

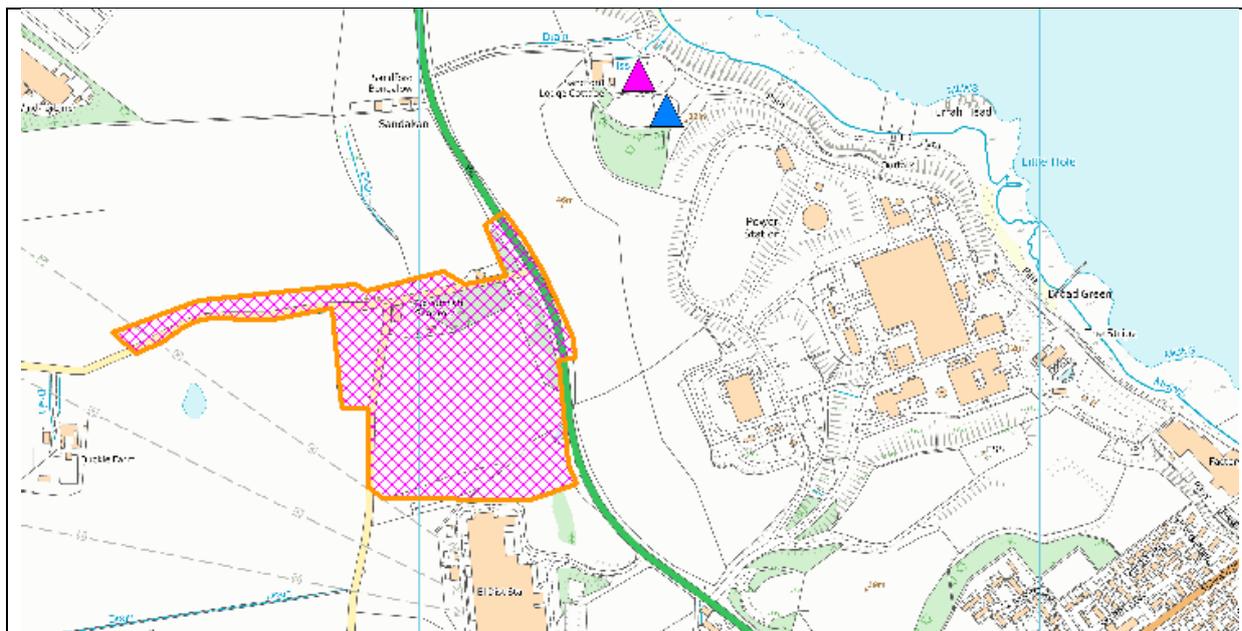
Buchan Area Committee Report 27 August 2019

Reference No: APP/2019/0982

Full Planning Permission for Erection of Electricity Substation Comprising Platform Area, Control Building, Associated Plant and Infrastructure, Ancillary Facilities, Landscape Works and Road Alterations and Improvement Works at Site to the South of Newton of Sanford, Boddam, Peterhead

Applicant: Scottish Hydro Electric Transmission Plc, 200
Ashgrove Road West, Aberdeen, AB16 5NY
Agent: No Agent

Grid Ref: E:411877 N:842997
Ward No. and Name: W06 - Peterhead South and Cruden
Application Type: Full Planning Permission
Representations: 0
Consultations: 20
Relevant Proposals Map: Aberdeenshire Local Development Plan 2017
Designations: RHMA, Energetica Corridor
Complies with:
Development Plans: Yes
Main Recommendation: Comments to Full Council



NOT TO SCALE

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1. Reason for Report

- 1.1 The Committee is able to consider this item in terms of Section B.8.1 of Part 2A List of Committee Powers and Section C.1.1 of Part 2C Planning Delegations of the Scheme of Governance as the application is for national development which will be determined by Full Council following consultation with the Buchan Area Committee.
- 1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and their comments have been incorporated and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

2. Background and Proposal

- 2.1 Full Planning Permission is sought for the erection of an electricity substation comprising a platform area, control building, associated plant and infrastructure, ancillary facilities, landscape works and road alterations on a site to the south of Newton of Sanford, Boddam, Peterhead, Aberdeenshire. A location and site plan are contained within **Appendices 1** and **2** respectively.
- 2.2 This proposal is categorised as a National Development, as defined in the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, and as identified in the National Planning Framework 3 (NPF3). NPF3 advises that the erection of any new substations directly linked to cabling of 132 kilovolts or higher forms part of the high voltage electricity network upgrade and is therefore a National Development. This development forms part of a wider scheme, which shall see the North East transmission network upgraded to operate at 400kV, as opposed to the existing operation at 275kV.
- 2.3 With regard to site history, the principle of a substation in this location has been established since 2014, with Full Planning Permission granted under APP/2013/1912 and a further application made under APP/2014/1437. The most recent permission expired on 13 June 2019. The application currently under consideration is for Full Planning Permission and has been submitted in order to address changes to the substation layout required in order to meet the applicant's requirements.
- 2.4 The site lies approximately 0.5km north west of the Boddam settlement boundary and is currently in use for agricultural purposes. The development site is relatively flat, falling slightly towards the east and south. The site is relatively isolated with one dwellinghouse within the site boundary (Newton of Sandford – within the control of the developer, SSE) and Bevailey to the north of the site boundary which is under private ownership. The existing Peterhead Substation lies to the south of the site. The site does not contain or border any watercourses.
- 2.5 It should be noted that this application relates solely to the development of the substation site. Changes to pylon routes or erection of new pylons are

considered by the Scottish Government Energy Consents Unit (ECU) under Section 37 of the Electricity Act 1989 – a separate process from Planning Permission. The ECU granted S37 consent for pylons to tie into the proposed substation on 5 July 2019 (ECU case ref: ECU00001807)

