

Aberdeenshire

COUNCIL



Infrastructure Services

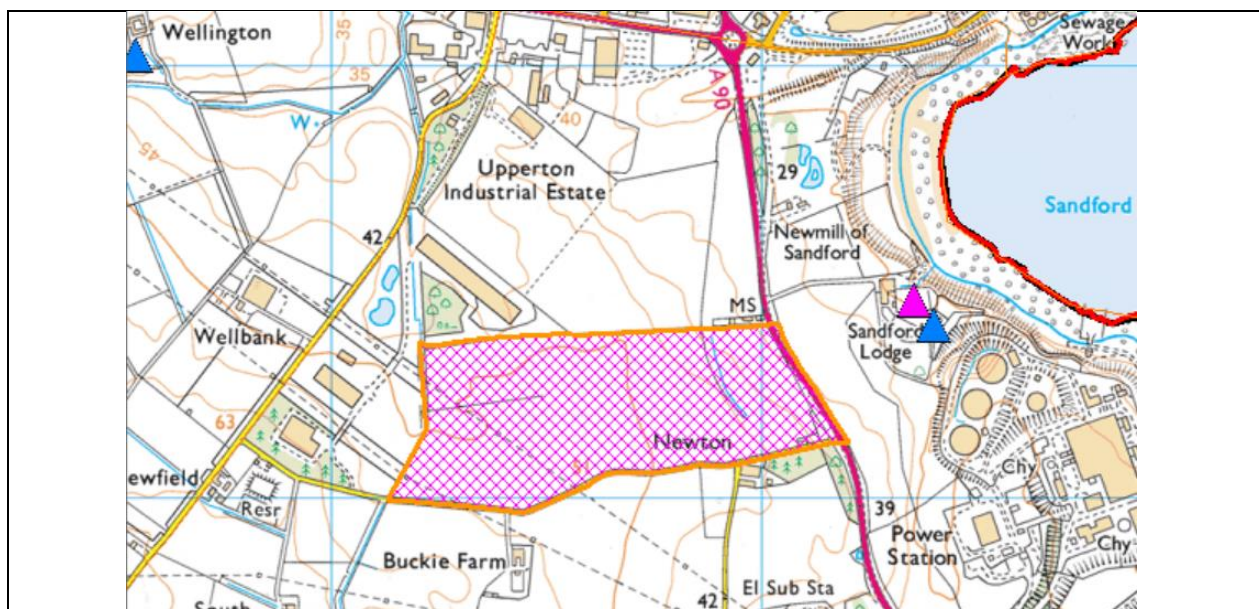
Buchan Area Committee Report 22 February 2022

Reference No: APP/2021/2681

National Development Erection of HVDC Electrical Converter Station and Associated Access Tracks, Drainage Works and Landscaping Including Enclosure on Site to North of Four Winds, Buckie Farm, Boddam

**Applicant: Scottish & Southern Electricity Networks (SSEN)
Inveralmond House, 200 Dunkeld Road, Perth**

Grid Ref:	E: 411666 N: 843186
Ward No. and Name:	W06 – Boddam & District
Application Type:	National Development - PPP
Representations	0
Consultations	11
Relevant Proposals Map Designations:	Aberdeenshire Local Development Plan 2017 Rural Housing Market Area
Complies with Development Plans:	Yes
Main Recommendation	Comments for 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 relevant Area Committee.
- 1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and had no comments to make.

