Agenda Item	6.1
Report No	PLN/044/024

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 4 June 2024

Report Title: 23/05353/PIP: Offshore Wind Power Limited
AC Site Spittal Sub Station, Halkirk

Report By: Area Planning Manager - North

Purpose/Executive Summary

Description: Erection and operation of onshore substation, underground electricity cables, cable landfall, transition joint bays, cable joint bays, construction compounds, new and upgraded access tracks and associated infrastructure.

Ward: 02- Thurso and Northwest Caithness

Development category: National

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 10 of the report

1. PROPOSED DEVELOPMENT

1.1 The proposal is for onshore infrastructure to allow the export of electricity from the Offshore West Orkney Wind Farm. The offshore wind farm is subject to a separate application under Section 36 of the Electricity Act 1989, currently being considered by the Council under reference 23/04930/S36. The offshore part of the project would connect to the grid network at Caithness via onshore export cables buried in cable corridors from two possible land fall locations near St Mary's Chapel at Crosskirk to a new substation. The preferred substation location is north of Spittal Hill at Banniskirk.

1.2 The key components of the application include:

- Offshore export cables – up to five export cables that transmit power between the offshore project to Transition Joint Bays (TJBs), one per cable, at the landfall site; Where these are located below Mean High Water Springs (MHWS), these are addressed by the offshore project application, under 23/04930/S36, but are also a part of this application above MHWS.
- Landfall – two options are proposed, one at Crosskirk and one at Greeny Geo (one or both could be used). If either option is constrained, the TJBs may be split over the two landfalls (e.g. three TJBs at Crosskirk and two TJBs at Greeny Geo);
- Onshore export cables – up to five onshore export cable circuits laid in separate trenches, with each cable comprising three single core power cables and one communication cable, which transmit power as High Voltage Alternating Current (HVAC), underground between the TJBs and the onshore substation. The final cable construction will comprise a maximum 100 metre (m) width and maximum 33km long working corridor (330 ha) with a 21.5 ha temporary working area (landfall, laydowns and substation).
- An onshore substation (420 kilovolts (kV)) – required to transform the power to comply with the requirements of Scottish Hydro Electric Transmission plc (SHET-L) Spittal 2 substation and the National Grid network. The permanent site area will comprise approximately 23.9 ha (the footprint of the substation, hardstanding and access tracks).
- Temporary construction compounds and working corridors for the landfall, onshore export cables and onshore substation;
- Temporary access tracks for the landfall and along the onshore export cable route; and
- Permanent access tracks (indicative at this stage) across the onshore Project area.

1.3 The proposed development is identified as National Development by National Planning Framework 4 (NPF4). It is classified as 'development contributing to Strategic Renewable Electricity Generation and Transmission' with 'new and/or replacement upgraded on and offshore high voltage electricity transmission lines, cables and interconnectors of 132kV or more; and new and/or upgraded Infrastructure directly supporting on and offshore high voltage electricity lines, cables and interconnectors including converter stations, switching stations and substations'.

1.4 Given many of the uncertainties around this type of development related to advances in technology, construction methods and the long lead time for the project to commence on site, the exact layout and design requirements for each element of the development are yet to be determined. This application for PIP allows for approval of outline parameters with the impacts of each individual element and the final design to be approved through specific conditions attached to the consent. This means the Environmental Impact Assessment (EIA) is based on a design envelop approach principle known as the 'Rochdale Envelope'; a term derived from established case law, it essentially means that consideration is given to the maximum and minimum extents of the project to establish a 'worst case scenario'. Work will continue refining the project concepts and the final design for approval at condition stage.

1.5 This means that the application site area is significantly larger than the final area the onshore project will require. A wider site area has been submitted to accommodate multiple landfall, export cable routes and land access options. This comprises the three zones; a Landfall Development Zone (Joint Transition Bays), Cable Development Zone (Onshore Export Cables) and Onshore Substation Development Zone. It will be refined through ongoing engineering surveys and studies, including input from installation contractors.

1.6 A detailed construction programme will be developed as design and procurement activities progress and full details including sequencing and installation methodologies will be confirmed in the Construction Method Statements (CMSs) which will be produced and agreed post-consent. It is anticipated that construction will take approximately four years (subject to change) followed by a final pull through of the offshore cables.

1.7 The applicant has been in regular contact with the Planning Authority in advance of submission seeking advice on procedural matters and on the details which will accompany the application. The applicant has undertaken five rounds of pre-application consultation. Three informal rounds of consultation were held in 2022. The first formal Pre-Application Consultation round was carried out in May 2023 comprising in person events at seven locations over a two week period (including four in Orkney, two in Caithness and one in Sutherland). A second round was held in June 2023 with in person events at Thurso and Halkirk.

1.8 A Environmental Impact Assessment (EIA) scoping request was submitted in March 2022 and an scoping opinion was received on 9 May 2022. The project design envelope was further refined through environmental surveys, technical and engineering studies and discussions with stakeholders and the community, as part of the EIA process. This continues to be refined as further studies and discussions with stakeholder's progress.

1.9 The application is supported by an Environmental Impact Assessment Report (EIAR), the contents of which have been informed through the EIA scoping exercise. The EIAR contains chapters on project needs, planning policy and legislation, site selection and alternatives, project description, stakeholder engagement, EIA methodology, geology and hydrology, freshwater ecology, terrestrial non-avian ecology, terrestrial ornithology, land use and other users, terrestrial archaeology and cultural heritage, air quality, noise and vibration, access, traffic and transport and landscape and visual.

The application was also supported by a Pre-Application Consultation Report (PAC) Design and Access Statement and Onshore Planning Statement.

1.10 No variations have been made to the application since validation. The applicant has however provided a response to NatureScot, addressing matters raised during the consultation process for clarification.

2. SITE DESCRIPTION

2.1 The site envelope coves a 3,300 ha area. The offshore cables land on the coast at Greeny Geo and CrossKirk north of the A836; one or both landing sites may be used. The onshore cable corridor then heads south, running to the west of the A9 Trunk Road. It divides at Buckies with two cable routes, one through Halkirk to the west and one through Braal Castle to the east, the cable routes join and then terminate at the site of the proposed onshore substation at Spittal, west of the A9 and directly north of the existing SSEN Spittal Substation connecting into the national grid. The precise onshore export cable alignments are still being defined and will be dependent on the results of ongoing site investigations, engineering studies, consultation feedback and the findings of the EIAR.

2.2 The majority of construction traffic will be routed along main roads including the A836, A9 and B874. Scrabster Harbour is located 3.2 km to the north of Thurso and is accessed directly from the A9. The harbour may be used for the delivery of abnormal loads, such as transformers, which would be delivered via the A9 to the onshore substation site. It is also possible that abnormal loads will be delivered from Wick Harbour, via the A99 and A9.

2.3 The site is rural in nature, with a limited number of settlements, with Crosskirk and Forss on the coast, and Halkirk located centrally between the cable development zone with the substation search area being proposed to the south of the settlement. The predominant land use is agriculture, including both arable and grazing farmland. There are some areas of traditional peat cuttings. Other prominent features include electrical overhead lines, with a mixture of wooden pole and larger lattice steel towers; and the single-track railway between Georgemas Junction and Scotscalder. There is also the existing Spittal substation, located adjacent to the south east.

2.4 The River Thurso and Forss Water flow north to south through the site which both offer angling. Recreation and tourism also include deer stalking, cycling and hill walking. The site is crossed by the North Coat 500 Tourist Route and the Inverness to John O' Groats route of the National Cycle Network, which both follow the A836 south of Forss.

Environmental Designations and Habitats

2.5 The site is within the catchment of the River Thurso which is designated as a Special Area for Conservation (SAC) for Atlantic Salmon. There are eleven sites of international importance within 20 km of the site (SAC, Special Protection Areas (SPAs) and Ramsar Sites) and seventeen sites of national importance within 5 km of the site. The table below summarises environmental designations and proximity to the works. There are eight sites designated for hydrology, geology, hydrogeology, or peat within 2 km of the application site.

Designation	Purpose	Distance from site
River Thurso Special Area of Conservation (SAC)	Atlantic Salmon	Export cable corridor crosses the River Thurso and its tributaries at several points
Ushat Head Site of Special Scientific Interest (SSSI)	Marine cliffs	Adjacent to the site
Achanarrus Quarry SSSI. and GCR (Geological Conservation Review Site)	Fish fossils	Adjacent to the site
Loch Lieurary SSSI	Fen habitats	100 m south
Westfield Bridge SSSI	Fen habitats	600 m south east
Banniskirk Quarry SSSI + GCR	Fossils	1 km east
River Thurso SSSI	Floodplain and vascular plants	1.1 km south west
Spittal Quarry SSSI + GCR	Fish fossils	1.2 km south east
North Caithness Cliffs Special Protection Area (SPA)	Breeding seabirds and peregrine	1.4 km north
Caithness Lochs SPA + Ramsar site	Non-breeding Greenland white-fronted goose, greylag goose and whooper swan	1.6 km east
Loch Calder SSSI	Wintering birds	1.6 km east
Newlands of Geise Mire SSSI	Fen habitat	2.4 km north east
Broubster Leans SAC + SSSI	Breeding birds and hydromorphological mire range	2.8 km west
Loch Scarmclate SSSI	Wintering birds	3.1 km east

Holburn Head SSSI	Maritime grassland	3.4 km north east
Sandside Bay SSSI	Maritime cliffs	4.6 km north west
Red Point Coast SSSI	Maritime cliffs	4.6 km north west
Loch Watten SAC + SSSI	Eutrophic Lake	5.3 km east
Caithness and Sutherland Peatlands SAC, SPA + Ramsar Site	Otter and peatland habitats + blanket bog	5.4 km
Loch of Wester SAC Also SSSI but outside 5km)	SAC nutrient rich loch	16.1 km southeast
Strathy Point SAC	Vegetated sea cliff	16.3 km west

Landscape Designations, Wild Land and Landscape Character

2.6 There are no National Scenic Areas (NSA), Special Landscape Areas (SLA) or Wild Land Areas (WLA) within the site. The landscape assessment has assessed the potential impact of the onshore substation on the surrounding Landscape Character Type (LCT) 143 Farmed Lowland Plain although, part of the westernmost of the potential underground cable routes is located within LCT 134 - Sweeping Moorland and Flows.

Built Heritage

2.7 There are eight Schedule Monuments (SM's) within application site, as tabled below:

Site Name	Listing	Location Within Application Site
Green Tullochs [cairn and cist]	SM554	Greeny Geo landing east of Crosskirk
Green Tullochs [broch and inhumation]	SM554	Greeny Geo landing east of Crosskirk
Skinnet Chapel	SM2658	North of Braal Castle
Benachie [cairn and stone circle]	SM2400	North of Spittal
Achanarras Hill North [Bronze age hut circle]	SM2402	North of Spittal
The Shean, Achanarras [medieval cairn]	SM475	North of Spittal

St Magnus Hospital and Chapel Spittal	SM5413	North of Spittal
Achanarras [Neolithic cairn]	SM2401	North of Spittal

2.8 There are eight listed buildings within the site envelope, as shown on the table below.

Site Name	**Listed Building Number**	**Location Within Application Site**
Lybster Farm steading	LB 14991	Lybster
Forss House: country house	LB14923	Forss
West Mill, Forss: watermill	LB14990	Forss
East Mill, Forss watermill	LB14925	Forss
Miller's House, East Mill Forss	LB14925	Forss
The Bridge of Forss over Forss Water	LB14926	Forss
Tollhouse, Forss	LB14924	Forss
Old Bridge of Forss	LB44721	Forss

3. PLANNING HISTORY

3.1		23/04930/S36: West of Orkney Wind Farm - Erection and operation of an offshore wind farm comprising of 125 fixed bottom wind turbines with a maximum blade tip height of 360m, cabling and associated ancillary offshore infrastructure	Pending Consideration
3.2	14 June 2023	23/02399/SCRE: Onshore HRA Screening report for the onshore transmission infrastructure associated with the West of Orkney Windfarm	HRA Screening Decision Issued
3.3	21 March 2023	22/05500/PAN: Provision of onshore transmission infrastructure for the West of Orkney Wind Farm. The proposal includes approximately 22km of underground cabling, a substation and associated infrastructure	Proposal of Application Notice

3.4	21 March 2023	22/04846/PAN: West of Orkney Offshore Windfarm comprising of the erection and operation of an offshore wind farm with the potential to generate up to 2GW of electricity	Proposal of Application Notice
3.5	16 November 2022	22/04030/PNO: West of Orkney Windfarm - Onshore Site Investigation Caithness	Prior Approval Granted
3.6	9 June 2022	22/01589/SCOP: West of Orkney Wind Farm - Erection and Operation of an Offshore Wind Farm comprising up to 125 wind turbines with a maximum blade tip height of 370m, up to 5 offshore substation platforms, up to 750km of inter -array cables, up to 10 export cables including up to 5 cables making landfall in Caithness and ancillary infrastructure	EIA Scoping Decision Issued
3.7	9 May 2022	22/00972/SCOP: West of Orkney Wind Farm - EIA Scoping Request for Onshore infrastructure associated with the Onshore Wind Farm, including cable landfall, substation, cable route, tracks and associated infrastructure	EIA Scoping Decision Issued

4. PUBLIC PARTICIPATION

4.1 Advertised: Unknown neighbour and EIA Development

Date advertised: 13 December 2023 – The Edinburgh Gazette, and 18 December 2023 – The John O' Groat Journal.

Timeous representations: 3 objections, 3 general comments, 0 support comments

Late representations: 0

4.2 Material considerations raised in objections are summarised as follows:

- Concerns relating to the supporting information to determine the application;
- Proposals not in accordance with the Development Plan, particularly in respect of NPF4;
- Concerns over the management of construction traffic, road closures and impacts on the capacity and condition of the local road network;
- Potential ecological and habitat impacts;
- Biodiversity enhancement proposals are unclear;
- Operational noise impacts from the proposed substation;
- Difficulties of determining cumulative impacts;
- Route of cabling and impact on utilities, local business and access to properties during construction; and
- Impact on private underground services, access routes and tracks.

4.3 Material considerations raised in support are summarised as follows:

- Benefits of renewable energy.

4.4 The following matters raised in representations are not material planning considerations:

- Lack of need for further renewable energy in Scotland;
- Lack of grid capacity to transmit generated electricity;
- Issues with the EIAR process for the associated offshore element of the project; and
- Concerns that proposed community benefits will not be realised locally.

4.5 All letters of representation received by the Council are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam

5. CONSULTATIONS

5.1 **Sinclair's Bay Community Council – do not object to the application.** Request mitigation package is put in place prior to construction as per the draft Outline Environmental Management Plan (OEMP) submitted with the application to ensure that the environment, flora and fauna, both on and offshore, is cared for and as far as practically possible and that any impact is kept to a minimum.

5.2 **Access Officer** - does not object to the application. There are well used trails in Sibster Forest which are candidate core paths, awaiting adoption into the Highland Core Paths Plan and should be included in the assessment. There is likely to be significant short term disturbance if this route is selected. Management of pedestrians, cyclists and equestrians should be considered as part of management of road closures, construction traffic and dust.

5.3 **Contaminated Land** - do not object to the application. The cable development zone is in close proximity to several old quarries and pits which could have been infilled with unknown / degradable materials and may be of concern for ground gas generation if infrastructure is built on or nearby these locations. The substation development zone is near the current Spittal Electricity Substation and the Landfall Development Zone lies within proximity of Forss Naval Base where there may be contaminated land issues. Contaminated land issues should be considered further and in detail once the location is confirmed.

5.4 **Environmental Health** - do not object to the application. Conditions on vehicle management during operation to limit noise and to manage operational noise generated by the proposed sub-station, plant and machinery, are requested.

5.5 **Ecology Officer –** does not object to the application. The applicant's ornithology survey is robust. The Ecology Officer is confident that the applicant will be able to deliver suitable habitat enhancements at the matters specified stage.

5.6 **Flood Risk Management Team -** do not object to the application. It is noted that development within the flood plain will be avoided with the exception of underground cables. The proposed flood risk management strategy is considered satisfactory at this stage. The substation will require a SUDS system to limit surface water discharge. It is requested at the detailed design stage that the applicant demonstrate that the

development will not increase flood risk to the area. A condition to ensure that the final drainage design is submitted for review is requested.

5.7 **Forestry Officer –** does not object to the proposals, subject to a condition to be secured via the forthcoming detailed applications, to secure a compensatory planting plan in advance of development commencing.

5.8 **Historic Environment Team (Archaeology) -** do not object to the application**.** Pre - commencement conditions for a Written Scheme of Investigation and programme of works are requested.

5.9 **Transport Planning Team -** do not object to the application. Conditions on access to public roads and a Construction Traffic Management Plan (CTMP) to be agreed with the Highland Council and Transport Scotland are requested.

5.10 **Highlands and Islands Airports Limited -** do not object to the application. The safeguarding criteria for the operation of Wick Airport would not be infringed as currently proposed. They request further consultation on the design parameters prior to any detailed planning permission being granted.

5.11 **Historic Environment Scotland (HES)** - do not object to the application. The application does not raise historic environment issues of national interest. Construction impacts from the proposed land fall and underground cables will be mitigated through an Archaeology Management Plan (AMP) and Construction Environmental Management Plan (CEMP). There will be no direct impacts on the Scheduled Monuments from the substation and impacts on setting will be mitigated through landscaping including bunding and tree planting to provide screening from the west.

5.12 **Ministry of Defence - Defence Estates** - do not object to the application. Amendments to any element of the proposed development (including the location, dimensions, form, and/or finishing materials of any structure) may significantly alter how the development relates to MOD safeguarding requirements. Further consultation will be possible at the matters specified in conditions stage.

5.13 **National Air Traffic Control Services (NATS)** - do not object to the application.

5.14 **NatureScot** - do not object to the application, after receiving additional clarification from the applicant regarding their Horizontal Direct Drilling Methodology and mitigation proposals for construction of the cable route under watercourses in the area. The Highland Council, as competent authority is otherwise, required to carry out an appropriate assessment in view of the conservation objectives of the River Thurso Special Area of Conservation (SAC), Caithness and Sutherland Peatlands SAC, Caithness Lochs Special Protection Area (SPA) and North Caithness Cliffs SPA, with Nature Scot providing further comments to advise the Council Officers in this regard.

