

Tackling the Nature Emergency: Consultation on Scotland's Strategic Framework for Biodiversity  
SSEN Transmission submission To the Net Zero, Energy and Transport Committee  
January 2024

**About us:**

SSEN Transmission, part of SSE plc, owns, operates and develops the high voltage electricity transmission system in the north of Scotland and remote Scottish islands. We are investing over £20bn this decade to deliver critical grid infrastructure investment that will help to unlock the Scottish Government's 2030 renewable energy targets, strengthen energy security and support a pathway to a net zero economy. Further information about us can be found here: <https://www.ssen-transmission.co.uk>.

**Our environmental commitments to enhance biodiversity:**

Guided by our industry leading environmental policies, which covers both land and marine environments, we aim to provide a positive environmental impact as we deliver our critical infrastructure, taking a stakeholder-led approach. We're also proud to be the first developer to consult upon and implement an approach to deliver onshore Biodiversity Net Gain (BNG) on all new sites.

In addition to our commitments to improve onshore biodiversity, we're also committed to ensuring positive marine biodiversity outcomes as we deliver our subsea cables offshore; connecting Scotland's remote islands to the GB grid and progressing vital reinforcements for ScotWind projects. You can read more about our approach and environmental commitments [here](#).

**Sharing our views with the Net Zero, Energy and Transport Committee:**

Thank you for providing the opportunity to share our views. A summary of the key headline points we would like to share can be found below:

- **We welcome the ambitions of the Scottish Government's Biodiversity Strategy and Delivery Plan** and look forward to supporting its objectives as we deliver our critical grid infrastructure, both onshore and offshore.
- **It should be noted that timescales to deliver the ambitions of the strategy by 2030 for both onshore and marine environments are incredibly short, it therefore may be challenging to achieve what is set out within this timeframe.** However, we agree that the delivery plan should be ambitious and should aim to reach this objective, aligning with wider legally binding climate change targets since the climate and nature emergency are so closely related.
- To enable successful delivery and implementation of the strategy and delivery plan within short timescales, it's important that **collaboration, engagement and shared understanding of policy, legislation and outcomes** are agreed and in alignment across industry, wider stakeholders, communities and government, for both onshore and offshore environments.
- **Private sector investment in Biodiversity restoration and regeneration (both onshore and in marine environments) will be critical for the strategy's delivery.** Engagement and consultation with industry should therefore be prioritised as the strategy and delivery plan is developed and implemented to ensure that it aligns with wider Scottish Government policy ambitions and is enabling of nationally important infrastructure.

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- We agree that **biodiversity targets should be set on a statutory footing**, alongside wider legally binding climate change targets. These should be clear, transparent, ambitious but deliverable within tight 2030 timescales. The targets should also be measurable against a baseline.
- However, we **disagree that targets should be agile**. Once targets are set they should not change as this creates challenge and uncertainty for those who are supporting delivery. We would also request that notice is given to industry on when the targets are to come into force, with information on the transitional period for implementation.
- We request that any **updates to the Scottish Biodiversity List** (in both terrestrial and freshwater habitats) continue to use and fit within the framework of existing habitat definitions developed through the UK Biodiversity Action Plan to ensure a consistent approach and support the UK Post-2010 Biodiversity Framework.
- **If any new species are being added to the Scottish Biodiversity List, they may not be well understood by current environmental experts in the field which inform our projects environmental analysis.** This could create issues and delay for the delivery of critical infrastructure and EIA assessments. A habitat-led approach may therefore be more appropriate to support the protection of these species through impact assessment and mitigation.
- It should also be recognised that **planning policy and legislation will be the key catalyst for unlocking private sector investment in nature restoration**. The planning and consenting framework therefore needs to be flexible and enabling of critical infrastructure delivery that will be essential to support climate change and nature recovery ambitions.

Further information on our specific environmental consenting concerns, for both onshore and marine developments, can be found below:

**1) Enabling regional vs local biodiversity enhancement**

The delivery of biodiversity enhancement through our onshore and offshore developments could be used to support much more strategic regional biodiversity enhancement schemes, however the current planning and legislative system favours a local approach where biodiversity enhancement is delivered on the site of the development. Changing this would allow developers to deliver wider and more meaningful biodiversity benefits on a larger, more strategic scale at a national level to support Biodiversity Strategy ambitions, such as the Atlantic Rainforest project, rather just focusing on individual habitats at our sites.

**2) Ancient Woodland Policy in NPF4**

SSEN Transmission supports the requirement for developments to protect and enhance biodiversity whilst avoiding and mitigating any potential impact. Mitigation and restoration are particularly important in circumstances where it can be evidenced that no other viable options are suitable for the delivery of nationally significant infrastructure investment.

