

Agenda Item	<b>5.2</b>
Report No	<b>PLN/021/22</b>

## HIGHLAND COUNCIL

**Committee:** North Planning Applications Committee

**Date:** 05 March 2024

**Report Title:** 24/00291/PAN: SSE  
Land 360M NE Of Achalone Cottage, Halkirk

**Report By:** Area Planning Manager – North

### **Purpose/Executive Summary**

**Description:** The construction and operation of a 400kV substation, HVDC converter, access, construction compound, landscaping and ancillary infrastructure.

**Ward:** 03 - Wick And East Caithness

### **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 26 January 2024. 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 Forms)
  - Location Plan
- 1.4 In October 2022, The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 were amended by The Town and Country Planning (Pre-Application Consultation) (Scotland) Amendment Regulations 2021. This changed some of the consultation activities required by the applicant for PANs submitted after 1 October 2022. The previous arrangements associated with the Covid-19 public health advice and previous modifications to the regulations, are now superseded. In line with the current regulations, the developer proposes to undertake two in person public consultation events at the Ross Institute, Halkirk, scheduled as follows:
- **Event 1:** Monday 11 March 2024, between 2:00-7:00pm
  - **Event 2:** Monday 3 June 2024, between 2:00-7:00pm
- 1.5 The consultation was publicised and advertised in accordance with the appropriate statutory requirements, with adverts scheduled to be placed within the Caithness Courier and Press and Journal on 28 February 2024 and on or around 22 May 2024. An invitation maildrop will be undertaken on or around 01 March 2024, making local residents aware of the proposed development and the consultation events. The catchment for its wider distribution covered a radius of 10km from the proposed site. The PAN form also indicates that the Halkirk and District and Watten Community Councils were notified, in line with the statutory requirements.
- 1.6 The consultation information will also made available on the applicant's website. A telephone contact is also available.
- 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 The proposed scheme is a new 400kV substation and its ancillary works. The development will involve the construction of new hardstanding's and service routes, contained by security fencing.

- 2.2 The developer has sought formal pre-application advice from the Planning Authority, through the Pre-Application Advice Service for Major Developments.
- 2.3 The developer will submit an EIA screening request in respect of the proposals.
- 2.4 Since the PAN was initially received, the applicant has submitted an amended location plan, incorporating a slightly larger red line site boundary area.

### **3.0 SITE DESCRIPTION**

- 3.1 The PAN boundary comprises some 143 Ha of mainly grazing land and commercial forestry, located to the northeast of the existing Spittal substation. Parts of the site are listed as potentially vulnerable to pluvial (surface water) flooding on the SEPA online maps.
- 3.2 The site is not located within any natural heritage designations.
- 3.3 There are no Scheduled Ancient Monuments, Listed Buildings or Conservation Areas within the site.

### **4.0 DEVELOPMENT PLAN**

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

#### **4.1 National Planning Framework (NPF) 4 (2023)**

National Development 3 – Strategic Renewable Electricity generation and Transmission Infrastructure

1 - Tackling the Climate and Nature Crises

2 - Climate Mitigation and Adaptation

3 - Biodiversity

4 - Natural Places

5 - Soils

7 - Historic Assets and Places

11 - Energy

20 - Blue and Green Infrastructure

22 - Flood Risk and Water Management

23 - Health and Safety

25 - Community Wealth Building

29 - Rural Development

33 - Minerals

#### 4.2 **Highland Wide Local Development Plan (2012)**

- 28 - Sustainable Design
- 29 - Design Quality and Place-making
- 30 - Physical Constraints
- 31 - Developer Contributions
- 36 - Development in the Wider Countryside
- 55 - Peat and Soils
- 56 - Travel
- 57 - Natural, Built and Cultural Heritage
- 58 - Protected Species
- 59 - Other important Species
- 60 - Other Importance Habitats
- 61 - Landscape
- 63 - Water Environment
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage
- 69 - Electricity Transmission Infrastructure
- 72 - Pollution
- 73 - Air Quality
- 74 - Green Networks
- 77 - Public Access

#### **Caithness and Sutherland Local Development Plan (CaSPlan) (2022)**

4.2 The site is located within the wider countryside.

#### 4.3 **Highland Council Supplementary Guidance**

- Construction Environmental Management Process for Large Scale Projects (Aug 2010)
- Developer Contributions (Nov 2018)
- Flood Risk & Drainage Impact Assessment (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (Mar 2013)
- Managing Waste in New Developments (Mar 2013)
- Physical Constraints (Mar 2013)
- Public Art Strategy (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)

