

Netherton Hub 400 kV OHL Connection to New Deer and Peterhead: Tie-In

Environmental Appraisal Report Volume 1 Chapter 3: Planning Context

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3. PLANNING CONTEXT

3.1 Introduction

3.1.1 This chapter provides an overview of the planning context relating to the Proposed Development.

3.2 Development for which Section 37 Consent and Deemed Planning Permission is sought

3.2.1 The Proposed Development would include the following works, for which section 37 consent under the 1989 Act and deemed planning permission in terms of section 57(2) of the Planning Act is sought to install, operate and keep installed:

- Approximately 3.3 km of new 400 kv OHL between a point of diversion from the existing 400 kv OHL to Netherton Hub including downloads ('In' leg) and approximately 2.0 km of new 400 kv OHL including downloads from the Netherton Hub to another point of diversion of the existing 400 kv OHL;
- Construction of 18 new steel lattice towers and two temporary towers; and
- Construction of temporary OHL diversions to facilitate the permanent modifications to existing OHLs required to construct the Proposed Development.

3.3 Ancillary Development for which Deemed Planning Permission is sought

3.3.1 The following works would be required as part of the Proposed Development, or to facilitate its construction and operation:

- Removal of approximately 3.7 km of the redundant section of the existing 400 kv OHL including the removal of 12 redundant towers;
- The upgrade of existing, or creation of new, bellmouths at public road access points;
- The formation of access tracks (permanent, temporary, and upgrades to existing tracks);
- Working areas around infrastructure to facilitate construction;
- Formation of flat areas from which the conductor will be pulled during construction, which will contain earthed metal working surfaces referred to as Equipotential Zones (EPZs);
- Vegetation clearance and management;
- Other temporary measures required during construction, such as measures to protect road and water crossings during construction (scaffolding etc.); and
- Public road improvements which would be required in some areas to facilitate construction traffic.

3.4 Planning Policy Context

National Planning Policy

National Planning Framework 4 (NPF4)¹

3.4.1 The Scottish Government adopted NPF4 in February 2023 which supersedes and replaces National Planning Framework 3 (NPF3). For the consideration of grid transmission development, Policy 11 'Energy' (page 53) is the lead NPF4 policy. The policy intent of Policy 11 is: 'to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure and emerging

¹ Scottish Government (2023). National Planning Framework 4. Published by the Scottish Government, Edinburgh. Available at: <https://www.gov.scot/publications/national-planning-framework-4/documents/>

low carbon and zero emission technologies including hydrogen and carbon capture utilisation and storage.”

- 3.4.2 Moreover, the policy text provides that: “Development proposals for all forms of renewable, low-carbon and zero emission technologies **will be supported**. These include: ii) **enabling works, such as grid transmission and distribution infrastructure**” (emphasis added). The Proposed Development, as enabling works within this definition, therefore draws express policy support from NPF4, Policy 11.

Local Development Plan

- 3.4.3 The statutory Development Plan applicable to the Proposed Development is currently NPF4 and the Aberdeenshire Local Development Plan (ALDP) 2023².
- 3.4.4 The ALDP 2023 provides guidance to residents, developers and investors as to how much and where growth is proposed for land uses, and alongside NPF4, sets out a wide range of policies which are used to determine planning consent.
- 3.4.5 **Table 3.1** highlights policies relevant to this type of development and the region in which it is located.

Table 3.1: Relevant Policies from the Local Development Plan

Policy	Key points of Policy relevant to the Proposed Development	Comment
Policy E1 Natural Heritage	<i>We will not allow new development where it may have an unacceptable adverse effect on a nature conservation site designated for its biodiversity, species, habitat, or geodiversity importance.</i> - <i>Development must seek to avoid any unacceptable detrimental impact on protected species;</i> - <i>We will refuse development that causes unacceptable effects through its scale, location or design on key characteristics, natural landscape elements, features or the composition or quality of the landscape character as defined in the Landscape Character Assessments produced by NatureScot; and</i> - <i>Aberdeenshire’s forests and native and semi-natural woodland areas must be protected and, where appropriate, enhanced to safeguard the environment, habitats, species and local culture, whilst benefitting and supporting the local and national economy.</i>	Chapter 5: Landscape and Visual (Volume 1), Chapter 7: Ecology (Volume 1), Chapter 8: Ornithology (Volume 1) and Chapter 10: Forestry and Land Use (Volume 1) of this EAR each provide an appraisal of the Proposed Development’s likely effects on sensitive receptors and outline mitigation to reduce impacts.
Policy HE1 Protecting Listed Buildings, Scheduled Monuments and Archaeological Sites (including other historic buildings)	<i>We will resist development that would have an adverse impact on the character, integrity or setting of listed buildings, or scheduled monuments, or other archaeological sites. If adverse impact is unavoidable, it should be minimised and justified.</i>	Chapter 6: Cultural Heritage (Volume 1) of this EAR provides an appraisal of the Proposed Development’s likely effects on Listed Buildings,

² Aberdeen Council. Local Development Plan. Available at: <https://www.aberdeenshire.gov.uk/planning/plans-and-policies/ldp-2023>

Policy	Key points of Policy relevant to the Proposed Development	Comment
		Scheduled Monuments and Archaeological Sites (including other historic buildings). Where required, the chapter sets out mitigation measures to reduce impacts.
Policy PR1 Protecting Important Resources	<i>We will not approve developments that have a negative effect on important environmental resources associated with air quality, the water environment, important mineral deposits, prime agricultural land, peat and other carbon rich soils, open space, and important trees and woodland.</i>	Chapter 9: Hydrology, Hydrogeology, Geology and Soils (Volume 1) and Chapter 10: Forestry and Land Use (Volume 1) of this EAR provide an appraisal of the Proposed Development's potential impacts in relation to important resources and outline mitigation to reduce impacts.
Policy C2 Renewable Energy	<i>We will support renewable energy developments, including solar, wind, biomass (energy from biological material derived from living, or recently living organisms) and hydroelectricity projects, as well as energy storage projects, which are in appropriate sites and of the appropriate design.</i>	The Proposed Development will facilitate the delivery of renewable energy projects by contributing to improving transmission network security.