consider that it is important to set this information out clearly, given the effects upon these areas are often less clearly assessed and articulated than visual effects.</p>	<p>accurately predict the lifespan of any forestry or woodland. However, wirelines give indications of the prominence of turbines without any woodland presence</p> <p>This part of the SG has been amended to address the points raised</p>	<p>Some text on page 35 within the Landscape Impact and Visual Impact sections has been amended to address comments raised by SNH</p>
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		<p>We welcome the reference to our good practice publications on page 29 and recommend that this should also include our Visualisation guidance. We note that it is included in references at the end of Chapter 8 but suggest that more explicit inclusion within the chapter should be made. This would align with the national requirement that submitted visuals are up to the standard set out in our guidance.</p> <p>The section on Wild Land on page 31 is generally clear and we support this section of the guidance. However, reference should be made to the description available on our website as it forms the baseline for the assessment of the effects of proposals on the wild land area. The SNH guidance on assessing effects is currently out for consultation but we welcome the link to it, and support the use of signposting to our website. At present, this section advises that: <i>“The consideration to the effects on wild land should not be limited to solely development within them.”</i> Our experience from elsewhere suggests that it may be more helpful to applicants to amend that sentence to: <i>“The consideration of the effects of proposals upon the wild land qualities as identified in the wild land area description should not be limited solely to development within the wild land area.”</i> This would ensure that any assessment, whether the proposal</p>	<p>Support for reference to the SNH guidance is noted. It is considered sufficient reference is made to it.</p> <p>Comments noted. It is agreed text which states <i>“The consideration to the effects on wild land should not be limited to solely development within them.”</i> should be amended to read: <i>“The consideration of the effects of proposals upon the wild land qualities as identified in the wild land area description should not be limited solely to development within the wild land area.”</i></p>	<p>No change</p> <p>Text which states “The consideration to the effects on wild land should not be limited to solely development within them.” has been amended on page 38 to read: “The consideration of the effects of proposals upon the wild land qualities as identified in the wild land area description should not be limited solely to development within the wild land area.”</p>
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	<p>Jones Lang LaSalle on behalf of 2020 Renewables Ltd and EDF Energy Renewables Ltd</p>	<p>is in or outside of the wild land area boundary, will be tailored and specific to the wild land qualities that are of most importance to the Talla – Hartfell wild land area.</p> <p>The second new policy relating to visual impacts (page 28) states that the Council will only support proposals if “<i>they do not have significant detrimental visual impact</i>” and this relates to residential properties, settlements, roads and paths, significant public view points, recreational assets and tourist attractions, none of which are defined or located on a map. The new test of “significant detrimental impact” fundamentally differs from the test in the parent policy ED9 which is that the Council will support proposals provided there are “<i>no relevant unacceptable significant adverse impact or affects that cannot be satisfactory mitigated</i>”. It is submitted that there is no need for the proposed additional policy tests in the SG or the proposed significant changes in terminology – the SG should simply be providing further guidance to assist with the application of policy ED9 which contains a development management test. It may be the case that some development projects could be judged to result in some significant impacts that would be detrimental – but that is a very different matter from and unacceptable impact or one that may not be able to be satisfactory mitigated. This distinction needs to be drawn out and made explicit.</p>	<p>Comments noted. The particular wording in question is a part of policy ED9 (Renewable Energy Development) which in essence relates to giving consideration to the balance between consideration of environmental impacts and economic benefits of a proposal. The text makes reference to the consideration of “..... relevant <i>unacceptable significant adverse impacts or affects</i> that cannot be satisfactory mitigated....” which was added by the Reporter following the Examination of the LDP. However it must be pointed out that in the next sentence the Reporter does not refer to this specific wording, omitting the word “unacceptable”. Consequently the policy wording is not entirely consistent as to what text wording should be applied. On the assumption the test within policy ED9 should incorporate the word “<i>unacceptable</i>”, rather than constantly making reference throughout the SG to the “<i>unacceptable significant adverse impacts or affects</i>” every time this test needs to be referred to, within para 5 on page 7 of Chapter 4 : Policy Considerations it has been stated that reference to this will be shortened to “<i>unacceptable impacts</i>”. It is made clear that this is solely for ease of text</p>	<p>The blue box under section Visual Impact section has been amended to read “...they do not have an <i>unacceptable</i> impact...”</p>
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Development Management Considerations – <i>Cumulative Impact Impacts on Communities and Individual Dwellings (incl visual impact, residential amenity, noise and shadow flicker</i>	Scottish Government Jones Lang LaSalle on behalf of 2020 Renewables Ltd and EDF Energy Renewables Ltd	Draft Guidance on assessing impacts on wild land is now available from SNH with respect to the wild land section of chapter 8. Strongly objects to the inclusion of these additional policies within the draft SG as set out in the blue boxes for each subject. As set out at the start of this letter, these additional policies go well beyond the provisions of policy ED9: they are inconsistent with the provisions of Policy ED9 and conflict with the tests set out in the Circular and the Development Planning Regulations referenced above. For example, the first ‘policy box’ concerning landscape impact on page 27 states that the Council will only support proposals if they are accommodated in the landscape in a way that respects features and character and which minimises effects on the landscape and the wider area.	The Council is aware that draft guidance on assessing impacts on wild land was produced from SNH. However, until the final document is produced little weight can be given to the draft. Obviously as soon as it is produced it will become a material consideration to the decision making process. The Scottish Government have identified the South Ayrshire Supplementary Guidance on Wind Energy 2015 to be an exemplar example of an SG. The South Ayrshire SG incorporates supplementary “blue box” tests which SBC have mirrored within the SG. Consequently it is absolutely fair and fully justified that the SBC can follow this exemplar case supported by Scottish Govt and include within it the aforesaid boxes. However in the opening para in Chapter 8 reference is made to the blue boxes being an “additional guidance <u>policy</u> ”. However, this is not technically correct to be considered as an additional policy and reference to this as being a policy has been removed.	No change The word “policy” has been removed from the second sentence of the opening para in Chapter 8

	<p>Cockburnspath and Cove Community Council</p>	<p>Subject C refers to cumulative impacts and on page 32 introduces a presumption against development: it states “<i>there will be a presumption against all wind farm development in areas with cumulative impacts are judged to be significant and adverse</i>”. This statement is unacceptable – SPP and national renewables guidance does not refer to the requirement to introduce a ‘presumption against’ policy approach. The Council needs to recognise that here may well be situations where there could be cumulative impacts arising from development proposals that will be significant and deemed adverse. The key point is that such affects should not automatically be equated to a position of unacceptability or lead to a presumption against.</p> <p>We feel that in addition to the aspects of residential amenity protection offered within the relevant section of the SG, some consideration should be given to the effects of nearby turbine development on house prices. In this day and age, many people have their savings tied up in their properties, and nearby developments can radically and disastrously affect the value of their homes. The location of the Neuk turbines now erected, are much closer to the homes of people at Hoprig Crossroads hamlet of Cockburnspath, and dominate their views, obliterating the pleasure of the coastal view they used to enjoy, and which was also a major selling point of their homes. Whilst we agree in principle with renewable energy, we feel that the presence of such high turbines in close proximity to towns and villages/hamlets, who have no financial interest in the development, do</p>	<p>It is agreed that the determination of applications involves more than a test as to whether a wind farm has a significant and adverse impact and that any such impacts must be weighed up against the wider economic benefits.</p> <p>The planning system allows consideration of potential impact on the amenity of residential properties. However, any perceived financial impacts on properties as a result of wind farms is not something the planning system has any remit to address. In any event this would likely be extremely difficult to confirm and quantify with all parties agreement</p>	<p>In the 2nd para on page 40 the removal of the words “significant and adverse” have been replaced by the words “unacceptable when weighed up against the economic and other benefits of the proposal”</p> <p>No change</p>
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		<p>radically affect residential amenity – they cannot fail to alter the desirability of homes in close proximity. We would firmly back the adherence to the 2km separation distance and want to see any encroachment on this as a major drawback to the development unless landform mitigation is present.</p> <p>For many years, this community has been very concerned about noise from wind energy developments. This relates not only to the noise emitted by turbine blades etc but also to infra noise. Recently, a couple obtained a noise meter after significant tinnitus and sleep loss, to discover that the noise was coming from two turbines about 2 miles away. Also, there is significant noise at a distance from turbines – something the residents of Dowlaw Farm experience from Drone Hill, which is not experienced closer to the site. The current ETSU instrument used by developers and noise assessment/acoustic engineers, does not measure cumulative noise properly. The phenomena of “background noise” in an area of current turbine development e.g. Lammermuir foothills, INCLUDES, we understand, the noise of existing turbines, so effectively, the background assessment continues to rise. We would like to see the background assessment in areas of multiple development, being taken as the original background noise assessment for the area in question e.g. the original assessment for Crystal Rig 1 or Aikengall 1 for example. Otherwise, noise continues to rise and rise and the cumulative effect gets greater all the time. Noise assessments should be carried out by independent experts, but not directly paid for by the developer, otherwise</p>	<p>Meters used for wind farm work must comply with the technical standards specified in the Guidance. The ETSU Guidance is quite clear. Existing wind turbines should not be counted as now part of the background noise – The Section entitled “<i>Cumulative Impact</i>” in ETSU on p58 refers. Data analysis techniques exist that can allow noise from existing developments to be filtered out of future assessments. If this cannot be done, Guidance states that it is acceptable to use survey data gathered before any turbines were constructed, subject to the data being filtered to exclude measurements that do not meet modern quality assurance requirements, and subject to there being no fundamental change in the character of the area. This approach has been confirmed as valid by Appeal Reporters. Pre-existing background data has already been used in several recent Applications, although some Objector Groups have challenged its use. It would be difficult to find any Noise Consultant with the resources to undertake this work, who has no</p>	<p>No change</p>
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	<p>Hobkirk Community Council</p>	<p>they can never be seen as independent. Perhaps the Council could take a bond from the developer and appoint an independent expert to carry out this role, making it much less developer led?</p> <p>We welcome the policy that 'the right development in the right place' is a central guideline and hope that this will prevent the submission of applications which are inappropriate. We welcome the clarification of what is defined by visual amenity for individual households. This will hopefully prevent developers in future claiming that because a development cannot be viewed from all windows at a particular property it is acceptable. The draft policy makes it clear that there are more aspects to the impact on householders. We have difficulties with the guidance of a 2km separation from households. Firstly, this guidance seems to have been formulated when turbines were much smaller and has not changed with the increased heights being demanded by current developers. Secondly we have problems with what the definition of a settlement is and would welcome guidance on the definition of a village. Thirdly, we have difficulty understanding the logic of a distance being required for a town or village but no such restraint being applied to individual houses or groups of</p>	<p>connection with the Wind Energy Industry. Consultants have standards of professional practice and give independent advice. The Council is unaware of any case where it has been demonstrated that there has been collusion between Consultants and Applicants to produce misleading noise data. Experience to date in the Borders has revealed that justified wind farm noise complaints have been due to mechanical issues.</p> <p>Support noted. The 2km separation distance in essence means this is acknowledged as a more sensitive distance between turbines and residences and such applications require more scrutiny. This is not to say that there may be properties outwith this distance who may have some amenity impact issues to be addressed. However, it must be noted that the 2km sensitivity area is identified within SPP and SBC cannot extend (or reduce) this zone. It should be noted any impacts of turbines on even a single property is a material consideration to any planning application (para 169 of SPP)</p>	<p>No change</p>
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	Oxnam Water Community Council	<p>houses. Many properties within Hobkirk are individual or in small clusters and we are concerned that developers will see this as green light to seek to develop in areas which would be unacceptable to individual householders.</p> <p>The Response of Oxnam Water Community Council (452) to Further Information Request 03 – Issues 003, 026 to 042 + 330 (published on 19 February 2015 during the Scottish Borders Proposed Local Plan examination) continues to refer. With reference to the summary at the end of that response we remain concerned that an area of significant protection is not shown around Oxnam, Pleasants and Swinside in Figure 6: Spatial Framework of the Draft SG on Renewable Energy. In their Report to Scottish Borders Council, Proposed Scottish Borders Local Development Plan Examination, dated 30 October 2015, the Reporters commented (in their conclusions dealing with issues 26-42 and 330, and issue 3 in so far as it relates to renewable energy): "While a reasonable case could be made out for making Oxnam an identified settlement in the proposed plan, the position is less clear for Pleasants and Swinside because of their small size. However, there are implications arising from being identified as a settlement beyond having a community separation distance (not exceeding 2km) applied under group (2) areas of the spatial framework, including the possible provision of opportunities for other types of new development. I also note that, under Scottish Planning Policy (2014), a wind farm may be appropriate in some circumstances in group (2) areas. Given these factors, I consider</p>	<p>SPP requires identification of a 2km sensitivity area around cities, towns and villages identified in the Local Development Plan. Oxnam, Pleasants and Swinside are not incorporated within the LDP and therefore have no such buffer area formally identified around them. However, if wind turbine applications are submitted in proximity to the aforesaid villages any impacts on them will be considered. The Council has been in discussion with Oxnam Water CC recently with a view to them submitting a proposal to have Oxnam included as a recognised settlement within the next Local Development Plan.</p>	No change
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	RES Ltd	<p>that the identification of these places as settlements requires further consideration, and I agree with the planning authority that this is best looked at in preparing the next local development plan."</p> <p>We look forward to discussing this matter with Scottish Borders Council during the coming months as part of their preparation for the new Local Development Plan.</p> <p>RES would suggest further clarification is required within Chapter 8 in relation to D) Impacts on Communities and Individual Dwellings (In terms of visual impact, residential amenity and shadow flicker). The Council seem to use both in this section and other sections, an arbitrary 2km buffer to determine both potential impact and need for further assessment. Whilst this is guidance, it provides little assistance if it provides such an arbitrary measurement. There is no clarity on the basis the 2km buffer is applied, other than perhaps its mention in Table 1 of SPP in relation to the preparation of spatial frameworks for onshore wind energy development. Even here though its arbitrary nature is recognised, as it alludes to planning authorities refining this potential buffer to less than 2km from identified settlements in the development plan whereby topography and screening limits views. In terms of non-commercial turbines the guidance appears to recognise the "Lavender Principle" relating to the scale, height and proximity of turbines to residential properties in having a harmful impact on residents' enjoyment of their property due to dominance and overbearing appearance in relation to the property. However</p>	<p>Undoubtedly it is the case that in some more extreme instances "Significant visual impacts on residential amenity can occur over greater distances than it might first be considered. For example, if a prominent ridge or hill visible from a substantial area of a settlement would be occupied by prominent turbines at distances of up to 5 kilometres, this could be said to cause harmful visual impacts, especially if views to such a ridge or hill are strongly associated with a settlement." If it was considered by the Council that information should be provided on a case by case basis for any settlement, group of houses or any individual houses (para 169 of SPP) in order to gauge impacts of turbines on them, this this would be considered a reasonable and justified request.</p>	No change
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		<p>this is not repeated for larger commercial turbines, whereby such impacts are more likely due to the scale and height of such turbines. In this section the Council incorrectly reference harmful visual impacts which relate to views rather than dominance and overbearing impacts. It is clear in development management terms and reinforced by many appeal decisions on wind farm development that harmful views due to people's perception and dislike of wind turbines are not a material consideration for the determination of an application. RES must therefore strongly object to the inclusion of the last paragraph on page 33 of the document "Significant visual impacts on residential amenity can occur over greater distances than it might first be considered. For example, if a prominent ridge or hill visible from a substantial area of a settlement would be occupied by prominent turbines at distances of up to 5 kilometres, this could be said to cause harmful visual impacts, especially if views to such a ridge or hill are strongly associated with a settlement." As this clearly relates to views from a settlement/ properties rather than any direct impact on the residential amenity of that property or settlement from the over-dominating and overbearing effect of very large scale turbines looming in close proximity to that property or settlement.. The right to a view is not a material consideration. As such this last paragraph requires removal from the document as it clearly provides the wrong guidance to stakeholders.</p> <p>The guidance then on page 34 appears to suggest that a Residential Impact Assessment should be</p>	<p>Information required as part of a Residential Impact Assessment would</p>	<p>No change</p>
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	<p>Jones Lang LaSalle on behalf of 2020 Renewables Ltd and EDF Energy Renewables Ltd</p> <p>Jones Lang LaSalle on behalf of 2020 Renewables Ltd</p>	<p>submitted for commercial wind turbines within 2km, although it recognises that specific circumstances such as topography might reduce effects within this distance. The terminology used “ accompanied by material reflecting assessment of residential amenity impacts, in particular where those impacts occur at 2km or less.” is not entirely helpful to stakeholders. Further clarity on what the Council would envisage is submitted beyond the noise impact and shadow flicker impact assessments subsequently described in this section, would be useful here.</p> <p>SG policy 1 states that with regard to a 2km area around settlements, consideration of turbines within these areas “<i>should be judged in terms of considering any potential adverse impacts on residents within the 2km distance</i>”. The 2km reference in SPP relates only to the consideration of visual impact not “any adverse impacts”. Furthermore, SPP and national renewables guidance (May 2014) does not refer to “buffer areas”. The reference to buffers on page 25 of the draft SG should be struck out. The text should also be amended to properly reflect the consideration set out at paragraph 169 of SPP namely “<i>impact from communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker</i>”</p> <p>The second paragraph makes a claim that turbines can substantially “<i>alter the perception of residents about their enjoyment</i>” in terms of residential amenity. There is no evidence on this topic relating</p>	<p>be considered on a case by case basis. This may include information of, for example, photomontages from selected rooms within houses, parts of garden ground</p> <p>Within SPP the 2km sensitivity area is categorised under Group 2 as Areas of <i>Significant</i> Protection. Whilst it is acknowledged the 2km distance is not an absolute no go area, quite clearly the sensitivity is high due to them being identified as having <i>significant</i> protection. It is agreed the reference to these areas as <i>buffer</i> areas should be removed and replaced with the word <i>sensitivity</i> areas. It is not considered necessary to re-iterate again within the SG the reference to consideration of “<i>impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker</i>”</p> <p>Following the approval of wind farm applications the Council is well aware of aggrieved parties stating their concerns about the impacts turbines have on</p>	<p>On page 31 reference to the 2km distance is referred to as <i>sensitivity</i> areas as opposed to <i>buffer</i> areas.</p> <p>No change</p>
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	and EDF Energy Renewables Ltd	<p>to perception and the text should refer specifically to the need to consider impacts on individual dwellings, including visual impact and the other residential amenity considerations as set out in paragraph 169 of SPP – on an objective basis. Furthermore, the reference to “day to day activities” in the third paragraph is vague and it is unclear as to whether this relates to within a property curtilage or further afield.</p> <p>The last paragraph on page 33 refers to significant visual impacts on residential amenity and claims that this can occur up to distances of up to 5km with effects that state it can be harmful “<i>especially if views to such a ridge or hill are strongly associated with the settlement</i>”. There is no evidence to substantiate this alleged level of harm at distances of 5km. The reference to the need for careful consideration of residential amenity considerations within a 2km distance is supported and that should be the focus of the guidance. The role of residential visual amenity assessments should be referred to. They are a well-established tool in the industry and well used in the development management process.</p>	<p>their amenity and enjoyment of their residences. These concerns are very real and the development industry should not simply ignore this. The meaning of “day to day activities” relates to daily activities and movements within and around the curtilage of residents’ dwellings</p> <p>Undoubtedly it is the case that in some more extreme instances “Significant visual impacts on residential amenity can occur over greater distances than it might first be considered. For example, if a prominent ridge or hill visible from a substantial area of a settlement would be occupied by prominent turbines at distances of up to 5 kilometres, this could be said to cause harmful visual impacts, especially if views to such a ridge or hill are strongly associated with a settlement.” The Council feels this text is correct</p>	No change
	Banks Renewables	<p>Banks Renewables object to the introduction of a presumption against all wind farm development in areas where cumulative impacts are judged to be significant and adverse. This statement should be deleted from the SG as it is contrary to SPP. Paragraph 169 of SPP sets out that local authorities can identify areas where where cumulative impact may limit capacity, not preclude. SBC have gone beyond what is set out in SPP.</p>	<p>It is agreed that the determination of applications involves more than a test as to whether a wind farm has a significant and adverse impact and that any such impacts must be weighed up against the wider economic benefits. Text has been amended to confirm this. There is no doubt cumulative impact is a major matter to be considered which</p>	Text has been amended in the 2 nd para on page 40 to state “There will be a presumption against all wind farm development in areas where cumulative impacts

		<p>By precluding development from areas SBC are effectively introducing an additional constraint to development which is contrary to paragraph 163 of SPP.</p> <p>Identifying whether there is scope in the landscape to accommodate further development should be left to site specific assessments.</p> <p>Banks Renewable object to the text contained in the blue box (box D), as it does not include an acceptability test on significant impacts. Please see our comments on the blue box on page 28 of the SG (highlighted in blue above for ease of reference) for further information. The test in the blue box should read ‘They do not have an unacceptable significant adverse effect...’</p> <p>Banks Renewables deem it to be overly restrictive to explicitly reference that the Council will look to condition developments to a simplified fixed day time limit of 35dB – “unless satisfactory justification in line with the criteria set out in ETSU-R-97 is provided”. This sets a precedent when it is not necessary to do so.</p> <p>Ultimately each site should have limits set based on “site specific factors” in consultation with the Environmental Health Officer and in line with ETSU-R-97; this should be sufficient guidance. It is standard practice for wind farms to carry out background noise monitoring to determine what noise limits should be derived in addition to setting out other material influences on noise limits, such</p>	<p>can preclude wind farm proposals It is not agreed the SG goes beyond the requirements of SPP</p> <p>It is stated on page 7 of the SG, rather than constantly repeating throughout the document the long worded phrase that consideration should be given re - “unacceptable significant adverse impacts or effects” as stated within policy ED9, this has been simplified to refer to “unacceptable impacts”. This simplification does not suggest an alternative test to the aforesaid policy ED9 extract.</p> <p>In the interests of protecting local amenity Scottish Borders Council aims to set fixed turbine noise limits to the lower end of the ETSU permitted range of values, unless there is a persuasive case for a higher limit. It is understood that this has been accepted at Appeal. Levels are set according to site specific background noise survey results. Conditioned limits are tabulated for each receptor at each integer wind speed, in a format produced by the Scottish Government Energy Consents unit. Under the ETSU guidance, night time limits can be set at a higher level.</p>	<p>are judged to be unacceptable when weighed up against the economic and other benefits of the proposal”</p> <p>Text in Box D on page 40 has been amended to state “The Council will support proposals if : They do not have an <i>unacceptable impact on...</i>”</p> <p>No change</p>
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	<p>Natural Power Consultants on behalf of Fred Olsen Renewables Ltd</p>	<p>as the financial involvement of a property. Banks Renewables are concerned that there is a lack of clarity regarding what is considered “satisfactory justification” in this situation considering some of the complexities of setting noise limits. Furthermore there is no recognition within SG that noise limits might differ for “night time” periods and therefore as it is currently written, it could be misconstrued that the 35dB limit will be applied to all periods throughout the day.</p> <p>As referenced within the “Onshore Wind Energy Planning Conditions Guidance Note – A report for Renewables Advisory Board and Berr”, only dwellings within 130 degrees either side of north relative to a turbine can be affected and the shadow can be experienced only within 10 rotor diameters of a wind farm. Whilst there is a suggestion that properties at a greater rotor distance could experience some effects, Banks Renewables consider it to be excessive to require all residential properties within 2km of a wind turbine to be assessed. It is also premature as the results of the further work commissioned by the Scottish Government are unknown. The wording does not take into account the degrees at which shadow flicker may occur and ultimately shadow flicker impacts associated with large scale wind farms, they can be mitigated via conditions.</p> <p>(p33) ‘Significant visual impacts on residential amenity can occur over greater distances than it might first be considered. For example, if a prominent ridge or hill visible from a substantial area of a settlement would be occupied by</p>	<p>The requirement for any shadow flicker assessments will be requested by the Council where considered necessary on a case by case basis. This work would be carried out in accordance with legislative requirements which will include the forthcoming Scottish Government commissioned paper following its publication</p> <p>Undoubtedly it is the case that in some more extreme instances “Significant visual impacts on residential amenity can occur over greater distances than it might first be considered. For example,</p>	<p>No change</p> <p>No change</p>
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	<p>Natural Power Consultants on behalf of Fred Olsen Renewables Ltd</p>	<p>prominent turbines at distances of up to 5 kilometres, this could be said to cause harmful visual impacts, especially if views to such a ridge or hill are strongly associated with the settlement.’ The SG notes in the previous paragraph that ‘larger commercial turbines and wind farms tend to cause more obvious visual impacts because their relationship in terms of scale with other items in the landscape means that they become the tallest structures in most scenarios. They have the capacity to stand out above mature woodlands and will generally be sited on high ground to achieve good wind capture.’ The combination of the two statements above is prejudicial to the assessment of any given proposals and therefore completely unacceptable. As standard, an applicant will provide an assessment of potential landscape and visual effects which will be tailored through the pre-application and scoping process to the specific proposal. Only through a properly conducted LVIA process can the impact of any given proposal be assessed. The SG should not therefore include the sweeping statements noted above. The wording in general on page 33 is not acceptable and as such should be removed and rewritten having regard to the draft Energy Strategy.</p> <p>(p35) The SG correctly identifies shadow flicker as a potential effect of wind farm development. It is however a relatively rare effect which can be modelled and where necessary avoided and or mitigated for. The SG references one study undertaken by SLR</p>	<p>if a prominent ridge or hill visible from a substantial area of a settlement would be occupied by prominent turbines at distances of up to 5 kilometres, this could be said to cause harmful visual impacts, especially if views to such a ridge or hill are strongly associated with a settlement.” Reference to impacts being more of an issue for larger scale commercial wind farms is fair comment – it is not understood how the respondents would challenge or disagree with this. It is contended that these statements within the SG are very fair and justified.</p> <p>The requirement for any shadow flicker assessments will be requested by the Council where considered necessary on a case by case basis. This work would be carried out in accordance with legislative requirements which will</p>	<p>No change</p>
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		<p>and notes that it states shadow flicker may occur beyond 10 rotor diameter distance, noted in paragraph 5.46 of the study which goes on in paragraph 5.47 to state that:</p> <p>‘Several of the comments indicate that respondents may confuse shadow flicker impacts with visual impacts, commenting on the former when they meant the latter. It should also be noted that the responses to the questions on light and shadow effects (including shadow flicker) illustrate that there may be different understandings of what is meant by these terms, despite them being separately defined in the Survey.’</p> <p>The study notes that there may be some confusion amongst recipients of what shadow flicker is and nowhere does it make a recommendation for extending the assessment area to 2 km. The study recommends further research and therefore the SG should not be recommending a significantly larger assessment area until new guidance on shadow flicker is published. Given the obvious limitations of this study we suggest that it does not form an appropriate basis upon which to develop policy and should be removed.</p> <p>Given the Scottish Government issued advice that shadow flicker is generally regarded not to be an issue beyond 10 rotor diameters it is considered unlikely that significant adverse effects (as required under Policy ED9) will be experienced beyond this limit. As such the additional requirement to investigate beyond this distance is unnecessary and unreasonable and should be removed from the SG. In the unlikely event that shadow flicker effects are experienced during operation they can be investigated and dealt with accordingly and such</p>	<p>include the forthcoming Scottish Government commissioned paper following its publication</p>	
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		action enforced through an appropriately worded planning condition.		
	Minto Hills Conservation Group / Borders Network of Conservation Groups	On page 33, under the title of “Communities and Individual Dwellings” the proposed change we have outlined on page 8 of this response, regarding notification to residents within 2km of nearest turbine, might be included or, if referred to earlier, acknowledged here.	It is confirmed that the SG cannot overrule or re-write regulations regarding Scott Govt neighbour notification rules	No change
	Amec Foster Wheeler on behalf of EDF Energy Renewables	This section mixes up Residential Visual Amenity Assessment (RVAA) with visual assessment (LVIA). The two are different and separate reference to each should be made in the document. In terms of Visual Assessment – this applies to the LVIA study area as defined by Visual Representation of Windfarms, SNH (2006, currently being updated). The focus of the study area is influenced by the ZTV and viewpoint analysis to ensure that the scope of the assessment is focused on those areas and receptors where significant effects are likely. This could extend for 5-10km or more and is likely to include receptors such as settlements defined in the LDP. In contrast, the key determining issue for RVAA is not the identification of significant effects on views, but whether the proposed turbines would have an overbearing / dominant effect and/or result in unsatisfactory living conditions, leading to a property being regarded, objectively, as an unattractive (as opposed to a less attractive) place in which to live. Mixing up these terms, confuses these two issues and could have the effect of devaluing the quality and purpose of each form of assessment. It should also be noted that RVAA is	It is not considered that the section on Communities and Individual Dwellings mixes up RVAA with visual assessment. There is a whole section earlier in Chapter 8; Section B “Landscape and Visual Impact and Effects on Wild Land” in the SG, that covers visual Impacts and it should be clear from the heading that Section D deals with “Impacts on Communities and Individual Dwellings”. Note – Under the main heading “Communities and Individual Dwellings” the term “Visual Impact” has been added	On page 40 under the main heading “Communities and Individual Dwellings” the term “Visual Impact” has been added

