

PROPOSAL OF APPLICATION NOTICE (PAN)

Reference: 22/01023/PAN

Applicant: Scottish Hydro Electric Transmission Plc

Proposal: Proposal of Application Notice for formation of access tracks/arrangements relating to refurbishment works on existing 33kv overhead lines

Site Address: Land Between Sloy Switching Station And Glenmallan

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.

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. These amended procedures apply to all PAN applications submitted before 03.09.22 as is the case in this instance. Therefore there remains the exemption on holding a public meeting in respect of the required community consultation. However Members note that the applicants have committed to holding a public meeting in this instance.

In this instance the applicants committed to undertake a series of events between 6.7.22. and 21.7.22 to include;

- An in-person event on the 6th of July 2022 running from 1400 and 1900 at Arrochar Village Hall, and;
- A virtual consultation event on the 20th of July 2022 between 1700 and 1900, and;
- A virtual consultation event on the 21st of July 2022 between 1000 and 1200.

The applicants have further confirmed the following:

In terms of additional consultation and publicity, SSEN Transmission propose the following:

- *Mail drops to local properties.*
- *Newspaper advertisement as required by regulations.*

Officers are content that the consultations steps set out in the PAN are commensurate with the scale of the development and the likely level of public interest in the proposal thereby meeting the requirements of the PAN process.

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed development will involve the formation of access tracks associated with the refurbishment of an existing 132kv overhead line. The length of the access tracks and their site area triggers the need for a major planning application.

The works that will make up the application will comprise of the following:

- The formation of temporary access tracks.
- The upgrade of a number existing tracks.
- Improvements and permanent enhancements to some sections of existing track.
- Improving access points onto main roads at key interface locations.
- Reinstatement of temporary access works upon completion of the project.

Details of the overall proposals can be found on the SSEN website at the following link:

<https://www.ssen-transmission.co.uk/projects/sloy-to-windyhill-ohl-refurbishment-project/>

This website clarifies that:

The Sloy-Windyhill overhead line is a 132kV double circuit running from Sloy switching station towards Windyhill substation with overhead line sections owned by Scottish Power Energy Networks (SPEN) and Scottish and Southern Electricity Networks Transmission.

The circuits owned by SSEN Transmission extend over a 14.5km route and were originally constructed in 1951. Reconductoring was performed in 1971 and the earth wire was last replaced in 1995. The ownership boundary between SPEN and SSEN Transmission is defined by Tower 51 on Sloy-Windyhill West line, and Tower 52 on the Sloy-Windyhill East line close to Glenmallan.

These overhead lines have been subject to significant steelwork corrosion. This is due mainly to diminished paintwork and is now actively reducing the remaining service life of the structures and the conductors are near to the end of its design life. The solution to this deterioration is to reconductor and refit the overhead line and refurbish the towers, replace and upgrade the earth wire and make upgrades to the tower foundations. SPEN have already refurbished the overhead line between Windyhill substation and SSEN Transmission's boundary.

To perform the works on this project in a safe manner we will need to construct and upgrade access tracks both within and just outside of the Loch Lomond and Trossachs National Park. Any temporary tracks formed will be reinstated to their character landscape on the completion of the works.

Members are requested to note that this overall application is also partly within the administrative boundary of Loch Lomond and The Trossachs National Park Authority (NPA) and therefore a separate planning application will be submitted to the NPA for those proposed access tracks which are within their administrative boundary.

3.0 DEVELOPMENT PLAN POLICY

'Argyll and Bute Local Development Plan' adopted March 2015

Relevant Policies which will require to be considered include:

LDP DM 1 – Development within the Development Management Zones
LDP 3 – Supporting the Protection Conservation and Enhancement of our Environment
LDP 9 – Development Setting, Layout and Design
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 ENV 14 – Landscape
SG LDP SERV 3 – Drainage Impact Assessment (DIA)
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

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

- Landscape impact and Visual Amenity evaluation of access tracks
- Land Use and policy designations material to the proposal;
- Ecology , Biodiversity and Nature Conservation;
- Forestry and any associated felling operations
- Traffic and Transport; (A Transportation Plan will be required for routing of traffic associated with transporting any construction materials for the access tracks)
- Hydrology, Hydrogeology and Soils: (Potential disturbance/management of peat)
- CEMP to ensure proposed working methodologies are acceptable and relate to the sensitivity of the particular element of the scheme.

In respect of LDP 2, 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 of potential relevance to the proposal are set out below:

- 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 39 – Construction Standards for Private Access
- Policy 41 – Off Site Highway Improvements
- Policy 58 – Private Water Supplies and Water Conservation
- 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.

4.0 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;

- 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
- Landscape and visual Impact Analysis
- Access Arrangements/design to the public road

5.0 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.

6.0 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 Applicants in finalising any future planning application submission.

Author of Report: David Moore

Date: 13.09.2022

Reviewing Officer: Sandra Davies

Date: 13.09.2022

Fergus Murray
Head of Development and Economic Growth