



## **Objection to Application ECU00005225 – Proposed 400kV Overhead Line from Kintore to Tealing.**

On behalf of Crathes, Drumoak & Durris Community Council (CDDCC), I write to register a formal objection to SSEN Transmission's application (ECU00005225) for consent to construct a 400kV overhead line between Kintore and Tealing, including associated infrastructure and substations.

We submit this objection on the grounds that the application fails to meet the necessary standards of transparency, environmental stewardship and public accountability required under Scottish planning and energy policy.

The application falls short in many areas, from, the assessment of alternatives, the adequacy of consultation, the omission of health impact assessments and the disregard for agricultural impacts. These shortcomings are further compounded by additional breaches concerning soils, peat, hydrology, ecology, ornithology, landscape, cultural heritage, transport and socio-economic effects.

The scale and impact of this proposed development are unprecedented within the regions of Aberdeenshire and Angus. It is anticipated that entire communities, productive agricultural land, vast valued landscapes, heritage assets and ecological networks would be permanently affected. The disproportionate burden placed upon the communities and agricultural businesses in Aberdeenshire and Angus is contrary to the fairness principle outlined in National Planning Framework 4 (NPF4). This unjust burden is further reflected in the ultra vires principle, which stipulates that Section 37 consent cannot lawfully authorize infrastructure that contravenes safety duties and poses a threat to life.

For the above reasons and as noted in detail below, this objection demonstrates that the proposed Kintore to Tealing project is unnecessary, disproportionate, environmentally damaging, and in breach of statutory and policy requirements. Therefore, consent cannot be granted lawfully or reasonably.

### **The Need.**

The applicant contends that the Kintore to Tealing 400kV overhead line is crucial for reinforcing the transmission network and facilitating renewable energy generation. Whilst the objectives of national energy security and decarbonization are indeed valid, the statutory and planning framework mandates a proportionate and substantiated demonstration of need, which has not been adequately provided.

The case presented by SSEN is significantly weakened, as it has failed to establish a compelling necessity for this project. Both Ofgem and National Grid Energy System Operator (NG-ESO, now known as NESO) have confirmed that the selection of design and technology is solely the prerogative of the transmission operator. However, SSEN presents its preferred options as though it were a requirement. In reality, NESO has never indicated a need for a new 400kV overhead line between Kintore and Tealing. The documentation pertaining to Holistic Network Design and Pathway 2030 refers to the enhancement of existing circuits and substations rather than the construction of an entirely new line. The project as described by SSEN bears little resemblance to that outlined in Pathway to 2030, rendering their assertions misleading and depriving consultees of sufficient information, which constitutes a breach of Gunning Principles and grounds for procedural unfairness.



Even if there was a need for increased transmission capacity, SSEN has not demonstrated why this must be achieved through the construction of a completely new overhead line. The east coast network reinforcement outlined in Pathway to 2030 envisaged offshore HVDC links and the enhancement of existing lines, rather than duplicating capacity through rural Aberdeenshire and Angus. In contrast SSEN proposes an additional 6GW HVAC line, which would effectively double the theoretical capacity to approximately 11GW, when actual operational expectations are closer to 3GW. This represents an instance of over engineering without justification, incurring disproportionate environmental and social costs.

The statutory test outlined in Section 37 of the Electricity Act 1989 is unequivocal: grid infrastructure must be both necessary and proportionate. NPF4 reinforces this obligation. Policy 22 supports grid infrastructure only where the benefits demonstrably outweigh the harms and where unacceptable impacts on natural environments, soils, woodlands, heritage and community wellbeing are avoided. The applicant has not fulfilled this requirement. The alleged benefits are broad, speculative and national in scope, whereas the harms are immediate, quantifiable and long-term, disproportionately affecting local communities.

SSEN has not successfully demonstrated that this project is required in its proposed form. Its case for need is predicted on outdated forecasts, misleading interpretations of Pathway to 2030 and the erroneous conflation of policy aspirations with demonstrable necessity. By failing to establish need and neglecting less harmful alternatives for meeting transmission requirements, the applicant is in breach of Section 37 of the Electricity Act 1989, the EIA Regulations and NPF4 Policy 22. For this reason alone, consent cannot be lawfully or reasonably granted.

## **Alternatives Assessment.**

The applicant has failed to demonstrate that reasonable alternatives have been fully and transparently assessed, resulting in a material deficiency within the Environmental Impact Assessment (EIA) and rendering the application non-compliant with stator and policy obligations.

Under Regulations 5(2)(d) of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, applicants are required to: "Provide an outline of the main alternatives studies and an indication of the main reasons for the choice made, taking into account the environmental effects." Furthermore, NPF4 Policy 22 (Energy) requires that transmission infrastructure: "Be designed and sited to minimize adverse impacts on people, places and the environment."

The Cover Letter and Project Description (Vol. 1, Chapter 2) set out the projects stated need but do not provide a comparative appraisal of alternative corridors or routing options. No clear matrix or decision framework has been presented to explain why other alternatives are not suitable. This omission prevents a reasoned understanding of whether the proposed alignment represents the least harmful or most efficient option.

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 impose a clear statutory obligation on applicants to present the principal alternatives studies and to indicate the main reasons for their selection, taking into account environmental effects. In the case of this proposed Kintore to Tealing overhead line, this requirement has not been met. The evaluation of alternatives is superficial and dismisses reasonable options without adequate



substantiation, contrary to both the precautionary principle and the transparency obligations of the Aarhus Convention.

SSEN has presented only one technological solution, a new overhead high voltage alternating current line on pylons whilst disregarding other viable lower impact options. Both National Electricity Systems Operator and Ofgem have confirmed that technology selection lies solely with the transmission operator, however SSEN has not undertaken a lifecycle cost benefit analysis comparing pylons to other technologies. Their assertion that overhead lines are “cheaper” fails to comply with the Treasury Green Book’s requirement for a costed options appraisal and overlooks long term economic, environmental and social costs ultimately born by consumers and communities.

The most conspicuous flaw in SSEN’s approach is the failure to evaluate undergrounding, particularly high voltage direct current (HVDC) systems, which are now standard for long distance transmission across Europe. Underground HVDC cables offer numerous advantages: reduced energy losses, greater system stability, lower electromagnetic fields (EMF), minimal visual and environmental impact and higher public acceptability. Countries such as Germany have established underground HVDC as the legal default, recognizing its benefits for health, environmental protection, and social consent. In contrast, SSEN provides only vague assertions regarding cost and engineering constraints without any site-specific analysis or technical evidence.

The option of partial undergrounding has likewise been dismissed without transparent assessment. In sensitive landscapes such as the Dee Valley and the Mearns, undergrounding could substantially mitigate harm to communities, heritage and ecology. Ministers cannot lawfully conclude that overhead lines constitute the least harmful solution without a proper comparative evaluation of these alternatives.

The failure to consider further reinforcement and reconductoring of existing corridors is equally concerning. Modern conductors and grid enhancing technologies can more than double capacity of existing corridors at a fraction of the environmental and social cost. Internationally, reconduction has successfully expanded transmission capacity without the need for new corridors. Upgrading the existing Kintore to Aylth line to 400kV demonstrates SSEN’s technical ability to modernize existing routes, yet the potential for doing do on other routes, or for direct current conversion has not been explored. This disregard for proven lower impact solutions undermines the credibility of the alternatives assessment.

The proposal also fails to account for the potential integration of offshore HVDC reinforcement. The planned Eastern HVDC Links 1 and 2 demonstrate a strategic opportunity for coordinated offshore transmission that would connect the North Sea wind generation directly to demand centers, reducing the need for intrusive onshore infrastructure. National Grid ESO and international studies consistently show that integrated offshore grids deliver superior consumer, environmental and reliability benefits compared with isolated onshore reinforcements. SSEN’s decision to not assess this approach represents a missed opportunity to align the project with Scotland’s net-zero objectives and NPF4’s commitment to minimizing environmental harm.

By failing to transparently present and evaluate reasonable alternatives, SSEN has denied decision makers and the public the opportunity to consider less harmful and potentially more efficient options. This contravenes the Aarhus Convention, the precautionary principle, and the obligations under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017. It also conflicts with NPF4 Policy 22 and relevant local development plan



policies, all of which require that development proposals minimize landscape, heritage and environmental harm.

