

Agenda Item	8.1
Report No	PLN/061/25

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 26 November 2025

Report Title: 25/01906/S37: Scottish Hydro Electric Transmission
Land 3200M NE Of Glencassley Castle, Rosehall

Report By: Area Planning Manager - North

Purpose/Executive Summary

Description: Achany Wind Farm Connection - Install and keep installed 16km of 132kV overhead line (OHL) between the consented Achany Wind Farm Extension on-site substation and the operational Shin substation.

Ward: 01 – North, West and Central Sutherland

Development category: National Development (Application under Section 37 of the Electricity Act, 1989)

Reason referred to Committee: National Development

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

Recommendation

Members are asked to agree the recommendation to **RAISE NO OBJECTION** to the application as set out in section 11 of the report.

1. PROPOSED DEVELOPMENT

- 1.1 The proposed development involves the installation of a 16km overhead electricity line (OHL) supported by trident H-wood poles to connect Achany Wind Farm Extension to the national grid. The connecting line is proposed between a new Cable Seal End (CSE) pole structure, 1.2km south of the consented Achany Wind Farm Extension substation and the existing Shin substation, 10km south of Lairg.
- 1.2 Associated ancillary works form part of the application including: permanent and temporary access tracks and access points, improvement of existing tracks, vegetation clearance, and construction platforms. Between the CSE and the wind farm substation, the route would be formed by an underground cable (UGC) extending 1.2km in length and which can be installed under Permitted Development Rights, thereby not forming part of this application. At the Shin substation end, the line would connect into an existing terminal tower, which again does not form part of this application.
- 1.3 The consented Achany Wind Farm Extension comprises 18 turbines of 150m in height to blade tip and was granted consent by Scottish Ministers in May 2023 under Section 36 of the Electricity Act 1989. The Shin substation lies 16km southeast, and the proposed line would run largely in a NW-SE direction through open hillside and forestry east of the wind farm site. The Achany Wind Farm Extension site is the subject of a further application proposing 18 turbines of up to 200m in height, representing a 50m height increase. SSEN have confirmed that they have assessed the proposed re-design of Achany wind farm and have confirmed that there would be no changes required to the proposed grid connection that is subject of this S37 application.
- 1.4 Construction of the line would utilise existing tracks but also require new permanent and temporary tracks for construction and future maintenance. Whilst there is a good degree of certainty over the alignment of the route, a Limit of Deviation (LoD) of 100m (50m either side of the centre line of the OHL is sought to allow micro-siting of the poles and a 50m LoD (25m either side of the centre line of proposed tracks) is sought in connection with the construction of new temporary tracks. A 20% vertical LoD is also sought in relation to the height of the poles themselves, which typically would range from 10m – 15m in height, and would be spaced on average 100m apart with an estimated 207 poles required to complete the line. The line would require an Operational Corridor, typically 72m wide (potentially reducing to 60m wide through broadleaf woodland) to allow safe operation and maintenance.
- 1.5 The construction period is estimated to last 23 months. Construction of the line would be undertaken in 4 phases: 1 – Enabling works; 2 – OHL construction; 3 – OHL commissioning; and 4 – Re-instatement. Construction access would utilise existing forestry or estate tracks or the consented Achany Wind Farm Extension access tracks where possible. Some minor improvements would be anticipated to some of these access points and tracks, including vegetation clearance, localised small scale widening and running surface improvements. No abnormal loads are anticipated to be required.

- 1.6 Construction work is likely to require construction compounds, laydown areas and borrow-pit(s). The final location and design of these would be confirmed by the contractor and separate planning permissions / applications would be sought as required.
- 1.7 Reinstatement works will include re-soiling temporary tracks, pole excavations, temporary compounds and hardstandings. Peat reinstatement where this has been disturbed will be carried out in accordance with a Peat Management Plan. New tracks that require to remain permanently will be subject to partial reinstatement - reducing their width from 5m to 3m. The applicant has designed the project in accordance with its commitment to delivering 10% net gain for biodiversity through implementation of its Outline Habitat Management Plan.
- 1.8 As is common for wood pole lines, no formal pre-application consultation has been undertaken. The Planning Authority was however consulted on an Environmental Impact Assessment (EIA) Screening Request with the Scottish Minister's in July 2023. The Screening Opinion dated 21 August 2023 concluded that the proposal is not EIA development. This process helped to inform the scope and content of the application's supporting information which comprised of an Environmental Appraisal (EA) which assesses the development's potential impacts in terms of: Landscape, Ecology, Ornithology, Cultural Heritage, Hydrology, Hydrogeology, Geology and Soil, and Forestry.
- 1.9 The Highland Council was consulted by the Scottish Government's Energy Consents Unit (ECU) on the proposal on 15 May 2025, with the closing date for comments being 17 July 2025. Officers sought an extended consultation period, however, this was declined by the ECU. As such, and in accordance with agreed protocol and as per the Council's Scheme of Delegation, officers submitted a timeous objection to the ECU, which is attached as Appendix 2 of this report.
- 1.10 No variations have been made during the assessment of this application.

2. SITE DESCRIPTION

- 2.1 The route of the line would run from an upland location approximately 2.2km northwest of Glencassley Castle in Glen Cassley through open hill land and forestry to the substation, passing adjacent to the existing Rosehall Wind Farm. The line would drop in height from around 350mAOD at the wind farm substation to 15mAOD at the Shin substation. It would cross the A839 road between Strath Oykel and Lairg and also the A837 close to where it would connect to the Shin substation at Invernarn, close to the Kyle of Sutherland.
- 2.2 The proposed line does not pass through any statutory sites designated for nature conservation. The Caithness and Sutherland Peatlands Special Protection Area (SPA), Ramsar site and Grudie Peatlands Site of Special Scientific Interest (SSSI) are located within 160m of the line. These areas are designated for a range of breeding upland species including divers, raptors, waders and wildfowl. The River Oykel SAC is located within 380m from the southeastern end of the proposed line as it reaches Shin substation. The river is designated for its fresh water pearl

mussels. The Strath Carnaig and Strath Fleet Moors SPA is located within 5.9 km from the line and is designated for breeding hen harrier.

- 2.3 There are no national, regional or local landscape designations covering the site. The proposal is predominantly located within the NatureScot Landscape Character Type (LCT) 135 - Rounded Hills – Caithness and Sutherland, with the southern end, closest to Invershin Substation, abutting and crossing into LCT 142 - Strath – Caithness and Sutherland. The development does not affect any statutory landscape designations, however the northern 1.3km of the route lies within the Wild Land Area (WLA 34 – Reay- Cassley).
- 2.4 Known cultural heritage assets are present at the southeastern end of the line. These comprise four Scheduled Ancient Monuments (SMs) and three Listed Buildings, with three non-designated cultural assets also having been identified within 200m of the line.