5.15 **RSPB –** do not object to the application.. It is requested that the final route is amended to take better account of existing characteristics and the local, regional and national ecological context prior to development with changes to ensure damage to natural and semi-natural breeding wader habitat is avoided during construction. Further information is sought on where, and to what extent, Annex 1 habitats are likely to be

lost (via a quantitative assessment) and if impacts to Annex 1 habitats cannot be avoided appropriate compensation for loss. Clarification is also requested on cumulative effects on designated sites with ornithological features.

5.16 **Scottish Environment Protection Agency** - do not object to the application provided conditions are applied to the consent, primarily relating to the impact on Private Water Supplies, terrestrial groundwater, geomorphic erosion and carbon rich soils.

5.17 **Scottish Water (SW)** - do not object to the application. If any potential conflicts with SW assets are identified related to the finalised route, then the applicant must contact Scottish Water's Asset Impact Team.

5.18 **Scottish Forestry** - do not object to the application. There is insufficient detail on felling/woodland type/area felled and that some of the woodlands are recorded on the Native Woodland Survey of Scotland and must be afforded extra protection. Scottish Forestry request conditions to include a tree felling plan and compensatory planting.

5.19 **Scottish and Southern Electricity Networks (SSEN)** - do not object to the application. SSEN request to be consulted on engineering work within 15m of the operators transmission towers that support existing 275kv lines.

5.20 **Transport Scotland** – do not object to the application, subject to conditions to regulate vehicle movements on the trunk road network. Transport Scotland recommended a condition to secure a Construction Traffic Management Plan (CTMP), as did the Council's Transport Planning Team, as noted above.

6. DEVELOPMENT PLAN POLICY AND OTHER MATERIAL POLICY CONSIDERATIONS

6.1 Appendices 2 and 3 of this report provides details of the documents which comprise the adopted Development Plan, including details of pertinent planning policies as well as adopted supplementary guidance, and other material policy considerations which are relevant to the assessment of the application.

7. PLANNING APPRAISAL

7.1 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.

Planning Considerations

7.2 The key considerations in this case are:

a) Compliance with the Development Plan / Other Planning Policy
b) Energy and Economic Benefits
c) Design, Landscape and Visual Impacts
d) Construction Impact
e) Noise

f) Water, Flood Risk, Drainage and Soils

g) Roads, Transport and Access

h) Natural Heritage (including ornithology)

i) Built and Cultural Heritage

j) Other Material Considerations

Development Plan / Other Planning Policy

7.3 The Development Plan comprises National Planning Framework 4 (NPF4), the adopted Highland-wide Local Development Plan (HwLDP), the adopted Inner Moray Firth Local Development Plan (IMFLDP), and all statutorily adopted supplementary guidance, including the Onshore Wind Energy Supplementary Guidance (OWESG).

7.4 Appendix 3 provides an assessment of compliance with the Development Plan and other planning policies.

7.5 In summary, the principle of the development is established in national policy, with the proposed development being of national importance for the delivery of the national Spatial Strategy. NPF4 considers that Strategic Renewable Electricity Generation and Transmission Infrastructure will assist in the delivery of the Spatial Strategy and Spatial Priorities for the north of Scotland, and that Highland can continue to make a strong contribution toward meeting Scotland's ambition for net zero. Alongside these ambitions, the strategy for Highland aims to protect environmental assets as well as to stimulate investment in natural and engineered solutions to address climate change. This aim is not new and will clearly require a balancing exercise to be undertaken, which is reflected throughout NPF4. At the regional level, HwLDP also offers support for renewable development proposals where they are located, sited and designed such as they will not be significantly detrimental overall, individually or cumulatively with other developments.

Energy and Economic Benefit

7.6 The UK Government targets an additional 5GW of offshore wind energy capacity by 2030. The draft Scottish Energy Strategy and Just Transition Plan 2023 has also identified a target of 8-11GW of installed offshore wind energy capacity in Scottish Waters by 2030.

7.7 The West of Orkney Offshore Wind Farm's indicative maximum capacity of 2,000MW, or 2GW, would make a substantial contribution to Scottish and UK Government policy targets and international commitments for renewable energy and electricity generation to facilitate net zero by 2050. The proposed development would allow the electricity generated by the wind farm to be exported to the grid. There will be a carbon cost to the construction of the development. The total emissions over the construction, operation and maintenance and decommissioning of the project are estimated as 5 million Tonnes of Carbon Dioxide Equivalent emissions (tCO2E) and the carbon payback period (i.e. the period of time before the project has avoided more CO2e than has been produced by its construction and operation) is estimated to be eight years. The application estimates that the project will produce enough electricity each year to

meet the needs of the equivalent of 2,008,134 households (which increases to 2,746,081 households when a project specific capacity factor is used).

7.8 In terms of economic benefits, the proposed development anticipates a construction period of approximately four years and 30 years of operation prior to decommissioning or repowering. Such a project can offer significant investment/opportunities to the local, Highland, and Scottish economy including for businesses ranging across construction, haulage, electrical and service sectors through the supply chain, with opportunities in research and development, design, project management, civil engineering, component fabrication / manufacture, installation, and maintenance. The applicant estimates that up to 453 jobs would be created within Highland, including up to 200 in Caithness, during the construction of the project, with up to an average of 1562 jobs during this phase created in Scotland as a whole, inclusive of the offshore elements. These would be considered significant benefits at both a Caithness and a Highland level in EIA terms. Within Caithness, the project is predicted to require an average permanent workforce of up to 115 persons during the operational stage. In addition, there would be supply chain opportunities. The applicant has committed £33.5 million to fund co-investment. This fund will be used for initiatives including leveraging match funding from third parties into the supply chain. The applicant has also committed £9.3 million of investment to support local port and harbour infrastructure in Orkney and Caithness within the first three years of Project development, so as to facilitate local participation in the project's construction and operational stages.

7.9 Localised disruption is predicted during construction on tourism and recreation receptors. A Design and Access Statement was submitted with the application which set out how access will be managed, this will be conditioned through the Construction Traffic Management Plan (CTMP) and Access Management Plan. Stakeholder liaison can be conditioned as part of the Construction Environmental Management Plan (CEMP).

7.10 With the absence of the Council having a Community Wealth Building Strategy in place, and no community ownership being proposed, the proposal cannot be given any additional support under NPF4 Policy 25. That said, the applicant is in the process of developing a Community Benefit Fund (CBF) with input from local communities to ensure the benefits of the Project meet the local public needs. The CBF will be shared across communities in Caithness, Sutherland, and Orkney and engagement with local communities will be undertaken in its management. Short term priorities include supporting existing local initiatives, local business grants and support for energy bills. Medium term priorities include developing digital connectivity and affordable housing.

7.11 The Council has commissioned a study on what maximising benefits from development might look like with the intention of providing further guidance. Whether what is on offer, while not without merit, can be said to be considered as maximising socio-economic benefit, particularly for the wider Highland area will need to be an area for further discussion with the applicant, and conditions could be imposed to secure the socio-economic benefits reported in the EIAR, as well as a scheme for community benefit.

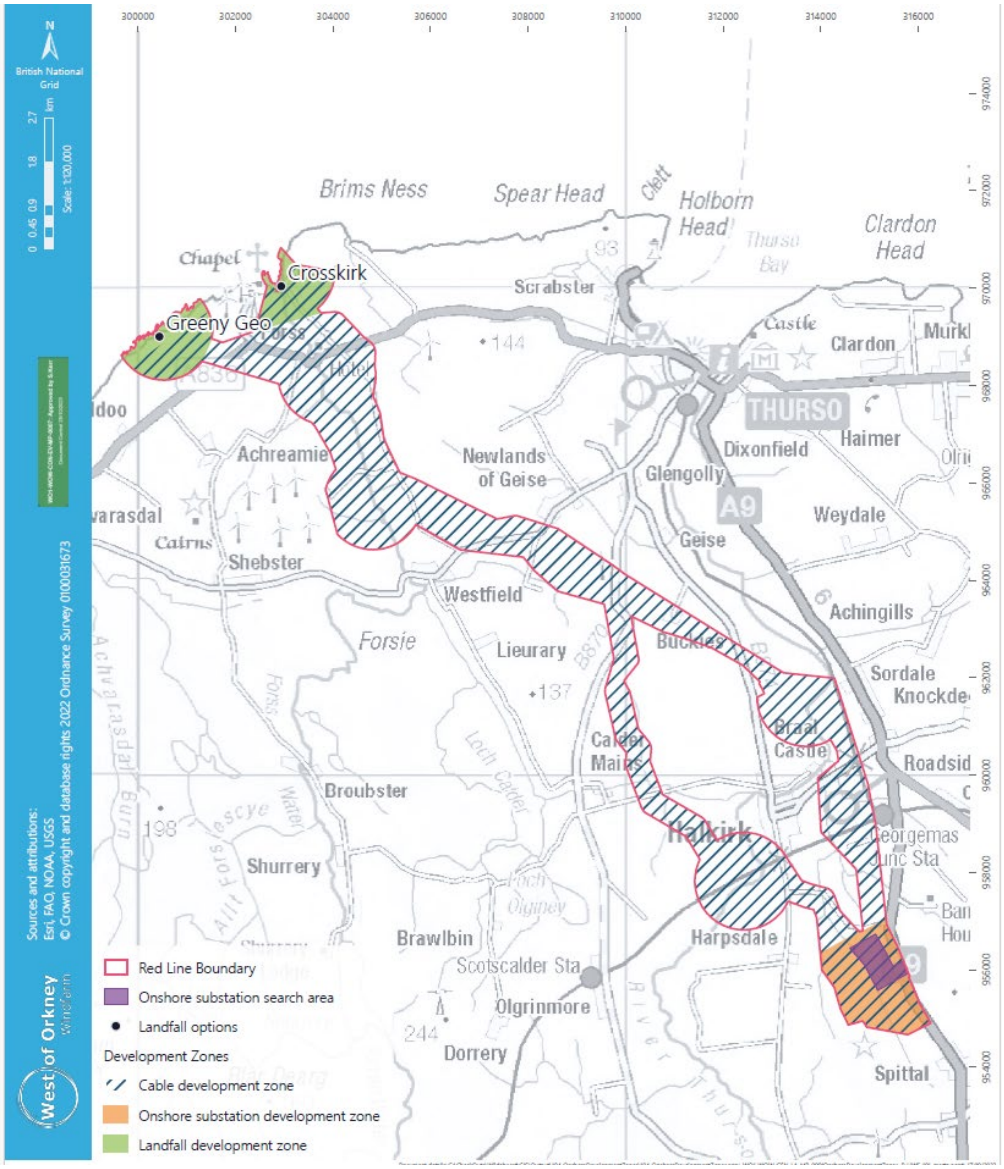
Layout and Design

7.12 As set out in Section 1 of this report there will be a number of different elements to the development, each having different impacts through their layout and design. The application is for planning permission in principle and due to the complex nature and timescales for the project the final details are yet to be brought forward. As set out in Section 1, the applicant has brought forward the application on a design envelope approach and identified the "worst case" scenario for the proposal.

7.13 The majority of the site falls within the Farmed Lowland Plain LCT (LCT 143) as defined by the NatureScot National Landscape Character Assessment (NatureScot, 2019). To the south, the fairly flat, fertile landscape of the Farmed Lowland Plain gives way to the sweeping moorland of the Sweeping Moorland and Flows LCT (LCT 134). There are no statutory landscape designations within the application site with the nearest such designation being the Dunnet Head Special Landscape Area, located some 15km east of the landfall area. In relation to each element of the proposal within the proposed development zones, it is not considered that the proposals would have an impact on the integrity of the Special Landscape Area due to the scale and location of the proposed development.

7.14 This outline layout and design comprises three development zones which are set out in Figure 1-1 of the applicant's Design and Access Statement. For ease of reference within this report, these have been numbered 1-3, with the design envelope and potential landscape and visual impacts explained in more detail below. The overall layout of the onshore infrastructure has progressed through an iterative process. The onshore substation location was necessitated by the onshore grid connection offer, which indicated a location at or near Spittal. The preferred location, immediately to the north of the existing Spittal substation was supported by site visits and field surveys. The landfall locations for the offshore cable were refined from an initial 6 options to the current 2 at Crosskirk and Greeny Geo via technical and environmental constraints analysis and following the EIA Scoping response. The confirmation of the two landfall options then defined the outline cable routes, which were then further refined to the present options via environmental desk based research and field surveys. The cable corridor presented in the current application has been designed to avoid all designated sites with the exception of the River Thurso SAC. Additionally, it has been designed to avoid settlements and other energy infrastructure.

Figure 1-1 – Development Zones



7.15 Development Zone 1 – Landfall Development Zone

Concrete Joint Transition Bays (JTB's) will be located where the offshore export cables hit landfall. The EIAR only considers the offshore export cables between Mean Low Water Spring Tide Level (MLWS) and the JTBs. They will house the interface joint between the offshore and onshore export cables. Up to five JTBs are required, one JTB per export cable. The JTBs will either be located wholly at a single location, or if constrained, split over the two landfall locations at Greeny Geo and Crosskirk. Each JTB will be set below the existing ground level, flush with the surface, but above Mean High Water Springs (MHWS) and comprise an area ranging between 6 m long x 3 m wide x 3 m deep to 30 m long x 6 m wide x 5 m deep. The final selection of the JTB dimensions depends on ground conditions and cables, transition joints, link box sizes and other technical issues. There will be no significant above ground structures in the landfall zone post completion of the construction works. As a result, it is unlikely to have any landscape or visual impacts, particularly with scope for treatment of the surface of the JTB to be landscaped, which may be conditioned.

7.16 **Development Zone 2 – Cable Development Zone (Onshore Export Cables)**

There will be up to five onshore export cables. These will be routed inland from the JTBs towards the substation. These underground onshore export cables will be located wholly within the proposed site. The exact location and alignment of the cables will be established following further engineering and site investigations. The five export cables (each comprising three separate power cables and a fibre optic communications cable) will be buried underground in separate trenches. The routeing for the cable corridor as currently defined by the application red line boundary is up to 2000m in width at some locations, however, the actual cable corridor will be significantly narrower than this, with the red line boundary having the potential for multiple different route options, which will be refined to a 100 m working corridor during detailed design. Cable Joint Bays (CJBs) will be required every 700m, up to 288 in total for all five export cables. The location, length and number will be confirmed in detailed design. Crossings for roads, watercourses etc will be required. The detailed design of crossing methodologies will be completed once the final onshore export cable route has been confirmed. Due to the JTBs and the export cables being underground, no significant permanent landscape or visual effects are likely to occur. The onshore cable circuits will be located underground and therefore will not have a visual impact beyond the construction period. There are however significant working corridors proposed by the applicant during the construction period. Therefore, it is anticipated that there will be a temporary visual impact as a result of these aspects throughout the construction period. The access tracks are proposed as a mix of upgrades to existing access tracks on the site and new access tracks, all up to 5m in width. Due to the scale of this aspect of the development, it is not considered that the access infrastructure will be more visible for most receptors than the existing farm and forestry track network in the area. The indicative permanent access track layout shown in the applicants EIAR arranges the tracks to confirm to rather than cut across existing field boundaries in the area. As such, the magnitude of change will not be significant in landscape terms and is unlikely to have adverse visual impacts.

7.17 **Development Zone 3 - Onshore Substation Development Zone**

The substation provides the electrical equipment required to connect to the national electricity grid in the area of Spittal. The current preferred location of this substation is north of Spittal Hill at Banniskirk. The substation will typically include switchgear, transformers, harmonic filters, reactive compensation devices, power electronics, protection equipment, batteries and other auxiliary equipment and control systems. Some equipment may be located outdoors. It will be above ground and secured by perimeter fencing. An initial design process was undertaken on the positioning of the substation platform in the search area which included design of the bunding and planting strategy. The platform level is expected to be positioned at approximately the 70 m Above Ordnance Datum (AOD) in the landscape and the earth bunding is expected to be between 13-18 m in height around the substation. There are two options under consideration for the substation design including a Gas Insulated Switchgear (GIS) and Air Insulated Switchgear (AIS). An AIS substation platform would be 520 m long x 250 m wide x 13.5 m high. If a GIS substation design is used the footprint would be approximately 35 - 40 % reduced compared to the AIS option, and the height would be approximately 14 m. It is considered that the visual impact of the substation building will be somewhat mitigated by virtue of its location in proximity of other existing similar buildings, notably the current Spittal Substation to the south.

Although the design is indicative at this stage, the final design of the building, through choice of materials and siting, shape and style, should be able to mitigate any residual effects and integrate the development into the existing built environment, given this surrounding context, as addressed in more detail in the 'Landscape and Visual Impact' section below.

7.18 The grid connection point for the West of Orkney onshore substation will be the new proposed SSEN Spittal 2 substation, for which a planning application is expected in late 2024. The preferred location for the Spittal 2 substation is indicative at this stage but is most likely to be north of Spittal Hill at Banniskirk, to the east of the West of Orkney site and on the other side of the A9 Trunk Road. The exact design and nature of the connection remains uncertain, with this being subject to a separate application.

Cumulative Context

7.19 The response from Scottish and Southern Electricity Networks (SSEN), raises concern over the location of the substation in relation to other substation infrastructure which it is proposing in the area. Two of SSEN's high-voltage 275kV overhead lines run through the wider application site, in addition to the existing Spittal Substation which is located to the south of the proposed West of Orkney Windfarm substation location. The Spittal substation is a 'supergrid' which means it carries significant strategic importance for the whole of the electrical transmission network in the North of Scotland. SSEN also plans to build an additional new 400kV substation near the existing Spittal substation. Based on the scale of the application site and the Onshore Substation Development Zone and Cable and Access Development Zone, it is considered that there is sufficient space to accommodate both developments. The exact configuration, siting, design and interplay between SSEN's proposals and the infrastructure proposed as part of this application would be a reserved matter of any Planning Permission in Principle consent. In this respect, the applicant has confirmed that they have an ongoing programme of regular meetings with surrounding developments that includes consideration of infrastructure requirements in the Spittal area. The applicant is also committed to establishing Proximity Agreements with other operators to ensure all developments can be satisfactorily brought forward.

