Agenda Item	8.7
Report No	PLN/068/25

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 26 November 2025

Report Title: 25/02512/FUL: NKT HVC Ltd

Land 210M NE Of Tigh Ard

Gelshfield

Halkirk

Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: Construction of two temporary access points, to provide access to the

cable corridor for construction vehicles associated with the LT360

Spittal to Peterhead High Voltage Cable project

Ward: 03 - Wick And East Caithness

Development category: Local development

Reason referred to Committee: Objections received from five separate households

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

Recommendation

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

1. PROPOSED DEVELOPMENT

- 1.1 This planning application is for the construction of two temporary access junctions (project references AP19 and AP20) on the A882 near Gelshfield Road, Halkirk. These are proposed to facilitate entry for construction vehicles associated with the installation of the Spittal to Peterhead high voltage underground and subsea cable connection. The cable connection forms part of the Accelerated Strategic Transmission Investment (ASTI) Framework, which sets out the Government's ambition to connect up to 50GW of offshore generation to the electricity network by 2030 to meet renewable energy targets.
- 1.2 The two vehicle accesses form part of a number of proposed new temporary access junctions needed to gain access to the cable corridor's working area. Whilst the works associated with laying the underground cable have Permitted Development rights, planning permission is however required for any new junction with the public road network.
- 1.3 The temporary accesses will be formed using compacted aggregate or similar materials suitable for heavy construction traffic, with the initial 5m length of each access off the existing road carriageway being surfaced in asphalt. The access points will enable vehicles to enter and exit the cable corridor safely and efficiently with the junction having a running width of 7.3m. The junction's design also includes a 1.2m high security gate set 20m back from the road, boundary stockproof post and wire fencing and formation of embankment works. All works are temporary in nature and are expected to be removed with the land reinstated following completion of the cable installation.
- 1.4 This specific aspect of the proposal forms a local development, whereby there is no statutory Pre-Application Consultation (PAC) requirements. The wider cable project has however been subject of pre-application discussions with the Planning Service.
- 1.5 Supporting Information: Planning Statement
- 1.6 Variations: 8 September 2025 Two access points marginally relocated to introduce a 50-metre stagger distance, as advised by Transport Planning Team.

2. SITE DESCRIPTION

- 2.1 The 0.14ha application site lies in a predominantly rural setting characterised by open agricultural land, gently undulating terrain, and sparse residential development. The surrounding landscape is typical of the Caithness area, with expansive fields bordered by post-and-wire fencing and occasional shelterbelt planting. The land required to be disturbed is currently used for agricultural purposes. There are no significant built structures on the immediate site. The topography is relatively flat, which is conducive to temporary construction access, and the site is not within any designated conservation or protected landscape area.
- 2.2 Vegetation on site is minimal, primarily consisting of grassland typical of managed farmland. There may be drainage ditches or minor watercourses in the vicinity,

which should be considered in any construction or environmental management plans. The nearest residential property is 'Tigh Ard', located approximately 200 metres to the south of the proposed access points. No other dwellings are immediately adjacent to the site, and the surrounding area is sparsely populated.

- 2.3 The related cable link is one of two known underground HVDC cables planned in this wider area:
 - This application's related cable link is designed to transport renewable energy from the north of Scotland to areas of higher demand, supporting the UK's transition to net zero. The wider associated project includes a 150km subsea HVDC cable between Spittal and Peterhead, new converter stations at both ends, and associated land-based infrastructure including temporary access routes and junctions to facilitate construction; and
 - The other project is Ayre Offshore Wind Farm (25/02964/PIP) which comprises a cable landfall and substation, with that application pending consideration at present.
- 2.4 The two accesses applied for are project references AP19 and AP20, located close to the proposed Banniskirk substation and converter station, with the cable's proposed underground corridor alignment running east to west towards Sinclair's Bay, as shown in Figure 1.



2.5 The Ayre Offshore Wind Farm proposed cable corridor follows a similar alignment, albeit routed further to the north to avoid crossover conflict, before reaching a similar landfall location, as shown below in Figure 2. Owing to the Ayre Offshore Wind Farm's cable connection proposed to be undertaken by a private company, rather than SSEN as network operator, it requires planning permission and is intended to be reported to committee in Q1 2026. That project indicates 25 further temporary construction access points may be required. Officers expect this to be rationalised through applying to utilise any consented nearby SSEN cable access points and potentially utilising these for a longer period of time should that

be necessary. Such an approach will be pursued by officers in the ongoing assessment of Ayre Offshore Wind Farm's Planning Permission in Principle application.

