

Agenda Item	5.4
Report No	PLS-05-25

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 06 February 2025

Report Title: 24/04765/PAN: Scottish Hydro Electric Transmission Plc
Land 940m NE of Foyers Power Station, Foyers

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Extension to existing Foyers switching station comprising platform area, associated plant and infrastructure, ancillary facilities, laydown / work compound area(s), access road, drainage and landscape works; and extension to existing substation platform area at Foyers

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 Town and Country Planning (Scotland) Act 1997 (as amended) and was made valid on 6 November 2024. 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
- 1.4 The prospective developer has held one in-person community consultation event to date. This was held at the Wildside Centre, Whitebridge on 28 November 2024 between 3pm and 7pm. This event was advertised in the Press and Journal (18 November 2024). The second consultation event is planned for 20 February 2025 at the same venue and will be advertised around 10 February 2025 in the Press and Journal. Information postcards with an invitation to attend this event are to be sent to properties in the local area in advance. Information will also be made available via the project webpage in advance of the public events:
- <https://www.ssen-transmission.co.uk/projects/project-map/foyers-substation-works/>
- 1.5 The Proposal of Application Notice has also been served on the host Stratherrick and Foyers Community Council along with neighbouring Fort Augustus and Glenmoriston Community Council, Glenurquhart Community Council and Dores and Essich Community Council. Local Ward 12 (Aird and Loch Ness) Elected Members, MSP and MP have also been served notice.
- 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 proposed development is for:
- the extension to existing Foyers switching station comprising platform area, associated plant and infrastructure, ancillary facilities, laydown / work compound area(s), access road, drainage and landscape works; and

- extension to existing substation platform area at Foyers substation comprising platform area, plant and infrastructure, access, drainage, landscaping, and other ancillary works (National Development).

2.2 The applicant has sought pre-application advice through the Council's Pre-Application Advice Service for Major Developments in 2022 (22/03584/PREMAJ) and has submitted an EIA Screening Request (23/06064/SCRE) with the Planning Authority confirming that the proposal does not constitute EIA Development. The applicant has also submitted a previous PAN (24/01379/PAN). The applicant clarified that the proposal's description has changed, and the two transformers (to replace the existing transformers) at the substation close to the Foyers Power Station are now included in the description of the planning application's subject matter. The red line limit has been increased slightly to the north to provide for more design flexibility for potential temporary construction compounds.

3.0 SITE DESCRIPTION

3.1 The PAN site boundary comprises approximately 7.4ha of ground between the Foyers substation and switching station. The site is located in a relatively remote area, adjacent to forestry, and Loch Ness. To the east of the site boundary is the B852, which is the primary transport route in the area. The nearest large settlement, Foyers, is over 1km to the south west. Key sensitivities within the vicinity include the surrounding woodland listed on the Ancient Woodland Inventory (AWI), Inverfarigaig Easter and Ness Forest Site of Special Scientific Interest (SSSI) as part of the Ness Woods Special Area of Conservation (SAC) and Loch Ness and Duntelchaig Special Landscape Area.

3.2 There are a number of designations and natural environment constraints, and built heritage features in proximity to the site. The following are located within 6km:

National Designations

- Loch Bran Site of Special Scientific Interest (SSSI) is approximately 2.3 km south of the site;
- Ness Woods Special Area of Conservation is approximately 4.7km south west of the site;
- Inverfarigaig SSSI and Easter Ness Forest SSSI are approximately 4.7km south west of the site.

Regional Designations / Other Constraints

- Loch Ness and Duntelchaig Special Landscape Area (SLA) within the site; and
- Areas of woodland listed on the Ancient Woodland Inventory within the site.

Built Heritage

3.3 There are two Scheduled Monuments within 2km of the site:

- Dun Deardail, Forts 410m and 520m east/north east of Fasnagruig (SM11884) is approximately 1.85km north east;
- Dun Scriben, Fort (SM6220) is approximately 2km north west.