The assessment of alternatives presented by SSEN is both legally deficient and substantively inadequate. The application fails to consider underground HVDC, partial undergrounding, reconductoring of existing lines, offshore integration or the use of gride enhancing technologies. It also omits lifecycle and carbon cost analysis necessary to justify the dismantling of recently upgraded infrastructure. Without a comprehensive, transparent, and evidence-based alternatives appraisal, the Ministers cannot lawfully or reasonably conclude that the proposed development represents the least harmful or most sustainable option. Accordingly, the application should not proceed in its current form.

## **Routing Design and Environmental Impact Assessment Process**

The applicant's routing, design and environmental assessment for the proposed overhead transmission line is inadequate. While the applicant's documentation outlines key engineering components, it fails to convey the full extent of environmental, visual and community disruption that would result from the project. The proposal alignment and design disregard the statutory and policy obligations to minimize harm, as required under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, NPF4 and relevant local plans.

The applicant describes the project as a 400kV double circuit line supported by steel lattice pylons averaging up to 57 meters in height, extending to approximately 119km, comprising 106km of new construction and 13km of reconductoring. The scheme also includes associated access tracks, compounds, construction corridors and permanent wayleaves.

Whilst technically informative, this description fails to adequately address the scale of disturbance that will occur. The environmental consequences, ranging from visual intrusion and habitat loss to farmland fragmentation and community disruption, are not properly represented or quantified. As a result, Ministers and the public are left without clear understanding of the real-world impacts of the proposal.

The routing principles advanced by SSEN do not withstand scrutiny. The applicant claims the line avoids populated areas and minimizes effects on designated sites; however, the routes passes in close proximity to numerous settlements including Drumoak, Kirkton of Durris, Echt, Kintore, Glenbervie, Fourdon, Laurencekirk, Howe of the Mearns, Brechin, Forfar and Tealing.

It also traverses valued and sensitive landscapes, and river valleys such as the Dee, Isla and Esk. The route bisects productive agricultural land, fragments woodland habitats and introduces intrusive steel structures into open, historic rural settings.

These outcomes demonstrate that engineering convenience and cost have been prioritized over the statutory obligation to minimize environmental and community harm. The routing therefore fails to align with NPF4 policies 1, 3, 4, 5, 7, 11, 22, 29 and 30, which collectively require that development proposals safeguard biodiversity, landscape and community wellbeing.

The applicant proposed a uniform steel lattice pylon design, with towers up to 70 meters high, deployed indiscriminately across all landscape types. No design variation, context sensitive adaptation or visual mitigation has been proposed. Nor has the applicant offered undergrounding in highly sensitive or populated areas.



This design approach directly contradicts NPF4's requirement that energy infrastructure should "respect and enhance its surroundings" and integrate appropriately with local character. It also conflicts with NPF4 policies 14 and 23 which mandate context sensitive and environmentally responsible design.

In essence the proposed uniform design amplifies landscape harm rather than mitigating it, producing significant and unnecessary visual intrusion.

The Environmental Impact Assessment lacks key construction details required for informed decision making. The applicant has not provided quantitative data on excavation volumes for pylon foundations, detailed assessment of drainage alterations and soil disturbance, comprehensive mapping of access tracks, laydown area and compounds or a full description of construction traffic, noise and hydrological impacts.

These omissions prevent any proper evaluation of the effects on soils, hydrology, biodiversity and agricultural productivity. Such failures constitute a clear breach of Schedule 4, part 2 of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 which requires that environmental statements include "a description of the likely effects of the development on the environment."

The precautionary principle requires that foreseeable environmental and safety risks be avoided or mitigated at source. By routing pylons through sensitive landscapes, placing high voltage structures near homes and communities and neglecting to propose undergrounding in high-risk areas, the applicant has failed to meet this legal duty.

This failure results in the unlawful transfer of risk and burden to landowners, residents and local authorities. It is inconsistent with; the Electricity Safety, Quality and Continuity regulations 2002, The Construction (Design and Management) Regulations 2015 and the common law duty of care owed by infrastructure developers to avoid foreseeable harm.

Both the Aberdeenshire Local Development Plan 2023 and the Angus Local Development Plan 2016 stipulate that major infrastructure must be sited and designed to minimize environmental and amenity impacts. The current proposal does not comply with these requirements.

The route alignment and uniform pylon design are inconsistent with local landscape character, fail to protect residential amenities, and conflict with the policies governing rural development and biodiversity protection. Consequently, the proposal contravenes the development plan and cannot be deemed acceptable in planning terms.

The project description, routing principles and design strategy demonstrate a systematic failure to prioritise environmental and community protection. The chosen alignment and uniform pylon design amplify impacts rather than mitigate them. The omissions within the Environmental Impact Assessment breach statutory requirements and contravene both national and local planning policies. Accordingly, Ministers should refuse the application.

## **Scope & Consultation Process**

There are fundamental deficiencies in the scope and consultation process underpinning this application. The process failed to meet the statutory, policy and ethical standards of transparency, fairness and meaningful engagement required by Scottish, UK and international law.



The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, the Electricity Act 1989 and the Aarhus Convention collectively require that consultation be early, participatory and genuinely influential. Not merely a procedural formality. SSEN's approach falls short of these obligations, undermining the integrity of both the Environmental Impact Assessment (EIA) and the decision-making process.

The applicants Report on Consultation and Consultation Matrix, provides a list of events and consultees but offers no verifiable audit trail linking community comments to specific design changes. The absence of a "you said / we did" framework demonstrates that community input did not meaningfully influence project evolution.

At public exhibitions, the proposed routes were presented as effectively fixed and feedback was recorded only superficially. Rather than facilitating genuine dialogue, the process amounted to information provision. It was a one-way exercise that failed to meet the standard of meaningful consultation envisaged under the Electricity Act 1989, the Pre-Application Consultation (PAC) Regulations and NPF4's participatory planning principles.

Under Regulation 4(2) of the Electricity Works (EIA) (Scotland) Regulations 2017, consultation must be early, transparent and effective. Similarly, Article 6 of the Aarhus Convention, which is binding on the UK, required that the public be given a genuine opportunity to influence environmental decisions "whilst all options remain open."

In this case, consultation took place after key decisions had already been made, including the choice of overhead technology and route. The process therefore failed to satisfy the Gunning Principles, established by UK case law. Communities were presented with a predetermined route and outcome, not a genuine opportunity to influence the design or technology choice. This constitutes procedural unfairness.

The credibility of the consultation process has been further undermined by the Scottish Governments dual role in both promoting and determining the project. In January 2023, Ministers announced collaboration with network operators through the Major Electricity (Networks) Project Group to support timely delivery of infrastructure such as this.

As the same Ministers will ultimately decide on the consent application, this creates a perception of bias, inconsistent with the principles of independence and impartiality required of decision makers. This situation raises legitimate concerns about whether the process has been fair, open and free from undue influence.

Consultation events were poorly executed. Events were inadequately advertised, inaccessible for those with work or family commitments and technically opaque. Our community consistently reported that SSEN representatives were unable or unwilling to answer basic questions about routing, compensation and health impacts. Maps were outdated and inaccurate and legitimate concerns regarding property devaluation, farmland disruption and electromagnetic field (EMF) exposure were dismissed with generic assurance. These failings reflect a process designed for the developer's convenience rather than for the benefit or empowerment of affected communities.

Landowners and farmers received incomplete and inconsistent information about wayleaves, access rights and biosecurity measures. Despite SSEN's claims to the contrary, the National Farmers Union of Scotland (NFUS) confirmed that it was not consulted on key technical issues such as conductor clearance. This omission represents a breach of non-delegable duties under the Electricity Safety, Quality and Continuity Regulations 2002 and the Construction (Design and



Management) Regulations 2015. Such failures have transferred undue legal and financial risk to private landowners, contrary to the developer's statutory obligations.

In addition, Public Health Scotland was excluded from the process due to the absence of a Health Impact Assessment (HIA). As a result, issues concerning EMF exposure, community mental health and well-being have not been properly addressed. Without an HIA, neither decision makers nor the public can fully evaluate potential health effects, an omission that compromised the validity of the EIA.

The consultation process also fails to comply with NPF4 which emphasizes fair participation, transparency and community empowerment as central to sustainable development. The process falls short of NPF4 policy 1 and 23, both of which require that infrastructure planning be inclusive, evidence-based and responsive to local context.

The Aberdeenshire Local Development Plan 2023 and the Angus Local Development Plan 2016 similarly require genuine engagement with affected communities. The applications process demonstrably fails to meet those expectations.