3. PLANNING HISTORY

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|-----|------------|--|--|
| 3.1 | 21.08.2023 | 23/03219/SCRE-Proposals for a new 132 kV single circuit Overhead Line (OHL) between the consented Achany Wind Farm Extension on-site substation and the operational Shin substation | Screening Response Issued – EIA Not Required |
| 3.2 | 22.05.2023 | Achany Extension Wind Farm – Erection and Operation of a Wind Farm for a period of 50 years, comprising of 20 Wind Turbines with a maximum blade tip height 149.9m, access tracks, borrow pits, substation, control building, and ancillary infrastructure | Consented by Scottish Ministers |
| 3.3 | 25.07.2025 | 25/02247/SCOP - Achany Wind Farm Extension - Scoping Opinion for erection and operation of a wind farm comprising 18 wind turbines with a maximum blade tip height of 200m and ancillary infrastructure | EIA Scoping Response Issued |
| 3.4 | 07.11.2025 | Achany Extension Wind Farm - Section 36C - Proposed Variation to Achany Extension Wind Farm comprising of 18 wind turbines up to 200m metres tip height (and Battery Energy Storage) and associated infrastructure. (21/03695/S36) | Under consideration |

4. PUBLIC PARTICIPATION

- 4.1 As a Section 37 application the public participation process is managed by the Energy Consents Unit. One public comment was received by the Energy Consents Unit, raising the following material considerations:
- Underground cabling was proposed for the grid connection when the Achany Wind Farm Extension was proposed. This should be adhered to as it would have much less visual and habitat impact than the proposed OHL; and

- Prematurity - Achany Wind Farm Extension is being re-assessed, and therefore there is no need for this application in advance of this.

5. CONSULTATIONS

Consultation undertaken by The Highland Council

- 5.1 **Creich Community Council (Host): Object** to the application based on understanding that Achany Wind Farm Extension is being re-assessed, and therefore there is no need for this application in advance of this. Any revision of the wind farm proposal should include details of grid connection.
- 5.2 **Access Officer:** does not object to the application. The proposed line crosses Core Path SU21.02 (Sike Cycle Trail) which shall remain open at all times during the construction and operation of the development.
- 5.3 **Ecology Team:** initial objection unless further details are submitted in the form of a Habitat Management Plan (HMP) to demonstrate 10% Biodiversity Net Gain (BNG), however accept that requirement for BNG proposals can be a suspensive planning condition, based on applicant's commitment to undertake this and achieve a minimum of 10% BNG. The proposed approach assessment and proposed mitigation for protected species is also accepted.
- 5.4 **Environmental Health Team:** does not object to the application. There are no objections to the application on the grounds that it is unlikely to result in a breach of legislation enforced by Environmental Health, provided that any noise sensitive properties identified along the route that maybe affected by construction noise have mitigations in place.
- 5.5 **Flood Risk Management Team:** does not object to the application and have no further comment.
- 5.6 **Forestry:** No objections, subject to conditions requiring a Compensatory Planting Plan for an area not less than 49.7Ha with an enhanced area to be agreed with the Planning Authority to help off-set the additional loss of biodiversity and timber value through pre-mature felling.
- 5.7 **Historic Environment Team (Archaeology):** does not object to the application. Condition required in respect of a written scheme of mitigation.
- 5.8 **Transport Planning: Holding objection** due to lack of information. The information sought is; a Construction Phase Traffic Management Plan (CPTMP), Transport Statement (TS), schedule of works, additional details of new access locations and structural checks of bridges/culverts along route to site. A TS is not normally required for this scale and nature of development i.e construction of an OHL using timber poles. The supporting statement with the application includes details of construction access, which will largely use existing forestry and estate tracks, be subject to a CPTMP prepared by the contractor in consultation with SSEN and will not involve

abnormal vehicle loads (AIVs). As such, it is considered appropriate and consistent with the approach taken for other similar developments of this scale and nature in the vicinity, eg 25/00106/S37 (Erection and operation of a 10.5km 132kV overhead electricity line, approximately 3 km to the north of Lairg between Chleainsaid Wind Farm and Dalchork Substation), considered by North PAC on 11 June 2025.

Consultation undertaken by the Energy Consents Unit

- 5.9 **Airport (Aberdeen, Edinburgh, Glasgow, Prestwick, HIAL):** does not object to the application and have no further comment.
- 5.10 **BT:** does not object to the application and have no further comment.
- 5.11 **Historic Environment Scotland:** does not object to the application. Pre-application concerns about impact on setting of nearby Scheduled Ancient Monument; Invershin Standing Stone, have been adequately addressed in the application.
- 5.12 **Joint Radio Company: Object** and state that in order to fully assess this proposal they require the name of the development, turbine locations, hub height and rotor diameter for each turbine. This comment appears to have been made in error. This application does not involve any wind turbines, and the JRC were previously consulted on the Achany windfarm extension and had no objections. They are also a consultee on the revised Achany extension scheme that is currently under consideration, and will be able to make comments on the design of that scheme in relation to that separate application.
- 5.13 **Kyle of Sutherland Salmon Fishery Board:** does not object to the application and have no further comment.
- 5.14 **Met Office:** does not object to the application and have no further comment.
- 5.15 **Ministry of Defence:** does not object to the application, subject to a condition requiring the poles being charted on aviation maps.
- 5.16 **NatureScot:** does not object to the application, subject to conditions requiring development being carried out in accordance with required mitigation measures with respect to: River Oykel SAC, Caithness and Sutherland Peatlands SAC and Caithness and Sutherland Peatlands SPA. Appropriate Assessments require to be carried out by the Scottish Government in respect of impacts on SAC and SPA. NatureScot welcome efforts made to avoid deep peat. The proposal does not raise issues of National Interest in relation to its landscape, visual or cumulative effects.
- 5.17 **NATS:** does not object to the application and have no further comment.
- 5.18: **Network Rail:** does not object to the application and have no further comment.
- 5.19 **Office of Nuclear Regulation:** does not object to the application and have no further comment.
- 5.20: **SEPA:** does not object to the application, subject to conditions requiring: avoidance of deep peat at A839 crossing as part of finalised Peat Management Plan, and a requirement for buffers of a minimum 15m to any watercourse for all excavation

work. SEPA request a requirement for no land raising associated with the construction of temporary and permanent access tracks is secured by condition. The final design of the watercourse crossings is to be agreed with SEPA and should ensure there is no increase in flood risk associated with the construction of these. Disposal of any waste peat will be deemed to be waste disposal and subject to SEPA licencing.

- 5.21 **Scottish Gas Networks:** does not object to the application and have no further comment.
- 5.22 **Scottish Water:** does not object to the application. Development may affect Scottish Water infrastructure and therefore the developer should make contact with Scottish Water before proceeding.
- 5.23 **Transport Scotland:** does not object to the application. A Construction Traffic Management Plan (CTMP) should be prepared and agreed with TS in advance of construction.

6. DEVELOPMENT PLAN POLICY

The following policies are pertinent to the assessment of the application:

6.1 National Planning Framework 4 (2023) (NPF4)

- 1 - Tackling the Climate and Nature Crises
- 2 - Climate Mitigation and Adaptation
- 3 - Biodiversity
- 4 - Natural Places
- 5- Soils
- 6 - Forestry, Woodland and Trees
- 7 - Historic Assets and Places
- 11 - Energy
- 13 - Sustainable Transport
- 20 - Blue and Green Infrastructure
- 21 - Play, Recreation and Sport
- 22 - Flood Risk and Water Management
- 25 - Community Wealth Building

6.2 Highland Wide Local Development Plan 2012 (HwLDP)

- 28 - Sustainable Design
- 29 - Design Quality and Place-making
- 30 - Physical Constraints
- 31 - Developer Contributions
- 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
62 - Geodiversity
63 - Water Environment
64 - Flood Risk
66 - Surface Water Drainage
67 - Renewable Energy Developments
69 - Electricity Transmission Infrastructure
72 - Pollution
73 - Air Quality
76 - Playing Fields and Sports Pitches
77 - Public Access

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

No specific policies apply.

