Agenda Item	3.2
Report No	HC-11-22

HIGHLAND COUNCIL

Committee:	The Highland Council
Date:	29 June 2022
Report Title:	21/05536/FUL: Scottish Hydro Electric Transmission Plc
	Land 500M West of Philips Mains, Mey
Report By:	Area Planning Manager – North

Purpose / Executive Summary

- **Description:** Mey Switching Station Construct and operate a 132 kilovolt (kV) switching station and associated infrastructure
- Ward: 01 Wick and East Caithness

Development category: National Development

Pre-Determination Hearing: Yes

Pre Meeting Site Visit: No

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 construction of a nine bay 132kV Gas Insulated Switchgear (GIS) Switching Station, Mey Bay. The switching station will be connected to an existing substation at Thurso South via a new 132kV radial circuit overhead line. This was consented by the Scottish Ministers in 2016 (THC ref.15/04103/S37).
- 1.2 The proposed development will be sited on part of a wider site that has planning permission for a larger substation (ref. 15/03392/FUL). However, the larger substation is no longer required due to a lower level of new electricity generation being brought forward. The existing consent was due to expire in January 2021; however, the Coronavirus (Scotland) Act 2020 and subsequent extensions means that any planning permission that would have expired during the 'emergency period' was extended. As such the existing consent is due to expire in September 2022.
- 1.3 This scheme is now proposed to comprise the erection of a new switching station and associated infrastructure. The works are located primarily where the consented substation was to be sited to the northern boundary of the site and comprise the following main elements:
 - 0.72ha development platform measuring 90m x 80m at approximately 47.9 Above Ordnance Data (AOD);
 - 132 kV / 33 kV GIS building, measuring 39m x 28m x 17m (height) containing loading bay, cable hall, store rooms, mess room, wc, telecoms room, control room, battery room, LVAC room and switchgear hall;
 - diesel generator;
 - temporary construction lay down area measuring 100m x 100m;
 - approximately 90m of new access road (5m width);
 - 2.4m high steel palisade security fence to surround the switching station building with gated access at the road exist;
 - a post and wire fence around the switching station site boundary;
 - removal of approximately 8.2ha of forestry and replanting;
 - landscaping;
 - cctv;
 - landscaping; and
 - sustainable drainage system (SuDs).
- 1.4 The applicant has stated that given the proximity of the proposed development to the coast, the electrical infrastructure will be enclosed within a building to protect the equipment from possible corrosion caused by salt in the atmosphere. Within the building would be Gas Insulated Switchgear (GIS) using SF6 or a suitable alternative. These gases provide the phase to ground insulation. As the dielectric strength is higher than air, the clearances required around the infrastructure inside the building is smaller. Therefore, the overall size of .lequipment and the completed switching station can be reduced substantially, when compared to the footprint required for conventional Air Insulated Switchgear (AIS) systems.

- 1.5 The formation of the platform will require a cut and fill exercise prior to construction of any building or infrastructure. The indicative cut and fill volumes which are anticipated to be generated as part of construction are:
 - removal of 11,500m³ of peat and soft clay
 - fill of 33,000m³

The applicant anticipates that all material extracted will be reused on-site in the preparation of the switching station platform and in the surrounding areas. Landscape bunds will be sympathetically designed to fit into the site and the location and details of these will be provided at detailed design stage. An earth bund is proposed to be situated along the east and southern perimeter of the proposed switching station platform, comprising of the excavated material. The approximate dimensions of the proposed bund are 204m long, 12m wide, and 3.5m high. The final shape and dimensions would be determined at the construction stage by the contractor, in consultation with the Council.

- 1.6 The site will be accessed via an existing access track, which runs in a southeasterly direction from the C1033 for approximately 900 m, parallel to the existing forestry blocks and fields to the east. Some marginal widening of the existing access track, to a width of 5 m, will likely be required to accommodate the construction of the proposed development. A temporary access track will be created along the southern boundary of the site to allow access to the temporary compound and laydown area. The temporary track will be reinstated on completion of the proposed development to grassland. Construction traffic is likely to approach the site from the A9 at Thurso and then follow the A836 in an eastern direction for approximately 21.7 km, before heading south then west on an unnamed road for approximately 2.5 km to the western side of the proposed switching station, where vehicles would access the construction compound via the temporary access road.
- 1.7 A short section of new access track would also be required to connect the existing access track to the internal Site access roads This new permanent access track would be 5 m in width and would run in a westerly direction from the switching station platform for approximately 90 m, connecting to the existing access track at a location approximately 0.6 km south-east of the junction with the C1033.
- 1.8 An emergency standby diesel generator would be located on the platform to the south of the proposed switching station building. The diesel generator would only be used in the event of power failure to the proposed switching station and is anticipated to have a generating capacity of 250 KW. A standard diesel generator unit comes in a high security container with self-contained diesel fuel tank that is double skinned, and will be placed on a concreate plinth.
- 1.9 CCTV cameras and security lighting would be installed throughout the site to deter vandalism and other crime. Motion activated lighting would be installed, sufficient to facilitate safe normal access/egress of the switching station during the hours of darkness.
- 1.10 A temporary compound and laydown area is proposed to facilitate the construction of the proposed development and would incorporate temporary facilities such as boundary fencing, security lighting, parking for construction workers, site storage

and site facilities such offices, welfare and toilet facilities, skips etc. An indicative construction laydown area 100 m x 100 m has been identified as part of the proposal which would be located to the north-east of the switching station platform as shown on Figure 3.1.

- 1.11 The proposed works includes the removal and replanting of the forested area in the northern section of the site. The replanting of the trees, along with the landscaped bund, will provide screening of the development in the future. The replanting includes a management plan for the operational life of the development. The landscaping proposed is intended to mitigate specific views toward the proposed development (refer to Figure 3.3). The wider landscaping includes strategically located bunds to aid with visual screening of the proposed switching station building. There will be four bunds in total, details of which are set out below:
 - Bund surrounding proposed switching station 100 m x 12 m x 3.5 m
 - Bund to the north-west of the detention basin 85 m x 6 m x 1.75 m
 - Bund to the south of West Lodge 48 m x 6 m x 1.75 m
 - Bund to the south of Woodlands 36 m x 6 m x 1.75 m

The wider landscaping plans include the replanting of the on-site forest, including compensatory tree planting with the applicant also committing to the project achieving biodiversity net gain through enhancement and aiding biodiversity.

- 1.12 It is proposed that the surface water runoff from the proposed development would be attenuated and treated using a sustainable drainage system (SuDS), prior to discharge to a local watercourse and thereafter to an unnamed lochan to the west of the site.
- 1.13 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 works may continue outwith these hours but would be limited to include electrical and mechanical fit out, i.e. non-noise generating works. Any variation to working hours for construction audible at the site boundary would require to be agreed in advance with the Planning Authority. As there would be no transformers on the site there would be no operational noise sources.
- 1.14 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'.
- 1.15 The applicant utilised the Highland Council's Pre-Application Advice Service in 2012 (12/01786/PREAPP). The pre-application response outlined advice in relation to the original larger proposal. It set out that the proposal would be broadly supported subject to the satisfactory resolution of the points raised within the Pre-Application Advice Pack in relation to:
 - visibility of the development from roads and settlements;
 - visibility of access road/bellmouth to other road users;
 - design of buildings, bunding, fencing and screen planting;

- future security of screening from the existing plantation
- space within development site for appropriate drainage.
- 1.16 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 17 and 18 February 2021. Owing to the Covid-19 restrictions and the request of the Planning Authority, the applicant sought to notify local residents situated immediately north of the site. The applicant visited the local residents on 14 October 2021. The applicant also raised awareness of these events by notifying the host Community Council, and placing statutory newspaper adverts.
- 1.17 The application is supported the following supporting documents:
 - Environmental Appraisal (with chapters on Site Selection; Proposed Development; Consultation; Landscape and Visual Appraisal; Cultural Heritage and Archaeology; Ecology; Ornithology; Hydrology; Transport and Access; and Mitigation Schedule
 - Pre-Application Consultation Report (PAN)
 - Technical Appendices
 - Visualisations
 - Biodiversity Net Gain Assessment
 - Design and Access Statement
 - Switching Station Board
- 1.18 No variations were made to the proposed development during the application's determination. However, supplementary additional information was submitted and includes:
 - Visualisations

2. SITE DESCRIPTION

- 2.1 The 16.1ha site is located approximately 2.6km south-west of Gills village, with the hamlet of Mey located approximately 960m to the north-west. The site lies in a flat area of rough grassland surrounded predominantly to the north, northwest and west by forestry plantations. The site sits within a small-scale pattern of settlements, isolated dwellings and farmsteads. The surrounding area is relatively remote and rural in nature.
- 2.2 The forestry plantation to the north / northwest boundary separates the site from the C1033 public road. The remainder of the site is bounded by agricultural land. An existing access road from the C1033 to Hollandmey Mains forms the western boundary to the site. The landform rises gently to both the south-east and southwest. The application site area includes all land required to accommodate construction, landscaping, access, buildings and electrical infrastructure. The switching station and associated infrastructure will be sited within poorer quality agricultural land.

- 2.3 There are no natural, built or cultural heritage designations on the site or in the immediate vicinity of the site. The nearest designated sites for nature conservation are a woodland located 1km east of the site, designated as Philips Mains Mire Site of Special Scientific Interest (SSSI) and approximately 1.8km from Caithness Lochs Special Protection Area (SPA)
- 2.4 There are however undesignated built heritage records where three heritage assets have been identified within the applicant's Inner Study Area. This includes 2 quarries and an area that was formally used for peat cuttings.
- 2.5 The Inner Study Area is composed of a rectilinear field, enclosed during the 18th and 19th century, with an area of modern commercial forestry in the northern part of the Site. The Inner Study Area is shown on Roy's 'Military Survey of Scotland' map (1747-55) as being moorland to the south of areas of cultivation surrounding farmsteads at 'Mey' and 'Gills'. The farmsteads of Mey and Gills are shown on the Ordnance survey first edition map (1877) suggesting a continuity of occupation and evolving agricultural land-use from at least the 18th century onwards. Examination of historic maps and historic vertical aerial photographs (from 1946 to 1988) shows that the land has been improved since the 19th century and is now in use as an improved pasture field surrounding Philips Main farm. Former peat cuttings (3) visible on vertical aerial photographs, within what is now an area of modern commercial forestry, suggests that some deposits of peat may survive in the area. The Environmental Appraisal (EA) records that, on average, the peat depth across the farmland within the Site is no more than 0.45 m and it is therefore possible that accumulated peat in this area of the Inner Study Area may preserve archaeological remains beneath it.
- 2.6 Analysis of the Highland Council Historic Environment Record (HER) shows that there is a distribution of identified prehistoric sites surrounding the Inner Study Area. These recorded sites include:
 - two possible Iron Age broch sites at Hollandmey (MHG 2251), 1 km to the south, and Gills (MHG 1722), 2 km to the east;
 - a prehistoric (Neolithic/Bronze Age) burial cairn, 'Cairn O'Mey' (MHG 2252),
 1.2 km to the north, close to Castle of Mey;
 - a Neolithic chambered cairn (MHG 1984) at Inkstack, 3 km to the southwest; and
 - artefact find-spots, a Bronze Age sword (MHG 2242) and rapier (or dirk) (MHG 2243), uncovered close to Mey in the early-20th century, 1 km to the north.

Although many of these features and artefacts no longer survive as in situ remains, they indicate that the coastal areas around Mey and Gills have indeed been a focus for settlement and activity from the early prehistoric period onwards.

- 2.7 Within 3km of the site there are four designated heritage assets:
 - Scheduled Monument, Mey Battery (SM 13649);
 - Category A Listed Building, Castle of Mey (LB 1797);

- Category B Listed Building, Castle of Mey Gate Lodge and Gate Piers (LB 1798);
- Inventory Garden and Designed Landscape (GDL), Castle of Mey GDL (GDL 96).

The Bare-Earth ZTV (refer to Figure 6.2: Cultural Heritage Assets within the Outer Study Area) indicates that there is predicted bare-earth visibility of the Proposed Development from two of these heritage assets: Castle of Mey GDL (GDL 96) and Category B Listed Castle of Mey Gate Lodge and Gate Piers (LB 1798).

- 2.8 Two additional heritage assets, Earl's Cairn Chambered Cairn (SM 449) and Thomsonsfield Broch (SM 588), lie beyond the Outer Study Area, but have been identified by Historic Environment Scotland.
- 2.9 The nearest noise sensitive receptors have been identified as West Lodge West Lodge (15m to the north of the site), Woodlands (14m to the north of the site), Bruach House (110m to the north of the site) and Philip Mains (340m south east of the site).
- 2.10 The site will utilise an existing access and has been designed to be accessible to authorised persons with clearance to access a live switching station only. The applicant has confirmed that no public access will be authorised. This will be secured through appropriate fencing as the proposal is such that it is required to be secure from the public given health and safety risks of open public access.
- 2.11 The site contains existing drainage channels which could be used for a controlled discharge of surface water from the site. No watercourse crossings are anticipated during the construction or operation of the proposed development. Based on indicative flood risk mapping produced by SEPA, the site has the potential to be at risk of flooding in a fluvial 1 in 200 year plus climate change flood event. The flood risk is limited to the south west of the site on the edge of the existing forestry where there is two areas of ponding. There are small pockets of the site that has potential to be at pluvial flood risk in a 1 in 200 year plus climate change flood event.
- 2.12 According to the BGS, the proposed development is underlain by Middle Old Red Sandstone (refer to Figure 9.2). The Site is overlain by superficial peat and till deposits. According to the NatureScot (SNH) Carbon and Peatland mapping 2016, the Site contains an area of Class 1 peatland in the north east corner and along the western margin of the Site. The remainder of the Site is Class 5 peatland. A Class 5 designation is applied where soil information takes precedence over vegetation data with no peatland habitat recorded. These areas may also include areas of bare soil. The National Soil Map of Scotland illustrates that the northern area of the site is covered by blanket peats, while the southern area of the Site contains mineral gleys. The 2015 EA was informed by a preliminary ground investigation (undertaken by Waterman) in 2011 and subsequent site investigation in 2012 (undertaken by Waterman). The results of the investigation indicated:
 - the site is overlain with a mixture of peaty topsoil and clay with areas of deeper peat to the north and silt and sandy soils to the west;
 - the bedrock was identified as sandstone with mudstone in the east of the

Site;

- initial evaluations identified peat deposits along the woodland boundary. This suggests the possibility of small-scale peat deposits in the north of the Site; and
- no significant peat thickness on the development platform area was recorded, with peat not exceeding 0.60 m and in general less than 0.40 m thick. The average depth of peat over the substation area was 0.45 m. Some deeper peat was present along the southern section of the eastern access track, reaching 2.80 m.

