

Agenda Item	6.1
Report No	PLS/25/25

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 14 May 2025

Report Title: 25/00051/S37: Scottish Hydro Electric Transmission Plc
Deanie Power Station, Deanie, Strathfarrar, Kiltarlity, Beauly, IV47JX

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Glen Strathfarrar Vista - Construction of a replacement steel lattice tower with 132kV and 33kV downleads into a combined cable sealing end compound (CSE). Installation of new overhead line between the proposed new Tower 13R and existing Tower 14, along with the construction of a dedicated permanent access track from the new CSE compound to Glenstrathfarrar road.

Ward: 12 - Aird and Loch Ness

Development category: National Development

Reason referred to Committee: National Development (Section 37 Application)

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

RAISE NO OBJECTION to the application as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

- 1.1 This application is part of the VISTA (Visual Impact of Scottish Transmission Assets Scheme) which seeks to remove sections of electricity transmission equipment within designated scenic areas in the north of Scotland.
- 1.2 The application is for the decommissioning and removal of the existing overhead line (OHL) between Deanie Substation and Tower 13, covering approximately 3.75km of 132kV and 33kV OHL. This includes the decommissioning and removal of 13 steel lattice towers - Towers 1 to 13, with one tower to be replaced. The section to be undergrounded was selected by the applicant based on a number of parameters including logistics, terrain constraints and costs.
- 1.3 The proposed development involves the construction and operation of a Cable Sealing End (CSE) compound, located approximately 350m east of Deanie Lodge, and the installation of a new terminal tower (Tower 13R comprising a steel lattice tower of up to 29.5m in height) within the CSE compound. Additionally, the project includes the installation of a replacement 180m section of OHL, linking the new Tower 13R to the existing Tower 14. A new section of underground cable (UGC) will be installed between the CSE compound and the proposed new Deanie Substation in place of the removed OHL. A new section of UGC for the 33kV circuit OHL replacement will also be installed between the CSE compound and the existing Deanie Hydroelectric Power Station, running parallel to the 132kV cable. Ancillary development includes the construction of access tracks and a laydown / compound area. Associated with the proposed development, a new section of UGC for the 11kV circuit OHL will be installed between the existing and proposed upgraded Deanie Substation. This section will span approximately 500m in length and will be included as part of the proposed Deanie Substation.
- 1.4 The proposed 132kV UGC will connect to the proposed Deanie Substation, which is planned to be situated approximately 400m southwest of the existing substation, near Tom a' Mhein hillock. This proposed substation is the subject of a separate planning application (24/01235/FUL) which is anticipated to be presented to SPAC later this year.
- 1.5 The applicant has sought a horizontal Limits of Deviation (LoD) which would permit the relocation of the CSE compound and new terminal tower by up to 50m from their currently proposed location. The horizontal LoD parameter specified for the new section of OHL between the new Tower 13R and the existing Tower 14 also allows for 40m (20m either side) of the proposed alignment. Additionally, the proposed LoD allows for the cable alignment between towers to be adjusted by up to 120m (60m on either side of the UGC route) along most of the proposed route. This is a common approach to accommodate site conditions along with topographical and engineering constraints.
- 1.6 Access to the proposed development would be along the Glen Strathfarrar/U1533 access road from the A831. Approximately 740m of the U1533 access from A831 junction is adopted. Beyond the end of the adopted road at Inchmore, the private track is designated as a Core Path (IN26.01).

- 1.7 The construction phase is expected to last 12 months with working hours between 08:00 to 19:00 Monday to Friday and 08:00 to 13:00 Saturday.
- 1.8 The applicant has utilised the Council's pre-application advice service (ref 22/03238/PREMAJ) for the proposed removal and replacement of Deanie and Culligran generating stations and associated infrastructure which is reaching the end of its design life. Officers advised that these wider proposals could be broadly supported subject to siting and design constraints, inclusive of limiting landscape and visual impacts.
- 1.9 The application has been screened out of requiring an Environmental Impact Assessment (EIA). The application is however supported by an Environmental Appraisal (EA), the scope of which was informed through stakeholder engagement and contains chapters on: Description of the proposed development; Route Selection and Alternatives; Landscape and Visual; Ecology and Ornithology; Cultural Heritage; and Hydrology.
- 1.10 No variations have been made during the course of this application.

2. SITE DESCRIPTION

- 2.1 The proposed development is located in Glen Strathfarrar, approximately 40km west of Inverness. The section of line relevant to the proposed development runs between the existing Deanie Substation and Deanie Lodge at the eastern end of Loch Beannacharan, near the dam which forms part of the Affric-Beaully hydro-electric scheme. The OHL is located within various natural heritage designations with no woodland being intersected along the route. The proposed development falls within the Glen Affric to Strathconon Special Protection Area (SPA) designated for the presence of breeding Golden Eagle. The proposed CSE compound, Tower 13R, associated access track and the existing Tower 14 fall within:
- the Strathglass Complex Special Area of Conservation (SAC) designated for the presence of Northern Atlantic wet heaths, alpine and boreal heaths, sub-Arctic Salix spp. scrub, blanket bog and Caledonian forest; and
 - the Glen Strathfarrar Site of Special Scientific Interest (SSSI) designated for its breeding bird assemblage, dragonfly assemblage, lichen assemblage and native pinewood.
- 2.2 The majority of the proposed development is located within the Glen Strathfarrar National Scenic Area (NSA). The landscape character and visual amenity relating to local residents and visitors (including hillwalkers and those enjoying other recreational pursuits) using the minor roads and surrounding residential properties are also key sensitivities.
- 2.3 The wider area is sparsely populated, with only a limited number properties in close proximity to the proposed development. The nearest affected properties, Deanie Lodge and Deanie Cottage, both currently uninhabited, are approximately 160m north of the existing Tower 12. Benachran Lodge is situated about 100m north of the UGC route and 950m east of the proposed Deanie Substation at the western end of the development. Cambussorray is located approximately 560m southeast of the proposed upgraded Deanie Substation.

- 2.4 The proposed CSE compound and Tower 13R are situated approximately 380m north of the River Farrar and around 200m east of the East Deanie Burn, a major tributary of the River Farrar. The UGC would be positioned along the banks of Loch Beannacharan, crossing several small watercourses that flow into the loch from the north.
- 2.5 There are no Scheduled Monuments, Listed Buildings, Conservation Areas, Inventory Gardens and Designed Landscapes, or Inventory Historic Battlefields within a 2km radius.

3. PLANNING HISTORY

3.1	10.01.2024	23/04082/SCOP - Construction of replacement 132/11 kV single transformer substation	EIA scoping response issued
3.2	20.02.2023	22/06037/SCRE – Removal and replacement of Deanie generating stations and associated infrastructure	EIA required
3.3	21.12.2022	22/04840/PAN - Replacement of existing Deanie Substation comprising: access track, fenced platform area (not exceeding 50x95m) incorporating control building, transformers, plant and infrastructure, associated ancillary facilities, temporary construction compound and laydown area(s), alongside drainage and landscaping requirements.	Reported to committee
3.4	20.02.2023	22/06032/SCRE - Erect substation	EIA required
3.5	12.10.2020	20/03425/SCRE - Installation of 132 kV wood pole sealing end structure and 33 kV wood pole cable sealing end structure. Removal and replacement of tower with new cable.	EIA not required
3.6	28.06.2017	17/02728/SCRE - Proposed 33Kv overhead line cable dip works	EIA not required
3.7	06.09.2017	17/04189/FUL - Installation of antennas, cabinets and ancillary development	Planning permission granted
3.8	06.12.2011	11/03813/FUL - Existing building. A 0.8m dish and a 0.3m dish (as amended).	Planning permission granted

4. PUBLIC PARTICIPATION

- 4.1 As a Section 37 application the public participation process is managed by the Energy Consents Unit. No public comments were received by Highland Council or the Energy Consents Unit.

5. CONSULTATIONS

Consultations undertaken by Highland Council

- 5.1 **Strathglass Community Council** did not provide a consultation response.
- 5.2 **Access Officer** does not object to the application, subject to conditions protecting access rights. There is some potential for disturbance from construction works which could be overcome by the construction measures identified within the EA. Glen Strathfarrar Road is a core path (IN26.01) along its length and a recorded public right of way (H112). Public vehicular access along the road is available by agreement and therefore limited; those involved in that agreement should be made aware of any construction activity.
- 5.3 **Development Plans Team** do not object to the application. The proposal is intended to reduce the net visual impact of electricity network infrastructure in this locality. Whilst there will be a net benefit in landscape and visual impact terms, the additional CSE compound, new terminal tower and new access track will reduce that net benefit, as will the associated proposed upgraded Deanie substation. Whilst the benefit may not be as substantial as asserted by the applicant, the proposed development is in overall conformity with the approved development plan if suitable mitigation can be secured.
- 5.4 **Ecology Officer objects** to the application. Having reviewed the calculations for the loss of habitat concerns are raised regarding a lack of information provided. They request the raw data used from the project toolkit and further details regarding the enhancement measures proposed, including identifying locations for the blanket bog compensation. Whilst the proposed development will result in 10% net gain in area-based Biodiversity Units (BU), further clarification is sought regarding the extent of buffer areas around peatland, compensation ratio for replacement blanket bog and whether on-site or off-site compensation measures are proposed. Without these details they cannot confidently assess whether or not the proposed development would satisfy Policy 3 of NPF4. Should permission be recommended, they request conditions for the submission of a Habitat Management Plan (HMP), Construction Environmental Management Plan (CEMP), Environmental Clerk of Works (EnvCoW), pre-construction surveys, protection of nesting birds and submission of GIS shapefiles data.
- 5.5 **Environmental Health** do not object to the application. They note that whilst the area is sparsely populated there is some potential for disturbance from construction works. The EA has identified various noise mitigation measures, and the expectation is that the best practicable means will be employed to reduce the impact of construction noise. The report also states that construction hours will be limited to 08:00 to 19:00 on Monday to Friday and 08:00 to 13:00 on Saturday with no construction works on site on Sundays or Bank Holidays. The supporting information

has identified 3 private water supplies in the area but has concluded that the proposed development will have no impact on any.

- 5.6 **Flood Risk Management Team** do not object to the application and have no further comment.
- 5.7 **Historic Environment Team - Archaeology** do not object to the application, subject to a condition requiring the submission of an archaeological Written Scheme of Investigation. They accept the proposed mitigation measures, described in Section 7.6 of the EA, which are expected to reduce the predicted adverse impacts. These measures include appointing an Archaeological Clerk of Works, marking and avoiding areas with buffers, minimizing disturbance, micro-siting, conducting discrete watching briefs, and incorporating cultural heritage issues within the Construction Environmental Management Plan (CEMP).
- 5.8 **Historic Environment Team - Conservation** do not object to the application since there is no direct impact upon listed buildings, conservation areas or the wider setting of the proposed development area.
- 5.9 **Transport Planning** do not object to the application, subject to conditions. The proposal will have negligible vehicular traffic and impacts from decommissioning can be controlled by conditions. The applicant would be required to submit a single framework CTMP for this and other associated substation upgrades in the wider surrounding area, details of passing places, identification of the construction routes, safety of public and communities, junction upgrades, measures to keep the public road clean and protocol for abnormal load deliveries.