- 2.6 The application has been subject to a period of pre application consultation (PAC) as outlined in Part 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. A PAC report has been submitted in support of the application, which details the consultation which was undertaken.
- 2.7 The applicant has been offered the opportunity to participate in a pre-determination hearing in relation to this development, as required under Paragraph 27 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. Given that no letters of representation have been received in relation to this development, and the applicant has confirmed that they do not wish to undertake a pre-determination hearing, no such hearing has been held.
- 2.8 The proposal has been screened under the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017. It was determined that the development was not likely to have such a significant impact on the environment as to warrant the submission of an Environmental Impact Assessment Report (EIAR), however a number of areas of likely impact were identified. The application is supported by an Environmental Appraisal which considers these impacts.
- 2.9 The applicant has requested that a direction be given under Section 59(5) of the Town and Country Planning (Scotland) Act 1997 in order to provide a longer period for the implementation of the permission. The requested period would allow for a period of 5 years for implementation as opposed to the normal 3 year period. This request has been made due to the scale and nature of the proposed development.
- 2.10 The application has been supported through the submission of a range of supporting information, which includes:
 - Peterhead 400kV Substation and Associated Infrastructure Environmental Appraisal, SSE, April 2019
 - Peterhead 400kV Substation Planning Statement, Jones Lang LaSalle (JLL), April 2019
 - Pre-application Consultation Report, SSE, April 2019
- 2.11 Additional information was submitted through the course of the application process. The following information was submitted:
 - Proposed Peterhead 400kV Substation - Outline Drainage Assessment', SLR Ref: 428.04707.00011, SLR, dated July 2019

No additional period of public comment or advertisement has been carried out, as the additional information elaborated on existing elements of the proposal and therefore did not fundamentally alter the nature of the development.

3. Representations

- 3.1 No letters of representation have been received in relation to this application.

4. Consultations

Internal

- 4.1 **Infrastructure Services (Archaeology)** has advised that the archaeological mitigation outlined within paragraphs 7.7.3 and 7.7.4 of the Environmental Appraisal would be appropriate. A condition would be required in order to ensure this mitigation work is carried out.
- 4.2 **Infrastructure Services (Business Development)** has been consulted, however at the time of writing no response has been received.
- 4.3 **Infrastructure Services (Contaminated Land)** has advised that on the basis of the submitted information, there is no evidence to suggest that contamination poses a potential risk to human health or the wider and environment and therefore the Service does not object.
- 4.4 **Infrastructure Services (Environmental Health)** has advised that the service holds no objection to the proposal.
- 4.5 **Infrastructure Services (Environment Team – Built Heritage)** has raised no objection to the proposal. It is noted that the proposal would be set back from the A90 directly west from Peterhead Power Station. The latter structure dominates the landscape and contributes towards an industrial character. The development would not alter the establish character of the area and therefore would not alter the setting of heritage assets.
- 4.6 **Infrastructure Services (Environment Team – Natural)** has raised no objection in relation to the proposal. No habitats of high ecological value have been recorded on the site. The development has been sited in order to avoid a marshy area of the site, which is considered to be of ecological value. No tree removal is proposed. Protected Species have not been identified on the site, however due to their transient nature, certain species (such as badgers) cannot be excluded from using the site. The Environmental Appraisal contains a number of general working measures, and the employment of an Ecological Clerk of Works (ECoW) which would aid in avoiding adverse ecological impacts which may arise from construction.

In respect of Ornithology, the development is likely to have a short-term impact upon ornithology during construction however, the time limited nature

of the impact would lessen the severity. Some skylark territory may be lost, however equivalent territory exists nearby.

With regard to Special Protection Areas (SPAs), the development is likely to have a negligible impact upon qualifying interests. The impact of the development on the SPAs is likely to be limited to a dozen or so herring gulls which nest on the roof of the adjacent substation, which may experience some disturbance due to construction. The development would not otherwise impact upon the SPAs.

The development incorporates proposals for landscaping. Care must be taken in order to ensure appropriate species are selected, which are suitable for the coastal location. A condition in respect of landscaping is suggested.

The site contains no core paths or records of rights of way. While general access rights under the Land Reform (Scotland) Act 2003 will apply to the field at present, these would cease if permission were to be granted.

- 4.7 **Infrastructure Services (Flood Prevention and Coastal Protection)** has requested and received further information from the applicant in relation to the proposed means of drainage. It has been demonstrated that the proposed means of drainage would be feasible. Flood Risk and Coastal Protection are currently awaiting the results of a CCTV survey to confirm the capacity and condition of existing SSE drainage assets in area. It is anticipated that this would be provided in advance of Full Council. A condition is also requested which would secure exact and finalised details of the drainage scheme in advance of the commencement of development.
- 4.8 **Infrastructure Services (Roads Development)** has no objection to the proposal, subject to the inclusion of conditions which seek to secure the delivery of an appropriate means of access.
- 4.9 **Infrastructure Services (Transportation)** has no objection to the proposal.
- 4.10 **Infrastructure Services (Waste Management)** has no comment to make on the proposal.

External

- 4.11 **Boddam Community Council** has been consulted, however at the time of writing no response has been received.
- 4.12 **Historic Environment Scotland** has identified a number of assets which may be impacted by the development, but has offered no comments in relation to the potential impacts
- 4.13 **Health & Safety Executive** has been consulted through the PADHI+ process. This resulted in no objection.

- 4.14 **INEOS FPS Ltd** has been consulted as a pipeline operator in the vicinity of the site. At the time of writing, no response has been received.
- 4.15 **Scottish Environment Protection Agency (SEPA)** has no objection to the proposal, subject to a condition requiring the submission of a Construction Environment Management Plan (CEMP)
- 4.16 **Scottish Natural Heritage (SNH)** has no objection to the proposal and agrees with the conclusions of the Environmental Appraisal. It is noted that SNH encourage the adoption of the mitigation measures set out within the terrestrial ecology, ornithology and water & soils chapters of the Environmental Appraisal, as well as in appendix 2.1
- 4.17 **SSE Networks** has been consulted as a pipeline operator in the vicinity of the site. SSE Networks has confirmed no apparatus exists within the site and has highlighted the location of cable in the vicinity. No objections have been raised.
- 4.18 **Scottish Water** has been consulted, however at the time of writing no response has been received.
- 4.19 **Shell UK Ltd.** has been consulted as a pipeline operator in the vicinity of the site. No objections have been raised, and the location of infrastructure has been provided to the applicant.
- 4.20 **Transport Scotland** has no objection to the proposal subject to conditions in relation road safety.

