Agenda Item	6.3
Report No	PLS/48/25

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 22 August 2025

Report Title: 24/04767/S37: Scottish Hydro Electric Transmission Plc

Land 835m SE of Dunmaglass Mains, Dunmaglass, Inverness

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Aberarder Wind Farm Grid Connection - Installation and operation of

approximately 5.1km of new 132kV overhead transmission line between Aberarder Wind Farm Substation and the existing Dunmaglass to Farigaig 132 kV overhead transmission line, including ancillary works. The ancillary development will include the installation of temporary and permanent access tracks, vegetation clearance, temporary working areas and construction compounds, a borrow pit for the extraction of stone and upgrades to existing access tracks and existing access

points.

Ward: 12 - Aird and Loch Ness

Development category: National Development

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

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

Recommendation

Members are asked to agree the recommendation to **RAISE NO OBJECTION** to the application as set out in section 10 of the report.

1. PROPOSED DEVELOPMENT

- 1.1 The Highland Council has been consulted by the Scottish Government's Energy Consents Unit on an application made under Section 37 of the Electricity Act 1989 (as amended) for the construction and operation of a new 132kV overhead transmission line (OHL) to connect the consented Aberarder Wind Farm to the national grid. This application comes under the category of "national development" as set out in the National Planning Framework (NPF4).
- 1.2 The development comprises of a new single circuit OHL measuring approximately 5.1km in length. The line would start at Aberarder Wind Farm substation and end to tie-in at the Dunmaglass to Farigaig 132kV OHL. Ancillary development will include the installation of temporary and permanent access tracks, vegetation clearance, temporary working areas and construction compounds, a borrow pit for the extraction of stone and upgrades to existing access tracks and existing access points.
- 1.3 A previous Section 37 consent (19/03244/S37) was granted in May 2022 for a similar line to serve Aberarder Wind Farm, but due to changes in the design a new section 37 consent is sought. The main change is the use of substantially smaller steel trident poles rather than New Suite of Transmission Structures (NeSTS) monopoles. Other changes include minor amendments to the alignment of the OHL, revisions to the proposed construction and operational access requirements and the inclusion of a borrow pit measuring approximately 130m in length, a width of up to 50m with a total excavation area of 5,500m² and excavation of approximately 15,000m³ of material anticipated. The previous consented NeSTS monopoles were 36m in height with span lengths of between 150m to 300m.
- 1.4 The proposed development now proposed the OHL to be supported by steel H poles being on average 15m in height, but varying dependent on ground profile. Typical span lengths would be between 60m to 110m, meaning an increase in the number of supporting structures, albeit of a substantially reduced height. The poles would carry one circuit, with three conductors in horizontal formation, supported by either glass, porcelain, or composite insulators which would be strung between each H pole. Stay wires would be required at angle poles and in areas of soft ground. A telecoms cable is also proposed to be strung between each pole and sit approximately 3.5m below the post insulators.
- 1.5 The horizontal Limits of Deviation (LoD) for the proposed OHL alignment and temporary access track is 100m (50m on either side), allowing for each proposed H pole and temporary access track to be micro-sited up to 50m from its currently proposed location. A 30m horizontal LoD is also sought for the construction of new temporary and permanent access tracks (i.e. 15m either side of the centre line of the proposed track). A vertical LoD is also sought to allow a height increase or decrease of 4m for the poles.

- 1.6 The reason for the new application is that the proposed steel trident structures were not available at the time of the previous submission. Construction of the steel trident structures means the access requirements are less onerous than for the steel monopoles and require less permanent track and hardstanding areas. The installation techniques for the steel trident structures are less arduous and faster given they are smaller structures.
- 1.7 The anticipated construction period for the development is approximately 18 months following of the granting of consent. This timescale is based on works undertaken 7 days a week. Construction working hours are currently anticipated to be between 07.00 to 19.00 Monday to Sunday between March and September and 07.30 to 17.00 (or as daylight allows) between October and February. Working hours and any variation of such would have to be confirmed by the principal contractor and agreed with The Highland Council.
- 1.8 The proposed development will be accessed via the B851 public road at two locations. Construction traffic will access the site via an existing access junction and track used for the construction of the Dunmaglass Wind Farm to the northwest. For the higher ground section of the OHL, the construction access would utilise the existing junction track near Aberarder House to the north.
- No formal pre-application consultation has been undertaken. The Planning Authority was consulted on an Environmental Impact Assessment (EIA) Screening Request with Scottish Minister's 19 October 2023 Screening Opinion concluding that the proposal is not EIA development. This process helped inform the scope and content of the application's supporting information which comprises an Environmental Appraisal (EA) report containing chapters on: Introduction and Background; The Routeing Process and Alternatives; Project Description; Scope and Consultation; EIA Process and Methodology; Planning and Energy Policy Context; Landscape and Visual; Ecology and Ornithology; Geology, Hydrology, Hydrogeology and Soils; Traffic and Transport; Socio-economic, Recreation and Tourism; Cultural Heritage, Cumulative appraisal and a Schedule of Mitigation. The application is also accompanied by a Planning Statement.
- 1.10 No variations have been made during the course of this application.

2. SITE DESCRIPTION

2.1 The proposed development would be located south of the B851 on the Aberarder and Dunmaglass Estates located approximately 5km southwest of the village of East Croachy and 20km south of Inverness. The OHL would connect Aberarder Wind Farm substation to tie-in to the existing Dunmaglass Wind Farm to Farigaig 132kV OHL. The proposal would cross an area of undulating upland moorland used predominantly for commercially managed grouse shooting, deer stalking and sheep grazing. The OHL is not located within any natural heritage designations and would

descend across open peatland and heath habitats with no woodland being intersected. The key sensitivities in close proximity include West Inverness-shire Lochs Site of Special Scientific Interest (SSSI) and Special Protection Area (SPA), designated peatland and Ancient Woodland habitat. The site is located across Landscape Character Type (LCT 221) - Rolling Uplands – Inverness which covers the vast majority of the site with LCT 227 - Farmed Strath – Inverness covering only a small portion of the lower part of the site.

- 2.2 Temporary site compounds would be required during construction with 2 areas identified to provide welfare facilities for site staff, parking, laydown areas, holding and servicing space for construction plant. 1 of the temporary compounds is located within an existing quarried area near Achnaloddan on lower ground, off the existing access track set back from the B851. The other temporary compound is located on higher ground approximately 2.5km along the existing track to be upgraded the east of the Mains of Aberarder. Both of the proposed temporary compounds are on areas of existing hard standing.
- 2.3 The OHL is set back from any nearby residential receptors with the nearest properties located at the lower elevation section of line to the northwest of the route. These include properties at Dunmaglass Estate Cottages located approximately 800m to the west and Dunmaglass Mains located approximately 800m to the north. There is a further scattering of residential properties approximately 4km to the northwest.

3. PLANNING HISTORY

3.1	11.11.2024	24/03625/SCOP - Carn na Saobhaidh Wind Farm - The proposed development would consist of up to 29 wind turbines with a maximum blade tip height of up to 200m & an associated battery energy storage system.	EIA Scoping Response Issued
3.2	24.11.2023	23/05213/SCRE - Dunmaglass to Farigaig 132kV OHL	EIA Not Required
3.3	12.09.2022	21/05712/FUL - Formation of access track to facilitate development of Aberarder Wind Farm	Planning Permission Granted
3.4	08.08.2022	22/03019/PNO - Peatland restoration project	Prior Approval Granted
3.5	01.07.2022	19/03244/S37 - Installation of 132kV overhead line	Consented by Scottish Ministers
3.6	30.04.2021	21/01864/SCRE - Aberarder Wind Farm - Proposal to vary Condition 1 (Operational Life)	EIA Required

		of planning permission 19/02949/S42 and revised timescale direction to extend implementation period until 6 October 2023	
3.7	07.04.2021	21/01378/SCRE - Formation of new access	EIA Required
3.8	08.03.2021	21/00278/SCOP - Aberarder Wind Farm - Erection and Operation of a Wind Farm comprising of 12 Wind Turbines with a maximum blade tip height of 175m, access track, borrow pits, substation, control building, and ancillary infrastructure	EIA Scoping Response Issued
3.9	10.03.2020	19/05436/FUL - Construction of access track	Planning Permission Granted
3.10	11.11.2019	19/02949/S42 - Amendment of operational life from 25 to 35 years (condition 1 of 15/00737/FUL); alter the planning implementation period from three to five years	Planning Permission Granted
3.11	11.03.2019	19/00976/SCRE - Screening consultation request - Installation of 132kV overhead line under S37 of the Electricity Act	EIA Not Required
3.12	12.04.2016	15/00737/FUL - Aberarder Wind Farm - Erection of 12 wind turbines (130m in height) including and associated works	Planning Permission Granted on Appeal
3.13	28.03.2014	14/00639/SCOP - Aberarder Wind Farm - Erection of approximately 13 wind turbines, development exceeding 20MW.	EIA Scoping Response Issued
3.14	29.12.2010	05/00217/S36IN - Construct and operate Dunmaglass Wind Farm	Consented by Scottish Ministers

4. PUBLIC PARTICIPATION

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

5. CONSULTATIONS

5.1 The consultation process for this application is split between the Highland Council and the Energy Consents Unit. As the Highland Council is not the determining authority, it is for the Energy Consents Unit to review all consultee responses and consider the incorporation of all recommended planning conditions within any forthcoming consent. Although all consultation responses have been considered, this

report on handling's recommended planning conditions relate to matters raised by the case officer, any response received from Community Councils, and matters raise in internal Council department consultation responses. In any forthcoming consent from Scottish Ministers, the conditions recommended by the Council's planning case officer within Section 11 of this report are therefore to be supplemented with further conditions required by other statutory consultees.

- 5.2 The following consultations were undertaken by Highland Council:
- 5.3 **Strathnairn Community Council (host)** did not respond to the application.
- 5.4 **Access Officer** does not object to the application and have no further comments.
- 5.5 **Development Plans** do not object to the application. They consider the proposed development is in overall conformity with the approved Development Plan if suitable mitigation can be secured by conditions and legal agreement. The proposal is a national development as defined under NPF4 Annex B and Policy 11 Energy so the principle of the application cannot be disputed. The applicant commits to 10% biodiversity net gain, but this should be defined and secured.
- 5.6 **Ecology Officer objects** to the application. Having reviewed the calculations for the loss of habitat concerns are raised regarding a lack of information provided. Supporting information provided suggests that blanket bog, wet heath, dry heath and acid grassland mosaics will be permanently lost as part of the proposed development. Whilst they note the Biodiversity Net Gain Report provides metric calculations that have identified that 31.45 Biodiversity Units are required to achieve a minimum of 10% net gain, the report lacks detail on the proposed enhancement measures. Without these details they cannot confidently assess whether or not the proposed development would satisfy Policy 3 of NPF4. Additionally, they request conditions for the submission of a Habitat Management Plan (HMP), Construction Environmental Management Plan (CEMP), Environmental Clerk of Works (EnvCoW), Species Protection Plans (for otter, water vole, bats and breeding birds), pre-construction surveys, protection of nesting birds and submission of GIS shapefiles data. An Informative is also requested regarding halting of work if protected species are identified on site during works.
- 5.7 **Environmental Health** do not object to the application, subject to conditions requiring the submission of a construction noise mitigation scheme, private water supply risk assessment and dust suppression measures.
- 5.8 **Flood Risk Management** do not object to the application and have no further comment.
- 5.9 **Forestry Officer** does not object to the application, subject to the submission of a Tree Survey and Tree Protection Plan by condition.
- 5.10 **Historic Environment Archaeology Officer** does not object to the application given the potential for unrecorded or buried archaeological remains to be impacted by the proposed development is low.