6.4 Highland Council Supplementary Planning Policy Guidance

Biodiversity Planning Guidance (May 2024)
Flood Risk and Drainage Impact Assessment (Jan 2013)
Green Networks (Jan 2013)
Highland Historic Environment Strategy (Jan 2013)
Highland's Statutorily Protected Species (March 2013)
Highland Renewable Energy Strategy and Planning Guidelines (May 2006)
Special Landscape Area Citations (June 2011)
Standards for Archaeological Work (March 2012)
Trees, Woodlands and Development (Jan 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 Scottish Government Planning Policy and Guidance

- Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 – interim and annual targets replaced by Climate Change (Emissions Reduction Targets) (Scotland) Bill, November 2024
- Climate Change Committee Report to UK Parliament (July 2024)
- UK Government Clean Power Action Plan (Dec 2024)
- Draft Energy Strategy and Just Transition Plan (2023)
- Draft Scottish Biodiversity strategy to 2045: tackling the nature emergency (2023)
- Scottish Energy Strategy (2017)
- 2020 Routemap for Renewable Energy (2011)
- Historic Environment Policy for Scotland, HES (2019)
- Scheduled Monuments Consents Policy (2019)
- PAN 1/2011 - Planning and Noise (2011)
- PAN 60 – Planning for Natural Heritage (2008)

- Developing with Nature Guidance (NatureScot 2023)
- Construction Environmental Management Process for Large Scale Projects (2010)
- Community Funds for Transmission Infrastructure: Guidance UK Department for Energy and Security and Net Zero (2025) Scottish Planning Policy (as amended December 2020)

8. PLANNING APPRAISAL

- 8.1 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 a deemed planning permission.

Planning Considerations

- 8.2 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) Built and cultural heritage;
- e) Water environment and peat;
- f) Natural heritage;
- g) Forestry;
- h) Roads, transport and wider access;
- i) Economic impacts; and
- j) Any other material considerations.

Development plan/other planning policy

- 8.4 The Development Plan comprises NPF4, the adopted Highland-wide Local Development Plan (HwLDP), associated statutory supplementary guidance and the Caithness and Sutherland Local Development Plan.

- 8.5 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 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.

- 8.6 NPF4 outlines the 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 no. 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 part b) and therefore, is classed as a national development, and as such receives in principle support.
- 8.7 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.
- 8.8 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 in accordance with NPF4 Policy 2, while contributing to the enhancement of biodiversity, as required by NPF4 Policy 3.
- 8.9 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, a Habitat Management Plan is proposed which includes habitat enhancement.

- 8.10 Policy 4 - Natural Places aims to protect, restore and enhance natural assets 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 that have 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, nor is it within a National Park or National Scenic Area (NSA). The northern end of the line does lie within the Wild Land Area (WLA 34. Reay-Cassley), however the majority of this section of the line would be underground (and not subject of this application), with only 0.4km being pole mounted OHL. This part of the site is also within the boundary of the consented wind farm, and the potential to affect the qualities of the WLA is unlikely. Overall, and subject to mitigation measures outlined in conditions requested by consultees the impacts upon any nearby designations will not be significant.
- 8.11 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. NatureScot has no objections to the proposed Habitat Management Plan.
- 8.12 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 detailed in the Natural Heritage section of this report the route passes through pockets of deep peat which are not easily avoided. NatureScot have acknowledged the efforts made by the applicant to avoid areas of deep peat in the design. The applicant's proposed method statement for dealing with areas of peat greater than 1m in depth have been assessed and considered acceptable by SEPA and NatureScot. Planning conditions would be used in respect of a final CEMP to ensure detailed measure are in place to avoid areas of deep pat or manage construction methods in them.
- 8.13 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 considered all heritage assets within 3km of the line and concluded that there will be no significant residual effects, as a result of the proposed development following the application of mitigation measures. HES have confirmed that potential impacts on the setting of one SAM identified at pre-application stage have been adequately addressed in the final proposal.

- 8.14 Policy 11 - Energy aims to encourage, promote and facilitate all forms of renewable energy development. 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.
- 8.15 The principal Highland-wide Local Development Plan 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. As the development would provide upgraded infrastructure for the transmission network and facilitate an increasing proportion of electricity generation from renewable sources, the principle of the development receives support under Policy 69, subject to site selection, design and overcoming any unacceptable significant environmental effects. In this regard, the site is not located within any identified nationally or regionally important areas of built or natural heritage. For features of national importance developments that can be shown not to compromise the natural environment, amenity and heritage resource can be supported. The impact of this development on landscape is primarily assessed in the Landscape and Visual Impact section of this report.
- 8.16 HwLDP Policy 36 Development in the Wider Countryside also 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, impact on carbon rich soil, as well as drainage and servicing implications.
- 8.17 The CaSPlan contains no specific policies or land use allocations relevant to this application and instead focusses on growth of larger settlements and supporting growth of smaller settlements in a manner that helps strengthen those communities and support sustainable rural community-led development.
- 8.18 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. 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.

Construction Impact

- 8.19 The construction of the line would be carried out in accordance with a Construction Environmental Management Plan (CEMP), the aim of which is to avoid, minimise and control adverse environmental impacts associated with the proposed development and ensure that development is carried out in accordance with best practice. General Environmental Management Plans (GEMPs) and Species Protection Plans (SPPs) have been developed to further inform construction management. In addition, the applicant has also committed to the appointment of an Environmental Clerk of Works (EnvCoW) to oversee the project. These provisions would also be underpinned by detailed planning conditions.
- 8.21 The applicant has sought working hours of 0700 to 1900 in the summer and 0730 to 1700 in winter, seven days a week. The Environmental Health Team note has noted this and advised that generally no audible noise would be expected on Sundays and Bank holidays at noise sensitive premises. The majority of the site is remote from noise sensitive receptors, and as such it is not expected that noise from construction works will have a significant impact. It is expected that the contractor/developer will ensure that the best practicable means for reducing the impact of noise will be employed, this can be secured via the CEMP. In addition, Section 60 of the Control of Pollution Act 1974 sets restrictions in terms of hours of operation, plant and equipment used and noise levels, amongst other factors, which is enforceable via Environmental Health. Any requirement to work outside of these hours requires prior agreement from The Highland Council.
- 8.22 Should the development be granted consent, a condition would require the setting up of a Community Liaison Group, this will help to ensure that the Community Council and other stakeholders are kept up to date and consulted before, during and after the construction period.

Design, Landscape and Visual Impact

- 8.23 There are no national, regional or local landscape designations covering the site. The proposal is predominantly located within the NatureScot Landscape Character Type (LCT) 135 -Rounded Hills – Caithness and Sutherland, with the southern end, closest to Invershin Substation, abutting and crossing into LCT 142 - Strath – Caithness and Sutherland. The development is not affected by any statutory landscape designations, however the northern 1.3km of the route lies within the Wild Land Area (WLA 34 – Reay- Cassley).
- 8.24 Three routing options were considered for the line, with one option being longer and crossing sensitive habitats, including SAC and SSSI, and the other involving more peat disturbance and interaction with wind farms. The chosen route presented fewer

environmental and technical constraints. Notwithstanding this, 12 alignment variations were assessed to avoid localised constraints, including cultural heritage, peat and forestry.