Consultations undertaken by the Energy Consents Unit

- 5.10 **BT Group** do not object to the application as it should not cause any interference to BT's current and planned radio network.
- 5.11 **Beaulieu Fishery Board** do not object to the application, however, raised a number of concerns regarding the potential for surrounding burns to contain juvenile salmon or trout, the working corridor be kept to a minimum, appropriate storage of soils and turves, method and installation of cables, details of drilling fluid used and requested ecological gain for the freshwater environment.
- 5.12 **British Horse Society** do not object to the application. Equestrian access rights along Core Path IN26.01 and other surrounding rights of way shall be maintained. Whilst the requested an Access Management Plan be controlled by condition it is considered that other conditions should appropriately uphold the use of these routes before, during or after construction. The Construction Traffic Management Plan is requested to make reference to vulnerable road users, including equestrians, which will be accommodated with their safety prioritised alongside construction traffic.
- 5.13 **The Coal Authority** do not wish to comment on the application as the site is not located within the defined coalfield.
- 5.14 **Edinburgh Airport** do not wish to comment on the application as the site is located outwith their safeguarding zone.

- 5.15 **Highlands and Islands Airports Limited (HIAL)** do not object to the application. Given the position and height of the proposed infrastructure the application would not infringe the safeguarding criteria and operation of Inverness Airport.
- 5.16 **Historic Environment Scotland** do not object to the application as the development would not impact historical environment assets within their remit.
- 5.17 **Ministry of Defence Safeguarding** do not object to the application, subject to a condition controlling aviation charting and safety management with regards to low flying aircraft. They note the proposed development falls within a Tactical Training Area (TTA 14T) where aircraft may operate as low as 30.5m m above ground level to conduct low level flight training. The addition of lattice towers in this location has the potential to introduce a physical obstruction to these low flying aircraft operating in the area. Therefore, the height of the development will necessitate that aeronautical charts and mapping records are amended.
- 5.18 **National Air Traffic Services (NATS)** do not object to the application as it does not conflict with their safeguarding criteria.
- 5.19 **National Gas Transmission** do not object to the application as there are no National Gas assets within the area.
- 5.20 **NatureScot** do not object to the application. Whilst there are natural heritage interests of international importance on the site associated with the Glen Affric to Strathconon SPA and Strathglass Complex SAC they consider that these will not be adversely affected by the proposed development. Likewise, they consider the proposed development will not have an adverse effect on the integrity of the Glen Strathfarrar National Scenic Area (NSA) or the objectives of the designation.
- 5.21 NatureScot note the proposal is likely to have a significant effect on golden eagles due to the potential for disturbance to breeding birds as a result of the construction works. Consequently, the Energy Consents Unit as competent authority, is required to carry out an Appropriate Assessment in view of the site's conservation objectives for its qualifying interest. Following review of SSSEN's Habitats Regulations Appraisal they conclude that the proposed development will not result in an adverse impact to the site integrity of Glen Affric to Strathconon SPA for its breeding golden eagle feature as all the conservation objectives for breeding golden eagle will be met. This is providing that the mitigation measures outlined in EA Appendix 6.3 are followed in full.
- 5.22 Additionally, NatureScot note the EA carried out by the applicant states that the construction of passing places along the Strathfarrar access road may be required to facilitate construction. It should be noted that any such passing places are likely to require SSSI consent from NatureScot prior to construction, as new passing places would likely involve the loss in extent of SSSI and SAC features.
- 5.23 **Network Rail** do not wish to comment on the application as the proposed development will have no impact on railway infrastructure.

- 5.24 **Office for Nuclear Regulation** do not wish to comment on the application as it does not lie within a nuclear site consultation zone.
- 5.25 **Scottish Environmental Protection Agency (SEPA)** do not object to the application given the relatively small scale of the development. The developer should note that unless any waste peat is certain to be used for construction purposes in its natural state on the site from where it is excavated, it will be subject to regulatory control.
- 5.26 **Scottish Water** do not object to the application. They note their records indicate that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed development
- 5.27 **Transport Scotland** do not object to the application, subject to conditions controlling the proposed route for abnormal loads on the trunk road network, accommodation measures for abnormal loads including additional signage or temporary traffic control measures and an informative relating to works within the trunk road boundary.

6. DEVELOPMENT PLAN POLICY AND OTHER MATERIAL POLICY CONSIDERATIONS

- 6.1 Appendix 1 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 The application has been submitted to the Scottish Government for approval under Section 37 of the Electricity Act 1989 (as amended). Should Ministers approve the development, it will receive deemed planning permission under Section 57(2) of the Town and Country Planning (Scotland) Act 1997 (as amended). While not a planning application, the Council processes S37 applications in the same way as a planning application as consent under the Electricity Act will carry with it deemed planning permission.

Planning Considerations

- 7.2 The key considerations in this case are:
- a) Compliance with the Development Plan and other planning policy;
 - b) Construction impact;
 - c) Design, landscape and visual impact;
 - d) Natural heritage;
 - e) Water environment;
 - f) Built and cultural heritage;
 - g) Roads and transport;
 - h) Economic impact;
 - i) Any other material considerations.

Development Plan / other planning policy

- 7.3 The Development Plan comprises National Planning Framework 4 (NPF4), the Highland-wide Local Development Plan (HwLDP), The Inner Moray Firth Local Development Plan 2 (IMFLDP2) (2024) and various supplementary guidance associated with these Local Development Plans. IMFLDP2 focuses largely on regional and settlement strategies and specific site allocations, rather than planning policies of relevance for the proposed development.
- 7.4 Appendix 2 of this report provides an assessment of compliance with the Development Plan/other planning policy.
- 7.5 In summary, the principle of 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 via a repowered and expanded electricity grid. 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.
- 7.6 At the regional level, HwLDP also offers support for transmission infrastructure where this is located, sited and designed to avoid unacceptable significant impacts on the environment. Providing that the resultant siting, size and scale of the proposed infrastructure is acceptable, with its impacts on the receiving environment also being suitably mitigated, the proposal would accord with this key determining policy.
- 7.7 The Highland Council Development Plans Team has reviewed the application and noted that the application proposal is intended to reduce the net visual impact of electricity network infrastructure in this locality. There will be a net benefit in landscape and visual impact terms but perhaps not as significant as claimed. The additional CSE compound, new terminal tower and new access track will reduce that net benefit (as will the new Deanie substation in the associated application currently pending consideration). Nevertheless, the proposed development will be in overall conformity with the approved development plan if suitable mitigation can be secured.

Construction Impact

- 7.8 The anticipated construction period for the development is approximately 12 months. This is based on the proposal for the works to be undertaken 6 days a week. Construction working hours are currently anticipated to be between 07.00 to 19.00 Monday to Friday and 08.00 to 13.00 Saturday with no construction works on site on Sundays or Bank Holidays. Environmental Health consider that the site is sparsely populated, and it is not expected that noise from construction works will have a significant impact. However, it is expected that the contractor/developer will ensure that the best practicable means for reducing the impact of noise will be employed, this can be secured via a Construction Environmental Management Plan (CEMP). In addition, 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.

- 7.9 By using best practice construction management, the anticipated impacts on local communities and residential properties in proximity to the development would be kept to a minimum. A CEMP is proposed and is secured by condition.

Design, Landscape and Visual Impact

- 7.10 A 2km radius study area was identified to appraise the landscape and visual effects due to the visually constrained setting of the proposed development within the mountains of Glen Strathfarrar with minimal development and accessible areas surrounding the site. The viewpoint locations were agreed with the Highland Council Landscape Officer. Visualisations have been prepared in accordance with the Guidelines on Landscape and Visual Impact Assessment 3 (GLVIA3).
- 7.11 The applicant notes that several mitigation measures have been incorporated within the design of the proposed development to mitigate the landscape and visual impacts of the scheme. The mitigation by design includes:
- Measures to minimise disturbance and manage soils;
 - Site reinstatement;
 - Reinstatement of the landcover to its existing baseline condition; and
 - Consideration given to the interplay of unmanaged grassland and moorland to integrate the operational corridor into the wider landscape avoiding an incongruous linear grass within the landscape.
- 7.12 The construction phase of the proposed development is expected to result in some moderate landscape impacts, given its location within the Glen Strathfarrar National Scenic Area (NSA), recognised for its exceptional scenic value. There will likely be adverse effects on the landscape character of the Strathconon, Monar and Mullardoch Special Landscape Area (SLA) with the western extent of the site marginally within the SLA and the adjacent Central Highlands Wild Land Area (WLA 24). During the operational phase, the development is anticipated to have minor adverse impacts on the landscape fabric, character, and visual aspects. Whilst there would be more of an impact on the receptors at Lochanside, Deanie Lodge, and associated cottages this will be for a temporary period.
- 7.13 The proposed development would directly affect the site's fabric during construction. A suitably wide cable trench would be excavated within a 120m wide working corridor to install the cable. Spoil heaps and drainage channels would be prepared alongside the trench. At the eastern end, one existing tower would be removed, and a new steel lattice CSE tower would be installed. Some ground disturbance would occur within the existing operational corridor to prepare foundations for these new structures.
- 7.14 The works would be conducted over a relatively small geographic area, with effects being highly localised. The construction of the proposed development would be short-term and temporary, with the site being restored upon completion. Consequently, the magnitude of impact on the landscape fabric would be medium, resulting in a moderate adverse residual effect that would not be significant.

- 7.15 The proposed development will have varying impacts on the Landscape Character Types (LCT) of the immediate surrounding area. Direct effects within LCT 226 (Wooded Glens Inverness) would involve temporary disturbances to grassland along the northern bank of Loch Beannacharan. The excavation of cable trenches and drainage channels, along with the removal and/or replacement of transmission towers, would temporarily affect the character of Glen Strathfarrar during construction. The magnitude of this impact would be negligible, resulting in a minor adverse residual effect that would not be significant.
- 7.16 Likewise, the indirect effects on LCT 220 (Rugged Massif – Inverness) would be highly localised along the northern side of Loch Beannacharan within Glen Strathfarrar and would be temporary and short-term. Consequently, the overall magnitude of impact on the character during construction would be negligible, resulting in a moderate to minor adverse residual effect that would not be significant.

Landscape Effects

- 7.17 There would be permanent change to the landscape character of LCT 226 (Wooded Glens Inverness) from the effects of the construction of UGC, construction of steel lattice CSE tower, construction of a wood pole CSE structure and decommissioning of transmission structures. The decommissioning of transmission structures will diminish the extent of infrastructure within the landscape, thereby streamlining the visual elements within the glen. While the EA indicates moderate operational impacts on both LCTs noted, the removal of these structures will ultimately lessen their overall impact on the landscape.
- 7.18 The proposed development is projected to have minor impacts on the Strathconon, Monar, and Mullardoch SLA. The area's wildness and remoteness will be affected by the high concentration of construction equipment and vehicles, along with ongoing earthworks. However, this would be for a temporary period and the longer-term impact is not significant.
- 7.19 Most of the proposed development lies within the Glen Strathfarrar National Scenic Area (NSA) which is considered unique for its archetypal Highland glen, ancient Caledonian pine forest amidst rocky slopes, a sinuous, fast moving river emerging out of a peaceful loch and the contrasts in colour, light and views. This NSA is distinctive for an exemplary, inspiring and invigorating landscape including romantic and iconic distant views, rocky ridges, rock bound loch and glen, a rushing river and dark Caledonian pinewoods and individual trees. The Glen Strathfarrar NSA is anticipated to experience a low magnitude of impact, confined to a highly localised section of the NSA. Impacts are expected due to construction activities but these will be temporary.
- 7.20 For the Core Path (IN26.01), the existing length of OHL, which would be removed as part of the proposed development, runs parallel to the route passing along the northern shore of Loch Beannacharan. The magnitude of impact would be medium and the effect on the Core Path post construction would be major/moderate (beneficial) and significant as it would improve the outlook from the route.

