

PROPOSAL OF APPLICATION NOTICE (PAN)

Reference: 21/01230/PAN

Applicant: Scottish Hydro Electric Transmission Plc

Proposal: Proposal of Application Notice for the erection of electricity substation comprising platform area, control building, associated plant and infrastructure, ancillary facilities, access track(s), laydown area(s) and landscape works

Site Address: Land East Of Creag Dhubh, Cladich

1.0 INTRODUCTION

Proposal of Application Notices only relate to National and Major Applications as defined by the Government's planning hierarchy and are a statutory requirement prior to the submission of the planning application. The PAN heralds the start of a minimum 12 week period to allow for community consultation before an application can be lodged. The Proposal of Application Notice took effect from 10.6.21 and therefore an application cannot be made before 2.9.21.

In considering this item Members should restrict comments to issues relating to the material considerations which may be relevant in the determination of the proposed development and should refrain from expressing opinion as to the likely acceptability of development in advance of any subsequent application being presented for determination. Any opinions or views expressed by Councillors at the pre-application stage must be made mindful of the overarching requirements of fairness, impartiality and of keeping an open mind. The process provides opportunity for Officers to give feedback to the prospective applicant on issues which Members would wish to see addressed within the planning application submission.

Members are requested to note that the Scottish Government has provided additional guidance to Planning Authorities and applicants on appropriate community consultation measures due to current Covid 19 restrictions on the holding of public meetings. This new advice requires applicants to demonstrate that enhanced measures to compensate for the lack of a public meeting are provided to the satisfaction of the Planning Authority. The applicant has set out in detail their proposals to ensure that in the absence of a public meeting, appropriate steps are proposed to ensure sufficient opportunity is provided for the community to view and comment on the proposals in advance of the submission of a formal planning application.

In this instance the applicants propose to establish a project website to provide local residents and other stakeholders with information on the proposals. Virtual Village Hall events will be held on the following dates:

- 14th July 2021 10am-1pm & 5-7pm
- 15th July 2021 10am-1pm & 5-7pm
- 29th July 2021 10am-1pm & 5-7pm

The applicants have further confirmed the following:

The PAN event will be held in conjunction with stakeholder public consultation events for the associated overhead line project (Creagh Dubh to Dalmally) and other Argyll Region Transmission projects being progressed by SHET plc at this time. The PAN event for Creagh Dubh will be clearly identified and separate comment and feedback forms / mechanisms clearly provided.

Comments on the events will be accepted from the date of the advert and for 14 days after the events (to 13th August 2021). The ability to engage with the project via the website or other means will be open throughout the 12-week pre-application period.

A press notice was also published in the Oban Times on 1.7.21.

Further measures to be undertaken have also been clarified on the PAN submission as follows'

- *The event will be advertised two weeks in advance and a postcard drop containing*
- *full details of the event and access information, alongside details of how to obtain copies of the event boards/project proposals will be delivered to all addresses within 5km of*
- *the site.*
- *Information will be made available on the project website and on SSE social media*
- *channels throughout the consultation period.*
- *The PAN event will run in conjunction with wider non-statutory consultation on associated projects throughout the Argyll area to enable a wider understanding of the overall proposals. Links to project websites for each of these elements will also be made available on request.*
- *Direct contact with Community Councils will be made to offer attendance to meetings to provide more information if appropriate.*
- *SSEN Transmission social media sites will be utilised and a press release will be issued in advance of events.*

Officers are content that the proposed steps are commensurate with the scale of the development and the likely level of public interest in the proposal and accord with the current Covid 19 pre application guidance and regulations of the Scottish Government. For Members general information, SSEN runs a project website with a link provided below

[mar-18-north-argyll-booklet.pdf \(ssen-transmission.co.uk\)](#)

Members are requested to note that the applicants have referenced the proposals as comprising "National" development as defined in NPF 3 within the submitted PAN documentation. As the substation is connected to the provision and operation of national transmission infrastructure and has significant functional and physical linkages to it, Officers accept that this is an appropriate description. This does not alter the procedures in respect of determining the planning application, which rests with the Planning Authority. However, the Council's Constitution clarifies at Part C, Para 2.1.3 (10) that the following matters are not delegated under the constitution of the Council to PPSL;

The determination of planning applications which in terms of the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2008 are (1) National and the undertaking of Pre-Determination Hearings in respect of all national applications; (2) Major Developments and the undertaking of pre-determination Hearings where in the case of the latter there would be a significant departure from the development plan, were the application

to be approved.