The consultation process for this application is legally, procedurally and ethically deficient. It has failed to meet statutory consultation requirements, breached participatory rights, excluded key consultees and failed to meaningfully respond to community concerns.

These deficiencies amount to procedural impropriety and render the EIA and by extension the application unlawful. Ministers cannot reasonably or lawfully grant consent for a development founded on such an inadequate and non-compliant consultation process.

## **Landscape and Visual Impact**

This application represents an immediate and profound threat to the landscape, visual character, and cultural integrity of Aberdeenshire and Angus. The proposal would industrialise one of Scotland's most distinctive rural regions.

The magnitude and permanence of the visual alteration are unprecedented in this part of Scotland. The development would convert open farmland, scenic valleys, and historic environments into an industrial corridor of steel and wires, fundamentally transforming the visual identity and tranquillity of the affected areas.

In Aberdeenshire, the line crosses the River Dee, part of a Special Landscape Area that attracts thousands of visitors each year, famous for its panoramic scenery and cultural significance. The introduction of towering pylons into this setting would cause irreversible visual harm, diminishing both the visitor experience and the region's cultural landscape identity. It is a similar story in Angus, where the presence of pylons across farmland would shatter the visual continuity of open horizons, eroding the rural character that defines these communities.

The cumulative effect across both regions would be the industrialisation of more than 100km of countryside, resulting in permanent and highly conspicuous visible scarring for miles in every direction.

The proposed line would have severe visual and residential impacts on multiple communities, including all three of those that we represent, Crathes, Drumoak and Durris. For many residents, pylons would be visible from homes, gardens, workplaces, schools and local roads, dominating previously rural viewsheds.



Given their height these structures cannot be effectively screened by vegetation or topography, mitigation is, in practical terms, impossible. The result would be a permanent degradation of visual amenity and a diminished sense of place, directly affecting the wellbeing and quality of life of thousands of residents.

The proposed development would also cause significant harm to recreational landscapes and tourism assets. Routes such as the Deeside Way and numerous other local rights of way depend on the area's open unspoiled countryside to attract walkers, cyclists and visitors. The introduction of industrial scale infrastructure into these settings would erode scenic value, discourage public use and reduce tourism related income for local businesses. Tourism in Aberdeenshire and Angus relies heavily on landscape character and tranquility, qualities that this proposal would irrevocably diminish. The cumulative socioeconomic consequences have been grossly underestimated by the applicant.

The proposal is fundamentally inconsistent with both national and local planning policy. NPF4 required the safeguarding of natural and cultural landscapes (policies 3, 4, 5, 7, 11, 14, 23, 29 and 30). It supports energy infrastructure only where adverse environmental and community effects are avoided or demonstrably minimised.

Policy 4 mandates the protection of valued landscapes from disproportionate industrialisation, while policy 23 requires infrastructure to be delivered in a manner that supports rather than harms local places. The Aberdeenshire Local Development Plan (2023) explicitly protects designed landscape character areas and prohibits development that causes unacceptable visual intrusion.

This proposal is in direct contravention of all these policy requirements. The applicants EIA has failed to adequately assess or mitigate these impacts and therefore cannot be relied upon as a sound basis for consent.

This project would permanently transform one of Scotland's most distinctive rural regions into an industrial corridor, an outcome fundamentally at odds with Scotland's planning, environmental and community objectives. On landscape and visual grounds alone, the application must be refused.

## **Prime Agricultural Land and Land Use Impact**

The proposed overhead line poses severe, foreseeable and entirely avoidable impacts on agricultural and land across Aberdeenshire and Angus.

The route traverses extensive areas of Class 1, 2 and 3.1 prime agricultural land, representing some of Scotland's most productive farmland.

Under NPF4 policy 5b, such land enjoys explicit protection, with a presumption against development unless exceptional circumstances are demonstrated and land take is minimised. Comparable safeguards are contained in policy PV20 of the Angus Local Development Plan (2016) and policy PR1 of the Aberdeenshire Local Development Plan (2023). The current proposal breaches all three frameworks and is therefore in direct conflict with national and local planning policy.

The applicant's claim that land loss will be limited to the footprint of pylons and access tracks is fundamentally misleading. The operational clearances required beneath the conductors render extensive areas of farmland unsafe or impractical for agricultural use.



Under the Electricity Safety, Quality and Continuity Regulations 2023 (ESQCR), 400 kV overhead conductors must maintain a minimum statutory ground clearance of 7.3 meters. However, mid-span sag typically results in clearances of around 9 meters. Modern agricultural machinery, including combines, sprayers, and grain tippers, routinely exceed heights of 6.5–7.3 meters, with some sprayer booms reaching up to 10 meters. Consequently, safe operation beneath the conductors would be infeasible across large areas, creating a foreseeable and unmitigable risk to farm operations and contravening both statutory safety requirements and the precautionary principle

When applying the Health and Safety Executive (HSE) exclusion zones to ENA TS 43-8 safety standards, the effect is that large areas beneath and adjacent to the line become effectively sterilized. A loss of prime land wholly incompatible with NPF4 policy 5b and Scotland's statutory commitments to food security.

The proposal would fragment farm holdings, disrupt drainage systems and reduce field efficiency, thereby increasing operational costs and jeopardising farm viability. These long-term productivity losses cannot be compensated through financial payment alone.

The proposed route passes through areas designated as high-risk zones for Potato Cyst Nematode (PCN), a pest posing the most serious threat to Scotland's seed potato. PCN spore can remain viable for decades and linear infrastructure projects such as this create ideal conditions for cross contamination between farms. Despite repeated warnings, SSEN has failed to commit to enforceable mitigation measures such as soil testing, vehicle wash-down, topsoil segregations and sequenced working practices.

The absence of independent third-party oversight of biosecurity measures represents a serious procedural and environmental failure.

Modern farming increasingly relies on precision technologies, including GPS guided machinery and drones for planting, spraying and crop monitoring. High-voltage overhead lines are known to cause electromagnetic interference, leading to GPS inaccuracies and restricted drone operations.

HSE guidance prohibits irrigation within 30m of overhead conductors, further reducing field flexibility and productivity. The limitations directly contravene NPF4 policy 24 and the UK Governments Future Farming Strategy, which both support technology enabling efficient agriculture.

Emerging research links long-term exposure to EMF with reproductive and behavioural effects in cattle, including altered hormone levels and increased pregnancy losses. Many grazing and breeding areas lie within proximity to the proposed line, yet no independent assessment of EMF impacts on livestock has been undertaken.

This omission breaches the duties imposed by the Electricity at Work Regulations 1989 and ESQCR 2002 to prevent foreseeable electrical hazards. Ministers cannot lawfully approve the project without an independent veterinary and electromagnetic risk assessment addressing potential livestock impacts.

Consultation with the agricultural community has been inadequate. Farmers were not informed that extensive areas beneath the conductors would become unsafe for agricultural use and NFUS has confirmed it was not consulted on conductor height or clearance issues, regulations require 7.3m ground clearance, SSEN proposal is 9m but modern machinery is now 6.5m – 10m high.. This lack of transparency constitutes procedural unfairness and demonstrates a failure to



consider material planning factors both of which could render any approval susceptible to judicial review.

## **Forestry Impact**

This application is expected to cause significant and irreversible loss and fragmentation of woodlands across Aberdeenshire and Angus. The development would require extensive tree clearance beneath the transmission corridor and permanent wayleaves, affecting commercial forestry, ancient and semi-natural woodlands, farm shelter belts and riparian corridors. These habitats are vital for ecological function, carbon sequestration, rural economies and the scenic and cultural character of north east Scotland.

Ancient and long-established woodlands are irreplaceable. These habitats support unique species assemblages, soil communities and ecological processes that cannot be recreated through compensatory planting.

The proposed corridor would fragment these woodlands, introduce edge effects, increase vulnerability to windthrow and invasive species and disrupt ecological connectivity. Such actions directly contravene policy 6 of the NPF4, which establishes a presumption against the loss of ancient woodlands and veteran trees.

Compensatory planting proposed by the applicant is inadequate. It cannot replicate the ecological, cultural or carbon storage functions of ancient woodlands, and even commercial forest replacement requires decades to restore economic or ecological value. The Scottish Government's Control of Woodland Removal Policy permits removal only where there is clear and overriding public benefit, which this project has not demonstrated due to the absence of a comprehensive needs assessment and failure to evaluate alternatives.

