Agenda Item	**3.1**
Report No	**HC-10-22**

HIGHLAND COUNCIL

Committee: Highland Council

Date: 29 June 2022

Report Title: 21/04988/FUL: Scottish Hydro Electric Transmission Plc
Land W Of Beauly Substation, Wester Balblair, Beauly

Report By: Area Planning Manager – South

Purpose / Executive Summary

Description: Beauly Substation - Reinforcement and extension of existing 132kV substation, including decommissioning and replacement of key equipment including provision of 3 new transformers with noise enclosures, associated platform extension and GIS building, access, landscaping and ancillary work

Ward: 12 - Aird and Loch Ness

Development category: National Development

Pre-Determination Hearing: Yes

Reason referred to Committee: National Development

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

Recommendation

Members are asked to agree the recommendation to **GRANT** the application as set out in Section 11 of the report.

1. PROPOSED DEVELOPMENT

1.1 The proposal is for the reinforcement of the existing electricity substation at Wester Balblair, Beauly. The development comprises: decommissioning and replacement of elements of the existing 132kV substation compound; decommissioning and replacement of three existing 120 mega volt amp Supergrid Transformers; and the construction of a 132kV Gas Insulated Switchgear (GIS) building. The development would increase the substation's capacity to serve consented and emerging renewable energy projects in Highland. The works are located primarily towards the northern boundary of the existing substation and comprise the following main elements:

- Extended construction access tracks and permanent access roads;
- Earthworks and extension of the working platform by approximately 0.6ha (95m x 60m);
- Erection of a GIS building for the 132kV switchgear measuring up to 63m in length, 26m in width and 16m in height with a maximum building level of 41m AOD;
- Replacement of three 120 mega volt ampere super grid transformers with 360 mega volt ampere super grid transformers, housed in noise enclosures measuring up to 7m in height;
- Removal of above ground infrastructure including the 132kV air insulated switchgear and outdoor busbar equipment;
- Demolition of the existing 132kV oil plant building measuring 6m in length, 6m in width and 4m in height;
- Widened northern substation access, parking and landscaping;
- Security fencing at up to 3.8m in height, motion senor lighting and closed-circuit television; and
- Sustainable Drainage Systems (SuDS).

1.2 In addition to the above but not subject to this application is the removal of three 132kV overhead electricity line towers measuring around 27m in height, two of which are located off site on agricultural land to the north of the A831 and one within the site, located close to the A831. These will be replaced by new buried cable connections which would be permitted development under the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (As Amended).

1.3 The main site access is to the north of the development area via the A831 as existing. This access will however be retained and upgraded for ongoing operational purposes. Construction access is primarily to be via an extension to the existing Balblair Quarry access which leads to the south of the 400kV substation. Construction and operational traffic would generally access the site from the east with the routing anticipated to be via the A862 either: heading north-east though Beauly towards Muir of Ord and the A9 at Tore, and / or, heading south along the Beauly Firth towards Inverness. The applicant has proposed transport mitigation, including financial contributions towards Council led active travel improvement schemes to help enforce a 20mph speed restriction through Beauly and towards the delivery of a pedestrian / cycle route between Dunballoch and the A833. The construction programme is expected to last around 4 years.

1.4 A degree of cut and fill will be required to accommodate the development with the 132kV GIS building proposed to have a finished platform level of 25m AOD, which is

5m below existing ground level, and 7m below the A831 road level. The applicant also proposes to mitigate potential visual impacts through structural planting. A landscape plan for the development seeks to minimise the visual impact of the development, including construction works, from users of the A831. It aims to do so via a combination of retaining mature roadside trees, removal of an internal substation access road, the introduction of additional tree planting and stone walling. The applicant has proposed a landscape management plan for the operational life of the site. Offsite compensatory tree planting is also proposed, and the applicant has set out plans to achieving biodiversity net gain.

1.5 Temporary construction compounds are required for the laydown of materials and welfare facilities. all of which would be located to the east within Balblair Quarry and to the west on previously disturbed low lying ground north of the 400kV substation. Construction activities audible at the site boundary would be undertaken between 8.00am and 19:00pm on Monday to Friday and on Saturday between 8:00am and 13.00pm. Construction outwith these hours are likely to include electrical and mechanical fit out. Any variation to these working hours (audible works) would be agreed in advance with the Planning Authority. During operation the substation would be unmanned with operations being controlled remotely from the SSEN's control centre in Perth.

1.6 The proposed development is identified within Annex A of National Planning Framework 3 (NPF3) as a National Development, falling under the class of development noted as *'new and/or upgraded onshore sub stations directly linked to electricity transmission cabling of or in excess of 132 kilovolts'.*

1.7 The applicant utilised the Highland Council's Pre-Application Advice Service for Major Developments (20/03634/PREMAJ). The pre-application response outlined that the development may be capable of overall compliance with the Development Plan and could be supported providing effective mitigation is brought forward which addresses the sensitivity of the wider site. The response highlighted the sites history of giving rise to operation noise complaints, as well as the importance of giving further consideration to the landscape and visual sensitivity of the site with the proposal having the potential to and undermine the mitigation previously secured to help screen the existing substation from the A831. The applicant was also encouraged to progress a master planned approach, exploring the potential to relocate the development within Balblair Quarry, or explore alternative locations to serve the demands of the wider grid.

1.8 The applicant has undertaken statutory pre-application consultation procedures, with two online public events to seek the views of the local community. These were held on 25 March 2021 and 04 May 2021. Owing to the Covid-19 restrictions and the request of the Planning Authority, the applicant issued consultation booklets inviting people to provide feedback and attend the online events, with these being distributed to all properties and businesses within 5km of the site. The applicant also raised awareness of these events by notifying the host Community Council, contacting local ward members, MSP, MP and placing statutory newspaper adverts. Online meetings were also held with the Beauly Community Liaison Group which was established as part of the Beauly to Denny 400kV overhead line project.

1.9 The application is supported by an EIAR containing chapters on: Consideration of Alternatives; Description of the Proposed Development; EIA Consultation;

Methodology; Landscape and Visual; Ecology; Cultural Heritage; Traffic and Transport; Hydrology, Hydrogeology, Geology and Soils; Noise; Tourism and Recreation; Cumulative Assessment; and Schedule of Mitigation. The application is also accompanied by a Pre-Application Consultation Report, Planning Statement, Design and Access and Habitats Regulations Appraisal Screening Report.

1.10 EIA Supplementary Environmental Information (SEI) was also submitted during the application's determination. This contains updates to the following EIA chapters: Description of Development; Landscape and Visual; Ecology; Traffic and Transport; Noise; and Tourism and Recreation.

1.11 Variations made to the proposed development during the application's determination include:

- Amending the northern site access to enhance screening of the substation from the A831 through extending and increasing the height of perimeter stone walling; and
- Amending the landscaping proposals along the A831 boundary through increasing planting of specimen trees, the provision further tree protection measures and detailing the intended underground cable routes.

2. SITE DESCRIPTION

2.1 The 20.3ha site is 1.1km to the south-west of Beauly. It is bounded by the existing substation and the settlement of Wester Balblair. Land surrounding the site generally rises to the north and falls to the south. The site is bound to the north by the A831, to the east and south by Balblair Quarry and woodland, and to the west by Balblair Wood which historically covered the entirety of the site.

2.2 Existing vegetation is present within and adjacent to the site which provides a degree of screening of the existing substation from the A831 and nearby residents. More distant views of the existing substation from the wider area are limited by the surrounding woodland, however, elevated views down into the site can be obtained from more open agricultural land to the north, which is interspersed with farm buildings and properties across higher ground at Ruisaurie and Ruilick.

2.3 The nearest noise sensitive receptors have been identified as residential properties called "Gallery" (265m from the site) and "Glengarry" (402m from the site) located to the north-east. More distant noise sensitive receptors include "Teanalonaig" (495m from the site) and "Craigscorrie" (692m from the site) located to the north. A further six more distant noise sensitive receptors have been assessed within a distance of 1.4km from the site, with these representing individual properties located to the east, south and west of the site.

2.4 The main vehicle access which serves the existing substation is off the A831 to the north, with a secondary access via Balblair Quarry's junction with the A831 forming part of the application site with this being proposed to act as the principal construction access, with a temporary construction compound and laydown area also being proposed within the quarry.

2.5 The existing substation is characterised as having a split level. The eastern area

comprises the existing 132kV and 275kV substation compounds has a formation platform level of around 29.5m AOD. The western area of the substation comprises the 400kV substation has a platform level of around 18m AOD. An area of previously disturbed scrub ground lies within the site to the north of the 400kV substation which is broadly level with the lower 400kV platform. This area is bound by steeply rising ground to the north up to the A831 road level of around 32m AOD. The ground also rises steeply to the east where there is a 0.38ha area of native woodland adjacent to the existing 132kV substation platform. This is proposed to be felled to accommodate the proposed replacement 132kV building.

2.6 The site is not situated within any built heritage designation. There are however undesignated built heritage records across the western area of the site, as identified through archaeological investigation. Other cultural heritage interests within an outer 3km study area include 56 listed buildings, Beaufort Castle Gardens and Designed Landscape and four Scheduled Monuments.

2.7 The site sits within a water catchment area which drains across Balblair Quarry into the River Beauly. Based on SEPA's indicative flood mapping the site is not subject to fluvial flood risk. A very limited extent within the lower western area of the site is however mapped as having potential to be at pluvial flood risk in the 1 in 200 year plus climate change event. The proposal does not affect or require any crossing of any watercourses.

2.8 The site is not located within any site designated for natural heritage. It does however have connectivity to a number of designated sites. Those within 5km of the site include: The Beauly Firth Site of Special Scientific Interest (SSSI), the Inner Moray Firth Special Protection Area (SPA) and the Inner Moray Firth Ramsar site.

2.9 The bedrock geology underlying the site is sedimentary; Ousdale Arkose and Braemore Mudstone Formation, which is overlaid with sedimentary deposits including: Raised Beach Deposits composed of gravel, sand and silt, Alluvium and Devension Till. The adjacent quarry is actively extracting this sand and gravel river terrace deposit to produce aggregate and concrete products. The site has also been subject to a contamination survey with high concentrations of hydrocarbons being recorded in one location in close proximity to the 132kV Oil Plant Control Building which is proposed to be demolished. A soakaway test has also been undertaken to inform the proposed SUDS design, with groundwater monitoring having taken place without any evidence of groundwater ingress being encountered.

2.10 The site has been subject of an Ecological Impact Assessment, as well as a Biodiversity Net Gain (BNG) Assessment. Over 70% of the site comprises developed land with the remaining areas comprising dense gorse, bracken / scrub, woodland dominated by scots pine with a mature beech with this being listed on the Ancient Woodland Inventory as Long Established Plantation Origin woodland (LEPO1860), grassland, sparsely vegetated ground and dry heath. A limited number and extent of priority habitats are also present.

2.11 The EIAR reports the results of a Protected Species Survey with the site having been found to support badger and bats as well as having the potential to support a wider range of protected species. Ornithological surveys have also been carried out which

identify the site and immediate surrounds are frequented by red kite and yellowhammer.

2.12 NatureScot's Landscape Character Assessment (LCA) identifies the site as falling partly within the Landscape Character Type (LCT) 229 - Enclosed Farmland, with the eastern part of the site located within the quarry falling within LCT 342 - Farmed River Plains. The site is also located immediately adjacent to LCT 346 - Open Farmland Slopes with this LCT covering land north of the A831.

2.13 Recreational interests in the surrounding area include walking and fishing along the River Beauly which meanders through adjacent woodland. The proposed development is anticipated to be partially visible from a short section of Core Path IN03.04: Lovat Bridge to Black Bridge which lies to the south of the site and broadly follows the river, with theoretical visibility being reported close to the north of Groam Poultry Farm and south of Groam of Annat. South and west of the river, the applicant has confirmed through field survey that there would be no visibility from any of the Core Paths running through Beaufort Castle and the remainder of its estate. Other recreational interests include cyclists following the promoted Beauty Firth Cycle Loop along the A862, as well as walkers in the vicinity of Lovat Bridge and Beauly Holiday Park to the east of the site. Many cyclists also pass the site on the A831 with this road also used by tourists travelling towards Cannich and Glen Affric. There is also informal recreational path access through the quarry immediately east and south of the existing substation which connects with Balblair Wood to the west and onwards to Black Bridge.