Ancillary Development

7.20 Up to 7 new permanent access tracks, extending to a total length of some 5km combined, will be required at the landfall area, at crossing points along the cable route and at the substation to provide access during construction and operation. Approximately 3km will be formed from utilising or upgrading existing tracks. The tracks typical running width would be 5m with passing places. A further grid connection into the proposed Spittal 2 substation will also be required. Currently, the exact form, direction or length of connection remains to be confirmed with this being subject to a separate application.

Landscape and Visual Impact

7.21 The EAIR considers both the landscape and visual impacts of the proposed development. The study area for the onshore Landscape and Visual Impacts Assessment (LVIA) was defined as 5 km from the onshore substation search area and 3 km from the onshore export cable area. The only permanent, significant landscape

and visual effects to be incurred will result from the proposed onshore substation. Photomontages are provided from 8 representative viewpoints within the onshore substation study area. The indicative design of this aspect of the development and its relationship with the surrounding landscape and features is best demonstrated by the visuals from:

- North – VP6 (Road to Halkirk at entrance to Hayfold Cottage, 491m from the site) is taken from the C1014 minor public road to Halkirk opposite the entrance to Hayfold Cottage, looking south towards the onshore substation. There are open views towards the onshore substation area, beyond which is seen the existing Spittal substation against on the skyline. Overhead lines extend north and south of the existing Spittal substation, running along the Achanarras Burn to the west of the onshore substation area and the right of the view. To the east (left of the view), Spittal Hill rises up beyond the A9 Trunk Road, fringed by coniferous forestry. To the west (right of the view), the rolling landform, reinforced by mixed woodland and coniferous forestry, encloses views further south.

- South – VP3 (Spittal A9, at entrance to Spittal Mains Farm, 1.7km from the site); faces north west towards the onshore substation area from the A9 Trunk Road on the northernmost edge of Spittal village, opposite the access to Spittal Mains farmstead which has a coniferous tree belt running along the farm access. The viewpoint represents road users of the A9 and residents of Spittal. The view is principally characterised by open farmland, falling to the north west towards a shallow valley. The existing Spittal substation is located within the shallow valley and is partially screened by landscaped bunds. Long distance views to the north are available from this location towards the wider landscape to the north, within which Halkirk is located, and which form a backdrop to the existing Spittal substation and the onshore substation area beyond.

- East – VP4 (A9 Spittal, at Road to Quarry, 379m from the site) faces west and is taken from the A9 Trunk Road, which lies directly to the east of the onshore substation area, at the track to the former quarry. The view is principally characterised by rough open grass/scrubland, interspersed with occasional farmsteads and agricultural built form. Long distance views to the west are available across the shallow valley landscape, albeit obscured to a degree by the existing plantation woodland that lies over Achanarras Hill. To the left of the view, there are open views of the existing Spittal substation. High voltage overhead lines extend north and south from the existing Spittal substation.

- West – VP1 (Harpsdale, Bridge Street, 1.45km from the site), is taken from Bridge Street / the C1018 public road, adjacent to residential properties at Harpsdale. The viewpoint represents residents at Harpsdale and road users of Bridge Street and faces east towards the onshore substation from a rural road corridor that runs parallel to the A9 Trunk Road. The view is principally characterised by open farmland, beyond which the views are contained by the form of the hill of Achanarras which is reinforced by areas of forestry on its southern slopes (Achlachan Moss). Within the relatively flat and open landscape, Spittal Hill to the east introduces a distinctive feature into the view and creates a backdrop to the onshore substation and existing Spittal

substation. There are open views west towards Ben Dorrery and Beinn Freiceadain.

7.22 A Zone of Theoretical Visibility (ZTV) drawing is also included in the assessment which shows theoretical bare ground visibility. The ZTV identifies that visibility extends beyond the 5km study area, being predominantly concentrated over areas of higher ground to the north and west of the onshore substation site, with there being almost no visibility of the proposed substation, or its surrounding landscaped bunds, beyond 2km with there being no visibility from the settlement of Spittal.

7.23 In terms of landscape setting, the onshore study area is located at the edge of the flow country, where open peat moorland meets the more rolling landscape of Northeast Caithness. The surrounding context is relatively flat, with levels varying from approximately 40 m AOD at Halkirk to 100 m AOD at Mybster and with a high point at Spittal Hill of 176 m AOD. Higher ground is predominantly moor with some interspersing arable and pastureland and forestry plantations, some commercial in scale. The onshore substation proposals are not located within any formal landscape designations. The landscape assessment has assessed the potential impact of the development on the surrounding Landscape Character Type (LCT) 143 Farmed Lowland Plain. This LCT is open, vast and dominated by a horizontal emphasis, allowing for extensive views both within the lowland plain and to the landscapes and seascapes beyond. The onshore substation will introduce large scale energy infrastructure into the Farmed Lowland Plain LCT, replacing an existing area of agricultural fields. While the proposed landscape bunds associated with the substation will physically and visually contain the development, they will nevertheless, alter the character of the landscape within the area of search, although as the bunds and associated planting mature over time, this effect will become less noticeable. The proposed substation is located in immediate proximity to the existing Spittal substation and overhead lattice tower electrical transmission lines and the surrounding landscape is more widely, influenced by existing large scale infrastructure development, with the Halsary Wind Farm and Mybster Substations located to the south of the site, with further overhead lattice towers connecting in. Smaller wooden pole electrical lines are also a feature in the surrounding landscape, with more distant wind energy development also being particularly evident at Halsary and Bad a Cheo to the south of the application site and large-scale quarrying at Spittal to the east.

7.24 In respect of visual impacts, significant effects are anticipated for receptors in the immediate vicinity of the onshore substation, due to the scale of infrastructure proposed. These will be most pronounced for residential properties located along the A9 Trunk Road and the connecting C1014 public road to Halkirk, who will lose existing open views of the valley floor and open agricultural fields. Although the substation infrastructure will be contained behind landscaping bunds, some may find the landscaping bunds themselves imposing and unnatural features in the landscape, particularly in the short term whilst vegetation and planting establishes. More moderate, but still significant effects will be incurred from properties in Harpsdale to the west, which will have a more distant, but still relatively close in view at 1.7km, with this being an uninterrupted view of the substation infrastructure, unmitigated by landscaping bunding. Views of the substation from properties in Halkirk, some 2.6km distant, will be limited to those along the southern edge of the settlement. When viewed from Halkirk, with this settlement sitting low down in the landscape, the

substation infrastructure will be contained by the landscaping bunding, with the overall level of impact decreasing over time as this and the proposed planting matures.

7.25 The visual impacts on local transport routes would generally be mitigated by the presence of landscaping bunding to the north, east and south of the proposed substation compound. For users of the A9 Trunk Road running north and south past the application site, views of the energy infrastructure within the substation site would be limited as a result of the screening bunding proposed and the set back distance of the proposals, some 400m from the road edge. The substation platform, at 70m AOD, will at no point, be above the level of the A9 which varies between 92m AOD and 76M AOD in the vicinity of the site. The western screening bund would be formed up to a height of 88m AOD. Northbound receptors would experience visual impacts over approximately 1km distance, an approximate drive time of 30 seconds or 2.5 minutes cycle. Receptors travelling south on the A9 would thus incur impacts on their view along approximately 1.7 km of the route, an approximately 1 minute drive time or 5 minute cycle time. For users of the C1014 public road to the north of the site, impacts will be more significant, with potential views for the entire 2.5km length of the route. While the proposed landscaping bunding would limit views of the onshore substation infrastructure, these elements would shorten the views toward Achanarras Hill although they would be expected to integrate more closely to the surrounding landscape character as they mature over time. Significant visual impacts are not anticipated from the Far North Railway line, running approximately 2.2km to the north of the substation site, due to the distance and intervening existing infrastructure and built development in the landscape.

7.26 The visual impacts on recreational receptors are generally limited to walkers on the Achanarras Core Path some 1.3km south of the substation site, where no significant effects are predicted given the orientation of the path and the surrounding landform screening. The Access Officer has not raised any objections or other concern regarding the potential visual impacts on the local path network.

7.27 Following pre-application discussions and engagement throughout the assessment of the application, the applicant has taken on board a number of suggested mitigation measures, including: maintaining low building heights and providing additional landscape planting to help helping to filter views. As a result, while acknowledging the scale of the proposed substation infrastructure, these measures help to ensure that the adverse landscape and visual effects arising from the proposal are suitably contained and are not unacceptable. Whilst the finalised design and layout is proposed to be a reserved matter, the application has demonstrated the ability for the maximum envelope of the proposed development to be successfully accommodated into the landscape, with limited localised significant adverse effects.

Construction Impacts

7.28 The construction of the onshore project is estimated to take approximately four years, albeit that this current estimate is subject to change, with this initial phase of works then being followed by a final. The main construction works will involve three principal working areas; landfall horizontal directional drilling exit pits, the cable route from the landfalls to the substation; and substation including interconnection to the national grid. The export cables will be buried using open cut trenching techniques over unobstructed ground. Crossing methods for linear features, such as watercourses,

roads and railways, will use open trenching and trenchless crossings. A detailed construction programme will be developed as design and procurement activities progress and full details including sequencing and installation methodologies will be confirmed in Construction Method Statements (CMS).

7.29 The EIAR has identified temporary construction impacts including traffic, noise, dust and waste. An outline CEMP has been submitted with the application. This will be finalised once detailed design and procurement are complete. It will be conditioned and therefore subject to the approval of the Planning Authority in consultation with relevant consultees. This will include mechanisms to ensure all activities with potential to adversely affect the environment are appropriately managed including Dust Management Plans, Pollution Prevention Plans and Waste Management Plans. The applicant has also committed to the appointment of an Ecological Clerk of Works (ECoW) to oversee the project. This role would work closely with the Planning Monitoring Officer, also secured via condition, to monitor compliance with the conditions attached to any planning permission granted.

Noise

7.30 The applicant has submitted a construction noise assessment and developers must comply with reasonable operational practices for construction noise to avoid 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. 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.

7.31 The applicant has stated that construction core working hours will be 8 am to 7 pm Monday to Friday and 8 am to 1 pm on Saturdays. This will also apply to Heavy Goods Vehicle (HGV) movements. Where specific works may have to be undertaken outside the normal working hours (such as HDD operations) these will be agreed in advance with Highland Council's Environmental Health Service. Environmental Health have suggested that work commencing at 7 am may be acceptable for activities which are inaudible at the boundary of noise sensitive properties. They have no objection to the application provided there are conditions to manage noise from vehicle movements at noise sensitive properties including between 8 am and 1 pm on Saturday with no audible activity on Sundays or Public Holidays. They have also requested conditions to manage operational noise from the sub-station, plant and machinery and a process for management of noise complaints.

7.32 Potential significant noise impacts were identified within the applicant's EIAR where drilling works may require periods of evening and night activity. Construction noise and vibration (including potential Horizontal Directional Drilling (HDD) work at night) will be managed through the CEMP and a conditioned Noise and Vibration Management Plan which will include restriction of working hours. Construction traffic noise would be controlled through scheduling of deliveries and traffic to site in liaison with other nearby developments, with scope for any concurrent work to be considered further once development programmes are known for other proposed substations and related grid network upgrades in the vicinity should these be consented.

7.33 Beyond the construction phase, operational noise impacts will only be incurred around the proposed substation. The applicant's noise assessment includes 14 properties in the vicinity of the substation site. The applicant's assessment concludes that for the 5 potentially worst affected residential receptors, as tabled below, a low magnitude of noise impacts would be incurred, which are not significant in EIA terms. Environmental Health have no objections subject to conditions to limit and manage construction and operational noise, with monitoring measures defined. These conditions take into account Environmental Health's experience with dealing with several other substation proposals of this scale within Highland.

Receptor	Direction from Site	Approximate Distance
Achomhairle Farm NSR 10	East	175m
The Cottage, Achalone NSR 11	East	230m
Milton Farm NSR 1	North	290m
Achanarras Farm NSR 14	South west	720m
Spittal Mains Farm NSR 12	South	1500m

7.34 Should the development be granted consent, a condition would require that the provision of a Community Liaison Group to help ensure that the community council and other stakeholders are kept up to date and consulted before, during and after the construction period.

Roads, Transport and Access

7.35 The traffic and transport impacts of the proposals will relate mainly to the construction phase, with some traffic movements for operation and maintenance of the substation. Proposed construction routes, an indicative construction programme and anticipated flows of construction traffic have been submitted as part of the outline Construction Traffic Management Plan (CTMP). The baseline identified traffic flows across the local and trunk network as low, with some existing Heavy Goods Vehicle (HGV) movements on local routes including the A9 (trunk road). This means that although the application will result in small absolute increases in traffic, there will be a large percentage increase on some local roads. The overall peak in HGV trips will occur in Quarter 3 of Year 2 of the construction programme, with approximately 41, 700 additional two-way journeys over 3 months. The assessment concluded that overall construction traffic will have a marginal and insignificant impact on driver delay, pedestrian delay and amenity and severance due to these low baseline flows. The assessment considered embedded mitigation measures, including a new scheme of passing places on single-track roads on construction routes. This would reduce traffic delays for a small number of local road users, and for construction vehicles. In addition, measures set out in the Construction Environment Management Plan would ensure that dust and dirt effects on the public road network are minimised.

7.36 During construction, Horizontal Directional Drilling (HDD) will be used to install the cable below the railway line to ensure there is no impact on railway operations. The cumulative impact on vehicle flows of developments located within 15km of the

applicant's study area have also been assessed, assuming these are brought forward and, are constructed at the same time as the current proposals. The applicant has calculated a Congestion Reference Flow for the A836 and A9 routes which is not predicted to be exceeded by the current proposal in conjunction with the others assessed, thus cumulative traffic impacts on the local road network are assessed by the applicant as not significant.

7.37 The substation will also require some abnormal load deliveries. While a port of entry has not been finalised, Scrabster Harbour may be used for some loads, such as transformers. These would then be transported to the onshore substation via the A9. It is also possible that Wick Harbour, and the A99 and A9 might be used. An assessment of the routes for abnormal load would be submitted post consent as part of the discharge of conditions process.

7.38 Neither the Council's Transport Planning Team nor Transport Scotland raised objection to the proposals, their main concerns being the impact of the construction and decommissioning phase on the local and trunk road networks respectively.

7.39 As noted in the consultation responses received from the Transport Planning Team and Transport Scotland, a finalised Construction Traffic Management Plan (CTMP) would be required that would address both project and cumulative impacts during construction. While the representation concerns are noted, this document would ensure that appropriate mitigation is in place on the surrounding road network for any localised impacts including pre- and post-construction road condition surveys undertaken along construction routes. These will identify any damage caused by construction vehicles and ensure that the developer is responsible for repairs. There will also be a requirement for a Section 96 wear and tear agreement under the Roads (Scotland) Act. An additional condition will also ensure the eventual infrastructure decommissioning measures are informed through consultation with the Local Roads Authority and Transport Scotland.

Water, Flood Risk, Drainage and Soils

7.40 There are eight sites designated for hydrology, geology, hydrogeology, or peat within 2 km of the application site. Three of these sites are also listed as Geological Conservation Review (GCR) sites which identifies sites of national importance for geological features. The site is within the catchment of the River Thurso which is designated as a Special Area of Conservation (SAC). There are two Drinking Water Protected Areas (DWPA)and several Private Water Supplies (PWS) within the site.

7.41 The EIAR concluded that there will be no significant effects on geology or hydrology receptors during construction or operation. It states that all flood-sensitive infrastructure will be located outside the flood risk area. Construction activities will be managed through the CEMP which will control potentially polluting activities to prevent adverse impact on downstream sensitive receptors and the environment. Additional site management measures will also be conditioned including: a Drainage and Flood Risk Plan to protect water quality; detailed drainage design which follows Sustainable Urban Drainage Systems (SUDS) principles; a Water Quality Monitoring Programme and the appointment of a qualified Environmental Clerk of Works to supervise operations during the construction period. At detailed design runoff attenuation and

treatment proposals will be designed to prevent any detrimental effects to the water quality or quantity of existing waterbodies.

7.42 Peatland is largely restricted to the southern extent of the site around Halkirk and Achlachan. There is a small pocket of Class 1 peatland to the west, just south of the River Thurso. No areas of Class 2 peatland were identified. Smaller pockets of Class 3 (not priority peatland habitat) and Class 5 (no peatland habitat recorded) are present in the south western part of the cable corridor. A small area of Class 4 (unlikely to include carbon-rich soils) is present to the east of North Calder on the western section of the onshore export cable corridor, and in pockets of the export cable corridor south of Halkirk. The EIAR explains that it is not possible to accurately predict peat loss until the design is further refined, however, due to the limited coverage of peatland across the extensive application site, it is expected to be possible to avoid incursion into areas of peat deeper than 1m. An outline Peat Management Plan was submitted with the application and may be finalised post consent via condition.

7.43 While not objecting to the proposals, SEPA have made comments on the conclusions of the EIAR relating to issues including the impact on Private Water Supplies, Groundwater Dependent Terrestrial Ecosystems (GWDTEs), geomorphic erosion and carbon rich soils. They have asked for conditions to ensure that these concerns are addressed, including submission of a Flood Risk Assessment and Peatland Restoration Plan at the matters specified stage.

7.44 Scottish Water have no objection to the application provided any conflicts with their assets are identified and managed with their Assets Team.

7.45 The Contaminated Land Service do not object to the application and raise a number of issues that should be considered as part of detailed design, given the proximity of the site envelope to several past and potentially extant sources of contamination.

Natural Heritage (including Ornithology)

7.46 The EIA assessed the impact on freshwater ecology, terrestrial ornithology and terrestrial non-avian ecology. This included protected species surveys which identified the presence of otter, water vole, pine marten. Common lizard, roe deer and red deer were also identified. There was no evidence of badger activity within the site envelope, but they are known to be present in the wider area. Breeding bird surveys identified 101 species of which 44 were confirmed to be breeding within the study area, including greylag goose. The assessment scoped out great crested newts, due to lack of suitable water bodies and red squirrel, due to lack of evidence. Direct effects on the North Caithness Cliffs SPA were also scoped out as no nesting seabirds or raptors were identified, as were direct/indirect impacts on Red Point Coast SSSI with no evidence of guillemot.