Visual Amenity Effects

- 7.21 During the construction phase near Deanie Lodge, the decommissioning of OHL will lead to increased construction activity, potentially affecting the visual landscape and might have major adverse impacts for a short period of time (as noted in Table 5.7 of the EA). The magnitude of impact during construction is anticipated to be high due to the intensity of construction activities but these will be temporary. During the operational phase, the removal of transmission towers will result in a reduction of man-made structures, thereby enhancing the visual amenity of the area.
- 7.22 At VP2 on the northern shore of Loch Beannacharan, during the construction phase the decommissioning of the OHL will temporarily increase construction activity within this view. However, the removal of the towers near the loch and access road will mitigate these impacts. Consequently, the operational phase will experience reduced visual impacts.
- 7.23 At VP3 Lower slopes of Creag a Bhruic, there would also be short-term construction impacts due to its proximity to the UGC. The operational impacts would be negligible after the reinstatement of the ground, ground cover and removal of the existing OHL transmission towers.
- 7.24 The applicant has not identified any other visual impacts above minor in scale. Following review of the applicant's assessment the findings are accepted.
- 7.25 The applicant notes the proposed development has been designed to benefit the maximum number of people by focusing on an area of the Glen Strathfarrar NSA that is well visited and widely visible. On completion, the scheme will enhance the enjoyment of the landscape and its special qualities for receptors who visit or travel through the area.
- 7.26 Based on the methodology set out in the EA report, the appraisal of the landscape and visual impacts of the OHL is considered reasonable. The removal of 3.75km of OHL and 12 associated towers to be replaced by UGCs would not introduce any new or uncharacteristic elements within the landscape of the NSA and SLA. It is considered that the limited number of landscape and visual impacts arising from this scale of development are acceptable, particularly when the vast majority of these will be confined to a constrained 2km area from the line and would reduce in significance following the relatively short period of construction. Overall, the proposed development will reduce the impact of existing electricity infrastructure on the landscape and visual amenity of Glen Strathfarrar which is welcomed and a strongly beneficial aspect of this proposal.

Natural Heritage

- 7.27 There are natural heritage designations of international importance on the site and surrounding area with the proposed development located within the Glen Affric to Strathconon SPA with a small portion of the site to the west located within the Strathglass Complex SAC and Glen Strathfarrar SSSI.

Glen Affric to Strathconon SPA

- 7.28 Glen Affric to Strathconon SPA is designated for the conservation of breeding Golden Eagles. As a result, the project is subject to the provisions of the Conservation (Natural Habitats, &c.) Regulations 1994, as amended (the 'Habitats Regulations'). Consequently, the Scottish Government's Energy Consents Unit is required to conduct a thorough assessment of the proposal's impact on the SPA, commonly referred to as a Habitats Regulations Appraisal, prior to granting consent.
- 7.29 The proposed development is in close proximity to Golden Eagle territory and may cause a direct impact on this species through disturbance, especially during the breeding seasons due to the construction activities which might be for a short-term. However, there will be no significant long-term impacts of the proposed development. The mitigation measures outlined in the SSEN Habitat Regulation Appraisal (Appendix 6.3 of the EA) will prevent significant impacts on the Golden Eagles.

Strathglass Complex SAC

- 7.30 The eastern portion of the proposed development lies within the Strathglass Complex SAC unique for its woodland and upland habitats and otter population. This may include direct loss of qualifying habitat or indirect impact on hydrology out with the proposed development.
- 7.31 The proposal will involve the loss of approximately 0.44ha of qualifying habitats based on the proposed measurements of the new compound area (approximately 45m by 42m) and the new access track (approximately 500m long by 5m wide). However, this represents a very small percentage of the qualifying SAC habitats present in the proposal area and it can therefore be concluded that any loss in the extent of these habitats will be minimal. The mitigation measures outlined within the SSEN Habitats Regulations Appraisal (Appendix 6.3 of the EA) will prevent further loss of qualifying habitats within the temporary construction areas through the appropriate storage and reinstatement of vegetation including peat turves. Floating access tracks/bog mats and low-ground-pressure vehicles would be used to cross blanket bog and wet and dry heaths. Pollution control measures will be in place to protect watercourses and control the flow of any run-off from construction or operational activities. To mitigate potential habitat loss, the measures outlined in the SSEN Habitats Regulations Appraisal (Appendix 6.3 of the EA) will be implemented. These include the proper storage and reinstatement of vegetation, such as peat turves, within the temporary construction zones. Additionally, floating access tracks and bog mats, along with low-ground-pressure vehicles, will be utilised to traverse blanket bog and wet and dry heaths, minimising disturbance to these sensitive environments.
- 7.32 Pollution control measures will also be put in place to safeguard watercourses and manage runoff from both construction and operational activities, ensuring the protection of aquatic ecosystems. These measures collectively aim to prevent further habitat loss and ensure that the environmental impact of the project remains as low as possible. The status of the SAC means that the obligations of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the 'Habitats Regulations') apply. Consequently, as outlined above, the Scottish Government's Energy

Consents Unit must undertake a Habitats Regulations Appraisal. The proposed development is likely to have an effect on Northern Atlantic wet heaths, alpine and boreal heaths, sub-Arctic *Salix* spp. scrub, blanket bog and Caledonian forest features through disturbance during construction and direct loss to the new access track and CSE compound. However, the proposed development will not adversely impact the integrity of the site. Subject to the information provided for the proposed development and proposed mitigation measures set out within the EA report and these measures being secured via condition, Officers concur with the applicant's assessment findings and agree that there would not be any likely significant adverse effects on the natural environment.

Biodiversity

- 7.33 Due to the climate and biodiversity emergency and the provisions of NPF4 Policy 3, the Council seeks to ensure that developments will deliver a positive effect for biodiversity. As a result, this project is expected to make a contribution toward the delivery of biodiversity enhancements in vicinity of the site. The habitats present across the site have been subject to a Biodiversity Net Gain (BNG) Report. The applicant's assessment of BNG has quantified the biodiversity impact of the development, predicted the resultant change of biodiversity value, and provides recommendations for biodiversity enhancement (net gain).
- 7.34 The assessment was based upon desk research and habitat surveys undertaken in 2020 and 2023. The habitats identified along the route of the project include, wet dwarf shrub heath, wet modified bog, acid grassland, blanket bog, dry heath, flush/spring habitats and mixed woodland / semi natural broadleaved woodland (located beyond Tower T15 with very minimal areas within the site boundary elsewhere). The surveys identified field signs of badger, otter, pine marten, water vole. 18 species of birds, including one Schedule 1 species and eleven species listed in BoCC. The assessment followed DEFRA guidance utilising the biodiversity metric with the biodiversity of the site summarised using SSEN Transmission's biodiversity project toolkit which uses habitat as a proxy to determine biodiversity impacts.
- 7.35 The post-development Biodiversity Area Units (BU) are 52.10, meaning that the project will result in 10% net gain in area-based BU. The baseline BU is 47.40 which takes account of both irreplaceable biodiversity and non-irreplaceable biodiversity. Having reviewed the calculations for the loss of habitat Highland Council's Ecology Team requested the raw data used from the project toolkit and further details regarding the enhancement measures proposed, including identifying locations for the blanket bog compensation. They note that NatureScot's guidance suggests a buffer of 30m when determining impacts on peatland due to the loss of hydrological connectivity with the surrounding habitats, yet it is unclear if the 0.6ha referenced by the applicant is inclusive of the track and buffer area. Additionally, further clarification is required regarding the 0.12ha of blanket bog recorded as a permanent loss and the proposal to offset with a 1:1 ratio. A compensation ratio at 1:10 as a minimum would be expected, in line with NatureScot guidance, given that this is good condition blanket bog. It is noted that the BNG report discusses either on-site or off-site blanket bog compensation without being specific.
- 7.36 Given the concerns raised regarding the BNG report along with no further details specified regarding the site currently proposed for restoration and enhancement

measures, this has led to an objection from Highland Council's Ecology Officer as they cannot confidently assess whether the proposed development would satisfy Policy 3 Biodiversity of NPF4 without these details.

- 7.37 Whilst the Ecology Officer's objection is noted, given the significant number of current and upcoming applications relating to electricity transmission and associated infrastructure in Highland, SSEN are in the process of preparing an overarching strategy for the delivery of offsite biodiversity enhancement across the region. The biodiversity enhancement and compensation measures required for this application can be secured by way of a legal agreement. Additionally, the submission of a Habitat Management Plan (HMP), Construction Environmental Management Plan (CEMP), Environmental Clerk of Works (EnvCoW), Pre-construction surveys, protection of nesting birds and submission of GIS shapefiles data are all proposed to be controlled by condition. Owing to the horizontal LoD being applied for, it is also challenging to asserting at the application stage the exact quantification of the BNG units to be compensated for, and this can be refined through further consultation with the Council's Ecology Officer at the satisfaction of condition stage.
- 7.38 It is generally agreed that the proposed development will achieve positive biodiversity effects providing that sufficient off-site habitat creation measures are identified, implemented, and maintained. This therefore ensures that the proposed development will leave the natural environment in a demonstrably better state than before development work began.

Water Environment

- 7.39 The potential hydrological impacts of the proposed development have been evaluated based on the findings from both desk-based studies and field surveys. The development is situated adjacent to Loch Beannacharan and the River Farrar, intersecting the Beanachran Burn and East Deanie Burn, along with several minor tributaries of these burns. These watercourses flow southward, intersecting the proposed development, and ultimately discharge into Loch Beannacharan and the River Farrar. Notably, the River Farrar is part of the Glen Strathfarrar SSSI and serves as a tributary to the River Beaully. A comprehensive watercourse crossing assessment was conducted, documenting the characteristics (such as channel width, depth, and substrate) of all watercourses intersecting the existing OHL, proposed UGC alignment and the proposed access track to the CSE.
- 7.40 Mitigation measures have been established to ensure, where applicable, that there are no significant impacts on hydrological features. These measures include pollution prevention protocols outlined in the Construction Environmental Management Plan (CEMP) and ensuring all watercourse crossings adhere to the Water Environment (Controlled Activities) (Scotland) Regulations (CAR).
- 7.41 SEPA and Highland Council's Flood Risk Management Team confirmed they have no objections to the proposed development.
- 7.42 There are 3 private water supplies (PWS) within 250m of the proposed development. The existing Deanie substation supplies 2 properties, Beanachran Lodge supplies 2 properties with Deanie Lodge supplying the single property. The existing Deanie substation supply is located approximately 105m west of the 132kV cable location

with the LoD approximately 15m to the south. The Deanie substation PWS draws water from a hill loch upslope and the proposed development is downslope of the PWS, therefore, it is not in hydrological connectivity to the source supply. The Beannacharan Lodge and Deanie Lodge PWS are located approximately 125m and 260m north respectively and upstream of the proposed development. As such, it is anticipated no PWS would be adversely affected by the proposed development.

- 7.43 GWDTEs have been identified within the study area with 3 areas appraised as being of potential high groundwater dependency, while a further 3 areas are of potential moderate groundwater dependency. During the construction, there is the potential to have significant direct impacts on the receiving soils, groundwater, and watercourse quality through the release of contaminated water, drilling fluid/muds and stored chemicals used on site or due to the alter in channel. There might be some direct impact construction impacts on the GWDTEs due to overland flows regimes and through excavations, disruption to artificial drains, exposure of the bare earth or rock, and the construction of watercourse crossings. Various mitigation measures are proposed to minimise the impacts on GWDTE. GWDTE along with Annex 1 habitats, such as wet modified bog, blanket bog and wet dwarf shrub heath, will be avoided where possible with the use of low-pressure vehicles and bog mats or floating tracks where avoidance of GWDTE cannot be prevented. Best practice and mitigation measures to safeguard GWDTEs are controlled through the CEMP condition.
- 7.44 Beaully Fishery Board noted the potential for surrounding burns to contain juvenile salmon or trout and requested various mitigation measures be implemented to safeguard these species and surrounding watercourses more generally. As such, it is recommended mitigation sought by Beaully Fishery Board be conditioned by the ECU with this being subject to ongoing dialogue between the organisation and the ECU.