3. PLANNING HISTORY

3.1	01.09.2006	06/00588/FULIN New 400/275kv sub-station extension to west of existing sub-station and access thereto, new 400/275kv sub-station building and 132kv sealing end compound and static var compensator	Application Refused (Appeal Allowed)
3.2	31.01.2008	07/00890/FULIN Extension to electric sub-station with associated access road, new substation building and new SVC building	Application Refused (Appeal Allowed)
3.3	02.09.2008	08/00355/FULIN Temporary widening of existing access road	Application Refused (Appeal Allowed)
3.4	28.04.2009	08/00919/FULIN (Western Isles Convertor Station) Construct an electrical converter substation comprising 2 large buildings housing electrical equipment with further electrical and cooling plant outdoors	Application Refused (Appeal Allowed)
3.5	12.07.2010	10/01136/FUL (Western Isles Convertor Station) Application under S42 of the Town and Country Planning (Scotland) Act 1997, for the development	Deemed Refusal

		of land without compliance with Condition 4 of Planning Permission 07/00890/FULIN and substitution of Condition 4 with an alternative condition as detailed in the attached Planning Statement	(Appeal Allowed)
3.6	08.05.2012	12/00039/FUL (Balblair Quarry) Extraction of sand and gravel and to extend the life of the quarry until 31 December 2025	Permission Granted
3.7	05.06.2013	13/00323/FUL (Western Isles Convertor Station amended access) Installation of a temporary access track to facilitate the initial construction of the consented Beauly Converter Station (Planning Ref: 08/00919/FULIN)	Permission Granted
3.8	23.05.2014	13/04652/FUL Installation of a permanent access track to the Beauly 400kV Substation and Converter Substation	Permission Granted
3.9	03.03.2014	13/04653/S42 (Western Isles Convertor Station amended landscaping) S42 of the Town and Country Planning (Scotland) Act 1997 (as amended), for the development of land, in relation to the extension of the Beauly Substation, without compliance with conditions of Planning Permission P/PPA/270/2035	Permission Granted
3.10	08.12.2016	16/04652/FUL (Existing 132kv emergency northern access and amended roadside landscaping) Create access	Permission Granted
3.11	13.03.2017	17/00127/S42 (Balblair Quarry) Vary Condition 3 of planning permission 12/00039/FUL to increase the output limit from 115,000 to 150,000 tonnes per annum	Permission Granted
3.12	24.02.2021	21/00905/PAN Reinforcement of 132kV substation, decommissioning and replacement of equipment, installation of 3 transformers with noise enclosures, associated platform extension, access, landscaping and ancillary works	Proposal of Application Notice Received

4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown Neighbour, Schedule 3 (Bad Neighbour) and EIA Development

Date Advertised: 12.11.2021 (EIA) and 11.03.2022 (EIA SEI) in the Edinburgh Gazette and the Inverness Courier

Representation deadline: 10.04.2022

Timeous representations: 0

Late representations: 0

4.2 Material considerations raised: None

5. CONSULTATIONS

5.1 **Kilmorack Community Council** object to the application. Although several matters of concern are raised, this principally focuses on the long term disruption caused by the substation, particularly since the Beauly-Denny 400kV line upgrade and expansion of the substation with noise nuisance which has been experienced over the past seven years with the proposal having the potential to increase noise. Concerns are expressed with the three replacement Mega Volt Ampere transformers being of a higher capacity knowing that load does affect the noise from the substation, despite these to be located in noise enclosures, with these changes potentially giving rise to other increased noise sources such as from the Static Var Compensator (SVC) which has been the main noise nuisance. Queries are raised with the baseline noise survey methodology with additional monitoring requested at NSRs before and after development. Further information on retrospective mitigation is also sought in the event that an increase in noise occurs.

It explains that it is aware of government carbon neutral targets and the increased demand this places on the grid network which requires to increase its transmission capacity, however, it questions the site specific need for this to take place at Beauly substation. It notes a lack of consultation on the suggested alternative sites explored by the applicant as reported in the EIA which it considers are based on convenience, cost and proximity to the substation. Of the suggested alternatives it explains that it would not accept expansion on land north of the A831. It is also unaware of the precise location of one of the possible alternative sites (within the quarry) which has been dismissed by the applicant and why it was dismissed as not being suitable. While, outwith the scope of this application it considers that the current Ofgem system of site section being based primarily on cost and convenience also means that the possibility of looking at a new substation in a different but better location will not be seriously considered due to initial costs and outlay.

It also highlights the following concerns: potential increased visual impact and the EIA's LVIA not recognising the recreational value of the quarry post restoration; the western access road to the proposed GIS building disrupting public access to Balblair Wood and to the Black Bridge; proposed construction hours being amended to reflect a later 0800 or 0830 start Monday to Friday and 0900 start on Saturdays; ensuring that the construction compound remains temporary with this land be re-instated to its original pre-development condition; and improvements are sought to the condition and safety of the quarry's access onto the A831 with the current surface having potholes, there being inadequate drainage resulting in surface water being liable to icing and in the interest of safety they strongly recommend that junction be upgraded with traffic lights.

5.2 **Access Officer** does not object to the application. Following the submission of a draft Recreational Access Management Plan (RAMP) he noted the lengthy construction period which would give rise to constraints on public access. Conditions are sought to secure a finalised RAMP to secure more public access during the construction and

operational period of the development. He sets out that this should include making the access track and existing paths not immediately affected by construction activity accessible and by making in-kind improvements to the accessibility of existing paths on completion.

5.3 **Contaminated Land Officer** does not object to the application. It confirms that the site forms part of a substation, which may have resulted in land contamination issues. It requests an informative on any decision notice stating that in the interests of health and safety, site workers should be informed of the sites previous use, and any issues uncovered during site works reported and dealt with appropriately.

5.4 **Development Plans Team** do not object to the application. Subject to necessary mitigation being secured in respect of noise, access and planting, it considers that the proposal would accord with the provisions of the development plan. It notes that in the absence of a masterplan there has been a piecemeal approach to development with previously secured mitigation not being completed or being removed by the next phase of development. It considers that the EIA SEI's amendments result in additional screen planting, walling, fencing and earthworks along the A831 frontage which should provide marginal benefit and would appear to be irreversible mitigation as the internal road access has been moved away from the road frontage. It considers that the proposed layout appears to facilitate future expansion to the north-west and this should be clarified as if surplus, this area could be used for onsite compensatory planting. It outlines that the offsite planting is not considered to be nearby, is a change in species mix, would not deliver net additional woodland and compensatory planting should be delivered on site. It sets out the potential need for developer contributions and welcomes the additional information provided in the EIA SEI including the badger assessment and mitigation and further noise assessment clarifications.

5.5 **Environmental Health Officer** does not object to the application. It sets out that the applicant is fully aware of the noise from the current operations at the site have been the subject of numerous complaints for a prolonged period of time resulting in the Service serving a Nuisance Abatement Notice.

It explains that significant mitigation works have been since undertaken at the substation and that Environmental Health instructed a noise consultant to undertake an assessment of the current noise levels to assess compliance with the Notice. That assessment concluded that there has been a significant improvement in the noise levels since the Notice was served, advising that noise no longer constitutes a statutory nuisance, albeit it is only borderline acceptable in the Balblair village area. It highlights that it is essential that any proposed development within the substation contributes to continuous programme of improvements to reduce the overall noise from the substation.

It considers that the EIA SEI has provided further clarification which addresses matters initially raised in relation to noise impacts of the proposed development. It confirms that as a result of the development proposals as a whole, there will be a marginal decrease in operational noise from the site, with other existing infrastructure at the site being the more dominant noise source. It requests conditions requiring: a Construction Noise Management Plan; compliance with the mitigation set out within EIA's Noise Assessment and the EIA SEI; prior approval of noise enclosure and cooling fan specifications; ongoing compliance monitoring to demonstrate that the noise emitted from the substation has not exceeded the pre-development noise levels at noise

sensitive receptors.

5.6 **Flood Risk Management Team** do not object to the application and has no other comments.

5.7 **Forestry Officer** does not object to the application. The site is located partly within woodland which is listed on the Ancient Woodland Inventory as Long-established plantation origin woodland (LEPO1860). He highlights that the submission identifies the extent of tree felling required which appears to be unavoidable. His main concern is therefore ensuring that retained trees are adequately safeguarded from construction and ensuring that there is adequate compensatory planting. He requests conditions to secure: an updated Tree Protection Plan to increase the extent of tree protective fencing; arboricultural supervision; up to 0.38ha of compensatory tree planting; finalised landscaping details covering ground preparation, species, number of each species, protection measures, and maintenance.

5.8 **Historic Environment Team (Archaeology)** do not object to the application. It confirms that with mitigation, direct impacts on historic environment assets can be limited to an acceptable range. It requests that conditions to protect known, and investigate unknown, historic assets within the site will be required including the excavation of a putative prehistoric house.

5.9 **Transport Planning** do not object to the application subject to conditions to secure further detail and agreement on matters related to: the development's impact on Council maintained roads, including access on to and from the public road including improvements to the A831 between the quarry access and the junction with the A862 with an extension to the existing 40mph speed limit for this section of road to be introduced; a Construction Traffic Management Plan covering general construction traffic and abnormal loads with routing to recognise restrictions such as the Lovat Bridge on the A862; a Section 96 Wear and Tear Agreement; and developer contributions towards the delivery of road safety and active travel improvements along the A862 both in Beauly town centre and towards Kirkhill.

5.10 **Civil Aviation Authority** did not respond to the consultation

5.11 **Forestry Land Scotland** do not object to the application. It highlights that the Scottish Governments' Policy on Control of Woodland Removal applies and provides further detail of consenting requirements.

5.12 **Highlands and Islands Airports Limited** do not object to the application. It sets out that the development would not infringe the safeguarding criteria for Inverness Airport.

5.13 **Historic Environment Scotland** do not object to the application. It has not identified significant effects on historic environment features within its remit.

5.14 **Ministry of Defence (Defence Infrastructure Organisation)** do not object to the application. It notes that the application is outside of Ministry of Defence safeguarding areas.

5.15 **National Air Traffic Services Safeguarding (NATS)** do not object to the application. It sets out that the application does not conflict with their safeguarding criteria.

5.16 **NatureScot** do not object to the application. It advises that it is unlikely that the proposal will have a significant effect on any qualifying interests of designated sites either directly or indirectly. It further advises that an appropriate assessment is therefore not required.

5.17 **Scottish Environment Protection Agency (SEPA)** do not object to the application.

5.18 **Scottish Water** do not object to the application. It explains that from a review of their records there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas that may be affected.

5.19 **Transport Scotland** do not advise against granting of planning permission. It requests conditions to secure the routing proposed for the transportation of abnormal loads, and details of associated mitigation including signage or temporary traffic control measures.

6. DEVELOPMENT PLAN POLICY

6.1 The following policies are relevant to the assessment of the application:

Highland Wide Local Development Plan 2012

6.2 28 - Sustainable Design
29 - Design Quality & Place-making
30 - Physical Constraints
31 - Developer Contributions
36 - Development in the Wider Countryside
42 - Previously Used Land
51 - Trees and Development
52 - Principle of Development in Woodland
55 - Peat and Soils
56 - Travel
57 - Natural, Built & Cultural Heritage
58 - Protected Species
59 - Other important Species
60 - Other Importance Habitats
61 - Landscape
63 - Water Environment
64 - Flood Risk
65 - Waste Water Treatment
66 - Surface Water Drainage
69 - Electricity Transmission Infrastructure
72 - Pollution
73 - Air Quality
74 - Green Networks
77 - Public Access

Inner Moray Firth Local Development Plan (2015)

6.3 The site is not covered by any specific development allocation or safeguarding notation within the IMFLDP.

Highland Council Supplementary Guidance

6.4
- Developer Contributions (Nov 2018)
- Flood Risk & Drainage Impact Assessment (Jan 2013)
- Green Networks (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (Mar 2013)
- Physical Constraints (Mar 2013)
- Public Art Strategy (Mar 2013)
- Roads and Transport Guidelines for New Developments (May 2013)
- Standards for Archaeological Work (Mar 2012)
- Sustainable Design Guide (Jan 2013)
- Trees, Woodlands and Development (Jan 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

Inner Moray Firth Local Development Plan 2, Proposed Plan (2022)

7.1 The site is not covered by any specific development allocation or safeguarding notation within the IMFLDP2. The identified 'Placemaking Priorities 5' for the Main Settlement of Beauly identifies the need for developer contributions and funding for the provision of active travel links within Beauly and to strategic links to Muir of Ord and Kirkhill. Pertinent emerging Proposed Plan policies include:

1 - Low Carbon Development
2 - Nature Protection, Preservation and Enhancement
7 - Industrial Land
8 - Placemaking
9 - Delivering Development and Infrastructure
14 - Transport

Scottish Government Planning Policy and Guidance

7.2 Scottish Planning Policy (SPP) advances principal policies on Sustainability and Placemaking, and subject policies on A Successful, Sustainable Place; A Low Carbon Place; A Natural, Resilient Place; and A Connected Place. It also highlights that the Development Plan continues to be the starting point of decision making on planning applications. The content of the SPP is a material consideration that carries significant weight, but not more than the Development Plan, although it is for the decision maker to determine the appropriate weight to be afforded to it in each case.

