



# Appendix 1 – EIA Screening Opinion

## Stirches Renewable Energy Park

### Stiches Solar Farm Limited

Prepared by:

**SLR Consulting Limited**

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SLR Project No.: 405.VT3215.00001

June 2025

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Pippa Gardner  
David Bell  
Planning Ltd  
By email only

By email only to: [pippa.gardner@dbplanning.co.uk](mailto:pippa.gardner@dbplanning.co.uk)

Our ref: **ECU00006015**

21<sup>st</sup> March 2025

Dear Pippa Gardner,

## **ELECTRICITY ACT 1989**

### **THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017**

#### **SCREENING OPINION OF THE SCOTTISH MINISTERS**

#### **IN RESPECT OF THE PROPOSED APPLICATION FOR CONSENT UNDER SECTION 36 OF THE ELECTRICITY ACT 1989 TO CONSTRUCT AND OPERATE THE PROPOSED RENEWABLE ENERGY PARK, INCLUDING A 30 MW ALTERNATE CURRENT (AC) PV SOLAR FARM WITH ASSOCIATED BATTERY ENERGY STORAGE (30 MW), CONNECTING TO HAWICK SUBSTATION.**

Thank you for your request dated 6<sup>th</sup> November 2024 requesting a screening opinion in respect of a proposed application under section 36 of the Electricity Act 1989 (“the Electricity Act”) to construct and operate a Renewable Energy Park with a generating capacity of approximately 60 megawatts (MW), comprising of 30 megawatts (MW) solar and 30 MW battery energy storage system (BESS) with associated infrastructure (including an underground cable route to the adjacent Hawick substation, access and associated ancillary works).

#### **Background**

The proposed development as described briefly above is entirely within the planning authority area of Scottish Borders Council (“the Planning Authority”).

The proposal requires to be screened by the Scottish Ministers in accordance with regulation 7 of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (“the Regulations”). Following a request for a screening opinion made under regulation 8(1), Scottish Ministers are required to adopt an opinion as to whether the proposed development is or is not EIA development.

## **The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017**

The Regulations set out at 8(2) the information that must accompany a request to the Scottish Ministers to adopt a screening opinion. Scottish Ministers consider that the information included in the screening request and documents supporting the request is sufficient to meet the requirements set out in regulation 8(2), and that the submitted information has been compiled taking into account the selection criteria in schedule 3 of the Regulations.

### **Statutory Consultation**

Under regulation 8(5) of the Regulations, Scottish Ministers are required to consult the Planning Authority within whose land the proposed development is situated. The Planning Authority was consulted on 15<sup>th</sup> January 2025 and responded on 20<sup>th</sup> March 2025 advising that, in their view, the proposed development does not constitute EIA development and therefore any application for construction and operation of the development described in the screening request does not need to be accompanied by an EIA report. A copy of the Planning Authority's response is annexed to this screening opinion (**Annex A**).

### **Scottish Ministers' Considerations**

EIA development is defined in the Regulations, in respect of an application, as a proposed development, which is either Schedule 1 development, or Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its nature, size or location. The proposed development constitutes Schedule 2 development in terms of the Regulations.

In adopting a screening opinion as to whether Schedule 2 development is EIA development, the Scottish Ministers must in all cases take into account such of the selection criteria in Schedule 3 of the Regulations as are relevant to the proposed development, and the available results of any relevant assessment.

Scottish Ministers have taken the selection criteria in Schedule 3 and all the information submitted in respect of the screening request in account and taken account of the views of the Planning Authority. Scottish Ministers adopt the opinion that **the proposal does not constitute EIA development and that the application submitted for this development does not require to be accompanied by an EIA report.**

In accordance with regulation 7(2), this opinion is accompanied by the following written statement with reference to the relevant selection criteria within Schedule 3 of the Regulations. In accordance with the Regulations, a copy of the screening opinion has been sent to the Planning Authority.

### **Written Statement**

#### **Characteristics of Development**

The total Site area extends to 80 ha, containing a development footprint of approximately 54 ha with circa 45 ha for solar, 1.5 ha for BESS and the remaining 7.5 ha utilised for associated infrastructure. The Proposed Development would likely comprise the following key components:

- Up to 70,000 PV modules;
- 7 MV Stations;

- 24 Battery Storage Containers;
- string inverter units;
- operations and maintenance containers;
- electrical substation;
- control building;
- Site access and internal access tracks;
- fencing and CCTV (using infrared (IR) technology - no security lighting is required);
- drainage;
- temporary construction compound;
- underground cable connection to Hawick substation; and
- landscape and biodiversity mitigation and enhancement.

