THE HIGHLAND COUNCIL

NORTH PLANNING APPLICATIONS COMMITTEE 19 NOVEMBER 2013

Agenda Item	6.3
Report No	PLN/103/13

13/03128/FUL: Scottish Hydro Electric Transmission Plc Land To North East Of Mountain Rescue Team Base Dundonnell.

Report by Area Planning Manager

SUMMARY

Description: Erection of connection house (building to house electrical switching

equipment), formation of temporary site compound and improvements to

road junction.

Recommendation - GRANT

Ward: 06 - Wester Ross, Strathpeffer And Lochalsh

Development category: Local Development

Pre-determination hearing: Not required

Reason referred to Committee: Objections received from more than 5 separate

addresses.

1. PROPOSED DEVELOPMENT

- 1.1 The proposed development comprises of a building, the erection of a security fence, the formation of a temporary site compound, the construction of a bridge over an existing watercourse and improvements to the existing road junction. The building will measure 22.60m X 16.35m X 10.26m high (to the ridgeline), eaves height 8.5m comprising of steel sheeting fixed to a steel frame. The sheeting will be finished in two shades of green; a mid- green for the walls with the roof finished in a darker shade. A single storey 'ancillary area' is located on the north side of the building this will be constructed from the same materials and will have the same pitched of roof as the main building.
- 1.2 The building will be oriented so that the narrow gable end faces northwest, to match the alignment of the adjacent existing buildings. These are the Mountain Rescue Centre and MoD outdoor training centre. The building will be enclosed by a dark green security fence 1.8m high. The road improvements include the

formation of a new access to the Mountain Rescue Centre, a new bridging point across the existing watercourse and improvements to the layout and geometry of the road junction.

- 1.3 The building referred to as a connection house forms part of the Western Isles Connection underground high voltage direct current link from Gravir on the Isle of Lewis to Beauly. The connection house will allow the joining of the two sub-sea cables to the four underground cables which will then run for 70km to the Beauly converter station development.
- 1.4 The sub-sea cable link for the outer Hebrides is identified as a National Development in The National Planning Framework 2 (NPF2). The development as proposed in this application does not constitute 'national development' as defined by the Town and Country Planning (Hierarchy of Development) Scotland Regulations 2009 as the connection house is neither a substation or converter station. It has no mechanism to change voltage/electricity type or rating. It will be a facility to connect two circuits into one or break a circuit and transfer it to an alternative circuit, if isolation is required.
- 1.5 Nor does the development fall within the definition of 'major development' as defined by the Town and Country Planning (Hierarchy of Development) Scotland Regulations 2009 as the site is less than 2 hectares and the floor space is under 5000 square metres.
- 1.6 Detailed pre-application discussions have been held with the applicant through the non-statutory pre-application advice service for local development. The submission for planning permission reflects the outcomes of these discussions.
- 1.7 The development did not require the submission of an Environmental Statement under the EIA Regulations. The applicant provided the following documents as further supporting information:
 - Environmental Report which was supported by the following surveys and reports.
 - Breeding Bird Survey
 - Habitats Survey
 - Design Statement
 - Landscape and visual impact assessment.
- 1.8 **Variations**: None.

2. SITE DESCRIPTION

- 2.1 The site forms part of the floor of the strath used for grazing, mainly sheep. To the east of the site is a small embankment that faces north-west and rises 6m, or thereby, above the floor of the strath. A block of mainly coniferous trees lies to the east of the site, west of the Kappoch Farm Buildings, on the upper level of the embankment. A small watercourse flows from beneath the A832 from south-east to north- west, passing to the west of the site for the connection house; access to the existing buildings is via fenced bridges over this burn. There is also an embankment of some 4m in height which rises up from the floor of the strath to form the edge of the A832, at the point where the road junction is located.
- 2.2 There are two existing buildings immediately to the south west of the proposed connection house: the Mountain Rescue Centre and the MoD training building. Both are single storey buildings, with slate roofs; the MoD building is finished with a

grey render on its north western elevation and a paler colour finish on other walls, the Mountain Rescue Centre has a white render finish to all sides. Both buildings have gable ends facing north west.