Any peat soils at the location of the proposed development are considered to be of 'low' sensitivity as they are classified as Class 5 peatland.

- 2.13 The site has been subject of an Ecological Appraisal, as well as a Biodiversity Net Gain (BNG) Assessment. It was concluded that the proposed development would be located in an upland grazing field, over habitats including acid grassland, neutral grassland, wet modified bog and acid flush. The fields are bordered to the north by an area of conifer plantation and to the west an area of bog habitat with planted conifers and broadleaved woodland. Otter and pine marten signs were recorded around the site, these species are assumed to be present within the site although no field signs were recorded within the site.
- 2.14 Incidental ornithological records and a desk-based assessment were utilised to establish the ornithological baseline for the site. It concluded that the proposed development could result in the disturbance of wintering wildfowl associated with the surrounding designated sites. Greenland-white-fronted goose, greylag goose and whooper swan could all be impacted by the proposed development as these species a qualifying features for designated sites within commuting distance of the site. Construction impacts on bird nests also has the potential to result in significant impacts on breeding birds.
- 2.15 The Biodiversity Net Gain (BNG) assessment shows that with the proposed landscape design, it is possible for the proposed development to achieve net biodiversity increases of 2% for area-based habitats. Although there will be no net loss for biodiversity, 2% increase is low and it would be expected that a minimum of 10% biodiversity gain is achieved, this will be secured through planning condition. This would primarily be achieved through the newly planted mixed woodland, which must reach a good target condition upon maturing in order for the site to achieve no net loss.
- 2.16 NatureScot's Landscape Character Assessment (LCA) identifies the site as falling partly within the Landscape Character Type (LCT) 143 Farmer Lowland Plain with a small pocket on the southwestern boundary lying with LCT 134 Sweeping Moorland and Flows. There are no designated landscapes covering the site or in vicinity of the site which may be affected.
- 2.17 Recreational interests in the surrounding area principally include walking and cycling. There are 6 core paths in vicinity of the site.

3. PLANNING HISTORY

- 3.1 26.06.2012 12/02137/SCRE Construct a new 132kV/33kV EIA not substation and associated infrastructure. EIA not required required.
- 3.2 10.03.2014 14/00972/PAN Erection of 132/33kV Insulated Reported to Switchgear Substation NPAC
- 3.3 30.11.2015 15/04103/S37 Erect a 132kV AC overhead, double Approved by circuit, steel lattice tower, transmission line between Scottish the proposed Sealing End Tower at Weydale and Ministers the proposed Sealing End Tower at Reaster, Caithness. The Highland Council is a consultee to this application, the determining body is the Scottish Government Energy Consents Unit. This case remains under live consideration.
- 3.4 05.01.2016 15/03392/FUL Formation of development platform Permission and erection of 132/33kV Gas Insulated Switchgear Granted (GIS) substation and associated development consisting of transformer builidings, site access, SUDS and foul drainage infrastructure, temporary compounds, security fencing and landscaping.
- 3.5 25.03.2020 20/01258/SCRE Request for EIA Screening Opinion EIA Required - Development of data centre
- 3.6 24.11.2020 20/04299/PAN Formation of development platform Reported to and erection of 132kV switching station and NPAC associated development including switchgear building, site access, SUDS and drainage, security fencing, temporary compound and landscaping
- 3.7 26.11.2020 20/04562/SCRE Construct and operate a 132 EIA not kilovolt (kV) switching station and associated Required infrastructure
- 3.8 21.10.2021 21/04850/SCRE Construct and operate a 132 EIA not kilovolt (kV) switching station and associated Required infrastructure

4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown Neighbour
 Date Advertised: 10.12.2021 John O'Groat Journal
 Representation deadline: 10.04.2022

Timeous representations: 1 General Comment

4.2 Material considerations raised: Concerns in relation to the location of the access.

5. CONSULTATIONS

- 5.1 **Dunnet Heat and Canisbay Community Council** did not respond to the consultation
- 5.2 **Contaminated Land Officer** does not object to the application. Their response confirms that there does not appear to be a potential source of contamination onsite. Therefore, no further action is required. An informative on any decision notice is advised 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.
- 5.3 **Environmental Health Officer** does not object to the application subject to appropriate conditions to limit any noise. The applicant provided a noise assessment for the existing consent for a larger substation on this site (ref. 15/03392/FUL) that demonstrated noise would not exceed the background level. This is a much smaller development and as such the applicant has scoped out noise from further consideration.
- 5.4 **Flood Risk Management Team** do not object to the application. It has highlighted that the proposed development would be classed as essential infrastructure, and as a result is required to remain operational in a flood event. Based on the level of the substation platform and the anticipated level of flooding, it considers that flooding is unlikely to cause an operational risk. In relation to drainage, it is content wit the principles of the drainage proposals but requests a condition to secure final details of the drainage arrangement to be secured by condition.
- 5.5 **Forestry Officer** does not object to the application. It requests conditions to secure the long term screening of the proposed development.
- 5.6 **Historic Environment Team (Archaeology)** do not object to the application. It confirms that no significant impacts are identified but in order to evaluate the potential for the survival of buried remains, it recommends that sample trenching is carried out in advance of any consented construction. A condition is required to secure and implement a programme of work for the survey, evaluation, preservation and recording of any archaeological and historic features affected by the proposed development.
- 5.7 **Transport Planning** do not object to the application. It notes that there will be a reduction in generated construction traffic when compared to the previously consented development (ref. 15/03392/FUL). The site is accessed from the A836 onto the U11633 and then the C1033 where the site takes access. The C1033 forms part of the National Cycle Route 1. The U1633 and the C1033 are single track roads with passing places suitable for cars only. These minor routes are unlikely to be built to modern construction standards and will typically experience low traffic flows. Concerns were raised previously by Transport Planning regarding surface cracking suggesting weakness in the foundation with mitigation noted as required to facilitate construction / abnormal vehicle movements. Further detail of the site access including provision and maintenance of the visibility splay is requested as is consideration of an un-laden trial run for the abnormal load route utilising the A836, U1633 and the section of the C1033. Conditions similar to those

imposed on the previous consent should be attached to any new consent 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; general construction traffic; abnormal loads; a Construction Traffic Management Plan; Road Mitigation Schedule of Works; and, a Section 96 Wear and Tear Agreement.

- 5.8 **Highlands and Islands Airports Limited** do not object to the application. Given position and height, this development would not infringe the safeguarding criteria for Wick Airport.
- 5.9 **Historic Environment Scotland** do not object to the application. No significant effects on historic environment assets in their remit have been identified.
- 5.10 **Ministry of Defence (Defence Infrastructure Organisation)** do not object to the application. The application is outside of Ministry of Defence safeguarding areas.
- 5.11 **National Air Traffic Services Safeguarding (NATS)** do not object to the application. The application does not conflict with their safeguarding criteria.
- 5.12 **NatureScot** do not object to the application. It advises that the proposed development may impact Caithness Lochs Special Protection Areas (SPA) unless appropriate mitigation is secured. The proposed development is likely to have a significant effect on Greenland white-fronted goose of the SPA. Consequently, an appropriate assessment is required. NatureScot has set out the mitigation required to ensure that the proposal will not adversely affect the integrity of the site. This mitigation can be secured through planning conditions.
- 5.13 **Scottish Environment Protection Agency (SEPA)** does not object to the application. It notes that the biodiversity net gain assessment identifies that an area of 'irreplaceable habitat 0.48ha blanket sphagnum' is to be left untouched and that the following enhancements are proposed:
 - wet modified bog and flush and spring enhanced from low to moderate status;
 - coniferous woodland felled and re-stoked to biodiverse woodland

It requests that these enhancements are secured via an appropriate planning conditions or measures.

- 5.14 **Scottish Water** do not object to the application. 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.
- 5.15 **Transport Scotland** does not advise against the granting of planning permission

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
- 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
- 77 Public Access

Caithness and Sutherland Local Development Plan

6.3 The site is not covered by any specific development allocation or safeguarding notation within the CaSPlan. However, a main strategy of the plan is to support and enable a High Voltage Transmission Network (as identified in NPF3), recognising the strategic need and where relevant national priority of some schemes, whilst carefully consideration route options and detail of proposals, promoting optimisation of the network to achieve significant benefits with limited impacts through a co-ordination approach and smart solutions.

Highland Council Supplementary Guidance

- 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

Scottish Government Planning Policy and Guidance

7.1 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.

- 7.2 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.
- 7.3 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.
- 7.4 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

- 7.5 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
 - 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
 - I) Economic Impact
 - m) Other Material Considerations

Development Plan

- 8.4 The Development Plan comprises the adopted Highland-wide Local Development Plan (HwLDP), Caithness and Sutherland Local Development Plan (CaSPlan) and all statutorily adopted supplementary guidance. The CaSPlan recognises the growing settlement boundaries of Dunnet and John O'Groats which the proposed development lies between. The CaSPlan identifies future land allocations for development around theses growing settlements. These allocations lie away to the east and west of this site and there are no site specific CaSPlan 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 application 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.
- 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 control building which would sited to the south eastern boundary of the site. To facilitate the proposed development the woodland to the north of the site would be lost but then replanted. The majority of the site does however comprise previously undeveloped 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;
 - o 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

- 8.13 There has been a sustained increase in renewable energy generation in the Highland area which is resulting in further infrastructure being required to cope. The need for additional capacity on the network is the reason for this development. A review of the asset condition and future requirements have resulted in the now proposed scheme which is reduced in scale compare to the permitted scheme. The proposed development therefore seeks planning permission to erect a switching station to provide key existing infrastructure to support the anticipated connections in the area. The wider site will be available to further extend the transmission network infrastructure, if required, in the future to enable other potential future connections.
- 8.14 The site benefits from an existing planning permission for a substation (ref. 15/03392/FUL) on the site. The existing consent establishes the use of the site for transmission infrastructure. This is an application for a reduced scheme with the proposed building largely located in the same position as the existing permission, albeit on a smaller footprint. Other than the reduction in scale of the building, the main changes involve the amendment to the site access arrangements and the loss of the forestry.
- 8.15 In order to address the determining issues therefore, the Council must consider the extent to which the proposal, as amended, continues to comply with policy and take into consideration any other material considerations. These matters are addressed in turn below.

Design, Landscape and Visual Impact

- 8.16 The site selection process for the substation is detailed in the EA. This explains that site selection process was completed in 2011 as part of the 2015 EA and followed the applicant's internal guidelines on the siting of new substations. The guidelines had a stated objective to "...facilitate the design, consenting, construction and operation of new substations in a manner that is technically feasible and financially viable whilst causing, on balance, the least disturbance during construction and operation to the environment and the people who live, work and use it for recreation". As such no further site selection process has been undertaken as the previous site selection process has been deemed suitable for the proposed development.
- 8.17 A new aspect of the proposed development site is the requirement for the felling of native woodland to the northern side of the site. These trees would help to screen wider views of the substation. The loss of this woodland (approximately 8.2ha) would however be compensated for through replanting with native broadleaf species that are suitable for wet/damp soils for the local area. The replanting will help the project to achieve a biodiversity net gain as assessed further within the natural heritage section of this report.
- 8.18 The building has been designed with the aim of reducing its visual prominence as much as possible, through use of cladding panels and replanting of the forestry.

The building would appear to be consistent with the surrounding agricultural buildings. The proposed cladding will be dark green in colour to merge within the forestry backdrop, which is similar to other substations in the area such as Mybster and Thurso. In order to mitigate the landscape and visual impact of siting the 17m high GIS control building in close proximity to the C1033 the building will be single story. The building has been located to the northern side of the site to reduce the impact on the character of the landscape, and the buildings prominence in the views from the wider area. Cut and fill engineering works will result in a platform level of 47.9m AOD, however some minor earthworks may also be required to level the land surrounding the platform. All material movements required to prepare the land and platform will be managed on site with no anticipated movement of material off-site.

