Agenda Item	**6.10**
Report No	**PLS/41/25**

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 18 June 2025

Report Title: 23/06025/S36: Loch Kemp Storage Ltd.

Land 1300m SW of Dell Lodge, Whitebridge

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Construction of pumped hydro storage (Loch Kemp); dam, raise, and utilise Loch Kemp, as its upper reservoir, and connect by underground waterway systems and tunnels to a powerhouse and tailrace structure on the shores of Loch Ness

Ward: 12 – Aird and Loch Ness

Development category: National Development (Section 36 Application)

Reason referred to Committee: Section 36 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

It is recommended that the Council **RAISE NO OBJECTION** to the proposal as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

1.1 The Highland Council has been consulted by the Scottish Government's Energy Consents Unit (ECU) on an application made under Section 36 of the Electricity Act

1989 (as amended) for the construction and operation of Loch Kemp pumped hydro storage scheme and associated infrastructure. The application is for the construction and operation of a pumped storage hydro scheme with an installed capacity of up to 600MW and a generation energy storage capacity of up to almost 9 Gigawatt Hours (GWh). The proposed development will utilise the existing Loch Kemp as the upper storage reservoir and Loch Ness as the lower reservoir. Loch Kemp would be raised by approximately 28m to allow drawdown for storage. 4 new saddle dams and 4 minor cut off dams would be constructed around Loch Kemp to form the upper reservoir. The 8 dams in the upper reservoir will include an inlet/outlet structure and the lower reservoir will include a powerhouse building, a quayside above the inlet/outlet structure with a small pier and an access tunnel on the shore of Loch Ness. The upper and lower reservoir would be linked by a series of underground tunnels with the potential inclusion of two surge shafts (with associated access) on the hilltop between Loch Kemp and Loch Ness.

1.2 Key elements of the development, as described and assessed within the proposals and the Environmental Impact Assessment Report (EIAR) include:

- 8 Dams and upper reservoir at Loch Kemp;
- Underground waterway system and associated structures.
- Powerhouse (housing associated infrastructure pump turbines, generators, transformers, GIS substation, administration and visitor facilities etc.), platform area and access track to the rear;
- Access tunnels;
- Tailrace area associated with the powerhouse building;
- Quayside and pier;
- Cable tunnel and vertical cable shaft;
- Access tracks;
- New junction from the B862;
- Approximately 15km of new tracks and 2km of upgraded tracks;
- Site compounds;
- Worker compound measuring 4.61ha during construction with a 0.77ha maintenance area retained during operation;
- 1 Borrow Pit measuring up to 100m by 50m with a height of 10m;
- 5 new watercourse crossings and 3 upgraded crossing;
- Landscaping and earthworks;
- Tree planting, peat and habitat compensation/enhancement; and
- 9.4km of deer fencing.

1.3 Due to the installed capacity of up to 600MW and a generation energy storage capacity of up to almost 9 Gigawatt Hours (GWh), this proposal falls under the provisions of the Electricity Act and is classed as National Development by National

Planning Framework 4 (NPF4).

1.4 Grid connection from the on-site substation would be subject to a separate process requiring a separate consent under Section 37 of the Electricity Act should this be via an overhead line. For regulatory reasons, this will be subject to a separate consenting process with Scottish and Southern Electricity Networks Transmission as the applicant. It is anticipated that this would be a buried cable connection, however, as is common for renewable energy projects, the form of connection, routing and any associated infrastructure requirements are yet to be confirmed by SSEN Transmission. It is noted the applicant has submitted a Screening Opinion (25/00889/SCRE) for a 275kV air insulated switchgear (AIS) and underground cable connected to the powerhouse in the northeastern portion of the site and will require a separate future application.

1.5 No micro-siting allowance has been proposed by the applicant around the 8 dams at the inundated Loch Kemp to accommodate unknown ground conditions. The applicant conceded that at this stage of the design process they are unable to fully validate the exact locations of the dams as further ground investigation information is required along with the agreement of the detailed design. The final detailed design of the dams, powerhouse, substation, quayside and pier, worker facilities, tracks, paths, watercourse crossings, borrow pits, landscaping, earthworks, ancillary equipment, fencing etc. are also expected to be agreed with the Planning Authority, by condition, at the time of project procurement. This will allow for some flexibility on the approved design details given manufacturers regularly update the specification of equipment and designs that are available, thereby necessitating the need for some flexibility albeit such refinement would require to remain within the parameters of the description of development applied for and the Environmental Impact Assessment undertaken.

1.6 Whilst public consultation for Section 36 applications is not mandatory, the applicant held two rounds of public exhibitions to seek the views of the local community. At the Scoping Opinion stage (22/00300/SCOP) the applicant held public exhibitions at Glenmoriston Millennium Hall, Fort Augustus Village Hall and the Wildside Centre, Whitebridge, between 30 November and 2 December 2021. In addition, a virtual public exhibition event, hosted via the project website (www.lochkempstorage.co.uk), was held on 8th December 2021. Prior to the submission of the application further public exhibitions were held at the same locations between 6 December and Thursday 8 December 2021. Event notifications were advertised in the Inverness Courier along with a letter drop of over 400 leaflets, to all addresses within 10km of the site boundary. A Pre-application Consultation Report accompanied the application that set out how public consultation has informed the submitted proposal. Furthermore, the applicant has provided a direct response to Stratherrick and Foyers Community Council's consultation response (submitted in October 2024). The applicant held an information session with Stratherrick and Foyers Community Council and the local community in November 2024 to discuss the consultation comments and the supplementary environmental information. All Community Councils noted were consulted during both rounds of Additional Information (AI) submitted in September 2024 and April/May 2025.

1.7 The applicant made use of the Council's Pre-Application Advice Service for Major Developments in May 2022 (22/00655/PREMAJ). The major pre-application

response summarised the key issues noting that pumped storage hydroelectric schemes are national developments, identified in National Planning Framework 4, therefore, the need for such projects is established. Highland Council is supportive of renewable energy developments and its supporting infrastructure where it can be appropriately sited and designed to not be significantly detrimental overall, either individually or cumulatively with other developments. Consequently, the Council gave a level of qualified support for the proposal if matters identified within the major pre-application response could be appropriately addressed with further information provided with the future application. These included:

- Impacts on the Ness Woods Special Area of Conservation (SAC) but also the opportunity to achieve mitigation by design with the potential for enhancement of the qualifying features of the SAC.
- Design, layout and visual impact will be important considerations to ensure the project fits with the sensitive landform around Loch Ness.
- Impacts on the local road network which require further consideration and mitigation.
- Positive impacts in terms of economic and wider environmental benefits along with the contribution to help achieve net zero

The proposed development is similar to that proposed at pre-application stage with only minor design and layout modifications along with various mitigation measures following further assessment and discussion with Highland Council and other relevant consultees.

1.8 The application is supported by an EIAR, the contents of which has been informed through an EIA Scoping exercise (22/00300/SCOP). The EIA Scoping Report was submitted with a request for an EIA Scoping Opinion to the Energy Consents Unit on 16 December 2021. A Scoping Opinion was issued on 21 October 2022. The EIAR contains chapters on: introduction to the proposed development; design evolution and alternatives; description of development; EIA process and methodology; scoping and consultation; planning policy; water management; landscape visual impacts assessment; land use and recreation; terrestrial ecology; aquatic ecology; ornithology; fish; geology, soils and water; cultural heritage; traffic, access and transport; noise and vibration; air quality; forestry; and socio-economics and tourism. The application is also accompanied by a Planning Statement and the Pre-Application Consultation (PAC) Report.

1.9 EIA Further Environmental Information (FEI) was submitted during the application's determination. This comprised additional information submitted in September 2024 following consultation responses relating to: Amended description removing reference to a visitor centre; Relocation of temporary site compound and main welfare compound to avoid deep peat and reduce temporary land take during construction; Amended borrow pit location; Minimised working corridor; Reduction in average number of workers during the construction period. These details and other updated information were included in a number of Additional Information Appendices.

1.10 Following this, additional EIA FEI was submitted in April and May 2025 following consultation responses from NatureScot with the additional information including

Addendum to the Shadow Habitats Regulation Appraisal to inform the Appropriate Assessment for the River Moriston SAC; Technical Report to inform the updated Ness Woods SAC compensation package; Updated Case for Derogation report; Loch Ness baseline flows and barrier net force calculations.

2. SITE DESCRIPTION

2.1 The proposed development is located within Dell Estate, approximately 13km northeast of Fort Augustus. The Estate extends across approximately 2,630ha and is used for a variety of highland sports, outdoor recreation, commercial forestry, and holiday accommodation. In addition, the Estate owns Whitebridge Plantation which is approximately an additional 219ha. The site is almost wholly located within the Loch Ness and Duntelchaig Special Landscape Area (SLA). Woodland along Loch Ness shoreline is designated as Ness Woods Special Area of Conservation (SAC), Easter Ness Forest Site of Special Scientific Interest (SSSI) and contained within the northwestern portion with part of the commercial forestry area within the south-eastern portion of the site designated as Long-established plantation origin woodland (LEPO1860). River Moriston SAC and Monadhliath Wild Land Area (WLA) are located in the wider surrounding area.

2.2 The proposed development site measures 120.36ha, with a further 81.35ha which would be required during construction, and which would be reinstated following completion. The landscape comprises a mixture of forested slopes rising from the loch shore into a complex structure of rocky crags and knolls which then transitions into a more remote upland landscape of large mountain masses with sweeping moorland valleys filled with burns and lochs.

2.3 The proposed development would utilise the existing Loch Kemp as the upper storage reservoir and Loch Ness as the lower reservoir. Loch Kemp is located within an undulating landform set back above the shoreline of Loch Ness with the Monadhliath range in the background. Loch Kemp is surrounded by various smaller lochs including Loch Paiteag, Lochan a Choin Uire and Loch Cluanie to the southeast, west and east respectively.

2.4 Loch Ness, which would comprise the lower reservoir, is defined by tree lined shorelines rising beyond this part of the iconic waterbody relatively free from development.

2.5 There is an existing access from the B862 public road to Dell Estate along with numerous forestry tracks within the site. Eight properties, associated with Dell Estate are located within the site boundary including Dell Lodge, Keepers Cottage, Dell Bungalow, Dell Cottages, the properties at Dell Farm along with a number of self-catering holiday properties located within the vicinity of Dell Lodge. There are 4 private properties within the site boundary that are located along (or accessed from) the B862 in Whitebridge.

2.6 The wider setting generally consists of scattered properties with settlements concentrated along and set back from the B862 public road such as Easter Drummond, Whitebridge and Foyers. On the other side of Loch Ness, the surrounding setting consists of scattered properties set back from the A82 trunk road with Invermoriston the closet settlement. Wind and hydro energy development are an

existing feature within the wider landscape. The area is also popular for a variety of recreational pursuits on Loch Ness itself and various lowland and upland paths, tracks and roads leading through the valley on either side of the loch. These include the Great Glen Canoe Trail, Great Glen Way, Dell Lodge – Foyers Core Path (IN25.01) and Garthbeg to Errogie, south side of Loch Mhor Core Path (IN25.02) A82, B862/National Cycle Route 78, Minor Road to Garthbeg, Minor Road running parallel to the north of the B862 along with popular viewpoints such as Suidhe and Meall Fuar-mhonaidh.

Environmental Designations and Habitats

2.7 The site is located within 2 statutory designated sites for nature conservation with many more in the wider surrounding area. Designated sites for ecology within 10km of the site are listed in the table below.

Designation	Distance to Site Boundary	Qualifying Interests
Ness Woods SAC	Within the site (northwestern portion of the site along Loch Ness shoreline)	Western acidic oak woodland; mixed woodland on base rick soils associated with rocky slopes; Otter (Lutra lutra).
Easter Ness Forest SSSI	Within the site (northwestern portion of the site along Loch Ness shoreline)	Upland mixed ash woodland; upland oak woodland.
River Moriston SAC	Approximately 2km to the southwest	Atlantic salmon; freshwater pearl mussel.
Loch Bran SSSI	Approximately 2.6km to the northeast	Semi-natural floodplain habitats; plant species such as Juncus bulbolus, Littorella uniflora and Lobelia dortmanna.
Levishie Woods SSSI	Approximately 4.6km to the northwest	Upland birch woodland; birch juniper woodland.
Inverfarigaig SSSI	Approximately 7.3km to the northeast	Upland Mixed Ash Woodland.

2.8 There are no statutory designations with ornithological features within the site. Designations within 10km of the proposed development are tabled below.

Designation	Distance to the nearest	Qualifying Interests

	turbine	
Loch Knockie and nearby Lochs SPA – incorporating Knockie Lochs SSSI	Approximately 850m to the southwest	Slavonian grebe breeding for SPA; Common scoter breeding for SSSI

2.9 The south-eastern part of the commercial forestry area appears in the Ancient Woodland Inventory (AWI) as Long-established plantation origin woodland (LEPO1860). The birch woodland on the slopes above Loch Ness is recorded as predominantly Ancient semi-natural origin woodland (ASNO1750) in the AWI although some is recorded as "Other" on the Roy Maps to the north of the stream down to Loch Ness from Lochan a'Choin Uire. There is also a small area listed as Ancient semi-natural origin woodland (ASNO1860) immediately to the north of Loch Kemp. There is approximately 220ha of commercial conifer forestry (including clear-felled areas) at the south-eastern end of the site with in total 237ha including open ground. There are also patches of pole-stage to mature upland birchwood scattered through the central part of the site, and around Loch Kemp. To the north-west side of the site, on the slopes down to Loch Ness, there are more significant areas of mature, native mixed broadleaf woodland which the applicant has identified in NVC survey as containing upland mixed broadleaf woodland (W9 - alder, ash, elm) and upland oak birch woodland (W11 and W17).

2.10 The site comprises a mixture of woodland habitats including upland mixed ash woodland, upland oak woodland, mixed woodland to the northwestern portion set back from Loch Ness of the site with plantation woodland set back from the B862 public road. Additionally, the site contains base-rich soils associated with rocky sloped and western acidic oak woodlands. Other habitats across the site include acid grassland – unimproved / semi-improved, neutral grassland – semi-improved / improved, marshy grassland, tall herb and fern communities, dry dwarf shrub heath, wet dwarf shrub heath, blanket bog, wet modified bog and swamp, marginal and inundation amongst others. Site surveys detected evidence of common lizard, adder, slow-worm, otter, pine marten, red squirrel, bats, deer across the site. Brown hare records were provided for the wider area. The site and surrounds have been surveyed for breeding birds and transient birds.

2.11 There is known potential for areas of Ground Water Terrestrial Ecosystems (GWDTE's) within the site (M15, M25 and MG10 habitats identified). It is considered these habitats are sustained by surface water and waterlogging of soils adjacent to the watercourses as opposed to groundwater. The site is within a drinking water catchment area (DWCA) as Loch Ness supplies Invermoriston Water Treatment Works (WTW). There is 1 Private Water Supply (PWS) located within the site at (PWS01 which serves 6 properties at Dell Estate) with 12 PWS located within the wider study area. The PWS are a mixture of sources consisting of 7 boreholes, 2 wells, 1 spring, 1 watercourse abstraction and one loch abstraction.

2.12 Class 1 peatlands which are defined as nationally important carbon rich soils, deep peat, and priority peatland habitat of high conservation value cover much of the site. There are a number of areas of Class 1 peatland located within the site, in particular an area approximately 260m west of Dam 3 (within the proposed inundation area), beneath and between Dam 4 and Dam 5. Other small, isolated areas of Class 1

peatland are within the northern extent of the site. Peat depth surveys recorded varying depths of less than 0.5m to up to 4m with marginally over 70% of less than 0.5m.

Landscape Designations, Wild Land and Landscape Character

2.13 The proposed development is within the Loch Ness and Duntelchaig Special Landscape Area regional designations. Landscape designations within 10km of the site are tabled below.

Designated Landscape	**Distance and direction from the Proposed Development**
Special Landscape Area (SLA)	
Loch Ness and Duntelchaig	Within the site
Wild Land Areas (WLA)	
20 - Monadhliath	Approximately 9km to the southeast

2.14 The proposed development is located within Landscape Character Area (LCA) 16 – Farmed and Wooded Foothills, Loch Tarff to Loch Duntelchaig. LCA 16 is within the Loch Ness and Duntelchaig Special Landscape Area above the Broad Steep Sided Glen and below the Rolling Uplands. The proposed development will be located across 3 different Landscape Character Types (LCT) - LCT 225 Broad Steep-Sided Glen running the length of Loch Ness along the south eastern shoreline (and extend across to the north eastern shoreline), LCT 224 Farmed and Wooded Foothills set further back extending from beyond the shoreline towards the B862 public road and LCT 227 Farmed Strath – Inverness extending beyond the B862 public road.

Built Heritage

2.15 There are no statutory designations within the site boundary. 13 designated assets were identified, consisting of 1 scheduled monument and 12 listed buildings within a 3km outer study area. Of the designated assets within the 3km study area, the scheduled monument (Dell Farm, Burial Mound) and 1 Category B listed building (Dell Lodge and Rear Service Cottages) are considered vulnerable to any adverse alterations to their setting.

2.16 Surviving features of possible townships are noted within the inner study area including Loch a' Choin Uire, buildings (MHG23342 at NH 4599 1610) and Easter Drummond township, (MHG2643 at NH 4749 1460) and Allt Leachd Gowrie, Enclosure (at NH 46847 15847). The first 2 building groups are considered to be of regional importance with the latter considered to be of local Importance. There is potential for further various below ground archaeological across the site. These potential features would be most vulnerable to direct impacts during the construction phase.

2.17 Fort Augustus one Conservation Area (CA109) is marginally outwith the outer study area.

Hydrology

2.18 The study area is located wholly within the surface water catchment of Loch Ness. The eastern extent of the study area is located in the River Foyers catchment, a tributary of Loch Ness. Much of the development area lies within the catchment of Loch Kemp which has a catchment area of approximately 4.1km^2 extending south from the loch. The loch has an outflow on its northern boundary, and which flows for a short distance before discharging to Loch Ness.

2.19 SEPA flood maps confirm fluvial flooding within the site. Flood extents are typically small and are limited to close to the banks of watercourses and lochs. SEPA flood maps also confirm that surface water flood extents largely coincide with watercourses and lochs within the site.

Cumulative Development

2.20 Appendix 2 of this report provides details of operational, consented/under construction, and in planning renewable energy projects that the applicant took into consideration in their cumulative assessment as part of EIAR Chapter 8: Landscape and Visual Impact and associated appendices dated November 2023. The applicant proposed to include 2 scenarios for their assessment, including the 275KV switching station in the northeastern portion of the site and cable connection associated with the proposed development and other unrelated developments in addition to the first scenario which include hydro schemes and wind farms in the 10km study area. In that time the cumulative picture has changed, Crathaich Wind Farm has been granted permission and Glen Earrach Pumped Storage Hydro Scheme is currently pending consideration on the other side of Loch Ness above the northwestern shoreline. Additionally, Highland Council raised an objection to Loch Liath Wind Farm Wind Farm which will be heard at a Public Local Inquiry. This has been reviewed by Planning Officers and is up to date as of May 2025.

3. PLANNING HISTORY

3.1	N/A	25/00889/SCRE - Screening Opinion Request for a 275 kilovolt (kV) air insulated switchgear (AIS) switching station and a new 275 kV underground electricity cable.	Pending Consideration
3.2	21.05.2025	25/01277/PNO - Loch Kemp Pumped Hydro Storage Scheme - Prior Notification under Reg. 62 for ground investigation works.	Prior Approval Is Required
3.3	16.10.2023	23/04565/PNO - Application under Regulation 62 of The Conservation (Natural Habitats, &c.) Regulations 1994 for ground investigation works.	Prior Approval Not Required
3.4	26.05.2022	22/00655/PREMAJ - Loch Kemp Pumped Hydro Scheme - Construction and	Pre-application response pack issued

		Operation of a Pumped Hydroelectric Storage Scheme and ancillary infrastructure.	
3.5	11.03.2022	22/00300/SCOP - Operate a new 300 MW pumped storage scheme utilising the existing Loch Kemp as the upper storage reservoir and Loch Ness as the lower reservoir. Loch Kemp would be raised by approximately 28 m from its existing 177 m. Four new saddle dams and four minor cut off dams would be constructed around Loch Kemp to form the upper reservoir. A new shaft type powerhouse would be constructed on the shore of Loch Ness, with integral tailrace arrangement with fish screens connecting the system to Loch Ness. The scheme would utilise an underground tunnelled waterway system to link between the intake on Loch Kemp and the powerhouse at Loch Ness, with the potential inclusion of a surge shaft (with associated access) on the hilltop between Loch Kemp and Loch Ness.	Scoping Decision Issued

4. PUBLIC PARTICIPATION

4.1 Advertised: Section 36 Application and EIA Development

Date advertised:

- Inverness Courrier - 5 and 12 December 2023
- The Herald Print - 5 December 2023
- Edinburgh Gazette - 5 and 12 December 2023 and again for Further Environmental Information on 23 April 2025.

Representation Deadline: 23 May 2025

Representations Received by The Highland Council: 52 (42 objections, 7 in support 3 general)

Representations Received by The Energy Consents Unit: 109 (103 objections, 6 in support)

4.2 Material considerations raised in objections are summarised as follows:

- Not in accordance with the Development Plan;
- Landscape and visual impact;
- Impact on landscape and natural heritage designations;
- Impact on recreational routes;

- Impact on roads and road safety;
- Varying water levels and drawdown scars;
- Cumulative impacts alongside existing and proposed hydro schemes;
- Landscape and visual impact of access tracks;
- Impact on habitat, species and ecology;
- Impact on migratory fish;
- Impact on trees and woodland;
- Flood risk and impact on watercourses;
- Impact on tourism;
- Lack of detail regarding the proposed worker compound, visitor centre and café;
- Spoil management;
- Impact on recreational access;
- Impact on areas used for wild camping;
- Impact of the worker camp on local infrastructure and services;
- Noise;
- Lack of national strategy regarding pumped storage hydro development;
- Lack of consideration of alternative proposals or design solutions;
- Lack of jobs for the local community.

4.3 Material considerations raised in support are summarised as follows:

- Contribution towards renewable energy targets;
- Energy security;
- Community / socio-economic benefits.

4.4 Non-Material considerations raised:

- Lack of grid capacity;
- Overprovision of renewable energy in Highland;
- Lack of community consultation;
- Lack of detail regarding community benefit.
- The substation / grid connection should be part of the application.

4.5 All letters of representation received by the Council are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam. Those representations received by the Scottish Government's Energy Consents Unit can be accessed via www.energyconsents.scot It should be noted that some representations have been submitted to both The Highland Council and Energy Consents Unit.

5. CONSULTATIONS

Consultations undertaken by The Highland Council

5.1 **Stratherrick and Foyers Community Council (Host) object** to the application. They noted the view of the Community Council is considered to represent the balance of comments which have been received from across the community, the vast majority of which have been opposed to the proposal. Whist not against the principle of pumped hydro development they consider the site is inappropriate for such a scheme. The Community Council considered the community consultation process was deficient; Disagreed with elements of the EIAR findings (in particular relating to ornithology, terrestrial and aquatic ecology, water and hydrology, trees, woodland and forestry, land use / recreation, impact on roads and visual impact with no consideration of the Stratherrick and Foyers Local Place Plan); Impacts on habitats and species, including designated sites, have been understated; The proposed development fails to demonstrate there is sufficient public interest which would override the presumption against development.

5.2 **Fort Augustus and Glenmoriston Community Council object** to the application. Whilst they note the need to tackle climate change and the strong support offered by NPF4 for hydro development they raised general concerns that other renewable technologies such as tidal power, wave energy and closed loop pumped hydro storage have less environmental impact, shoreline erosion on Loch Ness, peat excavation and the associated emissions of carbon dioxide and methane into the atmosphere and potential impacts on the household water supply in the surrounding area. More specifically they raised concerns that the proposal has increased in scale from 300MW to 600MW capacity over time with higher dam wall; Loss of trees; Impact on the local road network and increased traffic during the construction phase; Impact on Ness Woods SAC and River Moriston SAC; Whether there is capacity for workers along with the appropriate associated infrastructure required in the wider surrounding area; Visual impact of the shoreside pump house, pier and quayside on surrounding settlements including Fort Augustus and key tourist routes including the A82 public road; Impact on migrating salmon smolts; Changes in water levels, given the cumulative impacts of this proposed development along with other pumped hydro storage schemes utilising the loch; Loss of land currently used for recreation; Impact on wildlife; Cumulative impacts more generally; A number of surrounding wind farms are not included within the Planning Statement map.

5.3 **Strathnairn Community Council** do not object to the application. However, they raised a number of concerns including the impact on the B851 which they considered was substandard and inappropriate for such a lengthy construction phase over 5 years which would have a detrimental impact on the local community and other road users. Additionally, they referenced a number of inaccuracies in the Transport Statement submitted including an understatement of effects and that volumes of traffic have increased significantly since the submission of the supporting information.

5.4 **Glenurquhart Community Council** were consulted but did not respond.

5.5 **Strathdearn Community Council** were consulted but did not respond.

5.6 **Access Officer** does not object to the application subject to a condition requiring the submission of a detailed Outdoor Access Plan which would ensure access is provided throughout the construction period and that enhanced recreational access opportunities are provided during the operational phase. Whilst they considered impacts of the proposed development on the Great Glen Canoe Trail, particularly canoeists accessing the shore at this point of Loch Ness along with the Beeches / Joshua Tree sites which are popular with passing canoeists as a camp site, have been understated details regarding alternative access provision can be covered by the condition.

5.7 **Development Plans Team** do not object to the application but have concerns as to whether the proposed development is in overall conformity with the Development Plan without additional justification provided. NPF4 Policies 1 (Tackling the climate and nature crises), 2 (Climate mitigation and adaption) and 11 (Energy) together with the classification of pumped storage hydro (PSH) as a "Scotland-wide" National Development, mean that the principle of additional PSH schemes cannot be disputed. However, the site and proposal specifics of a particular scheme can be. In particular, the NPF4 in-principle support is subject to whether the particular scheme:

- Will "maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities" (Policy 11c) and Policy 25 (Community wealth building));
- Has "significant adverse effects on the qualities for which the area has been designated", offers outweighing "social, environmental or economic benefits of national importance." (Policy 4b) and 4c) cross referenced from Policy 11d)); and,
- Includes an "appropriate assessment" of the implications of the development for any affected European natural heritage site (Policy 4b)).

5.8 **Environmental Heath** do not object to the application subject to conditions requiring controls on construction noise, operational noise, working hours, blasting, submission of a Construction Noise and Vibration Management Plan and dust mitigation measures. They note the proposed development is set in a predominantly rural area and there is potential for disturbance to sensitive premises from noise, vibration, air quality and dust both during construction and once operational.

5.9 **Flood Risk Management Team** do not object to the application subject to conditions regarding further consultation on "stop generating/curtailment level" and SUDS to manage surface water run-off. They note that when in operation the proposed scheme, and others like it within the catchment, will have an impact on water levels in Loch Ness. As such, measures will be put in place to ensure that the various hydro schemes only operate when loch levels are within a normal range. When Loch levels are high, generation will cease to ensure that there is no increase in flood risk to others. At this stage it is assumed that the "stop generating" loch level will be 17.44m AOD, which is the estimated 1 in 10-year flood level. They advise the operation of the scheme will be subject to Controlled Activities Regulations (CAR) which are administered by SEPA which will dictate the abstraction and "stop generating" limits.

5.10 **Forestry Officer** does not object to the application subject to conditions requiring the submission of a finalised Habitat Management Plan (HMP), Compensatory Planting Plan and Tree Protection Plans with the implementation of these plans overseen by an Arboricultural consultant. This was following the submission of amended additional information which increased the package of compensatory planting and restoration measures that would create 6.12ha of mixed woodland on base-rich soils associated with rocky slopes, and 79.67ha of western acidic oak woodland within Dell Estate.

5.11 **Historic Environment Team - Conservation** were consulted but did not respond.

5.12 **Historic Environment Team - Archaeology** do not object to the application subject to a condition requiring the submission of a detailed Written Scheme of Investigation. They noted the EIAR Cultural Heritage chapter provides an appropriate level of information and assessment which concluded that it will be possible to limit the direct impacts to cultural heritage assets to within an acceptable range subject to appropriate mitigation measures. Mitigation includes marking-out and avoidance with buffers, minimising disturbance, micro-siting, discrete areas of watching briefs and inclusion of cultural heritage issues within the CEMP which are considered appropriate.

5.13 **Landscape Officer** does not object to the application subject to conditions. Whilst they raised concerns that the visualisations submitted understate the visibility of construction effects, particularly for the access track sections, they consider that such potential impacts can be controlled by conditions that ensure the working area is kept as compact as is compatible with safe working practice and that restoration works and establishment of new vegetation cover are well established.

5.14 **Transport Planning Team** do not object to the application subject to conditions to secure a Construction Traffic Management Plan (CTMP), detailed Abnormal Load (AIL) Route Assessment be undertaken for the AIL's that will be moved by road to and from the proposed development, design details for all accesses with the local public road network, parking, loading and unloading arrangements, establishment of a Community Liaison Group, "Wear and Tear" agreement along with an appropriate level of developer contributions is provided for projects that adhere with the South Loch Ness Road Improvement Strategy. Transport Planning are clear that the proposed development should be delivering road mitigation schemes, towards the upper end of the range of between £5m and £9m, which should be directed to delivering, either in part or in full, Strategy Priority Schemes at various points along the 2 most affected routes, the B851 and B862 public roads.

Consultations Undertaken by the Energy Consents Unit

5.15 **British Telecom** do not object to the application. The application should not cause interference to BT's current and planned radio network.

5.16 **Fisheries Management Scotland object** to the application. They consider the proposed development would be damaging to the wild salmon population. Their concerns relate to the lack of a salmon smolt tracking study and the reasoning why this was not undertaken; Mitigation measures to keep salmon smolts away from the intake are considered inadequate. Whilst the proposed deterrents may prevent

smolts being drawn into the intake, they consider it has not been adequately demonstrated that mitigation measures would alleviate the key issue of smolts existing Loch Ness into the River Ness; Understating the significance of the designation of the River Moriston as an SAC for Atlantic salmon; Impacts on the hydrology of Loch Ness, given the cumulative impacts of this proposed development along with other pumped hydro storage schemes utilising the loch, with the potential to disrupt the thermocline and affect it's stability. They noted that temperature changes could potentially detrimentally impact salmon spawning in the River Ness; Impacts on water flows in the River Ness which are dependent on the level of Loch Ness, given the cumulative impacts of this proposed development along with other pumped hydro storage schemes utilising the loch.

5.17 **Highlands and Islands Airports Limited** do not object to the application. The application would not infringe the safeguarding criteria and operation of Inverness Airport.

5.18 **Historic Environment Scotland** do not object to the application. Whilst they noted some inaccuracies in the supporting information submitted and disagree that a number of scheduled monuments in and around Fort Augutus have been scoped out of the applicant's assessment of built and cultural heritage assets, they confirmed they are content that the impacts of the proposed development are not of a level that would raise issues of national interest.

5.19 **Ministry of Defence - Defence Infrastructure Organisation** do not object to the application. They confirmed the proposed development falls outwith MOD safeguarded areas and does not affect other defence interests.

5.20 **Mountaineering Scotland object** to the application. It is focused on the enjoyment of hillwalking and mountaineering in a high-quality environment and raise concern the proposed development will have on the visual impact on Loch Ness and Duntelchaig Special Landscape Area, in particular, from the hillwalking summit of Meall Fuar-mhonaidh. They consider the LVIA underestimates the operational impact of proposed development through the lack of clarity and analysis regarding the potential impact on the drawdown of water on the entire loch shore when the reservoir is in operation. They consider this drawing down of water will have the effect of exposing the area of land previously inundated by the maximum capacity level, killing existing marginal vegetation, which will expose raw substrate of boulders and shingle around the entire margin of the loch. Walkers in the wider surrounding area are highly susceptible to contemporary man-made infrastructure and the sensitivity of their perceptions may be more than the LVIA recognises. Mountaineering Scotland note the EIAR fails to provide an indication of how long it is expected that water will remain at the maximum high level, and how often, and for how long drawdown that exposes the loch shore will occur. Whilst dependant on electricity demand, assessments can be made from existing pumped storage hydro schemes in Scotland, yet these details have not been provided. Therefore, they consider they cannot fully assess the potential exposure of the drawdown landscape scar and how it would appear in relation to the Special Landscape Qualities of the SLA.

5.21 **National Air Traffic Control Services** do not object to the application. The

proposed development does not conflict with their safeguarding criteria.

5.22 **Ness District Salmon Fishery Board object** to the application. They consider the proposed development would be damaging to the Loch and River Ness, its ecology, including the threatened wild salmon population, would impact negatively on the many other users of Loch Ness and would degrade an iconic tourism destination with no net biodiversity gain. Their concerns relate to the mitigation measures, which they consider inadequate and untested, proposed to ensure that wild Atlantic salmon smolts migrating and returning through Loch Ness are not delayed or distracted at the intake; Adverse impacts of the daily drawdown of water levels on Loch Ness on the shoreline ecology of Loch Ness, flows in the River Ness along with navigational impacts; Wider ecological impacts as a consequence of a reduction in the Ness salmon population; Impact on the hydrology of Loch Ness including thermocline formation (the transition layer between the warmer mixed water at the surface and the cooler deep water below); Cumulative impact of numerous pumped hydro storage schemes on the temperature regime in Loch Ness; Visual impact; Concerns regarding the wider strategy for Loch Ness strategy; Alternative locations for pumped hydro storage are more appropriate; Disagreed with elements of the EIAR findings.

5.23 **NatureScot** do not object to the application subject to conditions controlling smolt mitigation, fish monitoring, water level monitoring and mitigation measures to safeguard smolt, compensatory planting, habitat management and restoration measures. A portion of the site is located within the Ness Woods SAC with the River Moriston SAC in the wider surrounding area. The proposed development has the potential to have a detrimental impact on both designations unless the conditions noted are applied along with other mitigation measures associated with the proposed development.

5.24 **Scottish Environment Protection Agency (SEPA)** do not object to the application subject to conditions requiring watercourse crossings to be designed as outlined in EIAR Volume 4 Appendix 14.3 Schedule of Watercourse Crossings, a finalised Peat Management Plan (PMP), the requirement for any additional proposals to make use of excavated material on site and further consultation and agreement from the Planning Authority in consultation with SEPA should any other borrow pits other than BP1. Additionally, they welcome and amendments to site compound locations to areas of shallower peat and the minimisation of peat disturbance more generally, Habitat Management Plan (HMP) which will restore peatland, plant native woodland (which will include wet woodland, a type of groundwater dependant terrestrial ecosystem) and improve fish habitat and are generally content with the pollution prevention and environmental management proposals (covered in the EIAR Volume 4 Appendix 3.1 Schedule of Mitigation and EIAR Volume 4 Appendix 3.3 Outline CEMP). SEPA consider that unless 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.

5.25 SEPA note the proposed development will operate the scheme within natural loch levels and within the Foyers and Red John (Loch na Cathrach) licensed cut-off levels along with the cut-off abstraction at a minimum loch level. However, lower loch levels will occur more often, and the rate of loch level change will increase. The proposed “stop pumping” loch level is noted, and it will be fully assessed as part of the CAR application, separate to the planning process. The potential impact on salmon

smolts, proposed mitigation measures and other fisheries interests will be considered in more detail at the Controlled Activities Regulations (CAR) application stage. Additionally, the proposed watercourse crossings and diversion of the ephemeral stream as part of the lower reservoir works will require CAR authorisation. Whilst the quayside / pier element of the proposed development would normally be applied for as a separate CAR engineering licence SEPA note it can be included as part of the hydro scheme application.

5.26 **Scottish Forestry** do not object to the application subject to conditions confirming the timescale for delivery of and monitoring of all tree restocking, natural regeneration and new native planting, intervention and enrichment planting if regeneration has not reached the agreed density with compensatory planting, restocking and felling delivered in accordance with the submitted Woodland Plan and in accordance with UK Forestry Standard (UKFS). The applicant should note that any compensatory planting (by regeneration or planting) required as a result of the proposed development (outwith the area already screened by Scottish Forestry) may also need to be considered under The Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017.

5.27 **Scotways** do not object to the application. They note that a right of way (HI98) is recorded in the National Catalogue of Rights of Way (CROW) which crosses or is close to the site. As such, they request that the above affected route is kept open and free from any obstruction or encroachment before, during and after the lifetime of the proposed development, if consented.

5.28 **Scottish Water** do not object to the application. A review of their records indicates that the proposed development falls within a drinking water catchment where a Scottish Water abstraction is located, designated as a Drinking Water Protected Area (DWPA). Loch Ness supplies Invermoriston Water Treatment Works (WTW), therefore, it is essential that water quality and water quantity in the area are protected. From a water quantity perspective, Scottish Water consider the proposed development is likely to be of low risk, however, appropriate mitigation measures are required to reduce any risks that could affect public drinking water supplies, particularly given other developments within this catchment. Scottish Water will not accept any surface water connections into our combined sewer system.

5.29 **Transport Scotland** do not object to the application subject to conditions to secure the proposed route for any abnormal loads on the trunk road network; accommodation measures for abnormal loads including the removal of street furniture, junction widening and traffic management and any additional signing or temporary traffic control measures deemed necessary due to the size or length of any loads being transported must be undertaken by a recognised QA traffic management consultant. Additionally, Transport Scotland included a number of advisory notes setting out requirements relating to works within the trunk road network. Transport Scotland welcome the Construction Traffic Management Plan (CTMP) and an Abnormal Load Transport Management Plan which will be prepared and implemented during the construction phase.

6. DEVELOPMENT PLAN POLICY AND OTHER MATERIAL POLICY CONSIDERATIONS

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

7. PLANNING APPRAISAL

7.1 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). Although not a planning application, the Council processes Section 36 applications in a similar manner given that planning permission may be deemed to be granted.

7.2 Schedule 9 of The Electricity Act 1989 contains considerations in relation to the impact of proposals on amenity and fisheries. These considerations mean the developer is required to:

- have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings, and objects of architectural, historic or archaeological interest; and

- reasonably mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects.

7.3 It should be noted that for applications under the Electricity Act 1989 that the Development Plan is just one of a number of considerations, and therefore Section 25 of the Town and Country Planning (Scotland) Act 1997 which requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise, is not engaged. That said, the application is still required 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

7.4 The key considerations in this case are:

a) Compliance with the Development Plan / Other Planning Policy
b) Energy and Economic Benefits
c) Design, Landscape and Visual Impacts (including on Wild Land Areas)
d) Construction
e) Noise and Vibration
f) Roads, Transport and Access
g) Water, Flood Risk, Drainage and Peat
h) Natural Heritage (including ornithology)
i) Built and Cultural Heritage
j) Forestry
k) Other Material Considerations

Development Plan / Other Planning Policy

7.5 The Development Plan comprises National Planning Framework 4 (NPF4), the adopted Highland-wide Local Development Plan (HwLDP), the adopted Inner Moray Firth Local Development Plan 2 (IMFLDP2), and all statutorily adopted supplementary guidance, including the Onshore Wind Energy Supplementary Guidance (OWESG). Whilst the proposed development is clearly not a wind farm the OWESG contains The Loch Ness Landscape Sensitivity Study which identifies any remaining capacity for larger scale development in the area and considers the landscape and visual impact using the criteria set out in Section 4 of the OWESG. Appendix 4 of this report provides an assessment of compliance with the Development Plan/Other Planning Policy.

7.6 NPF4 outlines 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.

7.7 NPF4 defines 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 2 – Pumped Hydro Storage and 3 - Strategic Renewable Electricity Generation and Transmission Infrastructure.

7.8 In summary, the principle of pumped hydro storage development is well established in national policy, with the proposed development being of national importance for the delivery of the national Spatial Strategy. NPF4 considers that pumped hydro storage development will play a significant role in balancing and optimising electricity generation and maintaining the operability of the electricity system as part of the transition to net zero. It is further necessitated with the move towards a decarbonised system with much more renewable generation, the output from which is defined by weather conditions. This is also reflected within other material policy considerations, with Government policy giving significant weight to the importance of achieving net zero through the deployment of renewable energy development at pace. Government legislation and policy maintains the commitment to attaining net zero by 2045. When determining renewable energy proposals, the ability to meet these targets therefore demands substantial weight when undertaking the planning balance exercise.

7.9 Alongside these ambitions, the strategy for Highland aims to protect environmental assets as well as to stimulate investment in natural and engineered solutions to address climate change. This aim is not new and will clearly require a balancing exercise to be undertaken, which is reflected throughout NPF4. At the regional level, HwLDP also offers support for renewable development proposals where they are located, sited and designed such as they will not be significantly detrimental overall, individually or cumulatively with other developments. A more detailed analysis of

relevant policy and guidance is provided in Appendix 3.

7.10 Appendix 4 of this report provides review and assessment of the proposed development's compliance with the Development Plan and other relevant planning policy.

Energy and Economic Benefit

7.11 The Council continues to respond positively to the Scottish Government's renewable energy agenda. Whilst there has been a focus on onshore wind energy in Highland for the last generation, large scale pumped hydro storage schemes are becoming a viable complementary renewable energy source alongside on and offshore wind energy. The Highland region offers significant opportunities for pumped hydro storage development given the requirement for an upper and lower reservoir to successfully generate electricity. Onshore wind energy developments in Highland accounts for around 30% of the national installed onshore wind energy capacity and the opportunities for pumped hydro storage development can further diversify and help balance demands on the transmission network.

7.12 Notwithstanding any impacts that this proposal may have upon the landscape resource, amenity and heritage of the area, the development could be seen to be compatible with Scottish Government policy and guidance, making a substantial contribution to meeting the Government, UK and European energy targets, with the development having the potential to generate up to 600MW. The annual power generation from the proposed development when operational is 1000GWh.