5. Relevant Planning Policies

5.1 The National Planning Framework for Scotland 3

National Planning Framework 3 (NPF) is the spatial expression of the Government Economic Strategy and plans for development and investment in infrastructure. NPF identifies national developments and other strategically important development opportunities in Scotland.

Annex 1: Project 4 – High Voltage Electricity Transmission Network

5.2 Scottish Planning Policy

The aim of the Scottish Planning Policies is to ensure that development and changes in land use occur in suitable locations and are sustainable. The planning system must also provide protection from inappropriate development. Its primary objectives are:

- to set the land use framework for promoting sustainable economic development;
- to encourage and support regeneration; and

- to maintain and enhance the quality of the natural heritage and built environment.

Development and conservation are not mutually exclusive objectives; the aim is to resolve conflicts between the objectives set out above and to manage change. Planning policies and decisions should not prevent or inhibit development unless there are sound reasons for doing so. The planning system guides the future development and use of land in cities, towns and rural areas in the long term public interest. The goal is a prosperous and socially just Scotland with a strong economy, homes, jobs and a good living environment for everyone.

5.3 Aberdeen City and Shire Strategic Development Plan 2014

The purpose of this Plan is to set a clear direction for the future development of the North East. It promotes a spatial strategy. All parts of the Strategic Development Plan area will fall within either a strategic growth area or a local growth and diversification area. Some areas are also identified as regeneration priority areas. There are also general objectives identified. In summary, these cover promoting economic growth, promoting sustainable economic development which will reduce carbon dioxide production, adapt to the effects of climate change and limit the amount of non-renewable resources used, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility in developments.

From the 29 March 2019, the Strategic Development Plan 2014 will be beyond its five-year review period. In light of this, for proposals which are regionally or strategically significant, or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeenshire Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP 2020 may also be a material consideration.

5.4 Aberdeenshire Local Development Plan 2017

Policy P4 Hazardous and potentially polluting developments
Policy E1 Natural heritage
Policy E2 Landscape
Policy HE1 Protecting historic buildings, sites and monuments
Policy PR1 Protecting important resources
Policy C2 Renewable Energy
Policy C4 Flooding
Policy RD1 Providing suitable services

6. Discussion

6.1 Overview

6.1.1 The main planning considerations with this application relate in the first instance to the establishment of the principle of development, and secondly to the likely environmental impacts on the landscape/visual impact, natural heritage, the water environment, built heritage, access and amenity.

6.2 Principle of Development

6.2.1 Scotland's third National Planning Framework (NPF 3), in determining the strategic economic requirements in Scotland, promotes the aim that there should be an 80% reduction in greenhouse gas emissions by 2050 and a reduction in energy use of 12% by 2020. It is considered that in order to increase the security of Scotland's power supply, further diversification into different sources of energy will be required such as wind, wave and tidal energy. While this proposal would not specifically generate electricity, the development would aid in the transition towards a low carbon economy through reinforcing the transmission network and enabling large scale energy developments to proceed. Inclusion in NPF 3 effectively means that the need for the development has been established provided the proposal complies with national and local planning policies.

6.2.2 Scottish Planning Policy (SPP) advises that Strategic Development Plans should support national priorities for the construction of strategic energy infrastructure, including generation, transmission and distribution networks. Considering this, the Aberdeen City and Shire Strategic Development Plan (SDP) provides a framework which aims to promote the economic growth and diversity of the north east in an efficient and sustainable manner. However as of the 29 March 2019, the Strategic Development Plan 2014 is beyond its five-year review period. In light of this, for proposals which are regionally or strategically significant, or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014. It is considered that the proposal would constitute sustainable development, as reinforcement of the wider North East transmission network would enable renewable energy schemes to be brought forward.

6.2.3 The site is not allocated within the Aberdeenshire Local Development Plan (ALDP); however the aims of the Plan are consistent with that of the SDP where the aim is to tackle the challenges of sustainable economic development and climate change.

6.2.4 The principle of development can be established under the provisions of NPF 3, as well as National and Regional Policy, provided the application complies with the policies contained within the Local Development Plan, an assessment of which are set out below.

6.3 Environmental Appraisal

6.3.1 The proposal has been screened under the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017. It was determined that the development was not likely to have such a significant impact on the environment as to warrant the submission of an Environmental Impact Assessment Report, however the applicant has submitted an Environmental Appraisal (EA) in support of the application in order to present the likely impacts of the proposal upon the environment and assist in the assessment of these. The format of the EA is orthodox, with specific chapters for each environmental category. Each chapter identifies potential receptors and the likelihood of significant adverse impacts arising due to the development are considered. Mitigation forms a key aspect of managing the likely environmental impacts, both through good practice and design.

6.4 Landscape and Visual

6.4.1 The Landscape and Visual impacts of the development have been considered in chapter 3 of the EA. Regarding the landscape impact the EA considers the introduction of a new substation in this location and the subsequent impact on the established landscape character. Mitigation measures have been embedded within the design of the scheme, which includes landscaping and earthworks. The mitigation works aim to provide visual screening, aiding the development in assimilating into the surrounding landscape and enhancing biodiversity through habitat creation.

