

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: 22/02479/PP
Planning Hierarchy: National
Applicant: Scottish Hydro Electric Transmission Plc
Proposal: Erection of high voltage electricity substation and formation of associated access, landscaping, drainage and means of enclosure
Site Address: Approximately 4km South West of Inveraray, 300m West of Douglas Water and Upslope of the existing An Suidhe Substation, Inveraray, Argyll and Bute

DECISION ROUTE

- ☐ Delegated - Sect 43 (A) of the Town and Country Planning (Scotland) Act 1997
- ☒ Committee - Local Government Scotland Act 1973
-

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Construction of substation platform of 1.3ha
- Installation of Gas Insulated Switchgear (GIS) building, maximum height 22m and single storey control building annex
- 275/33 kV super grid transformer, rated at 120 MVA located in a ventilated building of maximum height 16m
- Two gantries and electrical equipment/down-leads to connect the OHL and proposed substation
- Diesel generator housed in a building
- Borehole for water
- Turning and parking areas
- Use and upgrades to existing 1.7km long forestry track for access
- Construction of new access tracks, 295m long
- Erection of 2.4m high security fence of palisade construction around the substation perimeter
- Erection of deer fencing around new areas of woodland planting
- Landscape planting
- Foul and surface water drainage including Sustainable Urban Drainage (SUDS) pond and outfall pipe.
- Tree felling and compensatory planting

(ii) Other specified operations

- Temporary site laydown of approximately 0.69ha
- Undergrounding of the 33kV interconnector cable

(B) RECOMMENDATION:

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

(C) CONSULTATIONS:

Historic Environment Scotland (23rd January 2023) - no specific comments as the proposal does not affect any heritage assets within their remit.

Scottish Environmental Protection Agency [SEPA] (31st January 2023) – holding objection and seek further information on proposed watercourse engineering works as it is not clear what is proposed and if it will be consentable under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (As Amended)

(4th May 2023) – following meetings and discussions with the Applicant, SEPA note that the applicant looks to divert the watercourse running north over the hydro pipeline and connecting it back to its natural cause which would require the creation of a culvert underneath an existing hydro pipeline and access track. It is noted that some of these works would be outwith the currently application development boundary. SEPA are satisfied that the proposed watercourse engineering works are consentable under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (As Amended), provided the following planning condition is attached to any decision: no development to commence until confirmation has been obtained that the diversion works have approval by separate planning application

Transport Scotland (27th January 2023) – no objection subject to the inclusion of planning conditions relating to: a construction traffic method statement, prior approval of the abnormal load route; and signage and temporary traffic control measures.

NatureScot – No response at time of writing.

ARGYLL & BUTE COUNCIL INTERNAL CONSULTATION RESPONSES

Local Biodiversity Officer (7th February 2023) – has no objection to the proposal, noting that there are no designated sites within the proposed development. The proposed losses of habitats are of low botanical value with the exception of the broadleaved woodlands and marshy grasslands. However the habitats are also common and widespread within the area and therefore predicted not to be a significant loss. The officer concurs with the mitigation report in relation to ecological, ornithological and the actions to deliver the mitigation. Planning conditions are recommended to include, detailed landscape planting plan, incorporation of the species action plans into the General Environment Management Plan and the production of an Invasive Non-native species management plan.

Area Roads Officer (7th February 2023) - no objection, subject to a condition requiring site access to be from the A83 Tarbet – Campbeltown trunk road only.

Environmental Health Officer- (18 January 2023) - no objections and does not foresee any issues regarding noise impacts given the distance between the proposed site and existing sensitive receptors.

West of Scotland Archaeological Service (1st February 2023) - agrees with the conclusions contained within the Cultural Heritage section of the EA, and recommends a planning condition for the implementation of a programme of archaeological works.

Core Paths Officer – no response at time of writing.

Inveraray Community Council – no response at time of writing.

(D) HISTORY:

Specific to the site:

21/01887/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. An Suidhe Substation, Land north west of Achnagoul, Inveraray, Argyll and Bute. Opinion issued on 3rd May 2022.

21/01639/SCREEN – Screening opinion for the erection of a 275kV gas insulated switchgear substation. An Suidhe windfarm, Inveraray. Opinion issued on 23rd March 2022.

19/01178/PP – Temporary change of use of land, ground works, hardstanding and fencing to form works compound, including siting of modular buildings and storage of construction materials and equipment. Land north of Killean House, Inveraray, Argyll and Bute. Planning permission granted 2nd September 2019.

Of relevance:

22/02281/S37 – Install and keep installed approximately 1.34km of realigned 275kV overhead line supported on 6 new steel towers to connect the proposed An Suidhe Substation via down-leads to the existing 275kV Inveraray to Crossaig overhead line. An Suidhe Windfarm, Inveraray, Argyll and Bute. Currently being considered.

22/01362/SCOPE – Scoping opinion for proposed Section 36 for Eredine Wind Farm. Eredine Woodland, East Lochaweside, Argyll and Bute. Scoping Opinion issued by Energy Consents Unit on 20th September 2022.

(E) PUBLICITY:

MREG20- Regulation 20 Major Application Advert – Expired on 17th February 2023.

(F) REPRESENTATIONS:

(i) Representations received from:

At the time of writing, two public representations have been received by the following parties:

- Raymond Mundie of the Forest Enterprise (2nd March 2023), confirm they are the landowner at present and request the removal of sitka spruce, western hemlock and larch in the norther eastern area of the application site to support the Forest Enterprise's native woodland restoration.
- Strachur and District Community Council (16th February 2023) - confirm they have no specific comments to make.

Representations are published in full on the planning application file and are available to view via the [Public Access](#) section of the Council's website.