7.13 EIAR Volume 4 Appendix 12.6 Carbon Balance Calculation includes an assessment which assumes that to facilitate the proposed annual power generation, surplus energy generated from renewable and low carbon sources is used to pump water from Loch Earba to Loch Leamhain and to "prime" the Pumped Storage Hydro (PSH) scheme. The large amount of energy stored by the proposed development means that it will both store significant amounts of surplus wind energy, which would otherwise be lost and displace conventional gas generation reducing emissions. The proposed development therefore has the potential to rapidly supply clean electricity to the national grid powering over 1 million UK households and saving over 0.5 million tonnes of CO2 annually.

7.14 Pumped hydro storage development provides an important mechanism for the reduction of carbon dioxide (CO2), and other greenhouse gas (GHG) emissions into the atmosphere by reducing the consumption of fossil fuel generated mains electricity. However, during their manufacture, construction and decommissioning, renewable developments can result in the emissions of Green House Gas (GHG), particularly where natural carbon stores, such as peat, are present and potentially impacted by the development, often termed "carbon balance". The EIAR assesses the GHG emissions and uses carbon dioxide equivalent (tCO2e) where equivalence means having the same warming effect as CO2 over 100 years.

7.15 The calculated GHG losses associated with the proposed development will be approximately 1,282,300 tCO2e (as noted in Appendix 3.6: Carbon Balance). The carbon emissions savings are calculated using the current emission factor of 0.432 tCO2 MWh from the Carbon Calculator Tool for the counter factual case for power

generation which has been assumed to be the UK Grid Mix. The net emission of GHG (tCO2e) which would be saved by utilising the PSH for power generation instead of the UK Grid mix is approximately 432,000 tCO2 per year. Therefore, given the significant scale and generation capacity of the proposed development, the carbon payback time is calculated as approximately 3 operational years, with the scheme proposed to be operated in perpetuity.

7.16 The proposed development anticipates a construction period of approximately 5 years (subject to the successful contractor's approach to the works) and with proper maintenance the PSH can remain operational indefinitely. There are likely to be adverse effects caused by construction traffic and disruption, particularly during the construction phase when abnormal loads are being delivered to site. Such projects can offer investment and opportunities to the local, Highland, and Scottish economy, including businesses ranging across the construction, haulage, electrical and service sectors.

7.17 Whilst no capital cost (Capex) of the project is provided within the EIAR Report the applicant confirms this will be in the region between £750 million and £1 billion. The reasoning for the lack of an exact Capex figure provided by the applicant is that making the details publicly available could compromise the contracting phase of the project. However, such details have been regularly provided for other hydro and renewable developments previously without such concerns raised.

7.18 During construction, the applicant's evaluation of the socio-economic impact and operation was assessed as having beneficial effects for the regional Highland economy. It will create new temporary jobs through the construction programme and a high proportion of the economic and employment impacts would come from the tunnelling works and the powerhouse and lower control works, which require extensive excavation and support work.

7.19 During construction an average of around 356 workers are anticipated to be onsite. Of the 1,716 construction related years of gross employment, over the 4-year core construction period, 379.75 person years employment (PYE) are expected to benefit the regional (Highland) economy, 765.45 PYE at the Scottish level (including Highlands), with the other 950.55 PYE benefiting non-Scottish areas. The applicant has also taken into account both displacement and multiplier effects, over the 4-year construction period, 512.66 PYE are expected to benefit the Highland economy and 1,033.36 PYE Scottish economy with a GVA effect of £29,461,518 million at the Highland level and £57,211,838 at the Scottish level.

7.20 Once fully operational, the proposed development will create 25 new full-time jobs injecting £822,373 per annum into the local economy. These figures include multiplier effects.

7.21 The applicant notes that although the job allocation has changed, given they are no longer going to progress with a café / visitor centre within the powerhouse, they predict that 25 new full-time jobs is still an accurate estimate. Jobs lost at the visitor centre have been replaced by the jobs created through the package of compensatory measures for Ness Woods SAC along with the deer management strategy. The applicant notes that they are making a commitment to uphold these measures for 75 years - the proposed length of the lease for the pumped storage

scheme with Dell Estate.

7.22 Additionally, the applicant considers the construction, and operational effects will bring significant GVA impacts, as well as wider additional impacts, including perception benefits, salary benefits, exchequer benefits, local supply chain opportunities and positive pre-development impacts.

7.23 It is considered that surveys of the public and business attitudes to green energy developments provide no clear evidence that the presence of an investment in an area has a negative impact on local tourism. Tourists using local routes and tourist attractions may have a particular sensitivity to visual effects, however, access to tourist facilities will be largely unaffected by this proposal. The applicant suggests that the tourism sector would likely benefit from expenditure by workers during the construction and development phases, and to a lesser extent during the operation and maintenance phases given the relative lack of visits required once the site is functioning.

7.24 Highland is experiencing significant construction activity of renewable energy development and the associated electricity transmission infrastructure. The approval of the proposed development would have a positive economic impact, particularly during the construction period, although this would thereafter curtail at operational stage. Representations have raised the economic impact that renewable related energy development may have on tourism more generally. These adverse impacts are most likely to be most acute during construction which is temporary in nature and can be managed through environmental mitigation measures as specified elsewhere in this report and can be secured by condition. Additionally, some representations note that jobs required at the operational stage will decrease significantly. Whilst this is correct, 25 permanent full-time jobs on site are a considerable number given the relatively rural nature of this part of the Highlands.

7.25 Scenery and the natural environment within Highland are important factors for many visitors when choosing the area as a holiday destination. A number of representations considered the proposed development would have a detrimental impact on visitors to the area. Any detrimental impact of the proposed development on tourism, whether visually, environmentally or economically, should be identified and considered in full. Whilst development associated with renewable energy development more generally may not stop people from visiting the area for the first time to take part in walking, mountaineering or other recreational activities and tourist attractions, it has the potential to discourage repeat visits.

7.26 Whilst this is noted, there may also be indirect effects that are not considered by the analysis provided. For example, there are tourist accommodation businesses at Easter Drummond, Whitebridge, Foyers and the wider surrounding area that could experience adverse impacts through loss of its traditional customers on account of construction impacts. However, there is the potential for such businesses to adapt to assist with the expected influx of workers associated with the proposed development and wider project, even with the contained on-site workers accommodation considered. The positive economic impact of other renewable energy projects in the wider area is well known by many local businesses (B and B’s, hotels, property lettings, shops) who have benefited from major construction works.

7.27 NPF4 Policy 11 c) offers support to schemes where community socio-economic benefits are maximised, with NPF4 Policy 25 enabling support to be given to schemes which contribute towards a local or regional wealth building strategy or have an element of community ownership. With no community ownership being proposed, the proposal cannot be given any additional support under NPF4 Policy 25. A condition could however be imposed to require a Local Employment Scheme for the construction of the development which refers to the provisions set out within the socio-economic assessment contained within the EIAR. The recommendation before Members is to include such a condition to maximise the socio-economic benefits of the proposed development.

Siting, Design, Material and Layout Evolution

7.28 EIAR Volume 1 Chapter 2 Design Evolution and Alternatives describes the scheme's site selection, as well as the evolution through several design and layout iterations. Consideration was given to alternative reservoir connections; however, the applicant notes that following a more detailed review of these locations, even before environmental or landowner factors had been considered, there were a very limited number of potential candidate sites that were financially viable. Loch Kemp is considered to meet the following requirements:

- Sufficient land to provide the capacity for necessary economies of scale (300MW minimum);
- Paired water bodies where the lower reservoir is large enough to minimise changes in water level and the upper reservoir is within a natural bowl landform to minimise capital costs and potential environmental impacts of the inundated loch;
- Sufficient vertical distance between the 2 reservoirs to minimise costs / MW;
- Short horizontal distance between the 2 reservoirs to minimise the capital cost of underground tunnel length;
- Proximity to / capacity within the grid to allow a connection at a viable cost and prompt timescale;
- No major geological faults; and
- Good access links to the site and surrounding area for construction.

7.29 Loch Kemp and Loch Ness are within 1km, with a minimum vertical distance of 160m between them, which would support a favourable capital expenditure per megawatt (Cap Ex / MW) for energy generation and storage and the site is less than 20km from a 132-275kV grid connection point. Foyers Substation is the proposed connection point approximately 9km from the site. Short waterways would also allow high round-trip (circulating the entire storage capacity of the upper reservoir) efficiency.

7.30 The design of the proposed development has also followed a constraints based approach in order that mitigation on environmental effects is embedded within the design, with key constraints including landscape character and visual amenity; ground conditions, topography and peat; trees (particularly within the Ness Woods SAC / Easter Ness Forest SSSI and portions of designated and Long Established

Woodland (LEPO1860)); watercourses, private water supplies and related infrastructure; protected habitat, species, and ornithology; migratory fish.

7.31 There have been various refinements since the pre-application and EIA Scoping which include an increased power capacity from 300MW to 600MW, amended size and location of the dams, size and number of surge shafts and tunnels, tunnelling route; relocation of the main access to the site, internal access tracks, site compounds and access tracks following review of the new inundation level at Loch Kemp; development of a significant biodiversity enhancement and management programme to ensure appropriate biodiversity net gain; relocation of the Estate fishing lodge; mitigation measures proposed to minimise the impacts on Atlantic Salmon smolt;

7.32 The total area within red line boundary for the project is 616.04ha although the development is only 457.34ha. The proposed development comprises 2 main areas of work between the upper reservoir at Loch Kemp and lower reservoir works at Loch Ness. The upper works include the construction of 8 dams of various scales and style, an inlet/outlet structure, underground waterway system linking the upper and lower lochs, access tunnels, cable tunnel and vertical cable shaft. The loch would be raised by approximately 28m from its existing 177m above ordinance datum (AOD) elevation to approximately 205m AOD.

7.33 The dams occupy almost all sides of the inundated loch with an area of respite along the north easter shoreline of the extended Loch Kemp. The 8 dams will consist of 4 new saddle dams between 16m and 34m in height and 4 less extensive cutoff dams. It is envisaged that dam construction would likely comprise a combination of both roller compacted concrete (RCC) and concrete faced rockfill dam (CFRD) (shown in Figure 3.3 Typical Dam Plan and Sections). The former typically has a smaller footprint due to the inherent in-situ structural strength offered by concrete allowing for a taller, more compact structure. The latter has a larger footprint due to the significant material required meet the dam's structural requirements and appears squat in comparison. Dam 1 and 4 will be RCC, Dam 2, 3 (with a downstream fill) 6, 7 and 8 will be CFRD with Dam 5 a combination of both (shown on Figure 3.3 Typical Dam Plan and Sections).

7.34 Dam 1 and 3 are the largest of the structures at approximately 34m in height with a crest length of 337m and 28m in height and crest length of 392m on the north and northeastern Loch Kemp shoreline respectively. Dam 3 would be the most visible from receptors in and around Dell Estate and Dam 1 would be the most visible from key upland routes on the northwestern side of Loch Ness (along with Dams 5, 6, 7 and 8 to a lesser extent). By comparison, Dam 8 is the smallest at 4m in height with a crest length of 46m. Once the dams are constructed, Loch Kemp would be capable of storing 21Mm^3 with a surface area of approximately 1.3 km^2 at full capacity.

7.35 The underground waterways would be connected to Loch Kemp via a sub-surface inlet structure constructed below the western edge of the upper reservoir. The structure would include diffusers to discharge or abstract water from Loch Kemp and screen to prevent debris from entering. A gate structure, with two sets of gates is included to allow the waterways to be isolated from the loch when maintenance is required. A temporary cofferdam between the inlet/outlet structure and Loch Kemp will be required during construction to allow excavation of the structure without any

risk of water entering the excavation.

7.36 The screened intakes would supply an underground tunnel system carrying water between the upper reservoir, through to the powerhouse and the lower reservoir. The underground waterway system may require two surge shafts located on a local high point between Loch Kemp and Loch Ness, dependent on results of hydraulic analyses during detailed design.

7.37 The underground waterway system would consist of 2 headrace tunnels covering approximately 1.2km carrying water between the upper reservoir, through to the powerhouse and lower reservoir. Additionally, each turbine would have a short tailrace tunnel section approximately 50m in length, to connect the turbine to the outlet area and lower control works at Loch Ness. The applicant notes all underground works are likely to be constructed using drill, blast, muck and haul techniques.

7.38 Two surge shafts may be required and would be located to the north and south of Dam 8 and to the west of the inlet/outlet structure. Water would flow into or out of the surge chamber and minimise any sudden positive or negative pressure waves or surges in the tunnel system. It is anticipated that each surge shaft would have a diameter of approximately 55m, however, this is dependent on results of hydraulic analyses during the detailed design stage.

7.39 A short tunnel approximately 250m in length would extend from the access tunnel connecting to a vertical cable shaft located to the south of the Lochan a' Choin Uire. The vertical cable shaft would be constructed on a hardstanding area of approximately 16m by 16m. A 275kV cable would be routed from the 275kV GIS substation located within the powerhouse building through the access tunnel adit initially then through a purpose-built cable tunnel before resurfacing outwith the Ness Woods SAC through the vertical cable shaft. The applicant anticipates that the route would continue as a buried cable to connect to a 275kV switching station in the northwestern portion of the site, however, this would require a separate application.

7.40 Other ancillary development throughout the upper works site includes small control kiosks housing control system equipment and emergency power supplies in the form of diesel generators on Dams 1, 4, and the upper reservoir inlet/outlet structure. A security compound with a footprint of approximately 25m by 15m with a height of 3m would be located near the main access junction to the site with the B862. The compound would be staffed during the construction phase and retained once the site is and occupied as required by site activities.

7.41 The lower works at Loch Ness include the powerhouse building, quayside and pier, access tunnel portals, and the lower control works. The applicant anticipates that excavation of the majority of underground works would commence either at the lower reservoir area or the intersection of the access tunnel with the waterway alignment. Rock cuts would be required on the Loch Ness shoreline in order to facilitate excavation of the underground works and the creation of the powerhouse platform area and tunnel portals. Additionally, a temporary cofferdam would also be constructed to facilitate excavation below the surface level of Loch Ness.

7.42 The above ground onshore elements of the lower reservoir works would be located

on an area of hardstanding given the steep topography sloping towards the Loch Ness shoreline. The hardstanding area would comprise an upper platform levelled at approximately 29m AOD to the south of the powerhouse building with a lower platform levelled at approximately 19m AOD to the north and west of the powerhouse building. The upper platform would be level with the upper ground floor of the powerhouse building and would provide access to the 275kV GIS substation within the building and access tunnel adit. The lower platform would be level with the lower ground level of the powerhouse building and would provide access to the turbine hall within the building, electrical room, tailrace along with the pier and quayside. The upper and lower level would be connected by an access track to the rear (eastern side) of the powerhouse building. This powerhouse platform area (excluding the quayside and jetty) would measure approximately 16,000m^2.

7.43 The powerhouse building, excluding the underground turbine shafts, would measure approximately 130m by 60m with a height of 30m in height. The rectangular structure with angular detailing on the lochside frontage would be constructed from a mixture of materials including glass or polycarbonate, stone and concrete with a green roof. Stone used to construct the powerhouse would be sourced on-site from the excavated tunnels, shafts and borrow pits.

7.44 The turbine hall would take up most of the footprint of the powerhouse building and the applicant anticipates that 2 underground turbine shafts would sit within the building. Each turbine shaft would extend approximately 60m below the ground level of the turbine hall and contain up to 2 reversible pump turbines and motor generators along with associated equipment, such as transformers and switchgear.

7.45 The 3-storey powerhouse building would also contain staff facilities, administration control and maintenance area. The applicant initially intended for the powerhouse building to also contain a café and visitor centre but following concerns raised by consultees noting the likely conflict with mitigation measures designed to protect Atlantic salmon smolts, difficulty separating visitors within the operational site and opposition from existing operators on Loch Ness. These elements have now been removed from the proposal following the submission of amended plans and supporting information.

7.46 The tailrace structure would be located on the shore of Loch Ness integral to the powerhouse building with a platform, quayside and pier adjacent to the powerhouse. The lower control works would comprise up to 2 concrete inlet / outlet structures positioned at the end of the tailrace tunnels with appropriate screens to distribute water in and out of Loch Ness at low velocities. The tailrace tunnels and lower control works would be positioned below the Loch Ness minimum water level (15.3m AOD) with the structures mostly underwater apart from approximately 1.5m of the total height. The majority of construction at the lower control works would take place in dry conditions using drill, blast, muck and haul techniques. The tailrace tunnel portals and construction of the tailraces would be protected from Loch Ness using temporary cofferdams formed of sheet piles filled with either tunnel spoil or concrete.

7.47 A quayside and pier would be constructed as part of the powerhouse platform area to facilitate use of the Caledonian Canal system for the transport of heavy equipment and materials during construction. The pier would measure approximately 50m long by 8m wide extending 40m into Loch Ness (from low water level). The applicant

anticipates that substantial mechanical equipment would be moved using roll-on, roll-off technology or by specially planned lifting operations. A mobile truck mounted crane would be used to offload plant and materials as required. A permanent crane would be installed inside the turbine hall within the structure of the powerhouse building. Permanent gantry cranes will be located within the powerhouse above the turbine shafts. They will be enclosed within the powerhouse structure and would not be visible during normal operation. Following construction, the quayside and pier would be left in place for delivery and maintenance purposes.

7.48 A new permanent access tunnel approximately 560m long would provide a route for vehicles to travel from the platform area around the lower reservoir works to the headrace tunnels and the cable tunnel. During construction, the access tunnel would provide the means to construct and remove excavated rock from the headrace tunnels without having to use the turbine shafts for access. Once the proposed development becomes operational the access tunnel would be retained for maintenance access to the underground waterway and cable systems if required.

7.49 Approximately 15km of new tracks and 2km of upgraded tracks will be constructed throughout the site with either a “floating” or “cut” track design (with cross sections shown indicatively on EIAR Volume 2 Figure 3.6 Typical Access Track Construction Details within Ness Woods SAC and Figure 3.7 Typical Access Track Construction Details outside Ness Woods SAC). Generally, a “floating” track does not require excavation and will be utilised where peat depth is greater than 1m, although this would be dependent on the specific circumstances within the site. In areas of no peat or peat no greater than 1m a “cut” track design will be constructed. Access tracks would typically be constructed with locally won, graded rock from within the site. Given the variable and undulating topography across the site, earthwork cuttings and embankments would be required to achieve the required gradients for tracks and hard standings.

Design, Landscape and Visual Impacts (including on Wild Land Areas)

7.50 A Landscape and Visual Impact Assessment (LVIA) forms part of the EIAR and provides:

- a landscape assessment of potential effects of the development on landscape character, designated and protected landscapes; and
- a visual assessment of potential effects of the development on visual amenity of those present within the landscape, including established views from residential areas and routes.

7.51 The LVIA also gives consideration to cumulative effects occurring as a result of the addition of the proposed development alongside other proposed hydro, renewable energy and electrical infrastructure development within the study area.

7.52 Potential effects have been considered during the construction phase of the proposed development, in year 1 and year 3, and during operation, in year 1 and year 10, to illustrate the change associated with proposed mitigation, landscaping, planting and regeneration measures.

7.53 The methodology for the LVIA is sufficiently clear, being generally in accordance with

the Guidelines for Landscape and Visual Impact Assessment Third Edition (GLVIA3). The methodology outlining how the applicant has come to their findings is included (EIAR Volume 1 Chapter 8 Landscape and Visual). This methodology has been used to appraise the assessment provided and to come to a view on what combination of influences on the sensitivity of receptor and magnitude of change are leading to a significant effect.

7.54 In the assessment of each viewpoint, the applicant has come to a judgement as to whether the effect is significant or not. In assessing visual impacts in particular, it is important to consider that the viewpoint is representative of particular receptors i.e. people who would be at that point and experiencing that view of the landscape not just in that single view but in taking in their entire surroundings.

7.55 The sensitivity of receptors is influenced by the value of the view and susceptibility to change leading to a sensitivity rating. Familiarity with the site and the extent, nature, and expectation of existing views by visual receptors is a key factor in establishing the visual sensitivity in terms of the development proposed.

7.56 The applicant has assessed the sensitivity of receptors between Low-Medium and Medium-High given that recreational users of the outdoors attention and interest is on their surroundings. The applicant's ratings are contested for all receptor locations which are appraised as being High. This is due to the study area being well used for various recreational activities including walking, cycling and leisure pursuits on Loch Ness. A large appeal of those taking part in these recreational pursuits in this part of Highland is to experience the surrounding iconic landscape and views, with receptors in this area being people on Core Paths, long distance walking routes, key roads, popular viewpoints and on Loch Ness itself all within the SLA which increases their sensitivity.

7.57 The magnitude of change on views is an expression of the change that would result from the proposed development influenced by the size or scale of change, geographical extent, leading to a magnitude of change rating. From a number of viewpoints, the applicant has understated the effects on receptors given the significant change brought about by proposed development within the landscape, particularly during the construction phase of works.

7.58 The guidelines require evaluation of magnitude of change to views experienced by sensitive receptors, comprising individuals living, working, travelling and carrying out other activities within the landscape, and the subsequent evaluation of the significance of effects. The potential to mitigate adverse effects has also been considered for both landscape and visual assessment.

7.59 In the assessment of each receptor and representative viewpoint the applicant has come to a judgement as to whether the effect is Significant or not. This is undertaken on a viewpoint by viewpoint and case by case basis. In assessing visual impacts in particular, it is important to consider that the viewpoint is representative of particular receptors i.e. people who would be at that point and experiencing that view of the landscape not just in that single view but taking in their entire surroundings. A key consideration in the effects on receptors of pumped hydro storage development is the sequential effect when travelling through an area on the network of recreational routes. Those travelling along scenic, recreational routes, whether designated as

such or not, have a higher sensitivity to views.

7.60 The applicant has assessed a variety of landscape and visual receptors within the study area, including building-based receptors and route-based receptors. The effects on visual amenity relate to changes to available views rather than perceived changes to whole areas of a distinctive landscape character. 7 visualisation locations (VL) were selected in order to assess landscape and visual impact. The viewpoints have been assessed at the construction phase year 1 and year 3 along with the operational phase year 1 and year 10. This is considered appropriate as it will take some time for the proposed landscaping, planting and other mitigation measures to become established along with weathering of the dam side-slopes.

7.61 Whilst it must be recognised that the submitted visualisations do not provide the entire wider context when not viewed on site, they do demonstrate the predicted effects well and are a useful aid in conceptualising the development and predicting its associated impacts.

7.62 The associated Zone of Theoretical Visibility (ZTV) drawings (Figure 8.1 to Figure 8.6) also provide the predicted extent of bare earth visibility of the proposal. These indicate that visibility of the inundated Loch Kemp and upper works, including the 8 dams, would generally be experienced from upland locations set back to the east and west above Loch Ness. There will also be sustained lower-level visibility of the upper works on and around the A82 in combination with views of the powerhouse and lower works. However, vegetation along the A82 would minimise visibility with only fleeting views generally experienced when travelling the route. The powerhouse and lower works for the most part will be seen in isolation when on Loch Ness.

7.63 Receptors using other key recreational routes such as the Great Glen Way and Great Glen Canoe Trail will experience prolonged visibility of the proposed development. A combination of vegetation and landform will minimise visibility to some extent when travelling these routes. Receptors using the Trail of the Seven Lochs, South Loch Ness Trail and National Cycle Route 78 will experience less sustained visibility of the proposed development, again, vegetation and landform will minimise views from these routes.

7.64 The applicant has presented a number of submissions to illustrate the landscape and visual impact of the development both singularly and cumulatively with existing and consented renewable energy developments, although the cumulative information included with the submission is now out of date, with both Glen Earrach Pumped Storage Hydro Scheme and Crathaich Wind Farm proposed and pending consideration with Loch Liath Wind Farm recommended for refusal and will be heard at an upcoming Public Local Inquiry. In this regard the applicant has tabled design iterations following input from pre-planning considerations; maps highlighting the Zone of Theoretical Visibility (ZTVs); 7 visualisation locations across a study area of 10km (albeit Fort Augustus is marginally beyond 10km); EIAR Volume 1 Chapter 8 Landscape and Visual Impact Assessment is supplemented by EIAR Volume 4 Appendix 8.1: Technical Methodologies for Visual Representation, Appendix 8.2: Visual Assessment Tables, Appendix 8.3: Assessment of Landscape Character Types, Appendix 8.4: Assessment of Special Landscape Area and Appendix 8.5: Appraisal of The Highland Council's Criteria for the Consideration of Onshore Wind

Proposals.

Visualisations

7.65 Following a review of the LVIA, sufficient information has been provided to enable an assessment. The photomontages are considered to have been produced to an appropriate standard.

7.66 Visualisations for wind energy proposals would be expected to show the worst-case scenario with regards to landscape and visual impacts. The visualisations provided show the mid-point of the upper dam (191m AOD) as this water level is considered to be the most likely scenario for receptors viewing the proposed development given the fluctuating levels of the upper reservoir and Loch Ness.

7.67 Mountaineering Scotland, along with a number of representations raised concerns regarding drawdown scars and fluctuating water levels noting that they considered there was a lack of supporting information outlining how quickly water levels would increase or decrease in both the upper Loch Kemp and lower Loch Ness. The water level at Loch Kemp will be raised following the inundation of the upper reservoir. Based upon an installed generating capacity of up to 600MW it would take approximately 16 hours of continuous electricity production at maximum output to move the maximum volume of water from Loch Kemp to Loch Ness. Conversely, it would take approximately 21 hours of pumping to move this volume of water from Loch Ness to Loch Kemp.

7.68 The fluctuations in water level would be subject to the demands of the electricity market and may vary considerably day to day, therefore, there would be no predictable pattern of generation and pumping or predicable levels of drawdown on any given day. However, the potential for people to experience either Loch Kemp or Loch Ness be fully drawn down or fully filled at any given time would be rare because this would usually occur only if a maximum generation or pumping episode had just occurred. Whilst the LVIA gives consideration to the landscape and visual effect of the full potential drawdown, judgements have been made based on a varying situation and how the development would be viewed for the majority of the time. There are relatively few locations where receptors would be able to see the full drawdown from, with the upland Meall Fuar-mhonaidh viewpoint the key example.

Landscape Impact

7.69 The landscape assessment has considered the potential effects of the proposed development to Landscape Character Types (LCTs) (Appendix 8.3) and Loch Ness and Duntelchaig Special Landscape Area (SLA) (Appendix 8.4). The applicant also provided an appraisal of the Highland Council's Onshore Wind Energy Supplementary Guidance (OWESG) (Appendix 8.5).

7.70 There are several aspects to consider in determining whether this development represents an acceptable degree of impact on landscape character, including:

- impacts on the Landscape Character Type (LCT) as a whole and on neighbouring LCTs; and
- direct impacts on landscape designations and impacts on surrounding

landscape designations.

7.71 The proposed development is located within Landscape Character Area (LCA) 16 – Farmed and Wooded Foothills, Loch Tarff to Loch Duntelchaig. LCA 16 is within the Loch Ness and Duntelchaig Special Landscape Area. The location is above the Broad Steep Sided Glen and below the Rolling Uplands with the LCA playing a key role in perception of scale and distance within the landscape. It is seen as a skyline from the Loch shore level and as the middle ground of a complex layered landscape when perceived from plateau locations across the Great Glen. The area forms a significant part of the enclosure of Loch Ness and the Great Glen to the south.

7.72 External views into LCA 16 are a mixture of elevated viewpoints west of Loch Ness (such as Meall Fuar Mhonaidth and Great Glen Way) along with northern shoreline viewpoints (such as Urquhart Castle) and from on Loch Ness itself (Great Glen Canoe Trail). The location is set between the higher ground of the Rolling Uplands and the steep sides of the Great Glen meaning it is viewed in a range of contrasting relationships to other landscape characters.

7.73 Key Views from within LCA 16 include Loch Tarff. Key Routes within LCA 16 include the B852 public road above Foyers and B851 public road from Charleston to Kindrummond. Receptors will be a mixture of visitors and tourists at key viewpoints and using the local road network.

7.74 Landscape character is the distinctive and identifiable pattern of elements that occur consistently in a particular type of landscape and the way that this pattern is perceived. Effects on landscape character occur both on the site, where the pattern of elements that characterise the landscape would be directly altered by the addition of the proposed development to the landform and outwith the site in the wider study area, where visibility of the proposed development may alter the way in which this pattern of elements is perceived.

7.75 The proposed development will be located across 3 different Landscape Character Types (LCT) - LCT 225 Broad Steep-Sided Glen running the length of Loch Ness along the south eastern shoreline (and extend across to the north eastern shoreline); LCT 224 Farmed and Wooded Foothills set further back extending from beyond the shoreline towards the B862 public road; and LCT 227 Farmed Strath – Inverness extending beyond the B862 public road.

7.76 Within the study area LCT 221 is set back further from the B862 extending towards the Monadhliath Mountains. Across Loch Ness from the proposed development, along with LCT 225 are – LCT 220 Rugged Massif – Inverness set back from the southwestern shoreline and extending beyond Fort Augustus: LCT 226 set back from this along Glen Moriston either side of the A887 trunk road; and LCT 22 Rocky Moorland Plateau – Inverness set back from LCT 225 extending towards Glen Affric and Strathfarrar.

7.77 The locale forms a contrast to the Rugged and Rocky LCTs opposite the Great Glen. The contrast has value which should be protected by ensuring that development on either side of the Great Glen remains inferior in scale and extent to the landscape character and does not lessen their apparent distinctiveness or the effect of the Great Glen as a great natural boundary.

7.78 5 of the LCTs noted above have been assessed by the applicant with LCT 226 Wooded Glen – Inverness, and LCT 220 Rugged Massif – Inverness scoped out following a baseline review. This approach is agreed.

7.79 The lower works of the proposed development including the powerhouse platform, powerhouse building, tailrace and associated tracks to the powerhouse are all located within LCT 225 Broad Steep-Sided Glen. The NatureScot 2019 Landscape Character Assessment describes the key characteristics of LCT 225 Broad Steep-Sided Glen as:

- A clearly defined, broad, linear, steep sided, v-shaped glen and deep loch cutting through mountains and hills, with limited areas of flatter ground.
- Large-scale conifer forests with small areas of open moorland covering most of the glen sides, particularly the lower slopes.
- Small patches of broad-leaved woodlands, mostly in side glens, and close to the shore.
- Agricultural land on less steep slopes, glen intersections and alluvial plains.
- A few settlements, with a well-defined core, located at glen intersections and on gentler slopes, separated by long stretches of relatively uninhabited land.
- Contrast between the busy trunk road and larger settlements on the west side and the quiet minor road on east side which has fewer settlements separated by large undeveloped areas.
- Strong evidence of past settlement in the number and diversity of archaeological and historic sites from prehistoric times to the 20th Century.
- Contrast between the visual and seasonal diversity of broadleaf woodland and bright, open pockets of farmland and the forested and moorland surroundings.

7.80 This LCT falls within the Loch Ness and Duntelchaig SLA and forms a key contribution to this designation. It is valued for its scenic qualities and dramatic topography, popularity for recreation and tourism and associations with Loch Ness and its famous monster. As such, it is agreed with the applicant's assessment that the landscape value is High.

7.81 The simple, linear composition and long skylines of the locale are sensitive to the introduction of detracting features. Whilst the western portion of the glen is more developed along the A82 trunk road and intermittent settlements along the route the eastern portion of the glen is less populated. Existing hydro development in the wider surrounding area includes Foyers Pumped Storage Scheme lower works located approximately 8km to the northeast of the proposed development, Glendoe Hydro Scheme tailrace located approximately 8km to the southwest of the proposed development and various other smaller scale hydro development within the wider surrounding area. The applicant considers the landscape sensitivity to change is Medium. It is considered that the applicant has understated the landscape sensitivity which is measured as High.

7.82 The lower works including the tailrace, powerhouse platform, powerhouse building and tracks are all within LCT 225 introducing new built features along the Loch Ness

shoreline. The ZTV provided shows theoretical visibility of the powerhouse building along the western Loch Ness shoreline and upland locations above the loch but is limited by woodland and forestry currently. There will be an increase in movement and activity on the shoreline and loch including the transportation of equipment across the loch, and views of cranes and other construction equipment on the loch shore during the construction phase. However, this will be for a temporary period.

7.83 It is considered the applicant has understated the Magnitude of Change, assessed as Low during construction increasing to Medium locally in the immediate context of the proposed development and Low and Negligible locally overall during operation. It is considered the Magnitude of Change is High, during both construction and operation, in the surrounding area of the proposed development extending to approximately 3km to 4km in either direction of the powerhouse to the northeast and southwest of Loch Ness. It is generally acknowledged that the Magnitude of Change lessens beyond this distance.

7.84 Whilst the applicant concedes the proposed development would create direct and indirect effects within LCT 225 given the introduction of the powerhouse platform, powerhouse building and tracks along the eastern shore of Loch Ness. During the construction phase the increase in movement and activity would temporarily reduce the quiet, more unified character of the eastern side of the glen. In the long-term, the powerhouse building on the loch shore may become a focal point in some views, particularly from the loch where they would be perceived in close proximity and locally reduce the current landscape pattern. Whilst the scale of the built form would not appear at odds with existing hydro development in the wider surrounding area it is introducing a new, man-made feature along the iconic Loch Ness shoreline. The applicant considers the effect would be locally Moderate Adverse (Significant) within the immediate context of the proposed development site during construction and Minor Adverse (Not Significant) overall. They consider the proposed development would be locally Minor Adverse (Not Significant) and Negligible overall during operation. It is considered the applicant has understated the effects, during both the construction phase and once operational. There will be Significant effects extending to approximately 3km to 4km given the introduction of the lower works infrastructure on to Loch Ness. However, these effects diminish beyond this distance and given the vast scale of the landscape it is generally agreed the proposed development would not significantly alter the overall landscape character.

7.85 The majority of the upper works would fall within LCT 224 Farmed and Wooded Foothills. The NatureScot 2019 Landscape Character Assessment describes the key characteristics of LCT 224 Farmed and Wooded Foothills as follows:

- Low rocky hills with a complex and irregular landform of steep sided slopes, rocky ridges and peaks, with some small corries, short glens and lochs.
- Open summits with heather moorland, crags and rough pasture, contrasting with mid and lower slopes of forests and woodlands interspersed with rough and improved pasture.
- A diverse mix of woodland, agricultural land use and open moorland creating a balanced but complex range of open and enclosed spaces.
- Small farms, crofts and farming settlements scattered on the mid to lower

slopes, with a network of narrow roads, stone dykes and hedgerows field boundaries.

- Many archaeological relics from prehistoric to 18th-19th Century periods.
- Contrast between the panoramic views of the open, exposed upper slopes and summits, and the sheltered and enclosed lower, slopes with conifer forests and woodlands.
- A sense of care and prosperity in settled and farmed parts due to active agricultural land management.
- Open heather moorland dominates, the uniform colour and texture Few signs of active management in the interiors, creating a strong perception of remoteness, although this is affected by a number of large wind farm developments.

7.86 The upper works include dams, inundation area, permanent tracks, surge shaft, relocated estate fishing lodge along with temporary features such as borrow pits, site compounds and temporary tracks are all located within LCT 224. The majority of LCT falls within the Loch Ness and Duntelchaig SLA and is valued as a backdrop to the Great Glen with its scenic qualities, recreational opportunities and cultural heritage features. As such, it is considered the applicant's assessment that the landscape value is Medium-High is understated and should be High as it is for LCT 225 given it is located within the Loch Ness and Duntelchaig SLA.

7.87 Given the undulating, tree covered nature of the landscape it is agreed there is some capacity to accommodate new development, however, open summits may be more susceptible to change. Sensitivity to the type of development proposed is therefore considered to be Medium. As such, it is considered the applicant's assessment that the landscape sensitivity is Medium is understated and should be Medium-High.

7.88 The ZTV provided shows theoretical visibility of the dams would generally be limited to the area immediately surrounding the proposed development given the enclosed landform along with surrounding forestry and woodland with isolated areas of intervisibility from upland areas including Suidhe viewpoint and Beinn a' Bhacaidh. During the construction phase at the upper reservoir area works will include site compounds, borrow pits, dam structures along with upgraded access tracks. These works would increase activity and movement. Whilst cranes and other machinery may be visible above forestry from surrounding areas the effects would generally be localised and for a temporary period only.

7.89 It is considered the applicant has understated the Magnitude of Change, assessed as Medium locally and Low overall during construction and Low locally and Negligible overall during operation. It is considered the Magnitude of Change is Medium/High locally during both construction and the initial years of operation before planting, landscaping and other mitigation measures have become established. It is generally acknowledged that the Magnitude of Change lessens outwith the immediate surrounding locale.

7.90 The applicant concedes the proposed development would create direct and indirect effects within LCT 224 given the introduction of dams, inundation area and tracks as well as other permanent and temporary ancillary infrastructure set back from the

eastern shore of Loch Ness. During the construction phase the increase in movement and activity would be noticeable. Longer term, the dams and inundation area would change the pattern of open and enclosed spaces along with the experience of the complex landform. Although the dams and inundation area would be seen in views from some open, exposed, elevated areas within LCT 224, they would appear relatively distant and not out of context to the existing landscape character, where numerous small lochs and lochans are common throughout the wider surrounding area. The applicant considers the effect would be Moderate Adverse (Significant) locally within close proximity of the proposed development and Minor Adverse (Not Significant) overall during construction and Minor Adverse (Not Significant) locally and Negligible overall during operation. It is agreed that there will be Significant effects in the local surrounding area during the construction phase, but it is considered that these will continue into the early years of operation prior to planting, landscaping and other mitigation measures becoming embedded in the topography. However, these effects diminish beyond the local surrounding area and given the vast scale of the landscape with lochs and lochans commonplace it is generally agreed the proposed development would not significantly alter the overall landscape character.

7.91 The northeastern corner of the proposed development including Dam 3, associated access tracks and temporary construction compound would fall within LCT 227 Farmed Strath – Inverness. The NatureScot 2019 Landscape Character Assessment describes the key characteristics of LCT 227 Farmed Strath – Inverness as follows:

- Linear to sinuous channels cut through uplands, with a central meandering river located in a flat or gently undulating strath floor, edged by the steep, rocky, side slopes.
- Pronounced and dynamic river meanders of Strathglass, emphasised by riparian trees, oxbow lakes and curved wetland features.
- Small scale broadleaf woodlands and small blocks of conifer forest within Strathnairn/Stratherrick strath floor which do not override openness of the strath.
- A few small settlements located on the strath floor or sides and infrequent small farms, crofts, estate buildings or groups of houses.
- Roads which generally relate well to landform, with a limited number of river crossing points.
- Many archaeological sites in Strathnairn dating from a range of periods.
- Contrast between the open, inhabited and agricultural landscape of the straths, the side slopes cloaked in alternating broadleaf woodlands, conifer forests and heather moorland, and the setting of adjacent rugged, remote uplands.
- Diversity of colour and texture added by river meanders, wetlands, damp pastures and thin bands of woodland.
- An overall sense of linear enclosure, which directs distant views along the strath and allows uninterrupted views of the flanking hill slopes.

7.92 Only a small section of the proposed development is located within LCT 227. The Loch Ness and Duntelchaig SLA extends as far as the B862 public road. It is agreed the applicant's assessment that the landscape value is Medium.

7.93 The landscape is characterised by either flat or gently undulating floor edged by the steep rocky slopes of the surrounding uplands of Strathglass which extends into a higher well-defined glen enclosed by forestry. There is a contrast in land use and vegetation between the strath floor and the side slopes with the diverse mix of arable and pastoral fields provides a distinctive contrast. There are a number of settlements along with dispersed rural residential clusters across LCT 227. The upper reservoir of the Foyers Pumped Storage Scheme is located at Loch Mhor within LCT 227.

7.94 The applicant notes that effects are generally limited to the western portion of LCT 227 adjacent to LCT 224 where Dam 3 and a section of access track would be located. Dam 2 is on the boundary of LCT 227. The ZTV provided shows theoretical visibility of the dams mainly to the northeast. One of the dams would form a new permanent feature within this landscape perceived from the open strath floor and side slope but visibility is limited by broadleaf woodland and blocks of conifer forestry on the side slopes. During the construction period there would be intervisibility with construction works particularly relating to one of the dams with construction traffic utilising the B862.

7.95 It is considered the applicant has understated the Magnitude of Change, assessed as Low-Medium locally and Low overall during construction and locally Low and Negligible overall during operation. It is considered the Magnitude of Change is Medium locally during both construction and the initial years of operation before planting, landscaping and other mitigation measures have become established. It is generally acknowledged that the Magnitude of Change lessens outwith the immediate surrounding locale.

7.96 Whilst the applicant concedes the proposed development would create direct and indirect effects within LCT 227 given the introduction of dams, inundation area and tracks as well as other permanent and temporary ancillary infrastructure set back from the eastern shore of Loch Ness. During the construction phase the increase in movement and activity would be noticeable. Longer term, the dams and inundation area would change the pattern of open and enclosed spaces along with the experience of the complex landform. Whilst the dams and inundation area would be seen in views from some open, exposed, elevated areas within LCT 227, they would appear relatively distant and not out of context to the existing landscape character where numerous small lochs and lochans are common throughout the wider surrounding area. The applicant considers the effect would be Moderate Adverse (Significant) locally within close proximity of the proposed development and Minor Adverse (Not Significant) overall during construction and Minor Adverse (Not Significant) locally and Negligible overall during operation. Given the vast scale of the landscape with lochs and lochans commonplace it is generally agreed the proposed development would not significantly alter the overall landscape character.

