

Agenda Item	7.2
Report No	PLN/02/26

HIGHLAND COUNCIL

Committee: North Planning Applications Committee
Date: 10 June 2026
Report Title: 26/00733/S37: Scottish Hydro Electric Transmission Plc
Land 550M NW Of Brabster Farm Cottage, Canisbay
Report By: Area Planning Manger – North

Purpose/Executive Summary

Description: Slickly Windfarm Connection - Installation of approximately 8.6 km of 132 kV single circuit overhead line supported on trident double wood pole structures between Slickly Substation and Gills Bay Switching Station

Wards: 3 – Wick and East Caithness

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

Reason Referred to Committee: Consultation on 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 all other applicable material considerations.

Recommendation

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

1. PROPOSED DEVELOPMENT

- 1.1 The Highland Council has been consulted by the Scottish Government's Energy Consents Unit on an application made under Section 37 of the Electricity Act 1989 (as amended) for the construction and operation of a new 132kV overhead transmission line between the proposed Slickly Wind Farm substation and the new Gills Bay switching station in Caithness. This application comes under the category of "National Development" as set out in the Scottish Government's fourth National Planning Framework Plan (NPF4).
- 1.2 The development comprises 8.6km of overhead line (OHL) supported by up to 112 trident H wood poles, up to 16m in height Above Ground Level (AGL). Ancillary works include: vegetation clearance and management along the OHL; upgrading existing and establishment of new junction bell mouths; establishment and reinstatement of temporary and permanent access tracks for the construction and maintenance of the OHL; temporary site compounds, and material drop-off points. A 50m Limit of Deviation (LoD) is also be proposed either side of the OHL centreline where environmental constraints are not identified and a 30m LoD identified for the OHL within woodland and for access tracks, to provide flexibility for micro siting to avoid sensitive environmental features like deep peat, within the finalised design. Other associated works are required to facilitate construction of the proposed development or would occur as a consequence of construction and operation. The associated works are noted in the EIAR; however they do not form part of the application for statutory consents and are not assessed in detail as part of the EIA.
- 1.3 The proposed development is required to provide a grid connection for the consented Slickly Wind Farm, which was granted consent on appeal by Scottish Ministers in August 2022 (19/05624/FUL / PPA-270-2256). The applicant is required, as per their transmission license under section 6 (1) of the Electricity Act 1989 to provide a connection for the consented wind farm to the grid. It is anticipated that construction of the proposed development would take approximately 24 months, following the granting of consent. Slickly Wind Farm as consented, proposes 11 wind turbines, nine at up to 149.9m to blade tip and two at up to 135m to blade tip, with an operational life of 30 years, at which point it may be decommissioned. The proposed OHL may also require decommissioning at this point.
- 1.4 The consented Slickly Wind Farm is also the subject of a recent Pre-Application Notice (26/01270/PAN) submitted in March 2026, indicating the intention to progress a further application to amend the design of the wind farm, namely the increase in turbine time heights up to 200m, with an amended layout and reduction in the number of turbines to seven. The proposed OHL has been designed based on the consented Wind Farm and therefore, should any amended scheme progress, any design implications for the OHL would need to be reassessed and considered when determining any future application.
- 1.5 The proposed OHL would run from the consented Slickly Wind Farm's substation heading northwest for around 600m over even terrain crossing the minor C1037 Slickly Road that connects Upper Gills and Lyth. The OHL alignment would then travel parallel to the Slickly Road in a northeast direction, crossing the road twice. North of Brabster, the OHL would then travel away from the road northwards through

an area of woodland for approximately 500m and would continue northwest for approximately 800m before heading north. The OHL alignment would then travel along the outside edge of the consented Hollandmey Wind Farm site towards the Hill of Rigifa. South of the Hill of Rigifa the OHL would proceed southwest for approximately 700m before connecting to the Gills Bay switching station near Philips Mains. S37 consent and deemed planning permission is sought for the preferred alignment and no alternative alignments have been brought forward as part of the consent application.

- 1.6 The OHL entry into each substation is anticipated to be directly from a terminal pole into each substation compound. Any required works within substation compounds would be covered within the separate individual planning application for each substation or via Permitted Development Rights, as required.
- 1.7 The trident H wood poles would have a maximum height above ground of 16m, and an average height of approximately 12m. Spacing between the poles would vary depending on topography and land use, ranging from 50m to 90m, with an average span of 80m. A combination of poles would be utilised, including suspension, angle/tension, failure containment and terminal poles. The proposed use of trident H wood poles has been selected by the applicant taking into consideration environmental and engineering criteria, economic considerations and feedback from stakeholders during consultation periods.
- 1.8 The proposed development would require 3km of permanent access track at a width of 7m. The proposed development would also require 6.3km of temporary access tracks during the construction phase, at a width of 3.5m. Indicative land take for each pole construction would be approximately 625m² (25m x 25m). All temporary work areas would be reinstated following commissioning of the OHL, meaning removal of all temporary access tracks, work sites around pole locations and revegetation of construction compounds.
- 1.9 An operational corridor (OC) would be required for the entire length of the OHL to ensure the OHL's safe operation. In areas of open ground this would be a 100m corridor and through areas of woodland and commercial forestry, it would be a corridor of 60m although this varies depending on nature of the woodland or forestry. The proposed OHL would also require management felling (MF) in addition to temporary and permanent land take areas. Areas of MF would be located out with the OC and would require further discussions with landowners, forestry managers and Scottish Forestry.
- 1.10 The application is for the OHL and access tracks to be sited and contained within Limits of Deviation (LOD). The LOD are designed to allow flexibility in the final siting of individual poles and other infrastructure to reflect topographical, engineering, and environmental constraints. The following typical parameters have been identified for the LOD:
 - 100m horizontal LOD (50m either side of the centre line of the OHL) where no specific environmental constraints have been identified;
 - 60m horizontal LOD (30m either side of the centre line of the OHL) where it passes through woodland;

- 60m horizontal LOD (30m either side of the centre line of the access track) where the access track would be out with the main OHL LOD; and
- A vertical LOD for the OHL, based on the height of the tallest structure plus 10%, with a maximum pole height of 16m AGL.

- 1.11 As is common practice for wood pole lines, no formal pre-application consultation was undertaken via the Council's Major Pre-App service. Pre-application consultation public meetings were however held in January and August 2023 at Mey Village Hall, Canisbay Village Hall, and John O'Groats Hall, providing opportunity for members of the public, local stakeholders and statutory authorities to view information about the project, ask questions and provide feedback to the applicant.
- 1.12 The proposed development was subject to Environmental Impact Assessment Screening by the Energy Consents Unit (ECU), (23/03802/SCRE), which concluded the proposal is EIA Development. A request for Scoping Opinion was then sought by the applicant in April 2024 (24/01424/SCOP). This process helped to inform the application's supporting information which comprises of an Environmental Impact Assessment (EIA) report assessing the development's potential impacts in terms of: Seascape, Landscape and Visual, Ecology, Ornithology, and Soils. A proportionate approach has been taken for the EIA, assessing only topics that have potential for likely significant effects. Potential effects on forestry, traffic and transport, and cultural heritage, have been identified, however, these are not considered significant, and were examined by means of an appraisal, set out in technical appendices to the EIAR. The application is also accompanied by further supporting information including a Planning statement, Pre-Application Consultation Report and other biodiversity toolkit related details.
- 1.13 No official variations have been made to the proposal during the assessment of this application. On further request by the Planning Case Officer, the applicant initially provided further clarification relating to the preferred alignment of the OHL and reasoning as to why other routing options were ruled out. Following further discussions with the Council Officers in relation to concerns over the landscape and visual impacts of the northern section of the proposed electric line, the applicant has confirmed agreement to underground the line in this area, from pole number 100 to the Gills Bay Switching Station.

2. SITE DESCRIPTION

- 2.1 The site is located in Caithness, some 10km northeast of Castletown. The site covers a length of 8.6km from the consented substation at Slickly Wind Farm, to the consented Gills Bay Switching Station. The landform along the OHL alignment and surrounding area is gently undulating with occasional rolling hills, meandering river systems and occasional lochs cut into the landscape. The area in the vicinity of the proposed OHL is sparsely settled, with crofts and farmhouses throughout the wider area. There are consented and operational wind farms in the area and other rural land uses include agriculture and forestry.
- 2.2 The application site is not covered by any environmental designation. The OHL alignment is however in proximity to nationally and internationally important designated sites for natural heritage and landscapes. There are no nationally or regionally important designated landscapes within the proposed site, or 6km

Landscape and Visual Impact Assessment (LVIA) study area. However, beyond this are two regionally important designated landscapes: Duncansby Head Special Landscape Area (SLA) to the east, and Dunnet Head SLA to the West/North-West. Located to the north of where the proposed OHL connects to Gills Bay Switching Station, also lies the Castle of Mey Garden and Designed Landscape (GDL). The OHL is located within two Landscape Character Types (LCT): Sweeping Moorland and Flows (LCT 134), and Farmed Lowland Plain (143).

- 2.3 Within the study areas for ecology and ornithology there are a number of nationally and internationally important designated for habitats, terrestrial species and ornithology. In proximity to the proposed OHL are the Caithness and Sutherland Peatlands Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site, designated for internally important peatland habitats and ornithological species. Phillips Mains Mire Site of Special Scientific Interest (SSSI) is also located near the proposal where it would travel adjacent to the consented Hollandmey Wind Farm.
- 2.4 The site and its environs support a range of protected species. The route of the line also requires watercourse crossings which support a range of aquatic habitats. The line also intersects areas of commercial forestry, native woodland, and class 1 peatland.
- 2.5 Within the cultural heritage study area, 14 heritage assets have been identified. There are no designated heritage assets within the site's inner study area; however, there are non-designated heritage assets within the inner study area. In the outer study area, there are three designated heritage assets:
 - Thomsonfield Broch – Scheduled Monument;
 - Castle of Mey Gate Lodge – Category B Listed Building; and
 - Castle of Mey – Garden and Designed Landscape.

3. PLANNING HISTORY

- 3.1 The area in immediate vicinity to the proposed OHL alignment has been subject of a number of applications for renewable energy developments. The applicant undertook a search in January 2024 for projects in the wider area that are operation, approved, in planning or pre-planning:
 - Gills Bay Switching Station (consented);
 - Hollandmey Renewable Energy Development (consented);
 - Lochend Wind Farm extension (in planning pending consideration); and
 - Slickly Wind Farm, including substation (consented).
- 3.2 The proposed OHL would provide a grid connection for the consented Slickly Wind Farm, from the Slickly Wind Farm substation to the consented Gills Bay Switching Station. The proposed OHL and consented wind farm are both EIA developments. In determining this application, the in-combination effects of these projects and the consented Gills Bay Switching Station, must therefore be taken into consideration, alongside other cumulative developments in the vicinity, with the pertinent planning history for the site and its vicinity being tabled below.

