

HEARING STATEMENT

on behalf of

The Dickinson Trust Limited, as Trustee acting under Deed of Trust granted by The Honourable Charles Anthony Pearson for behoof of his children registered in the Books of Council and Session on 26 March 1996 and The Dickinson Trust Limited as Executor of the late The Right Honourable Weetman John Churchill, Viscount Cowdray

in relation to

APPLICATION BY SCOTTISH HYDRO-ELECTRIC TRANSMISSION PLC FOR CONSENT UNDER SECTION 37 OF THE ELECTRICITY ACT 1989

for

KINTORE-TEALING 400KV OVERHEAD LINE CONNECTION

DPEA REFERENCE: TRL-120-1

This statement is made on behalf of the Dickinson Trust Ltd (Dunecht Estates) regarding Scottish Hydro Electric Transmission plc's application for consent under section 37 of the Electricity Act 1989 for the Kintore-Tealing 400kV overhead line connection. The proposed overhead line would cut through a substantial area of the Estate's agricultural land. Although the Estate owns this land, much of it is farmed by tenant farmers whose livelihoods depend on it. The proposed OHL corridor would significantly disrupt agricultural operations on the affected land. These impacts are explained in detail in the Estate's objection and in our responses to the Reporters' questions on agricultural impacts, but the key concerns are as follows:

First, where pylons are positioned, they will take prime arable land out of production and effectively sterilise parts of fields, making them extremely difficult – or even impossible – for the Estate or its tenant farmers to work. To give just one example, some pylons would be sited too close to field boundaries for agricultural machinery to pass through.

Of particular concern is the proposed diamond crossing at Cowiehillock Farm. This would sterilise around 6.5 acres of land and cut off access to land to the south because of the number, location and proximity of the pylons involved. The Estate has put forward a reasonable alternative to the diamond crossing to SHET – reducing the number of pylons from four to one – which would lessen the impact on farming operations. Unfortunately, SHET has ignored this suggestion.

Secondly, the Application includes permanent access routes that would result in the loss of productive agricultural land, severing fields and disrupting field drainage. Permanent stone tracks across fields also bring an increased risk of unauthorised public use, fly-tipping and livestock worrying. Where these routes cross farm boundaries, there is also a real biosecurity risk, with diseases potentially spreading between farms.

Before the Application was submitted, the Estate put forward alternative routing proposals to SHET to try and avoid these issues. These proposals included a greater proportion of temporary tracks and routing tracks along field boundaries. Once again, SHET has ignored these alternatives without offering any justification.

Finally, the proposed minimum ground clearance for the OHL is 9m. The Estate currently operates machinery—such as combine harvesters, telehandlers and grain trailers—that may not be usable near the OHL because they cannot maintain the minimum vertical passing clearances required by ENA Technical Specification 43-8. Field undulations, vehicle bounce and changing weather conditions can easily cause the safety clearance to be breached, even when vehicles are not operating at their maximum height. It is not reasonable to expect operators to monitor these fluctuations in real time, particularly during hours of darkness, and the machinery is not fitted with automatic clearance detection.

It is also important to note that agricultural machinery will continue to increase in size, and therefore a 9m clearance will become increasingly inadequate over the lifetime of the OHL.

From the Estate's point of view, therefore, the Application should not be approved as the diamond crossing and permanent access tracks sterilise too much prime agricultural land and give rise to significant operational

and biosecurity risks previously mentioned. These impacts could have been minimised, and in some cases avoided, if the reasonable proposals put forward by the Estate had been include within the Application.

The Estate would also expect the minimum clearance of the OHL to be above 9m to ensure that machinery can be operated safely, not only today, but in the years to come.