7.97 As well as the dams and other ancillary infrastructure the increase in activity and movement, including construction traffic along the B862, may appear as a distraction in views along the Strath. The proposed development has the potential to temporarily

disrupt the relatively small-scale, intimate landscape character within LCT 227. The new dams would form a new feature located in the transitional landscape between the open strath and forested slopes. This would be perceived in views along the strath and would be perceptible within a localised area, particularly during the construction phase and early operation. However, mitigation measures including earthworks, mitigation seeding and planting along the eastern face of Dam 3 will help integrate the structure into the adjoining landscape. When viewed from lower elevations on the strath floor it would be seen partially screened by areas of woodland and forestry on the strath floor and lower slopes. When viewed from higher elevations the applicant notes the proposed development may appear out of scale with the generally small-scale, agricultural land use and settlement pattern. The applicant considers the effect would be Minor-Moderate Adverse (Not Significant) locally within close proximity of the proposed development, and Minor Adverse (Not Significant) overall during construction, and Minor Adverse (Not Significant) locally, and Negligible overall during operation. Whilst it is considered the applicant has understated the effects, particularly during construction where it is considered there will be Significant effects locally given the introduction of Dam 3, associated access tracks, temporary construction compound and increased activity within LCT 227, given the vast scale of the landscape it is generally agreed the proposed development would not significantly alter the overall landscape character.

7.98 The proposed development would be seen from the higher ground set back above the western shores of Loch Ness from within LCT 222 Rocky Moorland Plateau – Inverness. The NatureScot 2019 Landscape Character Assessment describes the key characteristics of LCT 222 Rocky Moorland Plateau – Inverness as follows:

- Open, gently rolling moorland plateaux with distinct edges descending to adjoining straths and glens or rising to merge with Rugged Massif.
- Plateau with a patchy texture of small rocky outcrop hills, bogs and lochans in no clear hierarchy or discernible pattern.
- Hilltops and upper slopes dominated by rocky heather moorland, except in the northeast where extensive, contrasting conifer forests dominate.
- Regenerating trees and scrub in glens with rivers s and sheltered lower hillsides.
- Strong contrast in landcover and settlement between the plateau and adjoining straths and glens.
- Sparsely inhabited and little evidence of active land use.
- A few historic sites indicating past settlement and land use.
- Orientation is difficult due to the lack of hierarchy, pattern and foci in the landform and landcover.
- Within the plateau distance and scale are generally difficult to perceive due to the lack of elements of known size.
- Distinct edges isolate the plateau from adjacent areas and give the sense of a vast, remote, upland moor.
- At the plateau edges, expansive views over inhabited straths and glens create

surprise.

- Eastern areas have a semi-exposed character with occasional views of distant hills framed by the distinct edges of conifer forests.
- Perception of remoteness on the open plateau, from the rugged patchy texture and absence of obvious human artefacts.

7.99 Whilst only a small part of LCT 222 falls within Loch Ness and Duntelchaig SLA it is valued for its scenic and remote upland qualities as well as its recreational opportunities and cultural heritage associations with Meall Fuar Mhonaidh, a popular key viewpoint looking out across the loch and down the Great Glen. There are various existing wind farms, overhead lines and the presence of commercial forestry in the wider surrounding area. Whilst the applicant notes the presence of Bhlaraidh Wind Farm and adjacent Livishie Hydro Scheme (amongst other renewable energy developments and ancillary infrastructure) adds to the human influence within this landscape, it is considered they have understated the Sensitivity of Receptors. The location of LCT 222 partially within the Loch Ness and Duntelchaig SLA increases the sensitivity therefore it is considered to be High as opposed to Medium. It is agreed that this reduces to Medium in the interior of LCT 222 further back from the site.

7.100 The landscape is characterised by a large scale, open, gently rolling moorland plateau, rocky outcrops with Meall Fuar-Mhonaidh, a key local feature in the landscape. Heather moorland dominates the rock-strewn hilltops and upper slopes with a mixture of pine and birch trees and gorse patches along glens and rivers. Livishie Hydro Scheme, intakes, pipelines and associated tracks are located within the central and western portion of LCT 222 and Bhlaraidh Wind in the southern part of LCT 222 above Glen Moriston.

7.101 Whilst there are examples of man-made development viewed within LCT 222 the overall feeling of openness and exposure, remoteness along with a lack of hierarchy and pattern in the landform makes the landscape sensitive to new development. Whilst the applicant notes the presence of Bhlaraidh Wind Farm and adjacent Livishie Hydro Scheme means that there are human influences, including renewable energy development, present within this landscape it is still considered the applicant has understated the landscape sensitivity.

7.102 The applicant considers LCT 222 may experience indirect effects where there is intervisibility with the proposed development. The ZTV provided shows patches of intervisibility with one or more dams in view from Meall Fuar-Mhonaidh, Levishie Forest north of Invermoriston along with smaller summits along the eastern edge of LCT 222. During construction there would be intervisibility with construction works, including cranes and other large scale construction equipment on site, however this would be experienced at a distance of approximately 5.3km form the site.

7.103 It is considered the applicant has understated the Magnitude of Change, assessed as Low during construction and Negligible during operation. It is considered the Magnitude of Change is Medium during both construction and the initial years of operation before planting, landscaping and other mitigation measures have become established. This is apparent at Meall Fuar-Mhonaidh, the closest point of LCT 222 to the site, however, it is generally acknowledged that the Magnitude of Change

lessens further into LCT 222.

7.104 The applicant concedes there will be some indirect landscape effects resulting from construction activities and permanent features on LCT 222. Construction works within the upper reservoir area will be visible in distant views from the open hill summit top and the plateau above the western shoreline slopes of Loch Ness with the increase in movement and activity during the construction phase to form a distraction within the view. Longer term, the visibility of the dam and inundation area would be experienced as part of the wider landscape context in views afforded. Whilst the proposed development would increase the perception of an actively managed landscape and introduce scale markers to views across Loch Ness, which would reduce the sense of a vast, featureless landscape, the most adverse effects are generally outwith LCT 222. Therefore, it is considered that any indirect landscape effects would be seen at some distance outwith the vast scale of this LCT, and unlikely to have a significant impact on the LCT as a whole. Whilst it is considered the applicant has understated the effects, particularly during construction where it is considered there will be Significant effects locally given the introduction of dams, access tracks, temporary construction compounds and increased activity in and around the upper works, given the vast scale of the landscape it is generally agreed the proposed development would not significantly alter the overall landscape character.

7.105 The proposed development would be seen from the higher ground towards the Monadhliath Mountains to the east from within LCT 221 Rolling Uplands – Inverness. The NatureScot 2019 Landscape Character Assessment describes the key characteristics of LCT 221 Rolling Uplands – Inverness as follows:

- A series of large scale, smooth, rounded hills with summits of similar height forming broad, undulating upland plateaux containing occasional steep-sided straths.
- Open heather moorland dominates, the uniform colour and texture accentuating the landform.
- Straths floors contain inbye pastures, trees and small patches of woodland.
- Conifer forests limited to the lower edges of uplands and strath sides.
- Settlement limited to a few isolated farms in remote straths.
- A few mainly single-track roads, integrated within the landform.
- Uninhabited interior, largely inaccessible to vehicles.
- Archaeological evidence of settlement and farming from prehistoric times to the 19th century.
- Striking colour and textural contrast between strath floors and moorland vegetation above.
- Expansive views from the hill tops and plateaux create a strong sense of openness and exposure.
- Scale and distance difficult to judge.
- Few signs of active management in the interiors create a strong perception of

remoteness, although this is affected by a number of large wind farm developments.

7.106 LCT 221 covers a large area with varying landscape with the interior having a strong sense of remoteness, however, this has been reduced to some extent within the study area given various wind farms, hydro schemes along with associated tracks and other infrastructure. Even with such man-made structures LCT 221 is noted for expansive views, large scale qualities and the sporting and recreational opportunities it provides. WLA 20 Monadhliath is set back further to the east but on the fringes of the 10km study area. It is generally agreed that the sensitivity of receptors is Medium given the more remote interior of WLA is outwith the study area.

7.107 LCT 221 will experience limited and relatively distant indirect effects where there is intervisibility with the proposed development. The ZTV indicates that there would be theoretical intervisibility with dams from the edge of the plateau and the slopes of summits which sit along the western edge of this LCT. During construction there would be theoretical intervisibility with construction works, including the appearance of cranes and other construction equipment, resulting in a potential increase in movement and activity, although this would appear distant. It is considered the applicant has marginally understated the Magnitude of Change, assessed as Low during construction and operation. It is considered the Magnitude of Change is Medium-Low during the construction phase and the initial years of operation before planting, landscaping and other mitigation measures have become established. However, it is generally acknowledged that the Magnitude of Change lessens further into the interior of LCT 221.

7.108 The applicant notes there will be some indirect effects from construction activities and new infrastructure when viewed from LCT 221. Construction works would be visible in distant views from open hill tops and edge of the plateau with increased movement and activity creating a distraction within the landscape. However, these would be seen at a relative distance outwith LCT 221. Longer term visibility of the dam and associated inundation area would be experienced as part of the wider landscape context in views across Stratherrick. The proposed development would increase the perception of an actively managed landscape and introduce scale markers into views which would reduce the sense of a vast, featureless landscape to some extent. However, views of the proposed hydro scheme would often be seen in the context of wind farm development within LCT 221. Whilst it is considered the applicant has marginally understated some effects, particularly during the construction phase where it is considered there will be effects locally, it is generally agreed the proposed development would not significantly alter the overall landscape character.

7.109 Highland Council's Landscape Officer has not objected to the application. Whilst they consider the applicant has understated some of the landscape effects, when the application is evaluated in the round, they are generally acceptable. Although they raised some concerns that the visualisations provided may have understated the likely visibility of construction effects, particularly for associated access tracks, these can be controlled by conditions. Conditions will ensure that the working area is kept as compact as is compatible with safe working practices and uphold restoration works, landscaping and planting mitigation measures.

Nationally Designated Landscapes

7.110 A small portion of WLA 20 Monadhliath is within the study area. Through consultation with Highland Council and NatureScot, it was agreed that WLA 20 Monadhliath would be scoped out of the assessment given the small area, distance from the proposed development and limited ZTV coverage.

Locally Designated Landscapes - Special Landscape Areas (SLAs)

7.111 The Landscape and Visual Impact Assessment in Chapter 8 of the EIAR gives an overview of the impacts and effects of the proposed development on landscape designations within the study area. The applicant considered there would be no significant effects on Loch Ness and Duntelchaig SLA. Highland Council's Landscape Officer does not contest that the effects on SLA are considered Not Significant. However, they consider that the applicant has understated some of the impacts on Loch Ness and Duntelchaig SLA beyond the limited areas identified by the applicant, particularly during the construction phase.

Loch Ness and Duntelchaig SLA

7.112 The Council has designated Loch Ness and Duntelchaig as an SLA. The Assessment of Highland Special Landscape Areas (2011) identifies the Special Qualities of the SLA as the dramatic Great Glen, contrasting intimate plateau and historic landscape with further detailed summary provided on each of these aspects.

7.113 Noted for its ever-changing compositions, this area is dominated by the vast linear feature of Loch Ness and its dramatic landform trench, flanked by steep, towering wooded slopes that lead to undulating moorland ridges and a contrasting remote interior plateau of upland lochs, small woods and rocky knolls. The SLA is particularly sensitive to additional large features upon the side slopes or ridge lines of the glen. This is because these may contrast with the distinct linear form of the glen, the characteristic concentration of built elements along the shore or over flatter adjacent areas, interrupt the sequential experience travelling along the glen, affect the perception of its scale, and change the open nature of views passing between the shore and the surrounding slopes. Both sides of Loch Ness are sensitive to the introduction of built development which would intrude on views up and down the loch and also across the loch. Combinations of developments which would result in a series of linear or point features may distract from the sequential experience when travelling along the loch. The addition of some developments may introduce levels of activity which would disturb the tranquillity experienced during still weather conditions. Whilst it may not qualify as Scotland's most diverse loch scene, the sheer scale and striking linearity of Loch Ness along with the popular myth associated with it make the location unique.

7.114 Key Landscape Characteristics are noted as:

- The striking, linear landform trench containing Loch Ness offers a dramatic sequence of landscape elements along its 23-mile length. The horizontal water's surface combines with adjacent steep slopes to create a simple and distinctive profile of contrasting planes and edges. The skyline is generally horizontal although there are occasional features such as hill peaks, pylons,

telecommunications mast and distant views of wind turbines.

- The steep sided slopes of the glen are frequently incised by burns, rivers and waterfalls which fall over sheer rocky cliffs.
- There are long vistas of grand proportions, and the sheer scale of the loch dwarfs the numerous boats, and yachts which frequent its waters.
- At regular intervals along the loch there are small areas of low-lying pasture with associated settlements, which nestle at the mouths of the rivers flowing into Loch Ness. These offer a human scale juxtaposed against the vast extent of open water and dramatic linear landform character. Public access to the loch's shore is typically limited to these areas of habitation due to the steepness of the glen side slopes.
- To the east of Loch Ness an undulating moorland plateau characterised by rocky knolls and small-scale woods and forests, and peppered with upland lochs, creates an intricate landscape mosaic which contrasts strongly with the adjacent simple drama of the Great Glen.
- The few quiet bays and more accessible areas of shore and forest give relief from the unrelenting linearity of Loch Ness and provide opportunity to savour its tranquillity.
- Historic features frequently form point foci within the glen, typically commanding positions of good defence, access or better farmland. These form landmarks while moving sequentially along the glen.
- On the western shore there are more recent crofting townships and older irregular townships.

7.115 The site is fully within the SLA boundary apart from small sections of the red line boundary to the east and northeast. The ZTV shows visibility of the inundated Loch Kemp and upper works, including the 8 dams, from upland locations set back to the east and west above Loch Ness. There will also be sustained lower-level visibility of the upper works on and around the A82 in combination with views of the powerhouse and lower works. The powerhouse and lower works will generally be seen in isolation when on Loch Ness.

7.116 Many receptors that experience the special qualities of the SLA are those using the area for recreation, including tourists, on Loch Ness itself including the Great Glen Canoe Trail and the upland landscapes above both the east and west shore including the South Loch Ness trail, Great Glen Way and Meall Fuar Mhonaidh. Other well used routes within the SLA include the A82, National Cycle Route 78, and Trail of the Seven Lochs. A key visual characteristic of the SLA are long vistas of grand proportions. The striking, linear landform of the loch creates a dramatic sequence of landscape elements along its length. The water's surface combines with adjacent steep slopes to create a simple and distinctive profile of contrasting planes and edges. The skyline is generally horizontal; however, there are occasional features such as hill peaks, pylons, telecommunications mast and views of wind turbines.

7.117 The ZTV shows visibility from portions of the A82 along the northwestern shoreline of Loch Ness within the SLA represented by VL1 – in the vicinity of the A82 north of

Invermoriston, and VL5 – A82 South of Invermoriston. Visibility from upland locations at higher elevation above the northwestern shoreline within the SLA are represented by VL2 – The upper Great Glen Way in the vicinity of Alltsigh and VL6 - Meall Fuar-mhonaidh. Visibility from the east of Loch Ness is represented by VL3 – Core Path IN25.01 near Whitebridge, and VL4 – Summit by Suidhe Viewpoint off the B862.

7.118 The applicant notes that the effects on this SLA would be direct, resulting from the introduction of the powerhouse building on the eastern shore of Loch Ness and upper reservoir on the moorland plateau on the eastern side of the glen which forms part of the wider landscape context.

7.119 During the construction phase the applicant considers there may be some localised temporary effects on the quiet qualities of the southeastern loch shore as works on the powerhouse building, tailrace structures on the shoreline as well as transport of equipment across the loch would introduce activity and movement into the landscape. They concede these works may also intrude on views up and down and across the loch, although they consider they would only be perceived within a relatively localised area. Construction works would also be experienced in localised views from elevated areas including the prominent landmark of Meall Fuar-mhonaidh which serves as an important vantage point within this landscape, although there would not be theoretical visibility of the powerhouse building from here, and in general views would be set back at over 5km distance. Whilst it is agreed there would be an effect on “the role of Meall Fuar-mhonaidh as a vantage point”, it is considered the applicant has understated the level of effect during the construction phase. As this is for a temporary period, the applicant’s appraisal is accepted that this would not affect the appreciation of Meall Fuar-mhonaidh as a landmark in the Great Glen longer term once the proposed development becomes operational.

7.120 In the longer term, the introduction of the powerhouse building would form a new permanent feature on the loch shore and would be perceived in views across Loch Ness. The applicant considers that the powerhouse and associated lower works would not become a dominating feature in the landscape, affect the experience of the striking V-shape of the glen or the vast scale of the landscape.

7.121 The applicant considers the modification to the landform and introduction of permanent features within the upper reservoir site would have some localised effects within this part of the SLA. Whilst there is some disagreement with the applicant’s assessment as to how well contained these are and how long Significant effects would be experienced by receptors it is not considered that this would affect the overall sense of openness and remoteness of the undulating moorland plateau.

7.122 Mountaineering Scotland, along with numerous other objections received from members of the public along with groups with recreational interests, made reference to the detrimental impacts the proposed development would have on the special qualities of the SLA. They noted upland summits and paths in the wider surrounding area which are well used for recreation including hillwalking, climbing and cycling along with the lower elevation routes on and around Loch Ness used for recreation by road users and those travelling along the loch. They considered the high degree of perceived naturalness along this stretch of Loch Ness will be lost during the construction phase with the imposition of construction infrastructure, compounds and associated noise and traffic, permanent access tracks, lighting, blasting and

quarrying for materials and disruption. A number of representations considered that these detrimental impacts would continue long into the operation of the proposed development even when accounting for mitigation measures.

7.123 Representations stated that following the completion of works there will no longer be a lack of modern artefacts or structures within the landscape in this part of Loch Ness. They considered the landform will change with the fluctuation in the water levels along with the appearance of drawdown scars at the upper reservoir. Additionally, it was noted that the construction of upgraded and new access tracks would also have a detrimental landscape and visual impact on receptors. Whilst landscape and visual related concerns raised in representations are noted these interests have to be taken into account and considered in the round as part of NPF4 which attaches strategic importance to the proposed development towards reaching renewable energy targets as long as the scheme maximises net economic impact without having a negative impact on natural heritage designations. NPF4 notes that significant landscape and visual impacts are to be expected for national scale renewable energy projects, where impacts are localised and / or appropriate design mitigation has been applied they will generally be considered to be acceptable.

7.124 The applicant anticipates the effect on the SLA will be locally Moderate Adverse (Significant) during construction, in the immediate vicinity of the proposed development, and Minor Adverse (Not Significant) overall. During the operation of the scheme the effect on the SLA is anticipated to be Negligible (Not Significant). Whilst it is considered the applicant has understated the level of some effects, it is generally agreed the integrity of the Loch Ness and Duntelchaig SLA would not be affected.

Visual Impact

7.125 Large scale energy schemes would be expected to result in significant visual impact effects; however, such effects do not automatically translate to unacceptable effects. This is a matter of planning judgement when considering the merits of any given scheme. The applicant's assessment of effects on visual amenity has considered potential effects on visual receptors (people obtaining views) based in buildings, on routes (both roads and recreational) and taking advantage of the views at outdoor locations and defined viewpoints. Following a review of the applicant's Landscape and Visual Impact Assessment (LVIA), there are some areas of difference between the assessment of officers and that of the applicant.

7.126 Appendix 6 provides a summary of the applicant's assessment and officer appraisal of this assessment, which highlights the differences and any concerns with regard to visual impact.

Impact on Residential Receptors

7.127 A number of properties within the study area have been assessed by the applicant. These are grouped along the northwestern shoreline of Loch Ness set back from the A82 either side of Invermoriston and set back from the B862 to the northeast of the upper reservoir (shown on Figure 8.5 Visual Receptors Included within Assessment with ZTV references B1 to B9). The applicant considers there would be no significant effects to the visual amenity of residents or other building-based visual receptors

within the study area once the proposed development becomes operational. It is considered they have understated the impacts to many of these closest properties. Adjacent to the A82 it is considered Loch Ness Highland Lodges (B2), the cluster of properties at Invermoriston South (which include Pier Cottage, Ness Bank and Tigh Na Bruach Bed and Breakfast) (B3) and cluster of properties at Glenurquhart Estate (B4) would experience Significant effects beyond the construction phase noted by the applicant and into the operation of the proposed development. The lower works including tailrace structures, powerhouse and associated tracks would be noticeable across the loch in open, oblique views, which will introduce new built features to the outlook. The powerhouse, in particular, will appear as a prominent new feature in the view.

7.128 On the other side of Loch Ness to the northeast of the upper works, whilst it is considered the applicant has understated the impacts to many of these closest properties, particularly the cluster of properties within Dell Estate, it is generally agreed that the effects would not be significant once the planting, landscaping and other mitigation measures have taken effect some time into the scheme becoming operational.

Impact on Recreational Users of the Outdoors and Road Users

7.129 A number of routes within the study area have been assessed by the applicant. These include the A82, Great Glen Way set back from the northwestern shoreline of the loch, Great Glen Canoe Trail on the waterbody, B862/National Cycle Route 78, Minor road to Garthbeg, Minor Road running parallel to the north of the B862, Dell Lodge – Foyers Core Path (IN25.01) and Garthbeg to Errogie, south side of Loch Mhor Core Path (IN25.02) (shown on Figure 8.5 Visual Receptors Included within Assessment with ZTV references R1 to R8).

7.130 The applicant considers there would be no significant effects to the visual amenity of visual receptors using these routes within the study area once the proposed development becomes operational. It is considered they have understated the impacts to those in close proximity to the lower works. The lower works including tailrace structures, powerhouse and associated tracks would be noticeable across the loch in open, oblique views, which will introduce new built features to the outlook from the A82. The powerhouse in particular, will appear as a prominent new feature in the view, although, it would be experienced transiently by road users through breaks in vegetation, particularly a section of the route south of Invermoriston for a short duration.

7.131 Likewise, those using the Great Glen Canoe Trail and travelling on Loch Ness more generally will experience views of the lower works which would be noticeable from the loch, appearing locally prominent but becoming less visible at further distances when seen in increasingly oblique views. Whilst the applicant anticipates that the powerhouse would become a feature of architectural interest, and the design and materials proposed are a modern interpretation of mid-century hydro infrastructure, it is considered they have understated the impacts and there will be a Significant visual impact for receptors using this route up to approximately 4km in either direction.

7.132 On the other side of Loch Ness to the northeast of the upper works, whilst it is considered the applicant has understated the impacts to many of the routes during

the construction period, it is generally agreed that the effects would not be significant once the planting, landscaping and other mitigation measures have taken effect some time into the scheme becoming operational.

7.133 2 outdoor locations within the study area, Meall Fuar-mhonaidh and Suidhe Viewpoint, have been assessed by the applicant (shown on Figure 8.5 Visual Receptors Included within Assessment with ZTV references O1 and O2). Whilst it is considered the applicant has understated the impacts, particularly during the construction phase from Meall Fuar-mhonaidh, given the set back of over 5km from the proposed development, it is generally agreed that the effects would not be significant once operational.

Cumulative Landscape and Visual Impact

7.134 In addition to the above, it is important to consider the context of the development in combination with other renewable energy developments and assess the likely cumulative effects. Of particular importance is how renewable energy developments relate to each other in design and relationship to their surroundings, their frequency when moving through the landscape and their visual separation to allow experience of the character of the landscape in between.

7.135 The cumulative assessment (Section 8.11 of EIAR Chapter 8 Landscape and Visual impact Assessment) has identified small portions within the study area where the landscape and visual effects of the proposed development would be marginally increased if other proposed developments were considered within the baseline. As such, cumulative effects are not significant. This is agreed.

7.136 The consented Red John (Loch na Cathrach) Pumped Storage Scheme is located approximately 15km to the north of the proposed development, at the northern end of Loch Ness, with the powerhouse building located on the eastern shoreline south of Dores and the upper reservoir on Ashie Moor. The consented Coire Glas Pumped Storage Scheme is located over 20km to the southwest.

7.137 Depending on the timing of construction, there is the potential that construction works for the proposed development could combine with Red John (Loch na Cathrach) Pumped Storage Scheme resulting in a greater impression of development within the area surrounding Loch Ness. However, it is generally agreed with the applicant's assessment that due to distance, construction activities related to Red John (Loch na Cathrach) Pumped Storage Scheme would not be experienced within the same part of the landscape as the proposed development and they are unlikely to be perceived as forming a cluster. Whilst there is potential that they may both be experienced from elevated points across Loch Ness, they would not be seen in the same part of the landscape and would be perceived within a wide overall landscape and visual context. It is agreed that there would not be Significant cumulative landscape effects resulting from the construction of Red John (Loch na Cathrach) PSH. Similarly, due to the distance over 20km, intervening topography, other development and land use, it is agreed that there would not be Significant cumulative landscape or visual effects when the proposed development is considered together with Coire Glas Pumped Storage Scheme.

7.138 Once operational, other hydro developments are most likely to be experienced in

sequential views along routes going through the Great Glen, such as along the A82, B862 and the Great Glen Way. Depending on timing of construction, activities associated with Red John Pumped Storage may be experienced by receptors within the glen during construction of the proposed development, potentially increasing the sense of development surrounding Loch Ness, but this will be diminished due to the distance to the proposed development and would not be seen in the same field of view. As such, the two developments would not be perceived as associated. Likewise, construction activities related to the consented Coire Glas Pumped Storage scheme will be a significant distance away.

7.139 In terms of other major development projects within the nearby landscape context, Bhlaraidh Wind Farm Extension is proposed approximately 6km to the northwest, Loch Liath Wind Farm is proposed approximately 10km to the northwest, Corriegarth 2 Wind Farm is proposed approximately 9km to the southeast, Dell Wind Farm is currently at Scoping stage and is proposed approximately 9km to the southeast. The access track to Dell Wind Farm would be located further south along the B862 from the site entrance of the proposed development. Depending on the timing of construction, construction activities related to these wind farm developments may be experienced in combination with construction relating to the proposed development from elevated locations within the surrounding area. However, due to the distance and the sense of containment of the proposed development by landform and forestry, any such effects would be temporary and considered likely to be of minimal increased effect.

7.140 In terms of wind farm developments and associated tracks within the area, these would mainly be perceived from elevated locations within the study area. Depending on the timing of construction, construction activities relating to Bhlaraidh Wind Farm Extension may be perceptible from Meall-Fuar Mhonaidh (O1), from where construction of turbines and tracks would likely be visible in relatively close proximity. If consented, construction activities relating to Loch Liath Wind Farm may be visible in views west. Although construction activities associated with the upper works of the proposed development and the track down to the powerhouse building would be visible from here, these would be seen in a different part of the view to the above wind farms and appear much more distant. From Suidhe Viewpoint (O2) construction activities relating to the upper works of the proposed development at Dam 3 would be perceptible, although contained to a large extent by forestry and landform. Although construction works associated with Bhlaraidh Wind Farm Extension, Loch Liath Wind Farm and Corriegarth 2 Wind Farm could potentially be visible from this location, they would appear distant and considering the limited visibility of the proposed development from this location, it is unlikely that this would result in any significant cumulative impact.

Onshore Wind Energy Supplementary Guidance

7.141 Whilst the proposed development is for a PSH as opposed to a wind farm, the applicant has provided an appraisal against Highland Council's OWESG, with assessment against the criterion and a view as to whether the threshold set out in the guidance is met or not. A review of their findings is contained in Appendix 5 to this report. Unsurprisingly, as visual impact assessment combines objective and subjective aspects through the application of professional judgement, there are differences between the applicant's assessment and the evaluation undertaken. It

should be noted that there is no framework in the Guidelines for Landscape and Visual Impact Assessment 3 or elsewhere upon which to assess let alone judge the "acceptability" of a proposal.

7.142 In relation the OWESG criterion, the case officer considers that the proposed development scores relatively well, with all 10 criteria being met. Whilst the applicant has understated some of the detrimental impacts of the proposed development and it is noted in Appendix 5 that there will be localised significant effects for Criterion 2, 3, 4, 5, 8 and 10, overall, the proposed development is considered to meet the thresholds of Criterion 10. The OWESG criterion is a useful tool to inform wind farm design and to generally guide development to appropriate places. The OWESG criterion are not however absolute policy requirements, with these reflecting the time of the OWESG's publication which pre-dates NPF4.

7.143 Whilst a national scale pumped hydro storage scheme would be expected to result in significant visual impact effects, the Council, through the OWESG, also acknowledges that significant effects do not automatically translate to unacceptable effects. Following a review of the applicant's LVIA, whilst there are differences between the assessment of officers and that of the applicant, significant effects are localised and relatively contained.

Construction

7.144 The applicant has outlined the construction programme for the proposed development over a 5-year period. Year 1 will involve site establishment including felling of trees and construction of access tracks along with the formation of the platform at lower reservoir works, tunnel excavation and underground works. The latter half of Year 1 will see works commence on the construction of dams and the upper reservoir works. Year 2 will involve the construction of the powerhouse building, substation and above ground lower reservoir works. These key works will be completed at various points by the end of Year 4. Site Reinstatement, restoration, testing and commissioning will take place at the start of Year 4 overlapping with the completion of the key infrastructure at the site.

7.145 The national scale development will have temporary construction impacts including, for example, traffic, noise, and dust. Additionally, there will be significant associated development including construction compounds, laydown areas (for material, spoil, equipment, plant and construction vehicles) welfare facilities, mobile concrete batching plant as well as storage for fuel, oils and other equipment. It is for these reasons that the applicant has a commitment toward a project specific Construction and Environmental Management Document (CEMD) approach, the finalised details of which, following appointment of the project contractor, would require approval from the Planning Authority in consultation with relevant consultees. In addition, the applicant has also committed to the appointment of an Ecological Clerk of Works (ECoW) to oversee the project. This can dovetail with a Planning Monitoring Officer role to monitor compliance with the conditions attached to any consent.

7.146 A mass balance strategy notes that there will be a total estimated 1,517,500m^3 of in-situ material that would be excavated across the site. From the total excavated material, an estimated 680,000m^3 of structurally suitable compacted rock mass would be generated, whilst an estimated 838,000m^3 of spoil material generated

would not be suitable for reuse in structural applications but would be suitable for backfilling applications. The design volume estimated from the concept design requires a total of 608,000m^3 of rock suitable for structural applications. As such, it is anticipated that almost all of the design volume rockfill requirements of the proposed development can be met from material reused from excavation of the project structures.

7.147 The strategy has been designed to maximise the use of materials generated from within the site for construction of the permanent works with any surplus materials generated put to beneficial use within the site. This approach would minimise the environmental impact by avoiding the need to transport bulk materials to the site wherever possible and by minimising the generation of any waste material that would need to be taken off site for disposal

7.148 The Outline Spoil Management Plan (AI Appendix 3.4) notes that the excavation of material would be required to construct the underground waterway system, cable tunnels and shaft, access tunnels along with the foundations for the powerhouse building and substations. The suitability of the excavated material to be used as concrete aggregate and used as a building material within the site will be determined following the detailed site investigation works and chemical testing. Based on the preliminary studies, it is anticipated that approximately 82% of all excavated material will be suitable for either structural reuse or as backfill material within the site. However, it is anticipated that suitable uses will be found on site for all spoil material and it is expected there would be further opportunities to reuse the remaining spoil elsewhere on site, such as potential reuse in slope stabilisation around the steep slope at Allt Paiteag watercourse, using spoil to create dam tails for the smaller rock face dams (at Dams 6, 7 and 8) thereby enabling planting of native tree species in a tiered natural barrier to further reduce the landscape visual impact of the structures. Any additional reuse of spoil onsite would be agreed with Highland Council in consultation with SEPA and is controlled by condition.

7.149 7 suitable borrow pit locations (subject to detailed ground investigations) were identified which have the potential to provide sufficient structurally suitable rock to facilitate construction, 5 of which were contained within the upper reservoir inundation area. Additionally, 3 borrow pits were screened out due to a combination of environmental factors. The applicant does not anticipate the requirement for any further borrow pits beyond BP1 set back from the new access track in Whitebridge Plantation in the southwestern portion of the site. This would be subject to confirmation of rock quality following detailed design and geotechnical ground investigation surveys. The remaining borrow pits identified will be a contingency measure for poor rock quality conditions during exploratory works on site.

7.150 The applicant anticipates that surface works, such as the access tracks, dams, powerhouse, quayside, pier and platform area, would generally be undertaken between 7am and 7pm Monday to Saturday and between 7am and 3pm on Sunday. The applicant notes that these could be subject to some variation to suit the ongoing work, weather conditions and time of year and would require further liaison and agreement with the Planning Authority. Any underground operations, such as the underground waterway system, access tunnels, tailrace, cable tunnel and vertical cable shaft along with supporting vehicle movements and pouring of concrete would need to continue 24 hours a day, 7 days a week inclusive of bank holidays.

Construction noise will be considered as part of the Construction Environment Management Document (CEMD) should there be a recommendation to raise no objection.

7.151 There are likely to be some adverse impacts caused by construction traffic and disruption given the length of the build period for the proposed development. The recommended hours for activities which are audible at any noise sensitive receptor are between 8am and 6pm Monday to Saturday (with a requirement for a reduced 45dB LAeq 1 hour between 1pm to 6pm on Saturday as opposed to 55dB LAeq 1 hour for the rest of the week) with no works on Sunday. However, it is understood that for a development of this size, there is some merit in allowing some work to be carried on outwith normal working hours if it is likely to significantly reduce the overall length of the construction period and the impact on surrounding residents can be kept to a minimum. This can be controlled by condition should there be a recommendation to raise no objection.

7.152 The applicant must comply with reasonable operational practices with regard to construction noise so as not to cause nuisance. Section 60 of the Control of Pollution Act 1974 sets restrictions in terms of hours of operation, plant and equipment used and noise levels etc. and is enforceable via Environmental Health and not Planning. Should there be a recommendation to raise no objection a condition would be required to secure details of how contractors would employ the best practicable means to reduce the impact of noise from construction activities.

7.153 The nature of the project anticipates the need for a Construction Environmental Management Plan (CEMP). An outline CEMP has been provided (EIAR Volume 4 Appendix 3.3) and the detailed CEMP can be controlled by condition should there be a recommendation to raise no objection. It should include site specific environmental management procedures which can be finalised and agreed through appropriate planning conditions. Due to the scale of the development SEPA would control pollution prevention measures relating to surface water run-off via a Controlled Activities Regulations (CAR) Construction Site Licence along with the hydropower element of the proposed development. The CAR application has only recently been submitted to SEPA on 1 May 2025 (CARR/L/5010728), therefore, they are still not able to provide a view on whether the proposals are capable of being authorised. As noted, abstraction and discharge rates along with the detailed design of related structures will only be determined as part of the full CAR determination process and it is the applicant's own risk should there be a need to amend any planning permission as a result.

7.154 In addition to the requirement for submission and agreement on a CEMP the Council would require the applicant to provide a financial bond regarding final site restoration (restoration bond) in the event of non-operation and to provide a Construction Traffic Management Plan (CTMP) for the use of the public road network should there be a recommendation to raise no objection.

7.155 Should the development be granted consent, a Community Liaison Group (CLG) will be conditioned to ensure that the Community Council and other stakeholders are kept up to date and consulted before and during the construction period.

7.156 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. For safety reasons, temporary lighting would be required for all external construction activities during hours of darkness and low natural light. This lighting would be designed to minimise illumination, glare or light spillage to nearby receptors. Tunnel portals would require temporary lighting when vehicle access is required for underground operations. Access would be minimised outside of surface working hours to limit the use of lighting during these hours and appropriate mitigation would be implemented. Under normal procedures once operational, external lighting will be required around the powerhouse during typical daytime working hours, i.e. perimeter lighting, spotlights and parking. External lighting at other areas of the development, such as, along the access tracks, dams, and upper reservoir inlet/outlet would only be required during essential maintenance. Full details of the specification of lighting would be required and controlled by condition should there be a recommendation to raise no objection.

7.157 Design and construction of a suitable drainage systems would follow Sustainable Urban Drainage Systems (SUDS) principles and would ensure natural drainage without significant alteration of the hydrological regime of the local site area. Any construction activity relating to, or undertaken in, the vicinity of watercourses would be carried out in general accordance with relevant SEPA Pollution Prevention Guidelines, The Water Framework Directive (WFD), The Water Environment and Water Services (Scotland) Act 2003 (WEWS), and the Controlled Activities Regulations (CAR) 2011 (as amended).

Construction Infrastructure

7.158 A number of site compounds along with a borrow pit (BP1) would be required across the site to accommodate the site establishment, lay down areas and extraction of materials for construction works. The borrow pit will measure up to a maximum area of 100m by 50m with a height of 10m. The locations generally correlate to the different construction areas across the site with need for establishment and lay down areas in the vicinity of the Whitebridge Plantation, the upper reservoir and lower reservoir works, as well as smaller establishment at the surge shafts. The final arrangement for these areas would be determined as part of the detailed design to allow flexibility to conduct the works efficiently.

7.159 The applicant anticipates an average of 356 workers on site, however, this would vary throughout the construction period dependent on works to be conducted. It is projected that construction workers would be accommodated in a temporary welfare compound on site within the Whitebridge Plantation with the vast majority of the compound reinstated on completion. The total area during construction would be 4.61ha with a smaller area of 0.77ha to be retained for maintenance activities and operational storage requirements.

7.160 Given the substantial workforce on site, the welfare compound will effectively operate as a new settlement within a rural setting. This has caused concerns and referenced in a number of representations received. Comments considered the level of detail regarding the design and layout of the worker camp along with how it will be built, heated, lit, serviced along with sanitary/water arrangements etc. is insufficient.

The applicant confirmed the compound will consist of offices for management and technical staff, drying rooms and storage facilities for plant and materials. In addition, the compound will have all facilities necessary for overnight accommodation – this will include single cabin accommodation units, canteen facilities, welfare, medical and social / recreation areas for workers. Water is expected to be mains supplied with wastewater being treated at a package treatment facility constructed on site and be in place for the duration of the camp. Any waste associated with this would be removed from site and sent to a licensed waste facility. Whilst no further detailed plans have been provided the welfare compound, along with the other site compounds and borrow pits referenced, can be controlled by condition should there be a recommendation to raise no objection.

7.161 Given the large workforce located on site for a number of years it was considered that this would bring additional noise, traffic, environmental damage and light that will have an impact on residents in the surrounding area. Given the set back from residential properties and the landform it is considered that the location will provide an element of mitigation to minimise potential detrimental impacts to neighbour amenity. No concerns were raised regarding potential long lasting impacts to habitat or ecology. Given the temporary nature of the welfare compound and other site compounds it is expected that the site will recover to its previous condition following reinstatement and planting which can be controlled by condition should there be a recommendation to raise no objection. In terms of traffic, whilst there will be vehicles coming and going from the site, workers staying in accommodation on site will help to significantly reduce vehicle movements.

Noise, Vibration, Air Quality and Dust

7.162 EIAR Volume 1 Chapter 17: Noise and Vibration sets out the assessment of the potential noise and vibration impacts along with the likely effects on environmental receptors associated with the proposed development.

7.163 The proposed development is set in a predominantly rural area and there is potential for disturbance to sensitive premises from noise, dust and vibration both during construction and operation. In most cases, it is expected that construction activities will give rise to some level of disturbance, but any impact will be temporary, however, the construction period for the proposed development is substantial given it is expected to last for up to 5 years. The applicant has submitted information on the impact of operational activities and has carried out a background noise survey.

7.164 Additionally, the applicant notes the creation of a temporary haul road to connect the lower works area to the upper works area and dams provides further noise mitigation with the opportunity to supplement rock quarried within from the lower works area, with suitable tunnel spoil from the underground works, for dam construction, thus reducing off-site disposal quantities and noise impacts resulting from associated vehicle movements.

7.165 A number of representations raised concerns regarding noise associated with building works. Additionally, the development will include either new or upgraded access tracks closer to noise sensitive receptors, particularly properties within the red line site boundary itself at Dell Estate such as Dell Lodge, Keepers Cottage, Dell Bungalow, Dell Cottages, the properties at Dell Farm, self-catering holiday properties

located within the vicinity of Dell Lodge, 4 private properties along (or accessed from) the B862 in Whitebridge and those in the wider surrounding area at Whitebridge and along the B862 public road.

7.166 The proposed construction working hours are between 7am and 7pm hours Monday to Saturday and 7am to 3pm on Sunday. In addition, the underground operations, including support vehicle movements and pouring of concrete are intended to continue 24 hours a day, 7 days a week, inclusive of bank holidays. Blasting on site is also proposed to take place between 9am and 5pm Monday to Friday inclusive and 10am to 12pm on Saturdays, Sundays and on National Public Holidays. Highland Council's Environmental Health Team raised concerns the proposed construction working hours provide little or no respite from construction noise for local residents. This needs to be taken into account, particularly when considering what constitutes the best practicable means for noise and vibration mitigation, noise/vibration limits and construction working times.

7.167 The assessment of noise has been undertaken in accordance with BS5228 Code of practice for noise and vibration control on construction and open sites. It recommends cut off values for day, evening and night of Equivalent Continuous A-weighted sound level over a specific time period (LAeq,T) 65dB, 55dB and 45dB, respectively. The NIA has noted for large scale and long-term earth moving activities, BS5228 advises that guidance contained in MP2 Minerals Policy Statement 2 - Controlling and mitigating the environmental effects of mineral extraction in England needs to be taken into account. This guidance suggests a daytime limit of LAeq1hour 55 dB is adopted. The equivalent guidance in Scotland is PAN 50 Annex A - Controlling the Environmental Effects of Surface Mineral Workings. The Environmental Health Team notes this guidance actually goes on to suggest that in areas of low background levels the appropriate limit for mineral workings should be LAeq1hr 45dB. In view of the above guidance and given duration of the project they confirmed the daytime limit of LAeq1hr 55dB is appropriate for the proposed development.

7.168 The NIA predicts that the limit of LAeq1hr 55dB will be met at the Noise Sensitive Receptors (NSR) throughout the construction phases, except at Dell House and Braeholm (NSR 3 and NSR 4 shown on EIAR Volume 2 Figure 17.1: Noise and Vibration Noise Sensitive Receptors (NSR) and Noise Monitoring Locations (NML)), during the upgrading of access tracks, when the level will be exceeded. Although, it states that it will not exceed the trigger level in BS228 of LAeq 75dB, it will only be for a few days as the plant equipment moves past and the level would not be exceeded for more than 10 consecutive days in a 15-day period. Therefore, a short-term exceedance of the 55dB limit for the installation of the access track would be allowable. The underground operations involving continuous work for 24 hours a day, 7 days a week, will take place over a significant time period given the construction timeline shows that the tunnel excavation and underground works will take up to 4 years. The NIA states that the night-time construction noise will comply with the suggested limit of LAeq1hr 45dB in BS 5228.

