

**REPORT TO ABERDEENSHIRE COUNCIL – 17 JANUARY 2019****REFERENCE NO: APP/2018/1831****FULL PLANNING PERMISSION - NATIONAL APPLICATION FOR INSTALLATION OF UNDERGROUND HVDC CABLES, LANDING AT SHORELINE AT LAND TO THE SOUTH OF BODDAM, PETERHEAD, TRAVELLING TO SITE AT FOUR FIELDS, BODDAM, PETERHEAD****1. Purpose of Report**

- 1.1 This Report refers to an application for a National Development. Full Council is able to consider and take a decision on this item in terms of Section A.11.1 of Part 2A List of Committee Powers and Section C.1.1 of Part 2C Planning Delegations of the Scheme of Governance as the application is for national development which will be determined by Full Council following consultation with the Buchan Area Committee.
- 1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this Report, had no comments to make and are satisfied that the Report complies with the Scheme of Governance and relevant legislation.

2. Background and Proposals

- 2.1 The proposal involves the installation of an underground cable which would stretch from a landfall point on the Buchan Coast at Long Haven to a previously approved “Interconnector Station” site located adjacent to Stirlinghill Quarry, south of Boddam (approved under APP/2015/1121). The cable forms part of a wider scheme involving the installation of a 1.4GW (1400MW) Interconnector which will provide an electricity transmission link between Scotland and Norway. The Interconnector would allow renewable electricity to be transmitted in either direction across the North Sea. The cable proposed under this application would effectively connect the approved Interconnector Station to an offshore transmission cable (under consideration by Marine Scotland at the time of writing) which in turn would connect to similar infrastructure in Norway.
- 2.2 This proposal is categorised as a National Development, as defined in The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, and as identified in the National Planning Framework 3 (NPF3). NPF3 identifies the need for an international North Sea Interconnector and sets out wider aims for a high voltage transmission network within the aim of creating “A low carbon place”. The Peterhead Area is noted as a location for an Interconnector Station as well as being identified as one of six Energy Hubs for Scotland. Part 4 of Annex A of NPF3 states that “*new and/or upgraded onshore converter stations directly linked to onshore and/or offshore electricity transmission cable(s) of or in excess of 132 kilovolts*” will constitute National Development. The proposal falls into this

category by virtue of the Converter Station and transmission cables carrying electricity greater than 132 kilovolts.

- 2.3 The project need is derived from both European Commission and Scottish Government aims. The Scottish Government aims to reach target quotas for the use of renewable energy, while the European Commission has a stated objective to reach an interconnection target of 15% by 2030. The Interconnector would allow energy to be shared between Scotland and Norway, meaning hydro power from Norway can be transferred to Scotland when local renewable sources such as wind power cannot meet demand, and vice versa for periods where Norwegian generation needs to be supplemented. This ensures security of supply whilst using renewable sources which helps meet the aims and targets as outlined above.
- 2.4 The wider project is categorised as a European Project of Common Interest and both Aberdeenshire Council, alongside Marine Scotland are progressing the respective terrestrial and marine planning applications. The structure of the wider, European level consenting regime, conducted under the Trans European Networks – Energy (TEN-E) regulations, stipulates that an overarching Competent Authority are to take the lead on the consenting side of the project. In this instance, Marine Scotland are taking on that role and will oversee the wider project, of which the terrestrial planning permission forms part. For the purposes of this application however, the assessment process will remain unaffected by the above. The only tangible alteration to an orthodox planning process has been that Marine Scotland, in their wider role as described above, have taken on the responsibility to advertise the application, a role usually undertaken by the Planning Authority themselves.
- 2.5 The project is also subject to the Environmental Impact Assessment (EIA) regulations and the application has been submitted with an Environmental Impact Assessment Report (EIAR) which outlines the environmental designations and likely or potential impacts of the project upon the environment as well as outlining and seeking the assessment of, and agreement on proposed mitigation for any impacts. The proposal has been assessed under the “Rochdale Envelope” technique where the worst case scenario has been used for the assessment. This approach recognises the need for the details of a project to grow over a number of years within clearly defined parameters. The EIA takes account of worst case scenarios so that the potential effects can be well understood and adequate mitigation can be put in place. Evidence of the project conforming to Schedule 4 of the EIA Regulations is also illustrated. Schedule 4 requires alternatives to the development to be investigated, in this case details are available highlighting that throughout this process there are multiple areas of consideration and alternatives have been considered for all elements of the scheme.
- 2.6 Given the scale and nature of development, pre application consultation with the community (PAC) was conducted by the developer, this process included various community liaisons, meetings and focus groups as well as drop in events. Following this, a PAC Report was prepared and has been submitted in support of the application. Issues raised in relation to terrestrial planning through these events are also addressed through the assessment of the application below.

- 2.7 With regard to the proposal itself, the onshore cable route would stretch for 2km from the landfall point up into the previously approved interconnector site adjacent to the existing Stirlinghill Quarry to the south of Boddam. The installation would consist of 2 transmission cable circuits, installed separately but adjacent to each other with an additional fibre optic cable alongside. The cable landfall would be installed via Horizontal Directional Drilling (HDD) which would commence approximately 100-120m inland from the cliff edge, burrow below ground and under the sensitivities of the cliff and nearshore area before emerging from the ground some 190m offshore. Most of the onshore sections of cabling would be installed via trenching techniques, with the exception of the A90 trunk road and disused railway which would both be crossed via HDD. In terms of installation, after the creation of HDD boreholes and the proposed trenching, ducting would be installed (circa 560-600mm diameter) within the borehole or trench before cabling (circa 130mm diameter) is pulled through in 850-1000m stretches. The entire route would involve 2 lengths of cable, thus would require jointing pits both to connect the on/offshore cabling near to the landfall but also the separate lengths of onshore cabling. The land would be completely restored at surface level following installation.
- 2.8 Most of the construction would be directed from the site previously approved for the interconnector station, temporary construction compounds would be located here and utilised for the cable route. The main exception to this would be the landfall HDD which would require a new access off the A90 trunk road and would require a compound with welfare facilities and parking alongside the plant and machinery required for the operation. All construction facilities and operations would be temporary.
- 2.9 The cabling would be installed in various overlapping phases including onshore enabling works, onshore cable installation, HDD works, offshore preparations, cable pulling, onshore demobilisation and reinstatement and also the offshore cable installation. Once installed, the infrastructure is predicted to have a 40 year lifespan, at which point the cabling would be removed if no longer required but also if economically and environmentally appropriate to do so.
- 2.10 The site is also covered by Natura 2000 environmental designations, including the Buchan Ness to Collieston Coast Special Area of Conservation (SAC) and Special Protection Area (SPA). The potential to adversely affect these requires further assessment under the Habitat Regulations, this is discussed in more detail throughout the Report. Further designations include the Bullers of Buchan Site of Special Scientific Interest (SSSI) and the Skelmuir Hill, Stirling Hill and Dudwick Local Nature Conservation Site (LNCS).
- 2.11 The following documents are attached as appendices:
- **Appendix 1:** Location Plan
 - **Appendix 2:** Copy of Buchan Area Committee Report of 4 December 2018.
 - **Appendix 3:** Draft extract of Minute of the Buchan Area Committee of 4 December 2018

3. Representations (Summary)

3.1 No valid letters of representation have been received.

4. Principal Planning Issues (Summary)

- 4.1 The main planning considerations with this application relate firstly to establishing the principle of development, before potential environmental impacts including geology/hydrogeology, air quality, water quality, cultural heritage, ecology, noise/vibration and economics are considered.
- 4.2 An expanded discussion is contained within the Area Committee Report which is attached as **Appendix 2**. Extracts of Minutes of the Area Committee meeting are attached as **Appendix 3**. The main issues are summarised below. In this instance the Planning Service offered the opportunity to hold a Pre Determination Hearing to the applicant (no representations on this occasion), the applicant declined this opportunity and consequently a Pre Determination Hearing was not held.
- 4.3 Through assessing the application against National, Strategic and Local Planning Policy, the principle of development can be supported. The project is classed as a National Development, being electrical transmission infrastructure in excess of 132kV and subsequently being seen as imperative to the upgrading of the national electricity transmission network. This classification establishes the need for the project to progress. The Strategic Development Plan offers broad support for renewable energy development, this is a similar case with the Local Development Plan which again offers broad support subject to potential adverse impacts upon specific or sensitive receptors being mitigated if required.
- 4.4 The submitted EIAR, outlines and assesses the likelihood of the proposed development adversely impacting the environment and outlines what mitigation is proposed to manage any potential impacts. The EIAR concludes that the majority of potential impacts would be derived from the construction phase of the project, for which embedded mitigation in terms of good practice measures and steps within the design process should be able to avoid any significant impacts upon the environment. A total of 11 potential significant adverse impacts (plus 3 positive) are identified within the EIAR, however these can be addressed through appropriate mitigation which in turn would ensure that the net result would be that the project would not give rise to any significant environmental impacts.
- 4.5 Assessing the proposal, the development is considered to be acceptable subject to the securing of mitigation through appropriate planning conditions. These proposed conditions would ensure mitigation can be secured in order to ensure that the development can be accommodated without any adverse impacts upon sensitivities in or around the site including ornithology, natural heritage, built heritage, residential amenity and pollution. Impacts upon designated Natura sites can also be addressed and the development accommodated from this Habitats perspective.
- 4.6 In assessing the conclusions of the EIAR with due cognisance of planning policy as well as the mitigation measures outlined, the Planning Service is in a position to reasonably conclude that the development will not have a

significant adverse effect upon the environment. The technical proficiency of the proposals is also set out and considered to be appropriate. The application is therefore considered to be acceptable.

5. Area Committee Decision (Summary)

- 5.1 The application was referred to the Buchan Area Committee as described above and as per **Appendices 2 and 3**. The Buchan Area Committee agreed to confirm support for the application in advance of Full Council on 17 January 2019, noting the steps taken to minimise adverse impacts upon the environment and welcoming the benefits this development may bring to the local community and economy.

6. Area Implications

- 6.1 In the specific circumstances of this application there is no direct connection with the currently specified objectives and identified actions of the Local Community Plan.

7. Equalities, Staffing and Financial Implications

- 7.1 An Equality Impact Assessment is not required because the granting or refusing of this application is not considered to have a detrimental impact on the protected characteristics of the applicant or any third parties.
- 7.2 There are no staffing and financial implications.

8. Sustainability Implications

- 8.1 No separate consideration of the current proposal's degree of sustainability is required as the concept is implicit to and wholly integral with the planning process against the policies of which it has been measured.

9. Departures, Notifications and Referrals

- 9.1 Development Plan Departures.