2. Background and Proposal

- 2.1 Planning Permission in Principle is sought for the erection of a High Voltage Direct Current (HVDC) Electrical Converter Station and Associated Access Tracks, Drainage Works and Landscaping Including Enclosure on a site to the north of Four Winds Buckie Farm, Boddam, Peterhead.
- 2.2 The wider proposal relates to the installation of a subsea electrical cable which would provide a connection between the north east of Scotland and Drax, North Yorkshire. The scale of the proposal necessitates engagement with multiple consenting regimes (both marine and terrestrial planning). Aberdeenshire Council are the determining authority in respect of the terrestrial elements within Aberdeenshire.
- 2.3 Within the scope of terrestrial planning, the works may be further subdivided into those which require planning permission (and for which a planning application has been submitted) and those works which the applicant intends to carry out under permitted development rights (as a statutory undertaker).
- 2.4 This application relates primarily to the construction of an interconnector station and the infrastructure associated with this – namely formation of an access, drainage works and landscaping. As this application seeks Planning Permission in Principle, full detailed designs have not been submitted and would be considered under a future application.
- 2.5 It must be noted that this application does not seek permission for the landfall aspects of the development, including cabling, and therefore these cannot be considered.
- 2.6 The development site lies approximately 700m south of Peterhead and would be constructed on a field north of Buckie Farm. The proposed site lies approximately 700m north west of the existing 275kV Peterhead Substation, and 350m north west of the new 400kV Peterhead Substation (under construction). The A90 trunk road and Peterhead Power Station are located to the west. There is also a proposal for a smaller, Synchronous Condenser development to the south (APP/2021/2392), this is a further scheme related to energy transmission. Further south also sits the site for the proposed North

Connect Interconnector Station – that project connects via subsea cable to Norway, as opposed to North Yorkshire as is proposed here but in broad terms is a similar nature of proposal.

- 2.7 With regard to relevant site history, the following enquiries and applications have been submitted on the site and within the vicinity of the site:

ENQ/2021/0270: Screening Request, Erection of High Voltage Direct Current (HVDC) Converter Station & Associated Works - EIA Not Required

ENQ/2021/0805: Proposal of Application Notice (POAN) Erection of Electricity Converter Station Comprising Platform Area, Control Building, Plant Enclosures, Associated Ancillary and Landscape Works and Road Improvement, Agreed

Peterhead Substation

APP/2019/0982: National for Erection of Electricity Substation Comprising Platform Area, Control Building, Associated Plant and Infrastructure, Ancillary Facilities, Landscape Works and Road Alterations and Improvement Works, Approved

Synchronous Condenser

APP/2021/2392: Construction of Synchronous Condenser and Associated Infrastructure, Pending Consideration

North Connect

APP/2015/1121: 1.4 GW Interconnector Converter Station and High Voltage Alternating Current (HVAC) Cable Connection to Peterhead Power Station, Approved

APP/2018/1832: Change of Use of Land to Domestic Curtilage and Erection of Ancillary Accommodation, Approved

- 2.8 The application has been screened under the provisions of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, where it was concluded that the proposal would be unlikely to have such a significant impact as to warrant the submission of a full Environmental Impact Assessment Report. However, a full suite of appropriate and targeted technical assessments was considered to be appropriate in this instance.

- 2.9 The application has been supported through the submission of the following documents:

'Eastern HVDC Peterhead Converter Station: Environmental Appraisal', Scottish & Southern Electricity Networks, November 2021

- Terrestrial Ecology

- Ornithology
- Soils and Hydrology
- Landscape and Visual Impact
- Cultural Heritage
- Noise

2.10 No amendments or alterations have been made throughout the span of the application. Therefore, no re-advertisement/ re-notification has been undertaken.

3. Representations

3.1 No valid letters of representation have been received.

4. Consultations

Internal

- 4.1 **Environment and Infrastructure Services (Archaeology)** has no comment to make on the proposal. Archaeology has identified a Scheduled Monument (Den of Boddam SM6137) nearby.
- 4.2 **Environment and Infrastructure Services (Contaminated Land)** hold no objection to the proposal. Site history indicated that contamination may be present due to past use, however and informative outlining responsibilities of developers would suffice.
- 4.3 **Environment and Infrastructure Services (Environmental Health)** has placed a holding objection on the proposal. Whilst the Service has no concerns over the methodology utilised within the Noise Assessment section of the Environmental Appraisal, it has requested that new modelling be undertaken in order to consider the cumulative impact of APP/2021/2392 (Synchronous Condenser). This request has been forwarded to the applicant. An update to Area Committee shall be provided if available and incorporated ahead of Full Council.
- 4.4 **Environment and Infrastructure Services (Environment Team – Natural Heritage)** has been consulted, however at the time of preparation of this report no response has been received. An update to Area Committee shall be provided if available and incorporated ahead of Full Council.
- 4.5 **Environment and Infrastructure Services (Flood Risk and Coastal Protection)** hold no objection to the proposed development. Advice has been given in relation to the level of detail required at detailed stage (surplus water flow direction must be established for a 1 in 200 AEP plus 35% event).
- 4.6 **Environment and Infrastructure Services (Roads Development)** has requested that full details of the proposed access, including visibility splays, be provided at the detailed stage of the application.

