

	<h1>Report</h1>	<b>Agenda Item</b>  <h1>6</h1>
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Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>26 September 2006</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	CL/06/0030
Planning Proposal:	Erection of Electricity Substation and Associated Vehicular Access

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : S P Transmission Ltd
- Location : Land to south west of Auldtonheights, Lesmahagow (B7078)

## 2 Recommendation(s)

### 2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant Detailed Planning Permission – (Subject to Conditions – Based on Conditions Listed)

### 2.2 Other Actions/Notes

The Planning Committee has delegated powers to determine this application.

## 3 Other Information

- ◆ Applicant's Agent: Ross Baxter, Energy Networks
  - ◆ Council Area/Ward: 03 Lesmahagow
  - ◆ Policy Reference(s): Lower Clydesdale Local Plan (Adopted)
    - Policy ENV2 : Rural Area
    - Policy ENV3 : Stimulating the Economy
    - Policy ENV12 : Natural Heritage
- South Lanarkshire Local Plan (Finalised Draft)
- Policy STRAT4 : Accessible Rural Area
  - Policy ENV4 : Protection of the Natural and Built Environment

- ◆ Representation(s):
  - ▶ 0 Objection Letters
  - ▶ 0 Support Letters
  - ▶ 0 Comments Letters

- ◆ Consultation(s):

Environmental Services

Roads and Transportation Services (South Division)

RSPB Scotland

S.E.P.A. (West Region)

Scottish Natural Heritage

West of Scotland Archaeology Service

Roads & Transportation Services H.Q.(Transportation)

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site consists of gently sloping, agricultural land situated approximately 1 km to south of Lesmahagow on the B7078. The site extends to 3.6 hectares in size. A dismantled railwayline and the B7078 are located to the east of the site, and open agricultural land bounds the site to the south, west and north. Coalburn Moss which is a Site of Special Scientific Interest (SSSI) and is classed as a Special Area of Conservation (SAC) is situated to the south-west, south and east of the application site.

### **2 Proposal(s)**

- 2.1 Detailed planning permission is sought by Scottish Power for the construction of a substation. The substation would be unmanned and would be visited on occasion for monitoring and maintenance purposes. The applicant advises that the site compound would measure 208m x 175m and would consist of an open-air substation surrounded by a 2.7 metre high palisade security fence. The compound would include items of electrical plant, supporting structures, overhead bushbars, power transformers and a single storey control building together with an access road.
- 2.2 In addition to the construction of the substation the project also involves deviation of 1.2 km of an existing 400kV overhead line, the installation of a new 132kV underground cable connection to the existing line serving Linnmill substation and the removal of 1.5 km section of a 275kV overhead line to the north-east of the proposed substation. The applicant advises that the deviated 400kV overhead line requires the removal of three high towers, one of which is actually located within the environmentally sensitive Coalburn Moss. The replacement line which comprises 4 towers will be located to the north of the proposed substation and will over fly the Moss resulting in no plant being within the designated SAC boundary. The line deviation works are not subject of this application The line deviation works are not subject of this application, although the Council has been consulted under separate legislation by the Scottish Executive on these proposals.
- 2.3 The applicant confirms that the substation project forms part of a continuous upgrading and reinforcement to the transmission network which is required of Scottish Power by its obligations as a licence holder under the Electricity Act 1989. The works at Coalburn are required to form a local supply point to the upgraded Anglo Scottish Interconnector overhead line which is to be reconfigured to operate both of its circuits at an already consented voltage of 400kV.
- 2.4 The applicant has submitted an Environmental Statement (ES) with this application which provides a detailed review of how the environment is expected to change as a consequence of the proposed substation and the required overhead line deviation. The ES found that with the mitigation measures that would be adopted, any negative impacts on the area's ecology and nature conservation would be minor or of no significance. It further advises that the impact on the area's landscape and visual amenity would be at the low end of moderate. There would be temporary localised landscape impacts during construction, while all important landscape features would be protected or reinstated on completion of the work. It advises that there would be a minor localised permanent effect on important elements or features of the landscape, which would be addressed by mitigation measures such as the replacement of field boundary trees and shelterbelt woodland. The ES states that for most observers, the proposed development would form only a small proportion of the

overall view and the change in visual amenity would be minor and dependant on the angle of view.