- 5.11 **Historic Environment Conservation Officer** does not object to the application given there are no direct impacts upon listed buildings, Conservation Areas or the wider setting of the proposed development area.
- 5.12 **Landscape Officer** does not object to the application and has no further comment.
- 5.13 Transport Planning raised no objection to the application following further supporting information and clarification, subject to conditions to secure the submission of a Construction Traffic Management Plan which shall include traffic counters to compile monthly data on traffic types and volumes, and a formal "Wear and Tear" agreement with Highland Council. Transport Planning had no objection to the previous scheme (19/03244/S37) on the basis that a financial contribution of £579,700 was sought to improve public roads within the south Loch Ness area. As this figure was a calculation at 2020 values, when that is inflated using the latest available data from the Office of National Statistics (ONS) this equates to a figure of £754,191. As this proposed development proposes additional predicted vehicle movements a further 16.3% increase is applied to this figure. Therefore, the proposed development is required to make a £877,124 financial contribution towards the upgrading of impacted local public roads. This will be index linked from December 2024 up to when the payment is made. Such upgrades would then be delivered by The Highland Council in accordance with the South Loch Ness Road Improvement Strategy. Highland Council will issue their consultation response to ECU once this mitigation has been secured by legal agreement.
- 5.14 The following consultations were undertaken by the Energy Consents Unit:
- 5.15 **Defence Infrastructure Organisation** do not object to the application as the proposed development is outwith MOD safeguarded areas and does not affect other defence interests.
- 5.16 **Fisheries Management Scotland** do not object to the application. They note the proposed development falls within the catchments relating to both the Ness and Nairn District Salmon Fishery Boards. Due to the potential for such developments to impact on migratory fish species and the fisheries they support, FMS have developed, in conjunction with Marine Scotland Science, advice for DSFBs and Trusts in dealing with planning applications. They recommend that these guidelines are fully considered throughout the planning, construction and monitoring phases of the proposed development.
- 5.17 **Historic Environment Scotland** do not object to the application as the proposed development would not impact the fabric and/or setting of nationally important designated historic features within their remit.
- NatureScot do not object to the application as they consider the proposal will not result in any impacts, either directly or indirectly, to protected sites. The applicant calculates there will be a loss of 1.5ha of peatland as a result of this proposal; 1.48ha from the track itself and 0.02ha from the overhead line poles. Whilst NatureScot consider that indirect impacts are likely to have been underestimated, based on the survey information on habitat quality and the limited scale of the proposal they consider that impacts could be overcome by offsetting. In order to offset the impacts of the proposed development they would expect a restoration area of at least 15ha

is required, based on a ratio of 1:10 (lost: restored), with enhancement in addition to this. The restoration area should use the same buffer as proposed for the assessment of loss of peatland, in this instance 1.5m. Whilst NatureScot consider the Outline Habitat Management Plan and Biodiversity Net Gain Report lacks detail, the finalised approach to BNG and details of off-site enhancement measures can be secured by a legal agreement to be agreed within 18 months of the commencement of development.

- 5.20 **Scottish Environmental Protection Agency** do not object to the application and refer to their relevant standing advice.
- 5.21 **Transport Scotland** do not object to the application, subject to a condition requiring the submission of a Construction Traffic Management Plan.

6. DEVELOPMENT PLAN POLICY AND OTHER MATERIAL POLICY CONSIDERATIONS

6.1 Appendix 1 of this report provides details of the documents which comprise the adopted Development Plan, including details of pertinent planning policies as well as adopted supplementary guidance, and other material policy considerations which are relevant to the assessment of the application.

7. PLANNING APPRAISAL

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

Planning Considerations

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

Development Plan / Other Planning Policy

7.3 The Development Plan comprises National Planning Framework 4 (NPF4), the Highland-wide Local Development Plan (HwLDP), The Inner Moray Firth Local Development Plan 2 (IMFLDP2) (2024) and various supplementary guidance associated with these Local Development Plans. IMFLDP2 focuses largely on

- regional and settlement strategies and specific site allocations, rather than planning policies of relevance for the proposed development.
- 7.4 Appendix 2 of this report provides an assessment of compliance with the Development Plan / other planning policy.
- 7.5 In summary, the principle of development is established in national policy, with the proposed development being of national importance for the delivery of the national Spatial Strategy. NPF4 considers that Strategic Renewable Electricity Generation and Transmission Infrastructure will assist in the delivery of the Spatial Strategy and Spatial Priorities for the north of Scotland, and that Highland can continue to make a strong contribution toward meeting Scotland's ambition for net zero via a repowered and expanded electricity grid. Alongside these ambitions, the strategy for Highland aims to protect environmental assets as well as to stimulate investment in natural and engineered solutions to address climate change. This aim is not new and will clearly require a balancing exercise to be undertaken, which is reflected throughout NPF4.
- 7.6 At the regional level, HwLDP also offers support for transmission infrastructure where this is located, sited and designed to avoid unacceptable significant impacts on the environment. Providing that the resultant siting, size and scale of the proposed infrastructure is acceptable, with its impacts on the receiving environment also being suitably mitigated, the proposal would accord with this key determining policy.

Construction Impact

- 7.7 Whilst the route of the proposed OHL is well away from noise sensitive receptors and construction noise from the OHL installation works themselves are unlikely to be a significant issue, the development will include works to upgrade the existing access track along with the formation of a new access which will be closer to housing. The proposed development will be accessed via the B851 public road at two locations. Construction traffic will access the site via an existing access junction and track used for the construction of the Dunmaglass Wind Farm to the northwest. For the higher ground section of the OHL, the construction access would utilise the existing junction track near Aberarder House to the north. The proposed lower elevation construction compound at Achnaloddan is relatively close to Dunmaglass Mains which is approximately 500m to the northeast. Additionally, there will be construction traffic on the public road passing these properties for the duration of the development. It is noted within the Transport Assessment (TA) that the greatest intensity of HGV traffic would be for the access track works which are scheduled to take around 4 months.
- 7.8 The applicant has sought working hours of 0700 to 1900 Monday to Sunday between March and September and 0730 to 1700 (or as daylight allows) between October and February. Highland Council's Environmental Health Team note that planning conditions are not routinely used to control the impact of construction noise as similar powers are available to the Local Authority under Section 60 of the Control of Pollution Act 1974. Generally, people are tolerant of construction noise during typical working hours which are taken to be 0800 to 1900 Monday to Friday and 0800 to 1300 on Saturdays. Works for which noise is inaudible at the curtilage of any noise sensitive property could still be progressed outwith these times.

- 7.9 Environmental Health note that if the applicant intends to undertake audible work outwith the times they will be required to submit a detailed construction noise assessment which is controlled by condition. For the avoidance of doubt, this would include any proposal to run compound generators overnight for the purposes of lighting or drying of PPE.
- 7.10 Construction vehicle delivery / return activities would be restricted within these hours as directed by the Construction Traffic Management Plan (CTMP) to avoid school drop off and pick up times along the B851.
- 7.11 A scheme detailing mitigation measures to be put in place to suppress dust during the construction phase is controlled by condition.
- 7 12 By using best practice construction management, the anticipated impacts on local communities and residential properties in proximity to the development would be kept to a minimum. A Construction Environmental Management Plan (CEMP) is secured by condition.

Design, Landscape and Visual Impact

- 7.13 There are no national, regional or local landscape designations covering the site with the proposal being located predominantly within the Rolling Uplands (Inverness) Landscape Character Type (LCT) as identified in the NatureScot's National Landscape Character Assessment (LCA) (2019). The LCA considers that power lines that cross this landscape character type introduce strong lines, divide spaces and indicate scale.
- 7.14 The applicant has undertaken a Landscape and Visual Impact Assessment (LVIA) as reported within the EA. In doing so it has considered the impacts of the proposed development on landscape character and receptors within a 2.5km study area. Beyond this distance there are not anticipated to be any significant landscape and visual effects resulting from the OHL.
- 7.15 Several mitigation measures have been incorporated within the design of the proposed development to minimise the landscape and visual impacts of the scheme. The mitigation by design includes:
 - Reduced OHL height from 36m to 15m.
 - Reduced length of OHL from 5.25 km to 5.1km.
 - Micro siting of poles to avoid locations on prominent knolls or ridges and position these between knolls or set back from the crest of ridges and knolls wherever possible.
 - Restoration of disturbed ground associated with the proposed development will reflect the pre-development landform, such as within LLZ 2 (Glen-side Crags and Foothills) which comprise of uneven and undulating landform.
 - Reinstatement of vegetation disturbed during construction.
 - OHL route to avoid summits and ridges and utilise existing sections of hill tracks.
 - Potential to improve areas of hagged and damaged peat which, if practicable, could bring landscape and visual benefits to the upland landscape.

Landscape Effects

- 7.16 Having taken into account the proposed mitigation by design noted above, the applicant considers the proposed development would still have Minor-Adverse and Minor-Moderate Adverse (not significant) effects on landscape character during the construction phase. These effects would be most apparent up to approximately 2.5km. The construction phase is anticipated to be approximately 18 months. Thereafter, once the OHL is operational, Minor Adverse (not significant) effects would remain with these longer-term landscape character impacts being contained within one Local Landscape Zone (LLZ), the Glen-side Crags and Foothills. As identified with the EA (Table 4.9), the proposed development would cross this LLZ, including steel poles, associated temporary and permanent tracks, a permanent bridge crossing and one of the construction compounds. In addition, further poles located within the upland landscape to the south would be visible across some parts of the LLZ. There would be an increase in movement and activity within the landscape during construction within this localised area. Longer term, the steel poles would form a new element within this landscape, along with a short section of permanent track. The landscape effect is anticipated to be Minor Adverse during construction and Minor Adverse during operation.
- 7.17 The Nairn and Farigaig Strath and Glen LLZ open character is susceptible to new vertical structures, however, existing infrastructure and wooded areas make it suitable for certain developments with low sensitivity. A small part of the OHL would fall within this LLZ, descending into Farigaig Glen with Negligible landscape effects during both construction and operation.
- 7.18 Loch Ness and Duntelchaig Special Landscape Area (SLA) is located marginally beyond the study area to the north. Given this separation distance and the intervening topography there would be a relatively small degree of inter-visibility with the SLA with around five OHL poles being theoretically visible. Given the set back and the limited degree of visibility, the proposal has been found not to have any significant adverse landscape character effects on the SLA.
- 7.19 The applicant's assessment of landscape impacts is agreed with Highland Council's Landscape Officer confirming they have no objection to the proposed development.

Visual Amenity Effects

- 7.20 The EA identified visual receptors in the surrounding area located to the north and east of the site (Section 4.7 and Figure 4.3). These include a scattering of nine buildings / building groups, two local public roads (the B851 and a minor road to Ruthven) along with the Strathnairn to Stratherrick walking route. There are potential recreational visual receptors within the study area with hill walkers ascending surrounding hill summits.
- 7.21 The Zone of Theoretical Visibility (ZTV) of the OHL illustrates that the line would theoretically be widely visible across the study area, however, woodland and scattered roadside trees located along the strath would reduce the extent of views. Minor Adverse effects are predicted for Receptor Groups 9 (Dunmaglass Gatehouse), 4 (Mains of Aberarder) and 3 (Aberarder House and Gate Lodge) due to visible construction activities and traffic with views filtered by natural and structural

- elements. These effects are considered not significant given that only distant hillside activities and track upgrades will be seen but will be filtered or screened by intervening trees and walls within garden grounds.
- 7.22 Visual effects at all other buildings / building groups during construction have been assessed as Minor Adverse (not significant).
- 7.23 During operation, the visual impact on Receptor Location 5 Dunmaglass Estate Cottages is expected to reduce to Minor Adverse, as the OHL poles will be perceptible but not distracting due to their scale and positioning. Temporary tracks and the construction compound will be reinstated further mitigating effects. For Receptor Group 3 Aberarder House and Gatelodge the impact will reduce to Negligible with OHL poles unlikely to be perceptible at this distance. Receptor Group 9 Dunmaglass Gatehouse will continue to experience a Minor Adverse effect as the OHL poles will be visible but occupy a small part of the overall view and are unlikely to be distracting in the long term.
- 7.24 In addition, potential significant visual effects have also been identified for users of two transient routes in the study area. These include:

Route Location R1 (B851)

7.25 The B951 public road is located approximately 1.3km to the north with the OHL being seen in southerly views from sections of the road to the east and west of local hill Garbhal Mòr. Visual impacts for users of this route haven been assessed as Minor Adverse (not significant) during construction, reducing to Minor Adverse (not significant) thereafter. At the western end of the route within the study area, views often feature local wood pole lines in the foreground and crossing the route which also passes by a small substation. The proposed development may be theoretically visible in southerly views from sections of the route to the east and west of Garbhal Mòr. However, views from the eastern part of this route would be largely screened by forestry and woodland. There may be occasional glimpses of the proposed development to the north of Aberarder House including visible construction works. However, longer term the poles would be barely perceptible. From the western part of the route the OHL poles and tracks ascending the hillside along the edge of forestry would be visible. These views would be fleeting and seen within the context of existing local wood pole lines.

Route Receptor Location R2 (Minor Road to Ruthven)

7.26 The proposed development would be prominently visible when traveling south. Construction activities and temporary tracks would be noticeable on the hillside with steel poles seen ascending the hillside behind Garbhal Mòr. These elements would be viewed alongside existing local wood pole lines in the foreground and occasionally filtered by roadside trees. This is expected to result in a Minor Adverse (not significant) effect during both the construction and operational phases.

