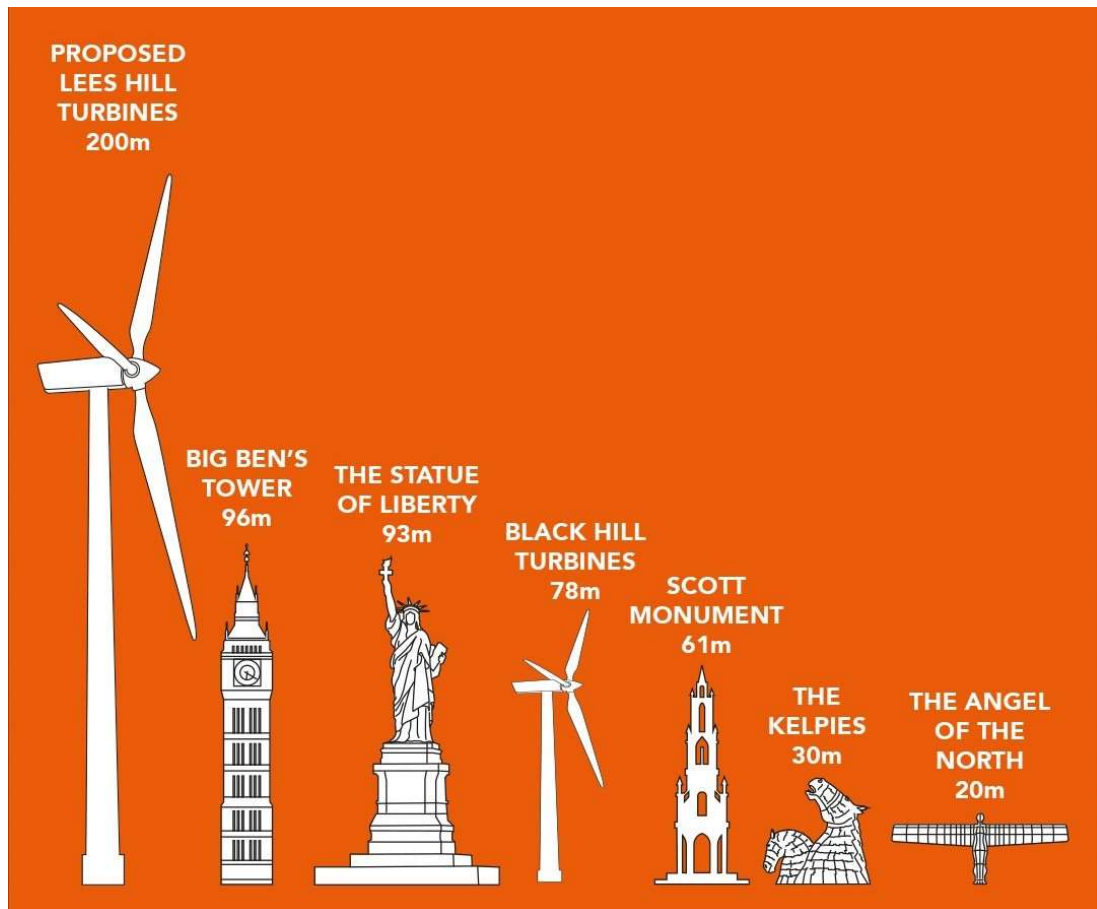


Duns, Lees Hill - SOS

“Save Our Skyline”

Lees Hill Renewable Energy Park

ECU00004571



Objection summary

Duns Lees Hill SOS – Save our Skyline (DLH) has submitted an objection to the ECU in respect of the proposed Lees Hill Renewable Energy Park from Fred Olsen Renewables Ltd (FORL). This objection runs to 47 pages. We hope you find this short summary of the key arguments helpful.

October 2024

Need for this development/Strategic importance

(Pages 1-2 of the full objection and appendix 1 page 31)

Scottish Government's (SG) recent Green Industrial Strategy (September 2024) acknowledges that, based on March 2024 data, they are on track to achieve their onshore wind generation target of 20GW by 2030. Achieving this target only requires 45% of the projects in planning to be approved. Lees Hill is <0.7% of that generation in planning.

A recent analysis by Scotland against Spin identifies, at October 2024, a significantly greater number of applications than were in the system 6 months earlier. This increase in projects reduces the percentage of projects requiring approval to meet the target from 45% to only 25%.

On any view, therefore this project cannot be considered to be strategic to SG meeting its onshore wind target.

Planning Policy

(Pages 2-4 of the full objection)

SBC's new local plan mirrors the SG's NPF4 which is now part of every development plan. The Lees Hill proposal fails all but one of the criteria in NPF 4, Policy 11. The one it doesn't fail, doesn't apply! It's quite an achievement to fail on so many issues in a brand-new policy which is designed to help the wind industry. This underlines FORL's poor site selection, the overpowering design, and the unsuitability of the project which is purely born out of landowner and developers' commercial expediency. ***There will be NO local benefit.***

MOD objection

(Page 4 of the full objective)

On 13th June 2024 the MOD objected (to ECU) on Air Defence radar grounds, and on the potential to create a physical obstruction to low flying aircraft in training. ***The MoD Objection remains in place.***

The Environmental Impact Assessment Report (EIA) Neutrality, Sufficiency, Invalidity and Legality