7.3 As a statement of the Government's approach to spatial planning in Scotland, National Planning Framework 3 (NPF3) is a material consideration that should be afforded significant weight in the planning balance. NPF3 considers that the strategy of a low carbon place reflects the significant opportunities for growth arising from our natural energy resources and that to achieve this ambition, there is need for a range of infrastructure, including new facilities to enhance the energy transmission network. Specific to this proposal, NFP3 defines the 'High Voltage Electricity Transmission Network' as a National Development which includes new and/or upgraded infrastructure directly supporting high voltage 132kV or more

electricity lines and substations.

7.4 National Planning Framework 4 will, in due course, supersede Scottish Planning Policy and form part of the Development Plan. Draft National Planning Framework 4 was published in November 2021. It comprises four parts, summarised below:

- Part 1 – sets out an overarching spatial strategy for Scotland in the future. This includes priorities, spatial principles and action areas.
- Part 2 – sets out proposed national developments that support the spatial strategy.
- Part 3 – sets out policies for the development and use of land that are to be applied in the preparation of local development plans; local place plans; masterplans and briefs; and for determining the range of planning consents. It is clear that this part of the document should be taken as a whole, and all relevant policies should be applied to each application.
- Part 4 – provides an outline of how Scottish Government will implement the strategy set out in the document.

7.5 The Spatial Strategy sets out that we must embrace and deliver radical change so we can tackle and adapt to climate change, restore biodiversity loss, improve health and wellbeing, build a wellbeing economy and create great places. It makes it clear that new development and infrastructure will be required to meet the net zero targets by 2045. To facilitate this, it sets out that we must rebalance our planning system so that climate change and nature recovery are the primary guiding principles for all our decisions. It sets out that significant weight should be given to the global climate emergency when considering development proposals. The draft sets out that the planning system should support all forms of renewable energy development in principle. Specific to this proposal it also defines 'Strategic Renewable Electricity Generation and Transmission Infrastructure' as National Development which includes new and/or upgraded infrastructure directly supporting high voltage 132kV or more electricity lines and substations. It explains that the electricity transmission grid will need substantial reinforcement including the addition of new infrastructure to connect and transmit the output from new on and offshore capacity to consumers in Scotland, the rest of the UK and beyond. It sets out a series of draft emerging policies which build upon the existing provisions of Scottish Planning Policy.

Other Relevant National Policy and Guidance

7.6 A range of other national planning and energy policy and guidance is also relevant, including but not limited to the following:

- Scottish Energy Strategy (Dec 2017)
- Energy Efficient Scotland Route Map, Scottish Government (May 2018)
- 2020 Routemap for Renewable Energy (Jun 2011)
- Historic Environment Policy for Scotland (HEPS, 2019)
- PAN 1/2011 - Planning and Noise (Mar 2011)
- PAN 60 - Planning for Natural Heritage (Jan 2008)
- PAN 68 - Design Statements

8. PLANNING APPRAISAL

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Determining Issues

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

Planning Considerations

8.3 The key considerations in this case are:

a) Development Plan
b) National Policy
c) Planning History and Background to the Proposal
d) Layout and Design
e) Landscape and Visual Impact
f) Construction Impact
g) Roads, Transport and Access
h) Noise
i) Natural Heritage (including Woodland and Ornithology)
j) Water, Flood Risk, Drainage and Soils
k) Built and Cultural Heritage
l) Economic Impact
m) Other Material Considerations

Development Plan

8.4 The Development Plan comprises the adopted Highland-wide Local Development Plan (HwLDP), Inner Moray Firth Local Development Plan (IMFLDP) and all statutorily adopted supplementary guidance. The IMFLDP recognises the settlement boundary of Beauly and future land allocations for development around the settlement. These allocations lie to the east of this site and there are no site specific IMFLDP policies affecting this application site. The HwLDP contains subject specific policies which are of greater relevance.

8.5 The Development Plan must be read as a whole, with applications then assessed against all of the policies relevant to the proposed development and its location. Conformity with a single policy or element of the plan does not necessarily indicate that a proposal is acceptable. If the Council is satisfied that the proposal is not significantly detrimental overall, then the application will accord with the Development Plan.

8.6 The principal policy against which the applications requires to be determined is the Policy 69 Electricity Transmission Infrastructure of the Highland-wide Local Development Plan. This policy offers support for electricity transmission infrastructure, having regard to their level of strategic significance in transmitting electricity from areas of generation to areas of consumption. Such support is subject to the proposals not

having an unacceptable significant impact on the environment. The proposal must therefore be assessed against the other HwLDP policies referenced in this report. These matters are assessed in full within a number of material considerations examined within this report. These include matters raised within consultation responses, including the response from the host Kilmorack Community Council.

8.7 As the development would provide additional grid capacity for the transmission network and would help to facilitate an increasing proportion of electricity generation from renewable sources, the principle of the development receives support under HwLDP Policy 69, subject to site selection, design and overcoming any unacceptable significant environmental effects.

8.8 In this regard, the site does not benefit from any positive development allocation and is outwith a Settlement Development Area (SDA). As such HwLDP Policy 36 Development in the Wider Countryside applies and sets out that all development in the countryside will be determined on the basis of a number of criteria. Pertinent matters to this proposal include siting and design, being compatible with the existing pattern of development, landscape character and capacity, as well as drainage and servicing implications. The main aspect of the development is the proposed new GIS building which would form a western extension to the existing substation, result in the loss of existing native woodland which helps to screen the wider site from the A831. The majority of the site does however comprise previously developed land with the site not falling within any natural heritage, built heritage or landscape designation.

National Policy

8.9 Scotland's Third National Planning Framework (NPF3) sets out the government's thoughts on how best to achieve a more successful country through increasing sustainable economic growth. It includes plans for infrastructural investment including a high voltage electricity transmission network deemed vital in meeting national targets for electricity generation, statutory climate change targets and security of energy supplies. The current application falls into the category of National Development. Whist this establishes a need for the project all necessary assessments and consents are still required for such development. Appropriate levels of mitigation would still be expected to help avoid or reduce environmental effects and demonstrate "no adverse effect" on the integrity of European protected sites.

8.10 An aim of the planning system is to achieve the right development in the right place; not to allow development at any cost. SPP introduces a presumption in favour of development that contributes to sustainable development. The connection of approved renewable energy projects to the grid, which would be enhanced by this project, advances its sustainable development credentials. The expansion of the grid transmission network in the north of Scotland not only is a short term economic construction boost, but also a long term infrastructural benefit to the area. A priority of the Scottish Energy Strategy (2017) is to champion Scotland's renewable energy potential, creating new jobs and supply chain opportunities.

8.11 Further advice is provided in SPP in respect of potential impacts on the natural environment and the need to protect and enhance Scotland's key natural resources including landscape, ecology, habitats and biodiversity. The impacts on these resources have been presented within the supporting information and are considered

in more detail within this assessment. The policies and content of SPP is a material consideration that carries significant weight, but it is for the decision maker to determine the appropriate weight in each case. If there are no significant impacts on valued resources, the development can be supported.

8.12 Where a development contributes toward sustainable development and the development plan is more than five years old, the concept of a tilted balance in favour of sustainable development applies as set out paragraph 33 of Scottish Planning Policy. With that said the policies of the Highland-wide Local Development plan are not out-dated and largely accord with Scottish Planning Policy. In considering this proposal, the Council have taken into considerations the principles set out in Scottish Planning Policy paragraph 29. In relation to the most applicable of these principles, the development can be seen both positively and negatively as follows:

- Positives:
    - Net economic benefit;
    - Good design and the six qualities of successful places;
    - Making efficient use of existing capacities of land and infrastructure;
    - Supporting the delivery of infrastructure (energy);
    - Supporting climate change mitigation; and
- Negatives:
    - Protecting, enhancing and promoting natural heritage, including green infrastructure, and landscape (a degree of disturbance and onsite losses are anticipated, albeit that mitigation is being proposed).

Planning History and Background to the Proposal

8.13 The electricity substation at Beauly was established in the 1950s and has developed incrementally over a number of years as a result of a range of development projects. Its role has therefore changed significantly and now forms a key node on the electricity transmission network. A number of overhead lines meet at Beauly from the north and west, which export both hydroelectric and wind generation. This allows bulk power flow from the North of Scotland through the central part of the high voltage electricity transmission network utilising the Beauly – Denny Line and also eastwards using the electricity network on the east coast.

8.14 There has been a sustained increase in renewable energy generation in the Highland area which is pushing the Beauly infrastructure beyond its existing capacity. A review of the asset condition and future requirements at Beauly substation has been undertaken which identifies that the equipment in the 132kV area of the substation is coming to the end of its lifespan and is in need of replacement and modernisation. The proposed development therefore seeks planning permission to replace and upgrade key existing infrastructure to enable security of supply and deliver enhanced capacity to support existing committed connections as well as enabling other potential future connections.

8.15 The substation site has accepted expansion from projects in the past (e.g. the Beauly - Denny 400kV substation) located to the west of the site. The site has also been the subject of a consented but not implemented Western Isles Convertor Station which was previously planned to be located within the lower north western area of the site. This project was however subsequently put on hold with its planning permission having now

lapsed. Nevertheless, the principle of extending the substation in a north westerly direction has previously been accepted and it is apparent from the proposed layout that future development further to the north west of the applicant's landholding may not be precluded by the current development proposal.

8.16 The site has a history of securing planning permission on appeal with both the Beauly - Denny and Western Isles Converter Station projects being consented by the Scottish Government. More recently, planning permissions have also been secured for amended access arrangements with the 400kV substation now having a permanent access through Balblair Quarry and a secondary emergency northern access having been created to serve the existing 132kV substation, resulting in amended roadside landscaping.

8.17 The incremental expansion of the site has also resulted in environmental challenges with numerous complaints having been made for a prolonged period of time resulting in the Council's Environmental Health Service serving a Nuisance Abatement Notice. Significant mitigation works have been since undertaken at the substation with the introduction of noise enclosures for the super grid transformers. It has been recently reported that operational noise no longer constitutes a statutory nuisance, albeit that noise levels are only borderline acceptable in the Balblair village area.

8.18 It is also noteworthy that SSE has considerable permitted development rights within operational land and across transmission corridors. It will therefore be important to recognise within any planning permission granted, the site operator intends to undertake the removal of off-site overhead transmission line towers with the introduction of additional underground cabling under the A831 and to the north of the site. Further planning applications are however still expected to be forthcoming for the formation of associated access works. Construction works are also imminent to introduce new 3.8m high security site permitter fencing which is to be introduced under permitted development rights. To aid assessment of the current planning application and ensure that its cumulative impact is fully assessed, details of these ancillary proposals have been set out and considered, with care being taken to ensure that any proposed EIAR mitigation is delivered and would not be adversely impacted upon or removed by future permitted development undertakings.

8.19 The EIA framework and planning conditions set for the Beauly-Denny project also offers experience of expectations both for the applicant and statutory consultees. At that time, it provided a fresh approach to project Construction and Environmental Management Plan (CEMPs), which continues to apply to many large scale projects today and within current Council guidelines.

8.20 In terms of the wider site context, Balblair Quarry has been in operation since the 1940s and is subject to a time limited planning permission to work sand and gravel until December 2025 with the mineral output from site being limited to 150,000 tonnes per annum. Most of the consented reserves have been worked with the quarry entering its final phases with extractive operations continuing within the south-western area of the site and progressive restoration being undertaken.

8.21 Reported consented mineral reserves were in order of 1,500,000 tonnes as of January 2016 with prevailing extraction rates having been reported to be in the order of 120,000 tonnes, with around 600,000 tonnes of consented mineral reserves remaining. With the

consent having around 3½ years left to run it is therefore anticipated that a further planning application for an extension of time may be forthcoming to work the remainder of the site and undertake final restoration. The restoration provisions for the quarry include the majority of the land being restored to agriculture, the inclusion of a waterbody, areas of woodland planting and informal recreational footpaths with these plans to inform the applicant's finalised Recreational Access Management Plan. The quarry's junction with the A831, the adjacent industrial buildings, as well as its access track to serve the 400kV substation would however remain.

Layout and Design

8.22 The site selection process for the substation is detailed in the EIAR (refer to Technical Appendix 2.1: Site Selection Summary Report). This explains that aims of site selection for the expansion of the substation were to balance the environmental, technical and economic aspects of the project. The first step in this process was to undertake a technology options appraisal, which considered both Air-Insulated Switchgear (AIS) and Gas-Insulated Switchgear (GIS) options for replacing the existing AIS 132kV outdoor substation. Due to the requirement to maintain existing energy supplies, the option of in-situ replacement of the AIS was discounted, as was the option of introducing a replacement AIS with this requiring a considerably larger land take and major substation re-design. This concluded that a GIS solution is required with this to be built outwith the footprint of the existing substation. The applicant has also committed to the GIS building utilising Sulpher Hexafluride (SF_6) gas free technology, with an environmentally friendly alternative to be introduced which is to be conditioned.