Grid Connection Route

3.3	23 May 2024	24/01424/SCOP - Slickly Wind Farm - 132kV overhead electricity transmission line connection, comprising approximately 8.5km of trident wood poles	EIA Scoping Response Issued
3.4	25 Sep 2023	23/03802/SCRE - Slickly Windfarm Screening request - The Applicant is seeking section 37 consent for the construction and operation of a 132 kV OHL supported by trident wood poles, in Caithness, Scotland (Figure 1.2, Appendix A). The length of the OHL is approximately 8.5km	EIA Screening Opinion Issued – EIA is Required

Relevant Energy Related Development in Surrounding Area

3.5	23 Aug 2022	19/05624/FUL - Slickly Wind Farm - 11 wind turbines up to 149.9m blade tip height and associated infrastructure	Planning Permission Granted on Appeal
3.6		26/01375/S42 - Slickly Wind Farm - Section 42 application to vary Condition 2 (Timing and Operation) attached to Planning Permission 19/05624/FUL	Pending Consideration
3.7		26/01270/PAN - Slickly Wind Farm Redesign - construction and operation of a wind farm comprising 7 turbines with maximum tip height of 200m with associated infrastructure and ancillary works	To be reported to Committee
3.8	26 July 2022	21/05536/FUL – Gills Bay Switching Station - Construct and operate a 132 kilovolt (kV) switching station and associated infrastructure	Planning Permission Granted
3.9	16 Sep 2024	21/05591/S36 - Hollandmey Energy Development - Erection and Operation of Renewable Energy Development in perpetuity comprising 10 wind turbines with a ground to blade tip height of 149.9m, ground mounted solar arrays, battery energy storage system, access tracks, permanent met mast and LiDAR,	Approved by Scottish Ministers

		two temporary met masts, up borrow pits and associated infrastructure	
3.10	19 Jan 2026	24/02621/S36 - Mey BESS - Installation of a battery energy storage system and associated infrastructure with a generating capacity of up 300mw located on land at Phillips Mains Farm	Approved by Scottish Ministers
3.11	1 Oct 2025	25/00307/S36 - Rigifa BESS - Construction and operation of Battery Energy Storage System (BESS) over 200MW with associated infrastructure including underground grid connection, landscaping and ancillary works.	Section 36 Electricity Act Raise No Objection
3.12		24/02641/FUL - Lochend Wind Farm extension - Erection and operation of a Wind Farm for a period of 40 years, comprising of 5 Wind Turbines with a maximum blade tip height 149.9m, Battery Energy Storage System (BESS), access tracks and ancillary infrastructure	Pending Consideration
3.13	22 Jul 2025	25/02263/SCOP - Gills Bay to Thurso South 132kV Overhead line Connection - Construct and operate a new approximately 13.1 km dual circuit 132 kV overhead line supported by lattice steel towers, between Weydale and Reaster, and ancillary works required for access	EIA Scoping Response Issued

4. PUBLIC PARTICIPATION

4.1 Advertised: EIA Development

Date Advertised: 13 February 2026 and 20 February 2026 in The Edinburgh Gazette, the Caithness Courier and the John O'Groats Journal.

Representation Deadline: 22 March 2026

4.2 For Section 37 applications the public participation process is managed by the Energy Consents Unit. 1 public comment was received by the Energy Consents Unit; none were received by the Highland Council.

4.3 Representations received by the ECU: 1 objection.

4.4 Material Considerations raised are summarised as follows:

- Failure to comply with the Electricity Act 1989.
- Failure to comply with NPF4.
- Adverse economic impact of the proposed route on farm business.
- Contrary to NPF4 Policy 3.

- Proposed route could affect farming operations.

4.5 All letters of representation received by the ECU are available for inspection on the ECU's website at <https://www.energyconsents.scot/> using the ECU's reference ECU00005075.

5. CONSULTATIONS

Consultations undertaken by the Highland Council

5.1 **Dunnet and Cannisbay Community Council (host)** did not respond to the consultation.

5.2 **Castletown and Bower Community Council** did not respond to the consultation.

5.3 **Access Officer** does not object to the application. They note the permanent access tracks proposed for the development will be land on which the public should be reasonably expected, during the development, to have access to under the Land Reform (Scotland) Act 2003. It is recommended any control infrastructure (e.g. gates) should remain unlocked or otherwise a side public gate provided where field gates are expected to be locked to control unauthorised vehicular access.

5.4 **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.

5.5 **Ecology Officer objects to the application** on the grounds of incomplete information regarding biodiversity enhancement to comply with NPF4 Policy 3. The applicant's commitment to provide a minimum of 10% biodiversity net gain is noted. However, a loss of 4.81ha of peatland habitats have been calculated, but no detail is provided for offsetting these losses, other than stating offsite locations will be explored. NatureScot guidance requires a ratio of 1:10, and in addition to this, 10% net gain should be delivered. There is insufficient information to accurately assess whether or not the project aims in delivering significant improvement in biodiversity are achievable. The following information is requested: details of proposed peatland offsetting, including location, restoration proposals and how much is being restored; and details of enhancement to provide deficit of 3.73 BU, including location and enhancement proposals. Condition wording has also been proposed if consent is granted.

5.6 **Environmental Health Officer** does not object to the application. They confirm that operational noise will not be a significant issue and agree with the approach by the applicant to scope out noise associated with OHLs (corona discharge). They advise the developer to give due consideration to Guidance Document TGN(E)322 – Operational Audible Noise Assessment Process for Overhead Lines. They note where there is potential disturbance from construction noise, either outwith standard working hours or from works that generate exceptional noise levels within these periods, the applicant will need to include a noise assessment.

5.7 **Flood Risk Management Team** do not object and raised no further comments.

- 5.8 **Forestry Officer** does not object to the application and has suggested conditions are attached regarding woodland removal, compensatory planting and tree protection.
- 5.9 **Historic Environment Team (Archaeology)** do not object to the application. The proposed mitigation strategy is accepted and has recommend a condition for a programme of archaeological works.
- 5.10 **Landscape Officer** does not object to the application. Whilst they agree with much of the Seascape, Landscape and Visual Impact Assessment (SLVIA), they have raised concerns that the route design, alternatives and mitigation, that other options presented at previous design stages could have reduced visual effects of the proposed development. The SLVIA has not fully accounted for the forestry management of felling/replanting, which would result in slightly greater visibility of the proposed development from some locations. The magnitude assigned to Viewpoint 1 and receptors at Philips Mains have been under-assessed. The proposed development would skyline across a wide span of the view and would appear overly prominent in this view. The height of the poles and the sky lining effect would change the perceived scale and character of the landscape and the composition of the view from this location. This would result in a major and significant visual effect for receptors at this location. They consider the residential visual amenity threshold at Philips Mains has not been breached, and further mitigation to avoid sky lining could reduce the effects on receptors at this location.
- 5.11 **Transport Planning Team** do not object to the application. There could be unacceptable cumulative impacts on the road network if this proposal and other nearby consented and proposed developments are implemented together. A CTMP has been provided however this will need enhanced to satisfy the authority including likely mitigation measures required. Local roads C1033 and C1037 are most affected by the proposed work and their use, and it is recommended surveys are undertaken of potential routes using C1033 and C1037, identifying improvements if necessary and recording any damage to the roads over the 24 months of construction. Conditions are recommended relating to a CTMP, construction and approval of all necessary access points including drawings and standard details, construction of passing places and local widening including drawing and standard details. The roads authority has also recommended a legal agreement is established in respect of the proposed development (s96 of the Roads (Scotland) Act 1984).

Consultations Undertaken by The Scottish Government's Energy Consents Unit

- 5.12 **British Horse Society** do not object to the application.
- 5.13 **British Telecom (BT)** do not object to the application. It advises the proposed development should not cause interference to BT's current and presently planned radio network. There are several towers that pass beneath or near existing BT radio links paths. The applicant is advised that if there are any amendments to structure heights or locations during the planning process that they re-consult BT.

- 5.14 **The Coal Authority** do not object to the application. The application site is not located within a defined coalfield; therefore, they have no specific comments to make.
- 5.15 **Defence Infrastructure Organisation / Ministry of Defence (MOD)** do not object to the application, confirming the proposed development falls outside of MOD safeguarded areas and does not affect other Defence interests. The applicant is advised that any amendments and/or revisions the proposed development they will require to re-consult the MOD.
- 5.16 **Highland Raptor Study Group (HRSG)** do not object to the application and have no further comment to make regarding the proposal.
- 5.17 **Historic Environment Scotland** do not object to the application. The proposals do not raise issues of national interest for the historic environment remit.
- 5.18 **National Air Traffic Services** do not object to the application. It does not conflict with the safeguarding criteria. If any changes are made to the proposal, the applicant is advised to re-consult NATS.
- 5.19 **NatureScot** does not object subject to the development being progressed with appropriate mitigation. The proposed development could affect internationally important natural heritage interests. In their response, NatureScot have provided advice to inform the Scottish Minister's Habitats Regulations Appraisal (HRA) for designated sites for internationally important species and habitats: Caithness Lochs Special Protection Area (SPA) and Ramsar site; Caithness and Sutherland Peatlands SPA, Ramsar and Special Area of Conservation. The proposal could have a significant effect on internationally important wintering populations of Greenland white-fronted geese, greylag geese, and whooper swans, which Caithness Lochs SPA and Ramsar site are designated for. NatureScot advises the proposal will not adversely affect the integrity of the site, if the proposal is carried out in strict accordance with mitigation set out in the EIAR Schedule of Mitigation (Vol 2 Chapter 11); bird pre-construction surveys; noisiest works are undertaken out with the wintering period (September – March); monitoring undertaken by an ECoW, and implementation of a bird species protection plan as detailed in the EIAR Vol 4 Technical Appendix). Consequently, under the Habitat Regulations, Scottish Ministers as the decision maker are required to undertake an appropriate assessment in view of the site's conservation objectives for its qualifying interest. Regarding the Caithness and Sutherland Peatlands SPA, which is designated for breeding upland and peatland birds. NatureScot consider the proposal could have a likely significant effect on hen harrier, merlin, and golden plover, and advise it will not adversely affect site integrity for these species if carried out in strict accordance with mitigation set out in their response.

For the Caithness and Sutherland Peatlands SAC, NatureScot advise the proposal will not have a likely significant effect on the qualifying interests, therefore Scottish Ministers are not required to carry out an appropriate assessment for this designated site.

Regarding Caithness and Sutherland Peatlands Ramsar site, designated for designated for peatland habitats, breeding birds, freshwater pearl mussels, otter,

rare plant species and water beetle, NatureScot consider likely significant effects on qualifying interests. If the proposal is carried out in strict accordance with mitigations stated in NatureScot's response, it is considered the proposal would not adversely affect site integrity of the Caithness and Sutherland Peatlands Ramsar site. Consequently, under the Habitat Regulations, Scottish Ministers as the decision maker are required to undertake an appropriate assessment in view of the site's conservation objectives for its qualifying interest. NatureScot request to be advised at the earliest opportunity about any proposed modifications or legal agreements relevant to their interests.

5.20 **Scottish Environment Protection Agency (SEPA)** do not object to the application, subject to conditions being attached should permission be granted regarding water environment, carbon rich soils, and flood risk. Environmental enhancement opportunities via riparian woodland are recommended to be explored as part of the finalised BNG proposals. Other regulatory advice is provided to the applicant in relation to water, waste management, radioactive substances, and pollution prevention and control.