- 8.19 GIS has been selected as the proposed design solution on the basis that the GIS equipment is housed in a building, meaning it would better protect the electrical equipment from corrosion from the sea air. In addition, the smaller footprint would have environmental benefits, including a reduced landscape and visual impact. The principal design has further been reviewed since the 2016 consented development, and now comprises a 132 kV switching station that is considerably smaller in size with reduced lighting and makes use of an existing access road as no transformers are to be delivered to the development site. The amount of land required for the Proposed Development is therefore considerably smaller than the 2016 consented development.
- 8.20 The proposal seeks to fit a functional operational building within the landscape and to avoid significant visual impacts for nearby receptors. It is considered that the siting makes best use of existing screening provided by nearby forestry and woodland, and the design seeks to fit the building into the wider agricultural character of the landscape.
- 8.21 The Environmental Appraisal considers both landscape and visual impacts of the proposed development, with photomontages provided from 4 viewpoints and produced in general accordance with the Council's Visualisation Standards. The Assessment is focused on a study area of 3km radius, 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 baseline, day 1 operational and 10 year operational visualisations have been provided in the EA to help determine visibility of the development when intervening trees have been removed and replanted.
- 8.22 The viewpoints are representative of a range of receptors including recreational users and road users. The expected bare earth visibility of the development can be appreciated from the Zone of Theoretical Visibility (ZTV). The methodology for the Landscape and Visual Impact Assessment generally follows that set out in Guidelines for Landscape and Visual Impact Assessment Third Edition (GLVIA3) and it is considered that there is sufficient information has been provided to undertake an assessment of landscape and visual impact.

- 8.23 A key consideration is the effects on receptors travelling through the area on the local road network both by individuals who live and work in the area and tourists. Those travelling scenic routes, whether designated as such or not, have a higher sensitivity to views. While a driver of a vehicle is likely to be concentrated on the view immediately in front, passengers have a greater scope for looking at their surroundings. In addition, the area is regularly frequented by cyclists. As such it is considered that road users and recreational users are high susceptibility receptors.
- 8.24 The proposed development would be viewed from residential properties located within the study area. Representative views from nearest communities (such as Mey and Philips Mains) and in areas where scattered residential properties are located have been taken to assess the impact of the change in view for residential receptors in respect of 'community amenity'. The EA does not include an assessment of impact on private views from individual properties but the applicant does allocate a high sensitivity to residents at residential properties.
- 8.25 The site benefits from partial screening from the woodland and roadside vegetation located in the study area would be retained. Any coniferous plantations are anticipated to be on rotation felling cycle and will likely allow views toward the development following felling. The proposed development is not within a designated landscape and would be located within generally flat landform, which lies 47.9m AOD, with the Hill of Rigifa to the east of the study area. The Site is relatively flat with a slight gradient fall to the north west. Low ridgelines from Barrock, trending south east; Hollandmey, trending east and rising to Giar Hill; and Brabster, looping west towards Stroupster in the south east, all combine to create a subtle area of plateaux which rises above the lower lying coastal landscape. The highest point within the study area is situated immediately north west of Brabster, at an elevation of over 87m AOD, which represents one of the lowest points along the coastline within the region.
- 8.26 Landcover within the study area generally comprises a complex mosaic of improved and semi-improved grassland, rough grazing land, moorland and blocks of commercial forestry plantations, which contain monoculture species, with a dark a uniform colour. Throughout the study area there a number of hedgerows and isolated groups of wind pruned deciduous trees, all combining to form a key characteristic feature. Field sizes tend to be fairly large in size and are usually demarcated by post and wire fencing, traditional dry-stone dykes or characteristic Caithness stone flag walls. Moreover, in some locations, roadside hedging had been established along the field boundaries. The landcover within the site consists of a mosaic of rough grassland, semi improved grassland and a coniferous forestry plantation. The predominant landcover within the Site is the coniferous forestry vegetation to the north, which contrast with the adjacent landcover due to its dark dense colouring.
- 8.27 To facilitate the construction and operation of the proposed switching station, some areas of grassland and self-seeded trees would be removed, such as those to the north west and west along the access track, with a total of 0.04 ha being impacted. Whilst the removal of this vegetation would directly impact upon the fabric of the landscape, it would not detract from the contribution of vegetation makes on the overall character of the landscape, nor the integrity of the vegetated areas

themselves as landscape features. The ground disturbance occurred during the construction phase of the proposed development would be remediated upon completion of the works. The applicant considers that the impacts arising from the proposed development would be of low magnitude, temporary and reversible (where not required for permanent works), leading to a minor effect on the landscape fabric.

- 8.28 The site principally lies within the Landscape Character Type (LCT) 143 of Farmer Lowland Plain and on the cusp of LCT 134 Sweeping Moorland and Flows to the south western boundary. It should be noted that both of these landscape character types have been subject to commercial coniferous afforestation in the vicinity of the proposed development. This provides a mosaic of low density residential, forestry and unmanaged land in the wider area. The GIS control building will be of an agricultural type and form. This style of development is not unfamiliar in the wider landscape of Caithness given both the size and scale of modernised farm steadings together with scattered industrial development. As the proposed development will be visible from LCT 144 Coastal Crofts and Small Farms that lies to the north east the applicant has provided an assessment within the EA.
- 8.29 The development site lies within LCT 143 Farmed Lowland Plain that and consists of a broad and relatively low-lying plain bounded by the sea and expansive Sweeping Moorland and Flows. The LCT is generally open, low-lying, gentle undulating to form shallow broad valleys, which are often filled with lochs and mosses, with subtle low ridges. There are a number of occasional smooth hills which rise above the more low-lying plain forming local landmarks. Within this LCT agriculture is the predominant land cover, with more intensively managed farmland near the coastline. There a numerous examples of distinctive Caithness flagstone fencing in some parts, creating low, sharp edges to field boundaries. There is a sparse amount of woodland, mainly comprising small angular coniferous forestry plantations, often planted for shelter on farms.
- 8.30 This LCT demonstrates a large tradition of occupation and is evident with many archaeological features dotted across the farmland. There are small groups of large wind turbines located on some low ridges and hill, which form prominence within the LCT. The Site represents the same characteristics and is typical of the overall LCT, moreover the existing character and condition of this landscape provides opportunities for the accommodation of a development of the type proposed using elements that are characteristic of the existing landscape (e.g. landform and forest cover) and is of medium sensitivity to the type of development proposed.
- 8.31 Within this LCT theoretical visibility of the proposed development would be concentrated in the vicinity of East Mey, extending approximately 2km to the north east. No other areas of the LCT would be affected. Given the small proportion of likely theoretical visibility of the proposed development, and that any visibility would be of the top of the building, only seen above intervening plantation woodland and interrupted by other built forms along the A836 at East Mey, it is considered that there would be a negligible change to this LCT resulting from the proposed development. It is considered that the expansive sense of scale of the LCT would be able to absorb the proposed development without it becoming a new characteristic feature of the LCT. Therefore, it is considered that the magnitude of impact on the character of the Farmed Lowland Plain LCT is considered to be low,

resulting in a minor residual effect. Across the wider LCT, effects would quickly reduce to none as the influence of the Proposed Development is restricted to the farmed lowlands.

- The Sweeping Moorland and Flows LCT (134) occurs extensively across Caithness 8.32 and east Sutherland, forming a flat, gently undulating and generally smooth landform. Transitions between the Rocky Hills and Moorland and Rounded Hills -Caithness & Sutherland tend to be subtle. The landform within the LCT is gently sloping or undulating which lies below 350 m AOD. There are a number of isolated hills, such as Ben Alisky and Ben Dorrey, which stand out amidst the extensive areas of lower-lying moorland, despite their limited height. Moreover, the sweeping moorlands often have lochs and mature meandering rivers which site within the shallow valleys and basins in the landscape creating distinct local features within the landscape. The LCT is comprised of flatter peatlands, with the Flows, lying within the core of Caithness and are pattered with a dominant intricate network of water courses, dubh lochans and a diverse range of pool systems, with wet, spongy, vegetation. The LCT is comprised of a simple composition of moorland and mire, with ground hugging vegetation accentuating the smoothness of the landform. The landscape has a very distinct flora, dominated by sphagnum mosses, produced by the wetness and infertility of the flows. There is a large amount of improved grazing areas, mainly within the study area, on the fringes of the sweeping moorland. Another key characteristic of the LCT is coniferous forestry, forming a key component of the landscape with the LCT, particularly within the study area. Moreover, there are small ribbons of broadleaf woodland along the water courses and around loch edges.
- 8.33 LCT 134 Sweeping Moorland and Flows is sparsely settled with dispersed crofts, farms and estate buildings largely focused on the outer edge of the landscape or near a strath. Vehicular tracks are highly present within the LCT. Moreover, there are several wind farms, transmission lines, major and minor networks of roads, which form key features within the LCT, specially within the study area boundary. The site is typical of the LCT and existing character of this landscape provides opportunities for the accommodation of a development of the type proposed using elements that are characteristic of the existing landscape (e.g. coniferous forest cover) and is of medium sensitivity to the type of development proposed.
- 8.34 Within this LCT there is theoretical visibility of the proposed development, but this would be limited to occur to the south of East Mey, approx. 1.5 km north east of the proposed development, and a small area to the north east of Barrock. It is considered that the overall changes to the key characteristics of the LCT would be very limited, and the expansive sense of scale of the LCT would allow the proposed development to be absorbed. The proposed development would form a new feature in the landscape, but it is unlikely that it would become a predominant feature. These effects would be localised in nature within the immediate area and further east, as the LCT extends northeast and east of the proposed development, effects would quickly reduce to none within a small distance, intervening landscape elements such as forestry and the built environment. The overall magnitude of impact resulting from the proposed development would be low, resulting in a minor residual effect on this LCT.

- 8.35 LCT 144 Coastal Crofts & Small Farms comprises a narrow, settled and farmed fringe around the coast of Caithness and Sutherland. It is largely continuous along the eastern coast of Sutherland and north east Caithness, but more intermittent west of Thurso where settlement occupies rare areas of more fertile land at river mouths and along the Kyles and sea loch of north west Sutherland. These farmed and crofted coastal landscapes in Caithness and Sutherland have subtle variations in topography. These landscapes have distinct linear emphasis. A number of very narrow and steep glens intersect this section of coastline and these often carve very deep, often wooded crevices down to the sea. The gently undulating landscape is framed with well-managed, walled pastures studded with clumps of gorse on knolls and with rough grassland on steeper banks exist along the east and north coast of Caithness where it borders the lower-lying Sweeping Moorland and Flows. There is little woodland in areas on exposed east and north Caithness coasts with greater proportion of rougher pastures dotted with gorse and rush with pockets of heather moorland, particularly close to the transitional boundary with the Sweeping Moorland and Flows. Small woodland vegetation clumps of trees are present where the Coastal Crofts and Small Farms occur at the outlet of more sheltered straths. The landscape is of a large scale, and is open and exposed, as such the LCT has a high sensitivity.
- 8.36 However, taking into account the screening effects of vegetation, only a small proportion of the LCT would have theoretical visibility of the proposed development, with the closest located at approximately 2.5km, just south of Mey Hill. Visibility is also limited around the settlement of Barrock, with only the roof top of the proposed building likely to be visible above the intervening tree line. Furthermore, large areas of the LCT would be unaffected leading to very limited changes to the key characteristics of the LCT. Based upon the preceding analysis, the magnitude of impact arising from the proposed development on the Coastal Crofts & Small Farms LCT would be low-medium in the immediate area, reducing to none in the wider extends of the LCT where theoretical visibility ceases, and forestry cover reduces the visibility of the proposed development across the wider LCT. Therefore, the residual effect on the character of the LCT would range from negligible-none across the vast majority of the LCT, to negligible in the local area in close proximity to the proposed development.
- 8.37 The Castle of Mey Gardens and Designed Landscape (GDL) is located within the study area, to the north of the site. The Castle of Mey is of high historic value due to its association with the Royal Family and the Earls of Caithness. The designated landscape of Castle of Mey provides the setting for a category A listed castle, woodland, formal gardens and walled gardens. Key characteristics of the Castle of Mey GDL are described as "Magnificent views can be gained to the west of Dunnet Head, the most northerly point in Scotland, and across the Pentland Firth to the Orkney Islands. The Castle and its woodland are important from the A836 and the other minor roads between it and the coast, particularly from the east. The flat nature of the surrounding landscape limits views of the policies which are enclosed with the woodlands to the south and policy walls to the north. Viewpoint 6: Castle of Mey in the EIAR demonstrates that limited visibility of the proposed development.
- 8.38 Although the applicant has provided an assessment for 6 viewpoints, only 4 of these are accompanied by visualisations, as it was agreed with the Council to provide the

closest range visuals. These are short range views and the assessment considers visual effects both during the construction phase and thereafter during the operational phase. Of the 6 selected viewpoints, the applicant has predicted significant impacts, however these are localised. Furthermore, the applicant has demonstrated that some of the effects can be reduced through appropriate mitigation. Potential impacts are therefore limited to the following representative viewpoints:

 Viewpoint 1: East Mey/A836 – This is representative of views experienced by a cluster of residential receptors, road users and recreational users. The view is located on the A836 at a distance of 2.5km. This viewpoint has views focused southwards over gently sloping fields, moorland and blocks of coniferous forestry to a low lying, flat skyline. The strong horizontal emphasis of the view broken by vertical features such as overhead lines. There are a number of settlements dispersed along this section of the A836, in particular the scattered settlements of Gills Bay, Ratter, Mey and East Mey which form prominent man-made features in the foreground of the view, whilst the middle and far distance is generally devoid of such development except sporadic houses and farmsteads.

The proposed development would be visible from this viewpoint, seen where no similar development currently exists but it would not form a new skyline feature. The lowest of the structures would be seen in front of the others and together, they would occupy a very small proportion of the view. The proposed development would be seen in the context of the outbuildings and storage yard near Rigifa. Seen against a backcloth of forest plantation, the proposed building colour would tend to merge with the forest backdrop. The angle of view for road users would tend to be to the northwest and southeast along the line of the road while residents' views vary depending on the location of principal rooms and the orientation of windows. It is considered that the magnitude of impact would be low, resulting in a minor residual effect.

