

Agenda Item	5.1
Report No	PLS-02-23

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 08 February 2023

Report Title: 22/04455/PAN: Scottish Hydro Electric Transmission Plc
Land 265M North of Foyers Power Station, Foyers

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Erection and operation of new substation comprising platform area, associated plant and infrastructure, ancillary facilities, laydown area(s), access road and landscape works, and extension to existing Foyers switching station comprising platform area, associated plant and infrastructure, ancillary facilities, laydown area(s), access road and landscape works

Ward: 12 – Aird and Loch Ness

Recommendation

Members are asked to note the submission of the PAN and highlight any material issues they wish to be brought to the attention of the applicant before the submission of an application for planning permission.

1.0 BACKGROUND

- 1.1 This report informs the Planning Applications Committee of the submission of the attached Proposal of Application Notice (PAN).
- 1.2 The submission of the PAN accords with the provisions of the Planning etc. (Scotland) Act 2006 and was made valid on 30 September 2022. The PAN is a statutory requirement for planning applications for major or national developments and must be lodged at least 12 weeks prior to the submission of a planning application. Members are asked to note this may form the basis of a subsequent planning application.
- 1.3 The submitted information attached includes:
- Proposal of Application Notice (Application Form)
 - Site Location Plan
- 1.4 The developer proposes to undertake two public consultation events, the first on 19 October 2022 at Stratherrick Public Hall, Gorthleck, Inverness, IV2 6YS between 1400-1900hrs, and the second proposed for late Spring 2023 (times and venue to be confirmed).
- Event details will also be made available via the applicant's website:
<https://www.ssen-transmission.co.uk/projects/project-map/foyers-substation-works/>
- 1.5 The consultation will be publicised and advertised in accordance with the appropriate statutory requirements with adverts to be placed within The Press and Journal. Information postcards with invitations to attend the first public consultation were sent to properties within a 7km radius of the site. Information has also been provided on the project website and on SSE social media outlets.
- 1.6 Details of all notified parties are contained / appended to the PAN form and include Stratherrick and Foyers, Fort Augustus and Glenmoriston, Glenurquhart, and Dore and Essich Community Councils. Ward Councillors, MSP and MP have also been notified.
- 1.7 Any forthcoming application will be accompanied by a Pre-Application Consultation (PAC) report explaining the consultation undertaken, feedback received, and any resultant amendments made to the planning application.

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 This PAN provides notice of the developer's intention to submit a planning application for a scheme which is classified as a National Development. The prospective development comprises the erection and operation of two new grid transformers within a new transformer compound and ancillary infrastructure including grid connection and access track. The project is required as the two existing grid transformers at the Foyers pumped storage power station are now reaching the end of their lives and fail to meet current safety standards. It has been noted that this site is of strategic significance to the wider transmission network.

2.2 Prior to lodging the PAN the developer sought formal pre-application advice from the Planning Authority through the Pre-Application Advice Service.

3.0 SITE DESCRIPTION

3.1 The PAN boundary comprises 19.4ha of land running centrally along the eastern shore of Loch Ness. The site is bound by Loch Ness to the west, the B852 to the east and ancient woodlands to the north-east and south-west. There is a private access route from the north east of the site connecting with the B852. This route runs through the centre of the site and directly links the existing substation compound in the south west of the site, to the existing switching station in the north east of the site. The site demonstrates severely constrained expanses in terms of topography, area and tree cover.

3.2 The site is located within the Loch Ness and Duntelchaig Special Landscape Area. A large proportion of the site is covered in Native woodland with smaller sections consisting of Ancient Woodland at south-western and north-eastern points of the site. Other main constraints of the site include but are not limited to, public rights of way and core paths, category B listed buildings, flooding risks, and protected species.