		separate from other considerations related to residential amenity such as noise and shadow flicker.		
Development Management Considerations – <i>Impacts on Carbon Rich Soils, Public Access, Historic Environment, Tourism, Recreation, Aviation and Defence Interest and Seismological Recording, Telecomms and Broadcasting Installations and adjacent trunk roads and roads traffic</i>	Historic Environment Scotland	<p>We are broadly content with the content of the draft Supplementary Guidance for our historic environment interests, subject to the following detailed comments on the Historic Environment section of Chapter 8:</p> <p><i>Assessment:</i> you state that assessments should include recommendations for mitigation or off-setting. Off-setting is not normally an appropriate form of mitigation for impacts on historic environment assets. In view of this, it may be more helpful to instead require assessments to identify mitigation in line with the mitigation hierarchy.</p> <p><i>Direct impacts:</i> we recommend that this section should explain that works which would have a direct impact on a Scheduled monument would require scheduled monument consent, which must be sought from Historic Environment Scotland. This section states that proposals that will have an adverse direct impact on historic environment assets will only be permitted if it can be demonstrated that the benefits of the proposal will clearly outweigh the heritage significance and value of the asset. Whilst this reflects your policy on non-designated archaeology, you should be satisfied that this is also in line with your policy for other historic environment assets. In view of this, and as this section primarily focuses on the level of information and assessment required to support proposals, it may be preferable to remove this line and replace with a reference to SPP and local</p>	Support noted. The Councils feels the text in question is in line with relevant LDP policy text and therefore does not need to amend the text	No change

	RES Ltd	<p>development plan policies.</p> <p>In terms of the advice under the section relating to Public Access on page 36 of the document it is again unclear where the arbitrary 2km buffer to a core path or significant access route is taken from and on what evidence it is based. Again matters such as scale and height of turbine and intervening topography would have a bearing on potential impact to users.</p> <p>The advice under the heading of Tourism/Recreation on page 38 is unhelpful to stakeholders as it advises that an accompanying statement must be submitted with a planning application giving details of perceived impacts, effects and benefits a proposal may have on tourism and recreation. RES would consider the key word is perceived, it is clear from the many studies and surveys undertaken by various</p>	<p>Fig 8 of PAN45 Renewable Energy Technologies identifies a 2km distance of a wind farm in an open landscape as being “likely to be a prominent feature”. It is acknowledged that this PAN has been superseded, although it is considered that this widely accepted rule of thumb remains relevant. Indeed the spatial framework within SPP makes reference to the 2km distance as a sensitivity area around settlements. Consequently it is considered the 2km is an accepted distance to be referred to when considering potential impacts on receptors. Clearly solely because a wind turbine is within 2km of a receptor does not automatically mean it will not be acceptable. A number of other matters must be considered including, for example, consideration of any intervening land and any consequent reduction in impact.</p> <p>It is acknowledged that there are parties who consider turbines have an impact on tourism. This was confirmed within the study by independent consultants Biggar Economics on Economic Impacts of Wind Turbines within the Scottish Borders 2013, although such comments were in the minority. The fact some parties do feel</p>	<p>No change</p> <p>The word “perceived” in para 4 of page 45 has been replaced by the word “possible”</p>
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		<p>stakeholders relating to the impact on tourism from wind farms, that there is not a perceived impact as many suggest and that the majority of tourists would not be deterred from visiting a location merely due to the sight of some wind turbines. It is unclear therefore why the Council's guidance requires some form of statement to this effect. It may be possible to make a visual impact assessment from key recreational or tourist receptors as part of an LVIA, and to outline any bespoke tangible benefits that might arise in such terms from a proposal in terms of tourist and recreational facilities. It is completely unjustified however for the Council to suggest any form of tourism and recreational impact assessment is undertaken for onshore wind energy development relating to perceived impacts, which national research confirms is unfounded. As such RES would request that the guidance in this section is clarified and better aligned with national planning policy guidance on this subject.</p>	<p>turbines have an impact should not be belittled nor ignored by the respondent. However no studies on possible detrimental impacts on tourism are recognised by Scottish Government as having conclusive evidence and consequently the SG cannot state this is a significant issue. If it is considered there may be possible impacts on tourism further information can be sought on this at the planning application stage. It is agreed the word <i>perceived</i> should be replaced by the word <i>possible</i>.</p>	
	Scottish Government	<p>You wish to note that in terms of defence interests of chapter 8 - the draft Onshore Wind Strategy proposes a change to the Eskdalemuir Exclusion Zone.</p>	<p>Following a longstanding consultation in respect of Eskdalemuir, the Scottish Govt's Onshore Wind Policy Statement Dec 2017 confirms the new MoD position regarding the safeguarding of Eskdalemuir. This includes a 10km non-development zone and a 50km consultation zone.</p>	<p>The SG and related map has been updated on page 46 to confirm the updated MoD position regarding the safeguarding of Eskdalemuir</p>
	Scottish Natural Heritage	<p>Visible turbine lighting is an increasingly significant issue in renewables casework, particularly the assessment of effects on landscape character, visual amenity and appreciation of dark skies. The</p>	<p>It is acknowledged that visible turbine lighting is a significant issue to be addressed. It is agreed with the respondents suggested amendment</p>	<p>The text proposed by SNH has been incorporated into the text on page 46</p>

		<p>related issues of assessment and production of visualisations is therefore of importance. It would therefore be worth considering tying this issue back in to the visuals section on page 29, with an additional sub-section on larger turbines. Our justification for such requirements is set out in a new paragraph in our Siting and Design Guidance and in our Visualisation Guidance: <i>‘These effects (of visible lighting) are likely to be more significant in areas with less artificial lighting, including remoter rural locations, Wild Land Areas and dark sky sites where the absence of artificial lighting contributes to the feeling of remoteness or the direct appreciation of the night sky. Lit turbines may lessen the contrast between developed and undeveloped areas, e.g. when viewed from nearby settlements. Whilst it may be possible to mitigate these effects, they should still be considered in the assessment. Effects at dawn and dusk should also be considered where these could be significant’</i></p> <p>Para. 2.13, Siting and designing wind farms in the landscape, Feb.2017</p> <p>and:</p> <p><i>‘Where an illustration of lighting is required, a basic visualisation showing the existing view alongside an approximation of how the wind farm might look at night with aviation lighting may be useful. This is only likely to be required in particular situations where the wind farm is likely to be regularly viewed at night (e.g. from a settlement, transport route) or where there is a particular sensitivity to lighting (e.g. in or near a Dark Sky Park or Wild Land Area). Not all viewpoints will need to be</i></p>	<p>and the text they have proposed relating to lighting of turbines has been incorporated into the SG. Reference is made to the link to the SNH guidance on Visual representation of Wind farms 2017</p>	<p>with a cross reference to this on page 37 of the visual impact section . Reference is made to the link to the SNH guidance on Visual representation of Wind farms 2017 on page 46</p>
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		<p>illustrated in this way. <i>The visualisation should use photographs taken in low light conditions⁸, preferably when other artificial lighting (such as street lights and lights on buildings) are on, to show how the wind farm lighting will look compared to the existing baseline at night. It is only necessary to illustrate visible lighting, not infrared or other alternative lighting requirements.</i>’ Para. 175, Visual representation of wind farms, Feb. 2017</p> <p>Some of this justification and explanation could be usefully set out in the Supplementary Guidance, with reference to the requirement for additional visuals to be discussed with Scottish Borders Council and SNH.</p>		
	SEPA	<p>We welcome the section on carbon rich soils in page 36 of the SG. We recommend making reference to the Guidance on the Assessment of Peat Volumes, Reuse of Excavated Peat and Minimisation of Waste</p>	Support noted. The SG has been amended to incorporate the SEPA document referred to	Reference has been made to the SEPA guidance referred to on page 43
	Jones Lang LaSalle on behalf of 2020 Renewables Ltd and EDF Energy Renewables Ltd	<p>This subject refers amongst other matters to the historic environment. On page 37 what seems to be a further new policy test is introduced (albeit it is noted it is not contained within a ‘blue box’) – the text states that any proposal which has “<i>an adverse direct impact on historic environment assets will only be permitted if it can be demonstrated that the benefits in the proposal will clearly outweigh the heritage significant in the asset</i>”. This wording is different from the test set out in SPP at paragraph 145 with regard to scheduled monuments. The text should be amended to accord with SPP.</p>	It is considered the text in question within the SG is in accordance with the relevant LDP policy text which has the same principles as SPP. It is not considered there is any reason to change it.	No change
		Page 38 makes reference to the topic of tourism	It is agreed the word <i>perceived</i> should	The word

	Banks Renewables	<p>and recreation and refers to what is termed “<i>perceived impacts or effects on tourism and recreation</i>”. It states that perceived impacts must be considered as part of any planning application submitted. The text adds that a planning application must give details of any perceived impacts, effects of benefits. This further reference to perceived impacts is considered inappropriate. The guidance should refer to likely effects of a development and in terms of EIA development likely significant effects. The approach should be based on an objective assessment as opposed to perceived impact. Perception of effect is not sufficient in a planning determination – planning appraisals should be based upon an evidence based approach following an objective assessment. The emphasis should be on such an approach in the guidance.</p> <p>Banks Renewable object to the text contained in the blue box (box E) , as it does not include an acceptability test on significant impacts. Please see our comments on the blue box on page 28 of the SG (highlighted in blue above for ease of reference) for further information.</p> <p>The test in the blue box should read ‘They do not have an unacceptable significant adverse effect...’ Like similar issues Banks Renewables have identified within the SG, the test for impacts public access should be reflective of LDP policy ED9 and SPP, it should be based on a test for “unacceptable significant adverse impacts”.</p> <p>In light of the test for acceptability, the second sentence is overly onerous whereby it states that “any proposals which will impact on a core path or</p>	<p>be removed and replaced with the word <i>possible</i>.</p> <p>Comments noted. The particular wording in question is a part of policy ED9 (Renewable Energy Development) which in essence relates to giving consideration to the balance between consideration of environmental impacts and economic benefits of a proposal. The text makes reference to the consideration of “..... relevant <i>unacceptable significant adverse impacts or affects</i> that cannot be satisfactory mitigated....” which was added by the Reporter following the Examination of the LDP. However it must be pointed out that in the next sentence the Reporter does not refer to</p>	<p><i>perceived</i> to be replaced by the word <i>possible</i> on page 45</p> <p>The blue box under section E referred to has been amended to read “The Council will support proposals if : They do not have an <i>unacceptable impact</i> on...” The first para on page 44 confirms that in terms of impacts on a core path or significant access route, the text has</p>
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		<p>other significant access route will require the applicant to provide an alternative route.” Firstly Banks Renewables recommend that “impact” should be defined as those which are unacceptable in accordance with the policy; secondly the requirement to find a suitable alternative route based on any impact is again overly onerous as this test is weak and unclear and Banks Renewables are not of the view that any impact warrants the provision of an alternative route. Banks Renewables envisage that there are likely to be technical issues which could arise from the requirement to provide alternative access routes which are out with the control of the applicant. The test should be for those that are having “an unacceptable significant adverse and direct impact”.</p> <p>Banks Renewables object to the requirement that turbines should be located the height of the turbine plus 10% away from core paths or significant access routes. Banks Renewables are not aware of</p>	<p>this specific wording, omitting the word “unacceptable”. Consequently the policy wording is not entirely consistent as to what text wording should be applied. On the assumption the test within policy ED9 should incorporate the word “<i>unacceptable</i>”, rather than constantly making reference throughout the SG to the “<i>unacceptable significant adverse impacts or affects</i>” every time this test needs to be referred to, within para 5 on page 7 of Chapter 4 : Policy Considerations it has been stated that reference to this will be shortened to “<i>unacceptable impacts</i>”. It is made clear that this is solely for ease of text and is not being suggested as an alternative to the main policy test. The blue box under section E referred to has been amended to read “The Council will support proposals if : They do not have an <i>unacceptable impact</i> on...” In terms of impacts on a core path or significant access route it is agreed the text should be reworded to confirm that any significant impacts from proposed turbines should be judged on a case by case basis and should take cognisance of any mitigation measures</p> <p>The Council considered the “turbine height plus 10%” to be a sufficiently safe distance from core paths or significant access routes. However, the</p>	<p>been reworded to confirm that any significant impacts from proposed turbines should be judged on a case by case basis and should take cognisance of any mitigation measures</p> <p>Text on page 44 has been amended to remove reference to the</p>
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		<p>any statutory guidance or policy which requires such a threshold to be cited and deem that this requirement is wholly unnecessary and should be removed.</p>	<p>Council is not aware of any recognised statutory safety distances and it is acknowledged some parties consider the distance inappropriate. It is acknowledged that in some instances it is agreed that significant access routes which run through a site are upgraded as part of the planning approval. Consequently it cannot said that the suggested safety distance can or will be consistently used and this reference has been removed from the SG. Instead each proposal will be dealt with on a case by case basis taking cognisance of, for example, the status of the route in question, its usage and its condition.</p>	<p>safety distance of turbines in relation to public access routes to being the turbine height plus 10% to stating each application will be dealt with on a case by case basis taking cognisance of the status of the route, its usage and condition.</p>
	<p>Borders Network of Conservation Groups / Minto Hills Conservation Group</p>	<p>Banks Renewables request that the sentence “Gradual erosion of airspace through wind farm development has the potential to compromise safety, flexibility, capacity and potentially the viability of the airport.” is removed from the SG. It is extremely negative and incorrect. Provided appropriate mitigation is put in place wind farm developments do not impact upon aviation safety and/or airport viability.</p>	<p>The sentence “Gradual erosion of airspace through wind farm development has the potential to compromise safety, flexibility, capacity and potentially the viability of the airport.” is entirely fair and justified and no objections to it have been stated by the Aviation Authority. This matter should not be underplayed.</p>	<p>No change</p>
		<p>On page 36, under the heading, ‘Public Access’ we suggest that ‘and Common Riding routes’ be added to emphasise the point already made on page 9 of this response.</p>	<p>The Council may ask for visual assessments to be carried out for further interests when considered necessary on a case by case basis. This would include consideration of Common Riding Routes and it should be noted this has been requested and</p>	<p>No change</p>

		<p>On page 37, under the headings “Historic Environment” and “Assessment” the words “normally conducted by an archaeologist..” should be replaced by “must be conducted by an archaeologist”. We believe that there is no point in leaving grey areas to be exploited by any unscrupulous or corner-cutting developers, should such creatures exist.</p> <p>On page 38, under the heading “Tourism/Recreation” we suggest that this paragraph should be expanded considerably to reflect the increasing economic importance of tourism and recreation and its primary reliance on what remains of the unspoilt the landscape of the Scottish Borders. For instance, developers should be required to conduct an audit of tourism and recreation assets within the ZTV eg accommodation providers, iconic viewpoints, commercial shooting and fishing beats. We trust that the Borders Tourism Partnership will be consulted on this SG.</p>	<p>provided previously.</p> <p>Agreed. The text should be further expanded to state “must be conducted by an archaeologist working to the standards and guidance of the Chartered Institute for Archaeologists”</p> <p>Comments noted. There are instances where third parties have named wind farms as having a negative impact on tourism e.g. references within the Biggar Economics – Economic Impact of Wind Energy in the Scottish Borders 2013. However, there is no recognised national guidance nor studies which are recognised by Scottish Government as having any major impacts on tourism and therefore the Council cannot make up its own rules regarding this matter. The Council can request supporting information at the planning stage regarding any perceived impacts on tourism for its consideration. Although Visit Scotland and Visit Scotland Borders were both consulted Borders Tourism Partnership were not. However, they have since verbally confirmed they do not wish to comment on the SG.</p>	<p>Para 3 on page 44 has been amended to state “must be conducted by an archaeologist working to the standards and guidance of the Chartered Institute for Archaeologists”</p> <p>No change</p>
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	<p>Natural Power Consultants on behalf of Fred Olsen Renewables Ltd</p>	<p>On page 40, under the heading “Road and Traffic Implications” the references to a Transport Assessment and Traffic Management Plan and community liaison should be expanded to include a stand alone website updated daily by the developer, with all abnormal load movements and their timings, and any updates on expected peak periods for other traffic to and from the site during construction. This is not asking for much but it is surprising how few developers provide such reasonable community liaison. A reference should also be made here to the need to avoid designated conservation areas with abnormal loads.</p> <p>(p36) The subjective assessment requirement and additional tests imposed by the SG in relation to public access are unacceptable and should be removed. Instead the SG should clarify that turbines and other infrastructure should where possible avoid direct and effects or impacts on public paths and other access routes. Where direct impacts are unavoidable then reasonable mitigation should be put in place for example during construction to ensure that the health and safety of users is properly considered.</p>	<p>Issues regarding road and traffic implications for turbine developments can vary considerably depending upon matters such as, for example, the magnitude of the development and consequent vehicle movements, the standard of the roads to be used to access the site. Consequently, the Council cannot insist upon a daily web page being set up by a developer nor could check how accurate it was – an issue in the production line for a range of reasons could delay or postpone traffic movements and deliveries. However, the Council would suggest and encourage this as a good practice and PR exercise</p> <p>In terms of impacts on a core path or significant access route it is agreed the text should be reworded to confirm that any significant impacts from proposed turbines should be judged on a case by case basis and should take cognisance of any mitigation measures. In terms of safety distances the Council considered the “turbine height plus 10%” to be a sufficiently safe distance from core paths or significant access routes. However, the Council is not aware of any recognised statutory safety distances and it is acknowledged some parties consider the distance inappropriate. It is acknowledged that</p>	<p>No change</p> <p>The first para on page 44 confirms that in terms of impacts on a core path or significant access route, the text has been reworded to confirm that any significant impacts from proposed turbines should be judged on a case by case basis and should take cognisance of any</p>
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		<p>(p37) “The Council requires that any impacts to the historic environment through development are identified, defined and evaluated through an Environmental Statement.....”</p> <p>The inclusion of ‘any’ in the above statement is not acceptable and should be removed. Environmental Impact Assessments generally should focus on assessing potentially significant impacts/effects. Policy ED9 requires consideration to be given to ‘significant adverse effects’. This additional requirement to consider any impacts appears to be without justification, is unreasonable in the policy context and should be removed. The remaining</p>	<p>in some instances it is agreed that significant access routes which run through a site are upgraded as part of any planning approval. Consequently it cannot be said that the suggested safety distance can or will be consistently used and this reference has been removed from the SG. Instead each proposal will be dealt with on a case by case basis taking cognisance of, for example, the status of the route in question, its usage and its condition</p> <p>It is agreed the word “any” should be replaced by the text “potentially significant adverse impacts / effects”</p>	<p>mitigation measures</p> <p>In the 1st para on page 44 removal of text stating that turbines should be located the height of the turbine plus 10% away from core paths or significant access routes. This has been replaced by text confirming safety issues will be addressed on a case by case basis taking account of status of route, its usage and condition.</p> <p>On page 44 para 3 text has been amended to make reference to the consideration of “potentially significant adverse impacts / effects”</p>
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	<p>Amec Foster Wheeler on behalf of EDF Energy Renewables</p>	<p>requirements of this section should be reviewed in terms of the normal requirements under relevant LDP and SPP policies and draft Energy Strategy. Any additional and disproportionate requirements in this section should be removed and replaced by reference to the appropriate LDP policies.</p> <p>It is not clear if this section relates to LVIA, or rather to issues of maintaining safe and available public access? Matters related to the visual amenity and views experienced from rights of way, the core path network and other known, promoted recreation routes through the landscape, including Scotland's Great Trails would normally be assessed as part of the LVIA.</p> <p>No definition of 'significant access route' is provided. If the term is to be used, it should be defined and examples provided to avoid ambiguity.</p> <p>SNH guidance (<i>Visual Representation of Windfarms</i>, 2006, currently being updated) and <i>SNH Siting and Designing Windfarms in the Landscape Version 3</i>, February 2017) includes attention to lighting and provide advice on mitigation of lighting which may include 'light shields' (as commonly used on modern road lighting schemes).</p> <p>It is notable that the Draft SG does not consider the LVIA / EIA of site access and other infrastructure related issues such as location and design of substations, temporary construction compounds and borrow pits for example. These aspects should be considered as part of the design and assessment of the whole project, not just the wind</p>	<p>This section relates to both LVIA and public safety. A "significant access route" would comprise of Scotland's Great Trails, Core paths, Paths Around Towns and Rights of Ways.</p> <p>Comments noted</p> <p>If there is considered to be a justified reason for matters such as site access and other infrastructure related issues to be included within LVIA's / EIA then this can be requested. However, in most instances this would not be considered necessary, other than, for</p>	<p>No change</p> <p>Links to the SNH documents have been added to the SG on page 38</p> <p>No change</p>
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		turbines.		
	Borders Network of Conservation Groups	On matters relating to road traffic generated by wind farm construction , we suggest that the application from a developer must provide full details of proposed routes so that SBC can make a judgement on whether these are acceptable or not, bearing in mind other use of the roads concerned etc.	example, if a new access route was considered to perhaps have a major impact on the landscape	No change
	Borders Network of Conservation Groups / Minto Hills Conservation Group	One of the negatives in the balance of net economic outcomes of the construction of wind farms must be the considerable damage inflicted on the narrow country roads in the Scottish Borders by hugely greater and much heavier than normal traffic flow during the construction period. We feel sure that SBC Roads Department would be able to quantify and cost this relatively easily, even if just based on the Robertson road leading to Langhope Rig Wind Farm. We believe that it is extremely unfair that cash-strapped councils (a) can not insist on a planning fee commensurate with the size of application; and (b) are not allowed to insist on a large contribution to local infrastructure. We suggest that this needs to be raised with the Scottish Government, perhaps via the Heads of Planning forum.	Comments noted. As part of the Env Assessment submitted with the planning application there would be a Transport Assessment which would consider the likely access routes to the site. If approval was granted a consequent Traffic Management scheme would be submitted confirming the routes for normal and other vehicles (e.g turbine site delivery vehicles) and the condition of the road would be monitored before and after construction works ceased. Any damage to the road as a result of site vehicles would require an upgrade by the developer.	No change
Development	Scottish Natural	Overall, we consider that this section sets out the	Text within this part of the SG has been	Text within the