6.4.2 The Planning Statement outlines the nature of the proposed Peterhead Substation scheme which includes both the substation and alterations to the transmission infrastructure – for the avoidance of doubt this report relates solely to the substation element. The proposed development would see the installation of a new substation on a platform measuring approximately 219m by 154m. The plant machinery would be housed within two structures which would rise to a height of up to 15.7m. One further building would be situated on the site, which would rise to a height of up to 9.5m. A landscaping scheme, including boundary treatments, mixed native woodland planting and low landform bunding are proposed. In total the application area covers approximately 14.1ha, with the development area comprising approximately 3.1ha.

6.4.3 A Landscape and Visual Impact Assessment (LVIA) has been undertaken in respect of the development. Three phases of the development have been considered – construction, post construction and 10 years after completion. A cumulative LVIA has been completed which considers the impact in conjunction with other nearby approved developments of a similar nature. The LVIA is considered to be orthodox and in accordance with industry standards.

The baseline evaluation of the local landscape character (LLCA) highlights five distinctive regions:

- Coastal Farmland
- Buchan Ness Coastline
- Coastline with Substation and Power Station
- Southern Peterhead
- Northern Boddam Village

These LLCAs represent the key elements of the local landscape, including strong agricultural and coastal elements, as well as the importance of industrial / energy infrastructure in the vicinity. The LVIA concludes that the development is likely to have minor to moderate impact upon the LLCAs during and immediately after construction, however the longer-term impacts would be negligible when considered with the proposed landscaping.

- 6.4.4 The supporting information makes reference to and considers the impact upon the North East Aberdeenshire Special Landscape Area (SLA) however the development site does not fall within or immediately adjacent to the designation. It must be noted that in respect of SLAs Policy E2 only applies to developments which fall within the designation. In this instance the impact upon the SLA is considered to be negligible.
- 6.4.5 The scale and mass of the development would be consistent with the adjacent substation and therefore would not appear to visually dominate the landscape. The substation gear would be housed within metal clad buildings, the appearance of which would not be dissimilar to agricultural units found throughout the countryside. The buildings would be finished in dark green, which would soften the visual impact when viewed against the proposed landscaping.
- 6.4.6 ALDP Policy E2 requires that new development does not erode the quality of the landscape through inappropriate scale or design. It is considered that the scale and nature of the proposal would be in keeping with the industrialised character of the landscape and therefore would not fundamentally alter or erode the quality of the landscape. A landscaping condition would ensure adequate and appropriate (species suitable to an exposed, coastal location) landscaping is provided. The proposal can therefore be considered to conform to this Policy.

6.5 Natural Heritage

- 6.5.1 Chapters 4 and 5 of the EA consider terrestrial ecology and ornithology respectively.
- 6.5.2 Investigative work in the form of desk and field surveys have been undertaken regarding terrestrial ecology. This has been done for identified receptors including sites designated for nature conservation interest, habitat and vegetation and protected species.
- 6.5.3 The application boundary does not encompass any designated sites, however the EA identifies five designations within 20km of the site:

- Buchan Ness to Collieston (SAC)
- Sands of Forvie (SAC)
- Ythan Estuary and Loch Meikle (RAMSAR)
- Loch of Strathbeg (RAMSAR)
- Buller of Buchan Coast (SSSI)

It is considered that the development would likely have no impact upon the Sands of Forvie (SAC), Ythan Estuary and Loch Meikle (RAMSAR) and Loch of Strathbeg (RAMSAR) sites. These designations primarily relate dune systems or bodies of water, which this development would have no interaction.

- 6.5.4 The Buchan Ness to Collieston (SAC) and Buller of Buchan Coast (SSSI) designations relate to the sea cliffs located approximately 1.2km from the application site. Advice has been sought from SNH and Infrastructure Services (Environment Team – Natural) in relation to these designations. The proposal would be unlikely to impact upon the qualifying interests of the designations, for example through loss of feeding grounds, as the species of interest generally feed at sea. SNH have requested a condition in order to ensure the mitigation outlined in the EA is carried out.
- 6.5.5 No habitats of high ecological value have been recorded on the site. The development has been sited in order to avoid a marshy area, which is considered to be of ecological value. No tree removal is proposed. Protected Species have not been identified on the site, however due to their transient nature, certain species (such as badgers) cannot be excluded from using the site. SSE have a number of Species Protection Plans (SPPs) and General Environmental Management Plans (GEMPs) that outline working practices, including those to mitigate impacts on protected species. These plans have previously been agreed with SEPA and SNH, and this development would be subject to these plans. The EA states that an Ecological Clerk of Works (ECoW) would be employed. The use of SPPs and GEMPs, alongside the employment of an ECoW would provide suitable mitigation in respect of terrestrial ecology.
- 6.5.6 Investigative work in the form of desk and field surveys have been undertaken with regard to ornithology. This has been done for identified receptors including sites designated for nature conservation and ornithological interest. The site does not encompass any such designations. Paragraph 6.5.3 covers designated sites in the vicinity of the development. In more general terms, the main impacts which have been identified are the potential loss of habitats due to construction (including existing nests and foraging ground) and risk of injury or mortality to individual birds due to construction. Mitigation measures for ornithological receptors, largely based upon best practice have been put forward. These include the development of a Construction Environmental Management Plan (CEMP), use of SHE Transmissions General Environmental Management Plan (GEMP) and the employment of an Ecological Clerk of Works.

6.5.7 ALDP Policy E1 requires designated sites, features, species, biodiversity and geodiversity to be protected with surveys required to inform appropriate mitigation. Infrastructure Services (Environment Team – Natural) have been consulted on the proposal and are satisfied with the quality of the survey work submitted in support of the application. It is accepted that the development is unlikely to have a significant impact upon designated sites, features, species or biodiversity, provided the proposed mitigation measures are secured via planning condition. The proposal therefore complies with Policy E1.