Built and Cultural Heritage

- 7.45 The study area for the cultural heritage appraisal comprises the 120m corridor beyond the UGC and 60m around Towers T13 to T15 linked to the proposed upgraded Deanie Substation. The applicant has conducted a desk-based assessment and walkover field survey to evaluate the potential impacts. The study area contains no Scheduled Monuments, Listed Buildings, or other designated heritage assets. However, 20 non-designated heritage assets have been identified, primarily located along the proposed UGC route and around the existing OHL that will be removed as part of the development. The assessment of effects on designated heritage assets has been excluded from the appraisal following consultation and agreement with Historic Environment Scotland (HES).
- 7.46 The EA indicates potential impacts from the construction work on the farming township of Beannacharan (4a-p, 4a-c, 4e-m, and 4o-p shown on Figure 7.1 Cultural Heritage of the EA), which are of low sensitivity and located within the cable working easement. A linear head dyke (4d shown on Figure 7.1), running parallel to the existing OHL, could also be impacted by the dismantling of Tower 3. All other historic environment features to be affected are of negligible sensitivity. Overall, the proposed development is expected to have low to negligible impacts on the low or negligible sensitivity non-designated cultural heritage assets.

- 7.47 Mitigation measures have been established to ensure, where feasible, the avoidance of known heritage assets located within the UGC construction corridor, within the working areas around existing towers, or along the route of the existing OHL slated for decommissioning and dismantling. The likelihood of encountering unexpected, buried remains within the construction easement for the cable installation has been assessed as low to moderate. Highland Council's Historic Environment Team do not dispute these findings and have no objection.

Roads and Transport

- 7.48 Access to the proposed development would be along the Glen Strathfarrar access road from the A831. Whilst the EA states this is a private road Highland Council's Transport Planning Team note the first 740m of the access from the junction with the A831 up to Inchmore is the U1533 and is owned and maintained by the Highland Council.
- 7.49 The U1533 is a substandard single-track road with a number of passing places. The road is deficient in terms of its construction, size, geometry and availability and size of passing places. Beyond the end of the adopted road at Inchmore, the private track is designated as a Core Path (IN26.01). Given private vehicles are restricted from using the private track on set days and times of the year, the track is popular with cyclists and walkers.
- 7.50 Temporary access tracks may be required along the UGC alignment to enable access for cable installation, and along the existing OHL alignment to enable access for plant to dismantle the existing towers. With the exception of the access track to the proposed CSE compound and Tower 13R it is expected that all other proposed new access tracks would be removed at the end of construction. This is controlled by condition.
- 7.51 It is anticipated that the permanent access track to the proposed CSE compound and Tower 13R would be 5.5m wide and a minimum of 250mm thick, however, this would vary depending on the strength of the in-situ material below. Abnormal loads with regards to vehicle weight (over 44 tonnes) would be required to access the proposed development during construction. These vehicles include low loaders and mobile cranes for the assembly of Tower 13R.
- 7.52 The Highland Council's Transport Planning Team has reviewed the EA and noted that the applicant intends to improve access and visibility at the necessary points. However, specific locations for these upgrades are unspecified. Additionally, while the applicant has committed to conducting pre-condition and post-condition surveys and repairing any damage caused by the proposed development, the extent and locations of these surveys remain unspecified. This is controlled by condition.
- 7.53 The A831 from Beauly to the U1533 is classed as a "Consultation Route" on the Agreed Route Map for Timber Transport. This classification indicates that the road does not meet the required standards for timber extraction. Consequently, restrictions may need to be imposed on Heavy Goods Vehicles (HGVs) concerning their weight and operating times to prevent road damage and mitigate accelerated deterioration.

- 7.54 Transport Planning note the potential cumulative impacts on the proposed access route to this site as both Deanie Substation replacement (24/01235/FUL) and Culligran Substation replacement (24/01234/FUL) will also utilise the A831 and U1533. In the wider Glen, Kilmorack Substation replacement (24/02831/FUL) and Aigas Substation replacement (24/02830/FUL) will take access from the A831 where the road is twin tracked. These applications are currently pending consideration with the intention that they be presented to SPAC later this year.
- 7.55 The Transport Planning Team have previously highlighted that there is overlap with regards to contract awards and commissioning dates for all of the above replacement substations, therefore, to fully understand the cumulative impact of all of the developments in wider surrounding area, an overarching construction programme setting out the timelines for construction of all the upgraded and replaced infrastructure is required. The construction programme must include:
- Identification of quarries/suppliers for materials such as aggregate and concrete;
 - Estimate of volume of and type of materials that must be imported for each site;
 - Estimate of load size for each type of material;
 - Estimate of the number of HGVs for each stage of construction;
 - Number and type of abnormal loads;
 - Clarification of construction routes and port of entry if applicable; and
 - Dates for key activities within construction programmes for the proposed works and Deanie, Culligran and the VISTA project.
- 7.56 A single framework Construction Traffic Management Plan (CTMP) for all the developments should be submitted. As well as including all of the standard issues generally covered in a CTMP (identification of construction routes, safety of public and communities, junction upgrades, measures to keep the public road clean, protocol for abnormal load deliveries etc) the document must provide a detailed programme for construction traffic for all of the developments in the Glen. The CTMP should also clarify any traffic management measures that will be required during the construction period and procedures for preventing convoying of HGVs. This will protect the integrity of the U1533 and is controlled by condition.
- 7.57 Submission of a detailed review of the preferred route to the site for all the abnormal indivisible loads (AILs) will be required for all the developments noted. The review should identify the port of entry and include a swept path assessment and consideration of the structures along the route and details of where mitigation is required. This is controlled by condition.
- 7.58 Notwithstanding any potential mitigation measures and the safeguards set out in a CTMP, there will still remain a risk of damage to Council maintained roads from development traffic. Therefore, the Council will expect the applicant to enter into a Section 96 Wear and Tear Agreement which will include the requirement for a Road Bond or similar security. The extent of roads to be covered in the Section 96 Agreement and value of Road Bond will be determined once the Transport Planning Team and the Local Area Roads Team have reviewed the details requested above and controlled by condition.

- 7.59 There is expected to be a maximum of 30 staff working on site at any one time. Work hours are expected to be between 08:00 to 19:00 Monday to Friday and 08:00 to 13:00 Saturday which means that staff would arrive and depart outside the traditional peak hours associated with the surrounding road network. The construction phase is expected to last 12 months. Construction phase traffic effects would be temporary and short-term and would be managed by means of a CTMP. The Transport Planning Team are satisfied that when operational, this proposed development will generate a negligible amount of vehicular traffic.
- 7.60 Transport Scotland confirm that given the nature of the development and the distance from the nearest trunk road (A82) they are satisfied that construction works will not have any adverse impact on the trunk road network. Conditions are attached controlling the proposed route for abnormal loads on the trunk road network, accommodation measures for abnormal loads including additional signage or temporary traffic control measures and an Informative relating to works within the trunk road boundary.
- 7.61 Should the development be granted consent, a condition would require a Community Liaison Group be set up. Given the size, duration and combination of this development alongside the other schemes in the wider area there may be disturbance over a prolonged period, not only noise and dust but other issues such as constrained parking and access in proximity to access routes used for recreation. The Community Liaison Group will help to ensure that the Community Council and other stakeholders are kept up to date and consulted before, during and after the construction period.

Economic Impact

- 7.62 NPF4 Policy 11, in particular paragraph c), notes that development proposals 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. Additionally, NPF4 Policy 25 provides support for development that is consistent with local economic priorities and where they contribute to local and/or regional community wealth building strategies. A condition is attached requiring the submission of a Local Employment Scheme prior to the start of works to maximise the socio-economic benefits of the proposed development.
- 7.63 The development of grid infrastructure has been identified as a national priority together with investment in renewable energy. The proposed development, along with the associated schemes noted, are not only beneficial in strengthening the robustness of the country's grid network but also result in further job and investment opportunities through the development of associated supply chains. The development is required to facilitate the continued supply of renewable energy to the national grid which will allow the export of electricity generated to consumers. The relationship of the development to the economic and social benefits of renewable energy developments is therefore relevant, in a positive way.
- 7.64 The Highlands is experiencing significant construction activity in the transmission network. The approval of the proposed development would have a positive economic impact, particularly during the proposed 12-month construction period, although

significantly less impact at the operational stage. There is also likely to be some adverse effects caused by construction disruption and construction traffic. These adverse impacts are most likely to be within the service sector particularly during the construction phase when additional traffic, HGVs and / or abnormal loads are being delivered to site. These will be temporary in nature.

- 7.65 Scenery and the natural environment within the Highlands are important factors for many visitors when choosing the area as a holiday destination. Any impact of the proposed development on tourism, whether visually, environmentally or economically should be identified and considered in full. In this instance, the proposed development, as part of the wider VISTA project, will remove electricity transmission equipment within a designated scenic area and improve the outlook along a section of the Core Path (IN26.01). In light of NPF4 Policy 11 section c), a condition can also be secured to commit to the delivery of a Local Employment Scheme.

Other Material Considerations

- 7.66 Light pollution significantly affects the rural countryside, from disturbing the way animals and plants perceive daytime and nighttime to making developments visible across wide areas. The infrastructure would not be illuminated at night for normal operation, with construction lighting to be controlled by condition.
- 7.67 There are no other material considerations.

Non-Material Considerations

- 7.68 None.

8. Matters to be Secured by Planning Legal Agreement

- 8.1 In order to mitigate the impact of the development on infrastructure and services the following matters require to be secured by legal agreement, the requirement for which have been set out within recommended conditions:
- a) Provision of a wear and tear agreement under Section 96 of the Roads (Scotland) Act 1984 under which the developer will be responsible for the repair of any damage to the local road network attributable to construction related traffic; and
 - b) Delivery of Habitat Management Plan(s) and restoration measures incorporating biodiversity enhancement.

9. CONCLUSION

- 9.1 The Scottish Government and the Council each have policies offering support to projects which replace and upgrade the grid network, particularly for strategically important infrastructure which enables investment in renewable energy. NPF4 offers strong support for such development, identifying developments of this nature to be of national importance.
- 9.2 Statutory and other consultees responding to this application have not raised any fundamental concerns and have no outstanding objections outwith the Council's

Ecology Officer. Some have requested planning conditions be attached to any grant of planning permission to effectively ensure that their specific interests are secured. The development has not attracted public interest with no objections.

