Agenda Item	6.5
Report No	PLN/041/25

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: Wednesday 11th June 2025

Report Title: 24/01014/FUL: Three UK

Land 3935M SE Of Tigh Annag, Glencalvie, Ardgay

Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: Installation of 25m high tower with ancillary development, formation of

access track

Ward: 01 – North, West and Central Sutherland

Development category: Local

Reason referred to Committee: 5 or more objections

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

Recommendation

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

1. PROPOSED DEVELOPMENT

- 1.1 The application seeks full planning permission for the a 25 metre high lattice tower supporting associated antennas and transmission dishes and ancillary development including equipment cabinets, generators, a fenced compound, hard standing area, and access track linking to the nearby estate road. The proposal is to be located on the area of land recognised as 3935m southeast of Tigh Annag, Glencalvie, Ardgay.
- 1.2 The application proposes the installation of a 25m high lattice tower accommodating 3no. antennas, 4no. 0.6m transmission dishes and ancillary development in a compound surrounded by a deer fence enclosure and levelled by gabion walls. The proposed compound will accommodate 7No outdoor equipment cabinets, 1No electrical meter cabinet; 1No standby power generator and ancillary development. The proposed new compound will be accessed via a proposed 22m compacted stone track as an extension from the existing estate track situated to the north.
- 1.3 Pre Application (24/00145/PREAPP): The Planning Authority highlighted initial concerns regarding individual and cumulative impact, with surveys and additional information to be provided at application stage to allow a thorough assessment of perceived impacts.

1.4 Supporting Information:

- Arboricultural Impact Assessment
- Peatland Management Plan and Survey
- > ICNIRP Declaration
- BDUK Shared Rural Network Brochure Pack
- > Landscape and Visual Impact Assessment
- Supporting Statements
- Rhiddorach, Beinn Dearg and Ben Wyvis Cumulative Study, and associated Figures.
- 1.5 Variations: Numerous variations to the plans were submitted throughout the application process with regards to changes to proposal remits.

2. SITE DESCRIPTION

- 2.1 The site lies some 15km to the south-west of Bonar Bridge. Currently the site comprises an area of low grass on relatively flat land which lies between the edge of the existing woodland block to the west and the existing estate roads to the north-east and south. In the immediate context of the Site, low grass and heath extends from the valley floor towards the upper slopes of the surrounding valleys, grazing comprises the predominant land use of the surrounding area. A private estate track broadly follows the valley floor to the south of the site and a second estate road traverses the valley side to the north-east of the site.
- 2.2 The site is found to be located within the designated Rhiddoroch Beinn Dearg Ben Wyvis Wild Land Area, as well as within the Fannichs, Beinn Dearg and Glencalvie Special Landscape Area. Core Path HS35 is also found to be located within the proximity of the site.

3. PLANNING HISTORY

3.1 16 October 2024 24/03825/SCOP: Creachan Wind Farm - SCOPING Erection and Operation of a Wind Farm, DECISION comprising up to 21 Turbines with a maximum ISSUED

blade tip height 220m, battery energy storage system (BESS) facility, access tracks, borrow pits, substation, control building, and ancillary

infrastructure.

4. PUBLIC PARTICIPATION

4.1 Advertised: 2 x Unknown Neighbour 14 Days

Date Advertised: 03.05.2024 & 19.07.2024

Representation deadline: 17.05.2024 & 02.08.2024

Timeous representations: 5

Late representations: 2

- 4.2 Material considerations raised are summarised as follows:
 - a) No biodiversity gain and does not actively engage with Policy 3 of the NPF4.
 - b) No Environmental Impact Assessment
 - c) The proposed development lies within Wild Land Area 29 Rhidorroch Beinn Dearg Ben Wyvis.
 - d) The mast and its ancillary infrastructure damage provide minimal coverage and no clear "public benefit" identified in the application.
 - e) No plan or bond for mast removal, and no reinstatement details for the site following mast removal.
 - f) Contrary to NPF4 Policy 24 by not providing significant benefits to communities and the local economy
 - g) Contrary to Policy 4 of the NPF4
 - h) Landscape and visual impact, including impact on a designated Wild Land area.
 - i) No Wild Land Impact Assessment
 - j) Remote site, no permanently inhabited properties for approximately 4km.
 - k) No access details both for construction and operational phase.
 - I) Lack of cumulative and sequential impact details with other telecoms infrastructure.
- 4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam.

