

Dunoon to Loch Long 132kV OHL Rebuild

Environmental Impact Assessment

Volume 4 | Technical Appendix

Appendix 4.4 – EIA Scoping Opinion





Scottish Government
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**The Scottish Government
Energy Consents Unit**

**Scoping Opinion On Behalf Of Scottish Ministers Under The
Electricity Works (Environmental Impact Assessment) (Scotland)
Regulations 2017**

Dunoon to Loch Long 132kV Overhead Line Rebuild
Scottish Hydro Electric Transmission plc

19 July 2022

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1. Introduction

1.1 This scoping opinion is issued by the Scottish Government Energy Consents Unit on behalf of the Scottish Ministers to Scottish Hydro Electric Transmission plc, a company incorporated under the Companies Acts with company number SC213461 and having its registered office at Inveralmond House, 200 Dunkeld Road, Perth, PH1 3AQ (“the Company”) in response to a request dated 16 February 2022 for a scoping opinion under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 in relation to the proposed Dunoon to Loch Long 132kV overhead line rebuild (“the proposed development”). The request was accompanied by a scoping report.

1.2 The proposed development is a replacement of the existing overhead line between the existing Whistlefield substation, located north-west of Garelochhead, and the existing Dunoon substation located west of Sandbank, on Holy Loch, north of Dunoon.

1.3 The proposed development consists of a replacement twin circuit 132 kV overhead line supported by steel lattice towers; temporary line diversions to facilitate safe erection of the replacement line, close to, or on the existing line alignment on constrained sections; and, works at Dunoon 132/33 kV substation to facilitate the connection of the replacement line, including an increase in operational area and fenced boundary to accommodate erection of new gantries or a terminal tower.

1.4 In addition to the overhead line there will be ancillary infrastructure including:

- Access for the construction and maintenance of the line: vegetation clearance; upgrading of existing or establishment of new access tracks, potentially on-site borrow pit
- Forestry removal to accommodate the proposed development with temporary infrastructure
- Measures to protect road and water crossings during construction

1.5 The Company indicates that as the proposed development concerns construction of permanent infrastructure required for the continuing safe supply of electricity to the wider community, with a view to maintain, repair for perpetuity, or upgrade if required, decommissioning is not considered applicable and is scoped out of the EIA.

1.6 The proposed development is within the planning authority areas of Loch Lomond and the Trossachs National Park Authority and Argyll and Bute Council.

2. Consultation

2.1 Following the scoping opinion request a list of consultees was agreed between Scottish Hydro Electric Transmission plc and the Energy Consents Unit. A consultation on the scoping report was undertaken by the Scottish Ministers and this commenced on 18 March 2022. The consultation closed on 11 April 2022. Extensions to this deadline were granted to Loch Lomond and the Trossachs National Park Authority, Ministry of Defence, Historic Environment Scotland, and Scottish Rights of Way and Access Society. The Scottish Ministers also requested responses from their internal advisors Transport Scotland and Scottish Forestry. Standing advice from Marine Scotland Science (MSS) has been provided with requirements to complete a checklist prior to the submission of the application for consent under 37 of the Electricity Act 1989.

Additional information was provided by the applicant on 5 May 2022, in regards to a new proposed alignment option. Further comments from consultees were sought on 11 May until 8 June 2022. All consultation responses received, and the standing advice from MSS, are attached in **ANNEX A Consultation responses**.

2.2 The purpose of the consultation was to obtain scoping advice from each consultee on environmental matters within their remit. Responses from consultees and advisors, should be read in full for detailed requirements and for comprehensive guidance, advice and, where appropriate, templates for preparation of the Environmental Impact Assessment (EIA) report.

2.3 Unless stated to the contrary in this scoping opinion, Scottish Ministers expect the EIA report to include all matters raised in responses from the consultees and advisors.

2.4 No responses were received from – Civil Aviation Authority, Glasgow Prestwick Airport, Fisheries Management Scotland, Argyll District Salmon Fisheries, Joint Radio Company, John Muir Trust, Mountaineering Scotland, Scottish Wildlife Trust, Scottish Wild Land Group, Visit Scotland, National Grid, Scottish Canoe Association, Network Rail, Cairngorms National Park Authority, Dunoon Community Council, Sandbank Community Council, Ardentinny Community Council, and Lochgoil Community Council, West of Scotland Archeology Society, Galloway and Southern Ayrshire Biosphere, Kilmun Community Council, Dunoon Community Council.

2.5 With regard to those consultees who did not respond, it is assumed that they have no comment to make on the scoping report, however each would be consulted again in the event that an application for section 37 consent is submitted subsequent to this EIA scoping opinion.

2.6 The Scottish Ministers are satisfied that the requirements for consultation set out in Regulation 12(4) of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 have been met.

3. The Scoping Opinion

3.1 This scoping opinion has been adopted following consultation with Loch Lomond and the Trossachs National Park Authority and Argyll and Bute Planning Authority, within whose area the proposed development would be situated, NatureScot (previously “SNH”), Scottish Environment Protection Agency and Historic Environment Scotland, all as statutory consultation bodies, and with other bodies which Scottish Ministers consider likely to have an interest in the proposed development by reason of their specific environmental responsibilities or local and regional competencies.

3.2 Scottish Ministers adopt this scoping opinion having taken into account the information provided by the applicant in its request dated 16 February 2022 in respect of the specific characteristics of the proposed development and responses received to the consultation undertaken. In providing this scoping opinion, the Scottish Ministers have had regard to current knowledge and methods of assessment; have taken into account the specific characteristics of the proposed development, the specific characteristics of that type of development and the environmental features likely to be affected.

3.3 A copy of this scoping opinion has been sent to Loch Lomond and the Trossachs National Park Authority and Argyll and Bute Council for publication on their websites. It has also been published on the Scottish Government energy consents website at www.energyconsents.scot.

3.4 Scottish Ministers expect the EIA report which will accompany the application for the proposed development to consider in full all consultation responses attached in **Annex A**.

3.5 Scottish Ministers are satisfied with the scope of the EIA set out at Sections 4 to 12 of the scoping report.

3.6 In addition to the consultation responses, Ministers wish to provide comments with regards to the scope of the EIA report. The Company should note and address each matter.

3.7 Scottish Water provided information on whether there are any drinking water protected areas or Scottish Water assets on which the development could have any significant effect. Scottish Ministers request that the company contacts Scottish Water (via EIA@scottishwater.co.uk) and makes further enquires to confirm whether there any Scottish Water assets which may be affected by the development, and includes details in the EIA report of any relevant mitigation measures to be provided.

3.8 Scottish Ministers request that the Company investigates the presence of any private water supplies which may be impacted by the development. The EIA report should include details of any supplies identified by this investigation, and if any supplies are identified, the Company should provide an assessment of the potential impacts, risks, and any mitigation which would be provided.

3.9 MSS provide generic scoping guidelines for both onshore wind farm and overhead line development (<https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren>) which outline how fish populations can be impacted during the construction, operation and decommissioning of a development and informs developers as to what should be considered, in relation to freshwater and diadromous fish and fisheries, during the EIA process.

3.10 In addition to identifying the main watercourses and waterbodies within and downstream of the proposed development area, developers should identify and consider, at this early stage, any areas of Special Areas of Conservation where fish are a qualifying feature and proposed felling operations particularly in acid sensitive areas.

3.11 MSS also provide standing advice for overhead line development (which has been appended at Annex B) which outlines what information, relating to freshwater and diadromous fish and fisheries, is expected in the EIA report. Use of the checklist, provided in Annex 1 of the standing advice, should ensure that the EIA report contains the required information; the absence of such information may necessitate requesting additional information which may delay the process. Developers are required to submit the completed checklist in advance of their application submission.

3.12 Scottish Ministers consider that where there is a demonstrable requirement for peat landslide hazard and risk assessment (PLHRA), the assessment should be undertaken as part of the EIA process to provide Ministers with a clear understanding of whether the risks are acceptable and capable of being controlled by mitigation measures. The Peat Landslide Hazard and Risk Assessments: Best Practice Guide for Proposed Electricity Generation Developments (Second Edition), published at <http://www.gov.scot/Publications/2017/04/8868>, should be followed in the preparation of the EIA report, which should contain such an assessment and details of mitigation measures.

3.13 The Scoping Report submitted was referred to Ironside Farrar commissioned by the ECU to provide advice regarding PLHRA and relative to the potential risks posed by peat slides. Scottish Ministers agree with Ironside Farrar that a PLHRA will be required. Please note Ironside Farrar's comments in regards to PLHRA included at Annex A.

3.14 The scoping report identified preliminary viewpoints at paragraph 4.6.17 and at Figure 4.1. to be assessed within the landscape and visual impact assessment, an additional viewpoint was also identified in the additional information provided. Please note Loch Lomond and the Trossachs National Park Authority's comments regarding landscape and visual impacts (including seascape).

3.15 Ministers agree with the Argyll and Bute Planning Authority that the EIA should include a description of the reasonable alternatives (in terms of project design, technology, location, size and scale studied by the developer, which are relevant to the proposal and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.

Please note Loch Lomond and the Trossachs National Park Authority and NatureScot's comments regarding the potential for cumulative effects including forestry management, associated infrastructure and access and works under different consenting regimes). Also that a construction timeline for the full duration of works (including restoration and removal of the existing OHL should also form part of the EIA. Ministers agree that the EIA report should address these matters.

3.16 Ministers are aware that further engagement is required between parties regarding the refinement of the design of the proposed development regarding, among other things, surveys, management plans, peat, radio links, finalisation of viewpoints, cultural heritage, cumulative assessments and request that they are kept informed of relevant discussions.

4. Mitigation Measures

4.1 The Scottish Ministers are required to make a reasoned conclusion on the significant effects of the proposed development on the environment as identified in the environmental impact assessment. The mitigation measures suggested for any significant environmental impacts identified should be presented as a conclusion to each chapter. Applicants are also asked to provide a consolidated schedule of all mitigation measures proposed in the environmental assessment, provided in tabular form, where that mitigation is relied upon in relation to reported conclusions of likelihood or significance of impacts.

5. Conclusion

5.1 This scoping opinion is based on information contained in the applicant's written request for a scoping opinion and information available at the date of this scoping opinion. The adoption of this scoping opinion by the Scottish Ministers does not preclude the Scottish Ministers from requiring of the applicant information in connection with an EIA report submitted in connection with any application for section 37 consent for the proposed development.

5.2 This scoping opinion will not prevent the Scottish Ministers from seeking additional information at application stage, for example to include cumulative impacts of additional developments which enter the planning process after the date of this opinion.

5.3 Without prejudice to that generality, it is recommended that advice regarding the requirement for an additional scoping opinion be sought from Scottish Ministers in the event that no application has been submitted within 12 months of the date of this opinion.

5.4 It is acknowledged that the environmental impact assessment process is iterative and should inform the final layout and design of proposed developments. Scottish Ministers note that further engagement between relevant parties in relation to the refinement of the design of this proposed development will be required, and would request that they are kept informed of on-going discussions in relation to this.

5.5 Applicants are encouraged to engage with officials at the Scottish Government's Energy Consents Unit at the pre-application stage and before proposals reach design freeze.

5.6 Applicants are reminded that there will be limited opportunity to materially vary the form and content of the proposed development once an application is submitted.

5.7 When finalising the EIA report, applicants are asked to provide a summary in tabular form of where within the EIA report each of the specific matters raised in this scoping opinion has been addressed.

5.8 It should be noted that to facilitate uploading to the Energy Consents portal, the EIA report and its associated documentation should be divided into appropriately named separate files of sizes no more than 10 megabytes (MB). In addition, a separate disc containing the EIA report and its associated documentation in electronic format will be required.


Energy Consents Unit
19 July 2022

ANNEX A

Consultation

List of consultees

Argyll & Bute Council
Loch Lomond & the Trossachs National Park
SEPA
NatureScot
Historic Environment Scotland
Aberdeen Airport
Ardentinny Community Council *
Argyll District Salmon Fisheries*
British Horse Society Scotland *
BT
Cairngorms National Park*
Civil Aviation Authority*
Coal Authority
Crown Estate Scotland
Defence Infrastructure Organisation
Dunoon Community Council*
Edinburgh Airport
Fisheries Management Scotland*
Galloway and Southern Ayrshire Biosphere*
Glasgow Airport
Glasgow Prestwick Airport*
Highlands and Islands Airport
John Muir Trust*
Joint Radio Company*
Kilmun Community Council*
Lochgoil Community Council*
Maritime and Coastguard Agency
Met Office (first consultation response only)
Mountaineering Scotland*
National Grid*
NATS Safeguarding
Network Rail *
Office for Nuclear Regulation
RAF
RSPB Scotland
Sandbank Community Council*
Scottish Canoe Association*
Scottish Rights of Way and Access Society
Scottish Water
Scottish Wild Land Group (SWLG) *
Scottish Wildlife Trust*
Visit Scotland*
West of Scotland Archaeology Service*

*No response was received.

Internal advice from areas of the Scottish Government was provided by officials from Transport Scotland, Scottish Forestry and Marine Scotland in the form of standing advice from Marine Scotland Science). Loch Lomond and the Trossachs National Park Authority and Argyll and Bute Planning Authority, PLHRA advice from Ironside Farrar (commissioned by the ECU to provide advice regarding PLHRA and relative to the potential for risks posed by peat slides) has also been provided.

Argyll and Bute Council
Comhairle Earra Gháidheal agus Bhóid



Development and Economic Growth

Director: [REDACTED]

Helensburgh and Lomond Civic Centre, 38 East Clyde Street, Helensburgh G84 7PG
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19 July 2022

Our Ref.: 22/00602/SCOPE

ECU Ref.: EC00003430

Contact: [REDACTED]

Direct Line : [REDACTED]

e-mail address: [REDACTED]

Helensburgh and Lomond Civic Centre
38 East Clyde Street
Helensburgh, G84 7PG

Dear Sir / Madam

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

Scoping Opinion Consultation Response - Proposal to construct a replacement 132 Kilovolt (kV) double circuit overhead line (OHL) between the existing Dunoon substation and Tower 15 to the west of Loch Long.

I write in reference to your consultation regarding the above. Please accept my apologies for the delay in responding. The scoping opinion consultation response is attached as Appendix A to this letter.

It should be clarified that the issuing of this scoping consultation advice should not be taken to indicate support for the proposal on the part of Argyll & Bute Council. The Council's conclusions on any future application would rely upon the consideration of the content of any accompanying environmental information, the responses of consultees, the views of third parties and any other material planning considerations.

Please note that in terms of the Council's '*Argyll and Bute Local Development Plan*' (adopted 2015) and associated Supplementary Guidance, Argyll & Bute Council will support renewable energy developments where these are consistent with the principles of sustainable development and it can be adequately demonstrated that there would be no unacceptable significant adverse effects, whether individual or cumulative, including on local communities, natural and historic environments, landscape character and visual amenity, and that the proposals would be compatible with adjacent land uses. Proposals will be assessed against the following criteria:

- Net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities.
- The scale of contribution to renewable energy provision.
- Effect on greenhouse gas emissions.
- Cumulative impacts arising from all of the considerations below.
- Impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker.



- Landscape and visual impacts, including effects on wild land.
- Effects on the natural heritage, including birds.
- Impacts on carbon rich soils, using the carbon calculator.
- Public access, including impact on long distance walking and cycling routes and those scenic routes identified in the NPF.
- Impacts on the historic environment, including scheduled monuments, listed buildings and their settings.
- Impacts on tourism and recreation.
- Impacts on aviation and defence interests and seismological recording.
- Impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised.
- Impacts on road traffic.
- Impacts on adjacent trunk roads.
- Effects on hydrology, the water environment and flood risk.
- The need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration.
- The need for site restoration.

The 'Argyll & Bute Landscape Wind Energy Capacity Study' (2017) technical note is also a material consideration in the Council's consideration of large scale renewable infrastructure applications in that it evaluates the landscape character and sensitivities of an area. Although produced to primarily assist in evaluating windfarm proposals, the landscape character analysis contained within this document will be a material planning consideration in evaluating the ability of the landscape to absorb S37 developments and identify areas of sensitivity such as transitional and/or sensitive landscape areas.

That this infrastructure investment is generally supported by draft NPF 4, NPF3, SPP, LDP, Draft LDP 2 and other policies of the Council, does not detract from the need to ensure that significant environmental and landscape impacts are minimised, and also that any potential impacts on sensitive receptors are carefully considered in determining any future S37 application under the Electricity Act.

Should you require anything further please do not hesitate to contact me.

Yours sincerely


Senior Planning Officer
Major Applications Team
Development & Infrastructure

Appendix A

ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017, REGULATION 12

SCOPING CONSULTATION RESPONSE ON BEHALF OF ARGYLL & BUTE COUNCIL

PROPOSAL: Proposal to construct a replacement 132 Kilovolt (kV) double circuit overhead line (OHL) between the existing Dunoon substation and Tower 15 to the west of Loch Long.

THE PROPOSAL

The applicant is seeking consent under section 37 (s37) of the Electricity Act to replace the OHL between the existing Dunoon substation and Tower 15, to the west of the Loch Long crossing. This will comprise:

- Erection of a replacement twin circuit 132 kV over headline (OHL) using different support structures and predominantly on a new alignment (to allow a continuous electricity supply to Dunoon during the construction period);
- Erection of temporary OHL diversions to facilitate safe erection of the replacement line, close to, or on the existing OHL alignment on constrained sections; and,
- Works at Dunoon 132/33 kV substation to facilitate the connection of the replacement OHL, potentially including an increase in operational area and fenced boundary to accommodate erection of new gantries or a terminal tower

The applicant has also confirmed that associated works will also be required including:

- Establishing access for the construction and maintenance of the OHL, i.e. vegetation clearance; upgrading of existing or establishment of new access tracks, potentially using on-site borrow pits;
- Forestry removal to accommodate the Proposed Development, and temporary infrastructure; an
- Measures to protect road and water crossings during construction (scaffolding etc.).

It is also noted that the applicant confirms that:

Should a requirement to underground any section, associated with mitigation for any likely significant effect identified during the EIA, or for any other reason, then this associated cabling development would also be included within the EIA assessment, to cover deemed planning consent as part of the application.

The Planning Authority notes that the majority of the route is contained within the administrative boundaries of Loch Lomond and the Trossachs National Park. Their response to the Scoping request has been provided to Argyll and Bute Council to assist in setting the overall context for this response.

CONSIDERATION OF ALTERNATIVES

The EIA should include a description of the reasonable alternatives (in terms of project design, technology, location, size and scale) studied by the developer, which are relevant to the proposal and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.

It is noted in respect of the section of the line within the boundaries of the National Park that alternative build options, such as undergrounding sections of the line appear to be still being considered. Argyll and Bute Council defers to the views of the National Park Authority in respect of such matters.

BUILT ELEMENTS

The towers to be used for the Proposed Development will be constructed from fabricated galvanised steel and will be grey in colour. The Proposed Development will use a 'L7C' series of lattice steel tower, which can vary in height between 26 m and 44 m (which includes for potential extensions).

The maximum tower height based from the current assessments is 38.5 m and to be re-assessed on agreement of the final alignment. Three types of tower are likely to be used within the Proposed Development as follows:

- Suspension towers: These are used for straight sections of OHL where there is no need to manage uplift loads on the support structure;
- Angle/ tension towers: These are used either for straight sections, where there is a need to manage uplift pressures on the support structure, and / or where there is a need to change the direction of the OHL alignment; and,
- Terminal tower: Proposed at Dunoon substation, from which the termination of the OHL to the substation is made.