Route Receptor Location R3 (Strathnairn to Stratherrick Walking Route)

7.27 The walking route is located approximately 900m to the west where the western end of the OHL would be most apparent. This route offers a mix of open views across

the valley floor and more enclosed views within woodland and trees. From the open sections, especially to the north, the proposed development, including OHL steel poles, temporary tracks, and possibly a bridge crossing, would be visible on the eastern hillside. A construction compound would also be visible to the east of this route. Construction traffic would also temporarily increase along a short section of this route. In the long term, the OHL poles would be seen descending the hillside along the edge of the forest. However, from much of this route, particularly at the southern end, the woodland would limit or obscure the view of the development. Whilst it would be noticeable it is unlikely to become a dominant feature longer term once operational. This is expected to cause Minor-Moderate adverse effects during construction which would reduce to Minor adverse effects during operation.

- 7.28 The applicant has not identified any other visual impacts above Minor in scale. The assessment provided by the applicant is accepted.
- 7.29 Whilst Chapter 4: Landscape and Visual of the Environmental Appraisal assesses these and is supported by Appendix 4.2 Visual Assessment Tables along with maps showing ZTV (Figure 4.1 Study Area with ZTV) and visual receptors (Figure 4.3 Visual Receptors) further visualisations were not provided with the application. Whilst it would normally be standard practice for visualisations to be provided for a grid connection application such as this it is considered the supporting information provided is appropriate in this instance. This is due to the previous proposal (19/03244/S37) being considered appropriate along with the numerous mitigation measures that will further reduce the landscape and visual impacts of this updated application including the height of poles, reduced length of OHL along with further consideration of micro siting of poles.
- 7.30 Based on the methodology set out in the EA the appraisal of the landscape and visual impacts of the proposed development are considered reasonable. In considering the route alignment options, examination of the mitigation measures built into the design of the scheme, notably the avoidance of the use of traditional lattice steel towers or the substantially larger previously consented monopole NeSTs, it is considered that the limited number of significant landscape and visual impacts arising from this scale of development are acceptable. These will be confined to approximately 2.5km from the OHL line and would reduce in significance following the temporary period of construction.

Cumulative Landscape and Visual Effects

- 7.31 The wider surrounding area accommodates various electricity infrastructure including Dunmaglass to Farigaig 132kV, operational wind farms such as Dunmaglass and Aberarder along with Carn Na Saobhaidh Wind Farm which is currently at the EIA Scoping stage. Whilst there will be some landscape and visual effects, particularly during the construction phase, due to construction machinery on site along with earthworks, these are assessed as being short-term and temporary, occurring during the length of the works phase, and differing in nature from the long-term operational effects.
- 7.32 The requirement for a borrow pit is a revision to the previous consent (19/03244/S37) which will be located at approximately 610m AOD in the upper portion of the site adjacent to the access proposed to be upgraded. The borrow pit is expected to

measure approximately 130m in length with a width of up to 50m. The borrow pit design will utilise 45 degree faces with a maximum face height of 6m. The total excavation area is expected to be 5,500m² with excavation of approximately 15,000m³ material anticipated. Whilst the borrow pit is cut into the landscape there is potential that it will be viewed from surrounding summits including Beinn Bhuidhe and Coille Mhor to the southwest and south. However, the majority of route receptors within the study area are located to the northwest of the study area on lower ground with the borrow pit screened from view. Whilst the ZTV has considered the extent of OHL poles within the view across the surrounding landscape the borrow pit has not been included in this analysis. Whilst it would normally be standard practice for the ZTV to show other elements of the proposal such as the borrow pit alongside the OHL poles, again, the supporting information provided is appropriate in this instance. The landscape and visual effects of the borrow pit will be temporary, limited to the construction phase, with the site restored after completion of the development. Full details of the borrow pit and restoration measures are controlled by condition.

7.33 It is considered that the proposed development would be effectively absorbed into its surrounding context, with visibility contained to a relatively small area, limiting its effects on the wider landscape character and visual amenity. The proposal is also regarded as a substantial improvement in landscape and visual terms over the consented position and the decision to no longer pursue the NeSTs structures is welcome.

Natural Heritage

- 7.34 No sites of designated nature conservation for terrestrial ecology would be affected by the development. Habitats potentially affected are also not of high ecological conservation value. The key sensitivities in close proximity include West Inverness-shire Lochs Site of Special Scientific Interest (SSSI) and Special Protection Area (SPA), designated peatland and Ancient Woodland habitat.
- 7.35 Subject to the application of the proposed mitigation measures set out within the EA report and these measures being secured via condition, the assessment that there would not be any likely significant adverse effects on the natural environment is agreed.

Ecology and Ornithology

7.36 No sites of designated nature conservation for terrestrial ecology would be affected by the development. Habitats potentially affected are also not of high ecological conservation value. The EA report identifies that there is potential of disruption to protected species including otter, water vole, bat and birds. The habitat surveys were undertaken in 2023 and 2024 within the optimum time of the year, however, Highland Council's Ecology Team noted that the water vole survey was conducted some time ago in September 2018 and was not carried out during the optimal month for such activity. Additionally, the report did not include information on whether conditions or water levels, making it unclear whether evidence of activity might have been washed away. Species Protection Plans for these species are therefore required and controlled by condition. Further mitigation measures in the form of avoidance of working near places of shelter, raising awareness for onsite staff and adoption of other best practice shall also be employed by the applicant. A site-

- specific CEMP along with the employment of an Ecological Clerk of Works (ECoW) will ensure any required mitigation is implemented and is controlled by condition.
- 7.37 Potential effects on ornithology (including Buzzard, Canada Goose, Curlew, Greylag Goose, Kestral, Pink-footed Goose, Raven and Snipe) have been identified by the applicant. Potential impacts are largely limited to disturbance from construction related activities. The applicant considers that through employment of good practice on the site, including avoidance of ground clearance works within the bird breeding season, and implementation of any mitigation identified by the ECoW, the construction impacts can be avoided with no significant effects arising. If the mitigation is secured by condition, the applicant's assessment can be accepted.
- 7.38 Subject to the information provided for the proposed development, proposed mitigation measures set out within the EA and these measures being secured via condition, the assessment findings that there would not be likely significant adverse effects on the natural environment are agreed.

Trees

- 7.39 The OHL route is generally across open moorland but there are areas of woodland at the western portion of the site which are listed in the Native Woodland Survey of Scotland as mature upland birchwood and mature wet woodland. These areas of woodland are also listed in the Ancient Woodland Inventory as Ancient semi-natural origin (ASNO1860).
- 7.40 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."
- 7.41 Additionally, 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".
- 7.42 Whilst the Planning Statement suggests that the development would not impact on AWI woodland the Proposed Site Plan (Figure 3.1a) shows both the new permanent track and existing track to be upgraded passing through the AWI woodland area. The Planning Statement also notes that the "alignment of the proposed new permanent track has been designed to ensure that no felling will be required, and suitable root protection areas can be observed and as such, no effects to areas of woodland included in the AWI are predicted." However, this has not been demonstrated by the applicant. As such, it still has to be established that the proposed development would

not result in a loss of trees or adverse impact on their root protection areas, therefore a Tree Survey and Tree Protection Plan are required and controlled by condition.

Priority Peat Habitat

- 7.43 An extensive program of peat depth probing has been conducted to ensure that the deepest peat areas are avoided. This probing was carried out during the initial stages of the process to ensure that the proposed development avoids the deepest peat areas. The application suggests that blanket bog, wet heath, dry heath and acid grassland mosaics will be permanently lost to the development. Whilst the LoD will help to minimise disturbance to a certain extent and an updated peat slide risk assessment will be included in the CEMP the peat loss will have to be appropriately compensated through off-site enhancement measures.
- 7.44 The proposal lies within priority peatland habitat which also includes areas which have been restored through Peatland ACTION (22/03019/PNO). The proposed access track and OHL route will have to cross this section to reach the Aberarder Wind Farm substation and the ability to totally avoid peatland is not possible. NatureScot note that, where possible, impacts have been minimised by upgrading the existing access track, rather than constructing new access tracks, and where the new access track is required, it will be constructed as "floating" rather than "cut-and-fill" or stone track.
- 7.45 NatureScot are aware of the restoration area undertaken by Peatland ACTION that overlaps with the proposed access track and OHL. The constraints of the Peatland ACTION contract will need to be considered by the applicant to ensure that appropriate compensation is carried out for any detrimental impacts to these areas which are undergoing restoration measures.

Habitat Restoration

- 7.46 Due to the climate and biodiversity emergency and the provisions of NPF4 Policy 3, the Council seeks to ensure that developments will deliver a positive effect for biodiversity. As a result, this project is expected to make a contribution toward the delivery of biodiversity enhancements in vicinity of the site. The habitats present across the site have been subject to a BNG Report. The applicant's assessment of BNG has quantified the biodiversity impact of the proposed development noting that areas of blanket bog, wet heath, dry heath and acid grassland mosaics will be permanently lost. Whilst 31.45 BU are required to achieve a minimum of 10% net gain no further details regarding the proposed enhancement measures are provided.
- 7.47 The proposed site is mainly comprised of open heathland and peatland. The submitted application suggests that there will be a loss of 0.02ha of blanket bog for the installation of poles and 1.48ha for the installation of tracks across the site. It is not clear from the submitted information whether the calculated habitat loss of blanket bog includes a buffer around these structures which will have a loss of function. Highland Council's Ecology Officer notes that NatureScot's guidance suggests a buffer of 30m when determining impacts on peatland.
- 7.48 NatureScot echoed these concerns noting in order to offset the impacts of the proposed development they would expect a restoration area of at least 15ha is

required, based on a ratio of 1:10 (lost: restored), with enhancement in addition to this. The restoration area should use the same buffer as proposed for the assessment of loss of peatland. Additionally, they consider that indirect impacts are likely to have been underestimated, based on the survey information on habitat quality and the limited scale of the proposal NatureScot consider that impacts could be overcome by offsetting.

- 7.49 Given the concerns raised regarding the BNG Report along with no further details specified regarding the site currently proposed for restoration and enhancement measures, this has led to an objection from the Ecology Officer as they cannot confidently assess whether the proposed development would satisfy Policy 3 Biodiversity of NPF4 without these details.
- 7.50 Whilst the Ecology Officer's objection is noted, given the significant number of current and upcoming applications relating to electricity transmission and associated infrastructure in Highland, SSEN are in the process of preparing an overarching strategy for the delivery of offsite biodiversity enhancement across the region. The finalised approach to BNG measures are to be agreed within 18 months of the commencement of development and will be secured by a condition. Additionally, the submission of a Habitat Management Plan, Construction Environmental Management Plan, Environmental Clerk of Works, Species Protection Plans (for otter, water vole, bats and breeding birds), pre-construction surveys, protection of nesting birds and submission of GIS shapefiles data are required and controlled by condition.
- 7.51 Owling to the horizontal LoD being applied for, it is also challenging to assert at the application stage the exact quantification of the BNG units to be compensated for, and this can be refined through further consultation with the Ecology Officer at the satisfaction of condition stage.

Water Environment

- 7.52 The EA includes an assessment of the likely effects of the proposed development on the water environment (Section 7). A number of watercourse crossings are required and SEPA's mapping highlights that the site may be susceptible to flooding, however, all reported flooding events have occurred outwith the site. Best practice mitigation measures to safeguard the water environment have been agreed in consultation with SEPA with these proposed to inform the content of the CEMPs for the site which is controlled by condition. These measures significantly reduce the likelihood of any pollution of watercourses or groundwater to occur. Both SEPA and Highland Council's Flood Risk Management Team confirmed they have no objections to the proposed development.
- 7.53 The layout has been designed to avoid impacts on Ground Water Dependent Terrestrial Ecosystems (GWDTEs). These habitats will be protected from disturbance through the micro siting of OHL pole locations. Additionally, a National Vegetation Classification (NVC) habitat mapping exercise was conducted as part of the ecological baseline assessment which has been used to identify potential GWDTE areas within the study area.

Private Water Supplies

- 7.54 There are four properties served by Private Water Supplies (PWS) within 1km of the site. The water distribution pipework from the holding tank passes adjacent to the proposed access route to the OHL. Table 7.5 in the EA indicates that the properties served by PWS02 are potentially at risk from the proposed development which is approximately 150m southwest of the anticipated connection with the existing Dunmaglass to Farigaig 132kV OHL.
- 7.55 Highland Council's Environmental Health Team note the applicant has submitted a generic management plan for private water supplies which includes details of mitigation measures. However, it does not appear that a site-specific risk assessment has been undertaken to identify what, if any, supplies might be at risk from the proposed development. A private water supply risk assessment will be required which identifies any supply, including pipework, which may be adversely affected by the development and is to be controlled by condition.