6.6 Hydrology, Hydrogeology and Geology

6.6.1 The EA has considered the impact of the development on the water environment during construction and operation, as contained within chapter 6. This assessment is based upon a desk study, existing investigation information and was verified through field work. Mitigation embedded through design was considered as part of this process. ALDP Policy PR1 requires that hydrological receptors and watercourses are protected, and any adverse impacts are mitigated against or avoided. Policy E1 seeks to protect designated sites such as SSSI's and looks to ensure that development does not impact upon the integrity of the site or diminish the qualities leading to the original designation. Policy C4 requires flood risk to be considered and mitigated.

6.6.2 With regard to Private Water Supplies (PWS), the EA has identified all PWS known to be located within 500m of the site. No private water supplies are located within the site; however the developer has considered the potential for the scheme to impact upon groundwater which feed nearby any nearby supplies. Two potential PWS are located within 500m of the site. Upon further investigation it has been confirmed that one of these properties has been connected to the public water supply, leaving a single PWS which may be impacted. the applicant has investigated the remaining supply and identified the most likely source. It has been concluded that the water source for this PWS is not located down gradient of the development site and therefore would be unlikely to be impacted by the development.

6.6.3 While it would be unlikely that the development would impact upon PWS all construction works pose risks to the water environment. The developer is proposing a number of standard mitigation measures which relate to working practices. These would be confirmed via a condition requiring the submission of, and adherence to a Construction Environment Management Plan (CEMP).

6.6.4 The EA considers potential sources of Flood Risk, with small areas of surface water flooding identified within the development site, however these are not considered to form a development constraint, with potential impacts dealt with through site design. The site is not considered to be at fluvial or coastal flood risk. SEPA have raised no concerns in relation to flood risk and note surface water flooding falls within the remit of the Local Authority. Flood Risk and Coastal Protection have been consulted. Additional information has been provided in order to demonstrate the feasibility of the proposed means of drainage (attenuation basin feeding into existing assets maintained by SSE).

Flood Risk and Coastal Protection are awaiting the submission of a CCTV survey of the existing SSE assets in order to ascertain their condition and capacity. It is considered that sufficient detail has been provided to give a degree of confidence that the proposed drainage scheme is feasible, however a planning condition would be attached to any grant of planning permission in order to obtain finalised details of the drainage scheme, which would then be agreed with the Planning Authority in consultation with Flood Risk and Coastal Protection.

- 6.6.5 The developer has demonstrated that Flood Risk has been considered at an early stage, with the provision of the hydrology section of the EA and an Outline Drainage Assessment. The proposed means of drainage has been proven to be feasible, although finalised details would be required. It is considered the proposal complies with Policy C4. The development site does not lie adjacent to or share hydraulic linkages with any sensitive ecological receptors such as SSSIs, and therefore would comply with Policy E1. With regard to Policy PR1, all developments have the potential to impact upon the water environment, particularly during construction. These impacts would be managed through a condition requiring the submission of a CEMP, as requested by SEPA.

6.7 Cultural Heritage

- 6.7.1 An assessment of the impact of the development on cultural heritage assets has been carried out and is contained within chapter 7 of the EA. The appraisal is based upon previous survey work carried out in 2013, with a review of the desk-based survey and an additional field survey carried out in March 2019. Historic Environment Scotland (HES), Infrastructure Services (Archaeology) and Infrastructure Services (Environment Team – Built) have been consulted in respect of this section.
- 6.7.2 The EA has identified 33 heritage assets within 1km of the site (31 undesignated, 2 listed buildings). A further 5 designated assets are located within 3km of the site (2 scheduled monuments, 3 listed buildings). HES have been consulted and have highlighted that the development has the potential to impact upon the following assets:
- Buchanness Lighthouse (A listed)
 - Boddam Castle (Scheduled Monument)
 - Boddam Dean (Scheduled Monument)

HES has noted they have no additional comment to make and as such no adverse impacts upon these assets is highlighted.

- 6.7.3 With regard to listed buildings and scheduled monuments, Policy HE1 requires that heritage assets are protected and that any new development should avoid adverse impacts upon these or their settings. Infrastructure Services (Environment Team – Built Heritage) has advised that the proposal would be unlikely to significantly alter the established landscape character

and therefore undermine the context in which the heritage assets are viewed or understood. It is therefore considered that in respect of listed buildings and scheduled monuments, that the proposal would comply with Policy HE1 as the development would not have a significant direct or indirect impact upon the assets.

6.7.4 With regard to Archaeology, the site has benefits from a range of investigations which were previously carried out in respect of other proposals. The EA notes that the undisturbed parts of the site are likely to be of low to medium potential. Mitigation measures have been outlined in the EA, in the form of trial trenching and a Written Scheme of Investigation. Infrastructure Services (Archaeology) has requested that the mitigation measures within the EA be conditioned. It is considered that this condition would satisfy the requirements of Policy HE1 in that the archaeological potential of the site would be adequately investigated prior to the commencement of construction works.

6.8 Access

6.8.1 The development lies adjacent to the A90 and would be accessed via the U66b Road. It is anticipated that any impact on traffic is likely to be limited to the construction period, as the day to day operation of the substation would not require on site staff, therefore a Construction Traffic Management Plan would be required prior to the commencement of development, which would identify construction routes.

6.8.2 ALDP Policy RD1 seeks to ensure that the new development does not lead to adverse impacts upon existing road infrastructure through traffic generation or new access requirements. Infrastructure Services (Roads Development) has been consulted on the proposal and has no objection subject to conditions which require the delivery of an appropriate access. Transport Scotland has requested a suite of conditions in respect of access arrangements. A condition would also be required in order to secure the submission of a Construction Traffic Management Plan as outlined in the above paragraph. Subject to the proposed mitigation measures and conditions, the proposal can therefore be considered to comply with Policy RD1.

