

Agenda Item	6.1
Report No	PLS/28/26

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 13 May 2026

Report Title: 25/02301/S37: Scottish Hydro Electric Transmission plc
Land 1635M east of Tom Guisachan, Tomich, Cannich

Report By: Area Planning Manager – South

Purpose/Executive Summary

Description: Bingally 400 kV Substation Overhead Line Tie-in-Install and keep installed two new 400kV steel lattice towers and approximately 1.6km of overhead line (including a temporary diversion requiring two temporary towers) to facilitate the tie-in of the existing Beaully-Denny overhead line into the proposed Bingally 132/400kV substation, associated ancillary infrastructure including access tracks, construction laydown area and compound.

Ward: 12 – Aird and Loch Ness

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 comprises the installation of an overhead line (OHL) connection from existing Beauly to Denny overhead electricity transmission line to the new Scottish Hydro Electric Transmission (SHETL) Bingally Substation, planning permission 25/00592/FUL granted at the February 2026 South Planning Applications Committee. The consented Bingally substation comprises a new 400/132kV Air Insulated Substation (AIS) and switchgear building.
- 1.2 The proposed development is part of a package of works required to reinforce the electricity transmission network to support the Scottish and UK Government's Net Zero climate change targets which require significant increases in renewable generation. There are consented and future renewable energy projects which would require connection to the national grid arising from the renewable generation policies and the drive to attain net zero. As part of this the existing Beauly-Denny 275kV circuit is to be upgraded to 400kV to enable future connections and export routes to areas of demand.
- 1.3 This application is for two new, permanent lattice transmission towers, which are required along the existing Beauly – Denny OHL to make the connection into the new Bingally substation. One of these towers will serve as a terminal with downleads connecting to OHL gantries forming part of the substation site. Two temporary towers are also required as part of shorter-term OHL diversions associated with the works. The permanent towers would extend to a maximum height of 64m above ground level.
- 1.4 Associated ancillary works form part of the application, including temporary laydown areas for the towers, temporary access tracks and a new permanent access track spur branching from the Bingally substation access.
- 1.5 In order to allow flexibility in the final siting of new permanent and temporary towers and access tracks to reflect any localised land, engineering, and environmental constraints, a Limit of Deviation (LoD) is proposed. The LoD is the area to either side of the proposed OHL alignment within which micro-siting would take place. The LoD for the proposed temporary and permanent OHL layouts and access tracks is 50 m either side of the proposed OHL alignments. In addition, a vertical LoD of 6 m for the permanent and temporary towers is proposed.
- 1.6 The construction period is estimated to last 18 months. Construction would be undertaken in five phases: 1 – enabling works; 2 – OHL construction; 3 – OHL commissioning; 4 - decommissioning and dismantling of temporary works; and 5 – ground reinstatement. Construction access would utilise the route approved for the consented Bingally substation.
- 1.7 Construction work is anticipated to require construction compounds and laydown areas. It is anticipated that a maximum 80 x 80 m working area is required at the new tower sites. An additional 0.4 ha area for offices, materials storage and parking would also be required, measuring 0.4 hectares (ha). The final location and design of these would be confirmed via condition.

- 1.8 Reinstatement works will include re-soiling and making good temporary access tracks and working areas. Peat reinstatement where this has been disturbed will be carried out in accordance with a Peat Management Plan. 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.
- 1.9 The Highland Council was consulted by the Scottish Government's Energy Consents Unit (ECU) on the proposal on 18 June 2025, with the closing date for comments being 17 August 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 dated 14 August 2025, which is attached as Appendix 2 of this report.
- 1.10 The proposed development was also subject to Environmental Impact Assessment (EIA) Screening by the Energy Consents Unit, (24/02619/SCRE). The ECU concluded that an EIA was not required. Nevertheless, the application is accompanied by a voluntary Environmental Appraisal (EA) containing chapters on Landscape and Visual Impacts, Ecology, Ornithology, Traffic and Transport, Hydrology and Hydrogeology, Noise and Vibration and Climate Change.
- 1.11 No variations have been made during the assessment of this application. The applicant provided further clarification relating to peat management, including an updated Peat Management Plan (PMP) and Peat Slide Assessment during November and December 2025. An updated Peat and December 2025. An updated Biodiversity Net Gain (BNG) report and toolkit was provided in January 2026.

2. SITE DESCRIPTION

- 2.1 The route of the new line would run over 1.6km between Towers (T) 77 and 80 on the existing Beauly to Denny OHL, which runs approximately north to south 2.9km south of Tomich and 5.8km south of the existing Fasnakyle Substation. The main land use within the site, surrounding the existing OHL is recently felled commercial forestry, circa 2016, and areas of rough grazing. The proposed line route, adjoining the existing line, gently falls from 335m – 285m Above Ordnance Datum (AOD) along the floor of the valley, or strath, from south to north.
- 2.2 The proposed line does not pass through any statutory sites designated for nature conservation. Designated sites within 5km include:
- Glen Affric National Nature Reserves (NNR), on the southwest boundary of the site; and
 - Glen Affric Site of Special Scientific Interest (SSSI) and Strathglass Complex Special Area of Conservation (SAC), 1.2km west.
- 2.3 There are no national, regional or local landscape designations covering the site. The application site is not covered by any landscape designation and is located at the intersection of Landscape Character Type (LCT) 222 – Rocky Moorland Plateau to the east and LCT 227 – Farmed Strath to the west.

3. PLANNING HISTORY

3.1	25.02.2026	25/00592/FUL - Bingally Substation - Construction of a new 400/132kV outdoor Air Insulated Switchgear (AIS) substation comprising platform, plant and machinery, control buildings, access, temporary laydown and compound areas, drainage, landscaping and other ancillary works.	Planning Permission Granted
3.2	01.05.2024	24/01002/PAN - Proposed new 400 kV substation comprising new buildings, platform, plant and machinery, access, laydown/work compound area(s), drainage, landscaping, and other ancillary works (National Development)	PAN Reported to Committee
3.3	Received 17.03.2026	26/01217/SCRE - Fasnakyle to Bingally 132kV overhead line connection	EIA Screening Pending Consideration
3.4	Received 02.04.2026	26/01555/SCRE - EIA screening opinion - New 132 kilovolt (kV) overhead line (OHL) supported by trident steel poles, between the proposed Tomchrasky Wind Farm and the proposed the proposed Bingally 400 / 132 kV substation. The Proposed Development would consist of 16.5 km of OHL.	EIA Screening Pending Consideration

4. PUBLIC PARTICIPATION

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

5. CONSULTATIONS

Consultation undertaken by The Highland Council

- 5.1 **Strathglass Community Council (Host)** did not respond to the consultation.
- 5.2 **Access Officer** does not object to the application. The proposed line straddles Core Path IN05.03 and Public Right of Way HI9. Conditions are suggested to avoid obstruction to these routes and to make good any disturbance or damage.
- 5.3 **Development Plans Team** does not object to the application. The proposal will be in overall accord with the development plan if suitable mitigation can be secured.
- 5.4 **Ecology Team** does not object to the application subject to conditions to secure a finalised Habitat Management Plan (HMP), Construction Environment Management Plan (CEMP) and the oversight of an Environmental Clerk of Works (EnvCoW). The Ecology team had initially objected based on a lack of information on biodiversity

enhancement on site, which has since been satisfied with further information from the applicant.

- 5.5 **Environmental Health Team** does not object to the application, subject to conditions securing a Construction Noise Mitigation Scheme, Construction Dust Mitigation Scheme and Water Quality Management Plan.
- 5.6 **Flood Risk Management Team:** does not object to the application and have no further comment.
- 5.7 **Forestry Officer** does not object to the application subject to a condition to secure a compensatory planting plan defining an area of no less than 0.89 hectares in size in advance of development commencing.
- 5.8 **Historic Environment Team (Archaeology)** does not object to the application. Good practice measures are recommended, and these should include a protocol in the event of the discovery of previously unrecorded assets and the inclusion of cultural heritage issues within the CEMP.
- 5.9 **Landscape Officer** does not object to the application. It is considered that the proposed development has been generally appropriately sited and designed, and much thought has gone into the Landscape Habitat Management Plan which would reduce longer term effects and respects the overall character of the existing landscape. Cumulatively, the addition of the proposed development would also be limited given the existing energy infrastructure and nature of the re-alignment of the towers of the proposed development.
- 5.10 **Transport Planning** does not object to the application. The additional vehicle trips required to construct the tie in are minimal in comparison to those associated with the substation works, the cumulative impacts of which have already been assessed under the associated planning permission 25/00592/FUL. No Transport Planning conditions are required beyond those attached to the substation permission.