8.23 In addition, the options appraisal also recommended the three existing 132 / 275kV transformers be replaced with new higher capacity units which provides greater capacity to serve future renewable grid connections, as well as reduce the substation's operational noise. Theses would be housed in individual noise enclosures, with in situ replacement being possible. The benefit of adding this additional capacity at an early stage will also help to future proof the 40 year design life of the project, which should help reduce the scale of works required to facilitate future connections.

8.24 The applicant undertook a site search to locate the new GIS 132kV building. This search area was confined to a short distance from the existing 132kV substation given that a large number of connections (17 in total) that would need to be maintained between the existing substation and the GIS building. Any increase in distance would therefore significantly increase land take, environmental impact, supporting infrastructure requirements and cost.

8.25 Four potential sites were initially identified, two on agricultural land north of the A831 and two to the west. These options were presented at the pre-application stage with the Planning Authority raising significant concerns with the options north of the A831. Of the two western site options, the closest of these was preferred in order to reduce cable connection lengths and in order to maintain the potential for the previously consented Western Isles Connector Station or alternative future electrical infrastructure to be located alongside this development. Following the pre-application feedback provided by the Planning Authority, a further fifth site within Balblair Quarry was also considered. This however was discounted on the basis of engineering constraints due to no direct cable route across the existing substation platform. This approach would have resulted in lengthy cable connections having to follow the perimeter of the

substation, resulting in potentially sterilised areas of mineral within the quarry, and significantly increased project costs.

8.26 A further aspect of the selected development site is the requirement for the felling of native woodland to the west of the substation. These trees help to screen wider views of the substation, albeit that the introduction of the GIS building will also help to limit visibility into the wider site. The loss of this woodland would however be compensated for through a combination of off-site tree planting and the project achieving resulting in biodiversity net gain as assessed further within the Natural Heritage section of this report.

8.27 In order to mitigate the landscape and visual impact of siting the 16m high GIS building in close proximity to the A831, detailed engineering studies have been carried out with the building to be positioned at a lower level below the existing 132kV substation. Cut and fill engineering works will result in a platform level of 25m AOD, which is 5m below existing ground level and approximately halfway down the western embankment of the site. The orientation of the building has been designed with the building's gable to front the A831, however its positioning would be set back from the road by approximately 50m, with roadside landscape planting and vegetation being retained and enhanced wherever possible with vegetation removal being restricted to enabling a new cable connection corridor underneath the A831. The building has been designed with the aim of reducing its visual prominence as much as possible, through use of cladding panels finished in olive green to help tie in with the perimeter woodland, with the upper areas of the building's north, east and west elevations being kept free from any openings or protruding ancillary infrastructure.

8.28 Similarly, the noise enclosures surrounding the replacement transformers are to be finished in olive green. The associated cooling towers would be grey in appearance and be sited away from the A831. Whilst the site's upgraded perimeter palisade security fencing is permitted development, it is also proposed to be powder coated with a green finish. Through the determination process, the EIA FEI introduces additional stone walling at the northern site entrance, as well as additional landscaping along the northern perimeter of the site at the request of officers. This will reduce visibility of the fencing and the wider development. The proposals will also enable the removal of much of the above ground elements on the 132kV AIS substation, including three overhead line towers and their associated above line connections over the A831. This is welcomed.

Landscape and Visual Impact

8.29 The EIAR considers both landscape and visual impacts of the proposed development, with photomontages provided from a range of viewpoints and produced in accordance with the Council's Visualisation Standards. The Assessment is focused on a study area of 3km, beyond which the development is considered unlikely to result in any adverse effects. Whilst photomontages provide a useful aid in showing the appearance of the proposed development, they are just one tool used by the Planning Authority in the assessment of visual impact. That said, to ensure that the worst case scenario has been fully assessed, the summer visualisations provided in the EIAR have been supplemented with a number of winter visualisation in the EIA SEI to help determine visibility of the development when roadside and intervening trees and vegetation is not

in full leaf.

8.30 The site and Balblair Quarry form a generally well enclosed industrial landscape within a wider rural setting which is predominately agricultural land within the strath of the River Beauly. Although much of the immediate surrounding area is characterised by the operational quarry, this is set to change in future with consented mineral reserves nearing exhaustion and the quarry being progressively restored to a combination of woodland, wetland and agricultural land. Much of the nearby industrial uses surrounding the quarry entrance will however remain, and the substation remains the dominant industrial land use, albeit that it is relatively enclosed by surrounding mature woodland. The immediate area around the site is characterised by farmland with blocks of woodland, planting and generally well kept field boundaries, hedgerow, dry stone dykes and some post and wire fencing.

8.31 There are no national or regional landscape designations on or near the site. Around 1km south of the River Beauly lies Beaufort Castle Gardens and Design Landscape (GDL). It is enclosed by its associated woodland and parkland which is identified as being of national importance. As there is extensive woodland between the site and this estate, there would be little to no intervisibility with the proposed development. Given the presence of surrounding woodland and the relatively low lying nature of the site, the development does not have a high degree of visibility to the surrounding landscape to the south. As such, there would be no significant effects on the Beaufort Castle GDL.

8.32 Most of the site falls within LCT 29 – Enclosed Farmland with the construction access through the quarry falling within LCT 342 – Farmed River Plains. These LCTs have been assessed as being of 'medium to high' value, however given the limited scale and extent of the proposed development within these landscape character types, any adverse effects within these LCTs would be minor to negligible. The site also lies immediately to the south of neighbouring LCT 346 – Open Farmland Slopes located beyond the A831. This LCT is characterised as being more expansive with broad open views across the broad valley of the River Beauly making it highly susceptible to industrial development. During construction of the development there will be a degree of disturbance resulting in a minor adverse effect on this landscape character. Although the development would remove an area of woodland, the recessive dark colour of the GIS building and the removal of the AIS substation above ground infrastructure would be a noticeable, and beneficial, change. As the northern perimeter landscaping matures, it is considered that a minor positive landscape effect may arise.

8.33 A Zone of Theoretical Visibility (ZTV) drawing is included in the assessment which shows theoretical bare ground visibility. A modified version has also been produced incorporate surrounding woodland being modelled at 15m in height and any intervening buildings at 7m in height. These potential screening effects therefore require to be verified through a combination of assessing LVIA baseline photography and undertaking site visits. The ZTV identifies that visibility is largely contained within the 3km study are with visibility being predominantly concentrated over an area to the north and north east, taking in properties on the western and north western areas of Wester Balblair, as well as Beauly and mor remote properties further north across higher ground at Ruisaurie and Ruilick.

8.34 Nine Viewpoints (VPs) have been provided to specifically aid in the assessment of visual impact from the aforementioned residential receptors as well as road users. These are short range views and the assessment considers visual effects both during the construction phase and thereafter during the operational phase. Of the nine selected viewpoints, VP6, VP7, VP8 and VP9 have demonstrated to have negligible to no visibility of the proposed development due to intervening mature woodland. Potential impacts are therefore limited to the following representative viewpoints:

- *Viewpoint 1: Greyfield, Ruilick and Viewpoint 2: Ruisaurie* – These are both representative of views experienced by a cluster of residential receptors on high ground overlooking the site at distance of 1.9 to 2km. These elevated properties have a broad view across the whole of the valley occupied by the River Beauly. The existing substation forms a small part of the view in the floor of the valley, but is prominent due to the light colour of the existing infrastructure and the connecting overhead lines. The EIAR's LVIA considers construction impacts result in minor to moderate (not significant) adverse visual impacts, with winter site construction floodlighting being apparent. The residual visual impact upon completion of the development would be adverse and minor in nature, but in time once landscape planting has matured, some fifteen years the development would have a neutral impact. The applicant's findings are broadly accepted, with the GIS building and other ancillary proposed infrastructure being visible but recessive in the view due to their darker colour fitting in with roadside trees and surrounding woodland.
- *Viewpoint 3: Edge of Wester Balblair, on the minor road to Ruisaurie* – There is anticipated to be little to no view of the development from within Wester Balblair, but a direct view can be obtained from four to five properties on the northern edge of the settlement. From this representative viewpoint which is very close to the site at a distance of around 0.2km, the eye is drawn to the existing substation, with overhead lines leading towards the site. Again, the EIAR's LVIA considers temporary construction impacts to be noticeable as before, but given the closer proximity of these receptors the adverse visual impact would be moderate (significant). On completion of the development the GIS building would be visible and the loss of woodland would be noticeable with more distant woodland and countryside anticipated to seen in the background. The removal of the existing AIS 132kV infrastructure would also be noticeable with this being beneficial. On balance, adverse moderate (significant) visual impact would occur, with this being mitigated over time with landscape screening reducing this impact to a minor (not significant) adverse impact. The applicant's findings are again broadly accepted with visual impacts at such close proximity being unavoidable, albeit mitigated by the low positioning of the GIS building resulting in a less imposing structure.
- *Viewpoint 4: A831 approach from the east and Viewpoint 5: A831 approach from the west* – The development would be visible for users of the A831. Visibility would be greatest for those approaching from the east travelling westbound where the existing view into the substation for a length of around 200m. Given the use of this route by tourists and cyclists the EIAR LVIA correctly identifies road users to be highly sensitive receptors. The main construction impacts would include the loss of woodland, the visibility of mobile cranes, floodlighting in winter months and works to the site's northern entrance. Construction impacts would

however be moderated certain degree by utilising the lower western area of the site as the main construction compound with a laydown area within the quarry, all of which would be unlikely be noticeable from the road. Construction impacts would therefore be medium in magnitude resulting in localised moderate to major (significant) adverse visual effects. With the introduction of the development, including the removal of the existing AIS 132kV infrastructure and extended stone walling in front of new security fencing, there would be a moderate change development's interface with the road which is considered to be neutral in nature. Again, post 15 years of growth, the introduction of additional landscape planting will help screen visibility into the site with the development having a long term moderate but beneficial impact on roadside visual amenity. The application's EIA LVIA findings for VP4 and VP5 were disputed by the Planning Authority, with the increased stone walling and additional landscape screening being provided as part of the EIA SEI. In determining the application, a condition is required to ensure that the detail of the finalised landscaping of the northern perimeter of the site achieves effective screening of the site for at least a height of 2m above the existing road level, with this to be maintained in perpetuity. Should this be secured, the applicant's findings are broadly accepted with the development having the potential to result in an overall long term positive visual impact for road users.

8.35 It is evident that the GIS building will result in some localised adverse visual impacts; and that due to the overall proportions of the building the magnitude of change will be perceptible. Is has however been evidenced from the EIAR and EIA SEI that the landscape and visual effects have been carefully considered, and despite the site selection resulting in the loss of existing woodland, the proposed ground regrading works to lower the GIS building coupled with the enhanced northern perimeter landscape planting and stone walling, will result in the successful visual integration of this development.

Construction Impact

8.36 The development of a project of this scale will have considerable temporary impacts including for example construction traffic but also construction noise, dust, waste, etc. Such impacts are expected intermittently through the 4 years of construction, programmed to commence in Q3 2022 and be completed by Q2 2026. It is for these reasons that the applicant has a commitment toward a project specific Construction and Environmental Management Document (CEMD) approach, the finalised details of which, following appointment of the project contractor, would require approval of the Planning Authority in consultation relevant consultees. In addition, the applicant has also committed to the appointment of an Ecological Clerk of Works (ECoW) to oversee the project. This can usefully dovetail with a Planning Monitoring Officer role to monitor compliance with the conditions attached to any consent.

8.37 The Council's Environmental Health Service has highlighted potential disturbance to local residents in respect of construction noise and vibration. Accordingly, a Construction Noise Management Plan (CNMP) would be required any appointed contractor adopting best practical means to limit the degree and timings of such impacts. This requires limitation on construction hours with the applicant agreeing to restricted working hours of 08:00 to 18:00 hours Monday to Friday, and 08:00 to 13:00

hours on Saturdays with no Sunday or Bank Holiday working.

8.38 Developers must also comply with reasonable operational practices with regard to construction noise so as not to cause nuisance. Section 60 of the Control of Pollution Act 1974 sets restrictions in terms of hours of operation, plant and equipment used and noise levels, amongst other factors, which is enforceable via Environmental Health. The applicant has submitted a construction noise assessment that indicates predicted construction noise levels will meet the permitted levels. It is also expected that the developer and contractors would employ the best practicable means to reduce the impact of noise from construction activities at all times.