Farm shelterbelts and riparian corridors are essential natural infrastructure. Shelterbelts protect crops and livestock, moderate local microclimates, and reduce soil erosion, while riparian woodlands regulate water quality and provide habitat for species such as otters and bats. The permanent loss of these woodlands would undermine agricultural resilience, reduce biodiversity, and contravene NPF4 Policy 32, which emphasises the importance of natural networks and infrastructure. The proposed development would therefore diminish both ecological and economic sustainability in the region.

The fragmentation and loss of woodlands would have profound ecological impacts. Species reliant on continuous woodland habitat, including red squirrels, pine martens, badgers, bats, and woodland birds such as tawny owls, treecreepers, crossbills, and wood warblers would face substantial population pressures.

These impacts breach statutory obligations under the Habitats Regulations, which require the protection of European Protected Species and their habitats. The applicant's assessment fails to adequately quantify or mitigate these risks.

The project is inconsistent with national and local planning policy, NPF4 policy 6 presumed against loss of ancient woodlands and veteran trees, policy 32 protects natural networks. The Aberdeenshire Local Development Plan (2023) mandates safeguarding woodland resources and green networks. This proposal contravenes both of these policies relying on generic mitigation and failing to avoid woodland removal wherever feasible.



The applicant's EIA is deficient in establishing a robust baseline for woodland and forestry impacts. By failing to properly avoid woodland removal and relying on insufficient mitigation, the project constitutes a breach of statutory duty. If Ministers were to approve this without addressing these issues, they risk causing avoidable environmental harm and susceptible to judicial review.

The Kintore to Tealing overhead line would cause irreversible destruction and fragmentation of woodlands across Aberdeenshire and Angus, including ancient and semi-natural habitats of irreplaceable ecological, cultural, and carbon value. For these reasons, the application should be refused on the grounds of woodland and forestry conservation.

## **Cultural Heritage & Archaeological Impact**

This application presents a substantial and irreversible threat to the cultural heritage and archaeological integrity of Aberdeenshire and Angus. The route crosses landscapes rich in prehistoric, medieval, and post-medieval assets, alongside designed landscapes, conservation areas, and historic estates of national importance.

The significance of these heritage assets lies not only in their physical remains but also in their setting and spatial relationships with the surrounding environment. The construction of tall steel lattice pylons and high-voltage conductors would fundamentally and permanently degrade the settings that give these places their meaning, context, and sense of place.

In Aberdeenshire, the proposed corridor traverses areas exceptionally rich in prehistoric archaeology, including standing stones, henges, and burial cairns. The character and significance of these monuments are inseparable from their open, undisturbed landscapes and clear horizon lines. The introduction of industrial-scale pylons would permanently alter these vistas and erode the cultural value that derives from their relationship with the wider landscape.

Similarly, Pictish symbol stones, early ecclesiastical sites, and hillforts across both Aberdeenshire and Angus depend on their visual integrity and contextual setting. The proposed transmission line would fragment these cultural landscapes, diminishing their interpretative and educational value.

Historic castles derive much of their heritage significance from their rural settings and unspoiled surroundings. The intrusion of high-voltage infrastructure into these views would irreversibly diminish their setting, contrary to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, which imposes a statutory duty to preserve listed buildings and their settings.

In addition, Inventory-listed gardens and designed landscapes would suffer significant harm. Their cultural and aesthetic value relies on carefully composed vistas, tree-lined avenues, and harmonious rural backdrops. The visual dominance of pylons and conductors would irreparably undermine these designed relationships, destroying features that are integral to their heritage significance.

National Planning Framework 4 (NPF4) Policy 7 establishes a clear presumption in favour of avoiding harm to historic assets and their settings, not merely mitigating it. Both the Aberdeenshire Local Development Plan (2023) and the Angus Local Development Plan (2016)



contain explicit policies safeguarding archaeology, listed buildings, conservation areas, and designed landscapes.

The current proposal directly contravenes these statutory and policy protections, failing to demonstrate how harm would be avoided, and instead proposing only limited recording and monitoring, which cannot substitute for preservation in situ.

The applicant's EIA fails to provide a credible or comprehensive evaluation of the project's impacts on cultural heritage settings. The submitted assessments are generic, lack site-specific visual analysis, and ignore cumulative impacts with existing and proposed infrastructure. The EIA's reliance on post-consent archaeological recording is wholly inadequate. Once the setting of a stone circle, hillfort, or castle has been industrialised by pylons, the loss of cultural value is irreversible. The principle of "record and remove" cannot be considered mitigation where setting and landscape context form an essential component of heritage significance. Under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, the applicant has a statutory obligation to fully and accurately assess the cultural heritage implications of the proposal. The failure to do so represents a procedural deficiency and a breach of statutory duty.

The proposal represents an unacceptable level of harm to irreplaceable historic environments, contrary to both national and local planning policy and the public interest in heritage preservation such that consent should be refused on cultural heritage grounds

## Ecology Impact

### 1. Failure to Comply with NPF4 Policy 2 (Biodiversity)

The National Planning Framework 4 requires that development:

- Protects biodiversity,
- Reverses biodiversity loss, and
- Delivers at least a 10% measurable biodiversity net gain.

The proposal completely fails to comply. The EIA identifies a net biodiversity loss of 33.78%, requiring off-site compensation. SSEN's "off-site strategy" is merely a broad methodology, with no secured measures, no quantifiable outcomes, and no identified delivery sites. Instead of a 10% net gain in biodiversity, this proposal results in a 33.78% loss and directly contravenes NPF4 Policy 2.

### 2. Deficiencies in Ecological Surveys

The EIA is based on incomplete and in some cases invalid ecological surveys:

- Protected species surveys were undertaken before the route was changed to corridors E4 and F3, meaning the proposed alignment has not been properly surveyed.
- Access restrictions in Durris and Fetteresso Forests to protect sensitive species meant bat surveys were incomplete, and summer deployment of static detectors could not be carried out.
- Bat survey data was deemed valid by NatureScot only if submitted in early 2025, but the EIA was delayed until September, meaning the survey data is out-of-date.
- Water vole, a legally protected species, was overlooked despite confirmed presence in the Loch of Park area. This is a serious omission of a protective species.

These deficiencies undermine the assessments and render the EIA conclusions invalid.



### **3. Permanent and Irreversible Habitat Loss**

The proposed route would result in the destruction and fragmentation of irreplaceable habitats, including:

- Ancient Woodland – 14.7ha lost, including 2.62ha at Burn of Sheeoch, with further impacts on 371.6ha of LEPO (long-established woodland of plantation origin), habitat that is hundreds of years old and contributes significantly to biodiversity.
- Loch of Park SSSI and Local Nature Conservation Site– tree removal and loss of wet woodland within one of Aberdeenshire’s most important habitat sites, ecologically connected to the development and destroyed.
- Annex I Habitats – destruction of 6.06ha of upland heathland (4.22% of the Aberdeenshire resource) and 0.88ha of purple moor grass/rush pasture (2.77% of the Aberdeenshire resource). There are 66.65ha of blanket bog within the area surveyed and some of this would be destroyed, particularly in Durris Forest. Blanket bog is an ecologically significant, globally restricted peatland habitat, supporting a unique array of species.
- Hedgerows and Tree Lines – loss of 6.44km of native hedgerows and valuable linear features.

In total, the project would cause the permanent loss of 225.56ha of habitats in Aberdeenshire alone. These losses are irreversible and contrary to national policy commitments.

### **4. Adverse Impacts on Protected and Priority Species**

The proposed project would cause significant harm to multiple species of national and international importance, including:

- Otter, Beaver, Water Vole – habitat loss and fragmentation along key watercourses.
- Red Squirrel and Pine Marten – 56.42ha of optimal forest habitat permanently destroyed.
- Scottish Wildcat – further loss of critical habitat for a species at imminent risk of extinction.
- Bats – severe habitat fragmentation from felling and corridor clearance.
- Freshwater mussel loss of habitat due to removal of trees allowing bank erosion and increased sediment runoff to water, causing pollution and loss of habitat. Irreversible impact on this species due to high pollution sensitivity.
- Atlantic Salmon increased sedimentation and bank erosion due to vegetation removal leading to irreversible water quality impacts.

Despite this overwhelming evidence, the EIA dismisses these impacts as “not significant,” a conclusion that is plainly unjustifiable.