Special Protection Areas (SPAs) and Special Areas for Conservation (SACs)

7.47 The proposed export cable corridor crosses the River Thurso and its tributaries at several points. The River is designated a Special Area of Conservation (SAC) for Atlantic salmon. NatureScot states that the application is unlikely to have a significant effect on Atlantic salmon, provided the applicant's mitigation as defined in the EIAR is followed, as may be secured via planning condition. These measures include further

studies and risk assessment to avoid pollution and vibration impacts on the watercourses during Horizontal Direct Drilling (HDD) works and laying cables at a minimum depth of 5m below the riverbed, considerate of local geology, to dissipate potential Electromagnetic Field (EMF) affects.

7.48 The Caithness and Sutherland Peatlands SAC (5.4 km from the site) is designated for otter and peatland habitats. NatureScot state that the development is unlikely to have a significant effect on otter, provided that the applicant's mitigation measures as defined in the EIAR are followed, as may be secured via planning condition. These include minimising watercourse crossings and controlling pollution impacts as also discussed above, in addition to creation of a Species and Habitats Protection Plan (SHPP) addressing the qualifying interest species.

7.49 The Caithness Lochs SPA (1.6 km from the site) is designated for non-breeding Greenland white-fronted goose, greylag goose and whooper swan. NatureScot advise that if the mitigation measures for geese and swans set out in the HRA are implemented they do not anticipate adverse effects on these populations.

7.50 The North Caithness Cliffs SPA (1.4 km from the site) is designated for breeding seabirds and peregrine. NatureScot advise that the application is likely to have adverse effects on peregrine however, with the proposed mitigation the integrity of the SPA will be maintained. This is supported by the RSPB who believe that the impacts in isolation would not affect the integrity of the designations but have raised concern regarding cumulative effects.

7.51 The Caithness and Sunderland Peatlands SPA (5.4km from the site) is designated for breeding upland and peatland birds. NatureScot advise that the application is unlikely to have a significant effect on this SPA. Although RSPB has raised concerns regarding local habitats including blanket bogs, they do not specifically object, and it is considered that the advice received from NatureScot should take precedence as the Scottish Government's specialist advisors for this designation, with the potential to address both Nature Scot and RSPB's comments in detail through the further detailed applications forthcoming for the project.

Appropriate Assessment

7.52 As competent authority, the Highland Council is required to carry out an appropriate assessment in terms of the conservation objectives of the River Thurso and Caithness and Sutherland Peatlands SAC's, the Caithness Lochs, North Caithness Cliffs and Caithness and Sutherland Peatlands SPA's. Overall, NatureScot have not raised an objection to the proposals, providing that the applicant's mitigation measures are adhered to.

Sites of Special Scientific Interest (SSSI)

7.53 The lower course of the River Thurso (outside the application site) is designated as a SSSI protected for the floodplain and vascular plants. The following SSSIs are also located near the site:

- Ushat Head is on the coast at Crosskirk adjacent to the site, designated for marine cliffs;

- Loch Lieurary and Westfield Bridge located 100m and 600m from the site and designated for their fen habitats; and
- Loch Calder and Loch Scarmclate located 1.6km and 3,1km respectively from the site, designated for wintering birds.

7.54 NatureScot states that the application could have a significant effect on the integrity of these designations, but does not object provided that the mitigation measures proposed by the applicant are adhered to. Broubster Leans SSSI is located 2.8km from the site and protected for breeding birds and hydromorphological mire range. NatureScot concludes that is unlikely to be affected by the development due to the distance from the works, provided that the mitigation measures proposed by the applicant are adhered to. In all cases, works will be programmed and monitored under a Construction Environmental Management Plan (CEMP), that will ensure compliance with the applicant's schedule of mitigation and includes the scope for further plans to govern specific environmental concerns, such as pollution prevention and control. A condition is also attached to ensure the appointment and presence of an Environmental Clerk of Works (ECoW) to monitor works on site and ensure compliance with the relevant regulations and mitigation measures.

7.55 It is recognised that there will be limited adverse impacts on nature heritage as a result of the proposed development through construction and operation. It is noted that consultation took place with the RSPB on survey methodology including approach to breeding bird surveys and mitigation. With the exception of the residual significant affects identified by Nature Scot and addressed through the Appropriate Assessment included within this report, no other significant environmental impacts have been identified in EIA terms. With the application of mitigation measures and the conditions outlined above, it is considered that the extent of adverse impacts may be suitably managed and contained for a development of this scale.

Forestry

7.56 The majority of the land within the site boundary is not forested. There are however, areas of commercial forest and native woodlands located within. One site within the survey area is also listed on the Ancient Woodland Inventory of Scotland (AWI) around the Forss House Hotel, which is also protected via Tree Preservation Order, although this area may be avoided by the final cable route. In the worst case, it is estimated, based on a 100m wide corridor affecting 3 isolated woodland blocks, that a total area of woodland amounting to some 10.34 ha may need to be removed to accommodate the proposals, although the actual area is likely to be significantly less than this. A condition is included to secure an equivalent compensatory planting plan in line with the Forestry Officer's comments.

Biodiversity Enhancement

7.57 The applicant has submitted an outline biodiversity enhancement plan with 3 key proposals, as outlined below:

- Tree planting along the Forss Water and River Thurso banks, to provide shade to encourage Atlantic Salmon;
- Wildflower meadow planting at the onshore substation site to encourage great yellow bumblebee;

- Management of local farmland in partnership with the RSPB, to encourage breeding birds.

7.58 Overall, the applicant's EIAR proposes a range of mitigation measures including support for breeding of fish, prevent barriers to fish passage and measures to minimise damage to nesting and foraging habitats. In addition, HDD is proposed to install the cables beneath the River Thurso to avoid direct impacts on the River Thurso SAC. The application included an outline an onshore Habitat Regulations Assessment (HRA) and outline Biodiversity Enhancement Plan (BEP). It also proposes an Aquatic Monitoring Plan, Species and Habitat Protection Plan (SHPP) and monitoring through the Habitats Management Plan (HMP) and Ecological Clerk of Works (ECoW) post consent. These can be conditioned. In addition, the application includes measures to enhance the environment; including a biodiversity project for the great yellow bumblebee which proposes wildflower meadows with key flower species; 5,000 saplings for tree planting along the River Thurso and Forss to improve conditions for Salmon; and work with the RSPB Scotland (Caithenss and Waders Initiative) to manage important habitats for farmland breeding birds. The Ecology Officer considers the applicant's supporting information is robust and is confident that the applicant will be able to deliver suitable habitat enhancements at the matters specified stage

Built and Cultural Heritage

7.59 There are several scheduled monuments and listed buildings within the site envelope area. Historic Environment Scotland (HES) and Highland Council Archaeology and Conservation Teams do not object to the application. HES note that there would be impacts on the setting of scheduled monuments in the surrounding area of the onshore substation, focused on the grouping of the Achanarras cairns, SM2400 and SM2401 and Achanarras, hut circle SM2402. The EIAR visualisations indicate that although the onshore substation would be clearly visible from the monuments and in close proximity, at approximately 300m at the nearest point, the existing setting of the monuments would be little altered due to the existing electricity infrastructure in the area. The relationship between each monument and their surroundings would remain capable of being understood, appreciated and experienced. Direct physical impacts on scheduled monuments would be avoided by a 100m minimum boundary around such. HES supports the proposed Archaeological Management Plan which will be conditioned to manage temporary impacts on setting and avoid accidental impacts during construction effects. A Written Scheme of Investigation and programme of works may also be secured via planning condition, as recommended by the Historic Environment Team (Archaeology)

Other Material Considerations

7.60 The representations raised concerns over accurately determining the cumulative impacts of the project. The EIAR methodology notes that the planning process is a continuous one and thus the cumulative assessment acknowledges developments submitted up to 2 months prior to the application submission for planning permission in principle. The cumulative assessments in the EIAR therefore, may be considered as up to date, as up to 8 September 2023.

7.61 The objection comments raised concerns relating to the level of supporting information submitted in respect of the associated offshore project, currently being assessed

under Section 36 of the Electricity Act 1989 by Marine Scotland. Marine Scotland and the Council are currently awaiting a submission of Further Environmental Information (FEI) in this regard, following a holding objection from NatureScot. It is considered there is currently sufficient information to determine the principle of development of the onshore works under this current application under the Town and Country Planning Act. However, it is acknowledged that further progress with these works towards the matters specified in conditions stage, is contingent on the offshore element of the project successfully attaining Section 36 consent from Marine Scotland, with the Council a statutory consultee in this process.

7.62 Concerns were raised in the representations that the proposed community benefits will not be realised locally. The applicant is in this regard, developing a community benefit fund to come onstream when the wider windfarm project, if consented, is predicted to start generating power in 2029. The fund is aimed to be shared between communities in Caithness, Sutherland, and Orkney. In line with NPF4, Highland Council policy and practice, community benefit considerations are currently undertaken as a separate exercise and generally parallel to the planning process.

7.63 The applicant has sought permission to operate the proposed windfarm for 30 years. At the end of its operational life, it is proposed that the supporting infrastructure (this development application) is decommissioned. No decommissioning plan has been included with the EIAR, however, a decommissioning plan and a financial guarantee to secure decommissioning and site restoration can be secured by condition.

7.64 Due to the scale of the project and the potential technical challenges with development of the offshore proposals, further to the west than previous operational offshore wind farms, it is considered reasonable to prescribe an eight-year timescale for submission of the matters specified in conditions associated with the onshore works.

Matters to be secured by Section 75 Agreement

7.65 None

MATTERS TO BE SECURED BY LEGAL AGREEMENT / UPFRONT PAYMENT

7.66 A legal agreement in respect of the development will be required, relating to Section 96 of the Roads (Scotland) Act and should include the provision of a Road Bond or similar security. The agreement shall take account of any neighbouring developments that might progress concurrent with the works proposed and will provide, if necessary, a mechanism for apportionment of costs between respective developers.

8. CONCLUSION

8.1 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. The proposed development falls under the category of National Development, where there is support in principle for such proposals.

8.2 The proposed infrastructure is fundamental to the ability to deliver a substantial amount of renewable energy to serve the needs of residents and businesses across

Scotland and the wider UK. The wider project would also improve national energy security and is a critical step forward on the path to achieving net zero. In turn, the wider project presents significant employment opportunities at the Caithness, Highland wide and national level, for over a sustained period of time, with there being prospect that the skills and experience of the local workforce in the north of Highland which currently serves the nuclear industry, being in time re-directed to serve electricity infrastructure projects such as this. This transition is a key tenant supporting the employment outcomes embedded in the Caithness and Sutherland Local Development Plan (CaSPlan).

8.3 Highland has been successful in attracting inward investment in renewables, enabled in part by a significant level of investment in the improvement of the electricity transmission network. This success has led to the Highlands having a good understanding of this type of project and this Council having appropriate policies and guidance to assist in its assessment, and to effectively manage their implementation on the ground. For example, the use of Construction and Environmental Management Documents “CEMD”, a particular approach to assist with the implementation / management of such large-scale projects with a focus on environmental protection.

8.4 Subject to conditions, there are no statutory consultee objects to the application. 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. Such details will be brought forward and assessed in future matters specified in conditions applications. The proposal will also be overseen by an appointed Ecological Clerk of Works, with any permission requiring regular compliance monitoring and ongoing engagement by means of a Community Liaison Group.

8.5 Under the provisions of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, the Council is required to reach a reasoned conclusion on the environmental impacts of the proposed development. The Council is satisfied that environmental effects of this development can be addressed by way of mitigation. The Council has incorporated the requirement for a schedule of mitigation within the conditions of this permission.

8.6 The application can be supported in the context of the Council’s Development Plan and in particular it’s HwLDP Policy 69 on Electricity Transmission Infrastructure and the underlying support for renewable energy development which is consented in this area. All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

8.7 This application does not pre-determine the outcome of the associated application for the offshore generating element of the proposals. This is rightly the subject of a separate application under Section 36 of the Electricity Act to Marine Scotland, which will be reported to members in due course under reference 23/04930/S36.

9. IMPLICATIONS

9.1 Resource: Not applicable

9.2 Legal: If an objection is raised to the proposal, the application may be subject to a Public Local Inquiry.

9.3 Community (Equality, Poverty and Rural): The proposal ahs the ability to result in meaningful socio economic benefits to the local community and Highland more widely.

9.4 Climate Change/Carbon Clever: The proposal has the ability to make a meaningful contribution toward the production of renewable energy.

9.5 Risk: Not applicable

9.6 Gaelic: Not applicable

10. RECOMMENDATION

Action required before decision issued: N

Notification to Scottish Ministers	N
Conclusion of Section 75 Obligation	N
Revocation of previous permission	N

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

A. Members grant delegated authority to the Area Planning Manager – North to agree the finished condition wording, with any substantive amendments to be subject to prior consultation with the Chair of the North Planning Applications Committee; and

B. The following conditions and reasons.

Conditions and Reasons

Scope and Phasing of Development

1. The development to which this planning permission in principle relates must commence no later than EIGHT YEARS from the date of this decision notice. If development has not commenced within this period, then this planning permission in principle shall lapse.

Reason: In accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. No development shall commence on a Development Zone until a phasing plan setting out the phases of works for that Development Zone has been submitted to and approved in writing by the Planning Authority.

Thereafter the development shall be undertaken in accordance with the agreed Phasing Plan or as may be approved in writing by the Planning Authority.

For the avoidance of doubt, a phase means any part of any Development Zone subject of an Approval of Matters Specified in Conditions issued by the Council following an application in that behalf, or otherwise subject of any equivalent planning approval following an application in that behalf.

Reason: To ensure that the development proceeds in an appropriate manner and that the necessary elements of the development are provided at the appropriate stages.

3. No phase of the development shall commence within a Development Zone, until for that phase, an application, or applications, has been submitted to and approved by the Planning Authority in respect of the following matters, insofar as they relate to the details relevant to the phase, taking full account of the Environmental Impact Assessment Report (EIAR) and relevant national and local policy and guidance and the matters set out below:-

a) the siting, design and external appearance of all buildings and other structures
b) the precise routing of underground cabling and location of any ancillary structures above or below ground;
c) the means of access to the site including connections to the A836, A9 and B874 for all modes of transport inclusive of type and form of routes; junction layout and design with projected traffic figures supported by traffic modelling; junction and forward visibility requirements; vehicle tracking at junctions and standard radii;
d) the provision of car parking inclusive of disabled parking and electric vehicle charging infrastructure;
e) the provision of covered staff cycle parking;
f) the details of and timetable for delivery of any and all landscaping associated with the phase, including any post construction site restoration;
g) details of all boundary treatments within the development including hard and soft landscaping;
h) the provision for service vehicles following occupation of the development;
i) details of the provision of surface water drainage systems, including access for maintenance, across the phase, how it relates to the surface water drainage strategy for the site as a whole and management and maintenance arrangements of said infrastructure;
j) details of the water and waste water connections;
k) means of dealing with waste in accordance with the Highland Council's 'Managing Waste in New Developments' Supplementary Guidance' (or any superseding guidance prevailing at the time of submission);
l) details of existing and proposed site levels with fall arrows;
m) details of finished floor levels;
n) details of all external lighting ensuring that safety and security are addressed with no lighting directed skyward.

Reason: Planning permission is granted in principle only and these specified matters must be approved prior to development commencing within each phase.

4. The development shall be constructed and operated in accordance with the provisions of the Application, and the Environmental Impact Assessment Report (EIAR), except in so far as amended by the terms of this consent or any future matters specified in conditions approval

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

5. Any details pursuant to Condition 3 above, as far as they relate to the Substation Development Zone, shall include full details of the substation building, substation compound, and associated infrastructure hereby permitted. These details shall include:

   a) the scale and design of the substation (the area of the substation platform not exceeding 130,000 m2 and the height of the substation buildings not exceeding 14 m above finished ground level), external materials, colours and finishes of all buildings, external plant or equipment and site fencing, with a non-reflective, semi-matte finish to be specified throughout;
   b) details of the layout of the substation compound, inclusive of location of welfare facilities, parking and offices;
   c) the routing, width, surfacing (to be of a dark non-reflective material) and construction of any and all permanent and temporary access tracks;
   d) details of any temporary construction compounds; and
   e) 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 those required by law; and

   Thereafter, the facility shall be installed in accordance with these approved details and the facility shall be maintained in the approved colour, free from rust, staining or discolouration until such time as the development is decommissioned.

Reason: Planning permission is granted in principle only and these specified matters must be approved prior to development commencing on the onshore substation, onshore substation compound and associated infrastructure

6. Any details pursuant to Condition 3 above, as far as they relate to the Cable Development Zone, shall include full details of the cable and access track routing. These details shall include:

   a) the routing, width, surfacing (to be of a dark non-reflective material) and construction of any and all permanent and temporary access tracks;
   b) the routing and installation methodology of any and all cabling and ducting;
   c) the location and design for any cable joint bays; and
   d) details of any temporary construction compound.
   e) restoration details for any temporary access tracks.

   Thereafter, the development shall be installed in accordance with these approved details and the development shall be maintained in an appropriate condition until such time as the development is decommissioned.

Reason: Planning permission is granted in principle only and these specified matters must be approved prior to development commencing on the cable circuits and access tracks.

7. Any details pursuant to Condition 3 above, as far as they relate to the Landfall Development Zone, shall include full details of the Transition Joint Bay and any cable routing and access track routing. These details shall include:

    a) the routing and installation methodology of any and all cabling and associated ducting;
    b) the location and design for the Transition Joint Bay;
    c) the routing, width, surfacing (to be of a dark non-reflective material) and construction of any and all permanent and temporary access tracks; and
    d) details of any temporary construction compounds and restoration thereof.

    Thereafter, the development shall be installed in accordance with these approved details and the development shall be maintained in an appropriate condition until such time as the development is decommissioned.

    Reason: Planning permission is granted in principle only and these specified matters must be approved prior to development commencing on the cable circuits and access tracks.