<p>Management Considerations – <i>Effects on the natural heritage (including birds, hydrology, the water environment and flood risk)</i></p>	<p>Heritage</p>	<p>relevant information for developers and consultants but the structure could mean that key information and advice is overlooked. This includes the decision to separate out advice on birds but not for habitats. Presenting habitats as an issue in their own right would establish a clearer approach to advice on assessment of impacts.</p> <p>To maintain an up-to-date approach to assessment, we suggest that detail on requirements is left to links to guidance as this may be updated independently of updates to the supplementary guidance. For example, the advice on bird surveys on page 42, which states that “<i>should consider the potential risk to birds through displacement, collision and habitat loss for each bird species which uses the site</i>” is out of date. Our guidance advises that there is a focus on key species using the site</p> <p>The discussion of Local Development Plan Policy EP3 (Local Biodiversity) and offsetting/compensation on page 41 is somewhat mixed with the introduction of local natural heritage designations. We recommend that these two separate but related issues are more clearly separated in the final version of the Supplementary Guidance.</p> <p>Similarly, enhancement and restoration is presented under the ‘<i>Ornithology</i>’ sub-section but the subject matter is clearly broader than that topic. The Council has an effective, proven approach to enhancement and restoration, including off-site works and we recommend that these issues are separated out from the sections they currently sit in and set out in their own sub-section.</p> <p>Given that the majority of wind farm proposals in</p>	<p>Re-jigged to address the points raised by SNH</p>	<p>section <i>Effects on the natural heritage (including birds, hydrology, the water environment and flood risk)</i> has been re-jigged and amended to address the comments raised by SNH</p>
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	SEPA	<p>Scottish Borders have the potential to impact on the River Tweed Special Area of Conservation (SAC), we suggest that the supplementary guidance should more explicitly state that any development proposal within the catchment of the River Tweed will need to demonstrate that potential impacts on the SAC have been taken into consideration in the design layout of the proposal. This will be particularly relevant to its infrastructure and requirements that appropriate measures to prevent pollution, sedimentation, etc. of watercourses on and near the site will be incorporated into any construction method statement/plan.</p> <p>Under development management consideration we support the reference to the avoidance of peat and carbon rich soils, however we note that there is no reference in the SG to the avoidance of Groundwater Dependent Terrestrial Ecosystems (GWDTE). We note that this aspect has been considered in the Environmental Report (ER), however there is no specific reference in the SG itself. These habitats are protected under the Water Framework Directive (WFD) and may be impacted upon by renewable energy development through the excavation of soil and bedrock during construction. Indeed dewatering of below-ground activities may cause localised disruption to groundwater flow. This can impact on GWDTEs and abstractions. GWDTEs are mentioned in Appendix A as part of the Land Use Planning System SEPA Guidance Note 4 Planning - guidance on onshore windfarm developments (May 2014) (page 69).</p>	The SG has been amended to make reference to the avoidance of Groundwater Dependent Terrestrial Ecosystems (GWDTE).	The SG has been amended to make reference to the avoidance of Groundwater Dependent Terrestrial Ecosystems (GWDTE) on page 50
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		<p>We recommend making specific reference in the information required to Sustainable Urban Drainage Systems (SUDS) and to waste water drainage which does not appear to be mentioned in the SG. We recommend connection to the public sewage system and discussions with Scottish Water for the relevant type of renewable energy (e.g. Energy from Waste, anaerobic digestion, etc.) to ensure that there is capacity for the connection at the time of construction.</p> <p>We expect surface water from all developments to be treated by SUDS in line with Scottish Planning Policy (Paragraph 268) and, as appropriate, the requirements of the Water Environment Controlled Activities Regulations (CAR). SUDS help to protect water quality as well as reducing potential for flood risk. Guidance on the design and procedures for an effective drainage system can be found in Scotland's Water Assessment and Drainage Assessment Guide</p> <p>SUDS should accord with the SUDS Manual (C753) and the importance of preventing runoff from the site for the majority of small rainfall events (interception) is promoted. Applicants should use the Simple Index Approach (SIA) Tool to ensure the types of SUDS proposed are adequate</p> <p>In the Hydrology / Water Environment / Flood Risk section there is a reference to private water courses. Perhaps this is meant to refer to 'private water supplies'? The section should also mention that wind energy developments must ensure the objectives of the Water Framework Directive are met by ensuring the impacts to hydrology and from,</p>	<p>Text has been added making reference for the need to carry out SUDS with a link to Scotland's Water Assessment and Drainage Assessment Guide and should accord with the SUDS Manual (C753).</p> <p>Text has been amended to refer to "private water supplies" as opposed to "private water courses" and reference has been made to SEPA windfarm guidance referred to.</p>	<p>Text has been added in the last para page 50 making reference for the need to carry out SUDS with a link to Scotland's Water Assessment and Drainage Assessment Guide and should accord with the SUDS Manual (C753).</p> <p>Text has been amended to refer to "private water supplies" as opposed to "private water courses" on page 50 and</p>
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	Banks Renewables	<p>river engineering and pollution are appropriately considered and mitigated. We would welcome specific reference to the SEPA windfarm guidance, available at: http://www.sepa.org.uk/media/136117/planning-guidance-on-on-shore-windfarms-developments.pdf</p> <p>Banks Renewable object to the text contained in the blue box (box F), as it does not include an acceptability test on significant impacts. Please see our comments on the blue box on page 28 of the SG (highlighted in blue above for ease of reference) for further information. The test in the blue box should read ‘They do not have an unacceptable significant adverse effect...’ The test related to the impact on local biodiversity does not include an acceptability test and therefore it is contrary to SPP and the LDP. To address this ‘an unacceptable’ should be insert before significant in this sentence.</p>	<p>Comments noted. The particular wording in question is a part of policy ED9 (Renewable Energy Development) which in essence relates to giving consideration to the balance between consideration of environmental impacts and economic benefits of a proposal. The text makes reference to the consideration of “..... relevant <i>unacceptable significant adverse impacts or affects</i> that cannot be satisfactory mitigated....” which was added by the Reporter following the Examination of the LDP. However it must be pointed out that in the next sentence the Reporter does not refer to this specific wording, omitting the word “unacceptable”. Consequently the policy wording is not entirely consistent as to what text wording should be applied. On the assumption the test within policy ED9 should incorporate the word “<i>unacceptable</i>”, rather than constantly making reference throughout the SG to the “<i>unacceptable significant adverse impacts or affects</i>” every time this test needs to be referred to, within</p>	<p>reference has been made to SEPA windfarm guidance referred to on page 50</p> <p>The blue box under within section F referred has been amended to read “...they do not have an <i>unacceptable</i> impact...” Para 5 on page 7 confirms reference to consideration of “unacceptable impacts”</p>
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	Fred Olsen	(p42) Biosecurity – whilst recognising the reasoning behind this section, if the imposition of such a requirement across the Borders is justified by current experience, then this should be included as a general policy in the LDP not imposed exclusively and therefore disproportionately on renewable energy developers.	<p>para 5 on page 7 of Chapter 4 : Policy Considerations it has been stated that reference to this will be shortened to “<i>unacceptable impacts</i>”. It is made clear that this is solely for ease of text and is not being suggested as an alternative to the main policy test. The blue box under within section F referred has been amended to read “...they do not have an <i>unacceptable</i> impact...”</p> <p>It is reasonable to include this within the SG as it clearly refers to the requirements of Good Practice Guidance (Construction of wind farms). However, the SG cannot add new policy to the LDP, it can only produce further guidance. It should be noted this can be reviewed and expanded upon within the Renewable Energy Development policy when the new LDP is prepared</p>	No change
Development Management Considerations – <i>Net economic impact, including socio-economic benefits such as employment, associated business and supply chain opportunities</i>	Jones Lang LaSalle on behalf of 2020 Renewables Ltd and EDF Energy Renewables Ltd	<p>On page 44 under the subject, a new policy test is introduced namely that the Council will only support proposals if it is considered that “<i>the scale of contribution towards renewable energy targets outweighs any other perceived significant adverse impacts or effects that cannot be satisfactory mitigated</i>”.</p> <p>This new policy test is closer to the wording in policy ED9 but still differs from it in that the Council will take into account “perceived significant impacts”. As noted above, the test in the LDP is whether or not the effects arising in any given case would be acceptable or not and that wording should</p>	<p>It is agreed the word <i>perceived</i> should be replaced by the word <i>possible</i>. Comments noted. The particular wording in question is a part of policy ED9 (Renewable Energy Development) which in essence relates to giving consideration to the balance between consideration of environmental impacts and economic benefits of a proposal. The text makes reference to the consideration of “..... relevant <i>unacceptable significant adverse impacts or affects</i> that cannot be</p>	<p>The word <i>perceived</i> has been replaced by the word <i>possible</i> where required within the SG. Para 5 on page 7 confirms the term “<i>unacceptable significant adverse impacts or affects</i>” will be shortened to “<i>unacceptable</i></p>

	Banks Renewables	<p>be followed. Again, it is not a matter of perception of significant effects - the reference should be to predicted or assessed effects on an objective and evidence based approach. Furthermore, the narrow reference to energy targets in this new policy test is not acceptable – paragraph 169 of SPP refers to a wider range of benefits that need to be taken into account in the planning balance in any given case. We note that the second paragraph on page 44 quotes the key test of Policy ED9 namely that developments will be approved provided there are no relevant “<i>unacceptable significant adverse impacts or effects that cannot be satisfactory mitigated</i>”. It is odd that this key test in policy ED9 only appears in this part of Chapter 8: it should be upfront and this terminology should be used consistently throughout the whole of the draft SG.</p> <p>The current test for net economic impact makes no reference to social or economic benefits. Information provided in the first blue appears to repeat the information provided in the second blue box on page 44.</p> <p>The first blue box should be amended to related directly related to socio-economic benefits rather than renewable energy targets.</p>	<p>satisfactory mitigated....” which was added by the Reporter following the Examination of the LDP. However it must be pointed out that in the next sentence the Reporter does not refer to this specific wording, omitting the word “unacceptable”. Consequently the policy wording is not entirely consistent as to what text wording should be applied. On the assumption the test within policy ED9 should incorporate the word “<i>unacceptable</i>”, rather than constantly making reference throughout the SG to the “<i>unacceptable significant adverse impacts or affects</i>” every time this test needs to be referred to, within para 5 on page 7 of Chapter 4 : Policy Considerations it has been stated that reference to this will be shortened to “<i>unacceptable impacts</i>”. It is made clear that this is solely for ease of text and is not being suggested as an alternative to the main policy test.</p> <p>It is agreed the text in the blue box within part H) should be amended to read that the Council will support proposals if “It is considered that the scale of contribution towards <i>economic impact</i> outweighs any other potential significant adverse impacts or effects which cannot be satisfactorily mitigated”</p>	<p><i>impacts</i>”</p> <p>The text in the blue box within part H) should be amended to read that the Council will support proposals if “It is considered that the scale of contribution towards <i>economic impact</i> outweighs</p>
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	<p>Borders Networks of Conservation Groups / Minto Hills Conservation Group</p>	<p>Page 44 refers to Net Economic Impact. We suggest that the sentence beginning “Wind energy proposals should be accompanied by detailed information outlining perceived economic benefits...” should be altered slightly to mitigate against developers being over-optimistic about likely benefits. The word “perceived” virtually allows a subjective element to be brought into play so we suggest it be replaced by ‘accurately estimated’</p> <p>On the same page the Scale of Contribution to Renewable Energy Generation Targets etc is re-visited and so again, we would contend that, while we appreciate the mood music emerging from Scottish Government about targets not being caps, it is still the logical case that once a target has been reached in Scotland by all constructed and consented wind farms a planning application’s likely contribution to meeting that target becomes irrelevant as a planning consideration, <i>because there is no contribution to the target</i>. The point we have made earlier in this response about the LCF cap also applies here.</p>	<p>It is agreed the word <i>perceived</i> should be removed and replaced with the word <i>possible</i></p> <p>It is acknowledged that once the national renewable energy targets are reached cognisance of contributions towards these targets will be irrelevant. However, the promotion of renewable energy will continue and applications will continue to be dealt with on a case by case basis.</p>	<p>any other potential significant adverse impacts or effects which cannot be satisfactorily mitigated”</p> <p>The word <i>perceived</i> has been replaced with the word <i>possible</i> where required within the SG</p> <p>No change</p>
	<p>Natural Power Consultants on behalf of Fred Olsen Renewables</p>	<p>(p 44) Reference to policy ED9 in this section is welcomed. This should be replicated in other sections rather than the introduction of additional requirements which go beyond ED9 and other</p>	<p>Support noted. Policy ED9 is referred to elsewhere in the SG and it is not justified nor would serve any purpose to keep referring to it constantly</p>	<p>No change.</p>

	<p>Ltd</p> <p>Borders Network of Conservation Groups/ Minto Hills Conservation Group</p>	<p>relevant LDP/SPP policies.</p> <p>BNCG would point out, as it has done already in meetings with SBC, that the Council needs better information than it possesses or receives at present to be in a position to assess these subjects adequately for the purpose of (a) assessing whether there are unacceptable significant adverse impacts which cannot be mitigated and (b) judging whether the wider economic, environmental and other benefits of the proposal outweigh the potential damage arising from it. That information (whether gleaned from general research or specific information provided by a developer) should relate to the quantitative and qualitative difference between eg landscape and visual impact assessed by developers before existing wind farms were built and the actuality once constructed. The same is true for noise and shadow flicker nuisance to adjacent dwellings, as well as for anticipated economic benefits compared to actual benefits during and following construction. We have suggested that Council appreciation of this type of wider knowledge might be achieved by conducting the type of comparative studies commissioned by its neighbour Northumberland County Council, or at least by referring to these studies in reaching its</p>	<p>throughout the document. The SG would have no purpose or benefits at all if it merely re-iterated relevant LDP / SPP requirements and did not add any further information.</p> <p>It is considered that the information submitted as part of the planning application is generally sufficiently detailed. When necessary the Council will ask for further information. Application submissions and supporting information are taken in good faith and it is acknowledged that predicted levels of economic benefits, job creations etc may prove to be wrong in practice. Any consequent review of this could not revoke the planning consent. Any proposals regarding penalties for such anomalies in practice are outwith the remit of the Council</p>	<p>No change</p>
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		<p>assessments of applications. In order to make the best possible kind of judgements necessary for policy ED9, planning authorities such as SBC would also need to know from the developer eg the minimum contribution to energy production expected of each turbine, in its specific wind location, relative to its connection to a specific section of the National Grid, as well as the level of constraint payments likely given that grid position. Therefore, in order to be able to assess “the wider economic, environmental and other benefits of the proposal” we suggest that it would be reasonable for SBC to require developers to submit as accurate as possible an estimate of all of these factors and for the result to be judged against the average for these factors across existing onshore windfarms in the UK. Furthermore, there must be realistic sanctions for failure to deliver ‘promised’ benefits, otherwise developers are susceptible to the practice of over-promising and under-delivering, to the detriment of the environment, communities and energy production.</p>		
<p>Development Management Considerations – <i>The scale of contribution to renewable energy generation targets and the effect on greenhouse</i></p>	<p>Jones Lang LaSalle on behalf of 2020 Renewables Ltd and EDF Energy Renewables Ltd</p>	<p>The text which follows this title introduces what seems to be two new policy tests beyond that which is in policy ED9. Firstly, in the ‘blue box’ it states that the Council will only support proposals if it is considered that the scale of contribution “<i>towards renewable energy targets outweighs any other perceived significant adverse impacts or effects that cannot be satisfactory mitigated</i>”. In the text that immediately follows the blue box,</p>	<p>Text in the 2no parts (of section I) referred to have been amended to make reference to consideration of <i>unacceptable impacts</i> as confirmed in para 5 on page 7 in order to tie in with one another. It is agreed the word <i>perceived</i> should be replaced by the word <i>possible</i>. It is considered the reference to consideration of national</p>	<p>Text in section I to be amended to make consistent reference to “unacceptable impacts”. The word <i>perceived</i> has been replaced by</p>

emissions	Banks Renewables	<p>text is introduced that states “<i>if there are judged to be significant adverse impacts or effects that cannot be satisfactory mitigated consideration and weighting must be given as to the contribution the proposal makes towards national energy targets</i>”. The reference to “perceived significant adverse impacts” does not appear in this latter test. In addition, the reference to national energy targets is correct but is too narrow a consideration – reference has been made earlier to matters such as net economic impact, including local and community social economic benefits and supply chain opportunities – these are all considerations that would require to be given weight as appropriate in any given case against any identified planning harm in a balancing exercise.</p> <p>In line with the Scottish Government’s draft Onshore Wind Policy Statement (2017), it would be beneficial if the latest aspirations and targets for community benefits including community ownership are incorporated into SG to reflect the continued benefits the Scottish Government would like onshore wind farm developments to provide for in communities. This includes the Scottish Government’s ambition to ensure that by 2020, at least half of newly consented renewable energy projects will have an element of share ownership.</p>	<p>energy targets is correct</p> <p>The Scottish Govt document referred to was only a draft document at the time of this draft Supp Guidance being prepared and therefore it could not be referred to as the finalised version were unknown. However, in Dec 2017 the final policy version was published. Reference to it has been added to this SG and an electronic link has been added for further reference</p>	<p>the word <i>possible</i> in the blue box in section I.</p> <p>Ref to the Scott Govt’s policy paper from Dec 2017 on Onshore Wind has been referred to on page 8</p>
	Minto Hills Conservation Group/ Borders Network of Conservation Groups	<p>On the same page the Scale of Contribution to Renewable Energy Generation Targets etc is re-visited and so again, we would contend that, while we appreciate the mood music emerging from Scottish Government about targets not being caps, it is still the logical case that, once a target has</p>	<p>Comments are acknowledged. It is envisaged that in practice once there is agreement that the national targets have been met (although for all interested parties to agree when this has been reached would likely be a</p>	<p>No change</p>

		been reached in Scotland by all constructed and consented wind farms, a planning application's likely contribution to meeting that target becomes irrelevant as a planning consideration, because there is no contribution to the target.	major challenge) future debate as to proposals contribution towards national targets would seem irrelevant. It is assumed proposals would continue to be dealt with on a case by case basis without making specific reference to the contribution towards national targets.	
Development Management Considerations – <i>Planning Conditions relating to the decommissioning of developments, including ancillary infrastructure and site restoration (including the use of planning obligations)</i>	RES Ltd	On page 46 of the document the Council confirm that in order to ensure compliance with the conditions attached to major wind farm consents and to ensure best practices are adopted to mitigate impacts of the development, a condition will be imposed on planning permissions requiring an independent monitoring consultant and assessor during the construction, operation and decommissioning phases of development. If in relation to this advice the Council are referring to an Ecological Clerk of Works to be appointed and to provide such monitoring in terms of the environmental mitigation identified and required as part of the development, this is acceptable. However this is not entirely clear. If the Council are expecting a planning condition monitoring officer to confirm that conditions are appropriately complied with and not breached, then this is a procedural matter for the Council to undertake as part of their service responsibility and not for an applicant to provide resource for albeit an independent one. RES would recommend that the advice in this section is clarified to confirm what the Council are referring to in terms of monitoring.	The responsibility to ensure conditions are discharged and complied with rests solely with the developer. It is common place for conditions to be placed on decision notices requiring a planning monitoring officer to be appointed independently by a developer. The benefit of having a PMO is that the developer can demonstrate their development is complying with the consent they have secured, which in turns provides comfort to the statutory agencies involved and the wider community at large. The statement in the SG is clear that the developer will be required to appoint a PMO	No change
	Banks Renewables	Banks Renewables consider that the sentence	Comments noted. Whilst in theory it	Text has been

		<p>suggesting a minimum of 50% of track to be removed is too prescriptive, in addition to specifying a use for the remainder of it (being retained for agricultural use). In some instances, it may be preferable and/or better for the environment to leave access tracks in-situ (i.e. for commercial forestry). In addition a considerable amount of time passes between the commissioning and decommissioning phases of a wind farm and due to other reasons, it may be better to leave tracks in-situ. Decommissioning should be considered on a site by site basis and SG should allow for this flexibility. Banks Renewables therefore would like to see this paragraph removed from the SG.</p> <p>Banks Renewables objects to the restriction that the financial guarantee would be limited to the Council and the Developer. The landowner should also have access to the financial guarantee. The SG should be reworded to ensure that the Council have the first right to call upon any guarantee and it is only if the Council do not make a call upon the guarantee that the landowners can access it. This approach is common practice and includes appropriate protection for the Council. Requiring two separate guarantees to be put in place is</p>	<p>would initially appear the natural scenario to return land back to its original use, in many instances it is acknowledged this could be problematic in that that the complete removal of access tracks may cause further environmental and biodiversity issues which have settled and adapted within the lifespan of turbines. Current good practice (SNH 2016 and SNH Commissioned report 591)ⁱⁱⁱ advises considering sites on their merits, in some instances removal of turbine bases might be more environmentally harmful. This would be assessed as part of the Decommissioning Management Plan process. It is therefore confirmed that reference to the suggestion that a minimum of 50% of the access track should be removed has been removed from the text, stating that such decommissioning matters will be dealt with on a case by case basis.</p> <p>The purpose of the financial guarantee provisions in the Planning Permission is to provide a sum of monies which would available to the Local Planning Authority to discharge the planning obligation of the developer and the landowner in the event of the developer and the landowner failing to meet the terms of the Planning Permission. However, as suggested by the contributor it not unreasonable for a</p>	<p>amended in para 4 on page 52 to remove reference to the suggestion that a minimum of 50% of the access track should be removed, stating instead that such decommissioning matters will be dealt with on a case by case basis</p> <p>Text in the second para on page 52 has been amended to confirm the financial guarantee would be agreed between the Council, the developer and the landowner.</p>
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		contrary to the Scottish Governments drive to make onshore wind more competitive.	landowner to be a party to the financial guarantee, subject to the appropriate safeguard being put in place to ensure the required restoration can be provided by the LPA in the event that no other party undertakes the works. Amended text has consequently been added to the SG	
	Borders Network of Conservation Groups / Minto Hills Conservation Group	On page 45 relating to decommissioning , we note that, in the third paragraph, there is no mention of concrete turbine bases being removed and in-filled. We suggest that there should be since a wind farm site would not be truly decommissioned and made ready for a return to the ecological habitat prevailing prior to construction.	It is believed that the complete removal of concrete bases may cause further environmental and biodiversity issues which have settled and adapted within the lifespan of turbines. Consequently there remains differing opinions on the necessity to require the removal of the bases in all instances. Current good practice (SNH 2016 and SNH Commissioned report 591) ^{iiiiv} advises considering sites on their merits, in some instances removal of turbine bases might be more environmentally harmful. This would be assessed as part of the Decommissioning Management Plan process on a case by case basis.	No change
		BNCG / MHCG fully agree with the SG position on not reducing the quantum to reflect scrap values for the equipment. It is up to the developers to offset the costs of decommissioning by selling materials for scrap, this risk should not be transferred to the public purse.	Comments noted.	No change
	Natural Power	(p45) On the basis that there is considerable	Comments noted. It is agreed that	Text within the

	<p>Consultants on behalf of Fred Olsen Renewables Ltd</p>	<p>variation in the restoration and decommissioning requirements of local authorities across Scotland the upfront this subject in the SG is welcomed in principle. Fred Olsen Renewables Ltd. has previously contributed to discussions between Scottish Government, Scottish Renewables and the Heads of Planning group on this matter and suggest that the latest industry position as stated in the response from Scottish Renewables in September 2016 is considered and reflected in this section of the final SG.</p> <p>Clarification of the statement contained in the third paragraph of page 45 is required. Suggest “...it is assumed that the site.....” is changed to “it is assumed that above ground plant and machinery...”.</p> <p>Although the SG assumes a minimum of 50% of access track should be removed upon decommissioning, this will be very much dependent upon landowner requirements and other environmental factors on a site by site basis. It could be argued that removing tracks may not be environmentally beneficial, and that indeed natural regeneration should be allowed. Suggest as this is an assumption which in itself is subject to several variables that “minimum” in this sentence is replaced with “approximately”. (p45) Scrap Value. Not including the potentially substantial realisable value of plant and equipment is not acceptable and must be reviewed. Unlike other forms of development in rural areas, the potential value in reusing and or salvaging plant</p>	<p>restoration and decommissioning measures will be dealt with on a case by case basis and text has been amended to state that the complete removal of roads etc may cause further environmental and biodiversity issues which have settled and adapted within the lifespan of turbines.</p> <p>It is agreed the amended wording should be incorporated as proposed to read to “it is assumed that above ground plant and machinery...”.</p> <p>Whilst in theory it would initially appear the natural scenario to return land back to its original use, in many instances it is acknowledged this could be problematic in that that the complete removal of access tracks may cause further environmental and biodiversity issues which have settled and adapted within the lifespan of turbines. Current good practice (SNH 2016 and SNH Commissioned report 591)^{vi} advises considering sites on their merits, in some instances removal of turbine bases might be more environmentally harmful. This would be assessed as part of the Decommissioning</p>	<p>“Decommissioning” section has been amended to confirm that the removal of roads etc will be judged on a case by case basis</p> <p>The SG has been amended on page 52 to read to “it is assumed that above ground plant and machinery...”.</p> <p>Text amended in within the “Decommissioning” section to confirm the removal of access tracks and turbine bases will be dealt with on a case by case basis</p>
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		<p>can be considerable. Discounting this without proper assessment places an unreasonable and unnecessary burden on wind farm developer and operators which is not reflected elsewhere in the planning process. The commitments associated with the value of plant and equipment can be reviewed on a regular basis to ensure that all key parameters within the decommissioning document are in line with current expectations (in terms of environmental practice, landowner preferences and salvage value) Given that to our knowledge Scottish Borders has never had to call in such a bond for a wind farm development, the current proposals in the SG are considered disproportionate and at odds with the vision in the Draft Energy Strategy of creating;</p> <p>“A modern, integrated, clean energy system, delivering reliable energy supplies at an affordable price in a market that treats all consumers fairly.” (p45) Reference has been made to Heads of Planning Scotland’s document: Position Statement on operation of Financial Mechanisms to Secure Decommissioning, Restoration and Aftercare of Developments. However as set out above, reference should also be made to Scottish Renewables response to this document, where it’s noted that HoPS is required to work with industry to ensure the guidance is both clear and flexible, as it currently stands this is not the case. Therefore this reference should be updated.</p>	<p>Management Plan process. It is therefore confirmed that reference to the suggestion that a minimum of 50% of the access track should be removed has been removed from the text, stating that such decommissioning matters will be dealt with on a case by case basis.</p>	
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<p>Repowering</p>	<p>Alan Bailey / Ruberslaw Wild Woods Camping</p>	<p>In the early days of applications for Planning Permission by windfarm developers the public was regularly assured that the lifespan of a windfarm would be 20-25 years or so, and that decommissioning thereafter as the technology became redundant would mean that the impacts would be “temporary”. Subsequently clarification was issued indicating that sites proposed for windfarms should be suitable in perpetuity, even though windfarms were portrayed as a temporary use.</p> <p>Now, as the industry matures, repowering of the earlier development with larger turbines is becoming a recognisable possibility/probability, opening up possibilities of changes in design and layout and number of turbines using the earlier degradation of the landscape as a precedent. The presence of an existing windfarm will be used as an excuse for re-sizing the windfarm as never originally envisaged by the Planning authority. We believe that the SPG should address this issue head-on, for example by ensuring that full decommissioning of the first development is assumed and backed up by enforceable penalties, and by requiring any repowering to be assessed against the original landscape etc. benchmarks, not the condition of the site with a windfarm already on it.</p> <p>The purpose of this would be to ensure that developments previously permitted on a temporary basis do not achieve permanent status by the back door.</p>	<p>The planning enforcement process would ensure the removal of turbines when the approved timescale ceases. However, the developer would have the option in advance of the expiry of the time limit to apply to extend the consent or to apply to amend the proposal under repowering considerations. The Council has no authority to prevent the submission and consideration of such proposals. Whether these would be approved or not would be down to the consideration of the merits of each case submitted.</p>	<p>No change</p>
	<p>RES Ltd</p>	<p>RES understands the Council’s concerns and guarded advice in relation to the use of significantly</p>	<p>Comments noted. Whilst the economic benefits of producing taller turbines is</p>	<p>No change</p>