The new towers will carry two circuits, each with three conductors supported from either, glass, porcelain, or composite insulators attached to the horizontal cross arms on both sides of each lattice steel tower. An earth wire with a fibre optic core will be suspended between tower peaks, above the conductors. The span length (distance between towers) will vary depending on topography, and land usage. The current average span from the initial assessment is 225 m with maximum span of 307 m along the preferred alignment.

The EIA should identify the location of all built elements, including access tracks and any related and required borrow pits to facilitate access track provision, both temporary and permanent, which should be sited to avoid habitats of importance, wetlands, areas of deep peat and blanket bog, watercourses and abstractions, in order that areas of particular vulnerability to damage from development, or which have higher pollution sensitivity, may be protected from unnecessary impacts associated with the development. The assessment should address the construction, operational and decommissioning phases of the development. It should also be noted that the Council would expect the access to/from the site to the junction with the public road to be included within the site edged red.

PLANNING POLICY CONTEXT

The EIA will require to take into account of applicable legislation, policy and guidance in relation to renewable energy.

The following documents should also be given due weight in the policy evaluation of the proposal

- NPF3 (or NPF4 based upon submission date)
- SPP
- Argyll and Bute Local Development Plan 2015
- Argyll and Bute Energy Action Plan
- Argyll and Bute Landscape Wind Energy Capacity Study (Capacity Study 2017);
- SNH (1996) Landscape Assessment of Argyll and the Firth of Clyde (Review No78)
- Argyll and Bute Woodland and Forestry Strategy
- Argyll and Bute Biodiversity Action Plan 2017

Any route option proposed as part of a S37 application should also have regard to any specific land use allocations within the adopted LPD 2015.

Although not as yet adopted, attention is drawn to the emerging LDP 2. Depending upon the date of any future application this may have reached a stage in the adoption process where the weight to be afforded to this will be increased. Therefore the applicants should ensure that the status and weight to be afforded to the policies and land use allocations/designations in the emerging LDP 2 document are both considered, and given appropriate weight, in any policy evaluation.

LANDSCAPE & VISUAL AMENITY

It is noted from the Scoping Report that the aim of the landscape and visual impact assessment (LVIA) is to identify, predict and evaluate potential landscape and visual effects arising from the proposed development and associated ancillary elements. The main elements of LVIA are set out at Chapter 4 of the Scoping Report.

National Park Section

The landscape designations and National Park status of those sections of the line within the National Park Boundary set out at 4.3.4 to 4.3.12 are noted and Argyll and Bute Council defers to the comments of Loch Lomond and The Trossachs National Park and NatureScot in respect of those sections of the proposed route.

Argyll and Bute Section

In respect of those sections within Argyll and Bute the Council have designated regionally important landscapes as Areas of Panoramic Quality (APQ). Bute & South Cowal APQ, is approximately 10 km to the west of the Proposed Development at its closest point and Loch Long (Coast) APQ is located approximately 2 km to the north.

The applicants confirm that:

The LVIA will consider the landscape at a fine scale, more local than the NatureScot assessment. Provisionally (to be refined in the early stages of the LVIA) these will be based on the finer detail landscape character assessment undertaken on behalf of the National Park and extended south at a similar level of detail:

- *Open Hills LCT – the high ground north of Glen Finart and between Glen Finart and Strath Eachaig;*
- *Glen Finart (Forested Glen Sides and Farmed Strath & Glen Floors LCTs);*
- *Pucks Glen area (Forested Glen Sides and Forested Upland Glens LCTs, higher sensitivity because of the visitor interest and management as an arboretum);*
- *Strath Eachaig (Forested Strath & Glen Floor and Farmed Strath & Glen Floor LCTs);*
- *Rolling forested hills – the forested hillside on the southeast side of Strath Eachaig and south to Finbracken Hill, mostly managed as commercial forestry; and,*
- *Sandbank – the more open area immediately around Dunoon substation.*

The commitment to this greater level of evaluation is welcomed as is the intention in respect of cumulative impact to consider schemes within the 10 km study radius but will also identify any schemes within a 15 km radius that would have a significant cumulative effect when combined with the Proposed Development. Given the more local nature of the potential landscape character effects, the cumulative landscape assessment will consider any such schemes within a 2 km radius of the Proposed Development. The Assessment approach and methodology as set out in the scoping report is considered acceptable and the comments of the National Park in respect of these matters is supported.

In summary the applicants confirm that the LVIA will address the following:

- The Proposed Development is considered to have the potential for effects on visual amenity up to 10 km from the proposed OHL, although significant effects are more likely no more than two to three kilometres from the new proposed OHL.
- It is considered to have the potential for locally significant effects on the landscape, beneficial in some places, but unlikely to have a significant effect on any unit

of LCT, as defined by the NatureScot landscape character assessment. This will be tested through the assessment.

- It is considered likely to intensify the adverse influence of development of an industrial nature on the National Park, a notable potential significant effect. Again, this will be tested through the assessment.

This overall approach, and the details as set out at Section 4 of the scoping report are considered acceptable.

CULTURAL HERITAGE

The Scoping Report confirms that potential effects on the cultural heritage resource associated with the construction and/or operation of the Proposed Development include:

- *Direct (physical) effects on undesignated cultural heritage sites or features within the Proposed Development;*
- *Physical disturbance of known or hitherto undiscovered sites or features, including unforeseen buried remains of archaeological interest;*
- *Effects on the setting of cultural heritage assets, resulting from intervisibility between the asset and the Proposed Development; and,*
- *Cumulative effects on the setting of cultural heritage assets from the Proposed Development in combination with other Proposed Developments in the locality.*

In addition 5.6.1 and 5.6.2 confirm that:

The Cultural Heritage assessment will be supported through the production of a fully illustrated archaeological desk-based assessment. This will include a detailed baseline compiled through a broad and standard range of data sources, including the HER, the National Heritage List and Scottish National Record for the SNRHE, local authority data sources along with published works and cartographic sources, and topographic, geology and geotechnical data, where available.A site walkover will be undertaken to assess the visible archaeological and built heritage resource and archaeological potential of the Proposed Development, with the results included within the assessment. This will allow for the determination of whether previously unrecorded historic features are present on-site. The results of any new archaeological sites will be discussed with WoSAS and HES....The results of the assessment will determine the requirement for any appropriate mitigation measures for the protection of the cultural heritage resource or, where necessary, the investigation and recording of any sites likely to be affected by the Proposed Development where preservation in situ cannot be achieved.

In respect of these matters the Planning Authority is in agreement with the approach set out in the Scoping Report but will defer to the views of HES and WoSAS who will be subject to further discussions on this matter by the applicants.

That the applicants have committed to evaluate:

*The effects of the Proposed Development (direct and indirect impacts) on heritage assets will be assessed and mitigation measures, where appropriate, would be proposed to prevent, reduce or offset any likely significant adverse identified. Cumulative effects from the Proposed Development in combination with other proposed developments (as discussed in **Section 3.5**) would also be considered, where appropriate.*

Is welcomed and the approach set out in the Scoping Report is acceptable.

HYDROLOGY, HYDROGEOLOGY, GEOLOGY, SOILS AND PEAT

The Scoping report at 6.5 identifies that the applicants consider that potentially significant effects may result from the construction phase of the Proposed Development as follows:

- *Impacts on private water supplies both in terms of water quality and security of supply;*
- *Flooding - including from the obstruction of watercourses during construction and forestry works associated, and the increased runoff due to soil compaction;*

- *Operational impacts on groundwater levels and flows as a result of the proposed permanent access tracks;*
- *Soil erosion, compaction and excavation losses during access or construction;*
- *Impact on water resource availability, including impacts to groundwater levels from any dewatering required; and,*
- *Modifications to groundwater conditions, including levels and flows, which may cause alteration to receptors such as GWDTE or groundwater-fed water supplies.*

The stated approach and use of technical reports on such matters as part of the EIA is welcomed. The Planning Authority will defer to the views of SEPA, NatureScot and Scottish Water on such matters. In respect of Private Water supplies the Environmental Health division of the Council may be able to assist on identifying these.

ECOLOGY/ORNITHOLOGY

In respect of these matters the applicants have clarified that potential significant effects of the proposed development to features within an EZol during construction are anticipated to be as follows:

- *Temporary or permanent direct or indirect loss of, or damage to sensitive terrestrial and aquatic habitats including woodland³⁰, peatland, coastal and estuarine habitats;*
- *Killing and injury of protected and notable species during construction and advance site clearance activities;*
- *Temporary or permanent loss of, obstruction of, or disturbance to legally protected and notable species' resting sites;*
- *Temporary or permanent loss of, modification, fragmentation or disturbance to protected species foraging areas and commuting routes including but not limited to red squirrel;*
- *Pollution to habitats with indirect effects on associated protected and notable species; and,*
- *Spread of invasive non-native species with indirect effects on associated flora and fauna.*

The Planning Authority is in agreement that construction effects are anticipated to be largely temporary, low magnitude and localised and that;

Significant effects should be possible to avoid if appropriate mitigation is included in the design, planning and implementation of the Proposed Development. The requirement for mitigation will be identified and designed in conjunction with other geo-environmental and engineering inputs and once ecological survey work is complete

The Scoping report also clarifies at 8.1.1 in respect of Ornithology that:

The EIA will consider the potential effects of the Proposed Development on nature conservation designated sites, habitats and species along the route and within the wider local area. Evaluation of the existing baseline environment will be made through a combination of desk-based study, field surveys and consultation.

It is also noted that applicants have already been in consultation with NatureScot, RSPB Forestry and Land Scotland and Argyll Raptor Studies Group and at 8.2.3 it is confirmed that:

NatureScot was consulted at an early stage to determine an appropriate ornithology survey scope to inform the EIA. Based on this consultation and a review of the data collected from the consultation and desk-based study, a suite of ornithology surveys was undertaken in accordance with NatureScot guidance. Ornithology surveys were conducted within specific distances of the OHL Route. The following surveys were undertaken:

- *Flight activity surveys across both the wintering and breeding periods. A total of three VPs was surveyed during the wintering period (December 2020 to February 2021)³³ and four during the breeding period (March to August 2021) with 36 hours of survey effort³⁴ undertaken for each*

VP per season. Flights at heights of between 10 and 50 m above ground level that crossed the OHL Route were considered to be at Potential Collision Height (PCH).

- *Wintering walkover surveys: Three survey visits across a survey area encompassing the OHL Route plus a 500 m survey buffer from November 2020 to early March 2021.*
- *Moorland breeding bird survey: Four survey visits across the OHL Route plus a 500 m survey buffer between late April and early July 2021.*
- *Scarce breeding bird survey: Four survey visits across the OHL Route plus a 2 km survey buffer between April and July 2021.*
- *Lekking black grouse survey. Two survey visits across the OHL Route plus a 1.5 km survey buffer during April and May 2021.*

In summary, at 8.7 the scoping report confirms that:

The Proposed Development has the potential to significantly effect a relatively low number of species of conservation concern. Extensive ornithology surveys, and a desk study exercise, were undertaken to determine the ornithological baseline on which to base the assessment. Based on the results obtained it is anticipated that significant effects are only likely on the following species; golden eagle, hen harrier, black grouse and barn owl. Construction effects will be temporary in nature and a range of mitigation measures will be devised and implemented to minimise these effects. In particular NatureScot guidance in relation to helicopters and disturbance to birds will be followed when planning an assessing flight routes³⁵. In addition, a collision risk assessment will be undertaken to determine the risk of collision with the Proposed Development infrastructure. The collision risk assessment will be informed by a literature review to evaluate the relative risk of ornithology receptor, to include an evidence-based study produced by EirGrid in the Republic of Ireland³⁶. If mitigation is required, installation of bird flight diverters on appropriate spans will be considered.

The Planning Authority is in agreement with the proposed approach set out in the Scoping Report but defers to the views of NatureScot on these matters.

General Comment

All necessary surveys should be carried out at the optimum time of year by a suitably qualified person and include mitigation. Links to: A Biodiversity Technical Note for Planners and Developers, Argyll & Bute Council, February 2017 and Pollinators in Planning and Construction, A brief guide for the development sector, Scottish Natural Heritage, August 2019 are provided below:

https://www.argyll-bute.gov.uk/sites/default/files/biodiversity_technical_note_feb_2017_4.pdf

<https://www.nature.scot/sites/default/files/2019-09/Pollinators%20in%20Planning%20and%20Construction%20Guide.pdf>

The applicant is advised to follow the good practice set out in these documents.

NOISE AND VIBRATION

The Scoping Report sets out that noise surveys have been previously been carried out in 2019 and 2021 in the vicinity of the existing Dunoon Substation in accordance with BS 744537 to establish the current noise climate in the vicinity of the existing OHL.

The applicants confirm that preliminary results of the baseline noise survey confirmed that the lowest noise levels recorded at a property in Rushfield are in the order of LAeq,15min 38 dB and LA90, 15min 38 dB, during the night-time and that ...*Data collected in 2019 and 2021 will be used to support our assessment of the Proposed Development in the EIA Report.*

Sensitive receptors have been identified at the following locations;

- Dwellings located at Glen Finart;
- Dwellings at Rushfield;
- Dwellings at Ballochyle; and,
- Dwellings at Ardnadam, north of Dunoon.

And that other individual properties will be identified once the alignment has been selected and within a 500 m buffer.

The Planning Authority Notes that the Scoping Response at 9.4.3 states that:

A preliminary noise model for 132 kV OHL has been developed by SSEN Transmission using the proposed conductor and the results suggest the noise levels arising from the OHL would not exceed L50 25 dB at 10 m from the line. It is also noted from the preliminary noise survey results that the existing ambient noise levels (dB LAeq) and background noise levels (dB LA90) at a representative dwelling near the overhead line are at least 10 dB higher than this predicted noise level. This suggests that a significant adverse effect from the operation of the line is unlikely. Therefore, an assessment of the likely effects arising from the operation of the Proposed Development has been scoped out.

The ECU is requested to evaluate whether the assumptions used in this referenced noise model are robust, to justify scoping out the operational noise characteristics associated with the proposal and specialist knowledge on the inputs/assumptions and conclusions of this this evaluation will be required to consider whether such an approach is reasonable for the EIA and these matters can be scoped out.

The Scoping Report at 9.5 identifies the following potential significant impacts;

- *Construction of the Proposed Development, including dismantling of the existing OHL, has the potential to cause significant adverse effects at the nearest sensitive receptors described earlier in this chapter.*
- *Noise and vibration effects may be attributable to activities such as road improvements and erection of site compounds during the enabling phase. During construction, activities related to the tower foundations and tower constructions may also generate an impact.*
- *There is potential for the use of helicopters to drop materials and equipment and this is also likely to cause a noise impact depending on the regularity and timings of this activity.*

The applicants confirm at 9.6.3 that:

A noise model in CadnaA will be prepared to predict construction noise associated with the Proposed Development. A typical configuration of plant items for key stages of the construction will be used based on information available prior to preparing the EIA Report. Sounds levels from plant will be assessed over the daytime, evening and night-time period, if applicable, using the ABC method described in BS5228-139 to determine the significance of effect at each receptor.

It is noted that at 9.7.1 the applicants confirm they will consult with A&B council to agree the final assessment methodology and that the assessment will focus on likely significant effects arising from the construction phase of the development. It is agreed that as a general approach this is acceptable.

FORESTRY

The Scoping Report Confirms that the linear measurement of woodland affected by creation of an operational corridor is approximately 9.7 km of the Proposed Development 17.3 km OHL Route. Further clarification is provided at 10.3.1 that:

Based on the results of the desk-based study and woodland site visits, the following sensitive receptors were identified and will be assessed and included in the EIA Report.

- *Native broadleaved woodland: Areas are classified on the Scottish Government's Ancient Woodland Inventory. Areas of long established and naturally regenerated woodland are evident, an important habitat for biodiversity and managed for long term retention and biodiversity enhancement.*
- *Forest landscape impact: As detailed in **Section 4** of this report, woodland removal of the OHL operational corridor will create a change in the forest landscape. A forest landscape design assessment of the OHL operational corridor would be conducted for the identified forest areas that are prominent in the landscape.*

The Scoping report identifies potential forestry effects associated with the construction and operation of the Proposed Development to include:

- *Temporary or permanent woodland cover loss and fragmentation;*
- *Potential for windthrow risk and identification of windfirm boundaries;*
- *Potential for forest landscape impact and identification of forest landscape design boundaries;*
- *Reduction or loss of native woodland habitat; and,*
- *Loss of timber volume production due to early felling.*

In respect of the proposed mitigation strategy it is stated that:

- *The routeing and alignment selection process for the Proposed Development has enabled consideration of likely significant effects on forestry throughout the evolution of the project to date.*
- *In-line with the Scottish Government's Control of Woodland Removal Policy (CoWRP), compensatory planting would be required for all areas of woodland loss associated with the Proposed Development, therefore, achieving no net loss of woodland cover.*
- *The native broadleaved woodland areas will be assessed for increased tree retention where possible, whilst allowing a safe operational corridor for OHL construction and operation to be established.*

At 10.6.3 the applicants state that:

The establishment and ongoing maintenance of the OC is required to ensure integrity of the OHL and safety clearances are maintained and that unhindered access under the line remains. The assessment will consider the OC only and is not proposed to address overall Forest Plans of the adjoining woodlands. Any felling to adjacent woodlands undertaken outwith the OC would be agreed pragmatically with but remain solely under the control of the landowner, and the Applicant would not have any influence or control over such. (Council emphasis)

Further clarification on this matter is considered to be beneficial, as this would seem to infer that additional felling beyond that required to deliver the OC may be undertaken in ancient woodland. This is particularly relevant if separate TMP's are proposed for tree felling and construction stages of the project (as was previously the case for similar proposals from Port Anne to Crossaig) as accuracy of tonnages and related vehicle movements will be critical to safe vehicular operations.

It is noted that at 10.7.2 it is stated that "*Compliance with the CoWRP through compensatory planting of the woodland removal area would achieve an overall no net loss of woodland*". Further clarification on the mechanism to achieve necessary replanting is considered to be necessary through the EIA submissions and not left as a matter for a deemed planning condition.

TRAFFIC, TRANSPORT AND ACCESS

The commitment at 11.1.3 to address the following matters in the EIA are welcomed:

- *Address potential disruption to pedestrians, cyclists and existing road users during the construction phase;*
- *Assess changes to local traffic flows during the construction phase;*
- *Assess the effect of the changes on the transport network and the level of significance of any effects established; and,*
- *Take account of the objectives of the local and strategic policy.*

The baseline study approach is outlined at 11.2. Further discussion on this matter with The Councils Area Roads Manager is recommended before the study methodology is finalised in the EIA submission. The additional statement at 11.2.4 that "*If necessary, the above traffic counts sites can be supplemented with additional traffic count information from the DfT*". Is welcomed.

However the approach set out at 11.4.1 that:

As vehicles travel away from the Proposed Development during the construction phase, they will disperse across the wider road network, thus diluting any potential effects. It is therefore expected

that the effects relating to Traffic and Transport are unlikely to be significant beyond the Study Area identified above, and as such no other routes are proposed to be included.

Requires that further discussions on this point are undertaken with the appropriate roads authorities with a defined study area and agreed dispersion range before on point of principle this can be agreed to be scoped out at this stage.