5. CONSULTATIONS

5.1 **Forestry:** No Objection advised that the Arboricultural Impact Assessment prepared by Oakfield Arboricultural Services identifies approximately 8 trees (Category B and C) to be removed in order to accommodate the proposed telecoms mast and associated infrastructure, which is considered acceptable given the nature of the development. For the retained trees, a protective barrier is to be installed consisting of plastic mesh netting fixed to metal rods. While this is a lower specification than

recommended in BS5837:2012, it will be acceptable in this location. To help mitigate for the loss of trees, it is proposed to replant 24 trees (birch and pine). The Forestry Officer notes that deer damage is present on some of the existing trees and so any replacement trees will either need to be contained within a deerproof fence, or protected by 1.8m shelters. A condition is recommended to ensure full implementation of the approved tree protection measures and replanting measures identified within the Arboricultural Method Statement.

- 5.2 **Landscape Officer:** No response.
- 5.3 **Access Officer:** No response.
- NatureScot: (2 responses) Initially objected to the proposed development due to a lack of sufficient information provided to determine whether any perceived significant effects on the wild land qualities of WLA 29, are of national interest. Requested information regarding the provision of a Zone of Theoretical Visibility, Design Statement, and Viewpoints.

In the second and latest response received, NatureScot stated that the proposed development is unlikely to significantly affect the qualities of Rhiddoroch – Beinn Dearg – Ben Wyvis Wild Land Area (WLA 29). NatureScot advised that the proposal would result in significant visual effects where the tower breaks the skyline, however these effects would be localised. Accounting for the existing presence of other human influences, the proposed development is unlikely to significantly affect the qualities of WLA 29 either individually or cumulatively. Given the dynamic nature of the Shared Rural Network, the potential for significant cumulative effects would be a future consideration for any similar applications within WLA 29, and therefore advise that any further applications for masts within WLA 29 include sufficient information to enable both consultees and decision makers to fully understand these cumulative effects.

- 5.5 **Ministry of Defence :** No objection subject to condition.
- 5.6 **HIAL Safeguarding:** The proposal is located out-with the safeguarding consultation zone. As such, no comment to make and do not need to be consulted further.
- 5.7 **NATS Safeguarding:** No safeguarding objections to proposal.
- 5.8 **Civil Aviation Authority:** No response.
- 6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 National Planning Framework 4 (2023) (NPF4)

Policy 1 - Tackling the Climate and Nature Crises

Policy 2 - Climate Mitigation and Adaptation

Policy 3 - Biodiversity

Policy 4 - Natural Places

Policy 5 - Soils

Policy 6 - Forestry, Woodland and Trees

Policy 14 - Design Quality and Place

Policy 23 - Health and Safety

Policy 24 - Digital Infrastructure

Policy 29 - Rural Development

6.2 Highland Wide Local Development Plan 2012 (HwLDP)

- 28 Sustainable Design
- 29 Design Quality and Place-making
- 36 Development in the Wider Countryside
- 45 Communications Infrastructure
- 46 Siting and Design of Communications Infrastructure
- 51 Trees and Development
- 52 Principle of Development in Woodland
- 57 Natural, Built and Cultural Heritage
- 58 Protected Species
- 59 Other important Species
- 60 Other Importance Habitats
- 61 Landscape
- 77 Public Access

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

No specific policies apply.

6.4 Highland Council Supplementary Planning Policy Guidance

Biodiversity Enhancement Planning Guidance (May 2024) Highland Historic Environment Strategy (Jan 2013) Highland's Statutorily Protected Species (March 2013) Sustainable Design Guide (Jan 2013) Trees, Woodlands and Development (Jan 2013)

7. PLANNING APPRAISAL

7.1 Sections 25(1) and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended), collectively require that this application be determined in accordance with the development plan unless material considerations indicate otherwise. Section 24(1) requires that all planning applications must now be determined in accordance with the provisions of NPF4 and those of any the relevant, extant Local Development Plan unless material considerations provide justification otherwise. Section 24(3) states that in the event of any incompatibility between a provision of the National Planning Framework and a provision of a local development plan, whichever of them is the later in date is to prevail.