None.

- 9.2 The application is not a Departure from the Development Plan, however it has been advertised in the press as the application is supported by an Environmental Impact Assessment Report. The period for receiving representations has expired.

- 9.3 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.

10. Officers' Recommendation

10.1 GRANT Full Planning Permission, subject to:

(a) The following conditions:

Archaeology

1. That no works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be brought into operation unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to, and approved in writing by, the Planning Authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: To safeguard and record the archaeological potential of the area.

Hydrology

2. No works in connection with the development hereby approved shall commence until the following details have been submitted to, and agreed in writing by, the Planning Authority in consultation with SEPA:
 - Full details of the working levels adjacent to all watercourses, including confirmation of pre development ground levels, confirmation that ground levels adjacent to watercourses are not to be altered other than the temporary access road approaches and confirmation that all levels will be reinstated to previous levels after completion of the project;
 - Full details of 10m buffer zones along all watercourses including confirmation that all materials, bunding and temporary structures other than the temporary access road approaches, are located outwith these buffer zones;
 - Full details, including back up measures, of the techniques and methodology proposed to temporarily divert watercourses crossed by the proposed cable route.

Thereafter, the development shall be carried out in full accordance with the approved details.

Reason: In order to ensure the protection of watercourses within the vicinity of the development in the interests of protecting the natural environment.

3. That no works in connection with the creation of the temporary site access road from the A90 trunk road to the HDD landfall site shall commence until full details of proposed temporary culverted bridges navigating watercourses have been provided to and agreed in writing by, the Planning Authority in consultation with SEPA. These culverts should be designed in line with SEPA's Good Culvert Design Guidelines, ensuring that:
 - The culvert should maintain the natural channel width.
 - The soffit level should be higher than the natural bank height.
 - The culvert should be buried with the invert buried below the present bed level to maintain the present natural bed level, slope and material.

The culverts shall thereafter be installed in complete accordance with the approved details.

Reason: In order to ensure that accesses and culverts are appropriately designed in the interests of protecting the natural environment.

4. That no works in connection with the development hereby approved shall commence until such time as full details of all measures and mitigation identified to ensure that there is no increase in flood risk associated with surface water runoff in the immediate vicinity and downstream has been submitted to, and agreed in writing by, the Planning Authority in consultation with SEPA. The development shall thereafter be carried out in full accordance with the approved details.

Reason: In order to ensure flood risk can be appropriately managed in the interests of the amenity of the area.

Construction Management

5. No development shall take place unless, a full site specific Construction Environmental Management Plan (CEMP) has been submitted to, and agreed in writing, by the Planning Authority in consultation with SEPA and identified consultees. The CEMP should address and include the following details:
 - Traffic Management Plan
 - Incident Response and Reporting Procedure
 - Schedule of Mitigation
 - Site Waste Management Plan
 - Dust Management Plan
 - Drainage Management Plan or CAR Pollution Prevention Plan as appropriate
 - Construction Communications Plan
 - Species Specific Mitigation and Protected Species Management Plans
 - Spill Response Plan
 - Noise and Vibration Management Plan
 - Pollution Prevention Plan

- Copies of Consents and Licenses
- Path/walkway re-routing

Thereafter the proposed development shall be carried out in full accordance with the approved details.

Reason: In the interests of the amenity of the area and protecting the natural habitat.

Decommissioning

6. That within a period not less than 2 years prior to the ultimate cessation of operation, or an alternative timeframe as agreed in writing by the Planning Authority, a Decommissioning and Restoration Plan is to be prepared in line with best practice at the time of preparation and submitted for the written approval of the Planning Authority in consultation with SEPA.

Reason: To ensure that the site is appropriately restored and that provision is in place to facilitate a move towards a "Circular Economy", in the interests of the protection of the natural and water environment.

Ecology/Ornithology

7. That no works in connection with the development hereby approved shall commence until the following details have been submitted to, and agreed in writing, by the Planning Authority in consultation with RSPB and SNH.

- Breeding Bird Protection Plan
- Pre works bird nesting survey
- Confirmation of exclusion zones around identified nesting areas
- Phasing and work timings in relation to ornithology

The development shall thereafter be carried out in full accordance with the approved details.

Reason: In the interests of the amenity of the area and protecting the natural habitat.

Traffic/Transport

8. Prior to the commencement of any abnormal load deliveries to the site, the proposed route for any abnormal loads on the trunk road network must be approved by the Planning Authority in consultation with Transport Scotland.

Any accommodation measures required including the removal of street furniture, junction widening, traffic management must similarly be approved prior to any abnormal load deliveries.

Any additional signing or temporary traffic control measures deemed necessary due to the size or length of loads being delivered must be undertaken by a recognised Quality Assured Traffic Management

consultant, this is also to be approved by the Planning Service in consultation with Transport Scotland before delivery commences.

Reason: To minimise interference and maintain the safety and free flow of traffic on the Trunk Road as a result of the traffic moving to and from the development and to ensure that the transportation of abnormal loads will not have any detrimental effect on the trunk road network.

9. No development shall take place on site unless, a Construction Stage Traffic Management Plan has been submitted to and approved, in writing, by the Planning Authority in consultation with Transport Scotland. The Traffic Management Plan shall include details relating to:
- a) Traffic Management measures including accommodation works to manage construction traffic
 - b) Measures to minimise traffic impacts on existing road users
 - c) Measures to accommodate pedestrians and cyclists
 - d) Details of temporary signage
 - e) Details of construction vehicle routing.

The developer shall conform with the agreed Construction Stage Traffic Management Plan and shall then carry out the works in line with the agreed specification and all construction traffic associated with the development shall conform to the requirements of the agreed Plan.

Reason: To maintain the safety and free flow of the trunk road network and for traffic moving to and from the development in the interests of road safety.

10. That no works in connection with the development hereby approved shall commence until full details of the layout, type and construction methods for a proposed new junction connecting to the A90 trunk road, constructed generally in accordance with drawing *NCGEN-NCT-Z-YX-003-01 dated 10 July 2018 and prepared by Allen Gordon* have been submitted to and agreed in writing by the Planning Authority in consultation with Transport Scotland.

Reason: To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished.

11. No development shall take place unless, details of wheel washing facilities (or an alternative appropriate solution as agreed, in writing, by the Planning Authority in consultation with Transport Scotland) are agreed, in writing, with the Planning Authority in consultation with Transport Scotland. The agreed plant and facilities shall be provided within the construction site and shall remain in place for the duration of the construction period, unless otherwise agreed, in writing, by the Planning Authority.

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

(b) The following Direction:

DIRECTION UNDER SECTION 58 (2) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 as amended by Planning etc. (Scotland) Act 2006:

That subsection (1) of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended) shall apply in respect of the permission with the substitution of the period of three years referred to in that subsection with the period of four (4) years, as is considered appropriate by the Planning Authority in this instance on the basis of the scale of the development. The provisions of section 5(1) shall therefore be read as follows:

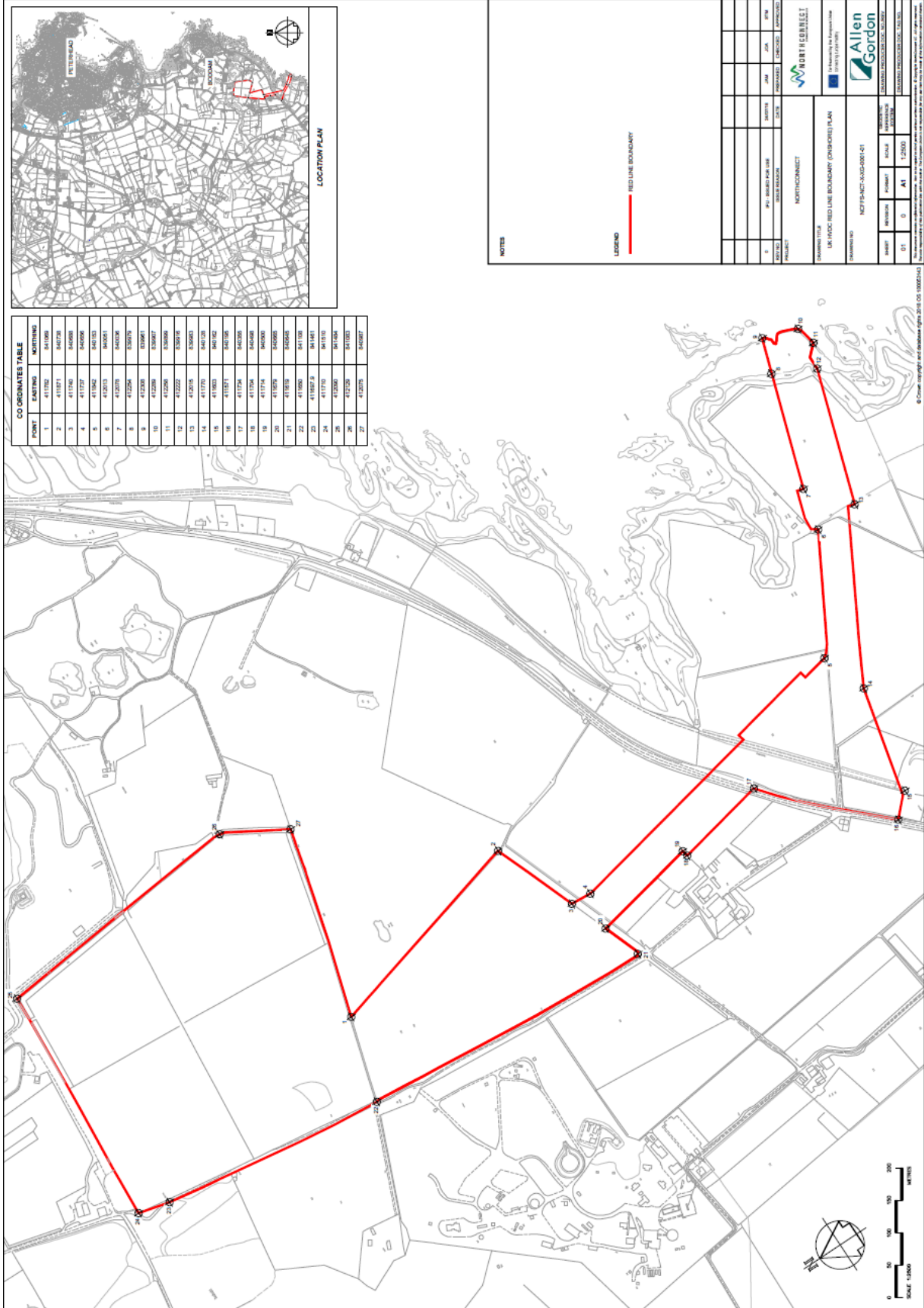
The planning permission is to lapse on the expiration of a period of four (4) years (beginning with the date on which the permission is granted) unless the development to which the permission relates is begun before that expiration.