At 11.4.3 it is stated that:

With regards to decommissioning effects, at the end of the life of the Proposed Development's operational life, there may be an impact on the local highway network due to movements of HGVs associated with the removal of equipment and materials. However, the number of vehicle movements is anticipated to be lower than predicted for construction and any baseline data collected for the purposes of this assessment would likely not be relevant so far in the future. As such, further assessment in this regard is not considered necessary.

Further information in respect of predicted HGV movements is required before it can be agreed that this should not form part of any submitted EIA data and further discussion with the Area Roads Manager will be required on this matter to form part of the EIA submission.

In respect of utilising existing access points as set out at 11.5.1 it will require to be clarified what the junction designs for these will be to ensure that they can be safely utilised and also where new temporary or permanent access tracks are proposed as part of the EIA submission.

It is considered important to identify if and where borrow pits are proposed which may be utilised to provide construction materials prior to the production of and Transportation Assessment (TA) associated with and conditional discharges should the scheme be approved. Recent S37 permissions have resulted in considerable post approval work for the Area Roads Manager in respect of conditioned TMP's and the failure for the use of borrow pits to be investigated and factored into TA's at an early enough stage.

This resulted in TMP's being produced in advance of any investigation of the use of borrow pits and work having to be done multiple times associated with the review and approval of these conditioned submissions as part of the deemed planning permission.

In this respect the applicants are advised to have further discussions with ECU, Transport Scotland and the Area Roads Manager prior to finalising any TA submissions to ensure that other projects with potential impacts on the roads network are understood and properly addressed, as well as ensuring that the potential use of borrow pits is investigated prior to the submission of the TA. To this effect the commitment at 11.7.1 that "*Consultation will be undertaken with Argyll and Bute Council to agree the assessment methodology*" is welcomed.

It is agreed that ongoing operational traffic movements can be scoped out as these will be minimal and small scale.

DECOMMISSIONING

The Planning Authority is satisfied that the CEMP can provide for more detailed decommissioning and restoration proposals in respect of any temporary access tracks or construction works.

RISK OF MAJOR ACCIDENTS AND/OR DISASTERS

Given the nature of the proposal it is considered that the clarification of normal operational safeguards in respect of construction and operation of a high voltage transmission line (and associated infrastructure such as GLSS and CDS) should be sufficient to address this matter and effectively this can be scoped out.

SUMMARY

Table 12.1 provides a summary of the EIA scoping report and clarifies what issues are proposed to be scoped in and out of the EIA. The Planning Authority is in general agreement with the conclusions of this, subject to the more detailed comments provided in this response being addressed.

The Planning Authority defers to the views of other consultees in respect to their relevant field of expertise, and in particular NatureScot, SEPA, Transport Scotland and Historic Environment Scotland as well as Loch Lomond and the Trossachs National Park Authority in respect of the section of the proposal within their administrative area.

Yours Faithfully.

[REDACTED]

Senior Planning Officer

Major Applications

20.6.22

LOCH LOMOND & THE TROSSACHS NATIONAL PARK



22 April 2022

[REDACTED]
The Scottish Government
Energy Consents Unit
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Dear [REDACTED],

**ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017**

**REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR
DUNOON TO LOCH LONG 132kV OVERHEAD LINE REPLACEMENT**

Our Reference:	PRE/2020/0095	SG Reference	ECU00003430
Proposal:	Construction of a replacement 132kV double circuit overhead line (OHL) between the existing Dunoon substation and Tower 15, to the west of Loch Long.		
Location:	Electricity Transmission Networks From Whistlefield To Dunoon, Argyll		

Please find enclosed the National Park Planning Authority's response to your consultation request. The purpose of this representation is to outline the key issues that are considered relevant to the proposal and to advise on the matters to be covered in the Environmental Impact Assessment.

It is not intended to be comprehensive, as the EIA process may well uncover as yet unidentified significant environmental issues and potential impacts.

If you have any questions regarding the representation then please contact me on the below details.

Kind regards,

[REDACTED]

[REDACTED]

Planning Officer
Loch Lomond & The Trossachs National Park
Direct: 01389 722606
Email: amy.unitt@lochlomond-trossachs.org
View planning applications online at: www.lochlomond-trossachs.org/planning

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1. DESCRIPTION OF THE DEVELOPMENT

- 1.1. The Applicant is seeking consent under section 37 (s37) of the Electricity Act 1989 to replace the OHL between the existing Dunoon substation and Tower 15, to the west of the Loch Long crossing (hereafter referred to as the Proposed Development). This will comprise of:
- Erection of a replacement twin circuit 132 kV over headline (OHL) using different support structures and predominantly on a new alignment (to allow a continuous electricity supply to Dunoon during the construction period);
 - Erection of temporary OHL diversions to facilitate safe erection of the replacement line, close to, or on the existing OHL alignment on constrained sections; and,
 - Works at Dunoon 132/33 kV substation to facilitate the connection of the replacement OHL, potentially including an increase in operational area and fenced boundary to accommodate erection of new gantries or a terminal tower.
- 1.2. Certain associated works will also be required including:
- Establishing access for the construction and maintenance of the OHL, i.e. vegetation clearance; upgrading of existing or establishment of new access tracks, potentially using on-site borrow pits;
 - Forestry removal to accommodate the Proposed Development, and temporary infrastructure; and,
 - Measures to protect road and water crossings during construction (scaffolding etc.).
- 1.3. It is anticipated that the works would commence in 2023 with a construction period of 30 months and energisation of the line scheduled for 2025. This does not appear to account for the timescale for reinstatement and removal of the existing overhead line, which should be included to ensure the EIA report accurately assesses the timescale of effects.

2. PLANNING POLICY BACKGROUND AND GUIDANCE

- 2.1. It is expected that the EIA report will summarise and give due consideration to the following policy documents:
- 2.2. Loch Lomond and the Trossachs National Park Local Development Plan, Adopted 2017 is relevant to the proposals with particular reference to the Overarching, Natural Environment and Historic Environment policies.
- 2.3. The four statutory Aims of the National Park will be a material consideration in the determination of the energy consent. The EIA report should include a thorough assessment of the proposed development with respect to the Aims of the National Park: [National Parks \(Scotland\) Act 2000 \(legislation.gov.uk\)](https://legislation.gov.uk/ukpga/2000/24)
- 2.4. The National Park Partnership Plan (2018-2023) is a relevant material consideration <https://www.lochlomond-trossachs.org/park-authority/what-we-do/national-park-partnership-plan-2018-2023/>

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- 2.5. It is noted that the Scoping Request makes reference to National Planning Framework 3 and Scottish Planning Policy. Appropriate consideration ought also to be given to the Draft National Planning Framework 4 and its priorities.

3. ENVIRONMENTAL STATEMENT STRUCTURE/SECTIONS

- 3.1. The EIA report must contain at least the information specified in Regulation 5 and any additional information specified in Schedule 4 of the 2017 regulations which is relevant to the specific characteristics of the development and to the environmental features likely to be affected.
- 3.2. It is noted that paragraph 2 of Schedule 4 requires a description of reasonable alternatives to be studied by the developer. It has previously been noted that SSEN Transmission are currently consulting the National Park on the RIIO-T2 VISTA policy about additional funding for minimising the impact of existing infrastructure, an extension of the original VISTA project. The National Park Planning Authority would expect meaningful consideration of both objectives (upgrading existing infrastructure whilst minimising impacts). This project is a considerable undertaking (with a predicted construction period of 2 years), an opportunity to combine project objectives should not be missed.
- 3.3. The Scoping Report sets out the topics the EIA will cover – namely, Landscape and Visual Impact; Cultural Heritage; Hydrology, Hydrogeology, Geology and Soils; Ecology and Nature Conservation; Ornithology; Noise and Vibration; Forestry; and Traffic and Transport. A number of topics have been scoped out including Recreation and Tourism. We provide comment on the Scope of the EIA as set out under those chapters below.

4. ENVIRONMENTAL TOPIC AREAS

- 4.1. **Landscape and Visual Impact:** The National Park Landscape Advisor has provided the following comments:
- 4.2. As a general overview, the proposed scope of the applicant's LVIA is relatively comprehensive and in focusing in on key issues to be considered, it is agreed that significant effects are likely to be experienced no more than two to three kilometres from the new proposed OHL. It is also recognised that as the Proposed Development would closely parallel the existing OHL (rather than the introduction of a new line into an area currently unaffected by an OHL), that the extent and magnitude of likely change would be relatively limited. In summary therefore, the key issues which the applicant identifies are:
- The potential for locally significant effects on the landscape, largely due to the Proposed Development being larger in scale than the existing OHL, and therefore, would appear more visible and intrusive in the landscape.
 - As part of the construction phase, relatively extensive forestry clearance is required that would change the pattern of the landscape in ways that may be significant.
 - Construction works would also introduce new tracks, some of which may become permanent, which may be intrusive or change the character of the landscape.

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- 4.3. *Seascape*: Although the proposed scope identifies most key issues, it is apparent from the Preliminary Zone of Theoretical Visibility that some parts of Loch Long are within theoretical visibility, including areas within 2-3 km from the OHL. As such, effects on seascape (or coastal) character should also be considered and in assessing effects on this important resource, it should be noted that according to Nature Scot's guidance¹, seascape includes characteristics associated specifically with the coast, such as marine influences and the character of the coastal edge and its immediate hinterland.
- 4.4. *Viewpoints*: The applicant proposes to undertake an assessment of visual effects from 13 locations that in general, appear to represent the typical views experienced by a variety of visual receptors, at varying distances across the study area. Although the number and locations are considered broadly fit for purpose, it is recommended that in addition to assessing static visual effects, that the magnitude of landscape change/effect (and seascape where relevant) should also be assessed. These viewpoint findings could then be used to inform a wider assessment of landscape, visual and cumulative effects.
- 4.5. From the 13 viewpoint locations, the applicant proposes the production of photomontages from only 5 locations although given the national importance of the landscape, photomontages from all locations would be very welcomed.
- 4.6. *Larch felling*: As noted in the Forestry section below, a significant amount of felling is due to take place in the locality of the Proposed Development to remove larch trees infected with *Phytophthora ramorum*. Given the potential adverse landscape and visual effects of these operations, including the construction of new tracks, the cumulative assessment should therefore consider any other nearby felling operations.
- 4.7. *Existing OHL corridor*: It is recommended that the potential for redundant sections of the existing OHL corridor to deliver landscape and ecological enhancement for the whole project are fully explored as part of the EIA Report.
- 4.8. *Scoped out issues*: In focusing in on any likely significant effects, the applicant proposes to undertake an initial assessment based on a study area out to 10 km and in scoping out any potential issues, the following are suggested:
- 4.9. Landscape character: *"The effect on landscape character at the scale of units of the LCTs defined by the Nature Scot National Landscape Character Assessment will not be considered, as the magnitude of change from a replacement OHL would be too small to have a significant effect"*.
- 4.10. In response, the proposed omission is agreed with as the suggested application of the finer scale Loch Lomond and The Trossachs National Park landscape character review would provide a more suitable spatial framework.
- 4.11. Landscape designations: *"The effect on National Scenic Areas, Wild Land Areas and Argyll & Bute Areas of Panoramic Quality will not be considered because the nearest areas are too far from the Proposed Development to be affected."*

¹ Scottish Natural Heritage (2018) 'Guidance Note – Coastal Character Assessment'.

- 4.12. Given the relatively long distance of these designations from the Proposed Development (all at least approximately 10 km away), it agreed that effects on these landscape resources require no further assessment.
- 4.13. Visual: No visual receptors which could be scoped out have been identified and as such, a detailed examination of all residential, recreational and transport receptors that the applicant identifies should be undertaken.
- 4.14. **Cultural Heritage:** The National Park Planning Authority expects that Historic Environment Scotland and the West of Scotland Archaeological Service have been consulted as part of this scoping request and would defer to their position. The presence of cultural heritage assets in the vicinity of the development is noted and consideration should be given to the relevant Historic Environment Policies in the National Park Local Development Plan.
- 4.15. **Hydrology, Hydrogeology, Geology and Soils:** The National Park Planning Authority expects that SEPA and Argyll and Bute Council Environmental Health and Flood departments have been consulted as part of this scoping request and would defer to their position on technical matters. In regards to pollution having been scoped out the National Park Ecologist has provided the following comments:
- 4.16. *Construction pollution:* Provided information on the good design, embedded pollution prevention measures and Applicant's General Environmental Management Plans (GEMPs) are submitted as part of the application, I'm content for this topic to be scoped out of detailed consideration in the EIA Report.
- 4.17. **Ecology and Nature Conservation:** The National Park Ecologist has provided the following comments:
- 4.18. *Biodiversity Net Gain:* The commitment by SSEN to achieve Biodiversity Net Gain on projects gaining consent in 2025 onwards is welcome. However, as it is anticipated that construction of the project will commence in 2023 (subject to consents and approvals), the lesser aim of 'No Net Loss' will be the target of this project. For the following reasons, it is recommended that Biodiversity Net Gain, rather than 'No Net Loss', should be the overall aim of the project:
- the location of the majority of the project within the National Park;
 - the requirements of Local Development Plan Natural Environment Policy 6: Enhancing Biodiversity;
 - the requirements of draft NPF4 Policy 3: Nature Crises; and
 - the overall direction of travel of policy in response to the twin crises of biodiversity loss and climate change.
- 4.19. As previously highlighted in early consultation discussions, we are keen to work in partnership with SSEN and others to identify biodiversity net gain opportunities that could be delivered by the project. As a significant proportion of the proposed development and the existing OHL passes through or adjacent to the National Forest Estate (NFE), opportunities to deliver Biodiversity Net Gain on NFE land should be explored in consultation with Forestry and Land Scotland (e.g. native woodland restoration on

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Plantations on Ancient Woodland Sites (PAWS), INNS control, peatland restoration and native woodland creation). For further information and guidance on the protection and enhancement of existing woodlands and the creation of new woodland in the National Park, please see our [Trees and Woodland Strategy](#). It may also be possible to deliver BNG projects by working in partnership with organisations such as the [Loch Lomond and The Trossachs Countryside Trust](#), and [Argyll Fisheries Trust](#).

- 4.20. *Existing OHL corridor*: It is strongly recommended that the potential for redundant sections of the existing OHL corridor to deliver ecological mitigation and enhancement for the whole project are fully explored as part of the EIA Report.
- 4.21. *Assessment of works required outside of OHL Route*: It is understood that further details of the other works required to facilitate the proposed development outside of the OHL Route will be provided in the EIA Report (e.g. temporary line diversions, site access and borrow pits). It is vital that these elements of the project are addressed in the EIA Report to ensure that the overall impacts of the project are fully considered.
- 4.22. *Assessment of works requiring approval under different consenting regimes*: The Scoping report states that the elements of the wider project that require approval under different consenting regimes will not form part of the EIA Report. This includes the removal of the existing OHL conductors and dismantling of redundant towers. Although these elements of the wider project will not form part of the EIA Report, it is understood that be considered as part of the cumulative assessment in the EIA Report.
- 4.23. Given the potential for significant cumulative effects, it is essential that these elements of the wider project are fully considered in the cumulative assessment in the EIA Report. In particular, the access arrangements for the construction of the new OHL and removal of the existing OHL should be considered at the same time to rationalise the amount of temporary infrastructure required.
- 4.24. *Scoped out issues*:
- 4.25. Craighoyle Woodland Site of Special Scientific Interest (SSSI): It is welcomed that the route of the proposed OHL avoids the Craig Craighoyle Woodland SSSI and the National Park is content that the SSSI is scoped out of the assessment on this basis. However, the habitat surveys carried out in support of the proposal should seek to identify the presence of any of the important bryophyte and lichen species associated with the SSSI in adjacent woodland, parkland trees, rock outcrops and boulder walls affected by the proposals. These results should inform design process so that the development avoids on these important interests.
- 4.26. Loch Eck SSSI: The National Park is content that impacts on Loch Eck SSSI are scoped out of the assessment on the basis that there is no hydrological connectivity between the proposed development and the SSSI. This decision should be revisited if the route of the proposed development is amended outwith the corridor identified in Figure 2.1.
- 4.27. Upper Loch Fyne Marine Protected Area (MPA): It is accepted that impacts on the Upper Loch Fyne MPA are scoped out of the assessment.

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- 4.28. **Ornithology:** The National Park Planning Authority have no comments on the applicant's assessment of ornithology and welcomes their early consultation with NatureScot, the RSPB and local raptor groups.
- 4.29. **Noise and Vibration:** The National Park Planning Authority expects that Argyll and Bute Council Environmental Health department have been consulted as part of this scoping request and would defer to their position.
- 4.30. **Forestry:** The National Park Ecologist has provided the following comments:
- 4.31. *Phytophthora ramorum* felling: It has previously been highlighted to the applicant that a significant amount of felling is due to take place in the area of the proposed development and the route of the existing OHL to remove larch trees infected with *Phytophthora ramorum* to reduce the risk of spread to other woodlands. This includes:
- the felling of infected stands of larch and susceptible hosts within a 250m buffer zone in line with Statutory Plant Health Notice requirements;
 - associated felling of non-target species (e.g. to provide wind firm edges);
 - proactive felling of non-infected larch in the wider area to reduce potential for reinfection.
- 4.32. All of which will require the construction of new forest roads, harvesting facilities as well as the upgrading of existing forest roads. Further information on these works can be found at: <https://forestryandland.gov.scot/visit/forest-parks/argyll-forest-park/phytophthora-ramorum>.
- 4.33. The Scoping report fails to identify the need to consider the cumulative impacts of these works in conjunction with the proposed development. There is significant scope for cumulative impacts on woodland habitat networks and associated species (e.g. red squirrels) as a result of the proposed development in combination with the *Phytophthora ramorum* works. For this reason, the *Phytophthora ramorum* works must be considered as part of the cumulative assessment in the EIA Report.
- 4.34. *Replacement Planting:* Natural Environment Policy 8 accepts woodland loss where there are overriding public benefits subject to an appropriate level of replacement planting being undertaken, preferably within the National Park boundary.
- 4.35. **Traffic and Transport:** The National Park Planning Authority defer to the relevant roads authorities advice in these matters. Consideration of temporary and permanent access routes to facilitate the works and their cumulative impacts with the development as a whole are required to be considered in the EIA report.
- 4.36. **Scoped out - Recreation and Tourism:** It is agreed that the disruption of recreation and tourist activities would most likely be limited to the construction phase of the proposed development. The inclusion of an outdoor access plan with the application is welcomed. The National Park Planning Authority expects disruption to public access to be kept to a minimum with management of access (e.g. signage, banksmen) preferred over closures. Should the proposed development result in the long term closure or diversion of any public access routes this topic should be considered again for inclusion in the EIA report.

LOCH LOMOND & THE TROSSACHS NATIONAL PARK AUTHORITY

National Park Headquarters, Carrochan, Carrochan Road, Balloch, G83 8EG Long: 4°34'24"W Lat: 56°00'12"N

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5. NON TECHNICAL SUMMARY

- 5.1. As per the Regulations, a Non-Technical Summary, written in simple, non-technical language, should accompany the Environmental Statement. This should describe the options for the proposed development and the mitigation measures that would be employed to offset the environmental impacts that would result from the proposed development.

6. CONCLUSION

- 6.1. I can confirm that the National Park Planning Authority broadly agrees with the topic areas for the EIA report as set out by the applicant. Further discussion with the applicant would be welcomed in terms of achieving Biodiversity Net Gain as opposed to 'no net loss'. Consideration of alternatives should factor in the RIIO-T2 VISTA project and the potential for crossover.
- 6.2. A number of potential cumulative effects have been identified (forestry management, associated infrastructure, works under different consenting regimes) and it is expected that the EIA report will address these. An estimated construction timeline for the full duration of the works, including restoration and removal of the existing OHL should also form part of the EIA report.