Determining Issues

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

Planning Considerations

- 7.3 The key considerations in this case are:
 - a) compliance with the development plan and other planning policy
 - b) Siting, Design and Amenity
 - c) Access
 - d) Ecology
 - e) Forestry
 - f) any other material considerations

Development plan/other planning policy

As an application for the installation of a 25m lattice mast and associated infrastructure, the proposal requires to be primarily assessed against Policy 24 – Digital Infrastructure of the National Planning Framework 4. Policy 24 states that proposals that incorporate appropriate, universal and future proofed digital infrastructure will be supported. This policy also states that proposals which deliver new digital services or provide technological improvements, particularly in areas with no or low connectivity capacity, will be supported, and proposals that are aligned with and support the delivery of local or national programmes for the roll-out of digital infrastructure will be supported. Finally, Policy 24 adds that development which delivers new connectivity will also be supported where there are benefits of this connectivity for communities and the local economy.

Due to the location of the proposal within a recognised remote rural area according to the SG Urban Rural Classification, Policy 29 of the NPF4 is also of relevance. This policy states that development proposals in remote rural areas, will be supported where the proposal:

- i.) will support local employment;
- ii.) supports and sustains existing communities, for example through the provision of digital infrastructure; and
- iii.) is suitable in terms of location, access, siting, design and environmental impact.

In addition, due to the location of the proposal, Policy 4 – Natural Places is also of relevance, which states that for proposals which will affect a designated Wild Land Area, will only be supported where the proposal: will support meeting renewable energy targets; or, is for small scale development directly linked to a rural business or croft, or is required to support a fragile community in a rural area. All such proposals are noted to be accompanied by a wild land impact assessment which sets out how design, siting, or other mitigation measures have been and will be used to minimise significant impacts on the qualities of the wild land.

Other pertinent policy considerations from the NPF4 include policies: 1 – Tackling the climate and nature crises, 2 – Climate mitigation and adaptation 3 - Biodiversity, 14 – Design, quality and place, and 23 - Health and Safety.

7.5 With regards to the HwLDP, as the proposal entails communications infrastructure, the application requires to be primarily assessed against policies 45 -

Communications Infrastructure and 46 - Siting and Design of Communications Infrastructure. Both policies support the provision of electronic communications infrastructure which lead to the expansion of the electronic communications network in Highland, including delivery of core infrastructure for telecommunications. This is subject to ensuring that the equipment and associated access are sited and designed sensitively to avoid adverse impacts on heritage designations as well as nearby landscape character, views and cumulative visual effect of equipment. These policies also state that new communications infrastructure is supported where existing masts cannot be utilised or shared and where existing services are not interfered.

As the proposal is situated within the open countryside, Policy 36 – Development in the Wider Countryside is relevant to any planning assessment undertaken, which states that proposals will be assessed for the extent to which they are acceptable in terms of siting and design, are sympathetic to existing patterns of development, are compatible with landscape character, avoid loss of Croftland, and can be adequately serviced.

Furthermore, due to the application being located within a designated Wild Land Area and Special Landscape Area, Policy 57 – Natural, Built & Cultural Heritage requires to be considered. This policy states that for features of local and regional importance developments will be permitted if it can be satisfactorily demonstrated that they will not have an unacceptable impact on the natural environment, amenity and heritage resource.

Other pertinent policy considerations from the HwLDP include policies: 58 - Protected Species, 59 - Other important Species, 60 - Other Importance Habitats, and 61 - Landscape.

Siting, Design and Amenity

- 7.6 The development is part of the Government backed scheme known as the Shared Rural Network (SRN) which is aimed at improving mobile data coverage in rural areas. In this case, a new installation is proposed to support EE, O2, Three and Vodafone along with the Government to provide 4G coverage to the local area and will reinforce the capacity, efficiency and connectivity, within the Glencalvie area. The installation will improve network coverage, benefiting residents, businesses and visitors to the area, including hillwalkers. The estate tracks which the proposal will seek access off are widely used by hill walkers and mountain cyclists as they offer relatively easy, well-maintained access to Carn Chuinneag, Strath Rusdale and the surrounding area. The supporting information states that the application, individually, will provide an uplift in network coverage of 9.68 square kilometres. Therefore, in accordance with Policy 24 of the NPF4, the proposal would provide technological improvements in areas of low connectivity and would support the delivery of a national programme in the form of the SRN, with their considered to be significant benefits of this connectivity for communities and the local economy
- 7.7 In terms of site selection, whilst the sharing of existing infrastructure in the vicinity of the new mast is encouraged, the application confirms that in the radius of the 'not spot' area, identified for a network uplift, no existing infrastructure is present, hence the need for the new mast. Furthermore, there is also no tall buildings in which the new mast could utilise. The nearest heritage asset to the new infrastructure is

approximately 7km to the north, with the application site also not being situated within any environmental designation, nor would it have any impact on such a designation. As such, the chosen siting can be considered appropriately justified, with the proposed mast sited in the most suitable location from a technical and planning perspective, further augmented by the benefits from existing screening provided by the surrounding tree cover and minimised length of new access track required.