10.2 Reason for Decision

The proposal and mitigation measures set out and contained therein are considered to be acceptable in terms of the relevant Policies contained within the Aberdeenshire Local Development Plan 2017. The proposal is consistent with the Development Plan's aims of reducing carbon emissions and adapting to climate change. It also contributes to the Scottish Government's National Planning Framework's aim to move Scotland towards creating a low carbon place.

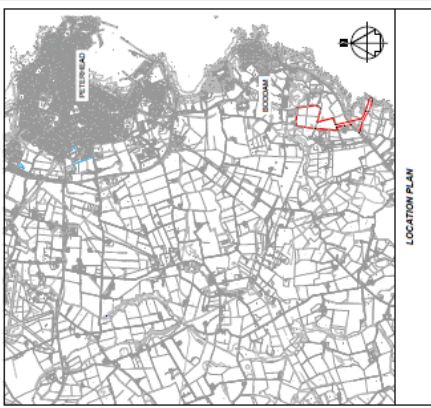
Stephen Archer
Director of Infrastructure Services

Author of Report: Stuart Murison 06/12/2018



COORDINATES TABLE

| POINT | EASTING | NORTHING |
|-------|----------|----------|
| 1 | 411702 | 541106 |
| 2 | 411671 | 540778 |
| 3 | 411761 | 540608 |
| 4 | 411727 | 540606 |
| 5 | 411842 | 540133 |
| 6 | 412013 | 540051 |
| 7 | 412078 | 540038 |
| 8 | 412204 | 539979 |
| 9 | 412308 | 539961 |
| 10 | 412298 | 539967 |
| 11 | 412296 | 539968 |
| 12 | 412222 | 539916 |
| 13 | 412015 | 539961 |
| 14 | 411776 | 540128 |
| 15 | 411903 | 540162 |
| 16 | 411971 | 540156 |
| 17 | 411734 | 540306 |
| 18 | 411704 | 540408 |
| 19 | 411714 | 540303 |
| 20 | 411974 | 540065 |
| 21 | 411915 | 540065 |
| 22 | 411906 | 541108 |
| 23 | 411897.9 | 541161 |
| 24 | 411712 | 541513 |
| 25 | 412004 | 541584 |
| 26 | 412726 | 541181 |
| 27 | 412878 | 540807 |



NOTES

LEGEND
 — RED LINE BOUNDARY

| NO. | DESCRIPTION | DATE | PREPARED BY | CHECKED BY | APPV. |
|-----|------------------|------|-------------|------------|-------|
| 1 | PRELIMINARY PLAN | | | | |
| 2 | FINAL PLAN | | | | |

NORTHCONNECT
 NORTHCONNECT CONSULTANTS LTD
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UK RED LINE BOUNDARY (EMERGENCY) PLAN
 DRAWING NO: NCF/FACT-048-081-01
 DATE: 12/05/2010
 SCALE: 1:500
 SHEET NO: 1 OF 1

Allen Gorton
 CONSULTANTS
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Buchan Area Committee Report – 4 December 2018

Reference No: APP/2018/1831

Full Planning Permission for National for Installation of Underground HVDC Cables at Landing at Shoreline at Land to the South of Boddam, Peterhead, Travelling to Site at Four Fields, Boddam, Peterhead

Applicant: North Connect KS, Serviceboks 603, Lundsiden, N-4606
Kristiansand, Norway

Agent: Affric Ltd., Lochview Office, Loch Duntelchaig, Farr,
Inverness IV2 6AW

Grid Ref: E:411937 N:840708

Ward No. and Name: W06 - Peterhead South and Cruden

Application Type: Full Planning Permission

Representations: 0

Consultations: 14

Relevant Proposals: Aberdeenshire Local Development Plan 2017

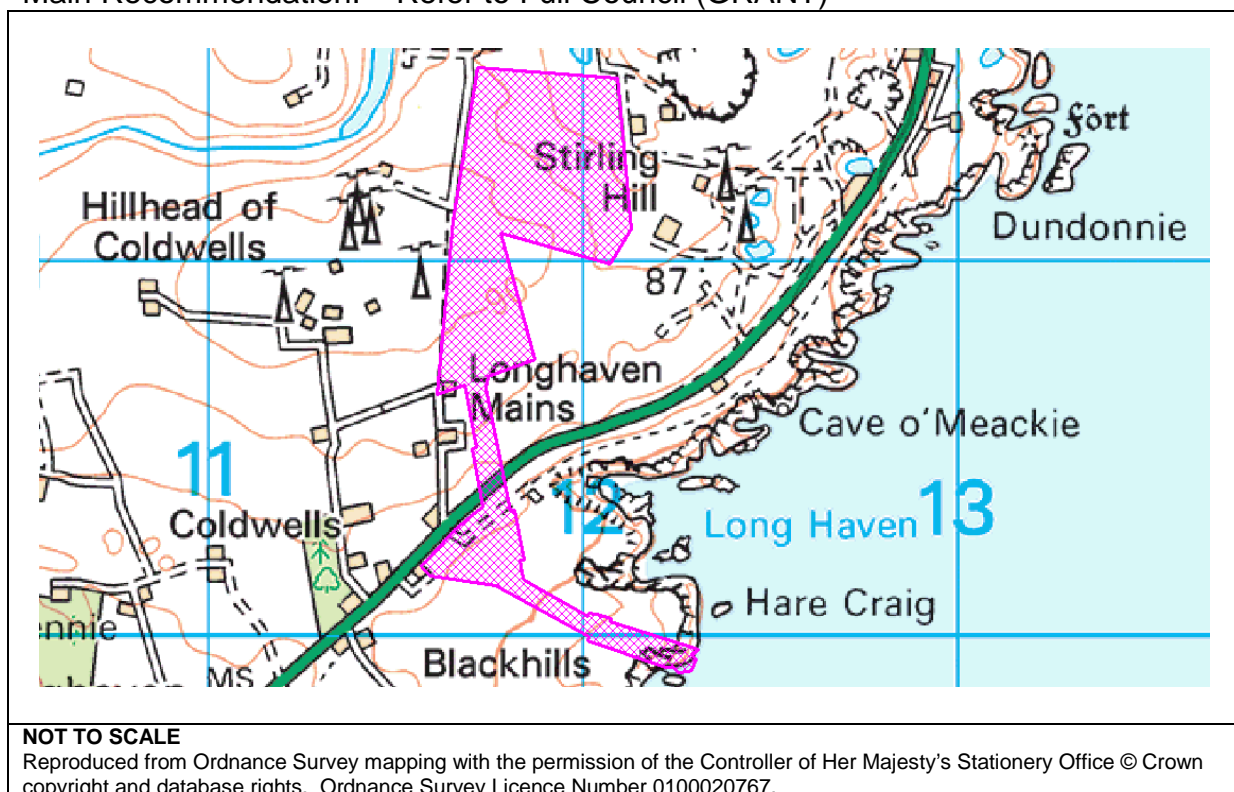
Map:

Designations: Countryside, Rural Housing Market Area

Complies with: Yes

Development Plans:

Main Recommendation: Refer to Full Council (GRANT)



1. Reason for Report

- 1.1 The Committee is able to consider this item in terms of Section B.9.1 of Part 2A List of Committee Powers and Section C.1.1 of Part 2C Planning Delegations of the Scheme of Governance as the application is for national development which will be determined by Full Council following consultation with the relevant Area Committee.
- 1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and had no comments to make and are satisfied that the report complies with the Scheme of Governance and relevant legislation.
- 1.3 The application will be reported to Full Council on 17 January 2019 for a decision. Prior to this, the application requires to be referred the Buchan Area Committee. This report outlines the recommendation from the Planning Service and seeks views on the proposal from the Buchan Area Committee.

2. Background and Proposal

- 2.1 The proposal involves the installation of an underground cable which would stretch from a landfall point on the Buchan Coast at Long Haven to a previously approved "Interconnector Station" site located adjacent to Stirlinghill Quarry, just south of Boddam (APP/2015/1121). The cable forms part of a wider scheme involving the installation of a 1.4GW (1400MW) Interconnector which will provide an electricity transmission link between Scotland and Norway. The Interconnector will allow renewable electricity to be transmitted in either direction across the North Sea. The cable proposed under this application would effectively connect the approved Interconnector Station to an offshore transmission cable (under consideration by Marine Scotland at the time of writing) which in turn would connect to similar infrastructure in Norway.
- 2.2 This proposal is categorised as a National Development, as defined in The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, and as identified in the National Planning Framework 3 (NPF3). NPF3 identifies the need for an international North Sea Interconnector and sets out wider aims for a high voltage transmission network within the aim to create "A low carbon place". The Peterhead Area is noted as a location for an Interconnector Station as well as being identified as one of six Energy Hubs for Scotland. Part 4 of Annex A of NPF3 states that "*new and/or upgraded onshore converter stations directly linked to onshore and/or offshore electricity transmission cable(s) of or in excess of 132 kilovolts*" will constitute National Development. The proposal falls into this category by virtue of the Converter Station and transmission cables carrying electricity greater than 132 kilovolts.
- 2.3 The project need is derived from both European Commission and Scottish Government aims. The Scottish Government aims to reach target quotas for the use of renewable energy, while the European Commission has a stated objective to reach an interconnection target of 15% by 2030. The Interconnector will allow energy to be shared between Scotland and Norway, meaning hydro

power from Norway can be transferred to Scotland when local renewable sources such as wind power cannot meet demand, and vice versa for periods where Norwegian sources are struggling. This ensures security of supply whilst using renewable sources which helps meet the aims and targets as outlined above.