The Applicant notes the presence of existing and proposed energy infrastructure assets in close proximity to the Site, including two ground-based PV arrays, existing high voltage overhead powerlines and the existing Hawick substation. These will be considered during the preparation of the application and are not expected to result in significant cumulative impacts. The Applicant also notes the three other renewable energy developments- a 90 MW BESS development and two onshore windfarms- that have not yet been granted consent by Scottish Ministers and so cannot be formally considered at this stage.

The production of waste would be limited to the construction phase and managed via a Construction Environment Management Plan (CEMP). No waste would be produced by on-Site operations.

Potential pollution or nuisances such as emissions to air from vehicles / plant machinery and construction noise would be limited to the construction period and managed through a CEMP. There are no significant pollution or nuisance anticipated at operation stage, and no anticipated risk of accidents or disasters or to human health.

### **Location of Development**

The Proposed Development Site is located around 300 m to the north-west of the settlement of Hawick and comprises two separate compartments of land which sit to the east and west of the minor road that extends from the town, providing local access to several dispersed houses as well as the Hawick substation. The current land covers a mix of arable and semi-improved and/or improved grazing fields.

There are several Sites of Special Scientific Interest (SSSI) and Special Protection Areas (SPA) within a 5-kilometre radius of the proposed development including Kippilaw Moss SSSI, which is located approximately 340 m to the south-west, and the River Tweed SSSI SAC, located approximately 1.25 km south at its closest point. The Applicant has committed to producing a sensitive construction and operational drainage scheme and a sensitive lighting strategy to mitigate any negative impact.

Although habitats within the Site appear to be of low to medium ecological value, the Applicant notes that habitats on-Site and adjacent to the Site may provide opportunities for a range of protected species, including Breeding Birds, Bats, Badger, Otter, Water Vole, Red Squirrel, and Great Crested Newts (GCNs). However, while protected species and sensitive habitats could be impacted by the proposal, given the type of development which is proposed, it is considered unlikely that the proposal would have any significant impacts on biodiversity features, sensitive habitats or water quality (of the river Tweed). The application will be supported by an Ecological Impact Assessment and biodiversity enhancement measures.

The closest landscape designation is the locally recognised Special Landscape Area (SLA) covering the Teviot valleys which at its closest point is some 600 m from the Site boundary. Siting of the Proposed Development will avoid visibility from the Teviot valley, including from the settlement of Hawick. The Proposed Development will be visible to walkers and cyclists for a short section on the Western edge of the Site, and from the A7 on the Eastern side. The Applicant has committed to planting new hedgerows and trees to mitigate the impact on close range and oblique views.

Within 5 km of the Proposed Development Site there are 10 Scheduled Monuments and 141 Listed Buildings (6 Category A, 42 Category B and 93 Category C). The Applicant will put together an Archaeology and Cultural Heritage Statement.

### **Characteristics of the Potential Impact**

Visibility of the development is not predicted to extend widely and will be limited by topography and woodland. This, combined with the generally low height of the proposed Solar PV and BESS infrastructure and the Applicant's commitment to introduce new planting to screen the Site, means that the visual impact would not be significant. Any application would be supported by a Landscape and Visual Impact Assessment.

Any forthcoming application will be supported by measures to improve the ecological and biodiversity performance of the site. There are no likely significant effects on biodiversity, landscape, cultural heritage, or material assets. There are also no significant effects considered to be likely on land, soil, water, air, or climate.

The Proposed Development would not give rise to pollution or significant emissions of gas, noise, light, or waste once construction is complete. Any potential impact would be further managed through a CEMP.

It is considered given the low level of impacts expected, that cumulative effects with other existing or approved development are unlikely.

Whilst it is considered that an EIA is not required for the Proposed Development, the final Section 36 application will be supported by the following technical and environmental reports: Ecology Statement; Outline Habitat Management and Biodiversity Enhancement Plan; Ground Condition Risk Assessment; Landscape and Visual Impact Assessment; Flood Risk Assessment / Drainage Strategy; Noise Impact Assessment; Archaeology and Cultural Heritage Statement; Construction Traffic Management Plan; Outline Battery Safety Management Plan; Socio-Economic Benefits Statement; Design Statement; Planning / Sustainable Place Statement; and Pre-application Consultation Report.

This screening opinion does not constitute pre-application advice and is provided without prejudice to the assessment of any future application under section 36 of the Electricity Act 1989.