		<p>taller turbines. The Council are correct in their assertion of the existing development being a material consideration, establishing the principle of such landuse, and it is for the merits of any such application to be assessed to confirm if the design and scale of any replacement development are acceptable. It requires to be acknowledged however, that existing developments are predicated on smaller turbines that are no longer available, and that larger fewer, more efficient machines may have a lesser environmental impact than the ones they are replacing. In addition the current targets are not a cap, but the level of renewable onshore wind energy generation that currently contributes to these targets, if lost due to a lack of repowering, will significantly reduce current renewable energy generation within the network, which will have to be replaced. This will surely be a significant material consideration to any repowering application, and should therefore be reflected in the Council's guidance. The current guidance is overly negative and needs to address the above points to provide a more balanced approach by the Council, better aligning with the national policy view on repowering and the use of taller turbines.</p>	<p>acknowledged, there is little doubt that in many instances higher turbines will have a major impact on landscapes, bearing also in mind in many instances approval was granted at what was considered to be the maximum acceptable height. It is considered the Council's text in relation to repowering is fair and justified and consequent applications will be dealt with on a case by case basis</p>	
	Scottish Natural Heritage	<p>We are supportive of the detail in the section on repowering on page 54. However, as this is likely to be a key issue in coming years we suggest that it may be useful to give it more prominence by placing it earlier in the document.</p>	<p>It is considered reference to repowering is within an appropriate location within the SG</p>	No change
	Community Windpower	<p>We support the idea of updating the study to take cognisance of turbine approvals since January 2013, adopting new turbine size typology ranges</p>	<p>Comments noted. The merits of repowering are fully appreciated and</p>	No change

		<p>including an upper category of 120m+ to allow more detailed consideration of greater turbine heights which are becoming routine in the industry. It is also pleasing that that sites considered for re-powering (Para 170 of SPP) refers to areas for wind farms being suitable for use “in perpetuity” which relates to the future re-use of sites for repowering. This is a significant change in policy in that turbine sites must now be considered for permanent use which is re-affirmed by the Scottish Government in their paper entitled “Scottish Planning Policy – Some Questions Answered”. Consequently this makes it even more vital that proper scrutiny is given to wind farm proposals on repowering to ensure full policy appraisal. It is acknowledged that where existing turbine infrastructure exists there is an opportunity to re-use this when the lifespan of turbines expires and also to make turbine outputs more efficient. It is also acknowledged that turbines are now manufactured to increasingly greater heights. The fact a wind farm exists on a site should be a material consideration It is also good to recognised there will be consideration of greater turbine heights which are becoming more prevalent and welcome the opportunity to comment. However there are aspects which need further review and clarity. The Renewables industry, do not want to be faced with a situation where sites are screened out in advance of any assessment which the robust EIA process already places upon the developer. As some of the often ‘hidden’ constraints (such as defence or aviation interests) are addressed new land suitable for large scale development may be freed up and it is vital that sites are decided on their</p>	<p>will be given weighting within the decision making process. However, landscape capacity to absorb turbines remains a material consideration. It should not be the case that landscapes considerations are considerably lessened as the respondent suggests. The benefits suggested by the respondent would be tested at the planning application stage.</p>	
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		<p>own merits. Indeed in order for the Scottish Governments own 16 GW onshore aspiration cited in the current draft Scottish Onshore Wind Strategy document, then additional land for large scale projects needs to be made available in the Scottish borders. Wind energy development remains an important consideration as reflected in the draft Scottish Energy Strategy of 2017, and especially the important sections devoted to onshore wind and the loss of support leads to larger machines of greater capacity and height and also the potential inclusion of current innovation and such elements as storage and solar generation to ensure project viability. Given the UK Government has implemented the early closure of the Renewables Obligation and has indicated that onshore wind will not feature in the next rounds of Contracts for Difference, it will therefore be new developments with larger than current tip heights and repowering of existing wind farms that can make very effective contributions to the Scottish and UK Government targets and policy objectives. In terms of repowering, the approach takes advantage of already sunk and committed investment and in locations where there are already characterising effects arising from wind farms, which have been judged as being acceptable (whether built or consented). Given this it is considered that the draft SG and the does not adequately address the opportunity presented. More land could be designated as favourable for large scale development and the categories below the larges should also be readdressed to allow larger machines. Scottish Borders need to allow technological innovation, the need for increased tip</p>		
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	<p>Borders Network of Conservation Groups / Minto Hills Conservation Group</p>	<p>heights as well as new development sites. Scotland's new Energy Strategy will recognise the need for taller onshore wind turbines, allowing advantage to be taken of advances in technology and satisfying market requirements for commercial viability. There should also be recognition that larger turbines can mean in some situations fewer turbines, with larger spacing, slower rotational speeds and landscape advantages. The recent proposals for demonstration 'Kite Turbines' at West Freugh in Scotland would reach a height of 750m (full sized kites are expected to be some 40m wide), whilst clearly a different technology, demonstrate the importance of not stifling innovation by way of inflexible policy.</p> <p>On page 54 under the heading 'Repowering', the third sentence avers that the prospect of repowering "makes it even more vital that proper scrutiny is given to wind farm proposals on re-powering to ensure full policy appraisal". While we support this statement, we point out that, since the prospect of re-powering and 'in perpetuity' have arisen, it is equally as necessary that the Environmental Impact Assessment submitted with a first instance application is subject to more scrutiny than ever before. It is no longer the case that planning officials and planning authority members can assume that, after a period of 25-30 years, a wind farm and the site on which it is located can eventually be returned to its previous state. Planners and planning authority members are now expected to have a degree of foresight which is completely beyond human capability. The responsibility of making decisions 'in perpetuity' is</p>	<p>Comments noted. It is considered that the text within the SG, policy ED9 and other material guidance (e.g from SNH, Scott Govt) give sufficient guidance on how applications for how all wind turbine proposals, notably including repowering proposals, should be considered. The specific points raised by the respondents are acknowledged and would be considered at the planning application stage on a case by case basis. It is not considered the proposed additional text is necessary</p>	<p>No change</p>
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		<p>an unenviably onerous, extremely difficult, and ultimately thankless task. If the truth were faced up to by those who have imposed this task on our elected members, it is an impossible task - who can know the future to the extent of perpetuity? . Perhaps even more importantly in this section, in those cases where re-powering is applied for with higher turbines (as is likely to be the case more often than not), we believe that one of the most important factors involved has been overlooked here. New, taller turbines are very likely to require different locations than the previous turbines because of the greater separation distances required and the need to aim for optimum performance. This complicates the planning considerations because:</p> <ul style="list-style-type: none">• new locations mean that more concrete (up to 100% more) would be required, thus destroying up to 100% more ecological habitat• taller turbines clearly have, at the very least, not to mention the greater adverse effect on other key constraints, an exponentially greater landscape and visual impact• increased distances between turbines mean that there will be a larger wind farm footprint, extending beyond the outer limits of the previous wind farm and therefore very likely to have a greater landscape and visual impact, possibly a greater impact on the cultural landscape, and potentially a greater contribution to cumulative impact. <p>These considerations need to be included in the SG so that the landscape and the people of the Scottish Borders receive the lawful protection to which they have a right.</p>	
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	<p>Natural Power Consultants on behalf of Fred Olsen Renewables Ltd</p> <p>Amec Foster Wheeler on behalf of EDF Energy Renewables</p>	<p>(p54) It is welcomed that the SG recognises the existing use of a site for a wind farm as a material consideration for determining a repowering proposal. We suggest however that it goes further to clarify that such existing use will form the baseline for an environmental impact assessment.</p> <p>Page 54, 2nd paragraph – “Existing turbines have been approved taking great care to consider how they will be fitted into the landscape, a procedure which invariably involves amended plans, reductions in heights and numbers and the finished approved heights are ultimately justified in any decision notice either by planning officials or Scottish Ministers.” This should be noted as ‘and example’ as it is also the case that some developments do not involve amended plans, some do not have Design Statements, some have involved increases in turbine heights along with repositioning of turbines and ultimately approved. An increase in turbine height and or repowering should not be regarded as negative.</p>	<p>The SG confirms the existing use of a site for a wind farm is a material consideration for determining a repowering proposal. It would follow that this would be picked up within the EIA, although quite clearly there are many other matters and issues to be identified within the EIA</p> <p>Comments noted. It is considered that the para the extraction is contained within is entirely correct and justified. However, the word “invariably” should be replaced by the word “regularly”.</p>	<p>Para 2 on page 61 of the SG confirms the existing use of the site would be incorporated within an EIA submission</p> <p>The word “invariably” has been replaced by the word “regularly” within 2nd para page 61 of the SG</p>
Lighting	<p>Scottish Government</p> <p>Banks Renewables</p>	<p>You may wish to note that Renewables UK has led an industry working group with CAA to explore the issue of lighting for turbines over 150m with respect to the aviation section of chapter 8.</p> <p>Based upon our experience of undertaking night-time visual assessments of visible aviation lighting we believe the image presented in the SG is misleading due to the intensity of the lights. We</p>	<p>Comments noted. The findings of the working group will be confirmed at the necessary high level and will consequently become a material consideration for relevant applications</p> <p>There are a number of photos available of turbine lighting and it is considered this is a typical example. There is no reason to remove the photo included</p>	<p>No change</p> <p>No change</p>

		request that this image is removed from the SG.		
Eskdalemuir	Banks Renewables	Banks Renewables are of the understanding that the Eskdalemuir noise budget was increased in 2014. We therefore request that the SG is amended to reflect this rather than stating "...it would appear the MoD have now increased..."	Following a longstanding consultation in respect of Eskdalemuir, the Scottish Govt's Onshore Wind Policy Statement Dec 2017 confirms the new MoD position regarding the safeguarding of Eskdalemuir. This includes a 10km non-development zone and a 50km consultation zone.	The SG and related map has been updated on page 46 to confirm the updated MoD position regarding the safeguarding of Eskdalemuir
Cross Boundary Issues	Fred Olsen	(p55) It would be welcomed if other bodies such as the Energy Consents Unit, Scottish Enterprise and wind energy industry/developer representation is facilitated on the cross-boundary liaison group or be given opportunities to liaise with said group.	The liaison group is made of local authority officials and reps from Scot Govt bodies such as Scottish Natural Heritage and Historic Environment Scotland. However, it is important that the Group cannot be accused of any bias or being led by parties with a vested interest in renewable energy. Consequently no members of the development industry, or indeed any anti wind farm bodies, should be part of the Group	No change
Ironside Farrar Landscape Capacity Study Update 2016	Hobkirk Community Council	This guidance is welcomed in principle as it should help reduce the massive waste of submissions which are unlikely to be acceptable. We also welcome the policy of avoiding particular areas becoming wind farm landscapes and the further definition of cumulative impact. This should assist developers in future. However, we note that some developers seem to have taken little notice of previous policy guidelines, including some of those currently in the planning system. There has been a very large upgrading of the potential capacity for wind farms in the area covered by the current proposals for Wauchope Forest and Newcastleton Forest and there does not seem to be any	Support noted. The Ironside Farrar (IF) Landscape Capacity study is considered a most useful study for a range of users as a starting point. If developers disregard it or submit proposals which are considerably at odds with its findings, then it is most likely it will be extremely difficult for planning officers to support the proposals submitted. The IF 2013 study identified opportunities for turbines over 100m+, which was the studies upper class limit, in the Wauchope Forest area. The 2016	No change

		<p>justification for this change. This has the potential to have an unacceptable impact on parts of Hobkirk and particularly Southdean</p>	<p>updated study uses different typology types and the upper class limit is 120m+. The 2016 study identifies opportunities for turbines 120m+ in height. Given the different typology types it is sometimes difficult to directly relate the findings to one another. It should be reaffirmed that as stated within the output maps the boundaries identifying typology types are indicative only. It is believed some parties have taken these boundaries as being definitive and have consequently drawn wrong conclusions when comparing the 2013 and 2016 studies</p>	
	Mountaineering Scotland	<p>The SG adds specific local value through its incorporation of the Ironside Farrar <i>Study on Landscape Capacity and Cumulative Impact, 2016</i>. This is a substantial and valuable study and its inclusion is welcomed.</p>	<p>Support noted</p>	No change
	Northumberland National Park	<p>NNPA considers that there could potentially be cross-border landscape implications in relation to views from the Cheviot Hills area of Northumberland National Park resulting from the cumulative impact should a large number of wind farm applications be permitted in the area identified by figure 6. Indeed the Wind Energy Landscape Capacity Study (2016) states that <i>“the Cheviot Hills upland landscape is contiguous with the upland landscape within Northumberland and the Northumberland National Park to the south and south east.”</i> The Study also identifies the Cheviot Uplands and Foothills Special Landscape Areas</p>	<p>The IF study is a strategic study and not site specific and therefore it is not the case nor purpose of the study to go into greater detail than is stated. More site specific issues would be addressed at the planning application stage as to the suitability or otherwise of a proposal. NNPA would be consulted on any relevant planning application</p>	No change

		<p>and a number of other designated landscapes to the immediate west of the National Park boundary (see figure 3.5). It would be beneficial for these potential implications to be explored further within the draft guidance document.</p> <p>Additionally, the potential development of the identified area for wind farms could also have significant implications for Scottish tourism as mentioned in section 4.2.3 which states that the Cheviot Hills have <i>“a higher visibility and sensitivity than the previous visibility mapping due to the location of the Pennine Way along the England/Scotland Border and the number of viewpoints along this route looking onto the landscape. This includes the Carter Bar Viewpoint on the A68 England/ Scotland border which allows for a wide panoramic view over the Scottish Borders and provides a first impression of Scotland to visitors.”</i> This would also apply to tourism on the other side of the border, the implications of which should be examined in further detail within the guidance document.</p> <p>It is noted and welcomed that the study identifies ‘<i>areas within the Cheviot Hills, Upland Fringe and River Valleys</i>’ as areas of limited underlying capacity (pg 68). However, it might also be worth making this point clearer in the guidance document and perhaps outlining in more detail that these areas would not necessarily be suitable for large scale wind farm development.</p>	<p>Whilst it is acknowledged that there are concerns regarding turbines impacts on tourism, there are a number of highly conflicting opinions on this and the Scottish Government advice is that it is considered there is no sufficient tangible evidence which can support this and therefore this should carry little weight within the decision making process. Developers can be asked to produce a statement on the impact of their turbine proposal on tourism</p> <p>The IF study is a strategic study and is a considerable size as it is. It cannot be justified that more text is required to explain further issues on any specific sites. More detailed matters would be considered following the submission of a site specific planning application</p>	<p>No change</p> <p>No change</p> <p>No change</p>
	Oxnam Water Community Council	Figures 4.3a-e in Appendix 3: Visibility Analysis of the 2016 study would appear to be identical for 8(i)	Oxnam, Pleasants and Swinside are not recognised settlements within the	No change

		<p>Oxnam LCA and 7 Falla Group LCA to Figures 4.3a-e in Appendix 3: Visibility Analysis of the 2013 study. With reference to the summary at the end of our response mentioned above we are therefore concerned that Oxnam, Pleasants and Swinside have again not been identified as receptors for the purpose of Ironside Farrar's visibility analysis. This obviously affects the assessment and guidance for 8. Rolling Farmland: (i) Oxnam LCA and 7. Cheviot Foothills: Falla Group LCA summarised in Table 6.1(iv) and Figures 6.1a-e of the 2016 study.</p> <p>Appendix 6: Assessment of Landscape Capacity for Landscape Character Types (of the 2016 study), 8. Rolling Farmland, Visual Sensitivity, Receptors includes the statement, "The Oxnam area has fewer receptors, sparsely distributed farmsteads and dwellings east of Jedburgh."</p> <p>Please could Ironside Farrar explain the basis upon which it arrived at that opinion when so many of the dwellings in 8(i) Oxnam LCA are in elevated positions (with long distance views), and the Borders Landscape Assessment (ASH Consulting Group for SNH, 1998) lists as a key characteristic of the same Rolling Farmland, Landscape Type 8: "Moderately densely settled, with frequent farmsteads and small villages"? We are also concerned that in the same table no reference is made to the effect on sensitivity of the long length of the Major Promoted Path, Dere Street, passing through the centre of this LCA which also contains a shorter section of St Cuthbert's Way in its northern area. This contrasts with the mention (three times in the table) of the Southern Upland Way, located near the north western edge of 8(iv) Weststruther Platform LCA, which Ironside Farrar</p>	<p>Local Development Plan and therefore are not identified as recognised receptors within the IF study. It is considered that in comparison to other more densely populated areas and settlements that "...the Oxnam area has fewer receptors, sparsely distributed farmsteads and dwellings east of Jedburgh". It is considered this is a fair statement. The IF study does not make reference to absolutely every potential constraint and obviously any planning applications for turbines in the vicinity of the Oxnam area would be dealt with on a case by case basis with full public consultations. Impacts on any possible affected public access routes and iconic viewpoints would be considered as part of the application process.</p>	
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	David Walmsley	<p>considers "will slightly increase sensitivity" (Figure 4.2 Tourism Infrastructure of the 2016 study refers).</p> <p>General comment: The assessment at Table 6.1 of the Ironside Farrar 2016 study for both 4. Southern Uplands with Scattered Forest: (iii) Cauldcleuch Head Group and 5. Southern Uplands Forest Covered: (ii) Wauchope/Newcastleton is also of concern. Wind turbines in these areas could have a significant adverse effect on the important and extensive views looking out from the Cheviot Hills Regional Character Area (including upland fringe areas) east of the A68.</p> <p>I believe that most of the policy proposals are sensible and should be acceptable elsewhere. I do however have serious concerns in respect of the inconsistencies and conflicting wording in the Ironside Farrar 2016 study which also appears to conflict with the previous 2013 version without apparent explanation.</p> <p>The area in question is that to the south and west of Chesters and Bonchester Bridge, the Border Ridge and south towards Newcastleton in Wauchope Forest as shown on map 6.3 . As examples, if one takes windfarm locations most changes are relatively small e.g.:</p> <p>Birneyknowe from a max height 25m to max height 15m Highlee Hill from a max height 50m to max height 80m Pines Burn from a max height 100m plus to max height 120m Wauchope West from max height 100m plus to max height 120m +</p>	<p>Comments regarding turbines relating to the areas identified are noted. These matters would be addressed at the planning application stage.</p> <p>Within the draft IF study 2016 it is clearly stated on each of the 5no Underlying Landscape Capacity Maps (figs 6.1a – e) that the shaded areas shown on these maps are an indicative level of capacity and these areas should not be interpreted as a hard boundary. In some instances it appears some consultation representations have missed this point and have taken the indicative boundaries as being definitive. This has consequently lead to a misinterpretation of figs 6.1a – e. As the IF study 2016 has 5no turbine typology categories as opposed to 3no within the 2013 study, the typology types overlap and in some instances it is difficult to directly to relate to one another. However, fundamentally it is not considered that the general</p>	<p>No change</p> <p>Fig 6.3 the Future Wind Energy Landscape Type in Table 6.1 has been amended to include Uplands with Wind Turbines along with ...Occasional and ...No Wind Turbines and the Development Capacity section should state that the LCA should not become predominantly a Landscape with Wind Turbines.</p>
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	Community	<p>These locations have stayed relatively close to their previous bandings. There are however two cases where a suggested jump of several bandings with little evidence in the accompanying text to justify such a radical change: Wauchope East from max height 50m to 120m + Newcastleton Forest from max height 50m to 120m. This suggests that the windfarms proposed for Wauchope Forest will in fact become part of a Landscape of Wind Turbines. This was previously identified in the 2013 study in the text as an area "that should not become a landscape of wind turbines" and born out in the accompanying diagram for the 2013 study in map 6.3 which showed a very small amount of the area in brown. The same text is repeated in the 2016 edition, "... should not become a landscape of wind turbines", so it is unclear why the map reflects something very different.</p> <p>This contradiction requires clarification: should it be the intention to sacrifice the Wauchope Forest as a landscape of turbines (it would be a complete disaster for this area of the Borders) then an explanation of why this is occurring should be forthcoming.</p>	<p>conclusions as to the suggested maximum heights of turbine heights is significantly at odds with one another. In terms of comments relating to Wauchope East / Newcastleton Forest figure 6.3 has been updated in 2016 to include two areas of Landscape with Wind Turbines in LCA 5(ii):</p> <ul style="list-style-type: none"> • The small western area reflects the presence of the consented Windy Edge windfarm. • The larger eastern area, straddling the B6357, reflects the capacity of this area, assessed in both the 2013 and 2016 reports, for windfarms with taller turbines • The remainder of LCA 5(ii) is consistent with the 2013 report, being shown as a Landscape with Occasional Wind Turbines and Landscape with no Wind Turbines near Carter Bar and the NNP. <p>The text in Table 6.1 is consistent with the 2013 study in that it is still the intention that LCA 5(ii) as a whole does not become a Landscape with Wind Turbines. However, Fig. 6.3 has been amended to more accurately reflect the current cumulative situation and proposed capacity by indicating the proportions of the area which have accommodated a windfarm, or could do so within the stated capacity.</p>	No change
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	<p>Windpower</p> <p>Jones Lang LaSalle on behalf of 2020 Renewables Ltd and EDF Energy Renewables Ltd</p>	<p>cognisance of turbines approvals since January 2013, adopting new turbine size typology ranges including an upper category of 120m+ to allow more detailed consideration of greater turbine heights which are becoming routine in the industry.</p> <p>Page 46 (Chapter 8) refers to “other development management considerations” and refers in some detail to the Landscape Capacity Study (2016 LCS). Key points of concern include the following:</p> <ul style="list-style-type: none"> • The reference on Page 46 to the consultants that have prepared the study, namely that they are “widely recognised as knowledgeable and experienced landscape consultants” is a subjective judgement which should be struck out from the SG Document. There is no need for this type of comment in the SG. • Under the sub heading ‘Repowering’, there is reference (Page 54) to Paragraph 170 of SPP which refers to areas for wind farms being suitable for use “in perpetuity”. There follows a comment which states that it is now “<i>vital that proper scrutiny is given to wind farm proposals</i>”. The premise is not accepted that in the past there has been inadequate scrutiny of wind farm development – it needs to be recognised that planning permissions and Electricity Act consents for wind energy developments have not been granted before the latest SPP was published only because they would be in existence on a temporary basis 	<p>2016 does not necessarily confirm opportunities for higher turbines, it reflects the fact higher turbines are being erected and the extra categories give more guidance as to the potential of proposed turbine heights</p> <p>The Council is entirely satisfied that Ironside Farrar are “widely recognised as knowledgeable and experienced landscape consultants”. This statement confirms the study has credibility as having carried out by them. This statement is absolutely fair and justified to be included and should not be removed. Presumably the respondents feel the omission would downplay the weight of the document as is presumably their desire.</p> <p>The respondents have misquoted the statement in the SG. The SG states that due to repowering principles and the possibility of larger turbines being erected on existing sites permanently it “... makes it even more vital that proper scrutiny is given to wind farm proposals ...” The SG does not suggest there was inadequate scrutiny previously.</p>	<p>No change</p> <p>No change</p>
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		<ul style="list-style-type: none"> • The text in relation to repowering, states that it is acknowledged that turbines “<i>are now manufactured to increasingly greater heights</i>”. Whilst that is correct, the SG should acknowledge the recognition by the Scottish Government in the recently published ‘Onshore Wind Policy Statement’ that an imperative for the onshore wind industry in Scotland is the need for a clear route to market and ensuring viability of development. This will necessitate amongst other matters, demand for increased tip height. Therefore it is not simply a matter of changing manufacturing ability – there is the Government policy drive to support the industry in a situation where development will now be subsidy free. This matter should be recognised in the supporting text of the SG. • The repowering text on Page 54 states that proposals cannot be considered a “fait accomplis” on the grounds that turbines already exist on a site and such proposals should be considered “de novo”. This stance is not considered acceptable. The approach set out SPP with regard to “existing wind farm sites” at Paragraph 174 should be followed, namely “the current use of the site as a wind farm will be a material consideration in any such proposals”. Therefore it is inappropriate to follow a de novo approach and existing wind farm use 	<p>The Scott Govt’s Onshore Wind Policy Statement Dec2017 has been referred to within the SG identifying key points. Text has been amended to confirm the need for higher turbines to increase efficiency and due to the loss of subsidy</p> <p>The Council disagrees with this suggestion. If a site has planning consent for, for example, turbines of 90 metres in height it should not be a fait accompli that via repowering of, say 150m in height, will be acceptable simply because there are already existing turbines on the site. It is acknowledged that the fact there are existing turbines on the site, the height of which have previously been approved, will carry some weight. The extended height of these turbines are</p>	<p>Text has been added to para 2 on page 61 to confirm that the need for higher turbines is to increase efficiency and due to the loss of subsidy</p> <p>No change</p>
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	<p>Banks Renewables</p>	<p>and consented (but not yet built developments) will be a material considerations – this has to be recognised.</p> <p>Banks Renewables object to the current wording of this paragraph (4th para page 46) in bold. It seeks to give the landscape capacity study the same weight as the spatial framework. This is approach is contrary to paragraph 163 of SPP as it is effectively adding additional constraints to the spatial framework.</p> <p>As set out in SPP landscape and visual impact is a development management consideration. The SG should therefore set out clearly that the Ironside Farrar Landscape Capacity Study should be used as a reference document and that sites will be assessed on a site by site basis using site specific assessments. The spatial framework is the primary document for guiding onshore wind development to appropriate locations.</p> <p>Banks Renewable object to the text in bold on page 47 3rd para, as it does not include an acceptability test on significant impacts.</p> <p>Please see our comments on the blue box on page 28 of the SG (highlighted in blue above for ease of reference) for further information.</p> <p>The test in the bold should read ‘any unacceptable significant adverse effects’</p> <p>Banks Renewables object to this paragraph and the figures that follow it as it is a miss interpretation</p>	<p>unquestionably a new material consideration with a new wide range of issues to be addressed and therefore the planning application for these increased heights of turbines should be considered “de novo”.</p> <p>The wording referred to relates to applicants taking cognisance of the IF Landscape study at an early stage as this would be in their best interests in order that any landscape issues can be noted and addressed. This is surely good working practice for any applicant and the Council is absolutely correct to state this. The text makes no reference nor comparison between weight given to the spatial strategy and the IF study. Whilst the respondents appear keen to belittle the role of the IF study it is a material consideration with a role to play and cannot be played down, the text makes it clear it is a strategic study and a useful starting point.</p> <p>It is agreed given the statement is made in bold that the full policy ED9 wording should be included which in this instance requires the addition of the word “<i>unacceptable</i>”. Any unacceptable significant adverse effects would be identified on a case by case basis</p>	<p>No change</p> <p>In para 5 on page 54 the word unacceptable should be added to the phrase “.... any <i>unacceptable</i> significant adverse impacts..”</p>
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		<p>of SPP. Banks Renewables wish to see this paragraph and the figures removed from the SG.</p> <p>The information provided on the landscape capacity output maps appears to be presented as strategic spatial information in the context of SPP spatial frameworks. This approach is incorrect. The outputs of the landscape capacity work should not be confused with the requirements of SPP paragraph 162 which is related to the spatial framework and SPP table 1 only. The outputs of the landscape capacity work, as referenced in SG, should not be considered in the spatial framework. By stating that figure 13 gives spatial reference to the potential strategic opportunities for turbines, SBC have effectively added additional constraints to the spatial framework, an approach which is contrary to SPP and therefore should be removed from the SG.</p> <p>Identifying whether there is scope in the landscape to accommodate development should be left to site specific assessments.</p>	<p>SPP recognises the role Landscape Capacity studies play in helping identify sites for wind farms. It is completely pointless for the Council to carry out such studies at considerable cost to the rate payers if the development industry refuse to acknowledge their worth – it must be noted the development industry make reference to the key role and importance of the Landscape Capacity study when it supports a proposal they've submitted. It is considered the text within the SG is completely justified and should not be altered. The IF study and the text referred to do not supersede nor reduce the status of the spatial framework, the SG does not state this. The IF study is correctly referred to as another spatial feature to be considered as part of the planning application process. Before Landscape Capacity studies were carried out developers spend a considerable amount of time and money preparing sites for consideration. Likewise planning officials spent much time considering each site with the absence of such studies. This was highly time consuming. Whilst it is acknowledged that many parties within the development industry are highly critical</p>	<p>No change</p>
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	<p>Borders Network of Conservation Groups / Minto Hills Conservation Group</p>	<p>Reference to the updated Landscape Capacity Study carried out by Ironside Farrar in 2016 is made on pages 46 & 47 prior to some of the relevant mapping on following pages. We believe that the sentence in bold type on page 47 would be clearer and less apparently loaded towards planning approval if it read: 'If turbines are proposed which exceed the turbine heights identified within the Ironside Farrar study 2016 the onus would be on the applicant to demonstrate how the impacts of the proposal on the key constraints and significant adverse effects [remove 'can'] <i>might</i> be mitigated in an effort to show [insert] <i>to what extent</i> a proposal [remove 'can'] <i>might</i> be supported.</p> <p>The later sentence beginning "The Council does not [?]" is missing a verb and is therefore unclear. For this reason we would appreciate sight of the amended sentence and the opportunity to comment on it.</p>	<p>of such studies at the Development Management stage when they do not support their proposals, the Council is clear the important and useful role of Landscape Capacity studies as also acknowledged at SPP level</p> <p>It is considered the text referred to on pages 46 and 47 is fair and should remain.</p> <p>There is a word missing in the sentence which should read "Although the Council does not have any significant statistics...". The word "have" has been added to the sentence.</p>	<p>No change</p> <p>The word <i>have</i> has been added to the sentence "Although the Council does not <i>have</i> any significant statistics..." in para 7 on page 54</p> <p>Text in IF study has been amended to confirm that LCA</p>
	<p>Borders Network of Conservation Groups / Minto</p>	<p>Welcomes the IF update and understands the thinking behind the changes in bandings of turbine heights. However, we agree with the concerns</p>	<p>The update of the IF study fundamentally sought to take on board any new wind turbine approvals and</p>	