### **5. Cumulative Impacts Overlooked**

The EIA claims there are “no likely significant cumulative effects,” but provides no analysis or supporting data from the significant number of other energy generation and infrastructure developments in the area. Given the extent of habitat loss, disturbance, and fragmentation from this development alone the omission of quantitative cumulative impact assessment is serious, unacceptable and undermines the integrity of the assessment.

The SSEN proposal is fundamentally incompatible with the requirements of NPF4, the Habitats Regulations, and Scotland’s biodiversity and climate obligations. It would result in extensive, permanent ecological damage, cause the decline of protected species, and fails to deliver the legally required biodiversity net gain. As it does not comply with NPF4 Policy 2, the application cannot lawfully be approved.



## Ornithology Impact

The conclusion of Chapter 12 of the application Ornithology, is that for every species examined, the effects of this development are 'Not Significant' and 'No Additional Mitigation is required'

This is wholly unacceptable for the following reasons:

1. The Ornithology Survey Area (Drg 12.1.2) is based on routes E4 and F3 yet the survey data from 2023 refers to the corridor of route E2, E1 and F1.3 which is further to the east than the current proposal. In particular, flight activity surveys were completed before the pylon corridor was moved and therefore the data is not accurate for the proposed development.
2. Winter goose foraging surveys were carried out between Jan-March 2023 and Sept 23 to March 2024 but corridor F3 was not introduced until April 2024 so the survey did not capture the vast numbers of foraging geese in section F3, the revised route. The survey data refers to corridor F1.3 which is further to the east.  
This error has resulted in a large population (thousands) of pink-footed geese foraging habitat and flight path not being identified, and the omission from the report of Schedule 1 raptor nests in very close proximity to the proposed corridor.
3. Black Grouse were scoped out of the assessment before the corridor was moved and the revised route now crosses their habitat on Hill of Fare. This is a serious omission as the impact of the development on black grouse species has not been adequately addressed.
4. Red Moss is less than 2km from the proposed OHL, greylag geese are known in the area, this was missed as the surveys were in the wrong corridor. This omission resulted in the wrong conclusion that the species did not require to be considered in the ornithological assessment.
5. There is no 5km buffer for schedule 1 species red kite in section F where there are a number of nests. This area was the site of red kite reintroduction in 2007 with 101 birds released over a 3 year period. Associated with red kite breeding success is the presence of roost sites within local forestry.  
'For Schedule 1A birds such as red kite, it is an offense to intentionally or recklessly harass the species at any time, including at roost sites outside the breeding season.'  
The revised corridor is within a few meters of the red kite nests and will require felling of trees in the vicinity. This constitutes disturbance.
6. Quote from Forestry Land Scotland: "The goshawk is one of our most striking and threatened birds of prey. A century ago, it was persecuted to extinction in Scotland. Today, however, goshawks are staging a remarkable recovery".  
Thanks to careful conservation, there are now more than 100 pairs north of the Border. And nowhere, are they more at home than in some of our biggest and most productive forests' and this includes Fetteresso.  
The Scottish population has benefited from large forests such as those owned by FLS where there is no persecution and disturbance can be prevented. They return to the same nesting area each year and are elusive and secretive and difficult to see and therefore survey data may be an underestimation.



The SSEN proposed development will result in the destruction of large areas of Fetteresso Forest, in direct contradiction of the Wildlife and Countryside Act 1981 and so to proceed would be illegal.

Also NatureScot state for Schedule 1 birds. 'Note some woodland areas (section F) have potential to support breeding raptors. Pre-construction breeding raptor surveys should be carried out. If nesting is identified, OHL and works should be buffered *and* undertaken outwith the breeding season.' From SSEN's own Bird Species Protection Plan, goshawk can see young fledged in July, red kite as late as August. This means that if the development was to go ahead, construction in some sections of the development must not take place between March and August to allow goshawk and red kite to nest undisturbed. That construction activities near sensitive areas will be timed to avoid disturbance during the breeding period is extremely unlikely in practice. This would mean SSEN cease construction work from February to September to cover all protected species and given the drive to accelerate the project seen in the local community, we know this will never happen. These are some of the best months of the year for construction work and as the project is already behind schedule the pressure to progress will take priority over the protection of birds. We have evidence that this is the case as work is underway without appropriate field surveys being carried out in sections E and F.

7. 12.9.14 Population estimates for breeding bird target species omits merlin from NHZ 9 in section F (Baseline Conditions)  
Merlin, a red listed, schedule 1 bird with high NCI is known to nest within 2km of the proposed OHL in section F which has not been identified in the survey as the survey was carried out in a different location. As a result, overall impact on merlin is deemed 'insignificant and no further mitigation is required'. This is completely erroneous and unacceptable.
8. Scottish Crossbill are the only endemic species found in the whole of the UK and they are only found in the north-east of Scotland in the area of this proposed development. They are a nationally significant species. The report states that 'Construction and operational effects of the proposed development with potential for impacts on sensitive ornithological receptors are identified and discussed within this assessment' and yet the impact on Scottish Crossbill has not been addressed at all although they are known to be resident and breeding in Fetteresso Forest, habitat which is to be felled. Destruction of their nesting habitat should not be allowed and SSEN's own Bird Species Protection Plan states that there should be a buffer zone of 100-150m from Scottish Crossbill nesting sites.
9. Section 12.12.57 Nightjar nest in an area of forestry requiring removal for infrastructure development in summer 2026. Nightjar in Fetteresso Forest are nationally significant as it was thought they did not exist north of Dumfries and Galloway and have only recently been discovered in Fetteresso Forest, yet the Ornithology report deems this to be 'unexceptional from perspective of nightjar breeding habitat' and destruction of the site is 'not significant' with a 'negligible' effect. Nightjar are an amber listed BoCC species requiring a minimum of a 2km buffer zone. The report fails to address the protection of nightjar.
10. NatureScot states 'active nests of schedule 1 birds within 500m will restrict works. To be checked with North East Scotland Raptor Study Group/Scottish Forestry'. There is no evidence of the data being provided by North east Scotland Raptor Study Group and yet



a quote from the application states 'Relevant NatureScot guidance and advice has been adhered to throughout the ornithology assessment'. This is clearly incorrect.

11. The connectivity with Fowlsheugh SPA and SSSI is noted – only 8.8km away so required buffer zone of 10km is not possible. Mitigation of installing line diverters is inadequate for such an important site. Also the development is only 3km from Loch of Skene, an SPA and RAMSAR site when the statutory requirement is 5km. Additionally, the development is only a few 100m from Loch of Park, a SSSI. If environmental protection legislation is to mean anything, statutory buffer zones must be adhered to and this development should be prevented.
12. Field Survey Limitations (12.5.42) Access to both Fetteresso and Durris Forests was restricted between 20 June and 16 September 2024 therefore the survey data is incomplete for these areas. Both these forests support Schedule 1 species and the absence of the relevant data is a material omission. In addition from 16<sup>th</sup> May 2024, FLS requested that no access be granted to areas where sensitive species were breeding in Fetteresso Forest. It is entirely inconsistent that on the one hand, access to the forest is being restricted by FLS to protect sensitive species and on the other, the developer is proposing to destroy it.
13. SSEN's own Bird Species Protection Plan states:  
Pre-construction / dismantling surveys for breeding birds will be completed a maximum of 12 months prior to start of any works in a particular area and at an appropriate time of year to ensure availability of up-to-date information to inform any mitigation measures required.  
This has not been done in sections E4 and F3 where preparatory works are being carried out without relevant bird survey data – the data having been collected from a separate corridor as mentioned previously. Work should cease until an adequate field survey has been completed.
14. The fall-back of monitoring the effects of construction on raptors is an abdication of responsibility – monitoring after the birds have been affected is far too late. The disturbance needs to be prevented not monitored.
15. There are frequent references to SSEN BSPP safeguarding and NatureScot requirements, and yet in this report every impact is deemed as negligible or not significant for construction or operation. This is entirely inconsistent. In addition, decommissioning has fallen into the same area of avoidance with 'No additional mitigation required' for any species. For the reasons listed above this cannot be true.
16. The cumulative effects of all the developments in the area, multiple windfarms and substations are deemed to have 'no likely significant cumulative effects' based on absolutely no data, this is purely a highly convenient judgement on behalf of the writer. There is no analysis pulling together post-construction survey data of the many developments in the area and comparing it with pre-construction data and so this statement has no basis other than it is expedient.

