

Agenda Item	6.3
Report No	PLN/042/26

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 05 August 2026

Report Title: 24/05152/S36: GSC Dalchork Limited
Land 1425M northwest of Lochside Lodge, Lochside, Lairg

Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: Dalchork Battery Energy Storage System (BESS) facility with capacity of up to 249.9MW, comprising battery containers, switchgear, landscaping, CCTV access and associated infrastructure.

Ward: 01 – North, West and Central Sutherland

Development category: National Development (Section 36 Application)

Reason referred to Committee: National Development

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of 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 (ECU) on an application made under Section 36 of the Electricity Act 1989 (as amended) for the installation of a battery energy storage system (BESS) and associated infrastructure with a generating capacity of up to 249.9MW.
- 1.2 The Proposed Development comprises containerised battery units with a total export capacity of up to 249.9MW, and ancillary infrastructure, consisting of:
 - A BESS compound comprising:
 - o Individual containerised battery units;
 - o DNO control room;
 - o Customer switchroom;
 - o Grid transformer;
 - o Auxiliary transformer;
 - o Associated access and infrastructure.
 - Cabins including a switchgear/meter room;
 - Internal service roads;
 - Site fencing;
 - CCTV;
 - Two site accesses;
 - Temporary construction and storage compounds and associated infrastructure.
- 1.3 A specific BESS model has not yet been selected. The current design is based on the assumption that each battery unit will be contained within a container of approximately 6m x 2.4m.
- 1.4 The Proposed Development will charge and discharge from the electricity transmission network via the existing Dalchork Substation. It will connect to the substation by way of underground cabling which does not form part of this planning application. A further connection to the Lairg Grid Supply Point is also proposed.
- 1.5 Due to the installed capacity exceeding 50 MW, the Proposed Development falls under the provisions of the Electricity Act 1989 and is classed as National Development by National Planning Framework 4 (NPF4).
- 1.6 Whilst public consultation is not mandatory for applications made under Section 36 of the Electricity Act 1989, the applicant has carried out pre-application consultation comprising the following:
 - Consultation with Community Councils whose area is within or adjoins the site,
 - Public consultation events in Lairg,
 - Publication of the details of the Proposed Development and consultation events in a local newspaper at least 7 days in advance of the event.
- 1.7 The results of the applicant's pre-application consultation are summarised in the Pre-Application Report. Feedback from public exhibition events can be summarised as:

- Mixed views on the importance of energy storage in developing renewable energy in the UK;
- Mixed views on the suitability of the proposed location of Dalchork BESS;
- Concerns with fire, infrastructure and roads if something goes wrong;
- Insufficient local resources to support BESS safety;
- Community benefit package should be delivered by local community council in the form of micro grants;
- Comment made that the site is well chosen;
- More detail on long-term permanent jobs should be provided;
- Construction traffic routing details should be provided;
- Tree planting and other green projects should be supported within the area;
- Community benefit should go towards insulating homes locally and reducing energy costs.

1.8 The applicant made use of the Council's Pre-Application Advice Service for Major Developments in November 2023 (23/04740/PREMAJ). Based on the information submitted at pre-application stage, the Council advised that, whilst there is broad support for renewable energy related developments, there were concerns around visual and landscape impacts given the scale of the development and its contrast with the undeveloped character of the area.

1.9 An EIA Screening Opinion was adopted by Scottish Ministers on 13 June 2024 which confirmed that the Proposed Development would not require an EIA. This screening opinion did not take into account the proposed grid connections.

1.10 The application is supported by the following documents:

- Pre-Application Consultation Report
- Environmental Report, comprising:
 - o 1: Introduction
 - o 2: Policy Overview
 - o 3: Site Description, Design and Proposed Development
 - o 4: Landscape and Visual
 - o 5: Forestry
 - o 6: Ecology
 - o 7: Geology, Hydrology and Hydrogeology (including Flood Risk)
 - o 8: Transport Statement and Preliminary CTMP
 - o 9: Noise
 - o 10: Cultural Heritage
 - o 11: Summary and Planning Conclusion
- Planning and Renewable Energy Statement
- Outline Battery Safety Management Plan
- Abnormal Indivisible Load Assessment
- Outline Habitat Management Plan
- Drainage Impact Assessment
- Noise Impact Assessment
- Firewater Management Plan

1.11 The application was varied on the 1st October 2025 to reposition the taller components of the proposed development further from the A836. The varied layout

also increased the length of the site adjacent to the A836 from 180m to 200m and reduced the separation distance between the site and the A836 from 8m to 1m. The submission also included supporting documents relating to transport, noise, forestry, biodiversity, socio-economic and drainage. The submitted documents comprise:

- Cover Letter;
- Updated Environmental Report Chapter 6: Ecology;
- Cross Sections (1048-RPC025-TE01-D01 Rev. V1);
- Landscape Strategy Plan (1048-RPC025-TE01-D02 Rev. V1);
- Visibility Splays (1048-RPC025-TE01-D03 Rev. V1);
- Noise Impact Assessment (10925.2 Rev. A);
- Outline Habitat Management Plan (1392749 Rev. A);
- Drainage Impact Assessment (GON.0835.0447 Rev. 1);
- Firewater Management Plan (GON.0835.0447.FWMP); and
- Social Value Charter Statement).