- 8.25 The Landscape and Visual Appraisal (LVA) submitted with the application is focused on a study area of 1.5km, beyond which the development is considered unlikely to result in any adverse effects. A Zone of Theoretical Visibility (ZTV) model has been produced, illustrating the worst-case scenario of the proposed development's theoretical visibility.
- 8.26 The LVA considered potential effects of the development during construction and during operation, after approximately 10 years, once reinstatement measures are assumed to have established. It considered landscape effects, visual effects and cumulative effects of the development. A total of eleven building-based visual receptors were assessed, seven route-based visual receptors, (four on the road network and three on core paths) on the surrounding road network. It concluded there would be some limited effects on landscape character and any designated sites, including some localised breaching of skyline, however that a managed pattern of forest cover along the route and the existing infrastructure around the Shin substation would accommodate the proposed line with limited perceptible change to landscape character.
- 8.27 The assessment of visual effects included effects experienced by residents, recreational users and those travelling by road within the study area. Small adverse effects on residents, recreational users and travellers were identified, but with all but one of these predicted to be Minor, and only one considered Moderate – a recreational trail which already passes through the existing Rosehall Wind Farm (Core Path SU21.02: Sike Trail Cycle Route). In respect of the effect on this route, which is also within the context of the wind farm, commercial forestry and felling operations, the proposed line is considered unlikely to have a very notable adverse effect on the visual amenity in the long term. None of these effects are predicted to lead to any notable reduction to visual amenity within the study area.
- 8.28 In respect of cumulative effects, only the consented Achany Wind Farm Extension was considered within the baseline for the appraisal. The proposed line is reliant on its construction and operation. The potential for cumulative effects with other developments proposed within the local area has been considered and is unlikely to lead to any increased levels of landscape or visual effect.
- 8.29 No other visual impacts above the one Moderate have been identified and overall, affects are not considered to be significant. Following examination, the applicants' assessment findings are accepted. Based on the methodology set out in the EA report, the appraisal of the landscape and visual impacts of the line is 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, it is concluded that there would be no significant landscape or visual effects arising from the proposed development.

Built and Cultural Heritage

- 8.30 The applicant identified inner and outer study areas in their assessment of impacts on built and cultural heritage. The outer area extends to 3km, where indirect effects may be possible and the majority of designated sites are screened from visual effects due to surrounding topography, with the exception of a cluster of heritage assets at the southeastern end of the line. These comprise four Scheduled Ancient Monuments (SMs) and three Listed Buildings (LBs). Within the inner (200m) study area three non-designated cultural assets were identified.
- 8.31 The assessment included policy review, desk-based evaluation, consultation with The Highland Council's Heritage Team and HES and site walkover surveys. As a result, a cluster of designated sites adjacent to the southeastern end of the line route were identified as potentially being vulnerable to some degree to indirect, visual effects. This comprises four SMs and two LBs. Three of the four SMs are considered to be well screened by existing tree cover. A number of non-designated sites were identified in the inner study area, three of which, all being hut circles were indicated as being at risk from direct effects. One previously unrecorded enclosure site that lies on the line route was also identified as being at risk from direct effects.
- 8.32 In terms of indirect impacts, HES raised a concern at pre-application stage about the setting of the Invershin Standing Stone – one of the SMs within the 3km outer study area. This lies approximately 0.8km southeast of the Shin Substation, at the line's southern end. In commenting on the application, HES advised they had no objections in terms of direct or indirect effects on built heritage assets or their setting. With regards to the Invershin Standing Stone, they noted that the proposed OHL may be visible within key views to the north of the stone where the rivers Shin and Oykel meet and where the stone was likely erected to reference significant routeways through the landscape. HES added that the visualisation supplied has demonstrated that, while the proposed OHL would be visible in views to the north of the monument, they would appear at a significant distance and at a relatively small scale, and as such, the proposals would not detract from the ability to understand, appreciate and experience the monument and therefore would not have a significant adverse impact on its setting.
- 8.33 Direct (physical) effects on three non-designated cultural heritage assets at the construction phase within the inner study area are predicted for three of the identified sites. The applicant proposes mitigation measures be agreed in advance of any groundbreaking work and be clearly set out in a Written Scheme of Investigation (WSI), agreed with THC and to be implemented by an Archaeological Clerk of Works (ACoW). Protection of all three non-designated sites in the inner study area that may experience direct effects from accidental damage during the construction phase is recommended. This would be in the form of identifying and clearly marking off with some form of barrier and appropriate signage, with exclusion zones extended as far as practicable out from the visible features of the sites. In addition, awareness of site workers to the significance and sensitivity of the archaeological exclusion zones would be raised through on-site toolbox talks.
- 8.34 The Council's Archaeologist agrees with the programme of archaeological mitigation measures proposed by the applicant however additional mitigation measures may be required and as such, the applicant will need to submit a detailed Written Scheme of Investigation to agree these works. A condition is proposed that

sets out the details of a required Written Scheme of Investigation (WSI) to be approved and implemented.

Water Environment and Peat

- 8.35 Section 7 of the EA Report deals with geology, hydrology and hydrogeology, which together form the water environment. A standalone peat depth and characterisation assessment has been completed and the potential effects on peat are set out in a Peat Landslide Hazard Risk Assessment (PLHRA) and Outline Peat Management Plan (PMP). A Schedule of Watercourse Crossings is also appended to the assessment. The scope of these assessments included a buffer area of 500m around the proposed line. This study area includes Grudie Peatlands SSSI, which forms part of the wider Caithness and Sutherland Peatlands SSSI, and lies mainly to the north and east of the proposed line. No development is proposed within the designated site or within its surface water catchments. The proposed development is not therefore considered to be hydraulically connected to the designated site. The River Oykel SAC is located in the south-west of the study area, approximately 425m west of the proposed connection to the Shin substation at its closest extent. The SAC has been designated for its Atlantic salmon and Kyle of Sutherland freshwater pearl mussel populations which are considered particularly sensitive to changes in water quality and the land on which the proposed development would take place drains to the SAC.
- 8.36 As noted, the application is supported by PLHRA which concluded that there are areas of medium to high risk of peat instability across the site. Most of which have been avoided. For those that it was not possible to avoid, the employment of mitigation measures is proposed in order to reduce the risk of peat slide to insignificant. These mitigation measures are set out in detail in the PLHRA. The Outline PMP prepared in respect of the application presents a pre-construction assessment of the expected peat extraction and reuse volumes associated with the works phase of the construction. The finalised line route has largely avoided extensive areas where peat is >1 m and efforts have been made in the design process to minimise the footprint of site infrastructure on peat >0.5 m as far as practicable. Where peat and peaty soils are to be excavated, re-used or reinstated, good practice principles in excavation, re-use, storage, transport, access tracks, handling and restoration will be deployed.
- 8.37 The development has been designed to provide peat balance, such that all excavated peat will be reused as part of the works, however further detailed investigation and refinement of the proposals will be required in the lead-in to and during construction. A detailed, construction phase PMP would be developed by the contractor and maintained by updating this plan in conjunction with a Geotechnical Risk Register. Both NatureScot and SEPA have commented that they welcome the efforts made to avoid deeper peat reserves. SEPA have noted that an area of deeper peat would be impacted where the route crosses the A839 road, and request that excavation is moved away from this area at finalised design stage. In addition, SEPA require that tracks in this location are of a floating/temporary type. These matters, and the requirement for a detailed PMP can be required by condition.
- 8.38 The SEPA Flood Mapping indicates that parts of the proposed line lies in areas of identified fluvial flood risk from upland watercourses, however neither SEPA nor the

Council Flood Risk Management Team have any objections on flood risk grounds. SEPA do request that there is no land raising associated with the construction of temporary and permanent access tracks and the final design of the watercourse crossings is to be agreed with them. Both these matters would be secured by condition. The applicant's EA proposes 10m buffer to watercourses for OHL foundations, however SEPA have requested that such buffers should be 15m wide for all excavation works, and request a planning condition in this respect.

