

Our Ref: B/ENQ/2014/1821
Your Ref:

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Date: 4 August 2014

Dear Sir/Madam

The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011

Proposal: Scoping Opinion for Construction of an Interconnector Converter Station on the 'Fourfields Site' and High Voltage Alternating Current (HVAC) Cables and Associated Infrastructure

Address: Land At Sandford, Boddam, Peterhead, Aberdeenshire,

I refer to your request for a scoping opinion for the above proposal received on 30 June 2014. I am now in receipt of all the necessary consultation responses and I can now offer a scoping opinion under Regulation 14 of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 (the Regulations).

Schedule 4 of the Regulations states the information which should be included in an Environmental Statement (ES). These guidelines offer the backbone to the structure of an ES and should be used as the basis for your submission.

Overall, the scope and extent of the scoping report appears generally acceptable and covers the main issues.

In order to make an assessment of the above information there are specific criteria and guidance set out in Schedule 4 of the Regulations. In particular these include characteristics of the development, an outline of any alternative options/sites and the main reasons for the options/sites chosen. Environmental issues are of obvious key importance such as those aspects of the environment that would be likely to be significantly affected. Detailed survey work would be required to inform the ES. Following analysis of the aspects of the environment which would be likely to be significantly affected, a detailed assessment of the effects themselves would be required along with mitigation measures proposed.

The issues that should be addressed include:

- Climate change
- Local Economic Effect
- Landscape Resource
- Soils and geology
- Visual Amenity
- Ornithology
- Visual Amenity
- Ecology
- Nature Conservation
- European Protected Species
- Hydrology and Water Supplies
- Forestry and Tree Felling
- Transport and Traffic including road safety issues and impact on local road network during and after construction work
- Noise
- Cultural Heritage and archaeology
- Land Use
- Land Ownership
- Tourism and Recreation, including footpaths
- Proposed mitigation measures

Please note that the above list is by no means exhaustive and that other issues might become obvious following public consultations and consultations with statutory consultees.

This advice is based on the Regulations and the consultation responses of the following:

Historic Scotland (Date Consulted: 2 July 2014)

In this case there are no scheduled monuments, category A listed building or gardens or designed landscapes or inventory battlefields within the proposed development area. On the basis of the information provided, HS consider that any assessment should consider potential indirect (setting) impacts upon the following heritage assets:

Scheduled Monuments

Boddam Den, flint mining complex, Sandfordhill (Index No. 6137)
Boddam Castle (Index No. 3252)

Category A Listed Buildings

Buchanness Lighthouse (HB No. 16367)

HS recommend application of a Zone of Theoretical Visibility (ZTV) analysis; which should provide a basis for assessing the potential impacts on the setting of surrounding assets. It is noted that the ZTV provided at this stage indicates that potential impacts on the setting of the above assets are unlikely; however given the proximity of the assets, particularly of Boddam Den, flint mining complex, HS would wish to see an assessment of these sites included in any ES produced. HS would expect any ES produced to contain a full appreciation of the historic environment

assets potentially affected and the likely impacts on their site and setting. Were significant impacts are predicted, the conclusions of the assessment should be supported by appropriate visualisations.

It is noted that the scoping report indicates that potential inclusion of interpretation will be utilised to minimise impacts on setting. It is not considered that provision of interpretation is adequate mitigation for significant impacts on the setting of designated assets; this is generally considered to be a compensatory measure rather than a means of avoiding or reducing an impact.

Contact details – Victoria Clements
Senior Heritage Management Officer
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Archaeology (Date Consulted: 2 July 2014)

Having reviewed the documentation, and in particular Section 3.6 'Archaeology and Cultural Heritage', Archaeology can confirm that the recommendations contained within Section 3.6.3 regarding the proposed Environmental Impact Assessment are acceptable and that there are no additional comments or recommendations to make at this stage.

Bruce Mann
Archaeologist
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Roads – Buchan (Date Consulted: 2 July 2014)

It is noted that all deliveries and personnel travelling to the site from the North or South will utilise the A90, and that the A982 into Peterhead and passing the harbour will also be utilised to transport materials which are delivered by sea, and potentially personnel from the town.

These routes are major A-class roads and should be capable of handling any additional traffic during construction. The effects of the development in the longer term will be very limited for the road network.

Therefore Roads have no additional comment on the Scoping enquiry, although they would draw your attention to the fact that the A90 is a Trunk Road and, as such, is the maintenance responsibility of Transport Scotland and not Aberdeenshire Council. Any implications for the A90 should therefore be commented on by Transport Scotland as Trunk Roads Authority.