#### 4.5 **Scottish Government Policy and Other Guidance**

- Historic Environment Policy for Scotland (Apr 2019)
- PAN 1/2011 – Planning and Noise (Mar 2011)
- PAN 60 – Planning for Natural Heritage (Jan 2008)
- PAN 61 – Sustainable Drainage Systems (Jul 2001)
- PAN 68 – Design Statements (Aug 2003)
- PAN 75 – Planning for Transport (Aug 2005)

- PAN 77 – Designing for Safer Places (Mar 2006)
- PAN 83 – Master Planning (Sept 2008)

## **5.0 POTENTIAL MATERIAL PLANNING CONSIDERATIONS**

- a) Development Plan and other planning policy;
- b) Design and layout;
- c) Landscape and visual impact;
- d) Amenity impacts (including construction noise, operational noise and lighting);
- e) Screening landscaping;
- f) Roads, access and parking;
- g) Wider access (impact upon the Core Path network)
- h) Infrastructure Capacity
- i) Natural heritage (including protected species and impact upon trees);
- j) Water environment, flood risk and drainage; and
- k) 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 – North  
 Author: Michael Kordas  
 Background Papers: Documents referred to in report and in case file.  
 Relevant Plans: Plan 1 - Proposal of Application Notice  
 Plan 2 - LT000407\_ENV\_006\_PAN - Location Plan

**The Town and Country Planning (Scotland) Act 1997 as amended by the Planning Etc. (Scotland) Act 2006 and Planning (Scotland) Act 2019**

### **Town and Country Planning (Pre-Application Consultation) (Scotland) Regulations 2021**

The Council will respond within 21 days of validation 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.

The Proposal of Application Notice will be valid for a period of 18 months from the date of validation of the notice by the Council.

#### **Data Protection**

Your personal data will be managed in compliance with the Data Protection legislation. You can read our privacy notice for planning related certificates on the Council's website at: [https://www.highland.gov.uk/directory\\_record/1052173/planning\\_applications\\_consents\\_and\\_notice\\_of\\_review](https://www.highland.gov.uk/directory_record/1052173/planning_applications_consents_and_notice_of_review)

I have read and understood the privacy notice.

#### **Contact Details**

Applicant	<b>Scottish Hydro Electric Transmission plc</b>	Agent	
Address	Inveralmond House 200 Dunkeld Road Perth PH1 3AQ	Address	
Phone	07425 426761	Phone	
Email	stephanie.wade@sse.com	Email	

#### **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 east of the A9**

**Banniskirk**

**Halkirk**

**KW12 6XA**

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**Description of Development**

Please include detail where appropriate – eg the number of residential units; the gross floorspace in m<sup>2</sup> 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.

**Proposed new 400kV substation and HVDC converter station comprising new buildings, platform, plant and machinery, access, laydown/work compound area(s), site drainage, landscaping and other ancillary 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.

Yes  No

**Community Consultation**

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

**Community Council/s****Date Notice Served**

Halkirk and District Community Council  
[secretary@halkirkcommunitycouncil.org](mailto:secretary@halkirkcommunitycouncil.org)

All notifications sent via email on 26<sup>th</sup> January 2024

Watten Community Council  
[wattenc@gmail.com](mailto:wattenc@gmail.com)

Re-notified with revised PAN boundary on 13<sup>th</sup> February 2024.

**Local Elected Members (Wards 02 and 03)****Date Notice Served**

Ron Gunn  
[Ron.Gunn.cllr@highland.gov.uk](mailto:Ron.Gunn.cllr@highland.gov.uk)

All notifications sent via email on 26<sup>th</sup> January 2024

Struan Mackie  
[struan.mackie.cllr@highland.gov.uk](mailto:struan.mackie.cllr@highland.gov.uk)

Re-notified with revised PAN boundary on 13<sup>th</sup> February 2024.