- 2.4 As above, the current proposal is concerned with the onshore cabling which ultimately connects the previously approved Interconnector Station to a subsea cable, which is also being proposed at the time of writing via the Marine Licensing process. There is a degree of overlap between the offshore and onshore elements of the wider project. The wider project is categorised as a European Project of Common Interest by the European Commission and both Aberdeenshire Council, alongside Marine Scotland are progressing the respective terrestrial and marine planning applications. The structure of the wider, European level consenting regime, conducted under the Trans European Networks – Energy (TEN-E) regulations, stipulates that an overarching Competent Authority are to take the lead on the consenting side of the project. In this instance, Marine Scotland are taking on that role and will oversee the wider project, of which the terrestrial planning permission forms part of. For the purposes of this application however, the assessment process will remain unaffected by the above. The only tangible alteration to an orthodox planning process has been that Marine Scotland, in their wider role as described above, have taken on the responsibility to advertise the application, a role usually undertaken by the Planning Authority themselves. Cognisance needs to be take of the European level of the project, but the planning application will be assessed in an orthodox fashion within this wider structure.
- 2.5 The project is also subject to the Environmental Impact Assessment (EIA) regulations and the application has been submitted with an Environmental Impact Assessment Report (EIAR) which outlines the environmental designations and likely or potential impacts of the project upon the environment as well as outlining and seeking the assessment of, and agreement on proposed mitigation for any impacts. The proposal has been assessed under the “Rochdale Envelope” technique where the worst case scenario has been used for the assessment. This approach recognises the need for the details of a project to grow over a number of years within clearly defined parameters. The EIA takes account of worst case scenarios so that the potential effects can be well understood and adequate mitigation can be put in place. Evidence of the project conforming to Schedule 4 of the EIA Regulations is also illustrated. Schedule 4 requires alternatives to the development to be investigated, in this case details are available highlighting that throughout this process there are multiple areas of consideration and alternatives have been considered for all elements of the scheme.
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through these events are also addressed through the assessment of the application below.

- 2.7 With regard to the proposal itself, the onshore cable route would stretch for 2km from the landfall point up into the previously approved interconnector site adjacent to the existing Stirlinghill Quarry to the south of Boddam. The installation would consist of 2 transmission cable circuits, installed separately but adjacent to each other with an additional fibre optic cable alongside. The cable landfall would be installed via Horizontal Directional Drilling (HDD) which would commence approximately 100-120m inland from the cliff edge, burrow below ground and under the sensitivities of the cliff and nearshore area before emerging from the ground some 190m offshore. Most of the onshore sections of cabling would be installed via trenching techniques, with the exception of the A90 trunk road and disused railway which would both be crossed via HDD. In terms of installation, after the creation of HDD boreholes and the proposed trenching, ducting would be installed (circa 560-600mm diameter) within the borehole or trench before cabling (circa 130mm) is pulled through in 850-1000m stretches. The entire route would involve 2 lengths of cable, thus would require jointing pits both to connect the on/offshore cabling near to the landfall but also the separate lengths of onshore cabling. The land would be completely restored at surface level following installation.
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3. Representations

- 3.1 No valid letters of representation have been received.

4. Consultations

- 4.1 **Infrastructure Services (Archaeology)** advised that there were no objections to the application.
- 4.2 **Infrastructure Services (Contaminated Land)** advised that there were no objections to the application.
- 4.3 **Infrastructure Services (Economic Development)** offered no response to the application. This is taken as no objection and it is known and understood that the creation of employment opportunities during construction would fit in with the wider economic goals of this service.
- 4.4 **Infrastructure Services (Environment Team)** advised that there were no objections to the application subject to securing relevant mitigation in terms of public access, protected species, invasive species, habitats and ornithology.
- 4.5 **Infrastructure Services (Environmental Health)** advised that there were no objections to the application.
- 4.6 **Infrastructure Services (Flood Prevention Unit)** advised that there were no objections to the application.
- 4.7 **Infrastructure Services (Roads Development)** advised that there were no objections to the application.
- 4.8 **Infrastructure Services (Transportation)** advised that there were no objections to the application.
- 4.9 **Ministry of Defence** offered no response to the consultation. This is taken as no objection. The laying of an underground cable at this location is not considered to give rise to any issues for this organisation, particularly with regard to the acceptance of the wider, more intrusive project.
- 4.10 **RSPB** advised that there were no objections to the application subject to appropriate mitigation as outlined in Chapter 17 of the EIAR being applied, namely the protection of birds and submission of a Breeding Bird Protection Plan.
- 4.11 **SEPA** advised that there were no objections to the application subject to conditions requiring additional measures and mitigation to cover flood risk, pollution protection and decommissioning/restoration.
- 4.12 **SNH** advised that the proposal was not considered to lead to any adverse effects upon designated sites including the Buchan Ness to Collieston Coast SPA and SAC as well as the Bullers of Buchan Coast SSSI. SNH also advised that due to the likely impacts upon these designations from the development that the Planning Authority would require to conduct an Appropriate Assessment under the Habitats Regulations. However no adverse impacts were anticipated and no objections were raised.

- 4.13 **Scottish Water** advised that there were no objections to the application.
- 4.14 **Transport Scotland** initially offered a holding response requesting further information with regard to a proposed interactions with site access and the A90 trunk road. Upon the submission of this additional information, Transport Scotland confirmed acceptance of the proposal subject to conditions covering access details, traffic and abnormal load management and ongoing liaison with themselves.

5. Relevant Planning Policies

5.1 The National Planning Framework for Scotland 3 (NPF3)

- 5.1.1 The NPF, published in June 2014, sets out a long term strategy for Scotland's spatial development and supports the country's transition to a low carbon economy. It confirms that development which consists of new electricity transmission cabling in excess of 132 kilovolts is designated a national development.

5.2 Scottish Planning Policy (SPP)

- 5.2.1 SPP was published in June 2014, superseding the previous SPP published in 2010. It outlines that while the Town and County Planning (Scotland) Act 1997 requires that decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise, it confirms that the content of the SPP is a material consideration that carries significant weight. One of the four planning aims relates to reducing carbon emissions and adapting to climate change by achieving 30% of overall energy demand from renewable sources by 2020, rising to 100% by 2050.

5.3 Aberdeen City and Shire Strategic Development Plan 2014

- 5.3.1 The shift to a low carbon economy has also been identified in the Aberdeen City and Shire Strategic Development Plan. One of the key objectives is to put infrastructure in place in order to achieve Scotland's low carbon targets.

5.4 Aberdeenshire Local Development Plan 2017

Policy C2 – Renewable Energy

Policy C4 – Flooding

Policy R1 – Special Rural Areas

Policy P2 – Open Space and Access in New Development

Policy P4 – Hazardous and Potentially Polluting Developments

Policy E1 – Natural Heritage

Policy E2 – Landscape

Policy HE1 – Protecting Historic Building Sites and Monuments

Policy HE2 – Protecting Historic & Cultural Areas

Policy PR1 – Protecting Important Resources

Policy RD1 – Providing Suitable Services.

6. Discussion

6.1 Overview

6.1.1 The main planning considerations with this application relate firstly to establishing the principle of development, before potential environmental impacts including geology/hydrogeology, air quality, water quality, cultural heritage, ecology, noise/vibration and economics are considered.

6.1.2 The application is supported by an Environmental Impact Assessment Report (EIAR). This is structured in a relatively orthodox fashion, with specific chapters for each over-arching environmental category. Within each chapter, potential receptors are identified and the likelihood of a significant adverse effect resulting from the proposed development assessed through analysing the magnitude of change and sensitivity of the receptor from an agreed baseline. Impacts considered to be significant require to be addressed and reduced. Mitigation, both that embedded within the proposals in terms of good practice and design as well as additional mitigation where adverse impacts are identified and require to be addressed are also presented. The structure and methodology of the submission is considered to be acceptable. The EIAR was Scoped under the 2011 EIA Regulations, but has been submitted in the format outlined within the revised, 2017 EIA Regulations. However given the date of Scoping, the proposal will be assessed in line with the 2011 Regulations as required and stipulated within the transitional arrangements of said regulations. This does not alter the level of scrutiny to be afforded to the proposal.

6.1.3 The submitted EIAR covers the entirety of the development, including both on and offshore cable sections. These offshore aspects are not directly relevant to Aberdeenshire Council in the consideration of this application, but are relevant to the consideration of the wider project which as above, is being pursued as a single entity from the developer's perspective and indeed on a European level under the aforementioned TEN-E regulations. This report has extracted and highlights the proposed impacts upon Aberdeenshire only.

6.2 Principle of Development

6.2.1 The Scottish Government's National Planning Framework 3 (NPF3), sets a long-term strategy for Scotland and it represents the spatial expression of the Government's Economic Strategy and of the Scottish Government's plans for development and investment in infrastructure. Its policies have been structured towards achieving the Scottish Government's four key outcomes for the planning system, of which the most relevant in this instance is the aim to move Scotland towards creating "a low carbon place". Under this outcome, NPF3 has identified the Peterhead area as the site for a North Sea Interconnector Station and a focus for onshore connections to support offshore renewable energy in order to support wider aspirations for growth. The proposal is categorised as a National Development, the proposal falls into this category by virtue of the proposed cabling carrying electricity greater than 132 kilovolts. Projects falling

within a “national development” category mean that the need for the project is established.

- 6.2.2 More broadly, NPF3 expects that the planning system will support the opportunities for low carbon energy generation in Scotland; including offshore renewable energy. NPF3 envisages that enhancements to the electricity grid and new connections for offshore renewables will be important energy-related developments to the north-east region.
- 6.2.3 Scottish Planning Policy (SPP) reflects the national planning outcomes set in NPF3, including the need to transition Scotland to a low carbon economy. Most significant in the SPP is the introduction of a presumption in favour of development that contributes to sustainable development, including the delivery of infrastructure for energy, and supporting developments for climate change mitigation, such as renewable energy. SPP also gives general advice regarding the need to support NPF3.
- 6.2.4 With regard to regional/strategic policy, the Aberdeen City and Shire Strategic Development Plan identifies the North Connect project as a key element in delivering the vision of the Plan. In this case the proposal is identified as “upgrades to the onshore electricity grid and the development of offshore transmission from Peterhead”. The role of the Peterhead area in providing an electricity hub for the transmission of electricity throughout the UK and Europe is highlighted and ties in with the “Sustainable Development and Climate Change” objective set out within the SDP. The proposal is therefore supported at this policy level.
- 6.2.5 The ALDP offers broad support for renewable energy development on the proviso that the impacts upon the surrounding environment and amenity (including visual amenity) can be mitigated. In this instance the development would form a component part of a wider renewable energy scheme, where there would be no visual impact (underground cable) – thus conforming with the broad principles of ALDP Policy C2. The EIAR offers a detailed assessment of all of the proposed environmental impacts – this is discussed later in this report.
- 6.2.6 The proposed site is located within the coastal zone as defined in ALDP Policy R1. This land use designation within the ALDP restricts most forms of development in such areas. One criterion which qualifies and permits development within the coastal zone is development identified within NPF3, such as this. Given this identification in NPF3 and the locational need for the development in this location, the principle of development can be accepted in terms of Policy R1.
- 6.2.6 With regard to establishing support for the principle of development therefore, as above the proposal is considered to conform to National, Strategic and Local Policy and as such the overarching principle of development can therefore be agreed.