- 7.8 The new lattice mast will be shareable infrastructure, helping to prevent the proliferation of telecommunications masts sitting above Glencalvie, Alladale and Croick. This mast lies at the southern end of the Glen where there is more human related development, it is therefore considered on balance to be acceptable within an area where there is human activity as evidenced by the presence of the coniferous plantation to the immediate vicinity. In addition, the masts require to be removed on cessation of their use and their presence within this landscape will be temporal. To minimise any visual impact of the proposal, the light-weight lattice tower design is considered a permeable structure, particularly when viewed within the surrounding backdrop of a rural landscape consisting of a series of hills and trees. The design of the lattice mast will ensure that when viewed from a distance, it will have an appearance which allows views beyond not to be restricted, allowing people to 'see through' the structure. The application proposes for the lattice tower to consist of a galvanised steel structure which will naturally dull down to a matt light grey colour over time, which is not considered to adversely affect the visual amenity of the surrounding area. The proposed equipment housing which immediately surrounds the new mast is proposed to be finished in a Fir Green colour (RAL6009) to minimise visual contrast with the surrounding environment and adjacent tree cover. This approach is welcomed ensuring the development does not protrude within its chosen siting. Overall, the proposed mast and ancillary development will benefit from the visual screening and backdropping provided by the rising hillsides to the south in addition to the screening provided by surrounding tree cover.
- 7.9 The application is supported by a Landscape and Visual Impact Assessment, which concludes that there are limited visual receptors in the area, with users of the private estate road which runs through the valley and walkers on the footpaths anticipated to be the primary visual receptors. It is anticipated that there will be partial views of the new mast from most locations. However, the majority of the ground-level parts of the Proposed Development will be screened from view, particularly from the closest locations, by the surrounding landform and nearby woodland. The site lies immediately adjacent to a small native woodland plantation but some "skyling" is inevitable when the mast is viewed from lower levels. Overall, given the general topography of the area, which encompasses many hills and trees, and the distance of the application site from any nearby residential property, it is considered that views of the structure will be limited. The nearest property is located approximately 0.8km across the Glen to the northwest, however, given the lattice design of the mast as well as surrounding woodland and varying topography, views to the infrastructure will be limited.
- 7.10 It is worth noting that there will always be a slight visual impact within the surrounding area in relation to the mast, however, in this instance it is considered that this impact will be localised due to the natural screening afforded to the site by the existing landscape, woodland as well as the appropriate permeable design of the structure

proposed. The visual impact, whilst slight, is not considered justifiable to warrant a refusal of the application. With regard to impact on the designated Wild Land Area 29 – Rhiddoroch – Beinn Dearg – Ben Wyvis, NatureScot advise the proposal would result in significant visual effects where the tower breaks the skyline. However, these effects would be localised, and as such, it is considered that with only localised affects, the application can be perceived to result in an acceptable impact. Accounting for the existing presence of other human influences, the proposed development is unlikely to significantly affect the qualities of WLA 29 either individually or cumulatively, although the Planning Authority would echo NatureScot's advice that potential for significant cumulative effects would be a future consideration for any similar applications within WLA 29 in the continued roll out of the Shared Rural Network.

- 7.11 In terms of amenity impact, given the sufficient separation distance between the proposed lattice tower development and any nearby residential property, it is considered that the proposal will not result in any adverse impact on privacy or amenity through noise. The site will be powered via an REC supply, which is power fed via a mains connection. A standby generator will also be supplied. However, to ensure noise levels are kept to an acceptable level when the back-up is required, and in the interests of amenity, it is reasonable that a standard condition is attached to ensure the noise levels are within acceptable limits. With regards to whistling noises produced from the lattice tower, particularly during windy conditions, again given the sufficient distance between the mast and any nearby property, closest of which is located approximately 0.8km to the northwest, it is considered that this will not raise any significant noise level and is acceptable.
- 7.12 The applicant has confirmed that a standard construction approach in line with typical rural telecom installations is anticipated. This is detailed to entail light excavation works, delivery of concrete to site for the formation of a foundation base, erection of the mast, and installation of associated cabinets, all of which will be done over a 10-week period. Nevertheless, it has been noted that as certain access constraints (including potential bridge limits) are still being clarified, final construction details (such as plant type and access logistics) remain subject to ongoing surveys and coordination with relevant parties. As such, a condition is suggested regarding the provision of a Construction Methodology Plan to be submitted and approved prior to commencement of development, to ensure the Council has full sight of the construction arrangements. The maintenance of the site is advised to result in 5 visits to the site per year via the agreed access route, which is accepted.