- 8.39 THC database confirms that there are no private water supply sources within the study area. However further investigations by the applicant identified that one private water supply was potentially at risk from the development and a set of mitigation measures to protect the source of this supply during construction.
- 8.40 No other significant effects are identified in respect of the water environment and peat. The applicant proposes a range of mitigation measures to manage pollution risks, erosion and sedimentation and any risk of impacts on ground water and ground water dependant terrestrial ecosystems (GWDTEs). All of these would be detailed under the umbrella of a detailed Construction Environmental Management Plan (CEMP), which will require to approved and implemented by proposed conditions.

Natural Heritage

- 8.41 The proposed line does not pass through any statutory sites designated for nature conservation. As already noted, the Caithness and Sutherland Peatlands Special Protection Area (SPA), Ramsar site and Grudie Peatlands Site of Special Scientific Interest (SSSI) are located within 160m of the line. These areas are designated for a range of breeding upland species including divers, raptors, waders and wildfowl. The River Oykel SAC is located within 380m from the southeastern end of the proposed line as it reaches Shin Substation. The river is designated for its fresh water pearl mussels. The Strath Carnaig and Strath Fleet Moors SPA is located within 5.9 km from the line and is designated for breeding hen harrier.
- 8.42 Desk studies and field surveys were undertaken for identified ecological receptors including sites designated for nature conservation interests (both statutory and non-statutory), habitats, vegetation, and protected species and an appraisal of the potential effects of the proposed development on ecological receptors, along with suggested mitigation measures to avoid or reduce any potential effects is presented.
- 8.43 Due to the proximity to internationally designated sites and the presence of breeding qualifying species within proximity to the proposed works, without appropriate mitigation, there is potential for hen harrier and black grouse to be affected by the proposed development. As such, a Habitats Regulations Appraisal (HRA) has also been prepared in support of the application.
- 8.44 Habitats identified during the vegetation surveys include areas of blanket bog, wet heath, dry heath, acid flush, bracken, acid grassland and woodland plantation. Breeding hen harriers were identified during surveying for the EA. In terms of terrestrial mammals, signs of protected species recorded during surveys included those of otter, water vole, red squirrel, pine marten and structures with potential to support roosting bats.

- 8.45 Given the nature of the proposed development, permanent habitat loss would be very limited and restricted to the extent of the pole footprints, cable sealing end (CSE) structure, permanent access tracks and woodland felling to construct and operate the proposed development. The applicant proposes that pole locations and access tracks would be micro-sited within the Limits of Deviation (LoD), informed by habitat and peat probing surveys, in order to avoid sensitive habitats and deeper areas of peat as far as practicable. Temporary disturbance of habitats during the construction phase would be minimised by adherence to the site-specific Construction Environmental Management Plan (CEMP), which would include detailed methods of peat and soil management and reinstatement. Appropriate mitigation measures, such as track matting and bog boards would help to further minimise the potential for effects on sensitive habitats.
- 8.46 In addition, the CEMP would build in measures required by the supporting General Environmental Management Plans (GEMPs) and Species Protection Plans (SPPs). The applicant also proposes to undertake pre-construction surveys for protected species, any potential effects on protected species and their habitats.
- 8.47 Part of this includes an Ecological Clerk of Works (ECoW) being appointed to undertake pre-construction surveys for protected species and invasive non-native species, provide advice throughout construction and monitor compliance with environmental legislation and documentation (including GEMPs, SPPs and the site-specific CEMP).
- 8.48 As already noted, neither NatureScot nor SEPA object to the proposals in respect of impact on natural heritage. The Council's own Ecology Officer is also satisfied with the assessment and proposed mitigation in respect of protected species and ornithology. NatureScot support is dependent on the works being carried out strictly in accordance with a set of mitigation measures which already reflect those set out by the applicant. Without such mitigation, the development could have a significant effect on Atlantic salmon and fresh water pearl mussels in the River Oykel SAC, and on peatland, marsh saxifrage and otters in the Caithness and Sutherland SAC and SPA. The Scottish Government will require to carry out Appropriate Assessments in respect of these potential impacts, and taking account of the mitigation measures required by NatureScot.
- 8.49 A Biodiversity Net Gain (BNG) Assessment has been undertaken to assess the loss of biodiversity as a result of the proposed development. To compensate for the loss of peatland habitat, an area of degraded peatland is proposed to be restored, with details provided in an outline Habitat Management Plan (HMP).
- 8.50 A BNG Assessment has been undertaken by the Applicant, predicated on achieving a minimum of 10% net gain through habitat enhancement. This is proposed to be through the development and implementation of a Habitat Management Plan (HMP) with the aims of restoring degraded blanket bog to compensate for the loss of blanket bog habitat during construction. The implementation of restoration proposals would also have downstream benefits resulting from decreased erosion and runoff into the on-site watercourses and subsequently the River Cassley, part of the River Oykel SAC. The Council's Ecology Officer, whilst supporting the proposed approach to BNG considers there is a lack of detail to ascertain that a significant improvement of

biodiversity enhancement will be achieved in accordance with the 10% figure proposed and required by the Council's own guidance. As such they would object to this element of the proposal unless a condition is applied that requires a detailed HMP to be submitted demonstrating how the required standard of BNG will be achieved. This would require to be submitted and approved before development commences.

Forestry

- 8.51 The EA includes an assessment of effects on forestry. The proposed development has been designed to minimise woodland felling where practicable, however, construction will require the removal of sections of woodland, which would be undertaken in consultation with Scottish Forestry and affected landowners. Where possible, pole locations would be micro-sited to further reduce woodland removal. In addition, the project would seek to adhere to the Scottish Government's Control of Woodland Removal Policy. Any timber removed that is commercially viable would likely be sold and the remaining forest material would be used to achieve the best practicable environmental outcome. Compensatory planting will be undertaken for woodland removed as a direct result of the project.
- 8.52 The assessment has identified a variety of woodland types and age classes along the route, including areas of Ancient Woodland Inventory (AWI)¹, Native Woodland Survey of Scotland (NWSS)², and areas of commercial conifer plantation. The design of the route of the line has sought to avoid areas of sensitivity to mitigate woodland loss where practical and efforts are proposed to be made to further reduce the woodland loss at detailed design stage.
- 8.53 In total, 49.7 ha of woodland removal is anticipated to be required to create an Operational Corridor (OC) for the construction and operation of the OHL. This OC will typically be 72m wide and reduce to 60m wide within areas of broadleaf woodland. This includes felling required for the OHL itself, as well as permanent and temporary access tracks. Within this, the total permanent loss of areas of Ancient Woodland Inventory (AWI) would be 1.62 ha, whilst 1.36 ha of AWI would be felled to accommodate temporary access tracks, with these areas being replanted. Of the AWI to be felled, 0.88Ha are native broadleaf woodland.
- 8.54 Whilst the effects of woodland removal are predicted not to be significant by area and mitigation measures will be used, such as localised reduction of the OC and introduction of shrub planting within it, the applicant advises that they are in discussions with landowners regarding compensatory planting arrangements, subject to approval by Scottish Forestry. Their proposals are set out in a Compensatory Planting Management Strategy.
- 8.55 They propose to create 49.7 ha of new woodland planting through the management of a Compensatory Planting Scheme, to replace the 0.88 ha native broadleaved woodland and 48.82ha of mixed conifer woodland to be felled. It is proposed that a detailed compensatory planting and management plan would be submitted to Scottish Forestry and the Council as Planning Authority and shall include:
- details of the location(s) of the area(s) to be planted;

- the nature, design and specification of the proposed woodland(s) to be planted;
- the phasing and associated timescales for implementing the replanting scheme;
- proposals for the maintenance of the replanting scheme, including annual checks, replacement planting, fencing, ground preparation and drainage; and
- proposals for reporting to the Planning Authority on compliance with timescales for obtaining the necessary consents and implementation of the Replanting Scheme.