Matthew Reiss  
[Matthew.Reiss.cllr@highland.gov.uk](mailto:Matthew.Reiss.cllr@highland.gov.uk)

Karl Rosie  
[karl.rosie.cllr@highland.gov.uk](mailto:karl.rosie.cllr@highland.gov.uk)

Raymond Bremner  
[raymond.bremner.cllr@highland.gov.uk](mailto:raymond.bremner.cllr@highland.gov.uk)

Andrew Jarvie  
[andrew.jarvie.cllr@highland.gov.uk](mailto:andrew.jarvie.cllr@highland.gov.uk)

Willie Mackay  
[Willie.MacKay.cllr@highland.gov.uk](mailto:Willie.MacKay.cllr@highland.gov.uk)

Jan McEwan  
[Jan.McEwan.cllr@highland.gov.uk](mailto:Jan.McEwan.cllr@highland.gov.uk)

<b>Members of Scottish Parliament and Members of Parliament</b>	<b>Date Notice Served</b>
Jamie Stone MP <a href="mailto:jamie.stone.mp@parliament.uk">jamie.stone.mp@parliament.uk</a>	All notifications sent via email on 26 <sup>th</sup> January 2024  Re-notified with revised PAN boundary on 13 <sup>th</sup> February 2024.
Maree Todd MSP <a href="mailto:Maree.Todd.msp@parliament.scot">Maree.Todd.msp@parliament.scot</a>	
Ariane Burgess MSP <a href="mailto:Ariane.Burgess.msp@parliament.scot">Ariane.Burgess.msp@parliament.scot</a>	
Donald Cameron MSP <a href="mailto:Donald.Cameron.msp@parliament.scot">Donald.Cameron.msp@parliament.scot</a>	
Rhoda Grant MSP <a href="mailto:Rhoda.Grant.msp@parliament.scot">Rhoda.Grant.msp@parliament.scot</a>	
Jamie Halcro Johnston MSP <a href="mailto:Jamie.HalcroJohnston.msp@parliament.scot">Jamie.HalcroJohnston.msp@parliament.scot</a>	
Edward Mountain MSP <a href="mailto:Edward.Mountain.msp@parliament.scot">Edward.Mountain.msp@parliament.scot</a>	
Emma Roddick MSP <a href="mailto:Emma.Roddick.msp@parliament.scot">Emma.Roddick.msp@parliament.scot</a>	
Douglas Ross MSP <a href="mailto:Douglas.Ross.msp@parliament.scot">Douglas.Ross.msp@parliament.scot</a>	
<b>Names / details of other parties</b>	
n/a	n/a

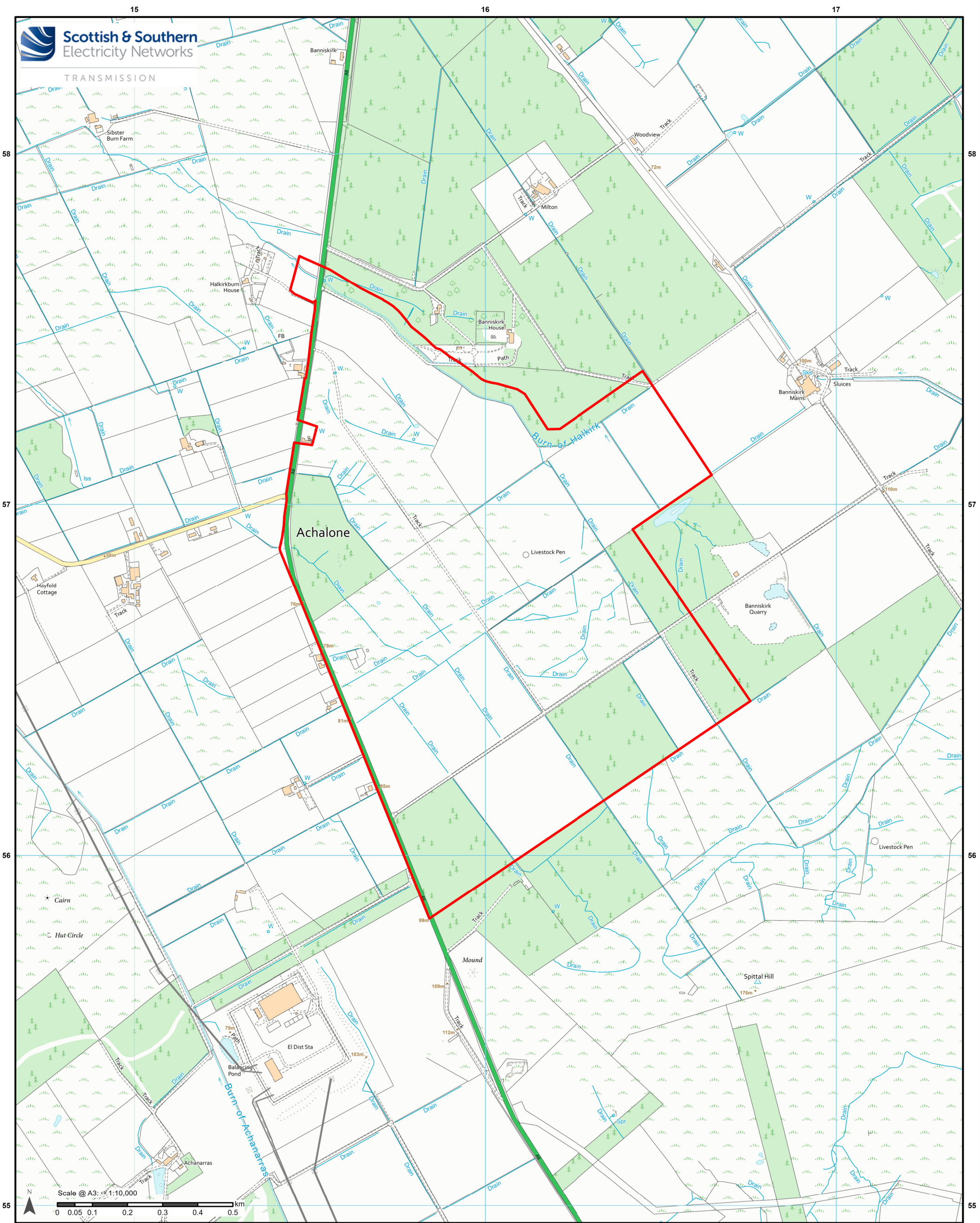
<b>Details of Proposed Consultation</b>		
<b>Proposed Public Event 1</b>	<b>Venue</b>	<b>Date and Time</b>
	Ross Institute Halkirk Caithness KW12 6XZ	11 <sup>th</sup> March 2024 Between 1400 hours and 1900 hours.
<b>Proposed Public Event 2</b> <i>(at least 14 days after Public Event 1)</i>	<b>Venue</b>	<b>Date and Time</b>
	Ross Institute Halkirk Caithness KW12 6XZ	3 <sup>rd</sup> June 2024 Between 1400 hours and 1900 hours.