Consultation undertaken by the Energy Consents Unit

- 5.11 **Beauly Fishery Board** does not object subject to the mitigation measures tabled by the applicant in their Environmental Assessment being implemented.
- 5.12 **British Horse Society** does not object to the application.
- 5.13 **BT** does not object to the application It is not considered that the proposal will impact on BT's network. .
- 5.14 **Fisheries Management Scotland** does not object to the application and signposts consultation with the Beauly District Fishery Board.
- 5.15 **Historic Environment Scotland** does not object to the application and did not raise further comments.
- 5.16 **Highlands and Islands Airports (HIAL)** does not object to the application. The proposals do not infringe the safeguarding criteria for Inverness Airport.

- 5.17 **Highland Raptor Study Group** does not object to the application and have no further comment.
- 5.18 **Joint Radio Company** does not object to the application and did not raise further comments.
- 5.19 **Ministry of Defence** does not object to the application, which is not situated within any relevant safeguarded areas.
- 5.20 **National Gas Transmission** does not object to the application and have no further comment.
- 5.21 **NatureScot** does not object to the application, subject to conditions requiring development being carried out in accordance with required mitigation measures.
- 5.22 **NATS** does not object to the application and have no further comment.
- 5.23 **Office of Nuclear Regulation** does not object to the application and have no further comment.
- 5.24 **Scottish Forestry** does not object to the application. The applicant is advised to ensure that any proposed changes to forests and woodlands fully address the requirements of the Control of Woodland Removal Policy.
- 5.25 **SEPA** does not object to the application, subject to a condition to secure submission of a finalised peat management plan, shared with the substation consented under 25/00592/FUL, in advance of development commencing. Disposal of any waste peat will be deemed to be waste disposal and subject to SEPA licencing.
- 5.26 **Scottish Water** does not object to the application. The proposal falls within two drinking water catchments where Scottish Water abstractions are located, however, the risk from construction to these abstractions is considered low.
- 5.27 **Transport Scotland** does not object to the application and are satisfied with the Environmental Assessment submitted in terms of impacts on the trunk road network.

6. DEVELOPMENT PLAN POLICY

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

7. PLANNING APPRAISAL

- 7.1 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.

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

- have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and,
- reasonably mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects.

7.3 It should be noted that for applications under the Electricity Act 1989 that the Development Plan is just one of several considerations, and therefore Section 25 of the Town and Country Planning (Scotland) Act 1997 which requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise, is not engaged. That said, the application still requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance, and all other material considerations relevant to the application.

Planning Considerations

7.4 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.

Compliance with the Development Plan and Other Planning Policy

7.5 Appendix 4 of this report provides an assessment of compliance with the Development Plan / Other Material Policy Considerations. In summary, the Development Plan comprises National Planning Framework 4 (NPF4), the Highland-wide Local Development Plan (HwLDP), The Inner Moray Firth Local Development Plan 2 (IMFLDP2) and various supplementary guidance associated with these Local

Development Plans. IMFLDP2 focuses largely on regional and settlement strategies as well as specific site allocations rather than planning policies of relevance for the proposed development.

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

Energy and Economic Impacts

- 7.8 The proposed development alongside the approved Bingally substation, will form part of strengthening the robustness of the country's grid network and also result in further job and investment opportunities through the development of associated supply chains. As such, the proposal is consistent with core aims of NPF4 to enhance the green energy transmission capacity to achieve a net zero economy and support network resilience in rural areas.
- 7.9 The applicant makes reference to sustainable procurement codes and supplier guidance to oblige suppliers and contractors to maximise local employment and economic gain and social benefits as a result of the investment in new energy infrastructure in their area. Implementing these measures is intended to maximise opportunities for local people and businesses close to the site and in the wider region, albeit that there is no definition of what maximising means within the context of NPF4 Policy 11.
- 7.10 Highland is experiencing significant construction activity in the transmission network, and in that regard the proposal would have a positive economic impact, particularly during the proposed construction period. The project could offer investment / opportunities to the local, Highland, and Scottish economy including businesses ranging across construction, haulage, electrical and service sectors. However, there is also likely to be some adverse effects caused by construction disruption and construction traffic, but these will be temporary in nature.
- 7.11 Given the above, NPF4 Policy 11, in particular paragraph c), notes that development proposals should only be supported where they maximise net economic impact, including local and community socio-economic benefits such as

employment, associated business and supply chain opportunities. Additionally, NPF4 Policy 25 provides support for development that is consistent with local economic priorities and where they contribute to local and / or regional community wealth building strategies. A condition could be included to require the submission of a Local Employment Scheme prior to the start of works to maximise the socio-economic benefits of the proposed development.

Construction Impacts

- 7.12 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.
- 7.13 The applicant has sought working hours of 07:00 to 19:00 during March – September and 07:30 to 17:30 October – February . Weekend working would be limited to Saturdays between 07:00 and 13:00 year-round. The majority of the site is remote from noise sensitive receptors, with the nearest noise sensitive property 1.5km distant 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 through condition, via the CEMP and a Construction Noise Management Plan (CNMP). 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. In this respect, construction related activities likely to generate noise or vibration will be limited to the hours of 08:00 to 19:00 Monday to Friday, and 08:00 to 13:00 on Saturdays, unless otherwise agreed via the CNMP.
- 7.14 A Community Liaison Group is required by condition on the consented Bingally Substation, under 25/00592/FUL, which 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

- 7.15 There are no national, regional or local landscape designations covering the site. The proposal is located at the intersection of Landscape Character Type (LCT) 222 – Rocky Moorland Plateau to the east and LCT 227 – Farmed Strath to the west. The development is not affected by any statutory landscape designations.
- 7.16 The Landscape and Visual Appraisal (LVA) submitted with the application is focused on a study area of 3km, 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.

- 7.17 The LVA considered potential effects of the development during construction and during operation, after approximately 15 years, once reinstatement measures are assumed to have established. It considered landscape effects, visual effects and cumulative effects of the development. The LVA concluded that there would be some minor, but permanent landscape impacts at the transition between the Rocky Moorland Plateau and– Farmed Strath, resulting from vegetation clearance to accommodate the construction works and a limited and localised increase in the impression of electrical infrastructure within the landscape. However, most of the features of the accommodating valley, or strath floor would remain intact. Replanting of new woodland onsite as well as heathland restoration, as included in the applicant's Landscape Habitat Management Plan, would however, reduce the impression of change within the setting of the host landscape character types.
- 7.18 The assessment of visual effects focussed on those encountered by recreational users of the Core Paths and Rights of Way in the study area. Moderate adverse effects on recreational users and travellers were identified, falling to minor in the later operational phase after 15 years, when landscape restoration measures will have established and reduced the overall visual prominence of electrical infrastructure.
- 7.19 In their consultation response, the Landscape Officer considered that the proposals were generally appropriately sited and designed. It was considered the applicant's LVIA had underplayed the visual effects on Viewpoints 1 and 2 located on Core Path IN05.03. However, both the applicant and the Council Officers agree that by Year 15 as a result of the proposed mitigation planting, the visual effects would reduce as the planting matures, to minor adverse effects.
- 7.20 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 beyond minor adverse change.
- 7.21 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, and it is concluded that there would be no significant landscape or visual effects arising from the proposed development. These findings are consistent with the assessment undertaken for the substation itself, with the tie in OHL proposals having been included within the substation's visualisations, including those presented previously to committee in February 2026.

Water Environment and Peat

- 7.22 The applicant's EA Report includes a chapter on geology, hydrology and hydrogeology, which together, form the water environment. The potential effects on peat are set out in a Peat Landslide Hazard Risk Assessment (PLHRA) and Stage 1 Peat Management Plan (PMP). The PMP covers both these OHL proposals and the new Bingally Substation, considered under 25/00592/FUL. Through their

consultation response to the Energy Consents Unit, SEPA had initially raised concerns regarding the volume of peat excavations proposed. The applicant has since updated the PMP to include changes to the layout of the proposed works, addressing SEPA's comments.

