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By email only to:
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Date: 5 June 2024

Our Reference: ECU00005071
Your Reference: 12775

Dear Mr Hutchison,

ELECTRICITY ACT 1989

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

SCREENING OPINION

On 4 March 2024 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 Energy Networks (“the Applicant”) for an EIA screening opinion to permanently divert approximately a 1.1 km section of the existing ZV Route 400 kV Overhead Line (“OHL”) supported by steel lattice towers and provide a connection to a separately proposed substation via downloads. The proposed Development is located approximately 3.5 km south east of Douglas within the planning authority area of South Lanarkshire Council.

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 is to be located, 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 route plan for the proposed Development and plans were also submitted detailing environmental constraints.

The proposed Development will comprise:

- Upgrades to the foundations of two existing ZV route towers (ZV108 and ZV111) and (if detailed design requires) an upgrade of the tower arms of both ZV108 and ZV111 at the existing locations with removal of old and installation of new associated conductors;
- Removal of two existing ZV route towers (ZV109 and ZV110) and associated conductors;
- Installation of three new towers at ZV109R, ZV110A, ZV110B and associated conductors and foundation works; and
- Approximately 90 m downleads to Gantry structures within the Redshaw substation.

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 South Lanarkshire Council on 12 March 2024. At the time of writing the screening opinion the Planning Authorities response had not been received.

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.

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 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.**

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 is as described above which involves the permanent diversion of approximately 1.1 km of 400 kV OHL supported by steel lattice towers. Each tower for the proposed Development shall have a temporary working area of approximately 50 m x 50 m and temporary access tracks during construction. The proposed Development will allow to facilitate the construction of the separately proposed Redshaw substation.

The proposed Development is anticipated to take place over a period of 91 days. There shall be cumulative impact with other proposed energy infrastructure Developments in close proximity. There shall be some soil and land excavation as well as vegetation clearance required.

The production of waste is anticipated to be of low volume, pollution and nuisances beyond emissions associated with construction can be controlled through applied mitigation. The risk of major accidents and disasters along with risk to human health are considered to be low.

Location of the Proposed Development

The site of the proposed Development is located within rural landscape and comprises of predominately rough grazing, open moorland and small pockets of woodland. The locally designated Douglas Valley Special Landscape Area ("SLA") is located to the north west of the study area and approximately 1.6 km to the west of the proposed Development at its closest point. The proposed Development would not be located within a densely populated area with Crawfordjohn located approximately 3.4 km to the south and Douglas located approximately 3.5 km to the north west. The National Cycle Network Route 74 passes within approximately 0.2 km to the west and a number of core paths located within 2 km of the proposed Development. A number of active and disused quarries are situated to the east of the study area.

There is an area of mixed woodland which lines the M74 to the North of the study area, conifers that periodically line sections of the B7078 and a small area of coniferous forestry which lies in close proximity to the west of the proposed Development. More substantive areas of coniferous forestry are located between 2.5 and 5 km from the proposed Development. A small area of coniferous plantation dominated by Norway Spruce is located to the south of the proposed Development which is included in the Ancient Woodland Inventory as being Long Established of Plantation Origin. Red Moss Special Area of Conservation ("SAC") and Site of Special Scientific Interest ("SSSI") is located approximately 480 m to the south of the existing ZV route at its closest point. The proposed Development contains habitat in the area which could support protected species including badger, water vole and red squirrel.

There are no watercourses within the vicinity of the proposed Development large enough to be classified by SEPA or identified to be at risk of flooding. NatureScot mapping shows the proposed Development within areas of Class 3 Peat.

There are no Scheduled Monuments, World Heritage Sites or Listed Buildings within the proposed Development survey area. There is a scheduled monument located 0.7 km east of the proposed Development, and 2 prehistoric burial cairns being 1.5 km to the south east and 2.5 km to the east-northeast. There are a further two Non Statutory Register ("NSR") sites within 3 km, with one non designated asset and recorded cairns in the area of the proposed Development.

Characteristics of the Potential Impact

The spatial extent of likely impacts is contained with the nature and scale of the proposed Development and is not located within high class agricultural land. It is considered that the proposed Development being a diversion to the existing line of similar tower heights that it would be unlikely to result in any significant effect on special qualities of the Douglas Valley SLA, National Cycle Network Route 74 and core paths.

The proposed Development is not deemed to result in any direct habitat loss, disturbance or fragmentation to the Red Moss SAC and with standard pollution prevention measures during construction being applied there are no likely significant effects anticipated to the SAC. There are no works intended within the Un-named Ancient Woodland Inventory woodland and with the developer committing to an exclusion zone around this woodland along with implementation of pollution prevention measures, no significant effects are likely.

Habitats and protected species surveys as well as pre-construction surveys shall be undertaken by the applicant which shall contain details of avoidance, mitigation and enhancement measures. There are no significant effects anticipated for protected species.

A peat depth survey which was carried out on 6 February 2024 concluded the majority of the survey area for the proposed Development is not located on peat. It is anticipated that the proposed Development can be designed to avoid all areas of peat and a peat survey report shall be submitted as part of any forthcoming application.

The proposed Development is understood to be of a similar proportion to the existing infrastructure. The proposed Development is considered to have an unlikely adverse impact on any of the designated cultural heritage assets but does have potential to impact on subsurface archaeological remains. A written Scheme of Investigation shall be provided by the applicant to be agreed by the council. The proposed Development is not anticipated to have any significant effect on cultural heritage.

The proposed Development would be situated immediately beside the proposed new substation and part of the existing 400 kV ZV OHL. The proposed Development assessed within this screening opinion is unlikely to provide a significant contribution to cumulative impact.

There are not likely to be significant effects on human health, production of waste or pollution

The Scottish Ministers therefore conclude that the effects of the proposed Development are not likely to be significant and that an Environmental Impact Assessment report shall not be required.

Proposed Mitigation Measures to Avoid or Prevent Significant Adverse Effects:

The Company have proposed the following mitigation measures in order to prevent or avoid any significant adverse effects:

- Environmental surveys;
- Protected species and pre construction surveys;
- Un-named Ancient Woodland buffer;

- Pollution prevention measures;
- Construction Traffic Management Plan (“CTMP”)
- Written Schem of Investigation;
- Construction Environmental Management Plan (“CEMP”);

This screening opinion does not constitute pre-application advice and is provided without prejudice to the assessment of any future application under Section 37 of the Electricity Act 1989.

Yours sincerely

Lee Stirrat

Energy Consents Unit
A member of the staff of the Scottish Ministers