- 2.5 Mitigation measures for the development include an outline landscape scheme that proposes a series of measures to provide screening, help integrate the substation into surrounding landscape, add to the bio-diversity of the site and reinforce the distinctive qualities and features of the existing landscape. In addition, the new substation when operational will allow for a pylon located in Coalburn Moss to be removed and 1.5km length of overhead line which crosses the M74 to be dismantled helping to mitigate the visual impact of the works.

### **3 Background**

#### **3.1 Local Plan Status**

The application site is located within the Rural Area shown in the adopted Lower Clydesdale Local Plan where Policy ENV2 applies. Policies ENV3 Stimulating the Economy and ENV12 – Natural Heritage also apply. The finalised draft South Lanarkshire Local Plan also applies in this instance and Policies STRAT4: Accessible Rural Area and ENV4 – Protection of the Natural and Built Environment are relevant in this respect.

#### **3.2 Relevant Government Advice/Policy**

NPPG14 Natural Heritage states that attractive and ecologically rich environments, where the natural heritage is valued and cherished, are essential to social and economic well-being. A key role of the planning system is to ensure that society's land requirements in terms of housing, economic activity, transport infrastructure and recreation are met in ways which do not erode environmental capital. This guidance further advises that the protection of natural heritage may sometimes impose constraints on development. However, conservation and development can often be fully compatible and, with careful planning, the potential for conflict can be minimised. NPPG6 Renewable Energy Developments highlights that the promotion of renewable sources of electricity generation is an integral part of the UK Government's energy policy and has been identified as having a key role in its commitment to addressing the causes of climate change. The Scottish Executive is therefore committed to increasing the amount of renewable energy used in Scotland. The guidance further advises that currently there are capacity constraints on new generation in various parts of Scotland which may change in the medium / longer term if the transmission system is upgraded.

#### **3.3 Planning History**

None relevant.

### **4 Consultation(s)**

- 4.1 **Environmental Services** – offer no objections subject to conditions restricting noise levels emitted from the premises and submission of a desk study to review the historical uses of this site to determine any types of contamination likely to be encountered.

**Response:** Assurances have been given by the applicant that the standards required by Environmental Services in relation to acceptable noise levels emitted from the premises will not be exceeded. The noise and contaminated land issues can be controlled by means of condition.

- 4.2 **Roads and Transportation Services** – offer no objections to the proposal subject to certain conditions attached to any consent granted relating to access standards, visibility splays, suitable drainage, parking and turning facilities.

**Response:** Noted. Should Committee agree to grant consent for this proposal, I intend to attach relevant conditions in this respect.

- 4.3 **RSPB** – offer no objections.

**Response:** Noted.

- 4.4 **SEPA** – offer no objections in principle to this proposal, however they ask for clarification on a number of issues ie; how the dust suppression and/or wheel wash facilities are expected to be utilised at the site; the general surface water drainage strategy should be designed in accordance with the principles of Sustainable Urban Drainage (SUDS); and clarification of whether a concrete washdown area will be necessary at the site and if so they seek assurances on how this ‘catchpit’ will be operated. In addition to this they concur with the view expressed in the ES that the footprint of the development does not lie within an area known to be at risk from flooding, however they support the statement that additional studies are undertaken to protect the site from the 1 in 200 year return storm event. They further advise that the ES contains details of the ecological baseline studies that were carried out in the vicinity of the site. They are satisfied that provided all relevant mitigation measures as outlined in their guidance are fully incorporated into the Construction Method Statements prepared for the site, then the impact on the existing flora and fauna in the general vicinity of the project site should be minimal.

**Response:** the issues in respect of dust suppression, SUDS, and concrete washdown can be controlled by means of condition. In terms of flood risk, the applicant has advised that the substation is to be sited on elevated ground and no river or water source is present adjacent to the site. The substation drainage from bunded plant items and hardstanding is to be contained and drained off site to discharge to the drainage ditch at the B7078.

- 4.5 **SNH** – advise that the substation and access track will not directly impact on the qualifying features of the SAC being as they are located on the adjacent agricultural land and on boulder clay, rather than peat soils which may be in hydrological connectivity with the peatland within the SAC. Notwithstanding this they object to the proposal as further work is required to confirm assumptions made in the ES regarding hydrological connections between the proposed substation site and Coalburn Moss Special Area of Conservation and SSSI. They also object to the proposed screen planting. They further advise that there is insufficient information available at present for them to determine the potential impacts of the proposals, or the severity of any impacts, on bats which are considered European Protected Species.