	<p>Hills Conservation Group / Southdean CC</p>	<p>already expressed by Southdean Community Council on specific inconsistencies and conflicting commentary affecting that area of the Southern Borders. We anticipate that these inconsistencies are errors since they do not appear logical or rational and so complicate an otherwise lucid document. We believe that, if not addressed, this would create uncertainties in the planning process. We note in particular that part of the Southdean CC area has now been identified as a strategic area for wind farm development, but that the text and methodology used in reaching that conclusion are conflicting in nature, and also not consistent with the previous study from 2013.</p> <p>In most of the revised 2016 study there appears to be a consistency in the assessed capacities, as translated into the revised turbine height bandings. However there are parts of the latest study results where the application of changed turbine height bandings to the Landscape Character Units (LCUs) do not appear to follow on logically from the 2013 study results. The location in Southdean CC that has been identified as a strategic location, also has been identified in Figure 6.3 as a “Landscape with Wind Turbines”. This was not the case in the 2013 study.</p> <p>Compared with the 2013 study the following points have been noted:</p> <ul style="list-style-type: none"> · The location of existing wind farms and their revised capacity shows an inconsistency that is not explained in the text. · Some existing wind farm locations have been assessed differently, as shown below. · Whilst the landscape capacity study states that no specific site should be deemed to be specifically 	<p>consider any new matters they may raise e.g possibility of consequent cumulative impact issues. The study has identified 5no turbine typology types as opposed to 3no within the 2013 study and therefore types it is sometimes difficult to directly relate the findings to one another. It is clearly stated within the output maps refs 6.1a – e that the site boundaries shown are indicative only and must not be considered to be hard definitive boundaries. It is believed this point has been misrepresented by some respondents. The text in Table 6.1 is consistent with the 2013 study in that it is still the intention that LCA 5(ii) as a whole does not become a <i>Landscape with Wind Turbines</i>. However, Fig. 6.3 has been amended to more accurately reflect the current cumulative situation and proposed capacity by indicating the proportions of the area which have accommodated a windfarm, or could do so within the stated capacity. It is contended that the 2016 does not materially change the landscape capacity for the areas identified. The IF study is a strategic study and site specific issues would be addressed on a case by case basis.</p>	<p>5(ii) as a whole does not become a <i>Landscape with Wind Turbines</i>.</p>
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		<p>referenced, in practice all developers are supposed to assess the location of their site against the underlying capacity deemed for the area.</p> <p>We understand why the increase in the number of turbine height bandings inevitably led to some adjustments in perceived capacity. However, while the locations of six proposed wind farms have seen consistent changes in the suggested height that can be accommodated within the revised turbine banding, the other two definitely do not.</p> <p>Birneyknowe from max height 25m to max height 15m</p> <p>Cummings Hill from max height 25m to max height 50m</p> <p>Highlee Hill from max height 50m to max height 80m</p> <p>Pines Burn from max height 100m plus to max height 120m</p> <p>Wauchope West from max height 100m plus to max height 120m plus</p> <p>Windy Edge has also been approved subsequent to the previous study,</p> <p>We note that, as would be expected, the new bandings for all of the locations mentioned above overlap with the previous bandings and, with the exception of Cummings Hill, none of these wind farm locations have moved up a banding category. But there are two cases where the changes, in the absence of a landform change of geological enormity, imply a significant reassessment of the receiving landscape, with little evidence in the accompanying text to justify such radical change.</p> <p>Wauchope East from max height 50m to 120m plus</p> <p>Newcastleton Forest from max height 50m to 120m</p>		
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		<p>Both locations lie within the Scottish National Forest estate. This manoeuvre or mistake has promoted their assessed capacity through more than one banding, thus making them eligible for turbines of a significantly increased height, while also changing their relative rank when compared to others. It seems that undue preference has been given to the Wauchope Forest sites by such a manoeuvre/mistake.</p> <p>We note that the overall location of the Wauchope East and Wauchope West proposed sites have now been identified as part of a “Landscape with Wind Turbines” and that they are located in LCU Wauchope/Newcastleton. This was previously identified in the 2013 study in the text as somewhere "that should not become a landscape of wind turbines".</p> <p>This was reflected in the accompanying diagram 6.3 for the 2013 study which showed a very small amount of the LCU as a “Landscape with Wind Turbines”.</p> <p>The same text is repeated in the 2016 edition, "... should not become a landscape of wind turbines", so it is unclear why the new Figure 6.3 represents something different.</p> <p>Another confusion arises from a change between the 2013 and 2016 studies in the areas deemed to be least visually sensitive. On page 14 of the 2013 study there is a list of sites deemed to be least visually sensitive, and this includes "Area within the Cheviot hills east of the B6357 (not the area bordering the Northumberland national park)". In the 2016 version, where the list appears again on page 16, the only area which had been included in</p>	<p>The Wauchope/ Newcastleton LCA has been assessed as having a Low visual sensitivity, based on the visibility analysis. This assessment is consistent between the 2013 and 2016 studies (see Table 6.1 p.47 in both studies). This feeds into the overall assessment of capacity as shown in Figs 6.1a-e. The removal of the area from the bullet</p>	<p>No change</p>
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	<p>Southdean CC</p>	<p>the 2013 version and does not appear in 2016 is just that area of the Cheviot Hills. This change, which is presumably the result of a re-appraisal, when considered along with the commentary in the description of development capacity for Wauchope/Newcastleton LCU, does not suggest that this is a strategic area for wind turbine development and so runs contrary to the commentary elsewhere.</p> <p>Near the beginning of the 2016 version on page 13 when there was a list of sites deemed to be least visually sensitive, the only area omitted which had been included in the 2013 version was "Area within the Cheviot hills east of the B6357 (not the area bordering the Northumberland national park). The omission along with the commentary in the description of development capacity for Wauchope/Newcastleton LCU does not suggest that this is a strategic area for wind turbine development and runs contrary to the commentary elsewhere.</p> <p>Southdean CC has had the opportunity to assess the visual impact from the Borders Ridge to the South West of Carter Bar stretching to the Watershed at Peel Fell . Not only is the outlook very impressive, there is also imagery from existing wind farm applications which provide evidence of the impact of single and cumulative schemes in the area and which shows a highly significant effect. Viewpoint 19 from the Highlee Hill application along with Viewpoint 6 both show how large sized turbines totally change the receiving landscape, when viewed from the ridge and also looking toward the Cheviot.</p> <p>The Borders Ridge is noted in the SPG particularly</p>	<p>list is not a definitive statement as the list is referred to as 'The areas likely to be least visually sensitive include...'</p> <p>and the two largest areas are still in the list. The IF study has confirmed this is a relatively small area compared to the other two.</p> <p>The Wauchope/ Newcastleton LCA has been assessed as having a Low visual sensitivity, based on the visibility analysis. This assessment is consistent between the 2013 and 2016 studies (see Table 6.1 p.47 in both studies). This feeds into the overall assessment of capacity as shown in Figs 6.1a-e. The removal of the area from the bullet list is not a definitive statement as the list is referred to as '<i>The areas likely to be least visually sensitive include...</i>' and the two largest areas are still in the list. The extracts from the documents referred to are noted.</p>	<p>No change</p>
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		<p>with reference to the Pennine Way which traverses the ridge going east from Carter Bar and is on the edge of the Northumberland National Park However the Borders Ridge to the Southwest of Carter Bar also has significance, and has appeared in several books and magazines which focus on the outdoors and walking. The book “ The Marches” , by Rory Stewart follows one route which includes the ridgeline from south west to north east. There is an article by Cameron McNeish in the Scots magazine and the whole view is also featured in Ribbon of Wildness by Peter Wright From the Ribbon of Wildness Page 48 starts the Chapter “The Reiver March” As you climb Peel Fell from the English side by Kielderhead, there is a great sense of anticipation, for this is open moor is but the precursor to a remarkable journey of discovery that runs the length of Scotland. Nearing the summit of the Fell, the sweep of the horizon steadily widens to reveal the full circle. The cairn which has been the target of the ascent is now eclipsed by this expanded panorama, stretching out in every direction. The first inviting view of the Reiver March reaches ahead in many hues of green and brown, across rolling hills, moorland and forest. The curtain has been raised, and the stage is set for a unique experience, in which the sleeping giant, the Watershed of Scotland, will be roused. <i>This is an excellent vantage point for the first scene in this epic drama, and it is well worth spending some time taking it in and appreciating where it all begins. To the south, morning light catches the surface of Kielder Water, in marked contrast to the</i></p>		
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		<p>surrounding dark green forest. Beyond, the tight and familiar profile of the Lakeland Fells stands out, with Skiddaw and Blencathra marking the highest points, as seen from this direction. Turn clockwise, and the Solway Firth comes into view as its waters widen towards the Irish Sea. The Isle of Man forms a vague shape in the horizon's haze; the southern shore of Galloway drifts off into uncertainty to the south-west. The rippling rolling hills through which the Watershed meanders take up the western vistas, and somewhere in their folds lie the upper reaches of the River Tweed. To the north, the great wide basin which forms the mid and lower Tweed valley is punctuated by the Eildon Hills, standing sentinel above those fertile lands, which the Romans, the Abbots, and the great estates tilled. The final feature in the scene-setting panorama is dominated to the east by the Cheviot, with its tail of smaller hills running southwards.</p> <p>And from the Scots magazine (July 2016). Cameron's country..page 96</p> <p>Leaving Kirk Yetholm we headed for Carter Bar , the 1371 foot high border point between Scotland and England, the historic barrier between Celt and Saxon. From the warm comfort of the campervan we were blasted by the arctic chill of a northern wind as we squeezed into our boots and windproofs and searched for gloves and warm hats.</p> <p>We were better prepared for the wind by the time we broke free of the trees and tramped over the frozen turf of Carter Fell where the full splendour of the view burst upon us. To the south, the sinuous twists of Redeswire Dale dropping down to the Catscleuch Reservoir in its conifer covered cradle.</p>		
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		<p><i>Eastwards, straddling the border, lay the broad slopes of Redeswire, famous for its 16th century skirmish between border families. Beyond it, across the borderlands, lay the massive bulk of the Cheviot.</i></p> <p><i>Grand though these views were it was the view north that was most heartwarming. Yellowed moors led the eye to the Eildon hills. From the Lammermuirs to the Moorfoots to the Tweedale, Teviotdale and Ettrick hills,, everything was gleaming in the springtime sun.</i></p> <p>Two such highly respected writers with an appreciation for the great outdoors have commented eloquently about a panorama that is at risk from large scale wind turbine development and would be affected by the new designation of the "Area within the Cheviot hills east of the B6357" as a landscape of Wind Turbines.</p> <p>The value of the view from the Borders Ridge highlighted in prominent publications by recognised authors, in the opinion of Southdean CC, validates the precautionary comment provided in the text of the Ironside Farrar study that the Wauchope /Newcastleton LCU should not be a Landscape of Wind Turbines.</p> <p>Consequently Southdean CC recommends that a consistent approach be adopted to the Landscape capacity of the area referred to. As such it suggests that the area within Southdean CC designated as being able to absorb turbines of 120m + is reduced to 80m. A similar change should be made to the area on the ridgeline heading down to Newcastleton (from 120m to 80m).</p> <p>Whilst such a change would not prevent wind farm development there would be an onus on the</p>		
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	<p>Ian Kelly on behalf of Burncastle Farming Ltd, Mark Steele Consultants Ltd on behalf of Burncastle Farming Ltd</p>	<p>developer to show why larger turbines than those recommended could be absorbed in that landscape. This was the case in the 2013 Study and there has been no justification shown in the background documents why such a radical change in perceived ability of the landscape to absorb such large turbines has been proposed.</p> <p>The findings of the Update of Wind Energy Landscape Capacity and Cumulative Impact Study are contradictory, as the capacity of the Lammermuir Hills is found to be “low” in Table 6.1(ii) and is described as “close to capacity” in paragraph 6.3.3, whilst parts of the Lammermuir Hills are identified as being of the “highest” capacity in Figure 6.4. This aspect requires to be addressed urgently with a revised text published for consultation in advance of the Fallago Rig Extension and Time Extension applications coming to Inquiry in August 2017</p>	<p>Table 6.1 on page 29 confirms the limited remaining capacity in the Lammermuir plateau. Whilst it is considered this landscape has an underlying potential for a number of turbines, a number have already been built which limits further opportunities bearing also in mind cumulative impacts to be addressed</p>	<p>No change</p>
	<p>Ian Kelly on behalf of Burncastle Farming Ltd, Ian Kelly on behalf of Raeshaw Farms Ltd</p>	<p>Figures 8 to 13 are potentially very useful in terms of setting out the considerations of underlying landscape capacity. The issue of the resolution, in terms of identifying the underlying locational geography needs to be addressed. It is also submitted that there are inherent contradictions in the mapping and between this mapping and the spatial framework mapping. Perhaps this is reflective of the very short time that it has taken to produce this draft. In these circumstances it is not considered that it would be a sensible use of time (and, therefore, of clients’ fees) to embark on a detailed sub area by sub area, typology by typology</p>	<p>Support noted. The spatial framework and the IF study have separate purposes and therefore clearly have different outputs. Both should be referred to. The IF study is a strategic study and not site specific. The Council considers figures 8 to 13 to be accurate and has no reason to carry out and further work relating to them</p>	<p>No change</p>

	<p>Mark Steele Consultants Ltd on behalf of Burncastle Farming Ltd</p>	<p>commentary. Rather it is submitted that the Council should, itself, review these figures in the light of the clear pattern in development management decisions as well as taking account of inherent capacity. In the light of what is said elsewhere in this submission the priority should be to assess the capacity for the likely very large turbines that will be the feature of future proposals.</p> <p>With reference to the 'Update of Wind Energy Landscape Capacity and Cumulative Impact Study' the SG (page 47) confirms that it is '...a strategic level study providing a context for consideration of capacity for, and the cumulative effects of, existing and potential future wind farm developments. No site specific conclusions should be drawn from it in relation to currently proposed or potential future wind turbines and wind farms'. It is important that the last sentence is retained in the final version. The above point is reiterated in 'Update of Wind Energy Landscape Capacity and Cumulative Impact Study' paragraph 1.5 and it is also confirmed that 'All wind energy proposals should be considered on their own unique locational and design characteristics as well as their strategic context'.</p> <p>With reference to windfarm extensions, 'Update of Wind Energy Landscape Capacity and Cumulative Impact Study' paragraph 6.2.4 states that 'In some cases, it is more appropriate to extend an existing windfarm than to create a new focus of development with a new set of separation distances. The acceptability of such extensions</p>	<p>Comments noted</p> <p>If a wind farm exists on a site then cognisance of this must be acknowledged if an application for larger turbines on the site is submitted. The test must be whether the higher turbines are appropriate within the site in question. In terms of the baseline this</p>	<p>No change</p> <p>Reference has been made to SNH's Siting and Designing Windfarms within the IF study</p>
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		<p>depends upon the extent to which the original approved site has occupied the space available and whether additional turbines will push on to visually sensitive areas or sensitive landscapes. Extensions should fit harmoniously to form a single coherent composition with the previously existing windfarm’.</p> <p>However, for windfarms consented prior to SPP there is no assumption that the site is suitable for windfarm development in perpetuity. Therefore, if a new application were lodged on completion of the twenty five year approval period then it would be assessed on the baseline of no existing turbines. This would allow a proper review of the actual effects of consented schemes.</p> <p>Therefore, the assessment of proposed extensions should also determine whether the existing development fits ‘harmoniously’ with the landscape and visual baseline. Furthermore, a precautionary approach would require that the proposed extension be assessed as a ‘stand alone’ scheme, in the event that a renewal of the existing development is not consented.</p> <p>With reference to windfarm re-powering, ‘Update of Wind Energy Landscape Capacity and Cumulative Impact Study’ paragraph 6.2.5 states that ‘The existing windfarm forms part of the visual baseline for assessment’.</p> <p>However, this would not be the case where a re-powering application is lodged on completion of the twenty five year approval period.</p>	<p>is a point best considered in relation to proposed windfarm extensions post-dating the original windfarm by a significant proportion of the 25 year consent. This raises the possibility of the extension becoming a standalone scheme in its own right, but also the likelihood that, as technology advances, the proposed extension turbines may differ significantly from the original turbines in size and appearance.</p> <p>4.16-17 of SNH’s Siting and Designing Windfarms in the Landscape briefly alludes to these issues in the design and assessment of extensions. To the Council’s knowledge, there is no consistent accepted approach to assessment and design responding to this issue.</p> <p>It is not clear whether this view is applied to both pre- and post-SPP windfarms. However, as with extensions, it becomes an increasingly relevant consideration as the existing windfarm ages, and the consent period of the proposed windfarm extends significantly beyond the lifetime of the existing consent. SNH’s guidance on repowering is currently under preparation. However, in their guidance</p>	<p>No change</p>
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		<p>'Update of Wind Energy Landscape Capacity and Cumulative Impact Study' Figure 6.1 (ii) illustrates operational and consented turbine sizes within the 'Lammermuir and Moorfoot Regional Area'.</p> <p>With reference to the Dissected Plateau Moorland: (iii) Lammermuir Plateau', the 'Update of Wind Energy Landscape Capacity and Cumulative Impact Study' Table 6.1(ii) 'Summary of Landscape Capacity and Cumulative Effects and Guidance for Future Wind Energy Development – Lammermuir and Moorfoot Hills' confirms the following:</p> <ul style="list-style-type: none"> Existing Consented Developments (July 2016): 'Extensive large scale windfarm development within and adjacent to this area. There is an extensive cluster of windfarms (Crystal Rig/Aikengall) on the border of ELC and SBC in the east of the LCA with 127 turbines between 100 and 145m tall operating or consented. Fallago Rig windfarm has 48 turbines at 110/125m. Dun Law windfarm with 61 turbines of 67-75m and Pogbie and Keith Hill (11 turbines) are located immediately to the west and have some visual influence on the LCA'; and Current Wind Energy Landscape Type(s): Wind Turbine Landscape/ Uplands with 	<p>on repowering in section 6 of Visual Representation of Windfarms, it is recommended that the baseline panorama is shown with the existing windfarm removed but that a visualisation comparing the existing and proposed windfarm is also prepared.</p> <p>Comments noted</p>	<p>No change</p>
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		<p style="text-align: center;">Wind Turbines/Occasional Wind Turbines.</p> <p>Table 6.1(ii) 'Summary of Landscape Capacity and Cumulative Effects and Guidance for Future Wind Energy Development – Lammermuir and Moorfoot Hills' also states the following:</p> <ul style="list-style-type: none"> - Landscape Analysis: 'The Lammermuir Hills is an extensive area of undulating heather moorland plateau with deeply-riven valleys straddling Scottish Borders and East Lothian between the A68 and the coastal fringes of the North Sea. The northern and eastern escarpments form a backdrop with wide undulating skylines to the surrounding lowland and coastal areas. The vast majority of this LCA is covered by local landscape designation in Scottish Borders and East Lothian. The long distance Southern Upland Way runs along the south of this LCA in Scottish Borders. Extensive large scale wind energy developments are located within and adjacent to the LCA: the northern part of the LCA on the boundary with East Lothian is reaching capacity and becoming a Landscape with Wind Turbines with areas of Wind Turbine Landscape around Crystal Rig/Aikengall and Fallago Rig'; and - Development Capacity: 'The Lammermuir Plateau has been subject to extensive windfarm development and much of its underlying capacity is occupied. There is capacity for limited additional development of larger turbines provided this is associated with existing windfarms. Extensions should 	<p>Comments noted.</p>	<p>No change</p>
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		<p>maintain significant separation between the established wind energy clusters, taking advantage of areas with topographical containment and lower intervisibility to avoid increasing the overall prominence of existing windfarms beyond the LCA. There is capacity for smaller sized turbines in peripheral areas or valleys where sited alongside farmsteads and dwellings, and read as domestic/agricultural generation, well separated from the larger developments in the highest areas’.</p> <p>The reference to the ‘The northern and eastern escarpments form a backdrop with wide undulating skylines to the surrounding lowland and coastal areas’ is particularly relevant to visual effects from East Lothian (where the adverse effects of existing windfarms are apparent).</p> <p>The acknowledgement that ‘the northern part of the LCA on the boundary with East Lothian is reaching capacity’ is important and should be retained in the final version.</p> <p>The reference to ‘taking advantage of areas with topographical containment and lower intervisibility to avoid increasing the overall prominence of existing windfarms’ is also of particular importance. Table 6.1(ii) ‘Summary of Landscape Capacity and Cumulative Effects and Guidance for Future Wind Energy Development – Lammermuir and Moorfoot Hills’ concludes that the ‘Remaining Landscape Capacity’ is described as ‘Low’ for all turbine sizes.</p> <p>‘Update of Wind Energy Landscape Capacity and Cumulative Impact Study’ paragraph 6.3.3 concludes that ‘The Lammermuirs area is now</p>	<p>Table 6.1 on page 29 explicitly addresses the limited remaining capacity in LCA 1(ii) Lammermuir</p>	<p>No change</p>
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		<p>close to capacity as any further separate development between the three main windfarm clusters at Crystal Rig, Fallago Rig and Dun Law (each with separation gaps of ca. 7-8km) would be likely to create extensive areas of Wind Turbine Landscape in which the character of the plateaus would be dominated by wind turbines. A similar scenario exists in the Plateau Grasslands between the Gala and Leader Waters, where any significant development between Toddleburn and Long Park (separated by ca. 9km) may create a Wind Turbine Landscape unless carefully sited.</p> <p>There is also the potential for a Wind Turbine Landscape to extend east from the Lammermuirs across the Platform Farmland and Coastal Farmland due to consents for windfarms or small turbine clusters at Aikengall II, Quixwood, Hoprigsheils, Fernylea and Neuk Farm’.</p> <p>The acknowledgement that the Lammermuir area is ‘close to capacity’ is important and should be retained in the final version.</p> <p>However, the capacity of the landscape is not just affected by ‘separate’ developments. This conclusion does not address the attritional cumulative effects of incremental extensions to existing windfarms and clusters.</p> <p>‘Update of Wind Energy Landscape Capacity and Cumulative Impact Study’ paragraph 6.4.1 states that ‘Areas in Scottish Borders with the highest underlying capacity for wind energy development are potentially able to accommodate windfarms with larger turbine sizes’ and that ‘Areas of Dissected Plateau Moorland within the Lammermuir Hills where there is a large scale</p>	<p>Plateau, stating: ‘There is capacity for limited additional development of larger turbines provided this is associated with existing windfarms. Extensions should maintain significant separation between the established wind energy clusters, taking advantage of areas with topographical containment and lower intervisibility to avoid increasing the overall prominence of existing windfarms beyond the LCA’</p> <p>Comments noted</p>	<p>No change</p>
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		<p>undulating landform, a simple landscape pattern and topographic screening and lower visibility within and beyond the LCA. This area is designated as an SLA and is limited to the south by the Southern Upland Way long distance route'. It should be noted that the original assessment for the Special Landscape Area excluded the Crystal Rig/Aikengall windfarm cluster, as it was found to be incompatible with a SLA designation.</p> <p>Table 6.2: 'Description and Guidance for Areas of Significant Cumulative Development' of the 'Update of Wind Energy Landscape Capacity and Cumulative Impact Study' identifies the following 'Key Objectives' for the 'Coastal Zone, Lammermuir Hills and Lauder Common':</p> <ul style="list-style-type: none"> <input type="checkbox"/> Retaining sufficient spacing between individual windfarms and turbines so as not to exceed a Landscape with Wind Turbines typology outside the main Wind Turbine Landscape clusters of Crystal Rig/ Aikengall, Fallago Rig and Dun Law/Toddleburn; <input type="checkbox"/> To prevent visual coalescence with cumulative areas 2 and 3; <input type="checkbox"/> To prevent a proliferation of turbines visible from the A1 and East Coast Mainline Railway corridor; To prevent the overdevelopment of the Upland landscape, Plateau Grassland (Lauder Common) LCA and to avoid this landscape from developing into a Wind Turbine Landscape; <input type="checkbox"/> To prevent the close proximity of larger turbines to settlements and individual dwellings in the surrounding Upland Fringe, Coastal Zone and River Valley areas; <input type="checkbox"/> To support an organised pattern of development 	<p>The statement in the last sentence is an extract from the guidance section for LCA 1(ii). As such it is applicable to Area of Significant Cumulative Development 1 (Coastal Zone, Lammermuir Hills and Lauder Common). However, we consider this statement is best suited to Table 6.1 as it is written more as specific guidance than as a key objective. Indeed, following this guidance would help to achieve most of the objectives stated in Table 6.2 for Area 1.</p>	<p>No change</p>
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		<p>within the Upland areas, promoting development in concentrated clusters whilst maintaining sufficient spacing between neighbouring clusters of developments;</p> <p><input type="checkbox"/> To minimise visibility to sensitive receptors in surrounding areas; including to the north the more visually prominent areas of the northern escarpment of the Lammermuirs’</p> <p>In accordance with ‘Update of Wind Energy Landscape Capacity and Cumulative Impact Study’ Table 6.1 (ii) ‘taking advantage of areas with topographical containment and lower intervisibility to avoid increasing the overall prominence of existing windfarms’ should be included as an objective.</p> <p>With reference to ‘Areas with Limited Remaining Capacity’ the ‘Update of Wind Energy Landscape Capacity and Cumulative Impact Study’ paragraph 6.5.2 concludes that within ‘The Lammermuir Hills could accommodate additional larger turbines but only as extensions to existing windfarms’.</p> <p>However, any extensions should seek to take ‘advantage of areas with topographical containment and lower intervisibility to avoid increasing the overall prominence of existing windfarms’.</p> <p>‘Update of Wind Energy Landscape Capacity and Cumulative Impact Study’ paragraph 6.6 states that SPP para 170 states that ‘Areas identified for wind farms should be suitable for use in perpetuity’ and refers in paras 161 and 174 to repowering of existing sites and extensions to existing windfarms. Implicit in this is the need to ensure at the outset</p>	<p>Comments noted</p> <p>Comments noted</p>	<p>No change</p> <p>No change</p>
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		<p>that sites are suitable for development and that windfarms are sited and designed to minimise impacts and to protect amenity’.</p> <p>It is also implicit that existing windfarm sites should be ‘suitable for development and that windfarms are sited and designed to minimise impacts and to protect amenity’.</p> <p>‘Update of Wind Energy Landscape Capacity and Cumulative Impact Study’ Figure 6.1c suggests that there is a low to medium underlying landscape capacity for 80 to 120m high turbines within the northern part of the Lammermuirs Dissected Plateau Moorland Landscape Character Type. However, the area indicated is inconsistent with previous statements regarding the capacity for further development.</p>	<p>There is some confusion regarding this statement:</p> <ul style="list-style-type: none"> • Fig 6.1c shows capacity for 50- <80m turbines. • It is not clear which ‘previous statements’ are referred to. <p>It is assumed that the reference is to Fig 6.1d and the previous statements refer to limited remaining capacity as discussed in Table 6.1 and Section 6.3.3. If this is the case, it is pointed out that Figure 6.1d is consistent with Table 6.1 and section 6.3.3 in that it indicates underlying landscape capacity as shown to the left of Table 6.1 and discussed in para 2 of section 6.3.3, not remaining landscape capacity as shown on the right of Table 6.1 and discussed section 6.3.3 page 64.</p>	<p>No change</p>
		<p>‘Update of Wind Energy Landscape Capacity and Cumulative Impact Study’ Figure 6.4 is contradictory as an ‘Area of Highest Capacity’ within the Lammermuir Hills (Area 1) coincides with an ‘Area where Cumulative Impacts Limit Development’ and an ‘Area of Significant Cumulative Development’.</p>	<p>Table 6.1 on page 29 explicitly addresses the limited remaining capacity in LCA 1(ii) Lammermuir Plateau, stating:</p> <p>‘There is capacity for limited additional development of larger turbines provided this is associated with existing</p>	<p>No change</p>

