

Agenda Item	6.4
Report No	PLS-92-22

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 13 December 2022

Report Title: 22/04837/PAN: Scottish Hydro Electric Transmission Plc
Land 350M NE Of Kilmorack Power Station, Kilmorack, Beauly

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Replacement of existing Kilmorack Substation comprising: access track, fenced platform area (not exceeding 50x95m) incorporating control building, transformers, plant and infrastructure, associated ancillary facilities, temporary construction compound and laydown area(s), alongside drainage and landscaping requirements.

Ward: 12 – Aird And Loch Ness

Recommendation

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

1.0 BACKGROUND

- 1.1 This report informs the Planning Applications Committee of the submission of the attached Proposal of Application Notice (PAN).
- 1.2 The submission of the PAN accords with the provisions of the Planning etc. (Scotland) Act 2006 and was made valid on 19 October 2022. The PAN is a statutory requirement for planning applications for major or national developments and must be lodged at least 12 weeks prior to the submission of a planning application. Members are asked to note this may form the basis of a subsequent planning application.
- 1.3 The submitted information attached includes:
- Proposal of Application Notice (Application Form)
 - Location Plan / Site Layout Plan
- 1.4 There will be two in-person consultation events, the first took place on Monday 31st October 2022 between 3pm and 7pm at Kilmorack Hall, and the second on Tuesday 1st November 2022 between 3.30pm and 6.45pm at Cannich Village Hall. Further to these events, the applicant is committing to have additional follow up events in the new year scheduled for Monday 6th of February 2023 between 3pm and 7pm at Kilmorack Hall, and on Tuesday 7th of November 2023 between 3.30pm and 6.45pm at Cannich Village Hall, dates and times to be confirmed. The first two events were advertised on 19th October 2022 in the Press & Journal, 12 days prior to the public consultation dates and within the required statutory period. The advert for the next events will be placed in Press & Journal in January 2023, for which the date is to be confirmed.
- 1.5 Details of all notified parties are contained / appended to the PAN form and include Strathglass, Beauly, Kilmorack, Kiltarlity, and Glen Urquhart Community Councils, as well as local Members. The applicant undertook a letter drop to advise the public of the consultation events to properties over a large geographical area as shown on the Letter Drop Locations Plan submitted as Supporting Information with the proposal of application notification. The applicant has also put posters up in the local areas, updated social media accounts, as well as the dedicated project website: <https://www.ssen-transmission.co.uk/projects/project-map/west-of-beauly---asset-replacement-projects/>.
- 1.6 Any forthcoming application will be accompanied by a Pre-Application Consultation (PAC) report explaining the consultation undertaken, feedback received, and any resultant amendments made to the planning application.

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The proposal is to replace the existing Kilmorack substation with a new substation compound at a nearby location. The development comprises a new permanent access track with access junction with the A831 public road, while the fenced compound area would be formed over hardstanding not exceeding 50m x 95m, and contain a control building with site office and staff welfare facilities, transformers, plant equipment and associated ancillary infrastructure. The application will also include temporary

construction compound and lay down areas alongside drainage and landscaping requirements. The development forms one part of the West of Beaully – Asset Replacement Projects. The replacement substations are to be built on new sites as close to the respective serving power station as possible. These substations form a part of the networked Affric / Beaully Hydro-electric Scheme, which is formed around Glen Strathfarrar, Glens Cannich and Affric, and Strathglass, and exploit water from Lochs Monar, Beannacharan, Mullardoch, and Beinn a' Mheadhoinas well as the Rivers Farrar, Beaully, Cannich, Affric, and Glass. The scheme has been operating since the 1960s and includes six power stations at Mullardoch, Fasnakyle, Deanie, Culligran, Aigas, and Kilmorack, along with seven dams at Mullardoch, Benevean, Monar, Loichel, Beannacharan, Aigas, and Kilmorack.

- 2.2 The developer sought formal pre-application advice from the Planning Authority through the Pre-Application Advice Service for Major Developments in 2022 for the erection of a 132kv Substation (HC ref. 22/03249/PREMAJ).

