



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

By email only to:
Laura.Newlands@sse.com

Date: 20 November 2024

Our Reference: ECU00005197
Your Reference: 123008-R-SCR-1.0.0

Dear Ms Newlands,

ELECTRICITY ACT 1989

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

SCREENING OPINION

On 09 August 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 the construction of a new 132 kV single circuit Overhead Line ("OHL") approximately 20 km in length, supported on steel trident poles with a height of approximately 16 m, supporting three conductors. There would also be a short section of 132 kV Underground Cable ("UGC") required to facilitate the connection at the consented Glendye Wind Farm on-site substation, as well as at the other end connecting to the Fetteresso substation. The proposed Development shall be located between the on-site substation at the consented Glendye Wind Farm and the existing Fetteresso substation within the Aberdeenshire Planning Authority area.

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 sets 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 plans were also submitted detailing environmental constraints.

The proposed Development will comprise:

- Approximately 20km of new single circuit 132kV OHL supported on steel trident poles approximately 16m in height;
- Section of UGC at both ends of the OHL connecting to the substations;
- Establishment of one or more construction compounds;
- Establishment of suitable laydown areas for materials; and
- Construction of stone tracks (both temporary and permanent) and other temporary access solutions as necessary

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 Aberdeenshire Council on 04 September 2024. The Planning Authority submitted a response stating its view that the proposed Development does constitute EIA Development.

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 constitute EIA development and any forthcoming application for consent (under section 37 of the Electricity Act 1989) will 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 approximately 20 km of single circuit 132 kV Overhead Line ("OHL") supported on steel poles approximately 16 m in height. The proposed Development shall be located between the on-site substation at the consented Glendye Wind Farm and the existing Fetteresso substation, Aberdeenshire.

The proposed Development would be located in an area of other existing and proposed energy infrastructure including the operational Mid Hill Wind Farm, consented Fetteresso Wind Farm, proposed Tealing to Kintore Overhead Line, proposed Hurlie 400 kV substation and the proposed onshore transmission infrastructure for the Bowdun Offshore Wind Farm. It is believed these projects will cause cumulative Landscape and Visual Impacts with the proposed Development.

The land take required for the footprint of the supporting poles is not anticipated to be large, however the construction of these poles and access tracks could have significant impacts on peat within the area. It is noted the requirement for borrow pits to extract stone for the construction of the access tracks is still to be determined.

The production of waste is anticipated to be of low volume, pollution and nuisances beyond emissions and dust 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 containing some residential properties to the eastern extent of the route. The predominant land use is for rough grazing and forestry. It shall not cross over any Class 1, 2 or 3 prime agricultural land. There are a number of walking and mountain bike trails within the vicinity. As stated above there are some existing and proposed energy infrastructure within the area.

The proposed Development would go through areas of commercial forestry and some forestry which is recorded on the Ancient Woodland Inventory as category 2b – "long-established Woodland of Plantation Origin".

It passes through two Special Landscape Areas ("SLA"s), the first being Braes of the Mearns SLA recognised for its general flat landscape and the commanding views from summits which includes the Cairn O'Mount Scheduled Monument scenic viewpoint. The second is Clachnaben and Forest of Birse SLA recognised for its scenic qualities, lack of habitation and naturalness.

It would not pass through any European protected sites but would cross watercourses that are hydrologically connected to the River Dee Special Area of Conservation. Habitats exist within the area of the proposed Development that would support protected species including adder, mountain hare, bats, badger, pine marten, red squirrel and wild cat. Bird surveys are being carried out and desk based studies have identified the potential for a number of Schedule 1 birds within the area.

In the western extent it would cross areas of blanket bog, heathland and upland flushes with potential Ground Water Dependant Terrestrial Ecosystems. Mapping shows there are both areas of Class 1 and 2 priority peatland in the proposed Development area with approximately 8 km of the route option crossing Class 1. The applicant states preliminary peat probing suggests there are a range of peat depths throughout the study area.

The Cairn O'Mount Cairns Scheduled Monument (SM 4968) being a pair of Bronze Age burial cairns and a recognised viewpoint is located within 2 km.

Characteristics of the Potential Impact

The footprint required for the construction of the poles and access tracks is not considered to have a significant effect on the agricultural land use. There would be tree felling required in order to construct and maintain a safe operational clearance of the OHL. Some of the impacts may involve forestry recorded on the AWI. The applicant points out that due to being continuously wooded, it has developed semi-natural characteristics. The applicant further states there are opportunities within the route which exist to minimise impact which shall be explored through the alignment selection. The applicant recognises and commits to compensatory planting in accordance with Scottish Government's Control of Woodland Removal Policy. It is not anticipated there shall be a significant effect on forestry.

Ornithological surveys are ongoing which shall help to inform mitigation measures and siting of poles with construction works carried out at times which avoids the most sensitive periods such as breeding season. Pre-construction surveys shall be carried out, supervised by a Schedule 1 Environmental Clerk of Works ("ECoW"). There shall also be surveys carried out for protected species and Species Protection Plans implemented. Pre-construction surveys for protected species shall also be carried out by a qualified ECoW. The construction and operation of the proposed Development is not likely to lead to significant effects on birds or protected species. The proposed Development is considered to have an unlikely significant impact on cultural heritage assets, hydrology, human health, production of waste or pollution.

Aberdeenshire Planning Authority consider the proposed Development is likely to have a significant effect on the SLA's as a result of visual and landscape impacts in association with the topography of the area being generally flat. The Planning Authority also consider the proposed Development may be visible for a considerable distance causing visual impacts and altering the character of the landscape. The Scottish Ministers would agree with this assessment and deem there to be likely significant effects. It also considered the cumulative impacts of the previously mentioned existing and proposed energy infrastructure as well as impacts on peat may amount to significant effects.

