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By email only to:
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20 April 2022

Our Reference: ECU00003385
Your Reference:

Dear Mr Tinney

ELECTRICITY ACT 1989

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

On 01 December 2021 the Scottish Ministers received a request under regulation 8(1) of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (“the EIA Regulations”) from SP Transmission Plc (SPT) (“the Applicant”) for an EIA screening opinion for two proposed new spans of 400 kV overhead line between Hunterston East 400kV substation and a new tower XB02A. (“the proposed Development”) within North Ayrshire Council planning authority area.

Under regulation 9 of the EIA Regulations, the Scottish Ministers are required to adopt a screening opinion for the proposed Development. This letter contains such a screening opinion.

Information Requirements

The EIA Regulations set out (at 8(2)) the information that must accompany any request for a screening opinion. The Applicant submitted a comprehensive description of the infrastructure to be installed and the works to be undertaken; a description of the location, surrounding area and of the area of land on which the proposed Development would be situated and of environmental sensitivities of such areas; as well as a description of the aspects of the environment likely to be affected. A description of proposed mitigation measures were included in the screening request and taken into account by the Applicant’s own conclusions regarding the potential for significant environmental effects. A plan was submitted outlining the location for the proposed Development, along with a plan detailing the location of the existing towers. Plans were also submitted showing the existing and proposed elevations and the environmental constraints.

The proposed Development will compromise:

- Two spans of 400 kV conductor, each approximately 28m in length, between two new gantries at Hunterston East 400kV substation and a new tower, XB02A.
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Whilst the two new gantries and the new tower detailed above are directly linked to the proposed development, the new gantries will be installed as permitted development under Part 13, Class 40(f) of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended. The new tower XB02A will be installed under The Overhead Lines (Exemption) (Scotland) Regulations 2013. The proposed development will be part of wider upgrade works to the transmission network.

Consultation

Regulation 8 (5), of the EIA Regulations sets out that the Scottish Ministers must consult the planning authority as to the planning authority's views on whether the proposed development is EIA development, unless the planning authority's views have already been conveyed to the Scottish Ministers. The Scottish Ministers consulted North Ayrshire Council on 27 January 2022. The planning authority responded on 14 February 2022, stating its view that the proposed Development does not constitute EIA development.

The planning authority advised in its consultation response that it noted that the proposed development comprises two spans of overhead line, each 28m in length and the spans will be erected between two powerline gantries, to be erected as permitted development under Class 40(f) of the Town and Country Planning (General Permitted Development) (Scotland) Order, as amended. It also noted that gantries will replace existing structures and the area is already developed for energy transmission and planning permission was granted in 2021 for a substation on the northern portion of the site. Therefore the proposal would be viewed in the context of the energy production and transmission development in the area. It also commented that the contents of the Archaeology Impact Assessment and Preliminary Ecological Appraisal are noted including the mitigation measures and these could be fully assessed through any future applications.

Scottish Ministers' Screening Opinion

EIA development is defined in the EIA Regulations, in respect of an application for consent under the Electricity Act 1989, as Schedule 1 development or Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

The proposed Development falls under Schedule 2 development as it is an overhead electric line proposed to be installed above ground with a voltage of 132 kV or more.

In adopting a screening opinion as to whether the proposed Development is EIA development, the Scottish Ministers must in all cases take into account such of the selection criteria in Schedule 3 of the EIA Regulations as are relevant to the proposed Development, and the available results of any relevant assessment.

The Scottish Ministers have taken into account the selection criteria, all of the information submitted in respect of the request for a screening opinion, and the views of North Ayrshire Council, and adopt the opinion that **the proposed Development does not constitute EIA development and any forthcoming application for consent (under section 37 of the Electricity Act 1989) does not require to be accompanied by a full Environmental Impact Assessment report.**

The planning authority's view is attached to this letter. In accordance with Regulation 7(2), this screening opinion is accompanied by the following written statement with reference to the selection criteria within Schedule 3 of the EIA Regulations as are relevant to the proposed Development. In accordance with the EIA Regulations, a copy of the screening opinion has been issued to the planning authority.