3. PLANNING HISTORY

3.1 No previous applications on site.

Adjacent to the site: 00/00570/FULRC - Erection of Dundonnell Mountain Rescue Team Equipment Base & Signboard (Detail) - granted - 19.09.00.

4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown Neighbour and Schedule 3 development.

Representation deadline: 27.09.2013

Timeous representations: 5 individual addresses in total.

Late representations : None

- 4.2 Material considerations raised are summarised as follows:
 - Development is contrary to the provisions of the Highland Wide Local Development Plan (HwLDP) and National Planning Policy for rural development in that the site is inappropriate for a building of the scale and design proposed.
 - Alterations to the road junction take no account of the number of cars that use the existing layby as a parking facility.
 - No consideration is given to coastal flooding.
 - Magnetic fields, radiation and noise from the development have not been addressed.
 - Connection to public water supply not available.
 - Proposals for gabion wall may affect existing dyke.
 - There should be o working on a Sunday.
- 4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam. Access to computers can be made available via Planning and Development Service offices.

5. CONSULTATIONS

- 5.1 **TEC Services (Roads):** No objections. The proposals represent a significant improvement to the present situation. There are currently two substandard accesses onto the A832, these will be stopped up and a new junction formed. The visibility to the south east from the new junction will not achieve full compliance with current standards however it is a very significant improvement from the current arrangements.
- 5.2 **Lochbroom Community Council:** No Response.

- 5.3 **Scottish Natural Heritage:** No objections. No concerns about natural heritage as development is not within or likely to significantly affect a designated site. Although adjacent to the Waster Ross NSA the special qualities are unlikely to be affected. It is within an area already developed with a number of buildings and so the impacts are not likely to be significant on the landscape character.
- 5.4 **Scottish Environmental Protection Agency:** No objections. Conditions require to be attached to any planning permission granted which deal with the following issues: The bridge will be designed to convey at least the 1 in 200 year (0.5% annual probability) flow of the watercourse in question, a construction management statement is required which addresses the potential pollution of the burn which runs through the site. A SUDS scheme for the development is submitted.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland Wide Local Development Plan 2012

Policy 28 Sustainable Design

Policy 49 Coastal Development

Policy 57 Natural, Built & Cultural Heritage

Policy 69 Electricity Transmission Infrastructure

6.2 Wester Ross Local Plan 2007 (as remains in force)

Polices superseded by the Highland wide Local Development Plan

7. OTHER MATERIAL CONSIDERATIONS

7.2 Highland Council Supplementary Planning Policy Guidance

Non-statutory supplementary guidance- Coastal Development Strategy

7.3 Scottish Government Planning Policy and Guidance

National Planning Framework 2 – sub sea cable link for the outer Hebrides.

Scottish Planning Policy

8. PLANNING APPRAISAL

- 8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

8.3 **Development Plan Policy Assessment**

Policy 69 states that the Council will support proposals for electricity transmission infrastructure which are assessed as not having an unacceptable significant impact on the environment, including natural, built and cultural heritage features. In considering proposals due regard will be given to their level of strategic significance in transmitting electricity from areas of generation to areas of consumption.

8.4 Policies 28 (sustainable design), 49 (coastal development), 57 (cultural and built heritage) deal with the features referred to in Policy 69 in more detail. Of particular relevance to the determination of the current application is the siting of the building on coastline designated as undeveloped, the acceptability of the location and design of the building and the impact that the development will have on users of the public road network