Approval of this application would be unlawful because the ornithological assessment is fundamentally flawed, based on inaccurate and incomplete survey data from an outdated route. It fails to identify or mitigate impacts on multiple Schedule 1 and red-listed bird species, including red kite, goshawk, merlin, Scottish crossbill and nightjar and therefore breaches the



Wildlife and Countryside Act 1981, the Habitats Regulations and statutory obligations under the Environmental Impact Assessment (EIA) Regulations requiring accurate baseline data and effective mitigation for protected species.

## **Soils, Peat and the Water Environment Impacts**

This application presents a serious and unacceptable threat to the integrity of soils, peatlands, and the water environment across Aberdeenshire and Angus. The corridor traverses extensive areas of carbon-rich soils, deep peat, and hydrologically sensitive catchments that are of national importance for carbon sequestration, biodiversity, water regulation, and agricultural productivity. The scale and nature of the proposed works, including the excavation of tower foundations, construction of access tracks and compounds, and permanent alterations to drainage, would inflict irreversible environmental damage.

Peatlands are among Scotland's most critical natural carbon sinks, essential for meeting the nation's statutory commitments under the Climate Change (Scotland) Acts of 2009 and 2019. Disturbance through excavation, drainage, or compaction leads to the oxidation of peat and the release of carbon dioxide and nitrous oxide, permanent emissions that cannot be mitigated through restoration. The applicant's EIA grossly underestimates both the depth and extent of peat, relying on limited survey data and proposing generic mitigation measures such as "floating roads," which cannot prevent carbon loss once peat is disturbed. This demonstrates a deficient baseline assessment and a clear breach of the precautionary principle.

Compounding these risks is the potential mobilisation of historic contaminants. Scientific research confirms that caesium-137 from the Chernobyl disaster remains present in Scottish peat soils. Excavation, drainage, and transport of peat could reintroduce this radiological material into watercourses and food chains, posing foreseeable risks to human and ecological health. The absence of a robust assessment of this issue contravenes the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 and the Habitats Regulations, which require a full evaluation of such risks.

Beyond peat and PCN (mentioned previously), the proposal will severely degrade agricultural soils. Heavy construction traffic and repeated ground disturbance will compact topsoil, reduce fertility, disrupt drainage, and increase erosion, particularly on sloping ground. These processes will diminish crop yields and accelerate sediment runoff into nearby burns and rivers. Such impacts are incompatible with the Water Environment and Water Services (Scotland) Act 2003 and the Water Framework Directive, which require that the ecological status of water bodies must not deteriorate.

The proposed route crosses or lies in close proximity to major watercourses, including the Rivers Dee, Feugh, Bervie, North Esk, and South Esk, along with numerous tributaries and wetlands. These catchments are vital for fisheries, drinking water supplies, agriculture, and wildlife conservation. Construction activities risk introducing sediment, peat, and pollutants into these systems, with potentially devastating consequences for water quality and aquatic life. Sediment mobilisation from excavation and drainage could smother spawning gravels, reduce oxygen levels, and threaten salmon and trout populations, species of both ecological and economic significance to rural communities. Such deterioration would directly contravene statutory obligations under the Water Framework Directive and the Water Environment and Water Services (Scotland) Act 2003.



The creation of new access tracks further compounds these risks. Tracks can act as artificial drains, diverting surface water into burns or away from wetlands, leading to habitat desiccation upstream and increased flooding downstream. Wetlands along the proposed route are essential for biodiversity, supporting amphibians, invertebrates, and bird species, and their hydrological disruption would result in permanent habitat loss, contrary to the Habitats Regulations.

Additionally, the widespread use of fuels, oils, and concrete at multiple dispersed construction sites raises the likelihood of accidental contamination incidents. Without detailed, site-specific mitigation measures or independent monitoring, it is not legally permissible to conclude that the water environment will remain protected. The absence of a credible risk management framework represents a significant procedural and regulatory failure.

Public and private water supplies are also at risk. The disturbance of soils and peat near abstraction points increases the potential for contamination from sediment, hydrocarbons, and radiological materials. The applicant's EIA fails to address these foreseeable impacts, rendering the assessment incomplete and non-compliant with environmental law. Should Ministers approve the project without remedying these omissions, they would assume direct liability for any resulting pollution or degradation of water resources.

This proposal fails every relevant policy test. It provides no compelling justification for the irreversible loss of carbon-rich soils, no credible mitigation for hydrological disruption, and no evidence of compliance with climate and water protection legislation.

The Kintore to Tealing overhead line would cause severe and irreversible harm to Scotland's soils, peatlands, and water environments. It would release stored carbon, degrade water quality, disrupt natural drainage systems, threaten fisheries, and jeopardise agricultural and biosecurity integrity. These impacts are incompatible with the NPF4, local development plans, the EIA and Habitats Regulations, and Scotland's climate and water legislation.

Approval of this project under these circumstances would constitute a breach of statutory duty and the precautionary principle, rendering any consent decision irrational and open to judicial review. On these grounds alone, the application should be refused.

## **Noise, Air Quality & Climate Impacts**

The proposed 400 kilovolt overhead line from Kintore to Tealing poses substantial and unacceptable risks to noise levels, air quality, and public health. These impacts will adversely affect communities, agricultural land, and sensitive rural environments throughout Aberdeenshire and Angus. The anticipated harms are both foreseeable and, in many cases, avoidable, yet the applicant has failed to adequately assess or mitigate them.

During construction, activities such as excavation for tower foundations, soil stripping, peat disturbance, and the continuous operation of heavy vehicles will generate excessive noise and dust emissions. These effects will significantly disrupt rural settlements including in our area, where existing background noise levels are extremely low.

Prolonged exposure to high noise levels can cause stress, sleep disturbance, and other health impacts, particularly for vulnerable populations such as children, the elderly, and those with pre-existing medical conditions. Under the Health and Safety at Work etc. Act 1974 and the Construction (Design and Management) Regulations 2015, the developer has a clear statutory



duty to eliminate or reduce these risks at source. The failure to do so constitutes a breach of these legal obligations and an unacceptable burden on affected communities.

Air quality will also deteriorate significantly. Dust generated by excavation and vehicle movements will settle on homes, schools, farmland, and watercourses, reducing visibility, damaging crops, contaminating grazing pastures, and exacerbating respiratory illnesses. Diesel emissions from construction traffic will contribute to fine particulate pollution (PM<sub>2.5</sub> and PM<sub>10</sub>), which are linked to cardiovascular and respiratory diseases. These impacts directly contravene the NPF4, which requires all developments to protect human health, minimise air pollution, and promote wellbeing.

Operational noise from the proposed high-voltage transmission line is a further concern. Corona discharge effects, most pronounced during wet or humid conditions, will generate a continuous crackling or humming noise that intrudes upon the quiet rural character of the affected areas. This persistent disturbance will diminish residential amenity and the enjoyment of homes, gardens, and public open spaces. The applicant's failure to provide adequate modelling or mitigation for operational noise represents an unlawful transfer of nuisance and health risk onto local communities.

The disturbance of carbon-rich soils and peatlands during construction will also lead to the large-scale release of stored carbon dioxide and nitrous oxide, greenhouse gases with long-term climatic effects. These emissions are permanent and directly undermine Scotland's legally binding targets under the Climate Change (Scotland) Acts of 2009 and 2019. The applicant's EIA fails to provide a credible carbon balance calculation or demonstrate compliance with national climate obligations, rendering the assessment inadequate and legally deficient.

The Kintore to Tealing overhead line project will generate significant and enduring harm through excessive construction noise, operational disturbance, air pollution, and greenhouse gas emissions. These effects threaten public health, agricultural productivity, and Scotland's climate objectives. The application fails to meet statutory duties under health and safety, environmental, and planning legislation, and it conflicts directly with NPF4 and local development plan policies.

Granting consent in these circumstances would be irrational, contrary to law, and open to judicial review. On these grounds, the application should be refused in its entirety.

## **Electromagnetic Fields (EMF) & Public Health Concerns**

The proposed overhead line presents significant, foreseeable, and entirely avoidable risks to the health of local communities, landowners, workers, and livestock due to continuous exposure to electromagnetic fields (EMFs) generated by high-voltage conductors.

While the applicant asserts compliance with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines, it has failed to provide comprehensive, site-specific modelling for sensitive receptors such as homes, schools, and workplaces along the route. This represents a substantial deficiency in the EIA baseline and contravenes statutory obligations under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017. Reliance on ICNIRP standards alone is insufficient. These guidelines have been widely criticised for not accounting for the health risks associated with long-term, low-intensity EMF exposure.