8.39 Timing of deliveries (HGV's and abnormal loads) shall also be agreed through a Construction Traffic Management Plan (CTMP) with construction traffic avoiding school travel times and identified community events. In addition to the requirement for submission and agreement on a CEMD, the Council will require the applicant to enter into legal agreements and provide a financial bond with regard to its use of the local road network (a Section 96 Wear and Tear Agreement). A package of road mitigation works are also proposed as set out within the Roads, Transport and Access section of this report.

8.40 Other controls including Dust Management Plans, Pollution Prevention Plans, Waste Management Plans, which would also be expected within a project specific CEMD. Due to the scale of the development SEPA will control pollution prevention measures relating to surface water run-off via a Controlled Activities Regulations Construction Site Licence.

8.41 Should the development be granted consent, a condition would require that the existing the Beauly Community Liaison Group remains in place to help ensure that the community council and other stakeholders are kept up to date and consulted before, during and after the construction period.

Roads, Transport and Access

8.42 The main construction access for the proposed development will be accessed from the A831 via the existing Balblair Quarry junction. From here the existing access road located within the quarry which serves the 400kV substation is proposed to be extended around the southern and western perimeter of the site to access the main temporary construction compound located within the north-west of the site.

8.43 The existing northern site access will be widened to 5m in width with the introduction of a 6m wide gate. This access would be used for the delivery of abnormal loads from and into the site during construction. It would also be retained for operational servicing of the substation. At the operational stage, the use of this access would be quite limited and infrequent, however the retention of this northern access will still be required to service the site as this provides a more direct access which is essential for a rapid emergency response such as to restore power following a blackout event.

8.44 The construction and operational traffic would generally access the site from the east with the routing anticipated to be via the A862 either: heading north-east though Beauly towards Muir of Ord and the A9 at Tore, and / or, heading south along the Beauly Firth towards Inverness. Aggregate and concrete products to serve the site are anticipated

to be sourced from the adjacent quarry and transported to the site using the shared internal road network. As this cannot be confirmed until a contractor has been appointed, the application has been assessed on the worst case basis, assuming that all material requires to be imported to site from further afield, with the routing arrangements to be confirmed in a Construction Traffic Management Plan (CTMP).

8.45 The EIAR provides an assessment of the development's impact on the surrounding road network during the construction and operation phases. The EIAR anticipates the total number of vehicle movements generated during the peak period of construction. This is estimated to be 132 two-way trips per day (66 one-way trips) consisting of 72 two-way HGV trips and 60 two-way light vehicle trips (cars/ light vans). This peak period is anticipated to last in the order of 3 to 4 months with the estimated number of peak trips during the later main electrics installation to fall to 112 two-way trips (56 one way trips), with peak HGV trips falling to 32 two-way trips (16 one way trips). Furthermore, 6 abnormal loads (transformers) will be required to be transported to and from site, with modern transformers having been previously delivered to site for the 400kV substation.

8.46 Once the supplier and haulier of the proposed super grid transformers has been finalised, an Abnormal Indivisible Load (AIL) Route Assessment from the Port of Entry to the site will be undertaken and submitted to the Council and Transport Scotland for consideration. This can be secured by condition. Due to the weight restriction on the Kessock Bridge the applicant has however indicated that the likely Port of Entry for the new transformers weighing 170 tonnes each would be Invergordon for transfer via the A9, however, it may be possible for the existing decommissioned lighter transformers to be transported southbound via the Kessock Bridge. The EIAR also confirms that no AILs shall be transported via the A862 over the Lovat Bridge unless agreed and approved in advance by the Council and Transport Scotland, following necessary structural inspections and swept path analysis.

8.47 Given the above noted uncertainty it is recommended that should the permission be granted it includes a suitably worded condition requiring approval of the final routing of Abnormal Loads to and from the site and any mitigation / improvement works needed to accommodate the abnormal load routes be submitted to and agreed by the Planning Authority, in consultation with the relevant Roads Authorities. Transport Scotland is content with this approach.

8.48 The development will result in a noticeable increase in HGV movements on the local road network with existing baseline HGV trip rates on the A862 through Beauly, as well as on the A862 towards Inverness being relatively low at present, resulting in the need to undertake detailed assessment. Whilst there is ample spare road capacity, construction traffic would give rise to increase pedestrian severance, driver delay and reduced pedestrian amenity, including though Beauly, as well as give rise to increased risk of accidents, particularly for cyclists. It is however noted that the aforementioned routes are already agreed timber haulage routes and these routes also serve Balblair Quarry. A review of accident data confirms that there have been three cycle accidents in the vicinity at different points on the road network, one of which was fatal. None of these incidents involved HGVs.

8.49 The EIAR determines that the likely construction traffic impacts using IEMA guidelines would be at worst minor adverse and non-significant for all potential transport related effects, with the exception of 'accidents and safety' where moderate adverse effects

could potentially arise if no mitigation was to be introduced. The EIAR therefore proposed further mitigation in the form of increased road safety signage to raise awareness of the presence of HGVs and other industry best practice measures to be set out in a CTMP. Post construction, negligible transport impacts are predicted during the operation of the substation given that it would be unmanned requiring only service visits, with final decommissioning to be re-assessed as part of any replacement infrastructure proposal requiring planning permission, as is the case with this application.

8.50 The Council's Transport Planning Team is generally satisfied with the applicant's assessment of traffic and transport associated with the proposed development however they highlighted matters which required to be addressed through the EIA SEI. The applicant has since worked with the Council's Transport Planning Team to agree additional mitigation, the finalised scope of which would be the subject of a condition with the works being undertaken prior to the main works commencing on the substation or within 4 months of mobilisation commencing, whichever is the sooner. The additional mitigation agreed includes enhancement of the visibility splay out of the existing quarry access, removal of verge creep on the A831 carriageway with refreshed road markings and undertake localised repairs to the carriageway surface.

8.51 Transport Planning also advise that a full structural overlay of the A831 carriageway, once repaired, between the quarry access and the junction with the A862 would be beneficial to the effective delivery of this development. Should the applicant decide not to undertake this, it is recommended that this is reflected in the contractors' construction programme and risk management processes to take account of possible disruption should further carriageway repairs ultimately be required. The condition of the local road network will also be the subject of a Section 96 Wear and Tear Agreement, which will help to ensure the repaired roads' condition is maintained for the safety of all road users.

8.52 In addition to the above, Transport Planning advise that the existing 40mph speed limit through the village of Balblair be extended down to the junction where the A831 meets the A862. This is to be conditioned with this to be secured via Traffic Regulation Order(s) for the duration of the construction works.

8.53 The information submitted with the application, whilst recognised as worst case, is predicting to significantly increase the numbers of HGVs using the A862 for a protracted period of time with this route forming part of the Beauly Firth Loop Cycle Route. In order to offset the resultant adverse traffic and transport impacts of the proposed development, developer contributions are required towards the delivery of two active travel improvement projects being pursued by the Council's Road Safety and Active Travel Teams. These schemes correspond with the proposed construction traffic routing; Link 1 being on the A862 through Beauly and Link 2 being on the A862 towards Kirkhill.

8.54 The Beauly scheme (Link 1) seeks to reduce traffic speeds through the settlement on the A862 with vehicle average vehicle speeds not currently adhering to the 20mph speed limit. A combination signage and vertical traffic calming features in the form of raised tables located at key junctions and recognised pedestrian crossing points are to being proposed. Although the finalised design of the scheme still to be confirmed, the anticipated budget for works on the A862 as part of this wider scheme is in the order of

£130,000 with the work programmed to be delivered in late 2022.

8.55 The other scheme is the Dunballoch to A833 shared pedestrian and cycle route (Link 2). The Council has been delivering active travel improvements along the A862 for a number of years and has aspirations to provide dedicated facilities along the entire route between Muir of Ord and Inverness, which supports the Beauly Firth Loop Cycle Route. The proposed works involve the construction of a new 3m wide shared pedestrian / cycle path alongside the A862, extending the existing path that currently ends at Dunballoch through to the junction where the A833 meets the A862. The anticipated budget for the scheme is in the order of £250,000 with the scheme being able to progress to procurement and deliver once sufficient funding has been secured.

8.56 The scale of the road mitigation is key, ensuring that it is proportionate to the overall number of HGVs using these routes. For Link 1, EIAR Table 9-11 indicates existing baseline movements of 53 HGVs per day with the development giving rise to a predicted increase of 72 HGV movements. However, this is taking data for the predicted busiest period of the works and that all construction traffic will come and go along the A862 through Beauly. A more realistic assumption would be a 50/50 split in routing along the A862 with vehicles traveling either through Beauly or towards Kirkhill. By using 2/3rds of the predicted peak daily trip rate, reflecting that the peak will not last for the entire construction period with considerably lower HGV trip rates during the electrical fit out stage, this results in the predicted 72 figure reducing to 24 additional HGV movements a day along this route. The trips from the proposed development would therefore represent 31% of the combined total 77 daily HGV movements along this road. Applying that 31% to the anticipated cost of the proposed active travel works (which serve all road users) results in the requirement for a proportionate developer contribution to the value of £41,000.

8.57 For Link 2, EIAR Table 9-11 indicates baseline movements of 41 HGVs per day and a predicted increase of 72 HGV movements during the peak of construction. Again, assuming a 50/50 split in routing along the A862 and using 2/3rds of the peak values, results in the 72 figure reducing to 24 predicted additional HGV movements a day along this route. The trips from the proposed development would therefore represent 37% of the combined total 65 daily HGV movements along this road. Applying that 37% to the anticipated cost of the proposed active travel works results in the requirement for a proportionate developer contribution to the value of £92,000.

8.58 The applicant has agreed to make contributions totalling £133,000 towards the delivery of both active travel schemes with this to be made by way of an up front payment prior to development commencement which is to be secured by Section 69 legal agreement. This would be consistent with the Councils approach to developer contributions as set out in HwLDP Policy 31 and the associated Guidance.

8.59 In terms of recreational access through and in the immediate vicinity of the site, like most land in Scotland, the site is also subject to the provisions of the Land Reform (Scotland) Act 2003. Both the Council's Access Officer, as well as the Community Council has advised that the construction phase of the development would impact upon informal access routes surrounding the existing substation and through the adjacent quarry. There are existing trails through the woodland located to the east of the site which link the village of Wester Balblair though the quarry to Balblair Wood and Black

Bridge and the River Beauly.

8.60 The applicant's EIA SEI acknowledges that there will be disruption to this localised path network with the temporary closure of the route during construction, with this being set out within a draft RAMP. Given the likely disruption, a condition will require the finalisation of the RAMP with the wording of this requiring the setting out measures to minimise the duration and extent of any closures or diversions, making existing paths not immediately affected by construction activity accessible and delivering overall improvements to the accessibility of existing paths on completion. This is accepted by the applicant with the appointment of the contractor being critical to informing these provisions, as well as ensuring that any proposal ties in with the ongoing quarry operations as well as the restoration plans for the quarry.

8.61 Subject to the satisfactory conclusion of legal agreements to secure developer contributions and a wear and tear agreement, as well as securing the aforementioned mitigation measures, the transport related impacts of the proposal are deemed to be acceptable and can be appropriately managed. As such, the proposal has been found to be in accordance with the transportation and developer contributions policies contained within the Development Plan.

Noise

8.62 The applicant has recognised the noise nuisance that can arise from operational substations and the need to ensure that this is limited in respect of existing noise sensitive properties. Following the introduction of the 400kV Beauly – Denny overhead line project, this has given rise to numerous noise complaints for a prolonged period of time resulting in the Council serving a Nuisance Abatement Notice under the Environmental Protection Act 1990. Significant mitigation works have since been undertaken at the substation and the Council appointed an independent noise consultant to undertake an assessment of current noise levels from the substation. In early 2022, the finding of this assessment was reported back to the Council. This that noise no longer constitutes a statutory nuisance, albeit it is only borderline acceptable in the Balblair village area.

8.63 Given the above context, this development provides an opportunity to contribute towards a programme of continuous improvement to reduce the overall operational noise from the substation.

8.64 In view of this, EIAR Chapter 11 provides a Noise Impact Assessment (NIA), with the EIA SEI providing further clarification which addresses matters initially raised by the Council's Environmental Health Service. The information provided confirms that as a result of the replacement transformers there would be a 15 to 23 dB (A) decrease in noise level at nearby noise sensitive properties, albeit that as a result of other existing equipment at the substation being the more dominant noise source, there would only be a marginal decrease of less than 1dB in operational noise from the site as a whole.

8.65 Sites specific operational noise mitigation measures which are to be deployed as integral parts of this development include:

- Total acoustic enclosures of the replacement super grid transformers, with these enclosures achieving an insertion loss of 20 dB at 100 Hz, with enclosures which

meet and even exceed this design known to be implemented on other UK sites;

- The specification of the replacement transformer's cooling fans will be reduced to a maximum noise level of 75dB and that they will only operate infrequently only in periods of high load and high ambient temperature; and
- Compliance monitoring would be undertaken to compare actual noise levels with those predicted in the EIAR and EIA SEI.