- 7.23 The wider 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.
- 7.24 The SEPA Flood Mapping indicates that parts of the proposed line lies in areas of identified pluvial, or surface water flood risk, however neither SEPA nor the Council Flood Risk Management Team have any objections on flood risk grounds.
- 7.25 The Council's database confirms that there are no private water supply sources within the hydrology study area.
- 7.26 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

- 7.27 The proposal is not located directly within any statutory sites designated for nature conservation. The Glen Affric National Nature Reserve (NNR) is located immediately southwest of the site and is designated for its mosaic of native pinewoods, lochs, and moorland hosting a variety of species including woodland birds, osprey *Pandion haliaetus*, otter, red-throated diver *Gavia stellata* and black-throated diver *Gavia arctica*. The Strathglass Complex Special Area of Conservation (SAC), designated for otter and upland habitats and the Glen Affric Site of Special Scientific Interest (SSSI), designated for its native pine woodlands, are both located 1.2km west of the site.
- 7.28 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.
- 7.29 Due to the proximity to internationally designated sites and the presence of breeding qualifying species within proximity to the proposed works, a Habitats Regulations Appraisal (HRA) memorandum has been prepared in support of the application. It will be the responsibility of the Energy Consents Unit, as competent authority, to decide whether an Appropriate Assessment is required.

- 7.30 Habitats identified during the vegetation surveys, beyond the commercial forestry plantation that covers much of the central and northern parts of the site, include areas of natural mosaic woodland, heath and bogs. Signs of protected species recorded during surveys included those of otter, water vole, red squirrel, pine marten and badger. The site has low suitability for foraging and roosting bats.
- 7.31 Given the nature of the proposed development, permanent habitat loss would be limited and restricted to the extent of tower footprints and permanent access tracks and woodland felling to construct and operate the proposed development. The applicant proposes that tower 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.
- 7.32 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.
- 7.33 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).
- 7.34 As already noted, neither NatureScot nor SEPA object to the proposals in respect of impact on natural heritage. The Council's 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.
- 7.35 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). with the aims of creating new and enhancing existing upland heath and acid grassland habitat. While an appropriate location for these measures is yet to be identified, this can be approached via updates to the HMP, secured via condition. The Council's Ecology Officer is supportive of the proposed approach to biodiversity enhancement subject to such a condition.
- 7.36 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 creating new and enhancing existing upland heath and acid grassland habitat. While an appropriate location for these measures is yet to be

identified, this can be approached via a finalised Habitat Management Plan (HMP) secured via condition before development commences. The Council's Ecology Officer is supportive of the proposed approach to biodiversity enhancement subject to such a condition.

Forestry

- 7.37 The applicant has scoped out forestry as a dedicated chapter within the EA, however, the applicant's Biodiversity Net Gain Assessment Report notes that 0.52 ha of felled coniferous woodland, 0.16 ha of Scot's pine woodland and 0.21 ha of broadleaved woodland would be impacted by the proposed development. Commercial forestry compartments within the site have been felled since 2016. Compensation areas of forestry would be provided and the forestry effects are not considered to be significant. 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. In addition, the project would seek to adhere to the Scottish Government's Control of Woodland Removal Policy. Compensatory planting will be undertaken for woodland removed as a direct result of the project.
- 7.38 The applicant proposes to create new woodland planting as part of the Landscape and Habitat Management Plan for the substation and these OHL proposals. Based on the amount of woodland impacted by the proposed OHL, the Forestry Officer has requested a condition to secure a compensatory planting scheme of no less than 0.89 hectares in size, consisting of 0.68 hectares of productive and 0.21 hectares of native broadleaf species, located within the Highland region. This condition would require these plans to be approved and fully implemented and thereafter, maintained.

Roads, Transport and Wider Access

- 7.39 The application shares a Transport Statement with the consented Bingally Substation. The proposed construction access route would use the A831 from the A82 at Drumnadrochit. The route would leave the A831 north of Cannich. This location is already a formed existing access into Kerrow Wood and forms part of the Affric-Kintail Way, long distance footpath. From here, the access to the site would be entirely "off-road", running approximately 9.5km from this point to the substation site. This route is entirely contained in the planning application site boundary and would utilise existing access track installed during the construction of the Beaully-Denny OHL, with the addition of sections of new track where the original Beaully-Denny OHL track was previously reinstated. The existing access track would also require upgrading to allow for the transport of abnormal loads to support the construction of the substation and the OHL tie in and construction vehicle access. Once fully constructed, the applicant is seeking to retain the track permanently, both to allow continued access to the substation itself, but also for future construction works associated with the upgrade of the Beaully-Denny OHL. A spur off this would be retained following construction to act as a permanent access to the new transmission towers.

- 7.40 The Council's Transport Planning Service have welcomed the proposed location of the construction access, as it ensures no traffic will use the C1110 Kerrow Wood Road, U1423 Tomich Road or the U1391 Balcladaich Road which are unsuitable for the type and level of traffic anticipated. Conditions are advised to prevent the use of these roads for construction or operational access. The access off the A831 will require upgrading, and a Construction Traffic Management Plan is also requested. In addition, Transport Planning request that no HGVs or AIL (Abnormal Indivisible Loads) access the site via the Beauly to Cannich section of the A831 and measures are taken to limit other construction traffic using that route, due to its generally substandard nature. These matters can be addressed by planning conditions.

Cultural Heritage

- 7.41 No designated cultural heritage features are present within the site. The closest such features are numerous listed buildings within 2km of the site, mainly clustered within the village of Tomich. The proposals are unlikely to result in changes to the setting of designated and non-designated cultural heritage assets due to existing screening from woodland and the general topography, as well as the intervening distance and neither the Council's Historic Environment Team, nor Historic Environment Scotland have raised concerns in this regard.

Other Material Considerations

- 7.42 There are no concerns that the proposal would result in a statutory nuisance due to noise emissions once the OHL is operational. Additionally, light pollution can significantly affect the character of the countryside from disturbing the way animals and plants perceive daytime and nighttime to making developments visible across wide areas. The infrastructure would not be illuminated at night for normal operation however construction lighting should be controlled by condition. There are no other amenity issues that would be cause for concern.

Non-material considerations

- 7.43 None raised.

8. Matters to be secured by Legal Agreement / Upfront Payment

- 8.1 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.
- 8.2 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. This is expected to be secured as part of the overall substation's development and capture this associated OHL tie in.

9. CONCLUSION

- 9.1 The proposed development consists of the construction of a new 400 kV OHL connection supported on steel lattice towers of approximately 1.6km in length, to connect the consented Bingally Substation to the existing Beauly to Denny line. 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 acceptable and can be adequately mitigated or offset by appropriate planning conditions. As such, the proposal is 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 response is issued N

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), dated April 2025 received by the Planning Authority August 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 towers shall be constructed in the locations shown in Drawing BING4-LT521-MES-OHL-ZZ-D-EO-0010 docquetted hereto, with application of the following micrositing allowance:

- a) No tower shall be positioned more than 50m on the horizontal axis of the proposed overhead line alignment;
- b) No tower shall be more than a height of 70m in height inclusive of all steel work and insulators, with an overall vertical limit of Deviation (LoD) of 6m; and

- 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 shall be submitted showing the final position of the overhead line, including the positioning and height of all towers and associated infrastructure forming part of the development, all for the approval in writing of the Planning Authority. The updated drawing shall specify areas where micro-siting has taken place and, for each instance, shall 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 Ecological Survey**

A pre-construction survey is required to be undertaken no more than 3 months prior to works commencing for each phase of development and a report of the survey shall be submitted to, and approved in writing by, the Planning Authority. The survey shall cover both the application site and species appropriate buffers from the boundary of each phase of development. The preconstruction surveys shall be undertaken with the optimal survey season, e.g. spring for water vole. The report of surveys shall include mitigation measures where any impact, or potential impact, on protected species or their habitat has been identified. Development and work shall progress in accordance with any mitigation measures contained within the approved report of survey and the timescales contain therein.