Tim Simpson
Engineer
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Environment Team (Natural Heritage) – Buchan (Date Consulted: 2 July 2014)

Ecology - The Environment Team are satisfied with the range of ecological surveys that it is proposed to scope into the EIA. It is noted that otter have not been mentioned but the water vole survey work is still to be carried out so assume any evidence, or otherwise, of otter will be picked up as part of that survey.

Countryside Access/Recreation – There are several core paths and rights of way on or adjacent to this site as well as paths developed by the local community. The Land Reform (Scotland) Act 2003 also provides a right of non-motorised public access to most land and inland water and this site is subject to this. Maps of the core paths and rights of way can be provided, if required. The developer will have to consider the impact of this proposal on any recreational interests in the area and identify any mitigation that may be necessary, including the diversion of paths if required.

Eleanor Munro
Environment Planner
eleanor.munro@aberdeenshire.gov.uk

Environment Team – (Landscape) Buchan (Date Consulted: 2 July 2014)

No Comments Received – I am expecting this to be received later this week.

SINS/SESA – Geomorphology (Date Consulted: 2 July 2014)

No Comments Received

Defence Infrastructure Organisation – MOD (Date Consulted: 2 July 2014)

No Comments Received

Scottish Natural Heritage (Date Consulted: 2 July 2014)

Protected areas

SNH note that the scoping report lists protected areas within 2 km of the proposed development boundary. They agree that a 2 km radius is generally appropriate for consideration of protected areas, given the nature of the proposed works. The following protected areas are noted in the report as being within 2 km of the proposal:

1. Buchan Ness to Collieston Coast Special Protection Area (SPA)
This SPA is designated for breeding seabirds (specific species and assemblage):
http://gateway.snh.gov.uk/sitelink/siteinfo.jsp?pa_code=8473

They advise that the proposal will have no impacts on this SPA.

2. Buchan Ness to Collieston Coast Special Area of Conservation (SAC)
This SAC is designated for vegetated sea cliffs:
http://gateway.snh.gov.uk/sitelink/siteinfo.jsp?pa_code=8214

They advise that the proposal will have no impacts on this SAC.

3. Bullers of Buchan Coast Site of Special Scientific Interest (SSSI)

This SSSI is designated for coastal geomorphology, breeding seabirds (specific species plus assemblage) and maritime cliff:

http://gateway.snh.gov.uk/sitelink/siteinfo.jsp?pa_code=271

They advise that the proposal will have no impacts on this SSSI.

Protected species and biodiversity

The scoping report does not make clear the full list of protected species which will be covered in terms of survey work (completed and proposed) to inform an assessment of impacts arising from the proposal. Survey methodologies followed/to be used are not detailed for all interests though we note that methodologies are to follow relevant guidance from appropriate bodies.

They note that mention is made in the ecology and nature conservation section of the following species: amphibians and reptiles, badgers, bats, birds, otters, water voles. They agree that it is appropriate to consider the impact of the proposal on all of these species and advise that sufficient survey work is carried out to enable full assessments of potential impacts.

They note that an extended phase 1 habitat survey has been undertaken. They advise that in addition to this, detailed surveying (to NVC standard) should be carried out of any areas where habitats and/or species of natural heritage interest are identified. Any rare or nationally scarce higher and/or lower plant species within the survey area should be identified and any necessary mitigation described. Similarly, the presence of invasive non-native species (INNS) should be noted and any necessary mitigation described.

In general, SNH agree with the potential impacts of the proposal on ecological interests, as set out in the scoping report. They support the inclusion of a schedule of mitigation forming part of the Environmental Statement (ES) as this will be a key document to ensure that impacts on ecological interests are minimised and legal obligations to protected species are met. They agree that there are opportunities for positive benefits to local ecology arising from the proposal, notably through habitat creation and landscaping. Long-term sympathetic management of the site will be required to maximise any benefits in this respect.

Landscape and visual

SNH are generally in agreement with the scope of and approach to assessing the landscape and visual impacts of the proposal, as set out in the scoping report. They note that the zone of theoretical visibility map (ZVT) included in scoping report takes account of screening effects of existing buildings and trees. Aberdeenshire Council may consider it appropriate to request that the ES also includes a "bare ground" ZTV illustrating visibility without screening effects of buildings and trees as these may not be permanent features in the landscape.

They consider that the landscape and visual impacts of the proposal will be local in nature and as such they would not intend to comment further on methodology for the landscape and visual impact assessment or its findings. SNH understand that

Aberdeenshire Council will provide comments in this respect.