6.3 Geology and Hydrogeology

- 6.3.1 The EIAR outlines that detailed surveys have been undertaken in order to assess the potential geological and hydrogeological impacts resulting from the proposal. This has involved various levels of survey work, including but not exclusive to different testing and sampling techniques as well as trial pit and borehole investigations. These investigations helped to determine the nature of the rock, soil and underlying geology of the site including depths and quality of material and soil.
- 6.3.2 With regard to the quality of soils within the site boundary, there is a small area of land classified as 3.1 (Prime Agricultural Land), with the remainder being of lesser quality. ALDP Policy PR1 stipulates that designations and areas of prime quality agricultural land should be protected. An exception is however outlined for renewable energy related development which is permitted so long as the land is restored afterwards, which would be the case here given that the cable would be buried and land restored to its previous state as part of this process. The EIAR concludes that the impacts upon Prime Agricultural Land are non significant, given the temporary disruption and restoration post cable laying. The Planning Service is in agreement with this conclusion.
- 6.3.3 Exploratory surveys of the site did not highlight any contamination from historic quarries within the vicinity, with the EIAR concluding that there is no risk anticipated. Infrastructure Services (Contaminated Land) confirmed that there were no objections or concerns arising from the proposal.
- 6.3.4 Construction impacts are highlighted as the predominant impact throughout the proposal. With regard to these impacts upon geology and hydrogeology, the primary focus is firstly the SSSI along the Bùllers of Buchan Coast. This SSSI designation covers geological interests, specifically coastal geomorphology. The HDD drilling technique is to be utilised for the cable landfall, this allows the cables and ducting to be positioned in boreholes drilled beneath the SSSI and thus avoid any significant impacts. SNH are in agreement with this conclusion also, stating that drilling underground and exiting 190m offshore will avoid any negative impacts.
- 6.3.5 The cable route also sits within the Skelmuir Hill, Stirling Hill and Dudwick LNCS. This designation covers the geological interests also, specifically the Pre-Glacial Buchan Gravels Formation. Temporary construction impacts would be experienced here, including cable installation and track formation. The works are temporary and reversible and the land would also be restored, which means that the EIAR concludes that the impact upon this designation is not significant.
- 6.3.6 Construction activities are also highlighted as having pollution risks. The EIAR states that the risk on SSSI or LNCS designations is low given the distances between storage/operation of pollutants (fuel, hazardous substances) and these locations. Again the impact upon Prime Agricultural Land and the bedrock in the area is considered to be non significant. The spillage of substances does however have the potential to reach groundwater sources, which in turn would have a significant impact. This is recognised within the EIAR which outlines embedded mitigation in terms of appropriate storage of materials and a spill

response plan. This mitigation allows the overall impact to be classed as non significant in the EIAR.

- 6.3.7 The impacts upon hydrogeology as a result of the temporary construction works are concluded as being non significant, again due to the short term and reversible nature of the most intrusive works.
- 6.3.8 From an operational standpoint, the EIAR outlines that the buried cabling would not have any significant impacts upon the hydrology or hydrogeology of the site or area. Overall therefore, no significant adverse impacts are anticipated.
- 6.3.9 ALDP Policy PR1 looks to preserve and protect important resources, including land, water and minerals, from inappropriate development. As above, the proposal can be considered compliant with regard to Prime Agricultural land and the proposed restoration of the cable route. Embedded good practices and construction techniques mean that the impact upon geology and by association, geodiversity can be preserved and thus the proposal can be considered also to be compliant with ALDP Policy P1. The same is also true with regard to Policy P4, where pollution and contaminated land issues can be adequately addressed and mitigated. As above, the cable route also has the potential to impact upon natural heritage designations. However, the impacts are considered to be non significant, with the status and character of the designations preserved. Given this, the Planning Service is in a position to agree with the conclusions of the EIAR on these aspects. The proposal is therefore considered to conform to ALDP Policy E1 as well as P4 and PR1 as outlined above.

6.4 Air Quality

- 6.4.1 The EIAR has assessed impacts upon air quality both in terms of impacts from dust or particle emissions as a result of works (mainly construction) but also in terms of Carbon Dioxide (CO₂) reduction in the long term.
- 6.4.2 Within the assessment, existing background and baseline factors are highlighted including the A90 trunk road and existing quarrying operations in the vicinity which impact upon air quality in the area at present. Residential properties as well as environmental designations are identified as the relevant receptors for any impacts.
- 6.4.3 From an operational perspective the buried cable would not give rise to any dust emissions or negative impacts. Construction works do however have the potential to impact local receptors. Earthworks from joint pits, cable trenches, access roads as well as from HDD activities at the landfall and road crossing have the potential to create dust emissions. These impacts are considered to be non significant on factors such as residential amenity and leisure (in terms of walking through area on designated paths) given the scale of work involved as well as the temporary duration.
- 6.4.4 Air quality impacts have the potential to effect some of the vegetated cliffs which are a qualifying feature of the Buchan Ness to Collieston Special Conservation

Area (SAC) which are within the vicinity to some of the operations. Undertaking an assessment of these potential impacts as well as the proposed mitigation and management processes however, no adverse effects are anticipated.

6.4.5 The Council's Environmental Health Service did not highlight any concerns with the above potential impacts and in assessing the above as well as the proposed mitigation, the Planning Service is in a position to agree with the conclusions of the EIAR.

6.4.6 The proposal is not therefore considered to give rise to any issues with regard to nuisance through air quality impacts and as such the proposal can be considered to conform to ALDP Policy P4.

6.5 Water Quality

6.5.1 Impacts upon water bodies, watercourses, surface water and potential flooding are covered within this chapter of the EIAR. The buried cable would have limited operational impacts upon these receptors, so again the primary impacts are anticipated to come from the construction phase.

6.5.2 Construction works have the potential to bring about the risk of releasing hazardous substances within the site which could then impact upon water quality within the area. Specifically, this could equate to fuels, drilling fluid or concrete finding their way into the water system from the site.

6.5.3 Surface water runoff during the construction period is identified as posing risks also. Factors including runoff into watercourses from access road crossings, the creation of bunding and therefore exposure of sediment and uncovered soil as well as the cable route physically crossing watercourses themselves are all identified as potentially significant impacts. The earthworks related to the HDD operations are however considered to be sufficiently distant to avoid any significant impacts. The aquatic environment may be temporarily modified as part of enabling and cable installation works, but the impacts are stated as being non significant in EIA terms. No increase in flood risk is anticipated as a result of any works, nor would there be any operational impacts given the burying of the cable.

6.5.4 Embedded mitigation in terms of best practice procedures would be in place throughout the construction period. Similarly a spill response plan for the release of any hazardous substances would also be implemented. These factors ensure that issues such as the storage of hazardous materials can be accepted as being non significant. Additional mitigation is outlined in order to address the potential issues with regard to surface water runoff and associated significant impacts. Risk assessments and method statements are to be prepared in line with relevant guidance. Alongside these measures, clean water would be directed away from exposed soils and working areas, the erosion of exposed soils would be minimised and silt fences would be installed in order to prevent contaminated water from entering watercourses. The effect of implementing this additional mitigation is that the potential significant impacts can be reduced to being non significant in EIA terms.

6.5.5 SEPA offered comment on the above aspects, outlining an acceptance of the proposed mitigation and agreeing that subject to the implementation of this mitigation, any adverse impacts could be avoided. SEPA have sought relevant planning conditions to secure these matters. In assessing the above, the Planning Service is therefore in a position to agree with the conclusions of the EIAR.

6.5.6 ALDP Policy P4 outlines that development which poses a significant risk of pollution or nuisance will not be supported, while Policy C4 seeks to ensure that development does not give rise to additional flood risk. In this instance, these risks can be successfully mitigated and as such the proposal can be considered to be compliant with these policies. Similarly, Policy RD1 outlines that surface water should not lead to any pollution impacts, as above this has been addressed and the application is compliant.

6.6 Archaeology and Cultural Heritage

6.6.1 There are no known designated archaeological assets within the planning boundary and given the burying of the proposed cable, there would be no visual impacts upon any surrounding features as a result of the development.

6.6.2 Walkover surveys have been conducted across the site. One identified asset within the site is the disused former railway which requires to be crossed. The proposal involves drilling under the railway using HDD, in order to ensure that this asset is not impacted. There is also however the potential for unknown assets to be uncovered as land is disturbed.

6.6.3 Mitigation against any adverse impacts includes best practice procedure, the preparation of an Archaeological Watching Brief, further surveys and ultimately the restoration of all temporary works. The Council's Archaeology Service confirmed acceptance of the proposed mitigation and conclusions in the EIAR. Overall it is concluded that the proposal would not have any significant impacts with regard to archaeological receptors. ALDP Policy HE1 seeks the avoidance of adverse impacts upon archaeological assets, as well as mitigation where necessary. In this instance, the proposal can be considered to comply with this policy given the steps taken to manage and mitigate any impacts. Furthermore, Policy HE2 seeks the preservation of historic and cultural areas such as Conservation Areas or battlefields, none are present on this site and given the underground nature of the cable, there would be no visual impact and so the proposal can be considered to be acceptable in this regard.

6.6.4 As above, the resultant cable would be buried and so would have no visual impact during operation. This is considered to be acceptable in terms of ALDP Policy E2 which seeks the preservation of the landscape and its associated character.

6.7 Terrestrial Ecology

- 6.7.1 As part of the EIAR, a raft of ecological surveys have been undertaken across the site including but not exclusive to desk studies, field surveys, an extended Phase 1 Habitat Survey, Invasive Non Native Species surveys and a National Vegetation Classification survey (NVC). Alongside these, species of conservation interest have been identified alongside designated sites which in turn have led to further survey work on the Longhaven Cliffs reserve and also surveys with regard to otters, water vole and badger. The nature of development means that construction impacts have the potential for the greatest adverse impact, in comparison to little or no impact from the buried cable during operation.
- 6.7.2 The EIAR outlines and concludes that proposed impacts upon habitat loss, pollution of habitats, effects on groundwater, habitat fragmentation as well as noise and visual disturbance impacts can all be classed as being non significant in terms of the sensitivities and magnitude of change expected. Impacts upon specific mammals are considered to be slightly more pronounced, badgers are not to be significantly affected in terms of habitat disturbance within the application boundary, however significant disruption is possible for otters and water voles. Otters are also susceptible to accidental physical damage as a result of construction works.
- 6.7.3 A range of mitigation measures covering the entire ecological spectrum are proposed within the EIAR. These begin with best practice construction procedures to minimise disruption, the marking of Invasive Non Native Species (INNS) to avoid disturbance and allow for future management and then also pollution prevention measures to be adopted during the construction period.
- 6.7.4 Wider mitigation is required to address potential impacts upon mammals and wildlife within the site. Pre-construction surveys are proposed in order to highlight the situation at the time of working, this in turn would allow for tailored mitigation to be arranged depending on the exact situation and specific nature of the potential impact. Best practice may also include the appropriate storage of materials and installation of access ramps to aid the movement of species across the site if required. Examples of this are stated as including the seeking or obtaining licences if required and also the implementation of buffer zones of 40m, or 30m if features are identified through further surveys in order to reduce any potential impacts. An ongoing watching brief is also proposed.
- 6.7.5 Overall, once mitigation is applied the significance of impacts upon protected species such as otter and water vole through potential disturbance or damage, in particular the pre-construction survey work and any tailored mitigation, would be reduced to a non significant level.
- 6.7.6 Assessing the above, the Planning Service is in a position to agree with the conclusions of the EIAR that potential impacts from the development would be non significant, following the application of appropriate mitigation, upon terrestrial ecology. All potential impacts on a wide variety of receptors have been highlighted and identified, with specific mitigation identified and proposed to address any potential impacts upon each. This approach is considered to be

acceptable and the conclusions set out are agreeable. The Council's Environment Team have confirmed their acceptance of this matter also.