8.66 In response to queries raised by Environmental Health, the applicant's EIA SEI has also confirmed that the increase in the transformers capacity will not result in any increase in noise emissions from other existing equipment on site, including the Static Var Compensator. Paragraph 11.7.1 of the EIAR also explains that there are separate programmes of work, out with the scope of the proposed development, to mitigate noise generated from the wider substation. Scheduled improvements in the transmission network over the next two years will also reduce the contribution and operation of the SVC at Balblair, providing further benefits in noise emissions from the substation.

8.67 In order to ensure the amenity of the existing residents is protected and there is no increase in the existing noise levels, conditions are advised requiring: a Construction Noise Management Plan; compliance with the mitigation set out within EIA's Noise Assessment and the EIA SEI; prior approval of noise enclosure and cooling fan specifications; and ongoing compliance monitoring to demonstrate that the noise emitted from the substation has not exceeded the pre-development noise levels at noise sensitive properties.

Natural Heritage (including Woodland and Ornithology)

8.68 There are no natural heritage designations covering the site itself. The nearest designated sites are the Inner Moray Firth Ramsar site, the Inner Moray Firth Special Protection Area (SPA) and The Beauly Firth Site of Special Scientific Interest (SSSI), which are located 1.2km north east of the site's proposed construction access through the quarry. Owing to this separation distance, no likely significant effects on any of the qualifying features of these designations would arise. That said, given that the site is within foraging range for one qualifying species of several designated sites, greylag geese, with foraging habitat including arable land being located within 500m of the site, the applicant undertook a Habitat Regulations Appraisal (HRA) Screening exercise. This however also concluded that any disturbance or displacement caused would not give rise to any likely significant effects. These findings have been endorsed by NatureScot and are accepted by the Planning Authority, with no HRA Appropriate Assessment being required.

8.69 The applicant has submitted a range of information highlighting the presence of protected species in and around the site. Habitat assessment surveys identified the presence of badger, red squirrel, pine marten, and bats. Ornithological surveys have also been carried out which identify the site and immediate surrounds are frequented by red kite and yellowhammer, with a total of 17 breeding bird species having been recorded.

8.70 Without mitigation, the EIAR confirms that the development has the potential to result in habitat loss, disturbance and displacement, and loss of badger, causing a significant adverse effect. Significant adverse effects could also occur for red kite during

construction (resulting from noise, lighting, vehicle movement), albeit that the potential loss of habitat would not be significant for this species. Potential for habitat loss and fragmentation for invertebrate species has also been assessed as significantly adverse.

8.71 Mitigation measures are therefore set out within the EIA and SEI, including badger sett closure with a replacement main sett having already been provided in a suitable area within its territory. A Badger Protection Plan will also form part of the CEMD, with an appropriate licence to be obtained from NatureScot, and construction work to be overseen by an ECoW. The remit of the ECoW will also cover further pre-start protected species and breeding bird surveys, and should any red kite roost sites be identified, specific measures will be put in place to establish an agreed buffer zone to avoid works in close proximity. Compensatory planting is also being proposed to replace habitat specifically for invertebrates.

8.72 Given that there is no data regarding the success and update of replacement artificial badger setts, there remains the possibility that badgers may not inhabit the new sett and could either return to their existing territory or move into neighbouring territory causing hostility. As such, habitat loss for badger has as a worst case been assessed as being significantly adverse. The remit of the ECoW will however include a programme of monitoring to help determine the success of mitigation measures to be deployed.

8.73 The habitats present across the site have been subject to survey with the project being subject of a voluntary Biodiversity Net Gain (BNG) Report. The majority of the application site boundary comprises developed land with the remaining areas containing dense gorse, bracken / scrub, woodland dominated by scots pine with a mature beech with this being listed on the Ancient Woodland Inventory as Long Established Plantation Origin woodland (LEPO1860), grassland, sparsely vegetated ground and dry heath. A limited number and extent of priority habitats are also present, however, there are no Ground Water Dependent Terrestrial Ecosystems (GWDTEs) present.

8.74 The BNG Report quantifies the biodiversity impact of the development, predicts the resultant change of biodiversity value and provides recommendations for biodiversity enhancement (net gain) or at a minimum no net loss. This assessment concluded that the development with the incorporation of landscape planting, would still result in a 12% decrease in biodiversity value, largely due to the loss of woodland. It therefore recommends offsite habitat enhancement measures, primarily woodland planting, which is proposed at the Aigas Community Forest, located 4 miles south of the site along the A831. A minimum of 1.3ha of offsite woodland planting would result in no net loss of biodiversity, providing it is established for a 30 year period. Should this area be increased to 1.9ha it would result in a 5% net gain and 2.4ha would result in a 10% net gain.

8.75 To ensure the development secures at least 10% biodiversity net gain, the applicant has confirmed their intention to make a financial contribution towards the delivery of 3.0ha of restocked woodland at the Aigas Community Forest which would result in the conversion of commercial conifer plantation to native broadleaf woodland. This is to be secured by way of the applicant entering into a legal agreement with the third party landowner, with the delivery of biodiversity net gain to be conditioned.

8.76 As per HwLDP Policy 52, the Council maintains a strong presumption in favour of protecting woodland resources. The expansion of the substation into areas of adjacent woodland will however give rise to clear public benefits as the proposal is to facilitate the long term security of energy supplies as well as enable more renewable energy connections. Scottish Control of Woodland Removal Policy, as well as HwLDP Policies 51 and 52 however requires sufficient compensatory planting in relation to woodland loss.

8.77 As detailed on the EIA SEI Tree Protection Plans, it is estimated that an area of around 0.38ha of woodland would be lost. This comprises predominantly scots pine (Group 43) to make way for the GIS building's platform. The eastern edge of a smaller area of birch woodland (Group 44) would also be removed as well as a small grouping of silver birch (Group 25) at the roadside and two individual trees on the northern side of the A831 (a hawthorn (T9) and a silver birch (T10)) to make way for new underground cable connections. Additional onsite planting will be secured by condition building upon the outline landscape plan which makes provision for new roadside specimen tree planting and the gapping up of beech hedgerow.

8.78 Offsite woodland planting is also proposed to be secured by condition, with the applicant proposing to plant 0.38ha of new woodland at the Mauld Estate, as well as a financial contribution to help deliver 3.0ha of restocked woodland at the Aigas Community Forest. Existing trees on site are also to be retained will also be protected through tree protection measures and arboricultural supervision to be secured by condition.

Water, Flood Risk, Drainage and Soils

8.79 The site sits within a water catchment area which drains across Balblair Quarry into the River Beauly. Based on SEPA's flood mapping the site is not subject to fluvial flood risk and the proposal does not interact or require any crossing of any watercourses. A very limited extent within the lower western area of the site is however mapped as having potential to be at pluvial flood risk in the 1 in 200 year plus climate change event.

8.80 This information, together with a Drainage Impact Assessment and further percolation testing, has helped inform the construction and water drainage proposals. The GIS building, its platform and permanent access road would be attenuated through the installation of a filter drain network and a sustainable drainage system (SUDS) attenuation basin, designed in accordance with SEPA's standards, and to be located within the lower western area of the site. This would be formed as part of the initial earthworks and used during construction to manage surface water. The replacement transformers will also be located within newly constructed bunds, with surface water within these flowing towards a new oil interceptor, before discharging to the infiltration basin.

8.81 The site has the potential to be hydrologically connected to a number of downstream designated sites, with groundwater flowing towards the River Beauly which is managed by the Beauly District Fishery Board for the conservation of salmon and sea trout. As per the EIAR's Hydrology, Hydrogeology, Geology and Soils chapter, with the introduction of best practice measures set out within the CEMD, containing a series of CEMPs, no significant effects on the water environment are likely to arise. There is also

a Private Water Supply (PWS) of Dunballoch located approximately 1.7km east of the proposed development and serves five residential properties, again no significant impact on this supply are predicted with the provision to be made for protecting this supply within the CEMD which would be overseen by an ECoW. This shall include surface water quality monitoring to be secured though condition. SEPA and the Councils Flood Risk Management Team have no objection to the proposals.

8.822 The applicant has also submitted a Soil Management Plan (SMP) in support of the application. The cut and fill balance calculations have not been provided however the overall land take required for the works has been made clear. It is envisaged that following woodland removal, the topsoil would be utilised for undertaking the proposed landscape planting along the northern site boundary, to landscape the SUDS and its associated southern bund, as well as to restore the temporary construction compound and laydown areas proposed. The detailed management and placement of soils to be stripped from within the residual area of native woodland shall also be conditioned to investigate the potential for its existing seed base to be used in the finalised site landscaping proposals.

Built and Cultural Heritage

8.83 The site is not situated within any built heritage designation and there are no scheduled monuments or listed buildings within the boundary of the proposed development. There are however undesignated built heritage records across the lower western area of the site with this area having previously been subject to archaeological investigation, with other cultural heritage interests within an outer 3km study area including 56 listed buildings, Beaufort Castle Gardens and Designed Landscape and four Scheduled Monuments.

8.84 The applicant's assessment indicates that the development could affect the setting of three statutory protected Scheduled Monuments during the construction phase, including Corff House Fort, Dun Mor and Belladrum Chambered Cairns. Due to a combination of separation distance and limited magnitude of change arising from the development, there would however be at worst, a slight adverse (not significant) impact during construction for Corff House Fort, situated east of the proposed construction site access located towards Lovat Bridge, and neutral impacts for the other more distant scheduled monuments.

8.85 Field survey found archaeological remains comprising two hut circles in Balblair Wood, one of which would be directly affected by the development and the other would be 20m to the west of the proposed access road. These undesignated assets are considered of medium value. One asset would be demarcated and preserved in situ with the other being excavated and preserved by record. The indirect impact and loss of this undesignated feature would not be significant and appropriate mitigation measures are detailed in the EIAR; this will involve further archaeological investigation which is secured by condition.

Economic Impact

8.86 The development of grid infrastructure has been identified as a national priority together within investment in renewable energy. The development of substation projects as presented within this application are not only beneficial in strengthening the robustness

of the country's grid network, but also result in further job and investment opportunities through the development of associated supply chains. The development is required to facilitate the connection of wind farms / renewable schemes to the national grid, which will allow the export of electricity generated to consumers. The relationship of the development to the economic and social benefits of renewable energy developments is therefore relevant, in a positive way.

8.87 The Highlands is experiencing significant construction activity in the transmission network. The approval of the current application will have a short term (four years) positive construction economic impact, although significantly less impact at the operational stage with the development having a 40 year design life. This weighs in favour of the development. The applicant estimates that there will be on average 50 staff employed on site during the construction phase, comprising a combination of full and part time workers. Thereafter, the operation of the facility would not require any staff permanently based onsite.

8.88 The design, landscaping and limited visual impact of the development, means the impacts of the development are not anticipated to have adverse impact on the local economy, particularly tourism. Its impact, at a more local level, equally is not anticipated to significantly impact on existing businesses or recreational interests.

Other Material Considerations

8.89 There are no other material considerations.

Matters to be Secured by Legal Agreement

8.90 In order to mitigate the impact of the development on the environment, infrastructure and services the following matters require to be secured by various legal agreements:

a) Financial contributions totalling £133,000 towards the delivery of active travel schemes in the vicinity of the site;

b) A wear and tear agreement covering use of the local road network during the construction period;

c) Compensatory woodland planting; and

d) A financial contribution towards the delivery of offsite woodland planting to ensure a minimum of 10% biodiversity net for this development.

The applicant has four months from the date that the Council's solicitor writes to the Applicant/Applicant's solicitor indicating the terms of the legal agreement or other appropriate mechanism to secure mitigation for the impacts of the development agreed by the Planning Authority, to deliver to the Council a signed legal agreement. Should an agreement or other appropriate mechanism to secure the mitigation agreed by the Planning Authority not be delivered within four months, the application may be refused under delegated powers.

9. CONCLUSION

9.1 The Scottish Government and the Council each have policies in support of projects which increase the capacity of the grid network to serve the community and in particular the significant level of investment in renewable energy. NPF3 justifies the need for such

investment highlighting such development as of national importance, with this also being reflected in the emerging draft NPF4.

9.2 Highland has been successful in attracting inward investment in renewables, enabled in part by a significant level of investment in the improvement of the electricity transmission network. This success has led to the Highlands having a good understanding of this type of project and this Council having appropriate policies and guidance to assist in its assessment, and to effectively manage their implementation on the ground. For example, the use of Construction and Environmental Management Documents "CEMD", a particular approach to assist with the implementation / management of such large-scale projects with a focus on environmental protection. There are investment benefits too that favour these projects, not just from the short term construction but a continued stream of investment assisting with apprenticeships schemes and partnership networks with local companies.