Viewpoint 3: Philips Mains – This is the closest range viewpoint located approximately 340m west of the site boundary and is representative of the view experienced by residents at Philips Mains, located on the access track near the front of the dwellings, at 47m AOD. The view overlooks flat open, wet pastureland and scrub, falling slightly to the south and rising to the north. The view is constrained largely by the topography and adjacent coniferous forestry. Wood pole mounted overhead lines and post and wire fence lines provide some limited vertical interest within the strongly horizontal composition. Wind pruned deciduous trees within the front gardens of the properties tend to partially screen the view from the actual dwellings. The proposed development would be highly visible across a proportion of the view. The proposed structure would form major new component of the view at close range. The GIS control building would be partially backclothed by more distant shelterbelts and roadside vegetation. The GIS control building would be visible above the tree line, to the south-west, as a new skyline feature. Boundary fencing around the site would also be visible, as would other associated substation infrastructure. Where seen against a backcloth of roadside and shelterbelt vegetation, the proposed building colour would tend to merge with the vegetated backdrop, although where the rooflines would be skylined, these would tend to visually contrast with the lighter coloured sky, emphasising their horizontal profile in relation to the more irregular outline of the forest canopy.

Proposed landscape planting of native tree and shrub would partially limit views towards the proposed development, particularly the lower level sections and platform, and the proposed planting would, in the long term, provide some screening of views of the proposed development, although the upper sections of the proposed buildings would be likely to remain visible over a substantial section of the skyline profile. Therefore, the magnitude of impact would be high, resulting in a major / moderate effect.

Viewpoint 4: Barrock – This viewpoint is located 3.75km east of the proposed development on the north-eastern extent of Barrock. This viewpoint represents road users, recreational users and local residents. The view is expansive and elevated, overlooking an extensive mosaic of farmland, moorland, scrub and coniferous forestry, as the land slopes gently to the coast. Loch of Mey is visible to the north-east, backclothed by a thin band of open, agricultural land before the sea. In very clear conditions, Orkney and the Island of Stroma are visible in the distance. Scattered settlement is visible across lower lying coastal farmlands, before becoming less concentrated and more fragmented as the view pans to the south and the landscape becomes dominated by moorland and forestry, and where the influence of development is less prominent. Post and wire fence lines, wood pole mounted overhead lines and farm buildings occupy the foreground of the view.

From this viewpoint the lower portions of the proposed development would be screened by existing intervening coniferous forestry, with further existing coniferous forestry providing a backdrop to the east of the Proposed Development. The proposed building cladding colour would further assist in reducing the perceptibility of the proposed development. The structure would be seen in front of Philips Mains and would screen most of the buildings at this location. The proposed development would introduce large scale structure into a view where there are presently smaller scale farm buildings. It would occupy a small proportion of the view obtained from this location. The property at this location has views to the north west, north east, south east and south west but views from internal rooms would be limited to those from the porch and the north east façade. There would, however, be views from the garden grounds. It is considered that the overall magnitude of impact would be low and would result in a moderate/ minor residual effect.

Viewpoint 5: Dunnet Head – This is the most distant viewpoint at 10km southeast of the proposed development. The view represents those of tourists and recreational users. It is located at the designated viewpoint at Dunnet Head, with 360-degree views obtained from the Special Landscape Area (SPA), although principal views are focussed out to the sea and across to Orkney to the north. Landward views are extensive and expansive. Looking south, views undulate over the dark peat moorland of Dunnet Head, punctuated by reflective lochans. Beyond Dunnet Head, a mosaic of woodland and agricultural fields rise over the Hill of Olrig breaking to moorland and marked by two vertical masts. Scaraben, Morvern and Maiden

Pap are visible on the skyline in the far distance to the south. To the east, mixed agriculture flows into sweeping moorland, punctuated by lochans, dark belts and blocks of forestry and scattered and dispersed settlement. The jagged, north mainland coastline, punctuated by sandy bays and scattered with coastal settlement, stretches to the east with the lighthouse at Duncansby Head marking the north eastern corner of the British mainland. Moorland over Warth Hill sweeps down to coastal farmland, with dark blocks and bands of coniferous plantation forestry occupying large swaths of land to the southeast. The coastline becomes more dramatic as it draws closer to Dunnet Head, with towering cliffs, stacks and geos. In clear conditions, Orkney can be seen across the Pentland Firth to the north and the Island of Stroma to the east. To the south-west and west, the pattern of agriculture and forestry belts continue into the distance. In the far distance, the skyline comprises a number of iconic mountain summits, including Ben Griams Mor and Beg, Ben Klibreck, Ben More Assynt and Ben Hope. Thurso and Scrabster are visible on the coast with the isolated cliffs from Holborn Head to Ness of Litter stretching to the west. Flex Hill, Achairn, and Wathegar I wind farms are visible to the south east. Camster wind farm to the far south. and Causeymire wind farm breaching the skyline to the distant south west. Thurso Recycling Centre is visible behind Thurso town to the south-west and Baillie Hill and Forss I and II wind farms to the far west.

The proposed development would be predominantly screened by existing intervening coniferous forestry. Visible elements of the proposed development would appear as very small-scale features, backclothed by agricultural fields, at a considerable distance of over 7 km, and as such would be barely perceptibility within the expansive views of the wider landscape. The proposed building cladding colour would further limit the perceptibility of the proposed development. Moreover, principal views from this viewpoint are focused out to sea in the opposite direction to the proposed development and would be unaffected. It is therefore considered that the magnitude of impact would be low, and the residual effect would be negligible/ none.

8.39 The proposed development would be largely screened from the vast majority of settlements, including East Mey (2.25km northwest of the proposed development), Gills Bay (2.95km northwest of the proposed development), Ratter (approximately 2.65km north west of the proposed development and Mey (500m northwest of the proposed development). This is principally due to the intervening landscape elements such as the built environment, roadside vegetation and coniferous forestry. Therefore, the magnitude of impact on views from within the settlements listed above is considered to be low - negligible, the residual effect would be moderate. Where isolated properties and settlements are located in close proximity to the proposed development, it would introduce a new feature into the view, particularly along the northern extent due to the proposed felling of the mature coniferous forestry; however, this area would be replanted with mixed woodland species, and the landscape already contains transmissions lines and other agricultural buildings. Therefore, impacts on settlement and isolated properties in close proximity such as Mey and Philips Mains would experience an overall magnitude of impact of medium, the residual effect would be locally Major reducing to Minor within a short distance from the site, due to screening afforded by

intervening landscape elements such as roadside, coniferous and shelterbelt vegetation.

- 8.40 There would very limited intervisibility with the proposed development from the A836. The proposed development would be afforded some screened by the vegetation on forestry plantations. Given the limited geographical extent of visibility form this route and the screened by intervening coniferous forestry the magnitude of impact for users along the A836 would be negligible and the residual effect would be minor.
- For users along the National Cycle Route 1, the ZTV indicated the proposed 8.41 development would be theoretically visible along the majority of the route as it passes through the study area. However, in actual views, the proposed development would only appear as the route passes the northern extent of the site. This is due to the screening effect of intervening landscape elements such as coniferous forestry and the built environment, which acts to contain/filter views of the Proposed Development. As the route passes the northern extent of the site, views would be open, due to the proposed felling of the mature coniferous forestry. However, with the implementation of the Landscape Plan (Figure 3.3), the proposed earth bunds and re-planting of mixed woodland species, would act to screen/filter glimpsed views from this short section of the NCN route. Moreover, as the mixed woodland and bunds are vegetated and establish over the years, intervisibility would be reduced. The route then continues north eastwards, passing through areas of dense coniferous forestry, before exiting the study area near Canisbay. The view from this section of the route is predominately comprised of arable and grazing fields, open moorland and coniferous forestry. The magnitude of impact would therefore be low, which would constitute a minor effect, limited to the short section of route as it passes in close proximity to the site.
- 8.42 The Mey Link core path (CA05.16) would be subject extensive theoretical visibility of the proposed development. However, field reconnaissance suggests that the proposed development would be extensively screened by the surrounding Coniferous forestry. Therefore, the magnitude of impact on this route would actually be low and would constitute a minor residual effect.
- 8.43 It is evident that the GIS control 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 EA that the landscape and visual effects have been carefully considered, and despite the site selection resulting in the loss of existing woodland, the proposed mitigation works would result in much of the visual effects being temporary.
- 8.44 The mitigation includes a Landscape Plan (Figure 3.3: Landscape Plan) that has been prepared in parallel with the design of the proposed switching station in order to mitigate the construction and operational impacts of the proposed development, ensuring that the operational development becomes assimilated with the adjoining landscape over time. The specification incorporates the proposed switching station platform with batters and earth mounds (bunds) which would be covered with a suitable substrate recovered during the construction works in order to establish vegetation. These areas would be seeded, and landscaped features created to be reflective of woodland in the wider landscape. Proposed areas of woodland in the

north of the site would act to screen / filter any potential views of the proposed development for users of the A836 and the unclassified road routing between Rigfa and Inkstack, and visual receptors within the wider landscape such as from nearby residential properties including Philips Mains, West Lodge and Woodlands. It must be noted, the removal and replanting of the proposed woodland would allow for open views onto the proposed development in the short-term until trees are matured; however, the positioning of the bunds would reduce / filter any intervisibility, then with the establishment of vegetation on the earth mounds, visibility of the proposed development would reduce gradually. The new woodland planting would consist predominantly of suitable locally native species, augmented with additional coniferous species to increase year-round interest of the proposed development and would be sourced locally from a Scottish supplier with species selected to enhance biodiversity.

8.45 The detention basin/SuDS area is located immediately west of the proposed switching station and would be initially seeded with suitable nurse grass to aid in stabilisation and protection of the newly laid substrate, after which the detention basin would be over seeded with the appropriate wetland and marginal aquatic species harvested from a local donor site using 'green hay' suitable wetland translocation methods. Species rich grassland (which includes acid and neutral mixes) would be sown across the remainder of the site. Species rich grassland would promote visual interest while enhancing and aiding biodiversity.

Construction Impact

- 8.46 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 39 months of construction, programmed to commence in Q4 2022 and be completed by Q1 2026. It is for these reasons that the applicant has a commitment toward a project specific Construction and Environmental Management Plan (CEMP) 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.
- 8.47 The Council's Environmental Health Service has not raised any significant concerns in respect of construction noise and vibration. However, 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.
- 8.48 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.

- 8.49 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.
- 8.50 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.
- 8.51 Should the development be granted consent, a Community Liaison Group should be set up to ensure that the community council and other stakeholders are kept up to date and consulted before and during the construction period.

Roads, Transport and Access

- 8.52 The application proposes to use the local and trunk road network, particularly during the construction phase. It is anticipated that construction phase traffic is likely to approach the site from the A9 at Thurso and then follow the A836 in an easterly direction for approximately 21.7 km, before heading south then west on an unnamed road for approximately 2.5 km to the western side of the proposed switching station, where vehicles would access the construction compound via a temporary access road.
- 8.53 The site shall be accessed from an existing access track, which runs in a southeasterly direction from the C1033 for approximately 900 m, parallel to the existing forestry blocks and fields to the east. Some marginal widening of the existing access track, to a width of 5 m, may be required to accommodate the construction of the proposed development. A temporary access track will be created along the southern boundary of the site which will allow access to the temporary compound and laydown area. The track will be reinstated for the completed proposed development using neutral grassland semi-improved seed mix.
- 8.54 A short section of new access track would also be required to connect the existing access track to the internal site access roads within the switching station platform for the completed proposed development. This new permanent access track would be 5m in width and would run in a westerly direction from the switching station platform for approximately 90 m, connecting to the existing access track at a location approximately 0.6 km south-east of the junction with the C1033.
- 8.55 It is anticipated that Heavy Goods Vehicles (HGV) and Other Goods Vehicles

(OGV) would access the site on a daily basis throughout the duration of the construction period to deliver materials and construction plant such as excavators, dump trucks, cranes and, deliveries of machinery and scaffolding. The 2015 EA concluded that there were no likely significant effects relating to traffic and transport as a result of the 2016 consented development. The applicant has confirmed that the likely construction traffic associated with the proposed development is likely to be 29% less than that assessed for the 2016 consented development and would therefore traffic related impacts (which were previously concluded to be not significant) be further reduced for the Proposed Development.

- 8.56 The EA provides an assessment of the development's impact on the surrounding road network during the construction and operation phases. The EA anticipates the total number of vehicle movements generated during the peak period of construction. This is estimated to be 111 one-way trips per day consisting of 98 HGV trips and 13 other goods vehicle trips. No abnormal loads will be required to be transported to and from site.
- 8.57 Mitigation measures outlined in the 2015 EA, associated with construction traffic and access, included detailed Traffic Management Plan (TMP), car sharing for construction workers and HGV driver briefings on local road networks, local advertising of abnormal indivisible loads movement times, reduction in HGV speeds, on-site wheel wash facilities, community liaison group, were proposed within the 2015 EA. The applicant would seek to implement the equivalent measures for the Proposed Development.
- 8.58 Although Transport Planning have not raised any concerns as this is a reduced scheme, they have indicated that similar conditions are attached to any planning permission granted. As such Transport Planning has previously identified remedial works that would be required to facilitate the development on both the U1633 and then the short section of the C1033 from East Lodge to where site takes access is likely to require improvement / strengthening to handle construction traffic and abnormal loads. Where works are required on the U1633 and then the section of the C1033, such works will require further assessment, with any and all works required to be undertaken in accordance with the Council's technical approval process. A Traffic Management Plan will be required during construction (and decommissioning).
- 8.59 The EA determines that the likely construction traffic impacts using IEMA guidelines would be negligible to low and non-significant for all potential transport related effects. The EA proposes further mitigation in the form of a Construction Traffic Management Plan (CTMP), that will have embedded mitigation. Post construction, negligible transport impacts are predicted during the operation of the switching station 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.
- 8.60 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.