Yours sincerely

Alice Creasy

A member of staff of the Scottish Government

(Cc: Scottish Borders Council)



Alice Creasy  
Case Officer  
Energy Consents Unit

By Email

*Please ask for:*

*Our Ref:*

*Your Ref:*

*E-Mail:*

*Date:*

Scott Shearer

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20.03.2025

Dear Alice,

**PROPOSAL:** The Town and Country Planning (Environmental Impact Assessment) (Scotland) regulations 2017 Request for a Screening Opinion for a Solar Farm  
**SITE:** Land at Stirches Hawick

I refer to your request for a Screening Opinion under the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 for the above proposed development and would respond as follows:

The proposed development would be categorized under 3(a) of Column 1 of Schedule 2. Though not within a Sensitive Area, the site area would exceed the threshold in Column 2 and, therefore, the development requires to be screened.

The requirement for EIA is dependent on whether or not the Council as Planning Authority considers the proposed development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location, taking into account the selection criteria in Schedule 3 (Annex A of Circular 1/2017) and the available results of any relevant assessment.

Considering the information submitted with your application and having regards to the selection criteria contained in Schedule 3 of the regulations relating to; the characteristics of the development, the location of the development and the characteristics of the potential impact as well as any proposed mitigation measures, it is the view of the Council as planning authority that the impacts of the proposal **would not require to be subject of an Environmental Impact Assessment**. Nevertheless, the scale of the proposed development is vast, and its impacts will require thorough assessment as part of any prospective Section 36 which should include the following adequate environmental information, including some EIA level assessment covering the following topics:

### **Landscape**

This is a large scheme that has potential to alter the perception of the landscape in the immediate area as well as potentially being visible from further afield. For that reason, an LVIA is required to be undertaken in accordance with Guidelines for Landscape and Visual Impact Assessment, 3rd Edition, together with Zone of Theoretical Visibility (ZTV) mapping is the minimum required to allow an assessment of the proposal on a range of sensitive receptors in the local and wider area, firstly Landscape receptors, including those landscape characteristics and physical elements that come together to form a distinctive landscape, and secondly visual receptors including road users,

receptors on local path network including core paths, Common Riding routes, locals and residents in and around Hawick, and viewpoints in and around the town.

The LVIA should also consider cumulative impacts arising from other renewable energy infrastructure/proposals in the surrounding environment and also consider impact on residential receptors.

### **Cultural Heritage**

It is recommended that an EIA level Heritage Impact Assessment is undertaken.

### **Roads**

Our Roads Planning Officer have advised that all transport related matters can be addressed within a Transport Assessment which is required to be undertaken to support this application.

### **Amenity**

Our Environmental Health Officers advise that the following submissions are required;

- Noise Impact Assessment
- Private Water Supply Impact Assessment
- Construction Environmental Management Plan

### **Flooding**

It is recommended that the application is supported by Hydrological assessments which includes the responds to impact of the development on adjacent water courses and SUDS details

Our Flood Engineers advise that the following points should be considered the detailed design

- The formation of any newly formed hard surfaces such as access roads should be attenuated to at least existing Greenfield runoff rates so that there is no increased effect on downstream receptors. Likewise, any discharges from SUDS and other drainage should be kept to existing Greenfield runoff rates.
- A buffer zone for the watercourses.
- If there are to be any culverts, watercourse crossings or alterations to crossings, these must not reduce the flow conveyance of the water course and should be designed to a 1:200 year plus climate change standard.
- Details of the silt traps and any other functions that the applicant proposes to minimise the amount of sediment entering a watercourse should be submitted.

### **Ecology**

Our Ecology Officer Advises that;

There are no designated or non-statutory biodiversity sites with the site. There is potential connectivity with the Tweed SAC/SSSI via the Boonraw Burn, which runs along the north-east site boundary and the Stirches Burn, which runs close to the south-western site boundary.

The current land cover appears to be a mix of arable and semi-improved and/or improved grazing fields.

Although protected species and sensitive habitats could be impacted by the proposal, given the type of development which is proposed, I consider it unlikely that the proposal would have any significant impacts on biodiversity features, sensitive habitats or water quality (of the river Tweed) which need to be assessed through and EIA.

An Ecological Impact Assessment (EclA) should be sufficient to adequately assess the impacts of the proposal.

**Other Matters**

Separate from the supporting environmental information, it is recommended that any application should also be supported by a detailed Planning Statement assessing the merits of the proposal against key Planning and Energy Policies in addition to addressing the need for the development, its benefits and why this site is considered to be an appropriate location for a renewable energy development.

Should the applicants wish to obtain the informal opinion of the Planning Authority of the merits of the development in advance of submitting the Section 36 application then would encourage them to do this through the Council's Pre-Application Service. Further information is available here; [Pre-Application Guidance](#)

I confirm this letter constitutes the formal Screening Opinion of the Planning Authority.

Yours sincerely,

**Scott Shearer MRTPI**  
**Principal Planning Officer (Local Review and Major Development)**