8. Any details pursuant to Condition 3 above for any Development Zone shall be informed by and include an access management plan (including details of footpaths and cycle ways and lighting (existing, during construction and upon completion and information on temporary or permanent diversion or closure)) which shall be submitted for the written approval of the planning authority for each phase of the development. In respect of the relevant phase, the plan shall show:-

    a) all existing paths, tracks and rights of way and any areas currently outwith or excluded from statutory access rights;

    b) any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or curtilage in relation to proposed buildings or structures;

    c) all paths and tracks proposed to be constructed for use by walkers, riders, cyclists, all-abilities users etc and how these will integrate with existing or proposed networks; and

    d) any diversion of paths, temporary or permanent proposed for the purposes of the development.

    The Access Management Plan shall be implemented as approved and in accordance with the timetables outlined therein, unless otherwise approved in writing by the Planning Authority.

    Reason: To ensure accordance with the Land Reform (Scotland) Act 2003.

Construction Phase

9. No phase of the development shall commence unless and until, a scheme to deal with potential contamination in respect of that phase has been submitted to, and approved in writing by, the Planning Authority. Each scheme shall include:

i) the nature, extent and type of contamination on site, identification of pollutant linkages and assessment of risk (i.e. Contaminated Land Risk Assessment and Remediation Plan). The scope and method of this assessment to be agreed in advance with the planning authority, and undertaken in accordance with PAN 33 (2000) and BS10175:2011+A1:2013 Investigation of Potentially Contaminated Sites – Code of Practice;

ii) the measures required to treat/remove contamination (remedial strategy) including a method statement, programme of works and proposed verification plan to ensure that the site is fit for the uses proposed;

iii) measures to deal with contamination during construction works;

iv) in the event that remedial action be required, a validation report that validates and verifies the completion of the approved decontamination measures; and

v) in the event that monitoring is required, monitoring statements submitted at agreed intervals for such time period as is considered appropriate in writing by the Planning Authority. Thereafter, no development shall commence within any phase until written confirmation that the approved scheme has been implemented, completed and, if required, on-going monitoring is in place, has been issued by the Planning Authority.

Reason: In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.

10. No phase of the development shall commence unless and until a Construction Environment Management Plan (CEMP) for the works and development related to that phase has been submitted to and approved in writing by the Planning Authority in consultation with NatureScot. The development shall then proceed in accordance with the approved CEMP unless otherwise agreed in writing by the Planning Authority. The CEMP shall include details of:

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

b) Pre-commencement protected species survey with a focus on, but not limited to, the qualifying interests of the Caithness and Sutherland Peatlands Special Area of Conservation (SAC), the River Thurso SAC, the Caithness Lochs Special Protection Area (SPA) and the North Caithness Cliffs SPA.

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

d) Management Plans for the construction phase, covering:

i) Habitat and Species Protection, including, where relevant, Otter, Atlantic Salmon, Greenland white-fronted geese, greylag geese and whooper swan Species Protection Plans;

ii) Pollution Prevention and Control Plan;

iii) Dust Management, covering demolition and construction activity, including

vehicle movements and details of a dust mitigation scheme designed to protect neighbouring properties from dust

iv) Horizontal Direct Drilling construction method statement;

v) Construction Noise and Vibration;

vi) Temporary Site Lighting;

vii) Site Waste Management;

viii) 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;

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

x) Public and Private Water Supply Protection Measures;

xi) Emergency Response Plans;

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

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

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

f) 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 the environment is appropriately managed to avoid impacts on the natural environment as a result of construction of the development.

11. Any details pursuant to Condition 3 above for each phase of the development shall include full details of surface water drainage provision within the relevant phase and how that relates to the surface water drainage approach for the site as a whole (which should accord with the principles of Sustainable Urban Drainage Systems (SUDS) and be designed to the standards outlined in the CIRIA Manual and Sewers for Scotland Fourth Edition, or any superseding guidance prevailing at the time). This shall also detail updated greenfield run-off rates to reflect the details of the proposed development. Thereafter, only the approved details shall be implemented and all surface water drainage provision for the relevant phase shall be completed prior to the completion of construction of the relevant phase.

Reason: In the interests of amenity, to protect and enhance the natural environment, protect the water environment and prevent pollution.

12. Any details pursuant to Condition 3 above for each phase of the development shall be supported by a Flood Risk Assessment. This shall include full details of how the

development within that phase will remain operational in a 1 in 200-year return period storm event. This shall also include details of any modelling work and finished floor levels to reflect the details of the proposed development.

Thereafter, only the approved details shall be implemented and any / all flood risk mitigation measures for the relevant Development Zone shall be completed prior to the operation of the relevant elements of the Development Zone.

Reason: In the interests of amenity, to protect and enhance the natural environment, protect the water environment and prevent pollution**.**

13. 1) No development shall commence on any phase of the development until maps have been submitted in respect of that phase at least 12 months prior to start on site showing:

a) all proposed infrastructure, including temporary works;
b) overlain with details of the extent and depths of all proposed excavations (excavations should also include all insertions and foundations) c) overlain with groundwater abstractions and GWDTE; and
c) showing the relevant specified buffer zones (100m and 250m).

All groundwater abstractions within the following distances of development need to be identified, in order to assess potential risk:

a) within 100m radius of all excavations less than 1m in depth;
b) within 250m of all excavations deeper than 1m. This covers both public and private water supply groundwater abstractions, both within and outwith the site boundary.

2) The following information for each identified PWS source must be submitted:

a) Source location (including National Grid co-ordinates);
b) Source type e.g., spring, borehole etc;
c) Use e.g., domestic water supply for house, water troughs for livestock, supply to industrial/commercial premises;
d) Abstraction rate (this could be estimated from, for example, the number of people/animals using the supply).
e) nature and integrity of the construction.

3) The design, construction and maintenance of all infrastructure must ensure that the quality and quantity of the groundwater that feeds sensitive receptors (groundwater abstractions and Groundwater Dependant Terrestrial Ecosystems (GWDTE)) downstream from any infrastructure does not significantly change, and the development does not act as a preferential pathway to groundwater flow.

The requirement for monitoring will be confirmed by SEPA once the information requested in 1) and 2) above, has been submitted for review. Should SEPA confirm monitoring of groundwater is required, it shall be carried out as set out in SEPA Technical Guidance Note 1: The Monitoring of Infrastructure with Excavations less than 1m Deep within 100m of Sensitive Receptors (Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystem) (Appendix 5 to SEPA Planning Guidance LUPS-31 Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystem). Monitoring shall commence at least 6 months prior to start on site. The monitoring results demonstrating whether the quality of groundwater and/or hydrological

connectivity is being maintained must be presented to the Planning Authority in consultation with SEPA annually from the commencement of development in the required format. If monitoring identifies that the requirements are not being met, remedial action must be taken within 6 months in agreement with the Planning Authority in consultation with SEPA. No excavations greater than 1m deep within 100m of sensitive receptors should take place unless agreed in writing with the Planning Authority in consultation with SEPA.

Reason: In order to prevent potential unacceptable environmental impacts to sensitive receptors including groundwater abstractions and groundwater dependent terrestrial ecosystems

14. No development shall commence until the Planning Authority has approved in writing the terms of appointment by the applicant of an independent Ecological Clerk of Works (ECoW). The terms of appointment shall:

a) Impose a duty to monitor compliance with the ecological and hydrological commitments provided in the Environmental Impact Assessment Report, Supplementary Environmental Information and Construction and Environmental Management Plan (CEMP) 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 monitor the environmental effects of the development.

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

15. No phase of the development shall commence until a Construction Traffic Management Plan (CTMP) to manage all construction traffic and abnormal

indivisible loads, associated with that phase, has been submitted at least 4 months prior to start on site and approved in writing by the Planning Authority, in consultation with the Local Roads Authority, Transport Scotland 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) a detailed construction programme.
b) confirmation of bulk material sources to be used during the construction period
c) identification of the routes to and from site for general construction traffic and confirmation of the number and type of vehicle movements anticipated on these routes during the construction period.
d) proposed measures to mitigate the impact of abnormal load movements and general construction traffic on the local road network following detailed assessment of the relevant routes. Measures such as the following should be considered , with such works to be funded / delivered by the applicant in a timely manner:
    - carriageway strengthening;
    - strengthening of bridges and culverts;
    - carriageway widening and/or edge strengthening;
    - provision of passing places;
    - road safety measures; and
    - traffic management, including measures such as temporary speed limits, suitable temporary signage, road markings and the use of speed activated signs as required.
e) a risk assessment for the movement of abnormal loads during daylight hours and hours of darkness.
f) proposals for an abnormal loads delivery trial-run to be undertaken with the involvement of Police Scotland and prior to the commencement of abnormal loads deliveries.
g) a detailed protocol for the delivery of abnormal loads/vehicles, prepared in consultation with interested parties, including the Council, the Police, Transport Scotland and, as required, community representatives. The protocol shall identify any requirement for convoy working and/or escorting of vehicles and include arrangements to provide advance notice of abnormal load movements in the local media. Temporary signage, in the form of demountable signs or similar approved, shall be established, when required, to alert road users and local residents of expected abnormal load movements. All such movements on Council maintained roads shall take place outwith peak times on the network, including school travel times, and shall avoid local community events.
h) a detailed delivery programme for abnormal load movements, which shall be made available to the Council and as required, community representatives.
i) a contingency plan prepared by the abnormal load haulier. The plan shall be adopted only after consultation and agreement with the Police and the respective roads authorities. It shall include measures to deal with any haulage incidents that may result in public roads becoming temporarily closed or restricted.
j) a procedure for the regular monitoring of road conditions and the implementation of any remedial works required during the construction period.

k) 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 public 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 developer, to the satisfaction of the Roads Authorities.
l) details of upgrading works required at access points connecting to any Council maintained roads.
m) measures to ensure that all affected public roads are kept free of mud and debris arising from the development.
n) identification of a named point of contact responsible for the CTMP;
o) the establishment of a Community Liaison Group (CLG) the purpose of which shall be to monitor progress and agree suitable measures to address any issues of concern arising from the works; and
p) procedure for liaison and coordination of construction activities with other developments likely to result in cumulative access, traffic and transport impacts on the road network.

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.

16. No phase of the development shall commence until, for that phase, a plan detailing the extent of any proposed improvements to the local road network on the route between the port of entry and the site accesses within that phase, is submitted to and approved in writing by the Planning Authority, in consultation with the local Roads Authority. The Plan shall be based on an assessment of the route and the likely level of traffic using the route for the construction of the relevant phase of the development. Thereafter, the improvement works shall be implemented either prior to the main construction works commencing on the substation, or within 4 months of the commencement of the relevant phase of development, whichever is the sooner.

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

17. No delivery of abnormal indivisible load (AIL) shall be made to site until an Abnormal Indivisible Load Assessment and 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.

Ecology, Biodiversity and Forestry

18. 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: a commitment 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.

19. (1) No phase of the development shall commence unless and until a Habitat Management Plan (HMP), in respect of that phase has been submitted to and approved in writing by the Planning Authority. This shall be based upon and informed by WOW Outline Biodiversity Enhancement Plan, dated 7 September 2023.

(2) The HMP shall set out proposed habitat management of the site during the period of construction, operation, decommissioning, restoration and aftercare, and shall provide for the maintenance, monitoring and reporting of otters and breeding birds.

(3) The HMP shall include provision for regular monitoring and review to be undertaken against the HMP objectives and measures for securing amendments or additions to the HMP in the event that the HMP objectives are not being met.

(4) Unless and until otherwise agreed in advance in writing with the Planning Authority, the approved HMP (as amended from time to time with written approval of the Planning Authority) shall be implemented in full.

Reason: In the interests of good land management and the protection of habitats.

20. No phase of the development or site enabling works shall commence until a works specific finalised Peat Management Plan (PMP), related to the phase or phases of works or development to be undertaken, has been submitted to and approved in writing by the Planning Authority in consultation SEPA. This shall be based upon and informed by WOW Onshore EIA Report, Volume 3, Outline Management Plan 3: Outline Peat Management Plan dated 6 October 2023.

(1) The PMP shall include:

(a) taking account of site and ground investigations to minimise the loss of peatlands and reduce carbon loss;

(b) include details of vegetated turf stripping and storage;

(c) include actions (including micrositing) to minimise excavated peat volumes and reuse peat in an appropriate manner, with the inclusion of a specific section outlining measures such as micrositing, limiting the footprint, and use of floating track to reduce disturbance; and

(d) follow SEPA's good practice for handling, storing and reinstating peat materials.

(2) The PMP shall thereafter be implemented as approved.

Reason: To ensure that a plan is in place to deal with the storage and reuse of peat within the application site, including peat stability and slide risk.

21. Any detailed application must, where relevant, demonstrate whether any permanent loss of woodland associated with the proposed development, meets the acceptability criteria given in Annex C of the Control of Woodland Removal policy. Where considered acceptable, the area(s) of woodland removal must be clearly identified on a site plan and calculated by woodland type.

Reason: To protect Scotland's woodland resource, in accordance with the Scottish Government's policy on the Control of Woodland Removal.

22. (1) No phase of the development or Site Enabling Works shall commence until an Outline Scheme of Woodland Management and Compensatory Planting has been submitted and approved in writing by the Planning Authority.

(2) No phase of the development or Site Enabling Works shall commence until a detailed scheme of Woodland Management and Compensatory Planting (including future maintenance) in respect of that phase, has been submitted and approved in writing by the Planning Authority. This must show the felling phases, exact locations, area of woodland and woodland type. It shall include detailed information on restocking and compensatory planting proposals. This shall be based upon and informed by Supporting Study 10 WOW Forestry and Woodland Survey and Report, Dated 13 March 2023. The felling plan proposals should be submitted to and approved by the planning authority in consultation with Scottish Forestry. All felling and compensatory planting proposals must be compliant with the UK Forestry Standard.

(3) The Woodland Management and Compensatory Planting Scheme shall be implemented as approved unless otherwise agreed with the Planning Authority.

(4) Thereafter, the planting shall be maintained throughout the lifetime of the development in accordance with the approved scheme.

Reason: In the interest of visual amenity to aid screening of the Development as well as to protect Scotland's woodland resource, in accordance with the Scottish Government's policy on the Control of Woodland Removal. Based on the EIA Report, the maximum loss of woodland that would require compensatory planting is expected to be 10.34 hectares however the required compensatory planting will be reduced or raised, where the maximum quantum of woodland to be lost as part of the development is either less or more as applicable.

Noise

23. Any details pursuant to Condition 5 above for the construction of the substation within the Substation Development Zone shall be supported by an operation noise impact assessment.

This shall demonstrate that noise arising from fixed plant and equipment within the operational land of the substation hereby permitted, when measured and/or calculated at noise sensitive premises, must not exceed:

(a) a LZeq, 5min level of 30 dB in the 100Hz one third octave frequency band;

(b) a Rating Level of 25 dB(A). The Rating Level should be determined in accordance with BS 4142: 2014+A1:2019 Methods for rating and assessing industrial and commercial sound.

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

Within 4 weeks of the monitoring being completed, a noise assessment report shall be submitted for the written approval of the Planning Authority. In so doing the report shall demonstrate the noise emitted from the substation has not exceeded the noise levels set out in this condition.

If the noise level exceeds the levels set out in this condition, the noise assessment shall include a scheme of mitigation including timescales for the implementation of the mitigation. Thereafter any mitigation measures shall be implemented in accordance with the approved scheme and timescales.

Prior to undertaking any compliance monitoring, details of the proposed compliance monitoring shall be submitted to and agreed in writing by the Council's Environmental Health Service.

Within 21 days from receipt of a written request of the Planning Authority, following a justified complaint to it alleging noise disturbance at a noise sensitive location, the site operator shall, at its expense, employ an independent consultant to assess the level of noise in terms of compliance with the noise levels set out in this condition. The site operator shall submit the report of the independent consultant's assessment for the approval of the Planning Authority within 2 months of receiving the written request (unless otherwise agreed in writing).

Reason: In the interest of safeguarding residential amenity.

24. Prior to construction commencing on a phase of the development, the applicant shall submit, for the written approval of the planning authority, a construction noise mitigation scheme in respect of that phase which demonstrates how the applicant/contractor will ensure the best practicable measures are implemented in order to reduce the impact of construction noise. The assessment should include but is not limited to the following: -

- A description of the most significant noise sources in terms of equipment; processes or phases of construction.
- The proposed construction hours and the estimated duration of the works for each phase.
- A detailed plan showing the location of noise sources, noise sensitive premises and any survey measurement locations (if required).
- A description of noise mitigation methods that will be put in place including any 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 Construction Noise Mitigation Scheme and all approved mitigation measures shall be in place prior to construction of the relevant phase commencing or as otherwise agreed in writing by the Planning Authority.

Reason: In the interest of safeguarding residential amenity.

25. 1. Subject to Paragraph 2, construction activities, including vehicle movements on site, associated with this development, for which noise is audible at the curtilage of any noise sensitive property, shall, unless otherwise agreed in writing with the Planning Authority, only be permitted between:

i) 0800 hours and 1900 hours Monday to Friday; and

ii) 0800 hours and 1300 hours on Saturdays.

iii) There shall be no audible activity from the site at noise sensitive properties on Sundays or Public Holidays.

2. Limited 24-hours per day / 7 days a week working shall be permitted in relation to construction utilising horizontal direction drilling where this has been agreed in advance with the Planning Authority.

Reason: In the interest of safeguarding residential amenity.

Archaeology

26. No works in connection with a phase of the development hereby approved shall commence unless an archaeological Written Scheme of Investigation (WSI), in respect of that phase, has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be occupied or brought into use unless a Post-Excavation Research Design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

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

Community Liaison

27. 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 mitigate any 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, during operations thereafter and during the decommissioning phase.

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.

Planning Condition Monitoring

28. No development shall commence until the Planning Authority has approved in writing the terms of appointment by the applicant of a suitably qualified environmental specialist to assist the Planning Authority in monitoring compliance with the planning permission and conditions attached to this consent. The terms of Planning Monitoring Officer (PMO) appointment shall:

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

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

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

Restoration and Decommissioning

29. 1.The Development shall cease to be operational no later than the date falling 30 years from the Date of Final Commissioning of the West of Orkney Offshore Wind Farm.

