

Committee Planning Application Report and Report of Handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 22/00728/PP
Planning Hierarchy: National Application
Applicant: Scottish Hydro Electric Transmission PLC
Proposal: To construct and operate a 132/ 275 kilovolt (kV) GIS substation and associated infrastructure that will connect the existing 132 kV overhead line (OHL) from Taynuilt to Inveraray to a proposed 275 kV OHL to Dalmally.
Site Address: Land approximately 2.5 km South West of Cladich, Argyll and Bute

DECISION ROUTE

Local Government Scotland Act 1973

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Construction of substation platform (190m x 225m) to accommodate Gas Insulated Switchgear (GIS)
- Erection of buildings, installation of electrical plant and erection of perimeter security fencing
- Widening of existing forestry tracks (1,895m in length) and upgrading of existing culverted watercourse crossing the River Aray
- Construction of 323m of new access track, comprising 108m connecting the existing forest track to the substation site and 215m of access track continuing around the substation site on the south east and north east aspects
- Landscape planting
- SUDs, comprising four basins to the east of the substation platform
- Peat restoration on-site by way of dressing of substation platform slopes and access tracks, as well as ditches and other cut areas

(ii) Other specified operations

- Temporary site laydown area approximately 200m south east of the substation site
 - 3.55ha of management felling to the northwest of substation site which forms part of long-term forest plan for the area
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(B) RECOMMENDATION:

It is recommended that Members grant planning permission subject to the conditions and reasons attached.

(C) CONSULTATIONS:

Transport Scotland (6th September 2022) – has no objection subject to the inclusion of planning conditions, as outlined by the Area Roads Officer together with the submission of a decommissioning plan.

Scottish Environmental Protection Agency (13th October 2022) - has no objection to the proposal subject to the inclusion of planning conditions. Regarding the impacts on peat and carbon balance, SEPA welcome the design to minimise the impact on deep peat, although confirm that 35,000m³ of peat will be disturbed by the project. A small volume of this can be used for site reinstatement and it is proposed that the rest be used in peatland restoration works on or in close proximity to the wider overhead line project working corridor. SEPA are content with this proposal and request a planning condition is applied for the agreement of a finalised Peat Management Plan (PMP).

Regarding flood risk and the water environment, SEPA request a planning condition for the replacement of the existing River Aray water crossing and for the assurance that the works are carried out in accordance with the submitted Schedule of Mitigation and Outline Construction Environmental Management Plan.

NatureScot (24th January 2023) – confirm the proposal falls othwith their consultation threshold and have no specific comments.

Scottish Rights of Way and Access Society – no response at time of writing.

Historic Environment Scotland - no response at time of writing.

ARGYLL & BUTE COUNCIL INTERNAL CONSULTATION RESPONSES

Area Roads Oban (28th September 2022) – has no objection subject to the inclusion of conditions. The Officer notes that the proposal is accessed by a private track situated off the A819 Dalmally- Inveraray Road within a rural 60mph restriction with upgrading required to the existing access. A Construction Traffic Management Plan is required prior to the commencement of works which must take into account further energy works in the Loch Awe area that could have a cumulative impact on the local area roads. Further planning conditions required include maintenance of visibility splays; the sheeting of construction LGVs transporting materials; wheel cleansing facility prior to vehicles entering the public road; construction traffic signage on the public road; and no erection of walls, fences hedges within 2m of the public road junction. A Roads Openings Permit (s56) will be required to be obtained from the Roads Authority.

Biodiversity Officer (12th September 2022) has no objection to the proposal, commenting that the proposal fits well with biodiversity objectives, with further clarification to be provided through planning conditions regarding use of peat, and identification of borrow pits and their restoration.

Environmental Health Officer (1st February 2023) – no objection subject to planning condition requiring the submission of a private water supply appraisal.

West of Scotland Archaeology Service (7th September 2022) - requests the inclusion of a planning condition for the agreement and implementation of a programme of archaeological works in accordance with a written scheme of investigation for the site. This is required as the development site lies in an area of fairly rich archaeological remains from the prehistoric and medieval periods. The proposals include the routes of two old roads, one of a possible drove road marked on OS First Edition Maps and the other the recorded line of Wade's Military Road. The Officer however notes the area has been afforested and the current state of both recorded sites is unknown, thus the requirement of the planning condition in accordance with Scottish Planning Policy.

Flood Risk Advisor (8th September 2022) - notes that the site elevations range from approximately 200 metres Above Ordnance Datum to 250m AOD, with the River Aray running through the north eastern section of the site under the existing access track. The overall site boundary contains small, isolated locations indicated to be at risk on the SEPA Pluvial Flood Risk maps, with depths expected to be between 0.3-1m in these locations. It is expected that the proposed station building will overlay these areas at risk. The Officer considers this is acceptable though displaced surface water should be accounted for within the drainage design. The proposed utilisation of SuDS detention basins and drainage ditches with water to be attenuated and restricted to 50l/s before discharge to the River Aray is considered acceptable.

The River Aray at this location has a catchment area of <3km² and is too small to be considered by the SEPA Fluvial Flood Map. The siting of the substation at least 30m away from the watercourse on ground at least 5m above the watercourse is acceptable. Given the pluvial flood risk to the site, the Officer recommends the elevation of FFLs of buildings to 0.3m above surrounding ground level if practicable. New watercourse crossings are to be designed such that post-development channel capacity is the same or greater than pre-development channel capacity and a planning condition is recommended to ensure adherence.

Core Paths Access Technician (24th January 2023) – has no specific comments on the application noting that the area does not appear to be heavily used by the public for recreational activities.

Glenorchy and Innishall Community Council – no response at time of writing.

(D) HISTORY:

Specific to the site:

21/01230/PAN- 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. Land East of Creag Dhubh, Cladich, Argyll and Bute. Opinion Issued 18 August 2021.

21/02348/SCREEN- Screening Opinion for the installation of 132/275kV substation and associated works. Creag Dhubh Substation. Screening opinion issued on 16 March 2022

Of relevance:

21/00286/SCOPE- Scoping request for proposed Section 37 application for the proposed Creag Dhubh to Dalmally 275 kV connection. Scoping opinion issued on 30 June 2021.

22/02305/S37- Section 37 Application for Creag Dhubh to Inveraray 275kV Overhead Line. Creag Dhubh To Inveraray Overhead Line, Inveraray Estate Woodland, Inveraray, Argyll and Bute. Under Consideration.

(E) PUBLICITY:

MREG20- Regulation 20 Major Application Advert – Expired on 22nd September 2022

(F) REPRESENTATIONS:

(i) Representations received from:

At the time of writing, no letters of public representation have been received.

(G) SUPPORTING INFORMATION

Has the application been the subject of:

- | | |
|--|---|
| (i) Environmental Impact Assessment Report: | No |
| (ii) An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994: | No |
| (iii) A design or design/access statement: | Yes – included within the Environmental Appraisal Report. |
| (iv) A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc: | Yes |

Environmental Appraisal Report,
Planning Statement,
Pre-application Consultation Report

The Environmental Appraisal Report covers the following topics:

- Proposed Development
- Design and Alternatives
- Landscape and Visual Amenity
- Cultural Heritage and Archaeology
- Ecology and Ornithology

- Hydrology and Hydrogeology
- Traffic and Transport
- Noise
- Schedule of Mitigation
- Cumulative Effects

The supporting Technical Annexes includes:

- EIA Screening Opinion Request Report and Adopted Screening Opinion
- Consultation Register
- Outline Construction Environmental Management Plan
- Woodland Report
- Cultural Heritage Assets in the Inner and Outer Study Areas
- Ecology Methodology and Results
- Habitats Regulations Appraisal
- Draft Peat Management Plan and Peat Depth Survey Results
- SUDs technical memo
- Peat Landslide and Hazard Risk Assessment
- Acoustics Glossary
- Anticipated Construction Equipment

(H) PLANNING OBLIGATIONS

Is a Section 75 agreement required: No

(I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32: No

(J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application

(i) List of all Development Plan Policy considerations taken into account in assessment of the application.