- 1.12 A revised site layout (Landscape Strategy Plan 1048-RPC025-TE01-D02 Rev. V2) and further details on the site's grid connection (RPC025-PL-FG01) were received by the Council on 15th July 2026. The revised site layout increased the landscaping strip between the site and the A836 to between 5m and 7m. The assessment and recommendation made within this report are made on the basis of this revised site layout.

2. SITE DESCRIPTION

- 2.1 The application site comprises 4.4 hectares of woodland situated adjacent to the A836. The landform slopes gently from east to west toward the A836. The site is predominantly planted with trees established between 2012 and 2013 under the Scottish Government Rural Development Fund. It is enclosed by moorland and areas of former plantation on all sides. The surrounding area is rural in character, with scattered dwellings situated around 1 kilometre to the south, east, and northwest. The wider area includes the settlement of Lairg 2km to the southeast and Loch Shin 350m to the west.
- 2.2 The site does not fall within any statutory ecological, heritage or landscape boundaries. It lies within Flood Zone 1 which is an area with less than a 0.1% annual probability of river or sea flooding. There are no Core Paths within the site however a Core Path does run from the public road adjacent to the site towards Loch Shin.
- 2.3 The following designations exist within 5km of the application site:
- Caithness and Sutherlands Special Area of Conservation (SAC)
 - Caithness and Sutherland Peatlands Special Protection Area (SPA)
 - Strath Carnaig and Strath Fleet Moors SPA
 - Lairg and Strath Brora Lochs SPA
 - Caithness and Sutherland Peatlands Ramsar Site
 - Reay-Cassley Wild Land Area
 - 18 Scheduled Monuments
 - 8 Listed Buildings

3. PLANNING HISTORY

- 3.1 20.12.2023 23/04740/PREMAJ: The proposed Closed development is for up to 249.9 MW Battery Storage site located at Dalchork, Lairg, Sutherland. The proposed development will look to connect to the existing Dalchork Substation (19/00374/FUL)
- 3.2 01.12.2023 23/05390/SCRE: Erection of a 249.9MW Battery Energy Storage Development EIA Not Required

4. PUBLIC PARTICIPATION

4.1 Advertised: Section 36 Application

Representations received by the Highland Council: Objections – 1
Support – 0

Representations received by the Energy Consents Unit: Objections – 3
Support – 0

4.2 Material considerations raised are summarised as follows:

- Funds for decommissioning should be secured;
- Development should not take place on greenfield, forestry or productive agricultural land;
- Local residents will suffer disruption in the form of noise and pollution without receiving any benefits;
- The Outline Battery Safety Management Plan is inadequate, and a detailed plan should be provided now;
- Insufficient consideration of replacement batteries and how they will be brought to the site;
- Lack of public oversight of detailed Battery Safety Management Plan;
- Proposed firewater retention is inadequate in volume leading to risk to watercourses;
- It cannot be guaranteed that stored energy is from a renewable source so it will not help Scotland and the UK reach net zero;
- Potential impacts on peat from fire.

4.3 Non-material considerations raised are summarised as follows:

- Fire safety concerns where this is covered by other legislation and does not affect the layout or design of the facility;
- There is no need for standalone BESS away from wind farms;
- There are insufficient details about how the site will be remotely monitored;
- The Scottish Fire and Rescue Service will not engage with the developer on fire safety issues;
- The proposed development will be a military target;

- Thermal runaway could be caused by military aircraft crashing into the site;
- Concern that nearby dams would be damaged if all of the stored energy was released at once.

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

4.5 Those representations received by the Scottish Government's Energy Consents Unit can be accessed via www.energyconsents.scot It should be noted that some representations have been submitted to both The Highland Council and Energy Consents Unit.

5. CONSULTATIONS

5.1 **Lairg Community Council (Host)** did not respond to the application.

5.2 **Rogart Community Council** did not respond to the application.

5.3 **Creich Community Council** responded to the ECU and objected to the proposal on the grounds of safety concerns associated with large-scale battery energy storage systems (BESS). The objection raises concerns regarding the site's location and operating environment, the complexity of managing potential risks, and a view that safety issues have not been adequately addressed by the applicant.

In particular, the Community Council:

- Questions the need for the proposed development;
- Considers that the development should fall within the scope of the Control of Major Accident Hazards (COMAH) regime;
- Disputes the conclusions reached at the Scoping stage regarding major accident risk and considers that an Environmental Impact Assessment (EIA) should be required;
- Considers that an EIA should assess the potential effects of battery fires, gas releases and thermal runaway events; and
- Raises concerns regarding fire safety, thermal runaway, gas emissions, the adequacy of separation distances between battery units, emergency response times, fire service resources and the availability of sufficient water supplies.