6.9 Amenity

6.9.1 All developments have the potential to impact upon the amenity of surrounding properties and adjacent land. These impacts can be characterised as short-term impacts associated with the construction phase and longer-term impacts associated with the operation of the development. The development site is relatively isolated, with two dwellinghouses adjacent to the substation. Newton of Sandford lies approximately 49m north of the proposed substation and is within the control of the developer. Bevailey lies approximately 118m north of the proposed substation and is under private ownership. The operational impact of the substation on the amenity of the surrounding area is likely to be limited to noise and a degree of visual impact. The proposed substation gear would be housed within structures, which in

combination with existing landscaping to the north of the site would diminish the impact of noise on neighbouring properties. The construction phase of the development may impact upon the amenity of the surrounding area, however general measures including details of lighting and hours of operation would be controlled through the CEMP condition mentioned in previous paragraphs of this report these would help to mitigate any temporary impacts through construction works. With regard to visual impact, the neighbouring properties would experience a loss of visual amenity, which would be attributable to a localised change in the landscape through the introduction of new structures. However it is considered that the properties would be unlikely to suffer a loss of amenity due to overlooking (as the proposal would be largely unmanned), overbearing or overshadowing (due to the distances between the structures and the properties). It is noted that the impact on Bevailey is likely to be less severe due to existing, mature planting.

6.9.2 ALDP Policy P4 seeks to ensure that nuisances and impacts upon the amenity of the areas are avoided or mitigated. Infrastructure Services (Environmental Health) has been consulted on the proposal and has raised no objections in respect of noise. The proposal is considered to comply with Policy P4.

6.10 Direction

6.10.1 The applicant has requested that a direction be given under Section 58 of the Town and Country Planning (Scotland) Act 1997 in order to provide a longer period for the implementation of the permission. The requested period would allow for a period of 5 years for implementation as opposed to the normal 3-year period. It is considered that the requested timescale is reasonable and proportionate to the scale and complexity of the proposed development.

6.11 Conclusion

6.11.1 It is considered that the proposal is in keeping with the relevant policies of the Aberdeenshire Local Development Plan 2017. The principle of development has been established under National Planning Framework 3, Scottish Planning Policy and the SDP and the development is considered to comply with ALDP 2017 and is considered to be acceptable.

7. Area Implications

7.1 In the specific circumstances of this application there is no direct connection with the currently specified objectives and identified actions of the Local Community Plan.

8. Implications and Risk

8.1 An equality impact assessment is not required because the proposed development is not considered to give rise to any differential impacts on those with protected characteristics.

- 8.2 There are no staffing and financial implications.
- 8.3 There are no risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers as the Committee is considering the application as the planning authority in a quasi-judicial role and must determine the application on its own merits in accordance with the Development Plan unless material considerations justify a departure.

9. Sustainability Implications

- 9.1 No separate consideration of the current proposal's degree of sustainability is required as the concept is implicit to and wholly integral with the planning process against the policies of which it has been measured.

10. Departures, Notifications and Referrals

10.1 Strategic Development Plan Departures

None

10.2 Local Development Plan Departures

None

- 10.3 The application is not a Departure from the Local Development Plan or Strategic Development Plan and no departure procedures apply.
- 10.4 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.
- 10.5 The application would not have to be referred to Infrastructure Services as this is a National Development and is being determined by Full Council.

11. Recommendation

- 11.1 That Members of Buchan Area Committee provide preliminary views to Full Council for its consideration when determining the application and note that the recommendation of the Planning Service is to grant Full Planning Permission subject to the conditions detailed below.**

01. Landscaping Scheme

That no works in connection with the development hereby approved shall take place unless a scheme of hard and soft landscaping works has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include:

- (i) Existing and proposed finished ground levels relative to a fixed datum point;
- (ii) The location of new trees, shrubs, hedges, grassed areas and water features;
- (iii) A schedule of plants to comprise species, plant sizes and proposed numbers and density;
- (iv) A programme for the completion and subsequent maintenance of the proposed landscaping

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed in line with the phasing as set out within the approved scheme or such other date as may be agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

02. Archaeology (WSI)

No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved written scheme of investigation. The written scheme of investigation shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be brought into use unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: To safeguard and record the archaeological potential of the area.

03. CEMP

No works in connection with the development hereby approved (including demolition, ground works and vegetation clearance) shall commence unless a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the planning authority. The CEMP shall include the following:

- (i) Risk assessment of potentially damaging construction activities;
- (ii) Identification of biodiversity protection zones;
- (iii) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- (iv) The location and timing of sensitive works to avoid harm to biodiversity features;
- (v) The times during construction when specialist ecologists need to be present on site to oversee works;
- (vi) Responsible persons and lines of communication;
- (vii) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- (viii) Use of protective fences, exclusion barriers and warning signs;
- (ix) Details of lighting, both during construction and operation of the site.
- (x) Hours of operation during the construction period.

The CEMP must address the mitigation details contained within Appendix 2.1 'Schedule of Mitigation' of the Environmental Appraisal, dated April 2019.

In the event that the CEMP references other SHE Transmission documents, including (but not limited to) General Environmental Management Plans (GEMPs) or Species Protection Plans (SPPs), these plans must be also be submitted to Aberdeenshire Council for agreement as part of the wider CEMP.

All works carried out during the construction period shall be undertaken strictly in accordance with the approved CEMP.

Reason: In the interests of protecting the biodiversity of the environment, the amenity of the surrounding area and road safety.

04. Drainage

Prior to the commencement of any development on the site, a Finalised Drainage Scheme shall be submitted to the Planning Authority for approval.

The Finalised Drainage Scheme must reflect the details of the previously submitted scheme and the CCTV survey of existing drainage infrastructure. For the avoidance of doubt the previously submitted scheme is considered to comprise:

- (i) 'Proposed Peterhead 400kV Substation - Outline Drainage Assessment', SLR Ref: 428.04707.00011, SLR, dated July 2019
- (ii) 'Proposed Peterhead 400kV Substation Proposed Drainage Layout', Drawing no. LT135_PEHE_0804_0003, dated 25.04.19.

Thereafter, the development shall be carried out in accordance with the amended drainage scheme unless otherwise agreed in writing with the Planning Authority.