LOCH LOMOND & THE TROSSACHS NATIONAL PARK AUTHORITY

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LOCH LOMOND & THE TROSSACHS NATIONAL PARK



24 May 2022

[REDACTED]
The Scottish Government
Energy Consents Unit
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Dear [REDACTED]

**ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017**

**REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR
DUNOON TO LOCH LONG 132kV OVERHEAD LINE REPLACEMENT**

Our Reference:	PRE/2020/0095	SG Reference	ECU00003430
Proposal:	Construction of a replacement 132kV double circuit overhead line (OHL) between the existing Dunoon substation and Tower 15, to the west of Loch Long.		
Location:	Electricity Transmission Networks From Whistlefield To Dunoon, Argyll		

In response to the additional information submitted by the applicant on 05/05/2021, I can advise that this does not substantially alter our response dated 22/04/2022.

The new proposed route should consider cumulative impacts. Particularly from redundant wayleaves, overall management of the woodland/forestry in the long term, and from construction access tracks/existing forestry tracks. It is expected that the relevant viewpoints and survey work would be updated in line with the proposed changes. The proposed area is also likely to have effects on the local path network and different woodland habitats but is unlikely to significantly alter our response to the initial scoping opinion.

Kind regards,

[REDACTED]

[REDACTED]

Planning Officer

Loch Lomond & The Trossachs National Park

Direct: 01389 722606

Email: amy.unitt@lochlomond-trossachs.org

View planning applications online at: www.lochlomond-trossachs.org/planning

LOCH LOMOND & THE TROSSACHS NATIONAL PARK AUTHORITY

National Park Headquarters, Carrochan, Carrochan Road, Balloch, G83 8EG Long: 4°34'24"W Lat: 56°00'12"N

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Our ref: 4693
Your ref: ECU00003430

██████████
Energy Consents Unit
Scottish Government
Glasgow

SEPA email contact:
Planning.SW@sepa.org.uk

23 March 2022

By email only to: Econsents_Admin@gov.scot

Dear ██████████

Electricity Act 1989
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
Request For Scoping Opinion for proposed Section 37 Application for Dunoon to Loch Long 132kv Overhead Line Replacement

Thank you for consulting SEPA on the scoping opinion for the above development proposal by your email received on 18 March 2022.

Advice to the determining authority

We consider that the following key issues must be addressed in the Environmental Impact Assessment process.

- a) Minimising impacts on peat and peatland.
- b) Avoiding good quality or rare GWDTE habitats and minimising impacts on other GWDTE habitats.
- c) Avoiding impacts on watercourses and other water features by ensuring suitable buffers, and using best practice design crossings.

In relation to the proposed scope of the assessment then we only consider that construction pollution can be scoped out of the assessment if the layout complies with best practice design in relation to buffers to watercourse. If there is a requirement to locate towers or carry out others engineering works (apart from perpendicular watercourse crossing and related track construction) within 50m of a water feature, then we suggest this issue should be scoped into the assessment. We note, for example, a pinch point at the very south of the development where works will be required directly adjacent to a water feature on the Allt a'Chromain.

Please see the attached appendix for some generic advice on scoping for this type of development; it should be ensured that each aspect is covered in the submission.



Chairman
Bob Downes
Acting Chief Executive
Jo Green

Angus Smith Building
6 Parklands Avenue, Eurocentral,
Holytown, North Lanarkshire ML1 4WQ
tel 01698 839000 fax 01698 738155
www.sepa.org.uk • customer enquiries 03000 99 66 99

We note and are supportive of SSEN Transmission's Biodiversity Net Gain approach and look forward to seeing what will be delivered as part of this project. We would especially welcome any proposals for peatland or wetland restoration, riparian improvements and wet woodland planting.

Regulatory advice for the applicant

Details of regulatory requirements and good practice advice for the applicant can be found on the [Regulations section](#) of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the local compliance team at: AHSH@sepa.org.uk.

If you have queries relating to this letter, please contact planning.sw@sepa.org.uk including our reference number in the email subject.

Yours sincerely



Senior Planning Officer
Planning Service

ECopy to: Magnus.Hughson@gov.scot; Dan.Thomas@sse.com

Disclaimer

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our [website planning pages](#).

Appendix 1: Detailed scoping requirements

This appendix sets out our scoping information requirements. There may be opportunities to scope out some of the issues below depending on the site. Evidence must be provided in the submission to support why an issue is not relevant for this site in order **to avoid delay and potential objection**.

1. Site layout

1.1. All maps must be based on an adequate scale with which to assess the information. This could range from OS 1:10,000 to a more detailed scale in more sensitive locations. Each of the maps below must detail all proposed upgraded, temporary and permanent site infrastructure. Existing built infrastructure must be re-used or upgraded wherever possible. The layout should be designed to minimise the extent of new works on previously undisturbed ground. A comparison of the environmental effects of alternative locations of infrastructure elements, such as tracks, may be required.

2. Engineering activities which may have adverse effects on the water environment

2.1. The site layout must be designed to avoid impacts upon the water environment. Where activities such as watercourse crossings, watercourse diversions or other engineering activities in or impacting on the water environment cannot be avoided then the submission must include justification of this and a map showing:

- a) All proposed temporary or permanent infrastructure overlain with all lochs and watercourses.
- b) A minimum buffer of 50m around each loch or watercourse. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse and drawings of what is proposed in terms of engineering works.
- c) Detailed layout of all proposed mitigation including all cut off drains, location, number and size of settlement ponds.

2.2. If water abstractions or dewatering are proposed, a table of volumes and timings of groundwater abstractions and related mitigation measures must be provided.

2.3. Further advice and our best practice guidance are available within the water [engineering](#) section of our website. Guidance on the design of water crossings can be found in our [Construction of River Crossings Good Practice Guide](#).

2.4. Refer to our flood risk [Standing Advice](#) for advice on flood risk. Watercourse crossings must be designed to accommodate the 0.5% Annual Exceedance Probability (AEP) flows, or information provided to justify smaller structures. If it is thought that the development could result in an increased risk of flooding to a nearby receptor then a Flood Risk Assessment must be submitted in support of the planning application. Our [Technical flood risk guidance for stakeholders](#) outlines the information we require to be submitted as part of a Flood Risk Assessment. Please also refer to Controlled Activities Regulations (CAR) Flood Risk Standing Advice for Engineering, Discharge and Impoundment Activities.

3. Disturbance and re-use of excavated peat and other carbon rich soils

3.1. Scottish Planning Policy states (Paragraph 205) that "Where peat and other carbon rich soils are present, applicants must assess the likely effects of development on carbon dioxide (CO₂) emissions. Where peatland is drained or otherwise disturbed, there is liable to be a release of CO₂ to the atmosphere. Developments must aim to minimise this release."

- 3.2. The planning submission must a) demonstrate how the layout has been designed to minimise disturbance of peat and consequential release of CO₂ and b) outline the preventative/mitigation measures to avoid significant drying or oxidation of peat through, for example, the construction of access tracks, drainage channels, cable trenches, or the storage and re-use of excavated peat. There is often less environmental impact from localised temporary storage and reuse rather than movement to large central peat storage areas.
- 3.3. The submission must include:
- a) A detailed map of peat depths (this must be to full depth and follow the survey requirement of the Scottish Government's Guidance on [Developments on Peatland - Peatland Survey \(2017\)](#)) with all the built elements (including peat storage areas) overlain to demonstrate how the development avoids areas of deep peat and other sensitive receptors such as Groundwater Dependent Terrestrial Ecosystems.
 - b) A table which details the quantities of acrotelmic, catotelmic and amorphous peat which will be excavated for each element and where it will be re-used during reinstatement. Details of the proposed widths and depths of peat to be re-used and how it will be kept wet permanently must be included.
- 3.4. To avoid delay and potential objection proposals must be in accordance with [Guidance on the Assessment of Peat Volumes, Reuse of Excavated Peat and Minimisation of Waste](#) and our [Developments on Peat and Off-Site uses of Waste Peat](#).
- 3.5. Dependent upon the volumes of peat likely to be encountered and the scale of the development, applicants must consider whether a full Peat Management Plan (as detailed in the above guidance) is required or whether the above information would be best submitted as part of the schedule of mitigation.
- 3.6. Please note we do not validate carbon balance assessments except where requested to by Scottish Government in exceptional circumstances. Our advice on the minimisation of peat disturbance and peatland restoration may need to be taken into account when you consider such assessments.
- 4. Disruption to Groundwater Dependent Terrestrial Ecosystems (GWDTE)**
- 4.1. GWDTE are protected under the Water Framework Directive and therefore the layout and design of the development must avoid impact on such areas. The following information must be included in the submission:
- a) A map demonstrating that all GWDTE are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.
 - b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all GWDTE affected.
- 4.2. Please refer to [Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems](#) for further advice and the minimum information we require to be submitted.

5. Existing groundwater abstractions

- 5.1. Excavations and other construction works can disrupt groundwater flow and impact on existing groundwater abstractions. The submission must include:
- a) A map demonstrating that all existing groundwater abstractions are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.
 - b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all existing groundwater abstractions affected.
- 5.2. Please refer to [Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems](#) for further advice on the minimum information we require to be submitted.

6. Forest removal and forest waste

- 6.1. Proposals for felled forest material must be shown to comply with our [Use of Trees Cleared to Facilitate Development on Afforested Land – Joint Guidance from SEPA, SNH and FCS](#).

7. Borrow pits

- 7.1. Scottish Planning Policy states (Paragraph 243) that “Borrow pits should only be permitted if there are significant environmental or economic benefits compared to obtaining material from local quarries, they are time-limited; tied to a particular project and appropriate reclamation measures are in place.” The submission must provide sufficient information to address this policy statement.
- 7.2. If borrow pits are proposed the following information should also be submitted:
- a) A map showing the location, size, depths and dimensions of each pit.
 - b) Justification for the proposed location of each borrow pit and evidence of the suitability of the material to be excavated for the proposed use, including any risk of pollution caused by degradation of the rock.
 - c) A map showing any stocks of rock, overburden, soils and temporary and permanent infrastructure including tracks, buildings, oil storage, pipes and drainage, overlain with all lochs and watercourses to a distance of 250 metres. You need to demonstrate that a site specific proportionate buffer can be achieved. On this map, a site-specific buffer must be drawn around each loch or watercourse proportionate to the depth of excavations and at least 10m from access tracks. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse, drawings of what is proposed in terms of engineering works.

8. Pollution prevention and environmental management

- 8.1. A schedule of mitigation supported by the above site specific maps and plans must be submitted. These must include reference to best practice pollution prevention and construction techniques (for example, limiting the maximum area to be stripped of soils at any one time) and regulatory requirements. They should set out the daily responsibilities of ECOWs, how site inspections will be recorded and acted upon and proposals for a planning monitoring enforcement officer. Please refer to [Guidance for Pollution Prevention](#) (GPPs).

[REDACTED]

From: Planning SW <planning.sw@sepa.org.uk>
Sent: 18 May 2022 08:45
To: Econsents Admin
Cc: [REDACTED]
Subject: Dunoon to Loch Long 132kV scoping - additional information -SEPA response

PUBLIC

[SEPA email response 5240](#)

Dear [REDACTED]

**Proposed section 37 application for the Dunoon to Loch Long 132kV overhead line replacement
Revised corridor**

Thank you for your email below.

I can confirm that the alternative proposed OHL route does not affect the advice we provided in our previous response of 23 March 2022. As it's located in a forested area and makes more use of an existing track it is likely to have less environmental effects on the aspects of the environment in which we have an interest and therefore from that perspective the amendment is welcomed.

Should you wish to discuss this case further I can be contacted via planning.sw@sepa.org.uk.

[REDACTED]
Senior Planning Officer - Planning Service North
Graesser House, Dingwall Business Park, Dingwall

Disclaimer

The information contained in this email and any attachments may be confidential and is intended solely for the use of the intended recipients. Access, copying or re-use of the information in it by any other is not authorised. If you are not the intended recipient please notify us immediately by return email to postmaster@sepa.org.uk. Registered office: Strathallan House, Castle Business Park, Stirling FK9 4TZ. Under the Regulation of Investigatory Powers Act 2000, the email system at SEPA may be subject to monitoring from time to time.

[REDACTED]

From: [REDACTED]
Sent: 25 May 2022 12:49
To: [REDACTED]
Subject: RE: Dunoon to Loch Long 132kV scoping - additional information

Dear [REDACTED]

With reference to my email below and to your consultation dated 11 May 2022, NatureScot now have the following comments to make:

Thank you for consulting us on the scoping report for the SSEN Dunoon to Loch Long 132kV OHL rebuild project and the proposed re-alignment of the northern section of the route.

The proposal lies predominately within Loch Lomond and the Trossachs National Park (LLTNP). In accordance with the agreement on roles in advisory casework between NatureScot and Scottish National Park Authorities, we offer comments only on the designated site and protected species aspects of this case.

We note that the proposed route avoids all designated sites and as such we are satisfied that any impacts to designated sites are scoped out of the assessment. Similarly, we are content that impacts to all key protected species (including ornithological) will be satisfactorily addressed within the scope of the EIA report.

We would, however, advise that cumulative effects be fully addressed within the EIAR and that this assessment takes account of all elements of the project; including the works required both within and outwith the OHL corridor as well as the dismantling and removal of redundant infrastructure.

We consider that the proposed new route of the northern section of the project will minimise impacts to both sensitive bird species and priority peatland habitat, however, impacts on forestry will need to be considered further, with particular emphasis on assessing impacts to the native woodland (listed on the Ancient Woodland Inventory) recorded in this area.

Finally, we note the overall aim of the project is for “No Net Loss” of biodiversity, however, we would strongly urge SSEN to consider applying their future commitment to achieve “Biodiversity Net Gain” to this project as well as to all future undertakings. This could be achieved by the adoption of measures to control the spread of non-natives such as *Rhododendron ponticum*, the improvement of habitat for key species such as black grouse and ground-nesting raptors, enhancing and expanding areas of native woodland; including riparian habitat and restoring areas of peatland. We would welcome further consultation in this regard.

I hope these comments are helpful.

Regards

[REDACTED]

[REDACTED] **Operations Officer (Argyll & Outer Hebrides)**

NatureScot | 7 Alexandra Parade, Dunoon, Argyll, PA23 8AB | **t:** 0131 314 4168 **m:** 07887 830 258

NatureScot | 7 Pairèid Alexandra, Dùn Omhain, Earra Ghàidheal, PA23 8AB

[nature.scot](https://www.nature.scot) | [@nature_scot](https://twitter.com/nature_scot) | *Scotland's Nature Agency* | *Buidheann Nàdair na h-Alba*



By email to: Econsents_Admin@gov.scot

██████████
Case Officer, Energy Consents Unit
Energy Consents Unit
Scottish Government

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMConsultations@hes.scot

Our case ID: 300044968
Your ref: EC00003430

03 May 2022

Dear ██████████,

[The Electricity Works \(Environmental Impact Assessment\) \(Scotland\) Regulations 2017 Dunoon to Long Long 132kv Overhead Line Replacement EIA Scoping Report \(February 2022\)](#)

Thank you for your consultation which we received on 18 March 2022 about the above EIA scoping report (February 2022). We have reviewed the details in terms of our historic environment interests. This covers world heritage sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas (HMPAs).

The relevant local authority archaeological and cultural heritage advisors will also be able to offer advice on the scope of the cultural heritage assessment. This may include heritage assets not covered by our interests, such as unscheduled archaeology, and category B- and C-listed buildings.

Proposed Development

We understand that the proposed development is for a replacement 132 Kilovolt (kV) double circuit overhead line (OHL) between the existing Dunoon substation and Tower 15 to the west of Loch Long, a distance of approximately 17.3 km in Argyll and Bute.

Our view on the proposals

We are largely content there is capacity for an OHL in this location that can be designed to avoid raising issues of national interest such that we would object. We do however have concerns relating to potential impacts on the setting of the Dun Daraich fort, Cowal ([SM9190](#)) scheduled monument in the vicinity of the proposed OHL. We consider that mitigation by design will be required (with careful tower positioning) to ensure that the impacts on the setting of the monument are no worse than the impacts given by the current OHL.



We have provided our detailed comments on the scope of an Environmental Impact Assessment (EIA) to be undertaken in the attached Annex.

Further information

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes. Technical advice is available on our Technical Conservation website at <https://conservation.historic-scotland.gov.uk/>.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Chloe Porter and she can be contacted by phone on 0131 668 8653 or by email on chloe.porter@hes.scot.

Yours sincerely

Historic Environment Scotland



ANNEX

Background

Historic Environment Scotland has previously issued pre-application advice on the development proposals. At that stage, we had said we were mostly content with the Preferred Alignment options for the OHL selected, however, we had concerns relating to potential impacts on the setting of the Dun Daraich fort, Cowal ([SM9190](#)) scheduled monument in the vicinity of the proposed OHL.

Scope of Assessment

As indicated above, we have identified a potential for impacts on heritage assets and their settings located in the vicinity of the proposals. We therefore welcome that impacts on heritage assets and their settings will be assessed as part of the Environmental Impact Assessment (EIA) to be undertaken in support of the proposals. We recommend that this assessment should be undertaken by a suitably experienced professional and meet the requirements of [Scottish Planning Policy](#) (SPP, 2014), the [Historic Environment Policy for Scotland](#) (HEPS, 2019) and associated Managing Change Guidance Notes. Guidance can also be found in the Cultural Heritage Appendix to the [EIA Handbook](#) (SNH, HES, 2018).

We have reviewed the EIA Scoping Report (February 2022) and are content with the list of assets for our interests proposed to be scoped into the assessment.

- SM9190 [Dun Daraich, fort, Cowal](#)
- SM5260 [Kilmun Collegiate Church, tower and burial ground](#)
- SM6552 [Adam's Cave, Chambered cairn](#)
- SM3235 [Ardnadam, settlement, chapel and enclosure](#)
- SM3894 [Dunloskin Wood, platforms and charcoal production area](#)
- GDL00056 [Benmore \(Younger Botanic Garden\)](#)
- LB6582- [Kilmun, Old Kilmun House, Including Boundary Walls](#)
- LB5073- [St Munn's Parish Church \(Church Of Scotland\)](#)

Whilst there are a number of assets for our interests that are likely to have visibility of the proposed overhead line, as identified and set out in the scoping report, the majority of these have the existing OHL forming part of their baseline setting and the severity of impacts associated with the replacement of the overhead line is not likely to raise issues of national interest for us; they should, however, be subject to adequate assessment.

Dun Daraich, fort, Glen Finart, Cowal (SM9190)



The exception is where the route crosses Glen Finart in the vicinity of Dun Daraich fort, Cowal ([SM9190](#)). We would expect the EIA Report to focus on the likely impacts on the setting of this asset, with the provision of wireframes and/or photomontages as is necessary to fully assess the impact of the new OHL.

The monument and its setting

Dun Daraich fort, Cowal ([SM9190](#)) comprises a fort of later prehistoric and early historic date, visible as very well-preserved upstanding remains. The monument occupies a rocky knoll which rises, vertically in places, from the level flood plain of the Glen Finart burn, close to the seaward end of Glen Finart. The knoll is roughly oval in shape, and contains a series of very well-preserved stretches of walling still standing up to 1.5 m in height and up to 2m across, with areas of vitrification (where the stones of the wall have been subjected to such intense heat that they have partially melted and fused together). The visible walling forms a small enclosure, possibly a small dun, near the northern end of the knoll, with other transverse lengths running across the main body of the knoll. A gully which cuts off the northern third of the knoll has walling running along either side, and may have formed the main access point onto the site. The site is very similar to the nucleated fort of Dunadd, in the Kilmartin area of Argyll, and like Dunadd, may have had several phases of use, in the later prehistoric period and in the early historic period.

