

Agenda Item	5.2
Report No	PLN/067/18

THE HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 27 November 2018

Report Title: 18/05143/PAN : Scottish Hydro Electric Transmission Plc
Land To South Of Existing Substation, Dounreay

Report By: Area Planning Manager – South/Major Developments

Purpose/Executive Summary

Description: Proposed 275 / 220 kV electricity substation on land at Lower Dounreay

Ward: 2 – Thurso and North West Caithness

Recommendation

Members are asked to note the submission of the PAN and highlight any material issues they wish to be brought to the attention of the applicant before the submission of the application for planning permission.

1. BACKGROUND

- 1.1 To inform the Planning Applications Committee of the submission of the attached Proposal of Application Notice (PAN).
- 1.2 The submission of the PAN accords with the provisions of the Planning etc. (Scotland) Act 2006 and was lodged on the 6th November 2018. Members are asked to note this may form the basis of a subsequent planning application
- 1.3 The submitted information attached includes:
 - Proposal of application Notice
 - Site & Location Plan
 - Copy of Advert (to follow)

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The proposed development is part of the proposed electricity transmission network line to Orkney in order to unlock renewable energy potential on the Orkney Islands. This PAN relates solely to the proposed substation. The project has been subject to the Environment Impact Assessment procedures with an EIA Screening Opinion issued in May 2018 which concluded that a full EIA would not be required.

3. SITE DESCRIPTION

- 3.1 The site extends to over 24.366 hectares and lies directly adjacent to a large industrial area. Although the site lies outwith any natural heritage or landscape designations it is close to an offshore area of the North Caithness Cliffs Special Protection Area (SPA). The proposal would also be within foraging range of wintering geese and swans from the Caithness Lochs SPA.

4. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

4.1 Highland Wide Local Development Plan 2012

24 - Dounreay
28 - Sustainable Design
29 - Design Quality & Place-making
30 - Physical Constraints
31 - Developer Contributions
34 - Settlement Development Areas
56 - Travel
57 - Natural, Built & Cultural Heritage
58 - Protected Species
59 - Other important Species
60 - Other Importance Habitats
61 - Landscape
63 - Water Environment

64 - Flood Risk
66 - Surface Water Drainage
69 - Electricity Transmission Infrastructure
72 - Pollution
77 - Public Access

4.2 Caithness and Sutherland Local Plan 2018 (as continued in force)

Caithness Economic Development Area

4.3 Highland Council Supplementary Planning Policy Guidance

Construction Environmental Management Process for Large Scale Projects
(August 2010)
Developer Contributions (March 2013)
Dounreay Contributions (March 2013)
Flood Risk & Drainage Impact Assessment (Jan 2013)
Physical Constraints (March 2013)
Sustainable Design Guide (Jan 2013)

4.5 Scottish Government Planning Policy and Guidance

Scottish Planning Policy (June 2014)

5. POTENTIAL MATERIAL PLANNING CONSIDERATIONS

- 5.1
- National policy
 - National Planning Framework 3
 - Development plan policies and relevant supplementary guidance
 - Planning history
 - Siting and design including use of appropriate materials
 - Landscape and visual impacts
 - Access and parking (operational and construction)
 - Impact on amenity including noise considerations
 - Protected species and nature conservation
 - Drainage
 - Historic environment

6. CONCLUSION

- 6.1 The report sets out the information submitted to date as part of the PAN. Summarised are the policy considerations against which any future planning application will be considered as well as the potential material planning considerations and key issues based on the information available to date. The list is not exhaustive and further matters may arise as and when a planning application is received and in the light of public representations and consultation responses.

7. IMPLICATIONS

- 7.1 Resource: Not applicable
- 7.2 Legal: Not applicable
- 7.3 Community (Equality, Poverty and Rural): Not applicable
- 7.4 Climate Change/Carbon Clever: Not applicable
- 7.5 Risk: Not applicable
- 7.6 Gaelic: Not applicable

8. RECOMMENDATION

It is recommended the Committee notes the submission of the PAN and advises of any material issues it wishes to be brought to the applicant's attention.