8.5 Material Considerations

- 8.6 The connection house comprises electricity transmission infrastructure of national importance forming part of the sub-sea cable link from the Outer Hebrides. This project is identified as a National Development in The National Planning Framework 2.
- 8.7 Concern about the location and the design of the building has been raised by the third parties who made representations on the application. It is acknowledged that the building will be sited in a location which will mean that it will be visible from a number of receptors namely the public road, the inner waters of Little Loch Broom and the surrounding mountain tops.
- 8.8 The applicant has provided information about the site selection process that was undertaken to identify a suitable location for a building of such strategic importance. The site was identified as the most appropriate taking into account the technical requirements, environmental considerations especially constraints posed by fluvial and coastal flooding, landowner constraints and economic considerations. The constraints on site selection are acknowledged.
- 8.9 An alternative site north east of the proposed site, has been referred to in the representations. This site was investigated by the applicant as part of the site selection process but was discounted as it was located within the 'at risk' area as identified by SEPA in their Indicative River & Coastal Flood Map.
- 8.10 Flooding of the site has been raised as a concern by the third party representees. The proposed site is not indicated on the SEPA flood mapping for either fluvial or coastal flood risk. SEPA have offered no objection to the location of the site.
- 8.11 It is considered that developing a site which is adjacent to existing buildings is consistent with the aims of the HwLDP for new development in undeveloped coastal areas in that the consolidation of development at one location is preferable to developing isolated and remote sites. The building will be seen as one of a cluster of buildings which sit on the strath floor below the level of the public road as well as being part of a wider association of buildings in the general area which

includes Kappoch Farm. The connection house has been designed to reflect the colours and character of the nearby farm buildings albeit at a large scale which, together with its physical relationship with the other buildings helps to assimilate the connection house into the group of buildings. In response to a consultation on the application for planning permission SNH supported the location of the site indicating that the impacts of the development are not likely to be significant on the character of the landscape.

- 8.12 As regards the scale, massing and design of the building this was the subject of lengthy discussion at the pre-application stage. The building requires to be of the height and width proposed in order to meet technical requirements of the equipment that is to be installed. The functional design and palette of materials reflect the purpose/use of the building. It is considered that mid and dark shades of green are the most appropriate colours to use on the exterior of the building, and security fence, as these will mean that the building and fence will recede into the landscape. The orientation of the building has been carefully considered to further reduce its prominence; orientating the building in the manner proposed means that the expansive length of the building will run parallel with the road. The views of the building which will be seen for the longest time period will therefore be the gable facing north west. Seen against the backdrop of the mountains it is considered that the over all visual impact of the development is not unacceptable.
- 8.13 As regards the alterations to the junction with the A832, these improvements are welcomed as they provide an opportunity to improve road safety. The current arrangements are substandard as highlighted in the consultation response submitted by TEC Services (Roads). It is not considered that the alteration to the junction will have a significant effect on the availability for cars to use the extended layby through which the access is taken. The proposed alterations will result in a safer access point for everyone using the layby as well as those accessing the development site and the neighbouring buildings.

8.14 Other Considerations

- 8.15 The following response was received from the applicant to the other issues raised by third parties
- 8.16 Noise: There are no transformers proposed. The equipment will be enclosed within the building, providing a barrier to any low levels of noise generated, such as corona discharge.
- 8.17 Magnetic Fields: The influence of Electronic Magnetic Field(EMF) on honey bees has been the subject of research for at least the past 30 years. The published work has focused primarily on the impact of very high voltage overhead transmission lines on honey bee behaviour and hives. Effects have thus far only been observed when bees come into contact with conductive surfaces in the hives close to lines due to micro shocks. The predicated level of EMF from the proposed underground cables and connection house are much lower than those demonstrated to have any effect in the studies, therefore the proposed development is not expected to have any negative impact on honey bees in the area.