- 9.3 Whilst the Ecology Officer objection is noted with regards to a lack of detail regarding off-site habitat creation and enhancement, given the significant number of current and upcoming applications relating to electricity transmission and associated infrastructure in Highland, SSEN are in the process of preparing an overarching strategy for the delivery of offsite biodiversity enhancement across the region. The biodiversity enhancement and compensation measures required for this application can be secured by way of a legal agreement which will give Highland Council comfort that mitigation measures will comply with the relevant policies within the Development Plan.
- 9.4 There are clear impacts that might be expected from this development, particularly during its construction. These can be managed through best practice construction management techniques to ensure surrounding interests, particularly road access and the amenity of local communities is safeguarded. The attached planning conditions will strengthen and clarify the plans and supporting environmental information provided by the applicant. The proposal will also be overseen by an appointed Environmental Clerk of Works with any permission requiring regular compliance monitoring and ongoing engagement by means of the Community Liaison Group.
- 9.5 The proposed development, as part of the wider Visual Impact of Scottish Transmission Assets Scheme (VISTA) project, will remove existing electricity transmission equipment within designated scenic areas. In this case Glen Strathfarrar National Scenic Area (NSA) and Strathconon, Monar and Mullardoch Special Landscape Area (SLA) and Central Highlands Wild Land Area (WLA). It will also improve the outlook along a section of the Core Path (IN26.01). The application is supported in the context of the Development Plan and in particular NPF4 Policy 11 Energy and HwLDP Policy 69 Electricity Transmission Infrastructure and the underlying support for renewable energy development which is consented in this area. All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

10. IMPLICATIONS

- 10.1 Resource: There are significant staffing and financial resource implications if the application is to be subject to a Public Local Inquiry.
- 10.2 Legal: If an objection is raised to the proposal, the application may be subject to a Public Local Inquiry.
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: The application replaces and upgrades grid infrastructure for the connection of renewable energy to the grid therefore helping to deliver a contribution toward climate change targets.

10.5 Risk: Not applicable

10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required within 18 months of the commencement of development: Yes – conclude legal agreement.

11.1 It is recommended to **RAISE NO OBJECTION** to the application subject to:

CONDITIONS AND REASONS

1. Time Limit for the Implementation of Planning Permission

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

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. Biodiversity Enhancement and Compensatory Planting

- a) Within 18 months of the commencement of development, the applicant shall
 - (i) submit to the Council for written approval a Biodiversity Enhancement Plan (BEP) The BEP must include details of compensation and enhancement measures, to ensure the development results in at least 10% biodiversity net gain. The BEP must include tree numbers, species mix, ground preparation, plant size, plant spacing and protection measures along with management, maintenance and monitoring strategies of the compensation and enhancement measures, that ensure longevity of the proposals. The approved BEP shall be implemented in full and in accordance with the approved timing, unless otherwise agreed in writing by the Planning Authority.
 - (ii) secure the details of the agreed scheme as a planning obligation registered in the Land Register of Scotland or recorded in the General Register of Sasines against the title of the relevant landholding pursuant to Section 75 (1) (a) of the Town and Country Planning (Scotland) Act 1997 (as amended);
- b) Prior to the date of first commissioning of the development the agreed scheme shall be implemented in full, unless otherwise agreed in writing with the Planning Authority.

Reason: In order to secure appropriate biodiversity enhancement and compensatory planting in appropriate locations and compliance with the relevant policies within the Development Plan.

3. Elevations, Materials and Finishes

- a) No development shall commence until elevation drawings of the proposed above ground infrastructure, have been submitted to and approved in writing by the Planning Authority, specifying external materials, colours and finishes of all external structures and site fencing with a non-reflective finish to be

specified throughout;

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

Thereafter, the development shall be built out in accordance with these approved details and, with reference to part (a) above, the site shall be maintained in the approved colour, free from rust, staining or discolouration.

Reason: In the interest of visual amenity.

4. **Limits of deviation and micro-siting**

All infrastructure shall be constructed in the locations shown in Environmental Appraisal Figure(1.1) received by the Planning Authority on 17 January 2025. The infrastructure locations may be adjusted within the following Limit of Deviation:

- a) The Cable Sealing End Compound and terminal Tower 13R shall be positioned no more than 50m on the horizontal axis from the location currently shown; and
- b) The new section of overhead line between the new replacement Tower 13R and the existing Tower 14 shall be more than 40m (20m either side of the proposed alignment currently shown, unless otherwise agreed by the Planning Authority.

No later than one month after the date of final commissioning of the development, an updated drawing must be submitted showing the final position of the overhead line, including the positioning and height of all poles and associated infrastructure forming part of the development must be submitted for the written approval of the Planning Authority.

Reason: To control environmental impacts while taking account of local ground conditions.

5. **Landscaping**

No development shall commence until details of a scheme of hard and soft landscaping works have been submitted to, and approved in writing by, the Planning Authority. Details of the scheme shall include:

- i. All earthworks and existing and finished ground levels in relation to an identified fixed datum point;
- ii. A plan showing existing landscaping features and vegetation to be retained;
- iii. The location and design, including materials, of any existing or proposed walls, fences and gates;
- iv. All soft landscaping and planting works, including plans and schedules showing the location, species and size of each individual tree and/or shrub and planting densities; and
- v. A programme for preparation, completion and subsequent on-going maintenance and protection of all landscaping works.

Landscaping works shall be carried out in accordance with the approved scheme. All planting, seeding or turfing as may be comprised in the approved details shall be

carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme.

Any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.

Reason: In order to ensure that the approved landscaping works are properly undertaken on site.

6. **Construction Environment Management Plan**

There shall be no Commencement of Development unless and until a Construction and Environmental Management Plan (CEMP) containing site specific details of all on-site construction works, post-construction reinstatement, drainage and mitigation, together with details of their timetabling, has been submitted to, and approved in writing by, the Planning Authority. The CEMP shall include (but is not limited to):

- a) Risk assessment of potentially damaging construction-type activities on the environment;
- b) Mitigation to protect the ecological resources on site, including GWDTE, biodiversity protection zones, location and timing of works;
- c) Species and Habitat Protection Plans;
- d) A Pollution Prevention Plan including drainage management strategy and mitigation measures, demonstrating how all surface water run-off and waste water arising during and after development is to be managed and prevented from polluting any watercourses or sources. This must also include arrangements for the storage and management of oil and fuel on the site;
- e) A drainage management strategy, demonstrating how all surface and waste water arising during and after development is to be managed and prevented from polluting any watercourses or sources;
- f) Site waste management plan (dealing with all aspects of waste produced during the construction period other than peat), including details of contingency planning in the event of accidental release of materials which could cause harm to the environment;
- g) 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;
- h) A dust management plan;
- i) Site specific details for management and operation of any concrete batching plant (including disposal of pH rich waste water and substances);
- j) 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;
- k) Mitigation to protect and minimise disturbance to archaeological interests;
- l) Details of temporary site illumination;
- m) Construction Method Statement for watercourse crossings

The approved CEMP shall be implemented throughout the construction, post-construction site reinstatement and operational phases in full unless otherwise approved in advance in writing by the Planning Authority

Reason: To ensure that all construction operations are carried out in a manner that minimises their impact on road safety, amenity and the environment, and that the mitigation measures contained in the Environmental Appraisal Report (received 17 January 2025) which accompanied the application, or as otherwise agreed, are fully implemented.

7. **Environmental Clerk of Works**

No development or Site Enabling Works shall commence unless and until the terms of appointment of an independent Environmental Clerk of Works (EnvCoW) by the Company have been submitted to, and approved in writing by, the Planning Authority. This must include a EnvCoW schedule, detailing when the EnvCoW shall be present on site. For the avoidance of doubt, the EnvCoW shall be appointed as a minimum for the period from the commencement of development to the final commissioning of the development and their remit shall, in addition to any functions approved in writing by the Planning Authority, include (but not be limited to):

- a) Impose a duty to monitor compliance with the environmental commitments provided in the EIA Report as well as the following (the EnvCoW works):
 - i. the Pre-Construction Ecological Survey under Condition 18;
 - ii. the Construction Environmental Management Plan under Condition 6;
 - iii. the Habitat Management Plan under Condition 17;
- b) Require the EnvCoW to report to the nominated construction project manager, developer and Planning Authority any incidences of non-compliance with the EnvCoW works at the earliest practical opportunity;
- c) Require the EnvCoW to submit a monthly report to the construction project manager, developer and Planning Authority summarising works undertaken on site; and

Require a statement that the EnvCoW shall be engaged by the Planning Authority but funded by the developer. The EnvCoW shall be appointed on the approved terms throughout the period from Commencement of Development to completion of construction works and post-construction site reinstatement works.

Reason: To secure effective and transparent monitoring of and compliance with the environmental mitigation and management measures associated with the development during the construction, decommissioning, restoration and aftercare phases.

8. **Construction Traffic Management Plan**

No development shall commence until a Construction Traffic Management Plan (CTMP) to manage all construction traffic with the exception of abnormal indivisible loads, has been submitted to and approved in writing by the Planning Authority, in consultation with the local Roads Authority, and any affected local Community Councils. A single framework CTMP shall include this development with consideration also given to Deanie Substation replacement (24/01235/FUL), Culligran Substation replacement (24/01234/FUL), Kilmorack Substation

replacement (24/02831/FUL) and Aigas Substation replacement (24/02830/FUL). The CTMP should be submitted including all of the standard issues generally covered (identification of construction routes, safety of vulnerable road users, public and communities, junction upgrades, measures to keep the public road clean, protocol for abnormal load deliveries etc). The CTMP shall include:

- a) An appropriate detailed AIL assessment for the movement of infrastructure into and out of this site, identifying any temporary or permanent changes required to the local public road network to physically and safely accommodate such vehicle movements;
- b) Scheduling and timing of movements, respecting any large public event taking place in the local area which would be unduly affected or disrupted by construction vehicles using the public road network. Avoiding the movement of commercial goods vehicles along the local public road network during the drop-off and pick-up times of the local schools;
- c) Traffic management measures on the routes to site for construction traffic. Measures such as temporary speed limits, suitable temporary signage, road markings and the use of speed activated signs and banksman/escort details should be considered. During the delivery period of construction materials any additional signing or temporary traffic control measures deemed necessary due to the size or length of any loads being delivered or removed must be undertaken by a recognised Quality Assured traffic management consultant, to be approved by Transport Scotland and the Local Roads Authority before delivery commences;
- d) Appropriate steps to effectively coordinate traffic movements with other developments that could be impacting on the same construction access route as this proposal, avoid convoying of larger / heavier commercial goods vehicles along local public roads and avoid convoying;
- e) A procedure for the regular monitoring of road conditions and the implementation of any remedial works required during the construction period;
- f) Measures to ensure that all affected public roads are kept free of mud and debris arising from the development;
- g) Ensure that effective access can be provided to all existing properties and businesses who are also reliant on the roads impacted by this development;
- h) The provision of a wear and tear agreement under Section 96 of the Roads (Scotland) Act 1984 under which the developer will be responsible for the repair of any damage to the local road network attributable to construction related traffic. As part of the agreement, pre-start and post construction road condition surveys must be carried out by the developer to the satisfaction of the Roads Authority;
- i) Provisions for emergency vehicle access;
- j) A timetable for implementation of the measures detailed in the CTMP;
- k) Identification of quarries/suppliers for materials such as aggregate and concrete;
- l) Estimate of volume of and type of materials that must be imported for each site;
- m) Estimate of load size for each type of material;
- n) Estimate of the number of HGVs for each stage of construction;
- o) Number and type of abnormal loads;
- p) Clarification of construction routes and port of entry if applicable;

- q) Dates for key activities within construction programmes for the proposed works along with the other schemes noted;
- r) Identification of a nominated person to whom any road safety issues can be referred and measures for keeping the Community Council informed and dealing with queries and any complaints regarding construction traffic ensuring effective lines of communication with existing residents, businesses and appropriate local representation groups in the area so that two-way information sharing can happen about the implications of construction traffic impacts and the development of solution driven improvements to the CTMP.

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 and to mitigate the adverse impact of construction traffic on the safe and efficient operation of the trunk road network.

