

Agenda Item	5.2
Report No	PLS-16-24

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 30 April 2024

Report Title: 24/01533/PAN: Scottish Hydro Electric Transmission PLC
On Land at Fanellan, Kiltarlity, Beauly

Report By: Area Planning Manager – South

Purpose/Executive Summary

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

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 18 April 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arrangements associated with the Covid-19 public health advice and previous modifications to the regulations, are now superseded.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 sets of in person public consultation events at the Kiltarlity and Phipps Village Halls, scheduled as follows:
- Kiltarlity Village Hall ;00pm**
- **Event 1:** Tuesday 26 March 2024, between 12:30-8:00pm
 - **Event 2:** Thursday 20 June 2024, between 2:00-7:00pm
- Phipps Hall**
- **Event 1:** Thursday 28 March 2024, between 2:00-7:00pm.
 - **Event 2:** Wednesday 19 June 2024, between 2:00-7:00pm.
- 1.5 The consultation was publicised and advertised in accordance with the appropriate statutory requirements, with adverts placed within the Press and Journal on 14 March 2024 and 07 June 2024. An invitation maildrop was undertaken 14 days before the first engagement event., making local residents aware of the proposed development and the consultation process. The catchment for its wider distribution covered a radius of 10km from the proposed site. The PAN form also indicates that the Kiltarlity, Kilmorack and Beaully 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 HDVC convertor station 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.

3.0 SITE DESCRIPTION

- 3.1 The PAN red line boundary comprises some 351 Ha of mainly forestry and agricultural land. Parts of the site are listed as potentially vulnerable to pluvial (surface water) and fluvial (river) flooding on the SEPA online maps.
- 3.2 The site red line area includes areas include in the Ancient Woodland Inventory.
- 3.3 There are no Scheduled Ancient Monuments, Listed Buildings or Conservation Areas within the site. However, part of the red line boundary site is within the Beaufort Castle Garden & Designed Landscape designation.

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

Inner Moray Firth Local Development Plan (2015)

- 4.3 The site is located within the Hinterland around established towns.

Inner Moray Firth Proposed Local Development Plan IMFLDP2 (2022)

- 4.4 The emerging area local development plan (the IMFLDP2) has completed its Examination, and it is intended that the Council will make the decision to adopt the plan at the Full Council meeting on 9 May 2024. The site is located within the Hinterland.

4.5 **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)

4.6 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.

Signature: David Mudie
Designation: Area Planning Manager – South
Author: Michael Kordas
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - Proposal of Application Notice
Plan 2 - LT000459_ENV_002_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

I have read and understood the privacy notice.

Contact Details

Applicant	Scottish Hydro Electric Transmission PLC	Agent	N/A
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.

On land at Fanellan
Kiltarlity
Beauly
Inverness-shire

IV4 7JP

Description of Development

Please include detail where appropriate – eg the number of residential units; the gross floorspace in m² 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), landscaping, site drainage, 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
Kiltarlity Community Council Kiltarlity.cc@outlook.com	All notifications sent via email on 21 st February 2024
Kilmorack Community Council secretary@kilmorackcc.org	
Beaully Community Council info@beaulycc.org	
Local Elected Members (Ward 12)	Date Notice Served
Chris Ballance Chris.Ballance.cllr@highland.gov.uk	All notifications sent via email on 21 st February 2024
Helen Crawford Helen.Crawford.cllr@highland.gov.uk	
David Fraser David.fraser.cllr@highland.gov.uk	
Emma Knox emma.knox.cllr@highland.gov.uk	
Members of Scottish Parliament and Members of Parliament	Date Notice Served
Ian Blackford MP ian.blackford.mp@parliament.uk	All notifications sent via email on 21 st February 2024