External

- 4.7 **BP Exploration** has been consulted, however at the time of preparation of this report, no response has been received.
- 4.8 **Health and Safety Executive (HSE)** holds no objection to the proposal on safety grounds.
- 4.9 **Scottish Environment Protection Agency (SEPA)** holds no objection to the proposed development. It is noted that surface water flooding issues are being addressed by the Councils Flood Risk and Coastal Protection Team. SEPA notes that only low sensitivity Ground Water Dependent Terrestrial Ecosystems (GWDTEs) have been identified on site, and are satisfied mitigation measures detailed within the EA would provide adequate protection.
- 4.10 **Scottish Water** holds no objection to the proposal. Response indicates that the development may impact upon Scottish Water assets within the site boundary, however this would be a matter for the applicant and Scottish Water.
- 4.11 **Shell UK Exploration** holds no objection to the proposal in principle. Shell has highlighted some concerns in relation to the development encroaching upon pipeline servitude, which would be a matter for the applicant and Shell to consider.

5. **Relevant Planning Policies**

5.1 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.

5.2 Aberdeen City and Shire Strategic Development Plan 2020

The Strategic Development Plan (SDP) was approved on 12 August 2020.

The purpose of this Plan is to set a clear direction for the future development of the City Region. It sets the strategic framework for investment in jobs, homes and infrastructure over the next 20 years. 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.

Paragraph 3.28 of the SDP specifically outlines the southern Peterhead area as requiring to make provision for the following:

- A key role for Peterhead as a National Renewable Infrastructure Site and “Energy Hub”; and,
- The expected landfall for offshore High Voltage Energy Transmission Networks to Norway and England.

The Aberdeenshire Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Aberdeen City & Shire SDP 2020 as approved forms part of the Development Plan.

5.3 Aberdeenshire Local Development Plan 2017

Policy C4: Flooding

Policy E1: Natural Heritage

Policy E2: Landscape

Policy HE1: Protecting historic buildings, sites and monuments

Policy P4: Hazardous and potentially polluting developments and contaminated land

Policy PR2: Protecting important development sites

5.4 Proposed Aberdeenshire Local Development Plan 2020

Aberdeenshire Council on 5 March 2020 resolved to agree the Proposed Aberdeenshire Local Development Plan (LDP) 2020 as the ‘settled view of the Council’ on what the final adopted content of the LDP 2021 should be. A

period during which representations on the Proposed LDP 2020 could be made took place between 25 May and 31 July 2020.

The Proposed LDP 2020 is a material consideration in the determination of planning applications. The Planning Authority must therefore assess what weight it should have in the context of this particular application. The Proposed LDP has been subject to public scrutiny and has now been submitted for Examination by an independent Reporter. Nevertheless, it is considered that the level of weight that should be applied to the Proposed LDP 2020 remains as not significant at this time. The Aberdeenshire LDP 2017 remains the up-to-date LDP for the area and the primary document against which planning applications should be determined until such time as a new LDP for the area is adopted.

5.5 Other Material Considerations

None.

6.0 **Discussion**

6.1.1 Planning Permission in Principle is sought for the erection of a High Voltage Direct Current (HVDC) Electrical Converter Station and Associated Access Tracks, Drainage Works and Landscaping Including Enclosure on a site to the north of Four Winds Buckie Farm, Boddam, Peterhead as detailed in section 2 of this report.

6.1.2 The main issues to consider relate to the principle of development and any environmental impacts which may arise due to the development. In this instance said considerations include Landscape and Visual Impact, Natural Heritage, Cultural Heritage, Hydrology, Access, Noise and Pipelines.

6.1.3 No specific assessment of layout, siting and design shall be undertaken at this stage, as the proposal seeks permission in principle. No detailed design has been submitted for approval.

6.2.0 Principle of Development

6.2.1 The development under consideration constitutes a National Development as the proposal relates to National Development 4: High Voltage Electricity Transmission Network as detailed within NPF3. The proposal falls within part 2 (c) 'new and/or upgraded onshore substations directly linked to onshore and/ or offshore electricity transmission cable(s) in excess of 132kV.