Reason: To properly control environmental impacts of the development prior to any construction taking place.

6. **Species Protection Plans (SPPs)**

No development shall commence until Species Protection Plans (SPPs) have been submitted to and approved in writing by the Planning Authority. The SPPs shall be informed by pre-commencement bird surveys and proposed mitigation and shall include the following:

- a) Black Grouse Species Protection Plan (inclusive of, wherever possible, construction works such as upgrading of parts of existing track to be undertaken outside the breeding season (March to August, inclusive); and where construction works within 1km of leks cannot avoid the breeding season, construction works and passing vehicles shall be restricted at least two hours after dawn in the lekking season, taken as March to mid-May inclusive, unless otherwise agreed the EnvCoW).
- b) Bats (including pre-construction tree checks prior to any tree felling, and proposed mitigation, should any roosts be identified);
- c) Water vole (with inclusion of pre-construction works in suitable habitat 50m up and downstream from proposed works, and standard mitigation);
- d) Pine marten (with inclusion of pre-construction works in suitable habitat within a 250m buffer from proposed works); and
- e) Badger, Otter, Red squirrel, reptiles, amphibians and other bird species (with inclusion of pre-construction works and mitigation).

Thereafter, the approved Species Protection Plans shall be implemented in full within the timescales set out in the approved SPPs.

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

7. **Environmental Clerk of Works**

No development or any works shall commence unless and until the terms of appointment of an independent Environmental Clerk of Works (EnvCoW) by the Company have been submitted to, and approved in writing by, the Planning Authority. This shall include an 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 ecological and environmental commitments provided in the: EA Report, as well as the following:
 - i. The Pre-Construction Ecological Survey (refer to Condition 5);
 - ii. Species Protection Plans (refer to Condition 6);
 - iii. The Construction Environmental Management Plan (refer to Condition 12);
 - iv. The Water Management Plan (refer to Condition 19);
 - v. The Peat Management Plan (refer to Condition 8);
 - vi. The Habitat Management Plan (refer to Condition 9) and;
 - vii. Biodiversity Enhancement, Compensatory Planting and Tree Protection (refer to Conditions 9,10 and 11)
- b) Providing training to the developer and contractors on their responsibilities to ensure that work is carried out in strict accordance with environmental protection requirements;
- c) Require the EnvCoW to report to the nominated construction project manager any incidences of non-compliance with the EnvCoW works at the earliest practical opportunity;
- d) Require the EnvCoW to report to the Planning Authority any incidences of non-compliance with the EnvCoW works at the earliest practical opportunity
- e) Maintain a Register of all inspections and audits, to include an inventory of all measures on the site, their effectiveness, as well as any advice provided;
- f) Require the EnvCoW to report to the Planning Authority monthly, with a concise summary of the actions on site.

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

8. **Peat Management Plan**

At least one month prior to the commencement of development, the applicant shall

submit a finalised Peat Management Plan (PMP) and a finalised Peat Landslide Hazardous Risk Assessment for the prior written approval of the Planning Authority, in consultation with SEPA. The PMP shall draw upon the findings of the latest Peat Management Plan, received November 2025, and any additional ground investigations carried out prior to development commencing. The Plan shall:

- a) include a management / reinstatement scheme for all peat areas within the application site;
- b) provide details and plans for all peat and soil stripping and excavation and the storage and proposed use and replacement of peat, topsoil and subsoil;
- c) take account of site and ground investigations to minimise the loss of peat and other carbon rich soil and minimise carbon loss;
- d) includes actions, including micro-siting, to minimise excavated peat and other carbon rich soils volumes, encourage use of excavated peat and other carbon rich soils in an appropriate manner; and
- e) include a method statement which follows good practice measures for protecting, handling, storing and reinstating peat and other carbon rich soils.

Thereafter, the plans shall be implemented as approved.

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

9. **Habitat Management Plan**

Within 18 months of the commencement of development, the applicant shall submit a finalised Habitat Management Plan (HMP) for the approval in writing of the Planning Authority. The finalised HMP shall set out:

- a) finalised habitat creation, enhancement and management prescriptions including drawings and specifications;
- b) a confirmed BNG metric calculation, evidencing delivery of the minimum 10% net gain;
- c) a delivery plan, showing when each habitat measure shall be implemented (prior to the date of first commissioning of the development unless otherwise agreed in writing by the Planning Authority);
- d) a minimum 30-year aftercare and monitoring plan, including monitoring frequency, performance indicators, responsibilities, and adaptive management procedures, including measures for securing amendments or additions in the event that the HMP objectives are not being met in full; and
- e) GIS Shapefiles of the biodiversity loss, compensation and enhancement areas.

Thereafter, the finalised HMP shall be implemented as approved.

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

10. **Compensatory Planting**

Within 18 months of the commencement of development, the applicant shall submit a detailed Compensatory Planting Plan (including future maintenance) for the approval in writing of the Planning Authority, following consultation with Scottish Forestry and any other relevant stakeholders. The area of planting shall be no less

than 0.89ha hectares in size, consisting primarily of 0.68 ha of productive and 0.21 ha of native broadleaf species to be located within the Highlands. The Plan shall:

- a) detail the area identified for compensatory planting, which may also need to be considered under The Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017, where this exceeds the current thresholds;
- b) follow the same process as required for preparing a woodland creation proposal, as set out in the Scottish Forestry publication: Woodland Creation Application Guidance;
- c) be prepared by and then implemented under the supervision of a suitably qualified forestry consultant, approved by the Planning Authority. The appointed forestry consultant shall provide a detailed schedule of planting, supervision, with compliance monitoring reports to be issued at agreed stages.
- d) include a GIS shapefile identifying the approved area(s) of woodland removal and the associated area(s) of compensatory planting.

Thereafter, the approved Plan shall be implemented in full, with the woodland maintained thereafter in accordance with the approved scheme. To comply with the Felling Permission exemptions, woodland removal shall not begin until the applicant has demonstrated that construction work is imminent.

In the event that development fails to commence within 3 years of the initial felling, then the land use shall revert back to woodland and the area shall be replanted within 12 months, to a specification approved by the Planning Authority.

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

11. **Tree Protection**

There shall be no commencement of development or groundworks until full details of protective tree barriers, located at the extent of crowns of trees/ woodlands to be retained, shall have been submitted to, and approved in writing by, the Planning Authority.

Thereafter, the approved barriers shall be erected prior to the commencement or any site excavation or groundworks within each phase of development, and shall remain in place throughout the construction period. Barriers shall not be moved or removed during the construction period without the prior written approval of the Planning Authority.

Reason: In order to secure the long-term management of the trees and/or woodland.

12. **Construction Environmental Management Plan (CEMP)**

1. No later than three months prior to the Commencement of the Development, a 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, shall have been submitted to, and approved in writing by, the Planning Authority, in consultation with SEPA, NatureScot, the Environmental Health Authority, and other consultees as appropriate. The CEMP shall be informed by the site and

ground investigation works and best practice guidance, and shall include, but is not limited to, details of:

- a) An updated Schedule of Mitigation (SM) as it relates to construction highlighting mitigation set out within each chapter of the Environmental Appraisal, dated April 2025, received by the Planning Authority August 2025 (as amended by the Additional Information received November and December 2025), and all relevant mitigation secured by conditions attached to this permission with defined timescales for implementation of each mitigation measure;
 - b) Processes to control / action changes from the agreed SM;
 - c) Risk assessment of potentially damaging construction-type activities on the environment;
 - d) Species Protection Plans, (refer to Condition 6);
 - e) Mitigation to protect the ecological resources on site, including biodiversity protection zones, location and timing of works;
 - f) Cultural heritage protocol, detailing reporting procedures should any unforeseen archaeological discoveries be made;
 - g) Soil management, with details of soil placement and measures to utilise the soils' existing seed base in site landscaping;
 - h) The maximum height and location of all stockpiles of aggregate;
 - i) Dust management, covering demolition and construction activity, including vehicle movements;
 - j) Details of temporary site lighting;
 - k) Site waste management;
 - l) Emergency Response Plans;
 - m) 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;
 - n) Compliance with the Construction Noise Management Plan (refer to Condition 13);
 - o) Pollution prevention, including compliance with the Water Management Plan (refer to Condition 19);
2. A statement of responsibility to 'stop the job/activity' if a breach or potential breach of mitigation or legislation occurs; and
 3. Methods for monitoring, auditing, reporting, and the communication of environmental management on site and with the developer, Planning Authority and other relevant parties. The approved CEMP shall be implemented in full throughout the construction and post construction site reinstatement phases, 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 August 2025) which accompanied the application, or as otherwise agreed, are fully implemented.