The setting of the monument is striking. Its deliberate exploitation of a knoll on the floor of a valley indicates that the defensive qualities of the site were valued by its builders, and its position means that it can control access and movement of peoples up and down the glen. Even now, the fort remains a dominant and prominent feature within the landscape. Similar Iron Age monuments display a strong relationship to the maritime environment, so its position in the heart of good agricultural land close to a sheltered bay with distant views to the sea is likely to be an important factor in aiding an understanding and appreciation of the monument. Its setting therefore includes open views to the southeast down the glen to the sea, and open views northwest up the glen, as well as reciprocal inward views from these directions. These views can be considered key characteristics of the monument's setting, and in order to maintain the integrity of a monument's setting (as per Para 145 of SPP) these must remain intact such that the cultural significance of the monument and the ability to understand, appreciate and experience it are not adversely affected.

The present setting includes the existing OHL crossing the floor of the valley approximately 300m east of the scheduled monument, with 4x lattice towers on the floor of the valley. The existing towers on the line range in height from 22m to 25m. Of these towers, it is the one immediately north of the Glen Finart Burn that is the most prominent



in outward views from the monument looking south-east, as the others benefit from a backdrop of higher ground and forestry.

Impact of the proposed OHL on the setting of the monument

The route corridor (as set out in the scoping report) includes Dun Daraich fort, Cowal ([SM9190](#)) on the western side of the corridor. Prior engagement with the applicant has indicated that the alignment is likely to be routed to the eastern side of this corridor, with the applicant's preferred alignment being as close as possible to the existing OHL where it crosses the floor of the valley.

If an alignment in the west or centre of this corridor is progressed, then whilst the electricity cable itself would actually be sufficiently high so as to be outwith sightlines from the monument south-east down the valley, it is likely that the towers would dominate and be highly prominent in both outward views from the monument and in inward views towards it. This is likely to diminish and disrupt the understanding and appreciation of how the monument relates to the wider landscape, and as such a significant adverse effect on the setting of the monument is likely.

If an alignment in the east of this corridor is progressed (ie the applicant's preferred alignment), then the proposed towers and electricity cable would be clearly visible in outward views from the monument looking south-east down the valley towards the sea, and in reciprocal inward views from the sea heading up the valley, and as such they would have a significant adverse impact on the setting of the monument. Were it not for the existing OHL then it is likely that the diminishing of this key characteristic of the monument's setting (ie the key views of the valley floor, its relationship with the bay and sea, and the reciprocal inward views) would be of a severity that impacted the integrity of the monument's setting such that HES would object to the proposed development. However, the baseline setting of the monument includes the existing OHL, and subject to careful positioning of the towers (ie avoiding the centre of the flat valley floor and instead spanning so that the towers were located at the edge of the valley and therefore partially or wholly backdropped by topography in outward views from the monument) then the degree of change to that baseline can be considered as fairly minor.

Given the proximity of the monument to the route corridor and the sensitivity of the monuments setting, it is likely that mitigation by design will be required in order to ensure that the impacts on the setting of the monument are no worse than the impacts given by the current OHL. This will likely mean careful positioning of the towers so that they avoid the centre of the flat valley floor and instead span so that the towers are located at the edge of the valley and therefore partially or wholly backdropped by topography in outward views from the monument.

Visualisations



A future EIA report should include visualisations looking south-east down the glen from the monument, along with visualisations showing the reciprocal view. Given the woodland cover presently on the monument, these should be taken from the immediate east of the base of the knoll that the monument is located on.

Conclusion

We are largely content there is capacity for an OHL in this location that can be designed to avoid raising issues of national interest such that we would object. We do however have concerns relating to potential impacts on the setting of the Dun Daraich fort, Cowal ([SM9190](#)) scheduled monument in the vicinity of the proposed OHL.

Historic Environment Scotland

29 April 2022



By email to: econsents_Admin@gov.scot

██████████
Case Officer
Energy Consents Unit
Scottish Government

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMConsultations@hes.scot

Our case ID: 300044968
Your ref: EC00003430
26 May 2022

Dear ██████████

[The Electricity Works \(Environmental Impact Assessment\) \(Scotland\) Regulations 2017
Dunoon to Loch Long 132kV scoping - additional information
Scoping Report](#)

Thank you for your consultation which we received on 11 May 2022 about the above scoping report. We have reviewed the details in terms of our historic environment interests. This covers world heritage sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas (HMPAs).

The relevant local authority archaeological and cultural heritage advisors will also be able to offer advice on the scope of the cultural heritage assessment. This may include heritage assets not covered by our interests, such as unscheduled archaeology, and category B- and C-listed buildings.

Additional Information (May 2022)

The new information presented is an alternative alignment option for a section of the replacement OHL route.

We are content that the additional information does not demonstrate any substantial change for our interests. In light of this we can confirm that Historic Environment Scotland have no additional comments to add to our previous response dated 03 May 2022.

Further information

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes. Technical advice is available on our Technical Conservation website at <https://conservation.historic-scotland.gov.uk/>.



We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Chloe Porter and they can be contacted by phone on 0131 668 8653 or by email on chloe.porter@hes.scot.

Yours sincerely

Historic Environment Scotland

[REDACTED]

From: #ABZ Safeguarding <abzsafeguard@aairport.com>
Sent: 04 April 2022 14:30
To: [REDACTED]
Subject: RE: Section 37 Scoping - Dunoon to Loch Long 132kV OHL Replacement

This proposal is located outwith the consultation area for Aberdeen Airport. As such we have no comment to make and need not be consulted further.

Kind regards

[REDACTED]



#ABZ Safeguarding
✉ abzsafeguard@aairport.com
🌐 www.aberdeenaairport.com
📍 Aberdeen International Airport Limited, Dyce, Aberdeen, AB21 7DU

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[REDACTED]

From: radionetworkprotection@bt.com
Sent: 01 June 2022 09:08
To: [REDACTED]
Cc: radionetworkprotection@bt.com
Subject: RE: Dunoon to Loch Long 132kV scoping - additional information WID11857
Attachments: Dunoon EIA Scoping Figure 1.1 Location (3).pdf

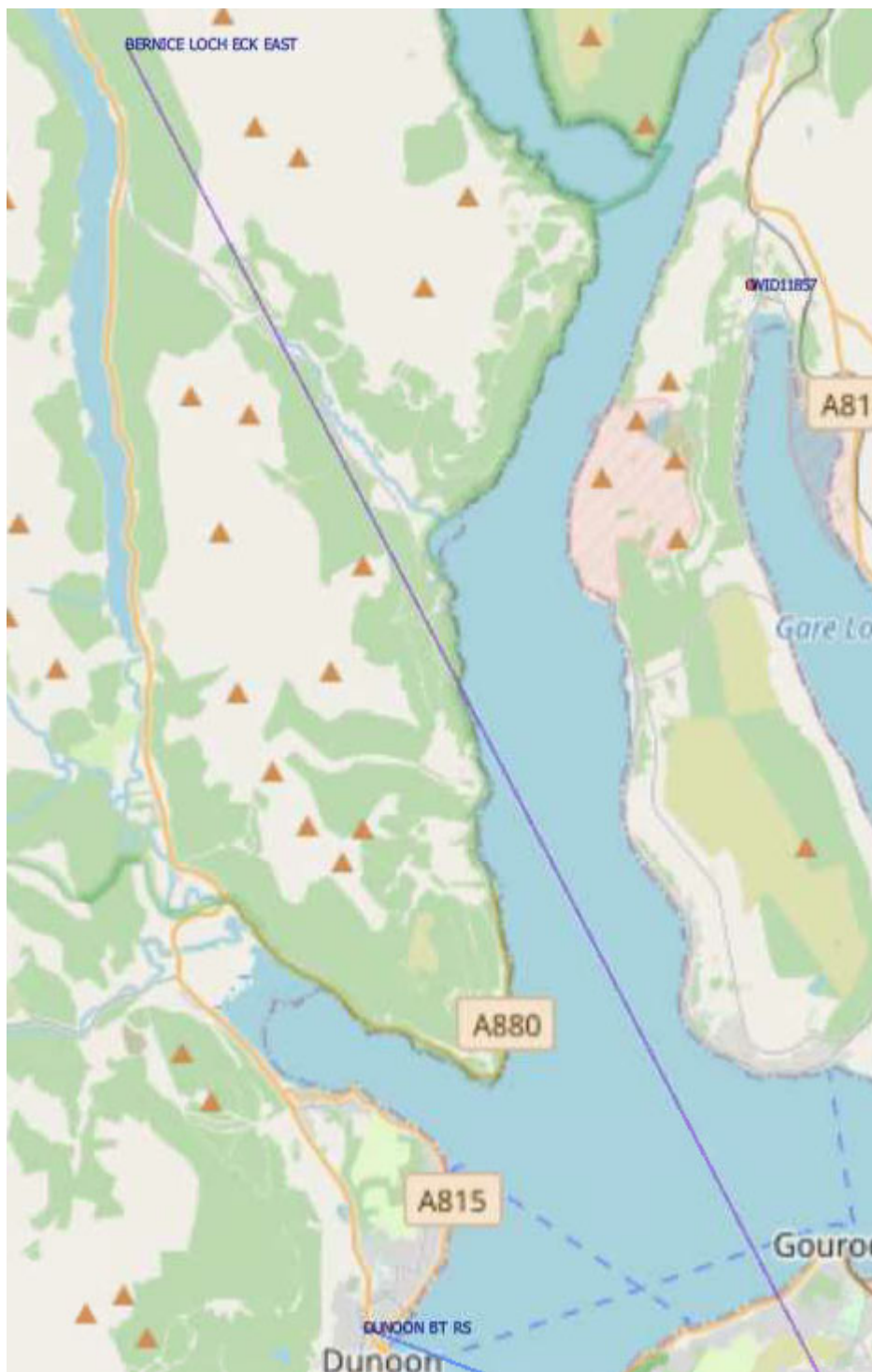


OUR REF: WID11857


Hi [REDACTED] thank you for your email dated 11/05/2022.

We have studied this proposal using the map within the attached, with respect to EMC and related problems to BT point-to-point microwave radio links.

The conclusion is that, the Project indicated should not cause interference to BT's current and presently planned radio network unless the heights of the structures change around the active radio link below (purple line). If there are any structures around the area please that change please send over the new heights and co-ordinates and we will mitigate the results.



Regards


Engineering Services – Radio Planner
Networks



This email contains information from BT that might be privileged or confidential. And it's only meant for the person above. If that's not you, we're sorry - we must have sent it to you by mistake. Please email us to let us know, and don't copy or forward it to anyone else. Thanks.
We monitor our email systems and may record all our emails.
British Telecommunications plc
One Braham 1 Braham Street London E1 8EE

From: The Coal Authority-Planning <TheCoalAuthority-Planning@coal.gov.uk>
Sent: 21 March 2022 17:43
To: Econsents Admin
Subject: RE: [External] Section 37 Scoping - Dunoon to Loch Long 132kV OHL Replacement

Dear [REDACTED]

Further to your email below, I can confirm that having checked the proposed Overhead Line Route (Figure 2.1), the area falls outside the coalfield area and therefore the Coal Authority have no specific comments or observations to make on this project.

In the spirit of efficiency of resources and proportionality, it will not be necessary for you to consult the Coal Authority at any future stages of the project. This email can be used as evidence for the legal and procedural consultation requirements, if necessary.

Kind regards

[REDACTED]



[REDACTED]

Planning & Development Manager – Planning & Development Team

T: [REDACTED]

M: [REDACTED]

E: planningconsultation@coal.gov.uk

W: gov.uk/government/organisations/the-coal-authority

My pronouns are: she / her

How to pronounce my name (phonetic spelling): Deb Rob-erts

[REDACTED]

From: [REDACTED]
Sent: 31 May 2022 12:40
To: Econsents Admin
Subject: FW: EC00003430 - Dunoon to Loch Long 132kV scoping - additional information

Dear Sir/Madam

Please see Coal Authority response below.

Kind regards

[REDACTED]



[REDACTED]
Development Team Leader (Planning)

M: [REDACTED]
E : [REDACTED]
W : gov.uk/government/organisations/the-coal-authority

From: [REDACTED]
Sent: 31 May 2022 11:34
To: [REDACTED]
Subject: RE: EC00003430 - Dunoon to Loch Long 132kV scoping - additional information

Hello [REDACTED]

Thank you for your further email on this project.

We previously commented on this project on an email to you dated 21st March 2022 in which we noted that the original route lays outside of the coalfield area. I have reviewed the alternative route proposed and this too falls outside of the coalfield area. On this basis the Planning team at the Coal Authority have no specific comments to make.

Kind regards

[REDACTED]



[REDACTED]
Development Team Leader (Planning)

M: [REDACTED]

E: [REDACTED]

W : [gov.uk/government/organisations/the-coal-authority](https://www.gov.uk/government/organisations/the-coal-authority)

[REDACTED]

From: [REDACTED]
Sent: 15 June 2022 08:56
To: [REDACTED]
Cc: Econsents Admin
Subject: 20220615 Dunoon to Loch Long 132kV scoping - additional information. Email to GovScot

Good morning,

Thank you for your email.

I write to confirm that the assets of Crown Estate Scotland are not affected by this proposal and we therefore have no comments to make.

Kind regards

[REDACTED]
Assistant Portfolio Co-ordinator
Crown Estate Scotland

t: [REDACTED]

Our team are currently working from home. Mail is occasionally being collected from our offices (addresses are at www.crownestatescotland.com/contact-us). Where possible, please email or call us rather than post mail.

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Ministry of Defence

Defence Infrastructure Organisation

[REDACTED]
 Energy Consents
 Directorate for Energy and Climate Change
 Scottish Government
 4th Floor
 5 Atlantic Quay
 150 Broomielaw
 Glasgow
 G2 8LU
 Scotland

Safeguarding Department
 Statutory & Offshore
 Defence Infrastructure Organisation
 St Georges House
 DIO Head Office
 DMS Whittington
 Lichfield
 Staffordshire
 WS14 9PY
 Tel: [REDACTED]
 E-mail: DIO-safeguarding-statutory@mod.gov.uk
www.mod.uk/DIO

13 June 2022

Your reference: EC00003430
 Our reference: DIO/10049812-Rev2/2022

Dear [REDACTED]

MOD Safeguarding –Royal Naval Armaments Depot Coulport

Proposal: Construction of a replacement 132kV double circuit overhead line (OHL) between the existing Dunoon substation and Tower 15, to the west of Loch Long. SSEN Transmission submitted a request for a scoping opinion from the Scottish Ministers for the proposed section 37 application for the Dunoon to Loch Long 132kV OHL Replacement. The proposed development is for a 132kV OHL approximately 17.3km in length supported by lattice steel towers (which can vary in height between 26m and 44 metres) located in the planning authority area of Loch Lomond and Trossachs National Park, and Argyll and Bute Council, in line with regulation 12 of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017.

Location: Between the existing Dunoon substation and Tower 15 to the west of the Loch Long crossing.

Grid Ref's: E 222549 N 691715
 E 220890 N 692064
 E 219773 N 691531
 E 219164 N 690417
 E 217561 N 687626
 E 215471 N 683809
 E 214521 N 683582
 E 214352 N 682563
 E 214122 N 681837
 E 214591 N 680470
 E 216147 N 679798

Thank you for consulting the Ministry of Defence (MOD) on the above proposed development which was received by this office on the 18/03/2022.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

The applicant is seeking a scoping opinion for the construction of a replacement 132kV double circuit overhead line (OHL) between the existing Dunoon substation and Tower 15, to the west of Loch Long. The proposed development is for a 132kV OHL approximately 17.3km in length supported by lattice steel towers (which can vary in height between 26m and 44 metres).

The application route occupies the statutory explosive safeguarding zone surrounding RNAD Coulport and is approximately 2.3KM from the centre of the storage facility at the closest proximity.

Explosive Safeguarding Zone

Explosive Safeguarding Zones serve to define areas in the vicinity of storage sites and armed aircraft stands in which land use and building types are regulated to maintain explosives storage licensing standards.

The Inhabited Building Distance (IBD) is defined as yellow line on the statutory safeguarding map, within this safeguarding zone the MOD monitors the management and use of development to maintain public safety and persons living, working, or congregating for long periods of time. We would have concerns and more than likely object to any building, either temporary or permanent being erected for the purpose of persons living, working or congregating for long periods of time within this zone.

The second consultation zone is the Vulnerable Building Distance (VBD), defined as a purple line on the statutory safeguarding plan. Within this zone all buildings should be deemed as being 'non vulnerable' that is of robust design and construction so that should an explosion occur at the MOD storage facility, buildings nearby will not collapse or sustain damage that could cause critical injury to the occupants.

I have reviewed the documents within this scoping consultation, and it is undecided as to where the construction compounds are to be erected and therefore the MOD is unable to complete an assessment until further details are provided of the location, materials of any temporarily structures or buildings to be constructed and the numbers of planned personnel to be engaged with the development within the Explosive Safeguarding Zones.

Military Low Flying Training

The airspace over the UK land mass is used to provide the UK Military Low Flying System to deliver essential military low flying training. The proposed development will occupy Low Flying Area 14 within which military fixed wing aircraft are permitted to fly down to 250 feet (76.2 metres) above terrain features. The development proposed may cause a potential obstruction hazard to these military low flying training activities. To address this impact, it may be necessary for the development to be fitted with aviation safety lighting.

In conclusion, the MOD has concerns with the erection of construction compounds in the IBD and VBD Explosive Zones. The MOD will need to be consulted at the application stage where additional information provided should include details of locations, materials and planned personnel working in the Explosive Safeguarding Zones associated with RNAD Coulport.

The MOD must emphasise that the advice provided within this letter is in response to the data and information detailed above and in the documentation in support of application EC00003430 dated 11/05/2022. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

I trust this is clear however should you have any questions please do not hesitate to contact me.

Yours sincerely

REDACTED

A black rectangular redaction box covering the signature of the Assistant Safeguarding Manager.

Assistant Safeguarding Manager

From: Safe Guarding <safeguarding@edinburghairport.com>
Sent: 04 April 2022 11:44
To: Econsents Admin; [REDACTED]
Cc: Safe Guarding
Subject: ECU00003430 - Dunoon to Loch Long Overhead Line Replacement

Good morning,

In respect of the above, I can confirm the location of this development falls out with our Aerodrome Safeguarding zone for Edinburgh Airport therefore we have no objection/comment.

With best regards,

[REDACTED]
Aerodrome Safeguarding & Compliance Officer



t: + [REDACTED]
www.edinburghairport.com

Edinburgh Airport Limited
Room 3/54, 2nd Floor Terminal Building
EH12 9DN, Scotland

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[REDACTED]
Energy Consents Unit
By Email

6th April 2022

Dear [REDACTED]

**Re: REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR
DUNOON TO LOCH LONG 132kV OVERHEAD LINE REPLACEMENT**
Our reference: GLA4117

I refer to your request for scoping opinion received in this office on 18th March 2022.