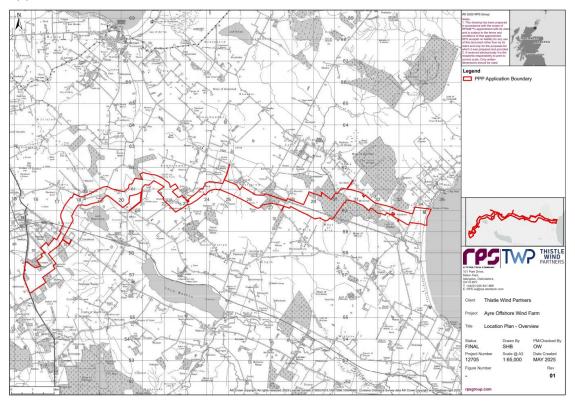


Figure 2 – Ayre Offshore Cable Corridor Location Plan

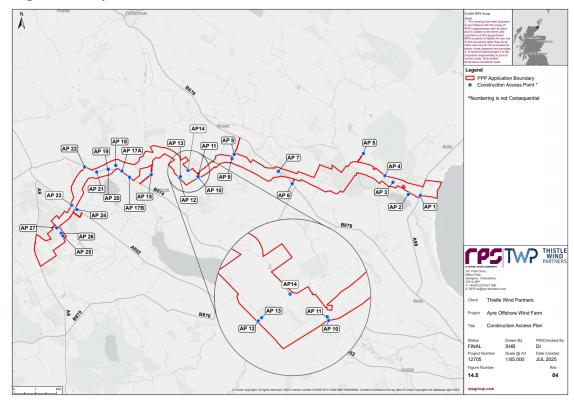


Figure 3 – Ayre Offshore Cable Corridor – Construction Access Points

3. PLANNING HISTORY

- 3.1 No site-specific planning history.
- 3.2 Pertinent planning history associated with the wider onshore elements of the cable corridor:

Received 21.11.2024	24/04898/FUL – Banniskirk Substation - Erection and operation of an Air Insulated Switchgear 400kV substation and HVDC converter station with associated buildings, installation of new platforms, drainage infrastructure, temporary construction compound, landscaping, mounding and other ancillary works	Pending consideration
Received 09.07.2025	25/02353/FUL – (Project Refs AP01 and AP02) Formation of two temporary junctions for construction vehicle access, to enable underground electricity cabling works associated with the Spittal to Peterhead High Voltage Cable project.	Pending consideration
Received 23.07.2025	25/02507/FUL – (Project Refs AP06, AP08 and AP09) Construction of three temporary vehicular access junctions of the B876 Killimster Road	Pending consideration
23.10.2025	25/02770/FUL – (Project Ref AP12) Construction of a temporary access junction off the B870 to facilitate access for construction vehicles associated with the LT360 High Voltage Cable project for a temporary period.	Planning Permission Granted
Received 28.07.2025	25/02778/FUL - (Project Ref AP13) Construction of temporary junction (LT360 High Voltage Cable project)	Pending consideration
Received 05.08.2025	25/02782/FUL - (Project Refs AP14 and XP11) Construction of temporary junction to B874 (LT360 Spittal to Peterhead Project)	Pending consideration
Received 02.09.2025	25/03260/PNO - Regulation 62 application to carry out development comprising construction of an underground cable between Spittal (Caithness) to Sinclairs Bay (Caithness)	Pending consideration
Received	25/03443/FUL - (Project Ref AP00)	Pending

16.09.2025 Formation of temporary accesses to A99 consideration

Spittal to Peterhead high voltage cable

3.3 Pertinent planning history associated with the nearby Ayre Offshore Wind Farm connection:

Received 25/02964/PIP - Ayre Offshore Wind Farm - 20.08.2025 construction of onshore transmission

Pending consideration

infrastructure comprising cable landfall, substation, cable circuits, temporary construction areas, access, drainage, landscaping and associated infrastructure

4. PUBLIC PARTICIPATION

4.1 Advertised: John O'Groat Journal, 'Unknown Neighbour'

Date Advertised: 18 July 2025

Representation deadline: 1 August 2025 Readvertised: 12-26 September 2025

Timeous representations: 5 representations from 5 households.