Additional comments

They note that the scoping report acknowledges potential impacts on recreational users of the area, for example with respect to noise and landscape and visual impacts. They agree that this is appropriate and that the ES should include an assessment of these impacts.

They advise that the ES should explore fully any impacts arising from in-combination and cumulative effects and agree with the list of other projects given in the scoping report.

SNH's comments above are given without prejudice to a full and detailed consideration of the impacts of the proposal if submitted for formal consultation as part of the EIA or planning process.

During the course of preparing the ES it may become apparent that positive conservation measures over and above those required for mitigation or compensation could be achieved through this proposal. They encourage the use of habitat management plans to help improve, restore and/or enhance habitats throughout the lifetime of the project.

Shirley Reid
Operations Officer
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Scottish Government, Planning Division (Date Consulted: 2 July 2014)

No Comments Received

Scottish Water (Date Consulted: 2 July 2014)

No Comments Received

Scottish Environment Protection Agency (Date Consulted: 2 July 2014)

We consider that the following key issues should be addressed in the EIA process:

Hydrogeological Setting
Watercourse engineering
Pollution Prevention and Environmental Management
Waste Management

Please note that all of the issues above should be addressed, but there may be opportunities for several of these to be scoped out of detailed consideration. The justification for this approach in relation to specific issues should be set out within any Environmental Statement (ES). SEPA would welcome the opportunity to comment on a draft ES. Please note that they can process files only of a maximum size of 25MB and therefore, when the ES is submitted, it should be divided into appropriately sized and named sections.

1. Hydrogeological Setting

This should cover the local geology for the development site, the groundwater and surface water resources at and adjacent to the site. Any local private water supplies (PWSs) and their sources should be identified, the affects of development assessed, and any mitigation measures proposed.

2. Watercourse engineering

Any alterations to watercourses / drainage channels / waterbodies should be identified and mitigation measures highlighted and assessed for their environmental impacts.

In order to meet the objectives of The Water Framework Directive, developments should be designed to leave the water environment in its natural state with engineering activities such as culverts, bridges, watercourse diversions, bank modifications or dams avoided wherever possible.

Where there is the undergrounding of cabling, and this involves the crossing of any watercourses / waterbodies, such works may require separate authorisation from SEPA under CAR.

3. Pollution Prevention and Environmental Management

A Project Environmental Management Plan (PEMP) will be required for such a project in consultation with Aberdeenshire Council, SEPA and SNH. This document should set out the requirements for protecting the environment and promoting sustainability for all elements and all stages of the project. The PEMP will be implemented by the appointed project contractors by way of construction method statements. Compliance with the PEMP should be identified as a contractual requirement.

Aspects of the development which should be covered by the PEMP should be identified in an ES and should include, but are not necessarily limited to the following

- monitoring proposals, contingency measures and emergency plans, including an environmental checklist to monitor and plan the timing of works to avoid construction of roads, dewatering of pits and other potentially polluting activities during periods of high rainfall. This should cover:
 - daily visual inspections and the recording of required environmental actions (e.g. in relation to silt management);
 - proposals for planning activities in relation to heavy rain (up to 3 day forecast);
 - identification of all construction elements and their location in relation to sensitive receptors, including any waterbodies, water supplies, and water-dependent species;
 - details how works will be programmed to avoid any adverse impact on sensitive receptors (e.g. construction should not take place close to sensitive receptors during wet periods);
- the proposed location and design of construction elements, including fuel or oil storage and refuelling facilities, concrete batching, rock crushing, materials

storage, soil storage, waste disposal facilities and any proposals for micro-siting away from sensitive receptors;

- Surface Water Management plan including proposals for Sustainable Drainage Systems (SuDs) should be provided as identified in the ES
- measures to prevent sedimentation or discolouration of any water features which may be affected by the proposals, including management of temporary soil and vegetation storage areas to minimise environmental impact;
- specific measures to address silt-laden run-off from temporary access tracks, temporary compounds and other engineering operations during construction based on sustainable drainage principles, which also protects any surface water drainage facilities required for the operational phases of the development;
- measures to ensure that the timing of works is planned to avoid conditions when pollution is going to be more likely or when ground conditions are sufficiently poor as to make construction works present a risk of pollution, to the agreement of the determining authority, in consultation with SEPA;
- proposals and mitigation measures for the dewatering of excavations which demonstrate sufficient area to allow for settlement of silty water (or other appropriate measures for treatment);
- specific measures to ensure that works do not cause oil, mud, silt, aggregate material or concrete to be washed away either during construction or as a result of subsequent erosion, vehicular movement or maintenance works at the site;
- proposals for dust management including dust sprays;
- a site waste management plan (SWMP) which identifies all waste streams and proposals for their management, including peat and other materials excavated on site and the importation of any waste materials to the site;
- temporary and long-term foul drainage facilities for workers on site. Our preference would be for waste water and solid waste to be transported away from the site and disposed of using standard waste handling facilities during the construction period;
- arrangements for the appointment of suitably qualified and experienced professionals with specific responsibility for environmental management to supervise operations on site during the whole construction period, and with the authority to stop work and implement remedial work with immediate effect.