7.169 BS 5228, however, does not suggest that 7 days a week construction work can take place simply by virtue of complying with the recommended noise levels. Other factors can affect residents / community acceptability of the noise and require to be considered, including the existing ambient noise levels, nature of noise, durations of

site operations and attitude towards the site operator. PAN 50 also states in the case of night-time working, Planning Authorities and operators should have particular regard to the needs of local people, and discussion with local Environmental Health Officers may well be appropriate as to whether the night-time limit stated in paragraph 33 (LAeq1hr 45dB) is reasonable, however, this may be a particular issue in quieter rural areas. The 24 hours construction works for the underground operations would result in residents having no periods of respite from construction noise alongside the lengthy 4-year duration of the construction works. As such, Environmental Health consider there will likely be a significant detrimental effect on the amenity of local residents and consider the night-time limit of LAeq1hr 45dB would be unreasonable and there should also be periods of respite for residents when no construction noise is audible.

7.170 The Environmental Health Team noted the following noise limitations be applied to the proposed development should there be a recommendation to raise no objection:

Construction Noise

- Monday to Friday - 8am to 6pm 55dB LAeq 1 hour;
- Monday to Friday - 6pm to 10pm 45dB LAeq 1 hour
- Saturdays - 8am to 1pm 55dB LAeq 1hour;
- Saturdays - 1pm to 6pm 45dB LAeq 1 hour;
- Outwith the above times, noise from construction related activities shall not exceed 35dB LAeq 1 hour.
- No associated construction work (including the loading / unloading of delivery vehicles, plant or other machinery) for which noise is audible at the curtilage of any noise sensitive property, unless otherwise agreed by the Planning Authority.

7.171 The NIA has also identified a series of mitigation measures for the purpose of controlling / reducing the noise. The key measure for managing the noise / vibration being a Construction Noise and Vibration Management Plan (CNVMP) which will be submitted once the principal contractor has been appointed, and details of the construction activities have been finalised. The CNVMP requires to be submitted and approved by the Planning Authority in conjunction with Environmental Health Service prior to any construction work commencing. It must include all the measures defined in the Outline CNVMP (EIAR Volume 4 Appendix 17.3: Outline CNVMP). The final CNVMP must also take account of the above noise limits and ensure that appropriate measures are put in place, particularly during underground working to ensure the above condition can be complied with. These details can be controlled by condition should there be a recommendation to raise no objection.

7.172 Construction vibration has also been considered with potential vibrations from rock drill and rigs in the lower reservoir, but the most likely source of vibrations are the blasting activities. EIAR Volume 1 Chapter 17: Noise and Vibration states that the vibration levels are dependent on-site specific factors and can be difficult to predict but given the separation distance between the site and receptors, are likely to be low. However, this will be confirmed by undertaking vibration tests and monitoring of air pressure during blasting trials or early stages of blasting. Furthermore, to reduce

potential adverse impact, good blast design must be employed, vibration levels must meet the recommend limits and residents must be pre-warned of any vibration/blasting event. Environmental Health expect that details of the monitoring, testing, good blast design and the vibration mitigation measures outlined in section 17.9 Mitigation of EIAR Volume 1 Chapter 17: Noise and Vibration will also be included in the CNVMP. However, given the long construction period, complaints about vibration may arise even at low level. Should there be a recommendation to raise no objection conditions controlling vibration generated by construction activities shall not exceed 1mm / second from noise sensitive properties with the hours of operation limited to Monday to Friday 8am to 6pm and Saturdays 8am to 1pm. For the avoidance of doubt, should complaints arise about prolonged periods of perceptible construction vibration, our Service has powers under the Control of Pollution Act 1974 to introduce additional controls if required.

7.173 The impact of air quality arising from the construction of the development on both human and ecological receptors has been considered through EIAR Volume 1 Chapter 18: Air Quality and EIAR Volume 4 - Appendix 18.1 - Dust Monitoring Scheme. The air quality assessment has scoped out the operational phase of the development as the impacts on air quality will be negligible with a focus on construction activities. The air quality assessment has identified that there is a risk of dust emissions during part of the construction process in the absence of mitigation measures although the appraisal states that it is likely these will not be significant. Should there be a recommendation to raise no objection works shall commence in line with the mitigation measures noted in Chapter 18 and Appendix 18.1 dust suppression scheme.

7.174 Operational noise from the proposed development has been assessed against BS4142:2014+A1:2019: Methods for rating and assessing industrial and commercial sound and also includes a prediction of the cumulative noise from other developments within the area. The outcome of the assessment is that the predicted operational noise will be low and significantly below the background noise level at each NSP. In addition, the cumulative operating noise with other developments will also be low and below the background levels. However, as a precaution Environmental Health would require all plant, machinery and equipment associated with the development be installed, maintained and operated so that operational noise does not exceed NR 20 between 11pm and 7am and not exceed the background noise level outwith these times. These details can be controlled by condition should there be a recommendation to raise no objection.

7.175 Given the distance between the proposed development and any sensitive properties, operational vibration has been scoped out of the EIA. However, experience has shown that people can be very sensitive to emissions which are perceived as a sensation rather than an audible noise. For construction noise, there is a foreseeable end to any impact and standards can be more relaxed. However, if the development were to give rise to any noticeable operational vibration, this could have a significantly detrimental impact on the amenity of sensitive residents. Therefore, the only acceptable operational limit for vibration from this development is to be below the threshold of perception. Again, as a precaution Environmental Health request operational vibration shall not exceed 0.1 m·s-1.75. These details can be controlled by condition should there be a recommendation to raise no objection.

7.176 Additionally, a condition would require a Community Liaison Group be set up. Given the size and duration of the proposed development there may be disturbance over a prolonged period, not only noise but other issues such as increased traffic and accesses used for recreation, as such, 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.

7.177 A number of representations raise concerns regarding the impact of noise associated with the proposed development. Whilst there will be noise during both construction and operation the mitigation measures to control noise, vibration, air quality and dust would be managed through CNVMP and controlled by conditions requested by Environmental Health. As such, it is generally considered the proposed mitigation measures are appropriate and it is agreed with the findings in EIAR Volume 1 Chapter 17: Noise and Vibration and Chapter 18: Air Quality that the effects are not significant.

Roads, Transport and Access

7.178 The EIAR assessed the impact of the development on roads, transport and access including movement of Abnormally Indivisible Loads (AIL) along with cumulative effects. During the construction phase there will be fluctuations in traffic travelling to and from the site, with the predicted peak of construction traffic movement having been assessed to determine the worst-case effects on roads within the study area. EIAR Volume 1 Chapter 16: Traffic, Access and Transport is supported by a Transport Assessment prepared by Pell Frischmann (Appendix 16.1) along with additional information including road links within the study area (Figure 16.1), traffic count locations (Figure 16.2), accident locations (Figure 16.3) and delivery routes and (Figure 16.4).

7.179 Chapter 16 notes that the assessment has been carried out in accordance with guidance presented in The Guidelines for the Environmental Assessment for Road Traffic (Institute of Environmental Assessment (IEA) in 1993). However, new guidance has been published by the Institute of Environmental Management and Assessment (IEMA) entitled Environmental Assessment of Traffic and Movement in July 2023 which updates and replaces the previous 1993 IEMA guidelines providing enhanced and up to date advice on the assessment of traffic and movement. Given that the scope of the assessment was agreed in February 2022 the use of the old guidelines is accepted in this instance.

7.180 Construction period traffic is expected to comprise of: staff transport in either cars or staff minibuses to the workers camp; Light Goods Vehicles (LGV) providing supplies, provisions and deliveries to the construction offices and workers camp; fuel and oil deliveries made in Heavy Goods Vehicles (HGV); construction equipment, plant and machinery by HGV, low loader or similar; bulk materials such as cement and aggregate (the majority of aggregates will be won from the site); and Abnormal Indivisible Loads (AIL) associated with the larger scale machinery including electrical/mechanical equipment. However, it is noted that the largest electrical/mechanical components would be imported to site via the canal removing many potential AIL movements from the road network. Whilst the use of the canal for deliveries is noted the applicant has considered a reasonable worst-case scenario

where most deliveries reach the site by road in their assessment. The primary traffic movements within the site would be the transportation of rock in the form of tunnel spoil which would be used to construct the dams around Loch Kemp and associated landscaping works.

7.181 Once operational, the applicant considers the traffic effects of the proposed development are likely to be insignificant as expected traffic flows will be typically up to 3 vehicle movements per day for maintenance purposes as well as the 25 staff working at the site. Additionally, there is potential for very occasional abnormal load movements to deliver replacement components.

7.182 The proposed development will be accessed from a new junction from the existing B862 public road approximately 700m southwest of the Whitebridge Hotel in the southeastern portion of the site. The applicant has confirmed that visibility splays will be between 160m and 215m based on the 62mph design speed of the B862 public road. The access junction would be designed to accommodate all predicted loads and traffic to be delivered by road for both the construction and operational phases of the proposed development. Within the site, Dell Estate forestry tracks will be upgraded and extended along with the creation of a new access track to the powerhouse site on the eastern shore of Loch Ness.

7.183 With regards to the internal tracks, Highland Council's Development Plans Team noted the alignment and gradient of the proposed access road rising from the powerhouse looks very challenging with the stability of the wider slope, its soils and woodland should be considered. Scouring of such access roads by the overland flow paths of flood waters during flash floods is common in Highland and will be more so with climate change increasing the likelihood of such events. Whilst their concerns are noted it is considered that an appropriate design solution can be implemented that takes account of their comments.

7.184 The study area comprises the A82 Trunk Road between Inverness and Fort William, B852 between its junction with the B862 Bailebeag and B862 Dores, B862 between Fort Augustus and Holm roundabout, B851 between its junction with the B862 and the A9 and the A9 Trunk Road between Inverness and Aviemore.

7.185 Base traffic volumes for the trunk road elements of the study area have been obtained using both the Department for Transport (DfT) and Transport Scotland counts. The construction period is expected to have a duration of 5 years commencing in 2025. Daily construction traffic estimates have been developed (shown in Appendix 16.1) which demonstrates that peak development generated traffic will occur in Month 16 of the programme. During this month, an average of 34 HGV movements is predicted per day and it is estimated that there would be a further 158 car and light van movements per day to transport construction workers. These development-generated trips have been distributed through the network and combined with the 2025 Baseline traffic data to determine the percentage impact on the study area.

7.186 The highest trunk road impact will occur on the A9 Trunk Road south of Inshes Wood with a 5.26% increase in HGV traffic and an increase of 0.86% on total traffic. Based on these percentages, Transport Scotland confirmed they are satisfied that the proposed development will not give rise to any potentially significant

environmental effects associated with increased traffic.

7.187 With regards to the Abnormal Loads Assessment, whilst the applicant states that the Caledonian Canal would be used for the delivery of abnormal load components associated with the lower reservoir works of the proposed development, removing a large number of potential Abnormal Indivisible Load (AIL) movements from the road network, there will still be abnormal load deliveries associated with plant machinery. As such, an Abnormal Indivisible Load Route Survey Report (RSR) has been prepared and is included within the Appendix C Section 3.1 of the Abnormal Indivisible Load Route Survey November 2023 within the Transport Assessment.

7.188 This RSR states that the constraints identified during the review of the route from the port through to the proposed site access junction. However, Transport Scotland noted it was not clear whether the assessment has considered the entire route between the port and the site access or if the assessment started at the A9(T)/B851 Junction. As such, Transport Scotland seek confirmation that the trunk road section of the route has been assessed appropriately.

7.189 Transport Scotland note that a Construction Traffic Management Plan (CTMP) and an Abnormal Load Transport Management Plan will be prepared and implemented during the construction phase and are controlled by conditions. These supporting documents should be discussed and agreed with the appropriate Area Managers prior to construction.

7.190 During construction of the proposed development the greatest impact would occur along the B851 and the B862 on the local road network. Traffic, at the peak of construction in month 16, would result in 68 HGV movements per day (34 inbound and 34 outbound) and 316 Cars & Lights (158 inbound and 158 outbound). The assessment within Chapter 16 suggests that drivers along both these routes, as well as residents in Dores, Errogie and Gorthleck would experience significant effects prior to the application of mitigation measures.

7.191 Highland Council's Transport Planning Team agree with the above recommendation that a CTMP is controlled by condition. They also requested a detailed Abnormal Load (AIL) Route Assessment be undertaken for the AIL's that will be moved by road to and from the proposed development, design details for all accesses with the local public road network, parking, loading and unloading arrangements, establishment of a Community Liaison Group and "Wear and Tear" agreement are all to be controlled by conditions. Additionally, an Informative clarifying that no works should commence on or directly adjacent to the local public road network until a permit for such works has been sought from and granted by The Highland Council acting as the Local Roads Authority is also attached.

7.192 Highland Council's Transport Planning Team note the local public roads that would be impacted by the proposed development are evolved fragile routes that have long stretches which are substandard in terms of their condition, construction form, width and alignment. IMFLDP2 Delivery Programme recognises this by specifically referencing that "All developments which put significant pressure on the B851, B862, B861 or B852 roads be required to contribute towards appropriate upgrades." Therefore, there is an expectation that suitable and proportionate road mitigation measures be sought that adhere with the South Loch Ness Road Improvement

Strategy. These could be delivered through direct delivery, by financial contribution to The Highland Council or a combination of the two.

7.193 The Strategy was produced by Highland Council to establish a framework for developing and delivering a consistent and coordinated approach to improving the Broad network in the South Loch Ness area. It aims to deliver a “fit-for-purpose” road network capable of catering for modern day traffic movements, whilst improving road safety and “future proofing” the roads as assets for the local communities, businesses and landowners that rely on them.

7.194 It was also in response to large scale development pressure in the area, recognising that a strategic approach was needed to securing and delivering roads mitigation from such developments. The Strategy accepts that no single development could reasonably be expected to upgrade the full lengths of roads in the area. Similarly, it would be unreasonable to restrict development in that area until the entire network of roads covered by the Strategy was suitably upgraded. Therefore, the Strategy has and continues to apply an approach of securing reasonable and proportionate levels of road mitigation from individual developments that are designed and delivered in accordance with the aspirations of the Strategy. As more development comes forward, further cumulative improvements to the impacted roads will be delivered, which will be vital to local communities, businesses and developers alike.

7.195 The Strategy also outlines the Council’s favoured method of improving the network, including the standards and methodology that should be used. These have been developed to provide both the enhanced safety and capacity required from increasing demand, whilst also improving how existing local communities experience and cope with such new demands

7.196 Adverse transport impacts to the B851 and B862 roads and their users are expected as a result of this development. A key reason for that is the substandard nature, condition and constantly changing physical form of those routes along their lengths. For example, approximately 42% of the B851 and 59% of the section of the B862 that will need to be used by this development do not meet the minimum width requirement for their route class. The B851 changes width 20 times over an approximate 22km length and, for the B862, that changes 17 times over an approximate 14km length. Also, there are large sections of these routes that were never designed to cater for the types and levels of traffic that this development is predicting to generate.

7.197 This substandard and fluctuating situation will result in road pavement deterioration that will reduce the safe usable width of the carriageway, resulting in increased conflicts between road users. That will be both in open road sections and within villages and settlements, where the likelihood of conflict with vulnerable road users will be heightened. It is these increased conflicts that will adversely impact on the ability of those routes to continue operating safely for those users, businesses and communities that rely on them.

7.198 Transport Planning confirmed that the suggested level of physical road mitigation and traffic management measures set out in the Transport Assessment dated November 2023 were not sufficient or proportionate to the predicted level of impact that this development would generate. There have been extensive discussions with

the applicant regarding this particular issue and Transport Planning welcome their recognition that the predicted scale of impacts would warrant a greater amount of physical roads mitigation than the Transport Assessment had previously suggested.

7.199 Whilst attempts have been made to reach an agreed value for overall roads mitigation, this has not been achieved. The Council compared overall predicted construction traffic levels from the submitted Transport Assessment to equivalent predicted trips from other development projects in the South Loch Ness Area that had agreed levels of road mitigation. This exercise suggested that to be comparable with those other projects, the Loch Kemp scheme should be delivering between £11.2m and £13.8m of roads mitigation. Through discussions with the applicant, it was identified that some reductions to the predicted overall construction related vehicle trips set out in the submitted Transport Assessment could be generated. When these were applied to the above process, this reduced the required scale of proportionate roads mitigation to between £9.3m and £11.4m.

7.200 As the applicant has said that all of those mitigation values were deemed unaffordable to the project, given the level of other mitigation and community benefits being sought elsewhere, Transport Planning have also undertaken the same comparative exercise purely for predicted HGV movements. This concluded that, to be comparable with other projects in the area, the Loch Kemp scheme should be supporting the delivery of £4.6m worth of local road mitigation purely to deal with impacts of predicted HGV movements. However, as noted within their consultation response, the substandard form and condition of the existing roads means that even smaller construction related vehicles will adversely impact on the condition and safety of those roads that warrants mitigation.

7.201 Given all of the details set out above, Transport Planning believe that the Loch Kemp Pump Storage Hydro project should be delivering road mitigation schemes towards the upper end of the range of between £5m and £9m, which should adhere with the South Loch Ness Road Improvement Strategy. That mitigation value should be directed to delivering, in part or in full, the following list of Strategy Priority Schemes, which are required to effectively mitigate the predicted impacts of this development:

<u>B851</u>

- Scheme 3 - Whitemill Bridge to Inverarnie - 2.8km of single carriageway widening and realignment.
- Scheme 9 - Inverarnie & Farr VIS – a 1.5km Village Improvement Scheme.
- Scheme 17 - Croachy VIS – a 0.5km Village Improvement Scheme.

<u>B862</u>

- Scheme 29 - Calanour Junction to Errogie - 2.3km of single carriageway widening and realignment.
- Scheme 31 - Errogie VIS – a 0.6km Village Improvement Scheme.
- Scheme 35 - Gorthleck VIS – a 1.35km Village Improvement Scheme.
- Scheme 41 - Chapel Bridge to Compass - 0.7km of single carriageway widening and realignment.

- Scheme 44 - Whitebridge VIS – a 0.65km Village Improvement Scheme.

7.202 Without the above, Transport Planning do not believe that the anticipated impacts to the critical local public roads in the area from this significant, complex National scale development that is forecast to take up to 5 years to construct will be suitably mitigated. Therefore, they object unless the details noted above are controlled by condition.

7.203 This required level of mitigation takes into account the previous suggestion of transporting some larger loads via the Caledonian Canal and onto Loch Ness. If this does not materialise and those loads end up needing to be transported by road, the nature and scale of roads mitigation required will need to be reviewed and uplifted as necessary to accommodate such additional loads

7.204 Following the applicant's clarification that they wish to deliver some local road improvements themselves, which are welcomed by Transport Planning, such mitigation is likely to be a combination of direct delivery by the Promoter and a financial contribution towards The Highland Council undertaking works as part of delivering the wider Strategy. Any permission issued should include a condition requiring the split of mitigation between those being delivered by the applicant and those forming a financial contribution towards Highland Council be agreed with the Planning Authority prior to any works commencing, including delivery timescales.

7.205 To maximise the return in levels of mitigation delivered, it will be imperative that value engineering techniques are applied to the development and delivery of such mitigation. As previously mentioned, the delivery of such mitigation can be through direct delivery by the developer, through financial contribution to the Council for them to deliver or by a combination of the two. The timing of when such mitigation needs to be delivered should ideally be in advance of the development transport impacts arising. However, a pragmatic approach would be adopted on this to ensure that the right type of mitigation was delivered in time to support the varying levels of impacts that a project like this will generate through its development.

7.206 The delivery of roads mitigation will also require engagement with the local communities that will be impacted both by the traffic associated with the development and the delivery of the mitigation required. The South Loch Ness – Road Improvement Strategy has maintained an open dialogue with the Communities on such matters since its inception and it is anticipated their priorities largely match those listed above.

7.207 The EIAR assessed the cumulative impact of consented developments in the study area which include Bhlaraidh Wind Farm Extension, Aberarder Wind Farm, Dell Wind Farm along with Red John (Loch Na Cathrach) PSH and Coire Glas PSH. Whilst the cumulative picture has changed since the submission of the application with additional projects at various stages in the planning process, these are on the other side of Loch Ness some distance from the proposed development. Even so, the projects factored into the applicant's cumulative assessment will be an incomplete picture, owing to the number of renewable energy proposals in the region at various stages of the consenting process, the principal nearby consents have been captured with the determination of future projects having to factor in Loch Kemp into their own cumulative assessment if consented. While the applicant considered it unlikely that

all of these developments noted would be constructed concurrently and that their peak construction months would align, a combined sensitivity review has been undertaken to inform of possible issues if all 6 of the sites (including Loch Kemp PSH) were to be constructed simultaneously. The construction peak traffic flows have been obtained from the respective planning application documents for each application (shown in Table 16.11: Combined Scheme Sensitivity Review Peak Traffic Summary).

7.208 If the project were to be decommissioned, it is anticipated that the potential effects on transport and access would be equal to or lesser than the construction impacts noted.

7.209 The host Stratherrick and Foyers Community Council and neighbouring Fort Augustus and Glenmoriston Community Council both objected to the proposed development along with numerous representations submitted that raise significant concerns regarding the potential detrimental impact on roads. These noted that the B851 and B862 are substandard and not suitable for the significant levels of construction traffic over the 5-year building phase. Whilst these concerns are noted neither Transport Scotland nor Highland Council's Transport Planning Team object to the application subject to the conditions noted. In terms of mitigation measures proposed to reduce traffic volumes during the construction phase, the use of the Caledonian Canal for the delivery of substantial AIL scale infrastructure and the establishment of a workers accommodation compound within the site will help significantly reduce the number of trips on the road network. Along with the CTMP various abnormal load mitigation works will be achieved through an Abnormal Load Transport Management Plan, Construction Staff Travel Plan, appropriate distribution of public information along with any cumulative measures if required.

7.210 Additionally, representations received considered the proposed development would have a detrimental impact on road safety and consider mitigation measures proposed inadequate. Based on the information available the applicant considers that it has been established that there are no specific road safety issues within the surrounding area that require to be addressed or would be exacerbated by the development.

7.211 The proposed development would lead to an increase in traffic volumes within the study area during the construction phase, with the greatest impact along the B851 and B862. Whilst for a temporary period, these effects would continue over a number of years given the national scale of the proposed development. Outwith the peak period of construction, traffic volumes would fall considerably. The applicant has adopted the best practical means and mitigation measures to control roads, transport and access related issues associated with the proposed development through the implementation of appropriate mitigation measures and subject to the conditions attached. It is agreed with the findings in EIAR Volume 1 Chapter 16 Transport and Access and the mitigation proposed, residual traffic and transport effects are not significant.

Wider Recreational Access

7.212 In terms of wider public access, an assessment of potential effects on land use and recreation has been undertaken for EIAR Volume 1 Chapter 9: Land Use and

Recreation. The assessment considers existing land uses which may be physically or indirectly affected by construction and operation of the proposed development. It also considers the potential to which recreational activities which currently take place may be affected.

7.213 There are no core paths within the site boundary or the wider Dell Estate. There are however a number of local tracks/paths which intersect the site. The applicant's assessment has concluded that the proposed development would result in some temporary significant adverse effects during construction for users of tracks and path within the Estate, particularly around Loch Kemp and within Whitebridge Plantation due to the diversion of some routes and the presence of construction traffic using tracks in close proximity. Longer Term, the existing track that circulates Loch Kemp would be inundated but would be replaced by a new permanent track above the new top water level.

7.214 Highland Council's Access Officer has no objection to the application provided there is a condition which secures a detailed Outdoor Access Management Plan. This would ensure access is provided throughout the construction period and that enhanced recreational access opportunities are provided during the operational phase. The Access Officer identified a number of limitations with the draft Outdoor Access Management Plan, including an understatement of the impacts of the proposed development on the Great Glen Canoe Trail, particularly canoeists accessing the shore at this point of Loch Ness. This is a Long-Distance Route referred to in Policy 78 of the Highland wide Local Development Plan which identifies that The Council, with its partners, will safeguard and seek to enhance these routes and their settings. The construction and siting of the powerhouse will have a significant negative impact on a site known variously as The Beeches or Joshua Tree which is popular with passing canoeists as a campsite. The development will make this location physically inaccessible with the noise of the powerhouse creating an unattractive camping spot. Policy 77 Public Access of the HwLDP notes that where a proposal affects an access point to water then Highland Council will require it to ensure alternative access provision that is no less attractive, is safe and convenient for public use, and does not damage or disturb species or habitats. Full details are to be included within the Outdoor Access Plan.

7.215 Scotways noted that a right of way (HI98) is recorded in the National Catalogue of Rights of Way (CROW) which crosses or is close to the site and requested that the affected route is kept open and free from any obstruction or encroachment before, during and after the lifetime of the proposed development.

7.216 It is generally considered the proposed mitigation measures are appropriate and it is agreed with the findings in EIAR Volume 1 Chapter 9: Land Use and Recreation along with relevant associated supporting information, that the effects are not significant.

Hydrology and Water Environment

7.217 EIAR Volume 1 Chapter 7: Water Management notes that for the proposed development to allow drawdown for storage, the upper reservoir, Loch Kemp will be inundated and enclosed by 8 dams with the water level raised by approximately 28m from its existing 177m AOD elevation to approximately 205m AOD. The lower

reservoir, Loch Ness, is approximately 36km long and has a surface area of approximately 56km^2 with water levels currently controlled by the Ness Weir at Dochfour. The applicant notes that the construction of the existing PSH scheme at Foyers led to a modification of the weir to install 2 sluice gates to provide a minimum flow into the River Ness in dry conditions. The Caledonian Canal also has a set of lock gates at Dochgarroch which are regulated by a CAR licence dictating water consumption from Loch Ness. Additionally, there are CAR licences associated with Foyers PSH and the consented Red John (Loch na Cathrach) PSH which is yet to be built.

7.218 The minimum navigable Loch Ness level for the Caledonian Canal is 15.27m AOD and it is understood that SSE previously had an agreement with the then British Waterways (now Scottish Canals) to maintain Loch Ness levels above this level. This prevents Foyers PSH from pumping water should Loch Ness levels approach this level. The average available operating range in Loch Ness is approximately 0.55m, this assumes drawing down Loch Ness from the average water level to the minimum level for canal navigation. The maximum annual range is 1.14m which assumes drawing down from the median annual maximum flood water level to the minimum level for canal navigation. The proposed development would release compensation flow from the foot of Dam 1 on the Allt an t-Sluichd, which is the natural outlet of Loch Kemp. The flow would be regulated to mimic the natural conditions in the burn at a volume to be agreed with SEPA as part of the CAR licence separate to the planning process. Dam 1 would maintain the natural outflow from Loch Kemp into the Allt an t-Sluichd.

7.219 NatureScot have no objection to the proposed development subject to a number of conditions, one of which prevents the operation of the proposed development leading to the direct and indirect impacts of water levels in Loch Ness dropping below 15.33m AOD. This is required to ensure the continued ability of adult salmon to successfully migrate upstream at all times of year, particularly between July and September when loch levels are predicted to drop below this level once the proposed development is operational. Additionally, the Ness Weir fish pass for adult salmon may be compromised at the loch levels below 15.33m AOD. This could pose delays for upstream adult salmon migration during these summer months increasing the risk of predation, stress, disease and poaching. Additionally, a Water Level Monitoring and Mitigation Plan will provide further assurances on this matter and is controlled by condition. The agreed plan shall include details of ongoing water level monitoring on Loch Ness along with the associated head ponds of the operational Pumped Storage Hydropower projects around Loch Ness. The plan should also include the planned activities of other PSH projects, and water users, that abstract water from the loch, methodology for predicting the impact on water levels of the loch, the circumstances in which the proposed development would cease water abstraction to prevent the direct impact of the proposed development reducing water levels below 15.33m AOD.

7.220 The proposed development would only operate between agreed minimum and maximum levels of Loch Ness. These shall be within the operating ranges of existing and consented PSH schemes on Loch Ness to avoid additional impact to the extremes of level in Loch Ness. A stop generating level is proposed to protect against adverse impacts in terms of flooding when the Loch Ness level exceeds the

estimated 1 in 10-year flood extent. A stop pumping level is proposed to prevent operation during extreme low loch levels in Loch Ness to safeguard operation of the Caledonian Canal along with other water users.

7.221 The applicant prepared a hydrological model to simulate Loch Ness levels according to inflows, outflows and operation of pumped storage schemes. Level duration curves were plotted of the modelled loch levels over a simulated 40-year period which showed that operation of all 3 PSH would cumulatively have a minor impact on Loch Ness levels. The level exceeded 90% of time is increased by 1cm by adding the proposed development with the largest change to loch levels occurring around L70 (level exceeded 70% of the time), where the loch level is reduced by 10cm. These changes are considered minor in the context of the annual variation of the loch of over 1m.

7.222 A number of consultees including Stratherrick and Foyers Community Council, Fort Augustus and Glenmoriston Community Council, Fisheries Management Scotland and Ness District Salmon Fishery Board, along with a significant volume of representations, objected to the proposed development citing concerns regarding the potential detrimental impact on water levels in Loch Ness, particularly in combination with the other PSH noted. If all 3 PSHs were to undergo a pumping cycle (when water is pumped up to and stored in the upper reservoirs) simultaneously, the maximum operational drawdown within the lower reservoir (Loch Ness) would be approximately 0.73m. However, this represents an absolute worst-case scenario, where the upper reservoirs would all be filled from the minimum to maximum level simultaneously, which is considered highly unlikely. Additionally, comments received raised concerns with how rapidly water levels would fluctuate. The applicant noted that current trends in other operational PSH schemes indicate an average dispatch time of 4 hours. Therefore, if that is assumed as the reasonable worst-case scenario, water levels in Loch Ness would reduce by approximately 0.15m over a 4-hour period of pumping. During generation cycle (when water is released from the upper reservoirs) assuming the same reasonable worst-case scenario, water levels in Loch Ness would increase by approximately 0.21m during 4 hours of generation.

7.223 Whilst the concerns raised are noted, Loch Ness is already heavily influenced by long-standing, non-natural factors, including the Caledonian Canal, an existing PSH scheme and numerous other existing conventional hydropower schemes within the wider Ness Catchment. Key consultees including NatureScot and SEPA, stakeholders that hold a central role in protecting and enhancing Scotland's natural heritage, including through environmental regulation, have not objected to the proposed development subject to conditions.

7.224 In terms of safety, flood risk associated with the reservoirs will be dealt with in accordance with the Reservoirs (Scotland) Act 2011 which will also ensure regular inspection and maintenance of the proposed dams. The dams would be designed with a spillway to cope with an over pumping scenario for reservoir safety reasons. As such, the residual flow regime downstream from the dams would generally be unaffected by spill events. The proposed development would be designed with fail-safe control systems which would prevent pumping once the upper reservoir is full and the stop pumping level has been reached. When Loch Ness levels are high, generation will cease at a Stop Generating Level of 17.44m AOD to ensure that there is no increase in flood risk at a given return period downstream. The spillways

will be designed to pass the naturally occurring extreme flood event required for reservoir safety reasons to ensure the safety of the dam structure. The upper reservoir dam spillways will be designed for Probable Maximum Flood (PMF) with minimal damage based on the catchment area characteristics. The design would also assume that the lower reservoir is full when a PMF occurs, a scenario that the applicant considers is unlikely.

7.225 The Council's Flood Risk Management Team (FRMT) note the operation of the scheme will be subject to CAR administered by SEPA. The site's CAR licence will dictate the compensation flow and any "stop generating" limits. FRMT are content with the proposed mitigation that will be put in place to manage flood risk and have no objection to the application subject to future consultation on the final "stop generating/curtailment level". This will be controlled by condition. FRMT is content that there are no sensitive receptors in the vicinity of the site and there will not be any direct impact on flood risk to others. The scheme essentially operates as a closed system, therefore, the impact on flood risk outwith the site boundary will be minimal.

7.226 SEPA note the proposed development will operate the scheme within natural loch levels and within the Foyers and Red John (Loch na Cathrach) licensed cut-off levels along with the cut-off abstraction at a minimum loch level. However, lower loch levels will occur more often, and the rate of loch level change will increase. The proposed "stop pumping" loch level is noted, and it will be fully assessed as part of the CAR application, separate to the planning process. The CAR application was submitted by the applicant on 1 May 2025 (CARR/L/5010728) following pre-application discussions with SEPA. Details such as abstraction and discharge rates and the detailed design of related structures will only be determined as part of the full CAR determination process; it is at the developer's own risk should there be a need to amend any planning permission as a result. Fisheries, third party water users, protected species and habitats within the bed and banks of the water features and inundation area are all fully assessed as part of the CAR determination process with further consultation between SEPA and NatureScot. SEPA also control the rate at which water will be abstracted and discharged, as well as fish passages, compensation flow and the timing of all works which will directly impact on the water environment and therefore planning conditions for these elements will not be required. This will include controlling water levels within Loch Ness to ensure that the development does not have an adverse impact upon it.

7.227 It is generally considered the proposed mitigation measures are appropriate and it is agreed with the findings in EIAR Volume 1 Chapter 7: Water Management along with relevant associated supporting information, that the effects are not significant.

Water, Flood Risk, Drainage and Peat

7.228 EIAR Volume 1 Chapter 14: Geology, Soils and Water assesses the potential effects of the proposed development on these elements during both the construction and operational phase.

7.229 A desk study followed by an extensive programme of field work which included peat depth probing, peat characterisation by augering, a water interests and private water supply survey and preparing a schedule of permanent watercourse crossings informed the assessment. The appraisal considered designated sites where these are water dependent and have a potential hydrological connection to the proposed development, information on recorded peat depths which have informed the site-specific Peat Management Plan (PMP) (AI Appendix 14.1) and Peat Landslide Hazard Risk Assessment (PLHRA) (EIAR Volume 4 Appendix 14.2), a schedule of proposed permanent watercourse crossings (EIAR Volume 4 Appendix 14.3) and further investigation of private and public water supply sources in order to determine those which might be hydrologically connected to and at risk from the proposed development.

7.230 The study area is located wholly within the surface water catchment of Loch Ness with the eastern extent of the study area located in the River Foyers catchment, a tributary of Loch Ness. Much of the development area lies within the catchment of Loch Kemp which has a catchment area of approximately 4.1km^2 extending southwards from the loch. The loch has an outflow on its northern boundary, and which flows for a short distance before discharging to Loch Ness. The entire Loch Ness catchment (including the site and the wider study area) has been designated as a Drinking Water Protected (DWPA). The DWPA supplies the Invermoriston Water Treatment Works (WTW). The site lies within a DWPA, as protected by Article 7 under the Water Framework Directive (WFD), which supplies Loch Ness and Invermoriston Water Treatment Works. Scottish Water have no objection to the application.

7.231 With regards to Ground Water Dependant Terrestrial Ecosystems (GWDTE), it is concluded that the areas mapped as potential moderate GWDTE within the site include NVC Community M15 at various points across the site, M25 northeast of Dam 5 on sloped ground adjacent to the Allt Leachd Gowrie and MG10 made up of a small linear area within the eastern portion of the site. These are not sustained by groundwater but rather are sustained by incident rainfall and surface water runoff. Accordingly, the buffers to potential GWDTE specified in SEPA guidance need not apply. Safeguards would be required, however, to sustain existing surface water flow paths so that incident rainfall can continue to sustain these habitats. This would be confirmed, in accordance with good practice, by the Ecological Clerk of Works (ECoW) at the time of the construction who would ensure existing surface water flow paths and water flushes are maintained. This will be controlled by condition.

7.232 The field work included investigation of private water supply sources in order to determine those of which might be hydrologically connected to and at risk from the proposed development. Measures required to protect these sources have been confirmed by a site-specific private water supply risk assessment. There is one PWS within the Site (PWS01) which is a surface water abstraction from Loch Paiteag in the central portion of the site and serves 6 properties within the Dell Estate. The PWS is owned and managed by the Estate. No development is proposed in the surface water catchment to Loch Paiteag therefore the source of this water supply will be unaffected by the proposed development. A new water pipeline is proposed to route water from the loch to the surrounding properties and maintain this water supply as part of the Proposed Development (shown on Volume 2, Figure 3.1:

Proposed Development). Additionally, 2 sources are associated with the property at Braeholm which is located approximately 80m south of the site, PWS02 is a borehole. As it is located more than 250m from development it has not been considered further development in accordance with SEPA guidance. A second, surface water source is maintained at the property PWS03 used for animal watering located approximately 100m northeast of the property. The water catchment area to this source extends northwards and includes the proposed access track within the site, therefore, existing drainage pathways will need to be maintained to ensure the integrity of this water source. Likewise, the property at Easter Drummond is supplied by a surface water source PWS04 located approximately 130m north of the property. The catchment to this source extends north eastwards within the site, as above, existing drainage pathways will need to be maintained.

7.233 Good practice measures would be applied in relation to pollution risk, sediment management, peat management and management of surface runoff rates and volumes. This would form part of the CEMP to be implemented for the proposed development which would be secured by a planning condition and would be prepared prior to construction commencing (Volume 4, Appendix 3.3: Outline CEMP). The final CEMP would include details and responsibilities for environmental management on-site for environmental aspects and would outline the necessary surface water management, oil and chemical delivery and storage requirements, waste management, traffic and transport management and would specify monitoring requirements for wastewater, water supply and all appropriate method statements and risk assessments for the construction of the proposed development.

7.234 The watercourse crossings would be regulated under SEPA's Controlled Activities Regulations (CAR) regime. Given the elevated nature of the site, there are no substantial crossings on the existing tracks in the site boundary. In total, 5 new watercourse crossings have been identified within the site boundary (shown in EIAR Volume 4, Appendix 14.3: Schedule of Watercourse Crossings). The site design has sought to use existing tracks where feasible which has minimised the need for new crossings. Along the existing access track that will be upgraded, there are only expected to be 3 existing watercourse crossings that will be defined as being upgraded (watercourses present on the 1:10000 maps). Additionally, there will be several further piped crossings of the access track alignment – these are required to support the access track drainage and silt management of the temporary and permanent works. These will ensure that water is managed in line with SEPA guidelines so that clean and dirty water is separated and treated before being discharged back to the environment. No new watercourse crossings external to the site are proposed on public roads. SEPA have no objection subject to watercourse crossings designed as per the submitted supporting information and are controlled by condition.

7.235 The lower reservoir works include a proposal to culvert an ephemeral stream. As this is a very small water feature, which does not appear on Ordinance Survey mapping, neither SEPA nor FRMT do not object to this culverting for land gain in this instance. However, the applicant is encouraged to amend the finalised detailed design and divert the watercourse further west so that the length of culvert required is significantly shorter.

7.236 The applicant has made a commitment to deploy Sustainable Drainage Systems (SuDS) which will be required to manage surface water runoff from new hardstanding areas at the site. The final drainage design is to be provided for review and approval by FRMT which shall demonstrate that all surface water will be managed in accordance with The Highland Council's Supplementary Guidance: Flood Risk and Drainage Impact Assessment. This is controlled by condition.

7.237 Design and construction of a suitable drainage system would follow Sustainable Urban Drainage Systems (SUDS) principles and would ensure natural drainage without significant alteration of the hydrological regime of the local site area. Any construction activity relating to, or undertaken in, the vicinity of watercourses would be carried out in general accordance with relevant SEPA Pollution Prevention Guidelines, The Water Framework Directive (WFD), The Water Environment and Water Services (Scotland) Act 2003 (WEWS), and the Controlled Activities Regulations (CAR) 2011 (as amended).

7.238 SEPA encourage the avoidance, minimisation and use of peat in areas disturbed by construction activities. It welcomes the amendments made to the development, particularly the reduction in borrow pits from the initial 7 proposed cut back to 1, to try and minimise peat disturbance. More generally, SEPA is encouraged that other elements of the development avoid the deepest peat. Even with these steps to avoid impacts on the deepest areas of peat, the development will still be estimated to disturb over 85,117m^3 of peat or peaty soils, however, 97,870m^3 will be reused. This volume will be reused at and around areas of infrastructure and does not include volumes used for areas of habitat restoration for offsetting. In this case SEPA accept that total avoidance of this high-quality habitat is not possible given the specific site requirements for the pumped hydro storage scheme and note that NatureScot is content with the proposed offsetting and restoration proposals which include a Draft Peat Management Plan which will be finalised by condition. Additionally, SEPA welcome the submission of an updated Outline Spoil Management Plan (AI Appendix 3.4) with spoil use in the vicinity of Dam 3 reduced and other potential, but unquantified, additional uses identified for the remaining material.

7.239 A Peat Landslide Hazard and Risk Assessment (PLHRA) (EIAR Volume 4 Appendix 14.2: PLHRA) has been submitted with the application which states there is an insignificant risk of a peat landslide at the turbine locations and associated infrastructure. SLR Consulting Ltd. concluded that there are significant areas of medium risk of peat instability across the site with most areas avoided during the design process. For the 62 medium risk areas identified, a hazard impact assessment was completed which concluded that, with the employment of appropriate mitigation measures, all of the areas can be considered as an insignificant risk. Additional mitigation measures have been identified in areas where hazards are already considered insignificant to further reduce the risk of potential hazards occurring. Good construction methods and appropriate micro-siting would also be effective at controlling residual peat landslide risk for lower risk locations at the site.

7.240 SEPA welcome the proposals outlined in the Outline Habitat Management Plan (non-SAC) (EIAR Volume 4: Appendix 10.7) and related Forest to Bog restoration Works (EIAR Volume 4: Appendix 19.3) which, in relation to their particular interests, will

restore peatland, plant native woodland (which will include wet woodland, a type of groundwater dependant terrestrial ecosystem) and improve fish habitat.