Late representations: None.

4.2 Material considerations raised are summarised as follows:

 Perceptions of prematurity and salami-slicing with the current application not included in the wider development's EIA or cumulative impact assessment.

Officer response: The EIA and Further Environmental Information provided with Banniskirk substation provides details and cumulative assessment which includes the intended cable corridor. A Marine Environment Assessment was also submitted to the Marine Directorate, containing a Cumulative Impact Assessment relating to other nearby offshore wind farms. The related cable works are not considered to be EIA Development in terms of the Electricity Works (EIA) Regulations or the Town and Country Planning (EIA) Regulations, given that underground cabling is to be undertaken by a statutory undertaker and is not Schedule 1 or Schedule 2 development. Similarly, the application for the two junctions also do not constitute EIA Development, as it is not Schedule 1 development or Schedule 2 development, with the area of the being below 0.5ha is size.

• Doubt expressed over whether the overall development could be delivered under Permitted Development rights.

Officer response: noted – the project's underground cable works are classed as Permitted Development and do not require any Planning applications to be submitted. The subsea portion of the cable is however subject to a marine licence application and a statutory consultation

process.

• Limited supporting information – further information is requested, to assist with assessing cumulative impacts.

Officer response: amended drawings and a Road Safety Audit were requested by the Case Officer; comments from the Environmental Health Officer consider the need for a Construction Noise Assessment.

4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam.

5. CONSULTATIONS

- Transport Planning Team do not object to the application. The scheme forms 5.1 part of a larger project which may require an overview to ensure the road network operates as efficiently as possible. A Construction Management Plan should be developed to ensure movement on the road network is managed to satisfaction of The Road authority. The developer has provided a new drawing of AP 19 and 20 and a road safety audit as requested by Transport Planning. The drawing now shows an acceptable stagger distance between the two accesses. The Road Safety Audit covering the whole project has been prepared by the developer. This has been sent to THC for review. As this application relates only to access points 19 and 20, the Roads Authority has focused on comments relating to them. The audit has identified a number of changes to signing and road marking and the developer has agreed to makes these changes. The Roads Authority supports these changes. The developer is to prepare a Road Safety Audit (Stage 3) once the access points are constructed. The Roads Authority also seeks to ensure the developer removes any debris on the road near to the access point either when constructing it or when in operation and propose a condition to control mud or other debris on the road by either sweeping the road or installing wheel washing apparatus or both. The Roads Authority has no further comments to make on constructing the access points subject to the following:
 - 1. Work within the road will require a road opening licence (S56 agreement) this may be subject to a bond.
 - 2. Traffic orders will need to be prepared for the temporary 30 mph speed limit.
- 5.2 **Environmental Health Officer**: no objection. Planning conditions are not used to control the impact of construction noise as similar powers are available to the Local Authority under Section 60 of the Control of Pollution Act 1974. However, where there is potential for disturbance from construction noise the application will need to include a noise assessment. A construction noise assessment will be required in the following circumstances:

Where it is proposed to undertake work which is audible at the curtilage of any noise sensitive receptor, out with the hours:

- Mon-Fri 8am to 7pm
- Sat 8am to 1pm

• Where noise levels during the above periods are likely to exceed 75dB(A) for short term works or 55dB(A) for long term works. Both measurements to be taken as a 1hr LAeq at the curtilage of any noise sensitive receptor. (Generally, long term work is taken to be more than 6 months).

If an assessment is submitted it should be carried out in accordance with BS 5228- 1:2009 "Code of practice for noise and vibration control on construction and open sites – Part 1: Noise". Details of any mitigation measures should be provided including proposed hours of operation.

Regardless of whether a construction noise assessment is required, it is expected that the developer/contractor will employ the best practicable means to reduce the impact of noise from construction activities. Attention should be given to construction traffic and the use of tonal reversing alarms.

There are no objections or adverse comments regarding the application.