9.3 Statutory and other consultees responding to this application are generally supportive. Some have requested planning conditions to be attached to any grant of planning permission to effectively ensure that their specific interests are secured. The development has also raised limited public interest with only one objection having been received from Kilmorack Community Council. Whilst their concerns have assisted with the assessment of the application and considering the adequacy of the mitigation measures proposed, it is considered that there are no issues that merit the proposal to be re-located, re-configured or refused. The sites history of giving rise to operational noise complaints has fully informed the applicant's environmental assessment work undertaken, with the applicant having responded positively to all of the Council's Environmental Health Services requirements raised through pre-application consultation and during the course of the applications determination, with the development predicted to result in an overall decrease in operational noise from the site.

9.4 There are clear impacts that might be expected from this development, particularly during its construction. These can be managed through best practice construction management techniques to ensure surrounding interests, particularly road access and the amenity of local housing is safeguarded from the key impacts of the development; by planning conditions to strengthen and clarify the plans and supporting environmental information provided by the applicant. The proposal will also be overseen by an appointed Ecological Clerk of Works, including an arboricultural consultant, with any permission requiring regular compliance monitoring and ongoing engagement by means of the Community Liaison Group.

9.5 Under the provisions of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, the Council is required to reach a reasoned conclusion on the environmental impacts of the proposed development. The Council is satisfied that environmental effects of this development can be addressed by way of mitigation. The Council has incorporated the requirement for a schedule of mitigation within the conditions of this permission. Monitoring of construction and operational compliance has been secured through Conditions 4, 5, 6, 7, 8, 12, 15, 16 and 19 of this permission.

9.6 The application can be supported in the context of the Council's Development Plan and in particular it's HwLDP Policy 69 on Electricity Transmission Infrastructure and the

underlying support for renewable energy development which is consented in this area. All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

10. IMPLICATIONS

10.1 Resource: Not applicable

10.2 Legal: Not applicable

10.3 Community (Equality, Poverty and Rural): Not applicable

10.4 Climate Change/Carbon Clever: Not applicable

10.5 Risk: Not applicable

10.6 Gaelic: Not applicable

11. RECOMMENDATION

11.1 **Action required before decision issued:** Y

Notification to Scottish Ministers: N

Conclusion of Legal Agreement: Y

Revocation of previous permission: N

11.2 **Subject to the above actions**, it is recommended that planning permission be **GRANTED** subject to the following:

CONDITIONS AND REASONS

1. **Accordance with the Provisions of the Application**

The development shall be constructed and operated in accordance with the provisions of the Application, the Environmental Impact Assessment Report (EIAR) and Supplementary Environmental Information (SEI), except in so far as amended by the terms of this consent. The increased operational land associated with this substation shall be as per the application site boundary as identified on Plan 1 - Site Location, Dwg Ref LT93 BEAU 0802 0015, Revision 01, received by the Planning Authority on 21 October 2021, with this being the extent to which the statutory undertaker's permitted development rights apply under the terms of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, Class 40, Part (1)(d), (e) and (f).

Reason: To identify the extent and terms of the development consent.

2. **Elevation Details**

a) No development shall commence unless and until full details of the proposed Gas Insulated Switchgear (GIS) building and ancillary infrastructure hereby permitted,

have been submitted to and approved in writing by the Planning Authority. These details shall include:

i) The external materials, colours and finishes of all buildings, external plant or equipment and site fencing, with a non-reflective, semi-matte finish to be specified throughout; and

ii) Any variation to the fenestration, door or any window and ventilation specifications or dimensions set out on the application drawings;

b) No element of the development shall have any text, sign or logo displayed on any external surface of the facility, save those required by the applicant's safety systems and law under other legislation; and

c) Thereafter, the facility shall be installed in accordance with these approved details and, with reference to part (a) above, the facility shall be maintained in the approved colour, free from rust, staining or discolouration until such time as the development is decommissioned.

3. **Lighting**

Prior to the first commissioning of the development, details of any external lighting, or any externally visible internal building lighting, shall be submitted to and approved in writing with the Planning Authority. The lighting shall thereafter be constructed and maintained in accordance with the approved details.

Reason: In the interests of visual amenity, to minimise light pollution and to ensure the development does not have an adverse impact on nocturnal animals.

4. **Construction Environment Management Document**

No development shall commence until a Construction Environment Management Document (CEMD) has been submitted to and approved in writing by the Planning Authority, in consultation with SEPA, Environmental Health and other appropriate consultees as appropriate. The development shall then proceed in accordance with the approved CEMD unless otherwise agreed in writing by the Planning Authority. The CEMD shall include details of:

a) An updated Schedule of Mitigation (SM) as it relates to construction highlighting mitigation set out within each chapter of the Environmental Impact Assessment Report (EIAR), within the EIAR Supplementary Environmental Information (SEI), and the conditions of this consent;

b) Processes to control / action changes from the agreed SM;

c) Construction Environmental Management Plans (CEMPs) for the construction phase, covering:

i) Habitat and Species Protection, including a Badger Protection Plan;

ii) Pollution Prevention and Control;

iii) Dust Management, covering demolition and construction activity, including vehicle movements;

iv) Construction Noise and Vibration (refer to Condition 5);

v) Temporary Site Lighting;

vi) Site Waste Management;

vii) Surface and Ground Water Management, including: drainage and sediment management measures from all construction areas including access tracks; mechanisms to ensure that construction will not take place during periods of high flow or high rainfall; and a programme of water quality monitoring;

viii) Soil Management, with details of soil placement and measures to utilise the soils' existing seed base in the finalised landscaping plan;

ix) Public and Private Water Supply Protection Measures;

x) Emergency Response Plans;

xi) Timetable for post construction restoration / reinstatement of the temporary working areas and construction compound; and

xii) Other relevant environmental management as may be relevant to the development.

d) A statement of responsibility to 'stop the job/activity' if a breach or potential breach of mitigation or legislation occurs; and

e) Methods for monitoring, auditing, reporting and the communication of environmental management on site and with client, Planning Authority and other relevant parties.

Reason: To ensure protection of surrounding environmental interests and general amenity.

5. **Construction Noise Management Plan**

No development shall commence until a Construction Noise Management Plan (CNMP) which demonstrates how the developer will ensure the best practicable measures are implemented in order to reduce the impact of construction noise and vibration, is submitted to and approved in writing by the Planning Authority. The CNMP shall include, but is not limited to, the following:

a) A description of the most significant noise sources in terms of equipment; processes or phases of construction;

b) The proposed operating hours and the estimated duration of the works for each phase;

c) A detailed plan showing the location of noise and vibration sources and noise sensitive receptors; and

d) A description of noise mitigation methods that will be put in place including the proposals for community liaison. The best practice found in BS5228 Code of practice for noise and vibration control on construction and open sites should be followed. Any divergence requires to be justified.

Thereafter the development shall progress in accordance with the approved CNMP with all approved mitigation measures to be in place prior to the commencement of development, or as otherwise agreed in writing by the Planning Authority.

Reason: In the interest of safeguarding residential amenity.

6. **Ecological Clerk of Works**

No development shall commence until the Planning Authority has approved in writing

the terms of appointment by the applicant of an independent Ecological Clerk of Works (ECoW). The terms of appointment shall:

a) Impose a duty to monitor compliance with the ecological and hydrological commitments provided in the Environmental Impact Assessment Report, Supplementary Environmental Information and Construction and Environmental Management Document (CEMD) and other plans approved. This shall include, but is not limited to: undertaking a further pre-construction breeding bird and protected species site walkover survey; overseeing site construction tree protection and site lighting requirements to ensure lighting is directed away from trees to reduce disturbance to any foraging bats; and to monitor compliance with all pollution prevention measures including water quality monitoring ("the ECoW Works");

b) Require the ECoW to report to the applicant's nominated construction project manager any incidences of non-compliance with the ECoW Works at the earliest practical opportunity;

c) Require the ECoW to submit a report every three months to the Planning Authority and Planning Monitoring Officer, or monthly at the further written request of the Planning Authority, summarising progress with the development and environmental works undertaken on site;

d) Have power to stop to the job / activities being undertaken within the development site when ecological interests dictate and / or when a breach or potential breach of environmental legislation occurs to allow for a briefing of the concern to the applicant's nominated construction project manager; and

e) Require the ECoW to report to the Planning Authority any incidences of non-compliance with the ECoW Works at the earliest practical opportunity.

The ECoW shall be appointed on the approved terms throughout the period from pre-construction survey work ahead of the commencement of development, throughout any period of construction activity, ground reinstatement and landscaping and for one year post construction to undertake badger monitoring.

Reason: To secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the Development.

7. **Construction Traffic Management Plan**

No development shall commence until a Construction Traffic Management Plan (CTMP) to manage all construction traffic with the exception of abnormal indivisible loads, has been submitted to and approved in writing by the Planning Authority, in consultation with the local Roads Authority, and any affected local Community Councils. The CTMP shall be carried out as approved in accordance with the timetable specified within the approved CTMP. The CTMP shall include:

a) Identification of the routes to site for general construction traffic and details of the number and type of vehicle movements anticipated on these routes during the construction period;

b) Scheduling and timing of movements, respecting any large public event taking place in the local area which would be unduly affected or disrupted by construction vehicles using the public road network;

c) Traffic management measures on the routes to site for construction traffic. Measures

such as temporary speed limits, suitable temporary signage, road markings and the use of speed activated signs and banksman/escort details should be considered. During the delivery period of construction materials any additional signing or temporary traffic control measures deemed necessary due to the size or length of any loads being delivered or removed must be undertaken by a recognised Quality Assured traffic management consultant, to be approved by the Local Roads Authority before delivery commences;

d) Measures to mitigate the impact of general construction traffic on the routes to site following detailed assessment of the relevant roads;

e) A procedure for the regular monitoring of road conditions and the implementation of any remedial works required during the construction period;

f) Measures to ensure that all affected public roads are kept free of mud and debris arising from the development;

g) The provision of a wear and tear agreement under Section 96 of the Roads (Scotland) Act 1984 under which the developer will be responsible for the repair of any damage to the local road network attributable to construction related traffic. As part of the agreement, pre-start and post construction road condition surveys must be carried out by the developer to the satisfaction of the Roads Authority. It will also require the submission of an appropriate financial bond acceptable to the Council in respect of the risk of any road reconstruction works;

h) Provisions for emergency vehicle access;

i) A timetable for implementation of the measures detailed in the CTMP; and

j) Identification of a nominated person to whom any road safety issues can be referred and measures for keeping the Community Council informed and dealing with queries and any complaints regarding construction traffic.

Reason: In the interests of road safety and to ensure adequate road safety measures are in place including measures to minimise conflict with routes to schools, cyclists and local events.

8. **Abnormal Loads**

No delivery of abnormal indivisible load (AIL) shall be made to site until an Abnormal Indivisible Load Construction Traffic Management Plan (AIL-CTMP) has been submitted to, and approved in writing by, the Planning Authority, in consultation with the local Roads Authority, Transport Scotland, the Police and all affected Community Councils. The AIL-CTMP shall provide a detailed protocol for the delivery of AILs, including details of their proposed routing on the local and trunk road network, with any accommodation measures required, including the removal and replacement of street furniture, junction widening, and traffic management with these measures to be undertaken by a recognised Quality Assured traffic management consultant. The AIL-CTMP shall be prepared in consultation with all interested parties and thereafter be carried out as approved.

Reason: In the interests of road safety and to ensure that abnormal loads access the site in a safe manner.

9. **Construction Site Access and A831 Road Improvements**

a) No development shall commence until a plan detailing the extent of proposed improvements to the quarry construction access, as well as improvements to the A831 between the quarry access junction down to the A862, is submitted to and approved in writing by the Planning Authority, in consultation with the local Roads Authority. Thereafter, the improvement works shall be implemented either prior to the main construction works commencing on the substation, or within 4 months of the commencement of development, whichever is the sooner.

b) No construction vehicular access shall be taken via the northern site access until a plan detailing the extent of its proposed improvement is submitted to and approved in writing by the Planning Authority, in consultation with the local Roads Authority. Thereafter, the improvement works shall be implemented prior to the transportation of any Abnormal Indivisible Load to or from the site.

Reason: To ensure the road is enhanced and thereafter maintained to safely accommodate the increased traffic arising from the construction traffic associated with this development and existing road users.

10. **A831 40mph Speed Limit Extension**

No development shall commence until an extension to the existing 40mph speed limit on the A831 has been introduced between the quarry access and the junction with the A862 with this to be secured via Traffic Regulation Order(s) for the duration of the construction works.

Reason: In the interests of road safety and to accommodate the increased traffic arising from the construction traffic associated with this development.