- 8.61 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.
- 8.62 The applicant undertook a review of recreational routes and paths and whilst there are no core paths or cycle paths within or adjacent to the site, there are several within the study area. However, like most land in Scotland, the site is subject to the provisions of the Land Reform (Scotland) Act 2003. There will be a need to restrict access to the site during construction works at key times, including the track upgrade works. Access tracks to the proposed development should be accessible to a wide variety of users. All gates within the application boundary should be unlocked to responsible access takers. To ensure access is provided throughout the construction period and that enhanced recreational access opportunities are provided during the operational phase, a Recreational Access Management Plan will be required. This will also be required to include details of signage to be included on the site to warn users of the paths within the site of any hazards or access restrictions.
- 8.63 Subject to the satisfactory conclusion of legal agreements to secure 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 policies contained within the Development Plan.

Noise

- 8.64 The applicant has scoped operational noise out as there will no longer be transformers installed. However, a noise assessment has been undertaking in relation to the proposed tree felling on the site. Given, the short duration of tree felling Environmental Health have not raised any significant concerns. It is expected that the developer/contractor will employ the best partible means to reduce the impact of noise from these activities.
- 8.65 A noise assessment was submitted for the existing consent (ref. 15/03392/FUL) which demonstrated that noise would not exceed the background level. As the proposed development is smaller the applicant's assessment is accepted. However, 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. subject to appropriate conditions being attached to restrict operational noise.

Natural Heritage (including Woodland and Ornithology)

- 8.66 There are no natural heritage designations covering the site itself. The nearest designated site is woodland located 1km east of the site, designated as Philips Mains Mire SSSI, designated for its nationally important blanket bog habitat. Owing to this separation distance, no likely significant effects on any of the qualifying features of this designation would arise.
- 8.67 The site also lies approximately 1.8km from Caithness Lochs Special Protection Area (SPA), protected for its wintering population of Greenland white-fronted geese, greylag geese and whooper swans. Incidental ornithological records and a desk-based assessment has been carried out which identify the proposed development could disturb wintering wildfowl associated with the surrounding designated sites. As the proposed development it likely to have a significant effect on Greenland white-fronted goose of the SPA, the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") apply or, for reserved matters, The Conservation of Habitats and Species Regulations 2017. Consequently, the Highland Council, as the competent Authority, will be required to consider the impact of the proposal on Natura2000 site through a Habitats Regulations Appraisal (Appropriate Assessment). NatureScot has provided advice in relation to the Natura2000 site including the likelihood of significant effects and subsequent mitigations that may be required, which is summarised below.
- 8.68 NatureScot advise that on the basis of the information provided, it the following mitigation is carried out strictly in accordance with the following mitigation, then the proposal will not adversely affect the integrity of the site:
 - Implementation of mitigation proposed in Section 8.5: Potential impacts and mitigation of the EA. This should be amended to include that associated felling works to be undertaken outwith the wintering period for geese and swans (01 October – 31 March)

Undertaking this mitigation will ensure disturbance from the noisiest or more disturbing activities for feeding SPA birds is avoided, particularly Greenland white-fronted geese which feed in 'favoured areas' such as those immediately to the north of the proposed development site.

- 8.69 The felling of the forestry will likely require a felling licence and the applicant would be responsible for liaising with Scottish Forestry to attain one. NatureScot recommends that any forestry works follow relevant forestry guidance in relation to wildlife and forest operations (including breeding birds).
- 8.70 Some areas of blanket bog are located in areas over deep peat in the forestry rides in the north of the site, and in the buffer to the west of the site boundary. Many of these areas have been modified by drainage ditches, browsing or by trees, but not to the extent that they would be classified as dry modified bog due to the retention of key species (e.g. Sphagnum spp). The NVC communities in these areas were identified as M17 deergrass Trichophorum germanicum-hares' tail cottongrass

Eriophorum vaginatum blanket Mire, the round-leave sundew Drosera rotundifolia-Sphagnum species sub-community M17a, and M17 Trichophorum germanicum-Eriophorum vaginatum blanket Mire, the heath rush Juncus squarrosus-little shaggy moss Rhytidiadelphus loreus sub-community M17c. M17c was the most common NVC of the two.

- 8.71 Wet modified bog is located on-site over deep peat, where agricultural or forestry practises have changed the surface vegetation. Two NVC communities were most common on E1.7. MG10a Holcus lanatus-Juncus effusus rush-pasture is located in some areas to the west of the site boundary, where the vegetation is as described in the neutral grassland section above. MG10a has potential to be a moderately GWDTE. The other most common NVC community on E1.7 is M25a Molinia caerulea - tormentil Potentilla erecta mire, the cross-leaved heath Erica tetralix sub-community M25a. Purple moor-grass is dominant on these areas, with many of the species associated with M17c present but in lower distribution and density. M25a has potential to be a moderately GWDTE. Other sections of E1.7 do not fit NVC communities, including those within the mature forestry planation on-site. Some very wet sections were formed due to drainage blockages, where Sphagnum fallax, Sphagnum palustre and Polytrichum commune were dominant. Wet modified bog would be situated within the footprint of the proposed platform area, the proposed permanent and temporary access tracks and the temporary construction compound.
- 8.72 SEPA have advised that the area of 'irreplaceable habitat 0.48ha of blanket sphagnum bog' is to be left untouched and that the following enhancements are proposed:
 - Wet modified bog and flush and spring enhanced from low to moderate status;
 - Coniferous woodland felled and re-stocked to biodiverse woodland

These enhancements will be secured through appropriate planning conditions.

- 8.73 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 otter and pine marten.
- 8.74 Without mitigation, the EA confirms that the development has the potential to result in habitat to be damaged or degraded during construction works, with this potentially impacting the protected species that use the habitats. These habitats include sensitive habitats, such as acid flush, which could be impacted by the temporary construction compound. The peatland on site has the potential to be degraded during the construction resulting in a decrease in the quality of peatland within the site. The protected species considered to be on site, otter and pine marten, could be impacted by disturbance impacts from noise and light sources during the construction phase. Pollution from construction or operational vehicles, could lead to significant impacts on the habitats on site. These potential effects would be mitigated following measures set out in a CEMP, SPPs, RAMS a PMP and a detailed drainage plan, all overseen by a project ECoW, following which no significant effects are predicted.

- 8.75 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 2% net biodiversity gain, largely due to the newly planted mixed woodland, which must reach a good target condition upon maturing in order for the site as a whole to achieve no net loss.
- 8.76 As per HwLDP Policy 52, the Council maintains a strong presumption in favour of protecting woodland resources. The proposed development 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. Furthermore, the Forestry Officer notes that the existing spruce plantation provides effective screening of the site. However, the spruce does not provide a long-term solution in terms of future screening. It has therefore been proposed that a more pro-active approach is taken, with the conifer crop being harvested at this stage and re-planted with native woodland. While this will create a short-term visual impact, it will provide a more robust long-term solution.
- 8.77 Scottish Control of Woodland Removal Policy, as well as HwLDP Policies 51 and 52 however requires sufficient compensatory planting in relation to woodland loss as such this will be secured through a planning condition. Given, the importance of the successful establishment of the native woodland, far more detail is required. The Forestry Officer has advised that a detailed landscaping plan with a high level of specification is secured through a planning condition. This should include employing a forestry consultant with experience of establishing woodland in this location, should be employed to prepare a detailed felling and re-planting specification. This would need to include details such as ground preparation, deer fencing, planting specification and future maintenance. In terms of timing, the Forestry Officer recommends that the felled and re-planting is completed prior to the commissioning of the switching station.

Water, Flood Risk, Drainage and Soils

- 8.78 The watercourses throughout the study area tend to route in a south east to north west orientation, towards the coast, with Loch Heilen and Loch Mey forming the main freshwater bodies within the study area. There are a small number of small-scale waterbodies contained throughout the study are, all comprising naturalistic shapes. The coastline to the north is typified by low rocky cliffs and rocky outstretches interspersed with small sandy beaches and rocky bays, including Gills Bay, Scotland's Haven, Wester Haven and Ham Berry. St john's Point is comprised of a selection of small skerries and a small sea stack. The hydrological features which are present within the site consist of a series of field boundary drainage channels, which flank the northern and western edges of the site, alongside two small ponds to the north and west.
- 8.79 The Flood Risk Management Team have confirmed that the proposed development is representative of 'Essential Infrastructure' under SEPA's Flood Risk and Land Use Vulnerability guidance. This means that the proposed site should be shown to remain operational up to a 1 in 200-year return period storm event without impeding

water flow. SEPA's online strategic mapping shows that the site lies outwith any indicated areas of coastal of fluvial flooding during a 1 in 200-year return period storm event. Therefore, it is considered that the building would be at low risk of flooding from these sources. SEPA's mapping does show that the site lies within and adjacent to small indicated areas of pluvial flooding during a 1 in 200-year return period storm event. These appear to be associated with ponds and an extensive artificial drainage system. This suggests that the flood risk from this source may be medium to high. However, as the switching station and the platform would be well elevated above the surrounding ground the flood risk from surface water would be low. The Flood Risk Management Team are satisfied that flooding is unlikely to pose an operational risk.

- 8.80 The applicant has provided a Drainage Information Assessment (DIA) that is dated November 2013. As this was prepared to support the former proposal the Flood Risk Management Team requested an updated DIA. The new proposal is for a smaller site and it is expected that a new suite of calculations, 2-year, 30-year+CC and 200-year+CC to support the latest proposals. This is to ensure the discharge rate will not be higher than the greenfield equivalent rate. Furthermore, the drainage drawings appear to show the surface water drainage of the site platform and access road, draining to the public road's drains. The Flood Risk Management Team would expect to see this water attenuated in the SuDs Basin unless not practical/possible. An updated DIA will be secured through a planning condition to the satisfaction of the Flood Risk Management Team.
- 8.81 The side has the potential to be hydrologically is connected to the Burn of Horsegrow which ultimately discharges into the Loch of Mey and then Dunnet Head to Duncansby Head costal waters. It is expected that the contractor will ensure 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. The applicant has not identified any private water supplies (PWS) hydrologically linked to, or within, 5km of the site. However, given there are watercourses across the site, water quality will require to be managed through the construction, operation and decommissioning phases of the development. This can be secured by condition, within the CEMD which would be overseen by an ECoW.

Built and Cultural Heritage

8.82 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 three cultural heritage assets within the Inner Study Area. These include two quarries and an area of former peat cuttings. The HLAMap indicates that the Inner Study Area was composed of a rectilinear field, enclosed during the 18th and 19th century, with an area of modern commercial forestry in the northern part of the Site. The Inner Study Area is shown on Roy's 'Military Survey of Scotland' map (1747-55) as being moorland to the south of areas of cultivation surrounding farmsteads at 'Mey' and 'Gills'. The farmsteads of Mey and Gills are shown on the Ordnance survey first edition map (1877) suggesting a continuity of occupation and evolving agricultural land-use from at least the 18th century onwards. The EA examined historic maps and historic vertical aerial photographs (from 1946 to 1988) which shows that the land has been improved since the 19th century and is now in use as an improved pasture field surrounding Philips Main

farm.

- 8.83 Furthermore, the THC HER shows that there is a distribution of identified prehistoric sites surrounding the Inner Study Area. These recorded sites include:
 - Two possible Iron Age broch sites at Hollandmey (MHG 2251), 1 km to the south, and Gills (MHG 1722), 2 km to the east;
 - a prehistoric (Neolithic/Bronze Age) burial cairn, 'Cairn O'Mey' (MHG 2252), 1.2 km to the north, close to Castle of Mey;
 - a Neolithic chambered cairn (MHG 1984) at Inkstack, 3 km to the southwest; and
 - artefact find-spots, a Bronze Age sword (MHG 2242) and rapier (or dirk) (MHG 2243), uncovered close to Mey in the early-20th century, 1 km to the north.

Although many of these features and artefacts no longer survive as in situ remains, they indicate that the coastal areas around Mey and Gills have indeed been a focus for settlement and activity from the early prehistoric period onwards. Taking into account the recorded archaeological remains known in the surrounding area and the presence of peat deposits on the Site, the evidence suggests that there is a low to medium potential for further archaeological discoveries in this locale, including within the farmland in the southern part of the site. In the northern part of the Site, which is currently under commercial forestry, ploughing and drainage works as well as planting and subsequent tree root growth is likely to have disturbed or destroyed the integrity of any surviving buried archaeological deposits that might formerly have been, or may still be, present. Therefore, it is considered that the potential for hitherto undisturbed buried archaeological remains to survive in the current forested area is negligible to low. Nevertheless, as there is potential for the survival of buried remains, the Historic Environment Team has recommended that sample trenching is carried out in advance of any construction works to be secured through a planning condition.

- 8.84 The applicant's assessment of heritage assets in the Outer Study Area (within 3km of the site) found four designated assets:
 - Scheduled Monument, Mey Battery (SM 13649);
 - Category A Listed Building, Castle of Mey (LB 1797);
 - Category B Listed Building, Castle of Mey Gate Lodge and Gate Piers (LB 1798); and
 - Inventory Garden and Designed Landscape (GDL), Castle of Mey GDL (GDL 96).

The ZTV indicates that there is predicted visibility of the proposed development from two of these heritage assets:

- Castle of Mey GDL (GDL 96); and
- Category B Listed Castle of Mey Gate Lodge and Gate Piers (LB 1798).

As such the applicant undertook a detailed assessment of these designated heritage assets, including their heritage sensitivity and the magnitude of predicted

impact of the proposed development on their settings.

8.85 Due to a combination of separation distance and limited magnitude of change arising from the development, there would however be at worst minor (not significant) to these heritage assets. Both Historic Environment Scotland and the Historic Environment Team have not raised any significant concerns with the applicants assessment or proposed mitigation and as such there are no anticipated significant effects associated with cultural heritage and archaeology.