Therefore developments which are defined as “National” require to be determined by full Council and not by PPSL. As this PAN is not an application for Planning Permission, it is considered appropriate that this can be presented to PPSL and not full Council. However any future planning application will be presented to PPSL for their consideration and recommendation, but the formal determination will require to be made by full Council.

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed development will involve:

- Site clearance and tree felling
- Formation of access track
- Ground and other engineering works to form level ground
- Erection of security fence
- Formation of compound
- Installation of SuDS compliant drainage system
- Erection of building(s)
- Installation of electric plant
- Associated incidental works

The applicants have confirmed that further details on the proposed development to those submitted with this PAN will be provided to interested parties at the public consultation events to be held prior to a planned formal submission for planning permission.

The SSEN website for the project confirms that the Creagh Dhub Substation is required to reinforce the SSEN network. The substation will connect onto the existing 132kV network between Inveraray and Taynuilt. It will also connect to the existing Dalmally 275kV substation via a new overhead line, to allow connection to the wider electricity network. A separate S37 consent is required for this transmission line from the Scottish Ministers. The Council will be consulted on the application when it is made, and a report prepared for Members. The website provides a visualisation of the substation (this should be taken as a general visualisation). And clarifies that

One side of the substation will consist of double 275kV busbar GIS including two overhead line bays. The other side will consist of double 132kV busbar GIS including up to four overhead line bays and a grid transformer bay. Both sets of GIS will have two bays to connect to the centrally located supergrid transformers. The 275/132kV supergrid transformers (SGT) will be rated at 480MVA, with the grid transformer (GT) rated at 90MVA. The final installed dimensions of these items may vary, but can be expected to fit within the following envelopes:

- SGT: 8m (w) x 16m (l) x 10m (h)
- GT: 4m (w) x 7m (l) x 7m (h).

Building the substation platform which is approximately 186m x 173m in size will require significant volumes of graded stone. Local sources of stone are being investigated as part of our development works into the platform design. Utilisation of localised sources provides a more sustainable construction method whilst significantly reducing the number of disruptive construction operations.

3.0 SITE DESCRIPTION

The site will not be visible general from the adjoining road network or the immediately surrounding area due to existing commercial timber stands. The bare landform gently undulates with a series of rises and hollows which would offer screening benefits even after the commercial timber is felled. A previous screening opinion for this proposal noted that the

compound should be positioned to utilise the natural screening afforded by the surrounding landform.

The site will however have a degree of potential visibility from surrounding higher ground from medium range views. The substation is considered not to be of a likely scale or appearance to present concerns from long range views.

4.0 DEVELOPMENT PLAN POLICY

'Argyll and Bute Local Development Plan' adopted March 2015

Relevant Policies which will require to be considered include:

LDP STRAT 1 – Sustainable Development
LDP DM 1 – Development within the Development Management Zones
LDP 3 – Supporting the Protection Conservation and Enhancement of our Environment
LDP 5 – Supporting the Sustainable Growth of our Economy
LDP 6 - LDP 6 - Supporting the Sustainable Growth of Renewables
LDP 8 – Supporting the Strength of our Communities
LDP 9 – Development Setting, Layout and Design
LDP 10 – Maximising Our Resources and Reducing Our Consumption
LDP 11 – Improving our Connectivity and Infrastructure