5.4 **Access Officer** does not object to the application however notes that the parking layby on the A836 for Core Path SU16.05 (Loch Shin Hide) should remain open for public use or alternative parking arrangements be made.

5.5 **Community Wealth Building** does not object to the application and will liaise directly with the applicant regarding the Highland Social Value Charter.

5.6 **Ecology Team** does not object to the application subject to conditions. These require the approval and implementation of a Habitat Management Plan, submission of GIS data for compensation areas, a Construction Environmental Management Plan, an Environmental Clerk of Works, pre-construction surveys and the protection of nesting birds.

- 5.7 **Environmental Health** does not object to the application subject to conditions. The application was initially supported by an inadequate noise impact assessment which did not include a background noise survey. A background noise survey was subsequently carried out however, and on that basis Environmental Health assess that the proposal is unlikely to result in a breach of Environmental Health legislation. Conditions are recommended that restrict construction hours, require a Construction Noise and Vibration Management Plan, a dust mitigation scheme, operational noise limits, and a revised Noise Impact Assessment based on the final specified plant.
- 5.8 **Flood Risk Management Team** does not object to the application subject to conditions. No flood risk sources have been identified, and a revised Drainage Impact Assessment proposes a suitable drainage solution, subject to further information being secured by condition. Conditions requiring evidence of the agreement of the landowner of the discharge location, evidence of the suitability of the proposed discharge watercourse and details of the discharge headwall are recommended.
- 5.9 **Forestry Officer** objects to the application on the basis that clear evidence has not been provided to demonstrate that grant funding shall be repaid for any areas of permanent woodland removal associated with the Proposed Development. The Forestry Officer also objects on the basis that an Arboricultural Impact Assessment has not been submitted for the Abnormal Indivisible Load route to site. Matters relating to woodland removal and compensatory planting can be dealt with by condition.
- 5.10 **Historic Environment Team – Archaeology** does not object to the application however notes that the application site includes the upstanding remains of prehistoric settlement and is considered to be within an area of archaeological potential. A condition requiring a Written Scheme of Investigation is recommended.
- 5.11 **Historic Environment Team – Conservation** does not object to the application on the basis of there being no listed buildings within its immediate or wider vicinity.
- 5.12 **Scottish Fire and Rescue Service** states that National Fire Chiefs Council (NFCC) Best Practice guidance on BESS should be followed.
- 5.13 **Transport Planning** does not object to the application subject to conditions. Transport Planning initially objected due to insufficient information being provided to allow assessment of the impact of the proposed development on the Council's road network. Following the submission of further information, Transport Planning are satisfied that the potential risks to the public road network arising from construction traffic associated with the proposed development can be appropriately conditioned. Conditions requiring a Construction Traffic Management Plan, an Abnormal Indivisible Loads Plan, a Section 96 Wear and Tear Agreement and a Road Mitigation Plan for any U and C class roads used to supply materials are recommended.

- 5.14 **Consultations Undertaken by The Scottish Government's Energy Consents Unit (ECU)**
- 5.15 **Aberdeen International Airport** does not object to the application as it is located outwith the safeguarding area for Aberdeen Airport.
- 5.16 **BT Group** does not object to the application as it should not cause interference to BT's current and presently planned radio network.
- 5.17 **Health and Safety Executive** does not object to the application as it is not located within any HSE consultation zones.
- 5.18 **Highlands and Islands Airports Limited** does not object to the application, noting that the proposal is outwith HIAL's safeguarding criteria.
- 5.19 **Historic Environment Scotland** does not object to the application on the basis that it does not appear to impact upon the fabric and/or setting of nationally important designated historic features.
- 5.20 **Ministry of Defence** does not object to the application. The proposed development falls outside of MOD safeguarded areas and does not affect other defence interests.
- 5.21 **NATS** does not object to the application on the basis that it does not conflict with their safeguarding criteria.
- 5.22 **NatureScot** does not object to the application on the basis that the proposed development is unlikely to affect any sites with a statutory designation for nature.
- 5.23 **Office for Nuclear Regulation** does not object to the application as it does not lie within a consultation zone around a GB nuclear site.
- 5.24 **Scottish Environment Protection Agency (SEPA)** has no site-specific advice to provide.
- 5.25 **Scottish Water** does not object to the application. There are no recorded Scottish Water drinking water catchments or water abstraction sources in the area that may be affected by the proposed activity.
- 5.26 **SGN** does not object to the application as there are no High Pressure assets within the vicinity of the application site.
- 5.27 **Transport Scotland** does not object to the application subject to conditions relating to the transport of abnormal loads. Transport Scotland note that a relatively low number of generated trips is anticipated and that the application site lies approximately 27km to the west of the nearest trunk road, which is the A9(T) at The Mound.