**Response:** additional information was submitted to SNH. In terms of site hydrology they do not now envisage any impacts on the designated area from the proposal and they do not consider that the proposal is likely to have an impact on bats. They do however advise that there remains insufficient information to determine whether the proposal is likely to have a significant effect on the qualifying interests of the site. In order for this to be determined they recommend that details of the proposed final planting plan for the site is submitted to them for determination. This information has been provided to SNH and they confirm that they no longer object to the proposal. The proposed landscaping scheme can be controlled by condition.

- 4.6 **West of Scotland Archaeology Service (WOSAS)** – offer no objections.

**Response:** Noted.

## **5 Representation(s)**

- 5.1 Under the Environmental Assessment (Scotland) Regulations 1999, this proposal was advertised in the press. It was also advertised as Development Potentially Contrary to the Development Plan. Following this publicity and neighbour notification no letters of objection were received.

## **6 Assessment and Conclusions**

- 6.1 Detailed planning consent is sought for the erection of an electricity substation and associated vehicular access on land to the south of Lesmahagow. The main issue in relation to this application is the extent to which the proposal complies with adopted and draft local plan policies.
- 6.2 In terms of the adopted local plan policy, the application site is located within the Rural Area where Policy ENV2 applies. This policy advises that within the rural area, the Council will generally favour development of an appropriate form and that any development within the rural area should conform to SLP2 Rural Areas Policy. This policy specifically relates to residential development and as such is not relevant in the determination of this application. Policy ENV3 Stimulating the Economy and SLP3 – Stimulating the Rural Economy offer some assistance in the determination of this proposal. Energy related development is quoted under the SLP3 policy as an acceptable use in the rural area and as such the proposal to erect a substation is acceptable in principle subject to planning considerations such as traffic, access, design, amenity and impact on the environment. Policy ENV12 on Natural Heritage states that the Council will oppose proposals which would have an adverse impact on the character and amenity of the natural environment. It will seek to safeguard designated sites, including Sites of Special Scientific Interest and Special Areas of Conservation such that development will not be allowed within or adjacent to these areas which would be detrimental to the natural interest of the site.
- 6.3 The finalised draft South Lanarkshire Local Plan constitutes a material consideration in the determination of this application. Policy STRAT4 : Accessible Rural Area applies in this instance. This policy states that the priority will be to encourage developments within established settlement boundaries and isolated and sporadic development will generally not be supported. It further advises that any business or industrial proposals should conform to Policy CRE2 – Stimulating the Rural Economy. This policy advises that all development should seek to enhance the environmental quality of the area, or where enhancement is not possible environmental impacts should be mitigated.
- 6.4 Policy CRE2 – Stimulating the Rural Economy provides guidance on the range of uses the Council would consider appropriate in principle within the countryside subject to other planning considerations such as traffic, access, sustainable transport, design, amenity and impact on the environment being satisfactorily met. Again, energy-related development is considered an appropriate use. Policy ENV4: Protection of the Natural and Built Environment, states that in areas of international importance (which include Special Areas of Conservation) development which would affect these areas will only be permitted where an assessment of the proposal indicates it will not adversely affect its conservation interest and integrity. In areas of national importance (which include SSSIs) development will only be permitted where the objectives of the designation and the overall integrity of the area can be shown not to be compromised.