(G) SUPPORTING INFORMATION

Has the application been the subject of:

- (i) Environmental Impact Assessment Report:** ☐ Yes ☒ No
- (ii) An Appropriate Assessment under the Conservation (Natural Habitats) Regulations 1994:** ☐ Yes ☒ No
- (iii) A Design or Design/Access statement:** ☒ Yes ☐ No – 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 ☐ No

Environmental Appraisal Report
Planning Statement
Pre-application Consultation Report

The Environmental Appraisal Report covers the following topics:

- Proposed Development
- Landscape and Visual Appraisal
- Ecology and Ornithology
- Forestry
- Geology, Hydrology and Hydrogeology
- Archaeology and Cultural Heritage
- Noise Assessment
- Traffic and Transport
- Mitigation Proposals

The supporting Technical Annexes includes:

- General Environmental Management Plans
- EIA Screening Letter
- Landscape Assessment Methodology
- Landscape Character Sensitivity Table

- Photomontages and Landscape Figures
- Ornithology Consultation
- Extended Phase 1 Habitat Survey
- Species Protection Plans
- Forestry
- Drainage Strategy and Drainage Plans
- Hydrology Methodology
- Private Water Supply Risk Assessment
- Water Construction Management Plan
- Peat Management Plan
- Peat Slide Risk Assessment
- Transformer Delivery Route Report
- Cultural Heritage Appraisal and Site Gazetteer
- Noise and Vibration

(H) PLANNING OBLIGATIONS

Is a Section 75 agreement required: ☐ Yes ☒ No

(I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32: ☐ Yes ☒ 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.

[National Planning Framework 4 \(Adopted 13th February 2023\)](#)

Part 2 – National Planning Policy

NPF4 Policy 1 – Tackling the Climate and Nature Crises
 NPF4 Policy 2 – Climate Mitigation and Adaption
 NPF4 Policy 3 – Biodiversity
 NPF4 Policy 4 – Natural Places
 NPF4 Policy 5 – Soils
 NPF4 Policy 6 – Forestry, Woodland and Trees
 NPF4 Policy 7 – Historic Assets and Places
 NPF4 Policy 11 – Energy
 NPF4 Policy 14 – Design, Quality and Place
 NPF4 Policy 18 – Infrastructure First
 NPF4 Policy 22 – Flood Risk and Water Management
 NPF4 Policy 23 – Health and Safety
 NPF4 Policy 25 – Community Wealth Building

Annex B – National Statements of Need

3. Strategic Renewable Electricity Generation and Transmission Infrastructure

‘Argyll and Bute Local Development Plan’ Adopted March 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 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

Local Development Plan Schedules

‘Supplementary Guidance to the Argyll and Bute Local Plan 2015’ (Adopted March 2016 & December 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 13 – Impact on Areas of Panoramic Quality (APQs)
SG LDP ENV 14 – Landscape
SG LDP ENV 16(a) – Impact on Listed Buildings
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 TRAN 1 – Access to the Outdoors
SG LDP TRAN 4 – New & Existing, Public Roads & Private Access Regimes
SG LDP TRAN 6 – Vehicle Parking Provision

(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.

- [ABC Technical Note – Biodiversity \(Feb 2017\)](#)
- [Argyll and Bute proposed Local Development Plan 2 \(November 2019\)](#) - The reporters have written to Argyll and Bute Council regarding the Proposed Local Development Plan 2, which is currently at Examination. Due to the status of the revised draft National Planning Framework 4 the reporters are currently determining what, if any, further processes are required as a consequence. Although PLDP2 remains a material consideration it is now subject to this further assessment [against NPF4 policies](#). Therefore, it is considered appropriate **not** to attach significant weight to PLDP2 [policies](#) during this time, i.e. until the consequences of NPF4 [policies](#) for the PLDP2 have been assessed by the reporters and the Examination report is issued. [Specific sites in PLDP2 that have not received objections and are not being dealt with at the Examination](#)

may continue as strong material considerations, e.g. allocations and potential development areas.

- Planning Advice Notes & Web based Renewable 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
- 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

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

(L) Has the application been the subject of statutory pre-application consultation (PAC): ☒ Yes ☐ No

The PAC Report submitted with the application confirms that the public consultation ran for seven weeks from 22nd November 2021- 10th January 2022 and was designed to engage with stakeholders, the local community, landowners and individual residents. The common themes from the feedback were impact on tourism and local industry, consultation, and cultural heritage impacts.

(M) Has a Sustainability Checklist been submitted: ☐ Yes ☒ No

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

(O) Requirement for a pre-determination hearing: ☒ Yes ☐ No

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 applicant or consultee by 14th May 2023, a Hearing will not be required.

(P)(i) Key Constraints/Designations Affected by the Development:

- Ancient Woodland Inventory
- SEPA Flood Zones (Surface Water)
- SPR Paths
- Archaeology

(P)(ii) Soils

Agricultural Land Classification:

Class 6.3

Peatland/Carbon Rich Soils Classification:

- ☐ Class 1
☐ Class 2
☐ Class 3
☒ N/A

Peat Depth Classification:

N/A

Does the development relate to croft land?

☐ Yes ☒ No

Would the development restrict access to croft or better quality agricultural land?

☐ Yes ☒ No

Would the development result in fragmentation of croft / better quality agricultural land?

☐ Yes ☒ No

(P)(iii) Woodland

Will the proposal result in loss of trees/woodland?

☒ Yes
☐ No

(If yes, detail in summary assessment)

Does the proposal include any replacement or compensatory planting?