6. DEVELOPMENT PLAN POLICY

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

6.1 National Planning Framework 4 (2023)

- Policy 1 Tackling the Climate and Nature Crises
- Policy 2 Climate Mitigation and Adaptation
- Policy 3 Biodiversity
- Policy 4 Natural Places
- Policy 5 Soils
- Policy 13 Sustainable Transport
- Policy 14 Design Quality and Place
- Policy 18 Infrastructure First
- Policy 22 Flood Risk and Water Management
- Policy 23 Health and Safety

6.2 Highland Wide Local Development Plan 2012

- 28 Sustainable Design
- 29 Design Quality & Place-making
- 30 Physical Constraints
- 31 Developer Contributions
- 55 Peat and Soils
- 56 Travel
- 57 Natural, Built & Cultural Heritage
- 58 Protected Species
- 61 Landscape
- 63 Water Environment
- 64 Flood Risk
- 66 Surface Water Drainage
- 67 Renewable Energy Developments

69 - Electricity Transmission Infrastructure

72 - Pollution

6.3 Caithness and Sutherland Local Development Plan 2018 (CaSPlan)

There are no site-specific policies or allocations covering the application site.

6.4 Highland Council Supplementary Planning Policy Guidance

Biodiversity Planning Guidance (May 2024)

Developer Contributions (March 2018)

Flood Risk and Drainage Impact Assessment (Jan 2013)

Highland Historic Environment Strategy (Jan 2013)

Highland's Statutorily Protected Species (March 2013)

Highland Renewable Energy Strategy and Planning Guidelines (May 2006)

Physical Constraints (March 2013)

Sustainable Design Guide (Jan 2013)

7. OTHER MATERIAL CONSIDERATIONS

7.1 Other National 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)
- 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)

8. PLANNING APPRAISAL

- 8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

Planning Considerations

- 8.3 The key considerations in this case are:
 - a) Compliance with the Development Plan and Other Planning Policy
 - b) Siting and Design
 - c) Access and Visibility
 - d) Residential Amenity
 - e) Flood Risk and Drainage
 - f) Biodiversity
 - g) Any Other Material Considerations.

Development Plan / Other Planning Policy

- 8.4 NPF4 Policies 1-3 apply to all development proposals nationwide. When considering all development proposals, significant weight will be given to the global climate and nature crises. Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible. Development proposals must contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.
- 8.5 NPF4 Policy 5(c) states that "development proposals on peatland, carbon-rich soils and priority peatland habitat will only be supported for ... ii. The generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emissions reductions targets". Scotland's national scale land capability for agriculture map distinguishes the site to be predominantly Class 3.2 Land capable of average production though high yields of barley, oats and grass can be obtained. As such the application is not on prime agricultural land. Scotland's carbon and peatland map indicates that the site is of Class 0 mineral soil, typically containing no peat. Therefore, it is considered that the proposed development is acceptable in accordance with Policy 5 of the NPF4.
- 8.6 NPF4 Policy 11(a) states that "development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported. These include ... ii. enabling works, such as grid transmission and distribution infrastructure".
- 8.7 NPF4 Policy 13 Sustainable Transport places an emphasis on active travel and public transport and as such is not of direct relevance to the application under consideration. Part (a)(iii) however requires proposals to build in resilience to the effects of climate change this is discussed further under below headings 'Flood Risk and Drainage' and 'Biodiversity'.
- 8.8 NPF4 Policy 18 encourages an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking.
- 8.9 NPF4 Policy 22(a)(i) states that development proposals at risk of flooding or in a flood risk area will only be supported if they are for essential infrastructure where

the location is required for operational reasons.

- 8.10 NPF4 Policy 29 supports rural development which contributes to the viability, sustainability and diversity of rural communities, such as essential infrastructure.
- 8.11 HwLDP Policy 28 requires sensitive siting and high-quality design in keeping with local character and historic and natural environments, the use of appropriate materials and use of brownfield sites. This Policy also requires proposed developments to be assessed on the extent to which they are compatible with service provision, as well as their impact on individual and community residential amenity. Policy 29 repeats this emphasis on good design in terms of compatibility with the local landscape setting.
- 8.12 HwLDP Policy 64 obliges development proposals to avoid areas susceptible to flooding and promote sustainable flood management. Policy 66 requires all proposed development to be drained by Sustainable Drainage Systems (SuDS) designed in accordance with the latest guidance manuals.
- 8.13 The project receives in principle support under pertinent HwLDP Policy 69 Electricity Transmission Infrastructure which states:

Proposals for overground, underground or sub-sea electricity transmission infrastructure (including lines and cables, pylons/ poles and vaults, transformers, switches and other plant) will be considered having regard to their level of strategic significance in transmitting electricity from areas of generation to areas of consumption. Subject to balancing with this consideration, and taking into account any proposed mitigation measures, the Council will support proposals which are assessed as not having an unacceptable significant impact on the environment, including natural, built and cultural heritage features. In locations that are sensitive, mitigation may help to address concerns and should be considered as part of the preparation of proposals. This may include, where appropriate, underground or sub-sea alternatives to overground route proposals. Where new infrastructure provision will result in existing infrastructure becoming redundant, the Council will seek the removal of the redundant infrastructure as a requirement of the development.

Siting and Design

- 8.14 The proposed siting is acceptable, being required in this location for operational reasons pertaining to the onshore element of the Spittal to Peterhead project. The proposed development is also sought for a temporary period of up to four years, which is acceptable; site reinstatement is secured by an attached condition.
- 8.15 The Transport Planning Team has however initially requested a greater separation distance between the two proposed access points. The amended proposed access points' design is now considered to be acceptable and conforms to the required standards. The Transport Planning Team has furthermore confirmed that the proposed construction details of each access are acceptable. The proposed development forms only part of a wider scheme, sufficient detail of which has been outlined in the application. Aspects which would be implemented under Permitted Development rights do not fall within the assessment of this

application. For the aspects which do require planning permission, biodiversity enhancement measures are proposed to be secured by condition, with such replacement habitat usefully serving to soften and screen the proposed development, while providing a more permanent legacy.

Access and Visibility

- 8.16 The proposed access points are considered to be acceptable; the first five metres would be surfaced with asphalt, with the route thereafter covered by Type 1 aggregate. A security gate would be set back 20 metres from the public road. The access points initially would be 7.3 metres wide.
- 8.17 Visibility in either direction is considered to be ample, with well in excess of 215 metres visible in either direction, exceeding adopted minimum standards.
- 8.18 Further consents would also be required from the Roads Authority to secure a proposed temporary speed limit of 30mph for approximately 200 metres either side of the access points' location. This would not be problematic in Planning terms, however, requires to be assessed and permitted through a Temporary Traffic Regulation Order (TTRO).

Residential Amenity

8.19 No unacceptable impact is identified in terms of privacy, amenity, noise or overlooking as a result of the proposed development. No existing dwellings are located within a 200-metre radius of the proposed development. The Environmental Health Officer has requested a Construction Noise Assessment in the event of any operations taking place outwith certain time-related circumstances; it has however been deemed appropriate not to secure this information by condition, given the applicant's assurance that working times would be limited to within sociable hours, i.e. Mon-Fri 8am to 7pm, or Sat 8am to 1pm.

Flood Risk and Drainage

8.20 SEPA's Flood Risk Map (inc. future flood mapping) indicates that the application site is partially at low risk of surface water flooding (a 0.5% annual chance). SEPA's standing advice reads as follows:

Safe access and egress means a safe and flood free route, enabling the free movement of people of all abilities (on foot or with assistance) to a secure place outwith the flood risk area. NPF4 allows for some developments to go ahead in flood risk areas. This means by definition there is a risk to the development and in some cases redevelopments could continue to be at the same level of risk as they were before, including for their access and egress arrangements. Redevelopments are an opportunity to reduce risk as far as possible and the planning authority may wish to consider the continuing level of risk including to the access egress and make requirements/changes as appropriate.

8.21 The proposed development is considered to comply with NPF4 Policy 22, providing essential infrastructure relating to underground and subsea cabling. A

submitted Planning Statement states that the levels of the new junction(s) will be retained in line with the current topography. Permeable Type 1 surfacing material would also be utilised. Furthermore, mitigation is proposed in the form of a gravel filter drain along the low side of each access, of 300mm with and 400mm depth. This proposed arrangement is considered to accord with the principles of SUDS and so is supported.