- 6.5 In summary, the main thrust of the existing and proposed local plan policies is that development is preferred within settlement boundaries, however in instances where this is not possible, proposals for appropriate uses in the rural area would be acceptable in the countryside where certain criteria are satisfactorily met. Assessing the application against the relevant criteria, firstly, the policy guidance indicates that energy-related development is an appropriate use in the Countryside. Secondly, there is a specific locational need for this proposal. The applicant confirms that the substation project forms part of a continuous upgrading and reinforcement to the transmission network which is required of Scottish Power by its obligations as a licence holder under the Electricity Act 1989. The works at Coalburn are required to form a local supply point to the upgraded Anglo Scottish Interconnector overhead line which is to be reconfigured to operate both of its circuits at the already consented voltage of 400kV.
- 6.6 Thirdly, the development cannot be integrated into an established settlement or building group due to technical reasons and the nature of the proposals such that a countryside location is the most appropriate. Fourthly, the proposal does promote environmental enhancement as the applicant proposes the introduction of a suitable landscape scheme to help integrate the proposed substation into the surrounding landscape. This will include the reinstatement of field boundary trees and replanting of a remnant shelterbelt identified as an Ancient Woodland.
- 6.7 Finally, in terms of landscape, countryside amenity and nature conservation interests, the ES describes the site as a moderately sensitive agricultural landscape with the overall significance of landscape and visual effects of the proposed substation and associated works assessed as being finely balanced between minor/moderate, and after due consideration it places it as moderate. The ES states that the change to the character of views will be limited by the proposed landscape mitigation measures and for the majority of residential properties, farmsteads and other visual receptors the proposed development will form only a small proportion of the overall view and the change in visual amenity will be minor. It is important to note that the proposed deviation of the overhead line to accommodate the proposed substation allows for the removal of an existing tower which passes through the designated Coalburn Moss. The proposed substation when operational would allow for 1.5km length of overhead line which crosses the M74 to be dismantled helping to mitigate the visual impact of the works. In addition, SNH have advised they are now satisfied that the proposal will not have an adverse impact on the adjoining Coalburn Moss providing appropriate landscaping is provided.
- 6.8 Taking the above into account, the national importance of the proposal, the technical reasons for the choice of this site, and the proposed mitigation proposals I consider this proposal to be acceptable and recommend approval of the application.

## **7 Reasons for Decision**

- 7.1 This energy-related development is an acceptable use in the rural area, is required to allow increased cross border capacity between Scotland and England and is of national importance. In addition, the new substation when operational will allow for a pylon located in Coalburn Moss to be removed and 1.5km length of overhead line which crosses the M74 to be dismantled which will have a beneficial change to the setting of the wider landscape character of the area. There will be no adverse impact on residential amenity of adjoining properties. The proposals comply with

policies ENV2 and ENV12 of the Lower Clydesdale Local Plan and policies STRAT4 and ENV4 of the finalised South Lanarkshire Local Plan.

**Iain Urquhart**  
**Executive Director (Enterprise Resources)**

**11 September 2006**

#### **Previous References**

- ◆ None

#### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
  - Scottish Natural Heritage 23/02/2006
  - RSPB Scotland 09/02/2006
  - Environmental Services 16/03/2006
  - Roads and Transportation Services (South Division) 26/01/2006
  - West of Scotland Archaeology Service 27/03/2006
  - S.E.P.A. (West Region) 29/03/2006
- ▶ Representations
  - None

#### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

Gail Rae  
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E-mail: Enterprise.lanark@southlanarkshire.gov.uk



**CONDITIONS**

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 That the external colour of the substation control building hereby approved shall be Moorland Green (Corus Colorcoat HPS200) to the satisfaction of the Council as Planning Authority.
- 4 That between the hours of 0800 and 2000 the noise emitted from the premises (Leq(1hr) )shall not exceed the pre-existing background noise level (L90(1/2hr)) by more than 4dBA when measured in accordance with BS4142:1997 at buildings where people are likely to be affected. Between the hours of 2000 and 0800 the noise emitted from the premises (Leq(5mins) shall not exceed the pre-existing background noise level (L90(1/2hr)) by more than 4dBA when measured in accordance with BS4142:1997 at buildings where people are likely to be affected.
- 5 That before development starts a Phase 1 or Desk Study, to review all currently available information about the historical uses of this site, shall be carried out to determine any types of contamination likely to be encountered and possible pathways to sensitive receptors shall be submitted to and approved by the Council as Planning Authority. If this investigation gives any indication of the potential for contaminants to be present, development shall not begin until a full intrusive survey has been carried out and its findings submitted to and, approved by the Council as Planning Authority. This survey shall clearly document the methodology, findings and results. The risks posed by the presence of pollutants in relation to sensitive receptors shall be assessed to current guidelines and, where appropriate recommendations for further investigations or remediation options to reduce these risks identified.
- 6 That before the development hereby approved is completed or brought into use, remediation/control measures must be fully implemented to the satisfaction of the Council as Planning Authority.
- 7 That any alterations to the remediation plan may only take place with the written approval of the Council as Planning Authority.
- 8 That on completion of all remediation works, a completion report confirming that works have been carried out to the agreed plan shall be submitted to and approved by the Council as Planning Authority.
- 9 That the development hereby approved shall be carried out in accordance with the Schedule of Environmental Mitigation Measures contained in Appendix 4 of the Environmental Statement to the satisfaction of the Council as Planning Authority.
- 10 That before any work commences on site, the final version of the Environmental