5.21 **Transport Scotland (TS)** do not object to the application. They consider the scope of assessment in relation to traffic and transport within TS's remit is acceptable. They note the traffic counter location for the A99 is on the non-trunk road section of this A road, and a low traffic growth rate is predicted by National Roads Traffic Forecast for opening year of the proposal. They advise that CrashMap is not generally considered an appropriate source of information for assessment of trunk road network accidents and recommend an updated assessment is undertaken in the formal Construction Traffic Management Plan (CTMP) using data requested from TS. Local road accident data is a matter for the local road's authority. It is noted no abnormal loads have been identified in the CTMP, however should any abnormal loads be required, a route assessment (ALRA) must be prepared and submitted for approval by TS prior to any abnormal load deliveries taking place. TS recommend a planning condition is attached regarding a finalised CTMP to be submitted and approved by the planning authority in consultation with TS prior to commencement.

6. DEVELOPMENT PLAN POLICY

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

7. PLANNING APPRAISAL

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

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) Energy and economic impacts;
- c) Construction impact, including noise;
- d) Design, landscape and visual impact;
- e) Water environment and peat;
- f) Natural heritage;
- g) Forestry;
- h) Roads, transport and wider access;
- i) Built and cultural heritage; and
- j) Any other material considerations.

Compliance with the Development Plan and Other Planning Policy

7.5 Appendix 2 of this report provides an assessment of compliance with the Development Plan / Other Material Policy Considerations. In summary, the Development Plan comprises the National Planning Framework 4 (NPF4), the Highland-wide Local Development Plan (HwLDP), associated statutory supplementary guidance, and the Caithness and Sutherland Local Development Plan (CaSPlan).

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 would provide a grid connection to the consented Slickly Wind Farm and will form part of strengthening the robustness of the country's grid network, resulting 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 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 is 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.
- 7.12 On the separate matter of community benefit, whilst not a material consideration in the determination of this application, the applicant provided written confirmation, following the publication of the Community Funds for Transmission Infrastructure: Guidance UK Department for Energy and Security and Net Zero (2025), that the

proposed development would be eligible for the developer to make a contribution of £200,000 per km of installed 132kV overhead line.

Construction Impacts

- 7.13 The construction of the OHL would be carried out in accordance with a Construction Environmental Management Plan (CEMP). The CEMP would detail how the Principal Contractor would manage the Site in accordance with all commitments and mitigation detailed in this EIA Report, statutory consents and authorisations, and industry best practice and guidance. The CEMP would have reference and adherence to the applicant's General Environmental Management Plan and Species Protection Plan. The applicant has stated the implementation and audit of these measures would be overseen by an Ecological Clerk of Works (ECoW). These provisions would also be underpinned by detailed planning conditions.
- 7.14 The applicant has indicated construction working would be during daytime periods only and has sought hours of work of 07.00 to 19.00 Monday to Friday and 07.00 to 13.00 on Saturdays during the months of April to September and 07:00 to 17:00 Monday to Friday and 07:30 to 13:00 on Saturdays during the months of October to March (inclusive). Any requirement to work outside of these hours requires prior agreement from The Highland Council. There are some residential properties scattered along the route (see EIAR Figure 9.7.1) as it follows the road northeasterly from Slickly to Upper Gills. There are further residential properties scattered to the northeast of the proposed alignment, where it carries northwest. There are a small number of properties near where the OHL reaches the location of Gills Bay Switching Station. Noise sources during the construction phase would include increased traffic flows and noise from construction plant. It is expected that the contractor/developer will ensure that the best practicable means for reducing the impact of noise will be employed; a condition is included for 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.
- 7.15 Construction of the OHL would require regular traffic movements to and from the proposed site to construct upgraded access tracks, deliver foundation and pole components and conductor materials to site, deliver and collection materials and construction plant from the main site compound to individual pole locations. The applicant has submitted an outline Construction Traffic Management Plan (CTMP) as part of the EIA submission; however, this would require further refinement by the principal contractor following the granting of consent, in consultation with the applicant and THC. The source of construction materials is unconfirmed at this stage, however the applicant has noted in the EIAR that the main construction traffic (HGVs and staff) routes would be via the A9(T) northbound to Thurso then via the A836 and C1033, and via the A99 from Wick then via the B876 and C1037. A condition is included to require a Community Liaison Group (CLG), which would help 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

- 7.16 There are no national, regional or local landscape designations covering the site. There are two Landscape Character Types (LCT) that cover the site. Predominantly, LCT 134 – Sweeping Moorland and Flows covers the site from Slickly windfarm substation to where the OHL alignment reaches Hill of Rigifa. From Hill of Rigifa, to where the OHL reaches the Gills Bay Switching Station, LCT 143 – Farmland Lowland Plain characterises the landscape. The development site is not covered by any statutory landscape designations.
- 7.17 The Seascape, Landscape and Visual Impact Assessment (SLVIA) submitted with the application is focussed on a study area of 6km. A Zone of Theoretical Visibility (ZTV) model has been produced, illustrating the worst-case scenario of the proposed development's theoretical visibility.
- 7.18 The SLVIA considers potential effects during construction and operation on landscape character and views, and cumulative effects of such. The decommissioning phase has been scoped out of further analysis, as it is expected to result in similar effects to construction, albeit for a shorter duration. In summary. The SLVIA concluded there would be short-term significant direct effects on the landscape fabric within the proposed alignment and track network, and on the immediate surrounding area within the 'host' LCTs (134 and 143). Effects on the landscape fabric during construction would be associated with loss of covering vegetation that is characteristic of the LCTs, albeit that some of these effects would be temporary in nature.
- 7.19 During construction, the proposed development is expected to result in minor, highly localised alterations to the existing topography, with residual effects on the landscape fabric consisting of long-term clearance of vegetation, notably commercial forestry at Hollandmey, Philips Mains and Brabster Farm plantations, to allow for a safe working corridor adjacent to the proposed development. Permanent loss of existing landcover would also occur at pole foundation locations. However, the applicant has noted that vegetation clearance is a standard practice in areas of commercial forestry plantation. It is noted the construction effects on landscape character due to vegetation clearance do not mention the effects of the proposed removal of 0.14ha of native broadleaf woodland, and how this might alter the landscape character. However, it is welcomed the applicant has committed to replanting off-site. The SLVIA has not fully accounted for the proposed management felling and replanting. Whilst the applicant notes the issue of management felling is not considered as part of the application for the proposed development, removal of trees will result in slightly greater visibility of the proposed development from some locations. Overall, vegetation removal would be localised and would not detract from the pattern of landscape features that characterise the landscape. Construction effects would be managed through the adoption of good practice, and careful construction management and monitoring policies, delivered through the implementation of the Construction Environmental Management Plan (CEMP). A condition has been included, to require details of a CEMP to be submitted and approved in writing by the planning authority prior to commencement of development.

- 7.20 The SLVIA considers effects during the operational period of the proposed development to be associated with the pole structures as these would be the most visible aspects of the development once it has been constructed and commissioned. Embedded mitigation through siting and design would reduce and/or avoid landscape effects.
- 7.21 The assessment of visual effects focussed on landscape designations and visual amenity of settlements, transport routes, and recreational and access routes during construction and operational phases, and in a cumulative context. In terms of transportation routes, and recreational routes/locations, no significant effects are predicted after embedded mitigation is implemented via layout and construction methods. The Castle of Mey Garden and Designed Landscape (GDL) is located within the study area, some 2km from the proposed OHL at its closest point. Due to this separation distance and intervening screening, it is considered unlikely in the applicant's assessment, that the development would have an adverse impact on the setting of the GDL. Impacts will be incurred to views from within the GDL, but due to distance and the underlying character of the landscape, these will be slight.
- 7.22 The Landscape Officer concluded the SLVIA generally accords with the industry guidelines and indicated they agree with much of the effects assessed in the SLVIA. However, it is considered the SLVIA under-assesses the effects of the OHL at Philips Mains, and had other route options been considered, effects at Philips Mains could have been avoided via mitigation by design. The OHL could give rise to a visual effect at Philips Mains in its current alignment, as it would be highly visible and prominent, sky lining across a wide view thereby bringing infrastructure notably closer to the property and minor road (refer to Viewpoint 1).
- 7.23 Regarding the concerns raised by the Landscape Officer, the applicant initially presented route options that involved a more direct alignment for the OHL through the Hollandmey Wind Farm site, which was not taken forward due to proximity to turbines, and that the OHL would be within turbine wake exclusion zones. Further discussion with the applicant, however, has secured a commitment to amend the northern part of the electric line as currently proposed via condition, to underground the route from pole number 100 to the termination point at the Gills Bay Switching Station, subject to micro siting of the sealing end compound, consideration of ground conditions and variations in topography and avoidance of deep peat.
- 7.24 The potential for cumulative effects with other developments has been considered both during the construction and operational phases. There is concern that there are a number of consented renewable energy and storage proposals in the study area, and if these were to be constructed at the same time as the proposed OHL, there is potential for cumulative impacts on landscape fabric, landscape character and visual amenity resource. Battery energy storage (BESS) proposals have not been included in the cumulative assessment, due to the cut-off date set by the applicant, and subsequent proposals for BESS being consented in the interim. This was queried by the Planning Case Officer to the applicant during the assessment of the application; however, they did not consider the inclusion of BESS proposals as reasonably foreseeable at the time of the cumulative assessment. Timescales for consented proposals remain unclear at this stage and these omissions are on balance, not considered to undermine the cumulative assessment overall.

- 7.25 Based on the methodology set out in the EIA report, the assessment of the seascape, landscape and visual impacts of the OHL is considered reasonable, and it is concluded that, provided the northern part of the electric line is undergrounded, there would be no significant landscape or visual effects arising from the proposed development other than those in a localised sense.

Water Environment and Peat

- 7.26 The applicant's EIA report includes a chapter on soils. The potential effects on soils are set out in the EIAR Chapter 8 and associated technical appendices covering the outline Peat Management Plan (PMP), peat landslide hazard risk assessment (PLHRA), and peat depths report.
- 7.27 The site is underlain predominantly by Class 1 peatland and has areas of Class 5 peatland. However, the proposed development has been designed to avoid areas of deep peat where practicable; and where this is not possible, techniques and methodologies in line with industry standards will be used to minimise effects and disturbance of peat and carbon-rich soils.
- 7.28 Peat habitats have been assessed to be of high sensitivity during the construction phase. Potential adverse effects on peat and carbon-rich soils have been predicted to occur during construction, due to compaction of soils/peat; increased erosion of peat soils through disturbance, either directly or through localised drying caused by infrastructure; and the loss of peatland habitat and carbon rich soils through excavations for infrastructure and/or peat landslides. During operation, no potential impacts are expected on peat and carbon rich soils. The applicant sets out key measures to minimise and prevent impacts to peat and carbon rich soils in the PMP, PLHRA, as well as the applicant's own general environment management plans (GEMPs). Mitigation measures, construction methods and other environmental protection measures in line with SEPA requirements would be set out the CEMP, to be prepared by the principal contractor. Following implementation of mitigation, impacts on peat and carbon-rich soils during construction and operational phases are assessed to be minor adverse and not significant, and no residual effects are predicted. Mitigation proposed to address potential significant effects is considered adequate and a condition is included to secure delivery.
- 7.29 The applicant has scoped out flood risk from the EIA. This is due to the fact the proposed development is not located within an area assessed to be at risk of flooding from any sources identified on SEPA's regulatory mapping.
- 7.30 SEPA has however identified that there are significant areas of surface water flood risk with the West burn of Gills and its associated tributaries, and Gills Burn south of Brabster Farm. This does not preclude development, albeit that where land raising is required within the extents identified on SEPA Future Flood Map, compensatory flood storage of equal volume must be implemented prior to any land raising works. A condition has been included to secure this and ensure no increased flood risk because of the development.
- 7.31 A review of locations of private water supplies using THC's map indicates the proposed development is not in hydrological connection to any PWS or drinking water protection area. The site is not within 250m of any identified PWS or

abstraction location, therefore this environmental issue has not been subject to assessment via the EIA. Nevertheless, the applicant's CEMP requires to seek details of any unidentified supplies from surrounding residents and landowners.