Access

7.13 The development is sited just of an existing forestry track. As such, the development only proposes a 22m access track, constructed out of compacted stone, with the ability to utilise the existing track drastically reducing the disturbance to the landscape by eliminating the need for a longer track. The application also includes an area for vehicle parking which is welcomed.

Ecology

7.14 On review of the Carbon and Peatland Soils Map 2016, the application site is distinguished to be of Class 5 soils. Class 5 soils indicate that there is no peatland

habitats or peatland vegetation recorded, and that there may be areas of bare soil, however, the soils are carbon-rich and deep peat. As such, the application is supported by a Peat Management Plan and Peat Survey which concludes that the majority of the site is underlain by soils not classified as peat, with some shallow peat present in the centre and in the southeastern corner of the proposed construction boundary. The maximum probed depth within the proposed construction boundary was 1.3m, although no excavation is proposed here. The maximum probed depth within an area where excavation is proposed was 0.9m.

- 7.15 The volume of peat to be excavated is detailed to be 154.3m3 and it is proposed that this is reused within landscaping, verges and within the access tie-in, and in the vicinity of the site to block ditches and reprofile areas of peat haggs observed to the north, east or south of the Site. The offsetting and restoration of degraded peatland may be required to compensate for the peat soil extracted on site. An informal review of the submitted Peat Survey and Management Plan has been undertaken by the Council's Ecology Team who are content with the proposals and as such in terms of impact on peat, the proposal is considered acceptable. A condition should be attached to ensure the mitigation measures detailed within the submitted management plan are fully implemented on site.
- 7.16 Although the application site is not designated Croftland the proposal still requires to be assessed in accordance with Policy 5 Soils of the NPF4. Scotland's National scale land capability for agriculture map distinguishes the site to be a mix of Class 6.3 Land capable of use as rough grazing's with low quality plants. Therefore, it is considered that the application site is not prime agricultural land and as such, the proposed development is considered compatible with Policy 5b) of the NPF4.

Forestry

7.17 The application is to be situated within the edge of an area of native woodland. As such, the construction of the new mast will entail the removal of approximately 8 trees in order to accommodate the proposed telecoms mast and associated infrastructure, which is accepted by the Council's Forestry Officer. To compensate for the loss of trees, it is proposed to replant 24 trees (birch and pine). Overall, the proposed arrangements can be considered acceptable, and a condition shall be attached to any consent granted in order to secure the successful implementation of the approved tree protection and planting measures. The greater number of proposed planted trees will also ensure a biodiversity net gain in association with the application which is welcomed and complies with the principles of NPF4 policy 3.

Other material considerations

7.18 Regarding the point raised within the representations received that the application fails to provide an Environmental Impact Assessment (EIA). In response, the application is compliant with the relevant standards, the application has been appropriately validated, and for the scale of development proposed, an EIA would not be required.

Matters to be secured by Legal Agreement / Upfront Payment

- 7.19 In order to mitigate the impact of the development on infrastructure and services the following matters require to be secured prior to planning permission being issued:
 - a) None

8. CONCLUSION

- 8.1 The application proposes the installation of a new telecoms lattice tower and associated infrastructure, including a new access track. It is considered that the proposal will help provide enhanced network coverage within the area and broadly accords with the aims of Policy 24 of NPF4. The issues and concerns related to the application where relevant to planning as outlined above have been addressed or can be mitigated for by condition.
- 8.2 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.

9. IMPLICATIONS

- 9.1 Resource: Not applicable
- 9.2 Legal: Not applicable
- 9.3 Community (Equality, Poverty and Rural): Not applicable
- 9.4 Climate Change/Carbon Clever: Not applicable
- 9.5 Risk: Not applicable
- 9.6 Gaelic: Not applicable

10. RECOMMENDATION

Action required before decision issued N

Notification to Scottish Ministers N

Conclusion of Section 75 Obligation N

Revocation of previous permission N

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

1. The development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

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

- 2. No development shall take place until such time as an aviation lighting scheme has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Ministry of Defence. The aviation lighting scheme should contain, but not be limited to:
 - details of location and specification (to include model numbers and performance) of any aviation safety lighting that will be installed on the tower.
 - details of any construction equipment and/or temporal structures with a total height of 15 metres or greater (above ground level) that will be deployed during the construction/installation of the tower and details of any aviation warning lighting they will display; and
 - a schedule identifying when any construction equipment and/or temporal structures with a total height of 15 metres or greater (above ground level) will be deployed during the construction/installation of the tower and a plan showing where they will be deployed.