Management Plan referred to in the Schedule of Mitigation Measures (Appendix 4 of the Environmental Statement) shall be submitted to and approved in writing by the Planning Authority and thereafter the construction of the substation shall be carried out in accordance with the details of the approved Environmental Management Plan.

- 11 That before any work commences on the site, a scheme of landscaping, details of the reinstatement of derelict stoned dyke walls and hedging shall be submitted to the Council as Planning Authority for written approval and it shall include: (a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development; (b) details and specification of all trees, shrubs, grass mix, etc.; (c) details of any top-soiling or other treatment to the ground; (d) sections and other necessary details of any mounding, earthworks and hard landscaping; (e) proposals for the initial and future maintenance of the landscaped areas; (f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details. The scheme shall be designed so that the integrity and conservation interest of the adjoining Coalburn Moss SAC shall not be compromised.
- 12 That the approved landscaping scheme, reinstatement of derelict drystone walls and hedge reinstatement shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.
- 13 That prior to any work commencing on the site, a maintenance management schedule for the landscaping scheme approved under the terms of Condition 11 above shall be submitted to and approved by the Council as Planning Authority. Thereafter, the landscaping shall be maintained in accordance with the approved management schedule to the satisfaction of the Council.
- 14 That before the development hereby approved is completed or brought into use, the proposed access (6m minimum width carriageway for the first 30 metres, kerbed with 20m radii on both sides, and a nearside verge taper with appropriate lining and signing) shall be constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.
- 15 That before the development hereby approved is completed or brought into use, a visibility splay of 9.0 metres by 215 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 1.05 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 1.05 metres in height shall be planted, placed or erected within these sight lines.
- 16 That before the development hereby approved is completed or brought into use, a turning space shall be provided within the site to enable vehicles to enter and leave the application site in forward gears at all times.
- 17 That before the development hereby approved is completed or brought into use, 3 no. parking spaces (2.5m x 5m modules) shall be laid out and constructed within the site to the satisfaction of the Council as Roads and Planning Authority and thereafter shall be maintained to the entire satisfaction of the Council.

- 18 That prior to work commencing on site a breeding bird survey shall be undertaken and approved in writing by the Planning Authority and thereafter the appropriate mitigation measures shall be implemented to the satisfaction of the Council as Planning Authority.
- 19 That before the development hereby approved is completed or brought into use, a drainage system capable of preventing any flow of water from the site onto the public road or neighbouring land, or into the site from surrounding land shall be provided and maintained to the satisfaction of the Council as Roads and Planning Authority.
- 20 That prior to work commencing on site a Dust Management Scheme Report shall be submitted to and approved in writing by the Council as Planning Authority and thereafter the approved arrangements shall be implemented prior to work commencing on site.
- 21 That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and requirements.
- 22 That prior to work commencing on site details of the concrete washdown area and how the catchpit will be operated shall be submitted to and approved in writing by the Council as Planning Authority.

## REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 To protect local residents from noise nuisance
- 5 To ensure the site is free of contamination and suitable for development.
- 6 To ensure the site is free of contamination and suitable for development.
- 7 In order to retain effective planning control
- 8 In order to retain effective planning control
- 9 In the interests of amenity.
- 10 In the interests of amenity and in order to retain effective planning control.
- 11 In the interests of the visual amenity of the area.
- 12 In the interests of amenity.
- 13 In the interests of amenity.
- 14 In the interest of public safety
- 15 In the interest of road safety
- 16 In the interest of public safety
- 17 To ensure the provision of adequate parking facilities within the site.
- 18 In the interests of nature conservation.
- 19 To ensure the provision of a satisfactory drainage system.
- 20 In the interests of traffic and public safety

- 21 To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.
- 22 These details have not been submitted or approved.

For information only

For information only