Written Statement

Characteristics of the Proposed Development

The proposed development will comprise of two spans of 400kV conductor, each approximately 28m in length, between two new gantries at Hunterston East 400kV substation and a new tower, XB02A. The lines will be strung using pulling positions utilising nearby areas of hardstanding. During all aspects of construction and stringing every effort will be made to cause least disturbance to landowners and local residents, and all ground disturbed during construction of the new line will be reinstated.

Location of the Proposed Development

The proposed 400 kV overhead line will be located adjacent to the existing Hunterston East Substation, situated approximately 500 m to the south east of the Hunterston B Power Station complex in North Ayrshire.

Characteristics of the Potential Impact

The proposed development will be situated near to existing Energy Industry infrastructure and the scale of the proposed overhead line is in keeping with the scale of other existing electrical transmission infrastructure in the surrounding area and complies with the UK Electricity Industry Design Standard, therefore it is not expected there will be any significant impacts from the scale of the development.

Due to the small scale of the proposal, close proximity to existing energy transmission infrastructure, proposed removal of Tower XB002 and lack of sensitive areas and receptors in close proximity, the proposed downloads are not expected to have significant cumulative impacts on the receiving environment.

There is the potential for disturbance of ground-nesting birds, badgers and reptiles that may use the habitat provided by the grassland beneath and surrounding the downleads. Pre-construction checks for badgers will be conducted prior to mobilisation to the site. Precautionary measures will also be included in the specific mitigation measures to cover any ground-nesting birds, badgers and reptiles encountered during the works. SPT will implement an incident response plan that will ensure that any potential spills of pollutants such as fuels and oils will be efficiently and effectively cleaned up, minimising the likelihood of consequent soil and groundwater contamination. The small scale and short timeframe over which the downleads will be installed will minimise the significance of any such potential impacts on groundwater.

The effective management of the waste that is expected to be produced, together with the relatively small volumes of (mostly non-hazardous) waste, is anticipated to render any potential impacts arising as a result of the production of waste to be considered not significant.

Proposed Mitigation Measures to Avoid or Prevent Significant Adverse Effects:

Development of a Construction Environmental Management Plan (CEMP) incorporating appropriate mitigation measures to be followed during pre-construction and construction phase. Measures to be included in the CEMP are outlined in detail throughout the screening report.

An incident response plan will be implemented that will ensure that any potential spills of pollutants such as fuels and oils will be efficiently and effectively cleaned up.

Pre-construction checks for badgers will be conducted prior to mobilisation to the site.

Yours sincerely

Lee Crosbie
Energy Consents Unit
(A member of the staff of the Scottish

ECONOMIC DEVELOPMENT & REGENERATION

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North Ayrshire Council

Comhairle Siorrachd Àir a Tuath

Your Ref: Our Ref:21/00045/ID1

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OFFICIAL

14th February 2022

Lee Crosbie
Lee.Crosbie@gov.scot
Energy Consents Unit
BY E-MAIL ONLY

Dear Sirs

Town and Country Planning (Scotland) Act 1997 (as amended)

Re: EIA Screening consultation; Overhead Line Grid Connection, Site to West of Campbelton Farm, Hunterston

Thank you for your EIA Screening consultation request of 27th January 2022 regarding the above.

Having reviewed the documents, the Council, as Planning Authority, agrees that no EIA would be required for the proposal.

It is noted that the proposed development comprises two spans of overhead line, each 28m in length. The spans will be erected between two powerline gantries, to be erected as permitted development under Class 40(f) of the Town and Country Planning (General Permitted Development) (Scotland) Order, as amended. It is noted that gantries will replace existing structures. The area is already developed for energy transmission and planning permission was granted in 2021 for a substation on the northern portion of the site. The proposal would be viewed in the context of the energy production and transmission development in the area.

The contents of the Archaeology Impact Assessment and Preliminary Ecological Appraisal are noted including the mitigation measures. These could be fully assessed through any future applications.

I hope this information is of use and please do not hesitate to contact my Officer whose details are written at the top of this letter.

Yours faithfully,



For Chief Planning Officer