- 8.18 Light Pollution: Lights will be installed inside the building and limited security lighting will be installed outside the building. During the hours of darkness the external and internal light will only be illuminated occasionally when staff need to access the building. Due to the nature of the infrastructure within the building it is not anticipated that staff will be accessing the site during the hours of darkness to any regular extent. It is likely to be restricted to times of emergency.
- 8.19 Public water supply: The reference to this on the application form was included in error as there is no public water supply in close proximity to the development. There is no proposal for any potable water supply to the site.
- 8.20 Gabion wall: The location of the gabion retaining wall has been selected to ensure that it is capable of being constructed without the failure of the stone dyke on the boundary of the Cruachan property.
- 8.21 Sunday working: Not proposed for this development.
- 8.22 Matters to be secured by Section 75 Agreement
- 8.23 None

9. CONCLUSION

- This proposal forms part of a national development to allow transmission of electricity, generated in the Western Isles, to reach areas of consumption the provision of the connection house is therefore of national strategic importance.
- 9.2 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

10. RECOMMENDATION

Action required before decision issued N

Subject to the above, it is recommended the application be **GRANTED** subject to the following conditions and reasons / notes to applicant:

No development shall commence until full specifications of the bridge which is required and as shown on drawing No 1001 AO3 have been submitted to and agreed in writing with the Planning Authority, in consultation with SEPA. Thereafter the bridge shall be constructed in accordance with the specification approved. For the avoidance of doubt the bridge will be designed to convey at least the 1 in 200 year (0.5% annual probability) flow of the watercourse in question. The flow estimate will be undertaken using best practice methodology and SEPA guidance, will be supported by a full justification of the methodology used/ assumptions made and will be subject to review/ agreement by SEPA before any building work commences.

Reason: To ensure that all water crossings are free from flood risk and do not exacerbate flood risk elsewhere.

2. No development shall commence until a site specific construction method statement (CMS) which specifically addresses the potential pollution of the burn which runs through the site as shown on drawing No 1001 AO3 has been submitted to and agreed in writing with the Planning Authority, in consultation with SEPA. Thereafter all work shall be carried out in accordance with the agreed CMS.

Reason: To ensure that there is an appropriate level of pollution control of the water course.

3. No development shall commence until a restoration plan for the area to be used as the temporary compound, as shown on drawing No 1001 A03, has been submitted to and agreed in writing with the Planning Authority. Thereafter and prior to the building becoming operational the site of the temporary compound shall be restored in accordance with the agreed plan.

Reason: To ensure that the land which is used temporarily is restored in the interest of visual amenity

4. No development shall commence on the construction of the building, hereby approved until a detailed scheme for surface water drainage has been submitted to and agreed in writing with the Planning Authority, in consultation with SEPA. Thereafter the scheme shall be implemented in accordance with the agreed scheme. For the avoidance of doubt the scheme shall detail 2 levels of SUDS treatment for roof run off.

Reason: To ensure adequate protection of the water environment from surface water run-off.

5. No development shall commence on the construction of the building, hereby approved until a sample of the cladding materials to be used on the walls and roof and a sample of the security fencing have been submitted to, and agreed in writing by, the Planning Authority. Thereafter, development and work shall progress in accordance with these agreed details.

Reason: In order to enable the planning authority to consider this matter(s) in detail prior to the commencement of development; in the interests of visual amenity.

6. No development shall commence on the construction of the building, hereby approved until the alterations to the access from the public road, as shown on drawing No 3011 DO4 have been completed to an appropriate level as agreed with the Planning Authority, in consultation with the Roads Authority. Any outstanding works not undertaken prior to construction of the building shall be completed prior to the building becoming operational.

Reason: To ensure that the junction improvements are undertaken timeously in the interest of road safety.

7. The development shall be landscaped in accordance with the approved scheme as follows:-

- (a) Completion of the scheme during the first planting season following the building becoming operational, or such other date as may be approved in writing with the Planning Authority.
- (b) The maintenance of the landscaped areas for a period of three years or until established, whichever may be longer. Any trees or shrubs removed, or which in the opinion of the Planning Authority are dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees or shrubs 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 in due course improve the environmental quality of the development

REASON FOR DECISION

The proposals accord with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application.