SG LDP ENV 1 – Development Impact on Habitats, Species and Our Biodiversity
SG LDP ENV 6 – Development Impact on Trees / Woodland
SG LDP ENV 7 – Water Quality and the Environment
SG LDP ENV 10 – Geodiversity
SG LDP ENV 11 – Protection of Soil and Peat Resources

SG LDP DEP 1 – Departures to the Local Development Plan
SG LDP ENV 14 – Landscape
SG LDP SERV 2 – Incorporation of Natural Features/Sustainable Drainage Systems (SuDS)
SG LDP SERV 3 – Drainage Impact Assessment (DIA)
SG LDP SERV 5 – Waste Related Development and Waste Management Development
SG LDP SERV 7 – Flooding and Land Erosion – The Risk Framework for Development
SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes
SG LDP TRAN 5 – Off-Site Highway Improvements
SG LDP TRAN 6 – Vehicle Parking Provision

A number of other land use designations (and related LDP policies) are relevant and will be material to the determination of any future application as follows:

- LDP DM1 (Very Sensitive Countryside)
- SG LDP ENV 13 - Area of Panoramic Quality (North Argyll)

The LDP Policy evaluation will require to address the following general matters:

- Landscape and Visual Amenity (an LVIA will be required with appropriate visualisations from agreed VP's)
- Bare land ZTV
- Land Use designations material to the proposal;
- Ecology and Nature Conservation;
- Ornithology;
- Cultural Heritage;
- Forestry;(felling schedules of adjoining commercial plantations)
- Proposed landscaping and screening to compound

- Design of SuDS proposals to promote biodiversity
- Traffic and Transport; (A Transportation Plan will be required for routing of traffic associated with transporting any large plant and construction materials for the site)
- Hydrology, Hydrogeology and Soils: (A detailed Peat survey should be submitted with any necessary mitigation/management proposals associated with the development in its entirety).
- Amenity and Health
- Recreation and Tourism;
- A design and access statement
- Construction methodology and waste plan

In respect of LDP 2. Following the consideration of the emerging LDP 2 on 24.6.21 the unchallenged policies and proposals within LDP2 may now be afforded significant material weighting in the determination of planning applications at this time as they constitute the settled and unopposed view of the Council. Those unchallenged policies which are considered relevant to the proposal are set out below:

- Policy 19 – Schedule Monuments
- Policy 35 – Design of New and Existing, Public Roads and Private Access Regimes
- Policy 36 – New Private Accesses
- Policy 37 – Development Utilising an Existing Private Access or Existing Private Road
- Policy 38 – Construction Standards for Public Roads
- Policy 39 – Construction Standards for Private Access
- Policy 40 – Vehicle Parking Provision
- Policy 41 – Off Site Highway Improvements
- Policy 58 – Private Water Supplies and Water Conservation
- Policy 63 – Waste Related Development and Waste Management
- Policy 78 – Woodland Removal

The proposal will therefore require to be considered against any material and unchallenged policies of LDP in a dual assessment exercise with the current LDP Policies.

5.0 POTENTIAL MATERIAL CONSIDERATIONS

In respect of this proposal it is considered that the following matters will be material considerations in the determination of any future planning application;

- National Planning Framework 3 (NPF 3)
- Scottish Planning Policy 2014 (and any emerging SPP advice)
- Argyll & Bute Sustainable Design Guidance (2006)
- Argyll and Bute Proposed Local Development Plan (LDP 2).
- A&B Local Biodiversity Action Plan
- Statutory/Non-Statutory Consultee Comments

6.0 CONCLUSION

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 land use designations and potential material considerations and key issues based upon the information received 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 RECOMMENDATION

That Members' note the content of the report and submissions and provide such feedback as they consider appropriate in respect of this PAN to allow these matters to be considered by the applicant's in finalising any future planning application submission.

Author of Report: David Moore

Date: 03.08.2021

Reviewing Officer: Sandra Davies

Date: 03.08.2021

Fergus Murray
Head of Development and Economic Growth