Argyll and Bute Local Development Plan (2015)

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 – 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

Supplementary Guidance to the Argyll and Bute Local Plan 2015 & 2016

SG LDP ENV 1 – Impact on Habitats, Species and our Biodiversity
SG LDP ENV 6 – 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 13 -- Development Impact on Areas of Panoramic Quality (APQs)
SG LDP ENV 14 – Landscape
SG LDP ENV 19 – Impact on Scheduled Ancient Monuments (SAMs)
SG LDP ENV 20 – Impact on Sites of Archaeological Importance
SG LDP BAD 1 – Bad Neighbour Development
SG LDP Sustainable – Sustainable Siting and Design Principles
SG LDP SERV 1 – Private Sewage Treatment Plants & Wastewater Systems
SG LDP SERV 2 – Incorporation of Natural Features / SuDS
SG LDP SERV 3 – Drainage Impact Assessment
SG LDP SERV 6 – Private Water Supplies and Water Conservation
SG LDP SERV 7 – Flooding and Land Erosion – Risk Framework
SG LDP TRAN 1 – Access to the Outdoors
SG LDP TRAN 4 – New & Existing, Public Roads & Private Access Regimes
SG LDP TRAN 6 – Vehicle Parking Provision
Supplementary Guidance 2 (December 2016)

Note: The above supplementary guidance has been approved by the Scottish Government. It therefore constitutes adopted policy and the Full Policies are available to view on the Council's Web Site at www.argyll-bute.gov.uk

(ii) List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 3/2013.

- National Planning Policy Framework 4, Scottish Government (Draft NPF4 to be enacted on 13.2.23)
- Planning Advice Notes & Web-based Renewables Guidance
- Renewable energy and climate change framework
- Climate Change (Emissions Reduction Targets) (Scotland) Act 2019
- The Future of Energy in Scotland: Scottish Energy Strategy, Scottish Government (December 2017) and position Update dated 16.3.21
- Scotland's Draft Energy Strategy and Just Transition Plan: Ministerial statement (Dated 10.1.23)
- The Scottish Government's Policy on 'Control of Woodland Removal' (Forestry Commission Scotland 2009)
- Views of statutory and other consultees;
- Planning history of the site
- Legitimate public concern or support expressed on relevant planning matters

Argyll and Bute proposed Local Development Plan 2 (November 2019)

The unchallenged policies and proposals within pLDP2 may be afforded significant material weighting in the determination of planning applications at this time as the settled and unopposed view of the Council. Elements of the pLDP2 which have been identified as being subject to unresolved objections still require to be subject of Examination by a Scottish Government appointed Reporter and cannot be

afforded significant material weighting at this time. The provisions of pLDP2 that may be afforded significant weighting in the determination of this application are listed below:

- Policy 14 – Bad Neighbour Development
- 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 58 – Private Water Supplies and Water Conservation
- Policy 63 – Waste Related Development and Waste Management
- Policy 78 – Woodland Removal

Scottish Government Planning Policy and Guidance

National Planning Framework 4, which will come into force on 13th February 2023, will supersede Scottish Planning Policy and form part of the Development Plan. NPF4 comprises 4 parts:

- Part 1 – sets out an overarching spatial strategy for Scotland in the future. This includes priorities, spatial principles and action areas.
- Part 2- sets out proposed national developments that support the spatial strategy.
- Part 3- sets out policies for the development and use of land that are to be applied in the preparation of local development plans; local place plans; masterplans and briefs; and for determining the range of planning consents. It is clear that this part of the document should be taken as a whole, and all relevant policies should be applied to each application.
- Part 4- provides an outline on how Scottish Government will implement the strategy set out in the document.

The Spatial Strategy sets out that we must embrace and deliver radical change so we can tackle and adapt to climate change, restore biodiversity loss, improve health and wellbeing, building a wellbeing economy, and create great places. It makes it clear that new development and infrastructure will be required to meet the net zero targets by 2045. To facilitate this, it sets out that we must rebalance our planning system so that climate change and nature recovery are the primary guiding principles in all our decisions. It sets out that significant weight should be given to the global climate emergency when considering development proposals. The document sets out that the planning system should support all forms of renewable development in principle. Specific to this proposal, it also defines ‘Strategic Renewable Electricity Generation and Transmission Infrastructure’ as National Development which includes new and/or upgraded infrastructure directly supporting high voltage 132kV or more electricity lines and substations. It explains that the electricity transmission grid will need substantial reinforcement including the addition of new infrastructure to connect and transmit the output from new on and offshore capacity to consumers in Scotland, the rest of the UK and beyond. It sets out a series of emerging policies which building upon existing provisions of Scottish Planning Policy. Specific policies of relevance to this application are:

- Policy 1- Tackling the Climate Nature Crisis
- Policy 2- Climate Mitigation and Adaption

Policy 3- Biodiversity
Policy 4- Natural Places
Policy 5 – Soils
Policy 6- Forestry, Woodland and Trees
Policy 7- Historic Assets and Places
Policy 11- Energy
Policy 14- Design, quality and Place
Policy 18- Infrastructure First
Policy 22- Flood Risk and Water Management
Policy 23- Health and Safety
Policy 25- Community Wealth Building

Energy Policy Framework

Statutory and policy requirements at UK and Scottish level to mitigate climate change and increase renewable energy generation are informed by higher level international agreements, primarily the Paris Agreement (2015) which commits United Nations signatory countries to take action to cut carbon emissions and emphasises the aim of restricting temperature rises to below 2°C above preindustrial levels. At the UK level, action to tackle climate change is underpinned by the Climate Change Act 2008 as amended by the Climate Change Act 2008 (2050 Target Amendment) Order 2019. A range of policy documents set out the UK Governments binding commitments to cut carbon emissions through the deployment of renewable energy, including the UK Government's Ten Point Plan for a Green Industrial Revolution (2020), Energy White Paper (2020), Carbon Plan (2011), the UK Renewable Energy Roadmap (2011) (updated 2012 and 2013) and the British Energy Security Strategy.

More recently the publication of Scotland's Draft Energy Strategy and Just Transition Plan and the accompanying Ministerial statement (Dated 10.1.23) further reinforces the importance of achieving net zero and addressing the Climate Emergency.

(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: No

(L) Has the application been the subject of statutory pre-application consultation (PAC): Yes

(M) Has a sustainability check list been submitted: No

(N) Does the Council have an interest in the site: No

(O) Requirement for a hearing: The opportunity to attend a pre-determination hearing is required to be offered in relation to applications for planning permission for major developments which are significant departures from the development plan and for all national developments. Their purpose is to allow the views of applicants and those who have made representations to be heard before a planning decision is taken. The planning authority has discretion over how hearings will operate in its area. Subject to no requests for a pre-determination Hearing being received from the application or consultee by 14th February 2023 a Hearing will not be required.

(P) Assessment and summary of determining issues and material considerations

This application is for the erection of an electrical substation. The proposed substation is required in order to connect the existing 132kV OHL network between Taynuilt to Inveraray to the proposed 13.3km double circuit Creag Dhubh to Dalmally 275kV Connection (the proposed OHL). This OHL will then in turn connect to the existing SPEN 275kV OHL running between Dalmally and Inverarnan, in order to allow connection for renewable generation in the area across the wider GB electricity network.

The Proposed Development consists of the substation buildings and electrical infrastructure, and associated works required to accommodate construction, landscaping and access. The development footprint for the proposed substation site once completed includes the substation platforms, cut/fill embankments, access road, associated culverts, Sustainable Urban Drainage System (SUDS) and solar panels.

It is considered that the proposal would accord fully with the policies of the development plan and there are no material consideration which would indicate otherwise.

Taking account of the above, it is recommended that planning permission be approved subject to conditions. A full report is included in the appendix of this report.

(Q) Is the proposal consistent with the Development Plan: Yes

(R) Reasons why Planning Permission or Planning Permission in Principle Should be Granted:

The Scottish Government and the Council each have policies in support of projects which increase the capacity of the grid network to serve the community and in particular the significant level of investment in renewable energy. NPF4 justifies the need for such investment highlighting such development as of national importance.

Argyll and Bute has been successful in attracting inward investment in renewables, enabled in part by a significant level of investment in the improvement of the electricity transmission network. This success has led to the area having a good understanding of this type of project and this Council having appropriate policies and guidance to assist in its assessment, and to effectively manage their implementation on the ground. For example, the use of Construction and Environmental Management Plans "CEMP", a particular approach to assist with the implementation / management of such large-scale projects with a focus on environmental protection. There are investment benefits too that favour these projects, not just from the short term construction but a continued stream of investment assisting with apprenticeships schemes and partnership networks with local companies.