The scoping report submitted has been examined from an aerodrome safeguarding perspective and we would make the following observations:

- The site is located outwith the obstacle limitation surfaces for Glasgow Airport;
- It is within the instrument flight procedure safeguarding area, however, only structures exceeding 300m in this area would require impact assessment.

Our position with regard to this proposal will only be confirmed once the development details are finalized and we have been consulted on a full planning application, if consultation is required. At that time we will carry out a full safeguarding impact assessment and will consider our position in light of, inter alia, operational impact and cumulative effects.

Yours sincerely
Redacted

[REDACTED]
Safeguarding Manager
Glasgow Airport



[REDACTED]
Energy Consents Unit
By Email

31st May 2022

Dear [REDACTED]

Re: REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR DUNOON TO LOCH LONG 132kV OVERHEAD LINE REPLACEMENT – ADDITIONAL INFORMATION
Our reference: GLA4142

I refer to your request for comments on additional information regarding the above scoping request, received in this office on 11th May 2022.

Our position with regards this proposed development remains as stated in our letter to you dated 6th April 2022.

Yours sincerely
Redacted

[REDACTED]
Safeguarding Manager
Glasgow Airport
07808 115 881
[REDACTED]

From: HIAL Safeguarding <hialsafeguarding@traxinternational.co.uk>
Sent: 22 March 2022 15:26
To: Econsents Admin
Subject: RE: Section 37 Scoping - Dunoon to Loch Long 132kV OHL Replacement

Your Ref: ECU00003430

Our Ref: 2022/119/CAL

Dear Sir/Madam,

Proposal: Request for a scoping opinion the proposed section 37 application for the Dunoon to Loch Long 132kV OHL Replacement. The proposed development is for a 132kV OHL approximately 17.3km in length supported by lattice steel towers (which can vary in height between 26m and 44 metres).

Location: To be located in the planning authority area of Loch Lomond and Trossachs National Park, and Argyll and Bute Council.

With reference to the above, our calculations show that, at the given position and height, this development would not infringe the safeguarding criteria for Any HIAL Aerodrome.

Therefore, Highlands and Islands Airports Limited has no objections to the proposal.

Yours faithfully,

■

■

HIAL Safeguarding (Acting for and on behalf of Highlands & Islands Airport Ltd)



m: ■

e: hialsafeguarding@traxinternational.co.uk

e: safeguarding@hial.co.uk



Maritime &
Coastguard
Agency

██████████
Maritime and Coastguard Agency
Bay 2/24
Spring Place
105 Commercial Road
Southampton
SO15 1EG

www.gov.uk/mca

6 April 2022

Via email: Econsents_Admin@gov.scot

Dear ██████████

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR DUNOON TO LOCH LONG 132KV OVERHEAD LINE REPLACEMENT

Thank you for your email dated 18th March 2022 inviting comments on the Scoping Report for the proposed Dunoon to Loch Long 132kV overhead line replacement project. The Scoping Report has been considered by representatives of UK Technical Services Navigation, and the MCA would like to respond as follows

The MCA has an interest in the works associated with the marine environment, and the potential impact on the safety of navigation, access to ports, harbours and marinas and any impact on our search and rescue obligations. We would expect the impact of works in or over the marine environment to be subject to an appropriate navigation risk assessment to consider the risks to shipping and navigation.

From the information provided it is my understanding that all works associated with the marine environment fall outside the scope of this EIA consultation and will be addressed through the Marine Scotland Act 2010 during which the MCA will be consulted on the navigation risk assessment for the proposed replacement works across the marine environment. I note in section 1.1.9 that:

The following works are also required to complete the full refurbishment of the OHL from Dunoon substation to Whistlefield, however they are being consented under different regimes and therefore do not form part of the Proposed Development for this EIA Scoping Report.

- *Any upgrades required to the special crossing structures or their foundations (T12 - T15);*
- *Reconductoring of the existing Loch Long crossing, replacing the wires which carry the current and the associated fittings and fixtures, but reusing the four existing special structures which support the Loch Long crossing span. This reconductoring is subject to separate consent under the Marine (Scotland) Act 2010; and,*
- *Removal of the existing OHL conductors and dismantling of redundant towers.*

The MCA therefore understanding that the works undertaken as part of this consultation do not impact the marine environment and therefore no requirement for MCA to assess the risks to shipping and navigation on this occasion. We would appreciate if the applicant could confirm in section 1.1.6:

1.1.6 Certain associated works will also be required including:


- *Establishing access for the construction and maintenance of the OHL, i.e. vegetation clearance; upgrading of existing or establishment of new access tracks, potentially using on-site borrow pits;*
- *Forestry removal to accommodate the Proposed Development, and temporary infrastructure; and,*
- *Measures to protect road and water crossings during construction (scaffolding etc.).*

What is meant by '*measures to protect the water crossings during construction (scaffolding etc)*' and what it means in practical terms with regards to works in the marine environment, which fall under the scope of this EIA scoping report. I assume this means ensuring scaffolding remains above the mean high water level etc.

We hope you find this useful at scoping stage.

Yours sincerely,

Redacted


maritime licence advisor
UK Technical Services Navigation

From: navigation safety <navigationsafety@mcga.gov.uk>
Sent: 18 May 2022 10:13
To: [REDACTED]
Subject: RE: Dunoon to Loch Long 132kV scoping - additional information

Dear [REDACTED]

Thank you for the additional information (I note the three documents published on 11th and 12th May 2022). The MCA does not believe that this additional information changes our response to the scoping consultation dated 6th of May 2022 in any way, and the MCA therefore has nothing further to add at this time.

Kind Regards

[REDACTED]

Maritime Licence Advisor
Marine Licensing and Consenting
UK Technical Services Navigation

[REDACTED]

[REDACTED]



Maritime & Coastguard Agency
Bay 2/25, Spring Place
105 Commercial Road,
Southampton SO15 1EG



Safer Lives, Safer Ships, Cleaner Seas
www.gov.uk/mca

[REDACTED]

From: [REDACTED]
Sent: 25 March 2022 16:31
To: [REDACTED]
Subject: RE: Section 37 scoping - Dunoon to Loch Long 132kV OHL Replacement

Dear [REDACTED]
Thanks for consulting the Met Office about the proposal below. The nearest Met Office weather radar is approx. 45km distant and not in any of our consultation zones. More info is available at: <https://www.metoffice.gov.uk/services/business-industry/energy/safeguarding>

Therefore we have no objections and do not need to be consulted further.

Kind regards,

[REDACTED]
Upper Air Observations
Met Office, FitzRoy Road, Exeter, Devon, EX1 3PB, United Kingdom
E-mail: metofficesafeguarding@metoffice.gov.uk
Web: <https://www.metoffice.gov.uk/services/business-industry/energy/safeguarding>

From: NATS Safeguarding <NATSSafeguarding@nats.co.uk>
Sent: 12 May 2022 11:57
To: Econsents Admin
Cc: [REDACTED]
Subject: RE: Dunoon to Loch Long 132kV scoping - additional information [SG30619]

Our Ref: SG30619

Dear Sir/Madam

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully



NATS Safeguarding

E: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL

www.nats.co.uk



NATS Public

From: NATS Safeguarding <NATSSafeguarding@nats.co.uk>
Sent: 21 March 2022 10:10
To: Econsents Admin
Cc: [REDACTED]
Subject: RE: Section 37 Scoping - Dunoon to Loch Long 132kV OHL Replacement [SG30619]

Our Ref: SG30619

Dear Sir/Madam

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully



NATS Safeguarding

E: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL

www.nats.co.uk



NATS Public

From: ONR Land Use Planning <ONR-Land.Use-Planning@onr.gov.uk>
Sent: 24 March 2022 10:09
To: Econsents Admin
Subject: ONR Land Use Planning - Application EC00003430

Dear Sir/Madam,

With regard to planning application EC00003430, ONR makes no comment on this proposed development.

You can find information concerning our Land Use Planning consultation process here: (<http://www.onr.org.uk/land-use-planning.htm>).

Kind regards,

Land Use Planning
Office for Nuclear Regulation
ONR-Land.Use-planning@onr.gov.uk

[REDACTED]

From: DES ADEWS-RSP Safeguarding (MULTIUSER) <DESADEWS-RSPSafeguarding@mod.gov.uk>
Sent: 23 March 2022 09:24
To: [REDACTED]
Subject: 20220323-REPLY RE: Section 37 Scoping - Dunoon to Loch Long 132kV OHL Replacement

Good Morning [REDACTED],

The assessor has no concerns with this application.

Regards

[REDACTED]

[REDACTED]
RSP Safeguarding
e-mail DESADEWS-RSPSafeguarding(MULTIUSER)@mod.gov.uk
[REDACTED]

From: DES ADEWS-RSP Assessors (MULTIUSER) <DESADEWS-RSPAssessors@mod.gov.uk>
Sent: 23 March 2022 08:44
To: DES ADEWS-RSP Safeguarding (MULTIUSER)
Subject: 20220323-RE: Section 37 Scoping - Dunoon to Loch Long 132kV OHL Replacement

No concerns.

Andy Pritchard (RSP Eng2)

[REDACTED]

From: DES ADEWS-RSP Safeguarding (MULTIUSER) <DESADEWS-RSPSafeguarding@mod.gov.uk>
Sent: 18 May 2022 13:38
To: [REDACTED]
Subject: 20220518-REPLY Dunoon to Loch Long 132kV scoping - additional information
Attachments: RE: 20220511-POWERLINE PROPOSAL ECU00003430-Dunoon to Loch Long 132kV scoping - additional information

Good Afternoon,

The assessor has no concerns with this powerline proposal.

Thank you.

[REDACTED]

[REDACTED]
RSP Safeguarding
e-mail DESADEWS-RSPSafeguarding(MULTIUSER)@mod.gov.uk
RAF Henlow Tel. 03001514817

[REDACTED]

From: DES ADEWS-RSP Assessors (MULTIUSER) <DESADEWS-RSPAssessors@mod.gov.uk>
Sent: 18 May 2022 13:35
To: DES ADEWS-RSP Safeguarding (MULTIUSER)
Subject: RE: 20220511-POWERLINE PROPOSAL ECU00003430-Dunoon to Loch Long 132kV scoping - additional information

No concerns.

[REDACTED] (RSP Eng2)

From: DES ADEWS-RSP Safeguarding (MULTIUSER) <DESADEWS-RSPSafeguarding@mod.gov.uk>
Sent: 16 May 2022 08:38
To: DES ADEWS-RSP Assessors (MULTIUSER) <DESADEWS-RSPAssessors@mod.gov.uk>
Subject: 20220511-POWERLINE PROPOSAL ECU00003430-Dunoon to Loch Long 132kV scoping - additional information

Hi

Please see additional information below regarding a Powerline application that came in last month.

I have added this again to the TMS.

Regards

REDACTED

[REDACTED] | ADEWS DT | Project Controls Management Spt
RAF Henlow | Room C28 | Building 85 | Hitchin | SG16 6DN
[REDACTED]



Defence Equipment & Support

Recipients should note that email traffic on MOD systems is subject to monitoring, recording and auditing to ensure the effective operation of the system and for other lawful purposes.



[REDACTED]
 The Scottish Government
 Energy Consents Unit
 5 Atlantic Quay
 150 Broomielaw
 Glasgow G2 8LU

11 April 2022

Dear [REDACTED]

ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2017

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION
FOR DUNOON TO LOCH LONG 132kV OVERHEAD LINE REPLACEMENT

Thank you for consulting RSPB Scotland regarding this scoping opinion for:

- erection of a replacement twin circuit 132 kV overhead line (OHL) using different support structures and
- predominantly on a new alignment (to allow a continuous electricity supply to Dunoon during the
- construction period);
- erection of temporary OHL diversions to facilitate safe erection of the replacement line, close to, or on the
- existing OHL alignment on constrained sections; and,
- works at Dunoon 132/33 kV substation to facilitate the connection of the replacement OHL, potentially including an increase in operational area and fenced boundary to accommodate erection of new gantries or a terminal tower.

With associated works including:

- establishing access for the construction and maintenance of the OHL (i.e. vegetation clearance; upgrading of existing and/or establishment of new access tracks, potentially using on-site borrow pits);
- forestry removal to accommodate the Proposed Development, and temporary infrastructure; and,
- measures to protect road and water crossings during construction (scaffolding etc.).

The proposal's footprint falls on open ground habitat, existing native woodlands and areas identified in the Ancient Woodland Inventory.

RSPB Scotland advises that an Environmental Impact Assessment Report (EIAR) for this proposal should establish the potential impacts of the development on important bird populations within the area, with emphasis given to assessing potential impacts upon Annex 1/Schedule 1 raptors (Golden eagle, Hen harrier and Barn owl) and Black grouse.

Designated sites

Most of the Proposed Development sits within the Loch Lomond and the Trossachs National Park and Argyll Forest Park. The Loch Eck SSSI and watercourse (notified for its population of powan and Arctic charr fish species) and Craighoyle Woodland SSSI (notified for its ancient deciduous woodland which supports nationally important bryophyte and lichen assemblages) are both in close proximity to the Proposed Development, but are unlikely to be negatively impacted by it. No European sites or their features were identified as being impacted by the Proposed Development.

South Scotland
Regional Office
 10 Park Quadrant
 Glasgow
 G3 6BS

Tel 0141 331 0993
Fax 0141 331 9080

rspb.org.uk



Bird Species of Conservation Concern

The Proposed Development would introduce a steel lattice tower overhead line, similar in character to the existing line and in most places close and parallel to it, but larger in scale. During the construction phase of the Proposed Development, existing and replacement OHL infrastructure would be coexisting.

The following Annex 1/Schedule 1/Priority Local Biodiversity Action Plan bird species have been highlighted in the scoping report as 1) occurring within or close to the Proposed Development, and 2) experiencing potential significant negative impacts: Golden eagle *Aquila chrysaetos*, Hen harrier *Circus cyaneus*, Barn owl *Tyto alba*, Black grouse *Lyrurus tetrix*. The potential impacts on these species should be adequately covered within the EIAR.

The EIA should establish how priority species use the area through vantage point observation surveys, plotting of flightlines and related information to determine any potential impacts/mitigation. It should consider present usage in comparison to the potential alteration of habitat and barrier/displacement/collision effects which may occur during and due to the Proposed Development.

It should be remembered that all nesting birds are protected by law. We therefore advise that any vegetation removal/ground disturbance required along the route of the Proposed Development should occur outwith the bird breeding season (March to August inclusive); or that these areas are checked by an appropriately skilled and experienced observer, to ensure no nesting birds are present.

Golden eagle - The Proposed Development passes through two known home ranges, with a further five breeding sites falling within a 6km buffer. Observations during ornithological surveys corroborated the presence of at least one pair within the survey area. We advise maintaining dialogue with NatureScot and the Argyll Raptor Study Group for information about territories and regarding further survey work.

Concerning collision risk, this is very difficult to ascertain for OHL; especially given that periods of reduced visibility (i.e. low cloud) will occur in this area, and these cannot be captured in modelling. For this reason, and because the Proposed Development would be 1. temporarily coexisting with, and 2. of a larger scale than existing infrastructure, line marking should be considered.

Hen harrier/Barn owl - Desktop studies returned records for four breeding Hen harrier sites within 2km of the proposed route, with the closest located ca. 450m to the North of the Proposed Development. Baseline ornithology survey results also indicated that breeding activity was taking place close to the survey boundary. Desktop studies returned records for six breeding Barn owl sites within 2km of the proposed route. We advise maintaining dialogue with Argyll Raptor Study Group for information about territories and regarding your survey work.

Black grouse - In the UK, the Black grouse is a Red Listed species and the subject of a Biodiversity Action Plan. This bird has undergone significant declines in South-west Scotland, with Argyll remaining an important area for them. In the context of Argyll, a lek with 3 to 4 individuals is regionally important. Desktop studies conducted for the Proposed Development indicate local activity for this species, with records of 15 displaying males and one female returned. Our data indicate that the line of the Proposed Development transits one Level 2 priority area and bisects two Level 3 priority areas for this species. Baseline surveys for the Proposed Development (1.5km buffer during April and May 2021) returned two leks comprised of one displaying male each.

It is advised that vegetation removal/groundworks/construction do not take place within 1.5k of leks during the lekking/breeding season (March 1st - August 31st) to allow undisturbed breeding/brood rearing, and to minimise disturbance of important food plants in the field layer.

Any new stock/deer fencelines associated with the Proposed Development would also require to be [marked](#) to reduce the collision risk for this species.

Habitat management/mitigation

The EIAR should include a full survey, impact assessment and proposals for mitigation in relation to important habitats on this site. Mitigation should ideally avoid or seek to minimise any impact on areas of high-quality habitats found.

Particular attention should be given to peatland: the proposal should avoid or seek to minimise disturbance to the class 2 peat areas which the proposed route transits (SW from ca. NS171871 to NS158852). A full assessment of the carbon implications of this proposal should be undertaken, and if required, a mitigation plan prepared for any peatland affected.

RSPB Scotland is a partner in the Alliance for Scotland's Rainforest (ASR). Scotland's Rainforest is also known as 'Atlantic oakwood', and this temperate woodland is an important UK Biodiversity Action Plan habitat with its own Habitat Action Plan. The route for the Proposed Development transits areas of Atlantic Oakwood and Ancient Woodland Inventory within Plantlife Scotland's [Important Plant Area](#) - particularly to the NW. Any loss of this habitat should be minimised. If habitat loss is unavoidable, compensatory native planting should be undertaken with native shrub and woodland species at low density to 1. safeguard the integrity of Scotland's Rainforest, 2. maintain suitable habitat for Golden eagle prey species and 3. maintain suitable habitat for the resident Black grouse population.

If areas of commercial plantation forestry are lost, these should ideally also be replanted with native shrub and woodland species at low-density to achieve positive biodiversity gain.

The EIAR should consider what mitigation measures are required to minimise the impact on both important habitats and species, and contain detailed ecological justification for any such proposals. Ideally, this should include relevant timeframes for mitigation in relation to site development.


Cumulative impacts

An assessment of cumulative bird impacts in relation to other existing, consented and proposed projects (predominantly wind farms and forestry), within this natural heritage zone (NHZ) and local area/eagle ranges should be undertaken.

We hope you find these comments helpful. Please do not hesitate to contact me should you require further information or assistance.

Yours sincerely,

Redacted


RSPB Scotland Conservation Officer for Argyll, Arran and Ardnamurchan.

[REDACTED]

From: [REDACTED]
Sent: 08 June 2022 14:07
To: Econsents Admin
Cc: [REDACTED]
Subject: Re: Dunoon to Loch Long 132kV Scoping - Additional Information

Dear ECU Team,

I am writing to confirm that RSPB Scotland's original response to this scoping exercise (response issued by us as an email attachment on 12/04/2022) still stands, following our review of the proposed amendment to the north section of this OHL route (issued by you in email form on 11/05/2022).

As has been noted in the LLTNP response, we ask that the EIA exercise captures the full scope of cumulative impacts; including any additional forestry works/disturbance to native woodland resulting from the adoption of this proposed amendment.

Sending many thanks and warm wishes,

[REDACTED]

[REDACTED]

Conservation Officer - Argyll, Arran and Ardnamurchan

Mobile [REDACTED]

Glasgow Office 10 Park Quadrant, Glasgow, G3 6BS

[rspb.org.uk](https://www.rspb.org.uk)

Let's give nature a home in Scotland



RSPB Scotland is part of the RSPB, the UK's largest nature conservation charity, inspiring everyone to give nature a home. Together with our partners, we protect threatened birds and wildlife so our towns, coast and countryside will teem with life once again. We play a leading role in BirdLife International, a worldwide partnership of nature conservation organisations.