- 7.32 Through National Vegetation Classification (NVC) surveys, the applicant found no habitats with potential to be Groundwater Dependent Terrestrial Ecosystems (GWDTE). Potential for effects on hydrological features would be strictly controlled in accordance with the detailed CEMP.
- 7.33 Sensitive habitats including peatland may be affected due to habitat loss and hydrological changes as a result of the construction and operation of the proposed development. However, mitigation delivered via the CEMP, PMP and PLHRA would minimise the overall residual effects, to the extent that they would not be significant. Though the applicant has scoped out matters relating to the water environment from the EIA, proposed are several mitigation measures to manage pollution risks, erosion and sedimentation and any risk of impacts on GWDTEs. All of these would be detailed under the umbrella of a detailed CEMP, which will require to be approved and implemented via condition.

Natural Heritage

- 7.34 The applicant's EIA report includes chapters on ecology, and ornithology, which together comprise natural heritage. The proposed development is not located directly within any statutory designated sites for nature conservation. However, there are a number of nationally and internationally important sites, designated for their habitats, terrestrial species, and ornithology.
- 7.35 The scope of the ecology assessment is designated nature conservation sites, such as Special Areas of Conservation (SAC); sensitive habitats such as peatlands and groundwater dependent terrestrial ecosystems (GWDTE); and protected species such as Otter and Pine Marten. The scope of the ornithology assessment is focused on protected sites designated for bird species and populations around the proposed development, at all times of year.
- 7.36 Desk studies and field surveys were undertaken for identified ecological and ornithological receptors. Field surveys included extended UK Habitat Classification (UKHab), National Vegetation Classification (NVC) and protected species surveys for otter, badger and pine marten. Vantage point, moorland bird and wintering bird surveys were undertaken as part of the ornithology field surveys, which recorded flights of eleven different bird species.
- 7.37 There are several habitats present within the proposed development site identified as part of survey effort. Modified grassland, and blanket bog comprise much of the site. Other habitats including coniferous forest, broadleaved woodland, scrubland and arable are also present throughout the site. Class 1 peat covers much of the site; there are also mineral soils and a section of Class 5 peat where the proposed site skirts the forest edge around the Hollandmey Renewable Energy Development site. The proposed development has been designed as far as possible to avoid habitat areas of high ecological sensitivity. Pre-construction surveys would be undertaken to detect protected species and ensure their protection during the construction phase. Temporary adverse effects for between five to ten years are

predicted, until habitats that have been subject to reinstatement become re-established.

- 7.38 Designated sites within 500m of the proposed development include Phillips Mains Mire Site of Special Scientific Interest (SSSI), Stroupster Peatlands SSSI, and Caithness and Sutherland Peatlands Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site. Within the ornithology study area there are the Loch Heilen SSSI, Loch of Durran SSSI, Dunnet Head SSSI, Stroma SSSI, Duncansby Head SSSI and Loch of Mey SSSI, Loch of Wester SSSI, Caithness Lochs SPA, and Ramsar site, designated for nationally and internationally important habitats, and ornithology.
- 7.39 The proposed development site is considered to have connectivity with the Caithness and Sutherland SAC, SPA and Ramsar site; and the Caithness Lochs SPA and Ramsar site and is not necessary to the management of these sites for nature conservation. As likely significant effects on the qualifying interests of these designated sites cannot be ruled out, the competent authority, Scottish Ministers, is therefore required to undertake an Appropriate Assessment, as per Regulation 63(1) of the Conservation of Habitats and Specials Regulations 2017, of the implications of the plan or project in view of the site's conservation objectives. The applicant has submitted in the EIAR Technical Appendices Shadow Habitats Regulations Appraisals for the SAC, Ramsar's and SPAs. NatureScot, the statutory nature conservation body, have carried out an appraisal to inform the competent authority's appropriate assessment. NatureScot conclude that mitigation measures are required to ensure no adverse effect on site integrity; and as such condition wording has been included for mitigation relating to Habitats Regulations legal requirements. Scottish Ministers must also consider any scope for in-combination effects on designations from this development and other consented development in the vicinity, including but not limited to the wind farm this line is intended to serve.
- 7.40 Given the nature of the proposed development, permanent habitat loss would be limited and restricted to the extent of the operational corridor, pole footprints, permanent access tracks and woodland felling to construct and operate the proposed development. The applicant proposes that pole locations and access tracks would be micro-sited within the Limits of Deviation (LoD), informed by habitat and peat probing surveys, in order to avoid sensitive habitats and deeper areas of peat as far as practicable. Temporary disturbance of habitats during the construction phase would be minimised by adherence to the site-specific Construction Environmental Management Plan (CEMP), which would include detailed methods of peat and soil management and reinstatement.
- 7.41 A BNG assessment has been undertaken by the applicant, and a commitment has been made to deliver a minimum of 10% Biodiversity Net Gain. However no further details have been provided regarding the site currently proposed for restoration and enhancement measures, this has led to an objection from Highland Council's Ecology Officer as they cannot confidently assess whether the proposed development would satisfy Policy 3 Biodiversity of NPF4 without these details. The applicant has noted in the EIAR Technical Appendix (outline Habitat Management Plan) that the final Habitat Management Plan would include specific prescriptions and confirmation of peatland restoration and compensatory woodland planting locations, to be agreed with the Council and other relevant stakeholders and

landowners. The proposed OHL route has also been influenced by the habitat management areas nearby for other consented projects. The Hollandmey Renewable Energy Development was granted consent by the Scottish Ministers in September 2024 (THC Ref: 21/05591/S36) and includes an area within its red line boundary for habitat management, to fell commercial forestry surrounding the Phillips Mains SSSI and restore conditions for the underlying blanket bog habitat. Through consultation with the applicant for Hollandmey, the currently proposed grid connection route was refined to avoid the proposed peatland restoration area.

- 7.42 Whilst the Ecology Teams objection is noted, Officers must be mindful (as with the off-site peatland restoration) of the latest advice from the Chief Planner and Minister (April 2025), which clearly outlines that the use of suspensive conditions to secure biodiversity enhancement measures can be appropriate. Given this advice and the applicant's Memorandum of Understanding which is in place with the Council for the delivery of strategic biodiversity enhancement sites across Highland, Officers have a suitable level of comfort that a scheme can be delivered through planning condition, as has been the approach taken for other recent SSENT projects.

Forestry

- 7.43 The applicant has scoped out forestry as a dedicated chapter within the EIAR, however an Environmental Appraisal of the impacts on forestry and trees has been carried out, which is included in Technical Appendix 2.4 of the EIAR. The Appraisal is based on the requirement to establish an Operational Corridor (OC) for the OHL, whilst also recognising the potential impact on broader forest management that could occur because of the proposed development. The Appraisal considers the effects of the proposed development on the forest structure and on forest management.
- 7.44 Tree removal is required to accommodate the OHL in its proposed alignment. Areas of Management Felling will also be required out with the red line boundary of the proposal; this is to mitigate the effects of windblow that could occur where felling for the OC may leave isolated uneconomic areas of trees. Management felling is out with the control of the applicant. It would need to be undertaken in agreement with the relevant landowners and subject to relevant Scottish Forestry licenses.
- 7.45 To establish baseline conditions, a desk study has been carried out, drawing on information from Scottish Forestry's Forestry Map Viewer, Open Data Portal, and datasets from the Native Woodland Survey of Scotland (NWSS). A site walkover has also been undertaken to inform the Appraisal. Areas of woodland that would be affected, comprise conifer plantations that are at varying stages of maturity; and one area of natural broadleaved woodland.
- 7.46 There are no areas within the proposed development that are identified on the Ancient Woodland Inventory (AWI). All areas of woodland that would be affected are under private ownership, and there are no areas that are part of the National Forest Estate managed by Forestry and Land Scotland (FLS). Woodland areas within existing commercial plantations that would be affected have been identified and described in Table 2.4.2 in the Forestry Appraisal. There are two areas at Brabster Farm that are listed on the NWSS, comprising wet woodland (predominantly native broadleaves) with some non-native Sitka spruce; and a nearly native woodland, also with some non-native Sitka spruce. Removal of 0.14ha of woodland recorded on the

NWSS which is nearly native woodland would mean any future possibility to carry out native woodland restoration would also be permanently lost.

- 7.47 The applicant has identified economic impacts associated with direct and indirect felling of trees, comprising 3.07ha, due to premature loss of commercial conifer timber production prior to optimum economic rotation age. Ecological impacts have also been identified in the EIAR Chapter on ecology, due to the permanent removal of 0.14ha of woodland recorded on the NWSS.
- 7.48 The applicant proposes management felling areas affected by windblow will be replanted on site. 2.29 ha of commercial woodland and 0.14 ha of wet woodland (predominantly willow, with some Sitka spruce present) will need to be permanently removed to accommodate the OC. In addition, a further 0.78 ha of commercial woodland will need to be felled and restocked (management felling) in order to secure a windfirm edge along the OC.
- 7.49 The forestry appraisal identifies the potential impact of proposed felling on the economic value of the commercial conifer crop. This highlights that felling is taking place at roughly mid-rotation. An increase in the area of Compensatory Planting will be expected to reflect the pre-mature removal of commercial woodland and loss of native woodland.
- 7.50 Mitigation includes off-site Compensatory Planting of at least 2.43 ha relating to areas of permanent woodland removal, along with on-site restocking of 0.78 ha relating to the management felling areas. The proposed OHL follows the northern boundary of the Philips Mains forest block. Tree protection measures must be in place to ensure that no root disturbance occurs during construction works which may affect the stability of the wind firm edge. A Tree Protection Plan and Arboricultural Method Statement will be required in accordance with BS5837:2012 (Trees in relation to design, demolition and construction). To ensure delivery of compensatory planting, tree removal and protection, planning conditions are included.

Roads, Transport and Wider Access

- 7.51 The proposed development will include temporary construction compounds, lay down areas and access tracks. The applicant has scoped out traffic and transport from the EIAR; however, a Transport Appraisal has been undertaken, submitted alongside an outline Construction Traffic Management Plan (CTMP). A finalised CTMP may be secured via condition.
- 7.52 All accesses onto the public road will need to be agreed with the authority and may require planning permission. The number of accesses would need to be kept to a minimum and further discussed with the Local Roads Authority in relation to roads C1033 and C1037. The Roads Authority would not foresee access to the works directly from the A836 public road.
- 7.53 The number of HGVs identified for the construction phase are expected to be low, with approximately 3 HGV flows per day on C1033. Existing flows on minor roads are also expected to be low, with 12 flows per day. As such, impact of the proposed development on the local roads is considered as not severe. During the operation phase, C1033 and C1037 have been identified as consultation routes which restrict

HGV timber vehicles near the application site. It is therefore likely that improvements will be required before large vehicles can use the noted roads, and the authority would expect the developer to undertake surveys to review structures to establish if the roads can be used by HGVs. It is considered improvement works, where and if required, can be included in the CTMP to be agreed with THC, and this can be secured by planning condition.