6. DEVELOPMENT PLAN POLICY

- 6.1 Appendix 1 of this report provides details of the documents that 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 This application has been submitted to the Scottish Government under Section 36 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). Although not a planning application, the Council processes S36 applications in a similar manner given that planning permission may be deemed to be granted.
- 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 is required 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 a number of 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 is still required 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 socio-economic impacts;
 - c) Siting, design, landscape and visual impacts;
 - d) Residential amenity;
 - e) Natural heritage, including ornithology;
 - f) Woodland and trees;
 - g) Cultural heritage;
 - h) Roads, transport and access;
 - i) Flood risk and drainage;
 - j) Decommissioning and reinstatement; and,

k) Any other material considerations.

Development Plan/Other Planning Policy

- 7.5 The Development Plan comprises National Planning Framework 4 (NPF4), the Highland-wide Local Development Plan (HwLDP), the Caithness and Sutherland Local Development Plan (2018) (CaSPlan) and various Supplementary Guidance documents associated with these Local Development Plans.
- 7.6 In summary, the principle of development is supported by national planning policy, which recognises such infrastructure as being of national importance in delivering the National Spatial Strategy. NPF4 identifies strategic renewable electricity generation and transmission infrastructure as essential to achieving the Spatial Strategy and Spatial Priorities for the north of Scotland, enabling Highland to continue making a significant contribution towards Scotland's net zero ambitions. The in-principle need for BESS developments to serve the transmission network is therefore well established in government policy. At present, there is not however any planning policy that sets a BESS capacity threshold or to spatially direct these facilities to where these are most required on the network. Instead, as with generating stations such as on and offshore wind farms, solar and hydro proposals, NESO determine which facilities will receive a grid connection offer. This can change over time and is a commercial risk to the developer, with sites close to generating stations and substations being optimal to help stabilise grid supply. In terms of site selection, NPF4 however does seek to safeguard environmental assets and promote investment in both natural and engineered solutions to address climate change. These objectives require careful balancing in decision-making, a principle that is reflected throughout the policies and objectives of NPF4.
- 7.7 At a regional level, the key policy consideration is Policy 67 (Renewable Energy Developments) of the Highland-wide Local Development Plan (HwLDP). In assessing proposals, the Council must have regard to the contribution a development would make towards renewable energy generation targets, together with its potential positive and negative effects on both the local and national economy. The policy provides support for renewable energy developments where it is demonstrated that they are appropriately located, sited and designed, and would not result in significant overall adverse effects, either individually or cumulatively with other developments. In reaching this assessment, Policy 67 identifies a range of considerations, including impacts on natural, built and cultural heritage interests, protected species and habitats, and landscape and visual amenity.

Energy and Socio-Economic Impacts

- 7.8 BESS are designed to support local distribution and national transmission electricity networks with the balancing of supply and demand. They store electricity when supply exceeds demand and export it back to the grid when demand is high, but supply is low. BESS also provide additional services to district and national network operators, including grid stability, constraint management and balancing mechanisms.
- 7.9 The proposed BESS is not co-located with an electrical generating station but will connect to the National Grid via the nearby Dalchork Substation. It is understood that

all electricity generation in the Highland region comes from renewable sources. In this context, one of the benefits of BESS is that it can store electricity from renewable generating stations, including wind farms, when the grid is at capacity. BESS therefore allows renewable generating stations to operate for longer and reduces reliance on fossil-fuelled back-up generators when demand exceeds supply. In this way, the proposed development contributes to the transition to renewable energy sources and provides carbon savings.

- 7.10 The Council's position on Community Benefits is set out in the Social Values Charter for Renewables Investment (2024). The charter sets out the community benefit expectations Highland Council has for companies wishing to invest in renewables in the area. The charter aims to:
- Embed an approach to community wealth building into Highland
 - Maximise economic benefits from our natural environment and resources
 - Engage and involve relevant stakeholders to understand how we can continually improve our impact
 - Unlock economic opportunities for the area
- 7.11 The applicant has submitted a Social Value Charter Statement outlining a range of proposed community wealth building benefits associated the Proposed Development.
- 7.12 The Proposed Development is anticipated to create 181-220 full-time equivalent jobs, during the construction period of approximately 12 months, and 70 indirect full-time equivalent jobs. The applicant will prioritise local contractors and suppliers where available and where commercially viable. The applicant's procurement process will also include a requirement for supply chain partners to put in place training and development plans and to bring on new apprenticeships in support of the application.
- 7.13 The applicant has demonstrated that the proposed development will contribute to community wealth building. It is recommended that a condition is added to any grant of permission requiring a Local Employment Scheme be submitted to and approved in writing by the Planning Authority.