4. Waste Management

Any ES should include details for the handling, and removal of soil, overburden and rock from the site (where not being reused on site). Storage and reuse proposals should include mitigation measures to reduce the risk of pollution to surface and groundwater, and incorporate best practice guidelines including procedures and guidance provided by SEPA.

Should surplus soils, overburden and or rock be generated in this project, we would expect the applicant to provide details as to how and where they would propose to dispose of the surplus materials.

Paragraphs 176 and 192 of the Scottish Planning Policy (SPP) on Planning for Zero Waste promote the use of Site Waste Management Plans (SWMP) with all new planning applications. This ensures that building materials are managed efficiently, waste is disposed of legally, and that material recycling, reuse and recovery is maximised. By implementing a SWMP, sites are likely to benefit from a reduction in waste arising's and associated costs. To comply with National Waste Strategy we advise that the applicant identifies all of the waste streams (such as peat and other materials excavated in relation to infrastructure) associated with the works detailing measures for handling, managing and minimising the waste produced. The SWMP should also include a soils balance carried out to demonstrate need for importation/export of materials including any backfill of excavations.

Jonathon Young
Planner
01343 547663

Environmental Health – Buchan (Date Consulted: 2 July 2014)

1. Noise and vibration

The most significant factor in terms of off-site impact from this development is the potential for nuisance resulting from noise and vibration during the period of construction and operation. It is important therefore that the environmental impact assessment (EIA) takes account of this and in particular identifies what measures can be put in place to minimise these impacts particularly during evening/night time hours and at weekends. Confirmation is also being sought as to the intended working hours. This will be significant particularly in regard to evening and weekend working.

The EIA should identify all noise sources, particularly plant and equipment, where it will be utilised and in what manner. Operational noise levels should be confirmed and well as what practical measure can be used to limit noise. The hours during which such equipment would expect to be used should also be confirmed. It is also recommended that a background noise survey be carried out at the nearest noise sensitive receptors to help determine whether operational noise will be likely to give rise to statutory nuisance.

It is anticipated that the drilling and blasting of rock may be part of this development. Again the manner in which this work will be undertaken should be identified and confirmation given that the effects of vibration will be routinely monitored by the operator/contractor. It is anticipated that residents may claim damage to their property particularly as a result of blasting operations and the operator/contractor should take account of how they will address such complaints.

Depending on the proposed hours of operation it may be necessary to consider planning conditions aimed at controlling times when particular noisy operations.

2. Air pollution

The EIA should address the measures to be taken to control dust emissions from the construction works particular from vehicles and haul roads. This should include plans for regular mechanical sweeping and dampening of lay down areas and haul road.

3. Procedure for dealing with third party complaints

It is recommended that the operator/contractor establish a procedure for responding to public complaints regarding noise/vibration, dust and any other perceived effect on the amenity of the area. Such a procedure should also aim identify key personnel with whom the local authority can discuss such complaints.

John S Grant
Team Manager – Public Health

Having assessed your Converter Station and AC Line Scoping Report and have received comments from a number of consultees who will also be formally consulted on the ES. I am content with the approach taken and the scope of the assessment, the environmental issues identified and the methodology proposed.

I hope the above information is of assistance as a formal scoping opinion in respect of the relevant ES. Obviously during the processing of any associated planning application other issues may become obvious following public consultation and consultations with statutory consultees.

This opinion will be held for public inspection for a two year period, or until a planning application is submitted at which time the opinion will be transferred to the planning register with the application.

Whilst there have been a number of nil responses, I expect that these will be received in due course and I will forward these on receipt.

I would note that this response is only for the Scoping Opinion, Aberdeenshire Council has previously confirmed that an ES would be required. I apologise for the letter dated 2 July 2014 in relation to a request for a screening opinion.

Yours faithfully



Head of Planning and Building Standards