The Royal Society for the Protection of Birds (RSPB) is a registered charity: England and Wales no. 207076, Scotland no. SC037654



Econsents_Admin@gov.scot

[REDACTED]
Energy Consents Unit
The Scottish Government

Our Ref: 05965
3/05/2022

Dear [REDACTED]

ELECTRICITY ACT 1989

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

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR DUNOON TO LOCH LONG 132kV OVERHEAD LINE REPLACEMENT

ECU ref: ECU00003430

Thank you for your email of 18 March 2022 seeking comments on the scoping report for the above proposal. We gratefully acknowledge the additional time allowed for our response.

ScotWays records

The enclosed map shows the Heritage Paths project promotes routes, *Old Road through Strath Eachaig* [HP109] and *Puck's Glen* [HP110] for their historic interest. These old routes cross or are close to the application site as shown on Figure 2.1 *Overhead Line Route*.

Other Access to Land

You should be aware that other forms of public access to land may affect your site of interest. More detail about these other types of access is set out in the enclosed Catalogue of Rights of Way Guidance Notes.

Comment

Under section 3 of the Land Reform (Scotland) Act 2003, there is a duty upon landowners to use and manage land responsibly in a way which respects public access rights. Under section 14 of the same Act, access authorities have a duty to uphold access rights. Accordingly, we suggest that the

applicant may wish to approach the relevant authority's access team for their input when drawing up their Access Management Plan for their proposed development.

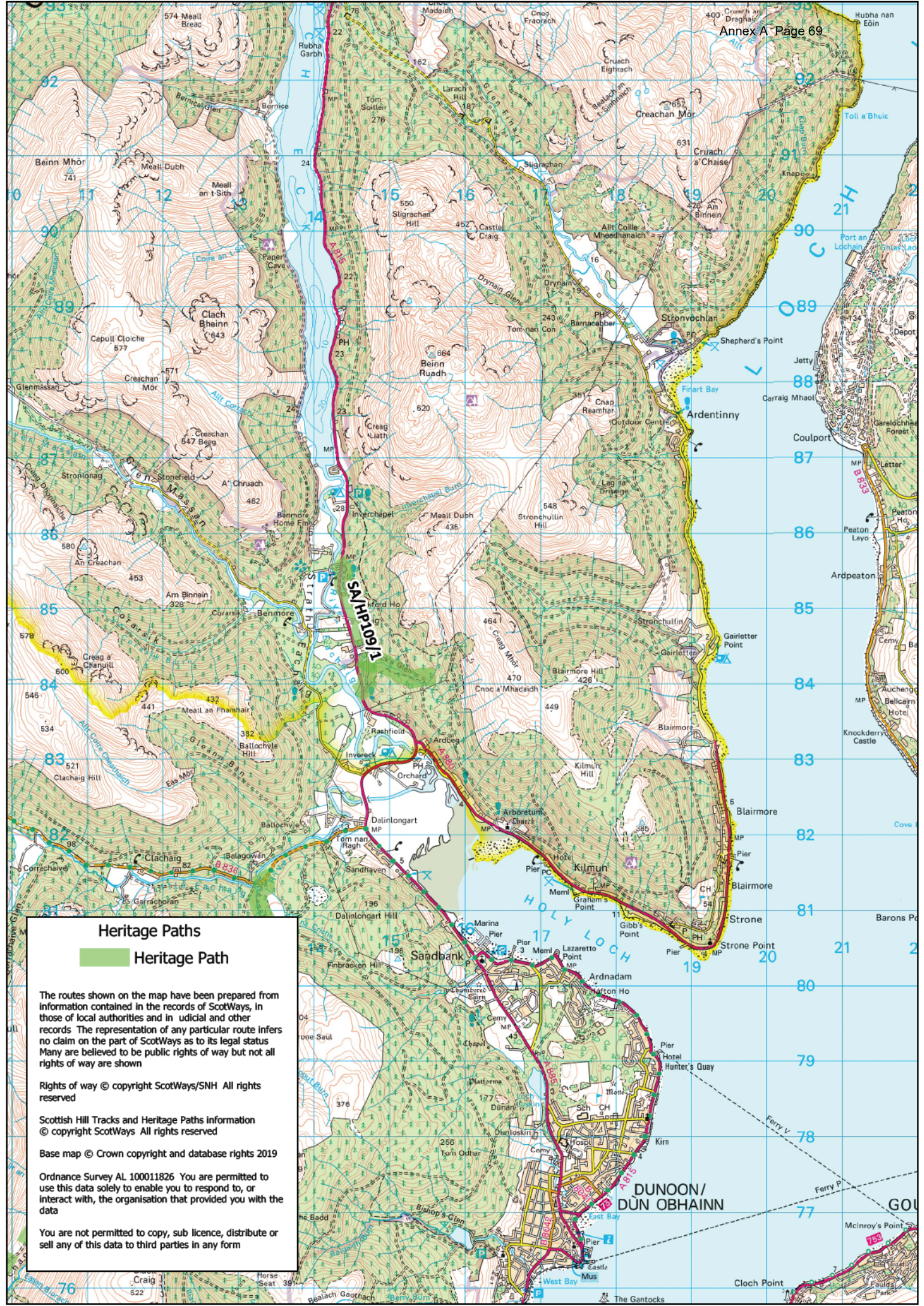
I hope the information provided is useful to you. Please do not hesitate to contact us if you have any further queries.

Yours sincerely,

Redacted

A solid black rectangular box used to redact the signature of the sender.

Access Officer



Heritage Paths

 Heritage Path

The routes shown on the map have been prepared from information contained in the records of ScotWays, in those of local authorities and in judicial and other records. The representation of any particular route infers no claim on the part of ScotWays as to its legal status. Many are believed to be public rights of way but not all rights of way are shown.

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Scottish Hill Tracks and Heritage Paths information © copyright ScotWays. All rights reserved.

Base map © Crown copyright and database rights 2019

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DUNOON/
DUN OBHAIN



Catalogue of Rights of Way Planning Comment Guidance Notes

These notes explain what is shown on the maps provided with planning application comments and provide information about the public right of access to land in Scotland. All maps are provided on a 1:50,000 scale base.

What is the Catalogue of Rights of Way (CROW)?

CROW was created by ScotWays in the early 1990s with the help of Scottish Natural Heritage (now Nature Scot) and local authorities and is an amalgamation of rights of way information from a number of different sources. Mapped at 1:50,000 scale, the catalogue does not include all rights of way – many of these are known only to local people and come to ScotWays' notice only when a problem arises.

CROW is continually updated to take account of new information as it comes to ScotWays' attention.

Catalogue of Rights of Way maps

What is a Recorded Right of Way?

Any right of way that we record in the Catalogue of Rights of Way.

Where any Recorded Rights of Way pass through or close to the application site a map will be provided showing these.

What is an Other Route?

Any path that we record in the Catalogue of Rights of Way that does not appear to meet the criteria to be a right of way.

Where any Other Routes pass through or close to the application site a map will be provided showing these.

What is a Heritage Path?

These are historic routes that form part of the transport heritage of Scotland. They reflect our cultural and social development and include drove roads, military roads, Roman roads, pilgrim routes and trade routes.

These routes may or may not be rights of way, core paths or carry some other type of designation.

Find out more about the Heritage Paths project at <http://www.heritagepaths.co.uk>

Where any Heritage Paths pass through or close to the application site a map will be provided showing these.

The Scottish Rights of Way and Access Society, 24 Annandale Street, Edinburgh EH7 4AN (Registered Office)
0131 558 1222 info@scotways.com www.scotways.com

What is a Scottish Hill Track route?

First published in 1924, our book *Scottish Hill Tracks* is a record of the network of paths, old roads and rights of way which criss-cross Scotland's hill country, from the Borders to Caithness.

These publicised routes may or may not be rights of way, core paths or carry some other type of designation.

Copies of our book *Scottish Hill Tracks* can be purchased from the ScotWays webshop: <https://www.scotways.com/shop>

Where any *Scottish Hill Tracks* routes pass through or close to the application site a map will be provided showing these.

Disclaimer

The routes shown on the CROW maps provided have been prepared from information contained in the records of ScotWays, local authorities, judicial and other records. The inclusion of a route in CROW is not in itself declarative of its legal status.

Other Public Access Information

Unrecorded Rights of Way

Our records only show the rights of way that we are aware of. Scots law does not require a right of way to be recorded in a specific document. Any route that meets the following criteria will be a right of way. This could include any paths, tracks or desire lines within your area of interest. A right of way:

1. Connects public places.
2. Has been used for at least 20 years.
3. Follows a more or less defined route.
4. Has been used by the public without judicial interruption or the landowner's permission.

Core Paths

The Land Reform (Scotland) Act 2003 requires all access authorities to create a system of routes within their area. These are known as core paths and are recorded in the authority's core paths plan. It is anticipated that planners will have consulted their access authority's core paths plan to check whether any core paths cross or are close to the application site, and will also have consulted the authority's access team.

The General Right of Access

Irrespective of the presence or absence of rights of way and core paths, the land in question may be subject to the access rights created by Section 1 of the Land Reform (Scotland) Act 2003. Unless the land falls into an excluded category in Section 6 of this Act then the public has a right of access to the land, and land owners/managers have a duty under the Act's Section 3 to consider this in any decisions made about the use/management of the land.

Other Promoted Routes

There may be part of a promoted route running through or close to any planning application site. These will usually be obviously signed with signposts or waymarking and may feature in

guidebooks, leaflets, on local information boards and on websites. The two main types of nationally promoted routes are:

Scotland's Great Trails: <https://www.scotlandsgreattrails.com>

National Cycle Network: <https://www.sustrans.org.uk/map-ncn>

Public and Private Roads

The Roads (Scotland) Act 1984 created the terms public road and private road. Public Roads are those roads which are on the List of Public Roads and, importantly, the roads authority is required to manage and maintain. Private Roads are those roads which are not on the List of Public Roads and thus there is no duty on the roads authority to manage or maintain them. There is a public right of passage over these roads and the owner(s) of a private road may not restrict or prevent the public's right of passage over the road.

If required, the local roads authority should be contacted for more information on public and private roads that may cross or pass close to the application site.

More Information on Outdoor Access Law

If you would like to know more about outdoor access law, why not get a copy of our book *The ScotWays Guide to the Law of Access to Land in Scotland* by Malcolm Combe? Visit our website, <https://www.scotways.com/shop> for more information.

Development and Planning Applications

When proposing to develop a site, it is advisable that the applicant reviews the current amount and type of public access across it and presents this as an access management plan as part of their planning application. This should include rights of way, core paths, other paths and tracks, and take account of how the statutory right of access currently affects the site.

The plan should then consider the effect that the proposed works, during construction and upon completion, would have on any patterns of public access identified. Any good practice guidance associated with the proposed type of development should be considered, e.g. for windfarms the Welsh Assembly Government's Technical Advice Note on Renewable Energy (TAN 8) Proximity to Highways and Railways paragraph 2.25 and the policies contained within any local statutory plans.

Depending upon the proposals there may be specific legal processes that are required to be followed to divert any paths or tracks either temporarily or permanently. These will be in addition to getting planning permission for the proposal. We recommend that applicants contact the access team at the relevant access authority for advice in this regard.

Published October 2019, updated March 2021

Wednesday, 23 March 2022



Local Planner
Energy Consents Unit
5 Atlantic Quay
Glasgow
G2 8LU

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Steps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

Dunoon to Loch Long, Dunoon, PA23 8TT
Planning Ref: ECU00003430
Our Ref: DSCAS-0061072-CFB
Proposal: Construction of a replacement 132kV double circuit overhead line (OHL) between the existing Dunoon substation and Tower 15, to the west of Loch Long.

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Asset Impact Assessment

Scottish Water Records indicate that there is live infrastructure in the proximity of your development area that may impact on existing Scottish Water assets.

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via [our Customer Portal](#) for an appraisal of the proposals.

The applicant should be aware that any conflict with assets identified will be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Written Permission must be obtained before any works are started within the area of our apparatus

Drinking Water Protected Areas

A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 0333 123 1223
 - ▶ Email: sw@sisplan.co.uk
 - ▶ www.sisplan.co.uk

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,



Development Services Analyst
PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Wednesday, 23 March 2022



Local Planner
Energy Consents Unit
5 Atlantic Quay
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G2 8LU

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 - ▶ Email: sw@sisplan.co.uk
 - ▶ www.sisplan.co.uk

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,



Development Services Analyst
PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Scottish Forestry

Scoping Opinion - Dunoon to Loch Long OHL Replacement–SSEN April 2022

Forestry and Woodlands

Scotland's forests make a substantial contribution to the economy at both national and local levels, they provide considerable environmental benefits and help to improve people's quality of life. The Scottish Government aims to maintain and enhance Scotland's forest and woodland resources for the benefit of current and future generations. To achieve this, we need to prevent inappropriate woodland losses (Scotland's Forestry Strategy, 2019).

The [third National Planning Framework](#) also recognises that Scotland's woodlands and forestry are an economic resource, as well as an environmental asset. The [Climate Change Plan](#) places emphasis on the fact that Scotland's woodlands deliver a wide range of benefits, including inward investment and jobs, climate change adaptation and mitigation, and the enhancement of the health and well-being of Scotland's communities. The Scottish forestry sector is worth almost £1 billion per year and employs over 25,000 people.

There is therefore a strong presumption in favour of protecting Scotland's woodland resources and the Scottish Government provides policy direction in the [policy on control of woodland removal](#). Woodland removal should be kept to a minimum and where woodland is felled it should be replanted. The policy supports woodland removal only where it would achieve significant and clearly defined additional public benefits. In some cases, including those associated with development, a proposal for compensatory planting may form part of this balance.

The criteria for determining the acceptability of woodland removal is explained in the policy and the applicant should take them into account when preparing the proposal. Beyond this, the applicant should refer to guidance documents issued by Scottish Forestry (and previously by Forestry Commission- FC) in relation to good forestry practice and sustainable forest management.

Woodland Management and tree felling

Where woodland removal is proposed for development, the relevant Environmental Impact Assessment (EIA) regulations will apply and the EIA Report should justify and provide evidence for the need for woodland removal and the associated mitigation measures.

The first consideration for the applicant should be whether the underlying purpose of the proposal can reasonably be met without resorting to woodland removal. Design approaches that reduce the scale of felling required to facilitate the development must be considered and integration of the development with the existing woodland structure is a key part of the consenting process.

Integration of the project into future forest design plans is a key part of the development process. **The removal of large areas of woodland will not be supported.** When a proposed development or infrastructure requires to go through forestry, consideration should be given to [forest design guidelines](#).

The proposal to consider the potential environmental impacts and likely significant effects associated with the seven elements of sustainable forest (UKFS) within the individual topic chapters, rather than in a Forestry Chapter is acceptable. This should be prepared by a suitably qualified professional and supported by existing records, site surveys and aerial photographs. In order to present the relevant information about the forest and to secure compliance with the UK Forestry Standard, the applicant should consider the appropriate scope for each topic chapter.

The effects of felling, woodland removal and re establishment should be considered (i.e. not just woodland removal). This should also include indirect impacts on adjacent woodlands.

This can, as suggested in the Scoping Report, be achieved by describing effects in the relevant Environment Receptor chapters, however, they should be clearly cross referenced from the proposed Chapter 10 Forestry and effects should be summarised in a Technical appendix.

We recommend that each relevant chapter contain a section dedicated to the effect of woodland management activity.

The loss of irreplaceable ancient woodland habitat must be given sufficient weight in the analysis, especially given the cumulative impacts of the SSE projects now on stream.

We advise that within the [Scottish Government's Control of Woodland Removal Policy](#), there is a strong presumption against woodland removal applied to the following:

- Woodland types listed in the EC Habitats Directive;
- UK BAP priority woodland types in areas mainly composed of ancient, semi-natural woodland (ASNW), ancient woodlands planted with native species, long-established woodlands of plantation origin (LEPO) with significant biodiversity interest, or well established semi-natural priority woodland types.

The Scoping Report, P 58 -12.5 proposes the development of Woodland Assessment reports on effected woodland blocks to be submitted as appendices to the EIA report. We recommend that these are consistent with the report content developed for the Inveraray Crossaig upgrade. The Woodland Reports should identify all areas of felling required to form the operational corridor and access corridors. In addition, the Woodland Reports should aim to reduce the risk of future wind throw by identifying felling to stable forest edges (outside of the operational corridor).

The topic chapters should describe and recognise the social, economic and environmental values of the forest and the woodland habitat and take into account the fact that, once mature, the forest would have been managed into a subsequent rotation, often through a restructuring (re-designing) proposal, according to the UK Forestry Standard, that would have increased the diversity of tree species and the landscape design of the forest.

The topic chapters should describe the baseline conditions of the forest, including its ownership. This will include information on species composition, age class structure, yield class and other relevant crop information. The chapter should describe the changes to the forest structure, the woodland composition and describe the work programme:

- the proposed areas of woodland for felling to accommodate the proposed infrastructures, including access roads, tracks, underground pipes and cables and any ancillary structures. Details of the area to be cleared around those structures should also be provided, along with evidence to support the proposed scale and phasing of felling;
- trees felled must be replanted on-site or compensated for (off-site planting) and these areas must be clearly identified in the plan. On-site replanting must always be considered first. The replanting operations must be appropriately described, including changes to the species composition, age class structure, timber production and traffic movements. Tree/shrub species must be suited to the site and the objectives of management;
- areas of open ground in the forest that are designed for biodiversity or landscape enhancement or for recreation opportunities should not be considered for on-site replanting (to compensate for woodland removal in other parts of the forest).

The applicant should consider the potential cumulative impact of existing and the proposed development on the forest resource in respect to the local and regional context. In particular consideration must be given to the implication of felling operations on such things as habitat connectivity, biodiversity, water management, landscape impact, impact on timber transport network and forestry policies included in the local and regional Forestry and Woodland Strategies and local development plans.

UK Forestry Standard

The [UK Forestry Standard](#) is the Government's reference standard for sustainable forest management in the UK and provides a basis for regulation and monitoring. The Scottish Government expects all forestry plans and operations in Scotland to comply with the standards. Both felling operations and on and off-site compensatory planting must be carried out in accordance to good forestry practice- the EIA Report must clearly state that the project will be developed and implemented in accordance with the standard. A key component of this is to ensure that even-age woodlands are progressively restructured in a sustainable manner: felling coupes should be phased to meet adjacency requirements and their size should be of a scale which is appropriate in the context of the surrounding woodland environment.

Scottish Forestry

Scottish Forestry is an agency of Scottish Government, responsible for forestry policy, support and regulation.

Scottish Forestry is the main forestry consultee and should be consulted throughout the development of the proposal to ensure that proposed changes to the woodland are appropriate and address the requirements of policy on control of woodland removal and the principles of sustainable forest management.

It is important that pre-application discussions takes place with the local Scottish Forestry Conservancy office, the planning authority and other relevant key agencies, at the earliest possible stage of the project, to ensure all parties have a shared understanding of the nature of the proposed development, information requirements and the likely timescale for determination. This collaborative approach will ensure that all forestry issues are identified and mitigated at the earliest opportunity. The applicant should allow sufficient time in their project plan to accommodate such advice.