3.4 There are 10 Listed Buildings within 2km of the site:

- Category A Listed Foyers Hydroelectric Power Scheme, Former Aluminium Smelter, Powerhouse and Smelter (LB1880) 990m south west;
- Category B Listed Boleskine House Gate Lodge and Gate Piers with Gates (LB1877) 100m east;
- Category B Listed Boleskine, Old Boleskine Church, Burial Ground and Watch House (LB1847) 100m east;
- Category B Listed Boleskine House (LB1849) 180m east;
- Category B Listed Boleskine House Stables (LB1850) 210m east;
- Category B Listed Foyers, Lower Foyers Bridge Over River Foyers (LB1881) 1.2 km south west;
- Category B Listed Inverfarigaig Pier (LB1871) 1.3km north east;
- Category B Listed Inverfarigaig (Old) Bridge Over River Farigaig (LB1870) 1.7km north east;
- Category B Listed Foyers, Jane Fraser Memorial Obelisk (LB1852) 1.7km south west; and
- Category C Listed Foyers Mains Steading (LB1879) 1.6 km south west.

4.0 DEVELOPMENT PLAN

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

4.1 National Planning Framework 4 (2023) (NPF4)

National Development 3 – Strategic Renewable Electricity generation and Transmission Infrastructure

1 - Tackling the Climate and Nature Crises

2 - Climate Mitigation and Adaptation

3 - Biodiversity

4 - Natural Places

- 5 - Soils
- 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 Building
- 29 - Rural Development
- 33 - Minerals

4.2 **Highland Wide Local Development Plan (2012) (HwLDP)**

- 28 - Sustainable Design
- 29 - Design Quality and Place-making
- 30 - Physical Constraints
- 31 - Developer Contributions
- 36 - Development in the Wider Countryside
- 42 - Previously Used Land
- 51 - Trees and Development
- 52 - Principle of Development in Woodland
- 55 - Peat and Soils
- 56 - Travel
- 57 - Natural, Built and Cultural Heritage
- 58 - Protected Species
- 59 - Other important Species
- 60 - Other Importance Habitats
- 61 - Landscape
- 63 - Water Environment
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage
- 69 - Electricity Transmission Infrastructure
- 72 - Pollution

73 - Air Quality

74 - Green Networks

77 - Public Access

Inner Moray Firth Proposed Local Development Plan (IMFLDP2, 2022)

4.3 The Inner Moray Firth Local Development Plan Proposed Plan 2 contains a number of general policies which are applicable including Policy 2 - Nature Protection, Preservation and Enhancement.

4.4 Highland Council Supplementary Guidance

- Construction Environmental Management Process for Large Scale Projects (Aug 2010)
- Developer Contributions (Nov 2018)
- Flood Risk and Drainage Impact Assessment (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (Mar 2013)
- Managing Waste in New Developments (Mar 2013)
- Physical Constraints (Mar 2013)
- Public Art Strategy (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)

4.6 Scottish Government Policy and Other Guidance

- Scottish Energy Strategy (Dec 2017)
- Scotland's Energy Strategy Position Statement (Mar 2021)
- 2020 Routemap for Renewable Energy (Jun 2011)
- Energy Efficient Scotland Route Map (May 2018)
- PAN 1/2013 – Environmental Impact Assessment (Aug 2013)
- PAN 1/2021 – Planning and Noise (Mar 2011)
- PAN 60 – Planning for Natural Heritage (Jan 2008)
- PAN 68 – Design Statements (Aug 2003)

- Historic Environment Policy for Scotland (Apr 2019)
- Forest and Woodland Strategy (Nov 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 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) 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.

Signature: David Mudie

Designation: Area Planning Manager – South

Author(s): Ikram Ullah

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 Town and Country Planning (Scotland) Act 1997 as amended by the Planning Etc. (Scotland) Act 2006 and Planning (Scotland) Act 2019

Town and Country Planning (Pre-Application Consultation) (Scotland) Regulations 2021

The Council will respond within 21 days of validation the Notice. It will advise whether the proposed Pre-application Consultation is satisfactory or if additional notification and consultation above the statutory minimum is required.

Please note that a planning application for this proposed development cannot be submitted less than 12 weeks from the date the Proposal of Application Notice is received by the Council and without the statutory consultation requirements having been undertaken. The planning application must be accompanied by a Pre-application consultation report.

The Proposal of Application Notice will be valid for a period of 18 months from the date of validation of the notice by the Council.

Data Protection

Your personal data will be managed in compliance with the Data Protection legislation. You can read our privacy notice for planning related certificates on the Council's website at: https://www.highland.gov.uk/directory_record/1052173/planning_applications_consents_and_notice_of_review

I have read and understood the privacy notice.