3.0 SITE DESCRIPTION

- 3.1 The PAN boundary covers approximately of 6 hectares and takes in the existing substation at the Kilmorack Dam and running northeast along the A831 and into the main site area on the north side of the A831, from which it will be accessed, where it is proposed to construct the new substation compound. The proposal site is located at the eastern fringe of Kilmorack approximately 4.2km southwest of Beaully within an agricultural field bounded by the A831 to its south, a steep escarpment that rises along the northern boundary, and adjacent to the Kilmorack Cemetery, which adjoins its western boundary. The immediate surrounding area has a dispersed settlement pattern that increases in density to the west and north of the proposal site at some distance.
- 3.2 The site sits at the junction of three Landscape Character Types; Farmed Strath – Inverness, Open Farmed Slopes, and, Enclosed Farmland, with the surrounding area characterised by open farmed countryside and large tracts of woodland including Balblair Long Established Woodland south of the River Beaully. There are no natural heritage designations within the site boundary nor is the site within connectivity distance of any Special Protection Area (SPA), Special Area of Conservation (SAC), or Sites of Special Scientific Interest (SSSI) other than the Beaully Firth SSSI and Inner Moray Firth RAMSAR and SPA downstream. There are no Core Paths crossing the site however the track and wider area is subject to the Land Reform (Scotland) Act 2003 where members of the public may reasonably exercise their rights to public access. There are a number of Listed Buildings to the west of the site including the Kilmorack Gallery, as well as the Graveyard, and West Parish Church, both of which are Category B Listed. There are no Scheduled Monuments in the vicinity of the site however the wider area is known for archaeological potential.
- 3.5 The proximity of the site to the River Beaully means part of the proposal site is at 1:200 year plus climate change risk of flooding in a fluvial flood event according to the SEPA Flood Risk Mapping. However, it should be noted that the area at risk relates to the existing track leading from Kilmorack Dam and power station and its access track.

4.0 DEVELOPMENT PLAN

The following policies are relevant to the assessment of the proposal:

4.1 Highland Wide Local Development Plan (2012) (HwLDP)

- 28 - Sustainable Design
- 29 - Design Quality and Placemaking
- 30 - Physical Constraints
- 31 - Developer Contributions
- 36 - Development in the Wider Countryside
- 51 - Trees and Development
- 56 - Travel
- 57 - Natural, Built and Cultural Heritage
- 58 - Protected Species
- 61 - Landscape
- 64 - Flood Risk
- 66 - Surface Water Drainage
- 67 - Renewable Energy Developments
- 69 - Electricity Transmission Infrastructure
- 72 - Pollution
- 74 - Green Networks
- 77 - Public Access

4.2 Inner Moray Firth Local Development Plan

No site specific policies or allocations, application will be assessed against the general policies of the HwLDP.

4.3 Proposed Inner Moray Firth Local Development Plan (IMFLDP2)

No site specific policies.

The plan is at the proposed stage with consultation recently closed and comments currently under review. The plan's focus is again on identifying specific site allocations however it will include several overarching 'general policies' that will apply to all developments including for Low Carbon Development, and, Nature Protection, Preservation and Enhancement.

4.4 Highland Council Supplementary Guidance

- Developer Contributions (November 2018)
- Flood Risk & Drainage Impact Assessment (Jan 2013)
- Green Networks (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (March 2013)
- Highland Renewable Energy Strategy & Planning Guidelines (May 2006)
- Construction Environmental Management Process for Large Scale Projects (Aug 2010)
- Managing Waste in New Developments (Mar 2013)
- Physical Constraints (Mar 2013)
- Roads and Transport Guidelines for New Developments (May 2013)

- Standards for Archaeological Work (Mar 2012)
- Sustainable Design Guide (Jan 2013)
- Trees, Woodlands and Development (Jan 2013)

4.5 **Scottish Government Policy and Other Guidance**

- Scottish Planning Policy
- National Planning Framework 3 (June 2014)
- Revised Draft National Planning Framework 4 (Nov 2022)
- Scottish Energy Strategy (Dec 2017)
- Historic Environment Policy for Scotland (HEPS, 2019)
- PAN 56 - Planning and Noise
- PAN 58 - Environmental Impact Assessment
- PAN 60 - Planning for Natural Heritage
- 2020 Routemap for Renewable Energy
- Scottish Government Energy Efficient Scotland Route Map (May 2018)

5.0 **POTENTIAL MATERIAL PLANNING CONSIDERATIONS**

- a) Development Plan and other planning policy;
- b) Community amenity including operational noise impacts;
- c) Construction impacts;
- d) Roads and transport;
- e) Flood risk and drainage impacts;
- f) Impact on trees;
- g) Design, landscape, and visual impact (including cumulative impacts);
- h) Natural heritage including protected species and habitats;
- i) Built and cultural heritage;
- j) Economic impact and tourism;
- k) Pollution;
- l) Decommissioning and restoration;
- m) Outdoor access; and,
- n) Any Other Material Considerations Raised within Representations.