8.56 These provisions would be subject to a proposed condition that would require these plans to be approved and fully implemented and thereafter maintained. This approach accords with the advice from the Council's own Forestry officer.

Roads, Transport and Wider Access

8.57 It is anticipated that the contractor would identify a single main compound area, with a safe area for parking away from the public road and construction access would utilise existing forestry or estate tracks or the consented Achany Wind Farm Extension access tracks where possible for the duration of the anticipated 23 months construction period. No abnormal loads are expected to be required for construction and a set of traffic mitigation measures is proposed to be submitted and approved before works commence on site. Final details of all such arrangements would be subject to approval of the Council and Transport Scotland, via a condition requiring a CTMP.

8.58 Two sections of new permanent access track would be anticipated to be required: One section of 100m is required to facilitate access to the CSE structure from the consented Achany Wind Farm Extension access track; the other 1.5km section is required to gain access to bird flight diverters on the OHL, north of Linsidemore. These would be constructed at 5m wide, and then reduced to 3m wide after construction of the line.

8.59 Where no existing tracks can be used, temporary (likely trackway) access routes would be required. Where the existing ground provides the appropriate bearing capacities, the new accesses would be constructed on-formation. Where the existing ground does not provide the appropriate bearing capacities and / or where peat is located, these would likely be floated on top of the soft ground. Other access by low ground pressure vehicles may be required between poles. Such access would not require formal tracks as access would either be via tracked vehicles or temporary trackway systems in boggy / soft ground areas as required.

8.60 Both Transport Scotland and the Council's own Transportation Planning Service would require a detailed CTMP to be submitted and approved before works commence on site, and fully adhered to during the construction phase. The developer will also be required to enter into a Section 96 (Roads Scotland Act) Agreement including lodging of a suitable bond with the Council where there is significant increase in HGV traffic (or cumulative increase in traffic due to concurrent construction over length of local public road). The direct impact of light vehicles and

particularly of heavy goods vehicles on parts of the network may be significant and should be mitigated. As such, detailed assessment is required prior to any abnormal load movement. The developer is advised to progress this element promptly, in consultation with the Council's Structures Team.

Economic Impact

- 8.61 The development of grid infrastructure has been identified as a national priority together within investment in renewable energy. The development presented within this application are not only beneficial in strengthening the robustness of the country's grid network, but also result in further job and investment opportunities through the development of associated supply chains.
- 8.62 The development is required to facilitate the connection of the consented Achany Wind Farm Extension to the national grid, which will allow the export of electricity generated to consumers. The relationship of the development to the economic and social benefits of renewable energy developments is therefore relevant, in a positive way.
- 8.63 The Highlands is experiencing significant construction activity in the transmission network. The approval of the proposed development would have a positive economic impact, particularly during the construction period, although significantly less impact at the operational stage. There is also likely to be some adverse effects caused by construction disruption and construction traffic. These adverse impacts are most likely to be within the service sector particularly during the construction phase when additional traffic, HGVs and / or abnormal loads are being delivered to site. These will be temporary in nature.
- 8.64 NPF4 Policy 11, and 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 can be 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.
- 8.65 In June 2024 the Council published its Social Value Charter for Renewables Investment. This has been brought to the applicant's attention. Owing to the nature of this document relating to community benefit, which is voluntary in nature, whilst the applicant has not provided a response to the charter to date, this is not deemed to be a material planning consideration. In addition, the UK Government has since published further guidance on Community Funds for Transmission Infrastructure which the applicant is expected to follow. The applicant has confirmed that this project would be eligible for community benefit funding. And the community benefit would be £200K per km and half of this would be allocated for local communities who the applicant would work together with to identify opportunities.

Other Material Considerations

- 8.66 There are no other material considerations.

Non-material considerations

- 8.67 None raised.

Matters to be secured by Legal Agreement / Upfront Payment

- 8.68 If any compensatory planting or habitat enhancement is to take place on land located outside the application site and not under the ownership of the applicant, we may require a tri-party legal agreement to first be secured between the applicant, the landowner and the Planning Authority. This requirement is subject to progress being made with the applicant concluding a Memorandum of Understanding with The Highland Council.
- 8.69 A condition is also required to secure a Construction Traffic Management Plan (CTMP) supported by a formal "Wear and Tear Agreement" in accordance with Section 96 of the Roads (Scotland) Act 1984.

9. CONCLUSION

- 9.1 The proposed development consists of the construction of a new 132 kV OHL connection supported on trident wood poles approximately 16 km in length running from the consented Achany (extension) Wind Farm to the existing Shin substation. Subject to the application of appropriate conditions, it is considered that the impact of the proposed development can be appropriately managed.
- 9.2 The Highland Council submitted an initial objection to the application, ahead of concluding a full assessment of the proposed development with the full benefit of responses from key consultees. The Highland Council has now determined its response to this application against the policies set out in the Development Plan, principally NPF4 Policy 11 and HwLDP Policy 69. Given the above analysis, the environmental impacts of the development are considered to be acceptable and can be adequately mitigated or off-set by appropriate planning conditions. As such, the proposal has been found to be in accordance with the Development Plan.
- 9.3 Schedule 9 of the Electricity Act requires sets out what an applicant shall do in relation to the preservation of amenity. It is considered that the proposal has had regard to the desirability of preserving natural beauty of the local area and through the design process, has sought to mitigate effects of the development wherever possible.
- 9.4 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

10. IMPLICATIONS

- 10.1 Resource: Not applicable

- 10.2 Legal: If the committee determine that an objection should be maintained to the application, the application may be subject to a Public Local Inquiry prior to determination by Scottish Ministers.
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before consultation N response is issued

It is recommended to **RAISE NO OBJECTION** to the application, thereby withdrawing the Council's initial objection, and subject to the following 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 on 6th June 2025.

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-sighting**

All poles shall be constructed in the locations shown in Figure 3.1a – of the proposed development Environmental Appraisal received by the Planning Authority on 6th June 2025.

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 the average height of all proposed poles not exceeding 12m, with an overall vertical limit of Deviation (LoD) of 20%.

c) No excavations into areas of deeper peat than shown on the approved drawings.

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. The updated drawing requires to specify areas where micro-siting has taken place and, for each instance, be accompanied by copies of the EnvCoW approval or other technical justification.

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

5. **Pre-construction survey**

- i. A pre-construction survey is required to be undertaken not more than 3 months prior to works commencing and a report of the survey has been submitted to, and approved in writing by, the Planning Authority.
- 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.
- iii. 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 must be submitted for approval to the Planning Authority for approval prior to the commencement of work. These should include:

- a) Otter
- b) Water vole
- c) Red Squirrel
- d) Pine Marten
- e) 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. **Breeding Bird Protection Plan**

There shall be no Commencement of Development until a Breeding Bird Protection Plan has been submitted to and approved in writing by the Planning Authority in consultation with NatureScot. This shall include:

- a) The specific bird species protection plan (BSPP) for hen harrier to be developed by the ECoW prior to construction starting;
- b) The avoidance of works within the open area north of Linsidemore between poles 140 and 171 from the beginning of March to end of August.
- c) Line marking on the overhead line between poles 141 and 161 using reflective Bird Flight Diverters (BFDs) and spaced at 5m intervals. To be maintained for the duration of the operational period.

Thereafter, the approved Plan shall be implemented in full within the timescales set out in the approved Plan.

All of the above pre-construction checks should be carried out by a competent and suitably qualified ornithologist.

Reason: In the interests of protecting ornithological interests through the construction and operation of the Overhead Line Connection.