Contact Details

Applicant	Scottish Hydro Electric Transmission plc	Agent	N/A
Address	Inveralmond House, 200 Dunkeld Road, Perth, PH1 3AQ	Address	N/A
Phone	07918 302034	Phone	N/A
Email	keith.smith@sse.com	Email	N/A

Address or Location of Proposed Development

Please state the postal address of the prospective development site. If there is no postal address, please describe its location. Please outline the site in red on a base plan to a recognised metric scale and attach it to this completed Notice.

Land to the North East of Foyers Hydro Electric Power Station, IV2 6XT

Description of Development

Please include detail where appropriate – eg the number of residential units; the gross floorspace in m² of any buildings not for residential use; the capacity of any electricity generation or waste management facility; and the length of any infrastructure project. Please attach any additional supporting information.

Extension to existing Foyers switching station comprising platform area, associated plant and infrastructure, ancillary facilities, laydown / work compound area(s), access road, drainage and landscape works; and extension to existing substation platform area at Foyers substation comprising platform area, plant and infrastructure, access, drainage, landscaping, and other ancillary works (National Development).

Pre-application Screening Notice

Has a Screening Opinion been issued on the need for a Proposal of Application notice by the Highland Council in respect of the proposed development?
If yes, please provide a copy of this Opinion.

 Yes

 No
Community Consultation

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

Community Council/s	Date Notice Served
Stratherrick and Foyers Community Council; Fort Augustus and Glenmoriston Community Council; Glenurquhart Community Council; Dores and Essich Community Council.	06/11/2024
Local Elected Members	Date Notice Served
<u>Ward 12 (Aird and Loch Ness)</u> <u>Councillors:</u> Cllr Chris Balance - Chris.Ballance.cllr@highland.gov.uk Cllr Helen Crawford - Helen.Crawford.cllr@highland.gov.uk Cllr David Fraser - David.fraser.cllr@highland.gov.uk Cllr Emma Knox - emma.knox.cllr@highland.gov.uk	06/11/2024
Members of Scottish Parliament and Members of Parliament	Date Notice Served
MSP: Kate Forbes - Kate.Forbes.msp@parliament.scot MP: Angus MacDonald - angus.macdonald.mp@parliament.uk	06/11/2024
Names / details of other parties	Date Notice Served

N/A	N/A
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Details of Proposed Consultation		
Proposed Public Event 1	Venue	Date and Time
In-Person Consultation Public	The Wildside Centre, Whitebridge, Inverness IV2 6UN	15:00 – 19:00, 28 November 2024.
Proposed Public Event 2 <i>(at least 14 days after Public Event 1)</i>	Venue	Date and Time
In-Person Consultation Public	The Wildside Centre, Whitebridge, Inverness IV2 6UN	15:00 – 19:00 hours, 20 February 2025. (subject to change).

Publication of Event		
Newspaper Advert	Name of Newspaper	Advert Date
An advert will be placed in the notices section of this newspaper.	Press and Journal	On or around the 18 November 2024 (for the first public event) and on or around the 10 February 2025 (for the second public event) but in any case, no less than seven days in advance of each event.
Details of any other consultation methods (date, time and with whom)		
Information postcards with invitation to attend event will be sent to properties within a targeted area of the site in advance of the public events. Information will also be made available via the project webpage (Foyers Substation Works - SSEN Transmission) in advance of the public events.		

Signed	Keith Smith	Date	06/11/2024
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Note: The PAN boundary includes the proposed platform together with all other potential site requirements, including site compounds, drainage, access, parking, laydown and storage areas and landscaping proposals. Many of these requirements will be temporary and will be permanently removed upon completion. The PAN boundary does not represent the permanent footprint of the site but indicates a maximum construction area. This may be reduced as design progresses but will not increase in size.



Legend

- Existing Overhead Line
- Redline Boundary (9.81 ha)



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Project No:	LT000243
Project:	Foyers Switching Station and Substation Upgrade Works
Title:	Proposal of Application Notice (PAN) - Foyers Switching Station and Substation Upgrade Works
Drawn by:	VL
Date:	10/31/2024
Drawing:	LT000243_ENV_004_RLB