Signature:	Dafydd Jones
Designation:	Acting Head of Development Management – Highland
Author:	Claire Farmer
Background Papers:	Documents referred to in report and in case file.
Relevant Plans:	Plan 1 - Location Plan (No.1) Plan 2 - PAN Form

PROPOSAL OF APPLICATION NOTICE

Town and Country Planning (Scotland) Act 1997 (Section 35B)
The Town and Country Planning (Development Management Procedure) (Scotland)
Regulations 2013 (Regulations 4 -7)

To be completed for all developments within the national or major categories of development

Name of Council	The Highland Council
Address	Glenurquhart Road
	Inverness
	IV3 5NX

Proposed development at [Note 1]	Proposed new 220 kV substation on land adjacent to
	Dounreay substation, as per attached location plan.

Description of proposal [Note 2]	The proposal is to construct a new 275 / 220 kV
	substation with dimensions 271 x 150 m.
	Max building height is 16m.

Notice is hereby given that an application is being made to

[Note 3]	The Highland Council	Council by [Note 4]	Simon Hall
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Of [Note 5]	Scottish Hydro Electric Transmission plc. 200 Dunkeld Road, Perth, PH1 3AQ
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In respect of [Note 6]	Public consultation event
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To take place on [Note 7]	Wednesday 5th December (Reay Village Hall)
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[Note 8] The following parties have received a copy of this Proposal of Application Notice

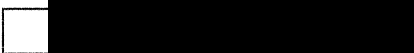
Caithness West, Castletown and Thurso Community Councils
Gail Ross MSP
Jamie Stone MP
Thurso & NW Caithness Councillors (Donnie Mackay, Struan Mackie, Matthew Reiss, Karl Rosie)

[Note 9] For further details contact	Simon Hall
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on telephone number	07584 011934 / simon.hall@sse.com
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And/or at the following address	Inveralmond House, 200 Dunkeld Road, Perth, PH1 3AQ
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[Note 10] I certify that I have attached a plan outlining the site

Signed	
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On behalf of	Scottish Hydro Electric Transmission plc.
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Date	1st November 2018
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PROPOSAL OF APPLICATION NOTICE

Town and Country Planning (Scotland) Act 1997
Regulation 6 of the Town and Country Planning (Development Management Procedure) (Scotland)
Regulations 2013

NOTES FOR GUIDANCE

- [Note 1] – Insert postal address or location of proposed development
- [Note 2] – Insert description in general terms of the development to be carried out.
- [Note 3] – Insert Council name.
- [Note 4] – Insert name of applicant and/or agent
- [Note 5] – Insert applicant's and/or agent's postal address
- [Note 6] – Insert form of consultation the prospective applicant proposes to undertake e.g. public meeting
- [Note 7] – Insert date and venue of consultation
- [Note 8] – Insert list of those groups who have been invited to attend
- [Note 9] – Insert details as to how the prospective applicant/agent can be contacted (incl. name, address and tel. no)
- [Note 10] – Attach plan that outlines the location of the proposed development and is sufficient to identify the site

Pre-application Consultation (PAC)

Where PAC is required, the prospective applicant must, under sections 35B(1) and (2) (of the Act), provide to the planning authority a 'Proposal of Application Notice' at least 12 weeks (section 35B(3)) prior to the submission of an application for planning permission. The Proposal of Application Notice must include the information set out in section 35B(4) and in regulation 6, namely:

- i) a description in general terms of the development to be carried out;*
- ii) the postal address of the site at which the development is to be carried out, if available
- iii) a plan showing the outline of the site at which the development is to be carried out and sufficient to identify the site;
- iv) detail as to how the prospective applicant may be contacted and corresponded with; and
- v) an account of what consultation the prospective applicant proposes to undertake, when such consultation is to take place, with whom and what form it will take.

* You should provide an outline of the proposal's characteristics, and the identification of its category (e.g. Major development). Any subsequent application needs to be recognisably linked to what was described in the proposal of application notice.