9. **Access Improvements**

No development shall commence until a plan detailing the extent of proposed improvements to the U1533, including the location of passing places, and A831, is submitted to and approved in writing by the Planning Authority, in consultation with the local Roads Authority and NatureScot as new passing places would likely involve the loss in extent of SSSI and SAC features. Thereafter, the improvement works shall be implemented either prior to the main construction works commencing, or within 4 months of the commencement 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

10. No development shall commence until full details of the restoration measures following the removal of the temporary access tracks are submitted to and approved in writing by the Planning Authority, in consultation with the local Roads Authority and NatureScot.

Reason: To ensure that the restoration of the site is carried out in an appropriate and environmentally acceptable manner.

11. **Abnormal Loads**

Prior to the movement of any abnormal load, any accommodation measures required on the trunk road network, including the removal of street furniture, junction widening and traffic management must be approved and implemented to the satisfaction of the Planning Authority, in consultation with Transport Scotland.

Reason: To minimise interference and maintain the safety and free flow of traffic on the Trunk Road as a result of the traffic moving to and from the development.

12. **Abnormal Loads Route**

Prior to commencement of deliveries to site, the proposed route for any abnormal loads on the trunk road network must be submitted to and approved by the Planning Authority, in consultation with Transport Scotland.

Reason: To minimise interference and maintain the safety and free flow of traffic on the Trunk Road as a result of the traffic moving to and from the development.

13. **Traffic Control Measures**

Prior to the movement of any components and/or construction materials, any additional signing or temporary traffic control measures deemed necessary on the trunk road network due to the size or length of any loads being transported must be undertaken by a recognised QA traffic management consultant, to be approved by Transport Scotland.

Reason: To ensure that the transportation of any components/materials will not have any detrimental effect on the road and structures along the route.

14. **Core Path**

The proposed development should not obstruct or deter the use of the Core Path (IN26.01) in the Highland Council Core Path Plan and recorded public right of way (HI12) before, during or after construction. This would include any of the following:

- The placing of materials on the path;
- Allowing water, soil or any other substance to flow or spill onto the path;
- Erecting any fence or locked gates;
- Prohibitory signs or notices;
- Plant or overhang any vegetation on the path;
- Projections from building; and
- Park vehicles or place other structures

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

15. **Core Path Repair**

Any disturbance or damage to the route must be repaired to as good or better a standard than pre-development within 14 days of the disturbance occurring, or such longer period as agreed with the local authority.

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

16. **Archaeology**

No works in connection with the development hereby approved shall commence unless an archaeological Written Scheme of Investigation (WSI) 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 interest of the site.

17. Habitat Management Plan

- 1) Within 18 months of the commencement of development a Habitat Management Plan (HMP) shall be submitted to, and approved in writing by the Planning Authority (in consultation with NatureScot).
- 2) The HMP shall set out proposed habitat management of the site including all mitigation, compensation and enhancement measures, during the period of construction and operation, and shall detail the long term management regimes of the compensation and enhancement measures required of the site.
- 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.

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 the protection of the habitats identified in the Environmental Appraisal and Environmental Addendums.

18. Pre-Construction Ecological Survey

A pre-construction survey is required to be undertaken not more than 3 months prior to works commencing and a report of the survey has been submitted to, and approved in writing by, the Planning Authority. The survey shall cover both the application site and an appropriate buffer from the boundary of application site and the report of survey shall include mitigation measures where any impact, or potential impact, on protected species or their habitat has been identified. Development and work shall progress in accordance with any mitigation measures contained within the approved report of survey and the timescales contain therein.

Reason: To ensure that the site and its environs are surveyed and the development does not have an adverse impact on protected species or habitat.

Reason: To ensure all nesting birds are protected as per the legislation.

19. Data

GIS Shapefiles must be supplied of the biodiversity loss, compensation and enhancement areas to the Planning Authority within 18 months of the commencement of development.

Reason: To secure biodiversity enhancement and allow the compensation and enhancement areas to be mapped to ensure no developments occur on these sites for a minimum of 30 years.

20. **Aviation**

The undertaker must notify the Ministry of Defence, at least 14 days prior to the commencement of the works, in writing of the following information:

- a) The date of the commencement of the erection of the lattice tower.
- b) The maximum height of any construction equipment to be used in the erection of the lattice tower.
- c) The date the lattice tower is brought into use.
- d) The latitude and longitude and maximum heights of the lattice tower. The Ministry of Defence must be notified of any changes to the information supplied in accordance with these requirements and of the completion of the construction of the development.

Reason: In the interest of maintaining aviation safety.

21. **Local Employment Scheme**

Prior to the Commencement of Development, a Local Employment Scheme for the construction and operation of the development shall be submitted to and agreed in writing by The Highland Council. The submitted Scheme shall make reference to the Environmental Appraisal (EA) (received 17 January 2025). The Scheme shall include the following:

- a) details of how the staff/employment opportunities at the development will be advertised and how liaison with the Council and other local bodies will take place in relation to maximising the access of the local workforce to information about employment opportunities;
- b) details of how sustainable training opportunities will be provided for those recruited to fulfil staff/employment requirements including the provision of apprenticeships or an agreed alternative;
- c) a procedure setting out criteria for employment, and for matching of candidates to the vacancies;
- d) measures to be taken to offer and provide college and/or work placement opportunities at the development to students within the locality;
- e) details of the promotion of the Local Employment Scheme and liaison with contractors engaged in the construction of the development to ensure that they also apply the Local Employment Scheme so far as practicable having due regard to the need and availability for specialist skills and trades and the programme for constructing the development;
- f) a procedure for monitoring the Local Employment Scheme and reporting the results of such monitoring to The Highland Council; and
- g) a timetable for the implementation of the Local Employment Scheme.

Thereafter, the development shall be implemented in accordance with the approved scheme.

Reason: In order to ensure compliance with NPF4 Policy 11c) and to maximise the local socio-economic benefits of the development to the wider community. To make provision for publicity and details relating to any local employment opportunities.

22. **Community Liaison Group**

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

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

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

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

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

23. **Planning Monitoring Officer**

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

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

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

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

REASON FOR DECISION

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained

within the Development Plan and is acceptable in terms of all other applicable material considerations.

FOOTNOTE TO APPLICANT

INFORMATIVES

Initiation and Completion Notices

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

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

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

Flood Risk

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

Scottish Water

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

Septic Tanks and Soakaways

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

Contaminated Land

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

Local Roads Authority Consent

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

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

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

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

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

Mud and Debris on Road

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

Construction Hours and Noise-Generating Activities

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

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

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

Transport Scotland

1. The applicant should be informed that the granting of planning consent does not carry with it the right to carry out works within the trunk road boundary and that permission must be granted by Transport Scotland Roads Directorate.
2. Trunk road modification works shall, in all respects, comply with the Design Manual for Roads and Bridges and the Specification for Highway Works published by HMSO. The developer shall issue a certificate to that effect, signed by the design organisation.
3. Trunk road modifications shall, in all respects, be designed and constructed to arrangements that comply with the Disability Discrimination Act: Good Practice Guide for Roads published by Transport Scotland. The developer shall provide written confirmation of this, signed by the design organisation.
4. The road works which are required due to the above Conditions will require a Road Safety Audit as specified by the Design Manual for Roads and Bridges.
5. Any trunk road works will necessitate a Minute of Agreement with the Trunk Roads Authority prior to commencement.
6. To obtain permission to work within the trunk road boundary the developer should contact the Area Manager through the general contact number 0141 272 7100.
7. The Operating Company has responsibility for co-ordination and supervision of works and after permission has been granted it is the developer's contractor's responsibility to liaise with the Operating Company during the construction period to ensure all necessary permissions are obtained.

Protected Species – Halting of Work

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

<https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species>.

Protected Species – Ground Nesting Birds

Construction/demolition works have the potential to disturb nesting birds or damage their nest sites, and as such, checks for ground nesting birds should be made prior to the commencement of development if this coincides with the main bird breeding season (April – July inclusive). All wild bird nests are protected from damage, destruction, interference and obstruction under the Wildlife and Countryside Act 1981 (as amended). Some birds (listed on schedule 1 of the Wildlife and Countryside Act) have heightened protection where it is also an offence to disturb these birds while they are in or around the nest.

Signature:	Bob Roberston
Designation:	(Acting) Area Planning Manager – South
Author:	Roddy Dowell
Relevant Plans:	Plan 1 - Figure 1.1 - Proposed Development Location Plan Plan 2 - Figure 2.1 - Indicative Design for Steel Lattice Cable Sealing End Tower

Appendix 1 – Development Plan and Other Material Policy Considerations

DEVELOPMENT PLAN

National Planning Framework 4 (NPF4, 2023)

- A1.1 National Development 3 – Strategic Renewable Electricity generation and Transmission Infrastructure
- 1 - Tackling the Climate and Nature Crises
 - 2 - Climate Mitigation and Adaptation
 - 3 - Biodiversity
 - 4 - Natural Places
 - 5 - Soils
 - 7 - Historic Assets and Places
 - 11 - Energy
 - 20 - Blue and Green Infrastructure
 - 22 - Flood Risk and Water Management
 - 23 - Health and Safety
 - 25 - Community Wealth Building
 - 29 - Rural Development
 - 33 - Minerals

Highland Wide Local Development Plan (HwLDP, 2012)

- A1.2
- 28 - Sustainable Design
 - 29 - Design Quality and Place-making
 - 30 - Physical Constraints
 - 31 - Developer Contributions
 - 36 - Development in the Wider Countryside
 - 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
 - 63 - Water Environment
 - 64 - Flood Risk
 - 65 - Waste Water Treatment
 - 66 - Surface Water Drainage
 - 69 - Electricity Transmission Infrastructure
 - 72 - Pollution
 - 73 - Air Quality
 - 74 - Green Networks
 - 77 - Public Access

Inner Moray Firth Local Development Plan 2 (IMFLDP, 2024)

- A1.3
- 1 – Low and Zero Carbon Development
 - 2 – Nature Protection, Restoration and Enhancement
 - 9 – Delivering Development and Infrastructure

Highland Council Supplementary Guidance

- A1.4
- Biodiversity Enhancement Planning Guidance (May 2024)
 - Developer Contributions (Nov 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)
 - Physical Constraints (Mar 2013)
 - Roads and Transport Guidelines for New Developments (May 2013)
 - Sustainable Design Guide (Jan 2013)
 - Special Landscape Area Citations (June 2011)
 - Standards for Archaeological Work (Mar 2012)
 - Sustainable Design Guide (Jan 2013)

OTHER MATERIAL POLICY CONSIDERATIONS

Other National Policy and Guidance

- A1.5
- Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 – interim and annual targets replaced by Climate Change (Emissions Reduction Targets) (Scotland) Bill in November 2024
 - Climate Change Committee Report to UK Parliament (July 2024)
 - UK Government Clean Power Action Plan (Dec 2024)
 - The Draft Energy Strategy and Just Transition Plan (2023)
 - Draft Scottish Biodiversity strategy to 2045: tackling the nature emergency (2023)
 - Scottish Energy Strategy (2017)
 - 2020 Routemap for Renewable Energy (2011)
 - Energy Efficient Scotland Route Map, Scottish Government (2018)
 - Historic Environment Policy for Scotland (2019)
 - Scheduled Monuments Consents Policy (2019)
 - PAN 1/2011 - Planning and Noise (2011)
 - PAN 60 – Planning for Natural Heritage (Jan 2008)
 - Developing with Nature Guidance (NatureScot 2023)
 - Construction Environmental Management Process for Large Scale Projects (2010)
 - Community Benefits for Electricity Transmission Network Infrastructure: Government Response, UK Department for Energy and Security and Net Zero (2023)