4.0 DEVELOPMENT PLAN

The following policies are relevant to the assessment of the proposal:

4.1 Highland Wide Local Development Plan (2012) (IMFLDP)

- 28 - Sustainable Design
- 29 - Design Quality and Place-making
- 30 - Physical Constrains
- 31 - Developer Contributions
- 36 - Development in the Wider Countryside
- 42 - Previously Used Land
- 51 - Trees and Development
- 52 - Principle of Development in Woodland
- 55 - Peat and Soils
- 56 - Travel
- 57 - Natural, Built and Cultural Heritage
- 58 - Protected Species
- 59 - Other Important Species
- 60 - Other Important Habitats
- 61 - Landscape
- 63 - Water Environment
- 64 - Flood Risk
- 66 - Surface Water Drainage
- 69 - Electricity Transmission Infrastructure
- 72 - Pollution
- 73 - Air Quality
- 74 - Green Networks
- 77 - Public Access

4.2 **Inner Moray Firth Local Development Plan (2015) and Emerging Proposed Plan (2022)**

The site is not covered by any specific development allocation within the adopted IMFLDP which also defines the extent of the Loch Ness and Duntelchaig Special Landscape Area (SLA). The IMFLDP is currently under review with the Proposed Plan retaining the SLA and the plan's Spatial Strategy identifying the land surrounding Loch Ness as a Sustainable tourism potential growth area. Other pertinent general applicable Proposed Plan policies include:

- Policy 2 - Nature Protection, Preservation and Enhancement; and
- Policy 9 – Delivering Development and Infrastructure.

4.3 **Highland Council Supplementary Planning Guidance**

- Developer Contributions (Nov 2018)
- Flood Risk and Drainage Impact Assessment (Jan 2013)
- Green Networks (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (Mar 2013)
- Physical Constraints (Mar 2013)
- Roads and Transport Guidelines for New Developments (May 2013)
- Standards for Archaeological Work (Mar 2012)
- Sustainable Design Guide (Jan 2013)
- Trees, Woodlands and Development (Jan 2013)

4.3 **Scottish Government Policy and Other Guidance**

- Scottish Planning Policy (Jun 2014)
- Revised Draft National Planning Framework 4 (Nov 2022)
- National Planning Framework 3, (Jun 2014)
- Scottish Energy Strategy (Dec 2017)
- Scotland's Energy Strategy Position Statement (Mar 2021)
- 2020 Route Map for Renewable Energy (Jun 2011)
- PAN 1/2013 – Environmental Impact Assessment (Aug 2013)
- PAN 1/2021 – Planning and Noise (Mar 2011)
- PAN 60 – Planning for Natural Heritage (Jan 2008)
- PAN 69 – Design Statements (Aug 2003)
- Historic Environment Policy for Scotland (Apr 2019)
- Construction Environmental Management Process for Large Scale Projects, Highland Council (Aug 2010)
- Forest and Woodland Strategy (Nov 2018)

5.0 **POTENTIAL MATERIAL PLANNING CONSIDERATIONS**

- a) Development Plan
- b) National Policy
- c) Planning History
- d) Design and Layout
- e) Landscape and Visual Impact
- f) Roads and Transport
- g) Outdoor Access and Recreation

- h) Economic Impact and Tourism
- i) Trees, Forest and Woodland
- j) Natural Heritage (including ecology, ornithology, soils and peat)
- k) Built and Cultural Heritage
- l) Water Environment (including flood risk and drainage)
- m) Amenity Impacts (including noise, dust and light pollution)
- n) Any Other Material Considerations Raised within Representations

6.0 CONCLUSION

- 6.1 The report presents the information submitted to date as part of the PAN. Summarised are the policy considerations against which any future planning application will be considered as well as the potential material planning considerations and key issues based on the information available to date. The list is not exhaustive and further matters may arise as and when a planning application is received and in the light of public representations and consultation responses.

7.0 IMPLICATIONS

- 7.1 Not applicable

8.0 RECOMMENDATION

- 8.1 It is recommended the Committee notes the submission of the PAN and advises of any material issues it wishes to be brought to the applicant's attention.

Designation: Area Planning Manager – South
Author(s): Harry Goacher / Peter Wheelan
Background Papers: Documents referred to in report and in case file.

