



T: 07919500594
E: Lee.Stirrat@gov.scot

By email only to:
sarah.lashley2@sse.com

Date: 9 August 2024

Our Reference: ECU00005145
Your Reference: LT521

Dear Ms Lashley,

ELECTRICITY ACT 1989

THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017

SCREENING OPINION

On 7 June 2024 the Scottish Ministers received a request under regulation 8(1) of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (“the EIA Regulations”) from Scottish Hydro Electric Transmission plc (“the Applicant”) for an EIA screening opinion for works which include the installation of two new permanent towers and approximately 440 m of Overhead Line (“OHL”) as well as up to three temporary towers to facilitate a short term OHL diversion in order to make a connection into and out of the separately proposed Bingally substation. This proposed Development is located along the existing Beauly to Denny OHL approximately 2.2 km from the village of Tomich wholly in the planning authority area of The Highland Council.

Under regulation 9 of the EIA Regulations, the Scottish Ministers are required to adopt a screening opinion for the proposed Development. This letter contains such a screening opinion.

Information Requirements

The EIA Regulations set out (at 8(2)) the information that must accompany any request for a screening opinion. The Applicant submitted a comprehensive description of the infrastructure to be installed and the works to be undertaken; a description of the location, surrounding area and of the area of land on which the proposed Development is to be located, and of environmental sensitivities of such areas; as well as a description of the aspects of the environment likely to be affected. A description of proposed mitigation measures were included in the screening request and taken into account by the Applicant’s own conclusions regarding the potential for significant environmental effects. A plan was submitted outlining the site plan

for the proposed Development and a plan was also submitted detailing environmental constraints.

The proposed Development will comprise:

- Two new towers up to a maximum height above ground level of approximately 64 m;
- Up to three temporary towers up to a maximum height above ground level of approximately 61 m to facilitate a short term temporary OHL diversions during construction;
- Temporary works area;
- Temporary and permanent access tracks; and
- Dismantling of two redundant towers

Consultation

Regulation 8(5) of the EIA Regulations sets out that the Scottish Ministers must consult the planning authority as to the planning authority's views on whether the proposed Development is EIA development, unless the planning authority's views have already been conveyed to the Scottish Ministers. The Scottish Ministers consulted The Highland Council on 11 June 2024. The planning authorities views have not been received at the time of writing this screening opinion.

Scottish Ministers' Screening Opinion

EIA development is defined in the EIA Regulations, in respect of an application for consent under the Electricity Act 1989, as Schedule 1 development or Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

The proposed Development falls under Schedule 2 development.

In adopting a screening opinion as to whether the proposed Development is EIA development, the Scottish Ministers must in all cases take into account such of the selection criteria in Schedule 3 of the EIA Regulations as are relevant to the proposed Development, and the available results of any relevant assessment.

The Scottish Ministers have taken into account the selection criteria, all of the information submitted in respect of the request for a screening opinion and adopt the opinion that **the proposed Development does not constitute EIA development and any forthcoming application for consent (under section 37 of the Electricity Act 1989) does not require to be accompanied by a full Environmental Impact Assessment report.**

In accordance with Regulation 7(2), this screening opinion is accompanied by the following written statement with reference to the selection criteria within Schedule 3 of the EIA Regulations as are relevant to the proposed Development. In accordance with the EIA Regulations, a copy of the screening opinion has been issued to the planning authority.

Written Statement

Characteristics of the Proposed Development

The proposed Development is as described above which involves the construction of two Towers up to a maximum height of approximately 64 m and short term temporary overhead line diversions to facilitate its construction, located along the existing Beaully to Denny OHL required to make a connection into and out of a separately proposed substation. The proposed Development would further involve the establishment of a temporary working area which would be shared alongside the separately proposed substation where possible, temporary and permanent access tracks in order to facilitate the construction of and maintenance to the OHL as well as the dismantling of two redundant Towers.