TIME LIMITS DIRECTION

LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse

FOOTNOTE TO APPLICANT

Initiation and Completion Notices

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

- The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
- 2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

Accordance with Approved Plans & Conditions

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action

Flood Risk

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (p.198), planning permission does not remove the liability position of developers or owners in relation to flood risk.

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as dropped kerb consent, a road openings permit, occupation of the road permit etc.) from TECS Roads prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local TECS Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at: http://www.highland.gov.uk/yourenvironment/roadsandtransport

Application forms and guidance notes for access-related consents can be downloaded from:

http://www.highland.gov.uk/yourenvironment/roadsandtransport/roads/Applicationformsforroadoccupation.htm

Mud & Debris on Road

Please note that it an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

Construction Hours and Noise-Generating Activities

You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take

place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact env.health@highland.gov.uk for more information.

Protected Species - Halting of Work

You are advised that work on site must stop immediately, and Scottish Natural Heritage must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from SNH: www.snh.gov.uk/protecting-scotlands-nature/protected-species.

Signature: Dafydd Jones

Designation: Area Planning Manager North

Author: Erica McArthur

Background Papers: Documents referred to in report and in case file.

Relevant Plans: Plan 1 – Location Plan

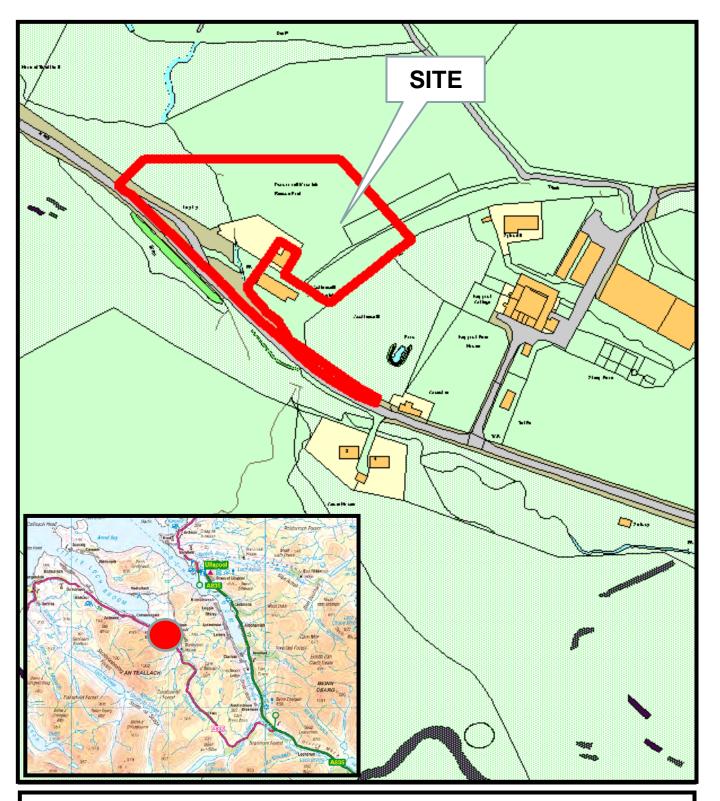
Plan 2 – Site layout Plan

Plan 3 - Road Improvements

Plan 4 - Elevations

Appendix – Letters of Representation

Mr & Mrs J Donnelly, Cruachan Cottage, Dundonnell, Garve, IV23 2QR, , Mr Richard Marshall, 43 West View, Clitheroe, BB7 1DB, Mr And Mrs B Marshall, Donlaine, Dundonnell, Garve, IV23 2QR, , Mr & Mrs Renwick, Spindrift, Keppoch Farm, Dundonnell, Ross-shire, IV23 2QZ, Mr Andrew Renwick, Keppoch, Dundonnell, Garve, IV23 2QR, ,