Submission of an Application after Pre-application Consultation Notice

The submission of the proposal of application notice starts the PAC processing clock. After a minimum of 12 weeks, having carried out the statutory requirements and any additional requirements specified by the planning authority, an applicant can submit the application along with the required written Pre-application Consultation Report. Information in relation to the proposal of application notice must also be placed by the planning authority on the list of applications required under section 36A and regulation 21.

Additional consultation activity (responding to the Proposal of Application Notice)

The applicant is required to indicate in the proposal of application notice what consultation will be undertaken in addition to the statutory minimum. The planning authority must respond within 21 days of receiving the Notice to advise the applicant whether the proposed PAC is satisfactory or if additional notification and consultation above the statutory minimum is required in order to make it binding on the applicant. In doing so, planning authorities are to have regard to the nature, extent and location of the proposed development and to the likely effects, both at and in the vicinity of that location, of its being carried out (section 35B(8)). Additional consultation requirements should be proportionate, specific and reasonable in the circumstances. If there is no response to the proposal of application notice by the planning authority within 21 days, only the statutory minimum PAC activities will be required.

Scottish Ministers expect planning authorities to develop and maintain up to date lists of bodies and interests with whom applicants should consult in particular types of case. These lists should be available to applicants, who can draft proposal of application notices in light of that information. Further advice on planning community engagement activity can be found in Planning Advice Note 81: Community Engagement – Planning With People.

Minimum consultation activity

Consultation with community councils - Under regulation 7 an applicant must consult every community council any part of whose area is within or adjoins the land where the proposed development is situated. This includes community councils in a neighbouring planning authority.

The public event - Regulation 7 also requires the holding of at least one public event for members of the public where they can make comments to the prospective applicant on their proposals. This 'public event' must be advertised at least 7 days in advance in a newspaper circulating in the locality of the proposed development. The advertisement for the public event must include:

- a description of, and the location of, the proposed development;
- details as to where further information may be obtained concerning the proposed development; the date and place of the public event;
- a statement explaining how, and by when, persons wishing to make comments to the prospective applicant relating to the proposal may do so; and
- a statement that comments made to the prospective applicant are not representations to the planning authority. If the applicant submits an application there will be an opportunity to make representations on that application to the planning authority.