8. **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 must 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 EIA Report 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. the Breeding Bird Protection Plan under Condition 7;
- v. Peat Management Plan under Condition 9;
- vi. the Habitat Management Plan under Condition 10;
- vii. the Biodiversity Enhancement Plan under Condition 11; and
- viii. the Construction Environmental Management Plan under Condition 13.

- b) 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
- c) 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.

9. **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:

- a) 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, and specifically detail to avoid deeper peat in the vicinity of the A839 road crossing.
- b) Demonstration of adhering to recognised best practice including microsites, 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
- e) Mitigation extending to other sensitive habitats that are present along the line route which lie on peat/carbon-rich soils.

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.

10. **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 approval in 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.

11. **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 must 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.

12. **Compensatory Woodland Plan**

a) Within 18 months of the commencement of development a woodland planting scheme to compensate for the removal of 49.7 hectares of existing woodland ("the Replanting Scheme") has been submitted to and approved in writing by the planning authority.

b) The Replanting Scheme shall provide:

- i. details of the location of the area(s) to be planted, including a map and description of current land use;
- ii. the nature, design/layout, species composition, purpose and specification of the proposed woodland to be planted;
- iii. the phasing and associated timescales for implementing the Replanting Scheme;
- iv. proposals for reporting to the Planning Authority on compliance with timescales for obtaining the necessary consents and thereafter implementation of the Replanting Scheme;
- v. proposals for the maintenance and establishment of the woodland to be planted, including annual checks, replacement planting, fencing, ground preparation and drainage; and
- vi. details evidencing compliance with The UK Forestry Standard and the Scottish Government's Policy on Control of Woodland Removal (as amended or replaced from time to time).

c) The Replanting Scheme approved under part (a) of this condition shall be implemented in full, unless otherwise agreed in writing by the planning authority.

Reason: To protect Scotland's woodland resource.

13. **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 February 2025, 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 GWDTE, 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;
- i) 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
- l) Construction Method Statement for any watercourse crossings.
- m) Riparian buffers of not less than 15m from any watercourse for all excavation work.
- n) No land raising associated with the construction of temporary and permanent access tracks.
- o) Final design of watercourse crossing to be agreed with SEPA and to ensure no flood risk associated construction.

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.

14. **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 assessment should 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 should 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.

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

- a) Structural surveys of all culverts and bridges along construction access routes and a schedule of mitigation works which shall consider the need for localised strengthening of culverts, bridges and 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 should be considered. During the delivery period of construction materials any additional signing or temporary traffic control measures deemed necessary due to the size or length of any loads being delivered or removed must be undertaken by a recognised Quality Assured traffic management consultant, to be approved by 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 conveying of larger / heavier commercial goods vehicles along local public roads and avoid conveying;
- 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;
 - h) 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 must 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;
 - l) 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) 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.

16. **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 should 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 may 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.

17. Site Access

No development shall commence until full details including fully dimensioned and annotated plans of the location and design of site accesses with the public road have been submitted to, and approved in writing by, the Planning Authority. Such details shall include:

- i. carriageway and verge widths;
- ii. junction radii geometry with swept path analysis to demonstrate the access can accommodate the largest vehicles anticipated to use it;
- iii. at least the first 6m of the access from the edge of the public road to be surfaced with a bound bituminous material;
- iv. any amendments to the public road drainage arrangements; and,
- v. suitable visibility splays in both directions from 2.4m setback from the carriageway edge.
- vi. Overhead line and access construction and reinstatement phasing plan.
- vii. Details of access reinstatement and phasing.

Thereafter, the construction and reinstatement of access shall be carried out fully in accordance with such approved details, unless otherwise approved in writing by the Council.

Reason: In the interests of road safety and in accordance with the applicable standards.

18. Archaeology

No works in connection with the development hereby approved shall commence unless an archaeological Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the Planning Authority and a programme of archaeological works has been carried out in accordance with the approved WSI.

- i. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any

updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. The WSI and programme of archaeological works shall be implemented as approved; and

- ii. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be occupied or brought into use unless a Post-Excavation Research Design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the Planning Authority. The PERD shall be carried out in complete accordance with the approved details.

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

19. **Aviation Charting and Safety Management**

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

- a) the date of the commencement of the erection of the poles;
- b) the maximum height of any construction equipment to be used in the erection of the poles;
- c) the date the poles and overhead lines are brought into use;
- d) the latitude and longitude and maximum heights of the poles.

The Ministry of Defence must be notified of any changes to the information supplied in accordance with these requirements and of the completion of the construction of the development.

Reason: To maintain aviation safety.

20. **Community Liaison Group**

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

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

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

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

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

21. **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.

22. **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 Report received by the Planning Authority 6th June 2025. The Scheme shall include the following:

- a) Details of how the staff/employment opportunities at the development will be advertised and how liaison with the Council and other local bodies will take place in relation to maximising the access of the local workforce to information about employment opportunities;
- b) Details of how sustainable training opportunities will be provided for those recruited to fulfil staff/employment requirements including the provision of apprenticeships or an agreed alternative;
- c) A procedure setting out criteria for employment, and for matching of candidates to the vacancies;
- d) Measures to be taken to offer and provide college and/or work placement opportunities at the development to students within the locality;
- e) Details of the promotion of the Local Employment Scheme and liaison with contractors engaged in the construction of the development to ensure that they

also apply the Local Employment Scheme so far as practicable having due regard to the need and availability for specialist skills and trades and the programme for constructing the development;

- f) A procedure for monitoring the Local Employment Scheme and reporting the results of such monitoring to The Highland Council; and
- g) A timetable for the implementation of the Local Employment Scheme.

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

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

REASON FOR DECISION

It is considered that the proposal has had regard to the desirability of preserving natural beauty of the local area and through the design process, has sought to mitigate effects of the development wherever possible. 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.

Signature:	Dafydd Jones
Designation:	Area Planning Manager – North
Author:	Grant Baxter
Background Papers:	Documents referred to in report and in case file.
Relevant Plans:	
Plan 1	- Location Plan - Drawing 1220-10-EA-1.1-1.0.0
Plan 2	Overview of Proposed Development – Drawing 1220-10-EA-1.2 – 1.0



Per: Joyce Melrose
The Scottish Government
Energy Consents Unit
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Please ask for: Grant Baxter
Direct Dial: 01463 702000
E-mail: grant.baxter1@highland.gov.uk
Our Ref: 25/01906/S37
Your Ref: ECU00004847
Date: 16 July 2025

By email only to: joyce.melrose@gov.scot; Econsents_Admin@gov.scot

CC: James.JH.Harris@sse.com

Dear Joyce,

HIGHLAND COUNCIL REFERENCE: 25/01906/S37

DEVELOPMENT: Achany Windfarm Connection - Install and keep installed approximately 210m of 132kV overhead line (OHL) between the consented Achany Wind Farm Extension on-site substation and the operational Shin substation - Land 3200M NE Of Glencassley Castle, Rosehall – ECU00004847

The Highland Council was consulted by your office on the above Section 37 Application on 15 May 2025. We wrote to the applicant on 29th May 2025 requesting that the period of time for determining the application is extended until 1st October 2025. To date, we have not received a response from the applicant on that request. As such, this letter seeks to convey the response of The Highland Council within the target date of 17th July 2025.