- 7.54 The Council's Transport Planning Team agree that with possible mitigation measures identified by further investigation, the development can be supported in terms of traffic and transport matters, subject to further survey undertaken by the developer to identify improvements where and if necessary and ensure damage to the road network during the 24 month constructing phase is recorded, and repaired as necessary. The applicant would also need to safeguard residents and non-motorised users (NMUs) of both roads, to be included in the CTMP.

Built and Cultural Heritage

- 7.55 Likely significant effects were not anticipated for cultural heritage and have not been assessed in terms of EIA. However, the applicant has provided an Environmental Appraisal submitted as an appendix to the EIAR. 14 non-designated assets were identified in the Inner Study Area, which is within 100m of the proposed alignment, and are mostly associated with medieval or later settlement and agricultural activities. A further three heritage assets are located within the Outer Study Area, which is within 2km of the proposed alignment, comprising a Scheduled Monument, Category B Listed Building, and Garden and Designed Landscape.
- 7.56 The assessment identifies a low magnitude of effect on Thomsonsfield Broch (Scheduled Monument SM588) and negligible effects on the Castle of Mey Inventory Garden and Designed Landscape (GDL00096) and Castle of Mey Lodge (LB1798). The OHL would introduce a new landscape feature and physical element into some views, particularly west and southwest from the broch, however, the presence of commercial forestry would provide partial screening, limiting its visual influence. The Proposed Development would not materially diminish the key attributes of setting which contribute to the cultural significance of SM588, GDL00096, or LB1798. This is due to the distance between the proposed development and the topographical landscape between the two including changing elevations and forest. The designed landscape and associated listed building would not experience meaningful change to their setting specifically the views from the Castle and the GDL. Any impacts identified are limited, localised, and do not undermine the overall heritage value of these assets.
- 7.57 Mitigation is proposed that would include marking-out and avoiding assets, as well as good practice measures to be outlined in the CEMP. Evaluation and excavation may be required for assets where impacts cannot be avoided. The Council's Archaeologist accepts the proposed mitigation strategy and recommends a programme of archaeological works will be required for this development, with the need to submit a detailed Written Scheme of Investigation (WSI). It is considered these matters can be secured via planning condition.

Other Material Considerations

7.58 None.

8.0 Matters to be Secured by Legal Agreement

8.1 A Construction Traffic Management Plan (CTMP) is required to be supported by a formal "Wear and Tear Agreement" in accordance with Section 96 of the Roads (Scotland) Act 1984. This is expected to be concluded concurrently with the satisfaction of the CTMP condition.

9. CONCLUSION

9.1 The proposed development consists of the construction of 8.6km of overhead line (OHL) supported by 112 trident H wood poles; and ancillary works including vegetation clearance along the OHL for the lifetime of the proposed development; upgrade existing or establishment of new junction bell mouths; establishment and reinstatement of temporary and permanent access for the construction and maintenance of the OHL and temporary site compounds, and material drop-off points. The proposed development would provide a grid connection for the consented Slickly Wind Farm development, thereby enabling the export of renewable energy.

9.2 The 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 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 The Council's' Landscape Officer raised concerns regarding the proposed alignment in terms of visual impacts. Further clarification was sought by Planning Officers on this matter, and the applicant has provided adequate justification as to why the proposed alignment has been applied for. Following further discussions with the Council Officers in relation to concerns over the landscape and visual impacts of the northern section of the proposed electric line, the applicant has confirmed agreement to underground the line in this area, from pole number 100 to the Gills Bay Switching Station.

9.4 The Council's Ecology Officer objected to the proposal and has been unable to remove their objection due to lack of information that has been provided to assess if the proposal accords with the requirements on NPF4 Policy 3. Their objection is noted; however it is the view of the case officer that the biodiversity issues that remain unresolved can be addressed and controlled via planning condition, the use of which aligns with Chief Planner guidance.

9.5 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.

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

10. IMPLICATIONS

10.1 Resource: Not applicable

10.2 Legal: Not applicable

10.3 Community (Equality, Poverty and Rural): Not applicable

10.4 Climate Change/Carbon Clever: The application allows for the connection of renewable energy to the grid therefore helping to deliver a contribution toward climate change targets.

10.5 Risk: Not applicable

10.6 Gaelic: Not applicable

11. RECOMMENDATION

11.1 **Action required before consultation N response is issued**

11.2 It is recommended to **RAISE NO OBJECTION** to the application, thereby withdrawing the Council's initial objection, subject to:

A. The Committee granting delegated authority to the Area Planning Manager – North to agree the finalised condition wording, with any substantive amendments to be subject to prior consultation with the Chair of the North Planning Applications Committee;

B. The Committee granting delegated authority to the Area Planning Manager – North to agree an additional Condition (5), for the part of the electric line from at least pole number 100 to the north end of the line, at the Gills Bay 132kV switching station, to be diverted underground, and to respond to the Energy Consents Unit on any further environmental information or consultation relevant to this variation; and

C. The following draft conditions and reasons.

Conditions

Draft matters to be secured by condition to be attached to any Section 37 consent which may be approved:

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. **Accordance with the Provisions of the Application**

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 Impact Assessment Report (EIAR), dated October 2025, received by the Planning Authority February 2026.

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

3. **Elevations, Materials and Finishes**

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

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

Reason: In the interest of visual amenity.

4. **Limits of Deviation and Micro-siting**

(1) The overhead line section of the proposed development shall be constructed in the locations, as set out in Figure 2.1 of the EIA report dated October 2025 and to the pole heights provided in Technical Appendix 2.1 of the EIA report. The location of the proposed development and height of the poles may be adjusted within the following Limits of Deviation (LOD):

(a) The horizontal LOD parameter, allows for the proposed development to be relocated within the locations identified in Figure 2.1 of the EIA report, and subject to any limitations identified in the accompanying LOD schedule as contained within Chapter 2 of the EIA report.

(b) The vertical LOD for poles is 16m AGL, subject to any limitations identified in the LOD schedule as contained within Chapter 2 of the EIA report.

(c) No micro-siting shall take place with the result that infrastructure (excluding temporary access matting and floating tracks) has a greater overall impact on peat or GWDTE than the original location]; and

(d) No infrastructure or ancillary development, other than as required for a water course crossing, shall be micro-sited to be within the minimum buffer around each waterbody as detailed in table 1 of the Recommended Riparian Corridor Layer for use in Land Use Planning, or 50 m where subsurface activities are more than 1m in depth unless otherwise agreed in writing (adequate justification should be provided along with details of mitigation to protect the water environment) with the Planning Authority in consultation with SEPA.

(2) All micro-siting permissible under this condition must be approved in advance in writing by the Environmental Clerk of Works (EnvCoW) appointed under the terms required by Condition 6.

(3) No later than three months after the Date of Final Energisation, the Company must submit a finalised site plan to the Planning Authority, copied to Scottish Ministers, showing the final position of the overhead line, all poles, access tracks, and associated infrastructure forming part of the Development. The plan must also specify areas where micro-siting has taken place and, for each instance, be accompanied by copies of the approval from the EnvCoW.

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

5. **Underground Diversion Scheme**

No development shall commence until a scheme for diverting the electric line underground from, at least, pole number 100, to the Gills Bay 132kV switching station, has been submitted to and approved in writing by the Planning Authority.

(1) The diversion scheme shall include, but is not limited to:

- a. Details of the final number of poles to be removed; and
- b. Details of micrositing of the sealing end compound and underground cable, taking account of landscape and visual impact, including the outlook from Phillips Mains, ground conditions, variation in topography, avoidance of deep peat and routing for the undergrounding of the cable to connect with the switching station.

(2) The diversion scheme shall thereafter be implemented as approved.

Reason: In the interest of visual amenity.

6. **Environmental Clerk of Works**

No development or any works shall commence unless and until the terms of appointment of an independent Environmental Clerk of Works (EnvCoW) by the Company have been submitted to, and approved in writing by, the Planning Authority. This must include 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: EIA Report, including any micro-siting; the Construction and Environmental Management Plan; the Habitat Management Plan and Species Protection Plans.
- 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;.

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.

7. **Construction Environment Management Plan**

No later than three months prior to the Commencement of the Development, a Construction 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, 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 EIAR, and associated Technical Appendices, received by the Planning Authority in February 2026.
- b) Processes to control / action changes from the agreed SM;
- c) Risk assessment of potentially damaging construction-type activities on the environment;
- d) A statement of responsibility to 'stop the job/activity' if a breach or potential breach of mitigation or legislation occurs; and
- e) 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.

- f) Protected Species Plan. The Plan shall be informed by protected species surveys carried out by a suitably qualified person. The surveys shall inform the mitigation measures required to protect protected species during construction of the Development. The Plan shall provide mitigation measures, as required, and a timetable for implementation.
- 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 illumination, including measures to ensure light spill/pollution is minimised and avoids habitats within the site and does not extend beyond the immediate working area, and not beyond the site boundary; Site waste management;
- k) Survey and protection of any Private Water Supplies;
- 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) A Pollution Prevention and Incident Plan incorporating a Pollution Prevention Plan, Pollution Incident Plan and a Pollution Control Monitoring Plan, this shall include measures to protect watercourses, including appropriate buffers, groundwater, management of natural surface hydrological flows (flushes, springs, etc.) and protection of peatland/soils, arrangements for the storage and management of oil and fuel and other chemicals on the site and sewage disposal and treatment;
- o) Site-specific Construction Method Statements for the following:
 - a. watercourse crossings including full details and plans of the design and specification of all new and upgraded watercourse crossings to be constructed, ensuring continuous flow and fish passage with no hanging culverts, noting all crossings shall be oversized bottomless arched culverts or traditional style bridges designed to take the 1 in 200 plus climate change flood flows unless otherwise agreed with the Planning Authority in consultation with SEPA;
 - b. all permanent roads/tracks to be altered/formed and retained for the operation of the development; including their width, likelihood of widening or passing places, means of drainage (which shall have regard to SUDS principles), means of construction, and edge reinstatement including verge width. The specification shall be accompanied by relevant plans at a sufficient scale;
- p) Compliance with the Construction Noise Management Plan required by Condition 24

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 EIA Report accompanying the application, or as otherwise agreed, are fully implemented.

8. **Peat and other Carbon Rich Soils Management Plan**

(1) There shall be no Commencement of Development until a detailed Peat and other Carbon Rich Soils Management Plan, [taking account of the Draft Peat and other Carbon Rich Soils Management Plan (Technical Appendix [Insert TA number] of the EIA Report)] has been submitted to and approved in writing by the Planning Authority in consultation with SEPA at least one month before commencement of development.

(2) The PMP shall:

- a) Demonstrate it has taken account of site and ground investigations to minimise the loss of peat and other carbon rich soil and minimise carbon loss,
- b) include actions, including micro-siting, temporary access panels, floating tracks and piling of pole foundations, 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
- c) follow good practice for handling, storing and reinstating peat and other carbon rich soils.

(3) The Peat and other Carbon Rich Soils Management Plan shall thereafter be implemented as approved upon the Commencement of Development, unless otherwise agreed in writing by the Planning Authority in consultation with SEPA.

Reason: To ensure that disruption to peat and other carbon rich soils is minimised.