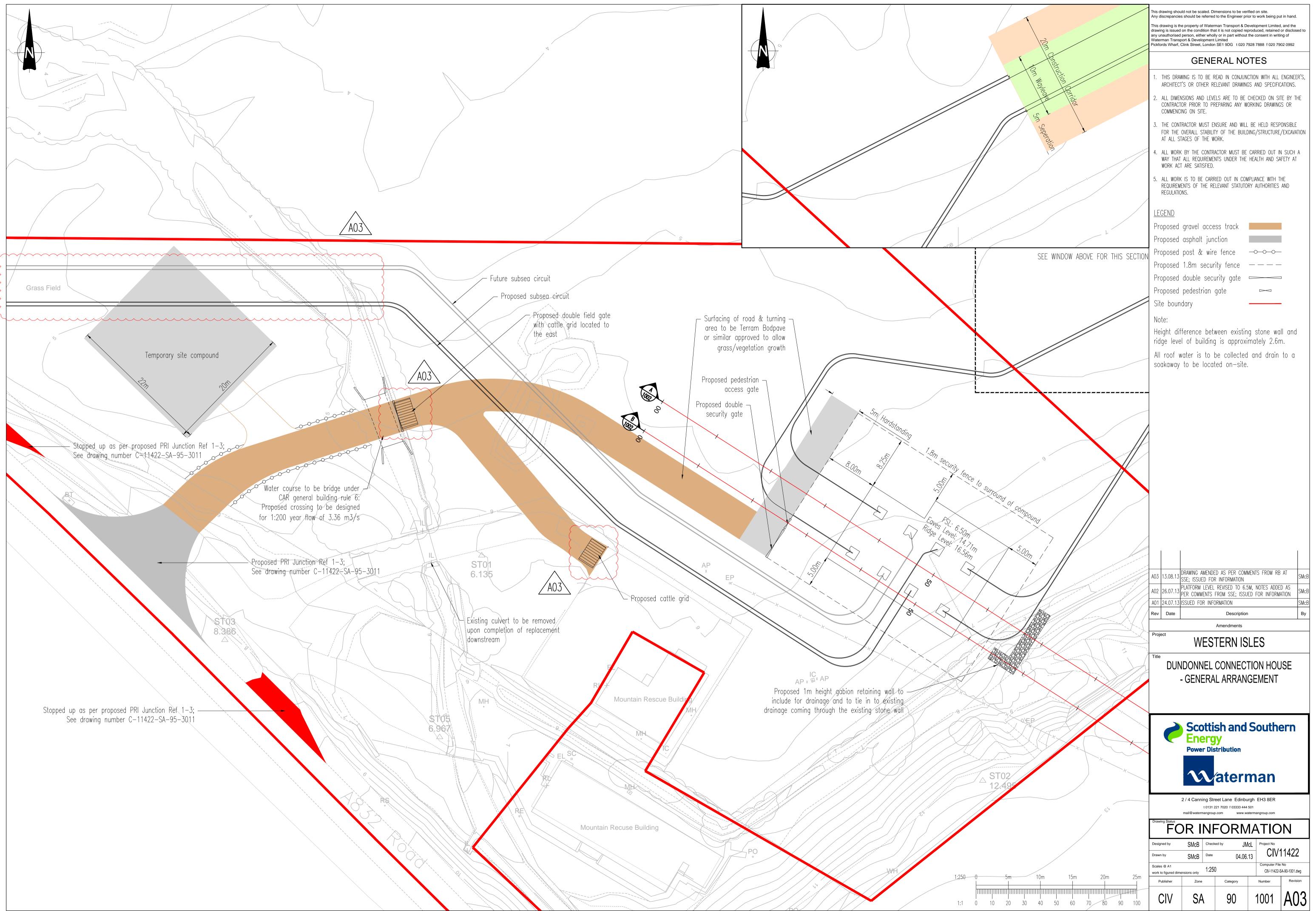
Planning & Development Service

PLAN 1 13/03128/FUL

Erection of connection house, temporary site compound and improvements to road junction at Land to North East of DMRT Base, Dundonnell

19 November 2013





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