6.0 **CONCLUSION**

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

7.0 **IMPLICATIONS**

7.1 Not applicable.

8.0 **RECOMMENDATION**

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

Designation: Area Planning Manager – North
Author(s): Mark Fitzpatrick / Swayamsidha Patra
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – Proposal of Application Notice (Application Form)
Plan 2 – Location Plan

the Highland Council in respect of the proposed development?

If yes, please provide a copy of this Opinion.

No.

Community Consultation [See checklist of Statutory minimum consultation attached]

State which other parties have received a copy of this Proposal of Application Notice.

Community Council/s	Date Notice Served	13 October 2022
Strathglass CC, Beaully CC, Kilmorack CC, Kiltarlity CC Glen Urquhart CC (construction traffic)		

Names/details of any other parties

Names/details of any other parties	Date Notice Served	13 October 2022
Ward 12 (Aird & Loch Ness) Councillors: MP - Iain Blackford MSP - Kate Forbes	Cllr Chris Ballance, Cllr Helen Crawford, Cllr David Fraser, Cllr Emma Knox; Ward Manager Charles Stephen	

Notifications sent via email. The follow up public PAN event will include notice to the same aforementioned parties as a minimum.

Please give details of proposed consultation

Date and time

Proposed public event

Venue

In-Person Public Consultation (1st PAN events);	Kilmorack Hall, Kilmorack IV4 7AG Cannich Village Hall, Cannich IV47LY	Mon 31.10.22 15.00-19.00 Tue 01.11.22 15.30-18.45
(2nd PAN events);	Kilmorack Hall, Kilmorack IV4 7AG Cannich Village Hall, Cannich IV47LY	TBC- Mon 6.02.23 15.00-19.00 Tue 7.02.23 15.30 - 18.45


Newspaper Advert – name of newspaper

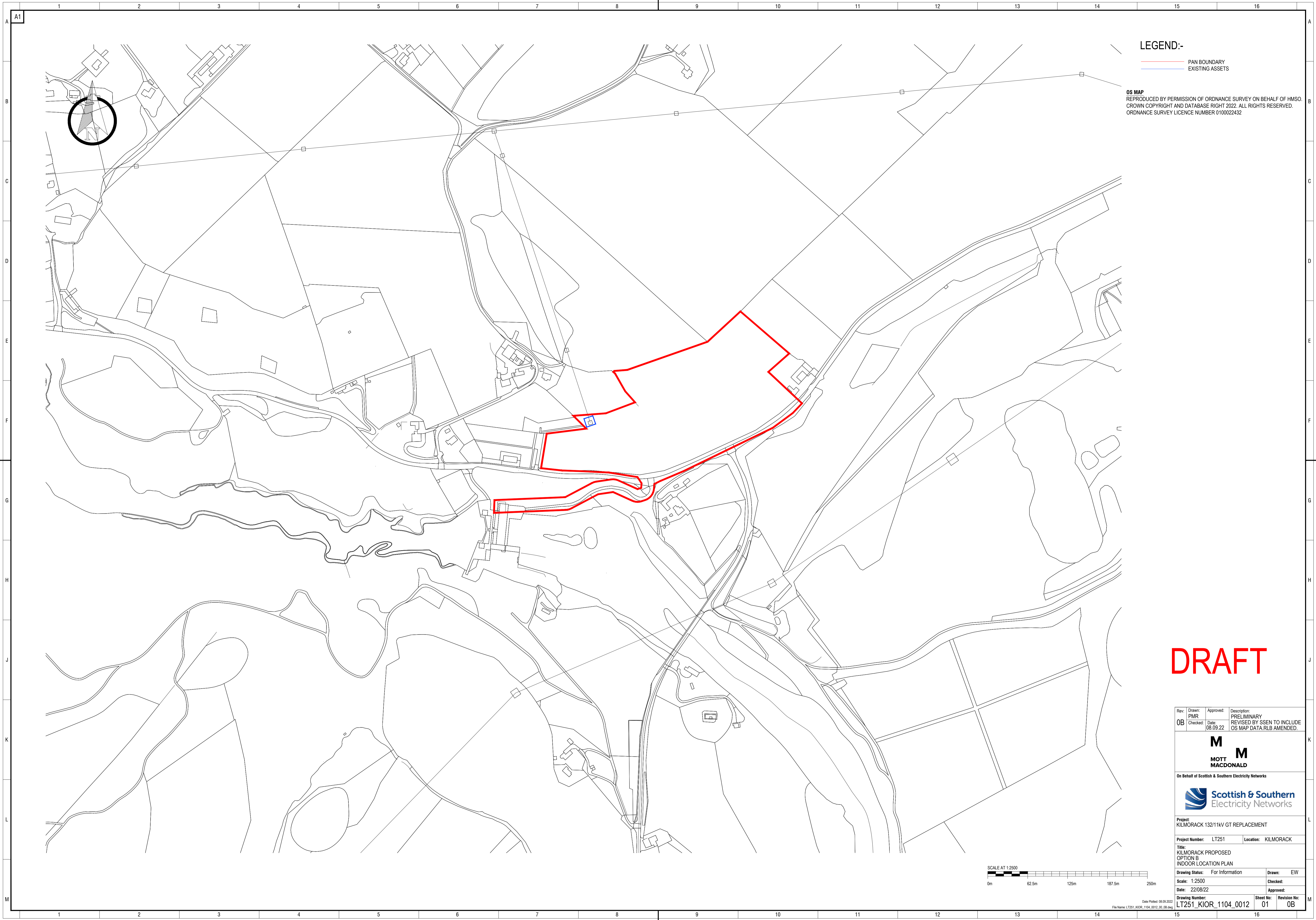
Advert date(where known)