7.241 SEPA is generally content with the pollution prevention and environmental management proposals outlined within EIAR Volume 1 Chapter 14: Geology, Soils and Water and supporting appendices covering Schedule of Mitigation (Appendix 3,2), Outline Spoil Management Plan (AI Appendix 3.4). Due to the scale of the development SEPA will directly control pollution prevention measures relating to surface water run off via a CAR water runoff permit. Peat and waste management issues will be covered via the requested spoil and peat management plans and are controlled by condition.

7.242 Post construction, it is expected that an Operational Environmental Management Plan (OEMP) is to be developed and agreed with NatureScot, SEPA, and Highland Council. This will be secured by condition. The OEMP would detail site drainage design, soft engineering and measures proposed to control operational surface water runoff from hardstanding outlined within EIAR Volume 1 Chapter 14: Geology, Soils and Water. Storage of fuels would follow best practice. The Outline Habitat Management Plan (OHMP) includes details of habitat enhancement and peat restoration (EIAR Volume 4: Appendix 10.7) which is controlled by condition. Additionally, conditions will be applied to ensure adequate restoration of areas where temporary works are proposed.

7.243 It is generally considered the proposed mitigation measures are appropriate and it is agreed with the findings in EIAR Volume 1 Chapter 14: Geology, Soils and Water, along with relevant associated supporting information, that the effects are not significant. EIAR Volume 1 Chapter 7: Water Management.

Natural Heritage and Protected Species (Including Ornithology)

7.244 The proposed development could affect a number of designated European sites including Ness Woods SAC, River Moriston SAC, Urquhart Bay Woods SAC, Moray Firth SAC and Knockie Lochs SPA. As such, the site's status means that the requirements of the Conservation (Natural Habitats, and c.) Regulations 1994 as amended (the 'Habitats Regulations') apply or, for reserved matters, The Conservation of Habitats and Species Regulations 2017. Consequently, Scottish Government Energy Consents Unit is required to consider the effect of the proposal on these before it can be consented (commonly known as Habitats Regulations Appraisal).

7.245 The applicant has carried out an assessment of impacts on Ness Woods SAC, River Moriston SAC, Urquhart Bay Woods SAC and Knockie Lochs SPA in their shadow Habitats Regulations Assessment (HRA). NatureScot generally agree with the conclusions set out in the assessments for Ness Woods SAC, Urquhart Bay Woods SAC and Knockie Lochs SPA. However, initially they did not agree the proposed compensatory measures were sufficient with regards to Ness Woods SAC or agree with parts of the assessment or the overall conclusions of the applicant's River Moriston SAC shadow HRA. Given these concerns raised by NatureScot the applicant submitted additional information in April/May 2025 which included details regarding the case for derogation, Ness Woods SAC compensatory planting details and HRA addendum. Following review and further assessment of this additional

information NatureScot have confirmed that they have no objection to the proposed development subject to conditions including salmon smolt mitigation measures and fish monitoring along with the submission of a Water Level Monitoring and Mitigation Plan.

Ness Woods SAC

7.246 The SAC is designated for western acidic oak woodland, mixed woodland on base rich soils and otter. The powerhouse and associated infrastructure, access track between Loch Kemp and the powerhouse, and the north dam on Loch Kemp are all within Ness Woods SAC. NatureScot agree with the conclusions set out the shadow HRA, and their advice is that this proposal is likely to have a significant effect on the western acidic oak woodland, mixed woodland on base rich soils and otter qualifying interests of this SAC. 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 interests.

7.247 The updated Case for Derogation Report and accompanying Technical Report include various amended proposed compensatory measures should lead to recovering condition over the whole area of the SAC in Dell Estate. NatureScot welcome the updated details and consider this would address all the conservation objectives that will be undermined by the proposal. This will lead to natural patterns of woodland regeneration that will eventually deliver benefits for the overall coherence of the SAC suite.

River Moriston SAC

7.248 The SAC is designated for Atlantic salmon and freshwater pearl mussel. River Moriston SAC is approximately 2.3km west of the proposed outfall / intake. NatureScot considered the proposed development would likely have a significant effect on Atlantic salmon and freshwater pearl mussel features of River Moriston SAC. Consequently, Scottish Government Energy Consents Unit as competent authority, is required to carry out an Appropriate Assessment in view of the site's conservation objectives for these qualifying interests. To enable NatureScot to carry out an appraisal to inform this Appropriate Assessment they requested further information relating to the concerns raised regarding the intake flow attracting downstream migrating Atlantic salmon smolts and a reduction in water levels in Loch Ness impeding salmon migration.

7.249 The applicant submitted Further Environmental Information (FEI) in April 2025 relating to these 2 impact pathways noted above which has been assessed further by NatureScot. Additional mitigation measures proposed by the applicant include the installation of a buoyed barrier net with 12.5mm mesh spacing installed during the smolt season (between March and June). Salmon smolt migrating through Loch Ness will generally have a fork-length range of approximately 10cm to 15cm and would not be able to pass through a net with 12.5mm mesh spacing. Further hydraulic assessment and water velocity surveys of the barrier net undertaken by the applicant did not raise concerns regarding flows on Loch Ness and showed that the net could withstand significant wind speeds.

7.250 With regards to the intake flow attracting downstream migrating Atlantic salmon

smolts, NatureScot advise that if the proposal is carried out strictly in accordance with the following mitigation, their conclusion is that the proposal will not adversely affect the integrity of the site via this impact pathway. In relation to the proposed barrier net, the following need to be produced and agreed with the consenting authority in consultation with NatureScot:

a) Detailed design of the tailrace and barrier net including evidence to show that the flow velocities observed outside the final design of the barrier net and within the top 10m of the loch will not exceed 0.092m/s.

b) Protocol for inspection, cleaning, maintenance, repairs, replacement, and the remedial action to be taken should inspection show that that the integrity of the net is compromised e.g. by storm damage or fouling. If net integrity is compromised during the smolt season, we anticipate the remedial action is likely to need to include a requirement to stop pumping until net integrity is restored.

c) Fish Monitoring Plan, including arrangements for adaptive management.

7.251 With regard to the reduction of water levels in Loch Ness impeding migration, NatureScot initially objected citing concerns if water levels in Loch Ness were to drop below 15.33m AOD. This minimum level is required to ensure the continued ability of adult salmon to successfully migrate upstream at all times of year. The FEI noted that passage of the fish pass structure at Ness Weir for adult salmon may be compromised at loch levels below this level with modelling showing periods between July and September when loch levels are predicted to drop under 15.33m AOD with the proposed development in operation. This could pose delays for upstream adult salmon migration during these months which would increase the risk of predation, stress/disease and poaching. Although the main upstream River Moriston adult salmon run is in the spring, data indicates that later running fish, outwith the spring period, may comprise an important component of the adult salmon returning to the River Moriston SAC.

7.252 Following the objection the applicant discussed further with NatureScot. NatureScot have now confirmed that they now have no objection subject to conditions controlling smolt mitigation measures, further fish monitoring along with the submission of a plan for monitoring and mitigating water levels.

7.253 Ness District Salmon Fishery Board (NDSFB) raised concerns regarding water flows near the Caledonian Canal and Ness Weir. NatureScot have reviewed the information submitted, along with the applicant's response, in relation to the risk of smolts being attracted to the Caledonian Canal at low flows during their downstream migration and of the ability of adult salmon to migrate upstream over the weir.

7.254 With regards to downstream migration, the evidence highlighted by NDSFB indicates that flows similar to those presented in the FEI package towards the canal take place continuously, rather than just during lockage. Even still, NatureScot calculate this will result in a mean velocity well below the 0.092m/s lower confidence limit as an attractant velocity that induces behavioural change in wild smolts. NatureScot's conclusion that the operation of the proposed development is not likely to lead to more smolts being attracted into the canal therefore remains unchanged.

7.255 With regards to upstream migration, NDSFB and the applicant concur there is no agreed compensation flow over Ness Weir stipulated in any CAR licence. NatureScot have considered the implications of potentially different compensation flows and conclude that the assessment in the FEI package that passability of the fish pass structure at Ness Weir for adult salmon may be compromised at loch levels below 15.33m AOD remains valid.

7.256 Following the submission of the FEI Ness District Salmon Fisheries Board submitted comments which considered there are factual errors in data the applicant has used to underpin calculations of flows around the Caledonian Canal and Ness Weir. Should this be the case, NatureScot's assessment above may be inaccurate, however, even if so, the conditions attached will provide mitigation measures that safeguard smolt and their passage in the wider surrounding area.

7.257 NatureScot consider the mitigation measures detailed are appropriate and can be controlled by conditions. It is generally considered the proposed mitigation measures are appropriate and it is agreed with the findings in EIAR Volume 1 Chapter 12: Aquatic Ecology, and Chapter 13: Fish along with relevant associated supporting information, that the effects are not significant.

7.258 In terms of ornithology, EIAR Volume 1 - Chapter 11: Ornithology was informed by a desk study and field study were undertaken during the summers of 2021 and 2022 to establish baseline bird populations in the area. 2 designated sites relating to bird species are located within 5km of the proposed development (Loch Knockie and Nearby Lochs SPA and Knockie Lochs SSSI). Of the species recorded during the survey period, 21 are considered to be of local value, with a further 4 considered as Valued Ornithological receptors (VORs).

7.259 There were 3 potential impacts on the bird life of the area identified during the construction phase of the proposed development (habitat loss, disturbance and displacement) with disturbance and displacement also being assessed as potential impacts during the operational phase.

7.260 The assessment of the 21 species considered to have local value determined that all species would be subjected to minor displacement and disturbance throughout the construction period. However, due to the low numbers of birds nesting on the site, 17 of these ornithological receptors would only suffer negligible impacts from the proposed development. 4 of the receptors (meadow pipit, skylark, tree pipit and willow warbler) were determined to suffer low impacts from the proposed development. The effects of the proposed development on all 21 species are considered to be not significant. Once standard mitigation measures (provision of an Ecological Clerk of Works (ECoW), preconstruction monitoring of nesting birds, creating no-go zones around any sensitive nesting areas, etc.) are successfully implemented, there will be no residual effect from the construction or operational activity of the proposed development on ornithological receptors within the area.

Biodiversity Net Gain

7.261 The key documents relating to Biodiversity Net Gain are the Updated Compensatory Measures Package for the Ness Woods SAC and the OHMP for the areas outside the SAC (EIAR Volume 4, Appendix 10.7). Whilst the applicant has not applied a

metric-based approach for BNG (this was agreed following initial preapplication advice (22/00655/PREMAJ) the Outline HMP includes information on peatland restoration, compensatory planting and other enhancement measures.

7.262 The proposed development would lead to a total of 6.88ha of blanket bog and 12.2ha of wet modified bog directly or indirectly lost. Bog restoration would be undertaken over a total area of approximately 119ha to provide compensation, which provides a ratio of 1:6.2 of bog habitat lost to bog habitat restored.

7.263 The proposed development would lead to a total of 28.4ha of heathland which would be permanently lost. A further 21.9ha would be temporarily lost or damaged during construction but reinstated. In order to provide compensation and significant enhancement, a total of 29.6ha of new heathland habitat is proposed for creation and restoration (from conversion of bracken to heathland, via bracken control) with approximately 260ha of heathland proposed to be managed to improve its condition. This comprises all retained heathland habitat within the Dell Estate to the west of the B862 (outwith Ness Woods SAC) resulting in an overall increase in the extent of heathland habitat in the mid to long-term as well as an improvement in the condition of the heathland habitat.

7.264 With regards to woodland across the site, the proposed compensation areas for mixed woodland on base rich soils note that 0.64ha will be harmed by the proposed development and the compensation package creating a gain of 6.12ha which provides ratio of 1:9.6. For Ness Woods SAC, an area of 0.64ha will be harmed by the proposed development with 10.18ha restored which provides a compensation ratio of 1:15.9. The proposed compensation areas for areas for western acidic oak woodland note that 6ha will be harmed by the proposed development with 76.67ha gained which provides a compensation ratio of 1:12.8. Again, for Ness Woods SAC an area of 6ha will be harmed with 153.29ha restored which provides a compensation ratio of 1:25.5.

7.265 Whilst the blanket bog and heathland restoration ratios are below the suggested target of the 1:10 goal of restoring this is compensated for by trading for other habitat enhancements including the significant woodland compensation. Overall, the provisions set out above demonstrate that significant environmental enhancement can be achieved across the site. These details will be shown in a Biodiversity Enhancement and Management Plan (BEMP) which is controlled by condition.

Forestry

7.266 There is approximately 220ha of commercial conifer forestry (including clear-felled areas) at the southeastern end of the site (237ha including open ground). There are also patches of pole-stage to mature upland birchwood scattered throughout the central part of the site and around Loch Kemp. To the northwest side of the site, on the slopes down to Loch Ness, there are more significant areas of mature, native mixed broadleaf woodland which the applicant has identified in NVC survey as containing upland mixed broadleaf woodland (W9 - alder, ash, elm) and upland oak birch woodland (W11 & W17). The Native Woodland Survey of Scotland identifies areas of generally juvenile native pinewood in the commercial forestry area to the southeast and also identifies the larger area of native birch woodland close to Loch

Ness.

7.267 The southeastern part of the commercial forestry area appears in the Ancient Woodland Inventory (AWI) as Long-Established Plantation Origin Woodland (LEPO1860). The birch woodland on the slopes above Loch Ness is recorded as predominantly Ancient semi-natural origin woodland (ASNO1750) in the AWI although some is recorded as “Other” on Roy Maps to the north of the stream down to Loch Ness from Lochan a’Choin Uire. There is also a small area listed as Ancient semi-natural origin woodland (ASNO1860) immediately to the north of Loch Kemp. The birch woodland on the slopes above Loch Ness is recorded as being part of the Ness Woods SAC and also is also in the Easter Ness Forest Site of SSSI.

7.268 EIAR Volume 1 Chapter 19: Forestry has undertaken an assessment of the woodland that is within the site boundary of the proposed development to evaluate the potential effects on trees and woodland and recommend appropriate mitigation where adverse effects are unavoidable. This includes an assessment of the woodland in the Whitebridge Plantation on Dell Estate in the southeastern portion of the site. Loss of non-commercial woodland, including woodland within the Ness Woods Special SAC is assessed as part of EIAR Volume 1 Chapter 10: Terrestrial Ecology.

7.269 The assessment has identified that, prior to the implementation of mitigation measures, a significant adverse effect on woodland is predicted from the permanent felling of approximately 50ha of commercial woodland within the Whitebridge Plantation and on Torr Cluanie towards the northern end of Dam 3 (including areas that have been felled and are currently awaiting restocking) to accommodate the construction of the proposed development. When the tree loss within Ness Woods SAC is also taken into account the permanent loss of total woodland comes to 60.19ha. The majority of woodland loss would be due to the inundation area and raised levels of Loch Kemp with smaller pockets of tree removal required for clearance to facilitate access tracks during construction and operation. Additionally, 5.76ha of permanent woodland removal within Whitebridge Plantation will transform woodland to bog through the proposed restoration measures noted in AI Appendix 19.3: Forest to Bog Restoration Proposals.

7.270 Mitigation to offset the permanent loss of woodland is proposed in the form of compensatory planting. Of the 60.19ha noted above, 52.86ha would require compensatory planting under the Scottish Government’s Control of Woodland Removal Policy (CoWRP). The compensatory planting plan proposes the creation of 63.11ha of new native woodland close to the study area resulting in a net increase in woodland cover locally of approximately 14.50ha, contributing to Scottish Forestry Strategy 2019 – 2029 targets to increase Scotland’s woodland cover to 21% by 2032. The proposed new woodlands are located within the Highland Native Woodland Target Area and an area identified as suitable for new woodland that delivers biodiversity, landscape and/or amenity objectives in the Highland Council Forest and Woodland Strategy (2018).

7.271 The implementation of the compensatory planting plan would result in a net increase of the total woodland and associated open ground within the plan area from 237ha to 257.62ha. The total plantation forestry area is 237ha. To accommodate the project the permanent woodland removal (no restock) within the plantation would be

42.67ha, but an additional 63.11ha of compensatory planting would be added, which leads to the 257ha noted.

7.272 NatureScot welcome the amendments to the initial compensatory planting details relating to the Ness Woods SAC (noted in AI - SAC Compensation Package). This will lead to a package of compensatory measures that will lead to recovering condition over the whole area of the Ness Woods SAC within Dell Estate and the restoration / creation of 6.12ha of Mixed woodland on base-rich soils associated with rocky slopes, and 79.67ha of Western acidic oak woodland. This is subject to the agreement of further implementation details and is controlled by condition. NatureScot consider this would address all the conservation objectives that will be undermined by the proposal.

7.273 The measures are aimed at prioritising herbivore management to allow natural regeneration which will lead to natural patterns of woodland regeneration that will eventually deliver benefits for the overall coherence of the Ness Woods SAC suite. As woodland regeneration and the colonisation of typical species takes decades or longer, these benefits will take some time to be delivered. European Commission Article 6 guidance (Section 5.4.3) indicates that compensation should be in place and effective before the loss that led to this happens, although it acknowledges for certain habitats such as woodland this is clearly impossible and that best efforts should be made to ensure that measures are in place for compensation to take place before the loss occurs. As such, NatureScot advise full implementation details are agreed prior to works associated with the development commencing with a commitment to delivery of the compensatory measures as soon as possible.

7.274 NatureScot consider that if the above measures are implemented in a timely and effective manner over the long term, the compensatory package would be sufficient to protect the coherence of the UK networks for both the Mixed woodland on base-rich soils associated with rocky slopes priority qualifying habitat and the Western acidic oak woodland. The finalised Habitat Management Plan (HMP)and associated implementation details are to be agreed prior to works commencing in consultation NatureScot and are controlled by condition. The final plans should include full details of how and when the SAC compensatory measures will be implemented, monitored, maintained, and protected in the long term along with details covering deer management, goat management, timescales for removal of the non-native conifers, and criteria for further intervention to carry out bracken control.

7.275 Highland Council's Forestry Officer has no objection to the application subject to conditions requiring the submission a Compensatory Planting Plan and Tree Protection Plans with the implementation of these plans overseen by an Arboricultural consultant along with confirmation they also require a finalised HMP.

7.276 Scottish Forestry have no objection to the application subject to conditions confirming the timescale for delivery of and monitoring of all tree restocking, natural regeneration and new native planting, intervention and enrichment planting if regeneration has not reached the agreed density with compensatory planting, restocking and felling delivered in accordance with the submitted Woodland Plan and in accordance with UK Forestry Standard (UKFS).

7.277 It is generally considered the proposed mitigation measures are appropriate and it is agreed with the findings in EIAR Volume 1 Chapter 19: Forestry, along with relevant associated supporting information, that the effects are not significant.

Built and Cultural Heritage

7.278 EIAR Volume 1 Chapter 15: Cultural Heritage considers the potential for both direct and indirect impacts on archaeological sites and sites of historic or cultural heritage interest as a result of the proposed development. 3 non-designated assets were identified within a 100m buffer of the proposed development, 1 of local and 2 of regional value. Direct Impacts from inundation are predicted for the site of local value during operation and potential direct impacts are predicted through widening or construction of access roads on minor features associated with 1 site of regional value during construction. The potential for unidentified archaeological remains is considered to be low to insignificant at the site. Mitigation to protect the archaeological record is recommended for 1 non-designated asset during the construction phase, as well as the implementation of general good practice measures. There are no predicted impacts on the second site of local value.

7.279 Within a 3km outer study area a total of 13 designated assets were identified, consisting of 1 scheduled monument and 12 listed buildings. A brief appraisal of a further 39 designated sites, consisting of 4 scheduled monuments and thirty-five listed buildings at a distance of up to 10km from the proposed development was also undertaken. Of the designated assets within the 3km study area, the scheduled monument (Dell Farm, Burial Mound) and 1 Category B listed building (Dell Lodge and Rear Service Cottages) are considered vulnerable to any adverse alterations to their setting, however, the predicted impacts are considered not significant when existing screening and the implementation of the proposed landscape earthworks and planting at Dam 3 is taken into account.

7.280 All of the designated assets within the 10km study area have been eliminated from further consideration as there is no visibility of any element of the proposed development for the majority of these assets. 1 Scheduled Monument and 3 listed buildings at Fort Augustus are considered to have potential visibility of the proposed development, however, these are located marginally over 10km away from the site with the powerhouse and other infrastructure barely perceptible as shown by VL7 - Fort Augustus Shore. At this distance, potential impacts would be to such a small degree that there would be no significant effects on these assets or their settings.

7.281 Highland Council's Historic Environment Team – Archaeology noted EIAR Volume 1 Chapter 15: Cultural Heritage provides an appropriate level of information and assessment which concludes that with mitigation, it will be possible to limit the direct impacts to cultural heritage assets to within an acceptable range. Mitigation measures are recommended in Section 15.10 Mitigation that will reduce predicted adverse impacts to an acceptable level. The required mitigation includes marking-out and avoidance with buffers, minimising disturbance, micro-siting, discrete areas of watching briefs and inclusion of cultural heritage issues within the CEMP. Additionally, the applicant will need to submit a detailed Written Scheme of Investigation (WSI) to agree these works. These details can be controlled by condition should there be a recommendation to raise no objection. Historic

Environment Team – Conservation was consulted but did not respond.

7.282 Historic Environment Scotland noted there are 6 scheduled monuments (incorrectly identified as 5 by the applicant in EIAR Volume 2 - Figure 15.2 - Cultural Heritage - Outer Study Area with ZTV) within the 10km wider study area. 5 of these have not been scoped out due to either no predicted theoretical visibility or only minor, distant visibility of the proposed development from these monuments. Whilst Historic Environment Scotland agree with the scoping out of Levishie Cottage, fort and earthwork (SM4567), due to a lack of visibility of the proposed development and it will not appear in key views towards the monument, they noted that scheduled monuments Caledonian Canal, Fort Augustus to Loch Ness (SM3614), Cherry Island, crannog, Inchnacardoch Bay, Loch Ness (SM9762), Dun Deardail forts (SM11884) and Dun Scriben fort (SM6220) have been scoped out of the EIA assessment. Whilst they disagree that these have not been included, they concede they are content that these impacts are not of a level that would raise issues of national interest.

7.283 With regards to Cherry Island, crannog, Inchnacardoch Bay, Loch Ness (SM9762) and “Crusader”, remains of speedboat in Loch Ness, near Achnahannet (SM11070), Historic Environment Scotland note EIAR does not consider potential indirect physical impacts on designated heritage assets within the outer or wider study area. Whilst there would be no setting impacts on Cherry Island crannog and the remains of the Crusader speedboat on Loch Ness, there is potential for the monuments to experience cumulative, indirect physical impacts from the proposed development, the operational Foyers PSH and consented Red John PSH, who all use Loch Ness as their lower reservoir. Indirect physical impacts occur where the fabric of an asset is lost or preserved as a result of a proposal even though the asset lies separated from the proposal. PSH can result in alterations to water levels, with even small level changes having the potential to greatly affect the level of preservation of sites, such as crannogs. Historic Environment Scotland noted the results of water level modelling presented in EIAR Volume 1 Chapter 7: Water Management indicates that the cumulative operation of all 3 PSH would have a minor impact on Loch Ness water levels. Although there will be fluctuations in water levels throughout their operation, they are content that this would not be to extremes that would have a significant impact on either the crannog or the speedboat.

7.284 The assessment for Dell Farm, burial mounds 350m NE of (SM4536), located within the 3km outer study area states that a low magnitude of impact is likely due to the screening effect of existing trees and farm buildings alongside proposed mitigation earthworks and planting around Dam 3. In line with Historic Environment Scotland’s advice in the Managing Change guidance note on Setting (February 2020), vegetation such as trees cannot necessarily be relied upon to mitigate adverse impacts of development. Therefore, they disagree with the use of the potential screening effect of current trees and proposed planting to inform the applicant’s assessment. However, even when considering the burial mounds in isolation with an absence of vegetation, they acknowledge there is not likely to be a significant impact on this monument’s setting.

7.285 Historic Environment Scotland note the proposed on-site 275kV switching station is subject to separate application and welcome the consideration of potential cumulative impacts. The applicant’s assessment concluded there would be negligible

cumulative impacts on the setting of scheduled monuments within the outer and wider study areas from the proposed 275kV switching station. Whilst they note that EIAR Volume 1 Chapter 2: Design Evolution and Alternatives indicates that the historic environment was not taken into account during the appraisal and selection of the preferred location for the switching station, they are content that there will not be significant adverse cumulative impacts on this or other scheduled monuments within the study area.

7.286 It is generally considered the proposed mitigation measures are appropriate and it is agreed with the findings in EIAR Volume 1 Chapter 15: Cultural Heritage that the effects are not significant.

Aviation

7.287 There are no objections regarding aviation interests with consultation response from Highlands and Islands Airports Limited, Ministry of Defence - Defence Infrastructure Organisation and National Air Traffic Control Services all confirming they have no concerns regarding the proposed development.

Other Material Considerations

7.288 A representation questioned whether pumped storage hydro development can be considered to produce renewable energy. The proposed development would operate in 2 modes. In the “generating” mode the proposed development would produce electricity by releasing water from the upper reservoir through the reversible pump turbines and into the lower reservoir. In the “pumping” mode electricity would be imported from the grid to pump water through the reversible pump turbines from the lower reservoir up to the upper reservoir. Pumped hydro storage schemes are essentially large-scale batteries. In the “generating” mode they can be considered to produce renewable energy as the electricity generated by releasing water from the upper reservoir to the lower reservoir drives turbines in tunnels. Power is required to pump water from the lower reservoir to the upper reservoir in the “pumping mode” and in that sense the proposed development is not a renewable energy scheme in the same way as a wind farm, for example. It is however, described as “a reliable source of renewable electricity” in the Scottish Government’s Draft Energy Strategy and Just Transition Plan (2023) along with the strong support in principle from NPF4. It is noted this technology will play an increasingly important role in the transition to net zero, providing flexibility to the grid and helping to secure a resilient and secure energy supply.

7.289 In terms of the design life of the facility, whilst the applicant notes that the proposal could feasibly remain operational indefinitely if maintained appropriately, safeguards need to be put in place to cover the proposed development ceasing operation with the usual decommissioning and restoration requirements secured. If the decision is made to decommission the pumped hydro storage scheme, moveable infrastructure would be removed, underground tunnels would be sealed, generation plant machinery would be removed. Where removal of infrastructure would result in more damage than leaving in place, it would be left in-situ, for example the dams, with disturbed ground reinstated, unless otherwise agreed with the Planning Authority. It is important to ensure that any approval of this project secures by condition a requirement to deliver a draft Decommissioning and Restoration Plan (DRP) for

approval prior to the commencement of any development and ensure an appropriate financial bond is put in place to secure these works. The finalised DRP would be expected to be submitted to and approved in writing by the Planning Authority in consultation with SEPA and NatureScot no later than 12 months prior to the final decommissioning of the site. The detailed DRP would then be implemented within 18 months of the final decommissioning of the development, unless otherwise agreed in writing with the Planning Authority.

7.290 Given the complexity of national developments, and to assist in discharge of conditions, the Planning Authority usually seeks that the developer employs a Planning Monitoring Officer (PMO). The role of the PMO, amongst other things, would include the monitoring of, and enforcement of compliance with, all conditions, agreements and obligations related to this permission (or any superseding or related permissions) and shall include the provision of a bi-monthly compliance report to the Planning Authority.

7.291 There are no other material considerations.

Non-Material Considerations

7.292 Representations raise concerns that there is an over-provision of renewable energy development within the wider Highland region. Whilst there are various renewable projects in the wider surrounding area, all such proposals require assessment on their own merits and are rightly subject of individual applications. NPF4 makes clear that grid capacity should also not constrain renewable development.

7.293 Representations raise concerns that the associated grid connection has not been included as part of the pumped storage hydro application. Whilst it is correct that a grid connection is required to connect the proposed development to Foyers Substation and the national electricity grid, this will be subject to a separate consenting process with SSEN Transmission as the applicant for regulatory reasons. Whilst the applicant and Community Councils have tried to engage with SSEN Transmission for further discussion regarding the future substation proposal it is understood there has been limited feedback. If the proposed development is consented, its connecting associated infrastructure is subject to a separate consenting process with that proposal requiring assessment on its own merit, having regard to any potential in combination cumulative effects.

7.294 In response to other non-material considerations raised; community benefit is voluntary and holds no weight in the planning determination process as explained in the socio-economics section of this report; Community consultation has been carried out by the applicant in line with their statutory obligations for a Section 36 application.

8. MATTERS TO BE SECURED BY LEGAL AGREEMENT / UPFRONT PAYMENT

Developer Contributions

8.1 The Developer Contributions Supplementary Guidance (DCSG) was adopted in November 2018. This guidance sets out the Council's approach to mitigating the impacts of development on services and infrastructure by seeking fair and realistic developer contributions to the delivery of such facilities. Energy developments are treated as industrial developments within the DCSG. Although Highland Council is only a consultee in this case, the DCSG forms part of the approved development plan and therefore Scottish Ministers should apply its terms.

Cumulative Transport Contributions

8.2 The Inner Moray Firth Delivery Programme references the South Loch Ness Road Improvement Strategy which states that all developments which put significant pressure on the B851 and B862 public roads are required to contribute towards appropriate upgrades. Although certain material may be able to be brought in via the Great Glen waterways there will still be significant impacts on the local road networks and therefore contributions (or direct provision) should be sought.

8.3 A formal Wear and Tear Agreement with THC should be established in accordance with Section 96 of the Roads (Scotland) Act 1984 for the impact on the local road network, a decommissioning and restoration financial guarantee and a scheme for community benefit can be secured by condition.

Public Art

8.4 In relation to public art, physical direct provision on, or in close proximity to the site would be appropriate, or elsewhere across the estate with provision of resting / sheltered areas at vantage points along affected walking routes, with consideration given to the select provision of interpretation boards if deemed appropriate. Scope for public art provision is therefore secured by condition, with scope for alternative form of public art to be explored further in consultation with interested parties, including the Community Liaison Group.

Green Infrastructure

8.5 An appropriate quantifiable enhancement of biodiversity including green infrastructure should be achieved.

Compensatory Planting

8.6 Where compensatory planting takes place on land located outside the planning application boundary and / or is not under the ownership of the applicant, a legal agreement must first be secured between the applicant, the landowner and the Planning Authority.

Financial Guarantee

8.7 A decommissioning and restoration financial guarantee can be secured by condition.

9. CONCLUSION

9.1 The Scottish Government gives considerable commitment to renewable energy and

supports the development of pumped storage hydro development where it can operate successfully and are sited appropriately. The project has potential to contribute to addressing the climate emergency through significant additional renewable energy generation. In this regard it is anticipated to contribute an additional 600MW of installed capacity and make a meaningful contribution toward addressing climate change on the road to net zero. In addition, the development has potential to bring economic benefits to the area, creating job opportunities and other socio-economic benefits, particularly during the considerable construction phase, reflective of the scale of this national development.

9.2 However, as with all applications, a balancing exercise must be undertaken. The benefits of the proposal must be weighed against potential drawbacks and then considered in the round, taking account of the relevant policies of the Development Plan, which includes NPF4, as well as all other material planning considerations. As noted in this report, a key consideration is the collective visual and landscape effects, with the proposal considered to have struck an appropriate balance given the substantial scale of this National development. While some significant landscape and visual effects would occur, these are confined to locations in proximity and are relatively well contained to users of the outdoors on a combination of more elevated recreational routes and at hill summits along with users of Loch Ness and surrounding roads at a lower elevation.

9.3 Where such adverse landscape and visual effects would occur from lower elevations, typically around the powerhouse and its associated infrastructure, these would be noticeable from a portion of Loch Ness, appearing locally prominent but becoming less visible at further distances when seen in increasingly oblique views. During the construction phase there would be an increase in movement of water-based traffic, including the transport of equipment by boat along Loch Ness, as well as views of cranes and other construction equipment of various scales on the loch shore and hillslope above. Once operational, design and other mitigation measures will break up and soften the frontage of the powerhouse to some extent, however, the introduction of this extensive powerhouse structure on a stretch of Loch Ness that is relatively free of development on the shoreline will give rise to a noticeable change and lead to a significant detrimental visual impact extending to approximately 4km. On balance, the extent and severity of visual impact effects remain within acceptable limits.

9.4 Where such adverse landscape and visual effects would occur from higher elevations, typically when viewed from across Loch Ness from key recreational routes such as Meall Fuar-mhonaidh and Great Glen Way, but also near dams in and around Dell Estate, the upper reservoir and associated infrastructure would give rise to a less noticeable change over time once operational. The landscape scale and composition have the ability to incorporate the upper reservoir, 8 dams and associated infrastructure with upland lochs and lochans and existing features in the surrounding landform. As such, the extent and severity of visual impact effects remain within acceptable limits. As with views from lower elevations, during the construction phase there would be an increase in movement of water-based traffic, including the transport of equipment by boat along Loch Ness, in combination with views of cranes and other construction equipment of various scales on the loch shore and hillslope above.

9.5 The temporary construction phase would give rise to a wider range of significant adverse landscape and visual effects for recreational receptors. Such shorter term adverse visual effects would occur at 8 visualisation locations falling within a 5.5km radius. These include VL1 – In the vicinity of the A82 north of Invermoriston, VL2 – The upper Great Glen Way in the vicinity of Alltsigh, VL3 – Core Path IN25.01 near Whitebridge, VL5 – A82 South of Invermoriston and VL6 - Meall Fuar-mhonaidh. These would reduce over time once the pumped storage hydro scheme becomes operational with substantial areas of woodland planting, landscaping and other mitigation measures taking hold. Once the scheme becomes operational, longer-term residual significant adverse effects would remain for people travelling along Loch Ness, portions of the A82, represented by VL1 – In the vicinity of the A82 north of Invermoriston, VL5 – A82 South of Invermoriston and VL2 – The upper Great Glen Way in the vicinity of Alltsigh. Additionally, the closest properties to the powerhouse and lower works adjacent to the A82, including Loch Ness Highland Lodges, cluster of properties at Invermoriston South (Pier Cottage, Ness Bank and Tigh Na Bruach Bed and Breakfast) and group of properties at Glenurquhart Estate, would experience significant effects beyond the construction phase into the operation of the proposed development. It has however been evidenced from the EIAR that such effects have been considered, with the proposed development being generally well sited in terms of separation from multiple residential receptors, access roads and other recreational routes, with the proposed development's visibility being relatively well contained beyond the immediate local area extending to approximately 4km, particularly given the scale of the project.

9.6 It is accepted that the design of the pumped storage hydro scheme has had to balance competing demands, including landscape character and visual amenity considerations; environmental constraints; topography and ground conditions; and technological and operational requirements. The applicant has explained for people who frequent this area, how the proposal would be experienced and how its design has sought to address the receptors at each representative viewpoint location. On balance, it is generally considered that the proposed development has been appropriately designed to address the constraints of the area.

9.7 There are also clear impacts that might be expected from this proposed development, particularly during its construction. These can be managed through best practice construction management techniques to ensure surrounding interests, particularly road access, recreational route access and the amenity of local communities, is safeguarded from the key impacts of the development. The recommended suite of planning conditions will strengthen and clarify the plans and supporting environmental information provided by the applicant.

9.8 Notwithstanding the nature and scale of the proposal, there has been a high level of interest in the application with a significant number of public representations received. These consist of 52 representations to the Highland Council made up of 42 objections, 7 support comments and 3 general comments along with 109 representations to the Energy Consents Unit made up of 103 objections and 6 support comments. Whilst their concerns have assisted with the assessment of the application and considering the adequacy of the mitigation measures proposed, it is considered that there are no issues that merit the proposal to be relocated, reconfigured or refused.

9.9 In addition to the representation noted, objections were received from non-statutory consultees including Fisheries Management Scotland, Ness District Salmon Fishery Board and Mountaineering Scotland. Objections were also received from the host Community Council Stratherrick and Foyers Community Council, along with the neighbouring Fort Augustus and Glenmoriston Community Council. Additionally, whilst Strathnairn Community Council have raised concerns, they do not object. Outwith those noted, no other consultees have objected to the proposed development subject to conditions which are to be incorporated.

9.10 The application can be supported in the context of the Council's Development Plan, and in particular, NPF4 Policy 1 – Tackling the Climate and Nature Crises, Policy 3 – Biodiversity and Policy 11 – Energy, as well as HwLDP Policy 67 – Renewable Energy, with there being underlying support for pumped storage hydro development within NPF4. 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. The proposal can be considered to benefit from in principle support, with the extent of landscape and visual effects as well as all other construction impacts being outweighed by the contribution the development would make toward tackling climate change. The proposed development also contains proposals for substantial habitat management and restoration measures, which could, if appropriately conditioned, lead to peatland, forestry and biodiversity enhancement throughout the site, wider estate and surrounding area beyond.

9.11 Schedule 9 of the Electricity Act sets out what an applicant shall do in relation of the preservation of amenity. It is considered that the proposal has had regard to the desirability of preserving natural beauty and has mitigated the effects of the development in relation to the effects on the natural beauty of the countryside. This is by virtue of the location, setting and design of the pumped storage hydro scheme, resulting in landscape and visual impacts which can be accommodated. Officers are also satisfied that environmental effects of this development can be addressed by way of mitigation, with the suggested conditions incorporating a schedule of mitigation and operational compliance monitoring should permission be forthcoming by Scottish Ministers.

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 proposal has the ability to make a meaningful contribution toward the production of renewable energy.

10.5 Risk: Not applicable

10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before consultation response being issued to Scottish Ministers: None

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

A. The Committee granting delegated authority to the Area Planning Manager - South to respond to the Scottish Government's Energy Consents Unit regarding any future Further / Supplementary Environmental Information, where that does not:

   i) materially increase the scale of the proposed development; and

   ii) result in any additional significant adverse environmental effects; and

   iii) does not undermine or remove mitigation which was secured within the Council's previous consultation response on the application;

B. The conclusion of a legal agreement, or an alternative suitable mechanism to secure contributions to towards the B851 and B862;

C. The conclusion of a legal agreement, or alternative suitable mechanism to secure compensatory planting that takes place on land located ouwtih the planning application boundary and / or is not under the ownership of the applicant;

D. The Committee granting delegated authority to the Area Planning Manager - South to agree the finished condition wording, with any substantive amendments to be subject to prior consultation with the Chair of the South Planning Applications Committee; and

E. The following conditions and reasons.

Conditions and Reasons to be attached to any Section 36 consent which may be approved

1. **Notification of Date of First Commissioning**

Written confirmation of the Date of First Commissioning and the Date of Final Commissioning shall be provided to the Planning Authority and the Scottish Ministers no later than one calendar month after those dates.

Reason: To allow the Planning Authority and Scottish Ministers to calculate the date of expiry of the consent.

2. **Commencement of Development**

(1) The Commencement of development shall be no later than 7 years from the date on which this consent is granted, or in substitution, such other period as the Scottish Ministers may hereafter direct in writing.

(2) Written confirmation of the intended date of Commencement of development shall

be provided to the Planning Authority and the Scottish Ministers no later than one calendar month before that date.

Reason: To ensure that the consent is implemented within a reasonable period and to allow the Planning Authority and the Scottish Ministers to monitor compliance with obligations attached to this consent and deemed planning permission as appropriate.

3. **Non-assignation**

(1) This consent shall not be assigned without the prior written authorisation of the Scottish Ministers. The Scottish Ministers may authorise the assignation, with or without conditions.

(2) The Company shall notify the Planning Authority and the Scottish Ministers in writing of the name of the assignee, principal named contact and contact details within fourteen days of the consent being assigned.

Reason: To safeguard the obligations of the consent if transferred to another company.

4. **Serious Incident Reporting**

In the event of any breach of health and safety or environmental obligations relating to the Development during the period of this consent, the Company will provide written notification of the nature and timing of the incident to the Planning Authority and the Scottish Ministers, including confirmation of remedial measures taken and/or to be taken to rectify the breach, within 24 hours of the incident occurring.

Reason: To keep the Scottish Ministers informed of any such incidents which may be in the public interest.

Conditions to be attached to any deemed planning permission

5. **Implementation in Accordance with Approved Plans**

(1) Except as otherwise required by the terms of the section 36 consent and deemed planning permission, the Development shall be undertaken in accordance with the application:

a) including the approved drawings;

b) the Environmental Impact Assessment Report ("the EIAR"); and other documentation lodged in support of the application.

Reason: To ensure that the Development is carried out in accordance with the approved details.

6. **Site Investigation Works**

The site investigation works shall not commence until a detailed scheme of all site investigation works (including off-site and on-site works) has been submitted to and approved in writing by the Planning Authority. This shall include a timetable for all investigation works and enabling works and shall be submitted a minimum of 3 months in advance of the proposed date of commencement of any site investigation works.

Reason: To ensure the final details of the enabling works and site investigation works have regard for the rural setting of the Development Site and the potential impact of such works on the infrastructure of the area

7. **Site Investigation Works – Use of Materials**

Should the site investigation works result in the need for material to be used on site for other works or for material to be removed from the site, a detailed scheme of all excavated material works (including the volume of material to be used, the manner it is to be used and a justification for the need for the works) shall be submitted prior to the commencement of development and approved in writing by the Planning Authority in consultation with SEPA.

Reason: To ensure the final details of the enabling works and site investigation works have regard for the rural setting of the Development Site and the potential impact of such works on the infrastructure of the area

8. **Site Enabling Works**

The Site Enabling Works shall not commence until a detailed scheme of all Site Enabling Works (including off-site and on-site works) has been submitted to and approved in writing by the Planning Authority. This shall include a timetable for all enabling works and shall be submitted a minimum of 1 month in advance of the proposed date of commencement of any Site Enabling Works.

Reason: To ensure the final details of the Site Enabling Works have regard for the rural setting of the Development Site and the potential impact of such works on the infrastructure of the area.