6.2.2 Inclusion within NPF3 and the designation of a National Development establishes the need for the development as a national priority and essentially establishes the principle of development (providing other environmental matters can be satisfied).

6.2.3 NPF3 details the need for works such as this through stating:

'These classes of development are needed to support the delivery of an enhanced high voltage electricity transmission grid which is vital in meeting national targets for electricity generation, statutory climate change targets, and security of energy supplies'

- 6.2.4 At a local level, the development site lies within land reserved as 'R2' in the Aberdeenshire Local Development Plan 2017 (LDP 2017). Within Peterhead, the R2 reservation seeks to reserve land specifically for energy developments, including (but not limited to) those associated with major energy developments contained within NPF3. This proposal would adhere with this reservation.
- 6.2.5 In Policy terms, Policy PR2 seeks to expressly protect identified sites for national developments. As the proposal would fall within such a site (as detailed above), it would comply with Policy PR2.
- 6.2.6 The R2 designation in the LDP follows on from paragraph 3.28 in the SDP which specifically identifies this area as requiring to make provision for an Energy Hub as well as specifically identifying a High Voltage connection to England as a project for this location – the proposal is exactly what has been set out within the SDP.
- 6.2.7 The Principle of Development can be established as the proposal constitutes a national development as defined by NPF3, and the development site falls within a site allocated for such developments within both the SDP and LDP. The proposal would comply with Policy PR2 of LDP 2017.
- 6.3.0 Landscape and Visual Impact
- 6.3.1 Landscape and Visual Impact is considered within Chapter 6 of the Environmental Appraisal.
- 6.3.2 The key policy in respect of this matter is Policy E2, which seeks to prohibit development which would have unacceptable impacts upon key landscape elements, historic features, composition or quality through scale, location or design. A full and detailed design does not form part of this application owing to its status as Permission in Principle only. As such aspects of the Landscape and Visual impact shall only be realised upon consideration of a further application.
- 6.3.3 Notwithstanding the limits of the assessment which can be made, the EA includes a Landscape and Visual Impact Assessment (LVIA) based upon the likely parameters of the detailed design. The LVIA has been prepared by a senior landscape architect and in line with the Guidelines for Landscape and Visual Impact Assessment, 3rd edition (GLVIA3). The methodology is considered to be orthodox.
- 6.3.4 The assessment considers impacts arising throughout the lifespan of the proposal from construction through operation, including mitigation measures such as landscaping.

6.3.5 The assessment can be broken into two distinct elements. Landscape Character denotes the impact of a proposal upon the underlying landscape features and reflects upon the established use of the area. Visual Impact considers the effect upon identified receptors such as individual properties, or users/ visitors to any area.

6.3.6 The LVIA has utilised a 3km study area and utilises Local Landscape Character Areas (LLCA) as finer grain than Landscape Character Types (LCT) as produced by NatureScot. This approach echoes that utilised in the adjacent 2019 substation application. The LLCAs identified are:

- Coastal Farmland (location of development)
- Buchan Ness Coastline
- Coastline with Substation and Power Station
- Southern Peterhead
- Northern Boddam Village

6.3.7 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 with some localised effects producing a stronger impact (although not significant in terms of the assessment). The landscaping is likely to reduce the effects but is unlikely to entirely screen the structure.

6.3.8 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.

6.3.9 The visual impact of the development has been considered in terms of:

- 'Receptors in buildings': sixteen buildings / building clusters (B1 – B16), including receptors in southern Peterhead, Boddam, Stirling Village and scattered properties in the vicinity of the site; and
- 'Receptors on routes': eight routes / route groupings (R1 – R8) including the A90, A982, and B9108 amongst other routes.

6.3.10 An extensive assessment of likely effects has been undertaken. For brevity, this report shall highlight the likely significant impacts only. With regard to Receptors in Buildings, significant impacts are identified for B2 (a property located to the south of the site and to the west of the existing substation) and B5 (properties at Stirling Hill). With regards to Receptors on routes, significant impacts are predicted to be experienced along R1 and R2 (locally) and R3 (Stirling Hill).