2.No later than one year prior to the date of final transmission of electricity from the associated wind farm or the expiry of the planning permission (whichever is earlier) a detailed decommissioning, restoration and aftercare plan, shall be submitted for the written approval of the Planning Authority in consultation with the Local Roads Authority and Transport Scotland. The detailed decommissioning, restoration and aftercare plan shall provide updated and detailed proposals, in accordance with relevant guidance at that time, for the removal of the Development, the treatment of ground surfaces, the management and timing of the works and environment management provisions which shall include (but is not limited to):

a) a site waste management plan (dealing with all aspects of waste produced during the decommissioning, restoration and aftercare phases and, including details of measures to be taken to minimise waste associated with the Development and promote the recycling of materials and infrastructure components);

b) details of the formation of the construction compound, welfare facilities, any areas of hardstanding, turning areas, internal access tracks, car parking, material stockpiles, oil storage, lighting columns, and any construction compound boundary fencing;
c) a dust management plan;
d) details of measures to be taken to prevent loose or deleterious material being deposited on the local road network, including wheel cleaning and lorry sheeting facilities, and measures to clean the site entrances and the adjacent local road network;
e) a pollution prevention and control method statement, including arrangements for the storage and management of oil and fuel on the site;
f) details of measures for soil storage and management;
g) a surface water and groundwater management and treatment plan, including details of the separation of clean and dirty water drains, and location of settlement lagoons for silt laden water;
h) details of measures for sewage disposal and treatment;
i) temporary site illumination;
j) the construction of any temporary access into the site and the creation and maintenance of associated visibility splays; and
k) details of watercourse crossings.

The Development shall be decommissioned, the site restored, and aftercare undertaken prior to the date falling three years after the date of final transmission of electricity from the associated windfarm, and in accordance with the approved detailed decommissioning, restoration and aftercare plan.

Reason: To ensure the decommissioning and removal of the Development in an appropriate and environmentally acceptable manner and the restoration and aftercare of the site, in the interests of safety, amenity and environmental protection.

30. 1) There shall be no Commencement of Development unless and until a bond or other form of financial guarantee in terms reasonably acceptable to the Planning Authority which secures the cost of performance of all decommissioning, restoration and aftercare obligations referred to in Condition 29 is submitted to the Planning Authority.

(2) The value of the financial guarantee shall be agreed between the Company and the Planning Authority or, failing agreement, determined (on application by either party) by a suitably qualified independent professional as being sufficient to meet the costs of all decommissioning, restoration and aftercare obligations referred to in Condition 29

(3) The financial guarantee shall be maintained in favour of the Planning Authority until the completion of all decommissioning, restoration and aftercare obligations referred to in Condition 29

The value of the financial guarantee shall be reviewed by agreement between the Company and the Planning Authority or, failing agreement, determined (on application by either party) by a suitably qualified independent professional not less than every five years, and at the time of the approval of the detailed decommissioning, restoration and aftercare plan approved under Condition 29. The value of the financial guarantee shall be increased or decreased to take account of any variation in costs of compliance with decommissioning, restoration and aftercare

obligations referred to in Condition 29 and best practice prevailing at the time of each review.

Reason: to ensure that there are sufficient funds to secure performance of the decommissioning, restoration and aftercare conditions attached to this planning permission in the event of default by the applicant.

REASON FOR DECISION

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

REASONED CONCLUSION

The Council is in agreement with the findings of the Environmental Impact Assessment Report for the proposed construction of the onshore transmission infrastructure comprising up to two cable landfalls, an onshore substation and up to five associated export circuits, for the West of Orkney Offshore Windfarm. Whilst the finalised design and layout is proposed to be a reserved matter, the application has demonstrated the ability for the maximum envelope of the proposed development to be successfully accommodated into the landscape, with limited localised significant adverse effects. It is recognised that there will be limited adverse impacts on nature heritage as a result of the proposed development through construction and operation. With the exception of the residual significant affects identified by Nature Scot and addressed through the Appropriate Assessment included within this report, no other significant environmental impacts have been identified in EIA terms. With the application of mitigation measures and the conditions outlined above, it is considered that the extent of adverse impacts may be suitably managed and contained for a development of this scale. The Council is satisfied that all environmental effects of this development can be addressed by way of mitigation. The Council has incorporated the requirement for a schedule of mitigation within the conditions of this permission. Monitoring of construction and operational compliance has been secured through the conditions of this permission.

Signature:	Dafydd Jones
Designation:	Area Planning Manager – North
Author:	Michael Kordas
Background Papers:	Documents referred to in report and in case file.
Relevant Plans:	Plan 1 - Location Plan - 00
	Plan 2 - Substation Indicative Site Layout Plan - 00
	Plan 3 - Development Zones Plan

Appendix 2 – Development Plan and Other Material Policy Considerations

DEVELOPMENT PLAN

A2.1 **National Planning Framework (NPF) 4 (2023)**

National Development 3 (NAD3) - Strategic Renewable Electricity Generation and Transmission Infrastructure
1 – Tackling the climate and nature crisis
2 – Climate mitigation and adaptation
3 – Biodiversity
4 – Natural places
5 – Soils
7 – Historic assets and places
11 – Energy
13 – Sustainable transport
22 – Flood risk and water management
23 – Health and safety
25 – Community wealth benefits
33 – Minerals

A2.2 **Highland Wide Local Development Plan (HwLDP) (2012)**

28 - Sustainable Design
29 - Design Quality and Place-making
30 - Physical Constraints
31 - Developer Contributions
53 - Minerals
55 - Peat and Soils
56 - Travel
57 - Natural, Built and Cultural Heritage
58 - Protected Species
59 - Other important Species
60 - Other Importance Habitats
61 - Landscape
62 - Geodiversity
63 - Water Environment
64 - Flood Risk
66 - Surface Water Drainage
67 - Renewable Energy Developments
68 - Community Renewable Energy Developments
69 - Electricity Transmission Infrastructure
72 - Pollution
73 - Air Quality
74 - Green Networks
77 - Public Access
78 - Long Distance Routes

Caithness and Sutherland Local Development Plan (CaSPlan) (2018)

A2.3 No policies or allocations relevant to the proposals are included. It does, however, confirm the boundaries of Special Landscape Areas within the plan's boundary.

As discussed in more detail in the planning assessment and conclusions, the proposed development could also potentially assist with the plan aim of diversifying the local employment base in further directions than the nuclear industry, considering the decommissioning of Dounreay.

Other Highland Council Supplementary Guidance

A2.4 Developer Contributions (Mar 2018)

Flood Risk and Drainage Impact Assessment (Jan 2013)

Green Networks (Jan 2013)

Highland Historic Environment Strategy (Jan 2013)

Highland's Statutorily Protected Species (Mar 2013)

Highland Renewable Energy Strategy and Planning Guidelines (May 2006)

Physical Constraints (Mar 2013)

Roads and Transport Guidelines for New Developments (May 2013)

Special Landscape Area Citations (Jun 2011)

Sustainable Design Guide (Jan 2013)

OTHER MATERIAL CONSIDERATIONS

Emerging Highland Council Development Plan Documents and Planning Guidance

A2.5 The Highland-wide Local Development Plan is currently under review and is at Main Issues Report Stage. It is anticipated the Proposed Plan will be published following publication of secondary legislation post National Planning Framework 4.

A2.6 The Highland Council also has further advice on the delivery of major developments in a number of documents, which include the Construction Environmental Management Process for Large Scale Projects; and, The Highland Council Visualisation Standards for Wind Energy Developments.

Other National Guidance

A2.7 Onshore Wind Energy Policy Statement (2022)

Onshore Wind Sector Deal for Scotland (2023)

Draft Energy Strategy and Just Transition Plan (2023)

Scottish Energy Strategy (2017)

2020 Routemap for Renewable Energy (2011)

Energy Efficient Scotland Route Map, Scottish Government (2018)

Assessing Impacts on Wild Land Areas, Technical Guidance, NatureScot (2020)

Wind Farm Developments on Peat Lands, Scottish Government (2011)

Historic Environment Policy for Scotland, HES (2019)

PAN 1/2011 - Planning and Noise (2011)

PAN 60 – Planning for Natural Heritage (2008)

Circular 1/2017: Environmental Impact Assessment Regulations (2017)

Appendix 3 - Compliance with the Development Plan / Other Planning Policy

Development Plan / Other Planning Policy

A3.1 The Development Plan comprises National Planning Framework 4 (NPF4), the adopted Highland-wide Local Development Plan (HwLDP), the adopted Caithness and Sutherland Local Development Plan (CaSPlan) and all statutorily adopted supplementary guidance.

National Policy

A3.2 National Planning Framework 4 (NPF4) forms part of the Development Plan and was adopted in February 2023. It comprises three parts:

- Part 1 – sets out an overarching spatial strategy for Scotland in the future and includes six spatial principles (just transition / conserving and recycling assets / local living / compact urban growth / rebalanced development / rural revitalisation. Part 1 sets out that there are eighteen national developments to support the spatial strategy and regional spatial priorities, which includes single large scale projects and networks of smaller proposals that are collectively nationally significant.
- Part 2 – 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. This part of the document should be taken as a whole in that all relevant policies should be applied to each application.
- Part 3 – provides a series of annexes that provide the rationale for the strategies and policies of NPF4. The annexes outline how the document should be used, and set out how the Scottish Government will implement the strategies and policies contained in the document.

A3.3 The Spatial Strategy sets out that we are facing unprecedented challenges and that we need to reduce greenhouse gas emissions and adapt to future impacts of climate change. It sets out that that Scotland's environment is a national asset which supports out economy, identity, health and wellbeing. It sets out that choices need to be made about how we can make sustainable use of our natural assets in a way which benefits communities. The spatial strategy reflects legislation in setting out that decisions require to reflect the long term public interest. However, in doing so it is clear that we will need to make the right choices about where development should be located ensuring clarity is provided over the types of infrastructure that needs to be provided and the assets that should be protected to ensure they continue to benefit future generations. The Spatial Priorities support the planning and delivery of sustainable places, where we reduce emissions, restore and better connect biodiversity; liveable places, where we can all live better, healthier lives; and productive places, where we have a greener, fairer and more inclusive wellbeing economy.

A3.4 The proposed development is of national importance for the delivery of the national Spatial Strategy, whereby in principle support for the development is established. As the proposed development would be capable of generating over

50 MW, it is of a type and scale that constitutes NPF4 National Development 3 - Strategic Renewable Electricity Generation and Transmission Infrastructure.

A3.5 At the high level, NPF4 considers that Strategic Renewable Electricity Generation and Transmission Infrastructure will assist in the delivery of the Spatial Strategy and Spatial Priorities for the north of Scotland, and that Highland can continue to make a strong contribution toward meeting Scotland's ambition for net zero. Alongside these ambitions, the strategy for Highland aims to protect environmental assets as well as to stimulate investment in natural and engineered solutions to address climate change. This aim is not new and will clearly require a balancing exercise to be undertaken, which is reflected throughout the document.

A3.6 NPF4 Policies 1, 2, and 3 now apply to all development proposals Scotland-wide, which means that significant weight must be given to the global climate and nature crises when considering all development proposals, as required by NPF4 Policy 1. To that end, development proposals must be sited and designed to minimise lifecycle greenhouse gas emissions as far as is practicably possible in accordance with NPF4 Policy 2, while contributing to the enhancement of biodiversity, as required by NPF4 Policy 3.

A3.7 Specific to this proposal, as well as the support in Policy 1 (significant weight will be given to the global climate and nature crisis when considering development), Policy 11 of NPF4 supports all forms of proposals for renewable, low-carbon and zero emission technologies including wind farms. However, any project identified as a national development requires to be considered at a project level to ensure all statutory tests are met, as set out in Annex 1 of the NPF4. This includes consideration against the provisions of the Development Plan, of which NPF4 is a part

A3.8 Complementing those policies is NPF4 Policy 4 Natural Places, which sets out that development proposals by virtue of type, location, or scale that have an unacceptable impact on the natural environment will not be supported. The policy goes on to clarify what that means for different designations. It sets out that proposals with likely significant effects on European sites (SACs or SPAs) require appropriate assessment, and that development proposals that will affect a National Park, NSA or SSSI will only be supported where: i) the objectives of designation and the overall integrity of the areas will not be compromised; or ii) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance. In this case, as discussed in more detail in the planning assessment, it is considered that the integrity of the natural heritage designations otherwise affected by the proposals will not be compromised.

A3.9 Similarly, sites designated in Development Plans for local nature conservation or Special Landscape Areas (SLAs) are protected in NPF4 Policy 4 unless the development will not result in significantly adverse effects on its qualities or its integrity, or, these effects are clearly outweighed by social, environmental, or economic benefits of at least local importance.

A3.10 Specific for energy developments, NPF4 Policy 11 states that the principle of all forms of renewable, low-carbon, and zero emission technologies is supported with the exception of wind farm proposals located in National Parks or National Scenic Areas. Policy 11 Part c) qualifies this position by stating that wind farms should only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business, and supply chain opportunities. The policy goes on to state that while significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on reduction of greenhouse gas emissions targets, the development's impacts, including cumulative impacts, must be suitably addressed and mitigated against. In this regard, the Highland Council has consistently given significant weight to a development's contribution to environmental targets prior to and post the adoption of NPF4.

A3.11 NPF4 Policy 11 Part e) sets out the additional project design and mitigation requirements for energy proposals. This includes a broad range of matters akin to those to be assessed under HwLDP Policy 67. This includes consideration of the landscape and visual impacts and advises that where impacts are localised and / or appropriate design mitigation has been applied such effects will generally be considered acceptable. Members will be aware that the concept of renewable energy developments that have only localised impacts as being more likely to be acceptable is not new and is also reflected in previous Highland Council planning decisions. While the adopted NPF4 reflects a stronger presumption in favour of all national scale energy developments, judgment still requires to be applied at the project level to ensure proposals do not have unacceptable landscape and visual impacts even if the contribution to national renewable energy targets is considerable.

A3.12 On that point it is noted that both legislation and planning law indicate that where there may be incompatibility between NPF4 and the Local Development Plan (LDP) (HwLDP, CaSPlan, and Highland Council Supplementary Guidance) published prior to NPF4, then the more recent document shall prevail. Notwithstanding however, in instances of incompatibility, this requirement may not eliminate the provisions of the LDP in their entirety whilst these documents remain an extant part of the adopted Development Plan. That means that the Council may wish to give more weight to the provisions of its LDP over national policies where there is strong justification for doing so, such as where it feels that LDP policy is better equipped to respond to local conditions for example. However, this matter is yet to be tested through the planning system.

Highland-wide Local Development Plan

A3.13 The principal HwLDP policy on which the application needs to be determined is Policy 67 - Renewable Energy. HwLDP Policy 67 sets out that renewable energy development should be well related to the source of the primary renewable resource needed for operation, the contribution of the proposed development in meeting renewable energy targets and positive/negative effects on the local and national economy as well as all other relevant policies of the Development Plan and other relevant guidance. In that context the Council will support proposals where it is satisfied they are located, sited and designed such as they will not be

significantly detrimental overall, individually or cumulatively with other developments having regard to 11 specified criteria (as listed in HwLDP Policy 67). Such an approach is consistent with the concept of Sustainable Design (HwLDP Policy 28) and the concept of supporting the right development in the right place at the right time.

A3.14 Although HwLDP Policy 67 and NPG4 Policy 11 are compatible, NPF4 expresses greater support for renewable energy projects outwith National Parks and NSAs, and requires greater weight to be attributed to the twin climate and biodiversity crises in the decision making process, whilst still recognising that a balancing exercise must still be carried out.

Area Local Development Plans

A3.15 The Caithness and Sutherland Local Development Plan (CaSPlan) does not contain land allocations related to the proposed development. It confirms the boundaries of Special Landscape Areas within these plan areas. NPF4 Policy 4 and HwLDP Policies 28, 57, 61 and 67 seek to safeguard these regionally important landscapes. The impact of this development on landscape is primarily assessed in the Design, Landscape and Visual Impact section of this report. As discussed in more detail in the planning assessment and conclusions, the proposed development could also potentially assist with the CaSPlan aim of diversifying the local employment base in further directions than the nuclear industry, considering the decommissioning of Dounreay.

Appendix 4 - Habitats Regulations Appraisal

Construction of onshore transmission infrastructure comprising up to two cable landfalls, an onshore substation and up to five associated export circuits.

23/05353/PIP

CONSIDERATION OF PROPOSALS AFFECTING EUROPEAN SITES

River Thurso Special Area of Conservation (SAC)

Caithness and Sutherland Peatlands SAC

Caithness Lochs Special Protection Area (SPA)

North Caithness Cliffs SPA

Caithness and Sutherland Peatlands (SPA)

The status of the River Thurso SAC, Caithness and Sutherland Peatlands SAC, Caithness Lochs SPA, North Caithness Cliffs SPA and Caithness and Sutherland Peatlands Special Protection Area SPA means that the requirements of the Conservation (Natural Habitats, & c.) Regulations 1994 as amended (the 'Habitats Regulations') or, for reserved matters the Conservation of Habitats and Species Regulations 2017 as amended apply.

This means that where the conclusion reached by the Council on a development proposal unconnected with the nature conservation management of a Natura 2000 site is that it is likely to have a significant effect on those sites, it must undertake an Appropriate Assessment of the implications for the conservation interests for which the areas have been designated. The need for Appropriate Assessment extends to plans or projects out with the boundary of the site in order to determine their implications for the interest protected within the site.

This means that the Council, as competent authority, has a duty to:

- Determine whether the proposal is directly connected with or necessary to site management for conservation; and, if not,
- Determine whether the proposal is likely to have a significant effect on the site either individually or in combination with other plans or projects; and, if so, then
- Make an Appropriate Assessment of the implications (of the proposal) for the site in view of that site's conservation objectives.

The competent authority can only agree to the proposal after having ascertained that it will not have an adverse effect on the integrity of the sites. If this is not the case and there are not alternative solutions, the proposal can only be allowed to proceed if there are imperative reasons of overriding public interest, which in this case can include those of a social or economic nature.