The Scottish Ministers therefore conclude that the effects of the proposed Development on the SLA's, Peat and cumulative impacts with other Developments are likely to be significant and that an Environmental Impact Assessment report is required.

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

Our Ref: ENQ/2024/1335

Your Ref: ECU00005197

Ask for: Stephanie McMillan

Tel: 01467 468676

Email: stephanie.mcmillan@aberdeenshire.gov.uk

Scottish Hydro Electric Transmission Plc

24 September 2024

Dear Sir/Madam

EIA Screening Request for 132kV Overhead Line at Glendye Wind Farm, Fetteresso Substation, Stonehaven

I refer to the above and to your request for a screening opinion under Regulation 8 of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017. Aberdeenshire Council has been consulted in its capacity as Local Planning Authority. This response is offered to the Energy Consents Unit (ECU) in order to aid it in the provision of a formal screening opinion based upon an assessment of the location, nature, purpose and possible effects of the development. A screening request report (SSEN, July 2024) has been provided by the applicant providing an overview of the site and development; the legislative and statutory context; and a review of the proposed development against environmental sensitivities as identified within Schedule 3 of the regulations (amongst other information).

The Screening Report submitted to the Energy Consents Unit confirms that SSEN Transmission are developing proposals to construct a new Overhead Line (OHL) to connect the consented Glendye Wind Farm to the National Grid. A single circuit 132kV steel trident pole arrangement (approximately 16km in height), supporting the OHL running over a distance of approximately 20 kilometres in length from the on-site substation at the consented Glendye Wind Farm to the existing Fetteresso substation. The proposal also incorporates short sections of 132kV underground cable (UGC) at either end of the OHL to facilitate connections to the substations.

It is noted that the routeing process is currently ongoing and that this screening request is based on the 'Proposed Route' with the identification of alignment options currently underway.

Under the terms of the above Regulations, the proposed development is of a type listed under Schedule 2 (2a) as transmission of electrical energy by overhead cables for an electric line installed above ground with a voltage of 132 kilovolts or more, the installation of which requires consent under section 37 of the Electricity Act 1989. The proposal has been assessed against the relevant criteria under Schedule 3 of the Regulations. Based

on this assessment it is my opinion that the **proposed development is considered an EIA development and that an EIA Report is required.**

It is the opinion of the Planning Authority that the proposed development has potentially significant environmental impacts in respect of the following matters:

Potential Landscape Impacts

The Proposed Route traverses two Special Landscape Areas (SLAs), Braes of the Mearns (SLA) and Clachnaben and Forest of Birse (SLA) and is located to the north of the Cairn o'Mount viewpoint. Clachnaben and Forest of Birse SLA is recognised for its scenic qualities created by distinctive hill profiles and heather moorland, while the lack of habitation and wilderness qualities/naturalness are also seen here. The relationship with the Cairngorms National Park also supports the designation. Braes of the Mearns SLA is recognised for its generally flat landscape contrasting that of the Mounth LCA to its north. The designation also recognises the commanding views from summits including the Cairn O'Mount Scheduled Monument scenic viewpoint.

It is considered that the proposed development is likely to have a significant effect on the landscape due to visual and landscape impacts in association with the topography of the area being generally flat. Based on the information presented, this development may be visible for a considerable distance causing significant visual impacts and altering the character of the landscape.

In addition to this, whilst Figure 5 shows 'Existing and consented infrastructures' in the area, the Screening Request Report itself fails to consider the potential cumulative impact. Whilst we acknowledge that a number of projects are in the early stages of development there is a proliferation of energy infrastructure in the area, particularly at the eastern end of the proposed route. These include:

- Quithell Battery Energy Storage System (Screening, ECU00005005)
- Fetteresso Wind Farm (Consented)
- Mid Hill Wind Farm (Operational)
- Hurlie 400kV Substation (Scoping)
- Tealing to Kintore Overhead Line (Scoping)
- Onshore Transmission Infrastructure for Bowdun Offshore Wind Farm (Scoping)

All of the above would be intervisible to some degree with the proposals given the submitted routing, it is considered that LVIA matters should form part of an EIA with particular emphasis in respect of evaluation of potential cumulative impacts.

Ornithology and Biodiversity impacts

Table 1 of the Screening Report confirms that bird surveys and desk based studies have identified the potential for the Schedule 1 bird species to be either present within a breeding territory and/or as a wintering species with winter roost sites within the vicinity of the Proposed Development. The Planning Authority defers to the views of NatureScot on this issue. It is noted that no response from NatureScot is currently shown on the ECU website at the time of writing.

The Proposed Route crosses a Local Nature Conservation Site, Starthfinella for which the potential impacts on this have not been considered in the Screening Report.

Carbon-rich soils and Peatlands

It is noted that part of the Proposed Route, approximately 8km, would cross an area designated as Class 1 peatland. Class 1 is listed as nationally important carbon-rich soils, deep peat and priority peatland habitat. Areas are likely to be of high conservation value. The construction of access tracks and tower construction could have potentially significant impacts on the peat.

For the reasons set out above and having regard to the characteristics and scale of the development and sensitivity of the receiving environment, the Planning Authority considers that an EIA is required in this instance

Should you wish to discuss any matters relating to this issue, please contact the above named officer.

Yours faithfully

Redacted

Paul Macari
Head of Planning and Economy