Biodiversity

8.22 NPF4 Policy 3 requires all developments to accommodate biodiversity enhancement measures. No biodiversity enhancement measures have been specified in the application, however, while the likely removal of sections of existing roadside hedgerow would represent some biodiversity net loss (it is proposed to reinstate any removed hedgerow sections as part of the site's eventual reinstatement process). To this end, a landscaping plan is required by an attached condition to ensure inclusion of biodiversity enhancement measures. It is acknowledged that the red-line site boundary is rather compact, however it is considered that ample scope for biodiversity enhancement measures is available around the application site within the applicant's control, where future cabling works have indicatively been set out on submitted plans.

Other Material Considerations

8.23 None.

Non-material considerations

8.24 None.

Matters to be secured by Legal Agreement

8.25 The developer is expected to be required to enter into a formal Wear and Tear Agreement with The Highland Council, in accordance with Section 96 of the Roads (Scotland) Act 1984, with this separate legal requirement referred to within the Construction Traffic Management Plan condition.

9. CONCLUSION

- 9.1 The proposed development is considered to be acceptable having regard to the relevant provisions of National Planning Framework 4 (NPF4) and the Highland-wide Local Development Plan (HwLDP). The proposal supports national objectives relating to climate resilience, biodiversity enhancement, and renewable energy infrastructure, and is appropriately sited avoiding prime agricultural land area of deep peat. The temporary nature of the development, its operational necessity, and the commitment to site reinstatement further supports its acceptability. The design and layout of the access points meet technical standards with visibility splays being in excess of minimum requirements. While further consents are required for traffic regulation, these are procedural matters and do not present Planning concerns.
- 9.2 Environmental considerations have also been appropriately addressed. The site is identified as being at low risk of surface water flooding, and the proposed

drainage arrangements, including permeable surfacing and gravel filter drains, are consistent with Sustainable Drainage Systems (SuDS) principles and supported by SEPA guidance. Although initial biodiversity impacts may arise from hedgerow removal, these are mitigated by reinstatement and a landscaping condition requiring enhancement measures. The compact nature of the application site boundary does not preclude meaningful biodiversity gains, particularly in the context of wider works to be pursued under Permitted Development rights. No unacceptable impacts are identified in terms of privacy, amenity, or noise, and working hours have been limited to sociable times. Overall, the proposal represents a component of strategic infrastructure delivery and is recommended for approval, subject to the recommended conditions.

9.3 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: Not applicable
- 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 decision issued - None

It is recommended to **GRANT** the application subject to the following conditions and reasons:

 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 THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

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

2. Planning permission is hereby granted for a temporary period only and shall cease to have effect on 30 November 2029 (the 'cessation date'). Prior to the cessation date, the application site shall be cleared of all development approved under the terms of this permission (excluding any biodiversity enhancement measures but including any subsequent ancillary works, infrastructure, fixtures,

fittings and any temporary developments permitted under Class 14 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended)) and reinstated to its former condition, to the satisfaction of the Planning Authority.

Reason: In recognition of the temporary nature of the proposed development, to enable the Planning Authority to reassess the impact and necessity of the development after a given period of time and secure removal and restoration.

- 3. There shall be no commencement of development until a Landscape Plan has been submitted to and approved in writing by the Planning Authority. This shall quantify and map the extent and quality of habitat losses, direct and indirect areas of disturbance, and biodiversity impact associated with the development proposals. 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.
 - (1) Within 18 months of the commencement of development, the applicant shall submit a finalised Landscaping Plan for the writing by the Planning Authority. The finalised Landscape Plan shall set out proposed habitat management of the site including all mitigation, compensation and enhancement measures, during the period of construction and post site restoration. 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.
 - (2) Any trees or plants which within a period of five years post planting die, or 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 Landscaping Plan shall be implemented in full.

Reason: In the interest of biodiversity enhancement and visual amenity.