Statutory and other consultees responding to this application are generally supportive. Some have requested planning conditions to be attached to any grant of planning permission to effectively ensure that their specific interests are secured.

There are clear impacts that might be expected from this development, particularly during its construction. These can be managed through best practice construction management techniques to ensure surrounding interests, particularly road access and the amenity of local housing is safeguarded from the key impacts of the development; by planning conditions to strengthen and clarify the plans and supporting environmental information provided by the applicant. The proposal will also be overseen by an appointed Ecological Clerk of Works, with any permission requiring regular compliance monitoring and ongoing engagement.

Although not development under the provisions of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, Officers are satisfied that environmental effects of this development can be addressed by way of mitigation. Officers have incorporated the requirement for a schedule of mitigation within the conditions of this permission. Monitoring of construction and operational compliance has been secured through Conditions attached to this permission.

The application can be supported in the context of the Council's Development Plan and in particular it's LDP Policies 6, 10 and 11 which relate to renewable energy grid infrastructure and the underlying support for renewable energy development which is consented in this area. All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

(S) Reasoned justification for a departure to the provisions of the Development Plan

N/A

(T) Need for notification to Scottish Ministers or Historic Environment Scotland:

No

Author of Report: Steph Wade

Date: 31/1/23

Reviewing Officer: Sandra Davies

Date: 31/1/23

Fergus Murray
Head of Development & Economic Growth

CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 22/00782/PP

- The development shall be implemented in accordance with the details specified on the application form dated 13/04/2022, the Environmental Appraisal (April 2022), supporting information and, the approved drawings listed in the table below unless the prior written approval of the planning authority is obtained for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

Plan Title.	Plan Ref. No.	Version	Date Received
Location Plan	R170_3673_Fig1_1_RedlineBoundarySite_C		14/04/22
Proposed A819 Site Access Design Location Plan	LT29_CRDH_0804_0010	B	08/08/22
Proposed A819 Site Access Design General Arrangement Plan	LT29_CRDH_0804-001	B	08/08/22
Proposed A819 Site Access Design Construction Details	LT29_CRDH-0804_0013	C	22/08/22
Proposed Substation Electrical Layout	LT29_CRDH_1104_0007	01	08/08/22
Proposed Substation Cross Sections	LT29_CRDH_1104_0008	01	08/08/22
Proposed Storage Buildings-Elevations	LT29_CRDH_0805_0005	0C	08/08/22
Proposed Storage Buildings-Floorplans	LT29_CRDH_0805_0006	0A	16/08/22
Proposed 132kV GIS Building Elevations	LT29_CRDH_0805_0003	0D	08/08/22
Proposed 132kV GIS Building	LT29_CRDH_0805_0001	01	08/08/22

Floor Plan and Sections			
Proposed 257kV GIS Building Elevations	LT29_CRDH_0805_0004	0D	08/08/22
Proposed 257kV GIS Building Floor Plan and Sections	LT29_CRDH_0805_0002	01	08/08/22
Location of septic tank, borehole water supply and SUDS	R170_3673_Fig1_SepticTank_BHWS_SUDS_D		08/08/22
2.5m High Security Palisade Fencing Details	CE/34/2015	E	08/08/22
2.5m High Security Palisade Fencing	CE/34/2016	E	08/08/22

Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.

- 2 No construction works shall be commenced until a Finalised Construction Environmental Management Document (CEMD) has been submitted to and approved in writing by the Planning Authority, in consultation with SEPA, and other appropriate consultees as appropriate. The development shall then proceed in accordance with the approved CEMD unless otherwise agreed in writing by the Planning Authority. The CEMD shall include:
- a) An updated Schedule of Mitigation (SM) highlighting mitigation set out within each chapter of the Environmental Appraisal (EA), and the conditions of this consent;
 - b) Processes to control/ action changes from the agreed SM;
 - c) Construction Environment Management Plans (CEMPs) for the construction phase covering:
 - i) Habitat and species protection, including ECoW details, and surveys.
 - ii) Landscape and Mitigation Restoration Plan
 - iii) Long Term woodland management and compensatory planting plan (refer to Condition 9)
 - iv) Pollution prevention and control;
 - v) Dust management, including construction activity and vehicle movements;
 - vi) Construction Noise and Vibration (refer to Condition 7)
 - vii) Temporary Site lighting;
 - viii) Site Waste Management;
 - ix) Surface and Ground water management, including: drainage and sediment management measures from all construction areas including access tracks, mechanisms to ensure that construction will not take place during periods of high flow or high rainfall; and a programme of water quality monitoring;
 - x) Soil Management and Peat Management (refer to Condition 8)

- xi) Mapping of borrow pits and associated habitats identified for restoration;
 - xii) Habitat Management and Restoration Plan;
 - xiii) Emergency Response Plans;
 - xiv) Timetable for post construction restoration/ reinstatement of the temporary working areas and construction compound; and
 - xv) Other relevant environmental management as may be relevant to the development.
- d) A statement of responsibility to 'stop the job/activity' if a breach or potential breach of mitigation or legislation occurs; and
- e) Methods of monitoring, auditing, reporting and the communication of environmental management on site and with client, Planning Authority and other relevant parties.

Reason: To ensure protection of surrounding environmental interests and general amenity.

- 3 No development shall commence until a Construction Traffic Management Plan (CTMP) and Phased Delivery Plan have been prepared and approved in writing by the Local Authority, in consultation with the Roads Authority, and Transport Scotland as the trunk roads Authority. The Plan shall details approved access routes, agreed operational practises (including avoidance of convoy movements, specifying conduct in use of passing places, identification of turning areas, information of wheel cleansing facilities, signage to be installed on the A819 warning of construction traffic. reporting of verge damage) and shall provide for the provision of an appropriate Code of Practice to drivers of construction and delivery vehicles. The development shall be implemented in accordance with the duly approved Traffic Management Plan.

Reason: To minimise interference with the safety and free flow of the traffic on the trunk road, to ensure the safety of pedestrians and cycle users using the trunk road and adjacent facilities and to be consistent with current guidance and best practice.

- 4 No development or ground breaking works shall commence until a programme of archaeological works in accordance with a written scheme of investigation, has been submitted to and approved in writing by the Planning Authority in consultation with the West of Scotland Archaeology Service.

The scheme shall be prepared by a suitably qualified person and shall provide for the recording, recovery and reporting of items of interest or finds within the application site.

Thereafter the development shall be implemented in accordance with the duly approved details with the suitably qualified person being afforded access at all reasonable times during ground disturbance works.

Reason: In order to protect archaeological resources.

5. Prior to the commencement of development, a strategy for housing incoming construction workers shall be submitted to and approved in writing by the Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In order to ensure that any potential adverse impacts on the functioning of the local housing market and tourist accommodation to the detriment of the interests of the local community are identified and mitigated in accordance with the requirements of NPF4, and in particular Policy 11C and Policy 25 Objectives.

- 6 No development shall commence until an appraisal of the wholesomeness and sufficiency of the intended private water supply and the system required to serve the development has been submitted to and approved by the Planning Authority.

The appraisal shall be carried out by a qualified hydrologist/ hydrogeologist or other suitably competent person and shall include a risk assessment having regard to the requirements of Schedule 4 of the Private Water Supplies (Scotland) Regulations 2006 or Part 3 of the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017 (as appropriate) which shall inform the design of the system by which a wholesome and sufficient water supply shall be provided and maintained. The appraisal shall also demonstrate that the wholesomeness and sufficiency of any other supply in the vicinity of the development, or any other person utilising the same source or supply, shall not be compromised by the proposed development.

The development shall not be brought into use or occupied until the required water supply system has been installed in accordance with the agreed specification and is operational.

Reason: In the interests of public health and in order to ensure that an adequate private water supply in terms of both wholesomeness and sufficiency can be provided to meet the requirements of the proposed development and without compromising the interests of other users of the same or nearby private water supplies.