☒ Yes
☐ No details to be secured by condition
☐ Not applicable

(P)(iv) Land Status / LDP Settlement Strategy

Status of Land within the Application
(tick all relevant boxes)

- ☐ Brownfield
☐ Brownfield Reclaimed
☒ Greenfield

ABC LDP 2015 Settlement Strategy
LDP DM 1 (tick all relevant boxes)

- ☐ Main Town Settlement Area
☐ Key Rural Settlement Area
☐ Village/Minor Settlement Area
☐ Rural Opportunity Area
☐ Countryside Zone
☒ Very Sensitive Countryside Zone
☐ Greenbelt

ABC LDP 2015 Allocations/PDAs/AFAs etc:

N/A

(P)(v) Summary assessment and summary of determining issues and material considerations

The proposal is for the erection of a 275kV substation to connect into the recently completed overhead line between Inveraray and Crossaig. 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 energy generation in the area across the wider 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 platform, cut/fill embankments, access road,

associated culverts, Sustainable Urban Drainage System (SUDS) and OHL connecting down-leads and towers.

It is considered that the proposal would accord full with the policies of the development plan and there are no material considerations 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 ☐ No

(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 development 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 Environmental Management plan [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 the short term from construction but a continued stream of investment assisting with 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 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, and monitoring of construction and operational compliance within the conditions of this permission.

The application can be supported in the context of the Council's Development Plan relating to renewable energy grid infrastructure and the underlying support for renewable energy development which is consented in this area. The application falls within the category of National Development under NPF4 which establishes the need for such development and accords with the principles established under Policy 11: Energy of NPF4. 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 Local Development Plan and National Planning Framework 4 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:
☐ Yes ☒ No

Author of Report: Stephanie Wade

Date: 09/05/2023

Reviewing Officer: Sandra Davies

Date: 09/05/2023

Fergus Murray
Head of Development & Economic Growth

CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 22/02479/PP

Standard Time Limit Condition (as defined by Regulation)

Standard Condition on Soil Management During Construction

Additional Conditions

1. The development shall be implemented in accordance with the details specified on the application form dated 16th December 2022; the Environmental Appraisal (November 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
Site Location Plan	A01	A01	13/01/2023
Figure 1.1 An Suidhe Substation Red Line Boundary	A01	A01	13/01/2023
Site Layout Plan	4534a-DR-P-0017	Rev.2	19/12/2022
Substation Compound Layout and Electrical Section Locations	4534a-DR-P-0004	Rev.3	13/01/2023
Proposed Site Access Profiles	4534a-DR-P-0021		07/12/2022
Proposed Site Profiles	4534a-DR-P-0018	Rev.1	07/12/2022
Site Access Details	4534a-DR-P-0008	Rev.1	07/12/2022
Typical Access Track Sections – Sheet 1	4534a-DR-P-0007	Rev.2	07/12/2022
Typical Access Track Sections – Sheet 2	4534a-DR-P-0012	Rev.2	07/12/2022
Typical Deer Fence and Gate	4534a-DR-P-0016		07/12/2022
2.5m High Security Palisade Fencing Details	CE/34/2015	Rev.E	19/12/2022
Electrical Layout Elevations 01	4534a-DR-P-0011	Rev.1	07/12/2022
Electrical layout Elevations 02	4534a-DR_P-0013	Rev.2	07/12/2022
Generator Building Elevations	4534a-DR-P-0009	Rev.2	07/12/2022

Generator Building Floor Plan	LT288 An SUIDHE_DIESEL_FLOOR	Rev.1	13/01/2023
Substation Building Elevations	4534a-DR-P-0006	Rev.2	07/12/2022
Substation Building Layout	4534a-DR-P-0005	Rev.1	07/12/2022
Transformer Building Elevations	4534a-DR-P-0019		07/12/2022
Transformer Building Layout	4534a-DR-P-0020		07/12/2022
An Suidhe Septic Tank and Private Water Supply Location		A01	13/01/2023

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 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 Environmental Management Plans (CEMPs) for the construction phase covering:
 - i) Habitat and species protection, including ECoW Details, surveys and species protection plans;
 - ii) Landscape and Mitigation Restoration Plan including compensatory planting (refer to Condition 9);
 - iii) Pollution prevention and control;
 - iv) Dust management, including construction activity and vehicle movements;
 - v) Construction noise and vibration
 - vi) Temporary site lighting;
 - vii) Watercourse crossings;
 - 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 Plan
 - xi) Mapping of borrow pits and associated habitats identified for restoration;
 - xii) Invasive Non-Native Species Management 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 include details of:
 - a) Approved access routes,
 - b) 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 A83 warning of construction traffic, signage or temporary traffic control measures to include for larger or abnormal loads, reporting of verge damage);
 - c) The provision of an appropriate Code of Practice to drivers of construction and delivery vehicles.
 - d) Abnormal load route surveys and finalised plan (including any accommodation measures required including the removal of street furniture, junction widening, traffic management).

The development shall be implemented in accordance with the duly approved Traffic Management Plan

Reason: To minimise the interference with the safety and free flow of traffic on the trunk road and to ensure that the transportation of abnormal loads will not have any detrimental effect on the trunk road network.

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. No development shall commence, until 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 detailed planning permission has been granted for the watercourse diversion works located outwith the red line development boundary of 22/02479/PP.

Reason: To ensure that the watercourse diversion works located outwith the red line development boundary for this application are considered in full and permitted by separate planning application, in accordance with SEPA advice.

8. No development shall commence until full details of the final drainage scheme and watercourse diversion have been submitted to and approved in writing by the Planning Authority, in consultation with the Council's Flood Risk Advisors and SEPA. The approved drainage and watercourse diversion scheme shall be implemented in full and maintained in accordance with the approved details in full, prior to the first use of the development.

Reason: To ensure satisfactory arrangements for the disposal of surface water are provided and to ensure the watercourse diversion is acceptable.