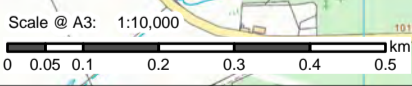
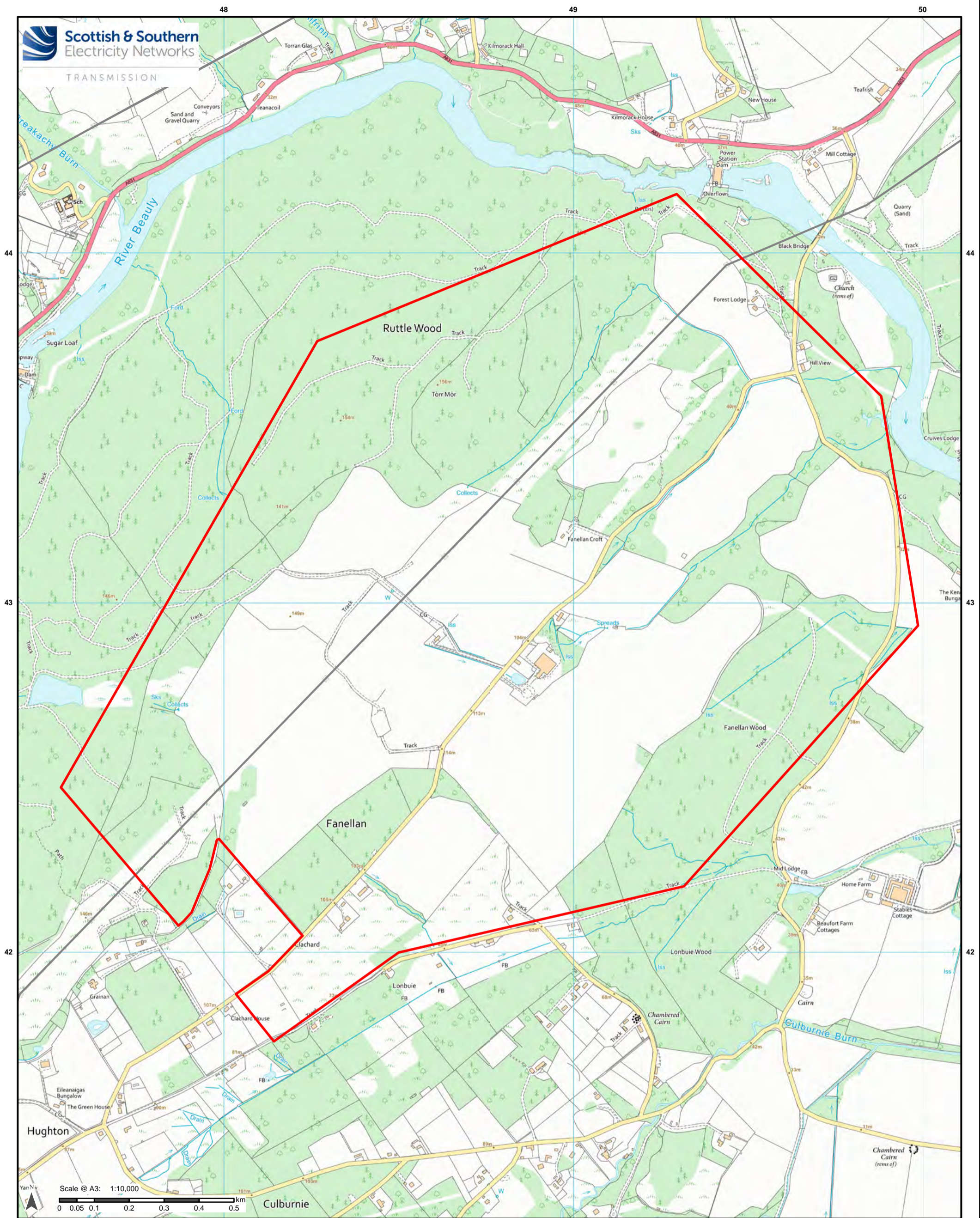
Kate Forbes MSP Kate.forbes.msp@parliament.scot	
Ariane Burgess MSP Ariane.Burgess.msp@parliament.scot	
Tim Eagle MSP Tim.Eagle.msp@parliament.scot	
Rhoda Grant MSP Rhoda.Grant.msp@parliament.scot	
Jamie Halcro Johnston MSP Jamie.HalcroJohnston.msp@parliament.scot	
Edward Mountain MSP Edward.Mountain.msp@parliament.scot	
Emma Roddick MSP Emma.Roddick.msp@parliament.scot	
Douglas Ross MSP Douglas.Ross.msp@parliament.scot	
Names / details of other parties	Date Notice Served
Beaully Community Liaison Group (CLG)	All notifications sent via email on 21 st February 2024 to all members.

Details of Proposed Consultation		
Proposed Public Event 1	Venue	Date and Time
	Kiltarlity Village Hall Kiltarlity by Beaully Beaully IV4 7HH	Tuesday 26 th March 2024, 1230 hours - 1530hours and 1800 hours - 2000 hours.
	Phipps Hall, Station Road, Beaully, IV4 7EH	Thursday 28 th March 2024, 1400 hours – 1900 hours
Proposed Public Event 2 <i>(at least 14 days after Public Event 1)</i>	Venue	Date and Time
	Phipps Hall, Station Road, Beaully, IV4 7EH	Wednesday 19 th June 2024 1400 hours – 1900 hours

		The date of the second public events 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.
	Kiltarlity Village Hall Kiltarlity by Beaully Beaully IV4 7HH	Thursday 20 th June 2024 1400 hours – 1900 hours The date of the second public events 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.

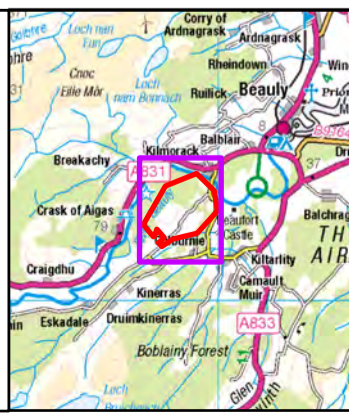
Publication of Event		
Newspaper Advert	Name of Newspaper	Advert Date
Newspaper advert for Public Events 1	Press and Journal	14 th March 2024
Newspaper advert for Public Events 2	Press and Journal	7 th June 2024 Adverts will be published at least 7 days before the date of the first event date for public event 2.
Details of any other consultation methods (date, time and with whom)		
<ul style="list-style-type: none"> • Mail drop to residents within 10km radius, target issue by 12th March 2024. • Full details of the Public Events and details of how to submit comments are available on the project website: New Fanellan 400kV substation and Converter Station - SSEN Transmission (ssen-transmission.co.uk) • Information will be provided on SSEN Transmission Social Media outlets including SSEN Transmission Facebook, X (Twitter) and LinkedIn. • Information can be obtained via telephone or email from: Community Liaison Manager, Sally Cooper, Tel: 07918 470281 Email: fanellanengagement@sse.com 		

Signed	Stephanie Wade	Date	21st February 2024
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Legend

- Proposal of application notice red line boundary - 351.19 ha
- Existing Overhead Line



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Project No:	LT000459
Project:	Beauly 2 400kV Substation
Title:	Proposal of Application Notice (PAN) Fanellan Substation and Converter Station
Drawn by:	BJR
Date:	05/02/2024
Drawing:	LT000459_ENV_002_PAN