6.7.7 The above position is also endorsed by SNH and RSPB who have accepted the assessment, conclusions and mitigation proposed within the EIAR, most prominently with regard to the potential impacts upon ornithology but also with regard to other natural heritage receptors. As noted elsewhere, the site is covered by various environmental designations within which ornithology is a prominent receptor, and falls within the scope of the Habitats Regulations, this is discussed fully in sections 6.8 and 6.13 of this report. From a wider ecological viewpoint however and assessing the proposal, it can be concluded that subject to appropriate conditions requiring further survey work, bird breeding plans and appropriate phasing of development, all as set out within the submission, any impacts upon assets in the area can be successfully mitigated and managed with any potential adverse impacts avoided. As such, the proposal can be considered to conform to ALDP Policy E1 Natural Heritage.

6.8 Ornithology

6.8.1 As with terrestrial ecology above, a wide range of ornithological surveys were undertaken to inform the EIAR. Through these, species, habitats and designated sites within the area were all identified.

6.8.2 Construction impacts are presented as having the most potential for adverse impacts. With regard to terrestrial ornithology species, habitat displacement is identified as a potential issue, but this is concluded as being minor and non significant owing to the temporary nature of this impact (over 2 winter periods only) as well as the reinstatement of any potential land take. The presence of humans and associated noise or light disturbance is also concluded as being non significant due to the temporary nature of the onshore activities. A potential significant impact is however identified in terms of accidental nest destruction, albeit this is highlighted as being unlikely, but if it were to happen this would be classed as being a significant impact.

6.8.3 Impacts upon marine dependant species and also upon prey species were assessed, both are considered to have non significant impacts in EIA terms as a result of the project. This is the same in terms of any impacts upon water quality which could in turn impact upon ornithology.

6.8.4 Mitigation would consist firstly of pollution prevention and noise reduction measures covering the wider scope of development. More specifically, pre construction surveys plus appropriate exclusion zones/buffers, appropriate timing of activities, minimal lighting, appropriate siting of machinery, working areas located away from any sensitivities and also a scheme of ongoing observation will all be in place. The pre construction surveys will remove the significant impact associated with accidental nest destruction and thus means that there would be no significant impacts after mitigation has been applied.

6.8.5 The proposed works have the potential to impact upon the Buchan Ness to Collieston SPA as noted above, these impacts could in turn disturb or lead to

the deterioration of ornithological habitats or populations. The proposed landfall and as such any interactions with the coastal edge/cliffs would be undertaken via HDD drilling techniques which would pass under the vegetated cliffs and thus avoid any physical disturbance. Construction operations do also have the potential to lead to noise disturbance. Assessing the details provided, the application site is already a relatively noisy location as a result of the A90 Trunk Road in the vicinity. However noise increases of up to 10dB are possible as a result of the works. The timing of construction works outwith the breeding season of birds within the SPA is therefore of paramount importance to preserving the integrity of the designation. In timing works outwith these periods, which can be secured through appropriate construction management conditions attached to any permission, the potential impact upon breeding birds can be avoided to a large extent. It is anticipated that appropriate timing of works outwith breeding seasons would firstly mean that birds would be less constrained in terms of having to stay in the vicinity, but it is also calculated that appropriate timing would mean that less than 1% of the SPA bird population would potentially be affected. As such, after an appropriate assessment of the proposed impacts and available, proposed mitigation it can be concluded that the proposal would not adversely affect the integrity of the SPA in this regard.

- 6.8.6 SNH advised that the Planning Authority would need to carry out an appropriate assessment and outlined conclusions in line with the above assessment, namely that no adverse impact is anticipated. The RSPB advised that they were satisfied that impacts upon birds could be avoided and mitigated, meaning that the proposal could be accepted subject to securing mitigation in the form of a bird protection plan.
- 6.8.7 In assessing the proposal both in terms of the likely impacts as well as from a Habitats Regulations perspective, the Planning Service are in a position to agree with the conclusions of the EIAR and agree that the proposal can be accommodated and accepted, subject to appropriate mitigation. This position is endorsed by the Council's Environment Team.
- 6.8.8 ALDP Policy E1 advises that proposals which may impact designated sites or sensitivities within (such as ornithology) must preserve the integrity of the site as well as avoiding or mitigating any adverse impacts. In this instance, following assessment it can be concluded that the proposal is compliant with this Policy.

6.9 Electric Magnetic Fields (EMF)

- 6.9.1 The EIAR outlines that the proposed Direct Current (DC) cables would produce a static magnetic field, but that this field decreases in intensity as distance from the cable increases. It is outlined that a level of 400,000 μ T could disturb humans, with a smaller level of 500 μ T stated as having the potential to impact upon implanted medical devices (such as pacemakers).
- 6.9.2 Figures are presented demonstrating the likely emissions from the underground cable at various distances. The maximum emission, at ground level immediately above the cable position would be 270 μ T. If somebody with an implanted medical device was standing above the cable, said device would

likely be within their torso, at a distance above ground meaning that the impact in those circumstances would be around 150 μ T instead.

6.9.3 The figures outline that the impact upon humans would be below any thresholds for disturbance. This combined with the rural location of the cable and limited possibility of any interaction with human receptors means that the impact of EMF is considered to be non significant. Assessing this, it can be agreed that the risk of any adverse impacts upon the local population would be minimal. Policy P4 seeks to avoid detrimental impacts upon health or wellbeing, given the above the proposal is considered to be compliant with this Policy.

6.10 Local community and Economy

6.10.1 Within the EIAR and the chapter on the local community and economy, a socio economic overview and baseline is established. This includes details on tourism, recreation and business within the area and an analysis of how these receptors may be impacted by the proposal.

6.10.2 The construction impacts in terms of job creation are presented as having a major, significant positive benefit upon the local area. Similarly, the wider benefits to the energy market as a longer term result of the development are outlined as being significantly positive.

6.10.3 Negative impacts are predicted to recreational receptors using some of the local path network during construction periods. This is highlighted as including the temporary disruption of the pathways themselves during construction as well as the added disturbance due to construction noise. The temporary and reversible nature of these works mean that this impact is identified as being non significant in EIA terms.

6.10.4 In order to address the potential negative impacts upon recreation, mitigation in the form of a communications plan is highlighted. The purpose of this would be to liaise with the community in order to minimise disruption as far as possible. To this end, the disruption caused by the proposed construction activities can be appropriately mitigated and managed – this would include walkers in the area but also other receptors including climbers. The construction process can be managed to ensure that disruption, loss of amenity and health and safety issues can be minimised, thereby reducing any potential nuisance in terms of ALDP Policy P4. Furthermore, the amenity resource will be retained and alternative walking routes provided where required, as such the proposal can be considered to conform to ALDP Policy PR1 in terms of protecting important resources and P2 in terms of access and recreation. The Council's Environment Team have confirmed that no adverse impacts are anticipated in this regard, subject to the securing of mitigation concerning the continued safe use of walking routes.

6.10.5 With the protection of important community resources such as the local path network, as well as the highlighted positive economic benefits predicted through the submission, the proposal can be considered to be acceptable in terms of

impacts upon the local community and economy subject to appropriate conditions.

6.11 Noise and Vibration

6.11.1 A Noise Impact Assessment has been carried out to support and inform the EIAR. This considered the noise likely to be emitted from construction activities, given that operationally the underground cable would not give rise to any noise emissions. Through the survey, noise receptors were identified including residential properties as well as environmental designations. Through this work, appropriate noise thresholds were also established.

6.11.2 The analysis highlights that where construction works are carried out within defined working hours, the construction noise can be defined as being non significant. However, if 24 hour work is carried out then the noise impact would be significant as the noise thresholds at 3 residential receptors would be exceeded. Recreational receptors including walking and climbing are identified as experiencing some minor non significant impacts due to noise. With regard to walking, this would only be along certain sections and for short time periods as people walk past the noisy operations. Climbing would be most affected by any noise emissions obscuring communication between climbers, which is a potential safety hazard.

6.11.3 Mitigation in terms of addressing noise issues is highlighted as including the adoption of industry best practice such as the sharing of information, ongoing communication and appropriate working schedules. Any plant or machinery would be fitted with appropriate noise reduction elements and plant with lower standard noise emissions would also be selected as a starting point. Further liaison with groups of climbers would also be conducted in order to help address any issues.

6.11.4 The Council's Environmental Health Service raised no objections to the application. It is acknowledged that the construction works have the potential to lead to a noise disturbance, but the temporary and reversible nature of these works as well as the outlined mitigation means that the proposal does not give rise to any concerns. ALDP Policy P4 seeks the avoidance of nuisance resulting from new development and mitigation where possible. In this instance, the development itself would not give rise to any negative impacts – but the temporary construction works do have this potential, albeit only on a short term basis. Given this, as well as the noise reduction mitigation and associated steps taken in this regard, the proposal can be considered to conform to Policy.

6.12 Resource Usage and Waste

6.12.1 Throughout the development, resources would be used and waste generated as a result. The EIAR outlines that best practice measures in terms of appropriate waste management and construction techniques would be adopted in order to minimise any negative impacts in this regard. Overall no significant resource or waste impacts are anticipated. This is generally considered to

conform to ALDP Policy P4 which seeks to avoid pollution or inappropriate waste management and is accepted by the Planning Service.