Siting, Design, Landscape and Visual Impact

- 7.14 The applicant has set out their site selection process in Chapter 3 of the Environmental Report (the LVA). The key aspects are the proximity of the site to Dalchork Substation, the relatively flat nature of the site and the natural screening that exists around it.
- 7.15 The proposed development comprises the excavation of a development platform and the creation of a BESS facility, including a grid transformer compound. It will therefore result in the introduction of an overtly modern development of a functional character on an undeveloped site in a rural area.
- 7.16 The National scale land capability for agriculture map categorises the site as 4.2-Land capable of producing a narrow range of crops, primarily on grassland with short arable breaks of forage crops. It is therefore not prime agricultural land, and the site

is not identified as being culturally or locally important for primary use in the LDP. The Carbon and Peatland 2016 map indicatively shows the site as being Class 0 which are mineral soils with no peatland vegetation. The proposed development therefore complies with the mitigation hierarchy, required by NPF4 Policy 5, in that it avoids impacts on valuable agricultural land as well as peat and carbon rich soils

- 7.17 The submitted LVA is based on an earlier iteration of the site layout which had a shorter frontage onto the A836 and an increased width. Nevertheless, the current site layout remains broadly comparable to the LVA scheme in that it has a similar footprint, retains a similar level of landscaping adjacent to the A836 and reduces the extent to which the site extends up the hillside to the southeast of the A836. The current layout also shows the taller elements of the proposed development sited further east, away from the A836. The submitted LVA therefore remains an appropriate basis for a landscape and visual assessment of the proposal to be carried out.

Landscape

- 7.18 The application site is not within a designated landscape. The only designated landscape within 5km of the application site is the Reay – Cassley Wild Land Area which is 4km to the west. NPF4 Policy 4 states that the effects of development outwith wild land areas will not be a significant consideration. Consequently, due to the relatively low height of the development and the separation distance involved, the proposed development is not expected to adversely affect the WLA or any other designated landscape.
- 7.19 The LVA references the retention of existing woodland, and infilling of gaps with similar species where required, as landscape mitigation. It also states that the Proposed Development would be screened as existing woodland within the site matures. The proposed layout shows the proposed BESS relatively close to the A836; with a landscaping strip of between 5 and 7m retained. There is considered to be sufficient space for some effective screening to be implemented, subject to appropriate planting being secured by way of planning condition, with there also being sufficient space beyond the landscaping area to achieve site access visibility splays.
- 7.20 There are four Landscape Character Types (LCTs) within the 5km study area of the Landscape and Visual chapter of the Environmental Report (the LVA). These are:
- 134: Sweeping Moorland and Flows
 - 135: Rounded Hills – Caithness & Sutherland
 - 142: Strath – Caithness & Sutherland (host LCT)
 - 145: Farmed and Forested Slopes with Crofting
- 7.21 There would be very limited visibility of the Proposed Development from LCTs 134: Sweeping Moorland and Flows and 145: Farmed and Forested Slopes with Crofting. The proposed development is not expected to harm the Key Characteristics of either LCT given the very limited extent of each LCT within the site's ZTV.
- 7.22 LCT 135: Rounded Hills – Caithness & Sutherland covers the hills to the west of Loch Shin, Loch Shin itself, and small areas of land on the eastern shore of Loch

Shin. The LCT is large in scale and open. The site will benefit from screening by existing woodland during the construction phase and this screening will strengthen during the operational phase as the new planting matures. The proposed development will be backdropped by topography when viewed from this LCT and will therefore not appear as a prominent feature, particularly in the context of the large scale and open landscape. The proposed development would not be expected to harm the Key Characteristics of the Rounded Hills LCT.

- 7.23 LCT 142: Strath – Caithness & Sutherland comprises a slightly undulating landscape where agriculture is the main land use alongside smaller areas of forestry. The straths within the LCT are linear spaces, with open floors typically containing a river or loch. The LCT has a greater degree of human influence including forestry, overhead lines and roads. The bare-earth ZTV shows that there would be widespread visibility of the development from this LCT. In practice, this would be reduced by intervening forestry. Woodland forms part of three key characteristics and so the loss of woodland will cause a degree of harm to the LCT. Nevertheless, the retention of woodland along the A836 boundary, as well as the surrounding forestry, will effectively reduce these impacts to an acceptable level. No significant adverse effect to LCT 142 is expected.
- 7.24 The overall landscape impact of the proposed development is not considered to be significant, subject to mitigation through landscaping being secured by condition.