Built and Cultural Heritage

- 7.56 The applicant has undertaken an assessment of built and cultural heritage within a 3km study area. This concluded that the site is in an area of low heritage interest. Indirect visual impacts of the line would be confined to a limited number of properties and features of historical significance.
- 7.57 The only notable Minor significant effect would be confined to the Mains of Aberarder, hut circle which is a Scheduled Monument (SM). This roundhouse is of national importance because of its good preservation and the survival of the survival of marked field characteristics, which result in this feature having potential to make a significant addition to the understanding of the past, in particular Bronze or Iron Age society and domestic practice. Some steel trident poles would be visible to the southwest of this SM, crossing the northwest flank of Beinn Bhuidhe at a distance of 2km. The OHL poles would appear distant are assessed as not being visually intrusive features that will not impact the setting of the SM.
- 7.58 Despite the OHL being partially visible in the wider landscape when viewed from the SM the hut circle itself would not be directly affected. The presence of the OHL line would not affect the interpretation or the ability to understand its relationship with the surrounding field markings and context. As such, it is agreed that the OHL would not adversely impact its setting and there would be no other significant impacts to features of historical or cultural importance.
- 7.59 Highland Council's Historic Environment Team and Historic Environment Scotland confirmed they had no objections to the proposed development.

Roads, Transport and Wider Access

7.60 Construction access to the majority of the site, including the eastern end of the OHL will utilise the existing Dunmaglass Wind Farm access track. This track originates from the B851 public road north of Dunmaglass Mains, traverses the estate, and turns eastward to serve the various turbines at the existing wind farm. A further access to all OHL structures can be obtained from the B851 to the east which will be

used by small 4 by 4 vehicles for access to the upper portion of site whilst works take place to the lower portion of the site. The required visibility on to the B851 from the access appears appropriate to the west, but there are a number of mature trees to the east which may limit the extent of visibility. Full details of the new upgraded temporary access and the limitations of vehicles that can use the route are controlled by condition.

- 7.61 Following further discussion, the applicant has provided clarification and additional information on predicted vehicle movements for the importing of stone to create construction access tracks and hardstanding areas. Additionally, they confirmed none of that material will be exported from site following the completion of the OHL. Whilst some of the construction access tracks will have their widths reduced following the completion of the works, imported stone removed will be reused elsewhere by the local estate owners and will not be exported back onto the local public road network. This approach is welcome by Transport Planning and has resulted in an estimated 1,650 overall loads of imported stone coming to site. Incorporating that into the previous estimated wider construction vehicle movements the proposed development is predicted to generate approximately 7,380 round-trip HGV movements during the OHL works. This will be a 16.3% increase to the 6,346 total predicted roundtrips for the previously granted scheme (19/03244/S37).
- 7.62 The B851 is a public road with large sections that are substandard both in terms of their construction form, alignment and structural integrity. The need for developer investment in the B851 and other routes covered by the South Loch Ness Road Improvement Strategy is recognised in the latest Inner Moray Firth Local Development Plan Delivery Programme. Given this, Transport Planning recommend that the impacts of this development on the existing sensitive and substandard B851 local public road should be mitigated by agreeing an appropriate financial contribution towards the delivery of upgrades to that route, designed and delivered in accordance with the South Loch Ness Road Improvement Strategy.
- 7.63 Highland Council Transport Planning Team raised no objection to the previous Application Ref. 19/03244/S37 on the basis that a financial contribution of £579,701 (2020 prices) was sought. This was to support the delivery of road improvements to the B851 that would have been providing the means of construction access to that development site. Such improvements would be designed and delivered in accordance with the South Loch Ness Road Improvement Strategy. This was agreed to by the applicant previously.
- 7.64 As the above figure was a calculation at 2020 values, when that is inflated using the latest available data from the Office of National Statistics (ONS) this equates to a figure of £754,191. The proposed development proposes additional predicted vehicle movements a further 16.3% increase is applied to this figure. Therefore, a £877,124 financial contribution towards the upgrading of impacted local public roads is required. This will be index linked from December 2024 up to when the payment is made. Such upgrades would then be delivered by The Highland Council in accordance with the South Loch Ness Road Improvement Strategy.
- 7.65 A Construction Traffic Management Plan (CTMP) should be submitted to and accepted by the Planning Authority prior to any works commencing on site. The Plan should include measures that complement the physical mitigation being delivered

through the above financial contribution to manage the impacts of construction traffic on the local public roads impacted, including the existing users of those roads and the communities served by them.

- 7.66 The proposed development would require a formal "Wear and Tear" agreement with The Highland Council prior to any works commencing on site. This would protect the Council's Local Roads in needing to repair damage inflicted to the B851 by the construction access activities of this development. Such an agreement would be established in accordance Section 96 of the Roads (Scotland) Act 1984. Any such agreement is likely to require a suitable Road Bond or other financial protection established.
- 7.67 Given the possibility of other developments in the area running concurrently with this proposal, it is possible that some form of proportionality arrangement will need to be established between different developments associated with the "Wear and Tear" agreement. This would be to determine a fair and reasonable proportionality of contribution towards the repairing of any damage inflicted to the local public road between different developments. To help establish how those proportionality arrangements would be established Transport Planning recommend that the CTMP should include a requirement to establish traffic counters at the entrances to this development. Such counters should be able to determine the type and quantum of construction traffic using those accesses, allowing a true profile of construction traffic movements into and out of this development. This information can then be compared to other concurrent developments in the area to establish a reasonable proportionality arrangement towards repairing any damage inflicted to the local public road during the construction period.
- The nearest trunk road to the site is the A9 approximately 20km to the northeast. Transport Scotland note the TA submitted indicates that construction will generate approximately 88 traffic movements per day, of which 60 will be HGVs delivering stone over a period of 4 months. Given the distance of the site from the trunk road network and the relatively short timescale for stone deliveries Transport Scotland confirmed they consider it unlikely that construction of the proposed development will have any significant impact on the trunk road network. The CTMP is to be prepared by the Principal Contractor, who will liaise with Transport Scotland to determine appropriate traffic management arrangements and is controlled by condition.

Economic Impact

- 7.69 Renewable Energy Transmission, Security of Supply, Economic and Community Socio-Economic Benefits, and local supply chain opportunities are outlined in the submitted Planning Statement Section 3. The proposed development will strengthen the robustness of the country's grid network and also result in further job and investment opportunities through the development of associated supply chains. The Planning Statement states that the replacement works will provide additional capacity on the transmission network for renewable generation which will be consistent with core aims of NPF4 to enhance the green energy transmission capacity to achieve a net zero economy and support network resilience in rural areas.
- 7.70 The applicant makes reference to sustainable procurement codes and supplier guidance to oblige suppliers and contractors to maximise local employment and

economic gain and social benefits as a result of the investment in new energy infrastructure in their area which measures to be put in place to maximise opportunities for local people and businesses close to the site and in the wider region.

- 7.71 Highland is experiencing significant construction activity in the transmission network. The approval of the proposed development would have a positive economic impact, particularly during the proposed construction period of 18 months. The project could offer investment / opportunities to the local, Highland, and Scottish economy including businesses ranging across construction, haulage, electrical and service sectors. However, there is also likely to be some adverse effects caused by construction disruption and construction traffic, but these will be temporary in nature.
- 7.72 Given the above, NPF4 Policy 11, in particular paragraph c), notes that development proposals should only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities. Additionally, NPF4 Policy 25 provides support for development that is consistent with local economic priorities and where they contribute to local and / or regional community wealth building strategies. A condition is attached requiring the submission of a Local Employment Scheme prior to the start of works to maximise the socio-economic benefits of the proposed development.

Other Material Considerations

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

Non-Material Considerations

7.75 None raised.

Matters to be secured by Legal Agreement/Upfront Payment

- 7.76 In order to mitigate the impact of the development on infrastructure and services the following matters require to be secured by legal agreement, the requirement for which have been set out within recommended conditions:
 - a) £877,123.56D financial contribution towards delivering local road network mitigation on the B851 local public road;
 - b) Provision of a wear and tear agreement under Section 96 of the Roads (Scotland) Act 1984 under which the developer will be responsible for the repair of any damage to the local road network attributable to construction related traffic; and
 - c) Delivery of Habitat Management Plan(s) and restoration measures incorporating biodiversity enhancement, should this not be capable of being secured by condition.

8. CONCLUSION

- 8.1 The Scottish Government and the Council each have policies offering support to projects which increase the capacity of the grid network to serve renewable energy projects. NPF4 offers strong support for such development highlighting upgraded infrastructure supporting onshore high voltage electricity lines, cables and interconnectors and this is classed as a development of national importance.
- 8.2 The OHL will connect Aberarder Wind Farm to the national grid and forms part of the delivery of a fit for purpose transmission network, facilitating the move towards net zero. Subject to the application of appropriate conditions and conclusion of an agreement to secure a financial contribution towards local road network improvements, it is considered the impact of the proposed development can be managed.
- 8.3 Highland has been successful in attracting inward investment in renewables, enabled in part by a significant level of investment in the improvement of the electricity transmission network. This success has led to the Highlands having a good understanding of this type of project and Highland Council having appropriate policies and guidance to assist in its assessment, and to effectively manage their implementation on the ground.
- 8..4 The proposal has amended the previous OHL consent (19/03244/S37) with the line routeing and pole design changed. The amendments made to the project are positive from a landscape and visual impact perspective, with the variations not raising any significant additional issues or impacts relative to those previously considered and consented. Therefore, similar conditions and mitigation is necessary with appropriately revised financial contributions towards local road improvements to facilitate this development.
- 8.5 No public representations have been made on the application and the majority of statutory and other consultees responding to this application have not raised any fundamental concerns. An exception to this is an outstanding objection from the Council's Ecology Officer. The concerns raised are however capable of resolution through the recommended planning conditions to be imposed. Although the proposals do not detail habitat creation and enhancement, given the significant number of current and upcoming applications relating to electricity transmission and associated infrastructure in Highland, SSEN are in the process of preparing an overarching strategy for the delivery of offsite biodiversity enhancement across the region. The biodiversity enhancement and compensation measures required for this application can therefore be secured by way of condition, and / or legal agreement, which will give Highland Council comfort that mitigation measures will comply with the relevant policies within the Development Plan.
- 8.6 There are clear impacts that might be expected from this development, particularly during its construction. These can be managed through best practice construction management techniques to ensure surrounding interests, particularly road access and the amenity of local communities are safeguarded. The attached planning conditions will strengthen and clarify the plans and supporting environmental information provided by the applicant. The proposal will also be overseen by an

appointed Environmental Clerk of Works with any permission requiring regular compliance monitoring and ongoing engagement by means of the Community Liaison Group.

8.7 The proposed development is supported in the context of the Development Plan and in particular NPF4 Policy 11 Energy and HwLDP Policy 69 Electricity Transmission Infrastructure and the underlying support for renewable energy development which is consented in this area. All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations

9. IMPLICATIONS

- 9.1 Resource: There are significant staffing and financial resource implications if the application is to be subject to a Public Local Inquiry.
- 9.2 Legal: If the Committee determine that an objection should be raised to the application, the application may be subject to a Public Local Inquiry prior to determination by Scottish Ministers.
- 9.3 Community (Equality, Poverty and Rural): Not applicable
- 9.4 Climate Change/Carbon Clever: The application replaces and upgrades grid infrastructure for the connection of renewable energy to the grid therefore helping to deliver a contribution toward climate change targets
- 9.5 Risk: Not applicable
- 9.6 Gaelic: Not applicable

10. RECOMMENDATION

Action required before consultation Yes response issued to the ECU

- 10.1 It is recommended that the Council should **RAISE NO OBJECTION**:
 - a) following the conclusion of an agreement to secure an upfront financial contribution towards delivering local road network mitigation on the B851 local public road, located between the site and the A9 with the contribution according with, and complementing, the Council's South Loch Ness Road Improvement Strategy; and thereafter subject to
 - b) the following conditions from Highland Council being applied:

Conditions and Reasons

1. Time Limit for the Implementation of Planning Permission

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within FIVE YEARS of the date of this decision

notice. If development has not commenced within this period, then this planning permission shall lapse.

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

2. Implementation in Accordance with Approved Plans

Except as otherwise required by the terms of the Section 37 consent and deemed planning permission, the Development shall be undertaken in accordance with the application including the approved Environmental Appraisal Report (EAR), received by the Planning Authority in November 2024.

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

3. Elevations, Materials and Finishes

- a) No development shall commence until elevation drawings of the proposed above ground infrastructure, have been submitted to and approved in writing by the Planning Authority, specifying external materials, colours and finishes of all external structures and site fencing with a non-reflective finish to be specified throughout;
- b) No element of the development shall have any text, sign or logo displayed on any external surface of the facility, save those required by the applicant's safety systems and law under other legislation; and

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

Reason: In the interest of visual amenity.