	<p>Natural Power Consultants on behalf of Fred Olsen Renewables Ltd</p>	<p>This contradicts 'Update of Wind Energy Landscape Capacity and Cumulative Impact Study' paragraph 6.3.3 which concludes that 'The Lammermuirs area is now close to capacity...' Therefore, 'Area of Highest Capacity: Area 1' should be deleted from Figure 6.4.</p> <p>(p46-47) Whilst recognising that LCAs should where relevant be considered in evaluations, the assessment of LVIA should be undertaken on a case by case basis and have regard to wider considerations and guidance such as GLVIA. Request the deletion of the bold text on p47 which raises additional tests not outlined elsewhere and the last sentence of bold text on p46. Suggest also changing 'must' to 'should' in the first sentence of bold on page 46. Delete first sentence of last paragraph on p46 'The initial study....'.</p>	<p>windfarms. Extensions should maintain significant separation between the established wind energy clusters, taking advantage of areas with topographical containment and lower intervisibility to avoid increasing the overall prominence of existing windfarms beyond the LCA'</p> <p>The Council is adamant that any developer should refer to the IF study at an early stage. This would be beneficial to all parties involved in the application process. The proposed text referred to in the SG is correct. Ironside Farrar have carried out a no of similar landscape studies and are widely acknowledged as knowledgeable and experienced landscape consultants. This is a fact which gives credibility to the study. A fundamental part of the IF study which is a strategic and not site specific study is that if proposals exceed the turbine heights identified in the IF study the onus is on the applicants to demonstrate how the proposal can be supported. This is a fair comment and should be included in the SG.</p>	<p>No change</p>
	<p>Minto Hills Conservation Group / Borders Network of Conservation Groups</p>	<p>MHCG agrees that the Borders Landscape Assessment (1998) and the updated Ironside Farrar Study (2016)(once revised in response to our valid concern outlined on pages 13 & 14 of this response) should inform the assessment of future wind energy proposals and</p>	<p>Support noted</p>	<p>No change</p>

	<p>Amec Foster Wheeler on behalf of EDF Energy Renewables</p>	<p>as such become material planning considerations as soon as this SG document is adopted by SBC.</p> <p>Reference to the updated Landscape Capacity Study carried out by Ironside Farrar in 2016 is made on pages 46 & 47 prior to some of the relevant mapping on following pages. We believe that the sentence in bold type on page 47 would be clearer and less apparently loaded towards planning approval if it read: 'If turbines are proposed which exceed the turbine heights identified within the Ironside Farrar study 2016 the onus would be on the applicant to demonstrate how the impacts of the proposal on the key constraints and significant adverse effects [remove 'can'] might be mitigated in an effort to show [insert] to what extent a proposal [remove 'can'] might be supported.</p> <p>The later sentence beginning "The Council does not [?]" is missing a verb and is therefore unclear. For this reason we would appreciate sight of the amended sentence and the opportunity to comment on it.</p> <p>Page 46 – It is important that the final SG clearly acknowledges the role of the updated LCS in the planning process. Further planning observations on this point are provided by JLL in their covering letter. The updated LCS is an overall strategic guidance document and should be considered a starting point beyond which individual applications need to be considered on a case by case basis, judged on their respective merits.</p> <p>The role of the updated LCS should be to identify</p>	<p>It is considered the text referred to on pages 46 and 47 is fair and should remain. The word <i>have</i> has been added to the sentence "Although the Council does not have any definitive statistics..."</p> <p>It is acknowledged within the SG the IF study is a strategic guidance document and a useful starting point for any interested party to take cognisance of. However, its role must not be downplayed.</p> <p>Comments noted. The role of</p>	<p>The word <i>have</i> has been added to the sentence "Although the Council does not <i>have</i> any definitive statistics..." in para 7 on page 54</p> <p>No change</p> <p>No change</p>
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		<p>sensitivity at a strategic level rather than trying to determine capacity or remaining capacity – whatever that may be. Whilst landscape and visual impact assessments (LVIA) undertaken for each wind farm application should take appropriate account of the updated LCS, as a starting point and a material consideration, it should also be recognised that LVIA are very important to the decision making process as they provide specific assessment of the proposed development in accordance with the advice of SNH and GLVIA 3 (pages 77-79). It should be made clear that the LCS cannot anticipate all design responses that may come forward on any given site and its utility needs to be viewed in that context.</p> <p>The Updated LCS does not allow for the detailed design, siting or mitigation of wind farm development which in practice is often used to ensure that a scheme can be considered as acceptable in planning terms. The possibility of design solutions and site specific circumstances should not be ruled out by statements of ‘no capacity’ or ‘limited capacity’, particularly where this is predicated to avoid significant effects on landscape character.</p> <p>It is also noted that the Updated LCS does not consider predetermined numbers of turbines, but is rather focused on turbine height. Thus there is difference, not accounted for in the Updated LCS, between a larger numbers of smaller turbines in comparison with a smaller number of large turbines. SNH guidance (University of Newcastle</p>	<p>Landscape Capacity studies are recognised by the Scottish Govt and they are material considerations. The studies are entitled “Capacity “ studies and therefore must consider “capacity”. It is acknowledged that at the planning application more detailed site specific matters such as LVIAs would be considered. It is considered text within the SG clearly confirms the role the IF Landscape Capacity study has.</p> <p>Para 4 on page 54 of the SG confirms the IF study is a strategic study and no site specific conclusions can be drawn from it. Detailed site specific design matters and mitigation proposals are considered at the planning application stage. In essence such submissions seek to challenge any suggestions in the IF study that a particular landscape has “no capacity” or “limited capacity” for turbines.</p> <p>The IF study covers all matters relevant to its role as a strategic study. This leaves the planning application stage to consider more specific details including turbine nos and heights via the submission of detailed LVIAs etc</p>	<p>No change</p> <p>No change</p>
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		<p>and Scottish Natural Heritage, Visual Assessment of Wind Farms: Best Practice 2002) refers to perceptual studies that point to a public preference for a ‘smaller number of large turbines’ whereas the Updated LCS applies increased sensitivity to larger or taller turbines. This is a further example of why the Updated LCS should focus on identifying sensitivity at a strategic level and otherwise avoid comments on absolute capacity. Indeed, in the absence of a defined capacity target for the area covered, the LCS could never be more than a study of the relative sensitivities of landscape character types at a strategic level.</p> <p>Page 46, last paragraph – “Ironsides Farrar (IF) who are widely recognised as knowledgeable and experienced landscape consultants.” This statement should be removed as it is subjective and promotes a private practice in a public document. Individuals undertaking LVIA should be chartered members of the Landscape Institute or similar with an appropriate level of experience. It is not acceptable that one firm of private consultants should be promoted above others in this manner.</p> <p>Page 47, 2nd paragraph – This section of the Draft SG should be highlighted in bold: “The updated study is a strategic level study providing a context for consideration of capacity for, and the cumulative effects of, existing and potential future wind farm developments. No site specific conclusions should be drawn from it in relation to currently proposed or</p>	<p>IF were appointed as they were adjudged to be the best competitor via the procurement process. The Council is entirely satisfied that Ironsides Farrar are “widely recognised as knowledgeable and experienced landscape consultants”. This statement confirms the study has credibility as having carried out by them. This statement is absolutely fair and justified to be included and should not be removed as suggested by the respondents.</p> <p>There is no justifiable reason as to why this sentence should be highlighted above others within the SG other to undermine its role which is presumably the respondents wish. It is a simple straightforward straightforward sentence within the SG.</p>	<p>No change</p> <p>No change</p>
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		<p>potential future wind turbines and wind farms.”</p> <p>Page 47, 3rd paragraph – The Draft SG notes: “<i>If turbines are proposed which exceed the turbine heights identified within the Ironside Farrar study 2016 the onus would be on the applicant to demonstrate how the impacts of the proposal on the key constraints and any significant adverse effects can be mitigated in an effort to show a proposal can be supported.</i>” This is an unreasonable request as the Updated study is strategic and further significant adverse effects are an evitable consequence of wind farm development. Rather the obligation should be for the applicant to provide LVIA and design which, minimises the landscape and visual effects, achieving a scale and nature of effect that can be accommodated within the landscape setting. It should be accepted that at a strategic level the Updated LCS may signal concerns, but these may be resolved through detailed siting and design and thorough assessment. Conversely, a poorly designed / located scheme that has not been adequately assessed, may prove unacceptable even though it may be considered positively in the Updated LCS.</p> <p>Page 47, 4th paragraph – Text should be amended to read “identified in figures 8 to 12”.</p> <p>Page 47, 5th paragraph – There are missing words in this paragraph. Brief explanation should be provided regarding the difference between Figures 8-12 which demonstrate ‘Underlying Landscape</p>	<p>The sentence referred to is very useful and informative. The IF study is a starting point and lays down a marker as a suggested maximum height for turbines in a particular area. This is done via a detailed and fair methodology. If developers feel higher turbines can be erected then they would need to quantify this by means of detailed site specific evidence. If this evidence satisfactorily confirms higher turbines can be erected, the Council can support the proposal.</p> <p>Fig 13 is a summary map of tables 8 to 12 and is correctly included within the text ref as “identified in figures 8 to 13”.</p> <p>The word <i>have</i> has been added to the sentence “Although the Council does not <i>have</i> any definitive statistics...” Figure 13 is a summary figure of the</p>	<p>No change</p> <p>No change</p> <p>The word <i>have</i> has been added to the sentence “Although the Council does</p>
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		<p>Capacity' in three bands in addition to areas of no capacity (which should be termed 'sensitivity') and Figure 13 which although titled 'Wind Turbine Development Opportunities and Capacity' also shows a different pattern of 'capacity' in three bands (which should be termed sensitivity).</p> <p>The current LCS, executive summary, conclusions notes: <i>"The assessment of landscape capacity and cumulative effects of current consented development indicates that there is remaining capacity for further turbine developments within areas of the Coastal Zone, Lammermuir and Moorfoot Hills, Central Southern Uplands and small areas of the Cheviot Hills. Nevertheless there are also areas in the Lammermuirs, Coastal Zone and western Southern Uplands where current cumulative impact limits further development."</i></p> <p>The equivalent summary of the Updated LCS notes: "The assessment indicates that there is most remaining capacity for further wind energy developments within areas of the Moorfoot Hills, and forested southern areas of the Central Southern Uplands and western Cheviot Hills. Conversely, there are also areas in the Lammermuirs, Coastal Zone and western Southern Uplands where current cumulative development is close to, or exceeds capacity and impacts limit further development"</p> <p>In comparing Table 6.1(ii). Summary of Landscape Capacity and Cumulative Effects and Guidance for</p>	<p>previous figures 8 -12. It is considered the figures are correct and self - explanatory</p> <p>Whilst the 2no executive summaries do not have identical text the general themes are the same. The 2no IF studies relate to different typology categories, the 2013 referring to 3no categories, the 2016 one relating to 5no categories. Consequently, it is difficult to directly relate the findings of the studies to one another as they are making statements in relation to different typology categories. It is contended that the general outputs and conclusions remain consistent</p>	<p>not <i>have</i> any definitive statistics..." in para 7 on page 54</p> <p>No change</p>
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		<p>Future Wind Energy Development – Lammermuir and Moorfoot Hills, in the Updated LCS with the current LCS the following observations are made:</p> <p>Landscape Sensitivity: No Change There is no change to the landscape character sensitivity, landscape sensitivity or landscape value ratings. However the visual sensitivity has reduced from Medium / High in the current LCS to Medium in the Updated LCS. It is believed that this is due to the correction of a typing error in the current LCS as in checking back to Appendix 6: Assessment of Landscape Capacity for Landscape Character Types it is noted that there has been no update or change to this part of the assessment of the Dissected Plateau Moorlands in comparison to the current LCS.</p> <p>Underlying Landscape Capacity: Low to Medium The current LCS records Low capacity for all turbine heights, including those above 100m to tip. The Updated LCS however, indicates an increased ‘Medium’ underlying capacity for turbine heights of 50-120m to tip, which does not take account of the current turbines. This is also reflected in Figures 6.1a-e. This approach assessing the ‘underlying’ capacity is a departure from the current LCS and appears as a ‘backward step’ as the Updated LCS is attempting to ‘re-set’ the clock here, rather than sticking to the brief and assessing the remaining capacity considering wind farms consented since the date of the current LCS.</p>	<p>The rating for visual sensitivity should be Medium/ High in the 2016 report, corresponding with the table on Appendix 6 page A25 which highlights the Lammermuir Plateau.</p> <p>The 2016 assessment assesses both underlying and remaining capacity for each landscape character area. The assessment of remaining capacity takes into account all operational and consented windfarms. The process is explained in the report in chapter 2 and section 6.1 and demonstrated in Table 6.1. In respect of the Lammermuir Plateau LCA, Table 6.1 shows the underlying capacity for turbines at 50-<80m and 80<120m to be Medium but the remaining capacity, taking into account consented wind energy development, to</p>	<p>Text relating to the Lammermuir plateau LCA (ii) in the IF study 2016 has been amended to give the rating for visual sensitivity to be Medium/ High</p> <p>No change</p>
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		<p>New Wind Farm Consents since the date of the current LCS: None All of the current wind farm applications are noted rather than any which have emerged since the date of the current LCS. It is notable that in comparing Figure 5.1 of the current LCS with the Updated LCS there has been no increase in the number of consented turbines within the Lammermuir Plateau. There has been an increase in turbines in the northeast within East Lothian (Crystal Rig / Aikengall) and a refused application (Brunta / Blyth Farm) in the south of this area. Figure 5.1 of the Updated LCS notes new applications at Fallago Rig 2 and Aikengall IIA, but according to the methodology these are not included in the updated LCS.</p> <p>Current Wind Energy Landscape Type and Capacity There is a change here from the current LCS which notes “<i>Northern area Uplands with Wind Turbines, southern area Uplands with Occasional Wind</i></p>	<p>be Low. This corresponds with the 2013 report which shows capacity taking all of the above into account. The purpose of the staged process in the 2016 LCS is to show the assessment and reasoning in a transparent manner, taking account of the character of the underlying landscape and the changes resulting from consented development. We consider this to be an improvement on the 2013 report</p> <p>We confirm that the changes to consented wind energy schemes in this area are as described by EDF, but also include Pogbie and Keith Hill schemes to the northwest, close to the eastern end of the Dun Law group of windfarms (see para 5.2.1 of the report) We confirm that applications are not included in the cumulative baseline for the assessment.</p> <p>Noted. The areas of Wind Turbine Landscape identified around Crystal Rig/Aikengall, Fallago Rig and Dun Law</p>	<p>No change</p> <p>Comments noted</p>
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		<p><i>Turbines</i>” in comparison with the updated LCS which records “<i>Wind Turbine Landscape/ Uplands with Wind Turbines /Occasional Wind Turbines</i>”. The identification of a ‘wind farm landscape’ applies to the ‘northern area’ around Crystal Rig / Aikengall as predicted in the current LCS, which notes that there is still capacity around the existing Fallago Rig Wind Farm as follows: “... however there is still capacity for limited development within small areas around Fallago Rig taking advantage of areas with lower intervisibility and topographical containment for further windfarm developments of large or very large sized turbines. To limit cumulative impacts any development should visually be read as part of an existing cluster development.”</p> <p>Updated LCS - Remaining Landscape Capacity: Low <i>The Updated LCS notes Low remaining capacity for all turbine heights as per the current LCS. However the Updated LCS considers that there is capacity for approximately 64 turbines in a range of heights. In particular capacity is noted for approximately 25 turbines at 80-120 tip height and / or 25 turbines at 120m+ to tip height within this area, with a minimum group separation of 5-10km. This is not an indication of Low capacity and conflicts with Figure 6.4 which indicates this area is amongst the ‘Highest capacity’, although limited by cumulative development.</i></p>	<p>are considered to better reflect the landscape in these very extensively developed areas, compared with the overall Landscape with Wind Turbines shown in the 2013 LCS. They do not otherwise reflect any development changes between 2013 and 2016, consented or proposed.</p> <p>The numbers of turbines in a group and the separation distances between groups are indicative guidance for the scale and density of development that could be implemented across the LCA without exceeding the capacity of the landscape. The group size of 25 is indicative of the scale of suitable schemes. The indicated capacity is based on the underlying landscape capacity and the proposed maximum level of development expressed as a wind turbine landscape type. It does not reflect the remaining capacity but</p>	<p>No change</p>
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		<p>Updated LCS: Analysis <i>The updated LCS notes “the northern part of the LCA on the boundary with East Lothian is reaching capacity and becoming a Landscape with Wind Turbines with areas of Wind Turbine Landscape around Crystal Rig/Aikengall and Fallago Rig.” This is a departure from the guidance provided in the current LCS, which as noted above considers that there is still capacity in and around Fallago Rig and does not identify the area of Fallago Rig as a ‘wind farm landscape’.</i></p>	<p>indicates an overall maximum limit to scale and density of development, subject to other specific written elements of the guidance. In the case of the Lammermuir Plateau, the underlying capacity is Medium and the proposed landscape type of Wind Turbine Landscape/ Uplands with Wind Turbines/ Occasional Wind Turbines is stated in Table 6.1 and shown in Figure 6.3. This landscape type is already reflected in large operational and consented schemes separated at distances of 5-10km. Therefore, there is Low remaining capacity. The resulting guidance is that there may be capacity for carefully sited extensions to existing schemes, rather than for separate schemes located between the existing schemes.</p> <p>This is not a ‘departure’ from 2013 and the written guidance in the 2016 LCS continues to indicate that there is potential for extensions to existing windfarms, stating in the guidance: ‘There is capacity for limited additional development of larger turbines provided this is associated with existing windfarms. Extensions should maintain significant separation between the established wind energy clusters, taking advantage of areas with topographical containment and lower intervisibility to</p>	<p>No change</p>
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		<p>Updated LCS: Development Capacity The Updated LCS considers that “<i>much of its underlying capacity is occupied</i>”. However, in addition to the stated ‘Low’ capacity and the guidance of numbers of turbines that could be accommodated the Updated LCS notes “<i>There is capacity for limited additional development of larger turbines provided this is associated with existing windfarms. Extensions should maintain significant separation between the established wind energy clusters, taking advantage of areas with topographical containment and lower intervisibility to avoid increasing the overall prominence of existing windfarms beyond the LCA.</i>” This advice is similar to the current LCS, although it does not mention Fallago Rig specifically. The proposed Fallago Rig 2 is noted as an application on Figure 5.1.</p> <p>Pages 67-68 of the Updated LCS confirms the Dissected Plateau Moorland as an area of greatest underlying capacity. “<i>The LCTs with the greatest underlying capacity for development are the upland areas in the northern, western and southern edges of Scottish Borders; principally the Dissected Plateau Moorland, Plateau Grassland, Southern Uplands with Scattered Forest and Southern Uplands Forest Covered.</i>” On page 72 the Updated LCS also confirms that due to existing cumulative development “<i>The Lammermuir Hills could accommodate additional larger turbines but only as extensions to existing windfarms.</i>”</p>	<p>avoid increasing the overall prominence of existing windfarms beyond the LCA.’</p> <p>Fallago Rig/ Fallago Rig 2 is not specifically cited as this is strategic guidance - see bold font at end of section 1.5 of the LCS: ‘It is emphasised that this is a strategic level landscape and visual study, providing a context for considering the capacity for, and the cumulative effects of, existing and potential future wind turbine developments in Scottish Borders. No site specific conclusions should be drawn from it in relation to current, proposed or future wind energy schemes’</p> <p>Noted. This is explained throughout the LCS.</p>	<p>No change</p> <p>No change</p>
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		<p>However, the document also notes that <i>“There may be limited scope for extension of larger operational windfarms in Upland LCTs as an alternative to locating new smaller windfarms in lowland or upland fringe areas.”</i></p> <p>To conclude, there is little change between the current LCS and the Updated LCS in terms of the Dissected Plateau Moorland: Lammermuir Plateau. Whilst there has been no change to the level of existing and consented wind farm development within this area (excepting the increase in East Lothian in the northeast) the guidance has been adjusted. Although ‘wind farm landscapes’ are noted at each of the large wind farm sites, capacity for further development remains. The scale of that considered and noted in the Updated LCS (e.g. 25 turbines at 120m+ to tip height) is not indicative of Low landscape capacity.</p> <p>It is noted that the Updated LCS advises that in assessing proposals for repowering, the <i>“existing windfarm forms part of the visual baseline for assessment”</i>. Further assessment requirements are noted on page 73 of the Updated LCS as follows: <i>“The design of extensions and repowering schemes should take into account the scale and context of existing wind energy development in the surrounding area that will be added to, replaced and/or operational during the lifetime of the proposed extension / repowering scheme.”</i> It would be unreasonable to expect any future assessment of repowering to account for existing development that might be extended, replaced or</p>	<p>Noted with respect to little change between 2013 and 2016 LCS In respect of Low landscape capacity, this is Low remaining capacity, taking the Medium underlying capacity and the level of existing cumulative development into account</p> <p>It is not suggested that any repowering considerations should be estimated but should instead take account of any live or approved planning applications</p>	<p>No change</p> <p>No change</p>
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		<p>still operational during the lifetime of the proposed extension / repowering scheme, without reference to a valid planning application. It would be unreasonable to expect assessments of repowering schemes to 'guess' in this respect.</p> <p><i>"In the case of extensions, the location and design of extensions relative to the original scheme is critical. This should take account of turbine size and layout, remaining capacity for extension without unduly extending effects, and the remaining lifespan of the original scheme."</i></p> <p>Given that wind farm development is likely to be extend in perpetuity, it is unreasonable to seek to limit the remaining lifespan of the original scheme, if the technology allows longer operation. Applications to alter the operational period should be considered on a case by case basis and not artificially limited.</p> <p><i>"Particularly in the case of repowering, opportunities for mitigating adverse effects of earlier, less well designed, schemes should be grasped. This may include more harmonious turbine arrangements or reducing the developed area as more energy can now be delivered by fewer, larger turbines."</i> Whilst opportunities for mitigating adverse effects of earlier, less well designed, schemes may be achievable in some cases, it should not be a strict requirement or retrospectively affect the remaining operational life of any existing and consented development. Further, the report does not allow for the possibility that detailed design, siting or mitigation of wind farm development and more detailed LVIA might</p>	<p>It is not a fait accompli that wind farm development is likely to be extended in perpetuity. This would be considered on a case by case basis and it is considered the text within the SG is correct</p> <p>Comments noted. It is the case that a satisfactory application for repowering can allow higher turbines to be built on an existing operational site. This is considered to have been made clear within the SG</p>	<p>No change</p> <p>No change</p>
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		<p>allow a higher tip height scheme to be deemed acceptable. This caveat in relation to site specific possible design responses is important and needs to be made explicit throughout the document.</p> <p>The definition for landscape capacity, used in the report dates from the Scottish Natural Heritage & Countryside Agency, Landscape Character Assessment, Guidance for England and Scotland, Topic Paper 6: Techniques and Criteria for Judging Capacity and Sensitivity (2002), which was a workshop study aimed at generating further debate and development of this area of landscape and visual assessment. Since the date of that report other definitions of landscape capacity and sensitivity have developed including:</p> <ol style="list-style-type: none"> 1. From SNH's current glossary of terms: "The ability of a landscape to accommodate different amounts of change or development of a specific type. Capacity reflects the landscape's sensitivity to the type of change, and the value attached to the landscape, and is therefore dependent on judgements about the desirability of retaining landscape characteristics and the acceptability of their loss." http://www.snh.gov.uk/protecting-scotlands-nature/looking-after-landscapes/landscape-resource-library/glossary-of-terms/). 2. From GLVIA page 158 "Sensitivity - A term applied to specific receptors, combining judgements of the susceptibility of the receptor to the 	<p>The two definitions provided do not raise any particular cause for concern regarding the approach taken in the 2016 LCS. The definition of capacity quoted by EDF very much underlines the approach have taken. i.e. a staged, descriptive and detailed approach in which the judgements made concerning sensitivity and value are transparent to the reader and decision makers.</p>	<p>No change</p>
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		<p>specific type of change or development proposed and the value related to that receptor.”</p> <p>It is noted that the updated LCS does not refer to the most recent guidance from SNH on capacity studies: A Guide to Commissioning a Landscape Capacity Study, published in 2015. This document refers to a range of emerging methodology and best practice, conducted across Scotland, including work previously undertaken by Ironside Farrar. This should have been a key document relating to the work of the updated LCS.</p> <p>The following recommendations are also noted in relation to the Updated LCS: The use of definitions should be reviewed against alternative and more recent / emerging definitions of landscape capacity for example.</p>	<p>Comments noted. It is understood that the SNH capacity study guidance dates to 2010 or 2011, not 2015. We are satisfied that the approach in the LCS is in alignment with the approach recommended in the SNH guidance, in which previous similar wind energy capacity work undertaken by IF is cited as an example. It is noted the definition of landscape capacity in this SNH guidance is taken from the 2002 paper cited in para 3.5.2 of EDF’s response. It is noted that some of the references cited on page 74, including SPP, have not been updated to the latest versions applicable to the 2016 date of the study.</p> <p>It is considered that the two definitions provided do not raise any particular cause for concern regarding the approach taken in the 2016 LCS. The definition of capacity quoted by EDF very much underlines the approach the study has taken. i.e. a staged, descriptive and detailed approach in which the judgements made concerning sensitivity and value</p>	<p>References cited on page 74 of the IF study, including SPP, have been updated to the latest versions applicable to the 2016 date of the study.</p> <p>No change</p>
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		<p>It is recommended that the updated LCS is limited to the identification of landscape sensitivity and that any subsequent discussion about cumulative effects / remaining capacity are clearly set out under a separate heading for each landscape, whilst equally acknowledging that there may be design solutions and specific circumstances to consider at a more detailed scale of assessment. Judgements on absolute capacity should not be made.</p>	<p>are transparent to the reader and decision makers.</p> <p>SPP clearly requires local authorities to make an assessment of suitability for wind energy development, identify areas of strategic capacity and areas of greatest potential for accommodating wind energy (paras 161 and 162). In doing so it also requires judgements to be made regarding the cumulative impacts of existing and consented development limiting capacity for further development (para 169). It is not possible to prepare strategic guidance or to exercise development control based entirely on an assessment of relative sensitivity without understanding how the cumulative extent of wind energy has and can change landscapes.</p> <p>It is considered that the study is sufficiently transparent such that it is possible to see how separate and combined judgements on sensitivity, value, capacity and cumulative development have been made for each landscape character area, type and region. It is not possible to make an informed judgement on future development by separating these judgements.</p> <p>In respect of specific circumstances and schemes, it is acknowledged in the final 2 paragraphs of section 1.5 of the</p>	<p>No change</p>
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		<p>There is little change between the current LCS and the Updated LCS in terms of the Dissected Plateau Moorland: Lammermuir Plateau. Whilst there has been no change to the level of existing and consented wind farm development within this area (excepting the increase in East Lothian in the northeast) the guidance has been adjusted. The scale of capacity for further development noted in the Updated LCS is indicative of Medium capacity rather than Low capacity and has been under-estimated; particularly as this is an area where the landscape character is most suitable to wind farm development, in comparison to other lowland areas for example.</p>	<p>2016 LCS, and further throughout the report that this is a strategic study not applicable to specific sites or proposals. Such schemes should be assessed on their own characteristics, taking account of the wider context detailed in the guidance.</p> <p>The study does not make judgements on absolute capacity in terms of turbine numbers. Instead it provides an indication of capacity in terms of landscape typology and guidance on turbine size, numbers and separation as well as further written guidance for accommodating wind energy within capacity. It is for developers to demonstrate that their proposals are sited and designed in a manner that does not significantly deviate from the objectives of the guidance.</p> <p>The 2016 LCS guidance on capacity is not under-estimated. The guidance correctly indicates Medium underlying capacity reduced to Low remaining capacity due to significant cumulative development within and around the Lammermuir Plateau.</p>	<p>No change</p>
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		<p>It is not clear if current applications are / are not included in the assessment as there are shown on the figures and referred to in the document, indicating that they may have influenced the updated LCA?</p> <p>Whilst we welcome the inclusion of repowering projects the following aspects should be noted: Some of the assessment requirements noted on page 73 are onerous and should be reviewed and reduced appropriately. In particular, the baseline should make it clear that the objective is to reflect known planning applications and consented / operational periods, rather than attempting to estimate if existing sites will be repowered / extended.</p> <p>Whilst opportunities for mitigating adverse effects of earlier, less well designed, schemes may be achievable in some cases, it should not be a strict requirement or retrospectively affect the remaining operational life of any existing and consented development.</p>	<p>Applications current at the time of the assessment are not included in determining levels of cumulative development or remaining capacity. The baseline includes operating and consented schemes only, as there is no certainty in the status of proposed schemes. Applications current at the time the 2016 LCS was undertaken (cutoff date July 2016) are shown in Figures 5.1 and 5.2 and discussed in chapter 5 of the LCS. This is for information only.</p> <p>The 2016 LCS has not been influenced by applications current at the time of assessment.</p> <p>It is not considered that the assessment requirements referred to are onerous. Para 170 of SPP states that wind farm proposals should be dealt with “in perpetuity” and therefore applications must consider turbines with longer term aspirations in mind.</p> <p>If there are opportunities to carry out improved mitigation measures as part of repowering proposals then this should be investigated</p>	<p>No change</p> <p>No change</p> <p>No change</p>
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		The report does not allow for the possibility that detailed design of wind farm development may allow a higher tip height scheme to be deemed acceptable. This caveat in relation to site specific possible design responses is important and needs to be made explicit throughout the document.	This matter would be taken account of when an application for repowering is submitted.	No change
Landscape and Visual Guidance on Single and Groups of 2 and 3 Wind Turbines in Berwickshire	Scottish Government	In terms of compliance with the Local Development Plan (LDP) examination and subsequently Policy ED9: Renewable Energy Development of the LDP it does not appear that the landscape and visual guidance on single and groups of 2 or 3 wind turbines in Berwickshire has been updated. A response to the Reporter's recommendation would be helpful.	The Council updated the Berwickshire Landscape Capacity study in 2015. Due to the lack of subsidies and Feed in Tariffs there is a drop in the number of proposals for single and groups of single and 2 and 3 turbines in Berwickshire which the study relates to and it is therefore questionable as to the value of preparing an update which will likely be of little practical value. It is considered the current Berwickshire study lays down a sufficient base line in order to judge any new proposals and it must be noted that the IF Landscape study 2016 update has been based on the typology types within the Berwickshire study and so the IF has great value in helping guide all types of turbine proposals. Despite SPP support for Landscape Studies, as is clear from some responses within this table they are not given the weighting nor respect they deserve. Bearing in mind all the aforesaid matters and the considerable time, effort and cost to update the Berwickshire study, it is most unlikely the update can be	No change, although Scottish Government will be contacted stating the reasoning for the Berwickshire study being unlikely to be updated as explained