Press & Journal – An advert will be placed in this newspaper on Wednesday 19 October 22 (in excess of 7 days prior to the first public consultation events). A second advert will thereafter be placed in this newspaper in January 2023, advising on the date, time and venue of a follow up (2nd) event.

Details of any other consultation methods (date, time and with whom)

Information leaflet drop to properties (circa 2000) within the vicinity of the proposed development sites (please see coverage map enclosed). In addition, information will be provided on the dedicated project website <https://www.ssen-transmission.co.uk/projects/project-map/west-of-beaully-asset-replacement-projects/>, SSE social media outlets, direct updates to Beaully CLG and Strathglass Development Trust. All of the aforementioned will take place either; ongoing throughout the Consultation process and until a planning application is concluded, or at least 7 days prior to the public events (leaflet drop).

Signed .  Date..... 17 October 2022.....



LEGEND:-

- PAN BOUNDARY
- EXISTING ASSETS

OS MAP
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Rev:	Drawn:	Approved:	Description:
0B	PMR		PRELIMINARY
Checked:	Date:	08.09.22	REVISED BY SSEN TO INCLUDE OS MAP DATA.RLB AMENDED.

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MOTT
MACDONALD

On Behalf of Scottish & Southern Electricity Networks



Project:
KILMORACK 132/11kV GT REPLACEMENT

Project Number: LT251 **Location:** KILMORACK

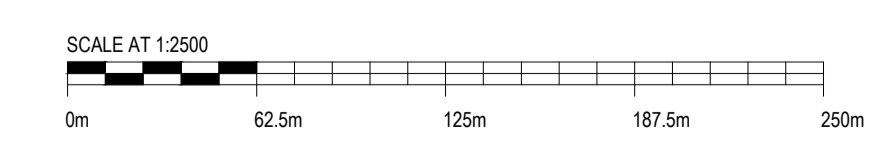
Title:
KILMORACK PROPOSED
OPTION B
INDOOR LOCATION PLAN

Drawing Status: For Information **Drawn:** EW

Scale: 1:2500 **Checked:**

Date: 22/08/22 **Approved:**

Drawing Number: LT251_KIOR_1104_0012 **Sheet No:** 01 **Revision No:** 0B



Date Plotted: 08.09.2022
 File Name: LT251_KIOR_1104_0012_00_08.dwg