- 7 No development shall commence until a Construction Noise Management Plan (CNMP) which demonstrates how the developer will ensure the best practicable measures are implemented in order to reduce the impact of construction noise and vibration, is submitted to and approved in writing by the Planning Authority. The CNMP shall include, but is not limited to, the following:
- a) A description of the most significant noise sources in terms of equipment; processes or phases of construction;
 - b) The proposed operating hours and the estimated duration of the works for each phase;
 - c) A detailed plan showing the location of noise and vibration sources and noise sensitive receptors; and
 - d) A description of noise mitigation methods that will be put in place including the proposals for community liaison. The best practice found in BS5228 Code of practice for noise and vibration control on construction and open sites should be followed. Any divergence requires to be justified.

Thereafter the development shall progress in accordance with the approved CNMP with all approved mitigation measures to be in place prior to the commencement of development, or as otherwise agreed in writing by the Planning Authority.

Reason: In the interest of safeguarding residential amenity.

- 8 No development shall commence until a finalised Peat Management Plan (PMP) has been submitted to and agreed in writing by the Planning Authority, in consultation with SEPA. The finalised version shall outline the further measures proposed to reduce peat disturbance, recalculate the volumes of peat to be disturbed and indicate the finalised measures for peatland restoration. Thereafter the development shall progress in accordance with the approved PMP.

Reason: In order to minimise disturbance of peat and ensure the appropriate reuse and management of peat.

- 9 No development shall commence until a detailed Compensatory Planting Plan (CPP) and Long Term Forestry Management Plan (LTFMP) are submitted to and approved in writing

by the Planning Authority, in consultation with Scottish Forestry. The approved CPP and LTFMP shall be implemented in full and in accordance with the approved timing, unless otherwise agreed in writing by the Planning Authority.

Reason: To enable appropriate woodland removal to proceed, without incurring a net loss in woodland related public benefit, in accordance with the Scottish Government's policy on the Control of Woodland Removal.

- 10 The development shall not become operational until vehicle wheel cleansing facilities have been installed and brought into operation on the site, the design and siting of which shall be subject to the prior approval of the Local Authority, in consultation with Transport Scotland as the trunk roads authority.

Reason: To ensure that material from the site is not deposited on the trunk road to the detriment of road safety.

- 11 Notwithstanding the provisions of Condition 1, the finished ground floor levels of the buildings of the development shall be elevated to 0.3m above surrounding ground level unless otherwise agreed in writing by the Planning Authority.

Reason: In order to ensure appropriate mitigation for flood risk and to ensure an acceptable relationship between the development and its surroundings

- 12 Watercourse crossings, hereby permitted, shall be designed to at least the capacity of the existing channel and to the 1 in 200 year plus climate change flow and an allowance for freeboard, unless otherwise agreed in writing by the Planning Authority. This includes the replacement of the existing River Array watercourse crossing with a new oversized box culvert, or bottomless traditional style bridge to accommodate the 1 in 200 year flood event without constriction.

Reason: To ensure that new watercourse crossings do not affect the existing flows in the interests of flood risk.

- 13 The development shall not include for the provision of walls, fences or hedges within 2.0 metres of the carriageway of the public road, and any gates shall open inwards, away from the public road.

Reason: In the interest of road safety.

- 14 Notwithstanding the provisions of Condition 1, the proposed access shall be formed in accordance with the Operational Services Drawing No SD08/001a; and visibility splays of 160 metres x 2.4 metres shall be cleared of all obstructions such that nothing shall disrupt visibility from a point 1.05 metres above the access at point X to a point 0.6 metres above the public road carriageway at point Y. The final wearing surface on the access shall be completed prior to the development first being brought into use and the visibility splays shall be maintained clear of all obstructions thereafter.

Reason: In the interests of road safety.

- 15 No external lighting shall be installed on the site other than with the prior written approval of the planning authority. In that event the location, type and luminance of the lighting units to be installed shall be specified, and any duly approved lighting shall be installed in a manner which minimises illumination and glare outwith the boundary of the application site. The site shall not be illuminated other than in the event of staff being present on site.

Reason: In order to avoid unnecessary visual intrusion in the interests of the visual amenity of an area otherwise unaffected by the presence of light sources.

- 16 All vehicles transporting construction material to and from the proposed development shall be sheeted.

Reason: To ensure that material from the site is not deposited on the trunk road to the detriment of road safety.

- 17 Any blasting for the development, hereby permitted, shall not exceed vibration levels at the nearest NSR's of the guideline limits presented in BS 7385-2: 19937 and BS 6472-2: 20088.

Reason: In the interests of protecting amenity of neighbouring land use occupiers.

NOTE TO APPLICANT

Guidance on the submission of a request for a NMA is available online. [Guidance Note \(argyll-bute.gov.uk\)](http://argyll-bute.gov.uk)

- Regard should be had to the advice to the applicant supplied by SEPA in their consultation responses, copies of which can be viewed on the planning pages of the Council's Website. Please note that in respect of condition 2 above SEPA advises that the finalised peat management and restoration proposals should adhere to their advice as included within their part 4 of their consultation comments.
- Regulatory requirements for private water supplies should be discussed with the Council's Environmental Health Officers in the first instance.
- A Road Opening Permit under the Roads (Scotland) Act 1984 must be obtained from the Council's Roads Engineers prior to the formation/alteration of a junction with the public road.
- The access shall be constructed and drained to ensure that no surface water is discharged onto the public road.

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 22/00782/PP

PLANNING LAND USE AND POLICY ASSESSMENT

A. Settlement Strategy

The Development Plan comprises the adopted Argyll and Bute Local Development Plan 2015 (LDP) and all statutory adopted supplementary guidance.

The proposal is for the erection of a substation connecting the existing 132kV network between Inveraray to Taynuilt and also connecting to the existing Dalmally 275kV substation via the new overhead line which is subject of application ref.22/02305/S37. The proposal is part of a number of infrastructure proposals to maintain “*an efficient, coordinate and economical electrical transmission system*” and is required to allow connection for renewable generation in the area across the wider electricity network.

The preamble to Policy LDP 11 (Improving Our Connectivity and Infrastructure) confirms that an important infrastructure related issue is renewable energy, where Argyll and Bute’s considerable potential to contribute to national target’s is currently constrained by insufficient grid capacity. Of relevance, is also Policy LDP 6 (Supporting the Sustainable Growth of Renewables), which provides policy provision for renewable energy developments within Argyll and Bute together with their enabling infrastructure. Policy LDP 10 also provides support for developments which contribute to renewable energy generation.

Regarding the principle of development, the proposal falls within Policy LDP 6 and Policy LDP 11. Policy support is offered within these two policies for improving grid infrastructure to facilitate renewable energy generation, having regard to their level of strategic significance in transmitting electricity from areas of generation to areas of consumption. Such support is subject to the proposals not having an unacceptable significant impact on the environment, local communities, historic environment, landscape character and visual amenity. The proposal must therefore be assessed against the other LDP policies referenced in this report. These matters are assessed in full within a number of material planning considerations examined within this report.

As the development would provide additional grid capacity for the transmission network and would help to facilitate an increasing proportion of electricity generation from renewable sources, the principle of the development receives support under policies LDP 6 and 11 subject to site selection, design and overcoming any unacceptable significant environmental effects.

In terms of the Local Development Plan Settlement Strategy, the application site lies within a combination of the ‘Countryside Zone’ and ‘Very Sensitive Countryside’ development management zones, as defined within Policy LDP DM1 of the Argyll and Bute Local Development Plan 2015. Policy LDP DM 1 supports the development of renewable energy related development within the ‘Very Sensitive Countryside’ development management zone, providing they are consistent with other Local Development Plan policies.

As a required infrastructure project to meet the demands required by renewable energy developments within the wider area, the principle of development is considered acceptable under the terms of policies LDP DM1- Development within the Development Management Zones; LDP 6- Supporting the Sustainable Growth of

Renewables; LDP 10- Maximising our Resources and Reducing our Consumption and LDP 11- Improving our Connectivity and Infrastructure.

B. National Policy.

Scotland's Fourth National Planning Framework (NPF4), sets out the Government's thoughts on how best to achieve a more successful country through increasing sustainable economic growth whilst responding to the climate emergency. It includes plans for infrastructural investment including a high voltage electricity transmission network deemed vital for meeting national targets for electricity generation, statutory climate change targets and security of energy supplies. The current application falls into the category of National Development. Whilst this establishes a need for the project, all necessary assessments and consents are still required for such development. Appropriate levels of mitigation would still be expected to help avoid or reduce environmental effects.