Relevant Plans: Plan 1 – Proposal of Application Notice
Plan 2 – Site Location Plan

The Town and Country Planning (Scotland) Act 1997 as amended by the Planning Etc. (Scotland) Act 2006 Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

The Council will respond within 21 days of receiving the Notice. It will advise whether the proposed Pre-application Consultation is satisfactory or if additional notification and consultation above the statutory minimum is required. Please note that a planning application for this proposed development cannot be submitted less than 12 weeks from the date the Proposal of Application Notice is received by the Council and without the statutory consultation requirements having been undertaken. The planning application must be accompanied by a Pre-application consultation report.

<p>Applicant: Scottish Hydro Electric Transmission plc</p> <p>Address: Inveralmond House, 200 Dunkeld Road, Perth, PH1 3AQ</p> <p>Phone: 07918 302034 E-mail: keith.smith@sse.com</p>	<p>Agent: N/A Address</p> <p>Phone E-mail</p>
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Address or Location of Proposed Development

Please state the postal address of the prospective development site. If there is no postal address, please describe its location. Please outline the site in red on a base plan to a recognised metric scale and attach it to this completed Notice

Land to the North East of Foyers Hydro Electric Power Station

Description of Development

Please include detail where appropriate – eg the number of residential units; the gross floorspace in m of any buildings not for residential use; the capacity of any electricity generation or waste management facility; and the length of any infrastructure project. Please attach any additional supporting information.

New substation comprising platform area, associated plant and infrastructure, ancillary facilities, laydown area(s), access road and landscape works, and extension to existing Foyers switching station comprising platform area, associated plant and infrastructure, ancillary facilities, laydown area(s), access road and landscape works (National Development).

Pre-application Screening Notice

Has a Screening Opinion been issued on the need for a Proposal of Application notice by the Highland Council in respect of the proposed development?

If yes, please provide a copy of this Opinion.

No

Community Consultation [See checklist of Statutory minimum consultation attached]

State which other parties have received a copy of this Proposal of Application Notice.

Community Council/s

Date Notice Served

**Stratherrick and Foyers Community Council;
Fort Augustus and Glenmoriston Community Council;
Glenurquhart Community Council;
Dores and Essich Community Council.**

Names/details of any other parties

Date Notice Served

Ward 12 (Aird and Loch Ness) Councillors:

**Cllr Chris Ballance - Chris.Ballance.cllr@highland.gov.uk
Cllr Helen Crawford - Helen.Crawford.cllr@highland.gov.uk
Cllr David Fraser - David.fraser.cllr@highland.gov.uk
Cllr Emma Knox - emma.knox.cllr@highland.gov.uk**

**MSP: Kate Forbes - Kate.Forbes.msp@parliament.scot
MP: Drew Hendry - drew.hendry.mp@parliament.uk**

Notice served to parties listed above: 28th September 2022 by email.

Please give details of proposed consultation

Proposed public event

Venue

Date and time

1st public event: In-Person Public Consultation; Stratherrick Public Hall, Gorthleck, Inverness IV2 6YS from 2pm – 7pm, 19th October 2022.

2nd public event: In-Person. In excess of 2 weeks from first public event and prior to submission of planning application (programmed for late Spring 2023). The date and venue is still to be confirmed.