Visual

- 7.25 The LVA considers five visual receptors:
1. Colaboll (residential properties and users of A838),
 2. Sallachy (residential properties),
 3. A836 adjacent to site (users of A836 and Core Path),
 4. A836 south of site (users of A836),
 5. Minor road to Sallachy (users of that road),
 6. Core Path SU16.05
- 7.26 Colaboll is group of residential properties to the northwest of the application site. Their sensitivity to visual change is considered to be High. Open views from these properties exist to the south and include the application site; albeit at an angle. The Proposed Development will be visible from these properties during construction and operational phases. It would be backdropped by the hill slope beyond which would reduce its prominence. It would also be viewed alongside existing overhead lines. The LVA considers that the visual effect on this receptor group would be Minor during the construction phase and that this would reduce to Negligible as the site becomes operational and planting matures. This finding is agreed with provided suitable landscaping is secured by condition.
- 7.27 Sallachy is a further cluster of dwellinghouses to the west side of Loch Shin. They are also assessed as having High sensitivity to visual change. The bare-ground ZTV shows that these properties would have visibility of the application site however viewpoint 4 shows that intervening forestry provides effective screening. Subject to landscaping mitigation, the impact of the proposed development on properties at

Sallachy is considered to be negligible, even were the intervening forestry felled during the lifetime of the development.

- 7.28 The A836 runs N-S through the study area and forms the western boundary of the application site. The Far North Way cycle route, formerly National Cycle Route 1, also runs along the A836 at this point. The LVA assesses the overall visual sensitivity of road users as being Medium; however, it is recognised that cyclists are likely to have greater sensitivity due to their slower speeds and greater appreciation of surrounding views. The sensitivity of cyclists on this section of road is considered to be High. The proposed development includes the creation of two vehicular accesses which will require the removal of existing trees and open up views into the application site. The removal of trees and construction activity at the site are likely to result in a High magnitude of change to road users immediately adjacent to the site however this would affect a relatively limited stretch of the A836 and will reduce over time as landscaping is planted and matures. Impacts on the A836 more widely will be lower due to existing trees providing some screening. The LVA considers that long-term impacts will reduce to a Negligible level however the introduction of two site accesses, which will both allow views into the site with its industrial appearance, suggest that this understates the impact. The impact on vehicle drivers and cyclists is nevertheless considered to be Minor and Minor-Moderate, respectively, and to not be significant in either case.
- 7.29 The A838 runs roughly SE-NW within the study area. It begins at a junction with the A836 to the north of the site before running along the northeast bank of Loch Shin. It is primarily a single-track road which generally has open views, particularly across Loch Shin. The LVA assesses users of the road as having Medium sensitivity. Viewpoint 1 is taken at a point where southbound users of the road would be heading directly towards the application site before the road curves 90 degrees to the north. The visualisation shows that the proposed development will be visible to users of the A838, particularly during construction and during operation before any landscaping matures. The proposed development would be backdropped by rising landform to its rear which serves to reduce its prominence. Once the proposed landscaping matures, impacts on the visual amenity of users of the A838 will be Negligible.
- 7.30 The LVA also assesses the impact of the proposed development on the visual amenity of users of the minor road to Sallachy. There would be very limited visibility of the proposed development from this road due to existing trees. The proposed landscaping within the site would further reduce any visual impacts resulting in a Negligible overall impact.
- 7.31 Core Path SU16.05 leads from the A836 towards Loch Shin Hide. There would be very limited visibility of the site from the majority of the Core Path due to existing planting along each side of the Core Path and planting along the west boundary of the application site. The creation of vehicular accesses into the site, particularly the northern access, will create some visibility of the site from the easternmost part of the Core Path. The overall impact will reduce as proposed landscaping matures. The resulting impact is considered to be Negligible.
- 7.32 The applicant has scoped out cumulative effects on landscape and visual receptors due to there being no other developments currently consented or at application stage within the 5km study area. It is nevertheless recognised that some forms of

development, particularly wind farms, can have impacts beyond a 5km area. The wider area includes a number of energy-related developments including Dalchork substation, overhead lines and wind farms. Nearby wind farms include the constructed Achany Wind Farm (05/00398/FULSU) and the under-construction Strath Tirry Wind Farm (20/05067/FUL). Highland Council also recently raised objection to Shinness Wind Farm which is to the northeast of Loch Shin and has now been referred to the DPEA. The existing and proposed forestry and tree-planting will ensure the proposed development is adequately screened. Cumulative impacts with existing and proposed development within the area are therefore not considered to be significant.

- 7.33 The proposed development is not expected to give rise to significant adverse effects on visual amenity. The most notable visual effects are likely to be experienced by users of the A836 due to the road's close proximity to the site. However, these effects, together with those identified for the other assessed receptors, are considered to be suitably mitigated by the landscape planting proposed along the site boundaries.