NPF4 states that a large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meet its net zero emissions targets. The electricity transmission grid will need substantial reinforcement including the addition of new infrastructure to connect and transmit the output from new on and offshore capacity to consumers in Scotland, the rest of the UK and beyond. NPF4 emphasises that to deliver sustainable places, Local Development Plans should maximise the benefits of renewable energy whilst enhancing blue and green infrastructure, decarbonising transport and building resilient connections. Resilience and a growing green economy are stated to depend on the delivery of improved grid connections, including high voltage grid cables.

The lifecycle greenhouse gas emissions assessment within NPF4, concludes this development will likely have an overall net positive impact on achieving national greenhouse gas emissions reduction targets.

An aim of the planning system is to create sustainable places, delivering the change needed to adapt to the impacts of climate change whilst pushing forwards to tackle the climate emergency. The national spatial strategy of NPF4 is that Scotland's future places will be net zero, nature positive places that are designed to reduce emissions and adapt to the impacts of climate change, whilst protecting, recovering and restoring our environment. Every decision on future developments must therefore contribute to making Scotland a more sustainable place. The connection of approved renewable energy projects to the grid, which would be enhanced by this project, advances its sustainable development credentials. The expansion of the grid transmission network in Argyll and Bute not only is a short term economic construction boost, but also a long term infrastructural benefit to the area. A priority of the Scottish Energy Strategy (2017) is to champion Scotland's renewable energy potential, creating new jobs and supply chain opportunities.

C. Background to the Proposal.

This application forms part of Scottish & Southern Electric Networks 'Argyll and Kintyre 275kV Strategy'. The project looks to upgrade the original transmission network within Argyll and Bute which was constructed over 60 years ago and designed to transmit electricity to consumers in rural areas of low-density population, to a transmission network which meets modern transmission demands, predominantly from renewable generation. Requests from renewable generation developers to connect to the network in this area exceed current capacity of the existing transmission network, meaning a new transmission circuit is required to meet demand from generation

developers and ensure security of supply. SSEN therefore look to increase the network capability in Argyll and Kintyre to enable connection of further renewable generation and to export to the wider GB network. The 275kV Strategy consists of 3 projects as outlined:

- Creag Dhubh- Dalmally 275kV Connection – This project involves establishing a new substation (the subject of this application) and a new switching station at Glen Lochy, connected by approximately 14km of new overhead line.
- Creag Dhubh- Inveraray 275kV Overhead line- This project involves 8-12km of new overhead 275kV line constructed between the proposed new substation at Creag Dhubh and a connection point on the Inveraray to Crossaig overhead line. It will initially be operated at 132kV, but will be capable of 275kV operation, once associated transmission network connected substations to the south have been upgraded to 275kV capacity. The existing 132kV overhead line between Inveraray and the proposed new Creag Dhubh substation will be removed.
- Argyll and Kintyre 275kV substations – Existing connected substations south of Inveraray require upgrade to 275kV capability, and as a result SSEN are proposing a new project involving the construction and operation of a new 275kV substation in the vicinity of the existing An Suidhe, Crarae and Crossaig Substations, and in the vicinity of Craig Murrail, north of Lochgilphead.

D. Location, Nature and Design of Proposed Development.

The proposed development is located 2.5km south west of Cladich on the eastern slopes of Cruach na Gearrchoise within the River Aray catchment. The site is located within a large commercial conifer plantation which is in the process of being harvested. The surrounding land is a mix of regenerating moorland, conifers and a small number of large trees. The majority of the application site has been harvested already and comprises small immature trees, and some mature trees along the western boundary.

The site selection process for the substation is detailed in the Environmental Appraisal (refer to section 4.2: Site Selection of the Report). This explains that the aim of the process was to identify a proposed site which is technically feasible and economically efficient, and which causes the least disturbance to the environment; and those living in it, visiting it or using it for recreation. Of the eight sites considered, two were selected as preferred sites, with subsequent investigations identifying the presence of significant volumes of environmentally sensitive and technically challenging peatland at both preferred sites. This resulted in further survey work and micro-siting to determine the site with the least amount of peat disturbance.

The Proposal comprises the creation of a substation platform in the region of 4.2ha to accommodate the Gas- Insulated Switchgear (GIS). This would be created using cut and fill to create a level platform at 209m AOD, cutting some land within the site area from 220mAOD. One side of the substation will comprise a 275kV double busbar Gas Insulated Switchgear (GIS), housed in the larger of two main buildings (approximately 22m x 14m x 20m) and will include connection of two 275kV overhead line bays. The other side will consist of 132kV double busbar GIS, housed in the smaller of the two buildings (approximately 22m x 14m x 20m) and will include four 132kV overhead line bays and a possible grid transformer bay. Both sets of GIS will have two bays to connect to the centrally located super grid transformers which sit between the two buildings. The 275/132kV super grid transformers (SGT) will be rated at 480 MVA.

The substation includes a single storey building to house the site services and control equipment. A private bore hole is proposed to provide a private water supply to the

development with the requirement for toilet facilities, a shower and sink for the maintenance staff as the converter station will not be permanently manned.

Additional land is required for cut and fill to tie the platform into the existing ground levels spanning a radius up to 50m from the substation. Based on the indicative cut and fill volumes imported and exported materials for the Proposed Development are as follows:

- Imported material- an indicative 40,000m³ sand, gravel and rock would be required for the substation platform and new access track.
- Exported material- of the anticipated 33,772m³ peat/peaty topsoil anticipated to be removed during the substation earthworks, a total of 3,525m³ is anticipated for reused, with the remaining amount to be exported to off-site restoration areas.

The proposal includes the erection of OHL towers, construction of an access track to enter the site, site drainage, SUDS pond and landscaping. The proposed access track would be 250m in length, connecting the substation to the existing private forestry tracks approximately 20m southeast of the substation. The substation is proposed to be enclosed by a 2.4m - 4m high security fence of palisade construction. Regarding lighting, the proposal will use sensor-activated security for night-time access.

The use of GIS instead of Air-Insulated switchgear is a welcomed design approach as it is understood that GIS requires a smaller footprint than AIS, and the majority of its electrical infrastructure is housed within a building which aids mitigation of visual and noise impacts arising from the proposal.

It is considered that the setting and design of the development would be sensitive to the site and would accord with the principles set out in the Council's Sustainable Siting and Design Principles contained within the LDP supplementary guidance.

E. Natural Environment.

Policy LDP 3 requires the protection, conservation and enhancement of our environment. Supplementary guidance policy LDP ENV1 provides additional detail in relation to development impact on habitats, species and our biodiversity. There are no statutory or non-statutory designated ecological sites covering the site itself. The nearest designated site is the Glen Etive and Glen Fyne Special Protection Area (SPA) which is located 1.4km east of the proposed development. Owing to this separation distance, and the intervening topography and vegetation, no likely significant effects on any of the qualifying features of this designation would arise. The SPA is designated for its Golden Eagle population and the applicant has undertaken a Habitat Regulations Appraisal (HRA) screening exercise. This however, also concluded that the proposal would not give rise to any likely significant effects and there are no significant impacts on the Conservation Objectives of Glen Etive and Glen Fyne SPA. These findings are accepted by the Planning Authority, with no HRA Appropriate Assessment being required.

The applicant has submitted a range of information highlighting the presence of protected species in and around the site. Habitats surveys identified the presence of water vole latrines and feeding signs along the River Aray; and pine marten. No reptiles, amphibians or trees with bat roost potential were recorded within the ecology field survey area. Ornithological surveys have also been carried out which identify that no disturbance impacts are predicted for golden eagles, and black grouse. The Biodiversity Officer notes that other species have been recorded, with some outwith the development area, such as Snipe, although no impacts are predicted on the breed.

It is also recognised that coniferous specialist birds are likely nesting within the footprint of the Proposed Development. This includes, common crossbill.

The habitats present across the site have been subject to survey. The majority of the application site boundary comprises coniferous woodland plantation, felled coniferous woodland, marshy grassland and continuous bracken. No invasive non-native plant or animal species were recorded. The groundwater dependent terrestrial ecosystems habitats recorded within the assessment area are determined to be supported by surface water flows through the site.