9. **Programme of Archaeological Works**

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

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

10. **Community Liaison Group**

No development shall commence unless and until a Community liaison Group ("CLG") is established by the Company, in consultation with the Planning Authority and affected local Community Council(s).

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

The CLG must 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 minimise conflict between construction traffic and the increased traffic generated by such events / seasons / developments.

The CLG, or element of any combined CLG relating to the Development, must 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.

11. **Design of Ancillary Development**

(1) There shall be no Commencement of Development until final details of the ancillary development, including external appearance, dimensions and surface materials of the temporary access tracks, including watercourse crossings, associated construction working, pulling and laydown areas for construction and temporary construction compounds, have been submitted to and approved in writing by the Planning Authority.

Thereafter, the ancillary development shall be constructed in accordance with the details approved under part (1) of this condition, unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure that the environmental impacts of the ancillary development forming part of the development conform to the impacts assessed in the EIA Report and in the interests of the visual amenity of the area.

12. **Flood Risk**

- 1) No land raising, storage of temporary materials, siting of mobile welfare units or other activities that would lead to significant floodplain loss, shall take place within the area at risk of flooding as defined by the SEPA Future Flood Map unless otherwise agreed with the Planning authority in consultation with SEPA.
- 2) Should land raising be required for the upgrading of existing roads or construction of new temporary access roads within the area at risk of flooding as defined by the SEPA Future Flood Map, compensatory storage of equal volume will be required and should be created prior to any land raising works. One month prior to the commencement of any such land raising works, plans should be submitted to the Planning Authority for their approval in consultation with SEPA showing the extent of works and clearly identifying where compensatory flood storage will be located.

- 3) Prior to the commencement of any such land raising works, plans should be submitted to the Planning Authority for their approval showing the extent of works and clearly identifying where compensatory flood storage will be located

The most up to date SEPA Future Flood Map extent should be included in the finalised CEMP.

Reason: to ensure flood risk is minimised.

13. **Habitat Management Plan**

- 1) There shall be no Commencement of Development until a Habitat Management Plan (HMP) [taking account of the Outline Habitat Management Plan], has been submitted to, and approved in writing by the Planning Authority.
- 2) The HMP shall set out proposed habitat management of the site during the period of construction, operation, and decommissioning, restoration and aftercare, and shall provide for the maintenance, monitoring and reporting of site-specific details or particular species, habitats or wetlands on site.
- 3) The HMP shall provide provision and details for regular monitoring and review to be undertaken against the HMP objectives and reasonable measures for securing amendments or additions to the HMP in the event that the HMP objectives are not being met. An HMP steering group should be set up to review success of achieving objectives.

Until otherwise approved in advance in writing by the Planning Authority, the approved HMP (as amended from time to time with written approval of the Planning Authority) shall be implemented in full in line with the timescales set out in the approved plan.

Reason: In the interests of good land management and the protection of habitats.

14. **Data**

GIS Shapefiles shall be supplied of the compensation and enhancement areas within the Habitat Management Plan, to the Planning Authority prior to the commencement of works.

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

15. **Pre-construction survey**

A pre-construction survey is required to be undertaken not more than 3 months prior to works commencing and a report of the survey has been submitted to, and approved in writing by, the Planning Authority. The survey shall cover both the application site and an appropriate buffer from the boundary of application site and the report of survey shall include mitigation measures where any impact, or potential impact, on protected species or their habitat has been identified. Development and

work shall progress in accordance with any mitigation measures contained within the approved report of survey and the timescales contain therein.

Reason: In the interests of protecting ornithological interests through the construction, operational and decommissioning of the development.

16. **Nesting Birds**

Construction works have the potential to disturb nesting birds or damage their nest sites, and as such, a nesting bird survey should be made, not more than 24 hours prior to the commencement of development if this coincides within the main bird breeding season (March- August inclusive) and throughout the breeding bird season if new areas are being developed or there has been a break in construction. All wild bird nests are protected from damage, destruction, interference and obstruction under the Wildlife and Countryside Act 1981 (as amended). Some birds (listed on schedule 1 of the Wildlife and Countryside Act) have heightened protection where it is also an offence to disturb these birds while they are in or around the nest.

Reason: In the interests of protecting ornithological interests through the construction, operational and decommissioning of the development.

17. **Bird Protection Plan**

(1) There shall be no Commencement of Development until a Bird Protection Plan has been submitted to and approved in writing by the Planning Authority in consultation with NatureScot. The Bird Protection Plan shall be informed by pre-commencement bird surveys and set out measures to protect protected species and species of conservation concern including post construction ornithology surveys at intervals to be agreed with the Planning Authority.

(2) Thereafter, the approved Bird Protection Plan shall be implemented in full within the timescales set out in the approved Bird Protection Plan

Reason: In the interests of protecting ornithological interests through the construction, operational and decommissioning of the development.

18. **Woodland Removal**

The area of permanent woodland removal shall not exceed 2.43 hectares, unless otherwise agreed in writing with the Planning Authority. All other woodland shall be retained and managed as required by Scottish Forestry and in accordance with the UK Forestry Standard.

Reason: To protect Scotland's woodland resource, in accordance with the Scottish Government's policy on the Control of Woodland Removal and to ensure proper management of the remaining woodland.

19. **Tree Protection**

No development shall commence, including tree felling, site excavation or demolition, until a Tree Protection Plan and Arboricultural Method Statement has been submitted to and approved in writing by the planning authority, in accordance with BS5837:2012 (Trees in Relation to Design, Demolition and Construction). This report shall be prepared and subsequently supervised by a suitably qualified arboricultural consultant approved by the planning authority.

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

20. **Compensatory Planting**

At least three months prior to commencement of development, a detailed Compensatory Planting Plan must be submitted to and approved in writing by the Planning Authority, following consultation with Scottish Forestry and any other relevant stakeholders.

The Compensatory Planting Plan shall:

- i. Provide an area of Compensatory Planting greater than 2.43 hectares in size (to be agreed with the planning authority), consisting primarily of productive species and located within Highland;
- ii. Demonstrate that the area identified for compensatory planting has been considered under The Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017, where this exceeds the current thresholds. In all cases, due diligence must be undertaken to demonstrate that the proposed Compensatory Planting is a viable scheme;
- iii. Be in accordance with the process for preparing a woodland creation application, as set out in the Scottish Forestry publication: Woodland Creation Application Guidance;
- iv. Provide a detailed schedule of maintenance;
- v. Be prepared by and then implemented under the supervision of a suitably qualified forestry consultant, first approved in writing by the Planning Authority;
- vi. Include a detailed schedule of supervision, with compliance monitoring reports to be issued at agreed stages, prepared by the appointed forestry consultant;
- vii. Provide the planning authority with a GIS shapefile clearly identifying the approved area(s) of woodland removal and the associated area(s) of Compensatory Planting.

The development hereby approved shall not be brought into operational use until the approved Compensatory Planting Plan has been implemented in full. The compensatory planting shall be maintained thereafter in accordance with the approved scheme, until established to the full satisfaction of the Planning Authority and then shall remain as woodland in perpetuity.

To comply with the Felling Permission exemptions, woodland removal must not start until the applicant can demonstrate that construction work is imminent. Should development fail to commence within 3 years of the initial felling, the land use shall revert back to woodland, and the area must be replanted within the following 12

months, to a specification approved in writing by the Planning Authority.

Reason: To protect Scotland's woodland resource, in accordance with the Scottish Government's policy on the Control of Woodland Removal and to ensure successful implementation of Compensatory Planting.

21. **Planning Monitoring Officer**

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

- a) Impose a duty to monitor compliance with the planning permission and conditions attached to this consent;
- b) Require the PMO to submit a report at least every three months to the Planning Authority, or monthly at the further written request of the Planning Authority, summarising works undertaken on site; and
- c) Require the PMO to report to the Planning Authority any incidences of non-compliance with the planning permission and conditions attached to this consent at the earliest practical opportunity.

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

Reason: To enable the development to be suitably monitored to ensure compliance with the consent issued.

22. **Local Employment Scheme**

Prior to the Commencement of Development, a Local Employment Scheme for the construction and operation of the development shall be submitted to and agreed in writing by The Highland Council. The submitted Scheme shall make reference to the Environmental Appraisal, received August 2025. The Scheme shall include the following:

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

- e) details of the promotion of the Local Employment Scheme and liaison with contractors engaged in the construction of the development to ensure that they also apply the Local Employment Scheme so far as practicable having due regard to the need and availability for specialist skills and trades and the programme for constructing the development;
- f) a procedure for monitoring the Local Employment Scheme and reporting the results of such monitoring to The Highland Council; and
- g) a timetable for the implementation of the Local Employment Scheme.

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

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

23. **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.
- 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

- j) The use of speed activated signs should be considered, especially within local communities;
- k) A plan detailing the extent of any proposed improvements to the local road network. The Plan shall be based on an assessment of the route and the likely level of traffic using the route for construction of the development. Thereafter, the improvement works shall be implemented prior to construction works commencing on the overhead line.
- l) 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;
- m) Non convoying of HGV or site staff vehicles;
- n) A procedure for the regular monitoring of road conditions and the implementation of any remedial works required during the construction period;
- o) Measures to ensure that all affected public roads are kept free of mud and debris arising from the development;
- p) Identification of a nominated person to whom any road safety issues can be referred and measures for keeping the Community Council informed and dealing with queries and any complaints regarding construction traffic;
- q) 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 Gills Bay Switching Station identifier. This is to enable easy identification in the event of problems arising, such as speeding or discourteous driving;
- r) Provisions for emergency vehicle access;
- s) 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;
- t) The provision of a wear and tear agreement under Section 96 of the Roads (Scotland) Act 1984 under which the developer will be responsible for the repair of any damage to the local road network attributable to construction related traffic. As part of the agreement, pre-start and post construction road condition surveys must be carried out by the developer to the satisfaction of the Roads Authority. 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; and
- u) A timetable for the implementation of the measures detailed in the CTMP.

Reason: In the interests of road safety and to ensure adequate road safety measures are in place including measures to minimise conflict with routes to schools, cyclists and local events.

24. **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) During the months April to September:

- a. 0700 hours and 1900 hours Monday to Friday; and
- b. 0700 hours and 1300 hours on Saturdays.
- b) During the months October to March (inclusive):
 - a. 0700 hours and 1700 hours Monday to Friday; and
 - b. 0730 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.

25. **Recreational Access Management Plan**

No development shall commence on any individual section of the development until a Recreational Access Management Plan (RAMP) has been submitted to, and agreed in writing by, the Planning Authority. The plan shall look to maintain public access during construction of the development, as far as it is practicable and safe to do so, and thereafter enhance public access during the operation of the development. This shall include delivering net improvements to the accessibility of access paths on completion of the development. The plan as agreed shall be implemented in full, unless otherwise approved in writing with the Planning Authority.

Reason: In the interests of maintain public access rights and pedestrian safety.