9. **Finalised Design**

No development shall commence until the final design details for that specific element of the development have been submitted to, and agreed in writing by, the Planning Authority, in consultation with NatureScot and SEPA:

- Upper reservoir works, including tailrace, inlet and outlet structures, diffusers/screens, upper control kiosks, isolation gates and isolation gate house, spillway, surge shafts, cofferdam, security compound and any associated landscaping and/or planting;
- Lower reservoir works, including access tunnel portals, lower control works and cofferdam;
- Powerhouse, housing associated infrastructure pump turbines, generators, transformers, GIS substation, administration facilities, access tunnel adit, turbines shafts, including gate shafts, switchyard, tailrace, inlet and outlet structures, lower control works, isolation gates, welfare facilities and any associated landscaping and/or planting;
- Tailrace tunnel, headrace tunnel, cable tunnel, access tunnels, tunnel portals, vertical cable shaft and surge shafts;
- Platform, quayside and pier;
- All above ground facilities including site compounds, worker accommodation, administration buildings, recreational facilities, any other associated external

infrastructure, parking areas and any associated landscaping and/or planting;

- All roads, access tracks, water crossings and footpaths to serve each phase of the Development;
- Borrow pits;
- Site establishment areas to serve each phase of the Development;
- All site boundary treatments and external lighting provisions;
- All mitigation measures to be implemented in association with the project as set out in the Environmental Impact Assessment Report, or as amended by the above plans or agreed with statutory consultees prior to determination and not specified in this consent; All work shall thereafter be carried out in accordance with the approved design details.

Reason: To ensure the final design details of the Development have regard for the rural setting of the Development Site within a Wild Land Area and Special Landscape Area and the commitment to high quality design as set out in the Environmental Impact Assessment Report and the Further Environmental Information Report.

10. **Elevations and Site Formation Levels**

a) No development shall commence on each phase noted for Condition 8 Finalised Design until elevation, and cross section drawings of the proposed above ground infrastructure, have been submitted to and approved in writing by the Planning Authority. These details shall include:

i) The external materials, colours and finishes of all external structures and site fencing with a non-reflective finish to be specified throughout;

ii) any raised areas of hardstanding to support all onsite infrastructure; and

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 until such time as the development is decommissioned

Reason: In the interest of visual amenity.

11. **Construction Environment Management Document**

No later than three months prior to the Commencement of the Development, a Construction Environment Management Document (CEMD) shall be submitted for the writing approval of the Planning Authority, in consultation with NatureScot, Environmental Health and any other consultees as appropriate. The development shall then proceed in accordance with the approved CEMD unless otherwise agreed in writing by the Planning Authority. The CEMD shall include details of:

a) An updated Schedule of Mitigation (SM) as it relates to construction highlighting

mitigation set out within each chapter of the Environmental Impact Assessment Report (EIAR), within the EIAR Supplementary Environmental Information (SEI), and the conditions of this consent; Processes to control / action changes from the agreed SM; Construction Environmental Management Plans (CEMPs) for the construction phase, covering:

i) Habitat and Species Protection;

ii) Construction Environmental Management Plan (CEMP)

iii) Mitigation measures to protect the ecological resources on site, including biodiversity protection zones, location and timing of works;

iv) Construction Method Statements;

v) Pollution Prevention and Control;

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

vii) Construction Noise and Vibration (refer to Condition 12);

viii) Construction Method Statements;

ix) Temporary Site Lighting;

x) Site Waste Management;

xi) Surface and Ground Water Management, including: drainage and sediment management measures from all construction areas including access tracks; drainage by SUDS to accommodate the 1 in 200 plus an allowance for climate change; mechanisms to ensure that construction will not take place during periods of high flow or high rainfall; and a programme of water quality monitoring;

xii) Surface Water Quality Monitoring Programme implemented by the Principal Contractor and overseen by an ACoW (Aquatic Clerk of Works) or suitably experienced ECoW;

xiii) Peat Management Plan (refer to Condition 32);

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

xv) Public and Private Water Supply Protection Measures, including a programme of water quality monitoring;

xvi) Emergency Response Plans;

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

xviii) Phasing plans for the construction; and

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

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

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

relevant parties.

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

12. **Construction Noise and Vibration Management Plan**

Prior to the commencement of construction, the applicant shall submit for the written approval of the Planning Authority, a Construction Noise and Vibration Management Plan (CNVMP) to include details of the noise/vibration mitigation and monitoring schemes and shall demonstrate how compliance with the noise/vibration limits will be achieved. The CNVMP shall be based on the Outline CNVMP, included in the EIA Volume 4, Appendix 17.3, and shall also Flare 196797/ZS02216 include proposals for the monitoring and control of blasting noise and vibration.

The development shall progress in accordance with the EIA Chapter 17 - Noise Impact Assessment and the Approved Construction Noise and Vibration Management Plan (CNVMP). All recommended mitigation measures shall be in place prior to construction commencing or as otherwise may be agreed in writing by the Planning Authority.

The vibration peak particle velocity generated by construction activities shall not exceed 1mm / second as measured at any dwelling or other sensitive property.

For activities where vibration is perceptible at any sensitive property, the hours of operation shall be as follows:

- Monday to Friday 8am to 6pm;
- Saturdays 8am to 1pm.

At all other times, including Bank Holidays in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended), operations for which vibration is perceptible within any noise sensitive property are not permitted, unless otherwise agreed by the Planning Authority.

Unless otherwise authorised in writing by the Planning Authority the vibration dose value generated by this development shall not exceed 0.1 m·s-1.75 as measured or calculated in accordance with BS 6472-2-2008 Part 1 Vibration sources other than blasting. Unless there is a clear difference between nighttime and daytime operational activities this standard shall apply to both periods.

Reason: In the interest of safeguarding community and residential amenity.

13. **Construction Noise**

Unless otherwise authorised in writing by the Planning Authority, noise arising from construction works associated with this development shall not exceed the following limits as calculated or measured at the curtilage of any noise sensitive property: -
i) Monday to Friday 8am to 6pm LAeq 1 hour 55dB*
ii) Monday to Friday 6pm to 10pm, LAeq 1hour 45dB
iii) Saturdays 8am to 1pm, LAeq 1 hour 55dB
iv) Saturdays 1 pm to 6pm, LAeq 1 hour 45dB

v) Out-with the above times, noise from construction related activities shall not exceed LAeq 1 hour 35dB, except on Sundays and Bank Holidays.

On Sundays or Bank Holidays in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended), there shall be no 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 curtilage of any noise sensitive property, unless otherwise agreed by the Planning Authority.
*The daytime noise limit of LAeq 1 hour 55dB may be increased to LAeq 1 hour 70dB for up to 10 days during the construction of the access track at NSR 3 and NSR4

Reason: In the interest of safeguarding community and residential amenity.

14. **Blasting Method Statement**

Prior to any blasting activities within the development, the applicant shall submit, for the approval of the Planning Authority, a Blasting Method Statement which describes how the best practicable means for minimising the impact of blasting on sensitive receptors.

Reason: In the interest of safeguarding community and residential amenity.

15. **Dust Mitigation**

Prior to the commencement of any construction, the applicant shall submit for the written approval of the Planning Authority a dust suppression scheme.

Reason: In the interest of safeguarding community and residential amenity.

16. **Air Quality**

The development shall progress in accordance with the EIA Chapter 18 – Air Quality Assessment and the Approved Dust Suppression Scheme. All approved mitigation measures shall be implemented prior to construction commencing or as otherwise may be agreed in writing by the Planning Authority.

Reason: In the interest of safeguarding community and residential amenity.

17. **Construction Traffic Management Plan**

Prior to commencement of deliveries to site, a Construction Traffic Management Plan shall be submitted to and approved by the Planning Authority and Transport Scotland to ensure that the impact of construction vehicles is minimised within the Study Area to a level which is considered to be not significant. This shall include estimates of the construction traffic movements, likely routing to and from the site and details of any large or abnormal loads. Forecast HGV movements using the road junctions shall be explicitly identified.

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

18. **Abnormal Loads**

Prior to commencement of deliveries to site, the proposed route for any abnormal loads on the road network shall be submitted to and approved by the Planning Authority, in consultation with Transport Scotland as the trunk roads authority. The development shall be undertaken in accordance with the agreed details.

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

19. **Accommodation of Abnormal Loads**

Prior to the movement of any abnormal load, any accommodation measures required on the road network, including the removal of street furniture, junction widening and traffic management shall 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 road network as a result of the traffic moving to and from the development.

20. **Temporary Traffic Measures**

Prior to the movement of any components and/or construction materials, any additional signing or temporary traffic control measures deemed necessary on the road network due to the size or length of any loads being transported shall 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.

21. **Wheel Cleaning**

The development shall not become operational until vehicle wheel cleansing facilities have been installed and brought into operation on the site, the design and siting of which shall be subject to the prior approval of the Planning Authority in consultation with Transport Scotland.

Reason: To ensure that material from the site is not deposited on the road network to the detriment of road safety.

22. **Structures**

No development shall commence until full details of all structures on internal access routes within the site, B851 and B862 public roads are submitted to and approved in writing by the Planning Authority, in consultation with the local Roads Authority, in accordance with the Council's Technical Approval procedures.

Reason: In the interests of road safety and amenity.

23. **Watercourse Crossings**

Watercourse crossings shall be designed following the proposals outlined in EIAR Volume 4 Appendix 14.3: Schedule of Watercourse Crossings, shall be designed to accommodate the 1 in 200-year flood event, including an allowance for climate change, unless otherwise agreed by the Planning Authority in consultation with

SEPA.

Reason: To ensure that all watercourse crossings are free from flood risk and do not exacerbate flood risk elsewhere.

24. **Sustainable Urban Drainage Systems**

No development shall commence until full details of all surface water drainage provision within the application site (which shall accord with the principles of Sustainable Urban Drainage Systems (SUDS) and be designed to the standards outlined in Sewers for Scotland Fourth Edition, or any superseding guidance prevailing at the time) shall have been submitted to, and approved in writing by, the Planning Authority. For the avoidance of doubt, the details shall include the final drainage design for all new hardstanding on the site. Thereafter, only the approved details shall be implemented, and all surface water drainage provision shall be completed prior to the first occupation of any of the development.

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

25. **Stop Generating / Curtailment**

Prior to the site becoming operational, details of the finalised stop generating/curtailment level shall be submitted to and confirmed by the Planning Authority, in consultation with SEPA and Flood Risk Management Team. This shall include information that demonstrates that the level is appropriate to prevent an increase in flood risk to others from Loch Ness or the River Ness. The development shall thereafter be ceased in accordance with the agreed details.

Reason: To ensure that flood mitigation measures are provided.

26. **Borrow Pits**

Should there be a requirement to open any borrow pit other than Borrow Pit 1, further details should be provided and information on the volume of materials to be used, the manner it is to be used and a justification for the need for the works for agreement from the Planning Authority in consultation with SEPA. The need for the further borrow pit should be justified and the exact location, size and restoration proposals should be outlined in the submission. For the avoidance of doubt there shall be no long-term storage of material on site and material shall only be temporarily stored within the identified construction areas unless agreed with the Planning Authority in consultation with SEPA.

Reason: To ensure that excavation of materials from the borrow pit(s) is carried out in a manner that minimises the impact and to secure the restoration of borrow pit(s) at the end of the construction period.

27. **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 shall 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.

28. **Outdoor Access Management Plan**

No development shall commence until a detailed Outdoor Access Plan of public access across the site (as existing, during construction and following completion) has been submitted to, and approved in writing by, the Planning Authority. The plan shall include details showing:

i. All existing access points, paths, core paths, tracks, rights of way and other routes (whether on land or inland water), and any areas currently outwith or excluded from statutory access rights under Part One of the Land Reform (Scotland) Act 2003, within and adjacent to the application site;
ii. Any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or effect on curtilage related to proposed buildings or structures;
iii. All proposed paths, tracks, other routes and alternative campsites for use by walkers, riders, cyclists, canoeists, all-abilities users, etc. and any other relevant outdoor access enhancement (including construction specifications, signage, information leaflets, proposals for on-going maintenance etc.);
iv. Any diversion of paths, tracks or other routes (whether on land or inland water), temporary or permanent, proposed as part of the development (including details of mitigation measures, diversion works, duration and signage). The approved Outdoor Access Plan, and any associated works, shall be implemented as may be agreed within the approved plan.

Reason: In order to safeguard public access during the construction phase of the development.

29. **Public Art**

No development shall commence on site until a scheme for the inclusion of public art within the development and/or outwith the development, including types and locations of artworks and the management, maintenance thereof, and a timescale for implementation shall have been submitted to, and approved in writing by, the Planning Authority. The approved scheme shall be implemented in accordance with the timescales contained in the approved scheme and maintained in perpetuity.

Reason: In the interests of amenity.

30. **Operational Management Plan**

Prior to the energisation of the development, a site Operational Management Plan

shall be submitted to, and approved in writing by the Planning Authority in consultation with SEPA, Environmental Health and any other consultees as appropriate. This plan shall detail:

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

b) Landscape management and drainage maintenance.

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

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

31. **Operational Noise**

All plant, machinery and equipment associated with this development shall be so installed, maintained and operated such that the following standards are met:

1. Between 2300 hrs and 0700 hrs, any associated operating noise must not exceed NR 20 when measured or calculated within the bedroom of any noise-sensitive premises with windows open for ventilation purposes.
2. Between 0700 hrs and 2300 hrs the operating noise Rating level must not exceed the Background noise level, including any characteristics penalty. Terms and measurements to be in accordance with BS 4142: 2014 A1:2019 Methods for Rating Industrial & Commercial Sound.

Reason: In the interest of safeguarding community and residential amenity.

32. **Peat Management Plan**

Prior to the commencement of development, the developer shall submit a Peat Management Plan to be agreed in writing by the Planning Authority in consultation with SEPA. The Peat Management Plan shall draw upon the findings of any approved Environmental Impact Assessment, Peat Slide Risk Assessment, consider the findings of any additional ground investigations carried out prior to development commencing and include a management/reinstatement scheme for all peat areas within the application site, including:

i. Details and plans for all peat and soil stripping and excavation and the storage and proposed use and replacement of peat, topsoil and subsoil; and

ii. A method statement setting out the measures to protect peat during excavation, storage, handling and reuse.

The Peat Management Plan (PMP) shall take due consideration of the mineral and slope stability of the site identified in the peat landslide risk assessment and shall have regard to the drainage implications of soil movement and storage.

The Plan shall be implemented as approved.

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

33. **Habitat Management Plan**

1) No later than three months prior to the Commencement of the Development, a finalised habitat management plan (HMP), shall be submitted to and approved in writing by the Planning Authority, in consultation with NatureScot and SEPA.
2) The HMP shall set out proposed habitat management of the site during the period of construction and operation of the site;
3) The HMP shall include information on how and where any disturbed peat that cannot be used in site reinstatement will be used for peat restoration. This should include (a) location plan of the proposed peatland re-use/restoration area, clearly showing size of individual areas where peat re-use is proposed and total area to be restored, with this including the delivery of improvement to good **quality of at least 190ha of peatland** (b) evidence, in the form of photographs, aerial imagery, or surveys to demonstrate that the area identified is appropriate for peat re-use and is capable of supporting carbon sequestration and (c) basic calculations which demonstrate that the proposal will make use of all excavated material (this information could alternatively be included in the Peat Management Plan);
4) The HMP shall include full details of how and when the SAC compensatory measures noted in the Derogation Report will be implemented, monitored, maintained, and protected in the long term, and will include, inter alia - the proposed Deer Management Plan (including goat management); timescales for removal of the non-native conifers in the PAWS woodland at Camas and in Area 8; criteria for further intervention to carry out bracken control and/ or supplementary planting if necessary;
5) The HMP shall include post construction measures for the most sensitive habitats, peatland restoration proposals, provide enhancement of Annex 1 habitats, habitats for protected species and birds;
6) The approved HMP shall include provision for regular monitoring and review to be undertaken to consider whether amendments are needed to better meet the habitat plan objectives. In particular, the approved habitat management plan shall be updated to reflect ground condition surveys undertaken following construction and prior to the date of Final Commissioning and submitted to the Planning Authority for written approval, in consultation with SEPA;
7) Unless otherwise approved in advance in writing with the Planning Authority, the approved HMP shall be implemented in full.

Reason: In the interests of the protection of the habitats identified in the EIAR and EIAR Supplementary Environmental Information.

34. **Pre-Construction Ecological Survey**

A pre-construction survey is required to been undertaken not more than 3 months prior to works commencing on each phase noted for Condition 8 Finalised Design 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.

35. **Pre-construction Raptor Survey**

A pre-construction raptor survey shall be undertaken of the development site and the recommended disturbance distances as specified by NatureScot guidance. The results of this survey shall be used to inform Species Protection Plans.

Reason: To provide a robust baseline for raptors to inform mitigation required.

36. **Biodiversity Enhancement and Management Plan (BEMP)**

I. There shall be no Commencement of Development unless and until a final Biodiversity Enhancement and Management Plan (BEMP) has been submitted to, and approved in writing by the Planning Authority.

II. The BEMP 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. The compensation and enhancement measures must be managed in perpetuity.

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

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

Reason: In the interests of protecting ecological features and to ensure that the development secures positive effects for biodiversity.

37. **Environmental Clerk of Works (EnvCoW)**

An Environmental Clerk of Works (EnvCoW) will incorporate the roles of an Ecological Clerk of Works (ECoW).

There shall be no Commencement of Development 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 shall 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 34;
    ii. the Construction Environmental Management Document under Condition 11
    iii. the Peat Management Plan under Condition 32;
    iv. the Habitat Management Plan under Condition 33.
b) Providing training to the developer and contractors on their responsibilities to ensure that work is carried out in strict accordance with environmental protection requirements;
c) Require the EnvCoW to report to the nominated construction project manager any incidences of non-compliance with the EnvCoW works at the earliest practical opportunity;
d) Require the EnvCoW to report to the Planning Authority any incidences of non-compliance with the EnvCoW Works at the earliest practical opportunity
e) Maintains a Register of all inspections and audits, to include an inventory of all measures on the site, their effectiveness, as well as any advice provided;
f) Require the EnvCoW to report to the Planning Authority monthly, with a concise summary of the actions on site.

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 monitoring of and compliance with the environmental mitigation and management measures associated with the Development during the construction phase.

38. **Species Protection Plans**

There shall be no commencement of works unless and until all required Species Protection Plans have been agreed in writing by the Planning Authority in consultation with NatureScot. The development shall be undertaken in accordance with the agreed details.

Reason: to ensure the protection of species present on site during construction and operation of the development.

39. **Biosecurity Plan**

A biosecurity plan must be submitted to the Planning Authority prior to the commencement of works in consultation with NatureScot. The development shall be undertaken in accordance with the agreed details.

Reason: To prevent the introduction of invasive species within the site and prevent the spread of invasive species within the site.

40. **Nesting Birds**

Construction works have the potential to disturb nesting birds or damage their nest sites, and as such, a nesting bird survey shall be made, not more than 24 hours prior to the commencement of development if this coincides within the main bird breeding season (March - August inclusive) and throughout the breeding bird season if new areas are being developed or there has been a break in construction. 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.

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

41. **Smolt Mitigation and Fish Monitoring Plan**

There shall be no commencement of development until a Smolt Mitigation and Fish Monitoring Plan (SMFMP), has been submitted to, and approved in writing by the Scottish Minsters, in consultation with the Planning Authority, NatureScot, SEPA and Scottish Canals.

1) The Smolt Mitigation Plan shall include:
    a) Detailed design of the tailrace and barrier net to be deployed including evidence to show that the flow velocities observed outside the final design of the barrier net and within the top 10m of the loch will not exceed 0.092m/s;
    b) The protocol for inspection, cleaning, maintenance, repairs, replacement, and the remedial action to be taken should inspection show that that the integrity of the net is compromised. If net integrity is compromised during the smolt season the remedial action will need to include a requirement to stop pumping until net integrity is restored.
    c) Provision and details for regular monitoring and review to be undertaken against the SMFMP objectives and reasonable measures for securing amendments or additions to the SMFMP if its objectives are not being met.
2) Unless otherwise agreed in writing by the Scottish Ministers, the SMFMP shall be implemented in full within the timescales set out in the SMFMP.

Reason: To ensure that the risk of the intake flow attracting downstream migrating salmon smolts does not undermine the River Moriston SAC conservation objectives and ensure this risk will not adversely affect the integrity of the SAC.

42. **Water Level Monitoring and Mitigation Plan**

Prior to the commissioning of the development, the Developer shall submit a Water Level Monitoring and Mitigation Plan for the written approval of the Planning Authority. The Water Level Monitoring and Mitigation Plan shall include:

a) Details of ongoing monitoring that the Company shall undertake of the water levels of Loch Ness and the activity of other pumped storage

generating stations that abstract water from the loch;

b) Details of the methodology for predicting the impact on water levels of the loch based on the operation of the Development together with the activity of other pumped storage generating stations;

c) The circumstances in which the Development would cease water abstraction to prevent the operation of the Development leading to water levels in Loch Ness dropping below 15.33m AOD;

The Development shall be operated in accordance with the approved Water Level Monitoring and Mitigation Plan.

Reason: To ensure that the risk of a reduction of water levels in Loch Ness impeding salmon migration does not undermine the River Moriston SAC conservation objectives and ensure this risk will not adversely affect the integrity of the SAC.

43. **Data**

GIS Shapefiles must be supplied of the compensation and enhancement areas to the Planning Authority prior to the commencement of works.

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

44. **Tree Protection Plan**

No development, site excavation or groundwork shall commence until Tree Protection Plans in accordance with BS 5837:2012 (Trees in Relation to Design, Demolition and Construction) shall have been submitted to and subsequently approved in writing by the Planning Authority. Thereafter, all retained trees shall be protected against construction damage using protective barriers located as per the approved Tree Protection Plans. These barriers shall remain in place throughout the construction period and must not be moved or removed during the construction period without the prior written approval of the Planning Authority.

Reason: In order to ensure the protection of retained trees and woodlands, which are important amenity assets, both during construction and thereafter.

45. **Arboricultural Consultant**

A suitably qualified Arboricultural consultant shall be employed by the applicant to ensure that the approved Tree Protection Plans are implemented to the agreed standard. Stages requiring supervision shall be set out in a Supervision Statement for the written agreement of the Planning Authority and certificates of compliance for each stage shall be submitted for approval.

Reason: To ensure the protection of retained trees throughout the construction period.

46. **Compensatory Planting**

No development, including tree felling, shall commence until a detailed Compensatory Planting Plan (including future maintenance) shall have been

submitted and approved in writing by the Planning Authority, following consultation with Scottish Forestry and any other relevant stakeholders.

1) The area of planting shall be no less than 63.11 hectares in size, consisting primarily of native species and located within the Highlands.
2) The area identified for compensatory planting may also need to be considered under The Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017, where this exceeds the current thresholds.
3) The Compensatory Planting Plan shall follow the same process as required for preparing a woodland creation proposal, as set out in the Scottish Forestry publication: Woodland Creation Application Guidance.
4) The Compensatory Planting Plan shall be prepared by and then implemented under the supervision of a suitably qualified forestry consultant, approved by the Planning Authority. The appointed forestry consultant shall provide a detailed schedule of supervision, with compliance monitoring reports to be issued at agreed stages.
5) The approved Compensatory Planting Plan shall be implemented in full, prior to first commissioning of the development. The compensatory planting shall be maintained thereafter in accordance with the approved scheme, until established to the full satisfaction of the Planning Authority and then shall remain as woodland in perpetuity.
6) To comply with the Felling Permission exemptions, woodland removal shall not begin until the applicant can demonstrate that construction work is imminent. In the event that development fails to commence within 3 years of the initial felling, then the land use shall revert back to woodland and the area shall be replanted within 12 months, to a specification approved by the Planning Authority.
7) The applicant shall provide the Planning Authority with a GIS shapefile clearly identifying the approved area(s) of woodland removal and the associated area(s) of compensatory planting prior to the commencement of works.

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

47. **Lighting**

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

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

48. **Socio-Economic Benefit**

No later than 15 months after the date of final commissioning of the development, a report demonstrating the project has met the minimum socio-economic benefit assumptions provided within the Environmental Impact Assessment Report, received 29 January 2024, for both the development's construction period and initial 12-month operational period, for both Highland and Scotland, shall be submitted for the written approval of the Planning Authority.

The Scheme shall include the following:

a) details of how the initial 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 program for constructing the development;

f) a procedure for monitoring the Local Employment Scheme and reporting the results of such monitoring to the 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.

49. **Decommissioning, Restoration and Aftercare Strategy**

No development shall commence unless and until a Decommissioning, Restoration, and Aftercare Strategy shall have been submitted to, and approved in writing by, the Planning Authority. The strategy shall outline measures for the decommissioning of the development along with the restoration and aftercare of the site, and shall include proposals for the removal of individual components of the development as well as the treatment of ground surfaces, and, the management and timing of the works and environmental management provisions which shall include, but not be limited to, the following:

a) site waste management plan (dealing with all aspects of waste produced during the decommissioning, restoration and aftercare phases);

b) details of measures to be taken to prevent loose or deleterious material being deposited on the road network, including wheel cleaning and lorry sheeting facilities, and measures to clean the site entrances and the adjacent local road network;

c) a pollution prevention and control method statement, including arrangements for the storage and management of oil and fuel on the site;

d) details of measures for soil storage and management;

e) a surface water and groundwater management and treatment plan, including details of the separation of clean and dirty water drains, and location of settlement lagoons for silt laden water;

f) temporary site illumination;

g) management and timing of the works; and

h) a traffic management plan to address any traffic impact issues during the decommissioning period.

Reason: To ensure the decommissioning and removal of the development, along with the site's restoration in an appropriate and environmentally responsible manner in the interests of safety, amenity, and environmental protection.

50. **Decommissioning, Restoration and Aftercare Plan**

In the event that the development is no longer operational for a period of 3 years, or the operator, leaseholder and / or landlord advises that the development is no longer going to be operated, whichever is earliest, a detailed decommissioning, restoration and aftercare plan, based upon the principles of the approved decommissioning, restoration and aftercare strategy, shall be submitted for the written approval of the Planning Authority in consultation with SEPA. The detailed decommissioning, restoration and aftercare plan shall provide updated and detailed proposals, in accordance with relevant guidance at that time, for the removal of the Development, the treatment of ground surfaces, the management and timing of the works and environment management provisions which shall include (but is not limited to):

a) site waste management plan (dealing with all aspects of waste produced during the decommissioning, restoration and aftercare phases);

b) 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;

c) a pollution prevention and control method statement, including arrangements for the storage and management of oil and fuel on the site;

d) details of measures for soil storage and management;

e) a surface water and groundwater management and treatment plan, including details of the separation of clean and dirty water drains, and location of settlement lagoons for silt laden water;

f) temporary site illumination;

g) management and timing of the works;

h) a traffic management plan to address any traffic impact issues during the decommissioning period.

The Development shall be decommissioned, the site restored and aftercare

undertaken in accordance with the approved plan.

Reason: To ensure that should the development no longer be required an appropriate mechanism is in place for decommissioning of the development.

51. **Financial Restoration Guarantee**

No development shall commence until:

(1) Full details of a guarantee, bond or other financial provision to be put in place to cover all of the decommissioning and site restoration measures outlined in the Decommissioning, Restoration and Aftercare Strategy approved under Condition 49 of this permission shall have been submitted to, and approved in writing by, the Planning Authority. For the avoidance of doubt the bond must be able to be called upon by The Highland Council and be enforceable against the operator and landowner and/ or leaseholder; and

(2) Confirmation in writing by a suitably qualified independent professional that the amount of financial provision proposed under part (1) above is sufficient to meet the full estimated costs of all decommissioning, dismantling, removal, disposal / recycling, site restoration, remediation and incidental work, as well as associated professional costs, has been submitted to, and approved in writing by, the Planning Authority; and

(3) Documentary evidence that the guarantee, bond or other financial provision approved under parts (1) and (2) above is in place has been submitted to, and confirmation in writing that the financial provision is satisfactory has been issued by, the Planning Authority.

(4) Thereafter, the Operator, and Leaseholder and/or Landowner, shall:

a) Ensure that the guarantee, bond or other financial provision is maintained throughout the duration of this permission; and

b) Pay for the guarantee, bond or other financial provision to be subject to a review five years after the commencement of development and every five years thereafter until such time as the development is decommissioned and the site restored.

(5) Each review shall be:

a) conducted by a suitably qualified independent professional; and

b) published within three months of each five year period ending, with a copy submitted upon its publication to both the landowner(s) and the Planning Authority; and

c) approved in writing by the Planning Authority without amendment or, as the case may be, approved in writing by the Planning Authority following amendment to their reasonable satisfaction.

Where a review approved under part (c) above recommends that the amount of the guarantee, bond or other financial provision should be altered (be that an increase or decrease) or the framework governing the bond or other financial provision requires to be amended, the Operator, and Leaseholder and/or Landowner shall do so within one month of receiving that written approval, or another timescale as may be agreed in writing by the Planning Authority, and in accordance with the

recommendations contained therein.

Reason: To ensure that there are sufficient funds to secure the implementation of the Decommissioning, Restoration, and Aftercare Strategy at the time of the development's decommissioning.

52. **Community Liaison Group**

No development shall commence until a community liaison group shall have been 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 shall 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 / national 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.

53. **Planning Monitoring Officer**

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

a) Impose a duty to monitor compliance with the planning permission and conditions attached to this consent;

b) Require the PMO to submit a report at least every three months to the Planning Authority, or monthly at the further written request of the Planning Authority, summarising works undertaken on site; and

c) Require the PMO to report to the Planning Authority any incidences of non-compliance with the planning permission and conditions attached to this consent at the earliest practical opportunity.

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

Reason: To enable the development to be suitably monitored to ensure compliance

with the consent issued.

REASON FOR DECISION

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

REASONED CONCLUSION

The Council is in agreement with the findings of the Environmental Impact Assessment Report and Further Environmental Information for construction of pumped hydro storage (Loch Kemp) of Leamhain Dam and upper reservoir, Shuas Dam, Shios Dam and lower reservoir, underground waterway system and associated structures, powerhouse and indoor electrical switchyard, Pitridh and Shuas aqueducts, new access junction from the A86, upgraded and new access tracks and footpaths, site compounds and worker facilities, borrow pit, new and upgraded watercourse crossings and one upgraded crossing, landscaping and earthworks, tree planting, peat and habitat compensation/enhancement, deer fencing and other ancillary works. Whilst the proposed development will produce some significant landscape and visual effects, particularly during the construction period but also extending into the early operational period in and around the lower reservoir, continuing well into the operational period in and around the upper reservoir, to receptors using the surrounding recreational paths and Munro summits, it is considered the significant effects have been contained where possible. The Highland Council is satisfied that environmental effects of this development can be addressed by way of mitigation. The Council has incorporated the requirement for a schedule of mitigation within the conditions of this permission. Monitoring of construction and operational compliance has been secured through Conditions 11, 12, 13, 14, 15, 16, 17, 22, 23, 24, 25, 26, 27, 30, 31, 34, 35, 37, 38, 40, 41, 42, 44, 46, 52, 53.

Signature:	Bob Robertson
Designation:	Acting Area Planning Manager – South
Author:	Roddy Dowell
Background Papers:	Documents referred to in report and in case file.
Relevant Plans:	Plan 1 - Site Location Figure 1.1
	Plan 2 – Proposed Development (Revised) Figure 3.1b
	Plan 3 - Typical Dam Plan and Sections Figure 3.3
	Plan 4 - Indicative Layout of Lower Reservoir Works - During Construction Figure 3.4
	Plan 5 - Indicative Layout of Lower Reservoir Works - During Operation Figure 3.5

Plan 6 - Typical Access Track Construction Details within Ness Woods SAC Figure 3.6

Plan 7 - Typical Access Track Construction Details outside Ness Woods SAC Figure 3.7

Plan 8 - Proposed Development with Working Corridor and Indicative Borrow Pit Locations (Revised) Figure 3.8

Appendices: Appendix 1 – Letters of Representation

Appendix 2 - Cumulative Renewable Energy Developments

Appendix 3 - Development Plan and Other Material Policy Considerations

Appendix 4 - Compliance with the Development Plan / Other Planning Policy

Appendix 5 - Assessment against Landscape and Visual Assessment Criteria contained within Section 4 of the Onshore Wind Energy Supplementary Guidance

Appendix 6 - Viewpoint Assessment Appraisal – Visual Impact

Appendix 3 – Development Plan and Other Material Policy Considerations

DEVELOPMENT PLAN

National Planning Framework 4 (NPF4) (2023)

A3.1 The NPF4 policies of most relevance to this proposal include:

National Development 2 (NAD2) – Pumped Hydro Storage

National Development 3 (NAD3) - Strategic Renewable Electricity Generation and Transmission Infrastructure

1 - Tackling the climate and nature crisis.

2 - Climate mitigation and adaptation

3 - Biodiversity

4 - Natural places

5 - Soils

6 - Forestry, Woodland and Trees

7 - Historic assets and places

11 - Energy

12 - Zero waste

13 - Sustainable transport

18 - Infrastructure first

20 - Blue and green infrastructure

22 - Flood risk and water management

23 - Health and safety

25 - Community wealth benefits

26 - Business and industry

29 - Rural development

33 - Minerals

Highland Wide Local Development Plan (HWLDP) 2012

A3.2 28 - Sustainable Design

29 - Design Quality and Place-making

30 - Physical Constraints

31 - Developer Contributions

36 – Development in the Wider Countryside

51 - Trees and Development

52 - Principle of Development in Woodland

53 – Minerals

54 – Mineral Wastes

55 - Peat and Soils

56 - Travel

57 - Natural, Built and Cultural Heritage

58 - Protected Species

59 - Other Important Species

60 - Other Important Habitats and Article 10 Features

61 - Landscape

62 - Geodiversity

63 - Water Environment

64 - Flood Risk

65 – Waste Water Treatment

66 - Surface Water Drainage

67 - Renewable Energy Developments

69 - Electricity Transmission Infrastructure

72 - Pollution

73 - Air Quality

74 - Green Networks

77 - Public Access

78 - Long Distance Routes

Inner Moray Firth Local Development Plan 2 (IMFLDP2) (2024)

A3.3 1 – Low and Zero Carbon Development

2 – Nature Protection, Restoration and Enhancement

9 – Delivering Development and Infrastructure

Other Highland Council Supplementary Guidance

A3.4

- 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

A3.5 Apart from the components of the approved Development Plan outlined above, the Stratherrick and Foyers Local Place Plan is now registered and is a relevant statutory consideration. It defines collective community aspirations which should be useful for the applicant, consultees and Scottish Government in assessing and addressing community benefit and wealth building issues.

Emerging Highland Council Development Plan Documents and Planning Guidance

A3.6 The Highland-wide Local Development Plan is currently under review and is at Main Issues Report Stage. It is anticipated the Proposed Plan will be published following publication of secondary legislation post National Planning Framework 4.

A3.7 In addition, the Council has further advice on delivery of major developments in a number of documents. This includes Construction Environmental Management Process for Large Scale Projects (Aug 2010) and The Highland Council Visualisation Standards for Wind Energy Developments (Jul 2016).

Other National Guidance

A3.8
- 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)
- 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)
- Siting and Designing Wind Farms in the Landscape, SNH (2017)
- Assessing Impacts on Wild Land Areas, Technical Guidance, NatureScot

(2020)

- Wind Farm Developments on Peat Lands, Scottish Government (2011)
- Historic Environment Policy for Scotland, HES (2019)
- PAN 1/2011 - Planning and Noise (2011)
- PAN 60 – Planning for Natural Heritage (2008)
- Circular 1/2017: Environmental Impact Assessment Regulations (2017)

Appendix 4 - Compliance with the Development Plan / Other Planning Policy

National Policy

A4.1 NPF 4 forms part of the Development Plan and was adopted in February 2023. It comprises three parts:

- Part 1 – sets out an overarching spatial strategy for Scotland in the future. This includes spatial principles, national and regional spatial priorities, and action areas;
- Part 2 – sets out policies for the development and use of land to be applied in the preparation of local development plans; local place plans; masterplans and briefs; and for determining the range of planning consents. This part of the document should be taken as a whole in that all relevant policies should be applied to each application; and
- Part 3 – provides a series of annexes that give the rationale for the strategies and policies of NPF4, it outlines how the document should be used, and sets out how the Scottish Government will implement the strategies and policies.

A4.2 **Part 1 - the Spatial Strategy** explains the unprecedented national challenges and need to reduce greenhouse gas emissions and adapt to future impacts of climate change. It sets out that that Scotland's environment is a national asset which supports the nation's economy, identity, health and wellbeing and explains that choices need to be made on sustainable use of natural assets in a way which benefits communities. The spatial strategy reflects legislation in setting out decisions required in the long-term public interest. However, in doing so it is clear that the right choices about where development should be located need to be made to ensure clarity over the types of infrastructure provided and the assets that should be protected to ensure they continue to benefit future generations. The Spatial Priorities support the planning and delivery of sustainable places to reduce emissions, restore and better connect biodiversity; liveable places for better and healthier lives; and productive places where there is a greener, fairer and more inclusive wellbeing economy.

A4.3 At the national level, NPF4 considers that strategic renewable electricity generation and transmission infrastructure will assist in the delivery of the Spatial Strategy and Spatial Priorities for the north of Scotland, and that Highland can continue to make a strong contribution toward meeting Scotland's ambition for net zero. Alongside these ambitions, the strategy for Highland aims to protect environmental assets as well as to stimulate investment in natural and engineered solutions to address climate change. This aim is not new and will clearly require a balancing exercise to be undertaken, which is reflected throughout NPF4.

A4.4 The proposed development is of national importance for the delivery of the national Spatial Strategy, whereby in principle support for this type of development is established. The proposed development constitutes NPF4 National Development 2 - Pumped Hydro Storage. Additionally, as the proposed development would be capable of generating over 50MW, it is of a

type and scale that constitutes NPF4 National Development 3 - Strategic Renewable Electricity Generation and Transmission Infrastructure.

A4.5 **Part 2 – Policies: NPF4 Policies 1, 2, and 3** now apply to all development proposals Scotland-wide, which means that significant weight must be given to the global climate and nature crises when considering all development proposals, as required by NPF4 Policy 1. To that end, development proposals must be sited and designed to minimise lifecycle greenhouse gas emissions as far as is practicably possible in accordance with NPF4 Policy 2, while contributing to the enhancement of biodiversity, as required by NPF4 Policy 3.

A4.6 NPF4 Policy 3 Biodiversity intends to protect biodiversity, reverse biodiversity loss, deliver positive effects and strengthen nature networks. Under NPF4's policy emphasis on biodiversity, all forms of development are required to include appropriate measures to conserve, restore and enhance biodiversity proportionate to the nature and scale of development. The requirement to deliver biodiversity enhancement is a new duty.

A4.7 Highland Council's Biodiversity Enhancement Planning Guidance was adopted in 2024 and is a material consideration. It is aimed at developers, agents, architects and their consultants. The guidance explains the approach that is required by the Highland Council to deliver biodiversity conservation, restoration and enhancement through the planning system. This guidance has been prepared to support the application of the National Planning Framework 4 (NPF4) and is intended to be used in conjunction with relevant national and local policy and planning guidance. Scottish Government has published draft biodiversity planning guidance setting out the Scottish Ministers' expectations for implementing NPF4 policies which support the cross-cutting NPF4 outcome "improving biodiversity".

A4.8 In September 2023, the Scottish Government released independent research conducted by SRUC on "Approaches to Measuring Biodiversity in Scotland". The report's findings and recommendations propose practical steps for achieving a consistent, cross-government approach to measuring biodiversity at the site level. Specifically targeting the planning sector, NatureScot has initiated efforts to create an adapted biodiversity metric tailored for supporting the implementation of Policy 3b in National Planning Framework 4. This new tool aims to assist developers and planning authorities in evaluating the biodiversity enhancements resulting from developments. It will be applicable to major development projects, aligning with the goals of NPF4. While based on a metric utilised in England, it will be refined to suit Scotland's requirements.

A4.9 The design of the proposed development has sought to implement the NPF4 Mitigation Hierarchy with steps taken for avoidance and minimisation, prior to restoration and offsetting. It is noted that the proposed development would lead to a significant creation / restoration of bog habitat, heathland, general woodland across the site and within Ness Woods SAC.

A4.10 The proposed ecological compensation and enhancement measures noted in the Biodiversity Net Gain and Forestry sections above and outlined within EIAR Volume 1 Chapter 14: Geology, Soils and Water, OHMP (EIAR Volume 4:

Appendix 10.7), Updated Compensatory Measures Package for the Ness Woods SAC (EIAR Volume 4, Appendix 10.7). Additionally, post construction, it is expected that an OEMP is to be developed, agreed and controlled by condition.

A4.11 While NPF4 considers national developments as a focus for delivery, they should also be exemplars of the community wealth building approach to economic development. The intent of NPF4 Policy 25 Community wealth building is 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. NPF4 Policy 25 supports the following proposals:

- Development proposals which contribute to local or regional community wealth building strategies and are consistent with local economic priorities will be supported. This could include for example improving community resilience and reducing inequalities; increasing spending within communities; ensuring the use of local supply chains and services; local job creation; supporting community led proposals, including creation of new local firms, and enabling community led ownership of buildings and assets.

Development proposals linked to community ownership and management of land will be supported. Following consultation, the Highland Council's Community Wealth Building Strategy 2024-2027 was agreed by the Council on 19 September 2024. The strategy provides a framework that sets out how the Council will utilise different activities to maximise the impact of investment in local areas and support more local ownership of assets and wealth. The finalised version of the strategy will be uploaded to the Council's website in due course.

A4.12 The applicant's proposed continuation of conversations with local stakeholders in regard to local housing could align well with the "Land and property" Objective in the Community Wealth Building Strategy 2024-2027. This states that a key Outcome is "Increasing the supply of affordable housing", with three actions as part of the Housing Challenge noted as:

- Develop options for increasing finance for housing.
- Develop options for increasing the number and variety of developments.
- Develop options to increase land supply.

