

Agenda Item	5.1
Report No	PLS-70-23

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 12 December 2023

Report Title: 23/05130/PAN: SSE
Land 100m NE of Caulternich, Kilmorack, Beauly

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Replacement of existing Kilmorack Substation comprising: access track, fenced platform area incorporating control building, transformers, plant and infrastructure, associated ancillary facilities, temporary construction compound and laydown area(s) (where required), 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 1 September 2023. 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); and,
 - Location Plan.
- 1.4 The prospective developer held an in-person event on 25 October 2023 at Kilmorack Hall (14.00 – 19.00) with a second event planned for week commencing 06 February 2024 also at Kilmorack Hall (TBC). The advertisement for the first event was published in the Press and Journal on Monday 16 October 2023, and the second event will be advertised no less than seven days in advance. The applicant has also undertaken a mail drop and placed posters in the local area to publicise the development and consultation events, along with providing updates via social media accounts. Additionally, the applicant has provided a project website as well <https://www.ssen-transmission.co.uk/projects/project-map/west-of-beauly---asset-replacement-projects/#:~:text=About%20the%20Project,%2C%20Culligran%2C%20Aigas%20and%20Kilmorack.>
- 1.5 The Proposal of Application Notice has been served on the host Kilmorack Community Council, along with the nearby Beauly, and, Kiltarlity Community Councils, as well as local Elected Members, MSP and the MP.
- 1.6 The 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 PAN provides notice of the developer's intention to submit a planning application classified as a major development. The proposal is to replace the existing Kilmorack substation with a new substation at a nearby location. The development comprises a new permanent access track with access junction with an unnamed road that runs north of the New Kilmorack Cemetery from the A831. The fenced compound area would be built over hardstanding 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.

- 2.2 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.
- 2.3 The developer initially 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). Another request was made earlier this year for further advice specifically regarding the current proposal site.

3.0 SITE DESCRIPTION

- 3.1 The PAN boundary covers approximately 2.9ha of both designated Long Established Woodland of Plantation Origin and agricultural ground classed as 4.1 and 3.2 non-priority soils by national soil capability mapping but still used for the growing of crops. The proposal site is located at the eastern fringe of Kilmorack approximately 2.7km southwest of Beaully and is on raised ground behind an escarpment north of Kilmorack Cemetery and Kilmorack Gallery. A cluster of three properties; Caulternich Farm, Caulternich Cottage, and Caulternich, the latter being the nearest property, are to the west of the southwest of the site. These properties are also on raised ground and are located either side of the unnamed road that loops northwards from the A831 around the cemetery and the field that hosts the proposal, and from which the site is proposed to be accessed. 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 proposal site is wholly within the Open Farmed Slopes Landscape Character Type (LCT) LCT346 as mapped by NatureScot’s Landscape Character Assessment. With the exception of Long-Established Woodland, 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 are downstream of the River Beaully from the site.
- 3.3 No Core Paths cross the site however the area may be subject to the Land Reform (Scotland) Act 2003 where members of the public may reasonably exercise their rights to public access, particularly through woodland. There are a number of Listed Buildings in the site’s surrounds including the Kilmorack Gallery, and the Graveyard, West Parish Church, both of which are Category B Listed, the Category C Listed Kilmorack Old Burial Ground, as well as Kilmorack Manse and Kilmorack Steading, both Category B Listed. There are no Scheduled Monuments in the vicinity of the

site however the wider area is known for archaeological potential. The site is not mapped for known flood risks but is traversed by OHL.

4.0 DEVELOPMENT PLAN

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

4.1 National Planning Framework 4 (2023)

- 1 - Tackling Climate Change
- 2 - Climate Mitigation and Adaptation
- 3 - Biodiversity
- 4 - Natural Places
- 5 - Soils
- 6 - Forestry, woodland and trees
- 7 - Historic assets and places
- 11 - Energy
- 20 - Blue and green infrastructure
- 22 - Flood risk and water management
- 23 - Health and safety
- 25 - Community wealth benefits

4.2 Highland Wide Local Development Plan (2012)

- 28 - Sustainable Design
- 29 - Design Quality & Place-making
- 30 - Physical Constraints
- 31 - Developer Contributions
- 55 - Peat and Soils
- 56 - Travel
- 57 - Natural, Built & Cultural Heritage
- 58 - Protected Species
- 59 - Other important Species
- 60 - Other Important Habitats
- 61 - Landscape
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage
- 69 - Electricity Transmission Infrastructure
- 77 - Public Access

4.3 Inner Moray Firth Local Development Plan (2015) (IMFLDP)

Policy 3 - Other Settlements is directly relevant as the IMFLDP2 identifies Kilmorack as a Growing Settlement and provides 6 criteria against which growth proposals will be assessed.

4.4 Proposed Inner Moray Firth Local Development Plan (IMFLDP2)

The emerging Area Local Development Plan was submitted to Scottish Ministers for Examination in March 2023. The outcome of that Examination is expected in early

2024. Its contents are a material consideration in assessing planning applications, but it does not form part of the approved development plan for the purposes of Section 25 of the 1997 Act as amended. There are no site specific policies.

4.4 Highland Council Supplementary Guidance

- Developer Contributions (Nov 2018)
- Flood Risk & Drainage Impact Assessment (Jan 2013)
- Green Networks (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (Mar 2013)
- Highland Renewable Energy Strategy & Planning Guidelines (May 2006)
- Managing Waste in New Developments (Mar 2013)
- Physical Constraints (Mar 2013)
- Special Landscape Area Citations (Jun 2011)
- Standards for Archaeological Work (Mar 2012)
- Sustainable Design Guide (Jan 2013)
- Trees, Woodlands and Development (Jan 2013)

4.5 Scottish Government Policy and Guidance

- Draft Energy Strategy and Just Transition Plan (2023)
- Scottish Energy Strategy (2017)
- 2020 Routemap for Renewable Energy (2011)
- Energy Efficient Scotland Route Map, Scottish Government (2018)
- Historic Environment Policy for Scotland, HES (2019)
- PAN 1/2011 - Planning and Noise (2011)
- PAN 60 – Planning for Natural Heritage (2008)
- PAN 68 – Design Statements (Aug 2003)

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 and woodland;
- 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) Decommissioning and restoration;
- l) Outdoor access; and,
- m) 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 – South
Author: Mark Fitzpatrick
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – Proposal of Application Notice
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	12 October 2023
Beauly CC, Kilmorack CC, Kiltarlity CC		

Names/details of any other parties

Ward 12 (Aird & Loch Ness) Councillors:

	Date Notice Served	12 October 2023
	Cllr Chris Ballance, Cllr Helen Crawford, Cllr David Fraser, Cllr Emma Knox; Ward Manager - Mark Mackay.	
MP - Iain Blackford MSP - Kate Forbes		

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 event);	Kilmorack Hall, Kilmorack IV4 7AG	Wed 25.10.23 14.00-19.00
		TBC-
(2nd PAN event);	Kilmorack Hall, Kilmorack IV4 7AG	W/C 15.01.23

Newspaper Advert – name of newspaper **Advert date(when known)**

Press & Journal – A notice will be placed in this newspaper on Monday 16 Oct 23 (in excess of 7 days prior to the first public consultation event). A second notice will thereafter be placed in this newspaper in January 2024, 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. Updated information will also be provided on the dedicated project website <https://www.ssen-transmission.co.uk/projects/project-map/west-of-beauly---asset-replacement-projects/>, SSE social media outlets, direct updates to Beauly CLG. All of the aforementioned will take place; ongoing throughout the Consultation process and until a planning application is concluded.