Signature: Dafydd Jones

Designation: Area Planning Manager - North

Author: Niamh Coyne

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

Relevant Plans: Plan 1 - Figure 1.1 Site Location
Plan 2 - Figure 2.1 Proposed Development Layout
Plan 3 - Figure 2.2 Land Take and Forestry Removal
Plan 4 - Figure 2.3 Access Strategy
Plan 5 - Figure 5.1 Cumulative Developments

Appendices: Appendix 1 - Development Plan and Other Material Policy Considerations
Appendix 2 - Compliance with the Development Plan / Other Material Policy Considerations

Appendix 1 – Development Plan and Other Material Policy Considerations

National Planning Framework 4

- A1.1 National Development 3 - Strategic Renewable Electricity Generation and Transmission Infrastructure
- 1 - Tackling the Climate and Nature Crisis
 - 2 - Climate mitigation and adaptation
 - 3 - Biodiversity
 - 4 - Natural Places
 - 5 - Soils
 - 6 - Forestry, Woodland and Trees
 - 7 - Historic Assets and Places
 - 11 - Energy
 - 14 - Design, Quality and Place
 - 18 – Infrastructure First
 - 25 - Community Wealth Building
 - 29 - Rural Development

Highland Wide Local Development Plan 2012

- A1.2
- 28 - Sustainable Design
 - 29 - Design Quality and Place-making
 - 30 - Physical Constraints
 - 31 - Developer Contributions
 - 36 - Development in the Wider Countryside
 - 47 - Safeguarding Inbye/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

Caithness and Sutherland Local Development Plan (CasPlan)

A1.3 No site-specific policies

Highland Council Supplementary Planning Policy Guidance

- A1.4
- 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

- A1.5 The Highland-wide Local Development Plan is currently under review and is at Main Issues Report Stage and is due to be submitted for gate check in the coming months (Quarter 2, 2026). It is anticipated the Proposed Plan will be published thereafter.
- A1.6 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).
- A1.7
- 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 2 - Compliance with the Development Plan / Other Planning Policy

National Policy

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

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

- A2.4 NPF4 Policies 1, 2, and 3 now apply to all development proposals Scotland-wide, which means that significant weight must be given to the global climate and nature crises when considering all development proposals, as required by NPF4 Policy 1. To that end, development proposals are to be sited and designed to minimise lifecycle greenhouse gas emissions, as far as is practicably possible, in accordance with NPF4 Policy 2, while contributing to the enhancement of biodiversity, as required by NPF4 Policy 3.
- A2.5 Policy 3 - Biodiversity aims to protect biodiversity, reverse biodiversity loss, deliver positive effects and strengthen nature networks. Every development proposal has to maintain or improve biodiversity. These matters are all addressed in the report above and subject to conditions are considered to be acceptable.
- A2.6 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.
- A2.7 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.
- A2.8 Policy 5 – Soils, aims to protect carbon rich soils including peatlands. Development proposals on such locations, will only be supported where they relate to essential infrastructure or renewable energy development. These matters are all addressed in the report above and subject to conditions are considered to be acceptable.
- A2.9 Policy 7 - Historic Assets and Places is intended to protect and enhance historic environment assets, enabling positive change. Policy outcomes include ensuring the historic environment is valued, whilst supporting the transition to net zero, as well as recognising the social, environmental and economic value of the historic environment to our economy and cultural identity. Policy 7 part a) requires proposals with potential significant impacts to be appropriately assessed; with part

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

- A2.10 Policy 11 - Energy aims to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure. Section a) notes development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported, including (ii.) enabling works, such as grid transmission and distribution infrastructure. Section c) confirms development proposals will only be supported where they maximise net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities. Section d) requires development proposals that impact on international or national designations to be assessed in relation to Policy 4. In considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets.
- A2.11 Policy 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.
- A2.12 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.
- A2.13 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)

- A2.14 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.

- A2.15 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.
- A2.16 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.
- A2.17 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.
- A2.18 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.

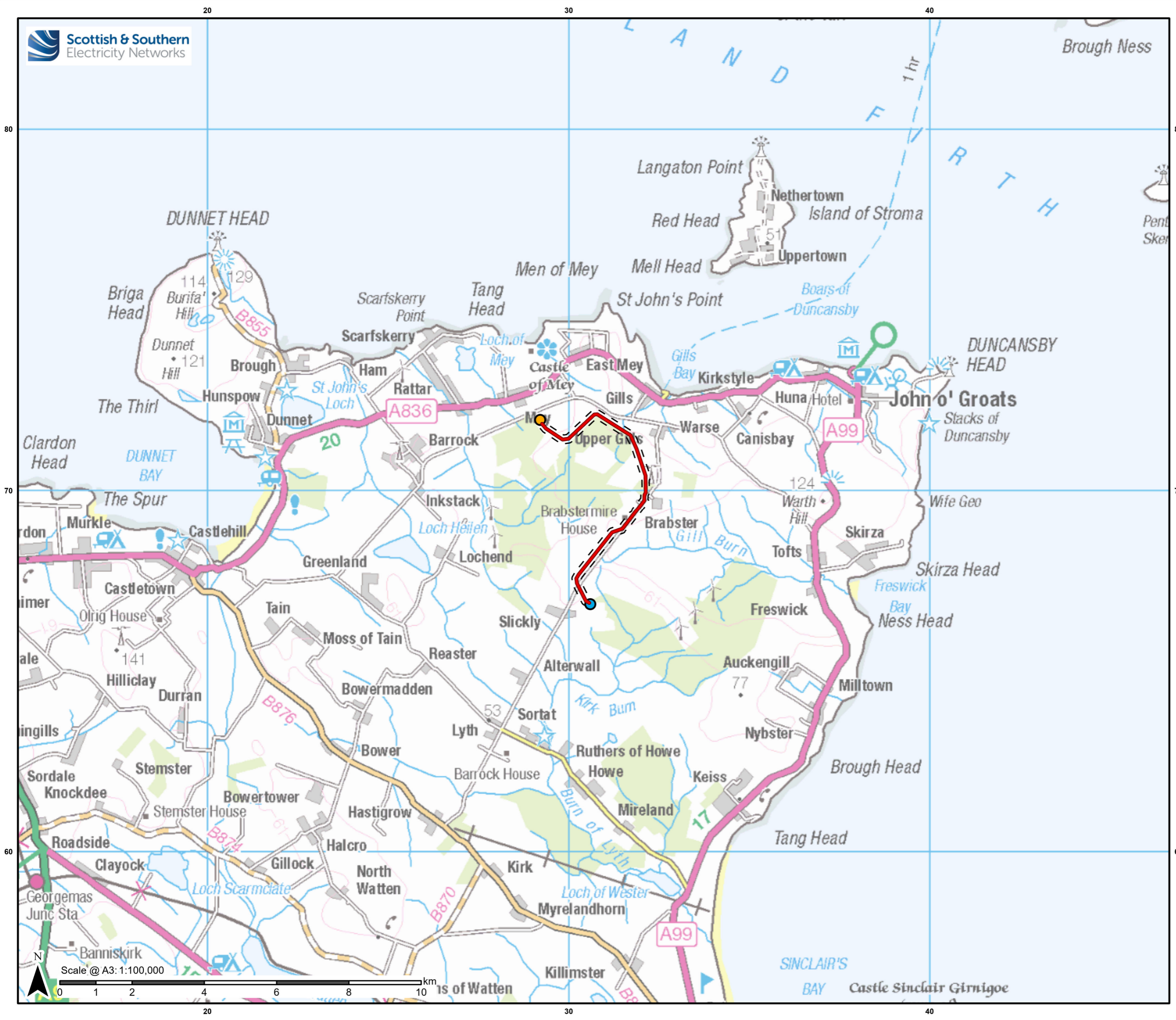
Developer Contributions

- A2.19 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.

A2.20 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.

Caithness and Sutherland Local Development Plan (CasPlan)

A2.21 CaSPlan was formally adopted by the Council and became part of the Development Plan on 31st August 2018. The application site lies out with any allocated site, delineated settlement boundary and safeguarding notation. No policies or allocations relevant to the proposal are included in the adopted Local Development Plan. It does however confirm the boundaries of Special Landscape Areas within the plan's boundary.



- ### Legend
- Proposed OHL Alignment
 - Limit of Deviation (LOD)
 - Gills Bay 132kV Switching Station
 - Slickly Substation



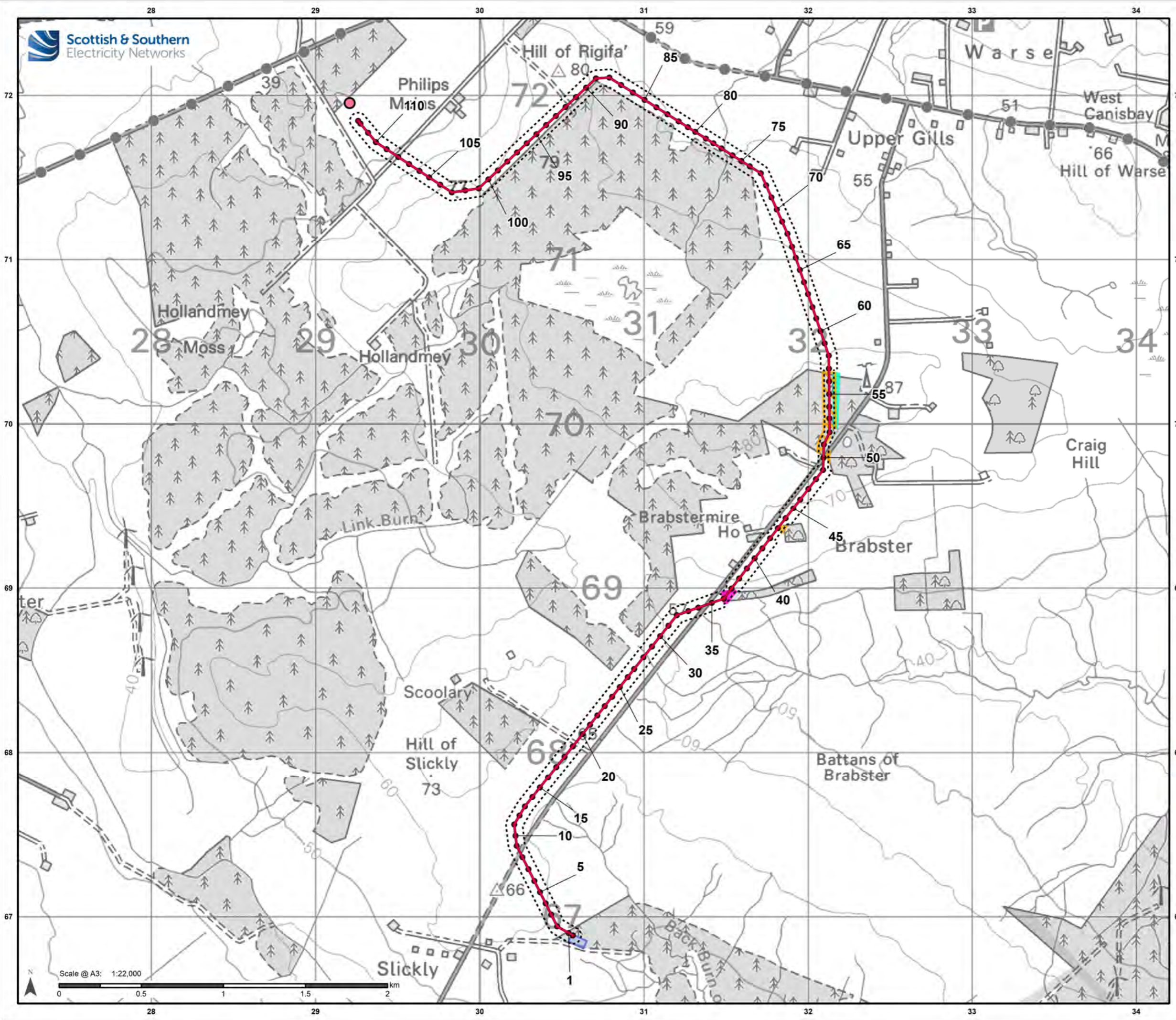
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Project No: LT000355
Project: Slickly Wind Farm OHL Connection

Title:
Figure 1.1: Site Location

Drawn by: RD Date: 30/10/2025

Drawing: 1620014541-RAM-MA-IA-00107_EIARFig1.1SiteLoc_07



Legend

- Indicative Pole Location
- Proposed OHL Alignment
- - - Limit of Deviation (LOD)
- Slickly Substation
- Gills Bay 132kV Switching Station
- ▨ Fell Corridor - Conifer
- Fell Corridor - Broadleaved
- Management Fell

Note:
 A horizontal LOD of 100 m width (50 m either side of the OHL) where no specific environmental constraints have been identified;
 A horizontal LOD of 60 m width (30 m either side of the OHL) where the OHL passes through woodland.