4. Limits of Deviation and Micro-Siting

All poles shall be constructed in the locations shown in Proposed Site Layout Plan 123009-EA-D3.1a-1.0.0 of the Environmental Appraisal received by the Planning Authority on 6 November 2024.

- a) No pole shall be positioned more than 100m on the horizontal axis of the proposed overhead line alignment; and
- b) No pole shall be more than a height of 15m in height inclusive of all steel work and insulators with an overall vertical limit of Deviation (LoD) of plus or minus 4m.

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

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

5. **Pre-construction survey**

- i. A pre-construction survey is required to been undertaken not more than 3 months prior to works commencing and a report of the survey has been submitted to, and approved in writing by, the Planning Authority.
- ii. 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 properly control environmental impacts of the development prior to any construction taking place.

6. Species Protection Plans (SPPs)

Updated Species Protection Plans shall be submitted for approval to the Planning Authority for approval prior to the commencement of work. These shall include:

- a) Otter
- b) Water vole
- c) Bat
- d) Breeding birds

Any other protected species identified on site during the pre-construction surveys

Reason: To ensure that all construction and operation of the proposed development has a limited impact on the aforementioned protected species, and to ensure that the mitigation measures contained in the Environmental Appraisal Report which accompanied the application, or as otherwise agreed, are fully implemented.

7. Environmental Clerk of Works

No development or any works shall commence unless and until the terms of appointment of an independent Environmental Clerk of Works (EnvCoW) by the Company have been submitted to, and approved in writing by, the Planning Authority. This shall include a EnvCoW schedule, detailing when the EnvCoW shall be present on site. 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 Environmental Appraisal as well as the following (the EnvCoW works):

- i. the Limits of deviation and micro siting under Condition 4;
- ii. the Pre-Construction Ecological Survey under Condition 5
- iii. the Species Protection Plans under Condition 6;
- iv. Peat Management Plan under Condition 8;
- v. the Habitat Management Plan under Condition 9;
- vi. the Biodiversity Enhancement Plan under Condition 10; and
- vii. the Construction Environmental Management Plan under Condition 12.
- Require the EnvCoW to report concurrently to the nominated construction project manager, developer and Planning Authority any incidences of non- compliance with the EnvCoW works at the earliest practical opportunity; and

Require the EnvCoW to concurrently submit a monthly report to the construction project manager, developer and Planning Authority summarising works undertaken on site.

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

8. Peat Management Plan

No development shall commence until a works specific finalised Peat Management Plan (PMP) has been submitted to and approved in writing by the Planning Authority, in consultation SEPA. The PMP shall include:

- Exact details of the location and design of any tracks on peat greater than 1m, to be agreed with the Planning Authority in consultation with SEPA.
- b) Demonstration of adhering to recognised best practice including micro siting, limiting the footprint, and use of mog mats / temporary trackway to reduce disturbance;
- c) Confirming the volumes of peat that will be disturbed as a result of the above work, demonstrating that no waste peat will be generated by the development and peat is reused in an appropriate manner with demonstration that peatland restoration achieves at least a 1:10 ratio of loss to offsetting
- d) Proposed mitigation is undertaken and incorporated into the Construction Environmental Management Plan (CEMP). Storage areas, laydown areas and pulling stations are planned to avoid areas of sensitive peatland habitat, to further reduce impacts; and

The PMP shall thereafter be implemented as approved.

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

9. Habitat Management Plan

- a) There shall be no commencement of development until an updated Habitat Management Plan has been submitted to and approved in writing by the Planning Authority, in consultation with NatureScot. This shall quantify and map the extent and quality of habitat and peat losses, direct and indirect areas of disturbance, and biodiversity impact associated with the finalised development proposals, taking account of the limit of deviation and micro siting allowances to be utilised. This shall also account for any additional intended storage areas, laydown areas, and all other temporary construction areas, identifying existing habitat features and vegetation to be retained.
- b) Within 18 months of the commencement of development, the applicant shall submit a finalised Habitat Management Plan (HMP) for the writing by the Planning Authority in consultation with NatureScot. The finalised HMP shall set out proposed habitat management of the site including all mitigation, compensation and enhancement measures, during the period of construction and operation, and shall detail the long-term management regimes of the compensation and enhancement measures required of the site. All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme.
- c) The HMP shall include provision for regular monitoring and review to be undertaken against the HMP objectives and measures for securing amendments or additions to the HMP in the event that the HMP objectives are not being met. Any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.

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

Reason: In the interests of the protection of the habitats and species identified in the Environmental Impact Assessment.

10. Biodiversity Enhancement Plan

Within 18 months of the commencement of development a finalised Biodiversity Enhancement Plan (BEP) shall be submitted to and approved in writing by the Planning Authority. The BEP shall include;

- a) details of compensation and enhancement measures, to ensure the development results in at least 10% biodiversity net gain;
- b) management, maintenance and monitoring strategies of the compensation and enhancement measures, that ensure longevity of the proposals; and

c) GIS Shapefiles of the biodiversity loss, compensation and enhancement areas.

The approved BEP shall be implemented in full and in accordance with the approved timing, unless otherwise agreed in writing by the Planning Authority.

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

11. Tree Survey and Protection Plan

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

Reason: To ensure the protection of retained trees during construction and thereafter.

12. Construction Environmental Management Plan (CEMP)

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

- a) an updated Schedule of Mitigation highlighting amendments made to the existing schedule of mitigation set out in the Environmental Appraisal Report (EAR), received by the Planning Authority in July 2024, and the conditions of this consent;
- b) Updated General Environmental Management Plans;
- c) Risk assessment of potentially damaging construction-type activities on the environment;
- d) Mitigation to protect the ecological resources on site, including biodiversity protection zones, location and timing of works;
- e) Species and Habitat Protection Plans;
- f) A Pollution Prevention Plan including drainage management strategy and mitigation measures, demonstrating how all surface water run-off and waste water arising during and after development is to be managed and prevented from polluting any watercourses or sources, including any private water supplies. The plan shall also include

arrangements for the storage and management of oil and fuel on the site;

- g) Site waste management plan (dealing with all aspects of waste produced during the construction period other than peat), including details of contingency planning in the event of accidental release of materials which could cause harm to the environment;
- h) Details of the formation of the construction compound, welfare facilities, any areas of hardstanding, turning areas, internal access tracks, car parking, material stockpiles, oil storage, lighting columns, and any construction compound boundary fencing;
- 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;
- j) Mitigation to protect and minimise disturbance to archaeological interests, including the demarcation/implantation of a buffer from known cultural heritage assets and a protocol in the event of the discovery of a previously unrecorded cultural heritage asset;
- k) Details of temporary site illumination; and
- I) Construction Method Statement for any watercourse crossings.

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

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

13. Construction Noise Mitigation Scheme

Prior to construction commencing, the applicant shall submit, for the written approval of the Planning Authority, a construction noise mitigation scheme which demonstrates how the applicant/contractor will ensure the best practicable measures are implemented in order to reduce the impact of construction noise. The scheme shall include but is not limited to the following:

- i. A description of the most significant noise sources in terms of equipment; processes or phases of construction;
- ii. The proposed operating hours and the estimated duration of the works for each phase;
- iii. A detailed plan showing the location of noise sources, noise sensitive premises and any survey measurement locations if required; and
- iv. A description of noise mitigation methods that will be put in place including any proposals for community liaison. The best practice found in BS5228 Code of practice for noise and vibration control on

construction and open sites shall be followed. Any divergence requires to be justified.

Thereafter the development shall progress in accordance with the approved Noise Mitigation Scheme and all approved mitigation measures shall be in place prior to construction commencing or as otherwise may be agreed in writing by the Planning Authority.

Reason: To reduce the impact of construction noise and in the interest of safeguarding residential amenity.

14. Control of Blasting

Prior to the development commencing the applicant shall submit, for the written approval of the Planning Authority, a method statement prepared by a suitably qualified and competent person in accordance with PAN 50 Annex D: The Control of Blasting at Surface Mineral Workings. The method statement shall include but is not limited to the following:

- The best practicable measures to be taken to reduce the impact of air overpressure and vibration at sensitive properties;
- A scheme for the monitoring of vibration from blasting including the location of monitoring points and equipment to be used;
- The proposed methods for providing the public with advance warning of any blasting.

Thereafter the development shall progress in accordance with the approved method statement and all approved mitigation measures shall be in place prior to any blasting taking place or as otherwise may be agreed in writing by the Planning Authority. No blasting operations shall take place out with the hours of 10.00am to 5.00pm Monday to Friday and not at all on Saturdays, Sundays, or recognised public holidays in Scotland.

Ground vibrations as a result of the blasting operations shall not exceed a peak particle velocity of 6mms-1 in 95% of all blasts within any 6-month period. No individual blast shall exceed a peak particle velocity of 12mms-1 as measured at noise sensitive properties. The measurement shall be the maximum of three mutually perpendicular directions taken at ground surface at any vibration sensitive building.

Reason: In the interest of safeguarding residential amenity.

15. **Borrow pit**

No development shall commence until a scheme for the working of the borrow pit within the site has been submitted to, and approved in writing by, the Planning Authority, in consultation with SEPA and NatureScot. Thereafter, the scheme shall be implemented as approved. The scheme shall make provision for:

 Methods of working (including the timing of works and the use of explosives and/or rock-breaking equipment);

- ii. A description of the volume and type of minerals, aggregates and/or fines to be extracted from each borrow pit;
- iii. A site plan and section drawings showing the location and extent of each extraction area;
- iv. Overburden (peat, soil and rock) handling and management;
- v. Drainage infrastructure, including measures to prevent the drying out of surrounding peatland; and
- vi. A programme for the re-instatement, restoration and aftercare of each borrow pit once working has ceased.

Reason: To ensure that a scheme is in place to control the use of borrow pits to minimise the level of visual intrusion and any adverse impacts as a result of the construction phase of the development.

16. **Private Water Supply**

A private water supply risk assessment which identifies any supply, including pipework, which may be adversely affected by the development. A report which includes details of the measures proposed to prevent contamination or physical disruption shall be submitted for the written approval of the Planning Authority. The report shall include details of any monitoring prior to, during and following construction and proposals for contingency measures in the event of an incident.

Thereafter the development shall progress in accordance with the approved private water supply risk assessment. All approved mitigation measures shall be in place prior to construction commencing or as otherwise may be agreed in writing by the Planning Authority in consultation with Highland Council's Environmental Health Team.

Reason: In the interest of residential amenity.

17. **Dust**

Prior to the commencement of development, the developer shall provide written details of a scheme to suppress dust during construction works, for the approval in writing of the Planning Authority, in consultation with Highland Council's Environmental Health Team.

Thereafter the development shall progress in accordance with the approved dust suppression scheme. All approved mitigation measures shall be in place prior to construction commencing or as otherwise may be agreed in writing by the Planning Authority

Reason: In the interest of residential amenity.