Further to reporting the Case Officer's ongoing assessment of the application to the Chair of North Planning Applications Committee (NPAC), we can confirm that based on the submission made to date, the Council **RAISE AN OBJECTION** to the application for the following reasons:

1. The application does not accord with the provisions of Section 37 of the Electricity Act 1989 as it has not demonstrated that sufficient regard has been given to reasonably mitigating of the development impacts as required by Policy 11 e) of NPF4, in respect of impacts on communities and individual dwellings, including residential amenity and visual impact, landscape and visual impacts, public access, including impacts on core paths, impacts on road traffic, impacts on the historic environment, impacts on biodiversity including birds, impacts on trees, woods and forests and cumulative impacts. The proposed development does not accord with Policy 3 of NPF 4 insofar as it has not been adequately demonstrated that the biodiversity and nature networks of the site will be enhanced such that they are in a demonstrably better state than without intervention. The proposed development does not accord with Policy 4f) of NPF4, insofar as it does not adequately demonstrate that the proposal will not have a

significantly detrimental effect on protected species and sensitive ornithological interests; and also does not accord with Policy 6c) of NPF4 by not adequately demonstrating compliance with the Scottish Government's Control of Woodland Removal Policy or that adequate compensatory planting will be delivered. Consequently, the proposal is contrary to the provisions of the Highland-wide Local Development Plan policies 28, 51, 56, 57, 58, 59, 60, 61, and 67, and associated Supplementary Guidance.

Detailed assessment of the application will be presented in due course within the Officers' Report on Handling that will be considered by elected members of the North Planning Applications Committee (NPAC). The report may include more refined reasons for objection or a recommendation to raise no objection depending on the how the applicant responds to outstanding issues raised by internal THC consultees, and in light of all other material considerations. The detailed report of the handling will also set out details of other material considerations pertinent to the determination of the application.

In terms of progress made with the application to date:

- We await formal THC internal consultee responses from our Access Officer, Development Plans, Ecology, Forestry, Conservation, Archaeology and Landscape Officer.
- The Transportation Team has advised that there is insufficient information to assess the transport impact of the development, in the absence of a Construction Phase Traffic Management Plan, Transport Statement, Schedule of Transport Related Works, location of new access tracks and structure checks on bridges and culverts.
- The Flooding Team has no comments to make on the application.
- The Environmental Health Team has advised that the applicant shall ensure that the route of the overhead line has identified any noise sensitive properties. The guidance Document 5.3.14H ES Chapter 14 Appendix 14H - National Grid Technical Guidance Note TGN(E)322 (2021) provides a methodology for operational noise from overhead lines.

As such, Officers are minded that the proposed development cannot be supported.

We understand that the following range of options remain open to the applicant:

- i. provide additional information;
- ii. make amendments to the proposal;
- iii. proceed to Public Local Inquiry; or
- iv. withdraw the application.

Officers note that adopting this position at this stage does not preclude the Council's right to withdraw its objection at a later date pending further detailed review of the proposal, whether as submitted, or, potentially as revised.

Once presented to NPAC, the detailed Report of Handling will be made available to the Energy Consents Unit by no later than seven days following the committee decision. The minute of the meeting shall also be made available on the Council's website via the following weblink:

https://www.highland.gov.uk/meetings/committee/36/north_planning_applications_committee

All letters of representation received by The Highland Council shall be made available on our ePlanning webpage for your consideration.

Please do not hesitate to contact me if you would like to discuss the contents of this letter.

Yours Sincerely,

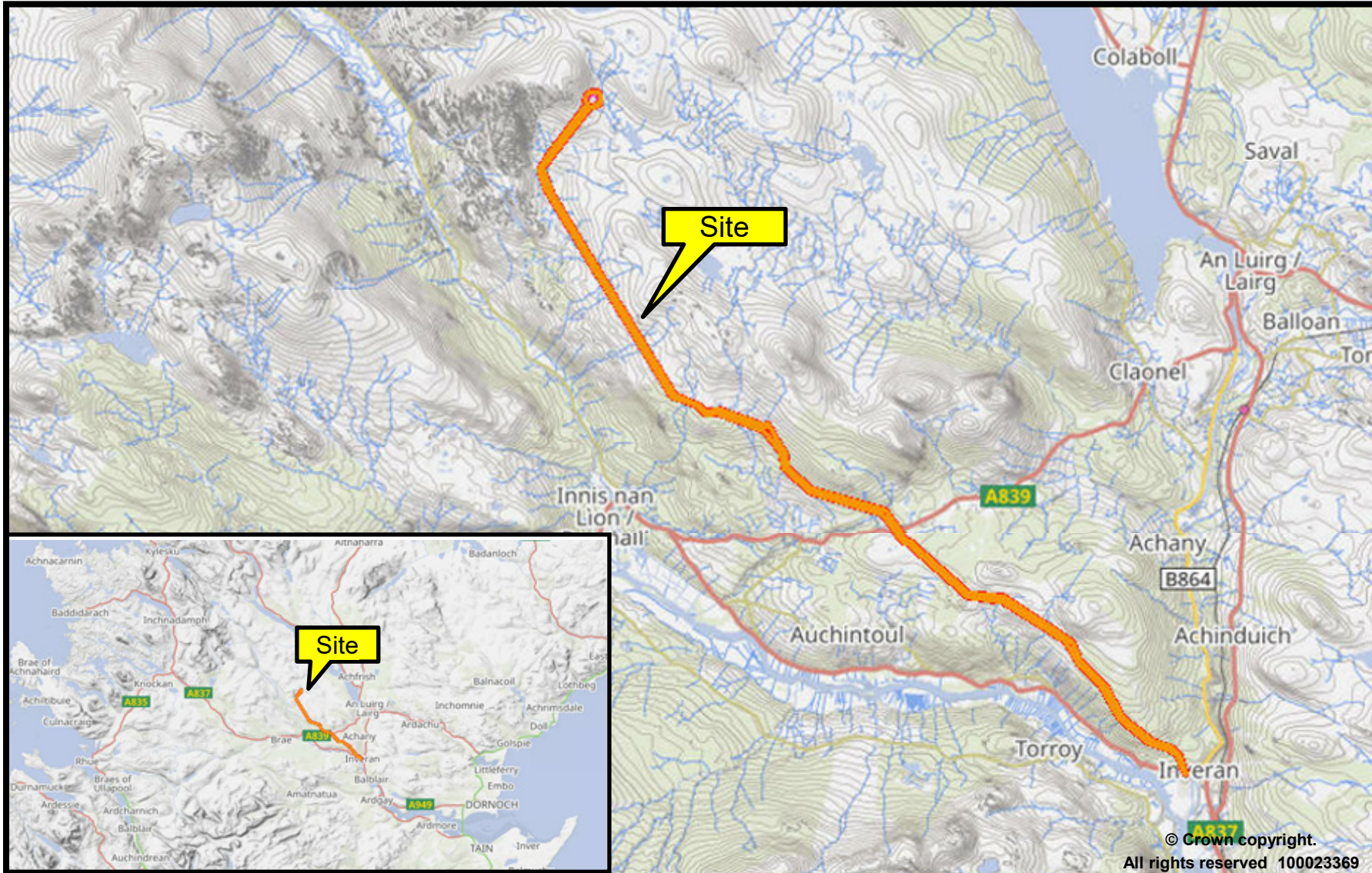
Grant Baxter

Principal Planner – Strategic Projects Team

ePlanning Centre, The Highland Council, Glenurquhart Road, INVERNESS IV3 5NX

Email: eplanning@highland.gov.uk

LETTER



25/01906/S37

Achany Wind Farm Connection - Install and keep installed approximately 210m of 132kV
 overhead line (OHL) between the consented Achany Wind Farm Extension on-site
 substation and the operational Shin substation at land 3200M NE of Glencassley Castle,
 Rosehall