13. Construction Noise Management Plan (CNMP)

Operations, including vehicle movements, associated with this development, for which noise is audible at the curtilage of any noise-sensitive properties*, shall only be permitted between:

- a) 0800 hours and 1900 hours Monday to Friday; and
- b) 0800 hours and 1300 hours on Saturdays.

No such operations are permitted 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).

Prior to the project commencing, the applicant shall submit, for the written approval of the Council's Environmental Health Service, details of a Noise Management Plan. The Plan shall demonstrate how the applicant/contractor will ensure the best practicable measures are implemented in order to reduce the impact of construction noise.

Thereafter the development shall progress in accordance with the approved Construction Noise Management Plan and all approved mitigation measures shall be in place prior to the commencement of operations or as otherwise may be agreed in writing by the Planning Authority.

*Note: For the purposes of this condition, "noise-sensitive premises" includes, but is not necessarily limited to, any building, structure or other existing or consented development the lawful use of which a) falls within Classes 7 (Hotels and Hostels), 8 (Residential Institutions) or 9 (Houses) of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended), or b) is as a flat, static residential caravan.

Reason: To reduce the impact of construction noise.

14. Construction Traffic Management Plan (CTMP)

No later than three months prior to commencement of the development, a Construction Traffic Management Plan (CTMP) to manage all construction traffic with the exception of abnormal indivisible loads, shall be submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland, affected Community Councils and the Local Roads Authority. The CTMP shall include, but is not limited to:

- a) Confirmation of borrow pit and aggregate supplies to serve the development;
- b) Updated construction traffic forecast with details of the number and type of construction vehicles including staff, HGVs and components and abnormal loads;
- c) Identification of all structures on construction traffic routes and an assessment of the structures' load-bearing capacity considering the projected volume of HGVs. The assessment shall include a detailed protocol outlining preventative and corrective works throughout the construction period to prevent damage and ensure the safety of the public;
- d) A risk assessment for transportation during daylight hours and hours of darkness;

- e) Proposed construction traffic routes for all vehicle movements, including site staff, contractor, sub-contractors and deliveries. No construction traffic shall utilise the A831 from the site access westbound in the direction of Cannich or Beauly, with no construction traffic on the C1110 Kerrow Wood Road, U1423 Tomich Road or the U1391 Balcladaich Road;
- f) Avoidance of construction traffic routing past schools during their opening and closing times, whilst also promoting appropriate traffic speeds through communities located along construction traffic routes;
- g) Steps to be taken for deterring/preventing construction traffic using non-designated construction traffic routes to and from the site;
- h) 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;
- i) Proposed traffic management and mitigation measures within settlements along the access routes as required. Measures such as temporary speed limits, suitable temporary signage, road markings and the use of speed activated signs shall be considered, especially within local communities;
- j) During the delivery period of construction materials, measures to control the use of any direct access onto the local road and trunk road network, with any additional signing or temporary traffic control measures deemed necessary due to the size or length of any load being delivered or removed shall be undertaken by a recognised Quality Assured traffic management consultant;
- k) No convoying of HGV or site staff vehicles;
- l) A procedure for the regular monitoring of road conditions and the implementation of any remedial works required during the construction period;
- m) Measures to ensure that all affected public roads are kept free of mud and debris arising from the development;
- n) 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;
- o) Providers of products and materials to this development (such as aggregate, concrete, staff minibuses) shall mark their vehicles with a unique number identifier on the front, sides and rear of vehicles and a Bingally Substation identifier. This is to enable easy identification in the event of problems arising, such as speeding or discourteous driving;
- p) Provisions for emergency vehicle access;
- q) Monthly traffic count reports submitted to Transport Planning and Local Area Roads Team detailing the number of HGVs using construction traffic routes on Highland Council roads. The locations for traffic counts shall be agreed before any work commences on site;
- r) The provision of a wear and tear agreement under Section 96 of the Roads (Scotland) Act 1984 under which the developer will be responsible for the repair of any damage to the local road network attributable to construction related traffic. As part of the agreement, pre-start and post construction road condition surveys shall be carried out by the developer to the satisfaction of the Roads Authority. It will also require the submission of an appropriate financial bond acceptable to the Council in respect of the risk of any road reconstruction works.

- s) Introduction of a scheme of active travel improvements along the agreed construction routing; this scheme shall include opportunities for footpath and pavement improvements at and in the vicinity of: Dochgarroch, Lochend, Drumnadrochit and Milton; and;
- t) A timetable for the implementation of the measures detailed in the CTMP.

Thereafter, the CTMP shall be carried out as approved, unless otherwise agreed in writing by the Planning Authority.

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

15. **Abnormal Loads**

No delivery of abnormal indivisible load (AIL) shall be made to site until an Abnormal Indivisible Load Construction Traffic Management Plan (AIL-CTMP) shall have been submitted to, and approved in writing by, the Planning Authority, in consultation with Transport Scotland, affected Community Councils, Police Scotland and the local Roads Authority. The AIL-CTMP shall provide a detailed protocol for the delivery of AILs, including details of their proposed routing on the local and trunk road network, with any accommodation measures required. The details shall include, but are not limited to:

- a) A review of maximum axle loading on structures along the access route;
- b) A review of overhead services along the access route;
- c) A review in summer conditions of roadside vegetation along the access route and clearance of any vegetation that may interfere with construction traffic;
- d) A review of road works or road closures that could affect the movement of construction traffic;
- e) Full details of all road improvements and mitigation measures needed to facilitate abnormal load movements shall be agreed with Transport Scotland and the Local Roads Authority and thereafter implemented in full to the satisfaction of Transport Scotland and the Local Roads Authority. Such measures may, but shall not be limited to include: the removal of street furniture, modifications to bridges and culverts, junction and carriageway widening and/or edge strengthening, road safety improvements and traffic management. These measures shall be undertaken by a recognised Quality Assured traffic management consultant;
- f) A detailed protocol for the delivery of abnormal loads 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 demountable signs or similar approved, when required to alert road users and local residents of expected abnormal load movements. All such movements on Council maintained roads shall take place outwith peak times on the network including school travel times and shall avoid community events;
- g) A detailed assessment of structures along the routes of any Highland Council Road shall be carried out in consultation with and the satisfaction of the Council's Structures section;
- h) 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 and shall include measures to deal with any

haulage incidents that may result in public roads becoming temporarily closed or restricted; and

- i) A detailed delivery programme for abnormal load movements which shall be made available to Highland Council and community representatives.

The AIL-CTMP shall be prepared in consultation with all interested parties and thereafter be carried out as approved.

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

16. **Site Access**

Prior to construction of any part of the development, details of the improved site access and visibility splays for the A831 junction shall be submitted for the prior approval of the Planning Authority in consultation with the Roads Authority. The junction's design shall detail a suitable bound surface finish for the first 20m from the carriageway and proposals for managing surface water runoff which prevents flows onto the A831. Thereafter, the junction shall be constructed as approved prior to the commencement of any further work on the site access track or substation, with the visibility splays to be maintained for the lifetime of the development.

Reason: In the interest of road safety.

17. **Outdoor Access Plan**

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

- a) All existing access points, paths, Core Paths, tracks, rights of way and other routes (whether on land or inland water), and any areas currently outwith or excluded from statutory access rights under Part One of the Land Reform (Scotland) Act 2003, within and adjacent to the application site;
- b) Any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or effect on curtilage related to proposed buildings or structures;
- c) All proposed paths, tracks and other routes for use by walkers, riders, cyclists, all-abilities users, and any other relevant outdoor access enhancement (including construction specifications, signage, information leaflets, proposals for on-going maintenance);
- d) Any diversion of paths, tracks or other routes (whether on land or inland water), temporary or permanent, proposed as part of the development (including details of mitigation measures, diversion works, duration and signage).