(Pages 4 to 9 of the full objection and appendix 2 page 33)

This EIA is deficient because:

- (1) the objectivity of the applicant's lead EIA consultant Natural Power (NP) is in question as NP and FORL are sister companies in the same ownership group, a fact that is concealed from the reader and decision makers.
- (2) the assessment of certain important cumulative impacts is incomplete as it only assesses certain of the cumulative impacts of wind turbines. It does not assess the effect of co-location of the turbines with the solar panels and Battery Storage (BESS) together, as it should do by law; specifically as this relates to noise and hazards (see below).
- (3) As outlined above, the turbines are not strategic to SG achieving its 2030 onshore wind target. Renewable UK (RUK) 'the voice of the of the UK's renewable energy industry' in April 2024 said, in relation to solar panels and BESS, that "Co-locating to an existing site ***minimises the need for more costly grid capacity which leads to reduced infrastructure investment costs.***" (original report contains emphasis).

To further the ambitions of National Planning Framework 4 (NPF4) and to further SG's aspirations for the growth of renewable generation in *appropriate locations*, the applicant must consider its public interest duty to consider co-locating its solar plant and battery storage facilities in existing locations such as Crystal Rig where they have established connection facilities. It has not done so.

(4) The Major Pipeline Hazard Risk is inadequately assessed (see further below)

(5) the Downstream environmental effects are neither identified nor assessed, i.e. at the end of the project.

(6) The EIA omits any assessment of the potential significant impacts of the required grid connection.

Since the EIA is plainly incomplete, the EIA is itself invalid and unfit for a determination. That makes it unlawful.

Landscape and Visual impact

(Pages 10 to 12 of the full objection and appendices 3 & 4 page 34 to 44. Appendix 3 is the independent Landscape Architects report)

Landscape and visual impacts have been under assessed in the EIAR with the consequence that the impact of the proposal on landscape, neighbours and neighbouring communities have been diluted to a point of triviality. Affected communities include those of Duns, Gavinton, Polwarth and Westruther.

Professional landscape analysis, supported by Historic Environment Scotland (HES), shows that this proposal is not the right development in the right place. ***The independent landscape consultant considers that the degree of severity of effects on landscape character and on views reflects the inappropriateness of the chosen location for this proposal.***

Risks associated with the site selection and the gas pipeline

(Pages 12 to 14 of the full objection)

On 19th April 2024 **The Health and Safety Executive** submitted, referring to the gas pipeline that runs through the middle of the site, that ***"there is potential to initiate a major accident at the major accident hazard pipeline"***. They refer to the guidelines published by the UK Onshore Pipeline Operators Association (UKOPA).

The risks associated with the proposal and the major hazard pipeline have been under assessed, and the proposal does not adhere to the required UKOPA guidelines for the siting of wind turbines or the Pipeline Hazards Distances (used by local Authority Emergency Planners). There is no evidence that the National Fire Chiefs Council's advice for the siting of BESS has been followed.

In the implementation of these required and important safety duties the Applicant has evidently failed. The choice of this site crossed by a major gas pipeline is foolhardy, and significantly increases both apparent and latent serious risks.

Net Economic Benefit

(Pages 14 and 15 of the full objection)

FORL's application states that the economic benefit *"is (are) expected to result in a negligible (positive) effect on"* both the Scottish Borders and Scottish Economy i.e. that **any economic benefit accruing would be marginal at best.**

This analysis was produced by Biggar Economics (BE) who are major suppliers to the industry. In our view, BE's relationship with the wind farm industry is likely to lead to the optimism bias cautioned against in an SG paper of 2016 regarding Net Economic Impacts. We can find no evidence that *any* such analysis by BE has ever been peer reviewed; we asked FORL for a copy of BE's model to carry out such a review and this was refused.

DLH believes decision makers need further and more robust evidence that the 2016 guidelines have been met by applicants, in particular that they provide: clear evidence-based assumptions on which the model is built, evidence that the results are truly the net position and, the level of uncertainty in the conclusions reached.

Ornithology and Ecology

(Pages 16 to 27 and appendix 5 pages 45-47)

If this development were approved significant habitat will be lost or changed. Other parts of that habitat will remain, but birds in particular will be displaced from it, and potentially killed attempting to navigate through it. Any ecological benefits accrued from mitigation management of its almost 70 hectares of solar PV array would be largely negated in respect of the bird species of the most acute conservation concern (waders and raptors) by turbine blades spinning above the array.

The proposed development's close proximity to a large area of land subject to conservation protection designations (Greenlaw Moor SSSI, and Hule Moss 'Ramsar' site) provides grounds for further legitimate concerns. Wind turbines erected in the flight paths of birds transiting to and from the protected areas would contradict the aims of their designation and subject birds already suffering declines to additional risks

The heat island effect of a large solar PV array on the temperature of water in watercourses flowing through the development site and on into the River Tweed SAC has not been tested by science but is forwarded for consideration on grounds of simple logic, due to the ecological and economic status of Tweed salmon in the Borders area.

Allowing this development would, in our view, constitute a grave ecological loss.

These arguments are explored in more detail and referenced to the relevant legislation in our full objection which will be published by the ECU in due course.

for more information or for a full copy of the objection please contact either
info@dunsleeshillsos.com or paul.whitfield@rocketmail.com