	Borders Network of Conservation Goups / Minto Hills Conservation Group	BNCG / MHCG appreciates the work undertaken in compiling the Berwickshire guidance for groups of two and three wind turbines in Berwickshire, as referenced on page 47, and suggests that some indication be given here of whether this guidance might be of some use to any developers seeking similar permissions in other parts of the Scottish Borders.	justified or be carried out It is considered that the Berwickshire study will be of limited value for other parts of the Scottish Borders. Although some specific Landscape Character Types can be found in other parts of the region, they are likely to have other features and characters which will mean they cannot be directly equated to one another	No change
Conclusion	RES Ltd	The Council state that the SG is a material consideration to future decision making on all planning applications for onshore wind energy development and associated infrastructure, and rightly confirm that developers should take cognisance of it at early stages of proceedings. However within Chapter 2 it is correctly advised that the SG once formally adopted will form part of the Council's development plan and have the according status under the principal Act? The document needs clarity to confirm that the SG will comprise part of the development plan rather than merely be a material consideration for decision making purposes and as such the wording in Chapter 9 should be revised accordingly.	It is not considered further clarity is required. It is stated that the SG will form part of the Development Pan and consequently will be a material consideration to the determination of any planning application. To reaffirm this the conclusion has stated as well as the SG being a material consideration it will form part of the Development Plan.	The conclusion in part 9 has stated that as well as the SG being a material consideration it will form part of the Development Plan
Scottish Government Targets for Generation by Wind	Alan Bailey / Ruberslaw Wild Woods Camping	The Scottish Government sees no policy limits to the expansion of onshore wind generating capacity, and does not see the meeting of previously-set government targets for wind generation as a reason to stop building windfarms. However the inexorable rise in constraint payments to wind farms (i.e. payments to stop generating) clearly indicates that their policy aspirations must be	Comments noted and the points the respondent makes are understood. However, national planning guidance does not make reference to the need to require a forecast of Constraint Payments to be received and therefore the Council cannot incorporate this within the SG	No change

		<p>sensibly interpreted by local planning authorities, when assessing the economic impacts of proposed new windfarms.</p> <p>The National Grids 2017 summer Outlook Report clearly explains the situation on Page 45 saying under “Constraints And Power Flows”:</p> <p><i>“There are some areas of the network where the rapid growth in connected generation has resulted in significant constraint volumes. One example of this is the transfer of power from Scotland to England under windy conditions”.</i></p> <p>Adding a further 156 turbines (as above – worst case scenario) to the Scottish Borders windfarm array is only going to cost consumers more in constraint payments, while at the same time undermining the local Tourism industry.</p> <p>We believe that the new SPG should require every new application for a wind farm to detail a forecast of likely Constraint Payments to be received over the proposed lifetime of the windfarm, to facilitate a better understanding by the Planning Authority of:</p> <ul style="list-style-type: none"> • the anticipated excess capacity being proposed by the applicant • the likely economic costs to the consumer / taxpayer of constraint payments. <p>The National Grid is able to make forecasts of likely constraint payments over future seasons, and windfarm developers should similarly be able to make use of such methodology with reference to their own proposals.</p> <p>We would like to see the revised SPG make absolutely clear that, in these circumstances where constraint payments are the norm and also are foreseeable for future periods, further contributions by windfarms to government policy</p>		
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	Cockburnspath and Cove Community Council	<p>aspirations for electricity produced by renewables – while subject to proper consideration in line with Government guidelines - is not a material consideration of any weight, when balancing the economic benefits and dis-benefits of adding further capacity. I don't believe it does so as presently worded.</p> <p>Professor Pontin's report recently demonstrated that renewable targets for 2020 have already been reached. Whilst we fully appreciate that this does not mean there is no further case for future development, we welcome the clarification that the "bar" will therefore have to be higher in certain areas, to justify continued development. We also understand that the Council are not in a position to designate a landscape as having reached saturation point, but there is a need to fully recognise the significant and detrimental landscape and visual impacts of continued development in certain areas e.g. Berwickshire. 747Mw of energy is now generated from renewables, and in wind terms, much of this comes from Scottish Borders, who are a net exporter of energy, consumed by cities and the rest of the grid. In light of this, we would hope that Scottish Government would respect the assessment of landscape architects and planning officers if further developments are refused in light of the significant cumulative impacts, and not over rule them for the sake of energy production at any cost. This SG provides the opportunity to justify local decision making in a manner less open to challenge. Local Authorities need to be listened to, and there needs to be a much louder community voice in the planning</p>	<p>Comments and support noted. Despite Professor Pontin's figures and whether or not they are agreed upon by all interested parties, this does not change the fact that there is no bar on the no of wind farm approvals. The Council is able to state when it believes a landscape has reached saturation point in terms of wind farm approvals, although there will remain the opportunity for any developer to indicate otherwise via visualisations as part of a planning application that they feel further turbines could be supported.</p>	No change
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	Community Windpower	<p>process. To this end, we consider the draft SG gives a sound balancing exercise, which allows appropriate development, but limits, by reference to material factors, unacceptable ones. This is in line with para 28 of SPP.</p> <p>The Scottish Government is very clear in its consistent position that its target to meet an equivalent of 100% demand for electricity from renewable energy by 2020, and its targets for reducing greenhouse gas emissions under the Climate Change (Scotland) Act 2009 remain very challenging. It is important therefore that further onshore wind be deployed to help meet climate change and renewables targets – an overly constrained approach hinders these policy objectives from being attained. A related consequence is the opportunity cost for further investment in the Borders. Commercial contracts destined for the Scottish Borders and Scotland may be lost as a result of any loss of confidence in Scotland achieving her own onshore aspirations, with the resultant missed opportunity to create long term employment for civil and electrical contractors and engineers as well as rents, rates and financial benefits to local communities. The draft Renewable Energy Supplementary guidance takes an overly cautious and constrained approach, contrary to emerging national policy and does not fully recognised market requirements.</p>	<p>It is not considered the SG is overly cautious but is a very fair and balanced document. Whilst supporting renewable energy it also gives sufficient weighting and reference to the protection of the landscape and the environment in keeping with national planning policies requirements.</p>	No change
	Banks Renewables	<p>From the time of publishing draft SG (December 2016), the Scottish Government have produced the following documents which Banks Renewables consider should also be cited under 'Other</p>	<p>The Scottish Govt documents referred to were only draft documents at the time of this draft Supp Guidance being prepared and therefore they could not</p>	<p>Reference to the Scottish Govt's policy statements in Dec 2017 on</p>

	<p>Minto Hills Conservation Group Borders Network of Conservation Groups</p>	<p>Considerations – National Energy Targets’: - Draft Climate Change Plan (January 2017), - Draft Scottish Energy Strategy (January 2017), - Draft Onshore Wind Policy Statement (January 2017). All three of the above documents clearly set out the Scottish Government’s ongoing support for renewable energy (including onshore wind) and establish revised energy targets. Commentary should be provided on the three documents highlighting the Scottish Government’s ongoing support for renewable energy development, including future onshore wind.</p> <p>On page 8, under ‘National Energy Targets’, it is stated that there is no cap on these. We accept that, if something in public policy is desirable, eg a decrease in infant mortality, then it makes no sense to stop efforts towards that end once a target has been achieved. However, we contend that it is not fully established that wind energy is the best or even a good way to create the proportion of energy in Scotland that it does at present. In contrast to the action required to reduce infant mortality, which presumably has no harmful effects, increasing the electricity produced by wind energy does. We appreciate that SBC is obliged to follow Scottish Government policy in this regard, but we point out that the logic and rationale behind the obligation of local authorities to assist the Scottish Government in meeting these targets, as well as the effect of that obligation on SBC’s statutory duty as a planning authority, dissipates as soon as the targets are reached. We therefore suggest that, since the target for electricity produced by</p>	<p>be referred to as the finalised version were unknown. However, in Dec 2017 the final policy versions of the Onshore Wind and the Scottish Energy Strategy were published. Reference to these has been added to this SG on page 8 and electronic links have been added for further reference</p> <p>Comments noted. However, as the respondent states the Council is not in a position to overrule Scottish Government advice and policy by means of placing a cap on the no of wind farm approvals. This includes giving less weight to approvals if it is considered the national energy targets have been met.</p>	<p>Onshore Wind and the Scottish Energy Strategy has been made on page 8</p> <p>No change</p>
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		renewables will be met by all of the constructed and consented wind farms in the pipeline, the contribution towards Scottish Government targets of any wind farm which is the subject of a planning application while that circumstance pertains is not a material consideration or, at very best, should not carry nearly as much weight as it would have prior to this circumstance.		
Definition of Community	Alan Bailey / Ruberslaw Wild Woods Camping	<p>We note that the definition of community to be used when considering Community benefits included in the draft SPG is</p> <p><i>“A body of people. A community can be based on location (for example people who live or work in or use an area) or common interest (for example the business community, sports or heritage groups)”.</i></p> <p>This definition leaves open the possibility that a “Community” not local to and having no connection to the area to be affected by a proposal could, in the name of their own “community benefit”, seek to over-ride the rights of the affected real locational community. The ability of residents of rural areas to protect their peaceful enjoyment of their environment is further undermined through the mechanism of the 2 km exclusion zone around settlements as defined, which appears to give the protection of the visual amenity of people in settlements from the visual impact of windfarms more importance than that of people living in the countryside but not in a defined settlement. Surely every rate payer should be treated equally as regards to protection of their visual amenity, rather than having one rule for some and a less</p>	It is considered the definition of “community” is fair. The Council has no active role to play in the handing out / agreeing community benefits and it is therefore considered this should be left to others to determine. The 2km sensitivity zone referred to is set out in SPP. However, it can be the case that properties, including individual properties, can be adversely affected and consideration for such instances can be considered on a case by case basis. Para 169 of SPP acknowledges the need to consider impacts on even individual houses. The Council has no authorisation to change the statutory regulations and set distances regarding the neighbour notification procedures	No change

		protective rule for others? We have direct experience of this in that we have not received the same notifications from the Birneyknowe applicant as have the residents of Denholm, while our remote woodland campsites are directly visually impacted but then residents of Denholm are not. We believe that the new SPG on Renewable energy should be reworded to remove these two examples of the weakening of the status and rights of non-urban dwellers.		
Tourism	Alan Bailey / Ruberslaw Wild Woods Camping	We believe the SPG should take the opportunity to require an applicant developer of a windfarm to carry out a full audit of the economic value of tourism and recreation assets within the ZTV e.g. tourist attractions such as castles and iconic viewpoints, accommodation businesses, tour operating businesses (whether based locally or providing access to local assets from bases elsewhere) commercial shooting and fishing beats, walks and cycle rides, horse riding routes to reflect the increasing economic importance of tourism and recreation and its primary reliance on the Borders Scenic Assets. This should be in addition to the assessment of visual impact on these receptors. The purpose would be to assist the Planning Authority in its assessment of the existing income generating capacity likely to be put at risk by the degradation of the scenic assets. Such an audit was called for by the Scottish Borders Tourism Partnership at the last revision of the SPG on Renewable Energy, and they should be consulted again.	Comments noted. A full audit of economic values of tourism and recreational values would be extremely difficult to produce and quantify and would no doubt generate much conflict of opinion on how accurate and fair the audit was. The Council is not aware of there being a statutory requirement for such any audit to be carried out	No change
Planning Officer	Cockburnspath and	In the past, developers have utilised the advice and	There is no doubt fees from wind farm	No change

Intervention	Cove Community Council	skills of planning officers to substantially alter their applications several times, without having to resubmit them and pay additional fees. In effect, they avail themselves of design and layout advice and take up valuable time of the officer, without additional payment. In playing such a major role in the re-design of a renewable development, the PO is therefore potentially less likely to refuse it, as it then adheres to their own advice. POs should, we feel, assess an application, feedback on it via a decision notice (with relevant input from Planning Committees, LRBs etc if applicable) and leave it to the developer to reapply if the application is refused. The decision notice should form the basis of the decision, and the developer is then responsible for any subsequent redesign, or submission. It would then attract a further fee, which could be used to pay for the officer's time and the work of the Planning and Building Standards Dept. Fees should reflect the level of work undertaken by the Council.	proposals do not always cover planning authorities application processing costs (including potential appeals, consultant's fees etc). However, planning authorities should always exchange dialogue with all applicants in order to be transparent and explain issues, allowing the opportunity for amended plans where possible.	
Photomontages	Cockburnspath and Cove Community Council	Photomontages must be subject to intense scrutiny, as our experience of recent developments has demonstrated that they can, at times, bear little resemblance to reality. We have all heard stories about developer's photographers lying under hedges in order to get views that reflect best on the ability of a turbine to be hidden by landscape features! Communities should continue to be able to suggest viewpoints for photomontages, in addition to those offered by the developer.	Wind farm planning applications must satisfy the design standard requirements of SNH. Photomontages submitted within this form ensure the plans viewed are accurate.	No change
FITs / ROCs	Cockburnspath and Cove Community	In Chapter 6, reference is made to FITs payments – we understand that these are no longer being	Reference to Feed in Tariffs has been removed from the SG	Chapter 6 has been amended to

	Council	offered for new development, and wonder if this section needs to be updated?		remove reference to Feed in Tariffs
Social and Economic Benefits	Cockburnspath and Cove Community Council	Chapter 4 p 8 states that job creation both in terms of any renewable build, or operation, are material considerations to be taken account of. In our considerable experience locally, we are not aware of any significant use of local contractors or materials (other than during the BHA/Hoprigshiels construction which did attempt to use local businesses) which had a major impact on social or economic benefits. Most of the turbines are made abroad, and transported to Blyth then by road by specialised English haulage companies to site. Many of the labourers/contractors on site are from abroad – in fact during the erection of the Neuk turbines recently, the different accents on site were commented on. Much of the ongoing running of wind energy developments are done remotely, and there is no major contribution towards local employment – a handful of jobs may result, but in practice, this type of work is fairly specialised and tends to attract people already in the industry, or wishing to move away from other highly technical jobs, such as the North Sea oil industry. Our point in this is that there are spurious and unsubstantiated references made to the “creation of jobs” and the “retention of existing jobs” plus “use of local business and materials where possible”. In reality, we have seen no real benefit to local employment and feel this needs to be clearly and definitively proven if stated in any application process. The Council should ask to see clear proof of these benefits if they are to be used as mitigating factors (e.g. substantiated within	Comments noted. The Council takes cognisance of application submissions relating to job creations and accepts these in good faith. In reality it is acknowledged that sometimes these forecasts by developers prove to be incorrect. The council will continue to scrutinise such evidence, although there is no mechanism in place for Council’s to ensure these forecasts do come to fruition	No change

		business plans etc).		
	Hobkirk Community Council	<p>Community Ownership is also mentioned in this respect. Whilst this can work for some smaller renewable sources e.g. small hydro plants etc it has proven very difficult to truly become involved in ownership of a turbine, or part ownership. There are so many different and difficult factors to include, that most communities find the process too complicated and onerous, and developers also find it difficult to negotiate through. In some cases, community ownership has been hinted at during the application process, only to be withdrawn later.</p> <p>Economic Benefits Developments are always more welcome if they provide economic benefits – especially the prospect of quality employment. To date suggestions of possible employment of many renewable proposals has been unconvincing and it has been difficult to make a case for the acceptability of the landscape and environmental effects being justified by likely jobs provided. We would like to see guarantees given as part of the application. We would also like consideration given to what happens if developments are sold subsequent to permission being granted. Material considerations cannot be allowed to be speculative. We warmly welcome the clear statement that so-called ‘community benefit’ is not a material consideration in a planning application. This will hopefully prevent what are widely perceived as ‘bribes’ disappearing from future applications and we hope that council officials will advise developers accordingly.</p>	<p>It is acknowledged that in practice Community Ownership has had little direct take up. The comments raised by the respondent are acknowledged and the Council is aware of other communities raising similar practical issues.</p> <p>It is fully acknowledged that in practice many of wind farm developers indicated economic benefits have never come to fruition. Whilst this concern is fully understood, there is no mechanism within the national planning guidelines which can guarantee such estimated benefits are implemented. Comments on community benefits are noted.</p>	<p>No change</p> <p>No change</p>
Para 170 Of SPP –	Cockburnspath and	We agree that the inclusion of this paragraph within	Support noted. Any new factors which	No change