11. **Recreational Access Management Plan**

No development shall commence until an updated Recreational Access Management Plan (RAMP) has been submitted to, and agreed in writing by, the Planning Authority. The updated plan should look to maintain public access during construction of the development, as far as it is practicable and safe to do so, and thereafter enhance public access during the operation of the development. This shall include delivering net improvements to the accessibility of access paths on completion of the development. The plan as agreed shall be implemented in full, unless otherwise approved in writing with the Planning Authority.

Reason: In the interests of maintain public access rights and pedestrian safety.

12. **Tree Protection and Landscape Planting**

a) With effect from the date of this permission, no trees are to be cut down, uprooted, topped, lopped (including roots) or wilfully damaged in any way, without the prior written permission of the Planning Authority.

b) Prior to any site excavation or groundworks, an updated Tree Protection Plan (TPP) is to be submitted to and subsequently approved in writing by the Planning Authority, in accordance with BS 5837:2012. All retained trees are to be protected against construction damage using protective barriers located as per the TPP. Barriers are to remain in place throughout the construction period and must not be moved or removed without the prior written approval of the Planning Authority.

c) A suitably qualified Arboricultural consultant must be employed to ensure that the approved Tree Protection Plans and Arboricultural Method Statement (AMS) are implemented to the agreed standard. Stages requiring supervision are to be set out in an Arboricultural Supervision Statement for the written agreement of the Planning Authority and certificates of compliance for each stage are to be submitted for approval.

d) No development shall commence until a finalised detailed Landscape Plan and maintenance programme have been submitted to and approved by the Planning Authority. The Landscape Plan shall be implemented in full during the first planting season following completion of GIS building's ground enabling works, or as otherwise agreed in writing by the Planning Authority. The Landscaping Plan shall ensure that the site is effectively screened from road users of the A831 for at least a height of 2m above the existing road level via a combination of natural and man-made features, with this to be maintained throughout the operational lifetime of the development.

Reason: In order to safeguard existing trees, ensure that a high standard of landscaping is achieved appropriate to the location of the site and in order to mitigate the visual impacts of the development for users of the A831.

13. **Compensatory Planting**

No development shall commence until a detailed Compensatory Planting Plan (CPP) is submitted to and approved in writing by the Planning Authority, in consultation with Scottish Forestry. The CPP must include: the commitment to replant an area (minimum of 0.38ha) equating to the area of permanent woodland lost to accommodate the proposed development; the design of planting; timing of delivery; and ongoing management and maintenance arrangements. The approved CPP shall be implemented in full and in accordance with the approved timing, unless otherwise agreed in writing by the Planning Authority.

Reason: To enable appropriate woodland removal to proceed, without incurring a net loss in woodland related public benefit, in accordance with the Scottish Government's policy on the Control of Woodland Removal.

14. **Biodiversity Net Gain**

No development shall commence until a Biodiversity Net Gain Planting Plan (BNGPP) is submitted to and approved in writing by the Planning Authority. The BNGPP must include: the commitment to replant an area (minimum of 3.0ha) to ensure the development results in at least 10% biodiversity net gain; the design of planting; timing of delivery; and ongoing management and maintenance arrangements. The approved BNGPP shall be implemented in full and in accordance with the approved timing, unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure that the development delivers biodiversity net gain.

15. **Operational Management Plan**

Prior to the energisation of the development, a site Operational Management Plan shall be submitted to, and approved in writing by the Planning Authority in consultation with SEPA, Environmental Health and other appropriate consultees as appropriate. This

plan shall detail:

a) An updated Schedule of Mitigation (SM) as it relates to the operational phase of the development highlighting mitigation set out within each chapter of the Environmental Impact Assessment Report (EIAR), within the EIAR Supplementary Environmental Information (SEI), and the conditions of this consent;

b) Processes to control / action changes from the agreed SM;

c) The 132kV Gas Insulated Switchgear (GIS) building utilising Sulphur Hexafluoride (SF6) free technology, with Siemens Blue clean air to be used, or an equally suitable environmentally friendly alternative subject to the prior written approval of the Planning Authority;

d) Landscape management and drainage maintenance;

e) Operation water quality monitoring to be undertaken 1 year post energisation of the development and thereafter, at 5 yearly intervals until completion of site decommissioning with the findings to be reported to the Planning Authority and SEPA; and

f) The provision and maintenance staff parking areas, including the provision of one disabled parking space and at least one electronic vehicle charging point.

Thereafter, the OEMP shall be implemented in accordance with the approved details form first commissioning of the development until the cessation of the use of the development, unless otherwise agreed in writing by the Planning Authority.

Reason: In the interest of environmental amenity, pollution prevention, maintaining water quality, and provision of adequate parking and charging facilities.

16. **Operational Noise Specifications and Monitoring**

a) The development shall progress in accordance with the approved EIAR Noise Impact Assessment and the Supplemental Environmental Information. All approved mitigation measures shall be implemented prior to the first commissioning of the development and thereafter maintained in perpetuity.

b) Prior to the commencement or any works, the specification for the proposed transformer noise enclosures, which demonstrate the noise attenuation of the enclosures at 100Hz will be at least 20dB, shall be submitted to, and approved in writing by the Planning Authority.

c) Prior to the commencement of any works, the specification for the proposed cooling fans, which demonstrate that sound power level will not exceed 75dB, shall be submitted to, and approved in writing by the Planning Authority.

d) Within 4 weeks of the energisation of the development, the applicant shall carry out compliance monitoring which shall be undertaken by a suitably qualified and competent acoustic consultant.

Within 4 weeks of the monitoring being completed, a noise assessment report shall be submitted for the written approval of the Planning Authority. The noise assessment shall compare the actual noise level with the predicted noise levels with EIA Section 11 - Noise and the measured noise levels in “Control System modifications of the 2021 – Noise Impact Report.” by Wood Group - Section 4, Table 4-1 and Table 4-2. In so doing the report shall demonstrate the noise emitted from

the substation has not exceeded the pre-development noise levels at any of the noise sensitive receptors.

If the noise level exceeds the pre-development levels, the noise assessment shall include scheme of mitigation including timescales for the implementation of the mitigation. Thereafter any mitigation measures shall be implemented in accordance with the approved scheme and timescales.

Prior to undertaking any compliance monitoring, details of the proposed compliance monitoring shall be submitted to and agreed in writing by the Council's Environmental Health Service, with the expectation being that noise monitoring will be undertaken for a period of at least 2 weeks to ensure sufficient data is obtained.

Reason: In the interest of safeguarding residential amenity.

17. **Archaeology**

No development or work (including site clearance) shall commence until a programme of work for the survey, evaluation, preservation and recording of any archaeological and historic features affected by the proposed development/work, including a timetable for investigation, has been submitted to, and approved in writing by, the Planning Authority. The approved programme shall be implemented in accordance with the agreed timetable for investigation.

Reason: In order to protect the archaeological and historic interests of the site.

18. **Community Liaison Group**

No development shall commence until a community liaison group is established by the applicant, in collaboration with the Planning Authority and affected local Community Councils.

The group shall act as a forum for the community to be kept informed of project progress and, in particular, should allow advanced dialogue on the provision of all transport related mitigation measures and to keep under review the timing of the delivery of abnormal loads and performance of the Construction Traffic Management Plan.

This should also ensure that local events and tourist seasons are considered and appropriate measures to co-ordinate deliveries and work with these and any other major projects in the area to ensure no conflict between construction traffic and the increased traffic generated by such events / seasons / developments.

The liaison group, or element of any combined liaison group relating to this development, shall be maintained until the construction of the development and all site infrastructure becomes fully operational.

Reason: To assist project implementation, ensuring community dialogue and the delivery of appropriate mitigation measures for example to minimise potential hazards to road users, including pedestrians, travelling on the road networks.

19. **Planning Monitoring Officer**

No development shall commence until the Planning Authority has approved in writing the terms of appointment by the applicant of a suitably qualified environmental specialist to assist the Planning Authority in monitoring compliance with the planning permission

and conditions attached to this consent. The terms of Planning Monitoring Officer (PMO) appointment shall:

a) Impose a duty to monitor compliance with the planning permission and conditions attached to this consent;
b) Require the PMO to submit a report at least every three months to the Planning Authority, or monthly at the further written request of the Planning Authority, summarising works undertaken on site; and
c) Require the PMO to report to the Planning Authority any incidences of non-compliance with the planning permission and conditions attached to this consent at the earliest practical opportunity.

The PMO shall be appointed on the approved terms throughout the period from the commencement of development to completion of post construction restoration works.

Reason: To enable the development to be suitably monitored to ensure compliance with the consent issued.

REASON FOR DECISION

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

REASONED CONCLUSION

The Council is in agreement with the findings of the Environmental Impact Assessment Report and Supplementary Environmental Information that: Beauly Substation - Reinforcement and extension of existing 132kV substation, including decommissioning and replacement of key equipment including provision of 3 new transformers with noise enclosures, associated platform extension and GIS building, access, landscaping and ancillary work, is unlikely to give rise to any new or other significant adverse impact on the environment. The exceptions being, the potential to give rise to significant adverse visual impacts in the immediate vicinity for users of the A831 and at Wester Balblair, as well as potential significant adverse impacts for badger due to habitat loss. These effects would however by sufficiently localised and would be mitigated to an acceptable degree. The Council is satisfied that all other environmental effects of this development can be addressed by way of mitigation. The Council has incorporated the requirement for a schedule of mitigation within the conditions of this permission. Monitoring of construction and operational compliance has been secured through Conditions 4, 5, 6, 7, 8, 12, 15, 16 and 19 of this permission.

TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

FOOTNOTE TO APPLICANT

INFORMATIVES

Initiation and Completion Notices

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.

2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

Flood Risk

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (paragraph 259), planning permission does not remove the liability position of developers or owners in relation to flood risk.

Scottish Water

You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

Septic Tanks & Soakaways

Where a private foul drainage solution is proposed, you will require separate consent from the Scottish Environment Protection Agency (SEPA). Planning permission does not guarantee that approval will be given by SEPA and as such you are advised to contact them direct to discuss the matter (01349 862021).

Contaminated Land

There is the potential for contamination at this site due to its use as a Substation. As the proposed development would not appear to materially change the risk of potential contamination at the site, an investigation is not required at this stage. However, please be aware of potential health and safety issues for site workers and be advised that all sites with a former industrial/commercial use have been prioritised by the Highland Council under duties conferred by Part IIA of the Environmental Protection Act 1990 and may require investigation in the future. In addition, land contamination issues may affect property value. Should you wish to discuss potential contamination issues or commission your own investigation, please contact Community Services, Contaminated Land for advice.

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as road construction consent, dropped kerb consent, a road openings permit, occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements

may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at: http://www.highland.gov.uk/yourenvironment/roadsandtransport

Application forms and guidance notes for access-related consents can be downloaded from:

http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_for_working_on_public_roads/2

Mud and Debris on Road

Please note that it an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

Construction Hours and Noise-Generating Activities

You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact env.health@highland.gov.uk for more information.

Protected Species – Halting of Work

You are advised that work on site must stop immediately, and NatureScot must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from NatureScot: https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species

Signature: David Mudie

Designation: Area Planning Manager – South

Author: Peter Wheelan

Background Papers: Documents referred to in report and in case file.

Relevant Plans:

Document Type	Document No	Version No	Date Received
Plan 1 – Site Location	LT93 BEAU 0802 0015	01	21.10.2021
Plan 2 – Site Plan As Existing	LT93 BEAU 0802 0016	02	21.10.2021
Plan 3 – Site Plan As Proposed	LT93 BEAU 0802 0018	02	21.10.2021
Plan 4 – Electrical Layout As Proposed	LT93 BEAU 1104 0020	01	21.10.2021
Plan 5 – GIS and Control Building Elevations As Proposed	LT93 BEAU 0805 0011	01	21.10.2021
Plan 6 – Site Elevation As Existing	LT93 BEAU 0802 0023	-	21.10.2021
Plan 7 – Site Elevation As Proposed	LT93 BEAU 0802 0022	01	21.10.2021
Plan 8 – Site Sections As Proposed	LT93 BEAU 0802 0019	01	21.10.2021
Plan 9 – GIS Building Indicative Cross Section	EIAR Figure 3.2	-	21.10.2021
Plan 10 – Typical Supergrid Transformer and Noise Enclosure Detail	LT93 BEAU 1108 0001	01	21.10.2021
Plan 11 – Outline Landscape and Ecological Mitigation Plan (Site)	EIAR SEI Figure 6.4	-	01.03.2022
Plan 12 – Outline Landscape and Ecological Mitigation Plan (Site Entrance)	EIAR SEI Figure 6.4a	-	01.03.2022
Plan 13 – Visual Receptors and Viewpoint Locations	EIAR Figure 6.3	-	21.10.2021

Appendix 1 – Letters of Representation

None