Operations and Development Officer
Perth & Argyll Conservancy
7.4.22

From: [REDACTED]
Sent: 01 June 2022 14:00
To: Econsents Admin
Subject: 20220601-SF response- Dunoon to Loch Long 132kV scoping - additional information
Attachments: Scottish Forestry Scoping Opinion- April 2022.docx

Dear [REDACTED],

With regards to the proposed change of alignment of the OHPL, the advice in our Scoping Opinion of April 2022 still applies. However, the new alignment would have an increased impact on woodland. Areas of concern for Scottish Forestry regarding the new proposed route would be:

- The potential impact on future forestry management activity from the forest road
- Operational isolation of woodland above the OHPL.
- The proposal will also impact on Plantations on Ancient Woodland Sites (PAWS) and Ancient Woodland sites and comments in our scoping response of April 2022 still apply

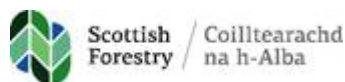
The forestry chapter should also include information on the presence of Larch and Phytophthora ramorum within and adjacent to the operational corridor, and the potential impact on control and spread of the disease. There will be impacts from the increased level of forestry activity creating the corridor and linear aspect of the work.

[REDACTED]
Operations and Development Officer
 Scottish Forestry

Perth & Argyll Conservancy | Upper Battleby, Redgorton | Perth | PH1 3EN
 Mobile: 07909 893792
elaine.jamieson@forestry.gov.scot

Website: forestry.gov.scot

 [@scotforestry](https://twitter.com/scotforestry)



Scottish Forestry is the Scottish Government agency responsible for forestry policy, support and regulation.

In light of the ongoing public health advice to reduce unnecessary social contact during the outbreak of Covid-19, we have activated our Business Continuity Plan. More information can be found [on our website](#).



BRAVE values are the roots that underpin Scottish Forestry, to create a workplace where our staff, and the people we work with, feel valued, supported and respected.

Be professional, **R**espect others, **A**ct with honesty and integrity, **V**alue teamwork and collaboration and **E**ncourage innovation and creativity.

[REDACTED]
Energy Consents Unit
The Scottish Government
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Your ref:
ECU00003430

Our ref:
GB01T19K05

Date:
12/04/2022

Econsents_Admin@gov.scot

Dear Sirs,

ELECTRICITY ACT 1989

THE ELECTRICITY (APPLICATIONS FOR CONSENT) REGULATIONS 2017

REQUEST FOR SCOPING OPINION FOR PROPOSED SECTION 37 APPLICATION FOR DUNOON TO LOCH LONG 132kV OVERHEAD LINE REPLACEMENT

With reference to your recent correspondence on the above development, we acknowledge receipt of the Scoping Report (SR) prepared by Scottish and Southern Electricity Networks Transmission PLC (SSEN Transmission) in support of the above development.

This information has been passed to SYSTRA Limited for review in their capacity as Term Consultant to Transport Scotland – Roads Directorate. Based on the review undertaken, we would provide the following comments.

Proposed Development

The proposal comprises the construction of a replacement 132kV double circuit overhead line (OHL) between the existing Dunoon substation and Tower 15 to the west of Loch Long, a distance of approximately 17.3 km. The nearest trunk road to the site is the A83(T) which lies approximately 12.5km north (as the crow flies) of the most northerly section of the OHL.

Assessment of Environmental Impacts

Chapter 11 of the SR presents the proposed methodology to assess the predicted traffic and transport issues that may arise from the construction of the proposed development.

This states that the Traffic and Transport EIAR Chapter will include an assessment of the likely number of construction traffic movements and the capacity of local roads to accommodate construction traffic. We note that the study area will comprise the A83(T) between Inveraray and Tarbet, in addition to local roads. Base traffic data for 2019 will be sourced from the Department for Transport (DfT), using count site 764 at the Rest and be Thankful for A83(T) data.

Transport Scotland is satisfied with the proposed study area, but would add that Transport Scotland has a Traffic Data Count site just north of Ardgarten visitor centre which may be utilised to supplement the base traffic data. We would also add that base traffic data will require to be factored to the construction year flows, using National Road Traffic Forecasts (NRTF) Low Growth.

The SR states that the thresholds as indicated within the Institute of Environmental Management and Assessment (IEMA) Guidelines for the Environmental Assessment of Road Traffic are to be used as a screening process for the assessment.

The SR also indicates that potential environmental impacts such as accidents and safety, pedestrian amenity, pedestrian delay and driver delay etc will be considered and assessed where the IEMA Guideline thresholds for further detailed assessment are breached. These specify that road links should be taken forward for detailed assessment if:

- Traffic flows will increase by more than 30%, or
- The number of HGVs will increase by more than 30%, or
- Traffic flows will increase by 10% or more in sensitive areas.

It is noted that any impacts associated with both the operational and decommissioning phases of the development are to be scoped out of the EIAR. We would consider this to be acceptable in this instance.

Abnormal Loads Assessment

The SR makes no mention of any requirement for the use of abnormal load deliveries. Given the nature of the development, we would assume these will not be required. However, should there be a need for such loads, Transport Scotland will require to be satisfied that the size of loads proposed can negotiate the selected route and that their transportation will not have any detrimental effect on structures within the trunk road route path.

I trust that the above is satisfactory and should you wish to discuss any issues raised in greater detail, please do not hesitate to contact me or alternatively, Alan DeVenny at SYSTRA's Glasgow Office on 0141 343 9636.

Yours faithfully

Redacted


Transport Scotland
Roads Directorate

cc 

[REDACTED]
Energy Consents Unit
The Scottish Government
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Your ref:
EC00003430

Our ref:
GB01T19K05

Date:
08/06/2022

Econsents_Admin@gov.scot

Dear Sirs,

ELECTRICITY ACT 1989

THE ELECTRICITY (APPLICATIONS FOR CONSENT) REGULATIONS 2017

DUNOON TO LOCH LONG 132KV SCOPING - ADDITIONAL INFORMATION

With reference to your recent correspondence on the above development, we acknowledge receipt of the Additional Information (AI) prepared by Scottish and Southern Electricity Networks Transmission PLC (SSEN Transmission) in support of the above development.

This information has been passed to SYSTRA Limited for review in their capacity as Term Consultants to Transport Scotland – Roads Directorate. Based on the review undertaken, we would provide the following comments.

Proposed Development

The proposal comprises the construction of a replacement 132kV double circuit overhead line (OHL) between the existing Dunoon substation and Tower 15 to the west of Loch Long, a distance of approximately 17.3 km. The nearest trunk road to the site is the A83(T) which lies approximately 12.5km to the north of the OHL.

Transport Scotland was consulted on the Scoping Report for this application and provided a response in our letter dated 12th April 2022.

Additional Information

We understand that during a site visit to review the access routes proposed by the applicant's contractor, an alternative alignment option has been proposed which is outwith the identified route area presented in the original Scoping Report.

The AI indicates that with the exception of a visual impact location, the alternative OHL route does not alter factors proposed for consideration in the EIA Scoping report and, having reviewed the proposed location of this new route, we note that it remains approximately 12km south of the trunk road.

We can confirm, therefore, that the contents of our letter of 12th April 2022 remain valid, and we have no further comment to make at this time.

I trust that the above is satisfactory and should you wish to discuss any issues raised in greater detail, please do not hesitate to contact myself or alternatively, Alan DeVenny at SYSTRA's Glasgow Office on 0141 343 9636.

Yours faithfully

REDACTED


Transport Scotland
Roads Directorate

cc Alan DeVenny – SYSTRA Ltd.

Marine Scotland Science advice on freshwater and diadromous fish and fisheries in relation to the installation of overhead line developments.

March 2022

Marine Scotland Science (MSS) provides internal, non-statutory, advice in relation to freshwater and diadromous fish and fisheries to the Scottish Government's Energy Consents Unit (ECU) for the installation and maintenance of overhead line (OHL) developments in Scotland.

Atlantic salmon (*Salmo salar*), sea trout and brown trout (*Salmo trutta*) are of high economic value and conservation interest in Scotland and for which MSS has in-house expertise. The route of OHLs often cross watercourses which support important salmon and trout populations. MSS aims, through our provision of advice to ECU, to ensure that the installation and maintenance of these OHLs do not have a detrimental impact on the fish habitat and populations.

The Electricity Works (Environmental Impact Assessment) (EIA) (Scotland) Regulations (2017) state that the EIA must assess the direct and indirect significant effects of the proposed development on water and biodiversity, and in particular species (such as Atlantic salmon) and habitats protected under the EU Habitats Directive. Salmon and trout are listed as priority species of high conservation interest in the Scottish Biodiversity List and support valuable recreational fisheries.

A good working relationship has been developed over the years between ECU and MSS, which ensures that these fish species are considered by ECU during all stages of the application process of OHL developments and are similarly considered during the installation and maintenance of future transmission lines. It is important that matters relating to freshwater and diadromous fish and fisheries, particularly salmon and trout, continue to be considered during the installation and maintenance of future OHLs.

In the current document, MSS sets out a revised, more efficient approach to the provision of our advice, which utilises our generic scoping and monitoring programme guidelines (<https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren>). This standing advice provides regulators (e.g. ECU, local planning authorities), developers and consultants with the information required at all stages of the application process for OHL projects, such that matters relating to freshwater and diadromous fish and fisheries are addressed in the same rigorous manner as is currently being carried out and continue to be fully in line with EIA regulations. At the request of ECU, MSS will still be able to provide further and/or bespoke advice relevant to freshwater and diadromous fish and fisheries e.g. site specific advice, at any stage of the application process for a proposed development, particularly where a development may be considered sensitive or contentious in nature.

MSS will continue undertaking research, identifying additional research requirements, and keep up to date with the latest published knowledge relating to the

impacts of onshore wind farms on freshwater and diadromous fish populations. This will be used to ensure that our guidelines and standing advice are based on the best available evidence and also to continue the publication of the relevant findings and knowledge to all stakeholders including regulators, developers and consultants.

MSS provision of advice to ECU

- MSS should not be asked for advice on pre application and application consultations (including screening, scoping, gate checks and EIA applications). Instead, the MSS scoping guidelines and standing advice (outlined below) should be provided to the developer as they set out what information should be included in the EIA report;
- if new issues arise which are not dealt with in our guidance or in our previous responses relating to respective developments, MSS can be asked to provide advice in relation to proposed mitigation measures and monitoring programmes which should be outlined in the EIA Report (further details below);
- if new issues arise which are not dealt with in our guidance or in our previous responses, MSS can be asked to provide advice on suitable wording, within a planning condition, to secure proposed monitoring programmes, should the development be granted consent;
- MSS cannot provide advice to developers or consultants, our advice is to ECU and/or other regulatory bodies.
- if ECU has identified specific issues during any part of the application process that the standing advice does not address, MSS should be contacted.

MSS Standing Advice for each stage of the EIA process

Scoping

MSS issued generic scoping guidelines

(<https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren>) which outline how fish populations can be impacted during the construction, operation and decommissioning of a wind farm and transmission line developments and informs developers as to what should be considered, in relation to freshwater and diadromous fish and fisheries, during the EIA process.

In addition to identifying the main watercourses and waterbodies within and downstream of the proposed development area, developers should identify and consider, at this early stage, any areas of Special Areas of Conservation where fish are a qualifying feature and proposed felling operations particularly in acid sensitive areas.

If a developer identifies new issues or has a technical query in respect of MSS generic scoping guidelines then ECU should be informed who will then co-ordinate a response from MSS.

Gate check

The detail within the generic scoping guidelines already provides sufficient information relating to water quality and salmon and trout populations for developers at this stage of the application.

Developers will be required to provide a completed gate check checklist (annex 1) in advance of their application submission which should signpost ECU to where all matters relevant to freshwater and diadromous fish and fisheries have been presented in the EIA report. Where matters have not been addressed or a different approach, to that specified in the advice, has been adopted the developer will be required to set out why.

EIA Report

MSS will focus on those developments which may be more sensitive and/or where there are known existing pressures on fish populations (<https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/fishreform/licence/status/Pressures>). The generic scoping guidelines should ensure that the developer has addressed all matters relevant to freshwater and diadromous fish and fisheries and presented them in the appropriate chapters of the EIA report. Use of the gate check checklist should ensure that the EIA report contains the required information; the absence of such information may necessitate requesting additional information which may delay the process:

Developers should specifically discuss and assess potential impacts and appropriate mitigation measures associated with the following:

- any designated area, for which fish is a qualifying feature, within and/or downstream of the proposed development area;
- the presence of a large density of watercourses;
- the presence of large areas of deep peat deposits;
- known acidification problems and/or other existing pressures on fish populations in the area; and
- proposed felling operations.

Post-Consent Monitoring

MSS recommends that regular visual inspections are carried out by the appointed Ecological Clerk of Works (ECoW) on all watercourses paying particular attention to watercourses during and after periods of prolonged precipitation, during the fish migration/spawning period and on watercourses which are downstream of watercourse crossings, where construction is carried out and where vehicular traffic is frequenting. All observations should be carefully recorded and monthly reports submitted to the Planning Authority. An action plan should be established which outlines proposed remediation procedures, should any changes occur. The developer should consider a water quality and/or fish population monitoring

programme particularly if the proposed development area is in a sensitive location e.g. includes a designated area for which fish are a qualifying feature. All proposed mitigation measures should be implemented and reviewed throughout the course of the development.

MSS has published guidance on survey/monitoring programmes associated with onshore wind farm developments (<https://www2.gov.scot/Topics/marine/Salmon-Trout-Coarse/Freshwater/Research/onshoreren>) which developers should follow when drawing up survey and/or monitoring programmes.

If a developer considers that such a monitoring programme is not required then a clear justification should be provided.

Planning Conditions

MSS advises that planning conditions are drawn up to ensure appropriate provision for mitigation measures and monitoring programmes, should the development be given consent. We recommend that the appointment of an ECoW in overseeing the implementation of the proposed mitigation measures, the regular visual inspections of all watercourses and reporting of all observations is outlined within these conditions and that MSS is consulted on this.

Wording suggested by MSS in relation to the appointment of an ECoW for incorporation into planning consents:

1. No development shall commence unless the terms of appointment by the Company of suitably qualified (or equivalent) Ecological Clerk of Works (ECoW), in writing, to the Planning Authority for their written approval. Such approval may only be granted following consultation with Marine Scotland Science and any other advisors or organisations. The terms of appointment shall be to:
 - a. carry out regular visual inspections of all watercourses in line with Marine Scotland Science guidelines;
 - b. monitor compliance to all proposed site specific mitigation measures detailed in the Environmental Impact Assessment and in agreement with the Planning Authority and Marine Scotland Science; and
 - c. submit monthly reports to the Planning Authority and report to the Company's nominated construction project manager and consenting body any incidences of non-compliance with the ECoW works at the earliest practical opportunity.

The ECoW shall be appointed on the approved terms throughout the period from prior to commencement of the development (including enabling works), throughout the installation/maintenance period and during any period of restoration works.

Reason: To ensure effective monitoring of and compliance with the environmental mitigation and management measures associated with the Development.

Sources of further information

NatureScot (previously “SNH”) guidance on wind farm developments - <https://www.nature.scot/professional-advice/planning-and-development/advice-planners-and-developers/renewable-energy-development/onshore-wind-energy/advice-wind-farm>

Scottish Environment Protection Agency (SEPA) guidance on wind farm developments – <https://www.sepa.org.uk/environment/energy/renewable/#wind>

A joint publication by Scottish Renewables, SNH, SEPA, Forestry Commission Scotland, Historic Environment Scotland, MSS and Association of Environmental and Ecological Clerks of Works (2019) Good Practice during Wind Farm Construction - <https://www.nature.scot/guidance-good-practice-during-wind-farm-construction>.

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Dunoon to Loch Long 132KV OHL Replacement - PLHRA Scoping Comments
Date: 11 April 2022 12:40:44

[REDACTED]

I've reviewed the information on the portal relative to the Dunoon to Loch Long 132KV OHL Replacement .

Relative to the scoping opinion, I'd propose the following text:

As part of our term commission for the ECU for provision of advice regarding PLHRA, we have reviewed the Dunoon to Loch Long 132KV OHL Rebuild Environmental Impact Assessment: Scoping Request of February 2022, relative to the potential for risks posed by peat slides. This includes the drawings for the route including OHL Line Route (Fig 2.1) and Environmental Constraints (Fig 2.2)

Within the Scoping Request, geology and peat maps were discussed in Section 6 on Hydrology, Hydrogeology, Geology and Soils but not included as figures so we have also reviewed available online mapping. This includes OS mapping, Google Earth, British Geological Survey plans of the Superficial and Bedrock geology as well as the 2016 Nature Scot Carbon and Peatland Maps for the route.

The Scoping Request (6.2.11) notes Classes 1 and 2 peat are present in higher altitudes based on Nature Scot mapping with the majority of the route located within Class 0 mineral soils (not peat). This does not fully tie in with our own review of the 2016 Peatland mapping, which is that sections of the northern part of the route cross Class 2 and 5 peat in the higher areas as well as a small section of Class 3 peats. The route passes through or in close proximity to Class 5 peat in the south of the proposed development, adjacent to the A885 northwest of Dunoon. The Nature Scot mapping notes that Class 5 soils includes carbon soils with deep peat, Class 2 soils are defined as supporting nationally important carbon-rich soils, deep peat and priority peatland habitat and Class 3 soils are predominantly peaty soils with some heath vegetation. Mineral soils (no peat) are shown elsewhere along the route. Our review of British Geological Society mapping does not identify peat along the route on the superficial soils mapping.

A detailed PLHRA is not explicitly scoped out in Section 6.4 (Issues Scoped Out) of the Scoping Request although 6.6.5 notes *"it is not considered appropriate to undertake a more formal PLHRA given that the Proposed Development's potential to impact upon peat is limited to the proposed steel lattice towers and permanent access tracks; however should peat probing surveys and subsequent study identify the potential for peat landslide, a targeted PLHRA will be undertaken"*

Given our review and that OS mapping confirms that slopes of greater than 2 degrees are present along the line of the development, guidance within the Energy Consents Units Best Practice Guide 2017 confirms, based on these factors, that a Peat Landslide Risk Assessment for the works will be required. The Scoping Request in our opinion does not provide sufficient

information to scope out a formal PLHRA at this stage. We agree that it does appear that peat is not present over much of the route and that therefore a targeted assessment would be appropriate. If a detailed walkover and preliminary probing were to conclude that there is no peat present along any of the proposed development or within influencing distance up/downslope, the PLHRA could be a very simple document.

Assuming that peat is present over sections of the route, the ECU Best Practice Guide 2017 is clear that the principles of the guidance apply to Section 37 applications for above ground overhead lines which pass through peatland environments and that detailed peat landslide risk assessment will be required. On behalf of the ECU, we would review any PLHRA submitted in accordance with the Best Practice Guidelines. As per the ECUBPB, we would anticipate that the PLHRA would include fieldworks and probing, at appropriate frequencies, of towers, tracks, U/G cabling and associated infrastructure including construction related facilities in areas where peat might be present. In the areas where detailed probing/risk assessment is not proposed due to peat not being present, these would require to be robustly justified by review of mapping, walkovers by qualified professionals and the primary 100m probing grid proposed. The fieldworks would form part of the risk assessment for the route together with desk study, likelihood/consequence assessments and mitigation as required. The PLHRA would be submitted as a self-explanatory standalone document and would be closely linked to both the Geology and Soils and Water Environment chapters and any Peat Management Plan.

I hope this is of use, let me know if you have any comments.

Regards

█

█

Director

Ironside Farrar Ltd, 111 McDonald Road, Edinburgh, EH7 4NW
T: 0131 550 6500, M 07716741983, www.ironsidefarrar.com