6.3.11 The commonality amongst the significant impacts can be broken down into two main categories. B2, R1 and R2 are likely to experience significant impacts due to proximity to the development site. These impacts are likely to be most acute during the construction phase and are predicted to diminish as landscaping takes effect. However, it must be noted that the impact is unlikely to be completely offset through landscaping. B5 and R3 on the other hand are both located at Stirling Hill and therefore the significant impacts are associated with elevation. The LVIA predicts that these impacts are acutely associated with the construction phase and would benefit from a stronger impact from landscaping mitigation – this can be secured through conditions and assessed in detail at a later stage to ensure the issue can be addressed as far as possible.

6.3.12 In policy terms, it is considered that the proposed development is likely to have a significant impact upon the local visual amenity, which is likely to only be partially addressed through mitigation. Whilst Policy E2 seeks to protect the landscape and visual amenity, the benefits and need for the development (as outlined in paragraph 6.2.3) must be weighed against the overall impact.

6.3.13 It is considered that the wider landscape character is unlikely to be compromised or otherwise undermined by the proposed development, whilst acknowledging that a localised impact is likely to occur. Energy infrastructure is well established within the vicinity of this site. The visual amenity impact is likely to be locally significant, however the inclusion of landscaping would soften the impact to a degree and the need for the development, and associated benefits would create an overriding sense of public benefit. In this instance, mitigation can be secured through condition and assessed further at the MSC stage. It is considered that the proposal complies with the broad principles of Policy E2.

6.4.0 Natural Heritage

6.4.1 Natural Heritage is considered within Chapters 3 (Terrestrial) and 4 (Ornithology) of the Environmental Appraisal.

6.4.2 Policy E1 is the key policy in respect of protected species and habitats. This policy seeks to protect designated sites, protected species and important habitats through encouraging development elsewhere. If development of such a site is unavoidable the policy requires appropriate survey work to be undertaken, and mitigation to be proposed (if applicable).

6.4.3 Survey work has been undertaken in the form of a desk-based study and further field study (June 2021) in order to identify protected species and habitats.

6.4.4 The development site does not fall within, encompass or lie adjacent to any sites designated for natural heritage and therefore no direct impact is anticipated. The following sites have been designated for Ornithological interest:

- Buchan Ness to Collieston SPA: 0.5km from site. Supports in excess of 20,000 seabirds including nationally important populations of black-legged kittiwake, common guillemot, herring gull, European shag and northern fulmar.
- Buller of Buchan Coast, SSSI: 1.6km from site. Designated for geological features and seabird colonies.

6.4.5 With regard to habitats, the development site comprises a mixture of cultivated land (amenity grassland / arable), mixed woodland (plantation), neutral grassland (semi-improved / unimproved) and garden ground. Of these habitats, the neutral grassland is most likely to be impacted due to the indicative footprint of the substation.

6.4.6 The area to be developed has been assessed and is determined to be of low ecological sensitivity, due to the relatively low species count. This view is reinforced through SEPAs commentary on Ground Water Dependent Terrestrial Ecosystems (GWDTEs).

6.4.7 The survey work uncovered no evidence of protected species.

6.4.8 With regard to ornithology, similar survey work has been undertaken to that for terrestrial ecology. Namely updated breeding bird surveys in April, May and June 2021.

6.4.9 Survey work identified 14 species, with 7 considered to be breeding within the site boundary. 3 species of conservation concern were within the site area (skylark, yellowhammer, meadow pipit). The majority of breeding territories were located on the eastern extent of the site (adjacent to woodland), which would not be developed. Yellowhammer territories were located along the site boundaries, with a single skylark located on the indicative HVDC site.

6.4.10 Impacts associated with the development are most likely to occur during the construction period, as opposed to operation. Therefore construction methodologies and practices may mitigate the risk of disruption.

6.4.11 Environment and Infrastructure Services (Environment Team – Natural Heritage) has been consulted, however at the time of preparation of this report no response has been received. An update to Area Committee shall be provided if available and incorporated ahead of Full Council.

6.4.12 The submitted material indicates that the proposed development has a low likelihood of significantly impact upon natural heritage. Where impacts are identified it is likely that these can be managed via planning condition. It is proposed that resolution of natural heritage matters be delegated to the Planning Service, whilst awaiting finalised consultation responses. At this stage there is a comfort that the proposal can comply with ALDP Policy E1.