The development shall be carried out and subsequently maintained strictly in accordance with the details approved, and the lighting installed on the telecommunications mast shall remain operational for the lifetime of the development.

Reason: To maintain aviation safety and to ensure that appropriate safeguards can be introduced to minimise the potential for the construction of the development to have a harmful impact on air safety in the surrounding area, in particular within the Tactical Training Area Northern Scotland.

No development, including any demolition works, shall commence until a Construction Methodology Plan has been submitted to, and approved in writing by, the Planning Authority. Thereafter, the approved details shall be adhered to throughout the construction period.

Reason: In the interests of amenity.

3.

- 4. 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 tower;
 - b) the maximum height of any construction equipment to be used in the erection of the telecommunications tower:
 - c) the date the tower is brought into use;
 - d) the latitude and longitude and maximum heights of the 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: To maintain aviation safety.

5. A suitably qualified arboricultural consultant must be employed at the developer's expense to ensure that the approved tree protection measures and replanting proposals identified in the approved Arboricultural Method Statement are implemented to the agreed standard. Stages requiring supervision are to be agreed with the Planning Authority and certificates of compliance for each stage are to be submitted for approval.

No development, including tree felling or site clearance, shall commence until an arboricultural consultant has been appointed and a work instruction issued enabling them to undertake the necessary supervision unhindered for the duration of the project.

All tree planting shall be implemented in full and with the written approval of the planning authority prior to first operation of the mast.

Reason: To secure the successful implementation of the approved tree protection and planting measures.

6. If the mast becomes redundant or at the end of its working life (whichever comes first), the mast and all associated equipment shall be completely removed from site within three months, and the site shall be restored to a condition acceptable to the Planning Authority.

Reason: In the interests of visual amenity and in order to protect the natural environment.

7. All plant, machinery and equipment associated with ventilation, airconditioning, heating and refrigeration services or similar and including fans, ducting and external openings shall be so installed, maintained and operated such that any associated operating noise does not exceed NR 20 when measured or calculated within any noise-sensitive premises with windows open for ventilation purposes. For the purposes of this condition, "noise-sensitive premises" includes, but is not necessarily limited to, any building, structure or other development the lawful use of which a) falls within Classes 7 (Hotels & Hostels), 8 (Residential Institutions) or 9 (Houses) of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended), or b) is as a flat or static residential caravan.

Reason: In order to safeguard the amenity of neighbouring properties and occupants.

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.

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. The granting of planning permission does not remove the liability position of developers or owners in relation to flood risk.

Local Roads Authority Consent

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

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

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

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

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

Mud and Debris on Road

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

Construction Hours and Noise-Generating Activities

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

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

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

Protected Species – Halting of Work

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

Signature:

Designation: Area Planning Manager – North

Author: Liam Burnside

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

Relevant Plans: Plan 1 - 002A REV B1 - Location/Site Layout Plan

Plan 2 - 210 REV B1 – Proposed Site Layout Plan

Plan 3 - TNS0052D_HLD732_DD REV B1 - Proposed Elevation Plan

-A-N View

Plan 4 - TNS0052D_HLD732_DD REV B1 - Proposed Elevation Plan

-B - E View

Plan 5 - TNS0052D_HLD732_DD REV B1 - Proposed Elevation Plan

- C - S View

Appendix 2

	COMPLETE FOR LEGAL AGREEMENTS AND UPFRONT PAYMENTS				REQUIRED FOR LEGAL AGREMEENTS ONLY				
Туре	Contribution	Rate (per house)	Rate (per flat)	Total Amount*1	Index Linked ¹	Base Date*2	Payment Trigger*3	Accounting Dates*4	Clawback Period*5
Schools ²									
Primary – Build Costs	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Primary – Land Costs	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Secondary – Build Costs	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Secondary – Land Costs	Insert what contribution is for	£0.00	£0.00	£0.00	No		TOC/CC	Apr/Oct	15 or 20
Community Facilities	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS	Q2 2018	TOC/CC	Apr/Oct	15 or 20
Affordable Housing									
On-site provision ³	X units. Insert details of unit size and timescale for delivery if agreed	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Off-site provision ⁴	X units. Insert details of location, unit size and timescale for delivery if agreed	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Commuted Sum ⁵	£0.00 per affordable unit not delivered on/off site. Insert expected timescale for payment - can be in installments	N/A	N/A	£0.00	N/A	N/A	Insert specific payment date	N/A	5 Years
Agreement for Delivery Needed	Y/N. If delivery for affordable housing has not yet been agreed, enter Y and specify the date/timescale that the scheme for delivery is to be submitted for approval	N/A	N/A	N/A	N/A	N/A	Insert date for submission to Planning Authority	N/A	N/A