Appendix 2 - Compliance with the Development Plan / Other Planning Policy

National Policy

- A.2.1 National Planning Framework 4 (NPF4) forms part of the Development Plan and was adopted in February 2023. NPF4 comprises three distinct parts. Part 1 sets out an overarching spatial strategy for Scotland in the future. Outlining that Scotland is facing unprecedented challenges and that we need to reduce greenhouse gas emissions and embrace and deliver radical change so we can tackle and adapt to climate change, restore biodiversity loss, improve health and wellbeing, and build a wellbeing economy while striving to create great places. Therefore, NPF4 sets out that choices need to be made about how we can make sustainable use of our natural assets in a way that benefits communities.
- A.2.2 NPF4 outlines 18 national developments that support the plan's spatial strategy. National developments will be a focus for delivery, as well as exemplars of the Place Principle, placemaking and a Community Wealth Building (CWB) approach to economic development. Six of the national developments support the delivery of sustainable places. Among these is national development number 3 - Strategic Renewable Electricity Generation and Transmission Infrastructure, which "supports electricity generation and associated grid infrastructure throughout Scotland, providing employment and opportunities for community benefit, helping to reduce emissions and improve security of supply." National development 3 accords national development status to electricity transmission that includes b) New and/or replacement upgraded on and offshore high voltage electricity transmission lines, cables and interconnectors of 132kV or more, and/or c) New and/or upgraded Infrastructure directly supporting on and offshore high voltage electricity lines, cables and interconnectors including converter stations, switching stations and substations. This proposal aligns with parts of both b) and c) and therefore, is classed as a national development, and as such received in principle support.
- A.2.3 The spatial strategy reflects existing legislation by setting out that decision making requires to reflect the long-term public interest. However, in doing so, it is clear that the decision maker must make the right choices about where development should be located, ensuring clarity is provided over the types of infrastructure that need to be provided and the assets that should be protected to ensure they continue to benefit future generations. To that end, the Spatial Priorities support the planning and delivery of sustainable places, which will reduce emissions, restore and better connect biodiversity; create liveable places, where residents can live better, healthier lives; and create productive places, with a greener, fairer, and more inclusive wellbeing economy.
- A.2.4 Part 2 of NPF4 sets out the National Planning Policy which cover three themes: Sustainable Places, Liveable Places, and Productive Places; within which there are a total of 33 policies and many of these consist of distinct sub-policies. These 33 national planning policies form part of the development plan and will be assessed along with the Council's LDP policies for development management decisions. The most relevant policies are outlined below.
- A.2.5 Part 3 provides a series of annexes that provide the rationale for the strategies and

policies of NPF4, which outline how the document should be used, and set out how the Scottish Government will implement the strategies and policies contained in the document. With Annex A: 'How to use this document' noting that the policies within Part 2 should be read as a whole and '...it is for the decision maker to determine what weight to attach to policies on a case-by-case basis....' It goes on to state that '...where a policy states that development will be supported, it is in principle, and it is for the decision maker to take into account all other relevant policies....'.

- A.2.6 Many of NPF4's policies are relevant to consideration of the proposal, but attention is particularly drawn here to the following key policies. Policy 1 - Tackling the climate and nature crises aims to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis. It requires 'significant weight' to be given to those crises in decision making.
- A.2.7 Policy 3 - Biodiversity aims to protect biodiversity, reverse biodiversity loss, deliver positive effects and strengthen nature networks. Every development proposal has to maintain or improve biodiversity.
- A.2.8 Policy 4 - Natural Places aims to protect, restore and enhance natural assets making best use of nature-based solutions. Policy 4 section e) requires project design and mitigation to demonstrate how the following various impacts on communities and individual dwellings, including, residential amenity, visual impact, and noise, landscape, visual and cumulative impacts, public access, aviation and defence interests, telecommunications and broadcasting installations, traffic and roads, historic environment, hydrology, water environment and flood risk, trees, biodiversity, decommissioning and site restoration are all addressed.
- A.2.9 Policy 11 - Energy aims to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure. Section a) notes development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported, including (ii.) enabling works, such as grid transmission and distribution infrastructure. Section c) confirms development proposals will 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. Section d) requires development proposals that impact on international or national designations to be assessed in relation to Policy 4. In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.
- A.2.10 Policy 25 - Community wealth building aims to encourage, promote and facilitate a new strategic approach to economic development that also provides a practical model for building a wellbeing economy at local, regional and national levels. While NPF4 considers national developments as a focus for delivery, they should also be exemplars of the community wealth building approach to economic development.

Highland wide Local Development Plan (HwLDP)

- A.2.11 The principal HwLDP policy against which the application requires to be determined is the Policy 69 - Electricity Transmission Infrastructure. This policy offers support

for electricity transmission infrastructure, having regard to their level of strategic significance in transmitting electricity from areas of generation to areas of consumption. Such support is subject to the proposals not having an unacceptable significant impact on the environment.

- A.2.12 As the development would provide upgraded infrastructure for the transmission network and would help to facilitate an increasing proportion of electricity generation from renewable sources, the principle of the development receives support under HwLDP Policy 69 - Electricity Transmission Infrastructure, subject to site selection, design and overcoming any unacceptable significant environmental effects.
- A.2.13 HwLDP Policy 69 specifically highlights that the “Council will have regard to their level of strategic significance in transmitting electricity from areas of generation to areas of consumption.” Additionally, it notes “It will support proposals which are assessed as not having unacceptable impact on the environment including natural, built and cultural heritage features.” Where development is assessed as not having unacceptable significant impacts on the environment, then the proposal would accord with the Development Plan.
- A.2.14 In this regard, the site is located within the Glen Strathfarrar NSA. Policies 28, 57, 61 and 67 seek to safeguard these nationally important landscapes. For features of national importance developments that can be shown not to compromise the natural environment, amenity and heritage resource can be supported. The impact of this development on landscape is primarily assessed in the Landscape and Visual Impact section of this report. HwLDP Policy 36 Development in the Wider Countryside applies and sets out that all development in the countryside will be determined on the basis of a number of criteria. Pertinent matters to this proposal include siting and design, being compatible with the existing pattern of development, landscape character and capacity, as well as drainage and servicing implications. The main aspect of the development is the proposed extension area.
- A.2.15 The generality of the HwLDP’s topic policies are superseded by those in NPF4. However, those that offer greater detail than NPF4 or that are tailored to Highland circumstance (and are not wholly incompatible with NPF4) are still relevant and may be applicable. For example, the Council’s Policy 31 on Developer Contributions links to greater detail in Supplementary Guidance and therefore both are still relevant.
- A.2.16 Work on a new-style local development plan (Highland Local Development Plan) to ultimately repeal and replace the two relevant existing local development plans is progressing with a revised timetable of Evidence Report approval and submission to DPEA for Gate Check in late 2025 and publication of the Proposed Plan in late 2026.
- A.2.17 The principal policy on which the application requires to be assessed is HwLDP Policy 69 Electricity Transmission Infrastructure.

Developer Contributions

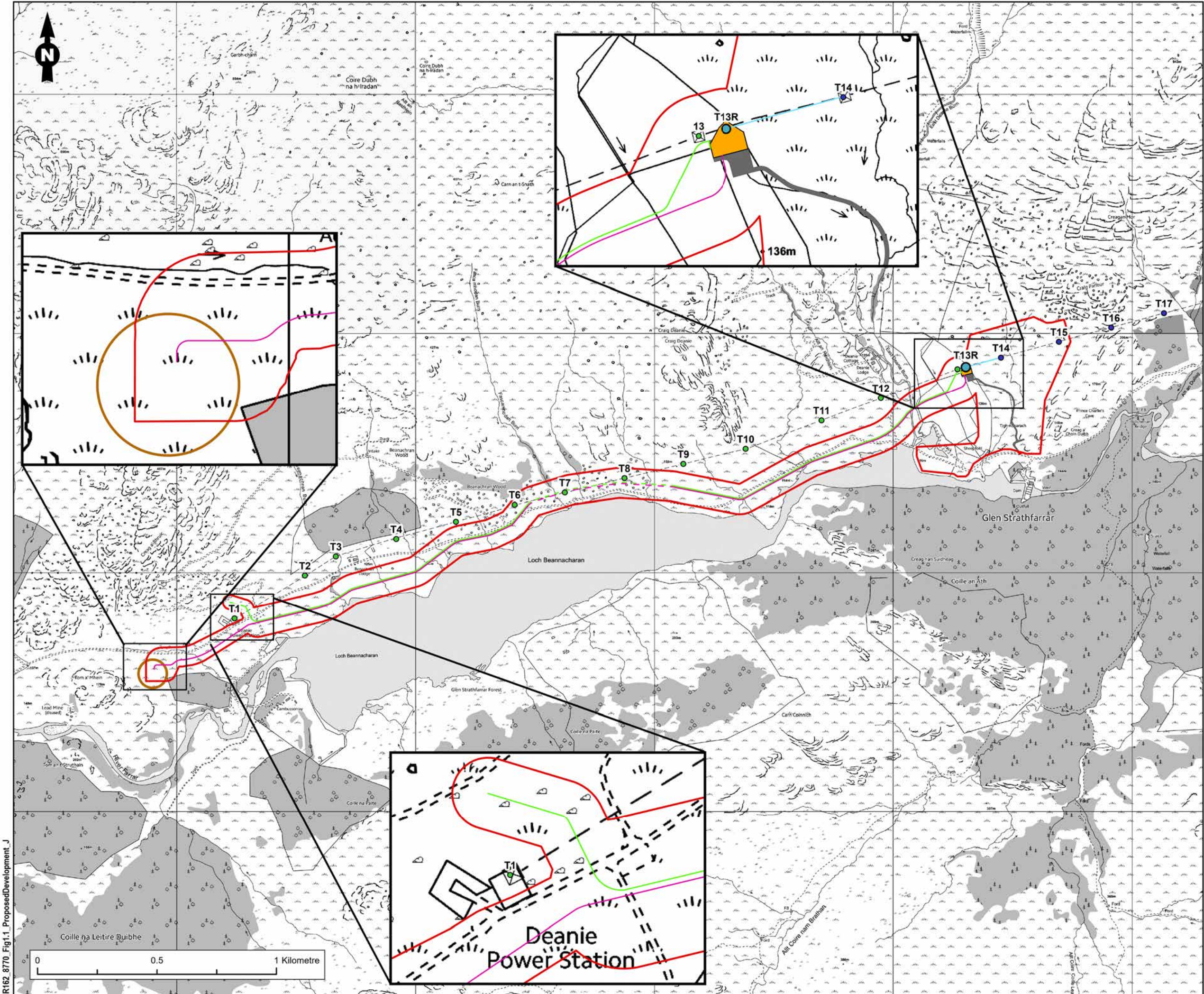
- A.2.18 Under the terms of HwLDP Policy 31 Developer Contributions and the Council’s Developer Contributions Supplementary Guidance (2018), industrial (including

energy) developments may be required to make contributions towards transport, green infrastructure, water and waste, and public art. In addition, Policy 11c) of NPF4 now provides an explicit national planning policy requirement for community benefits from energy proposals.

- A.2.19 Highland Council's approved and published Social Value Charter for Renewables Investment from June 2024 which sets out the community benefit expectations from developers wishing to invest in energy proposals in Highland.

Inner Moray Firth Local Development Plan 2 (IMFLDP2)

- A.2.20 The application site lies outwith any allocated site, delineated settlement boundary and safeguarding notation. The Inner Moray Firth Local Development Plan 2 (IMFLDP2) was adopted on 27 June 2024 and now postdates NPF4. Although the IMFLDP2 does not contain any site-specific policies relevant to this proposal its general policies provide more detail than the equivalent ones in NPF4. In particular, Policy 2 Nature Protection, Restoration and Enhancement which provides the hook for the Council's Biodiversity Enhancement Planning Guidance and Policy 9 Delivering Development and Infrastructure set out more detail.