Newspaper Advert – name of newspaper

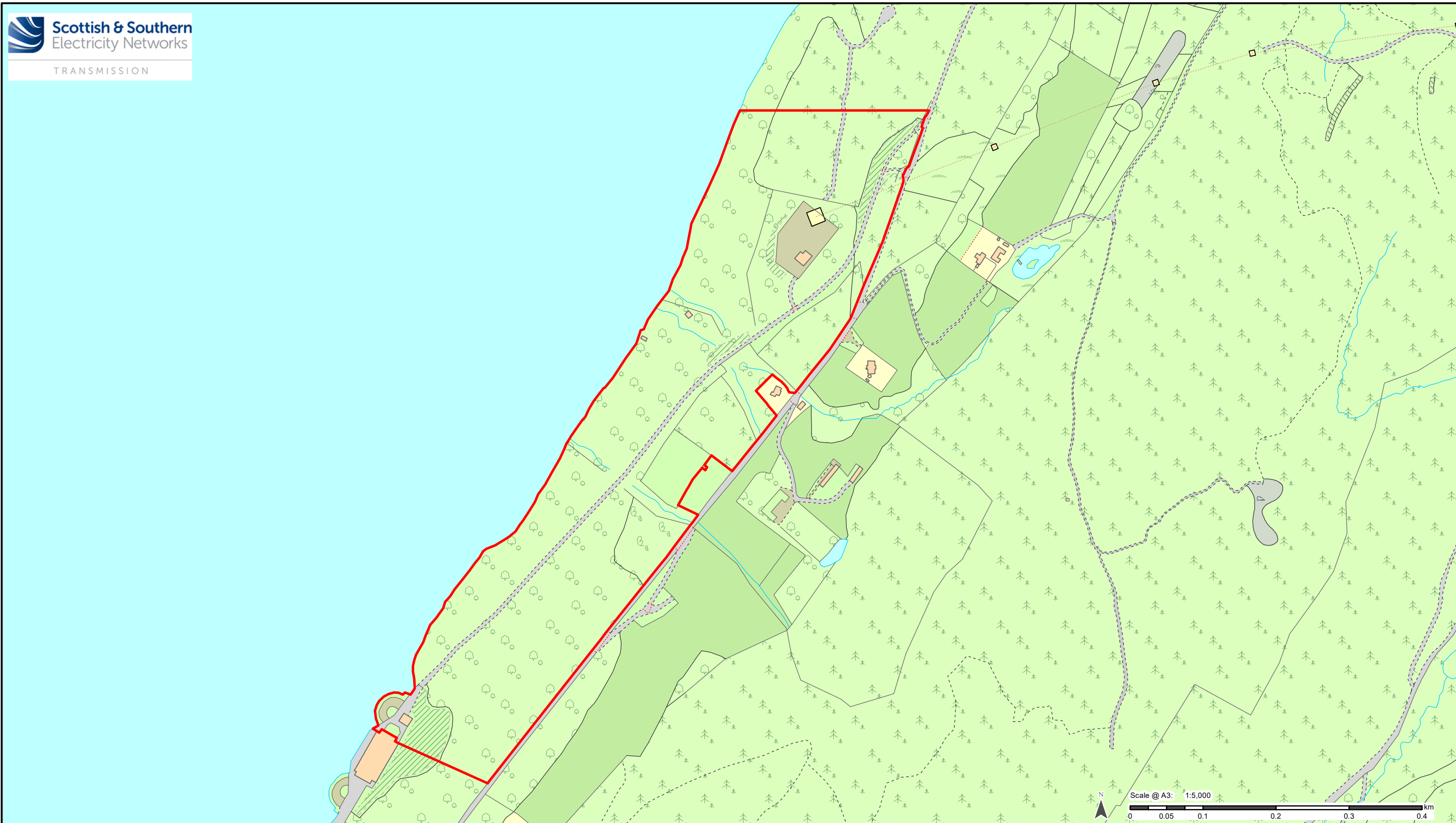
Advert date(where known)

Press and Journal - An advert will be placed in this newspaper on 11th October 2022.

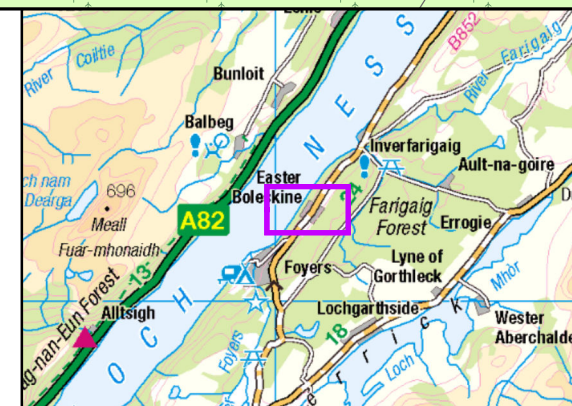
Details of any other consultation methods (date, time and with whom)

Information postcards with invitation to attend event will be sent to properties with a 7km radius of the site and will be delivered by 12th October 2022. Information will also be made available via the project webpage from 11th October 2022.

SignedKeith Smith..... Date.....28/09/2022.....



Red Line Site Boundary



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Project No: LT000243
Project: Foyers

Title: Location Plan

Drawn by: IF Date: 23/09/2022

Drawing: LT000243_ENV_004