18. **Construction Traffic Management Plan**

No development shall commence until an updated Construction Traffic Management Plan (CTMP) to manage all construction traffic has been submitted to and approved in writing by the Planning Authority, in consultation with the local Roads Authority, and any affected local Community Councils. The CTMP shall include this development with

consideration also given to any other major development proposals intending to use the same access routes. The CTMP shall be submitted including all of the standard issues generally covered (identification of construction routes, safety of vulnerable road users, public and communities, junction upgrades, measures to keep the public road clean, protocol for abnormal load deliveries etc). The CTMP shall include:

- a) A schedule of mitigation works which shall consider the need for localised strengthening of the carriageway, improvements to junctions, widening on bends, provision and improvements of passing places and measures to reduce conflict between active travel users and HGVs:
- b) A detailed review of the preferred route to the site for all the abnormal indivisible loads (AILs) that will be required including the port of entry, swept path assessment and consideration of the structures along the route and details of mitigation where required.
- c) Scheduling and timing of movements, respecting any large public event taking place in the local area which would be unduly affected or disrupted by construction vehicles using the public road network, avoiding the movement of commercial goods vehicles along the local public road network during the drop-off and pick-up times of the local schools;
- d) Traffic management measures on the routes to site for construction traffic. Measures such as temporary speed limits, suitable temporary signage, road markings and the use of speed activated signs and banksman/escort details shall be considered. During the delivery period of construction materials any additional signing or temporary traffic control measures deemed necessary due to the size or length of any loads being delivered or removed shall be undertaken by a recognised Quality Assured traffic management consultant, to be approved by the impacted Roads Authority before delivery commences;
- e) Appropriate steps to effectively coordinate traffic movements with other developments that could be impacting on the same construction access route as this proposal, avoid convoying of larger / heavier commercial goods vehicles along local public roads and avoid convoying;
- f) A procedure for the regular monitoring of road conditions and the implementation of any remedial works required during the construction period;
- g) Measures to ensure that all affected public roads are kept free of mud and debris arising from the development;
- Ensure that effective access can be provided to all existing properties and businesses who are also reliant on the roads impacted by this development;
- i) The provision of a wear and tear agreement under Section 96 of the Roads (Scotland) Act 1984 under which the developer will be

responsible for the repair of any damage to the local road network attributable to construction related traffic. As part of the agreement, pre-start and post construction road condition surveys shall be carried out by the developer to the satisfaction of the Roads Authority;

- j) Provisions for emergency vehicle access;
- k) A timetable for implementation of the measures detailed in the CTMP;
- Identification of quarries/suppliers for materials such as aggregate and concrete:
- m) Estimate of volume of and type of materials that must be imported for each site:
- n) Estimate of load size for each type of material;
- o) Estimate of the number of HGVs for each stage of construction;
- p) Number and type of any abnormal loads;
- q) Clarification of construction routes and port of entry if applicable;
- r) Dates for key activities within construction programmes for the proposed works along with the other schemes noted;
- s) Establish traffic counters at the entrances to provide Highland Council with monthly data on actual traffic types and volumes going into and out of this development;
- t) Identification of a nominated person to whom any road safety issues can be referred and measures for keeping the Community Council informed and dealing with queries and any complaints regarding construction traffic ensuring: effective lines of communication with existing residents, businesses and appropriate local representation.

The Plan shall thereafter be implemented as approved.

Reason: To ensure adequate road safety measures are in place and the efficient operation of the public road network.

19. The Abnormal Load Traffic Management Plan (ALTMP)

There shall be no Commencement of Development until an Abnormal Load Traffic Management Plan (ALTMP), has been submitted to, and approved in writing by the Planning Authority, Police, the respective Roads Authorities and, as required, community representatives. It shall include the following:

- a) A risk assessment for transportation of abnormal loads during daylight hours and hours of darkness:
- b) Proposed traffic management and mitigation measures on the abnormal load access route. Measures such as temporary speed limits, road closures, suitable temporary signage and diversions, road markings and the use of speed activated signs shall be considered;
- c) A contingency plan prepared by the abnormal load haulier. The plan shall be adopted only after consultation and agreement with the Police and the respective Roads Authorities. It shall include measures to deal with any haulage incidents that may result in public roads becoming temporarily closed or restricted;

- d) A detailed protocol for abnormal load movements, prepared in consultation and agreement with interested parties. The protocol shall identify any requirement for convoy working and/or escorting of vehicles and include arrangements to provide advance notice of abnormal load movements in the local media. Temporary signage, in the form of demountable signs or similar approved, shall be established, when required. All such movements on Council maintained roads shall take place outwith peak times on the network, including school travel times, and shall avoid local community events;
- e) A procedure for the regular monitoring of road conditions and the implementation of any remedial works required during the construction period; and
- f) Details of appropriate upgrading works at the junction of the site access and the public road for the abnormal load movements. Such works shall include suitable drainage measures, improved geometry and construction, measures to protect the public road, and the provision and maintenance of appropriate visibility splays.

Reason: To ensure adequate road safety measures are in place and the efficient operation of the public road network.

20. Traffic Control Measures

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

No development shall commence until full construction details of tracks that will be left with reduced widths along with the restoration measures for the removal of access tracks shall have been submitted to and approved in writing by the Planning Authority.

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

22. Visibility Splays

No development shall commence until the layout and construction details for the temporary upgraded access from the B851 shall have been submitted to and approved in writing by the Planning Authority, in consultation with the Roads Authority. This access shall not be used by Heavy Goods Vehicles (HGV) or Large Goods Vehicles (LGV) given the limitations of the route and the alternative access available. Thereafter, the works shall be implemented either prior to the main construction works commencing, or within 4 months of the commencement of development, whichever is the sooner.

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

23. Public Access

Non-motorised public access shall not be restricted or discouraged on any permanent access roads constructed as part of the development. Should any fence or gate be erected across tracks or paths, permanent pass gates shall be installed to accommodate walkers, cyclists and horse riders. These pass gates, not kissing gates, shall have easy access to them, a clear internal width of at least 1.5m and ideally be self-closing

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

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. 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.

26. Local Employment Scheme

Prior to the Commencement of Development, a Local Employment Scheme for the construction and operation of the development shall be submitted to and agreed in writing by The Highland Council. The submitted Scheme shall make reference to the Environmental Appraisal (EA) (received 29 July 2024). The Scheme shall include the following:

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

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

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

27. 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, shall 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 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.

28. 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.

Signature: Bob Robertson

Designation: (Acting) Planning Manager – South

Author: Roddy Dowell

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

Relevant Plans: Plan 1 – Location Plan 123009-EA-D1.1-1.0.0

Plan 2 – Proposed Site Layout Plan 123009-EA-D3.1a-1.0.0

Plan 3 – 132KV Single Circuit Steel Trident Angle Support Elevation

Plan 90SS1128-KD-AH-001

Plan 4 –132KV Single Circuit Steel Trident Intermediate Elevation Plan

90SS1128-KD-IH-001

Plan 5 – Proposed Bridge Crossing Elevation Plan PT462-ABED-0804-

1001

Appendix 1 – Development Plan and Other Material Policy Considerations

National Planning Framework 4

- A1.1 National Development 3 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
 - 14 Design, Quality and Place
 - 25 Community Wealth Building
 - 29 Rural Development

Highland Wide Local Development Plan 2012

- A1.2 28 Sustainable Design
 - 29 Design Quality and Place-making
 - 30 Physical Constraints
 - 31 Developer Contributions
 - 36 Development in the Wider Countryside
 - 47 Safeguarding Inbye/Apportioned Croftland
 - 51 Trees and Development
 - 52 Principle of Development in Woodland
 - 55 Peat and Soils
 - 56 Travel
 - 57 Natural, Built and Cultural Heritage
 - 58 Protected Species
 - 59 Other Important Species
 - 60 Other Importance Habitats
 - 61 Landscape
 - 63 Water Environment
 - 66 Surface Water Drainage
 - 69 Electricity Transmission Infrastructure
 - 72 Pollution
 - 73 Air Quality
 - 77 Public Access

West Highland and Islands Local Development Plan (2019) (WestPlan)

A1.3 No sites specific policies

Highland Council Supplementary Planning Policy Guidance

- A1.4
 Biodiversity Enhancement Planning Guidance (May 2024)
 - Developer Contributions (Mar 2018)
 - Flood Risk and Drainage Impact Assessment (Jan 2013)
 - Green Networks (Jan 2013)
 - Highland Historic Environment Strategy (Jan 2013)
 - Highland's Statutorily Protected Species (Mar 2013)
 - Highland Renewable Energy Strategy and Planning Guidelines (May 2006)
 - Physical Constraints (Mar 2013)
 - Roads and Transport Guidelines for New Developments (May 2013)
 - Special Landscape Area Citations (Jun 2011)
 - Sustainable Design Guide (Jan 2013)
 - Trees, woodland and development (Jan 2013)

OTHER MATERIAL CONSIDERATIONS

Other National Policy and Guidance

- A1.5
- Scottish Energy Strategy (2017)
- The Draft Energy Strategy and Just Transition Plan (2023)
- The Onshore Wind Energy Policy Statement (2022)
- Onshore Wind Sector Deal for Scotland (2023)
- Historic Environment Policy for Scotland (2019)
- Scheduled Monuments Consents Policy (2019)
- Circular 1/2017: Environmental Impact Assessment Regulations (2017)
- PAN 1/2011 Planning and Noise (2011)
- PAN 60 Planning for Natural Heritage (Jan 2008)
- Developing with Nature Guidance (NatureScot 2023)
- Construction Environmental Management Process for Large Scale Projects (2010)
- Highland Nature Biodiversity Action Plan 2021-2026 (2022)
- Community Benefits for Electricity Transmission Network Infrastructure:
- Government Response, UK Department for Energy and Security and Net Zero (2023)
- Advising on peatland, carbon-rich soils and priority peatland habitats in development (NatureScot, Feb 2024)

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

National Policy

- A2.1 National Planning Framework 4 (NPF4) forms part of the Development Plan and was adopted in February 2023. It comprises three parts:
 - Part 1 sets out an overarching spatial strategy for Scotland in the future and includes six spatial principles (just transition / conserving and recycling assets / local living / compact urban growth / rebalanced development / rural revitalisation. Part 1 sets out that there are eighteen national developments to support the spatial strategy and regional spatial priorities, which includes single large-scale projects and networks of smaller proposals that are collectively nationally significant.
 - Part 2 sets out policies for the development and use of land that are to be applied in the preparation of local development plans; local place plans; masterplans and briefs; and for determining the range of planning consents. This part of the document should be taken as a whole in that all relevant policies should be applied to each application.
 - Part 3 provides a series of annexes that provide the rationale for the strategies and policies of NPF4. The annexes outline how the document should be used and set out how the Scottish Government will implement the strategies and policies contained in the document.
- A2.2 NPF4 outlines 18 national developments that support the plan's spatial strategy. National developments will be a focus for delivery, as well as exemplars of the Place Principle, placemaking and a Community Wealth Building (CWB) approach to economic development. Six of the national developments support the delivery of sustainable places. Among these is national development number 3 - Strategic Renewable Electricity Generation and Transmission Infrastructure, which "supports electricity generation and associated grid infrastructure throughout Scotland, providing employment and opportunities for community benefit, helping to reduce emissions and improve security of supply." National development 3 accords national development status to electricity transmission that includes b) New and/or replacement upgraded on and offshore high voltage electricity transmission lines, cables and interconnectors of 132kV or more, and/or c) New and/or upgraded Infrastructure directly supporting on and offshore high voltage electricity lines, cables and interconnectors including converter stations, switching stations and substations. This proposal aligns with parts of both b) and c) and therefore, is classed as a national development, and as such received in principle support.
- A2.3 The spatial strategy reflects existing legislation by setting out that decision making requires to reflect the long-term public interest. However, in doing so, it is clear that the decision maker must make the right choices about where development should be located, ensuring clarity is provided over the types of infrastructure that need to be provided and the assets that should be protected to ensure they continue to benefit future generations. To that end, the Spatial Priorities support the planning and delivery of sustainable places, which will reduce emissions, restore and better

- connect biodiversity; create liveable places, where residents can live better, healthier lives; and create productive places, with a greener, fairer, and more inclusive wellbeing economy.
- A2.4 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 are to 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.
- A2.5 Policy 3 Biodiversity aims to protect biodiversity, reverse biodiversity loss, deliver positive effects and strengthen nature networks. Every development proposal has to maintain or improve biodiversity. As detailed in the Natural Heritage section of this report above, the proposed Habitat Management Plan is not considered to be sufficient to mitigate or provide sufficient habitat enhancement.
- Policy 4 Natural Places aims to protect, restore and enhance natural assets A2.6 making best use of nature-based solutions. It 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 an appropriate assessment, and that development proposals that will affect a National Park, National Scenic Area or SSSI shall 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. The site is not located within any ecological or ornithological designation and subject to mitigation measures outlined in the EA and conditions requested by consultees the impacts upon any nearby designations will not be significant. The site is also not located within a National Park or NSA.
- A2.7 Policy 4 section e) also requires project design and mitigation to demonstrate how the following various impacts on communities and individual dwellings, including, residential amenity, visual impact, and noise, landscape, visual and cumulative impacts, public access, aviation and defence interests, telecommunications and broadcasting installations, traffic and roads, historic environment, hydrology, water environment and flood risk, trees, biodiversity, decommissioning and site restoration are all addressed. As detailed in the Natural Heritage section of this report above, the Outline Habitat Management Plan and Biodiversity Net Gain Report submitted are not considered to be sufficient to mitigate or provide sufficient habitat enhancement.
- A2.8 Policy 5 Soils, aims to protect carbon rich soils including peatlands. Development proposals on such locations, will only be supported where they relate to essential infrastructure or renewable energy development. As above, with regards to peat, the Outline Habitat Management Plan and Biodiversity Net Gain Report be sufficient to mitigate or provide sufficient habitat enhancement.