Over 250 scientists from 44 countries have highlighted that harmful effects can occur at levels well below ICNIRP thresholds. Peer-reviewed research has linked chronic EMF exposure to serious conditions, including childhood leukaemia, motor neuron disease, Alzheimer's, depression, and sleep disturbances. Notably, Malagoli et al. (2023) found that children living within 100 metres of high-voltage lines face double the risk of leukaemia, with risk increasing closer to the source, while the 2024 SCHEER review corroborated elevated risks for multiple neurological and cancer-related conditions.

Public Health Scotland has consistently confirmed that responsibility for producing a Health Impact Assessment (HIA) rests with the transmission operator. Despite repeated inquiries in 2024 and 2025, no HIA has been commissioned, resulting in Public Health Scotland being excluded from consultation. This omission represents a material failure in both the consultation and environmental assessment processes, denying Ministers the expert evidence required to lawfully evaluate public health risks.

The scale of the proposed line exacerbates these concerns. Capable of transmitting up to 6 GW, it would carry approximately double the current of existing Scottish lines, making it the most powerful overhead transmission route ever proposed in the country. International research indicates that EMF effects may extend up to 600 metres, and in some studies, up to 1 kilometre. Disregarding this evidence and relying solely on ICNIRP guidelines breaches the precautionary principle and undermines Ministers' duty of care under the Health and Safety at Work etc. Act 1974.

Policy obligations further reinforce the necessity of these safeguards. NPF4 requires all developments to protect health and wellbeing, with Policy 22 permitting grid infrastructure only where environmental and community harms are mitigated. Both the Aberdeenshire Local Development Plan (2023) and the Angus Local Development Plan (2016) mandate the protection of residential amenity and public health. The current proposal is wholly inconsistent with these frameworks.

By omitting health impacts from the EIA, SSEN has denied the public meaningful participation, contrary to the Aarhus Convention. Concerns from families regarding children, elderly residents, and vulnerable groups have been dismissed with generic assurances, demonstrating procedural unfairness and a disregard for substantial scientific evidence.

The EMF and public health impacts of the Kintore to Tealing overhead line are substantial, avoidable, and insufficiently addressed. The absence of a HIA constitutes a clear breach of statutory duties under the EIA Regulations, undermines compliance with NPF4 and local development plans, and violates the precautionary principle.

Approving the project without independent, site-specific health assessments would expose Ministers to direct liability for foreseeable risks, including potential breaches of the right to life under Article 2 of the European Convention on Human Rights. For these reasons, consent for the project should be unequivocally refused.

## **Transport, Aviation and Telecommunication Impacts**

This application would impose unprecedented and unacceptable pressures on the transport, aviation, and telecommunications networks across Aberdeenshire and Angus.



The project would generate extensive heavy traffic movements, introduce permanent aviation hazards, and risk interference with vital communication systems. These impacts are both foreseeable and preventable, yet they remain inadequately addressed in the Environmental Impact Assessment (EIA), contrary to statutory, policy, and safety obligations.

The construction phase will require the transportation of vast quantities of steel towers, conductors, concrete, aggregate, and heavy machinery to hundreds of dispersed pylon sites. This will result in thousands of heavy vehicle movements over several years, primarily on rural roads ill-suited to such volumes or loads. Key routes will experience significant disruption, congestion, and accelerated deterioration. These roads are vital for commuters, agricultural operations, and tourism, and their degradation will directly impact local economies and community wellbeing.

Many rural roads feature narrow sections, weak verges, and limited passing opportunities. The introduction of large construction vehicles on these routes will elevate the risk of accidents, restrict emergency service access, and increase travel times for school transport and healthcare provision. The need to construct new access tracks and widen existing lanes will result in permanent land loss, soil degradation, drainage alteration, and habitat fragmentation. In addition, the felling of roadside trees and hedgerows to accommodate vehicle access will further diminish landscape character and biodiversity. These foreseeable impacts breach statutory duties under the Construction (Design and Management) Regulations 2015 (CDM) and the common law duty of care to prevent foreseeable harm.

The consequences for tourism and recreation are equally serious. Heavily trafficked and degraded roads leading to destinations would deter visitors, harming rural businesses and communities that rely on tourism. The applicant has failed to assess these cumulative effects alongside other large-scale energy projects, contrary to the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, which require cumulative impacts to be explicitly evaluated.

At an average height of 57 meters but up to 70 metres, the proposed pylons would also pose significant and enduring risks to both civilian and military aviation. The route intersects safeguarded operational zones for Aberdeen International Airport and Dundee Airport, where commercial, private, and training flights operate routinely. Moreover, the Ministry of Defence conducts low-level flight exercises throughout north-east Scotland. The presence of tall steel pylons and extensive spans of conductor along the 119-kilometre corridor introduces a foreseeable and avoidable risk of collision, particularly in low-visibility conditions.

The applicant has failed to produce site-specific modelling of these risks or demonstrate that appropriate consultation has taken place with the Civil Aviation Authority, the Ministry of Defence, or relevant aerodrome operators. In the absence of such evidence, Ministers cannot lawfully conclude that the risks to aviation safety have been adequately mitigated.

Beyond the physical hazard, the project also raises concerns regarding radar and telecommunications interference. Steel pylons and overhead conductors can create radar shadowing and clutter, impairing air traffic control and defence surveillance. The infrastructure may also disrupt microwave links and radio communications, undermining rural broadband reliability and digital connectivity. This directly contradicts both NPF4 Policy 24, which seeks to enhance digital infrastructure, and the Scottish Government's strategic commitments to rural connectivity.



Agricultural aviation operations would likewise be compromised, increasing safety risks and economic burdens on farmers. This represents an unlawful transfer of risk to landowners and workers, in breach of the Electricity Safety, Quality and Continuity Regulations 2002 (ESQCR) and CDM 2015.

The cumulative transport, aviation, and telecommunications impacts of the project are incompatible with national and local planning policy frameworks. NPF4 Policies 3, 4, 5, 7, 11, 14, 22, 23, 29, and 30 collectively require infrastructure developments to minimise adverse effects on communities, transport systems, safety, and communications. The Aberdeenshire Local Development Plan (2023) and Angus Local Development Plan (2016) include specific provisions protecting rural road safety, aviation, and telecommunications. The current proposal demonstrably fails to satisfy these policy requirements.

The transport, aviation, and telecommunications impacts are severe, long-lasting, and inadequately mitigated. The failure to provide detailed transport management plans, cumulative impact assessments, or aviation risk modelling constitutes a serious procedural and statutory deficiency. Approval of this project in its current form would expose Ministers to direct liability for foreseeable transport hazards, aviation incidents, and communication failures, an outcome that would be irrational, unsafe, and open to judicial review.

## **Socio-economic Impacts**

The socio-economic impacts of the proposed Kintore to Tealing 400 kV overhead line are extensive, long-lasting, and disproportionately affect communities in Aberdeenshire and Angus. SSEN has failed to provide a comprehensive Socio-Economic Impact Assessment within its Environmental Impact Assessment (EIA), instead commissioning a BiGGAR Economics report that narrowly considers potential Gross Value Added (GVA) while omitting critical social, environmental, and economic factors. The report excludes loss of public amenity, disruption to daily life, lifestyle changes, effects on local businesses, property devaluation, and mental health consequences, all of which would normally be included for a project of this scale.

The BiGGAR report is highly generic, relying on unverifiable estimates provided by SSEN and failing to explain how calculations were derived. There is no assessment of how investment or procurement will benefit local or national suppliers, and no consideration of what materials will be sourced outside the UK. Claims of economic benefit rely on aspirational scenarios rather than evidence. Guidance cited within the report, such as the Renewable UK Local Supply Chain Good Practice Guide, is largely irrelevant for a project of this nature. Methodologies described are limited to “high-level cost estimates” and assumptions, with no transparency or verifiable source data, casting serious doubt on the reliability of any claimed positive economic outcomes.

The permanent industrialisation of farmland, forests, and rural landscapes will have immediate and tangible effects. Agricultural enterprises will face land fragmentation, reduced crop yields, interference with precision farming technology, and biosecurity risks, potentially threatening the viability of family farms and Scotland’s food security. Tourism, a major economic driver in the region, will be undermined by the visual intrusion of steel pylons across scenic landscapes including the River Dee Valley, Eastern Cairngorms, Sidlaw Hills, and Vale of Strathmore. Visitors may be deterred, resulting in revenue losses for accommodation providers, attractions, and ancillary services, contradicting National Planning Framework 4 (NPF4) Policy 30 and local development plan protections.