Screening of Likely Significant Effects

It is evident that the proposal is not connected with or necessary to site management for conservation, hence further consideration is required. The proposed works has the potential to have a likely significant effect on the qualifying interests of the SPA due to impacts arising from construction, operation and decommissioning of the Proposed Development. The Council is therefore required to undertake an appropriate assessment of the implications of the proposal on the above named European designated sites.

River Thurso Special Area of Conservation (SAC)

Nature Scot have advised that the proposal is likely to have a significant effect on the qualifying interest of Atlantic salmon.

As a result of the likely significant effects, as competent authority, The Highland Council is ***required*** to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests.

Caithness and Sutherland Peatlands SAC

NatureScot have advised that the proposal is likely to have a significant effect on the qualifying interests of otters a qualifying interest of the Caithness and Sutherland Peatlands SAC due to potential impact of construction on water quality which may affect otters.

As a result of the likely significant effects, as competent authority, The Highland Council is ***required*** to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests.

Caithness Lochs Special Protection Area (SPA)

NatureScot have advised that the proposal is likely to have a significant effect on the qualifying interests of Greenland white-fronted geese, greylag geese and whooper swan.

Consequently, The Highland Council, as competent authority, is ***required*** to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests.

North Caithness Cliffs SPA

NatureScot have advised that the proposal is likely to have a significant effect on the qualifying interests of peregrine.

As a result of the likely significant effects, as competent authority, The Highland Council is ***required*** to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests.

Caithness and Sutherland Peatlands SPA

NatureScot have advised that the proposal is not likely to have a significant effect on any qualifying interests either directly or indirectly.

As a result of this, as competent authority, The Highland Council is ***not required*** to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests.

APPROPRIATE ASSESSMENT

While the responsibility to carry out the Appropriate Assessment rests with the Council, advice contained within Circular 6/1995 is that the assessment can be based on the information submitted from other agencies. In this case, the Appropriate Assessment is informed by information supplied by Nature Scot, the applicant and various published information.

River Thurso Special Area of Conservation (SAC)

In its response to the Council of 7 May 2024, NatureScot advised that the proposal is likely to have a significant effect on Atlantic salmon as a qualifying interest of the SAC. Their advice is set out below:

Our advice is that this proposal is likely to have a significant effect on Atlantic salmon. Consequently, The Highland Council, as competent authority, is required to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests. To help you do this, we advise that on the basis of the appraisal carried out to date, if the proposal is carried out strictly in accordance with the following mitigation, our conclusion is that the proposal will not adversely affect the integrity of the site.

- *Implementation of the mitigation measures for Atlantic salmon and freshwater ecology as detailed within the 'Onshore HRA: Report to Inform Appropriate Assessment' and 'Chapter 9 – Freshwater Ecology'.*
- *HDD construction methodologies will consider potential risk erosion areas, including the assessment of geomorphic risk from fluvial erosion produced by SEPA.*
- *Confirmation of measures to be implemented to prevent frack out of bentonite detailed within HDD construction method statements.*
- *The impacts of drilling and piling activities on the Atlantic salmon feature of the River Thurso SAC should be considered during construction methodologies. Such as the implementation of piling soft start and ramp up measures and avoiding Atlantic salmon spawning dates (between October and May).*

The appraisal we carried out considered the impact of the proposals on the following factors:

- *Cables will cross the River Thurso SAC and its tributaries. As works will cross water courses associated with the SAC, there is the potential for impacts during construction, maintenance and decommissioning activities. These include blocking and changing of watercourses, preventing fish migration, risk of fish mortality, pollution and silt/sedimentation release and the drying of watercourses for works within them.*
- *The mitigation measures proposed within the EIA report includes appropriate measures for Atlantic salmon. Provided this mitigation is put in place, this will reduce the likelihood of the proposals undermining the conservation objectives for the site.*
- *HDD will involve cables being laid at a minimum of 5m below the riverbed, targeting deeper areas of competent bedrock and stiff sediment. Electromagnetic field (EMF) levels dissipate at increasing depth form the source and therefore, with cables buried at this depth, it is considered unlikely that EMF will result in significant impacts to Atlantic salmon.*

- *The HDD contractor will consider potential risk areas for erosion, with methodologies also ensuring the cables are drilled at sufficient horizonal distance from the river to ensure areas of potential lateral erosion are avoided. SEPA have undertaken an assessment of geomorphic risk from fluvial erosion, which should be considered during construction methodologies. Furthermore, the onshore cables will be maintained and inspected during the operational life to ensure operating integrity. This will reduce risk of exposure of cables due to erosion.*
- *Bentonite is proposed as the drilling lubricant during HDD. It is considered highly polluting to water if released in the environment. Ground investigation works are planned which will inform the safest design for the HDD taking into account the risk of frack out. Mitigations will be confirmed within the HDD construction method statements. The mitigation measures included in the information provided will reduce the chances of the impacts to Atlantic salmon as a result of bentonite frack out.*
- *Vibrations during drilling and pilling activities may result in potential impacts to Atlantic salmon. The mitigation measures proposed include the avoidance of freshwater sensitive areas. This should include key Atlantic salmon spawning sites. Consideration should be given to the impacts of drilling on Atlantic salmon, with measures to reduce these included within construction methodologies. We advise the Caithness District Salmon Fishery Board are consulted regarding specific spawning dates.*

NatureScot highlight that with the application of the above mitigation measures the proposals would not adversely affect the integrity of the site. It is considered appropriate to condition the requirement for a Habitat Management Plan and Habitat and Species Protection Plans as part of the Construction Environmental management Plan (CEMP).

<u>Caithness and Sutherland Peatlands SAC</u>

In its response to the Council of 7 May 2024, NatureScot advised that the proposal is likely to have a significant effect on otter as a qualifying interest of the SAC. Their advice is set out below:

Our advice is that this proposal is likely to have a significant effect on otter. Consequently, The Highland Council, as competent authority, is required to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests. To help you do this, we advise that on the basis of the appraisal carried out to date, if the proposal is carried out strictly in accordance with the following mitigation, our conclusion is that the proposal will not adversely affect the integrity of the site.

- *Implementation of the mitigation measures for otter as detailed within the 'Onshore HRA: Report to Inform Appropriate Assessment'.*
- *Confirmation of measures to be implemented to prevent frack out of bentonite detailed within HDD construction method statements.*

The appraisal we carried out considered the impact of the proposals on the following factors:

- *The River Forss, River Thurso and their tributaries are likely used for foraging and commuting by otter and the proposal lies within foraging range from the SAC. Therefore, at points where the proposals cross waterways, works have the potential to result in impacts to the population through loss of habitat and offsite foraging areas, holts or resting places and the risk of direct injury or mortality.*
- *The measures for bentonite as detailed in the assessment for the River Thurso SAC, will also prevent impacts to otter as a result of frack out during HDD.*
- *The mitigation measures proposed within the EIA report includes appropriate measures for otter. The mitigation measures for otters covering both construction and maintenance works, including the proposed Species and Habitats Protection Plan (SHPP), will follow our standing advice for otter4. Provided this mitigation is put in place, the proposal is unlikely to undermine the conservation objectives for the site or adversely affect the integrity of the SAC.*

NatureScot highlight that with the application of the above mitigation measures the proposals would not adversely affect the integrity of the site. It is considered appropriate to condition the requirement for a Habitat Management Plan and Habitat and Species Protection Plans as part of the Construction Environmental management Plan (CEMP).

Caithness Lochs Special Protection Area (SPA)

In its response to the Council of 28 February 2024, NatureScot advised that the proposal is likely to have a significant effect on Greenland white-fronted geese, greylag geese and whooper swan as a qualifying interest of the SPA. Their advice is set out below:

Our advice is that this proposal is likely to have a significant effect on Greenland white-fronted geese, greylag geese and whooper swan. Consequently, The Highland Council, as competent authority, is required to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests. To help you do this, we advise that on the basis of the information provided, if the proposal is carried out strictly in accordance with the following mitigation, our conclusion is that the proposal will not adversely affect the integrity of the site:

The mitigation measures for geese and swans as detailed in the 'Onshore HRA: Report to Inform Appropriate Assessment' must be adhered to in full.

The appraisal we carried out considered the impact of the proposals on the following factors:

- *The proposal lies within foraging range and known important feeding areas for birds associated with this SPA. Works will coincide with the winter period, when these species are present, and could therefore result in disturbance to birds feeding within or close to the construction area.*
- *In particular, the proposal will pass through (and close to) known favoured feeding fields for Greenland white-fronted geese. Due to their small population, any impacts to this species could be significant.*

- *The mitigation measures proposed within the EIA report includes appropriate measures for geese and swans. Provided this mitigation is put in place, the proposal is unlikely to undermine the conservation objectives for the site or adversely affect the integrity of the SPA.*

NatureScot highlight that with the application of the above mitigation measures the proposals would not adversely affect the integrity of the site. It is considered appropriate to condition the requirement for a Habitat Management Plan and Habitat and Species Protection Plans as part of the Construction Environmental management Plan (CEMP).

North Caithness Cliffs SPA

In its response to the Council of 28 February 2024, NatureScot advised that the proposal is likely to have a significant effect on peregrine as a qualifying interest of the SPA. Their advice is set out below:

Our advice is that this proposal is likely to have a significant effect on peregrine. Consequently, The Highland Council, as competent authority, is required to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests.

To help you do this we advise that based on the information provided, our conclusion is that the proposal will not adversely affect the integrity of the site. The appraisal we carried out considered the impact of the proposals on the following factors:

- *The proposal area lies outwith the disturbance distance for birds nesting within the SPA.*
- *The proposal area will lie within foraging range of peregrine and works have the potential to impact upon prey species. However, given the low level of peregrine activity recorded within surveys detailed within the EIA, the proposal site appears to be infrequently used.*

Nature Scot conclude that the proposal is unlikely to undermine the conservation objectives for peregrine and will not adversely affect the integrity of the site.

The Council officers do not contest Nature Scots comments in this regard.

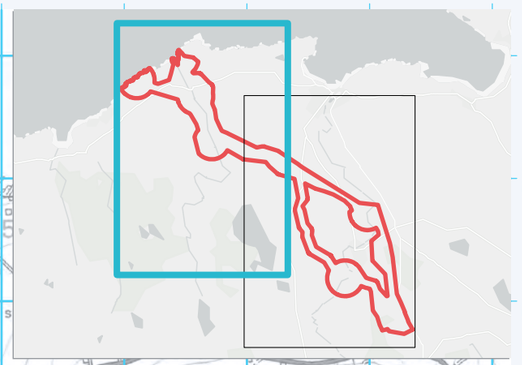
HIGHLAND COUNCIL APPRAISAL OF THE PROPOSAL

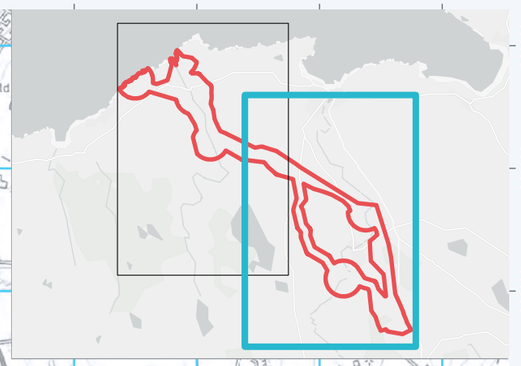
- The proposal is not directly connected with or necessary to site management for conservation;
- The proposal is likely to have a significant effect on the site either individually or in combination with other plans or projects; therefore;
- An Appropriate Assessment of the implications (of the proposal) for the site in view of that site's conservation objectives is provided below.

The impacts on the River Thurso Special Area of Conservation (SAC), Caithness and Sutherland Peatlands SAC, Caithness Lochs Special Protection Area (SPA) and North Caithness Cliffs SPA have been considered. The mitigation proposed by the applicant in their Environmental Impact Assessment Report (EIAR) in addition to conditions to secure the submission and implementation of species protection plans for qualifying features of the designated sites and a pollution prevention plan will be sufficient to address any significant risk and avoid an impact on the integrity of the designated sites and their qualifying features.

Overall, it can be therefore concluded that while likely significant effects have been identified during both the construction and operational phases of the development, there will not be an adverse effect on site integrity of the River Thurso Special Area of Conservation (SAC), Caithness and Sutherland Peatlands SAC, Caithness Lochs Special Protection Area (SPA) and North Caithness Cliffs SPA.

00 Area Summary Map





Red Line Boundary

N
British National Grid

Scale: 1:50,000
0 0.5 1 2 km

West of Orkney Windfarm

01 Location Plan

N

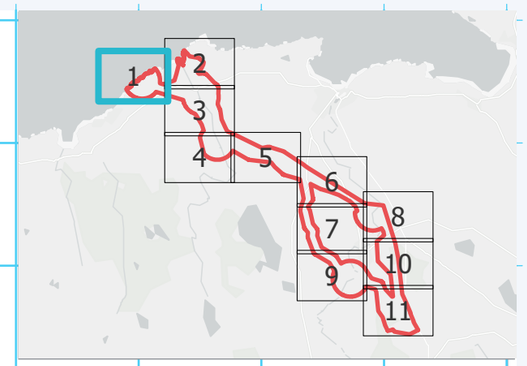
British National Grid

0 100 200 400 Meters

Scale: 1:10,000

298200 298400 298600 298800 299000 299200 299400 299600 299800 300000 300200 300400 300600 300800 301000 301200 301400 301600 301800 302000

970800 970600 970400 970200 970000 969800 969600 969400 969200 969000 968800 968600 968400 968200 968000



01

70

69

68

Hing

Forss Busin

Technolog

Geo Groiche

Broch

Cairn

Gie-uisg

Geo

Borrowston

Mains

Greeny

Geo

Glupein

na Drochaide

Cling

Glang

Natural

Arches

Oigin's

Geo

Wester

Borrowston

Balmore

Animal Welfare

52

She

West of Orkney Windfarm

Red Line Boundary

Neighbouring land (20m buffer)

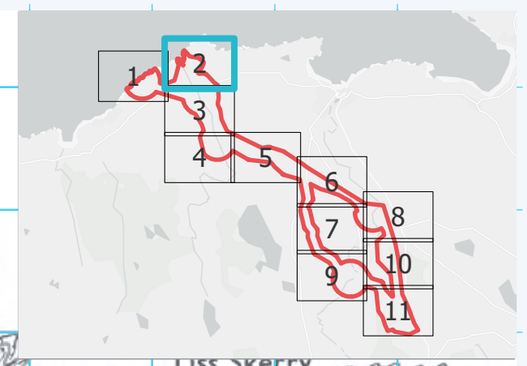
02 Location Plan

N
British National Grid

0 100 200 400 Meters
Scale: 1:10,000

302000 302200 302400 302600 302800 303000 303200 303400 303600 303800 304000 304200 304400 304600 304800 305000 305200 305400 305600

971400 971200 971000 970800 970600 970400 970200 970000 969800 969600 969400 969200 969000 968800



Geo Harra
Chapel (rems of)
Sandy Geo
Port of Brims
Kyle Geo
Ushat Head
Mean High Water Springs
Mains of Brims
Castle (rems of)
Liss Skerry
Creagan Caoi
Burnt Mound
02
03
04
05
Craig Andrew
Crosskirk Bay
St Mary's Chapel (rems of)
Crosskirk
Hing Geo
Mound
St Mary's Well
Craigan Well
West Brims Farm
Brims
Torran Dubh Burnt Mound
Lochan Buidhe
Tulloch of Lybster Broch
Hill of Lybster
Forss Smallholdings
Burn of Brims
New Houses
Burn of Brims Farm
Forss Mains
Forss
A836
Forss Holdings
East Brims
Forss House (Hotel)

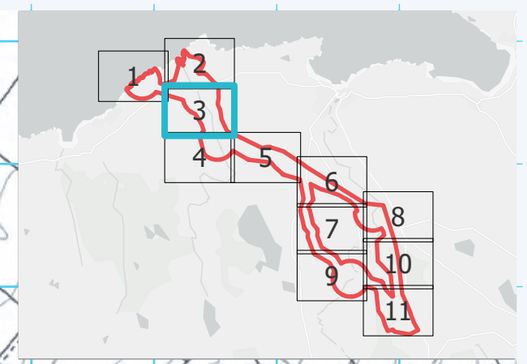
Red Line Boundary
Neighbouring land (20m buffer)

West of Orkney Windfarm

03 Location Plan

N
British National Grid

0 100 200 400 Meters
Scale: 1:10,000



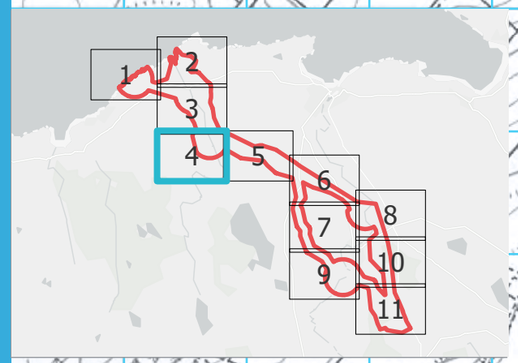
Red Line Boundary

Neighbouring land (20m buffer)

West of Orkney Windfarm

Document details: G:\CheckOuts\Wildebeest\GIS\Output\136_OnshoreApplicationForm_LocationPlan\136_LocationPlan.aprx, 03_LocationPlan, P-UWS-101, marta.ponti, 11/10/2023

04 Location Plan



N

British National Grid

Scale: 1:10,000

0 100 200 400 Meters

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966000 965800 965600 965400 965200 965000 964800 964600 964400 964200 964000 963800 963600 963400

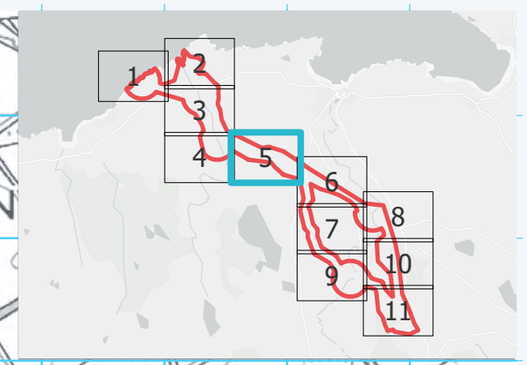
Stemster Smallholdings
Lythmore Strath
Tullock of Stemster Broch (remains of)
Burn of Baillie
Baillie
Strath of Baillie
Sheep Wash
Stemster Burn
Sheepfold
Sheepfold
Yellow Moss
Cairn
Bardnaheigh
Crofts of Achimore
Baillie Hill
Achiveigle
Clashach
Bridge of Westfield
Achimenach
Sheepfold
East Shebster
Achigremach
Mound
Knockglass
Broch
Knockglass
Forss Water