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 these type of substation (switching station) 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.
- 8.87 There is significant activity in upgrading and reinforcing the transmission network in Highland. The approval of the current application will have a short term (4 years) positive construction economic impact, although significantly less impact at the operational stage across the developments 40 year design life. Although the applicant has not provided any estimates of the number of jobs that will be created, it is expected to be significant for the local area with 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 Section 75 Agreement

8.90 Mitigation in relation to the local road network will be secured through planning conditions.

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. The principle of development has already been established by virtue of the previous permission (ref 15/03392/FUL), this proposal seeks to modify and the reduce the scale of development previously approved.

- 9.2 Highland has been successful in attracting inward investment in renewables, enabled in part by a matching level of investment in the improvement of the grid transmission system. 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 planning permission which may be granted to effectively ensure that their specific interests are secured. The development has also raised limited public interest with only one general comment having been received. 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's access to be re-located or the proposal refused.
- 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 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: Biodiversity Net Gain has been secured by condition.
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

11. **RECOMMENDATION**

Action required before decision issued

Notification to Scottish Ministers N

Conclusion of Section 75 N Obligation

Revocation of previous permission N

Subject to the above actions, it is recommended to **GRANT** the application subject to the following conditions and reasons

1. Planning Permission is granted for the construction and operation of a 132 kilovolt (kV) switching station. The development shall be constructed and operated in accordance with the provisions of the application and the Environmental Appraisal, except in so far as amended by the terms of this consent.

Reason: To clarify the terms of the permission as the permission.

2. There shall be no Commencement of Development until a concluded agreement in accordance with Section 96 of the Roads (Scotland) Act 1984 under which the developer is responsible for the repair of any damage to the local road network that can reasonably be attributed to construction related traffic. As part of this agreement, pre-start and post-construction road condition surveys must be carried out by the Company, to the satisfaction of the Roads Authority(s). It will also require the submission of an appropriate financial guarantee, bond or alternative form of security acceptable to the planning authority in respect of the risk of any road reconstruction works.

Reason: To ensure financial security for the protection of the road network, and for the cost incurred to repair any damage to the road network.

- 3. No development shall commence on site until a detailed scheme for the following mitigation (including scale plans as necessary), inclusive of timescales for delivery has been submitted to, and approved in writing by, the Planning Authority:
 - i. Improvements to the local road network, specifically the U1633 and

C1033 between East Lodge, west to the development site. Such works shall include, but not be limited to, structural assessment of the carriageway, strengthening of the carriageway, culverting or other works to the drainage ditches, junction improvements and provision of two additional or upgraded passing places (one on the U1633 and one on the C1033) all as required to allow for the extraordinary movement of heavy goods vehicles and abnormal loads during construction. The development shall thereafter be undertaken in accordance with the agreed details and upon completion of all agreed pre-commencement works on / in the environs of, the public highway.

Reason : In the interests of road safety, and that the works involved comply with applicable standards.

4. 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, semimatte 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.

Reason: In order to enable the planning authority to consider this matter(s) in detail prior to the commencement of development; in the interests of amenity.

5. 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.

6. **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 Appraisal (EA), 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 Otter and Pine Marten;
 - 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 (all felling works to be undertaken outwith the wintering period between 01 October 31 March); 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.

7. 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.

8. 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 Appraisal 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.

9. 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, prestart 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

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.

10. 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.

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. Landscape Planting

No development shall commence until a finalised detailed Landscape Plan and maintenance programme have been submitted to and approved by the Planning Authority. This shall include full details and specification of the proposed landscaped bunds, inclusive of height, width, length and profile of the proposed bunds. The Landscape Plan shall be implemented in full during the first planting season following completion of developments ground enabling works, or as otherwise agreed in writing by the Planning Authority.

Reason: In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.

13. Tree Felling and Compensatory Planting

No development shall commence until a detailed felling and re-planting plan has been submitted (based on Figure 3.3 Landscape Plan) and subsequently approved by the Planning Authority. This shall be prepared by a suitably qualified forestry consultant with experience of establishing woodland in this location and shall include details such as ground preparation, deer fencing, planting specification and future maintenance. All felling and re-planting shall be completed in full prior to commissioning of the switching station and then maintained until established to the satisfaction of the Planning Authority. All work is to be supervised by the appointed forestry consultant through to establishment.

Reason: In order to enable appropriate woodland removal to procced in accordance with the Scottish Government's policy on the Control of Woodland Removal. To 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 C1003 and A836.

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 additional area of woodland 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. 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.

16. **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.

17. 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 consultant 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.

18. Sustainable Drainage Systems

No development shall commence a Drainage Impact Assessment, including full details of all surface water drainage provision within the application site (which should accord with the principles of Sustainable Urban Drainage Systems (SUDS) and be designed to the standards outlined in Sewers for Scotland Third Edition, or any superseding guidance prevailing at the time) have been submitted to, and approved in writing by, the Planning Authority in consultation with the Flood Risk Management Team. Thereafter, only the approved details shall be implemented and all surface water drainage provision shall be completed prior to the first occupation of any of the development.

Reason: To ensure that surface water drainage is provided timeously and complies with the principles of SUDS; in order to protect the water environment.

Operational Management Plan

Prior to the fist commissioning 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 Appraisal, and the conditions of this permission;
- 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 first

commissioning 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.

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.

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.

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).

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: <u>http://www.highland.gov.uk/yourenvironment/roadsandtransport</u>

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

http://www.highland.gov.uk/info/20005/roads and pavements/101/per mits for working on public roads/2

Mud & 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.

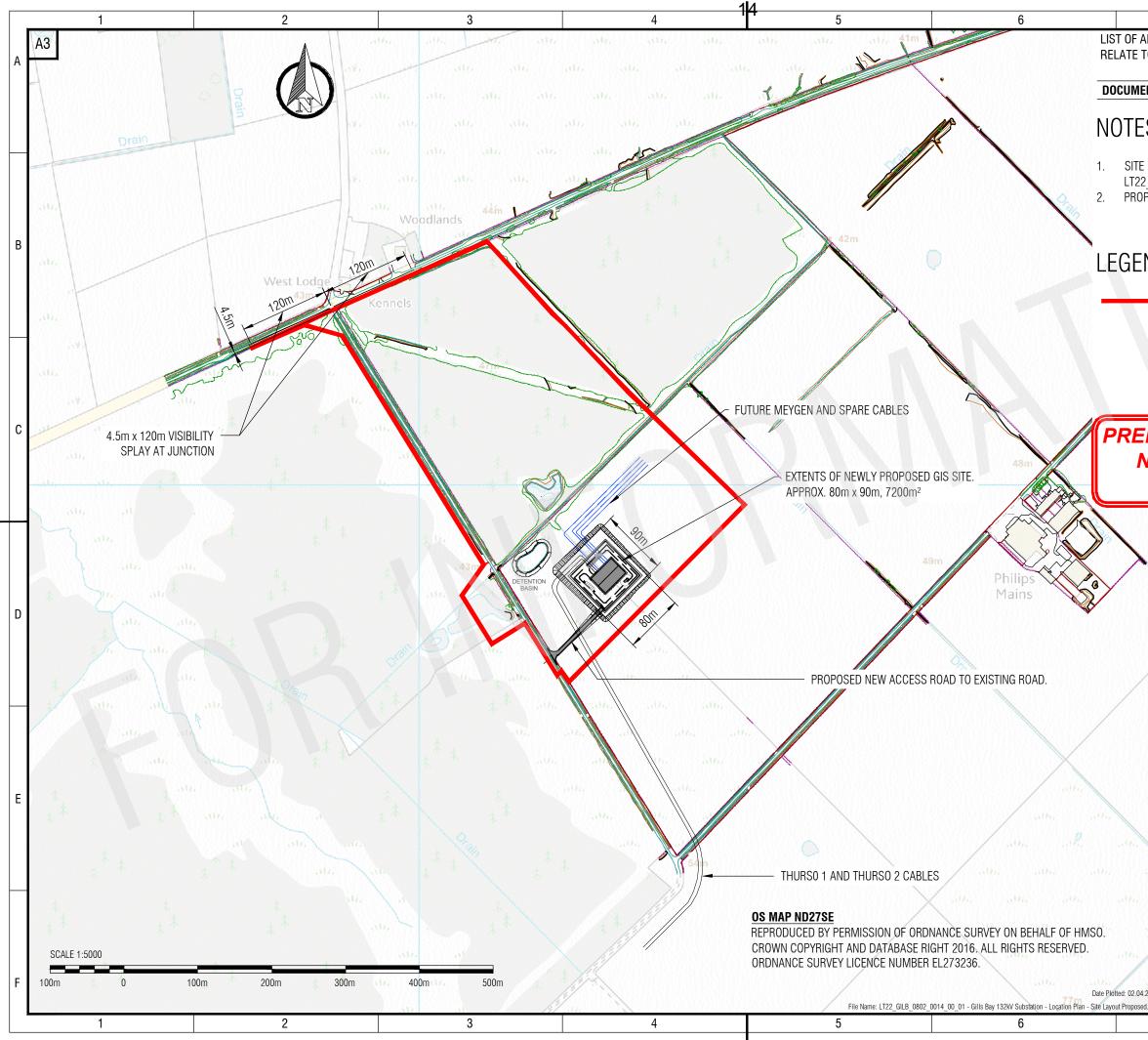
Protected Species – Halting of Work

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

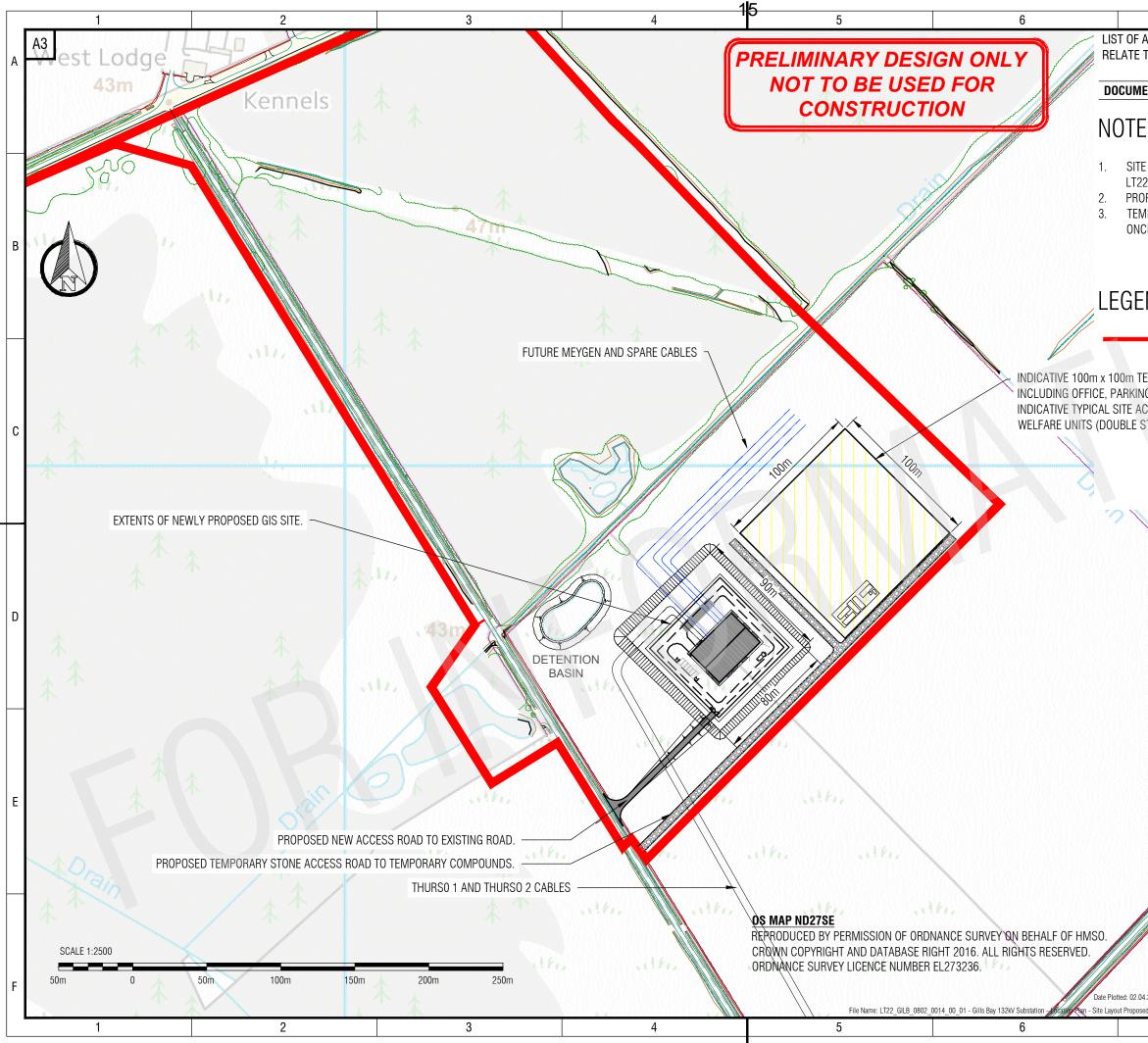
Signature:	Dafydd Jones
Designation:	Area Planning Manager - North
Author:	Claire Farmer
Background Papers:	Documents referred to in report and in case file.