EIAR Volume 1 Chapter 20: Socio-economics and Tourism states that there could be an average of 356 people employed on site during the peak construction phase, with construction worker numbers varying depending on the stage of the works (the applicant anticipates that the construction phase will take approximately 5 years with 4 years of a core construction period). It is noted that once operational, the proposed development will create 25 new full-time jobs injecting £822,373 per annum into the local economy including multiplier effects. When taking account of multiplier effects, the proposed development is stated as equating to a gross value added (GVA) impact of £29,461,518 million at the Highland level and £57,211,838 at the Scottish level.

A4.13 Complementing those policies is NPF4 Policy 4 Natural Places, which sets out that development proposals by virtue of type, location, or scale that have an unacceptable impact on the natural environment will not be supported. The policy goes on to clarify what that means for different designations. It sets out that proposals with likely significant effects on European sites (SACs or SPAs) require Appropriate Assessment, and that development proposals that will affect a National Park, NSA or SSSI will only be supported where:

i) the objectives of designation and the overall integrity of the areas will not be compromised; or

ii) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

A4.14 Similarly, sites designated in Development Plans for local nature conservation or Special Landscape Areas (SLAs) are protected in NPF4 Policy 4 unless the development will not result in significantly adverse effects on its qualities or its integrity, or these effects are clearly outweighed by social, environmental, or economic benefits of at least local importance. The most significant policy change for Natural Places brought about by NPF Policy 4 is with regard Wild Land Areas, which states that renewable energy developments that support national targets will be supported in Wild Land Areas (WLA) and that buffer zones around WLAs will not be applied, so that effects of development out with WLAs will not be a significant consideration.

A4.15 Policy 6 aims to protect and expand forests, woodland and trees with significant protection offered to Ancient Woodland with a presumption against woodland removal without appropriate compensatory planting. NPF4 Policy 6 b) notes that “Development proposals will not be supported where they will result in:

i) Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition

ii) Adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value

iii) Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy.” NPF4 Policy 6 c) notes that “Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered”. It is considered the proposal is generally in overall conformity with NPF4 Policy 6 given the significant compensatory planting scheme of woodland areas, both in and outwith Ness Woods SAC.

A4.16 Policy 11 intends 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 and emerging low-carbon and zero emissions technologies including hydrogen and

carbon capture utilisation and storage (CCUS)". It specifies that the principle of all forms of renewable, low-carbon, and zero emission technologies is supported (with the exception of wind farm proposals located in National Parks or National Scenic Areas) including 'enabling works, such as grid transmission and distribution infrastructure' which encompasses this application.

A4.17 It states 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. The policy goes on to say that significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets, while identifying impacts, including cumulative impacts, that must be suitably addressed and mitigated against. Policy 11 e) i to xiii sets out the criteria against which applications must be assessed.

A4.18 This includes a broad range of matters similar those to be assessed under HwLDP Policy 67 including landscape and visual impacts. It advises that where impacts are localised and / or appropriate design mitigation has been applied such effects will generally be considered acceptable. While the adopted NPF4 reflects a stronger presumption in favour of all national scale energy developments, judgment is still required at the project level to ensure proposals do not have unacceptable landscape and visual impacts even if the contribution to national renewable energy targets is considerable.

A4.19 On that point it is noted that both legislation and planning law indicate that where there may be incompatibility between NPF4 and the Local Development Plan (LDP) (HwLDP, IMFLDP2, and Highland Council Supplementary Guidance) published prior to NPF4, then the more recent document shall prevail. Notwithstanding however, in instances of incompatibility, this requirement may not eliminate the provisions of the LDP in their entirety whilst these documents remain an extant part of the adopted Development Plan. That means that the Council may wish to still give considerable weight to the provisions of its LDP over national policies where there is strong justification for doing so, such as where the Council feels that LDP policy is better equipped to respond to local matters of importance or site-specific conditions for example.

A4.20 Whilst Highland Council's Development Plans Team do not object to the application, they noted some concerns as to whether the proposed development is in overall conformity with the Development Plan without additional justification provided. NPF4 Policies 1 (Tackling the climate and nature crises), 2 (Climate mitigation and adaption) and 11 (Energy) together with the classification of PSH as a "Scotland-wide" National Development, mean that the principle of additional PSH schemes cannot be disputed. However, the site and proposal specifics of a particular scheme can be. In particular, the NPF4 in-principle support is subject to whether the particular scheme:

- Will "maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities" (Policy 11c) and Policy 25 (Community

wealth building));

- Has “significant adverse effects on the qualities for which the area has been designated”, offers outweighing “social, environmental or economic benefits of national importance.” (Policy 4b) and 4c) cross referenced from Policy 11d)); and,
- Includes an “appropriate assessment” of the implications of the development for any affected European natural heritage site (Policy 4b)).

A4.21 The adequacy and likely effectiveness of the mitigation proposed against these three tests will determine compatibility with NPF4 and the overall approved development plan. Additionally, other NPF4 policies are relevant but are unlikely to be crucial in the overall conclusion on development plan conformity. These include Policies 3 (Biodiversity); 5 (Soils); 6 (Forestry, woodland and trees); 13 (Sustainable transport); 20 (Blue and green infrastructure); 22 (Flood risk and water management); 29 (Rural development); and 30 (Tourism).

A4.22 They consider the justification for the development, chosen locality and scheme design could offer greater certainty. They noted the supporting documentation implies that another pumped storage hydro scheme (in addition to Glendoe, Coire Glas and Red John (Loch na Cathrach)) is required close to the Great Glen given the excess energy that is and will be generated by the adjoining operational, consented and planned wind farm developments. The Development Plans Team assume excess wind farm energy will be used to (reverse) pump water from Loch Ness up to Loch Kemp at times of low energy demand but requested further clarification.

A4.23 Local balancing of supply and demand for energy across the national network is an accepted requirement but unconsented onshore wind farms do not in themselves justify consenting another PSH scheme. They raise concerns that such an approach would be likely to create a concentration of energy schemes in a particular locality with the potential adverse impacts such concentration could bring. Whilst supporting information provided states that the physical characteristics of the location make it one of the most viable for PSH in the UK environmental sensitivity should also be used to select potentially suitable sites. Whilst the applicant makes reference to “imperative reasons of overriding public interest” the Development Plans Team consider this has not been independently verified by a body such as OFGEM, for example. Whilst the location may well be one of the most viable locations in the UK to construct a PSH scheme they ask whether that in itself represents an “imperative reasons of overriding public interest”? Reasonable alternatives with fewer adverse environmental impacts, such as battery storage facilities at surrounding wind farm sites for example, should be assessed and if appropriate then discounted with reasons.

A4.24 On balance, it is considered the proposal is generally in overall conformity with NPF4 Policy 11. Policy 11 e) ii., e) viii. and e) ix. requires the proposed development project design and mitigation will demonstrate how the following impacts are addressed:

- Significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable;
- Effects on hydrology, the water environment and flood risk; and
- Biodiversity including impacts on birds.

A4.25 The proposed development will have some significant adverse landscape and visual impacts on a range of features/receptors (including but not restricted to) the Loch Ness and Duntelchaig SLA, Loch Ness, Great Glen Way, Meall Fuar-mhonaidh amongst others. However, significant landscape and visual effects have been contained to a relatively localised surrounding area with various mitigation measures reducing impacts further, particularly at the operational stage of the development.

A4.26 Given the nature of pumped hydro storage, the proposed development will have a significant impact on hydrology, the water environment and flood risk. However, various mitigation measures will minimise any significant adverse effects.

A4.27 The proposed development will have a significant impact on biodiversity with the removal of trees, peat and other habitat. However, various mitigation measures including substantial tree planting, peatland restoration, deer control along with other biodiversity enhancement will minimise any significant adverse effects and lead to significant betterment within the site and wider Estate.

A4.28 Additionally, whilst the generality of HwLDP's topic policies are superseded by those in NPF4 HwLDP policies 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. In particular, Policy 57 Natural, Built and Cultural Heritage, Policy 61 – Landscape and Policy 67 Renewable Energy given the location within Ness Woods SAC, Loch Ness and Duntelchaig SLA along with the River Moriston SAC in the wider surrounding area and with the proposed development being pumped hydro storage.

A4.29 It is considered the proposal is in overall conformity with Policy 57, Policy 61 and Policy 67 of HwLDP. Policy 57 requires all development proposals be assessed taking into account the level of importance and type of heritage features, the form and scale of the development, and any impact on the feature and its setting. The following criteria will also apply:

- For features of local/regional importance development will be allowed if it can be satisfactorily demonstrated that they will not have an unacceptable impact on the natural environment, amenity and heritage resource; and
- For features of national importance development will be allowed if it can be shown not to compromise the natural environment, amenity and heritage resource. Where there may be any significant adverse effects, these must be clearly outweighed by social or economic benefits of national importance. It must also be shown that the development will

support communities in fragile areas who are having difficulties in keeping their population and services. NatureScot have confirmed that designations of national importance within the site including Ness Woods SAC, Easter Ness Forest Site of SSSI and River Moriston SAC in the wider surrounding area will not be compromised subject to mitigation measures proposed and controlled by various conditions.

A4.30 In terms of Policy 67, whilst the proposed development would contribute towards meeting renewable energy generation targets and generally have a positive effect on the local and national economy the Council has to be satisfied that it is located, sited and designed not to be significantly detrimental overall, either individually or cumulatively with other developments, having regard in particular to any significant effects on the following:

- Natural, built and cultural heritage features;
- Visual impact and impact on the landscape character of the surrounding area (the design and location of the proposal should reflect the scale and character of the landscape and seek to minimise landscape and visual impact, subject to any other considerations);
- Amenity at sensitive locations, including residential properties, work places and recognised visitor sites (in or outwith a settlement boundary); and
- The amenity of users of any Core Path or other established public access for walking, cycling or horse riding;

A4.31 **Part 3: Annex B – National Developments Statements of Need**. National developments are significant developments of national importance. Appendix B identifies 18 types of national development which will support the delivery of the spatial strategy. The statements of need set out in the Appendix are a requirement of the Town and Country Planning (Scotland) Act (1997). Any project identified as national development is required to be considered at a project level to ensure all statutory tests are met.

This project is classified as National Development under Annex B Section 2 Pumped Hydro Storage and Section 3 Strategic Renewable Electricity Generation and Transmission Infrastructure including:

a) On and offshore electricity generation, including electricity storage, from renewables exceeding 50 megawatts capacity.

A4.32 This brings the application under the tests set out under Policy 11. As noted earlier, it is considered the proposal is in overall conformity with NPF4 Policy 11.

Highland-wide Local Development Plan (HwLDP)

A4.33 The HwLDP identifies the site as “wider countryside” under Policy 36. It sets out a range of parameters against which development will be assessed. It states that development proposals may be supported if they are judged to be not significantly detrimental under the terms of the policy noting “Renewable energy development proposals will be assessed against Renewable Energy

Policies, the non-statutory Highland Renewable Energy Strategy and where appropriate the Onshore Wind Energy Supplementary Guidance".

A4.34 HwLDP Policy 57 – Natural, Built and Cultural Heritage requires all development proposals be assessed taking into account the level of importance and type of heritage features, the form and scale of the development, and any impact on the feature and its setting. It does acknowledge the site is within the internationally important Ness Woods SAC, Easter Ness Forest Site of SSSI along with the nearby River Moriston SAC. Additionally, the site is within the locally designated Loch Ness and Duntelchaig SLA.

A4.35 HwLDP Policy 67 - Renewable Energy sets out that "renewable energy development should be well related to the source of the primary renewable resource needed for operation". It states that "The Council will consider the contribution of the proposed development in meeting renewable energy targets and positive/negative effects on the local and national economy as well as all other relevant policies of the Development Plan and other relevant guidance". The Council will support proposals where it is satisfied, they are located, sited and designed such as they will not be significantly detrimental overall, individually or cumulatively with other developments against eleven specified criteria (as listed in HwLDP Policy 67). Such an approach is consistent with the concept of Sustainable Design (HwLDP Policy 28) and the concept of supporting the right development in the right place at the right time.

A4.36 Policy 69 – Electricity Transmission Infrastructure states that £proposals for overground, underground or sub-sea electricity transmission infrastructure (including lines and cables, pylons/ poles and vaults, transformers, switches and other plant) will be considered having regard to their level of strategic significance in transmitting electricity from areas of generation to areas of consumption". Subject to balancing with this consideration, and taking into account any proposed mitigation measures, the Council will support proposals which are assessed as not having an unacceptable significant impact on the environment, including natural, built and cultural heritage features.

A4.37 Although HwLDP Policy 67 and Policy 69 are considered compatible with NPF4 Policy 11, NPF4 expresses greater support for renewable energy projects outwith National Parks and NSAs and requires greater weight to be attributed to the twin climate and biodiversity crises in the decision-making process, whilst still recognising that a balancing exercise must still be carried out.

A4.38 The proposal is in overall conformity with the approved development plan. The proposal's expected contribution to help achieve net zero and interim climate targets accords with NPF4 Policies 1 and 11 along with HwLDP Policy 67, notwithstanding that a pump hydro scheme will use electricity from the grid (generated from whatever sources) to pump the water up, this system will help ensure energy security and resilience. Subject to consideration as to whether the proposal's avoidance and minimisation of impacts is sufficient, the proposed mitigation in terms of restoration and offsetting, with net gain in terms of soils (bog / peat restoration), biodiversity and tree planting, in quantitative

terms accord well with NPF4 Policies 3, 4, 5 and 6. The illustrated example of community wealth building aligns with the intention of NPF4 Policy 25 and with the Council's voluntary Community Benefit policy, though the exact community benefit from this proposal cannot be confirmed until its project costs and funding arrangements are finalised. The local socio-economic benefits will be substantial during the construction phase, whilst only 25 full-time jobs are anticipated once operational, dialogue between the applicant and key stakeholders in relation to support for specific projects in the local community will continue.

Area Local Development Plan: The Inner Moray Firth Local Development Plan 2 (IMFLDP2)

A4.39 The IMFLDP contains policy on Nature Protection, Preservation and Enhancement (Policy 2). This sets out that proposals for national, major and EIA development will only be supported where it is demonstrated that the proposal will conserve and enhance biodiversity, including nature networks within and adjacent to the site, so that they are in a demonstrably better state than without intervention, including through future management. This is similar to the approach taken in NPF4 and will be considered in the relevant sections of this report.

A4.40 The IMFLDP also sets out that developers will be required to demonstrate that adequate capacity to serve the proposal exists or can be created by a programmed improvement or via direct developer provision or funding. Where this is appropriate, the need for enhancements to infrastructure will be highlighted in this report.

Draft Energy Strategy and Just Transition Plan (2023)

A4.41 The Draft Energy Strategy and Just Transition Plan has been published for consultation. Ministers will likely give consideration to this document in their decision on the application, however, limited weight can be applied to the document given its draft status. Unsurprisingly, the material on pumped hydro storage in the document reflects in large part that contained in NPF4. A fundamental part of the Strategy is expanding the energy generation sector. Overall, the draft Energy Strategy forms part of the new policy approach alongside NPF4 and confirms the Scottish Government's policy objectives and related targets reaffirming the crucial role that pumped hydro storage and enabling transmission infrastructure will play in response to the climate crisis which is at the heart of all these policies.

Appendix 5 - Assessment against Landscape and Visual Assessment Criteria contained within Section 4 of the Onshore Wind Energy Supplementary Guidance

Criterion 1 is related to relationships between settlements/key locations and the wider landscape.

The nearest settlement is Fort Augustus 10.25km from the powerhouse and lower works. Give the set back the development is barely perceptible.

Meall Fuar-mhonaidh is regarded as a “Key Location” relevant to the proposed development. There are numerous developments that are visible or prominent in the landscape from the summit of the hill. Visual effects would be experienced by receptors in a number of key OWESG locations. Whilst these would be significant effects during the construction phase these will be relatively localised, once the proposed development becomes operational and mitigation measures become embedded these will reduce.

The proposed development is considered to meet the threshold of Criterion 1.

Criterion 2 is related to the extent to which the proposal reduces or detracts from the transitional experience of key Gateway Locations and routes.

The transition into the Great Glen is important. The A82, B851 and B862 roads along with Loch Ness (via the Great Glen Canoe Trail and Caledonian Canal) and the Great Glen Way are noted as key routes and are affected to varying degrees by the proposed development. Given the site location and topography the proposed development is relatively well screened from the roads noted with portions of visibility between intervening vegetation and landform. Given the scale of the powerhouse building there will be significant effects on views from receptors on the water in Loch Ness which continue once operational, as noted, these will extend to approximately 4km.

Whilst there will be localised significant effects, overall, the proposed development is considered to meet the threshold of Criterion 2.

Criterion 3 is related to the extent to which the proposal affects the fabric and setting of valued natural and cultural landmarks

There are no statutory designations within the site boundary. 13 designated assets were identified, consisting of 1 scheduled monument and 12 listed buildings within a 3km outer study area. Of the designated assets within the 3km study area, the scheduled monument (Dell Farm, Burial Mound) and 1 Category B listed building (Dell Lodge and Rear Service Cottages) are considered vulnerable to any adverse alterations to their setting.

The proposal is located within the SLA and view from a number of key locations and routes inside the designation. The proposed development will be visible from a section of Loch Ness, the Great Glen Way route and a number of popular hill tops including Meal Fuar-Mhonaidh on the northwestern side of Loch Ness overlooking the loch to the east/southeast. The Great Glen itself and Loch Ness are regarded as landmarks relevant to this criterion.

As noted for Criterion 2, given the scale of the powerhouse building there will be significant effects on views from receptors on the water in Loch Ness, as noted, these will extend to approximately 4km. There will be significant effects on views from receptors on the water

in Loch Ness which continue once operational, as noted, these will extend to approximately 4km.

Whilst there will be localised significant effects, overall, the proposed development is considered to meet the threshold of Criterion 3.

Criterion 4 is related to the extent that the amenity of key recreational routes and ways is respected by the proposal.

For the proposed development this would include a number of popular recreational routes and the core paths in the area. As covered above in Criterion 3, the proposed development would be visible from an extended section of the Great Glen Way represented and Meal Fuar-mhonaidh on the northwestern side of Loch Ness.

Given the upland location of this stretch of the Great Glen Way there will be views of the development for periods. Likewise, visibility from key recreational routes around Loch Ness including the A82, B851, B862, National Cycle Route and South Loch Ness Trail will be relatively brief and fleeting. View from Loch Ness (via the Great Glen Canoe Trail and Caledonian Canal) are more sustained. Given the scale of the powerhouse building there will be significant effects on views from receptors on the water in Loch Ness, as noted, these will extend to approximately 4km. There will be significant effects on views from receptors on the water in Loch Ness which continue once operational, as noted, these will extend to approximately 4km.

Whilst there will be localised significant effects, overall, the proposed development is considered to meet the threshold of Criterion 4.

Criterion 5 is related to the extent to which the proposal affects the amenity and visual appeal of transport routes.

The transition into the Great Glen is important. The A82, B851 and B862 roads along with Loch Ness (via the Great Glen Canoe Trail and Caledonian Canal) and the Great Glen Way are noted as key routes and are affected to varying degrees by the proposed development. Given the site location and topography, the proposed development is relatively well screened from the roads noted with portions of visibility between intervening vegetation and landform. Given the scale of the powerhouse building there will be significant effects on views from receptors on the water in Loch Ness which continue once operational, as noted, these will extend to approximately 4km.

Whilst there will be localised significant effects, overall, the proposed development is considered to meet the threshold of Criterion 5.

Criterion 6 is related to respecting the existing pattern of development

The pattern of development is discussed under Criteria 1, particularly from the “Key View” Meall Fuar-mhonaidh and the “Key Route” Great Glen Way. Proposals should contribute positively to existing pattern or objectives for development in the area.

It is not considered that the proposed development would have any effect on the existing pattern of renewable energy development, and therefore the threshold for this criterion would not be exceeded.

The proposed development is considered to meet the threshold of Criterion 6.

Criterion 7 relates to the extent to which the proposal maintains or affects the spaces between existing developments and/or clusters

The Loch Ness Landscape Sensitivity Appraisal concludes that development in this Landscape Character Type should maintain space between existing development to prevent coalescence.

The proposed development would retain appropriate and effective separation between existing renewable energy development and generally relates to the landscape setting.

The proposed development is considered to meet the threshold of Criterion 7.

Criterion 8 relates to the extent that the proposal maintains or affects receptors' existing perception of landscape scale and distance.

In terms of wind energy development, the existing pattern of turbines is characterised by locations on the "third horizon" when viewed from the west of the Great Glen looking towards the Monadhliath Mountains. Whilst the landscape is of sufficient scale to accommodate the proposed development it is located within a lower elevation than existing wind energy development.

While the lower works including the powerhouse building and associated infrastructure on the loch shore will become a focal feature in some views from Loch Ness and surrounding routes they would be perceived at relatively close proximity. The scale of the built form would be comparable to other hydro development that exists in the wider surrounding area and the vast scale of the overall landscape can accommodate the development.

Visibility of the upper works would generally be contained by surrounding landform and forestry. Where Dam 3 would be perceived from the farmed strath floor of Stratherrick to the northeast, it might appear out of scale with the generally small-scale landscape pattern but would often be screened or filtered by trees, and dressed with soil and vegetation to reduce the longer-term visibility of the structure when viewed from the east.

As noted, given the scale of the powerhouse building there will be significant effects on views from receptors on the water in Loch Ness which continue once operational, as noted, these will extend to approximately 4km.

Whilst there will be localised significant effects, overall, the proposed development is considered to meet the threshold of Criterion 8.

Criterion 9 is related to the extent to which the landscape setting of nearby wind energy developments is affected by the proposal.

As noted for Criterion 7 and 8 the Loch Ness Landscape Sensitivity Appraisal concludes that development in this Landscape Character Type should maintain space between existing development to prevent coalescence. Whilst the proposed development has reasonable separation from existing and proposed development in the wider surrounding area. There is clear separation between surrounding renewable energy.

The proposed development is not considered to meet the threshold of Criterion 9.

Criterion 10 is related to distinctiveness of landscape character.

For the avoidance of doubt this does not relate to landscape designations. Consideration should be given to the variety of landscape character as one travels through the area and how that changes and transitions as one moves through the area.

The proposed development will lead to significant effects on landscape character, particularly during construction but also once the proposed development becomes operational. The proposed development will lead to significant effects on landscape character, particularly during construction. These are generally limited to the immediate surrounding area within LCT 224 and LCT 225. As noted, whilst there are significant effects that extend to approximately 4km the landscape character would not be fundamentally changed when considered as a whole and the integrity of the LCTs will remain intact.

Whilst there will be localised significant effects, overall, the proposed development is considered to meet the threshold of Criterion 10.

Appendix 6 – Viewpoint Assessment Appraisal – Visual Impact

			Proposed Development			Cumulative		
Viewpoint	App / THC	Sensitivity of the Receptor the Receptor (Susceptibility / value of the view) High, Medium, Low	Magnitude of Change (Scale of Change / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)	Magnitude of Cumulative Change (Scale / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of Change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)
VL1 – In the vicinity of the A82 north of Invermoriston 1.07km from the site View Southeast	App	Low/Medium	Negligible	Negligible	Not Significant	Negligible	Negligible	Not Significant
	THC	High	Medium (localised)	Moderate Adverse (localised)	**Significant (localised)**	Medium (localised)	Moderate Adverse (localised)	**Significant (localised)**
			During construction	During construction	During construction	During construction	During construction	During construction
	App	Low/Medium	Low	Minor Adverse	Not Significant	Low	Minor Adverse	Not Significant
	THC	High	Medium (localised)	Major Adverse (localised)	**Significant (localised)**	Medium (localised)	Major Adverse (localised)	**Significant (localised)**
	The baseline is as described in Section 8.6 Landscape and Section 8.7 Visual Amenity of the EIAR Volume 1: Chapter 8 Landscape and Visual Impact Assessment.							

			Proposed Development			Cumulative		
Viewpoint	App / THC	Sensitivity of the Receptor the Receptor (Susceptibility / value of the view) High, Medium, Low	Magnitude of Change (Scale of Change / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)	Magnitude of Cumulative Change (Scale / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of Change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)
	The viewpoint is approximately 2km south from Alltsigh with a layby on the A82 leading to a wooden gate with a path beyond leading towards the shore of Loch Ness for 150m to the rocky beach. The A82 is the main route between Spean Bridge/Roybridge and Inverness through the Great Glen. This viewpoint is the closest point to the powerhouse from this side of the loch with the development in the centre of the view from this location. Receptors will be road users but given the proximity of the viewpoint to Loch Ness it also gives an illustration of those accessing the loch for recreational purposes. The A82, Great Glen Canoe Trail and Caledonian Canal and lochs are noted as “Key Routes” within the OSWESG. This section of the A82 and wider surrounding area is within the Loch Ness and Duntlechaig SLA. These factors lead to the sensitivity being considered High rather than Low/Medium specified by the applicant. In terms of receptors utilising the road, the A82 is a busy route with generally low-level views, with some slightly elevated sections, along the northwestern edge of Loch Ness. Filtered views across the loch when travelling north and south are often restricted by trees, vegetation or landform with more open outlooks across the loch limited to a few locations where gaps in the vegetation allow for improved visibility. During the construction phase there would be an increase in movement and traffic as seen across the loch, including the transport of equipment by boat along Loch Ness, as well as views of cranes and other significant construction equipment along the loch shore and further up the hillside. During construction the applicant considers the magnitude of change will be Low with a Minor Adverse (not significant) effect in the immediate local area with the impact diminishing at further distance. It is considered they have understated the visual impacts during construction with a magnitude of change of Medium and Major Adverse (Significant) effect. However, this is limited to the localised area.							

			Proposed Development			Cumulative		
Viewpoint	App / THC	Sensitivity of the Receptor the Receptor (Susceptibility / value of the view) High, Medium, Low	Magnitude of Change (Scale of Change / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)	Magnitude of Cumulative Change (Scale / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of Change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)
	Once operational, elements of the lower works of the proposed development, including the tailrace structure, powerhouse and associated track, will be seen from parts of this route in glimpsed views across the loch. Whilst there is also theoretical visibility of some of the upper works, including Dam 8, from parts of the A82, the dam would be unlikely to be perceptible to receptors. Trees, vegetation and landform between the road and the shoreline would often screen or filter views with only brief periods of transient visibility across the loch. Longer term, landscape mitigation earthworks, seeding and planting would help to incorporate the lower works infrastructure into the surrounding landscape. Once operational, the applicant considers the magnitude of change will be Negligible with a Negligible (not significant) effect. It is considered they have understated the visual impacts during construction with a magnitude of change of Medium and Moderate Adverse (Significant) effect. Again, this is limited to the localised area extending to approximately 4km from the powerhouse. In terms of receptors utilising Loch Ness itself, the loch route forms part of the Great Glen Canoe Trail from Corpach to Clachnaharry and is a popular destination for tourists on travelling by boat. There are expansive vistas up and down Loch Ness when travelling by water, framed by the steep-sided, often tree-covered slopes, with dispersed clusters of settlements found on gentler slopes along with scattered properties on hill sides. Foyers powerhouse is visible along the eastern shoreline when passing Foyers. Elements of the lower works including the tailrace structure, powerhouse and associated tracks would be noticeable from this portion of the loch, appearing locally prominent but becoming less visible at further distances when seen in increasingly oblique views. During the construction phase there would be an increase in movement of water-based traffic, including the transport of equipment by boat along Loch Ness, as well as views of cranes and other construction equipment of various scales on the loch shore and hillslope above.							

			Proposed Development			Cumulative		
Viewpoint	App / THC	Sensitivity of the Receptor the Receptor (Susceptibility / value of the view) High, Medium, Low	Magnitude of Change (Scale of Change / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)	Magnitude of Cumulative Change (Scale / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of Change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)
	Once operational, the applicant anticipates that the powerhouse will become a feature of architectural and recreational interest in its own right. They note that a visitor centre and café at the powerhouse would allow for recreational boat traffic at the quayside. Whilst there are examples of powerhouse buildings in the wider surrounding area, such as Foyers pumped hydro storage scheme, and the design and materials of the powerhouse breaks up the massing of the building with angular elements that soften the frontage, the proposed development is introducing a substantial structure on a stretch of Loch Ness that is relatively free of development on the shoreline. Landscape mitigation earthworks and planting will soften and screen the other associated infrastructure such as the new access track to the lower works. However, even once mitigation measures have become established it is still considered there will be a Significant effect from this viewpoint and immediate surrounding area. It is agreed there are no cumulative effects with other operational or proposed renewable energy developments.							
VL2 – The upper Great Glen Way in the vicinity of Alltsigh 3.3km from the site	App	Medium	Low/Medium	Moderate/Minor Adverse	Not Significant	Low/Medium	Moderate/Minor Adverse	Not Significant
	THC	High	Medium/Low (localised)	Major/Moderate (localised)	**Significant (localised)**	Medium/Low (localised)	Major/Moderate (localised)	**Significant (localised)**

			Proposed Development			Cumulative		
Viewpoint	App / THC	Sensitivity of the Receptor the Receptor (Susceptibility / value of the view) High, Medium, Low	Magnitude of Change (Scale of Change / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)	Magnitude of Cumulative Change (Scale / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of Change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)
View South								
			During construction	During construction	During construction	During construction	During construction	During construction
	App	Medium	Low/Medium	Minor/Moderate Adverse	Not significant	Low/Medium	Minor/Moderate Adverse	Not significant
	THC	High	Medium (localised)	Major (localised)	**Significant (localised)**	Medium (localised)	Major (localised)	**Significant (localised)**
	The baseline is as described in Section 8.6 Landscape and Section 8.7 Visual Amenity of the EIAR Volume 1: Chapter 8 Landscape and Visual Impact Assessment. The viewpoint is from the Great Glen Way/Core Path IN18.01 - Dalcataig circuit long distance recreational route from Fort William to Inverness (with a high level and low-level options). This route follows Core Path IN22.02 (Abriachan to Drumnadrochit) and the C1060 public road (Dunain-Blackfold-Abriachan). Receptors will be hill walkers and recreational walkers appreciating the view from this highly valued and often visited location. The Great Glen Way and C1060 public road (Dunain-Blackfold-Abriachan) are noted as “Key Routes” within the OSWESG. This section of the Great Glen Way above Loch Ness is within the Loch Ness and Duntlechaig SLA. These factors lead to the sensitivity being considered High rather							

			Proposed Development			Cumulative		
Viewpoint	App / THC	Sensitivity of the Receptor the Receptor (Susceptibility / value of the view) High, Medium, Low	Magnitude of Change (Scale of Change / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)	Magnitude of Cumulative Change (Scale / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of Change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)
	than Medium specified by the applicant. The viewpoint is from an elevated section of the Great Glen Way, on the northern slopes of the Great Glen. This section of the popular long-distance route rises up from Fort Augustus crossing the southwestern margin of the high ridge between the Great Glen and Glen Moriston before stepping down to Invermoriston further to the north. Whilst surrounding parts of the route are within forestry, this ridge portion opens out with panoramic views to the east and south across Loch Ness. During the construction phase there would be an increase in activity and traffic for both the lower and upper works as seen across the loch, including the transport of equipment by boat along Loch Ness, as well as views of cranes and other significant construction equipment along the loch shore and upper reservoir. The intervisibility of compounds, laydown areas, tracks, borrow pits, construction of dams along with substantial construction equipment as part of the upper works will be noticeable alongside the compounds, laydown areas, tracks, borrow pits, construction of the powerhouse along with works on the shore of Loch Ness as part of the lower works. During construction the applicant considers the magnitude of change will be Low/Medium with a Minor/Moderate (Not Significant) effect in the immediate local area with the impact diminishing at further distance. It is considered they have understated the visual impacts during construction and there will be a Significant effect from this viewpoint. Once operational, elements of the both the lower and upper works of the proposed development will be seen from parts of this Great Glen Way. From this viewpoint Dam 1 will be seen at the forefront of the upper reservoir, Dam 4 is to the rear with the powerhouse on the shoreline of Loch Ness along with associated tracks. Mitigation measures including reinstatement, particularly around access tracks and planting within the surrounding area will help to reduce visual effects to some extent, particularly around the powerhouse.							

			Proposed Development			Cumulative		
Viewpoint	App / THC	Sensitivity of the Receptor the Receptor (Susceptibility / value of the view) High, Medium, Low	Magnitude of Change (Scale of Change / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)	Magnitude of Cumulative Change (Scale / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of Change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)
	Once operational, the applicant considers the magnitude of change will be Low with a Minor Adverse (not significant) effect. It is considered they have understated the visual impacts once the proposed development becomes operational. Landscape mitigation earthworks and planting will soften and screen the other associated infrastructure such as the new access track to the lower works. However, even once mitigation measures have become established it is still considered there will be a Significant effect from this viewpoint and immediate surrounding area. It is agreed there are no cumulative effects with other operational or proposed renewable energy developments.							
VL3 – Core Path IN25.01 near Whitebridge 0.86km from the site View South West	App	Low/Medium	Low	Negligible	Not Significant	Low	Negligible	Not Significant
	THC	High	Low/Negligible	Moderate/Minor	Not Significant	Low/Negligible	Moderate/Minor	Not Significant
			During construction	During construction	During construction	During construction	During construction	During construction
	App	Low/Medium	Low	Negligible	Not Significant	Low	Negligible	Not Significant
	THC	High	Medium	Major (localised)	**Significant**	Medium	Major (localised)	**Significant**

			Proposed Development			Cumulative		
Viewpoint	App / THC	Sensitivity of the Receptor the Receptor (Susceptibility / value of the view) High, Medium, Low	Magnitude of Change (Scale of Change / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)	Magnitude of Cumulative Change (Scale / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of Change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)
			(localised)		**(localised)**	(localised)		**(localised)**
	The baseline is as described in Section 8.6 Landscape and Section 8.7 Visual Amenity of the EIAR Volume 1: Chapter 8 Landscape and Visual Impact Assessment. The viewpoint is from the Core Path IN25.02 – Garthbeg to Errogie, south side of Loch Mhor running on the eastern side of Loch Mhor and is also part of the Trail of the Seven Lochs Trail. The viewpoint is from a section of the route that intersects the northeastern portion of the red line site boundary. Receptors will be hill walkers and recreational walkers appreciating the view along the route. This section of the core path is within the Loch Ness and Duntlechaig SLA which increases its sensitivity. The sensitivity is considered High rather than Low/Medium specified by the applicant. The viewpoint has an open view across gently sloping agricultural land and moorland. During the construction phase there would be an increase in activity and traffic associated with the construction of Dam 3, as well as cranes and other significant construction equipment, in the foreground of the view. During construction, the applicant considers the magnitude of change will be Low with a Negligible (not significant) effect. It is considered they have understated the visual impacts during construction with a magnitude of change of Medium and Major (Significant) effect.							

			Proposed Development			Cumulative		
Viewpoint	App / THC	Sensitivity of the Receptor the Receptor (Susceptibility / value of the view) High, Medium, Low	Magnitude of Change (Scale of Change / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)	Magnitude of Cumulative Change (Scale / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of Change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)
	Once operational, the applicant considers the magnitude of change will be Low with a Negligible (not significant) effect. Whilst the visibility of Dam 3 would be mitigated by the use of additional landscape mitigation earthworks, mitigation seeding and planting on the eastern face of the dam to help assimilate the structure into the surrounding landscape, this will take a number of years to become established. Whilst it is considered they have understated the impacts, and it will take a number of years before the mitigation measures become effective it is agreed the effect is not significant once operational longer term. It is agreed there are no cumulative effects with other operational or proposed renewable energy developments.							
VL4 – Summit by Suidhe Viewpoint off the B862 5.48km from the site View North East	App	Medium-High	Negligible	Negligible	Not Significant	Negligible	Negligible	Not Significant
	THC	High	Negligible	Negligible	Not Significant	Negligible	Negligible	Not Significant
			During construction	During construction	During construction	During construction	During construction	During construction
	App	Medium-High	Negligible	Negligible	Not Significant	Negligible	Negligible	Not Significant
	THC	High	Negligible/Low	Negligible/Moderate	Not Significant	Negligible/Low	Negligible/Moderate	Not Significant

			Proposed Development			Cumulative		
Viewpoint	App / THC	Sensitivity of the Receptor the Receptor (Susceptibility / value of the view) High, Medium, Low	Magnitude of Change (Scale of Change / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)	Magnitude of Cumulative Change (Scale / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of Change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)
	The baseline is as described in Section 8.6 Landscape and Section 8.7 Visual Amenity of the EIAR Volume 1: Chapter 8 Landscape and Visual Impact Assessment. The elevated viewpoint has open views over farmed and forested wide glens and the B862 continuing into the distance. Views from the undulating moorland plateau contain of textured, wide landscape with sections of woodland, inner waterbodies, rounded peaks in the mid-point with distant hills in the background of the extensive skyscape. Receptors will be hill walkers, recreational walkers, tourists and road users given the short distance from the B862 and nearby An Suidhe car park. This recognised viewpoint is within the Loch Ness and Duntelchaig SLA, on the South Loch Ness Trail and also on General Wades Military Road. This viewpoint is on the heavily promoted South Loch Ness Trail and culturally significant which increases its sensitivity. The sensitivity is considered High rather than Medium/High specified by the applicant. A combination of landform and forestry will generally screen most of the upper works and limit views of the lower works from this viewpoint. During the construction phase there would be an increase in activity and traffic associated with the construction of the dams as well as cranes and other significant construction equipment, in the background of the view. However, given the set back of nearly 5.5km from the site construction works and infrastructure it would be hard to detect. During construction the applicant considers the magnitude of change will be Low with a Negligible (not significant) effect in the immediate local area with the impact diminishing at further distance. Whilst it is considered they have understated the visual impacts during construction it is agreed there will not be a significant effect from this viewpoint.							

			Proposed Development			Cumulative		
Viewpoint	App / THC	Sensitivity of the Receptor the Receptor (Susceptibility / value of the view) High, Medium, Low	Magnitude of Change (Scale of Change / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)	Magnitude of Cumulative Change (Scale / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of Change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)
	Once operational, dams will be seen in the distance. Given the scale of setting with its many layers in the landform along with existing inland waterbodies there is capacity within the landscape to accommodate the development and it does not appear out of keeping from this viewpoint. Additionally, there are other manmade features such as wind turbines in the wider surrounding area which would contribute to the lessening of the perceived impact of the proposed development. Once operational, the applicant considers the magnitude of change will be Negligible with a Negligible (not significant) effect. Whilst it is considered they have understated the visual impacts once operational it is agreed there will not be a significant effect from this viewpoint. Whilst it is considered the applicant has understated some elements of the assessment there is general agreement with the applicant's conclusions. It is agreed there are no cumulative effects with other operational or proposed renewable energy developments.							
VL5 – A82 South of Invermoriston 2.94km from the site	App	Low/Medium	Low	Negligible	Not Significant	Low	Negligible	Not Significant
	THC	High	Low (localised)	Moderate (localised)	**Significant (localised)**	Low (localised)	Moderate (localised)	**Significant (localised)**
			During	During construction	During	During	During construction	During

			Proposed Development			Cumulative		
Viewpoint	App / THC	Sensitivity of the Receptor the Receptor (Susceptibility / value of the view) High, Medium, Low	Magnitude of Change (Scale of Change / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)	Magnitude of Cumulative Change (Scale / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of Change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)
View North East			construction		construction	construction		construction
	App	Low/Medium	Medium/Low	Minor/Moderate	Not Significant	Medium/Low	Minor/Moderate	Not Significant
	THC	High	Medium (localised)	Major (localised)	**Significant (localised)**	Medium (localised)	Major (localised)	**Significant (localised)**
	The baseline is as described in Section 8.6 Landscape and Section 8.7 Visual Amenity of the EIAR Volume 1: Chapter 8 Landscape and Visual Impact Assessment. As with VL1, this viewpoint is on the A82 set back just under 3km from the powerhouse with glimpsed views through vegetation when travelling north along the route. There are more sustained open views across Loch Ness between Loch Ness Highland Lodges to the curve in the road. As with VL1, receptors will be road users but given the viewpoint is adjacent to Loch Ness it also gives an illustration of those accessing the loch for recreational purposes. Whilst VL1 is the closest point to the powerhouse this viewpoint has more oblique views set further back and gives an impression of how the powerhouse would appear when approaching and passing on the loch. As indicated for VL1, the A82, Great Glen Canoe Trail and Caledonian Canal and lochs are noted as “Key Routes” within the OSWESG. This section of the A82 and wider surrounding area is within the Loch Ness and Duntlechaig SLA. These factors lead to the sensitivity being considered High rather than Low/Medium specified by the applicant.							