6.5.0 Cultural Heritage

6.5.1 Cultural Heritage is considered within Chapter 7 of the Environmental Appraisal. The cultural heritage section is based upon a baseline survey, desk based, and field survey carried out in 2013; a review of which was undertaken in March 2019 and June 2021.

6.5.2 The survey considered two study areas. The Inner Study Area comprises the Development Site, plus associated permitted development works, plus a 500m buffer and is the location of the majority of the impacts. The Outer Study Area of a 3km buffer around site.

6.5.3 A total of 46 heritage assets have been identified within the inner study area, 3 of which are listed buildings and 43 of which are undesignated. Five assets lie within the development site; a well, former railway, modern cropmarks, a former Royal Observatory Corps post and an occupied farmstead.

6.5.4 Of the five assets within the development site boundary, the Cultural Heritage chapter notes that:

- The well does not have any upstanding features, and anything subsurface is likely to be removed if encountered due to the location of the Sealing Compound. The impact on the asset would be high, however the sensitivity of the asset is negligible.
- The former railway would be unaffected, as no construction is planned within this area.
- the former ROC post is subterranean. No construction is planned within this location
- The cropmarks are thought to be of a recent date, and therefore of low value. However, no construction is planned within this area.
- The cottage lies to the south east of the development site, with no construction planned at this location.

6.5.5 Environment and Infrastructure Services (Archaeology) have raised no objection to the proposed works, or associated impact upon undesignated heritage assets.

6.5.6 Policy HE1 seeks to prevent development which would otherwise adversely impact upon the character, setting or integrity of cultural heritage assets. With a higher level of protection given to those of a national designation.

6.5.7 Based upon the finding of the Cultural Heritage section of the EA, it is clear the proposal would have a degree of impact upon heritage assets. Whilst the impact upon listed buildings and conservation areas can largely be discounted (due to distance, and intervening screening), the impact upon Scheduled monuments and undesignated assets is likely to be more pronounced.

6.5.8 A sole Scheduled Monument is identified, SM6137 'Den of Boddam Neolithic flint working', which lies approximately 1.4km to the south of the development site. As such the impacts are unlikely to be direct, but rather more associate

with landscape and the setting in which the asset is viewed and understood. The Scheduled monument is largely enclosed within the landscape, however, has some views northwards and eastwards, across farmland and in view of existing energy infrastructure. It is considered that the proposed development would likely represent an intensification of energy development, as opposed to introducing a new, foreign class of development to the landscape. Said impact must be balanced against the need for the development, as outlined within NPF3. The precise balancing act will depend upon the detailed design, including landscaping proposals. As such a complete assessment cannot be made until such a time as a detailed proposal is under consideration, albeit there are opportunities for design and landscape mitigation to take into account and address some proposed impacts, this will be secured via condition and assessed further at MSC stage.

6.5.9 It is considered that the proposal broadly complies with Policy HE1, in that an appropriate assessment of the impact upon cultural heritage has been undertaken, and impacts have been minimised as far as reasonably possible for this stage of the process. Further mitigation should be provided during the detailed design stage, including landscaping proposals.

6.6.0 Hydrology

6.6.1 Hydrology is considered within Chapter 5 of the Environmental Appraisal.

6.6.2 Policy C4 seeks to direct development away from areas of increased flood risk and requires an appropriate assessment of flood risk to be carried out.

6.6.3 Chapter 5 of the EA considers various sources of flood risk, and discounts all but surface water flooding. This is based upon topography (40m AOD, and 1.0km inland to discount coastal flooding) and available datasets (SEPA Flood mapping to discount river flooding). SEPA flood mapping identifies surface water flooding as a known constraint on the north eastern boundary of the site, with this likely associated with a field drain. The extent of surface water flooding is listed as localised.

6.6.4 The mitigation section of Chapter 5 outlines that a suitably design SUDS scheme would be agreed with Aberdeenshire Council in order to mitigate the identified flood risk.

6.6.5 Flood Risk and Coastal Protection are satisfied with the level of detail provided for this stage of the Planning process. Advice has been offered in relation to the expected SUDS design for future stages of the process. SEPA has raised no concerns in relation to flood risk.