9. No development shall commence, until a revised Landscape Planting Plan and Maintenance Plan in accordance with BS EN ISO 11091:1999 has been submitted to and approved in writing by the Planning Authority. The revised plans must include:
 - a) A plan showing numbers and locations of each tree and shrub species;
 - b) Planting schedule to show for each species, the total number, type and size at planting;
 - c) Specification for planting to include ground preparation, planting operations and protection from herbivores;
 - d) Compensatory planting scheme for tree loss
 - e) Schedule of implementation and phasing;

The approved Landscape Planting Plan and Maintenance Plan shall thereafter be implemented in full in accordance with the implementation schedule and maintained in accordance with the approved details. Any plant losses within the first five years will be replaced at the next planting season.

Reason: To ensure the development conserves and enhances the landscape character and biodiversity interests of the area.

10. 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.

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

11. 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.

NOTE TO APPLICANT

- Guidance on the submission of a request for a Non Material Amendment [NMA] is available online: [Guidance Note](#)
- Details of regulatory requirements and good practice advice can be found on the [regulations](#) section of our website. Any works within the water environment will require authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (As Amended) (CAR) and contact should be made with the SEPA Water Permitting Team at waterpermitting@sepa.org.uk.
- 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.

COMMITTEE REPORT	
APPENDIX A – RELATIVE TO APPLICATION NUMBER:	22/02479/PP
PLANNING LAND USE AND POLICY ASSESSMENT	

1. Settlement Strategy

- 1.1. The Development Plan comprises National Planning Framework 4 [NPF4] and the Argyll and Bute Local Development Plan 2015 [LDP], for Argyll and Bute development management purposes. By way of background, in the event of any incompatibility between a provision of NPF4 and a provision of the LDP, NPF4 will take precedence.
- 1.2. The proposal is for the erection of a 275kV substation to connect into the recently completed overhead line between Inveraray and Crossaig. 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 energy generation in the area across the wider electricity network.
- 1.3. NPF4 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, as detailed within NPF4. 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 and reduce environmental effects.
- 1.4. Policy 11 of NPF4 provides an overriding support for enabling works, including grid transmission and distribution infrastructure, where the development maximises net economic impact, together with ensuring the development does not have 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 NPF4 and LDP policies referenced in this report.
- 1.5. It is recognised by the Council that an important infrastructure related issue is renewable energy, where Argyll and Bute’s considerable potential to contribute to national targets is currently being constrained by insufficient grid capacity. The principle of development is therefore consistent with the broad principles of NPF4 Policy 11 having regard to its strategic significance in transmitting electricity from areas of generation to areas of consumption by aiding to the improved grid network.
- 1.6. In terms of the Local Development Plan Settlement Strategy, the application lies within the ‘Very Sensitive Countryside’ development management zone, as defined by Policy LDP DM1 of the Argyll and Bute Local Development Plan 2015. Policy LDP DM1 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) of the Argyll and Bute Local Development Plan 2015; and Policy 11 (Energy) of NPF4.

2. Background to the Proposal

- 2.1. 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 energy 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 below:
- 2.1.1. Argyll and Kintyre 275kV Substations – Existing connected substations to the south of Inveraray require upgrading to 275kV capability, and as a result SSEN are proposing a new project involving the construction and operation of new 275kV substations in the vicinity of the existing An Suidhe, Crarae and Crossaig substations, and in the vicinity of Craig Murrail, north of Lochgilphead.
 - 2.1.2. Creg Dhubh – Dalmally 275kV Connection – This project involves establishing a new substation (permitted under permission 22/00782/PP) and a new switching gear station at Glen Lochy, connected by approximately 14km of new overhead line.
 - 2.1.3. Creg Dhubh – Inveraray 275kV Overhead Line - This project involves 8-12km of new overhead 275kV line constructed between the permitted new substation at Creg Dhubh and a connection point on the Inveraray to Crossaig overhead line. It will initially operate 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 Creg Dhubh substation will be removed.
- 2.2. The key drivers for the project are the connection of the Earraghail Windfarm and Tangy IV Windfarm, both due to connect in April 2027.
- 2.3. For the purposes of this report, reference is made cumulatively to the Associated Development which runs concurrently to this application and is being considered under a separate application under Section 37 of the Electricity Act 1989 (ref.22/02281/S37). The s37 application seeks permission for the construction of six new steel lattice towers to support the realignment of the overhead line which will connect to the new substation together with the construction of new tracks; temporary overhead line diversions and the dismantling of seven redundant towers.

3. Location, Nature and Design of Proposed Development

- 3.1. The proposed development is located approximately 4km south west of Inveraray, 300m west of Douglas Water and upslope of the existing An Suidhe substation. The site is located via existing tracks off of the A83. The site comprises recently felled coniferous woodland. The surrounding land is a mix of broadleaved and coniferous woodland plantations with small areas of semi-natural mixed and broadleaved woodland. There are a number of watercourses running through the development site including the Allt Torn a'Challtuinne, which stems south of the Douglas Water. Ancient woodland is located along the eastern boundary of the site. The site includes no other designations.
- 3.2. The site selection process for the substation is detailed in the Environmental Appraisal (refer to section 2.4: Alternatives). This explains that the site selection included an appraisal of operational, technical, health and safety, economic and environmental factors

for each of the potential sites. Of the five sites, there were two identified preferred sites (AS1 and AS2) on the basis of the least potential for environmental and technical constraints. Both sites AS1 and AS2 shared a medium risk in relation to hydrology, geology, designated and non-designated cultural heritage assets, as well as forestry. Site AS1, now the subject of this application, was chosen as it was considered to provide an optimum balance of environmental, technical and cost factors.