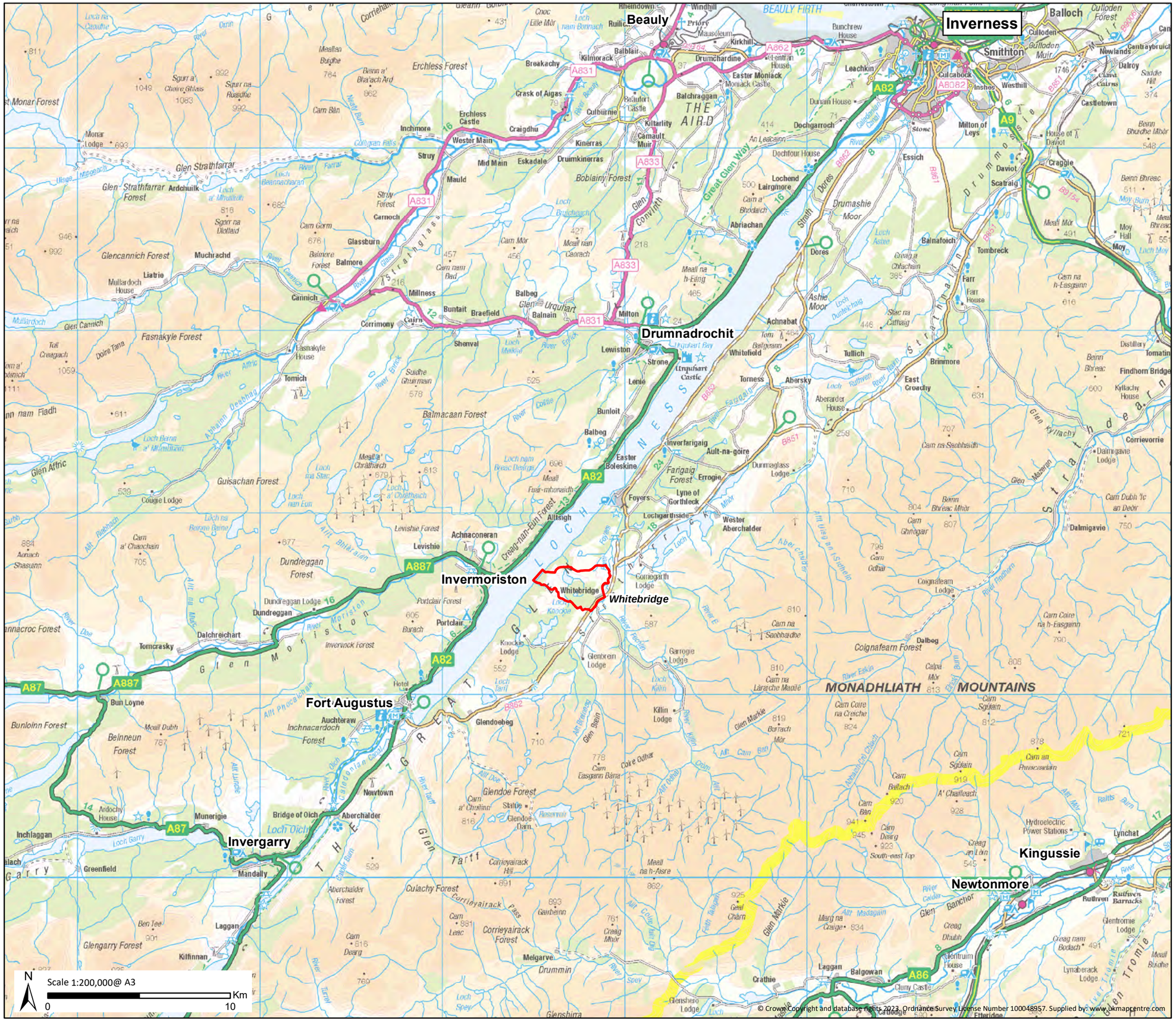
			Proposed Development			Cumulative		
Viewpoint	App / THC	Sensitivity of the Receptor the Receptor (Susceptibility / value of the view) High, Medium, Low	Magnitude of Change (Scale of Change / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)	Magnitude of Cumulative Change (Scale / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of Change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)
	In terms of receptors utilising the road, the A82 is a busy route with generally low-level views, with some slightly elevated sections, along the northwestern edge of Loch Ness. Filtered views across the loch are often restricted by trees, vegetation or landform. During the construction phase there would be an increase in movement and traffic as seen across the loch, including the transport of equipment by boat along Loch Ness, as well as views of cranes and other significant construction equipment along the loch shore and further up the hillside. During construction the applicant considers the magnitude of change will be Low with a Minor Adverse (not significant) effect in the immediate local area with the impact diminishing at further distance. It is considered they have understated the visual impacts during construction with a magnitude of change of Medium and Major (Significant) effect. Once operational, elements of the lower works of the proposed development, including the tailrace structure, powerhouse and associated track, will be seen from parts of this route in glimpsed views across the loch. Whilst there is also theoretical visibility of some of the upper works, including Dam 8, from parts of the A82, the dam would be unlikely to be perceptible to receptors. Trees, vegetation and landform between the road and the shoreline would often screen or filter views with only brief periods of transient visibility across the loch. Longer term, landscape mitigation earthworks, seeding and planting would help incorporate the lower works infrastructure into the surrounding landscape. Once operational, the applicant considers the magnitude of change will be Low with a Negligible (not significant) effect. It is considered they have understated the visual impacts once operational with a magnitude of change of Low and Moderate (Significant) effect well into the operation of the proposed development. However, this will only be in particularly localised views along the A82 and from Loch Ness extending to approximately 4km.							

			Proposed Development			Cumulative		
Viewpoint	App / THC	Sensitivity of the Receptor the Receptor (Susceptibility / value of the view) High, Medium, Low	Magnitude of Change (Scale of Change / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)	Magnitude of Cumulative Change (Scale / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of Change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)
	It is agreed there are no cumulative effects with other operational or proposed renewable energy developments.							
VL6 - Meall Fuar-mhonaidh 5.32km from the site View South	App	Medium-High	Low	Negligible	Not Significant	Low	Negligible	Not Significant
	THC	High	Low/ Negligible	Moderate/Minor	Not Significant	Low/ Negligible	Moderate/Minor	Not Significant
			During construction	During construction	During construction	During construction	During construction	During construction
	App	Medium/High	Medium/Low	Minor/Moderate	Not Significant	Medium/Low	Minor/Moderate	Not Significant
	THC	High	Medium (localised)	Major (localised)	**Significant (localised)**	Medium (localised)	Major (localised)	**Significant (localised)**
	The baseline is as described in Section 8.6 Landscape and Section 8.7 Visual Amenity of the EIAR Volume 1: Chapter 8 Landscape and Visual Impact Assessment. Receptors will be hill walkers, recreational walkers and visitors appreciating the view. The location is noted as a “Key Location” within the OSWESG. The summit is within the Loch Ness and Duntlechaig SLA and overlooks key aspects of the SLA which increases its sensitivity.							

			Proposed Development			Cumulative		
Viewpoint	App / THC	Sensitivity of the Receptor the Receptor (Susceptibility / value of the view) High, Medium, Low	Magnitude of Change (Scale of Change / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)	Magnitude of Cumulative Change (Scale / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of Change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)
	The sensitivity is considered High rather than Medium/High specified by the applicant. The viewpoint is popular with a mixture of walkers taking a detour from the Great Glen Way, visitors stopping for take in the scenic views and local residents utilising the easily accessed route from the nearby car park Grotaig. The summit of Meall Fuar-mhonaidh (699m AOD) is a relatively straightforward gradual climb from the car park. Panoramic views across much of Loch Ness are a key feature of the vista and more distant views across the mountainous landscapes beyond form a dramatic backdrop with interior lochs, including Loch Kemp, visible in the all-encompassing outlook. During the construction phase there would be an increase in activity and traffic associated with the construction of multiple dams and other infrastructure associated with the upper works, as well as cranes and other significant construction equipment, from this viewpoint. However, given the set back of nearly 5.3km from the site construction works the impact will be lessened to a certain extent. Additionally, whilst the lower works are hidden from view from the summit there will be increased movement of boat traffic on Loch Ness. During construction the applicant considers the magnitude of change will be Medium/Low with a Negligible (not significant) effect in the immediate local area with the impact diminishing at further distance. Whilst it is considered they have understated the visual impacts during construction with a magnitude of change of Medium and Major (Significant) effect. Once operational, multiple dams will be see in the distance. Given the scale of setting with its many layers in the landform along with							

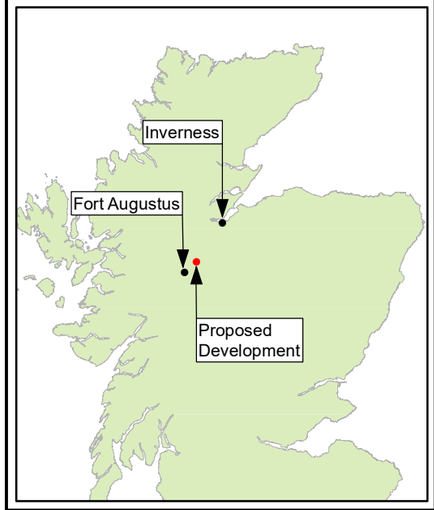
			Proposed Development			Cumulative		
Viewpoint	App / THC	Sensitivity of the Receptor the Receptor (Susceptibility / value of the view) High, Medium, Low	Magnitude of Change (Scale of Change / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)	Magnitude of Cumulative Change (Scale / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of Change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)
	existing inland waterbodies there is capacity within the landscape to accommodate the development and it does not appear out of keeping from this viewpoint. Whilst the dams constructed as part of the upper works would be a perceptible change within the landscape, given the large scale setting it is considered that the dams would be absorbed into the environment, in the longer term once planting, landscaping and other mitigation measures have become embedded over time. The inundated Loch Kemp would significantly increase the size of the upper reservoir, but it is not considered out of keeping within the wider landscape given there are various other upland lochs set back from Loch Ness. Additionally, there are other manmade features such as wind turbines in the wider surrounding area which would contribute to the lessening of the perceived impact of the proposed development. It is agreed there are no cumulative effects with other operational or proposed renewable energy developments.							

			Proposed Development			Cumulative		
Viewpoint	App / THC	Sensitivity of the Receptor the Receptor (Susceptibility / value of the view) High, Medium, Low	Magnitude of Change (Scale of Change / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)	Magnitude of Cumulative Change (Scale / Extent / Duration) (Year 1, Year 10) High, Medium, Low, Negligible	Level of Effect (Magnitude of Change / Sensitivity of Receptor) (Year 1, Year 10) Major Adverse, Moderate Adverse, Minor Adverse, Negligible, Minor Beneficial, Moderate Beneficial, Major Beneficial	Significance (Major and Major-Moderate are Significant. Moderate may be significant) (Year 1, Year 10)
VL7 – Fort Augustus Shore 10.25km from the site View North East	The baseline is as described in Section 8.6 Landscape and Section 8.7 Visual Amenity of the EIAR Volume 1: Chapter 8 Landscape and Visual Impact Assessment. Receptors will be a mixture of residents and tourists within the settlement. The view to the north from Fort Augustus shoreline across Loch Ness. Whilst this viewpoint has theoretical visibility of the powerhouse on the shore of Loch Ness it is on the margin of the 10km study area, set back 10.25km from the lower works, and is barely perceptible. it was not considered or assessed in detail within the EIAR Volume 1 Chapter 8 Landscape and Visual Impact Assessment. This approach is agreed.							



Key

Site Boundary



Loch Kemp Storage
EIA Report

Figure 1.1
Site Location

Drawn by: SK **Date:** 10/11/2023

Drawing: 120019-D-EIA-1.1-1.0.0

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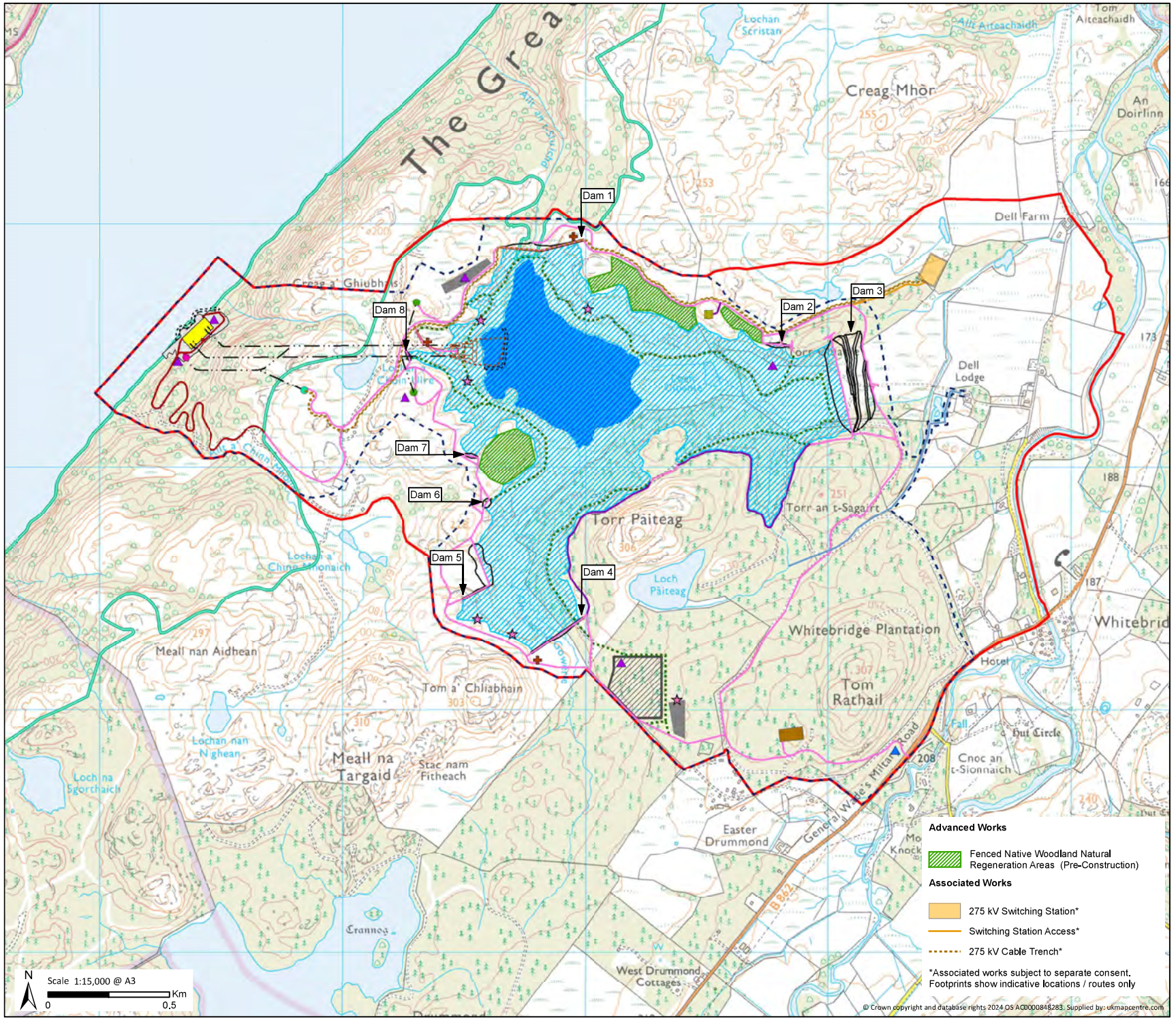

Key

- Site Boundary
- Development Area
- Loch Kemp Surface Area (Existing)
- Maximum Inundation Area (Upper Reservoir)
- Powerhouse Building
- Powerhouse Platform, Quayside and Pier
- Revised Main Welfare Compound
- Proposed Borrow Pit
- Underground Tunnel
- Dam
- Temporary Cofferdam
- Construction and Operational Access Track (4m Wide Running Surface)
- Construction and Operational Access Track (8m Wide Running Surface, Reinstated to 4m where feasible)
- Construction and Operational Access Track within SAC
- Temporary Construction Access Track (8m Wide Running Surface)
- New Estate Water Supply
- Inlet/Outlet Excavation
- Inlet/Outlet Structure
- Surge Shaft
- Cable Shaft
- Access Tunnel Adit
- Control Kiosk
- Temporary Site Compound
- Security Compound
- Relocated Estate Fishing Lodge

Ness Woods Special Area of Conservation (SAC)

- SAC Boundary

Loch Kemp Storage Additional Information

Figure 3.1b
The Revised Development

Drawn by SK/ MT **Date:** 17/09/2024

Drawing: 120019-D-EIA-SI-3.1b-1.0.0

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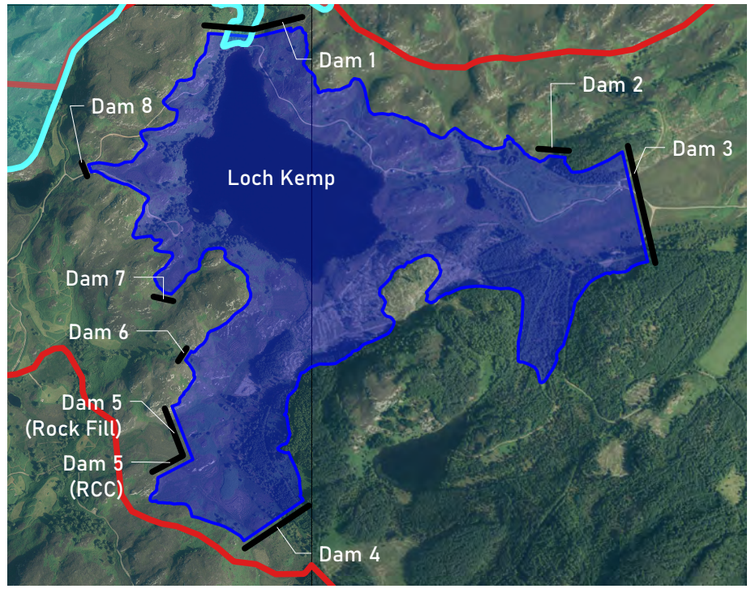
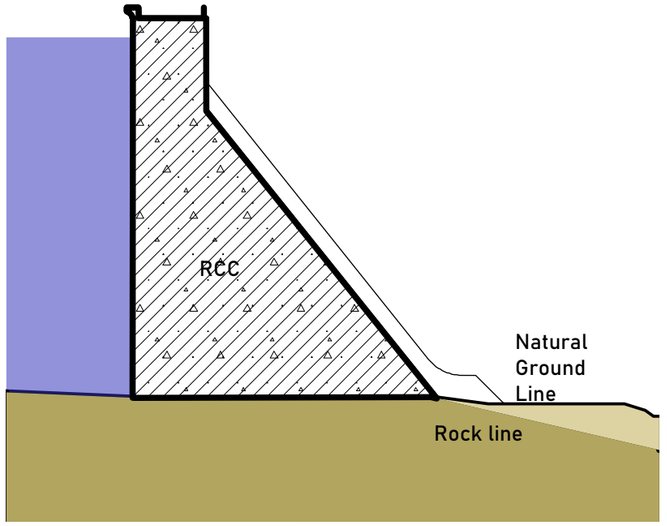
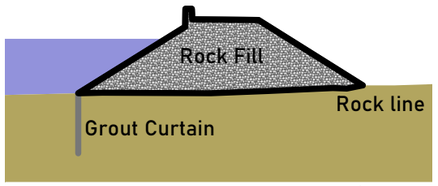


Dam Plan
1:20,000 @ A3

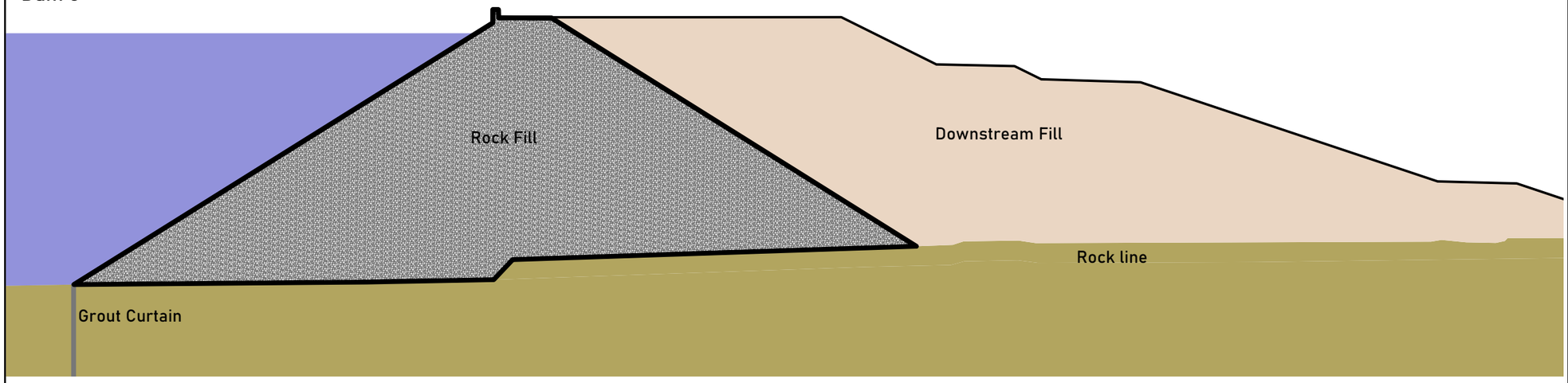


Typical RCC Dam Section
1:500 @ A3
Dam 1
Dam 4
Dam 5 (part)



Typical Rock Fill Dam Section (without Downstream fill)
1:500 @ A3
Dam 2
Dam 5 (part)
Dam 6
Dam 7
Dam 8

Typical Rock Fill Dam Section (with Downstream fill)
1:500 @ A3
Dam 3



Key

- Special Area of Conservation
- Loch Kemp maximum inundation
- Site boundary
- Dams

Loch Kemp Storage
EIA Report

Figure 3.3
Typical Dam Plan and Sections

Drawn by: MB Date: 20/09/2023
Drawing: I.7241 034 Revision 02 .

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Temporary cofferdam

Burn to be diverted into culvert & discharge into Loch Ness

Gabion wall to prevent pedestrian access to SAC

New 4m wide access road with passing places

LOCH NESS

Ramp/Pier

Burn outlet to loch

POWERHOUSE

Adit

Temporary laydown area

Temporary laydown area

Spoil waste area

Ephemeral stream diverted into culvert to loch

Key:

- Water (Loch Ness)
- Existing vegetation
- Rock cutting with regeneration of vegitation
- Loch shore
- Indicative alignment of Headrace Tunnel
- Indicative alignment of Access Tunnel
- Proposed stone gabion wall
- Indication of slope
- Indictive extent of temporary cofferdam

metres 0 5 10 15 20 30 40 50

Scale1:1,000@A3

North

Loch Kemp Storage
EIA Report

Figure 3.4
Indicative Layout of Lower Reservoir Works - During Construction

Drawn by: MB Date: 20/09/2023

Drawing: I.7241 023 A Revision 04

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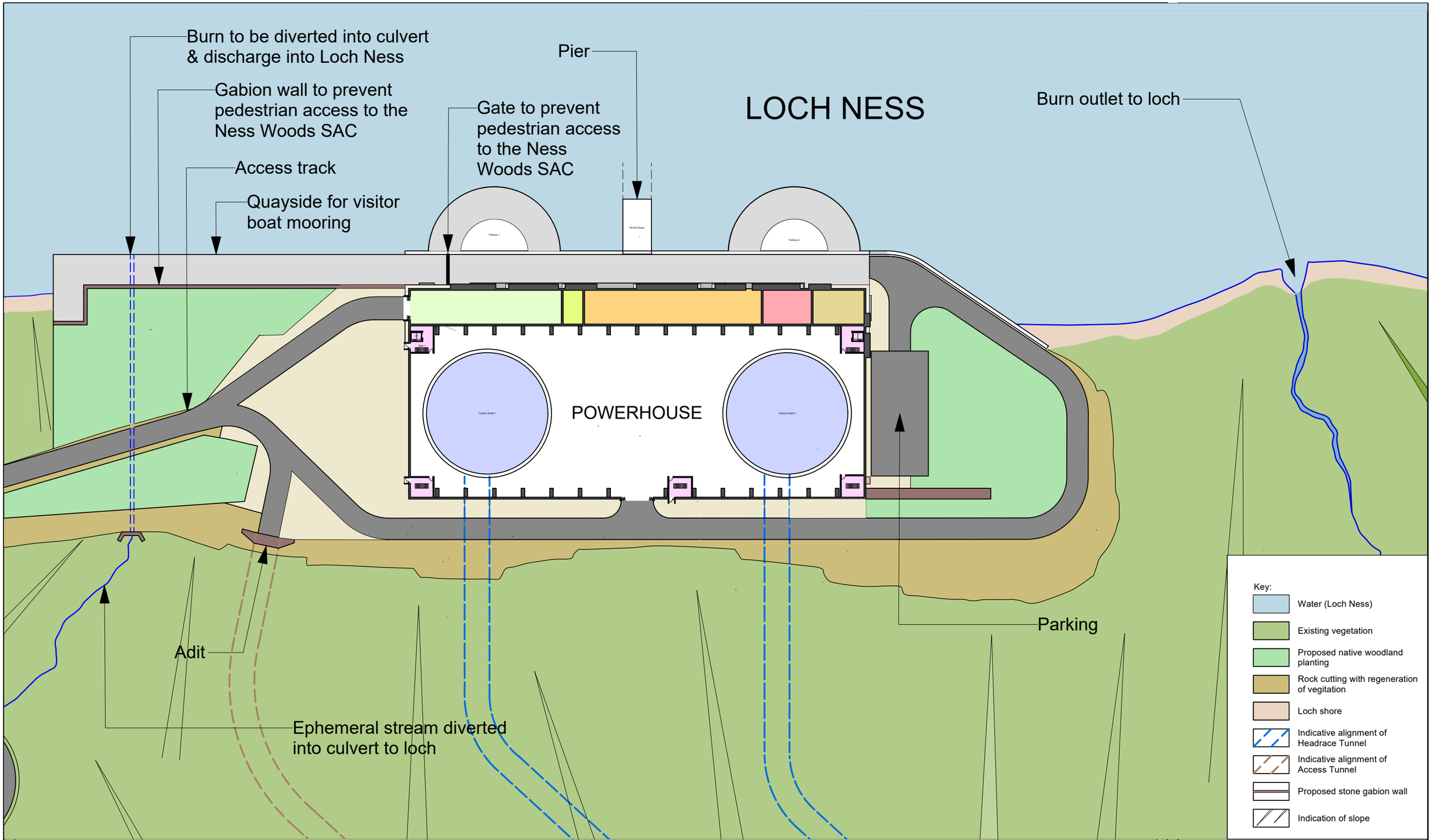

metres 0 5 10 15 20 30 40 50

Scale1:1,000@A3

North

Loch Kemp Storage
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Figure 3.5
Indicative Layout of Lower Reservoir Works - During Operation

Drawn by:MB Date:08/08/2023
Drawing:I.7241 023 B Revision 03

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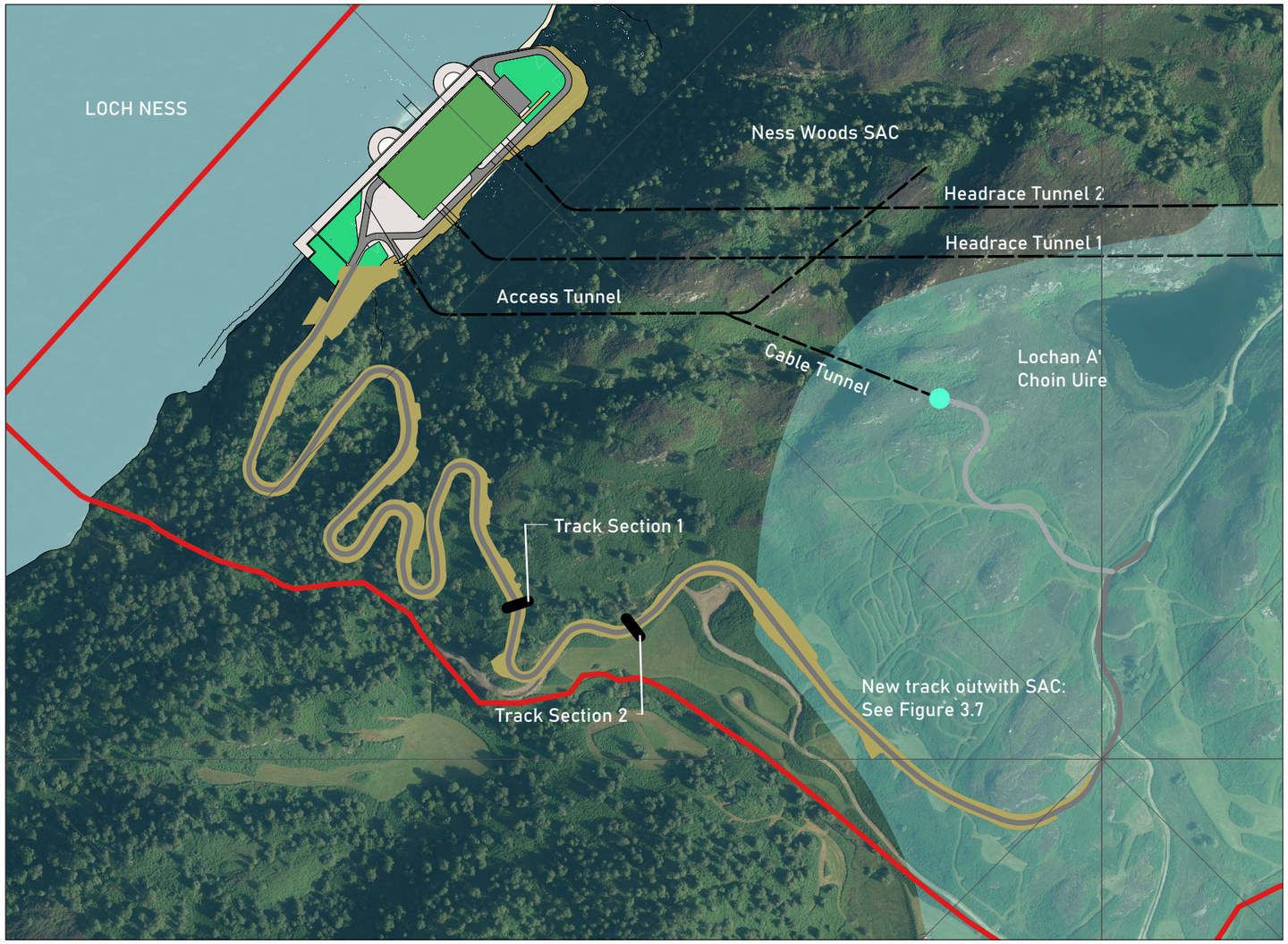
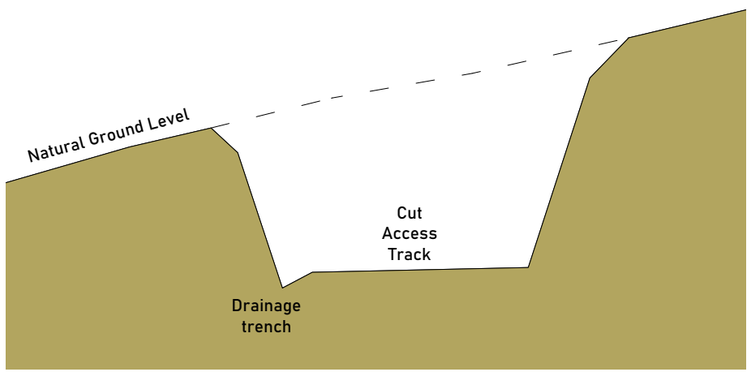
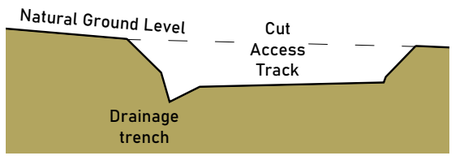


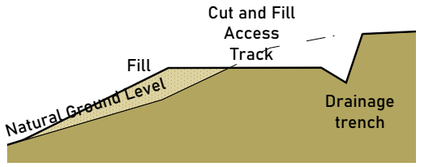
Ness Woods SAC Track Plan
1:5000 @ A3



Track Section 1
1:200 @ A3



Track Section 2
1:200 @ A3



Indicative Track Section
1:200 @ A3

Key

- Area outwith the Ness Woods Special Area of Conservation (SAC)
- Cut and fill area for access track
- Cable shaft
- Site Boundary
- Track
- Tunnels

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Figure 3.6
Typical Access Track Construction Details within Ness Woods SAC

Drawn by: MB Date: 9/10/2023
Drawing: I.7241 032 Revision 02

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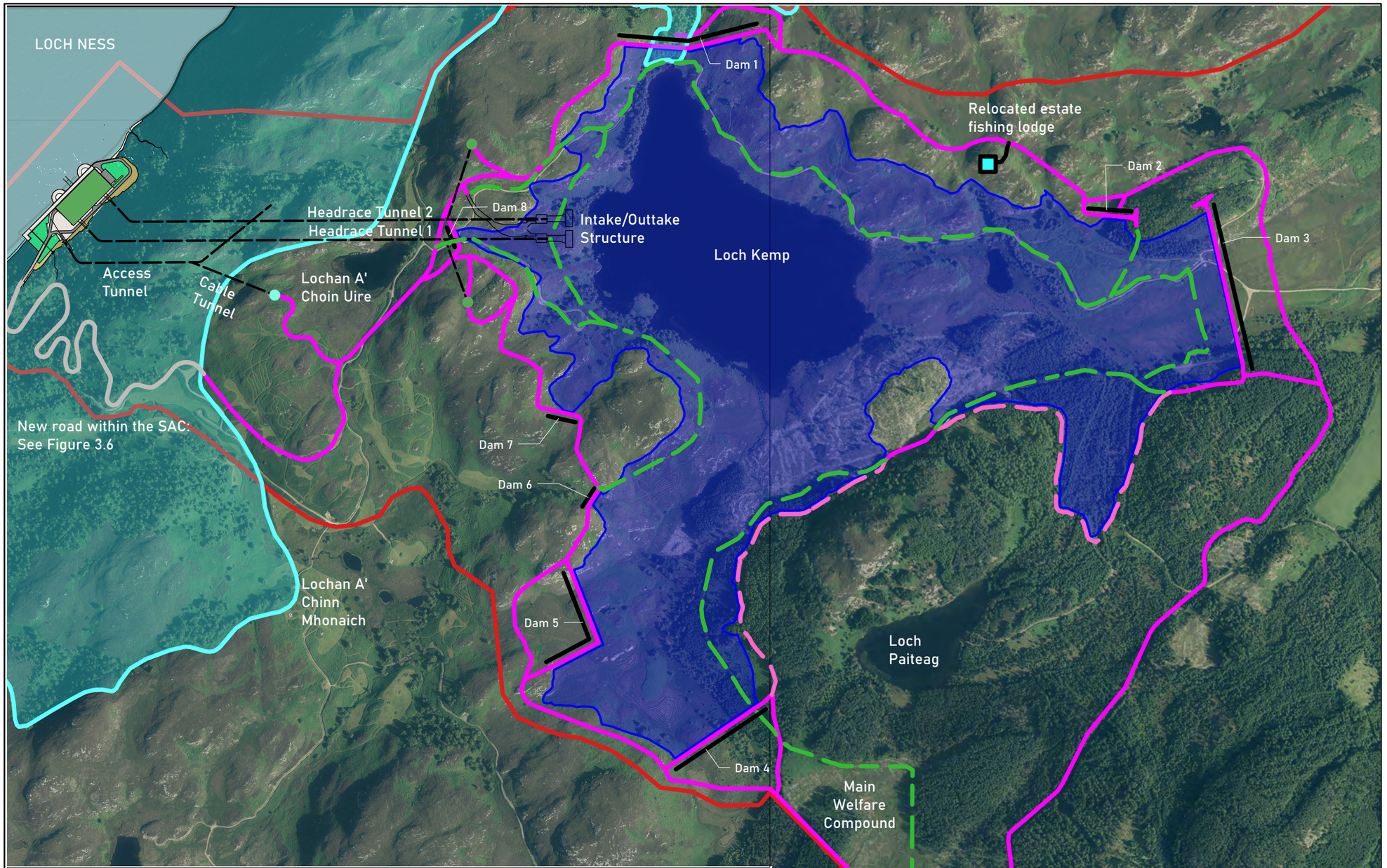
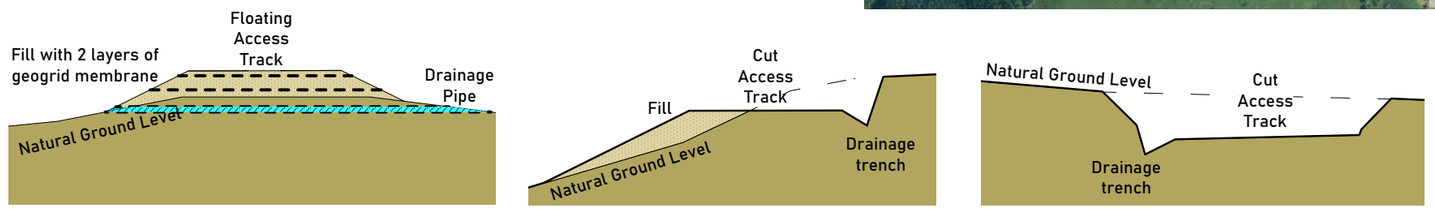


Road Plan
1:10,000 @ A3

Indicative Road Sections
1:200 @ A3



Key

- Special Area of Conservation
- Loch Kemp maximum inundation
- Site boundary
- Construction and Operational Access Track, 8m wide running surface reinstated to 4m wide at completion
- Construction Access Track
- Construction and Operational Access Track, 4m wide running surface.
- Tunnels
- Dams
- Cable Shaft
- Surge Shafts

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Figure 3.7
Typical Access Track Construction details outside Ness Woods SAC

Drawn by: MB **Date:** 20/09/2023
Drawing: I.7241 033 Revision 01 .

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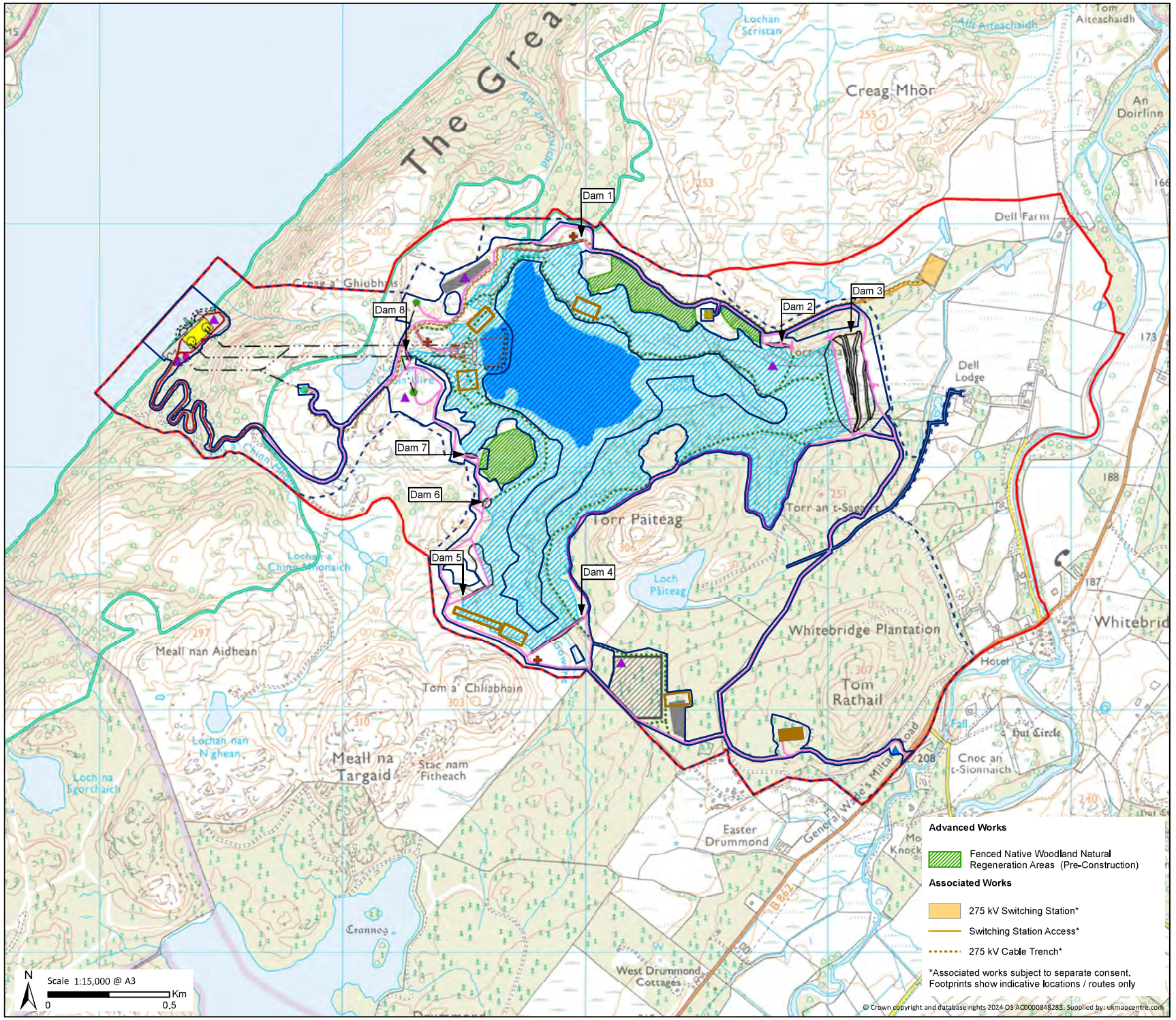

Key

- Development Area
- Revised Working Corridor
- Loch Kemp Surface Area (Existing)
- Maximum Inundation Area (Upper Reservoir)
- Powerhouse Building
- Powerhouse Platform, Quayside and Pier
- Revised Main Welfare Compound
- Proposed Borrow Pit
- Potential Borrow Pits
- Underground Tunnel
- Dam
- Temporary Cofferdam
- Construction and Operational Access Track (4m Wide Running Surface)
- Construction and Operational Access Track (8m Wide Running Surface, Reinstated to 4m where feasible)
- Construction and Operational Access Track within SAC
- Temporary Construction Access Track (8m Wide Running Surface)
- New Estate Water Supply
- Inlet/Outlet Excavation
- Inlet/Outlet Structure
- Surge Shaft
- Cable Shaft
- Access Tunnel Adit
- Control Kiosk
- Temporary Site Compound
- Security Compound
- Relocated Estate Fishing Lodge

Ness Woods Special Area of Conservation (SAC)

- SAC Boundary

Loch Kemp Storage Additional Information

Figure 3.8
The Revised Development with Revised Working Corridor and Indicative Borrow Pit Locations

Drawn by: MT **Date:** 17/09/2024
Drawing: 120019-D-EIA-SI-3.8-1.0.0

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