- A2.9 Policy 7 Historic Assets and Places is intended to protect and enhance historic environment assets, enabling positive change. Policy outcomes include ensuring the historic environment is valued, whilst supporting the transition to net zero, as well as recognising the social, environmental and economic value of the historic environment to our economy and cultural identity. Policy 7 part a) requires proposals with potential significant impacts to be appropriately assessed; with part h) ii) setting out that development proposals will only be supported where significant adverse impacts on the integrity or setting of a scheduled monument are avoided. Part h) iii) of this policy also enables 'exceptional circumstances' to be demonstrated to justify the impact on a scheduled monument and its setting, and where impacts on the monument or its setting have been minimised. The EA concluded that there will be no significant direct impacts upon historic assets within the site boundary nor will there be significant indirect impacts upon the setting of any listed buildings or scheduled monuments.
- A2.10 Policy 11 Energy aims to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure. Section a) notes development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported, including (ii.) enabling works, such as grid transmission and distribution infrastructure. Section c) confirms development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities. Section d) requires development proposals that impact on international or national designations to be assessed in relation to Policy 4. In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.
- A2.11 Policy 25 Community wealth building aims to encourage, promote and facilitate a new strategic approach to economic development that also provides a practical model for building a wellbeing economy at local, regional and national levels. While NPF4 considers national developments as a focus for delivery, they should also be exemplars of the community wealth building approach to economic development. This is considered further within the Economic Impact section of this report.
- A2.12 On that point it is noted that both legislation and planning law indicate that where there may be incompatibility between NPF4 and the Local Development Plan (LDP) published prior to NPF4, then the more recent document shall prevail. Notwithstanding however, in instances of incompatibility, this requirement may not eliminate the provisions of the LDP in their entirety whilst these documents remain an extant part of the adopted Development Plan. That means that the Council may wish to give more weight to the provisions of its LDP over national policies where there is strong justification for doing so, such as where it feels that LDP policy is better equipped to respond to local conditions for example. However, this matter is yet to be tested through the planning system.

Highland wide Local Development Plan (HwLDP)

A2.13 The principal HwLDP policy against which the application requires to be

determined is the Policy 69 - Electricity Transmission Infrastructure. This policy offers support for electricity transmission infrastructure, having regard to their level of strategic significance in transmitting electricity from areas of generation to areas of consumption. Such support is subject to the proposals not having an unacceptable significant impact on the environment.

- A2.14 As the development would provide upgraded infrastructure for the transmission network and would help to facilitate an increasing proportion of electricity generation from renewable sources, the principle of the development receives support under HwLDP Policy 69 Electricity Transmission Infrastructure, subject to site selection, design and overcoming any unacceptable significant environmental effects.
- A2.15 HwLDP Policy 69 specifically highlights that the "Council will have regard to their level of strategic significance in transmitting electricity from areas of generation to areas of consumption." Additionally, it notes "It will support proposals which are assessed as not having unacceptable impact on the environment including natural, built and cultural heritage features." Where development is assessed as not having unacceptable significant impacts on the environment, then the proposal would accord with the Development Plan.
- A2.16 The impact of this development on landscape is primarily assessed in the Landscape and Visual Impact section of this report. HwLDP Policy 36 Development in the Wider Countryside applies and sets out that all development in the countryside will be determined on the basis of a number of criteria. Pertinent matters to this proposal include siting and design, being compatible with the existing pattern of development, landscape character and capacity, as well as drainage and servicing implications. The main aspect of the development is the proposed extension area.
- A2.17 The generality of the HwLDP's topic policies are superseded by those in NPF4. However, those that offer greater detail than NPF4 or that are tailored to Highland circumstance (and are not wholly incompatible with NPF4) are still relevant and may be applicable. For example, the Council's Policy 31 on Developer Contributions links to greater detail in Supplementary Guidance and therefore both are still relevant.
- A2.18 Work on a new-style local development plan (Highland Local Development Plan) to ultimately repeal and replace the two relevant existing local development plans is progressing with a revised timetable of Evidence Report approval and submission to DPEA for Gate Check in late 2025 and publication of the Proposed Plan in late 2026.
- A2.19 The principal policy on which the application requires to be assessed is HwLDP Policy 69 Electricity Transmission Infrastructure.

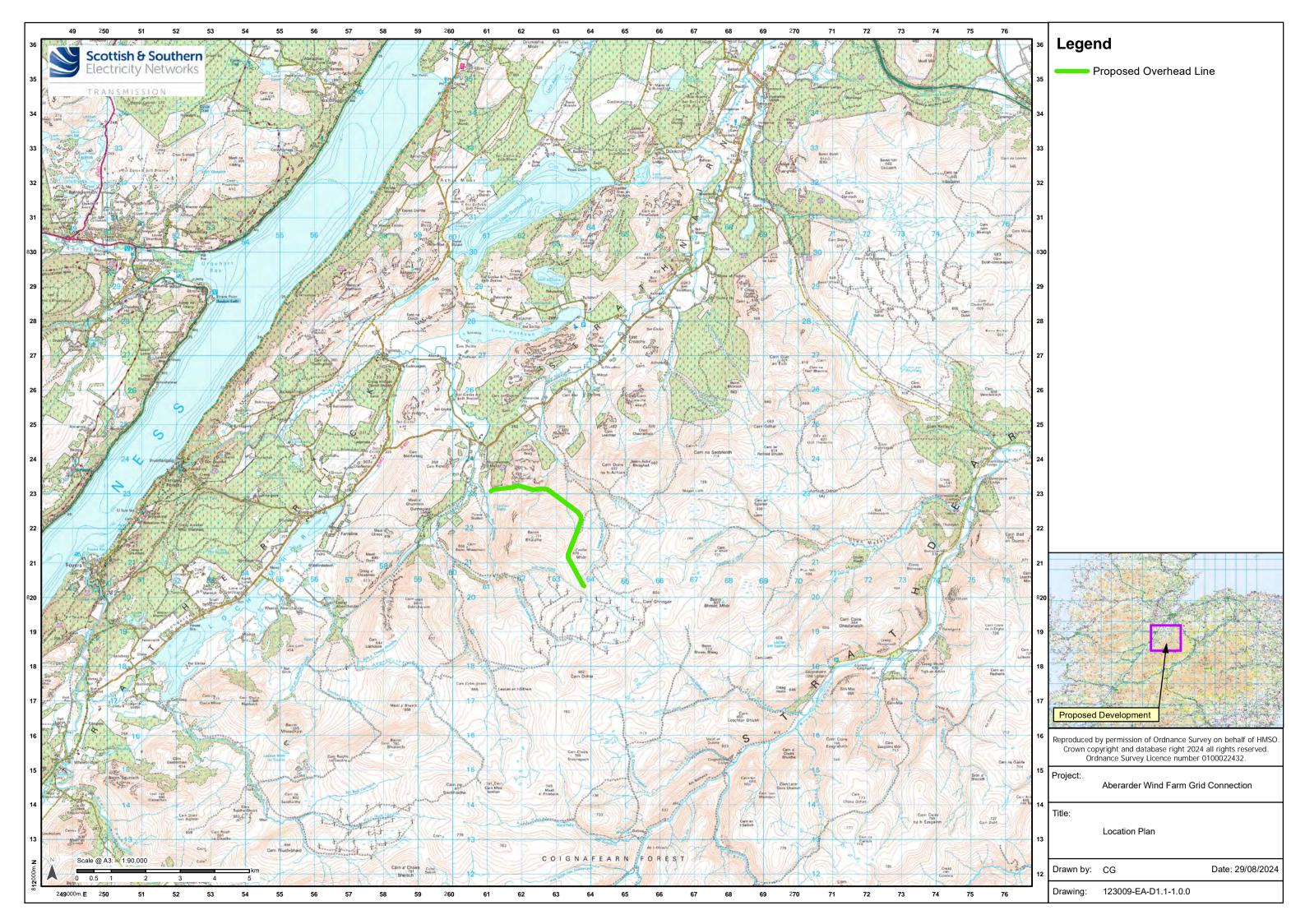
Developer Contributions

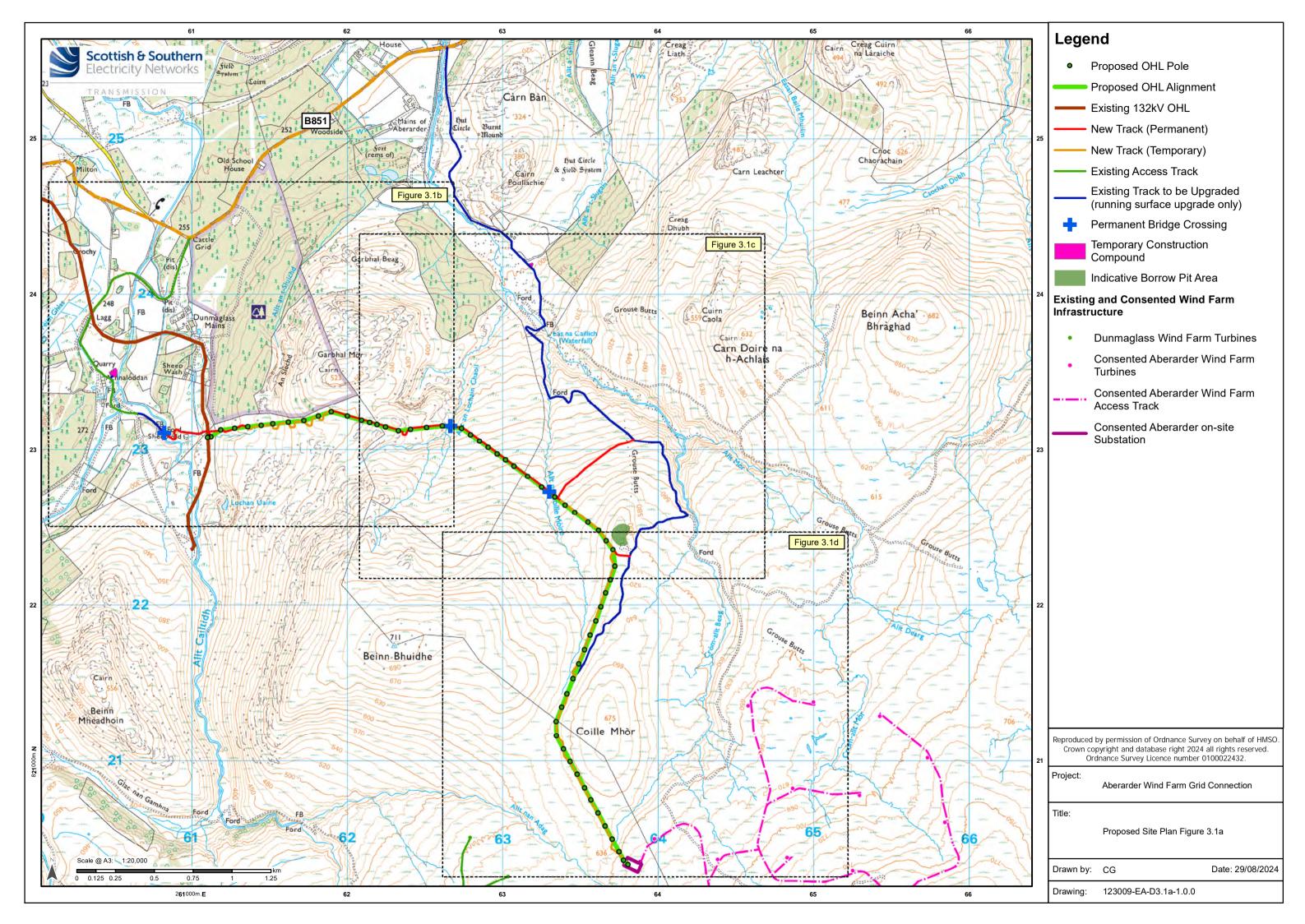
A2.20 Under the terms of HwLDP Policy 31 Developer Contributions and the Council's Developer Contributions Supplementary Guidance (2018), industrial (including energy) developments may be required to make contributions towards transport,