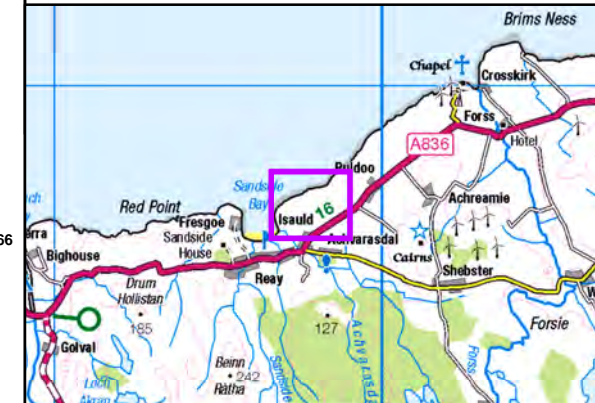
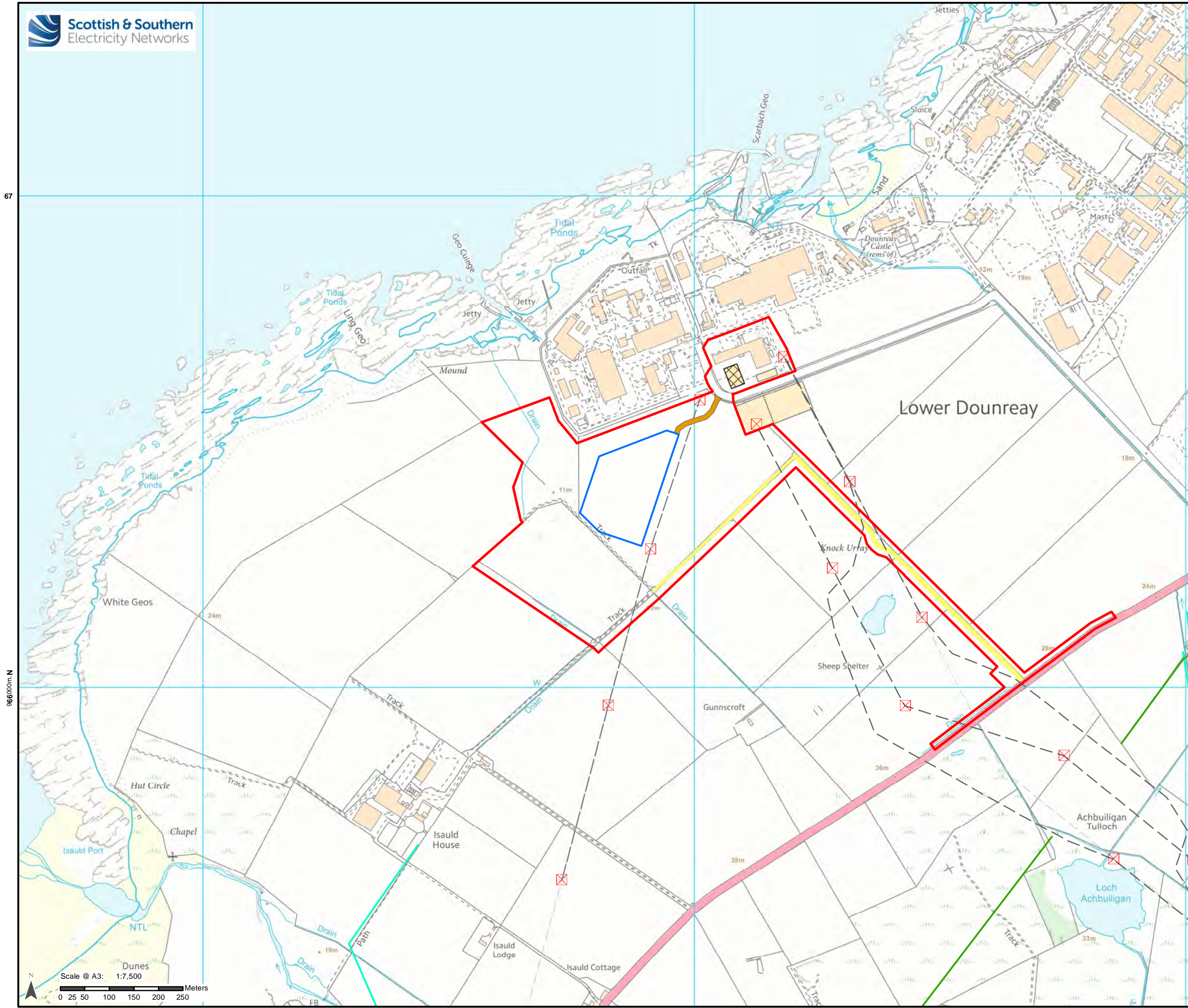
Applicants will gain less from poorly attended or unrepresentative PAC events and should ensure that processes are put in place that will allow members of the community to participate meaningfully in any public event. The public event should be reasonably accessible to the public at large, including disabled people. It may be appropriate for the public event to take place over a number of dates, times and places. Applicants should ensure that individuals and community groups can submit written comments in response to the newspaper advertisement.

There is a need to emphasise to communities that the plans presented to them for a proposed planning application may alter in some way before the final proposal is submitted as a planning application to the planning authority. Even after PAC, and once a planning application has been submitted to the planning authority, communities should ensure that any representations they wish to make on the proposal are submitted to that authority as part of the process of considering the planning application.

Any personal data that you may be asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

Legend

- Red Line Boundary - 24.366 ha
- Proposed Substation Location
- Proposed Access Road
- Existing Dounreay GIS Building
- Temporary Construction Access to avoid use of private road to Vulcan NRTE
- Existing OHL
- X Towers



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Project No: LT000017
Project: Orkney to Mainland HVAC 220kV Subsea Link

Title: Proposal of Application Notice -
Proposed Dounreay West Substation

Drawing Status: FOR INFORMATION

Checked: WJB Approved: SH

Drawn by: BJR Date: 01/11/2018

Drawing: LT000017_ENV_037_Planning_20181101