Property values will also be negatively affected. Evidence from independent UK studies demonstrates that homes within 300 m of power lines can suffer reductions of up to 10% in market value, with impacts extending over 1 km. The BiGGAR report fails to acknowledge these losses, meaning local residents face uncompensated financial risk, undermining fairness and potentially engaging Article 1 of Protocol 1 of the European Convention on Human Rights.

Community wellbeing and mental health are at risk. The repeated introduction of large-scale infrastructure projects has already caused consultation fatigue, stress, and a sense of powerlessness. The permanent presence of overhead lines and pylons will further diminish residential amenity, disrupt recreation and public access, and contribute to long-term psychological impacts. The proposed development would also affect schools in close proximity, threatening learning environments and the connection of children to their natural surroundings.

The BiGGAR report does not consider temporary construction jobs insufficient to offset permanent losses to tourism, agriculture, property values, and community wellbeing. It ignores statutory and planning requirements under NPF4 Policies 11, 14, 25, 29, and 30, which require projects to maximise local socio-economic benefits, safeguard amenity, protect rural communities, and contribute to community wealth building. The assessment also fails to address obligations under the CDM Regulations to design infrastructure in a way that protects the health, safety, and wellbeing of nearby residents.

All negative impacts that could be substantially reduced or avoided completely if SSEN adopted other forms of transmission such as DC undergrounding or subsea routing.

In conclusion, the socio-economic impacts of the Kintore to Tealing project are substantial, predictable, and inadequately mitigated. Approval would result in decreased property values, harm to tourism, adverse effects on agriculture, and negative consequences for community wellbeing. SSEN's EIA and the BiGGAR report fail to meet statutory requirements and planning policy objectives. Ministers would assume direct responsibility for these foreseeable harms if consent is granted, making approval irrational, procedurally unfair, and susceptible to judicial review. The application should therefore be refused.

## **Cumulative Impacts on Landscapes, Ecosystems and Communities**

The proposed Kintore to Tealing 400 kilovolt overhead transmission line cannot be assessed in isolation. It forms part of a rapidly expanding and increasingly industrialised energy corridor spanning Aberdeenshire and Angus, an area already saturated with solar farms, wind farms, substations, battery storage facilities, and existing high-voltage infrastructure. The addition of a further 119 kilometres of pylons would intensify these pressures to an intolerable level. The cumulative effects on landscape character, biodiversity, agriculture, and community wellbeing would far outweigh any perceived benefits of the proposal.

In Aberdeenshire, the rural landscape is already dominated by large-scale energy installations such as Kintore, Blackhillock, Fetteresso, and Fiddes substations, alongside numerous wind farms and battery energy storage systems (BESS). Communities in these areas are enduring increasing industrialisation, characterised by intrusive noise, traffic disruption, and visual degradation. The introduction of yet another high-voltage overhead line would exacerbate this pattern of encroachment, replacing open countryside with dense corridors of pylons and conductors.



A similar situation exists in Angus, where the Tealing substation complex already represents a major grid hub. Surrounding communities near Forfar, Brechin, and the Sidlaw Hills are simultaneously facing multiple new proposals for wind and solar developments. Each is justified on grounds of national energy need, yet their combined effect is the wholesale transformation of rural Scotland into an industrial energy landscape. This relentless accumulation of projects has led to widespread consultation fatigue, community disillusionment, and deteriorating trust in the planning process.

The environmental consequences of this cumulative industrialisation are profound. Each project contributes incrementally to habitat fragmentation, soil degradation, hydrological disturbance, and greenhouse gas emissions. Collectively, these pressures risk exceeding ecological recovery thresholds.

- Biodiversity impacts: Red-listed farmland birds such as curlew and lapwing continue to decline as nesting and feeding habitats are eroded.
- Mammal and woodland impacts: Species including the red squirrel, pine marten, and multiple bat species face escalating habitat fragmentation as woodland corridors are severed.
- Peatland and climate impacts: Repeated disturbance and drying of peat soils across multiple project sites undermine Scotland's statutory carbon sequestration targets, converting vital carbon sinks into emissions sources.

These outcomes are foreseeable, significant, and contrary to the principles of sustainable development.

The cumulative socio-economic burden on affected regions is equally substantial.

- Tourism: The growing visual and environmental industrialisation of Aberdeenshire and Angus threatens rural tourism, deterring visitors from landscapes once prized for their natural beauty.
- Agriculture: Productive farmland is being fragmented and sterilised, impairing efficiency and introducing biosecurity risks.
- Property and wellbeing: Declining property values, combined with the psychological strain of continual industrial encroachment, are undermining community resilience and contributing to long-term mental health challenges.

These compounding effects fundamentally erode quality of life and social cohesion across large rural areas.

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 impose a clear legal requirement for cumulative impact assessment. The applicant has failed to meet this obligation, offering only superficial references to neighbouring developments rather than a robust, region-wide evaluation. This omission constitutes a procedural deficiency and a breach of the precautionary principle.

The proposal also conflicts with key provisions of the NPF4, which mandates the protection of community wellbeing (Policy 14), the safeguarding of biodiversity and natural assets (Policy 4), and proactive action on the climate emergency (Policy 1). Likewise, both the Aberdeenshire Local Development Plan (2023) and the Angus Local Development Plan (2016) require the comprehensive assessment and mitigation of cumulative impacts on landscapes, ecosystems, and communities. The current application demonstrably fails to comply with these obligations.

The cumulative effects of the Kintore to Tealing overhead line, when considered alongside existing and proposed energy developments, represent an intolerable and avoidable burden on rural Scotland. The proposal would irreversibly degrade landscapes, damage ecosystems,



weaken rural economies, and harm community wellbeing. The applicant's failure to conduct a lawful cumulative assessment breaches the EIA Regulations, NPF4, and local development plan policies. For these reasons, and on the grounds of cumulative impact alone, consent for the Kintore to Tealing project should be unequivocally refused.

## **Summary of Objection : Kintore to Tealing 400kV Overhead Line**

The proposed Kintore to Tealing 400kV overhead line represents a major industrial development that would cause widespread, irreversible, and unacceptable harm across Aberdeenshire and Angus. This scale of infrastructure would industrialise rural landscapes, sterilise productive farmland, fragment ecological networks, and diminish the quality of life for thousands of residents.

The application is fundamentally flawed. SSEN has not demonstrated a genuine need for the line in its proposed form and has failed to properly evaluate alternatives such as undergrounding, reconductoring existing corridors, HVDC solutions, or offshore connections. Consultation has been inadequate, failing to meet, legal standards, the Gunning Principles, and Aarhus obligations, while the absence of a Health Impact Assessment leaves critical public health risks unaddressed.

Foreseeable and avoidable harms include:

- Public health risks from electromagnetic field (EMF) exposure, including potential links to childhood leukaemia, neurological conditions, and livestock impacts.
- Agricultural harm, with up to 1,000 hectares of prime farmland rendered unsafe for cultivation, biosecurity risks to the seed potato sector, and disruption to precision farming.
- Ecological and environmental damage, including peat and soil degradation, woodland loss, habitat fragmentation, and threats to protected species.
- Landscape, heritage, and visual impacts, irreversibly altering rural and historic settings.
- Transport, aviation, and telecommunications risks, with increased traffic, compromised road safety, and interference with low-level aviation and digital connectivity.
- Cumulative impacts, exacerbating pressures from existing and planned energy infrastructure across the region, with long-term socio-economic and wellbeing consequences.

The application conflicts with statutory duties, national and local planning policy, and international obligations. It breaches the EIA Regulations 2017, the Habitats Regulations, the Water Environment and Water Services (Scotland) Act 2003, the Climate Change (Scotland) Acts, and health and safety legislation, among others. Approval would constitute an unlawful transfer of risk, placing Ministers directly responsible for foreseeable and preventable harm.

In conclusion, the Kintore to Tealing 400 kV overhead line is disproportionate, unnecessary, and incompatible with the legal, environmental, and social frameworks governing Scotland's energy infrastructure. Consent should be unequivocally refused.

Kind regards

David Edgar

Chair, Crathes, Drumoak and Durriss Community Council.