- 3.3. The Proposal comprises the creation of a substation platform in the region of 1.3ha to accommodate the Gas-Insulated Switchgear [GIS]. This would be created using cut and fill to create a level platform at 174 AOD. One side of the substation will comprise 275kV GIS, housed in a single storey building with an attached single storey control building annex (approximately 53m x 26m x 22m). The 275/33kV super grid transformer is proposed to be located within a second building (measuring approximately 35m x 30m x 16m). Two gantries and electrical equipment/ down-leads are proposed to be installed to connect the adjacent overhead line to the proposed substation. A further building will house a diesel generator (6m x 2.4m x 3m). All buildings are proposed to be painted in a recessive colour of Olive brown Ral: 8008. The 275/33kV super grid transformer is rated at 120 MVA. Security fencing and landscaping are proposed together with the construction of 295 metres of access track (3.5m wide).
- 3.4. A private water supply will be provided by a borehole and foul and surface water drainage is provided by a SUDs pond, outfall pipe and septic tank. These are required to serve the development with toilet and wash facilities for maintenance staff. Regarding lighting, the proposal will use sensor activated security lighting for night time access.
- 3.5. The use of GIS instead of Air-Insulated switchgear [AIS] is a welcomed design approach as 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.
- 3.6. 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.

4. Natural Environment

- 4.1. The intention of NPF4 Policy 4, is to protect, restore and enhance natural assets, making the best use of natural-based solutions. Policy 4(a) which sets out that development which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported. Policy 3 of NPF4 seeks to ensure that biodiversity is enhanced through the creation of strengthened nature networks. Policy 11(E-ix) of NPF4 requires developments to demonstrate how any impacts on biodiversity, including impacts on birds are mitigated. At LDP level, 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.
- 4.2. There are no statutory or non-statutory designated ecological sites covering the site itself. The nearest designated site is the Ardchylne Wood Site of Special Scientific Interest (SSSI) which is located 4.9km from the eastern side of the Development. The SSSI is designated for its biological features covering 176.07ha and represents one of the best upland oak woodland in Cowal. 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. These findings are accepted by the Planning Authority, with no HRA Appropriate Assessment being required.

- 4.3. The habitats present across the site have been subject to survey. The majority of the Proposed Development is within commercial coniferous plantation of low ecological and conservation value. There is an area of semi-natural broadleaved woodland, which is of higher ecological importance than the surrounding conifer habitat. The application site itself is of low ecological value due to being recently felled coniferous plantation. The Project does involve the loss of areas of these habitats, however it is considered that as the habitats are common and widespread within the area, the loss is not predicted to be significant. By way of mitigation, the applicant looks to undertake additional planting in line with their Biodiversity Net Gain strategy which sets the target to achieve No Net Loss on all projects gaining consent from April 2020. Habitats which are subject to temporary loss are proposed to be restored by the creation of new parcels of native woodland edge tree/scrub around peripheral parts of the development site, together with species rich grassland/ meadow to be introduced within the site itself and along the access route. A planning condition is recommended to be included on any subsequent decision to agree the final details regarding plant species, numbers and locations within the site.
- 4.4. The proposal will not impact on Ancient woodland located within the surrounding areas. There are no Ground Water Dependent Terrestrial Ecosystems [GWDTEs] or Annex 1 habitats present within the application site. The GWTE habitats identified within the wider area are rain-fed as opposed to being supported by groundwater. No invasive non-native plant or animal species [INNS] were recorded although it is recommended that an INNS Management Plan is sought by condition due to the location and risk of translocation. The applicant has submitted a range of information. Breeding bird surveys undertaken in 2015-2016 recorded a number of species within the area including the UK Red Status Birds of Conservation Concern, Mistle Thrush. No Schedule 1 bird species were recorded at the proposed location.
- 4.5. Ecological surveys found no signs of protected species within the footprint of the Proposed Development, although survey work did find the presence of pine martin scat within 100m from the access track. 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, additional planting, employing an Ecological Clerk of Works [ECoW], undertaking pre-construction survey checks and following species protection plans which feed into the General Environmental Management Plan [GEMP]. 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.
- 4.6. 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) and LDP 3 – Supporting the Protection, Conservation and Enhancement of our Environment of the Argyll & Bute Local Development Plan; and Policy 3- Biodiversity and Policy 4- Natural Places and Policy 11(ix) of NPF4.

5. Historic Environment

- 5.1. Policy 11 (E-vii) of NPF4 requires development proposals to demonstrate how they have mitigated against potential impacts on the historic environment and Local Development Plan Policies LDP 3 and SG LDP ENV 16 accord with this provision seeking developments to be assessed against any impact they may have on the historic environment, including scheduled monuments, listed buildings and their settings.

- 5.2. There are no designated heritage assets within the Proposed Development area, however, four category B listed buildings are within a 2km radius - located at 1.2km at the closest point. A setting assessment was carried out for the nearby Old Bridge of Douglas at Claonairigh. The main setting of the bridge was its function as part of the road, which would have serviced the transport of goods and people around the area. It may have been of particular importance to the nearby woollen mill (LB12946) and Claonairigh Laird's House (LB12945). As a Category B Listed Building, the bridge has regional importance, however, the importance of its setting is mainly limited to its relationship with the river, the road which it carried and nearby historic buildings. There is no setting impact anticipated from the proposed development due to distance, topography and the extensive tree cover both around the bridge and in the area between the bridge and substation.
- 5.3. With regards to non-designated assets, walkover surveys identified one asset within the study area, the remains of a post-medieval drystone wall. Three other similar walls were identified along the access route. There is potential for these assets to be impacted by construction works and access track improvements, and mitigation measures include: firstly avoidance of the asset, archaeological exclusion zones of 5m and thirdly recording of any structures required to be removed where the works directly affect the asset. Although the potential for buried archaeological remains to be present is considered to be low, it cannot be discounted and an archaeological watching brief for all ground breaking works is put forward by the applicant. The West of Scotland Archaeological Service agree with the EA conclusions and recommend the inclusion of a planning condition for the agreement and implementation of a programme of archaeological works. Historic Environment Scotland has no specific comments on the scheme.
- 5.4. Having due regard to the above and 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 listed buildings and their settings, and is therefore consistent with the provisions of Policy 11 of NPF4, together with LDP Policies LDP 3 and SG LDP ENV 16.