Red Line Boundary

Neighbouring land (20m buffer)

West of Orkney Windfarm

05 Location Plan



- Red Line Boundary
- Neighbouring land (20m buffer)

N

British National Grid

0 100 200 400 Meters

Scale: 1:10,000

West of Orkney Windfarm

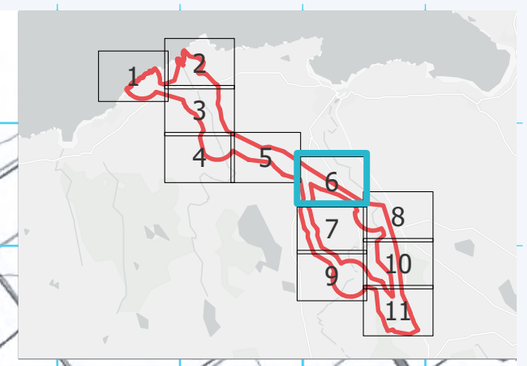
Document details: G:\CheckOuts\Wildebeest\GIS\Output\136_OnshoreApplicationForm_LocationPlan\136_LocationPlan.aprx, 05_LocationPlan, P-UWS-101, marta.ponti, 11/10/2023

06 Location Plan

- Red Line Boundary
- Neighbouring land (20m buffer)

N
British National Grid

0 100 200 400 Meters
Scale: 1:10,000



309400 309600 309800 310000 310200 310400 310600 310800 311000 311200 311400 311600 311800 312000 312200 312400 312600 312800 313000 313200

964800 964600 964400 964200 964000 963800 963600 963400 963200 963000 962800 962600 962400 962200

Broch (remains of)
Waterfall
Weir
Weir
Weir
Weirs
FB
MS
41
B874
34
Clatequoy
64
Todholes Farm
Sheep Wash
17
72
76
58
Buckies
68
Dam
Sluice
ranakist
owe
we
63
Sheepfold
Buckies Hill
Sheep Wash
West Calder Hill
West Calder
122
120
Aimster
MS
44
Spr
Hut Ci

West of Orkney Windfarm

N

British National Grid

0 100 200 400 Meters

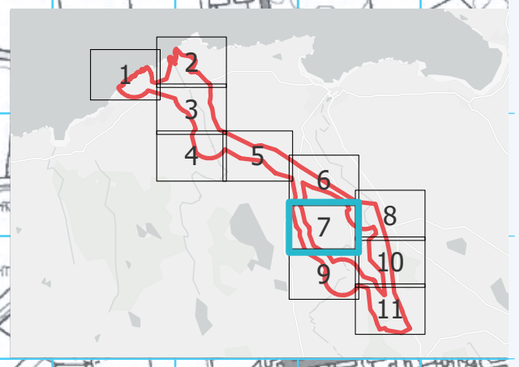
Scale: 1:10,000

309400 309600 309800 310000 310200 310400 310600 310800 311000 311200 311400 311600 311800 312000 312200 312400 312600 312800 313000 313200

962000 961800 961600 961400 961200 961000 960800 960600 960400 960200 960000 959800 959600 959400

Kirkhill Farm
Sheep Wash
Sheepfold
Sheep Wash
Cairn
Skinnet
Broch (rems of)
North Calder
Hill of Sour
Mound
Carnavagry
Broch (rems of)
Rifle Range
Sharkley Well
Burnside
Lower Sour
Upper Sour
Calder Mains
Woodside
East Calder
Calder Burn
Housle Cairn Broch
Gerston
Weir

61 62 10 11 12 13 60 57 53 52 49 74 54 47 45



Red Line Boundary

Neighbouring land (20m buffer)

West of Orkney Windfarm

07 Location Plan

Document details: G:\CheckOuts\Wildebeest\GIS\Output\136_OnshoreApplicationForm_LocationPlan\136_LocationPlan.aprx, 07_LocationPlan, P-UWS-101, marta.ponti, 11/10/2023

08 Location Plan

N

British National Grid

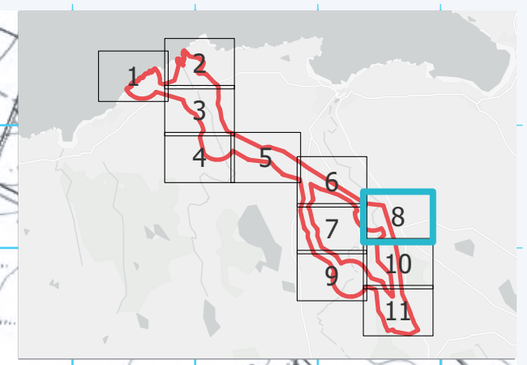
Meters

Scale: 1:10,000

0 100 200 400

313200 313400 313600 313800 314000 314200 314400 314600 314800 315000 315200 315400 315600 315800 316000 316200 316400 316600 316800 317000

962600 962400 962200 962000 961800 961600 961400 961200 961000 960800 960600 960400 960200 960000



Hut Circle
36
Sheep Dip
Stemster Hill
Cnoc an Tailler Cairn
Sordale
Spr
Spr
St Thomas's Chapel (remains of)
109 (112)
Sordale Hill
Cnoc na Ciste Chambered Cairn
Cairn
Long Cairn
Gallow Hill Long Cairn
Springfield Chambered Cairn
51
Rowan Lea
Sheepfold
River Thurso
Black Hillock
Hoy and Braal Holdings
Roadside
Pumping Station
Sheep Wash
Broch
Hoy
Sewage Farm
14
15
16
17
43
83
64
Knockdee
Georgemas
Dunn and Scarmclate Holdings
27
Sibster
Braal Castle (rems of)
Braal Castle
B874
A882
Torran Reitheach Cairn

West of Orkney Windfarm

Red Line Boundary

Neighbouring land (20m buffer)

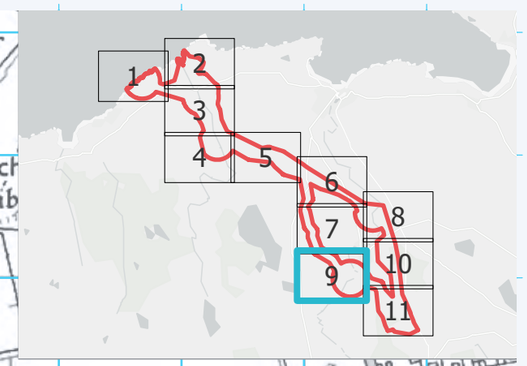
09 Location Plan

N

British National Grid

0 100 200 400 Meters

Scale: 1:10,000



Achavrole
Achavarigel
Gerston
Weir
Tulloch
Chamb
Moss of Halktrk
Drakerous
Hill of Calder
Sheepfold
Achagie
Upper Tongside
Moss of Tongside
Tongside
Sidhean Harraig Cairn
Bloody Moss
Blackpark
Yellow Moss
Moss of Halkirk
Torranshondall
FB
Spr

Red Line Boundary

Neighbouring land (20m buffer)

West of Orkney Windfarm

N

British National Grid

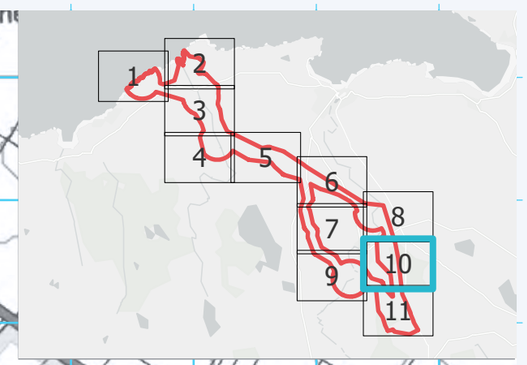
0 100 200 400 Meters

Scale: 1:10,000

313200 313400 313600 313800 314000 314200 314400 314600 314800 315000 315200 315400 315600 315800 316000 316200 316400 316600 316800 317000

960000 959800 959600 959400 959200 959000 958800 958600 958400 958200 958000 957800 957600 957400

Braal Castle
B874
Weir
Sch
Cemy
Wks
38
Park Well
Halkirk
Sibster
52
48
Sprs
Georgemas Junction Station
40
Sibster
Fairfield
54
North Banniskirk
Sibster Moss
58
Little Houstry
Sibsterburn
Burn of Halkirk
Clashgal
A882
Torran Keithe Cairn
A9
Clayock Moss
Banniskirk Moss
Sibster Burn Farm
Mound
Houstry
Houstry Mains
Milton
Banniskirk House
North



Red Line Boundary

Neighbouring land (20m buffer)

West of Orkney Windfarm

10 Location Plan

Document details: G:\CheckOuts\Wildebeest\GIS\Output\136_OnshoreApplicationForm_LocationPlan\136_LocationPlan.aprx, 10_LocationPlan, P-UWS-101, marta.ponti, 11/10/2023

N

British National Grid

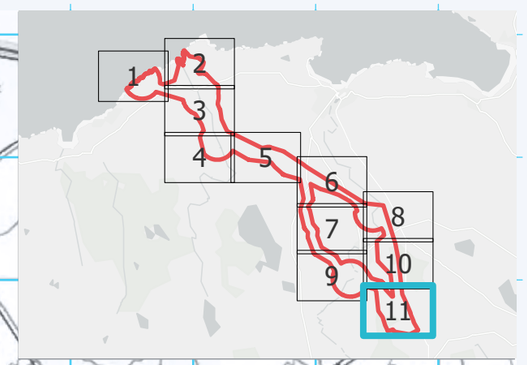
Meters

Scale: 1:10,000

0 100 200 400

313200 313400 313600 313800 314000 314200 314400 314600 314800 315000 315200 315400 315600 315800 316000 316200 316400 316600 316800 317000

957400 957200 957000 956800 956600 956400 956200 956000 955800 955600 955400 955200 955000 954800 954600



North Achalone
Burn of Achanarras
58
Sheepfold
Quarry (disused)
Bardnaleigh
Achalone
63
60
Benachie
Benachie Farm
Cairns
Hut Circle
Broch (rems of)
Achcomhairle
Achcomhairle
Mound
176
Spittal Hill
The Shean Cairn
Hut Circles
Achanarras
Burn of Achanarras
82
Achies
Mound
St Magnus's Hospital & chapel (rems of)
Toft an Shibhlier
Spittal Mains

- Red Line Boundary
- Neighbouring land (20m buffer)
- Onshore substation search area

11 Location Plan

West of Orkney Windfarm

Document details: G:\CheckOuts\Wildebeest\GIS\Output\136_OnshoreApplicationForm_LocationPlan\136_LocationPlan.aprx, 11_LocationPlan, P-UWS-101, marta.ponti, 11/10/2023

00 Area Summary Map

N

British National Grid

Meters

Scale: 1:5,000

WO1-WOW-CON-EV-MP-0006 Approved by S.Kerr
Document Created 20/10/2023

West of Orkney Windfarm

- Red Line Boundary
- Neighbouring land (20m buffer)
- Onshore Substation search area
- Substation Platform
- Proposed bunding contours
- Planting - trees
- Planting - shrubs
- Existing vegetation to be removed
- Existing woodland

01 Indicative Substation Layout

N

British National Grid

Meters

Scale: 1:2,500

0 25 50 100

314500 314600 314700 314800 314900 315000 315100 315200 315300 315400

956900 956800 956700 956600 956500 956400 956300

Cruachan

Drain

Just Home

Achalone View

57.9m

Hayfold Cottage

Achalone

Track

Drain

Drain

Drain

Drain

Drain

Drain

Drain

Burn of Achanarras

Achalone

Drain

Drain

1

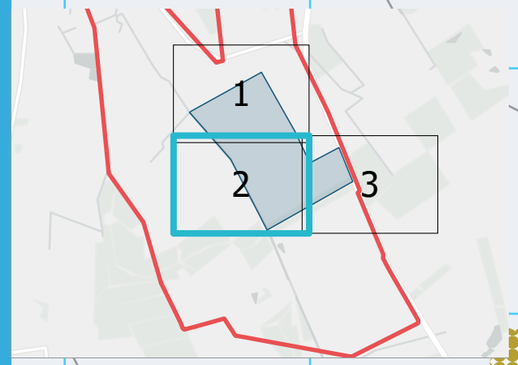
2

3

- Red Line Boundary
- Neighbouring land (20m buffer)
- Onshore Substation search area
- Substation Platform
- Proposed bunding contours
- Planting - trees
- Planting - shrubs

West of Orkney Windfarm

02 Indicative Substation Layout



N
British National Grid

0 25 50 100 Meters
Scale: 1:2,500

314500 314600 314700 314800 314900 315000 315100 315200 315300 315400

956200 956100 956000 955900 955800 955700 955600

Drain
Drain
Drain
Drain
Drain
Track
Cairn
Hut Circle
Cairns
Achalone
Well

- Red Line Boundary
- Onshore Substation search area
- Substation Platform
- Proposed bunding contours
- Planting - trees
- Planting - shrubs
- Existing vegetation to be removed
- Existing woodland

West of Orkney Windfarm

03 Indicative Substation Layout

N
British National Grid

Meters
100
50
25
0
Scale: 1:2,500

315500 315600 315700 315800 315900 316000 316100 316200 316300 316400

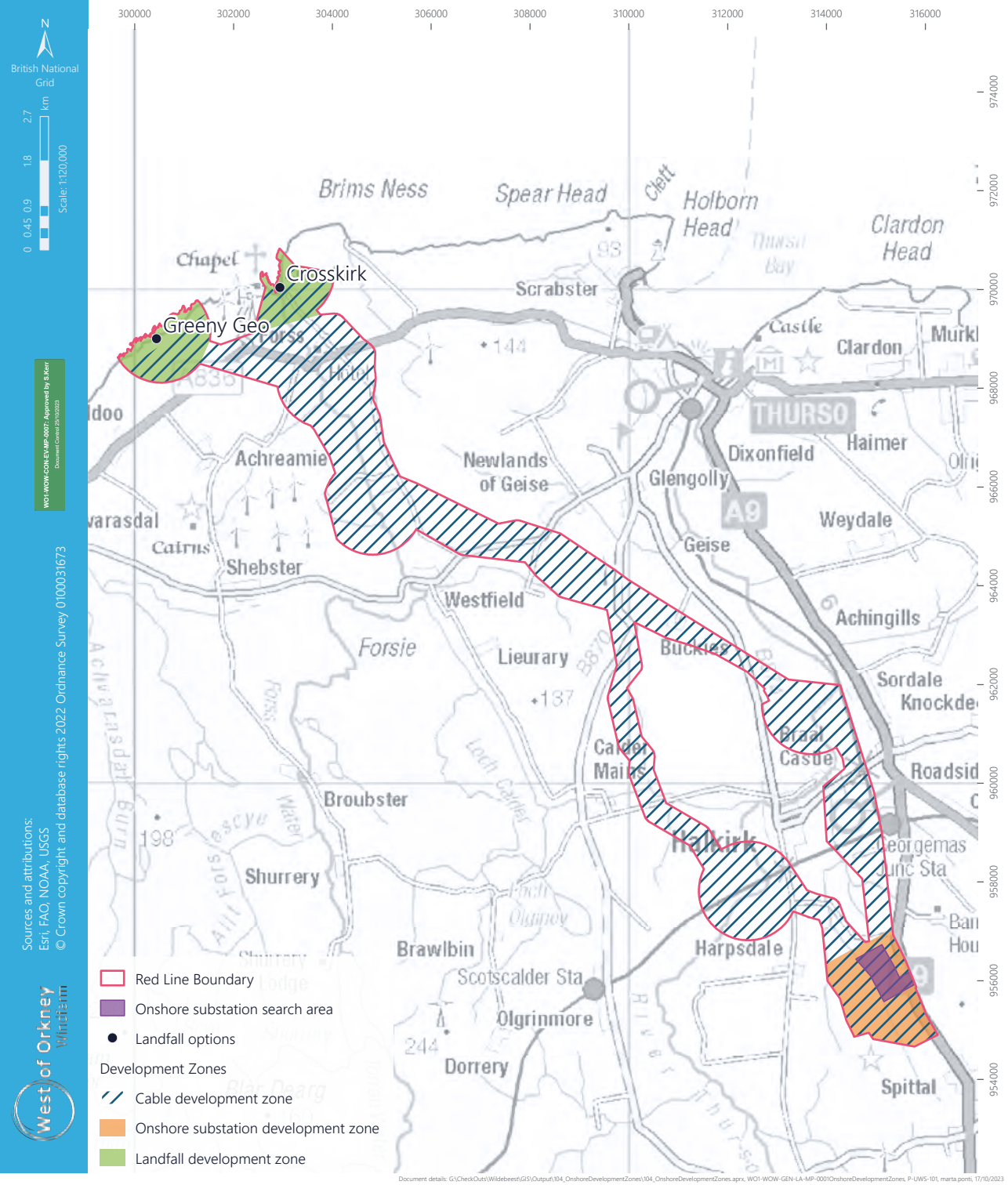
956200 956100 956000 955900 955800 955700 955600

Well
Track
Drain
85.1m
Drain
Drain
89.4m
A9
92.1m
Drain
Drain
Track
99.0m
Well
Drain
Drain
Mound
109.1m
Track

1
2
3

- Red Line Boundary
- Neighbouring land (20m buffer)
- Onshore Substation search area
- Proposed bunding contours
- Planting - trees
- Existing vegetation to be removed
- Existing woodland

West of Orkney Windfarm



Document details: G:\CheckOuts\Wildebeest\GIS\Output\104_OnshoreDevelopmentZones\104_OnshoreDevelopmentZones.aprx, WO1-WOW-GEN-LA-MP-0001OnshoreDevelopmentZones, P-UWS-101, marta.ponti, 17/10/2023