Thereafter, the approved Outdoor Access Plan, and any associated works, shall be implemented in full.

Reason: In order to safeguard public access during the construction and operational phases of the development.

18. Programme of Archaeological Works

There shall be no commencement of development or groundworks unless an archaeological Written Scheme of Investigation (WSI) shall have been submitted to and approved in writing by the Planning Authority, and a programme of archaeological works shall have been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation shall be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis, the development hereby approved shall not be occupied or brought into use unless a Post-Excavation Research Design (PERD) for the analysis, publication and dissemination of results and archive deposition shall have 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. Water Management Plan

No later than three months prior to the commencement of the development, a Water Management Plan (WMP) shall be submitted for the prior written approval of the Planning Authority in consultation with the Environmental Health Authority. The Plan shall include mitigation measures to protect the water environment and water supplies from construction impacts including:

- a) public and private water supply protection measures, inclusive of measures to prevent contamination or physical disruption of any private water supply;
- b) a completed PWS Planning Questionnaire (Form PWS 1) and written report from a competent person (qualified engineer, hydrogeologist, or other similarly qualified suitable person), that confirms the development shall be served by a sufficient piped supply of wholesome water;
- c) details of foul and any contaminated site drainage arrangements;
- d) demonstrating how all surface water run-off and wastewater arising during and after development shall be managed and prevented from polluting any watercourses or sources, including the provision of settlement lagoons for silt laden water, and drainage by SUDS to accommodate the 1 in 200 plus an allowance for climate change;
- e) mitigation measures, which shall maintain hydrological connectivity of Groundwater Dependent Terrestrial Ecosystems;
- f) mechanisms to ensure that construction shall not take place during periods of high flow or high rainfall; and
- g) a programme of pre, during and post construction qualitative and quantitative groundwater and water supply monitoring and reporting, inclusive of contingency measures in the event of an incident.

Thereafter the development shall be carried out in accordance with the approved details.

Reason: To safeguard the water environment and in the interests of protecting private water supplies that may be affected by the construction and operation of the development.

20. **Aviation Charting and Safety Management**

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

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

21. **Community Liaison Group**

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

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

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

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

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

22. **Planning Monitoring Officer**

No development shall commence until the Planning Authority shall have 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.

23. **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, received August 2025. The Scheme shall include the following:

- a) details of how the staff/employment opportunities at the development shall be advertised and how liaison with the Council and other local bodies shall take place in relation to maximising the access of the local workforce to information about employment opportunities;
- b) details of how sustainable training opportunities shall 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; and 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: Bob Robertson

Designation: (Acting) Planning Manager – South

Author: Michael Kordas

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

Relevant Plans: Plan 1 Site Location Plan

Plan 2 Site Plan – Drawing BING4-LT521-MES-OHL-ZZ-D-EO-0010

Appendix 1 – Letters of Representation

No representations received by the Council or Energy Consents Unit.

Appendix 2 – Initial objection letter to ECU

Lee Stirrat, via email to ECU.



Per: Lee Stirrat
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: 25/02301/S37
Your Ref: ECU00005145
Date: 14 August 2025

By email only to lee.stirrat@gov.scot Econsents.Admin@gov.scot

CC: Teresa.Jackson@sse.com

Dear Lee,

HIGHLAND COUNCIL REFERENCE: 25/02301/S37

DEVELOPMENT: Bingally 400 kV Substation Overhead Line Tie-in-Install and keep installed two new 400kV steel lattice towers and approximately 1.6km of overhead line (including a temporary diversion requiring two temporary towers) to facilitate the tie-in of the existing Beauly-Denny overhead line into the proposed Bingally 132/400kV substation, associated ancillary infrastructure including access tracks, construction laydown area and compound - ECU00005145

The Highland Council was consulted by your office on the above Section 37 Application on 18th June 2025. We wrote to you on 21 July 2025 requesting that the period of time for determining the application is extended until 15th October 2025. The reason for the request was due to a number of outstanding consultees, taking account of both the current volume of similar applications under consideration and extended consultee deadline requests within the holiday period. Also, THC needed to consider issues arising from the related Bingally sub-station application in respect of any implications for the overhead line tie in.

Your email in response to our request, dated 22 July 2025 confirmed that you were unable to agree any extension to the statutory period as the application fell under the definition of a priority application as defined in the "Priority Applications for Transmission Infrastructure". As such, this letter seeks to convey the response of The Highland Council within the target date of 17th August 2025.

Further to reporting the Case Officer's ongoing assessment of the application to the Chair of South Planning Applications Committee (SPAC), 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, watercourses and peatland 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; Consequently, the proposal is contrary to the provisions of the Highland-wide Local Development Plan policies 28, 51, 55, 56, 57, 58, 59, 60, 61,63 and 67, and associated Supplementary Guidance.

2. The consultation on this application was sent to The Highland Council (THC) on 18 June 2025, and the deadline for the Council to provide its response was (Sunday) 17th August 2025. The Council's request for additional time to provide its response was rejected by ECU on the grounds that as an overhead line proposal, this application is defined as a Priority Application for Transmission Infrastructure. I would note that notification of the application was sent to THC from ECU on 18th June 2025. There was a meeting of the Council's South PAC that day, and the next meeting of the South PAC is not scheduled until 22 August 2025. In other words, there was no possibility of the case being reported to the relevant Committee of THC in the 2-month timescale. Notwithstanding this, and as stated in our original letter to you requesting a time extension, we had (and still have) a number of outstanding consultees and a high volume of similar applications in what is a holiday period, where many consultees required more time to respond.
3. The Highland Council is currently dealing with the related planning application for the Bingally Sub-station (Ref: 25/00592/FUL). The application is currently subject to an agreed time extension with the applicant and ECU until 15 October 2025. The application is also subject of an objection from SEPA on two key matters in relation to impacts on the water environment, largely in relation to the water crossings required on the access track serving the sub-station and the amount of peat extraction, with particular regard to a temporary compound and borrow pits. We note that SEPA have submitted a holding objection in relation to this current S37 application, in respect of potential impacts on carbon rich soils. This planning application and the Section 37 application for the overhead line tie in, subject of this letter, are intrinsically linked, and indeed the overhead line tie in will rely on much of the infrastructure to be built to construct the Bingally sub-station. It is therefore THC's clear view that both applications should be considered together, as stated in our original letter.

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 South Planning Applications Committee (SPAC). 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 Historic Environment Team, Landscape Officer, Ecology Team, Forestry Officer, and Environmental Health Team.
- Strathglass Community Council, who represent the area the application is located has not yet provided a response on the application.
- The Transportation Team has noted that access arrangement would be the same as for the proposed Bingally sub-station (still under consideration), on which they have provided a detailed comment. They would require a construction traffic management plan and measures to ensure minor roads in the area are not used by construction traffic, in addition to the provisions set out in their response on Bingally sub-station (25/005921/FUL).
- The Flooding Team has no comments to make on the application.
- The Access Officer notes the potential impact on a core path and right of way, and would require planning conditions to be applied to any consent ensuring such routes are protected through submission of an Outdoor Access Plan

In summary, 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 South PAC, 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/info/20003/committee_information/485/south_planning_applications_committee_spac_wards_12-22

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

Grant Baxter
Principal Planner – Strategic Projects Team

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

Email: eplanning@highland.gov.uk

Appendix 3 – Development Plan and Other Material Policy Considerations

National Planning Framework 4

- A3.1 National Development 3 - Strategic Renewable Electricity Generation and Transmission Infrastructure
- 1 - Tackling the Climate and Nature Crisis
 - 2 - Climate mitigation and adaptation
 - 3 - Biodiversity
 - 4 - Natural Places
 - 5 - Soils
 - 6 - Forestry, Woodland and Trees
 - 7 - Historic Assets and Places
 - 11 - Energy
 - 14 - Design, Quality and Place
 - 18 – Infrastructure First
 - 25 - Community Wealth Building
 - 29 - Rural Development