6. Water, Flood Risk, Drainage and Soils

- 6.1. Policy 11 (E-viii) of NPF4 requires development proposals to demonstrate how they have mitigated against potential impacts on hydrology, the water environment and flood risk.
- 6.2. 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.
- 6.3. The site sits within the sub-catchments of Allt Tom a'Challtuinne to the north west and Allt Garbh to the south which are part of the wider catchment of the Douglas water. The Douglas Water is located 300m east and downslope from the Development. The application site is not at risk of flooding. To protect the water environment from potential construction pollution, the application includes mitigation measures including 50m watercourse buffers for construction works with the exception of watercourse crossings; and the implementation of a Water Construction Environmental Management Plan.
- 6.4. Regarding public and private drinking water catchments within the area, the EA includes confirmation from Scottish Water that the proposal is at a sufficient distance from the intake to be low risk but recommends water quality protection measures are implemented. Regarding the private drinking water catchment supplying Saunach Kennels, the Assessment confirms that the property is supplied by a spring source which is hydrologically disconnected from the development, by the Douglas Water. As outlined

within the Water Construction Environment Management Plan, a water monitoring schedule is proposed to be implemented.

- 6.5. As a result of felling during the construction phase, there may be increased run-off rates during the initial operation of the substation. On-site and off-site compensatory planting for woodland removed for infrastructure and replanting onsite to ensure there is no net loss of woodland area will limit the temporary increase in run-off rates in the medium to long term.
- 6.6. The proposed development includes the creation and improvement of new watercourse crossings for the access track to the site. A planning condition is therefore recommended to ensure that watercourse crossings are to be designed such that post-development channel capacity is the same or greater than pre-development channel capacity. Due to the requirement for the substation groundworks to affect a watercourse lying immediately south, with some of these works for a diversion being outwith the red line development area for this application, SEPA confirm that a planning condition is required to ensure that no development commences for this application, if permitted by Committee, until details of the watercourse diversion have been submitted to and approved by separate planning application. A planning condition is also recommended to agree the final details of the watercourse diversion works located within the development area.
- 6.7. Regarding drainage matters, the proposal will utilise a surface water drainage system of filter drains, leading into a SUDs attenuation basins on site, which has been designed to have adequate capacity to cater for the storage required to attenuate surface water-runoff. The water is to be attenuated and restricted to 33.4l/s before discharge to the watercourse to the west. This accords with the greenfield run-off rate for the site. A planning condition is recommended to review and agree the finalised drainage measures, to include detailed plans. Potable water is to be supplied to the site via the installation of a proposed private water drinking supply. A planning condition is recommended to ensure a full assessment of the supply is undertaken to ensure it is potable, wholesome and in good quantity. Foul water is proposed to be dealt with by the installation of a septic tank, with waste being managed, inspected and drained by a licensed courier with offsite disposal. The septic tank is subject to SEPA registration.
- 6.8. Policy 5 of NPF4 confirms that 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.
- 6.9. The geology and soils for the application site comprise of a mix of Semipelite and Metagarbo rock. Peaty gleys are present across the application site. The site is underlain by Class 5 peaty soil as defined by the Carbon and Peatland Map. Peat depth surveys confirmed depths within the site varying from 0m up to 3.9m. Probes in excess of 2m were confined to lower lying localised pockets to the south west. The development has been designed to avoid any significant areas of deep peat. The permanent access track linking the substation and SUDs attenuation pond to the existing track lies on shallow peat, however one reading of 1.4m depth was recorded.
- 6.10. The proposal and its associated development (22/02281/S37) are estimated to disturb 7,474m³ of peat. A Peat Management Plan has been submitted with the application outlining the full measures to mitigate potential impacts on peat through the construction

phase. The proposed reinstatement of peat and peaty soils on track and infrastructure verges; and in the vicinity of the original location surrounding the proposed substation is welcomed. The substation hardstanding area and associated earthworks will be dressed with up to 0.5m of peat and peaty soils. The SuDs attenuation pond will be located on peatland. The peat balance calculations demonstrate that there will be a balance in excavation and reuse of peat and peaty soils with no surplus or deficit arising from the development. The Council's Local Biodiversity Officer is content with the conclusions of the Peat Management Plan. No risks have been identified through the Peat Landslide Hazard Risk Assessment.

6.11. In summary, the proposed development maintains at least a 50 m set back distance from all watercourses. In addition, 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 the Peat Management Plan and Landslide Hazard Risk Assessment. A condition is recommended to ensure that all works are carried out in accordance with a Schedule of Mitigation and General Environment Management Plan to mitigate against pollution during construction and operation.

6.12. 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 Policy 5 and Policy 11 of NPF4.

7. Impact on Woodland

7.1. Policy 11 (E-x) of NPF4 requires development proposals to demonstrate how they have mitigated against potential impacts on the trees, wood and forests. 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. Policy 6(d) of NPF4 states that development proposals on site which include an area of existing woodland or land identified in the Forestry and Woodland Strategy as being suitable for woodland creation will only be supported where the enhancement and improvement of woodlands and the planting of new trees on the site are integrated into the design.