The drainage scheme shall be retained in perpetuity.

Reason: In the interests of ensuring the development site is adequately drained and does not have a negative impact upon water management.

05. Access

That no other development in connection with the permission hereby approved shall take place and the access hereby approved shall not be brought into use unless constructed in accordance with the following specification:

- (i) The maximum gradient of the first 5m of the new access (as measured from the edge of the public road) shall not exceed 1 in 20.
- (ii) The first 5m of the new access (as measured from the edge of the public road) shall be fully paved.
- (iii) Visibility Splays measuring 2.4m by 120.0m shall be formed on either side of the junction of the vehicular access with the public road.

Once formed, the visibility splays shall be permanently retained thereafter and no visual obstruction of any kind shall be permitted within the visibility splays so formed.

Reason: To enable drivers of vehicles using the access to have a clear view of other road users and pedestrians in the interests of road safety.

06. Parking

Prior to the occupancy or operation of the development, off-street parking for 5 cars, surfaced in hard standing materials shall be provided within the site.

Reason: In the interests of road safety, through ensuring the development provides adequate off-street parking.

07. Construction Traffic Management Plan

No works in connection with the permission hereby granted shall commence unless a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the planning authority in consultation with Transport Scotland (where the scheme would impact upon the Trunk Road network). The CTMP must include:

- (i) The proposed routing of all construction traffic
- (ii) Details of any traffic management measures proposed during construction (including signage). Traffic management measures must be undertaken by a recognised QA traffic management consultant.
- (iii) Detail of any abnormal loads, including their routing

Thereafter, the development shall be carried out in accordance with the approved CTMP.

Reason: In the interests of road safety and to avoid degradation of the road and bridge network.

08. Wheel Washing

No development shall take place unless, details of wheel washing facilities (or an alternative appropriate solution as agreed, in writing, by the Planning Authority in consultation with Transport Scotland) are agreed, in writing, with The Planning Authority in consultation with Transport Scotland. The agreed plant and facilities shall be provided within the construction site and shall remain in place for the duration of the construction period, unless otherwise agreed, in writing, by the Planning Authority.

Reason: To ensure that material from the site is not deposited on the trunk road to the detriment of road safety.

DIRECTION UNDER SECTION 58 (2) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 as amended by Planning etc. (Scotland) Act 2006:

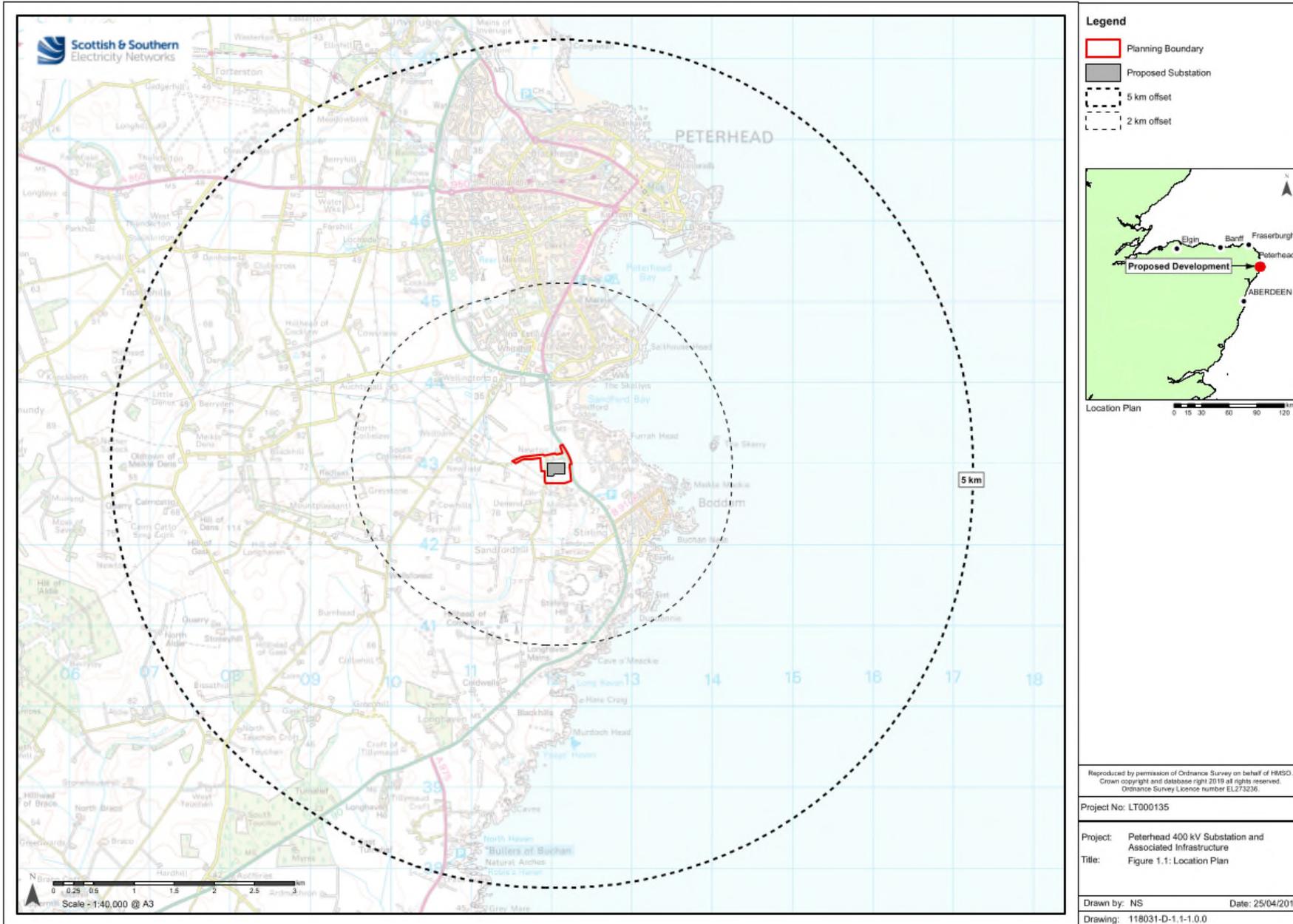
That subsection (1) of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended) shall apply in respect of the permission, with the substitution of the period of three years referred to in that subsection with the period of five (5) years, as is considered appropriate by the Planning Authority in this instance on the basis of the scale of the development. The provisions of section 5(1) shall therefore be read as follows:

The planning permission is to lapse on the expiration of a period of five (5) years (beginning with the date on which the permission is granted) unless the development to which the permission relates is begun before that expiration.