6.6.6 It is considered that the proposal would comply with Policy C4, subject to the inclusion of a condition requiring the submission, agreement and adherence to full drainage details.

- 6.6.7 Beyond Flood Risk, chapter five also considers and discounts the impact of the development upon private water supplies (due to a lack of PWS in the vicinity of the development site).
- 6.6.8 Chapter 5 also highlights the potential risk of groundwater pollution associated with construction and operation, with a suggestion that this be managed via a Construction / General Environment Management Plan (CEMP / GEMP). This approach is considered orthodox and would be appropriate. The proposal can be considered to comply with Policy.
- 6.7.0 Access
- 6.7.1 Policy RD1 considers matters related access and requires all new development to be adequately serviced (including the formation of an appropriate access).
- 6.7.2 Roads Development has been consulted and holds no objection to the proposed development subject to inclusion of appropriate conditions. Roads Development acknowledges that full details of the proposed access (including visibility splays) would be required during the detailed design stage.
- 6.7.3 It is considered that sufficient information has been submitted in order to allow the granting of Planning Permission in Principle. However further assessment would be required at the detailed design stage.
- 6.8.0 Noise
- 6.8.1 Chapter 8 of the Environmental Appraisal considers noise. Environmental Health has been consulted and has raised a holding objection with a request for further modelling on cumulative noise to be undertaken in order to consider recent applications (under consideration).
- 6.8.2 The Noise Impact Assessment outlines the methodology and approach, which Environmental Health has raised no objection to. The summary of the assessment identifies the operation of the development as the period, which presents the highest risk of noise emissions.
- 6.8.3 The findings of the Noise Impact Assessment indicates that (on a worst-case scenario), the proposal would give rise to significant adverse impacts upon the nearest noise sensitive receptors. However, this is caveated with a stipulation that the impact would be associated with a single piece of equipment. Further investigation, on the basis that this piece of equipment is removed, show the development would have no significant impact. The report goes on to state that mitigation in the form of replacing said equipment should be considered at the detailed design stage.
- 6.8.4 Whilst the current Noise Impact Assessment suggests a significant impact, this is due to the use of data from the Blackhillock HVDC. The specifics of this proposal remain to be put forward at the detailed design stage, and therefore

an opportunity remains to secure appropriate mitigation through embedded design.

6.8.5 It is requested that matters relating to Noise be delegated to the Planning Service, on the basis a solution may be technically possible, and an opportunity remains to achieve said mitigation. This shall also provide additional time for further investigation as requested by Environmental Health. Given the National status of the application, this is considered to be an appropriate and pragmatic approach balancing the need to progress with the project of national importance but also facilitating further work on this technical matter.

6.9.0 Pipelines

6.9.1 The proposed development site contains a number of Pipelines and therefore the relevant operators (Shell UK Exploration and BP Exploration) have been consulted, as has the Health and Safety Executive.

6.9.2 Policy P4 seeks to prevent development which would create an unacceptable risk or danger. The consultation responses are detailed within Section 4 of this report, with no objections raised from any of the relevant bodies. Whilst Shell UK Exploration has raised concerns over pipeline servitudes, this would be a matter for the applicant and operator as opposed to planning.

6.9.3 It is considered that the proposal would not represent an unacceptable risk or danger (in line with the advice from consultees) and therefore would comply with Policy P4 in respect of pipelines.

6.10.0 Conclusion

6.10.1 Notwithstanding the conclusion of matters related to Natural Heritage and Noise, the proposed development is considered to comply with the relevant policies of the Aberdeenshire Local Development Plan 2017. Mitigation can be secured and assessed in full at the MSC stage. The principle of development can be established as a National Development contained within National Planning Framework for Scotland 3 and on a site described within Policy PR2 of the Local Development Plan.

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 integrated impact assessment is not required because the granting or refusing of the application will not have a differential impact on the protected characteristics of the applicant or any third parties.

- 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.
- 8.4 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.

9. Departures, Notifications and Referrals

9.1 Strategic Development Plan Departures

None

9.2 Local Development Plan Departures

None

- 9.3 The application is not a Departure from the Local Development Plan or Strategic Development Plan, and no departure procedures apply.
- 9.4 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.
- 9.5 The application would not have to be referred to Infrastructure Services Committee in the event of the Area Committee wishing to grant permission for the application.