"In Perpetuity" Clause	Cove Community Council	SPP elevates the importance of the initial planning assessment, although in practice, living with a "wrong" decision for 25 years is important enough! However, we welcome the increased scrutiny this may represent. Material changes to turbine design, height and layout must, as suggested, be considered de novo, and sites not repowered as a matter of course at the end of the planned lifespan. However, during a 25 plus year initial approval period, there may also be material changes to typography, and in particular to residential areas which also need to form part of any repowering assessment. Will any other material factors be considered in any repowering process? If a hamlet or small village enlarges, would this also be a material factor in repowering assessment or would it be the onus of any housing developer to ensure that purchasers were aware of the "in perpetuity" nature of the development?	have materialised within the 25 years of the lifespan of turbines on a site will be acknowledged as being material new considerations to a subsequent repowering planning application where relevant.	
Manufacturing	Hobkirk Community Council	Disappointingly, there is no mention in the draft guidance of manufacturing. We would like to see encouragement to developers to support local manufacturing of components. Currently most components are imported.	Whilst the Council would like to see the local manufacture of turbines, this would have no bearing on decision making and it is not considered justified to add this text. The promotion of local businesses to manufacture turbines would be addressed through other mechanisms	No change
Forestry and Woodland	Banks Renewables	Banks Renewables object to the requirement to provide off-site compensatory planting as close to the application site as possible within the Scottish Borders. The Control of Woodland Removal policy requires compensatory planting to be take place in Scotland (end note ix). It does not require compensatory	This is a requirement of LDP policy EP13 Trees, Woodlands and Hedgerows (see part b) as informed by the Scottish Borders Woodland Strategy Technical Advice Note (2012). which seeks to ensure the compensation is delivered in areas	No change

		planting to be provided in the area within which the deforestation occurred. Restricting the area within which compensatory planting can take place could result in otherwise acceptable schemes being stalled due to land for compensatory planting not being secured in Scottish Borders due to the lack of land availability or commercial reasons.	affected by the development. In the unlikely event that sites could not be found within Scottish Borders it would be reasonable to seek locations elsewhere in Scotland. Such scenarios would require issues to be addressed such as ensuring implementation measures given the replanting would take place on land outwith the jurisdiction of the Council.	
Glossary of Terms	<p>Borders Network of Conservation Groups / Minto Hills Conservation Group</p> <p>Amec Foster Wheeler on behalf of EDF Energy Renewables</p>	<p>Apart from the suggestion that ‘community’ needs to be more closely defined (see page 4 of this Response), the only comment we would make on the Glossary is that it might benefit from the inclusion of an explanation of ‘cultural heritage’ or, at the very least, that term being included in the list of reasons why stakeholders attach importance to ‘Landscape Value’.</p> <p>It is requested that landscape related terminology should adopt the glossary provided in GLVIA 3 to avoid confusing issues and meaning of technical terms. The following GLVIA 3 definitions should be referred to:</p> <p>“Enhancement: <i>Proposals that seek to improve the landscape resource and the visual amenity of the proposed development site and its wider setting, over and above its baseline condition.”</i></p> <p>“Landscape Value: <i>The relative value that is attached to different landscapes by society. A landscape may be valued by different stakeholders for a whole variety of reasons.”</i></p> <p>“Landscape character: <i>A distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different from another,</i></p>	<p>A definition of “Cultural Heritage” has been added to the Glossary list.</p> <p>There is no one universal definition for each of the terms within the Glossary. There are variations of definitions between different documents and the dictionary, although in essence the general meanings are the same. It is considered the definitions in the Glossary are fine, though some suggestions which are not within the glossary have been added where considered appropriate</p>	<p>A definition of “Cultural Heritage” has been added to the Glossary list.</p> <p>Further definitions have been added to the glossary where relevant</p>

		<p>rather than better or worse.”</p> <p>“Landscape Character Areas (LCAs): These are single unique areas which are discrete geographical areas of a particular landscape type.”</p> <p>“Landscape Character Assessment (LCA): The process of identifying and describing variation in the character of the landscape, and using this information to assist in managing change in the landscape. It seeks to identify and explain the unique combination of elements and features that make landscapes distinctive. The process results in the production of a Landscape Character Assessment.”</p> <p>“Landscape Character Types (LCTs): These are distinct types of landscape that are relatively homogeneous in character. They are generic in nature in that they may occur in different areas in different parts of the country, but wherever they occur they share broadly similar combinations of geology, topography, drainage patterns, vegetation and historical land use and settlement pattern, and perceptual and aesthetic attributes.”</p> <p>“Sensitivity: A term applied to specific receptors, combining judgements of the susceptibility of the receptor to the specific type of change or development proposed and the value related to that receptor.”</p> <p>“Landscape receptors: Defined aspects of the landscape resource that have the potential to be affected by a proposal.”</p> <p>“Susceptibility: The ability of a defined landscape or visual receptor to accommodate the specific proposed development without undue negative consequences.”</p> <p>“Visual receptors: Individuals and/or defined</p>		
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		<p><i>groups of people who have the potential to be affected by a proposal.”</i></p> <p>“Zone of Theoretical Visibility (ZTV; sometimes Zone of Visual Influence): <i>A map, usually digitally produced, showing areas of land within which a development is theoretically visible.”</i></p>		
Noise	Borders Network of Conservation Groups / Minto Hills Conservation Group	<p>Planning officers will perhaps not be surprised by our wish to comment on Noise as covered on pages 34 and 35. We are increasingly of the view, and trust that SBC may now share this view, that noise assessment as conducted by developers needs to take on board the points, some of which were most recently made in relation to the How Park Wind Farm application, but all of which were more comprehensively covered earlier in the Briefing Paper by Professor Gordon Hughes, as attached, which has been submitted to SBC on two previous occasions. We believe that all of the section on Noise in the SG needs to reflect this more developed understanding of noise assessment.</p> <p>Some more minor points in relation to the SG text are as follows. Under the heading “Large Wind Turbines” on page 34 the first sentence of the second paragraph should have an addition: “...and the professional qualification relating to noise and acoustics of the person or persons conducting the Assessment should be included in that Assessment”. On the following page, the condition that an independent noise assessment will be carried out once the wind farm is operating does not mention what sanctions might be used should such an assessment reveal a significant excess of</p>	<p>The Howpark Development is currently at Appeal and no conclusions can yet be reached on the adequacy of the submitted information.</p> <p>Breaches of Conditioned noise limits will be treated in the same manner as any other Planning Breach.</p>	<p>No change</p> <p>No change</p>

		<p>noise from that anticipated. We suggest that this is an important point to include to encourage compliance.</p> <p>Briefing note for SBC Planning Department prepared by Professor Gordon Hughes EIA Noise Assessments for Wind Farms. What are the identified weaknesses? It has become obvious that many of the noise assessments undertaken on behalf of wind farm developers to support their applications for planning consents are seriously flawed. In many cases consultants are employed to do this work, and produce bland reassuring assessments, often backed up with lengthy appendices to justify the conclusions. The mantra of compliance with the “ETSU Guidelines” is used as if this represents an official seal of approval.</p> <p>Background to ETSU-R-97 Guidelines As background, the ETSU-R-97 Guidelines were published in 1997 and are based on what was regarded as good practice in acoustics more than 20 years ago. Careful reading of the Guidelines reveals that they provide general advice rather than prescribing a single method of procedure. During the last two decades regulatory requirements for acceptable methods of data collection, statistical analysis and interpretation have changed radically and the Guidelines have not kept up with best practice. In addition, the interpretation of the ETSU Guidelines by consultants is frequently inconsistent with the legal requirements concerning environmental (impact) assessments (EA). Since noise assessments are simply one component of</p>	<p>The Council is not aware of any peer-reviewed evidence to support the statement that previous assessments have been deficient.</p> <p>ETSU Guidance has been updated by Supplementary Guidance, with six Appendices, produced by the Institute of Acoustics. The Scottish Government and Appeal reporters both acknowledge this now to be part of Official Guidance for assessing noise from wind energy developments.</p>	<p>No change</p> <p>No change</p>
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		<p>an EA, the fundamental principle must be that noise assessments comply with the purpose and legal framework for any EA.</p> <p>In EU and Scottish legislation the purpose of environmental assessment is (a) to identify potential adverse impacts of a project, and (b) to propose measures that will mitigate such impacts, especially when the impacts are significant.</p> <p>The decision-maker must then weigh any residual impacts against the potential benefits of the project. Despite the claims often made by consultants, the ETSU Guidelines do not override these requirements, nor do they establish any kind of presumption that noise levels below certain thresholds are acceptable.</p> <p>British Standard BS 4142.</p> <p>The key document on environmental noise is BS 4142:2014 – the most recent version of the British Standard on methods for assessing industrial and commercial noise. This includes many recommendations that are inconsistent with the application of the ETSU Guidelines. Two are particularly important:</p> <p>The representative background noise level will usually not be the average of background noise measurements. In fact, their example uses the most frequent noise level – the peak of the statistical distribution – as the appropriate background noise level. Other than in very unusual circumstances, this will always be lower than the average and is often much lower.</p> <p>1</p>	<p>ETSU and the IoA Supplementary Guidance are the guidance documents approved by the Scottish Government for the assessment of wind farm noise.</p>	<p>No change</p>
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		<p>An increase in noise of 10 dB should be regarded as evidence of a “significant adverse” impact, while an increase of 5 dB is evidence of an “adverse” impact.</p> <p>The ETSU Guidelines start from the assumption that an increase of 5 dB on average of background noise measurements should be acceptable. This starting point is too high and, at a minimum, the increase constitutes an adverse impact that ought to be mitigated if the principles of environmental assessment were applied properly. An increase of 10 dB – for any receptor – should be regarded as a matter of major concern. For this reason, the primary criterion for assessing the noise impact of a wind farm must be the increase in the noise that will be experienced at the nearest and most sensitive locations due to the operation of the wind farm. It is sometimes claimed that BS 4142 should be not used to judge whether a wind farm will cause adverse or significant adverse impacts on the grounds that it does not cover projects for which specific guidelines have been issued – e.g. the ETSU Guidelines. This claim is disingenuous. BS 4142 provides a clear methodology for assessing the magnitude and significance of environmental noise. It is equally relevant to new roads, industrial sources of</p>	<p>This is incorrect. BS4142:2014 states on p16 at 11 (b) – “A difference of around +10dB or more is likely to be an indication of a significant adverse impact, depending on the context” (My emphasis added) Similarly at point (b) – “A difference of around +5dB is likely to be an indication of an adverse impact, depending on the context”</p> <p>ETSU does not permit a noise level increase of 10dB. Daytime limits are set in the range of 35 – 40dB or measured background +5dB, whichever is the greater at each integer wind speed. Night limits are set at 43dB or background +5dB whichever is the greater at each integer wind speed. Where the resident of the property is receiving a benefit from the development, the limit is 45dB at all times.</p>	<p>No change</p> <p>No change</p>
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		<p>noise, wind farms or music venues. It is both more up to date and more comprehensive than the ETSU guidelines and it has the force of any other British Standard.</p> <p>There is no basis or logic to any claim that it is irrelevant in the current context.</p> <p>Data collection and analysis.</p> <p>The starting point for any assessment of noise impacts is the collection and analysis of data on background noise. It is important to understand the implications of the way in which the data is collected and analysed. Drawing upon recent EIA assessments we have found many features that may introduce serious biases into the results. These include:</p> <ul style="list-style-type: none"> (a) poor siting of equipment and frequent breakdowns; (b) the exclusion of data on an apparently random basis or for reasons that do not reflect conditions – e.g. rain or stream noise – at the location being monitored; (c) problems in excluding extraneous sources of noise including nearby construction or wind farms; and (d) reliance upon data collected over short periods that are not representative of the conditions in which the wind farm will operate. <p>It is essential that the background noise data collected must be scrutinised carefully and consultants must be required to collect additional data when initial investigations are not satisfactory. The analysis of background noise data is an area of even greater concern. Acoustics consultants may be knowledgeable about acoustics but it</p>	<p>BS4142:2014 urges caution in its use at wind speeds over 5 metres per second. Most large wind energy developments operate at speeds well above this. The Guidance specifies the minimum survey duration and data capture requirements for all wind farm noise surveys. Non-compliant data can be discarded provided that the minimum data capture requirements are met. No evidence has been led to demonstrate that “<i>the exclusion of data on an apparently random basis</i>” occurs. In terms of the Guidance, Developers are required to exclude data gathered periods of rainfall. Stream noise at the monitoring location is a valid part of the normal background noise level. As explained above, data filtering techniques exist to remove the influence of existing wind energy developments on the background noise measurements. As mentioned previously, the Guidance specifies minimum survey durations and data capture. A specified minimum number of measurements must be captured over the full range of wind speeds and directions.</p>	<p>No change</p>
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		<p>appears that they have no expertise in statistical analysis. As a consequence, the statistical results presented in noise</p> <p>2 assessments would not pass regulatory scrutiny in medicine or other environmental disciplines. It is extremely unfortunate that ETSU-R-97 makes no reference to any statistical methods but instead uses, without valid justification, what is in effect an average figure at each wind speed. One does not have to be a statistician, however, to realise that this is totally inappropriate. People do not experience noise as an average over time, but as how it is heard at any instant. Typical rural background noise measurements show the instantaneous level varying by up to 15-20dB, which represents a perceived variation in noise of three to four times. While the average level may be one at which it is claimed (but has never in fact been demonstrated) that turbine noise will be masked, masking will certainly not occur at the lowest background levels. It cannot reasonably be argued that this is acceptable because at other times turbine noise may be more than adequately masked. Most frequent background noise level is thus more sensible and at least as simple to compute. However, even this must be applied with care as the real question needing to be addressed is quite obvious.</p> <p>(a) Will those exposed to noise from the project experience an increase in the noise – especially in the evenings and at night? (b) If so, how significant is the increase?</p>	<p>The methods for statistical analysis of the data are specified in Guidance and SBC has no remit in the matter. The use of time averaged noise levels is standard across many areas of acoustic. This metric has been specified in Guidance and SBC has no remit to change it. Turbine manufacturers are required to produce test results in respect of their products. These tests are undertaken using an internationally agreed methodology which can be independently repeated by other observers. The Council is unaware of any instances where this data has been successfully challenged. The masking data criteria have been set as part of the Guidance and SBC has no remit in the matter. The most frequent back ground level <u>is</u> what is used – L₉₀ is the level which is not exceeded for 90% of the time.</p> <p>These matters have already been discussed, above. The levels are specified in Guidance and have been based on WHO guidelines for</p>	<p>No change</p> <p>No change</p>
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	<p>Natural Power Consultants on behalf of Fred Olsen Renewables Ltd</p>	<p>This cannot be answered by reference to averages. It is reasonable that those affected will want to know whether time spent in the garden during evenings or their sleep may be disturbed by turbine noise. How frequently will such effects occur – once a month or 2-3 days per week? Answering such questions requires a more sophisticated analysis of the background noise data which puts more emphasis on uncertainty and the variability of noise from different directions rather than overly simplified noise computations.</p> <p>All of this is emphasised in the guidance offered by BS 4142 but is usually ignored by those responsible for preparing the noise assessments for wind farms.</p> <p>(p34) The Council's intention to apply conditions with fixed day time limits of LA90, 10mins 35 dB is completely unacceptable, is at odds with the requirements at a national level to accommodate sustainable forms of energy generation, is at odds with the terms of policy ED9 and is at odds with the successful operation of wind farms across the UK under the normal and accepted implementation of ETSU R96. Circular 4/1998 lists 6 key tests that planning conditions must pass to be fit for purpose. These include being relevant to the development and reasonable in all other aspects. Using a standard condition in this case is not directly relevant to the proposed development and the potential noise restrictions that the project has been designed to work under and which may therefore be reasonable and appropriate to impose. This requirement should be deleted and replaced with the normal implementation of ETSU R96 noise</p>	<p>residential noise exposure. SBC has no remit in this matter. Noise penalties are added to noise predictions to account for measurement and other uncertainties. This is specified in the Guidance. BS4142:2014 is not approved by the Scottish Government for the assessment and rating of noise from wind energy developments. SBC has no remit in the matter.</p> <p>In the interest of protecting local amenity Scottish Borders Council aims to set fixed turbine noise limits to the lower end of the ETSU permitted range of values, unless there is a persuasive case for a higher limit.</p>	<p>No change</p>
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	<p>Minto Hills Conservation Group</p>	<p>standards.</p> <p>Noise is covered on pages 34 and 35. We are increasingly of the view, and trust that SBC may now share this view, that noise assessment as conducted by developers needs to take on board the points, some of which were most recently made in relation to the How Park Wind Farm application, but all of which were more comprehensively covered earlier in the Briefing Paper by Professor Gordon Hughes which we understand has been submitted to SBC on two previous occasions. We believe that all of the section on Noise in the SG needs to reflect this more developed understanding of noise assessment.</p> <p>Some more minor points in relation to the SG text are as follows. Under the heading “Large Wind Turbines” on page 34 the first sentence of the second paragraph should have an addition: “...and the professional qualification relating to noise and acoustics of the person or persons conducting the Assessment should be included in that Assessment”. On the following page, the condition that an independent noise assessment will be carried out once the wind farm is operating does not mention what sanctions might be used should such an assessment reveal a significant excess of noise from that anticipated. We suggest that this is an important point to include to encourage compliance.</p>	<p>The Howpark Development is currently at Appeal and no conclusions can yet be reached on the adequacy of the submitted information.</p> <p>It is a standard requirement for all Technical reports, that the qualifications of the Author are specified. Reports submitted without this information, will be rejected. Breaches of Conditioned noise limits will be treated in the same manner as any other Planning Breach.</p>	<p>No change</p> <p>No change</p>
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Responses to Environmental Report

<u>Issue</u>	<u>Respondent</u>	<u>Summary of Response</u>	<u>Council Response</u>	<u>Action</u>
General	Scottish Environment Protection Agency	We are content that the Environmental Report (ER) provides a satisfactory general assessment of the likely significant environmental effects of the Scottish Borders Council (SBC) Draft Supplementary Guidance (SG) – Renewable Energy. Subject to the detailed comments below we are generally content with the assessment findings. We are satisfied that our scoping report comments have been taken into account in the preparation of the ER and welcome the response of the SBC to our comments in Appendix A – Consultation Authorities Responses to Scoping Report. In general we welcome the reference to other LDP policies as mitigation measures in Appendix C-Full Assessment Results.	Support noted	No action required
	Scottish Environment Protection Agency	In para 4.3 text should be amended to make reference to “Renewable Energy SG” as opposed to “Wind Energy SPG”.	Agree	Para 4.3 has been amended to make reference to Renewable Energy SG
	Scottish Environment Protection Agency	We are satisfied that the Groundwater Dependent Terrestrial Ecosystems (GWDTEs) have been considered in the assessment as there is an objective related to it, however we note that GWDTEs have not been mentioned in the SG itself. As one of the aims of the SEA is to influence the preparation of the plan it relates to, we would recommend that the SG is changed	It is confirmed that the GWDTEs have now been referenced within the SG	The GWDTEs have been referenced within the SG

	Scottish Environment Protection Agency	<p>accordingly</p> <p>While we are satisfied with the assessment for the SEA Topic of Water, we would recommend making reference in the commentary to ‘the water environment’ rather than just water courses. It would be useful if both the SG and the ER clarified that the water environment includes wetlands, rivers, lochs, transitional waters (estuaries), coastal waters and groundwater</p>	Comments noted. Where required reference is made within both the SG and the ER to “the water environment” rather than just “water courses”	Where required reference is made within both the SG and the ER to “the water environment” rather than just “water courses” and what this term can include
Relationship with other plans and programmes	Scottish Natural Heritage	<p>Key considerations in Table 2 (page 10) include “<i>Requirement for appropriate assessment</i>”. To reflect all stages in the process, including appropriate assessment, this should be updated to “<i>Requirement for Habitats Regulations Appraisal</i>”.</p>	<p>Comments noted. It is confirmed the text has been changed as suggested to read “Requirement for Habitats Regulations Appraisal”.</p>	<p>Text in table 2 (page 10) referring to “Requirement for appropriate assessment” has been changed to “Requirement for Habitats Regulations Appraisal”</p>
	Scottish Natural Heritage	<p>On page 11, Table 2 includes “<i>Boxes to be added</i>” under National PPS for <i>Population and Human Health</i>. There appears to be information missing here and, to assist with future monitoring, we suggest that relevant considerations for greenspace would be “<i>Sets a vision for increased participation in walking and cycling</i>”.</p>	<p>Comments noted. It was the intention to fill in the relevant information when it is confirmed / known. The text referred to is most useful and has been added to table 2</p>	<p>With reference to greenspace within table 2 reference is made to the considerations of “Sets a vision for increased participation in walking and cycling”</p>
Table 3 – Environmental	Scottish Natural Heritage	The following key consideration for Population and Human Health: “ <i>Having no adverse effect on human</i>	Comments noted. It is agreed that a more	The term “Having no adverse effect

perspectives and SEA objectives	Scottish Natural Heritage	<p><i>health.</i>” would benefit from review. We suggest that a more achievable criterion, in terms of monitoring and ability to revise proposals, would be “<i>Avoiding or minimising adverse effects on human health.</i>”</p> <p>The first key consideration under the Soil topic concludes with “...<i>maintaining a high level of soil quality</i>”. This is quite general and, as it relates to a range of soil types including peat, it may be useful to take this into a separate consideration which encompasses the following in support of more targeted monitoring:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintain or improve organic matter content; <input type="checkbox"/> Reduce pollution levels in soils; <input type="checkbox"/> Promote good/best land management practices. 	<p>achievable criterion would be the removal of “Having no adverse effect on human health” To be replaced by “Avoiding or minimising adverse effects on human health.”</p> <p>It is agreed the text can be developed to incorporate more detailed reference to</p> <ul style="list-style-type: none"> • Maintain or improve organic matter content; • Reduce pollution levels in soils; • Promote good / best land management practices. 	<p>on human health” to be replaced by “Avoiding or minimising adverse effects on human health”</p> <p>Text to be updated to include reference to</p> <ul style="list-style-type: none"> • Maintain or improve organic matter content; • Reduce pollution levels in soils; • Promote good / best land management practices
Table 4 – Environmental Baseline Information	Scottish Natural Heritage	Information on carbon rich soils is available on the Scotland’s Soils website ¹ . It should however, be noted that this website is in Beta at present and any feedback on content would be welcomed.	Comments noted	Comments noted. No change
	Scottish Natural Heritage	The European Landscape Convention ² (ELC) highlights the importance of all landscapes, encouraging more attention to their care and planning. As the UK is a signatory to the ELC, baseline information in support of the all landscape approach should be included in the SEA. We therefore recommend that the Borders Landscape Character Assessment is added as relevant baseline information.	The Borders Landscape Character Assessment has been added as relevant baseline information.	The Borders Landscape Character Assessment has been added as relevant baseline information within table 4
Likely evolution of the	Scottish Natural Heritage	We generally agree with the assessment of the likely future changes if the supplementary guidance were not in place. However, we suggest that it is non-designated	Comments noted	No change

environment without the SG on Renewable Energy		sensitive landscapes and habitats that would not be sufficiently protected as designated sites are protected whether the supplementary guidance is in place or not.		
Changes to the Supplementary Guidance as a result of the SEA	Historic Environment Scotland	Appendix A, in response to advice from the Consultation Authorities, states that the Environmental Report will identify any changes to the Plan as a result of the SEA. However, this information was not included within the Environmental Report. The Post Adoption Statement should explain how the environment considerations and the environmental report have influenced development of the Supplementary Guidance.	Comments noted. The post Adoption Statement will explain how the environment considerations and the environmental report have influenced development of the Supplementary Guidance	Comments noted. The post Adoption Statement will explain how the environment considerations and the environmental report have influenced development of the Supplementary Guidance
Assessment Findings	Historic Environment Scotland	It is unclear why the assessment of the spatial framework has focused only on the effect upon two heritage asset types (Inventory Battlefields and Inventory Designed Landscapes) which fall within <i>Group 2: Areas of significant protection</i> . The assessment should also have considered effects on other heritage assets which are classified as <i>Group 3: Areas with potential for wind farm development</i> and are therefore more likely to be subject to negative effects, requiring the identification and implementation of effective mitigation.	Group 3 Areas with potential for wind farm development are effectively very large areas of land across the Scottish Borders. It is not considered reasonable nor justified to carry out long winded and highly time consuming exercises to consider issues / mitigation measures for land which only a very small part of may have applications for wind farms submitted within them. When such applications are submitted, relevant site specific environmental issues and potential mitigation	No change

			measures will be addressed at that stage	
Assessment Results of Wind Energy SPG	Scottish Natural Heritage	The summary of the effects set out in this section of the Environmental Report presents a useful overview of the assessment. However, the language used in places is lacking in objectivity, such as at paragraph 4.3.2 where wind farms are described as “... <i>the main threat...</i> ” to biodiversity. The assessment should consider <i>impacts</i> , both positive and negative, rather than <i>threats</i> .	The word threat has been removed from the Env Report	The word threat has been removed from the Env Report
	Scottish Natural Heritage	The summary of the assessment of effects on landscape in paragraph 4.3.10 does not include wild land, which is included in Table 1 of Scottish Planning Policy (SPP) as a nationally important mapped environmental interest. Scottish Borders includes one of the areas shown on the Wild Land Areas 2014 map3 (number 2: Talla – Hart Fell). It is not currently clear that this area of significant protection has been included in the assessment. This information is also omitted from <i>Appendix B: SEA Baseline Data</i> .	Reference to Wild Land at Tall - Hart Fell has been added to the EA and Appendix B	Reference to Wild Land at Tall - Hart Fell has been added to the EA and Appendix B : SEA baseline data
Monitoring	Scottish Natural Heritage	The proposal that monitoring is incorporated into existing performance monitoring seems proportionate. However, it is essential that there is a link to significant environmental effects and your identified indicators if those are not already included in your current performance monitoring regime.	Comments noted. Monitoring of planning approvals and ensuring implementation and required mitigation measures are carried out is an important part of the process. The Council ensures consent and related planning requirements are fully implemented	No change
Shadow Flicker	Scottish Environment Protection Agency	The issue of shadow flicker for wind farms does not seem to be covered in the ER. Is it meant to be included in the visual effects? This could be a significant negative effect in relation to human health. We note however that this	Shadow flicker is included within the SG and referred to in para 3.5.1 of the ER, although it is rarely a major	Reference to shadow flicker has been further added to the EA in table 3

		has been covered in the SG itself (page 35).	issue within SBC's experience. However reference to shadow flicker has been further referred to in the ER	and para 4.3.3
Appendix A	Scottish Environment Protection Agency	On a small note, please note that there is repetition of some text in page 9 of Appendix A and Table 2 has reference to 'boxes to be added'.	Text repetition will be removed. Relevant text has been added to table 2 in respect of the "boxes to be added" comments	Text repetition will be removed. Relevant text has been added to table 2 in respect of the "boxes to be added" comments
Appendix C: Full Assessment Results	Scottish Natural Heritage Scottish Environment Protection Agency	The information in Appendix C is very clearly presented and accessible, we welcome the approach used to set out scoring, commentary, mitigation and monitoring. In Appendix A (C) – Full Assessment, we note that for air the objective relates to toxins or gases but the commentary refers to noise and odour. The compliance with the SEPA Guidance and regulatory regimes should ensure that harmful emissions are minimised (especially for Energy from Waste proposals). Please see link to the Thermal Treatment of Waste Guidelines: http://www.sepa.org.uk/media/28983/thermal-treatment-of-waste-guidelines_2014.pdf	Support noted Text amended and link referred to as suggested by SEPA	Support noted Text amended and link referred to as suggested

ⁱ Decommissioning and Restoration Plans for wind farms. SNH (2016)

ⁱⁱ Research and guidance on restoration and decommissioning of onshore wind farms: SNH Commissioned Report No. 591

ⁱⁱⁱ Decommissioning and Restoration Plans for wind farms. SNH (2016)

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