The proposed Development is located within an area of existing associated OHL infrastructure. Cumulative impact could occur with the separately proposed 400kV Bingally substation which would be located in close proximity and overlaps the proposed Development site boundary as well as with existing, other proposed and consented energy infrastructure within the area.

The proposed Development would be located on land classified by the Scottish Soils Land capability for agricultural map as 6.3 and 5.3 agricultural land. This being “land capable of use as rough grazings with low quality plants” and “land capable of use as improved grassland. Pasture deteriorates quickly”. A relatively low quantity of water would be required during the construction phase to facilitate worker welfare units.

The production of waste is anticipated to be of low volume, pollution and nuisances beyond emissions associated with construction can be controlled through applied mitigation. The risk of major accidents and disasters along with risk to human health are considered to be low.

Location of the Proposed Development

The proposed Development is located in a rural area and within an existing OHL wayleave. It is not within a heavily populated area with the closest residential property located approximately 1.3 km to the north-west. National Heritage protected designated areas around the proposed Development include areas of Ancient woodland approximately 35 m away, Strathconon, Monar and Mullardoch Special Landscape Area (“SLA”) approximately 3 km north-west, Central Highlands Wild Land Area (“WLA”) approximately 3.6 km south-west and Glen Affric National Scenic Area (“NSA”) approximately 3.8 km north-west.

There are no scheduled monuments, registered battlefields or parks and designated landscapes within 2 km of the proposed Development. Tomich Village Conservation Area is located approximately 2.1 km to the north. There is one category B listed building located approximately 1.7 km to the north-west and one category C listed building approximately 1.4 km north-west.

There are areas of wet heathland and degraded bog habitat identified on the site of the proposed Development and it would be located within an area of Class 5 peat. The site would sit within a Groundwater Protected Drinking Zone. There is a core path situated within the area and a number of other core paths in close proximity.

Characteristics of the Potential Impact

The spatial extent of likely impacts is contained within the nature and scale of the proposed Development and shall be part of the existing Beaully to Denny circuit. There is potential for cumulative impact with other energy infrastructure but this would be localised and the contribution this proposal would make is not thought to be significant. The applicant would

carry out a Construction Traffic Management Plan (“CTMP”) and working hours would be agreed with the planning authority.

The areas of Ancient Woodland located to the south-west of the proposed Development are out with the development area and no significant effects are anticipated. The Strathconon, Monar and Mullardoch SLA, Central Highlands WLA and Glen Affric NSA are not within close proximity to the proposed Development and not expected to have any significant effects on these areas.

Potential pollution impacts would be at bigger risk during the construction and decommission phases through transportation and operation of plant and machinery. Mitigation shall be applied through the applicants General Environmental Management Plan (“GEMP”) and no significant effects are expected.

The proposed Development is considered to have an unlikely significant impact on any cultural heritage assets, protected species with the implementation of mitigation including Species Protection Plans (“SPPs”) or hydrology. There are not likely to be significant effects on human health, production of waste or pollution

No significant effect is considered likely with regards to wet heathland and degraded bog where the applicant are committing to on or off site enhancement in order to achieve an overall biodiversity net gain. No significant effect are thought to be caused to Core Paths with no impacts anticipated beyond a possible temporary diversion.

The Scottish Ministers therefore conclude that the effects of the proposed Development are not likely to be significant and that an Environmental Impact Assessment report shall not be required.

Proposed Mitigation Measures to Avoid or Prevent Significant Adverse Effects:

The Company have proposed the following mitigation measures in order to prevent or avoid any significant adverse effects:

- Site Waste Management Plan (“SWMP”);
- General Environmental Management Plan (“GEMP”);
- Construction Environmental Management Plan (“CEMP”);
- Species Protection Plan (“SPP”);
- On or off site enhancement of wet heathland and degraded bog to achieve biodiversity net gain; and
- Agreed working hours with Planning Authority;

This screening opinion does not constitute pre-application advice and is provided without prejudice to the assessment of any future application under Section 37 of the Electricity Act 1989.

Yours sincerely

Lee Stirrat

Energy Consents Unit
A member of the staff of the Scottish Ministers