6.13 Habitats Regulations Appraisal (HRA)

6.13.1 As noted earlier in this report, the proposal has the potential to impact upon the Buchan Ness to Collieston SAC (as well as the aforementioned SPA as discussed in section 6.8 above). This SAC designation means that it falls under the scope of a Habitats Regulations Appraisal and the impacts upon this asset require to be specifically addressed. On this occasion a wide ranging Pre-Screening report has been submitted alongside the application, outlining potential impacts of the development on a number of Natura 2000 sites. The majority of these sites, including the River Tay SAC, River South Esk SAC and River Dee SAC are distant and not likely to have any qualifying assets which would be adversely affected by the onshore works associated with this proposal.

6.13.2 The Buchan Ness to Collieston SAC does however have the potential to be impacted by the works. Qualifying factors such as vegetated sea cliff and potential impacts through operations or dust on this asset are cited. The EIAR outlines that HDD techniques would be utilised to physically avoid physical disturbance, albeit these operations would have the potential to cause dust emissions. Specifically with regard to air quality and the impact of dust emissions upon vegetation, it is presented in the EIAR that the dust source (HDD) would be located at sufficient distance from the SAC with 0.02Ha of the SAC within 20m of the HDD landfall site (0.01% of total area) and 0.33Ha within 50m of the SAC (0.32% of total area). This distance plus dust management processes and mitigation which would be embedded within the operations means that having assessed this, it can be concluded that no significant adverse impacts are anticipated which would affect the integrity of the SAC.

6.13.3 As per section 6.8 above, the site is also covered by a SPA designation with regard to ornithology. Specific details and an outline of this assessment is covered above. In terms of an appropriate assessment however, it is concluded that no adverse impacts would occur. Ultimately, with appropriate timing of works it can be concluded that less than 1% of the SPA bird populations would be affected by noise during any proposed construction period. Appropriate management, timing of works, construction techniques and a focus on avoiding impacts upon breeding birds are outlined and can be secured which in turn would allow any adverse impacts upon this sensitive receptor to be mitigated or avoided.

6.13.4 Taking both the SAC and SPA and appropriately assessing both in terms of potential impacts from the proposed development, it can be concluded that the integrity of these assets can be retained and detrimental impacts on these avoided through good practice and mitigation where required. Both of the above also impact upon a further SSSI designation, but as above the impacts can be accepted. Furthermore with regard to the SSSI, as above the act of drilling under the receptor means that geomorphological interests of the SSSI can be avoided. This is all considered to be acceptable.

6.14 Transport

6.14.1 The proposal includes the creation of a temporary construction access which would be taken from the A90 Trunk Road. This temporary access has the potential to interact with some of the features outlined above, such as hydrology, this is covered where relevant. In terms of the technical requirements of the access itself, Transport Scotland initially advised that further information with regard to the proposed temporary access were required. The developer submitted additional information, detailing the proposed access arrangements and outlining further justification behind the proposal in terms of management and ongoing liaison measures proposed. After considering these, Transport Scotland confirmed their acceptance of the details, subject to conditions proposed to ensure the appropriate construction of the access, appropriate management of traffic and abnormal loads as well as securing ongoing liaison with themselves as trunk road authority. Taking this into account, the proposal can be considered to conform to ALDP Policy RD1 in terms of providing suitable access arrangements.

6.14.2 Furthermore, the proposal would involve using the HDD drilling technique to drill or burrow below the A90 trunk road during the installation of the proposed cable. This technique would ensure that the traffic flow on the A90 trunk road is not physically disrupted as a result of the cable installation. This again is considered to be acceptable.

6.15 Direction

6.15.1 With a number of large scale, complex developments such as this the statutory timescales for implementation are altered via a Direction under Section 58 of the Planning Act, increasing the time limit on a planning permission up from the standard 3 years. In light of this, in 2015 the related but separate Interconnector Station proposal (this cable would connect into this) was granted Full Planning Permission with a Direction stating that the period for implementation would be extended to 7 years to allow the breadth of complex and in depth survey work, legislative requirements and other factors to be bottomed out prior to commencement of works. As such, with regard to this application the developer has requested a period of 4 years in this instance, to firstly tie in with the period remaining on the related Interconnector Station permission but also to ensure built in flexibility for addressing any remaining issues. This extended time period is considered to be acceptable in the circumstances and does not give rise to any concerns.

6.16 EIAR Summary and Reasoned Conclusion

6.16.1 As outlined throughout the sections above, overall the proposal is not considered to have any significant environmental impacts after mitigation – both embedded mitigation and mitigation specific to individual receptors is applied to potential impacts. In total, 11 potential significant negative impacts were identified through the analysis – all of which can be addressed through

appropriate mitigation. There are 3 significantly positive impacts which would not require to be mitigated.

6.16.2 In assessing the conclusions of the EIAR with due cognisance of planning policy as well as the mitigation measures outlined, the Planning Authority is a position to reasonably conclude that the development will not have a significant adverse effect upon the environment. The bulk of potential impacts are related to the construction phase of the project, which can be appropriately managed as outlined above. Operationally, the buried cable would have a minimal impact upon the surrounding area.

6.16.3 The technical aspects and requirements of the proposal are also considered to be acceptable and can be accommodated. As such, the proposal is considered to be acceptable with regard to National, Strategic and Local Planning Policy and can be recommended for approval.

7. Area Implications

7.1 In the specific circumstances of this application there is no direct connection with the currently specified objectives and identified actions of the Local Community Plan.

8. Equalities, Staffing and Financial Implications

8.1 An equality impact assessment is not required because the granting or refusing of this application is not considered to have a detrimental impact on the protected characteristics of the applicant or any third parties.

8.2 There are no staffing and financial implications.

9. Sustainability Implications

9.1 No separate consideration of the current proposal's degree of sustainability is required as the concept is implicit to and wholly integral with the planning process against the policies of which it has been measured.

10. Departures, Notifications and Referrals

10.1 Strategic Development Plan Departures

None

10.2 Local Development Plan Departures

None

10.3 The application is not a Departure from the Local Plan or Structure Plan and no departure procedures apply.

- 10.4 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.
- 10.5 The application would not have to be referred to the Infrastructure Services Committee in light of the requirement to refer this National Development to Full Council.

11. Recommendation

- 11.1 **That members of the Buchan Area Committee provide preliminary views to Full Council for its consideration when determining the application on 17 January 2019 and confirm their support for the proposal by agreeing that Full Council GRANT Full Planning Permission, subject to:**

(a) The following conditions:

1. That no works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be brought into operation unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the Planning Authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: To safeguard and record the archaeological potential of the area.

2. No works in connection with the development hereby approved shall commence until the following details have been submitted to, and agreed in writing by the Planning Authority in consultation with SEPA:
 - Full details of the working levels adjacent to all watercourses, including confirmation of pre development ground levels, confirmation that ground levels adjacent to watercourses are not to be altered other than the temporary access road approaches and confirmation that all levels will be reinstated to previous levels after completion of the project;
 - Full details of 10m buffer zones along all watercourses including confirmation that all materials, bunding and temporary structures other than the temporary access road approaches, are located outwith these buffer zones;
 - Full details, including back up measures, of the techniques and methodology proposed to temporarily divert watercourses crossed by the proposed cable route.

Thereafter, the development shall be carried out in full accordance with the approved details.

Reason: In order to ensure the protection of watercourses within the vicinity of the development in the interests of protecting the natural environment.

3. That no works in connection with the creation of the temporary site access road from the A90 trunk road to the HDD landfall site shall commence until full details of proposed temporary culverted bridges navigating watercourses have been provided to and agreed in writing by the Planning Authority in consultation with SEPA. These culverts should be designed in line with SEPA's Good Culvert Design Guidelines, ensuring that:

- The culvert should maintain the natural channel width.
- The soffit level should be higher than the natural bank height.
- The culvert should be buried with the invert buried below the present bed level to maintain the present natural bed level, slope and material.

The culverts shall thereafter be installed in complete accordance with the approved details.

Reason: In order to ensure that accesses and culverts are appropriately designed in the interests of protecting the natural environment.

4. That no works in connection with the development hereby approved shall commence until such time as full details of all measures and mitigation identified to ensure that there is no increase in flood risk associated with surface water runoff in the immediate vicinity and downstream has been submitted to and agreed in writing by the Planning Authority in consultation with SEPA. The development shall thereafter be carried out in full accordance with the approved details.

Reason: In order to ensure flood risk can be appropriately managed in the interests of the amenity of the area.

5. No development shall take place unless, a full site specific Construction Environmental Management Plan (CEMP) has been submitted to and agreed, in writing, by the Planning Authority in consultation with SEPA and identified consultees. The CEMP should address and include the following details:

- Traffic Management Plan
- Incident Response and Reporting Procedure
- Schedule of Mitigation
- Site Waste Management Plan
- Dust Management Plan
- Drainage Management Plan or CAR Pollution Prevention Plan as appropriate
- Construction Communications Plan
- Species Specific Mitigation and Protected Species Management Plans
- Spill Response Plan
- Noise and Vibration Management Plan.
- Pollution Prevention Plan

- Copies of Consents and Licenses
- Path/walkway re-routing

Thereafter the proposed development shall be carried out in full accordance with the approved details.

Reason: In the interests of the amenity of the area and protecting the natural habitat.

6. That within a period not less than 2 years prior to the ultimate cessation of operation, or an alternative timeframe as agreed in writing by the Planning Authority, a Decommissioning and Restoration Plan is to be prepared in line with best practice at the time of preparation and submitted for the written approval of the Planning Authority in consultation with SEPA.

Reason: To ensure that the site is appropriately restored and that provision is in place to facilitate a move towards a “Circular Economy”, in the interests of the protection of the natural and water environment.

7. That no works in connection with the development hereby approved shall commence until the following details have been submitted to and agreed in writing by the Planning Authority in consultation with RSPB and SNH.
- Breeding Bird Protection Plan
 - Pre works bird nesting survey
 - Confirmation of exclusion zones around identified nesting areas
 - Phasing and work timings in relation to ornithology

The development shall thereafter be carried out in full accordance with the approved details.

Reason: In the interests of the amenity of the area and protecting the natural habitat.

8. Prior to the commencement of any abnormal load deliveries to the site, the proposed route for any abnormal loads on the trunk road network must be approved by the Planning Authority in consultation with Transport Scotland.

Any accommodation measures required including the removal of street furniture, junction widening, traffic management must similarly be approved prior to any abnormal load deliveries.

Any additional signing or temporary traffic control measures deemed necessary due to the size or length of loads being delivered must be undertaken by a recognised Quality Assured traffic management consultant, this is also to be approved by the Planning Service in consultation with Transport Scotland before delivery commences.