10. Recommendation

10.1 **That Buchan Area Committee provide a view to Full Council on the proposal that authority to GRANT be delegated to the Head of Planning and Economy subject to:**

- A) The resolution of matters related to natural heritage, in consultation with Environment and Infrastructure Services (Environment Team – Natural Heritage);
- B) The resolution of matters related to noise, in consultation with Environment and Infrastructure Services (Environmental Health); and
- C) The Following Conditions:

- 1) Details of the specified matters listed below shall be submitted for consideration by the Planning Authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work at either the substations site or the cable route site shall begin until the written approval of the Planning Authority has been given for the phase covering that site and the development shall be carried out in accordance with that approval.

Specified matters:

Substations Site Phase

- (a) Full details of the layout, siting, external appearance and finishing materials of the proposed substations. This should include the following:
1. Buildings;
 2. Electrical installations;
 3. Walls, fences and other means of enclosure;
 4. Flood risk;
- (b) Full details of all existing and proposed landscape features, including trees, shrubs or hedging to be retained and proposed at the substations site. A Landscape Maintenance Plan should be provided which shall include short term landscape establishment and longer term ongoing maintenance. Replacement and additional planting should be locally native species of local provenance appropriate to the Buchan area.
- (c) A detailed levels survey of the substations site and cross sections showing the proposed finished platform levels relative to existing ground levels and a fixed datum point. This should include full details of the cut and fill works, bunding and earthworks proposed as part of the screening of the substations site with all bunding to be naturally contoured.
- (d) Full details of the proposed means of disposal of foul and surface water from the substations.
- (e) Full details of the proposed means of access to the substations site, including the required visibility splays, parking spaces, turning areas, laybys and passing places.
- (f) A Full Mitigation Statement summarising all mitigation measures proposed at the substations site.
- (g) A Route Access Report must be undertaken to establish that abnormal loads can be transported through the trunk roads

network safely and agreed with Transport Scotland. The report shall detail any measures temporary or otherwise required to be carried out and should establish that the transportation will not damage any structure along the route path.

- (h) A full site specific Construction Environmental Management Plan (CEMP). The CEMP should address the following issues:
 - Schedule of Environmental Commitments;
 - Pollution prevention measures;
 - Sediment management;
 - Environmental incidents;
 - Water management plan;
 - Wet weather management plan;
 - Site Waste Management Plan;
 - Drainage plan for SUDS for the substation site;
 - Appropriate training in the CEMP;
 - References to relevant Method Statements.
- (i) Full details of a programme of archaeological works in accordance with a written scheme of investigation.
- (j) A Noise Impact Assessment should be submitted in relation to the expected noise levels from the substations at the nearest noise sensitive properties.
- (k) Full details of all external lighting to be installed at the substations site.
- (l) Full details on the proposed construction access route(s) including the following:
 - Vehicle swept paths for any abnormal load requirements;
 - Phasing plan(s) for the cable and sub-station works which confirms road improvement works required prior to commencement of each phase;
 - Details of the construction access route to determine the locations of structures (e.g. bridges) and street furniture affected by any construction and/or abnormal load vehicle movements;
 - Road improvements/strengthening (either temporary or permanent) required as a result of the survey;
 - Details confirming locations of cable road crossings and proposed works.

Reason: Permission for the development has been granted in principle only and subsequent approval is required for these matters in accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

- 2) That the construction operations are limited to 07.00-19.00 Monday to Friday and 07.00-13.00 on Saturdays only, unless otherwise agreed in writing with the Planning Authority. Any night-time operations should be subject to written details of the work times and any noise mitigation measures proposed to be installed being approved by the Planning Department prior to the works commencing.

Reason: In order to protect the amenity of nearby and adjoining residents.

10.2 Reason for Decision

Notwithstanding the conclusion of matters related to Natural Heritage and Noise, the proposed development is considered to comply with the relevant policies of the Aberdeenshire Local Development Plan 2017. The principle of development can be established as a National Development contained within National Planning Framework for Scotland 3 and on a site described within Policy PR2 of the Local Development Plan.

Alan Wood
Director of Environment and Infrastructure Services
Author of Report: James Hewitt
Report Date: 10 February 2022