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We would welcome the new Register of Ancient Woodlands, to become the conclusive record of ancient woodland in Scotland considered with regard to Policy 6 in NPF4, as current ambiguities in definition and location creates significant issues for the consent of critical networks infrastructure. The consultation on and publication of qualification and selection criteria for the Register would help to mitigate uncertainty in the planning process and risk to project delivery.

This risk is created due to the linear nature of our infrastructure and the widespread presence of the current Ancient Woodland Inventory categories and other protected trees across the north of Scotland, alongside other planning restrictions and designations. This means that for a significant number of our projects, impacts on mapped Ancient Woodland Inventory features (including categories which do not have the mapped history or continuity of woodland cover to meet the NPF4 definition) are unavoidable. Our internal policy on ancient woodland follows a mitigation hierarchy of avoid, minimise, and restore led by our sector leading environmental approach (which includes irreplaceable habitat commitments) and commitments to deliver BNG on all new projects. Where impacts cannot be avoided, over and above our standard compensatory planting policy, we are committed to provide lasting mitigation to enhance the condition of existing woodland habitat sites such as ancient woodland.

To avoid delays to our current and future projects, we believe it is crucial that there is recognition of the importance of the development of Scotland's critical transmission infrastructure in the development of the new Register of Ancient Woodlands. We would also welcome a minor amendment of NPF4 Policy 6 to support development of essential infrastructure where there is evidence of a specific locational need and no other suitable site (equivalent to the derogation for peatland in Policy 5), to reinforce this.

### **3) Marine Spatial Planning to enhance Biodiversity**

From a marine perspective, it should also be noted that to support the delivery and connection of ScotWind Leasing Projects, the marine and coastal environment, particularly in the North-East of Scotland, is becoming an increasingly busy space. This risks creating delays in the delivery of critical infrastructure projects should site conflicts arise, both between the many developers that are progressing projects in this area but also from other existing marine users that may potentially be impacted. While not directly relevant to the questions posed in this consultation, an overarching plan for marine and coastal spatial planning is urgently needed to minimise and mitigate development overlaps, manage environmental impacts and ensure strategic coordination takes place to collectively deliver the Scottish Government's Energy Strategy and Biodiversity Strategy ambitions.

There's also critical need to protect areas in the marine environment and coasts, particularly for habitat recovery and the delivery of marine net gain. Currently, there's limited regulation to protect these areas, which are crucial for habitat restoration—similar to existing protections on land, these marine sites should also be safeguarded for natural activities.

As we work to establish our own Marine Biodiversity Net Gain Metric with our businesses' key stakeholders it would be helpful to understand current Scottish Government thinking in this regard to support delivery of the Biodiversity Strategy's ambitions. We believe this should include measures to

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tackle Invasive Non-Native Species, where appropriate, but within the context of a changing climate and warming seas.

We would also caution against the implementation of a central levy on developers to deliver marine biodiversity benefit. While we are keen to contribute, and already do through community led partnerships with groups such as the Orkney Skate Trust, we would prefer to have direct control of where this funding is being spent. As a regulated business, we are funded by GB electricity bill payers and need to ensure that any cost to our business is accountable to consumers.

#### **4) Nature Networks and 30 x 30**

SSEN Transmission acknowledges the twin crises of climate change and biodiversity loss and supports the requirement for developments to protect and enhance biodiversity; however, it is important that flexibility is maintained in the consenting system and for decision makers to ensure where we need to develop in areas that would not always be the preference that they are allowed to proceed sensitively, both onshore and offshore.

Although we recognise that the spatial identification and mapping of Nature Networks will be local authority led, we would expect that NatureScot should play the leading role in ensuring that the Nature Networks toolbox is suitably resourced to support consistency in terms of identification of networks.

We also hope to see clear guidance for local authorities on consultation of Nature Networks, their incorporation into Local Development Plan maps and policy and their future review to ensure a consistent application across Scotland. We would also like to see a consolidated live GIS map layer of all Nature Networks which are adopted into Local Development Plans or through other mechanisms at that time.

Consistency would hopefully aid us to anticipate the development of networks coinciding with our current and future infrastructure; contribute at the optimal times as a stakeholder to minimise potential conflicts for network resilience which could arise from particular changes in land management or habitats; and identify opportunities to strengthen nature networks through integrating our design and management into wider and higher quality ecological connectivity, or to support other parties with delivery away from our assets. Although we recognise the potential of public and private funding, finance and investment; we think that local authorities should utilise their role as planning authorities to support developers in delivery or support of wider and more meaningful biodiversity benefits on a larger, more strategic scale, also addressing the requirements under Policy 3 (Nature Crisis).

**Thank you for providing the opportunity to share our views with the Committee. Should you wish to discuss any of the points raised in our submission in further detail, or if we can contribute to any future discussions, please contact [\[EMAIL REDACTED\]](#) to arrange a suitable date.**