Residential Amenity

- 7.34 The application site is in a rural area to the northwest of Lairg. Surrounding uses are primarily forestry and agriculture with few residential properties. The Noise Impact Assessment (NIA) identifies four Noise Sensitive Receptors (NSRs) in the wider area which are residential properties.
- 7.35 Planning conditions are not used to control the impact of construction noise as similar powers are available to the Local Authority under Section 60 of the Control of Pollution Act 1974.
- 7.36 Environmental Health state that a construction noise assessment will be required if any work is audible at an NSR outwith normal working hours or if noise levels exceed acceptable limits for either short or long-term works. It is recommended that a planning condition be added to any grant of permission to secure this.
- 7.37 It is recognised that construction activities could result in the emission of dust which could impact on nearby residential properties. It is recommended that a condition be added to any grant of permission requiring a Construction Dust Mitigation Scheme.
- 7.38 The applicant's NIA includes a survey which established background sound levels. The NIA then calculates that operational noise from the site will be no more than 5dB over the lowest measured ambient noise level at night and below ambient noise levels during daytime hours. This meets THC Environmental Health's noise criteria for BESS installations. It is recognised that this assessment is made based on assumed equipment noise levels with the specific equipment yet to be determined. A further NIA will be required once the proposed BESS equipment is finalised. It is recommended that this be secured by condition.
- 7.39 The applicant has demonstrated that it is possible to construct the proposed BESS facility without causing undue harm to residential amenity. It is therefore considered that decommissioning of the site can similarly be achieved. It is recommended that

a condition be added to any grant of consent requiring a decommissioning strategy which will include consideration of residential amenity impacts.

- 7.40 Subject to conditions, the Proposed Development will have acceptable impacts on residential amenity at construction, operation and decommissioning phases.

Natural Heritage, including Ornithology

- 7.41 The applicant's assessment of ecology and ornithology is contained within Chapter 6 of the Environmental Report. It is informed by a desk study and an extended Phase 1 habitat survey.

Designated Sites

- 7.42 The site is not within any statutory sites designated for ecological or ornithological interests. NatureScot considers that the proposed development is unlikely to affect any sites with a statutory designation for nature. Nevertheless, the application site is within 5km of multiple European sites, amongst other designations, and so the requirements of the Conservation (Natural Habitats, and c.) Regulations 1994, as amended, must be considered.
- 7.43 **Lairg and Strath Brora Lochs SPA and SSSI** is a non-contiguous designation with designated areas located to the northeast and southeast of the application site. At its closest, the application site is 3.9km away. The SPA and SSSI are designated for their breeding population of black-throated diver, and the application site is within connectivity distance. The application site is not within disturbance distance of the qualifying species, it does not pose a collision risk, and an appropriate Construction Environment Management Plan and Safety Management Plan will be secured by condition prior to works commencing. Consequently, the proposed development is not likely to have a significant effect on Lairg and Strath Brora Lochs SPA or SSSI and so an appropriate assessment is not required.
- 7.44 **Caithness and Sutherland Peatlands SPA** is designated for its breeding populations of waterfowl, waders and raptors. The application site is 2.6km to the northeast of the SPA and is within connectivity distance. Nevertheless, the application site lies beyond the disturbance range of the qualifying species and would not give rise to a collision risk. Furthermore, a Construction Environmental Management Plan (CEMP) and a Safety Management Plan will be secured by condition and implemented prior to the commencement of works. Consequently, the proposed development is not likely to have a significant effect on the Caithness and Sutherland Peatlands SPA and so an appropriate assessment is not required.
- 7.45 **Caithness and Sutherland Peatlands SAC** is protected for terrestrial and aquatic habitats with no hydrological connection to the application site. The proposed development will therefore have no significant effect on the SAC.
- 7.46 **Caithness and Sutherland Peatlands Ramsar** is designated for a range of waterbird and wader species, as well as nationally important peatland, wetland and freshwater habitats, and associated flora and fauna. All interest features, with the exception of water beetle and freshwater pearl mussel, overlap with the Caithness

and Sutherland Peatlands SPA or SAC so do not require to be assessed again. The water beetle and freshwater pearl mussel interests exist over 20km away from the application site, with there being hydrological connectivity. No likely significant effect on the Ramsar site is expected.

- 7.47 **Strath Carnaig and Strath Fleet Moors SPA and SSSI** are protected for their breeding hen harrier population. The application site lies outwith the core range from the SPA for hen harrier and is outwith the disturbance distance for this species. There is therefore no connectivity between the proposed development and the SPA so no likely significant effect is expected.

Habitats

- 7.48 The primary habitat recorded within the site is plantation broadleaved woodland. Birch was the dominant tree species recorded, with other locally native species such as rowan and alder also being present. One small area of unimproved neutral grassland was also recorded near the centre of the site.
- 7.49 The applicant has surveyed habitats within a 250m buffer of the site which identified areas of broadleaved and mixed woodland, marshy grassland, a small patch of acid grassland and a patch of continuous bracken. A large area of recently felled coniferous woodland was also identified. The marshy grasslands identified have the potential to be Groundwater Dependent Terrestrial Ecosystems (GWDTEs). A small unnamed watercourse is also present to the south of the survey area.
- 7.50 It is estimated that the Proposed Development will require the permanent loss of 15,111m² of plantation broadleaved woodland and 1,301m² of marshy grassland. A further 66m² of marshy grassland will be lost on a temporary basis. These habitats are assessed as being of local value and their loss is not considered to be significant.
- 7.51 Habitats with the potential to be GWDTEs were also surveyed for National Vegetation Classification (NVC) with NVC community and sub-community types being identified and mapped. Chapter 7 of the Environmental Report covers Geology, Hydrology and Hydrogeology and includes further consideration of GWDTE impacts. It notes that the underlying superficial and bedrock geology are classed as of low groundwater productivity which indicates that the habitats are not likely to be truly groundwater dependent but are more likely to be rainwater fed and therefore not true GWDTEs.
- 7.52 The extent of habitat loss is to be kept to a minimum through the employment of best practice measures including the dampening of tracks during dry weather and the allocation of a designated impermeable surface away from watercourses for refuelling. It is recommended that a CEMP be required by condition to secure these measures. The applicant also proposes the employment of an Ecological Clerk of Works (ECoW) to cover the construction period and ensure that best practice methods are complied with. It is recommended that the employment of an EnvCoW, who will cover wider environmental matters as well as ecology, is also secured by condition.