- 4. No development shall commence on site until a Construction Traffic Management Plan (including a routing plan for construction vehicles), has been submitted to, and approved in writing by, the Planning Authority in consultation with the Roads Authority. The CTMP shall include:
 - a) A detailed review of the preferred route to the site for any abnormal indivisible loads (AlLs) 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.
 - b) Scheduling and timing of movements, respecting any large public event taking place in the local area which would be unduly affected or disrupted by construction vehicles using the public road network, avoiding the movement of commercial goods vehicles along the local public road network during the drop-off and pick-up times of the local schools;
 - c) Traffic management measures on the routes to site for construction traffic. Measures such as temporary speed limits, suitable temporary signage,

road markings and the use of speed activated signs and banksman/escort details should be considered. During the delivery period of construction materials any additional signing or temporary traffic control measures deemed necessary due to the size or length of any loads being delivered or removed must be undertaken by a recognised Quality Assured traffic management consultant, to be approved by the impacted Roads Authority before delivery commences;

- d) Appropriate steps to effectively coordinate traffic movements with other developments that could be impacting on the same construction access route as this proposal, avoid convoying of larger / heavier commercial goods vehicles along local public roads and avoid convoying;
- e) A procedure for the regular monitoring of road conditions and the implementation of any remedial works required during the construction period;
- f) Measures to ensure that all affected public roads are kept free of mud and debris arising from the development;
- g) Ensure that effective access can be provided to all existing properties and businesses who are also reliant on the roads impacted by this development;
- h) The provision of a wear and tear agreement under Section 96 of the Roads (Scotland) Act 1984 under which the developer will be responsible for the repair of any damage to the local road network attributable to construction related traffic. As part of the agreement, pre-start and post construction road condition surveys must be carried out by the developer to the satisfaction of the Roads Authority;
- i) Provisions for emergency vehicle access;
- j) A timetable for implementation of the measures detailed in the CTMP;
- k) Identification of quarries/suppliers for materials such as aggregate and concrete;
- Estimate of volume of and type of materials that must be imported for each site;
- m) Estimate of load size for each type of material;
- n) Estimate of the number of HGVs for each stage of construction;
- o) Dates for key activities within construction programmes for the proposed works along with the other schemes noted; and
- p) 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 that movement on the road network is managed to the satisfaction of the Planning Authority, in consultation with the Roads Authority, to exert minimal impact on road infrastructure in the local, and wider, area.

5. Within one month of each access being constructed and coming into first use, a Stage 3 Road Safety Audit shall be carried out in accordance with the Design Manual for Roads and Bridges (DMRB) GG 119 (or any subsequent relevant guidance) and submitted to the Planning Authority for review and approval. Any recommendations arising from the Stage 3 Audit shall be implemented in full within three months of the Audit's submission to the Planning Authority, unless otherwise agreed in writing by the Planning Authority.

Reason: In the interest of road safety.

REASON FOR DECISION

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

INFORMATIVES

Initiation and Completion Notices

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

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

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

Flood Risk

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

Scottish Water

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

Septic Tanks and Soakaways

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

Local Roads Authority Consent

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

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

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

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

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

Mud and Debris on Road

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

Construction Hours and Noise-Generating Activities

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

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

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

Protected Species – Halting of Work

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

Temporary Traffic Regulation Order

Temporary Traffic Regulation Orders (TTROs) are promoted under the Road Traffic Regulation Act 1984 for when roads or footways are temporarily to be closed, or when parking controls or speed limits are to be introduced. Applications are expected to be lodged at least six weeks in advance of the required restriction's date of commencement.

A TTRO application is subject to an initial £1568 fee (which includes the cost of advertising), with further fees charged for weekly inspections.

Further information may be obtained via Roads.caithness@highland.gov.uk.

Signature: Dafydd Jones

Designation: Area Planning Manager – North

Author: Craig Simms

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

Relevant Plans:

Document Type	Document No.	Version No.	Date Received
LOCATION PLAN	BSLA-LT360-NKT-	REV 1	08.09.2025
	CRTDC-LN-GA-LE-		
	0025		
ROAD CONSTRUCTION	BSLA-LT360-NKT-	REV 1	04.07.2025

DETAILS	CRTDC-ZZ-DET-LE- 0001		
GENERAL ARRANGEMENT PLAN (AP19)	BSLA-LT360-NKT- CRTDC-LN-GA-H-0047	REV 1	27.08.2025
GENERAL ARRANGEMENT PLAN (AP20)	BLA-LT360-NKT- CRTDC-LN-GA-H-0048	REV 2	27.08.2025

Appendix 1 – Letters of Representation