Reason: To minimise interference and maintain the safety and free flow of traffic on the Trunk Road as a result of the traffic moving to and from the development and to ensure that the transportation of abnormal loads will not have any detrimental effect on the trunk road network.

9. No development shall take place on site unless, a Construction Stage Traffic Management Plan has been submitted to and approved, in writing, by the Planning Authority in consultation with Transport Scotland. The Traffic Management Plan shall include details relating to:
- a) Traffic Management measures including accommodation works to manage construction traffic
 - b) Measures to minimise traffic impacts on existing road users
 - c) Measures to accommodate pedestrians and cyclists
 - d) Details of temporary signage
 - e) Details of construction vehicle routing.

The developer shall conform with the agreed Construction Stage Traffic Management Plan and shall then carry out the works in line with the agreed specification and all construction traffic associated with the development shall conform to the requirements of the agreed plan.

Reason: To maintain the safety and free flow of the trunk road network and for traffic moving to and from the development in the interests of road safety.

10. That no works in connection with the development hereby approved shall commence until full details of the layout, type and construction methods for a proposed new junction connecting to the A90 trunk road, constructed generally in accordance with drawing *NCGEN-NCT-Z-YX-003-01 dated 10 July 2018 and prepared by Allen Gordon* have been submitted to and agreed in writing by the Planning Authority in consultation with Transport Scotland.

Reason: To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished.

11. No development shall take place unless, details of wheel washing facilities (or an alternative appropriate solution as agreed, in writing, by the Planning Authority in consultation with Transport Scotland) are agreed, in writing, with the Planning Authority in consultation with Transport Scotland. The agreed plant and facilities shall be provided within the construction site and shall remain in place for the duration of the construction period, unless otherwise agreed, in writing, by the Planning Authority.

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

(b) The following Direction:

DIRECTION UNDER SECTION 58 (2) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 as amended by Planning etc. (Scotland) Act 2006:

That subsection (1) of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended) shall apply in respect of the permission with the substitution of the period of three years referred to in that subsection with the period of four (4) years, as is considered appropriate by the Planning Authority in this instance on the basis of the

scale of the development. The provisions of section 5(1) shall therefore be read as follows:

The planning permission is to lapse on the expiration of a period of four (4) years (beginning with the date on which the permission is granted) unless the development to which the permission relates is begun before that expiration.

11.2 Reason for Decision

That the proposal is consistent with the Development Plan's aims of reducing carbon emissions and adapting to climate change. It also contributes to the Scottish Government's National Planning Framework's aim to move Scotland towards creating a low carbon place.

Stephen Archer

Director of Infrastructure Services

Author of Report: Stuart Murison SM1/B/APP/2018/1891

15/11/2018

APPENDIX 3

DRAFT MINUTE EXTRACT

ABERDEENSHIRE COUNCIL

BUCHAN AREA COMMITTEE

BUCHAN HOUSE, PETERHEAD, 4TH DECEMBER 2018

- Present:** Councillors N Smith (Chair), D Beagrie (Vice Chair), A Allan, A Buchan, M Buchan, S Calder, A Fakley, J Ingram, A Simpson, S Smith and I Sutherland
- Officers:** Chris White, Buchan Area Manager (Business Services); Iain Meredith, Solicitor - Governance (Business Services); Sally Wood, Senior Planner (Infrastructure Services); Alan Davidson, Senior Planner (Infrastructure Services); Stuart Murison, Senior Planner (Infrastructure Services); Ailsa Anderson (via skype), Senior Policy Planner (Infrastructure Services); Andrew Murray, Senior Environmental Health Officer (Infrastructure Services); Maxine Booth (via skype), Quality Improvement Manager (Education and Children's Services); Lynne Gravener (via skype), Strategic Policy Leader (Business Services); Elaine McCarron (via skype), Asset Disposal Surveyor (Business Services); and Theresa Wood, Area Committee Officer (Business Services)

APPENDIX B

NEW PLANNING APPLICATIONS

- (c) **Full Planning Permission for National for Installation of Underground HVDC Cables at Landing at Shoreline at Land to the South of Boddam, Peterhead, travelling to Site at Four Fields, Boddam, Peterhead**
 For: North Connect KS, Serviceboks 603, Lundsiden, N-4606 Kristiansand, Norway
 Per: Affric Ltd, Lochview Office, Loch Duntelchaig, Farr, Inverness, IV2 6AW
Reference: APP/2018/1831

In terms of Standing Order 6.5, the Area Manager had received a request to address Committee in relation to this application from Ms Fiona Henderson for North Connect.

The Committee was asked if they wished to hear the representations. The Committee unanimously **agreed**.

The Committee having heard from the Senior Planner, then heard from Ms Henderson –

“This application is important for the local area. We have carried out an environmental impact assessment to make sure we get it right, and have put a lot of work into selecting the route. We have worked closely with the Planning Department and Marine Scotland to ensure we have a high quality development.

We are happy with the consent conditions. There will be a number of contractors employed to carry out the work.

When complete, this project will provide electricity for both Norway and the UK, providing more renewables on the grid. The project is being undertaken with no public money, but the public will benefit.”

Having noted the detail, the Buchan Area Committee **agreed** to welcome and confirm their support for the proposal and recommend to Full Council that Full Planning Permission be Granted subject to the following conditions –

1. That no works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be brought into operation unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the Planning Authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: To safeguard and record the archaeological potential of the area.

2. No works in connection with the development hereby approved shall commence until the following details have been submitted to, and agreed in writing by the Planning Authority in consultation with SEPA:
 - Full details of the working levels adjacent to all watercourses, including confirmation of pre development ground levels, confirmation that ground levels adjacent to watercourses are not to be altered other than the temporary access road approaches and confirmation that all levels will be reinstated to previous levels after completion of the project;
 - Full details of 10m buffer zones along all watercourses including confirmation that all materials, bunding and temporary structures other than the temporary access road approaches, are located outwith these buffer zones;
 - Full details, including back up measures, of the techniques and methodology proposed to temporarily divert watercourses crossed by the proposed cable route.

Thereafter, the development shall be carried out in full accordance with the approved details.

Reason: In order to ensure the protection of watercourses within the vicinity of the development in the interests of protecting the natural environment.

3. That no works in connection with the creation of the temporary site access road from the A90 trunk road to the HDD landfall site shall commence until full details of proposed temporary culverted bridges navigating watercourses have been provided to and agreed in writing by the Planning Authority in consultation with SEPA. These culverts should be designed in line with SEPA's Good Culvert Design Guidelines, ensuring that:
 - The culvert should maintain the natural channel width.
 - The soffit level should be higher than the natural bank height.
 - The culvert should be buried with the invert buried below the present bed level to maintain the present natural bed level, slope and material.

The culverts shall thereafter be installed in complete accordance with the approved details.

Reason: In order to ensure that accesses and culverts are appropriately designed in the interests of protecting the natural environment.

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Reason: In order to ensure flood risk can be appropriately managed in the interests of the amenity of the area.

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- Copies of Consents and Licenses
- Path/walkway re-routing

Thereafter the proposed development shall be carried out in full accordance with the approved details.

Reason: In the interests of the amenity of the area and protecting the natural habitat.

6. That within a period not less than 2 years prior to the ultimate cessation of operation, or an alternative timeframe as agreed in writing by the Planning Authority, a Decommissioning and Restoration Plan is to be prepared in line with best practice at the time of preparation and submitted for the written approval of the Planning Authority in consultation with SEPA.

Reason: To ensure that the site is appropriately restored and that provision is in place to facilitate a move towards a "Circular Economy", in the interests of the protection of the natural and water environment.

7. That no works in connection with the development hereby approved shall commence until the following details have been submitted to and agreed in writing by the Planning Authority in consultation with RSPB and SNH.
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The development shall thereafter be carried out in full accordance with the approved details.

Reason: In the interests of the amenity of the area and protecting the natural habitat.

8. Prior to the commencement of any abnormal load deliveries to the site, the proposed route for any abnormal loads on the trunk road network must be approved by the Planning Authority in consultation with Transport Scotland.

Any accommodation measures required including the removal of street furniture, junction widening, traffic management must similarly be approved prior to any abnormal load deliveries.

Any additional signing or temporary traffic control measures deemed necessary due to the size or length of loads being delivered must be undertaken by a recognised Quality Assured traffic management consultant, this is also to be approved by the Planning Service in consultation with Transport Scotland before delivery commences.

Reason: To minimise interference and maintain the safety and free flow of traffic on the Trunk Road as a result of the traffic moving to and from the development and to ensure that the transportation of abnormal loads will not have any detrimental effect on the trunk road network.

9. No development shall take place on site unless, a Construction Stage Traffic Management Plan has been submitted to and approved, in writing, by the Planning Authority in consultation with Transport Scotland. The Traffic Management Plan shall include details relating to:

- Traffic Management measures including accommodation works to manage construction traffic
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- Details of temporary signage
- Details of construction vehicle routing.

The developer shall conform with the agreed Construction Stage Traffic Management Plan and shall then carry out the works in line with the agreed specification and all construction traffic associated with the development shall conform to the requirements of the agreed plan.

Reason: To maintain the safety and free flow of the trunk road network and for traffic moving to and from the development in the interests of road safety.

10. That no works in connection with the development hereby approved shall commence until full details of the layout, type and construction methods for a proposed new junction connecting to the A90 trunk road, constructed generally in accordance with drawing *NCGEN-NCT-Z-YX-003-01 dated 10 July 2018 and prepared by Allen Gordon* have been submitted to and agreed in writing by the Planning Authority in consultation with Transport Scotland.

Reason: To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished.

11. No development shall take place unless, details of wheel washing facilities (or an alternative appropriate solution as agreed, in writing, by the Planning Authority in consultation with Transport Scotland) are agreed, in writing, with the Planning Authority in consultation with Transport Scotland. The agreed plant and facilities shall be provided within the construction site and shall remain in place for the duration of the construction period, unless otherwise agreed, in writing, by the Planning Authority.

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

and the following Direction –

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That subsection (1) of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended) shall apply in respect of the permission with the substitution of the period of three years referred to in that subsection with the period of four (4) years, as is considered appropriate by the Planning Authority in this instance on the basis of the scale of the development. The provisions of section 5(1) shall therefore be read as follows:

The planning permission is to lapse on the expiration of a period of four (4) years (beginning with the date on which the permission is granted) unless the development to which the permission relates is begun before that expiration.

Reason for Decision –

That the proposal is consistent with the Development Plan's aims of reducing carbon emissions and adapting to climate change. It also contributes to the Scottish Government's National Planning Framework's aim to move Scotland towards creating a low carbon place.