Legend

- Site Boundary
- Existing Towers
- Existing Towers to be Removed
- Proposed Sealing End Tower (T13R)
- Proposed 132kV Cable Route
- Proposed 132kV Cable Route (HDD)
- Proposed 33kV Cable Route
- Proposed 33kV Cable Route (HDD)
- OHL Connection
- Proposed CSE Compound
- CSE Compound Access Track
- Proposed Deanie Substation LOD

Figure Title
Proposed Development

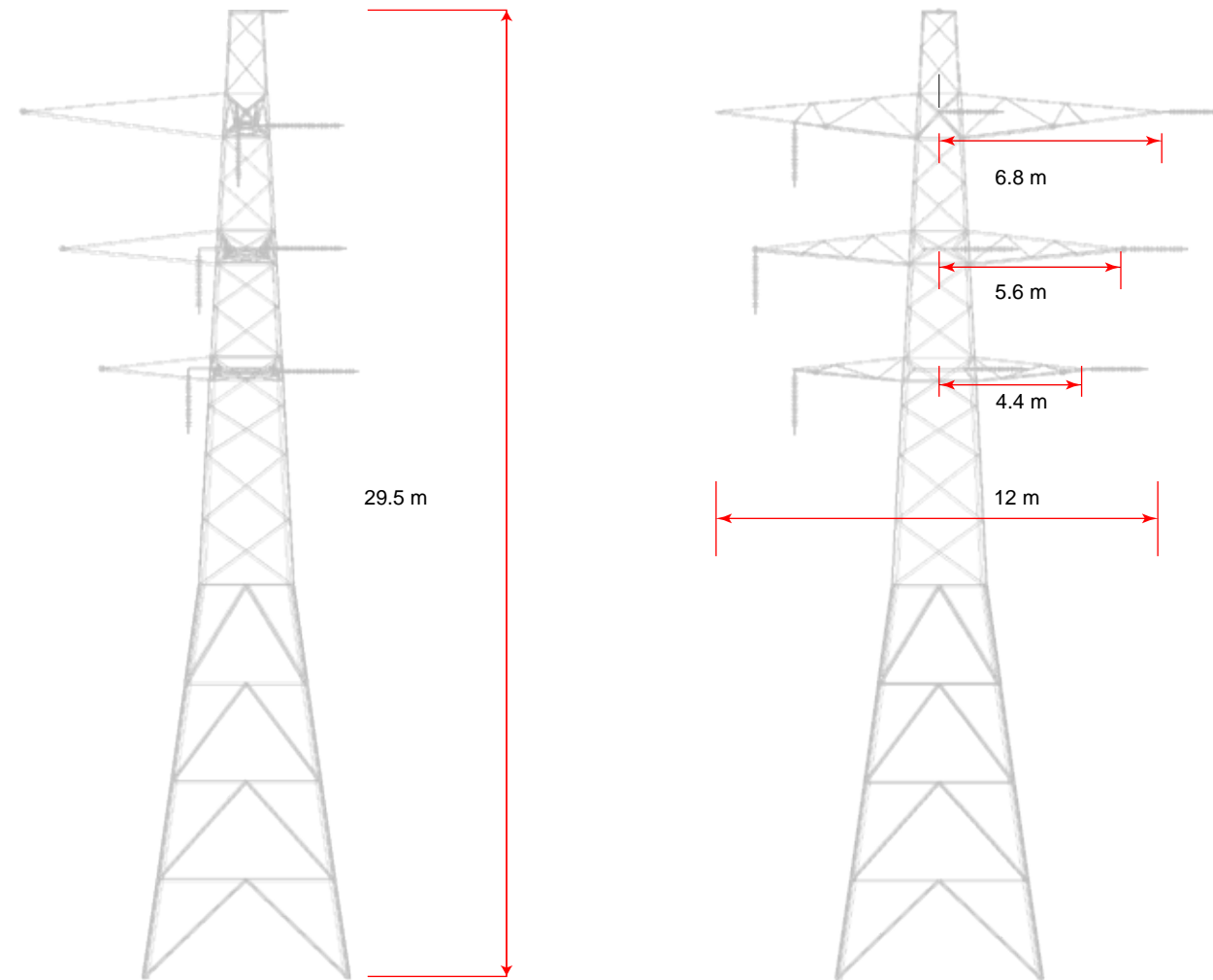
Project Name
Glen Strathfarrar VISTA

Project Number 1620008770	Figure No. 1.1
Date November 2024	Prepared By RS
Scale 1:15,000 @A3	Issue 1

Client
SSEN Transmission

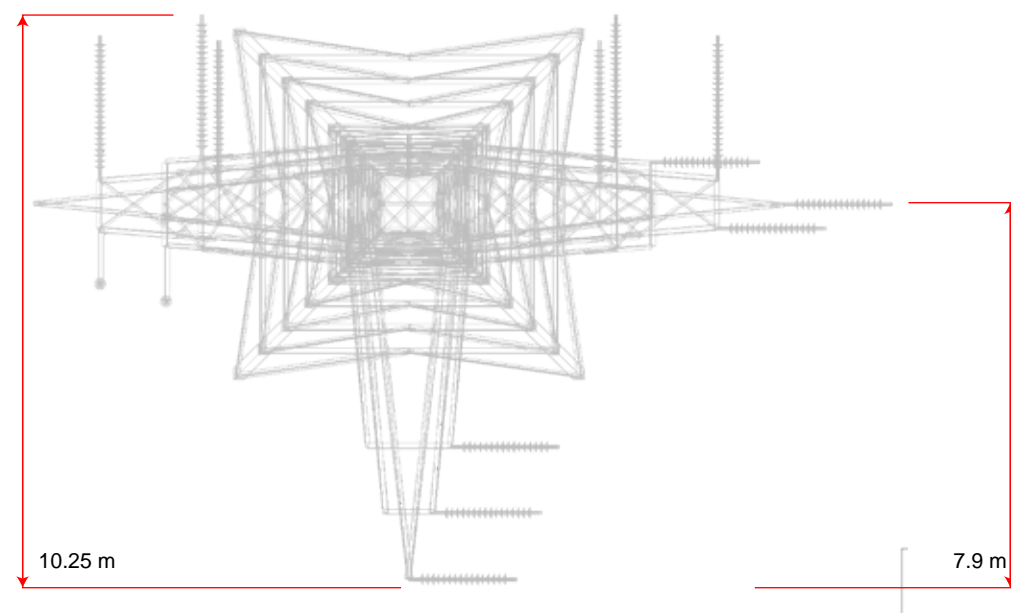
R162_8770_Fig1.1_ProposedDevelopment_J

R162_8770_Fig2.1_Indicative_CSE_Tower_H

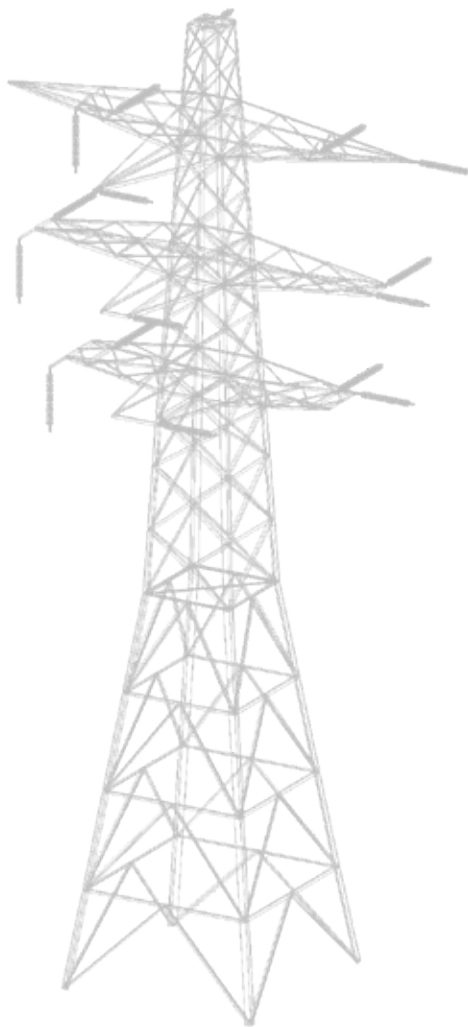
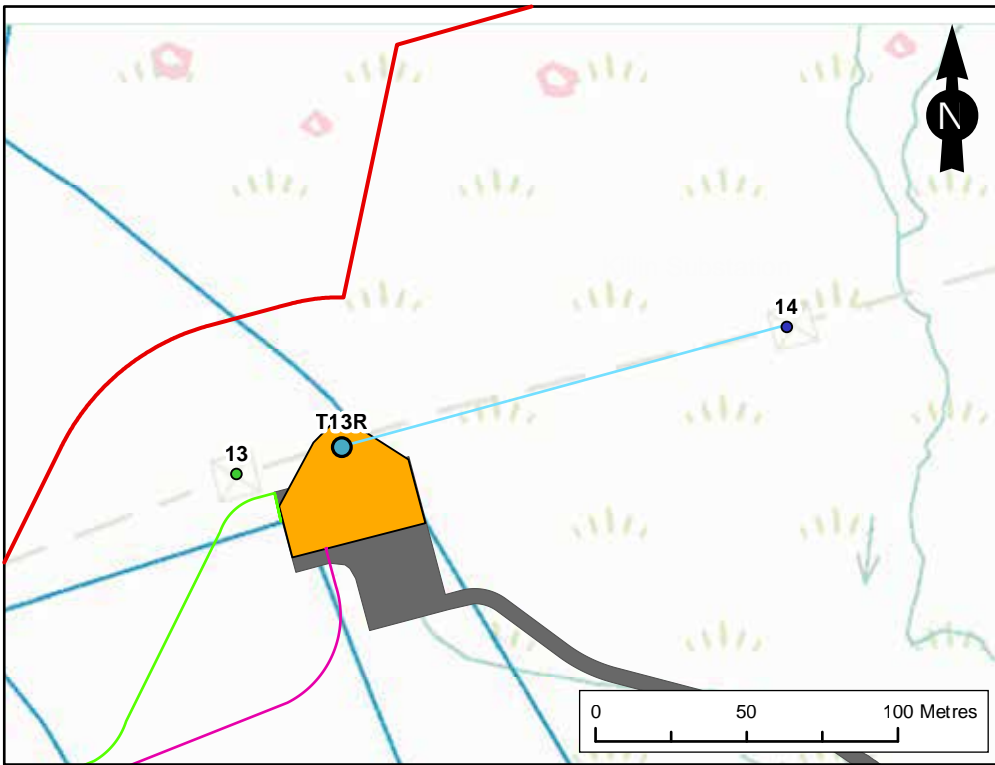


LONGITUDINAL ELEVATION

TRAVERSE ELEVATION



PLAN VIEW



EXAMPLE CSE TOWER

- Legend**
- Site Boundary
 - Existing Towers
 - Existing Towers to be Removed
 - Proposed Sealing End Tower (T13R)
 - Proposed 132kV Cable Route
 - Proposed 33kV Cable Route
 - OHL Connection
 - Proposed CSE Compound
 - CSE Compound Access Track

Figure Title
Indicative Design for Steel Lattice Cable Sealing End Tower

Project Name
Glen Strathfarrar VISTA

Project Number 1620008770	Figure No. 2.1
-------------------------------------	--------------------------

Date November 2024	Prepared By GP
------------------------------	--------------------------

Scale Various Scales	Issue 1
--------------------------------	-------------------

Client
SSEN Transmission