Highland Wide Local Development Plan 2012

- A3.2
- 28 - Sustainable Design
 - 29 - Design Quality and Place-making
 - 30 - Physical Constraints
 - 31 - Developer Contributions
 - 36 - Development in the Wider Countryside
 - 47 - Safeguarding Inbye/Appportioned Croftland
 - 51 - Trees and Development
 - 52 - Principle of Development in Woodland
 - 55 - Peat and Soils
 - 56 - Travel
 - 57 - Natural, Built and Cultural Heritage
 - 58 - Protected Species
 - 59 - Other Important Species
 - 60 - Other Important Habitats
 - 61 - Landscape
 - 63 - Water Environment
 - 66 - Surface Water Drainage

69 - Electricity Transmission Infrastructure

72 - Pollution

73 - Air Quality

77 - Public Access

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

A3.3 No site specific policies

Highland Council Supplementary Planning Policy Guidance

- A3.4
- Biodiversity Enhancement Planning Guidance (May 2024)
 - Construction Environmental Management Process for Large Scale Projects (August 2010)
 - Developer Contributions (Mar 2018)
 - Flood Risk and Drainage Impact Assessment (Jan 2013)
 - The Flow Country Planning Position Statement 2 (June 2025)
 - Green Networks (Jan 2013)
 - Highland Historic Environment Strategy (Jan 2013)
 - Highland's Statutorily Protected Species (Mar 2013)
 - Highland Renewable Energy Strategy and Planning Guidelines (May 2006)
 - Physical Constraints (Mar 2013)
 - Roads and Transport Guidelines for New Developments (May 2013)
 - Special Landscape Area Citations (Jun 2011)
 - Sustainable Design Guide (Jan 2013)
 - Trees, woodland and development (Jan 2013)

OTHER MATERIAL CONSIDERATIONS

Emerging Highland Council Development Plan Documents and Planning Guidance

- A3.5 The Highland-wide Local Development Plan is currently under review and is at Main Issues Report Stage. It is anticipated the Proposed Plan will be published following publication of secondary legislation post NPF4.
- A3.6 In addition, the Council has further advice on delivery of major developments in a number of documents. This includes Construction Environmental Management Process for Large Scale Projects (Aug 2010) and The Highland Council Visualisation Standards for Wind Energy Developments (Jul 2016).
- A3.7
- Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 – interim and annual targets replaced by Climate Change (Emissions Reduction Targets) (Scotland) Bill in November 2024
 - Climate Change Committee Report to UK Parliament (July 2024)
 - UK Government Clean Power Action Plan (Dec 2024)

- Draft Energy Strategy and Just Transition Plan (2023)
- Onshore Wind Energy Policy Statement (2022)
- Planning Guidance: Biodiversity (2025)
- Scottish Energy Strategy (2017)
- 2020 Routemap for Renewable Energy (2011)
- Energy Efficient Scotland Route Map, Scottish Government (2018)
- Historic Environment Policy for Scotland, HES (2019)
- PAN 1/2011 - Planning and Noise (2011)
- Circular 4/1998 – The use of Conditions in Planning Permissions – this states that planning conditions should only be imposed when they meet all of the following six tests: 1) Necessary, 2) Relevant to planning, 3) Relevant to the development to be permitted, 4) Enforceable, 5) Precise; and Reasonable in all other respects.
- Circular 1/2017: Environmental Impact Assessment Regulations (2017)
- Scottish Forestry Woodland Creation Application Guidance (November 2017)
-

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

National Policy

- A4.1 National Planning Framework 4 (NPF4) forms part of the Development Plan and was adopted in February 2023. It comprises three parts:
- Part 1 – sets out an overarching spatial strategy for Scotland in the future and includes six spatial principles (just transition / conserving and recycling assets / local living / compact urban growth / rebalanced development / rural revitalisation. Part 1 sets out that there are eighteen national developments to support the spatial strategy and regional spatial priorities, which includes single large-scale projects and networks of smaller proposals that are collectively nationally significant.
 - Part 2 – sets out policies for the development and use of land that are to be applied in the preparation of local development plans; local place plans; masterplans and briefs; and for determining the range of planning consents. This part of the document should be taken as a whole in that all relevant policies should be applied to each application.
 - Part 3 – provides a series of annexes that provide the rationale for the strategies and policies of NPF4. The annexes outline how the document should be used and set out how the Scottish Government will implement the strategies and policies contained in the document.
- A4.2 NPF4 outlines 18 national developments that support the plan's spatial strategy. National developments will be a focus for delivery, as well as exemplars of the Place Principle, placemaking and a Community Wealth Building (CWB) approach to economic development. Six of the national developments support the delivery of sustainable places. Among these is national development number 3 - Strategic Renewable Electricity Generation and Transmission Infrastructure, which "supports electricity generation and associated grid infrastructure throughout Scotland, providing employment and opportunities for community benefit, helping to reduce emissions and improve security of supply." National development 3 accords national development status to electricity transmission that includes b) New and/or replacement upgraded on and offshore high voltage electricity transmission lines, cables and interconnectors of 132kV or more, and/or c) New and/or upgraded Infrastructure directly supporting on and offshore high voltage electricity lines, cables and interconnectors including converter stations, switching stations and substations. This proposal aligns with parts of both b) and c) and therefore, is classed as a national development, and as such received in principle support.
- A4.3 The spatial strategy reflects existing legislation by setting out that decision making requires to reflect the long-term public interest. However, in doing so, it is clear that the decision maker must make the right choices about where development should

be located, ensuring clarity is provided over the types of infrastructure that need to be provided and the assets that should be protected to ensure they continue to benefit future generations. To that end, the Spatial Priorities support the planning and delivery of sustainable places, which will reduce emissions, restore and better connect biodiversity; create liveable places, where residents can live better, healthier lives; and create productive places, with a greener, fairer, and more inclusive wellbeing economy.

- A4.4 NPF4 Policies 1, 2, and 3 now apply to all development proposals Scotland-wide, which means that significant weight must be given to the global climate and nature crises when considering all development proposals, as required by NPF4 Policy 1. To that end, development proposals are to be sited and designed to minimise lifecycle greenhouse gas emissions, as far as is practicably possible, in accordance with NPF4 Policy 2, while contributing to the enhancement of biodiversity, as required by NPF4 Policy 3.
- A4.5 Policy 3 - Biodiversity aims to protect biodiversity, reverse biodiversity loss, deliver positive effects and strengthen nature networks. Every development proposal has to maintain or improve biodiversity. These matters are all addressed in the report above and subject to conditions are considered to be acceptable.
- A4.6 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. These matters are all addressed in the report above and subject to conditions are considered to be acceptable.
- A4.7 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 a National Park or NSA.
- A4.8 Policy 5 – Soils, aims to protect carbon rich soils including peatlands. Development proposals on such locations, will only be supported where they relate to essential infrastructure or renewable energy development. These matters are all addressed in the report above and subject to conditions are considered to be acceptable.
- A4.9 Policy 7 - Historic Assets and Places is intended to protect and enhance historic environment assets, enabling positive change. Policy outcomes include ensuring the historic environment is valued, whilst supporting the transition to net zero, as well as recognising the social, environmental and economic value of the historic environment to our economy and cultural identity. Policy 7 part a) requires proposals with potential significant impacts to be appropriately assessed; with part

h) ii) setting out that development proposals will only be supported where significant adverse impacts on the integrity or setting of a scheduled monument are avoided. These matters are all addressed in the report above and subject to conditions are considered to be acceptable.

- A4.10 Policy 11 - Energy aims to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure. Section a) notes development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported, including (ii.) enabling works, such as grid transmission and distribution infrastructure. Section c) confirms development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities. Section d) requires development proposals that impact on international or national designations to be assessed in relation to Policy 4. In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.
- A4.11 Policy 11 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. These matters are all addressed in the report above and subject to conditions are considered to be acceptable.
- A4.12 Policy 25 - Community wealth building aims to encourage, promote and facilitate a new strategic approach to economic development that also provides a practical model for building a wellbeing economy at local, regional and national levels. While NPF4 considers national developments as a focus for delivery, they should also be exemplars of the community wealth building approach to economic development.
- A4.13 It is noted that both legislation and planning law indicate that where there may be incompatibility between NPF4 and the Local Development Plan (LDP) published prior to NPF4, then the more recent document shall prevail. Notwithstanding however, in instances of incompatibility, this requirement may not eliminate the provisions of the LDP in their entirety whilst these documents remain an extant part of the adopted Development Plan.