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¹ If the contribution is to be used towards infrastructure projects involving building e.g. new school, new cycle route etc BCIS ALL IN TENDER will be the index, if it doesn't involve building then another appropriate index may need to be chosen with the agreement of Team Leader

² Indicate whether or not 1 bed houses/flats are exempt

³ Indicate whether a penalty payment due for late delivery (and, if so, what it is based upon).

⁴ As above

⁵ Indicate whether a penalty payment is due for late payment of commuted sum (and, if so, what it is based upon)

	COMPLETE FOR LEGAL AGREEMENTS AND UPFRONT PAYMENTS				REQUIRED FOR LEGAL AGREMEENTS ONLY				
Туре	Contribution	Rate (per house)	Rate (per flat)	Total Amount*1	Index Linked ¹	Base Date*2	Payment Trigger*3	Accounting Dates*4	Clawback Period*5
Transport			1						
Active Travel	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Safer Routes to Schools	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Public Realm	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Wayfinding	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Public Transport	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
School Transport	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Road Improvements	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Parking	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
EV Charging	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Traffic Signals	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Lighting	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Road Traffic Orders	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Cumulative Transport Contributions	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Green Infrastructure									
Open Space	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Green Network	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Built/Natural Heritage	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Water and Waste									
Catchment Improvement Works	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Strategic Flood Scheme	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Maintenance of SuDs	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Off Street Waste Storage	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Recycling Point Provision	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Glass Banks	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
		£0.00	£0.00	£0.00					
Public Art	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20
Other (Please Specify)	Insert what contribution is for	£0.00	£0.00	£0.00	BCIS		TOC/CC	Apr/Oct	15 or 20

^{*1} Adjust total to take account of flat exemptions
*2 Base Date – Set out in Supplementary Guidance on Developer Contributions
*3 TOC/CC – The earlier of the issue of either a temporary occupation certificate or a completion certificate – or specify alternative time if appropriate

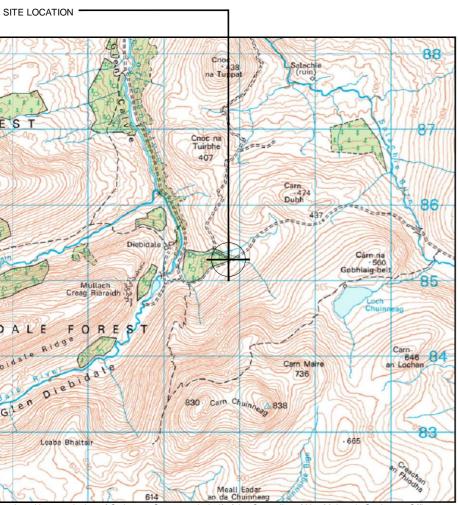
- Accounting dates 1 April and 1 October each year of development (if the contribution is to be paid on a basis other than related to units completed in the preceding 6 months (e.g. lump sum on a specific date) then indicate this instead of the Apr/Oct payment dates)

 Clawback 15 years for Major development; 20 years for Local development

Other Legal Agreement requirements

Туре	Details
Bond	Describe the purpose of the Bond
Bolid	Specify the amount to be secured
	Restriction on Bond provider
	Set the review date and mechanism for review
	Describe the call on circumstances
	6. Any other relevant details
Habitat Management Plan	Describe what the Plan is to cover
	2. Describe the area the Plan is to cover (and provide a plan)
	3. Set the timetable for submission of the Plan
	4. Set the timescale for implementation of the Plan
	5. Describe requirements to consult third parties
	6. Specify the financial contribution (if any)
	7. Specify the clawback period (if any)
	8. Any other relevant details
Road Survey	Specify the timescale for the initial survey
	Describe which roads are to be surveyed (provide a plan)
	Specify an interim survey date (if required)
	Specify the final survey requirements and timescale
	5. Any other relevant details
Land and Asset Transfer	Describe the area of land / asset to be transferred (provide a plan)
	2. Describe the use of the land / asset
	3. Specify the cost of transfer
	4. Any other relevant details