7.2. A Woodland Report has been submitted which assesses the felling impact of the Proposed Development within the forest property and provides a compensatory planting scheme. The new development would remove 0.13ha of mixed broadleaves at the north west of the substation platform and at the bellmouth, and 3.73ha of 2/3 year old and 5/6 year old Sitka spruce and pine mix plantation. 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.

7.3. The felling areas and compensatory planting areas are considered to fully mitigate the potential impacts of woodland removal by achieving a no net loss of woodland area. The compensatory planting to be undertaken would replace the total area quantity of woodland

removed for the development and cumulatively for the Associated Development of the connecting overhead lines. 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, and would include native planting in place of non-native species in accordance with NPF4 Policy 6(d). NPF4 Policy 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 GEMP that tree protection measures will be installed.

- 7.4. A public representation has been made by the landowner- Forestry Land Scotland- seeking additional clearance of non-native trees to the north of the existing Douglas Water Hydro pipeline. As this is not within the red-line development area, this does not form part of the application consideration. However, it is understood that the Applicant will liaise with the landowner by separate agreement regarding this request.
- 7.5. Subject to the inclusion of planning conditions to ensure that the compensatory planting scheme is implemented together, the proposal is considered to accord with NPF4 Policies 6 and 11, together with Local Development Plan SG LDP ENV 6 – Development Impact on Trees /Woodland; and The Scottish Government's Policy on 'Control of Woodland Removal' (Forestry Commission Scotland 2009).

8. Impact on Access to the Countryside

- 8.1. Policy 11(E-iii) of NPF4 requires developments for renewable energy related developments to be assessed against any impact they may have on public access, including impact on long distance walking, cycling routes and scenic routes. It is understood that the Development area is not well used for recreational activity and 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 Policy 11 of NPF4.

9. Landscape and Visual Impact

- 9.1. Policy 11(E-ii) of NPF4 requires development proposals to demonstrate how the development has mitigated against any significant landscape and visual impacts, arising from the proposal. Where impacts are localised and appropriate design mitigation has been applied, the Policy confirms that development will generally be considered acceptable. 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.
- 9.2. 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.

- 9.3. 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 three 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. Viewpoints 1 (0.25km away) and 2 (0.45km away) are both from the surrounding forestry tracks and viewpoint 3 (1.35km away) is from the A83, looking northwest to the site.
- 9.4. The Proposed Development is located within the Plateau Moor and Forest Landscape Character Area. The landscape is typified by upland plateau with rounded ridges, craggy outcrops and irregular slope profile, upland lochs, very few, isolated buildings and extensive, large-scale mosaic of open moorland and forestry. The site itself is within commercial forestry plantation and its immediate visual influence is from the existing infrastructure of the existing An Suidhe substation located 270m to the south and the overhead power lines and towers extending from the existing substation and traversing the surrounding landscape on a north-east to south-west orientation. The operational An Suidhe wind farm is located 3.9km to the north-west, and all these elements are connected by a series of access tracks.
- 9.5. The proposal is not located within any national landscape designations. At regional level the application site is located 1.8km to the west of the West Loch Fyne Area of Panoramic Quality (APQ) and 4.4km to the west of the East Loch Fyne APQ. In addition, the Inveraray Castle Garden and Designed Landscape is located 3.2km to the north east of the Proposed Development. Regarding these designations, the Assessment concludes that the zone of theoretical visibility of the proposed development, due to distance, intervening topography and vegetation, is extremely limited and at worst, the proposal would represent a very distant element in the background of the landscape on the far side of Loch Fyne. Inveraray Garden and Designed Landscape is located 3.2km to the north east and no views or effect on its designation are predicted.
- 9.6. The proposed development is located within a largely rural landscape characterised by 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 3.2 of the Environmental Appraisal considers the receptor sensitivity, and confirms that there would be negligible or no effect of the proposed development on road users, recreational users of the core path; landscape designations, settlements and nearby residential dwellings.
- 9.7. The construction works would result in the permanent loss of the vegetation on site, although this would account for a relatively small parcel of land within an expansive area of surrounding forestry and rough grassland. Additional planting of vegetation and trees is proposed to help mitigate both visually and to mitigate against the landscape fabric lost. 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 Plateau and Forest LCT to be low, resulting in a locally moderate residual effect, which reduces over extending distances from the wider area.
- 9.8. Visual effect would be restricted based on the location of the site, which has a high degree of visual enclosure due to the surrounding forestry and local topography. The site is spatially separate from any major settlements, recreational attractions or transport routes, and would therefore represent as a very minor element within wider vistas. In terms of

cumulative effects, the proposed development would augment the presence of existing power related infrastructure in the locality, in particular the existing An Suidhe substation and associated overhead power lines. The net result would be to very slightly increase the influence of this infrastructure in a northerly direction. The containing effect of the surrounding tree cover would prevent the geographic spread of potential cumulative effects across wider parts of the landscape and as such there would be very limited cumulative effects on landscape character and visual amenity.

- 9.9. 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: landscape planting and peat 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 11 of NPF4, and Policy SG LDP ENV 14 in respect of Landscape and Policy LDP 3 of the adopted Argyll and Bute Local Development Plan 2015.