Relevant Plans:

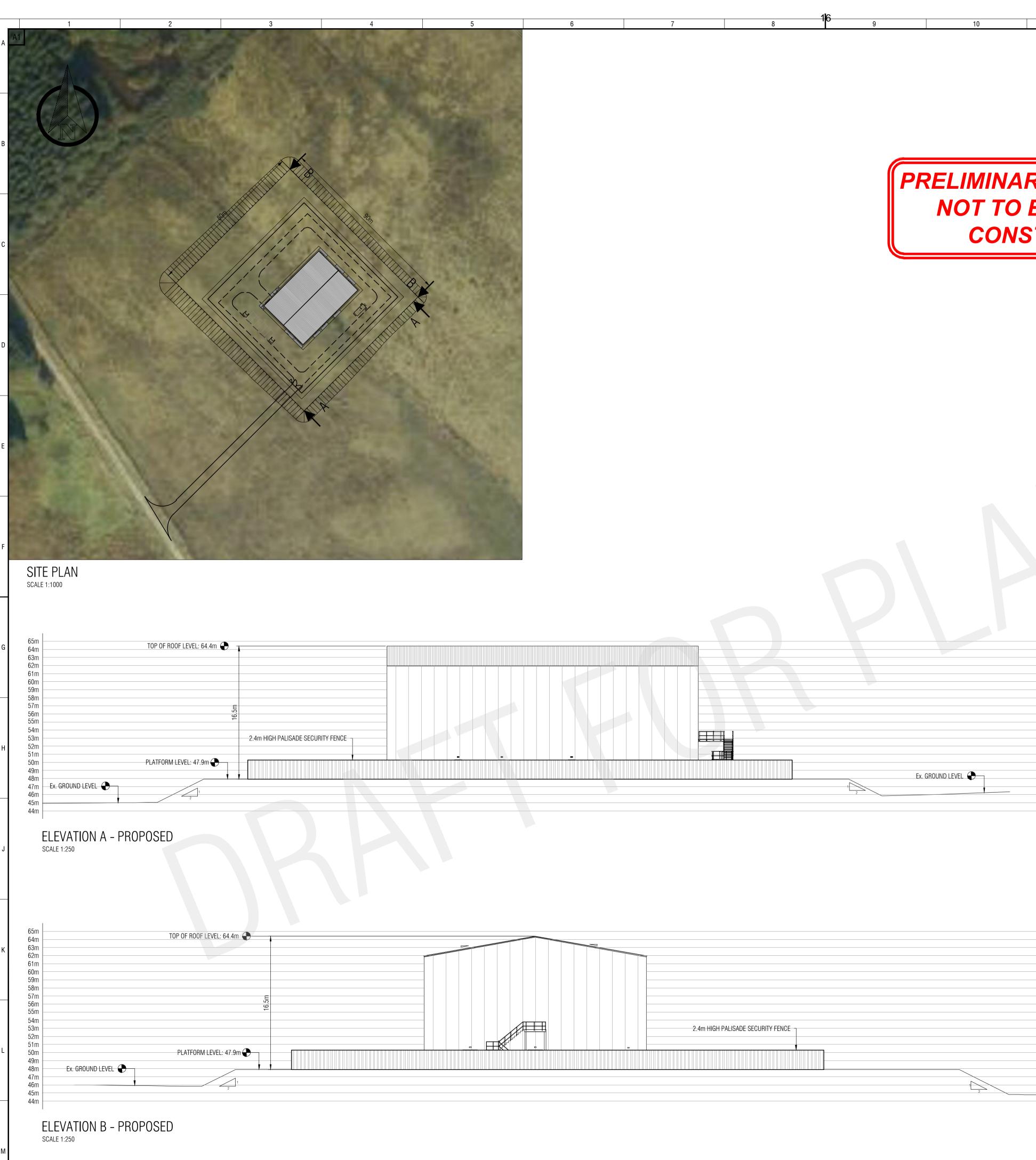
Document Type	Document No.	Version No.	Date Received
Location Plan	LT22-GILB-0802-0014	REV 01	25.11.2021
Location Plan	LT22-GILB-0802-0015		25.11.2021
Site Plan	LT22-GILB-0802-0018	REV 0A	25.11.2021
Ground Floor Plan	LT22-GILB-0805-0001		25.11.2021
First Floor Plan	LT22-GILB-0805-0002		25.11.2021
Section Plan	LT22-GILB-0805-0003		25.11.2021
Elevation Plan	LT22-GILB-0805-0004		25.11.2021
General Plan	LT22-GILB-1104-0005		25.11.2021
Landscaping Plan Figure 3.3	R162-10505-FIG5		25.11.2021
Location Plan	R162-10505-GILLSBAY-EA- FIG1.1		25.11.2021



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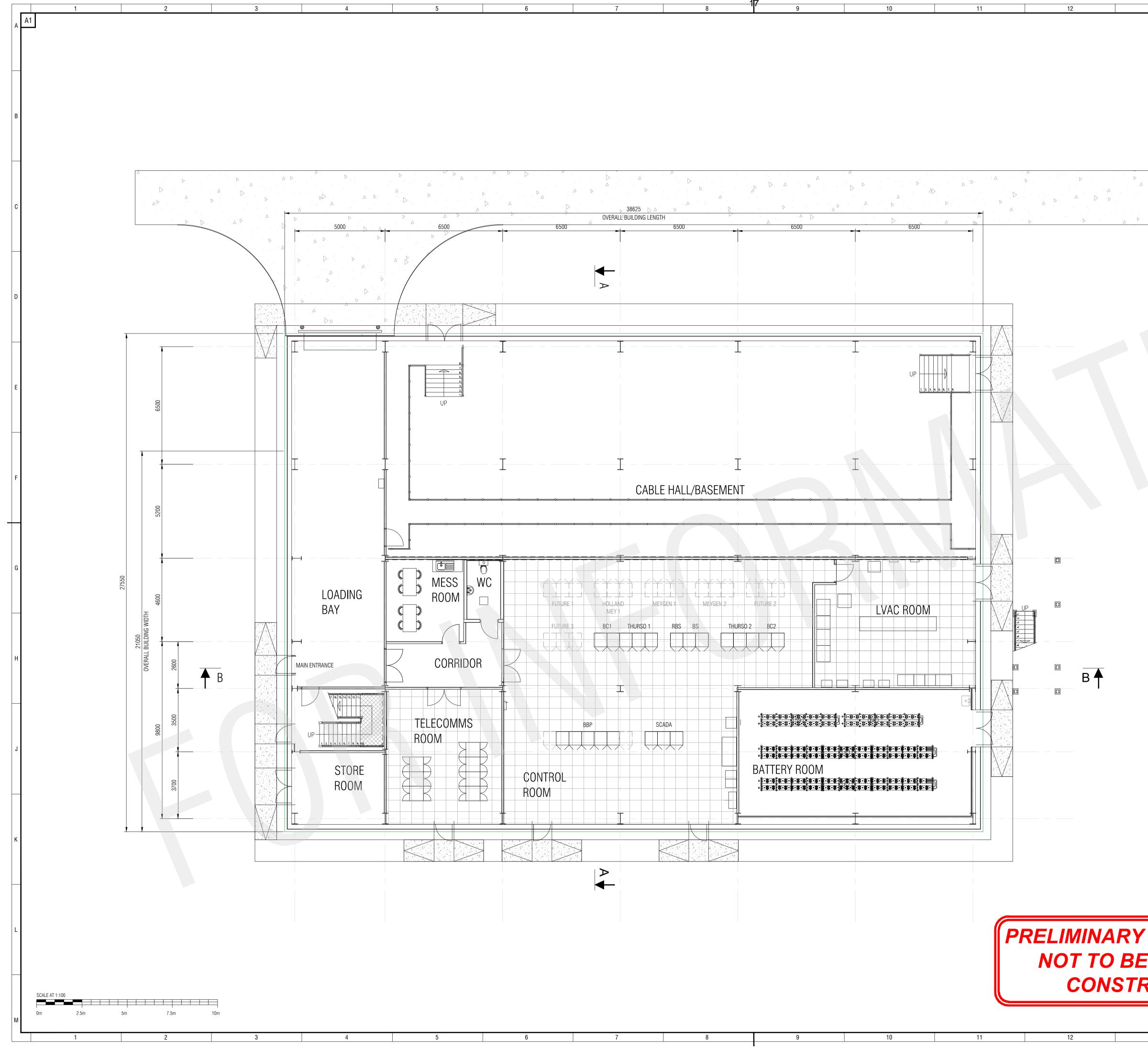