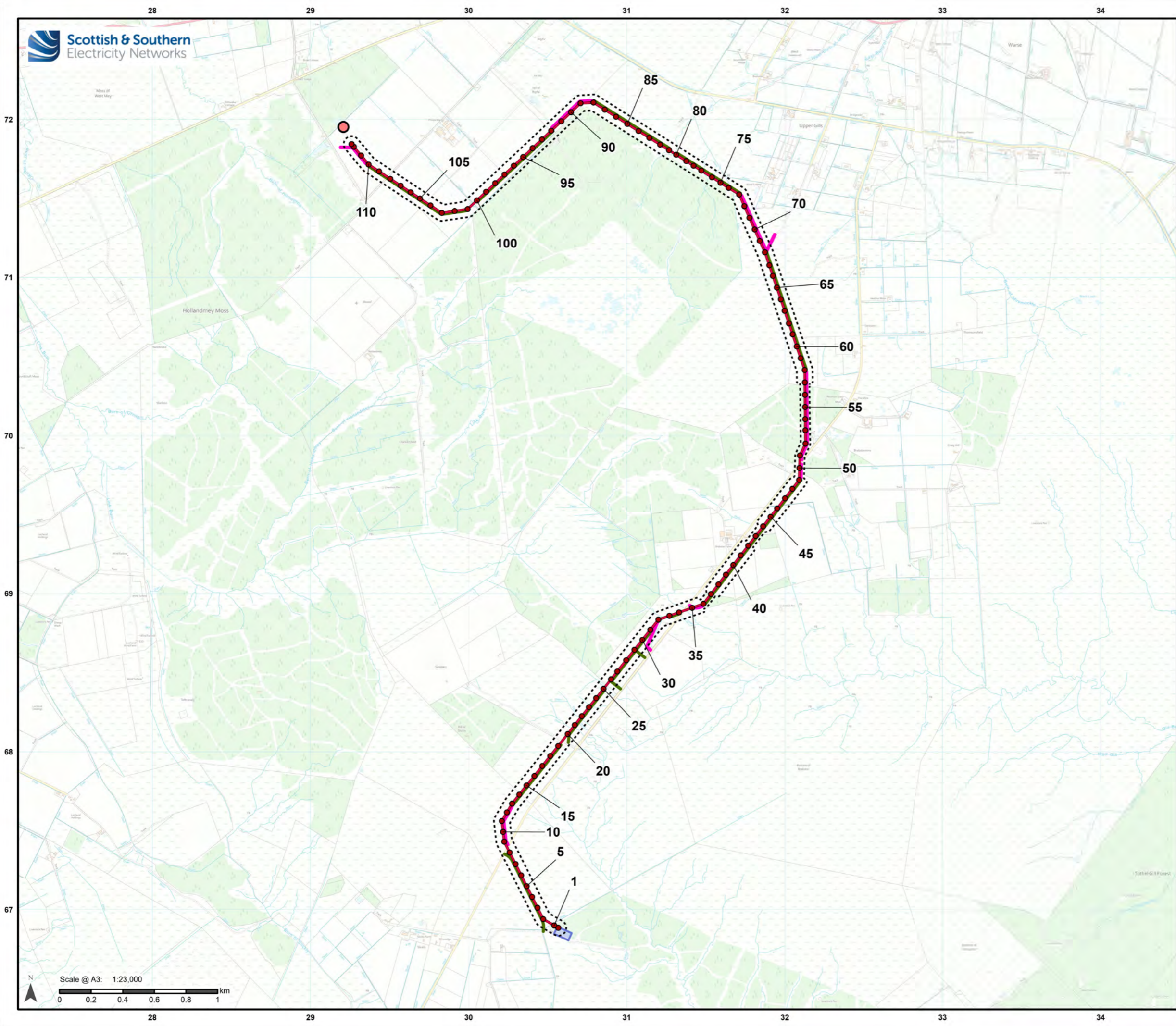
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Project No: LT000355
 Project: Slickly Wind Farm OHL Connection

Title:
 Figure 2.2: Land Take and Forestry Removal

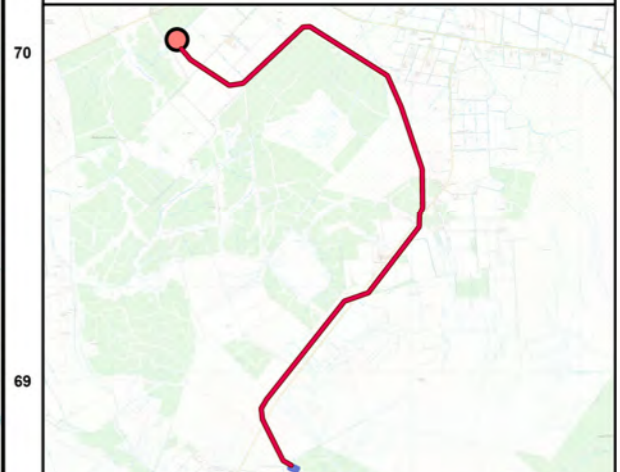
Drawn by: RD Date: 13/10/2025

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Legend

- Indicative Pole Location
- Proposed OHL Alignment
- - - Limit of Deviation (LOD)
- Slickly Substation
- Gills Bay 132kV Switching Station
- Permanent Access Track
- Temporary Access Track



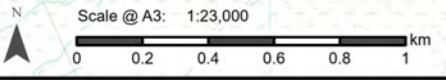
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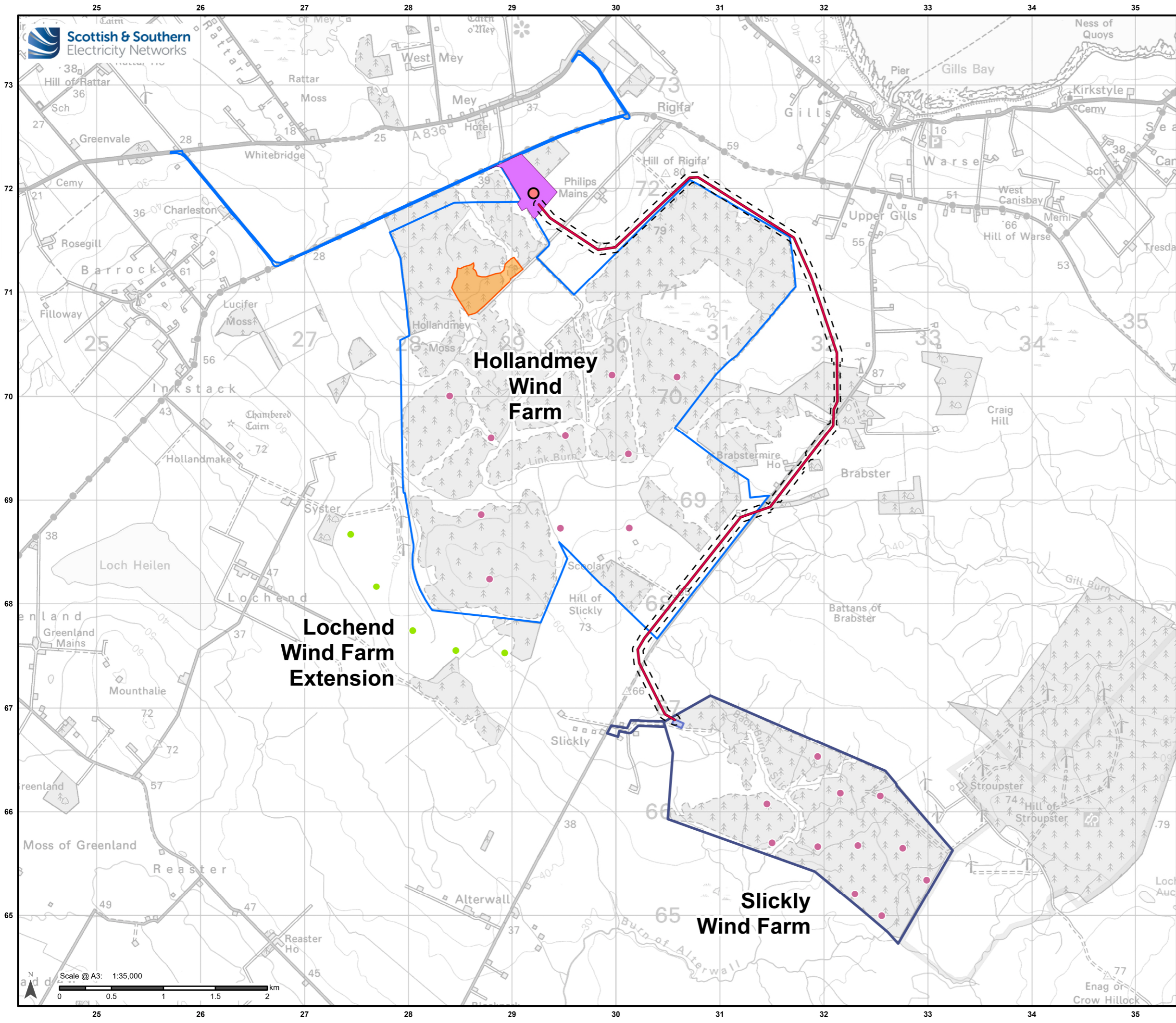
Project No: LT000355
Project: Slickly Wind Farm OHL Connection

Title:
Fig 2.3: Access Strategy

Drawn by: RD Date: 13/10/2025

Drawing: 1620014541-RAM-MA-IA-00110_EIARFig2.3AccessStrategyMaperies_08





Legend

- Proposed OHL Alignment
- Limit of Deviation (LOD)
- Slickly Wind Farm Site Boundary
- Slickly Substation
- Gills Bay 132kV Switching Station

Cumulative Developments

- Hollandmey Renewable Energy Development
- Proposed Hollandmey Solar Development
- Gills Bay Switching Station

Cumulative Turbines

- In Planning
- Approved



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Project No: LT000355
Project: Slickly Wind Farm OHL Connection

Title:
Figure 5.1: Cumulative Developments

Drawn by: RD/RS Date: 24/10/2025

Drawing: 1620014541-RAM-MA-IA-00151_EIARFig5.1CumDevs_01