		The date of the second public event may be subject to change dependent on the scale of feedback received at the first public event. Any changes will be notified and communicated to the Council in advance of undertaking it and the PAN form will be updated accordingly.
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<b>Publication of Event</b>		
<b>Newspaper Advert</b>	<b>Name of Newspaper</b>	<b>Advert Date</b>
Newspaper Advert for Public Event 1	Caithness Courier Press & Journal	Wednesday 28 <sup>th</sup> February 2024 (for both newspapers)
Newspaper Advert for Public Event 2	Caithness Courier Press & Journal	On or around 22 <sup>nd</sup> May 2024 (for both newspapers), but no less than 7 days prior to the date of public event 2
<b>Details of any other consultation methods (date, time and with whom)</b>		
<ul style="list-style-type: none"> <li>• Mail drop to residents within 10km radius, target issue circa 10 days prior to 1<sup>st</sup> event.</li> <li>• Information will be provided on SSEN Transmission Social Media outlets including SSEN Transmission Facebook, X (Twitter) and LinkedIn</li> <li>• Full details of the public event and project can be found on the project website: <a href="http://New Spittal Area 400kV Substation - SSEN Transmission (ssen-transmission.co.uk)">New Spittal Area 400kV Substation - SSEN Transmission (ssen-transmission.co.uk)</a></li> <li>• Information can be obtained from the Community Liaison Manager via telephone or email: Martin Godwin Email: <a href="mailto:SLBB@sse.com">SLBB@sse.com</a> Tel: 07467 399 592</li> </ul>		

Signed	Stephanie Wade	Date	26 <sup>th</sup> January 2024
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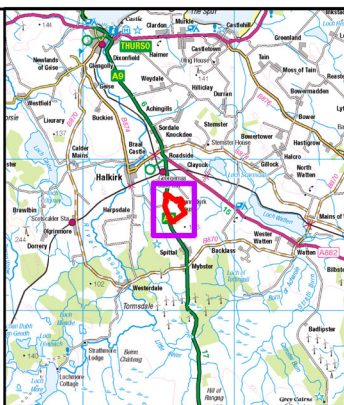


Scale @ A3: 1:10,000



**Legend**

- Proposal of application notice red line boundary - 142.92 ha
- Existing Overhead Line



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Project No:	LT000407
Project:	Spittal 2 275kV (400) Substation
Title:	Proposal of Application Notice (PAN) Spittal Substation
Drawn by:	BJR
Date:	12/02/2024
Drawing:	LT000407_ENV_006_PAN