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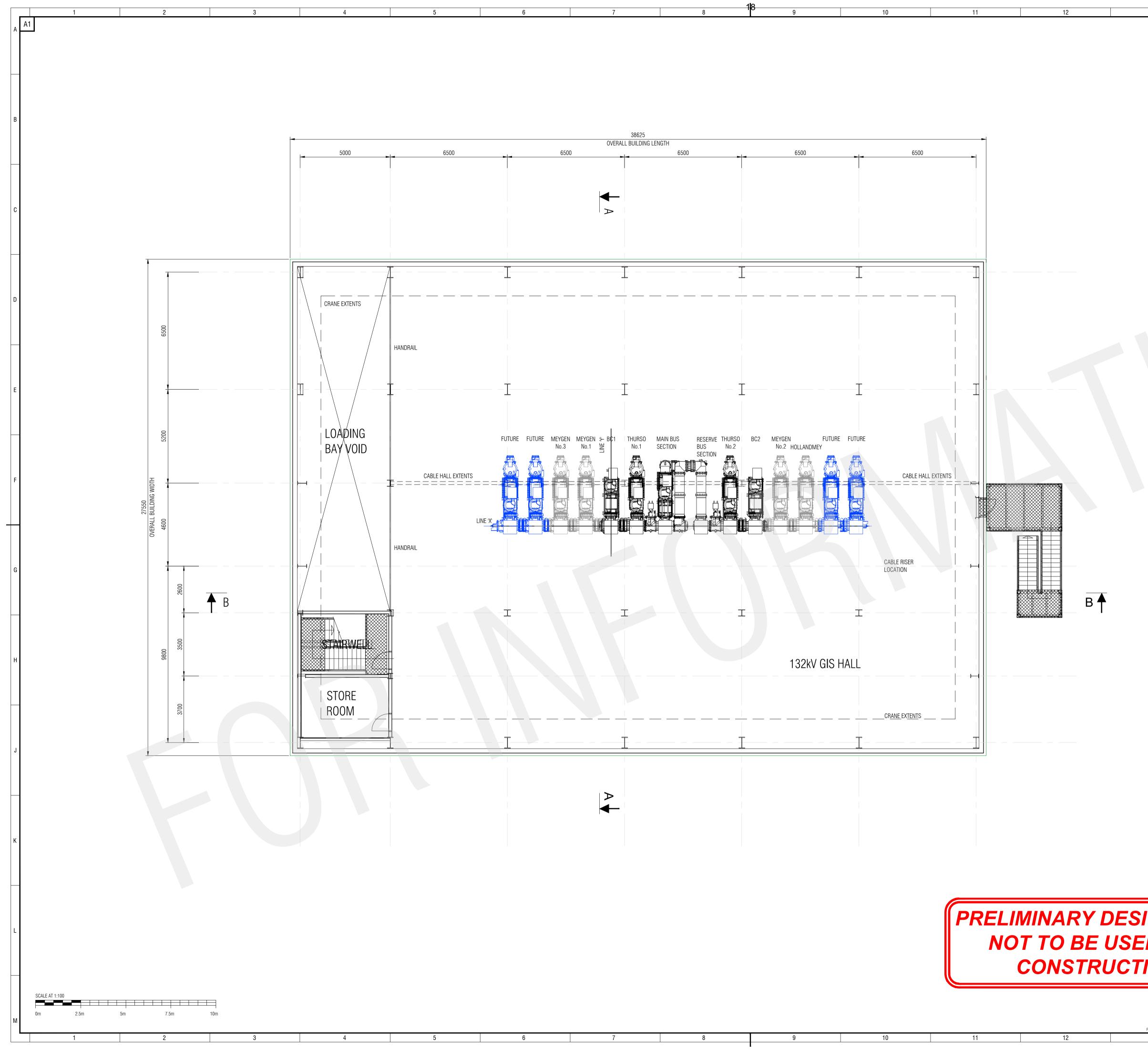
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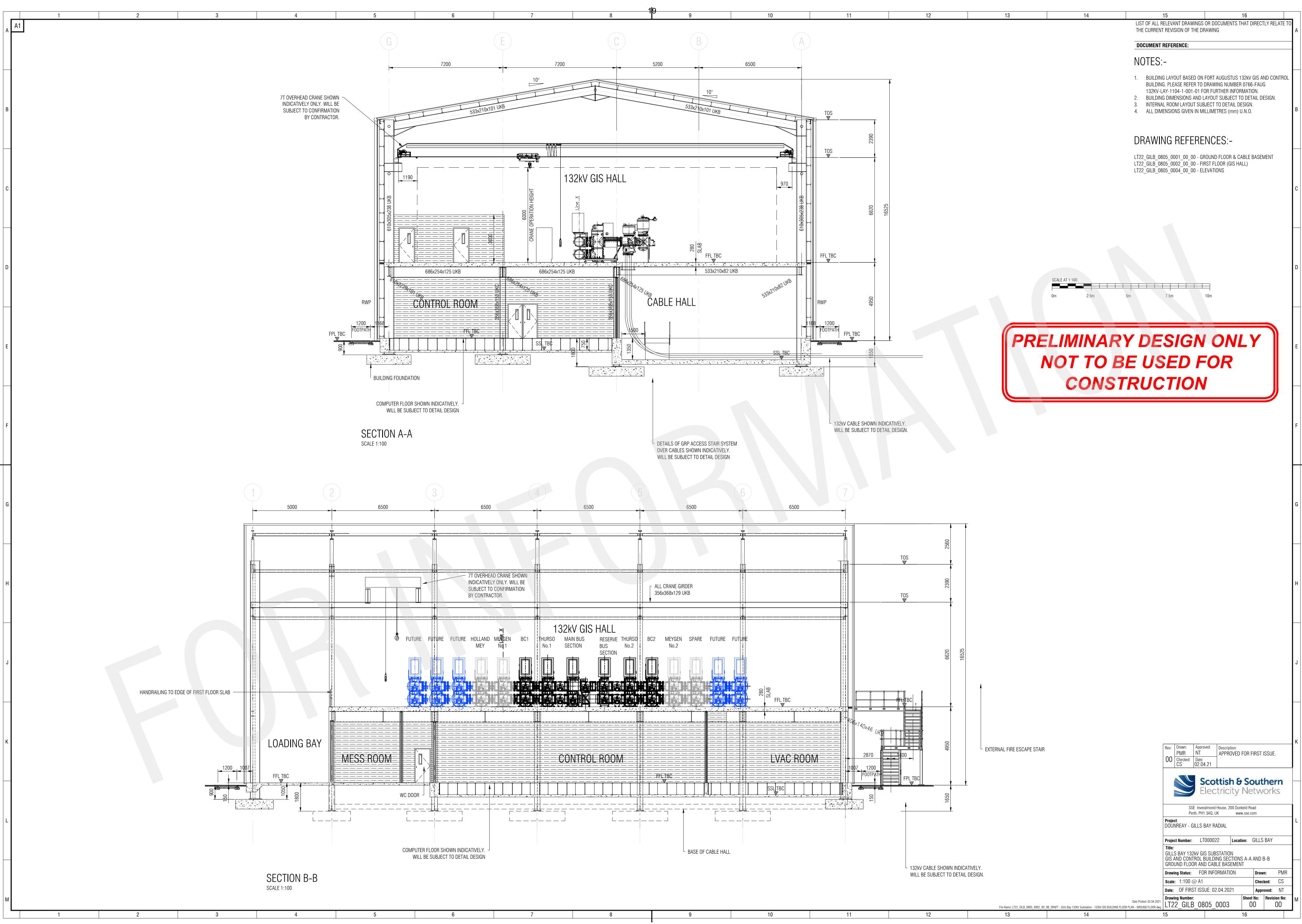
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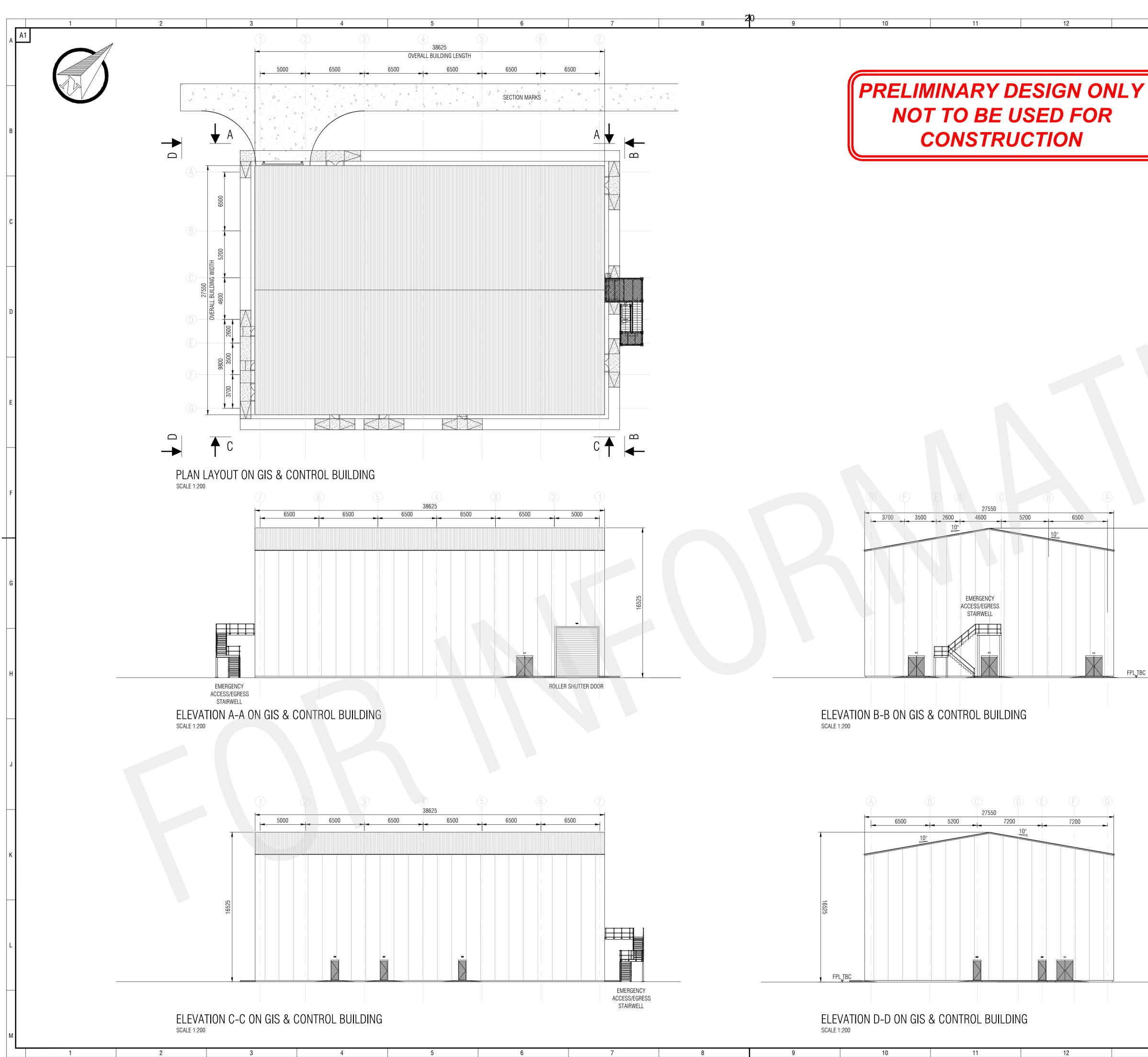


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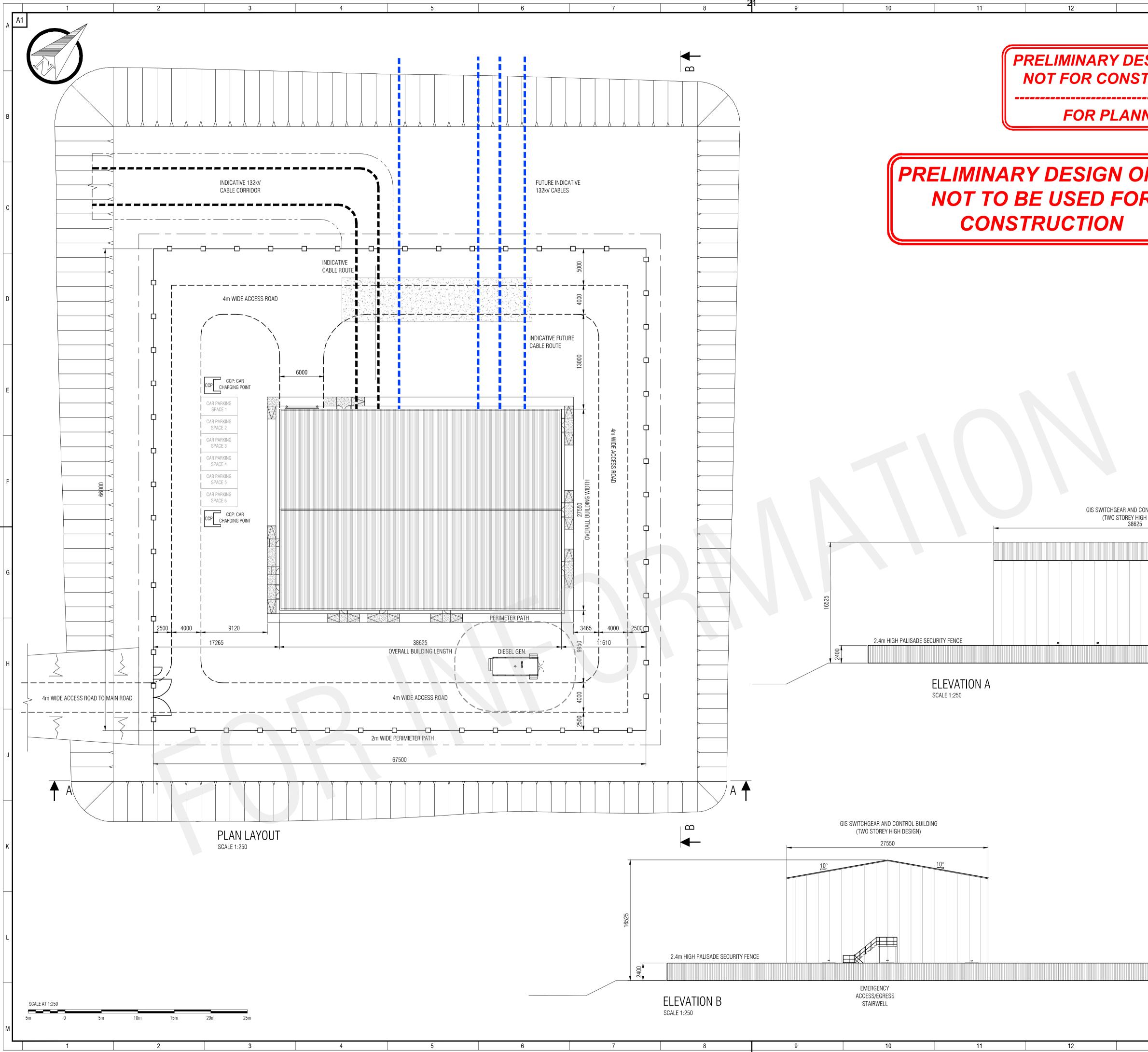
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FIGURE 3.3: LANDSCAPE PLAN

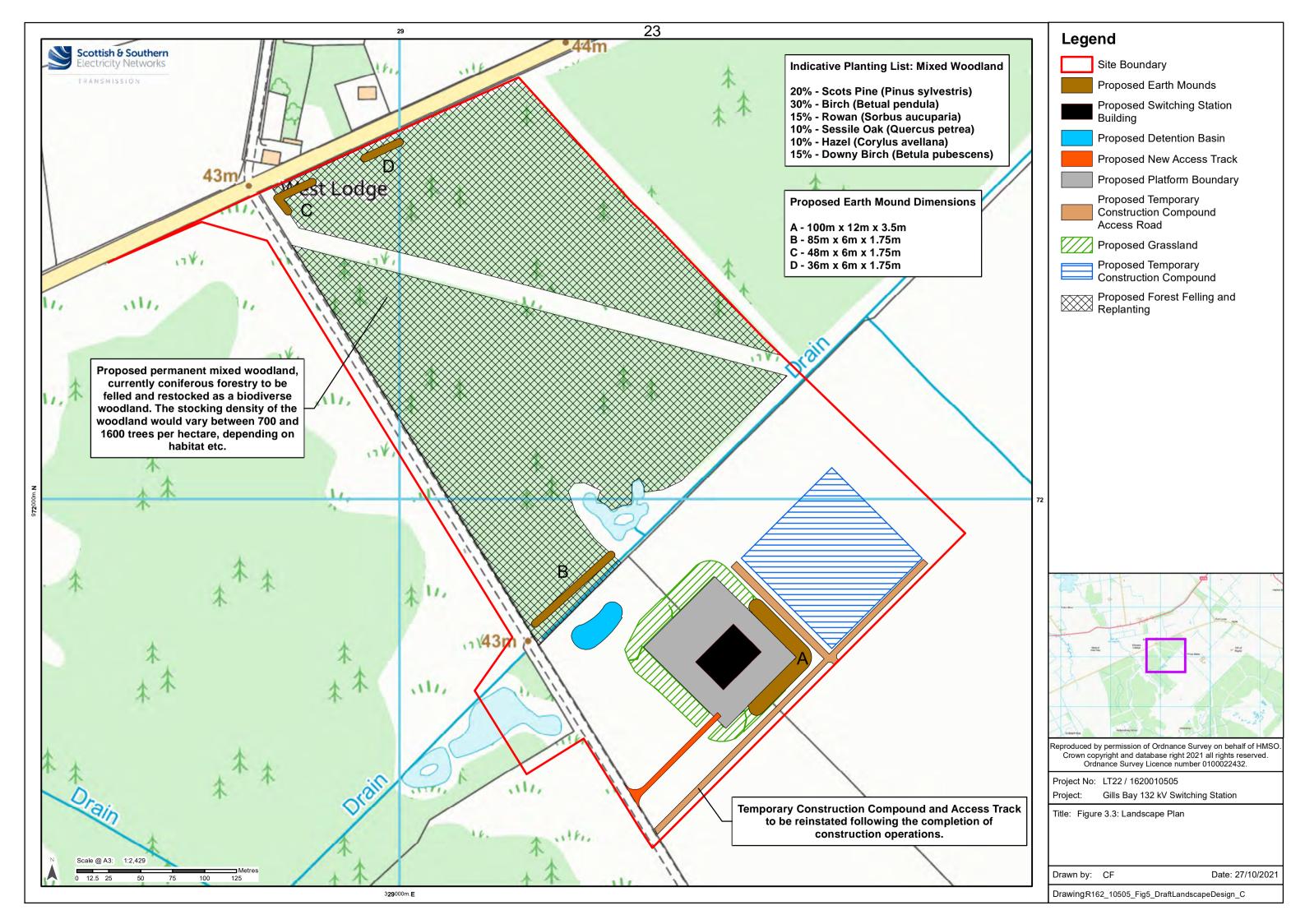


FIGURE 1.1: SITE LOCATION