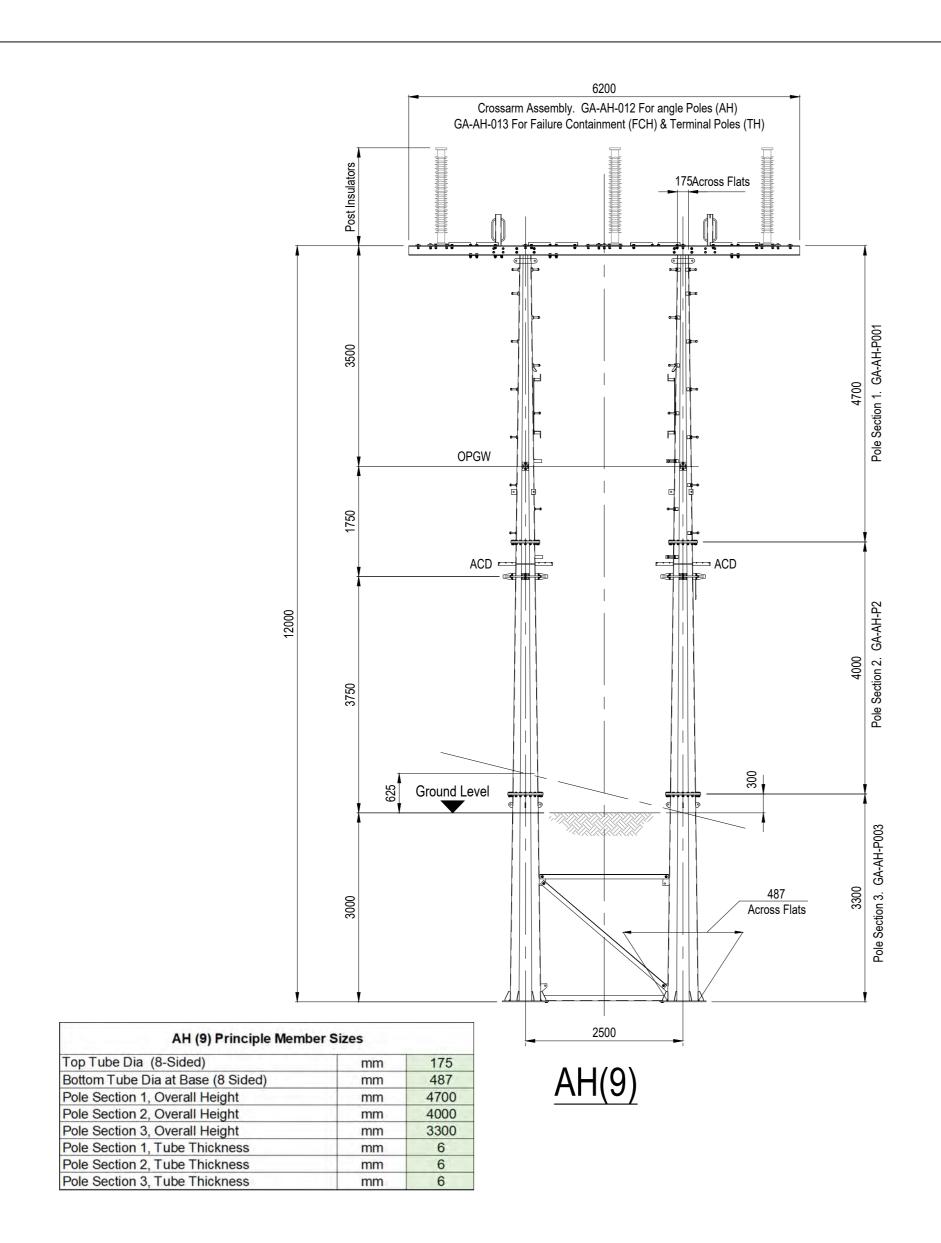
- green infrastructure, water and waste, and public art. In addition, Policy 11c) of NPF4 now provides an explicit national planning policy requirement for community benefits from energy proposals.
- A2.21 Highland Council's approved and published Social Value Charter for Renewables Investment from June 2024 which sets out the community benefit expectations from developers wishing to invest in energy proposals in Highland.

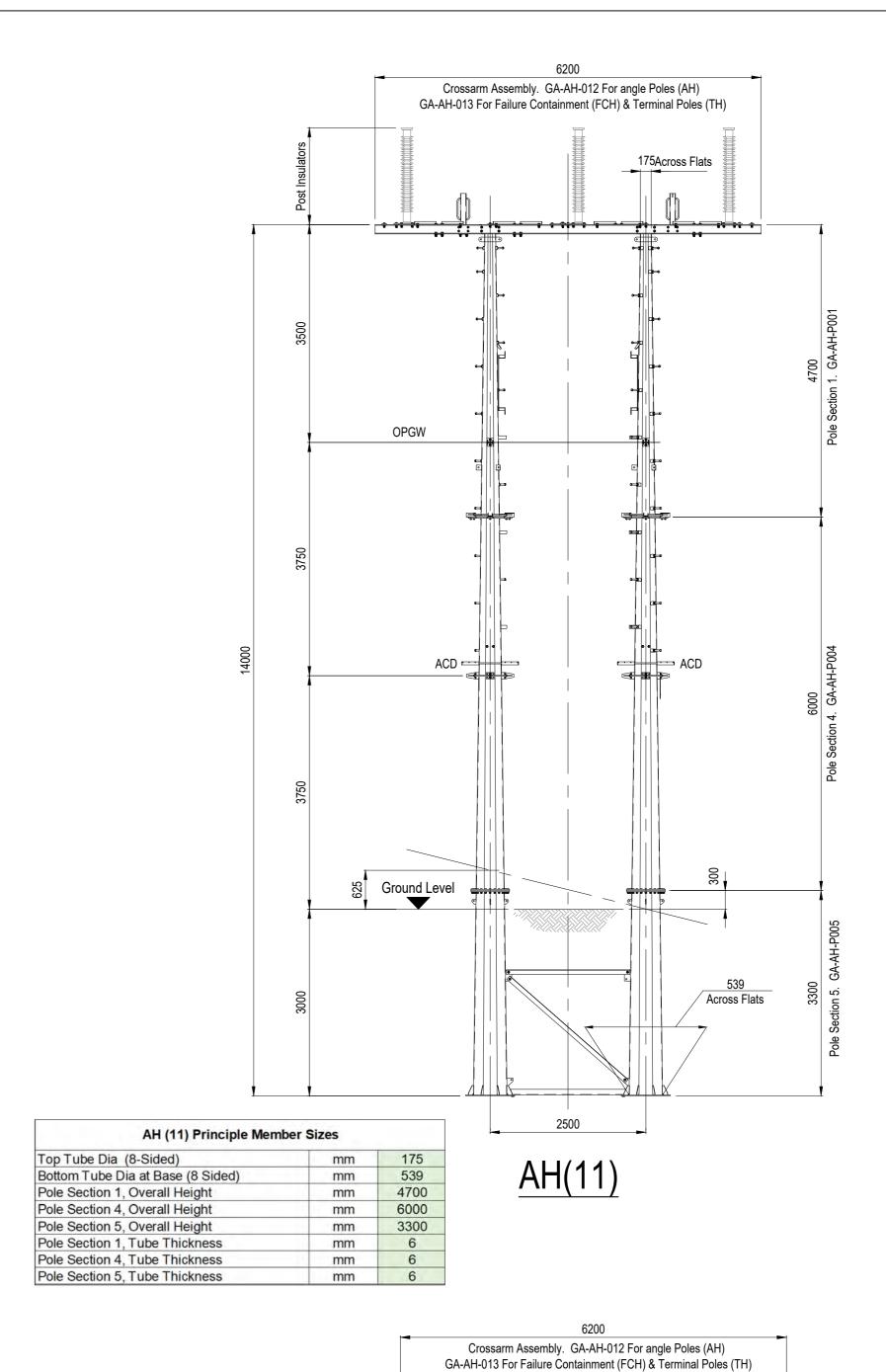
Inner Moray Firth Local Development Plan 2 (IMFLDP2)

A2.22 The application site lies outwith any allocated site, delineated settlement boundary and safeguarding notation. The Inner Moray Firth Local Development Plan 2 (IMFLDP2) was adopted on 27 June 2024 and now postdates NPF4. Although the IMFLDP2 does not contain any site-specific policies relevant to this proposal its general policies provide more detail than the equivalent ones in NPF4. In particular, Policy 2 Nature Protection, Restoration and Enhancement which provides the hook for the Council's Biodiversity Enhancement Planning Guidance and Policy 9 Delivering Development and Infrastructure set out more detail.









Crossarm Assembly. GA-AH-012 For angle Poles (AH) GA-AH-013 For Failure Containment (FCH) & Terminal Poles (TH) 175Across Flats OPGW ACD CONTRACTOR OF THE PARTY OF ACD Ground Level Across Flats 2500

	Post Insulators				175Across Flats		
	3500		OPGW				4700 Pole Section 1. GA-AH1-P001
18000	7750		ACI		ACD		10000 Pole Section 8. GA-AH1-P008
	3000	625	Ground Lev			643 cross Flats	3300 le Section 9. GA-AH-P009
175 643	•			2500			Pole Sect

AH(13)

All dimensions in millimetres, UNO.
All materials in accordance with ENA TS 43-125 Issue 2, Part 4, Clause 2.5,

NOTES

- All steel shown to be grade S355JR, UNO
 Welding to be in accordance with ENA TS 43-125 Issue 2, Part 4, clauses 2.5.3, 2.6.1.5, and 2.9.4.
 All welds shown to be sealed continuous fillet welds (leg length 6mm), UNO.
 Quality checks are to be in accordance with ENA TS 43-125 Issue 2, Part 4, Clause 2.9.
 All steel to be gelyopiced to standard and the standard and t
- All steel to be galvanised, treated and painted in accordance with the Project Specification.
- Flange plate connections shall be made using preloaded M16 Grade 8.8 bolt assemblies complying with BS EN 14399. Preloading shall be carried out in accordance with BS EN 1090-2, using approved load indicator washers. Locknuts shall be fitted after completion of preloading activities. Bolt assemblies unless noted otherwise, are to be supplied in accordance
- with BS EN 15048, parts 1 & 2. Bolt assemblies are also to comply with BS EN 1993-1-8.
 All holts to be galvanised. Grade 8.8 LINO.

•	Dolt assemblies are also to comply with Do Liv 1990-1-0.							
•	All bolts to be galvanised, Grade 8.8 UNO.	$\langle X X \rangle$	\times				$\langle \rangle \langle \rangle$	Z.
•	All bolts may be fully threaded UNO.		\sim	PRELIMINARY ISSUI	F		\sim	X
10.	This drawing to be read in conjunction with the following:-	$\times \times \times$	$\times\rangle$ DEG	IGN CONCEPT ONLY. NOT FOR		TDUCT	α	\times
•	General Arrangement Drawings, GA-AH-P001 to P012 inc. (as required)	XXX	imes DE91	IGN CONCEPT ONLY. NOT FOR	CONS	IKUCII		>
•	Generic Piece Small Detail Drawings, GA-D-001 to GA-D-071 inc. (as		\checkmark		$\wedge \wedge \wedge \wedge$	\sim		\searrow
	required).	01	06:02:24	Preliminary issue of design concept only	MDL	JP	MDL	
•	Erection Diagrams; ED-AH-001 to 004 inc.							⊢
•	EaST-IH(9) to AH(15) inc. Issue 01 3D Model.	ISSUE	DATE	REVISION	DESIGN	DRAWN	CHK'D	A

Top Tube Dia (8-Sided)	mm	175
Bottom Tube Dia at Base (8 Sided)	mm	591
Pole Section 1, Overall Height	mm	4700
Pole Section 6, Overall Height	mm	8000
Pole Section 7, Overall Height	mm	3300
Pole Section 1, Tube Thickness	mm	6
Pole Section 6, Tube Thickness	mm	6
Pole Section 7, Tube Thickness	mm	6

|DESIGN | DRAWN | CHK'D | APP'D

JS

Top Tube Dia (8-Sided)	mm	175
Bottom Tube Dia at Base (8 Sided)	mm	643
Pole Section 1, Overall Height	mm	4700
Pole Section 8, Overall Height	mm	10000
Pole Section 9, Overall Height	mm	3300
Pole Section 1, Tube Thickness	mm	6
Pole Section 8, Tube Thickness	mm	6
Pole Section 9, Tube Thickness	mm	6

AH (15) Principle Member Sizes

		ENERGYLINE PROJECT / DRG No.	SHT No.	No. OF SHTS
	energyline	90SS1128-KD-AH-001	1	1
	JUBILEE COURT, COPGROVE, NORTH YORKSHIRE, HG3 3TB TEL: 01423-799950	Scottish & Southern Electricity Networks	CLIENTS PROJECT REF.	
\langle	KEY DIAGRAM 132kV SINGLE CIRCUIT	CLIENTS DRG No.	SCALE	1:60
X	EARTHED STEEL TRIDENT SUPPORT TYPE - AH	*	SHT SIZE	RM DWG A1
	ROUTE / CIRCUIT N/A	O1 (C) ENERGYLINE LTD. 2024- THE COPYRIGHT IN THIS DRAWING & THE DESIGN RIGHT IN THE ARTICLE(S) DEPICTED BELONG TO I OR STORED BY ANY MEANS. NOR MAY ARTICLES BE MADE FROM THE DRAWING, EITHER DIRECTLY OR INDIRECTLY, WITHOUT TH		