Without mitigation, the Environmental Appraisal confirms that the development has the potential to result in habitat loss, disturbance and displacement. Ecological impacts are to be mitigated through timing of works to avoid ecologically sensitive seasons, employing an ECoW, and following species protection plans which feed into the Construction Environmental Management Plan (CEMP). The assessment confirms that following successful implementation of the mitigation, no residual effects on important ecological features, are considered to exist and no cumulative impacts are predicted.

Having due regard to the above it is concluded that the proposal will not have any adverse impacts on the natural heritage including birds and is therefore consistent with the provisions of SG LDP ENV 1 – Development Impact on Habitats, Species and Our Biodiversity (i.e. biological diversity); SG LDP ENV 7 – Water Quality and the Environment; SG LDP ENV 11 – Protection of Soil and Peat Resources; SG 2 Renewable Energy; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan; and Policy 3- Biodiversity of NPF4.

F. Historic Environment.

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and NPF4 require applications for renewable energy related developments to be assessed against any impact they may have on the historic environment, including scheduled monuments, listed buildings and their settings.

Six heritage assets have been identified within the Inner Study Area, including a former footpath, a group of shieling huts, the route of a former drove road/ military road, a former quarry, and a 20th century commemorative memorial monument. None of these assets are classified as statutory designated sites (Scheduled Monuments, Listed Buildings, Inventory Gardens and Designed Landscapes, Historic Battlefields, or Conservation Areas). Although the Environmental Appraisal considers that the potential impact on archaeological remains within the area is low to negligible due to the area's use as commercial forestry. However, the West of Scotland Archaeological Service recommend that a planning condition for a programme of archaeological works is included on any subsequent planning decision due to the area being rich in prehistoric and medieval archaeological remains. The proposals include the routes of two old roads, one of a possible drove road marked on OS First Edition Maps and the other the recorded line of Wade's Military Road. The Officer however notes the area has been afforested and the current state of both recorded sites is unknown, thus the requirement of the planning condition in accordance with Scottish Planning Policy.

Having due regard to the above subject to the condition recommended by the West of

Scotland Archaeology Service it is concluded that the proposal will not have any adverse impacts on the historic environment, including scheduled monuments, listed buildings and their settings and is therefore consistent with the provisions of SG LDP ENV 15 – Development Impact on Historic Gardens and Designed Landscapes; SG LDP ENV 16(a) – Development Impact on Listed Buildings; SG LDP ENV 19 – Development Impact on Scheduled Ancient Monuments; SG LDP ENV 20 – Development Impact on Sites of Archaeological Importance; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; Policy LDP 6 – Supporting the Sustainable Growth of Renewables; and SG 2 Renewable Energy of the Argyll & Bute Local Development Plan; and Policy 7 of NPF4.

G. Water, Flood Risk, Drainage and Soils.

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, Supplementary Guidance 2: Renewable Energy and Policy 22 of NPF4 require applications for renewable energy related development to be assessed against effects on hydrology, the water environment and flood risk. Policy LDP 10 also requires development to minimise the impact on the water environment and avoid areas subject to flood risk or erosion.

Surveys of soils and peat and all surface water features have been undertaken to assess the potential effects of the proposed development on water quality within burns and rivers, water abstractions (drinking water) and habitats dependent on the groundwater at the site.

The site sits within a water catchment area of the River Aray. The River Aray runs along the north-eastern boundary of the site, 40m to the east of the substation and the new access track crosses the river using an existed culverted watercourse crossing. A tributary to the river Aray is found approximately 20m northwest of the site which runs parallel to the site boundary flowing in a north-easterly direction. Due to the catchment size, the fluvial flood risk is not appropriate for the River Aray and instead the surface water flood risk map is applicable. It is noted that small areas of land across the River Aray is shown to be at risk of flooding, however these do not affect the substation. There are some areas of potential surface water flood risk associated with depressions in the land causing potential ponding and two existing drains run through the middle of the proposed substation area. The Flood Risk Advisor considers the siting of the substation at least 30m away from the watercourse on ground at least 5m above the watercourse is acceptable. Given the pluvial flood risk to the site, the Officer recommends the elevation of the finished floor levels (FFLs) of buildings to 0.3m above surrounding ground level, if practicable. The proposed development includes the creation and improvement of new watercourse crossings for the access track to the site. The Flood Risk Advisor recommends that new watercourse crossings are to be designed such that post-development channel capacity is the same or greater than pre-development channel capacity and a planning condition is recommended to ensure adherence. SEPA also request a planning condition requiring the existing River Aray culvert to be replaced with a new oversized box culvert, or bottomless traditional style bridge of at least 2m in width and designed to accommodate the 1 in 200 year flood event without constriction.

Regarding drainage matters, the proposal will utilise a surface water drainage system of filter drains, leading into SUDs attenuation basins on site. The Flood Risk Advisor considers that the proposed utilisation of SUDs detention basins and drainage ditches with water to be attenuated and restricted to 50l/s before discharge to the River Aray is acceptable. Potable water is to be supplied to the site via the installation of a proposed private water drinking supply. The Environmental Health Officer has

recommended the inclusion of a planning condition to ensure a full assessment of the supply is undertaken to ensure it is potable, wholesome and in good quantity.

Policy LDP 3 and SG LDP ENV 11 confirm that the Council will only support development where appropriate measures are taken to maintain soil resources and functions which is proportionate to the scale of development. Developments that would potentially have a significant adverse effect on soil resources and functions or peat structure and function in terms of disturbance, degradation or erosion would not be supported unless it is demonstrated that such adverse effects are clearly outweighed by social, environmental or economic benefits of community wide importance arising from the development proposal; and a soil or peatland management plan is submitted and demonstrates the mitigation measures to limit impact.

The geology and soils for the application site comprise of rock debris, clayey till and poorly to well stratified sand and gravel. The site is also underlain by peaty gleys and is shown as Class 5 peat soil. Peat depth surveys confirmed that peat and carbon rich soils are present on site with thicknesses ranging between 0.0m and 1.0m thickness in the western area of the substation to 2.5m thickness in the eastern half. The proposal will disturb approximately 35,000m³ of peat. By way of mitigation measures, SEPA welcome that the design and siting of the development has been influenced to minimise the impact on deep peat. A Draft Peat Management Plan has been submitted with the application outlining the measures to mitigate potential impacts on peat and carbon rich soils through the construction phase. The proposal looks to reuse peat to dress the shoulders and slopes of the substation site platform and road, and also for re-wetting/ ditch blocking in forestry areas. The peat that cannot be reused within the site is proposed to be utilised for habitat management and restoration as part of the adjacent Dalmally 275kV Overhead Line connection project. No risks have been identified through the Peak Landslide Hazard Risk Assessment. SEPA are content with the proposed peatland mitigation measures and request that a finalised Peat Management Plan is agreed through planning condition.

In summary, the proposed development maintains at least a 30 m set back distance from all watercourses. In addition the proposed development has been designed to incorporate good practice design for watercourse crossings, and all surface water drainage will be designed to ensure that there are no adverse effects on water quality, or the rate and volume of surface runoff. Based on the proposed design and the standard good practice construction stage mitigation, no significant adverse effects are predicted for the water environment. Impacts on peat can be mitigated through measures included within a finalised PMP, including measures to re-use peat generated through construction of the Proposed Development. SEPA request a condition to ensure that all works are carried out in accordance with the Schedule of Mitigation and Construction Environmental Management Plan to mitigate against pollution during construction and operation.

Having due regard to the above it is concluded that effects on hydrology, the water environment, soils and flood risk have been considered and subject to the inclusion of the planning conditions, the proposal is therefore consistent with the provisions of SG 2 Renewable Energy, Policy LDP 6 – Supporting the Sustainable Growth of Renewables; and Policy LDP 10- maximising our Resources and Reducing our Consumption of the Argyll & Bute Local Development Plan; and Policy 22 of NPF4.

H. Impact on Woodland.

Policy 6 of NPF4 and Argyll and Bute's Supplementary Guidance LDP ENV 6 (Development Impact on Trees/ Woodlands) confirms that developments likely to have

an adverse impact on trees will be resisted. Where it is demonstrated that tree removal is required, the guidance requires planting of new woodland/ trees, including compensatory planting and management agreements. The Scottish Government's Control of Woodland Removal Policy (2009) confirms that woodland removal should be allowed only where it would achieve significant and clearly defined additional public benefits and a proposal for compensatory planting may form part of this balance.