10. Road Network, Parking and Associated Transport Matters.

- 10.1. Policy 11 (E-vi) of NPF4 requires developments to demonstrate how they've mitigated against any impacts on road traffic and on adjacent trunk roads, including during construction.
- 10.2. The main construction access to the proposed development will be from the A83 turning onto the forestry track using the existing access junction. Vehicles will utilise the existing access tracks which currently serve the existing An Suidhe substation, before utilising a new permanent access track to be formed off the minor access road to enable access for vehicles during construction and for ongoing operational and maintenance access to the Proposed Development. Upgrades are proposed to the minor roads leading to the new permanent access to accommodate the abnormal load transformer delivery, with final details of this to be agreed as part of a Construction Traffic Management Plan, by planning condition. Transport Scotland also request the inclusion of a condition for the prior agreement of the abnormal load route.
- 10.3. Within phase 1, the construction of the permanent access track is proposed, which comprises the creation of the 174 m long and 3.5 m in width track, using cut and fill, linking the proposed substation site and the existing forestry track. The existing forestry track is to be widened to create a 5m running surface. Any existing watercourse crossings along the access, may require upgrading as part of the construction works with watercourse crossings designed and constructed to comply with the legislation set out in the Water Environment (Controlled Activities) (Scotland) Regulations 2011, as amended. Parking and vehicular turning is to be included within the substation platform.
- 10.4. The Proposed Development will be constructed over a 30-month period. The monthly maximum two-way HGV movements during the first three months of earthworks represents a 9% increase in the average number of HGVs on the A83 per day. This will reduce to 4% during the felling month and rise again for the remainder of construction works. Car and LGV movements would result in a 2.4% increase in numbers on the A83 per day which will increase to 3.4% during construction months 7, 8 and 9. Cumulatively with the Associated Development, which would affect construction months 13 and 14, there would be a cumulative increase of 2.8% during peak construction for cars and LGVs. Furthermore, abnormal loads (transformers) will be required to be transported to the site.

- 10.5. 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 subject to the implementation of mitigation measures. A Construction Traffic Management Plan (CTMP) is proposed by the Applicant, which would include but not be limited to: the programme of works, the agreed routes to site, measures to minimise dust and dirt being deposited on the road; and appropriate signage. 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.
- 10.6. The Council's Area Roads Officer and Transport Scotland have no objections to the proposal on transport and road safety grounds. 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 Policy 11 of NPF4.

11. Noise and Construction Impacts

- 11.1. Policy 11 (E-i) of NPF4 requires development proposals to demonstrate how they've mitigated against any impacts on communities and individual dwellings, including residential amenity, visual impact and noise arising from the development.
- 11.2. The applicant recognises that noise nuisance 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 8 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. The survey identified two high receptors to the Application Site. The high receptors are both residential sites known as Killean Farmhouse (NSR2) and Old School House (NSR1). NRS1 is located approximately 0.9km to the southeast of the site and NSR2 is located approximately 0.96km to the south of the site. The proposed substation is located 430m beyond the existing An Suidhe substation, and is therefore further away from the NRSs compared to the existing substation. The Noise Assessment concludes that construction noise at all NSRs across all construction activities at worst case level would be below the lower threshold of 65dB daytime and 55dB evening time, and no noise mitigation is suggested by the Applicant. Given the distance from the project to the nearest NSR, construction vibration activities are rated as a negligible adverse impact.
- 11.3. Regarding operational noise, the assessment concludes that the predicted noise levels for the NSRs would be at worst case 14dB L. Typical background sound level during the night time periods was determined as being 35dB L, and as such the assessment level is negative to this level indicating a negligible impact. Based on the results, no specific mitigation is required for operational noise levels of the proposal. The EA does not anticipate any cumulative impacts, in terms of noise and vibration associated with the construction phase and the completion of the Development. During construction, the cumulative worst case traffic movements for a period of three months is lower than an increase of 25% of baseline traffic data on A83. During the operational phase, the main noise source within the substation would be the two 275/33 MVA super grid transformers. The operation of the substation is very unlikely to result in significant increase in traffic volume, which will be cumulative with the impacts from other developments. The noise impact, based on the potential traffic noise change, is therefore assessed as negligible.

- 11.4. The Council's Environmental Health Officer has raised no objection on the grounds of noise impacts arising from the proposal. The proposal is considered to comply with the provisions of Policy 11 of NPF4.
- 11.5. 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, 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. 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.
- 11.6. Timing of deliveries (HGVs and abnormal loads) shall also be agreed through a Construction Traffic Management Plan (CTMP) with construction traffic using the A83 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.

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

- 12.1. Policy 11(c) of NPF4 states that development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.
- 12.2. 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.
- 12.3. Argyll and Bute is experiencing significant construction activity in the transmission network. The approval of the current application will have a short term 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 number of workers in comparison to the operation of the facility which would not require any staff to be permanently based onsite.
- 12.4. 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.

12.5. NPF4 calls for national developments to be exemplars of a Community Wealth Building (CWB) approach to economic development under Policy 25 of NPF4. 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.

12.6. 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 Policies 11 and 25 of NPF4.

13. The Need for Conditions Relating to the Decommissioning of Developments, Including Ancillary Infrastructure, and Site Restoration (Including Cumulative Impacts)

13.1. Policy 11(f) of NPF4 confirms that consents for development proposals may be time-limited. The Proposed Development will have a design life of 45 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.

13.2. 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 due to the nature of the development being to support the ongoing transmission of electricity to the wider area, the proposal is considered to be acceptable without any time limitation imposed. Any subsequent upgrade to equipment, where required, in the future would be reviewed through future applications.

14. Conclusion

14.1. The Council is supportive of delivering this renewable energy related infrastructure upgrade within its Renewable Energy Action Plan and the proposals represent important National Infrastructure supported in NPF4. Although localised landscape effects will take place as identified in the EA, these are considered largely unavoidable with an infrastructure project of this scale. No objections have been received from consultees or from public representations.

14.2. Officers consider that overall the landscape, ecological, historic environment, transportation and other potential effects have been appropriately addressed and mitigated in defining the proposed development site and design. Appropriate mitigation can be secured through the imposition of conditions in line with the proposals set out within the EA, and those included within consultation responses. In conclusion, it is therefore recommended that planning permission is granted subject to conditions.