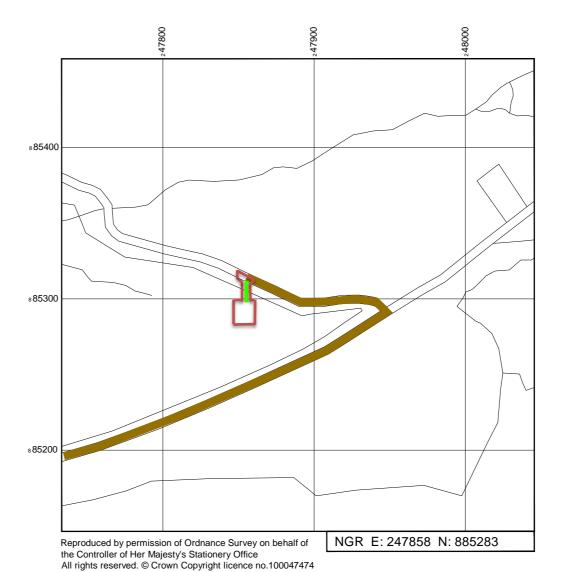
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SITE AREA PLAN

0 1:50,000 1km



SITE PHOTOGRAPH



SITE LOCATION PLAN

0 1:2500 50m 100



GOOGLE MAPS QR CODE

GOOGLE MAPS - https://maps.app.goo.gl/MD1GWfvfJQ3MNPhg6 GOOGLE STREETVIEW - https://maps.app.goo.gl/J5743M3qbuA8Artn7 what3words Site Location - dorm.watch.shame what3words Access Point Location - straying.palettes.highbrow

NOTES:

1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

DIRECTIONS TO SITE:

From Inverness head North on A9 for 16.4 miles. Turn left onto B9176 Struie Road for 15.2 miles. Turn left onto A836 for 3.0 miles to Ardgay. From Ardgay take the Cadh'an Tartair road for 7.7 miles, at the phone box and the junction for The Croick Estate, turn left, after 1.4 miles turn left into The Glencarvie Estate. (w3w: coats.sharpens.built) Turn down into the estate following the road around the estate buildings and onto a 4WD track approx.. 4.6km to (w3w: dorm.watch.shame) site location.

Site Boundary:

Access Route To Site:

Access Route:

Proposed Access Route:

Master:	MBNL/EE/3UK:	Project	Purpose of Issue:	Issue:						
M004	3UK	3UK UNILATERAL	Detailed Design	B1						
Date:	21/06/2024	Revision / Upgrade Description:								
Drawn:	Keerthana.R	Second Issue: Detailed Design								
Checked:	Karthick									
Approved:	Mitie DA									
Master:	MBNL/EE/3UK:	Project	Purpose of Issue:	Issue:						
M003	3UK	3UK UNILATERAL	General Arrangement	В						
Date:	19/06/2024	Revision / Upgrade Description:								
Drawn:	Keerthana.R	Second Issue: GA B for A&P now 4-legged tower & site optimised								
Checked:	Karthick	per DD process								
Approved:	Mitie DA									
Master:	MBNL/EE/3UK:	Project	Purpose of Issue:	Issue:						
M002	3UK	3UK UNILATERAL	Detailed Design	A1						
Date:	13/06/2024	Revision / Upgrade Description:								
Drawn:	Vignesh	First Issue: Detailed Design. NGR slight adjustment and 25m tower								
Checked:	Karthick	changed to ATS1301.								



Hutchison 3G UK Limited 450 Longwater Avenue, Green Park Reading, RG2 6GF Tel: 01628 765 000 Fax: 01628 765 001

3UK Base Station Information line: 0845 6043000 Available 8am-8pm Monday to Friday

Design Consultant & Principal Contractor.



e Name:

DIEBIDALE EAST FORESTRY

TNS0052D

NGR: E: 247858

8 N: 885283

B1

Address:

GLENCALVIE ESTATE BY ARDGAY HIGHLAND IV24 3BS

002A SITE LOCATION PLAN SHEET 1 OF 5

THREE UK TNS

TUTPOSE OF ISSUE:

DETAILED DESIGN

3UK Cell ID: VM02 Cell ID: VF Cell ID: VF Cell ID: 27793_0

laster Drawing No:

TNS0052D_HLD732_DD_REV_B1