A Forestry Landscape Appraisal has been submitted which assesses the felling impact of the Proposed Development within the forest property and includes a Long Term Forest Plan. The new development would remove existing conifer woodland of variable age and growth rates with some spruce areas being in growth. This in turn reduces the forestry restructuring/ planting land available within the woodland property with a total area of 13.91ha commercial forestry land permanently lost. The long term impact of the proposed development on future forestry operations is assessed as minimal, as a safe tree clearance from the substation infrastructure would be established and the operation of the development would not restrict key forestry management access routes.

The access track upgrade works are considered to have a beneficial impact in the form of an upgraded section of the main forest road serving the woodland property. The felling areas and compensatory planning areas are considered to fully mitigate the potential impacts of woodland removal by achieving no net loss of woodland area. The compensatory planting to be undertaken would replace the total area quantity of woodland removed for the development. This accords with the Scottish Government's Control of Woodland Removal Policy, to achieve no net loss of woodland. The compensatory planting is to occur through a combination of on-site and off-site planting. SG LDP ENV 6 maintains a strong presumption in favour of protecting woodland resources. The creation of the substation will however give rise to clear public benefits as the proposal is to facilitate the long term security of energy supplies as well as enable more renewable energy connections. Regarding existing trees adjacent to the development area, it is confirmed within the CEMP that tree protection measures will be installed.

Subject to the inclusion of planning conditions to ensure that the compensatory planting scheme is implemented together with the implementation of the Long Term Forest Plan for the management of the remaining woodland, the proposal is considered to accord with SG LDP ENV 6 – Development Impact on Trees /Woodland; The Scottish Government's Policy on 'Control of Woodland Removal' (Forestry Commission Scotland 2009); and Policy 22 of NPF4.

I. Impact on Access to the Countryside.

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, and SG 2 Renewable Energy require applications for renewable energy related developments to be assessed against any impact they may have on public access, including impact on long distance walking and cycling routes.

The Council's Access Officer confirms they have no comments to make regarding the impact on public access rights and comment that the area is not well used for recreational activities. Having due regard to the above it is concluded that the proposal will not have any adverse physical impacts on public access, including impact on long distance walking and cycling routes and those scenic routes identified in the NPF and is therefore consistent with the provisions of SG 2 Renewable Energy, SG LDP TRAN 1 – Access to the Outdoors; LDP STRAT 1 – Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the

Protection, Conservation and Enhancement of our Environment; and Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan.

J. Landscape and Visual Impact.

Policy SG LDP ENV 14 in respect of Landscape and Policy LDP 3 of the adopted Argyll and Bute Local Development Plan 2015 comprise the principal policies of relevance to landscape and visual evaluation of the Proposed Development. The aim of this policy is to protect, conserve and where possible enhance the built, human, and natural environment. Policy LDP 3 also notes that a development proposal would not be supported where adverse effects, including cumulative effects on the integrity or special qualities of international or nationally designated sites; or, significant adverse effects, on the special qualities or integrity of locally designated natural and built environment sites, would occur.

In addition, Policy LDP 9 concerns the design and setting of development, requiring development to be sited and positioned to pay regard to the context, and be compatible with the surroundings, particularly within sensitive locations including National Scenic Areas, Areas of Panoramic Quality or Gardens and Designed Landscapes.

The Environmental Appraisal considers both landscape and visual impacts of the proposed development with photomontages provided from a range of viewpoints. The Assessment is focused on a study area of 5km, with four illustrated viewpoints, selected to represent typical views from within the study area, illustrating the impacts on viewers from different directions and at different distances and elevations. It is noted that Viewpoint 4 lies without the 5km study area, however given the extent of the Zone of Theoretical Visibility (ZTV) coverage, it has been included as a longer distance view.

The proposed site is located within the Craggy Upland- Argyll Landscape Character Area. The landscape is typified by small settlements, isolated dwellings and farmstead scattered across lower lying topography and associated with road corridors. Key settlements include Cladich, Ardrecknish and Portsonachan. The predominant land uses within the area are forestry and agriculture. The operational 132kV overhead line between Taynuilt to Inveraray routes approximately 200m to the west of the application site.

The proposal does not affect any national landscape designations, although at regional level the application site is within the North Argyll Area of Panoramic Quality (APQ). Members are requested to note that LDP2 changes the name of Areas of Panoramic Quality (APQs) identified in the Argyll and Bute Local Development Plan (2015) to Local Landscape Areas. However, there is no change to the boundary of the North Argyll APQ which covers the LVIA study area defined in the application documents. For the purposes of this report, the designation shall continue to be referred to as APQ. The special landscape qualities of the APQ comprise the dramatic mountainous landforms and the juxtaposition of these mountains with narrow lochs, and the sea and with the settled loch fringes which produce a richly scenic landscape composition. The sensitivity of the landscape designation is considered to be high.

The proposed development is located within a largely rural landscape characterised by an enclosed topographical valley with dense coniferous forestry, bisected by existing grid infrastructure and forestry tracks. The form of the landscape and prevalence of forest cover provides potential for screening/ filtering of views of the proposed development from many of the sensitive neighbouring receptor locations. Table 5.6 of the Environmental Appraisal considers the receptor sensitivity to range

between medium and high for receptors including: tourists, road users, recreational users and walkers; landscape fabric, landscape character and the regional APQ designation.

Although the proposed development is situated within the North Argyll APQ, it is extensively contained within a valley, reducing its influence on the wider APQ. The Assessment predicts there would not be an adverse effect on the designated special qualities or characteristics due to the varied topography which results in theoretical visibility of the proposed development being limited. Actual visibility would be further reduced due to the screening effects of intervening forestry and woodland as well as the implementation of the mitigation measures outline within the Landscape and Mitigation Plan (Figure, 3.3, Volume 3). Where visible, the assessment concludes that the proposal would be seen from an elevated position within an expansive view that contains a wider range of elements including the operational electricity infrastructure. The magnitude of impact on the APQ is considered to be negligible with the integrity of the designation remaining unaffected.

To facilitate construction of the proposed development, a total of 16.75ha of tree felling is required and whilst the removal would directly impact the fabric of the landscape, it is in keeping with the commercial practices undertaken within the landscape currently due to the commercial nature of the coniferous plantation. The impacts of the proposed development is considered to be highly localised and largely contained within the area immediately surrounding the application site and the expansive sense of scale of the landscape character is considered capable of accommodating the development without altering the defining characteristics. The assessment considers the impact on the Craggy Upland-Argyll LCT to be low, resulting in a locally moderate residual effect, which reduces over extending distances from the wider area.

It is evidenced that the proposed development will result in some localised adverse visual impacts, and that due to the overall proportions of the development, the magnitude of change will be perceptible. It has however been evidenced from the Environmental Appraisal that the landscape and visual effects have been carefully considered, and despite the site selection resulting in the loss of existing commercial forestry, the proposed implementation of the Landscape Mitigation Plan and peatland restoration which includes: ground regrading works, landscape planting and dressing of shoulders and areas adjacent to the substation where possible, will result in the successful visual integration of this development. The proposal is considered to comply with Policy SG LDP ENV 14 in respect of Landscape and Policy LDP 3 of the adopted Argyll and Bute Local Development Plan 2015

K. Road Network, Parking and Associated Transport Matters.

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, and SG 2 Renewable Energy require applications for renewable energy related developments to be assessed against any impact they may have on road traffic and adjacent trunk roads.

The main construction access to the proposed development will be from the A819, which is the main route into Cladich, and the existing site access which connects to the forestry tracks within the development area. Within Phase 1, the construction of the access track is proposed, which comprises 108m long and 4.5m in width of track linking the proposed substation site and the existing forestry track. The existing forestry track is to be widened to create 4.5m width of track with wider corners and a 3m service corridor, totalling an increased width to 7.5m. Passing places are proposed to be created along the route. The bellmouth junction at the public road access point and the

upgrading of the culverted watercourse crossing of the River Aray are further enabling works for the construction. A 215m long section of access track is also proposed to be created around the substation site on the south east and north east aspects, outwith the security fencing which will in future be used to facilitate access to Tower 1A as part of the proposed Creag Dhubh to Dalmally 275kV OHL Connection Project. Parking and vehicular turning is to be included within the substation platform.