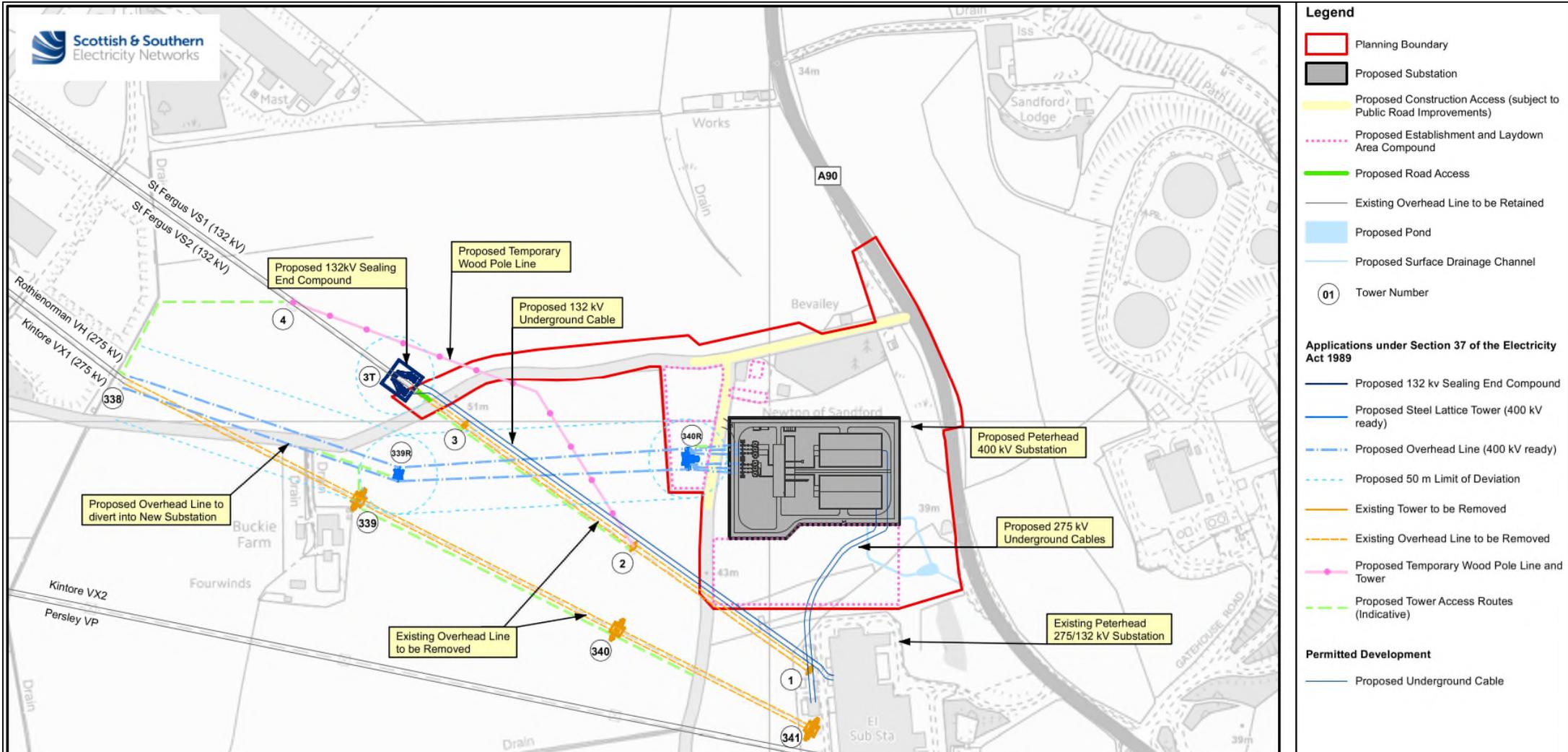
11.2 Reason for Decision

The proposal and mitigation measures set out and contained therein are considered to be acceptable in terms of the relevant Policies contained within the Aberdeenshire Local Development Plan 2017. The proposal is consistent with the Development Plan's aim of reducing carbon emissions and adapting to climate change. It also contributes to the Scottish Government's National Planning Framework's aim to move Scotland towards creating a low carbon place.

Stephen Archer
Director of Infrastructure Services
Author of Report: James Hewitt
Report Date: 15 August 2019



Appendix 1: Location Plan



- Legend**
- Planning Boundary
 - Proposed Substation
 - Proposed Construction Access (subject to Public Road Improvements)
 - Proposed Establishment and Laydown Area Compound
 - Proposed Road Access
 - Existing Overhead Line to be Retained
 - Proposed Pond
 - Proposed Surface Drainage Channel
 - 01 Tower Number
- Applications under Section 37 of the Electricity Act 1989**
- Proposed 132 kv Sealing End Compound
 - Proposed Steel Lattice Tower (400 kV ready)
 - Proposed Overhead Line (400 kV ready)
 - Proposed 50 m Limit of Deviation
 - Existing Tower to be Removed
 - Existing Overhead Line to be Removed
 - Proposed Temporary Wood Pole Line and Tower
 - Proposed Tower Access Routes (Indicative)
- Permitted Development**
- Proposed Underground Cable

Appendix 2: Site Plan