Highland wide Local Development Plan (HwLDP)

- A4.14 The principal HwLDP policy against which the application requires to be determined is the Policy 69 - Electricity Transmission Infrastructure. This policy

offers support for electricity transmission infrastructure, having regard to their level of strategic significance in transmitting electricity from areas of generation to areas of consumption. Such support is subject to the proposals not having an unacceptable significant impact on the environment.

- A4.15 As the development would provide upgraded infrastructure for the transmission network and would help to facilitate an increasing proportion of electricity generation from renewable sources, the principle of the development receives support under HwLDP Policy 69 - Electricity Transmission Infrastructure, subject to site selection, design and overcoming any unacceptable significant environmental effects.
- A4.16 HwLDP Policy 69 specifically highlights that the “Council will have regard to their level of strategic significance in transmitting electricity from areas of generation to areas of consumption.” Additionally, it notes “It will support proposals which are assessed as not having unacceptable impact on the environment including natural, built and cultural heritage features.” Where development is assessed as not having unacceptable significant impacts on the environment, then the proposal would accord with the Development Plan.
- A4.17 The impact of this development on landscape is primarily assessed in the Landscape and Visual Impact section of this report. HwLDP Policy 36 Development in the Wider Countryside applies and sets out that all development in the countryside will be determined on the basis of a number of criteria. Pertinent matters to this proposal include siting and design, being compatible with the existing pattern of development, landscape character and capacity, as well as drainage and servicing implications. Policies 28 and 57 for Sustainable Design and, Natural, Built and Cultural Heritage support the aims of the aforementioned policies.
- A4.18 The generality of the HwLDP’s topic policies are superseded by those in NPF4. However, those that offer greater detail than NPF4 or that are tailored to Highland circumstance (and are not wholly incompatible with NPF4) are still relevant and may be applicable. For example, the Council’s Policy 31 on Developer Contributions links to greater detail in Supplementary Guidance and therefore both are still relevant.

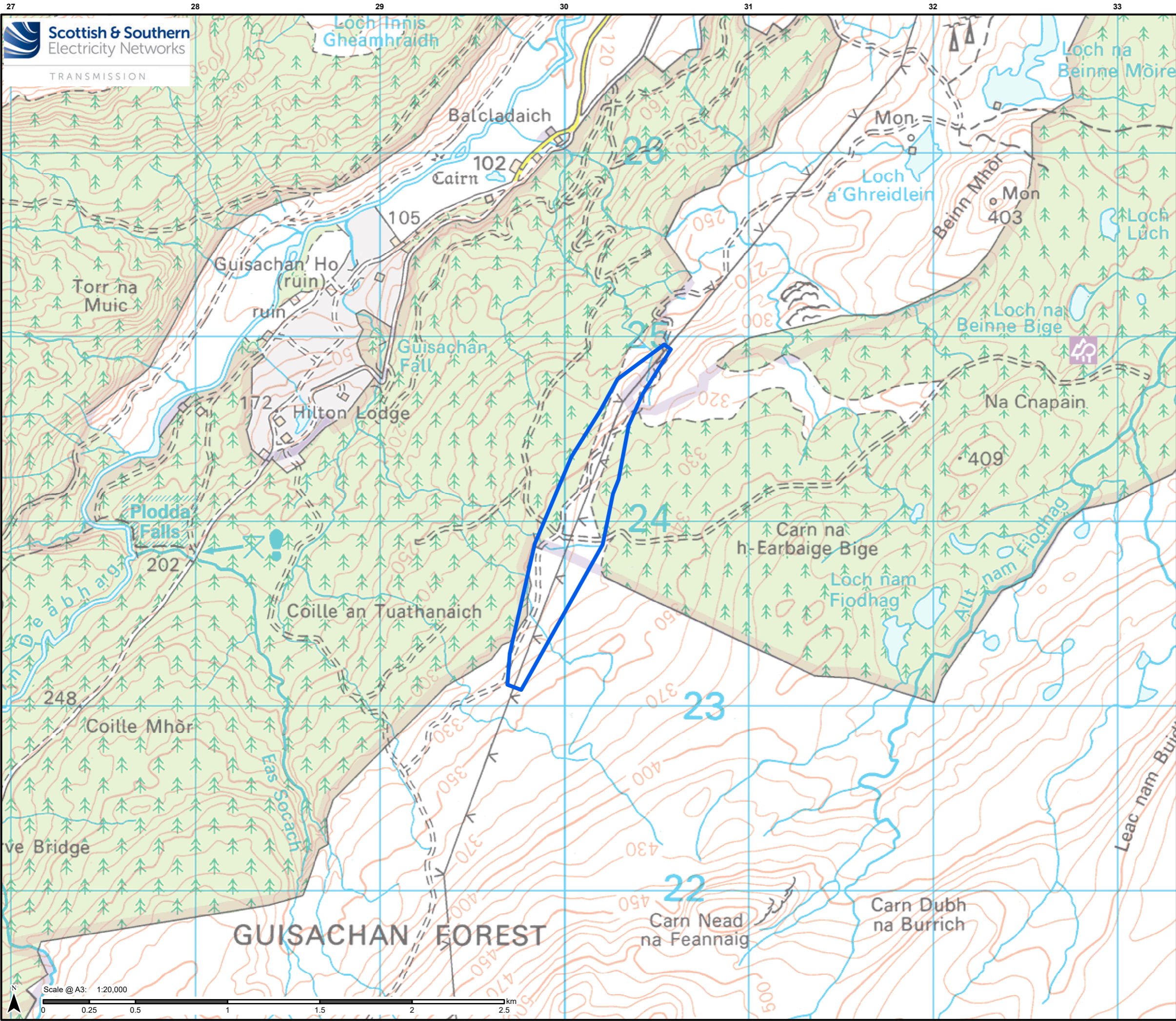
Developer Contributions



- A4.19 Under the terms of HwLDP Policy 31 Developer Contributions and the Council’s Developer Contributions Supplementary Guidance (2018), industrial (including energy) developments may be required to make contributions towards transport, green infrastructure, water and waste, and public art. In addition, Policy 11c) of NPF4 now provides an explicit national planning policy requirement for community benefits from energy proposals.

A4.20 Highland Council's approved and published Social Value Charter for Renewables Investment from June 2024 which sets out the community benefit expectations from developers wishing to invest in energy proposals in Highland.

Inner Moray Firth Local Development Plan 2 (IMFLDP2)

A4.21 The application site lies outwith any allocated site, delineated settlement boundary and safeguarding notation. The Inner Moray Firth Local Development Plan 2 (IMFLDP2) was adopted on 27 June 2024 and now postdates NPF4. Although the IMFLDP2 does not contain any site-specific policies relevant to this proposal its general policies provide more detail than the equivalent ones in NPF4. In particular, Policy 2 Nature Protection, Restoration and Enhancement which provides the hook for the Council's Biodiversity Enhancement Planning Guidance and Policy 9 Delivering Development and Infrastructure set out more detail.



Legend  Proposed Development Site	
	
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Project No: LT000521 Project: Bingly 400kV Overhead Line Tie-in	
Title: Site Location Plan	
Drawn by: JBARR	Date: 15/04/2025
Drawing:	



Legend

- PERMANENT TOWER POSITIONS
- TEMPORARY TOWER POSITIONS
- TOWERS TO BE REMOVED
- PERMANENT OHL
- - - TEMPORARY OHL
- - - EXISTING OHL
- TEMPORARY ACCESS
- PERMANENT STONE ACCESS
- TOWER WORKING AREA

DATE	12/11/2024			REMARKS
ISSUE	P01	CHECKED	JC	FIRST ISSUE
DRAWN	KBI	APPROVED	DA	
SSE SCHEME No.	LT521			



TITLE			
BINGALLY SITE PLAN			
SITE	BINGALLY 400KV TIE IN		ISSUE
SSE DRAWING NUMBER	BING4-LT521-MES-OHL-ZZ-D-EO-0010		P01
ORIGINATOR DRAWING NUMBER	SHEET No.	No. of SHEETS	SCALE
2637010.03/5012	1	1	1 : 5000