The Assessment demonstrates that the impact of construction HGVs on the study area would not exceed a 30% increase on all road links, with the exception of the A819 between B840 and the Substation access point. This is estimated to be at most, 54 two-way HGV trips and 150 two-way staff car trips per day during the peak construction phase months of months 4-6. For the remainder of the construction period (particularly months 17-30) GGV movements are predicted to reduce to 6 to 8 two-way trips per day. Furthermore, two abnormal loads (transformers) will be required to be transported to the site.

The Environmental Assessment determines that the likely construction traffic impacts using the IEMA guidelines would be minor or negligible and non-significant for all potential transport related effects. This is also predicted for cumulative impacts with neighbouring developments. A Construction Traffic Management Plan (CTMP) is to be included within the CEMP, which would include but not be limited to: the programme of works, the agreed routes to site, details of a site Liaison Officer who would have responsibilities for managing traffic and transport impacts and effects and would also identify measures to manage/ reduce construction staff travel by private car, particularly single occupancy trips. Operational traffic generation, would be minimal with traffic generation trips for substation monitoring and maintenance work only, which are at significantly less trip generations than that produced at construction stage.

The Council's Area Roads Officer and Transport Scotland have no objections to the proposal on transport and road safety grounds. Both consultees request the inclusion of planning construction for the agreement of a finalised CTMP, which also takes into account the cumulative impact of the further energy works at Loch Awe. Subject to the inclusion of the planning conditions as outlined within the Area Roads Officer and Transport Scotland's consultation responses, the transport related impacts of the proposal are deemed to be acceptable and can be appropriately managed. As such, the proposal has been found to be in accordance with the transportation policies contained within the Development Plan, namely SG2 Renewable Energy, Policy LDP 6 – Supporting the Sustainable Growth of Renewables; SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes of the Argyll & Bute Local Development Plan.

L. Noise and Construction Impacts.

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewable Energy and Policy 23 of NPF4 require applications for renewable energy related developments to be assessed against impacts on communities and individual dwellings, including noise impacts.

The applicant has recognised the noise nuisance that can arise from operational substations and the need to ensure that this is limited in respect of existing noise sensitive properties. In view of this, Chapter 10 of the Environmental Appraisal provides a Noise Impact Assessment (NIA). There are no Noise Sensitive Receptors (NSRs) in immediate close proximity to the application site, and therefore the assessment has been undertaken for the nearest NSRs which range from 2km – 3.4km from the proposed development. The survey identified a total of 4 NSRs, with all being

classed as high receptors due to being residential sites. The Noise assessment concludes that construction noise at all NSRs across all construction activities fall below all applicable noise criteria within the British Standards Institution Codes of Practice for Noise and Vibration Control and is therefore rated as minor impact magnitude, and construction noise is proposed to be controlled and mitigated through the inclusion of a Construction Noise Management Plan which forms part of the Construction Environment Management Plan.

Regarding operational noise, the assessment concludes that the predicted noise levels at each of the NSRs would be extremely low with modelled specific noise levels ranging from -8.7dB(A) to 3.4 dB(A) at the NSRs. Should any blasting be required during the construction operations, a planning condition is recommended to be included to ensure that any blasting operations conform to the BSI Codes of Practice limits, for such an activity. Based on the results, no specific mitigation is required for operational noise levels of the proposal. The Council's Environmental Health Officer has raised no objection on the grounds of noise impacts arising from the proposal. Subject to the inclusion of the planning conditions, the proposal is considered to comply with the provisions of SG 2 Renewable Energy; LDP STRAT 1- Sustainable Development; LDP DM1 – Development within the Development Management Zone; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; LDP 6 - Supporting the Sustainable Growth of Renewables; LDP 9 – Development Setting, Layout and Design; and NPF4.

The development of a project of this scale will have considerable temporary impacts including for example, construction traffic but also construction noise, dust, waste etc. Such impacts are expected intermittently through the 30 months of construction, programmed to commence in June 2023, with the main construction works commencing January 2024 and energisation targeted for May 2026. It is for these reasons that the applicant has a commitment towards a project specific Construction Environmental Management Plan approach, the finalised details of which, following appointment of a project contractor, would require approval of the Planning Authority in consultation with relevant consultees. In addition, the applicant has also committed to the appointment of an Ecological Clerk of Works (ECoW) to oversee the project. This can usually dovetail with a Planning Monitoring Officer role to monitor compliance with the conditions attached to any consent.

The implementation of the Construction Noise Management Plan which adopts best practice to limit the degree and timings of such impacts especially during the proposed construction timings of 7 days a week during day and night periods. Developers must also comply with reasonable operational practices with regard to construction noise so as not to cause a nuisance. Section 60 of the Control of Pollution Act 1974 sets restrictions in terms of hours of operation, plant and equipment used and noise levels, amongst other factors, which is enforceable via Environmental Health.

Timing of deliveries (HGVs and abnormal loads) shall also be agreed through a Construction Traffic Management Plan (CTMP) with construction traffic using the A819 and existing forestry site access connecting to the site. Other controls include dust management plans, pollution prevention plans, waste management plans which would also be expected within a project specific Construction Environmental Management Plan. Due to the scale of the development, SEPA will control pollution prevention measures relating to surface water run-off via a Controlled Activities Regulations Construction Site Licence.

M. Net Economic Impact, Including Local and Community Socio-Economic Benefits such as Employment, Associated Business and Supply Chain Opportunities.

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, SG 2 Renewables and SPP require applications for renewable energy developments to be assessed against net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.

The development of grid infrastructure has been identified as a national priority together within investment in renewable energy. The development of substation projects as presented within this application are not only beneficial in strengthening the robustness of the country's grid network, but also result in further job and investment opportunities through the development of associated supply chains. The development is required to facilitate the connection of wind farms/ renewable schemes to the national grid, which will allow the export of electricity generated to consumers. The relationship of the development to the economic and social benefits of renewable energy developments is therefore relevant, in a positive way.

Argyll and Bute is experiencing significant construction activity in the transmission network. The approval of the current application will have a short term (four years) positive construction economic impact, although significantly less impact at the operational stage with the design having a permanent design life. The construction of the development is predicted to have a peak of 60 workers. Thereafter, the operation of the facility would not require any staff permanently based onsite.

The design, landscaping and limited visual impact of the development, means the impacts of the development are not anticipated to have adverse impact on the local economy, particularly tourism. Its impact, at a more local level, equally is not anticipated to significantly impact on existing businesses or recreational interests.

NPF4 calls for national developments to be exemplars of a Community Wealth Building (CWB) approach to economic development. CWB is defined as “A people-centred approach to local economic development, which redirects wealth back into the local economy, and places control and benefits into the hands of local people”. Based on this, it is recommended that the development should seek to agree a housing strategy to ensure that the temporary workers associated with the proposals do not have an unacceptable and adverse impact on the functioning of the local housing market area to the detriment of the community and other businesses. A planning condition is therefore recommended to secure the housing delivery programme strategy.

Having due regard to the above the proposals net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities has been assessed and it is concluded that the proposal is consistent with the provisions of Supplementary Guidance 2 (December 2016); LDP DM1 – Development within the Development Management Zones; LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment; LDP 6 - Supporting the Sustainable Growth of Renewables; and NPF4.

N. The Need For Conditions Relating To The Decommissioning Of Developments, Including Ancillary Infrastructure, And Site Restoration (Including Cumulative Impacts)

Policy LDP 6 – Supporting the Sustainable Growth of Renewables, and Supplementary Guidance 2: Renewable Energy require applications for renewable energy related developments to be assessed against the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration.

The Proposed Development will have a design life of 50 years or more, after which the need for re-powering or decommissioning will be considered at that time. The Proposed Development is therefore treated as permanent in the submitted Environmental Appraisal, and repowering and decommissioning are therefore not considered.

On a project with this projected lifespan, where the substantive new build elements are judged by officers not to be causing substantive harm in terms of landscape or localised impacts, this is considered by officers to be a reasonable approach. Having due regard to the above it is concluded that the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration has been considered and the proposal is therefore consistent/inconsistent with the provisions of SG 2 Renewable Energy, Policy LDP 6 – Supporting the Sustainable Growth of Renewables of the Argyll & Bute Local Development Plan, and NPF4.