Biodiversity

- 7.53 The applicant has carried out a qualitative assessment of biodiversity impacts at the site rather than employing a quantitative approach through use of a biodiversity metric.
- 7.54 The biodiversity impacts of the proposed development are primarily due to the loss of habitats outlined in the preceding section.
- 7.55 The applicant proposes planting broadleaved woodland within a 3ha area to the northwest of the site, on the shores of Loch Shin. The woodland will be made up of appropriate species, will be planted in such a way as to promote structural complexity and will make use of whips sourced as locally as possible. It is recognised that the loch shore location is likely to provide further benefits by connecting existing woodland, providing further benefits to species associated with the loch and by stabilising the banks of Loch Shin.
- 7.56 The applicant also proposes to provide additional nesting and roosting opportunities for bird and bat species within the local area by installing the following within the application site:
- A minimum of five bird nesting boxes on permanent buildings,
 - A minimum of five bird nesting boxes within retained woodland,
 - A barn owl box,
 - A minimum of ten bat roosting boxes.
- 7.57 The proposed biodiversity enhancement measures are considered sufficient to provide significant biodiversity enhancement. It is recommended that these measures are secured by way of a Habitat Management Plan condition.

Protected Species

- 7.58 The applicant's extended Phase 1 habitat survey included an appraisal of the potential for protected species on the site. No evidence of any protected mammals was recorded within the Site or within a 250m buffer of the Site. Desk study data indicated the potential for woodland mammals to be present within the wider area. These include pine marten, red squirrel, bats, badger, otter and water vole. In addition, habitat within the survey area is also considered favourable for reptile use. The submitted information demonstrates acceptable impacts in terms of Protected Species at this stage however it is recommended that pre-commencement surveys and the production of Species Protection Plans be required by planning condition.

Wider Countryside Birds

- 7.59 The woodland habitats provide suitable habitat for nesting birds with one bird nest recorded within the woodland. No evidence of nesting Schedule 1 birds was recorded during the survey and there is no suitable breeding or roosting habitat for these species within the surveyed area. There may be suitable hen harrier roosting habitat within some of the fields within 1km of the site. It is recognised that construction works have the potential to disturb nesting birds or damage their nest sites. Should development commence within the bird breeding season (March-August inclusive) a

nesting bird survey will be required by condition, not more than 24 hours prior to commencement of development. Subject to this condition, impacts on wider countryside birds are expected to be acceptable.

Woodland and Trees

- 7.60 The application site sits within an area of native broadleaved woodland which was planted in 2012-2013 under the Scottish Government Rural Development fund. The woodland was planted with a mix of native broadleaves and has established well. The proposed development requires the felling of approximately 1.51ha of woodland. The Control of Woodland Removal Policy allows woodland removal, with compensatory planting, where the development will help “Scotland mitigate or adapt to climate change.” This is considered to apply in this case and so, subject to satisfactory compensatory planting, the proposed woodland removal is acceptable.
- 7.61 The applicant has identified land at Colaboll, adjacent to Loch Shin, for the provision of compensatory planting and this is supported by an Outline Habitat Management Plan (OHMP). The OHMP proposes 3ha of compensatory woodland planting, being a 2:1 compensation to loss ratio, with further woodland planting and other enhancement proposed within an additional 0.6ha area.
- 7.62 The submitted NVC survey suggests that the proposed compensatory planting site may be suitable for native woodland creation. A large part of the site also appears as 1a Ancient Woodland on the Ancient Woodland Inventory and so the proposed planting would help to restore this woodland. Whilst it has not been fully established, at this point, that the proposed compensatory planting site is suitable for compensatory planting, it is considered that the issue of compensatory planting can be satisfactorily resolved by condition.
- 7.63 The Council’s Forestry Officer objects on the grounds that insufficient evidence has been provided to demonstrate that any woodland grant funding associated with the earlier tree planting at the application site will be repaid. The applicant has advised that any grant funding liability will be discharged in full and has submitted evidence indicating that, should the site acquisition proceed, they will be contractually required to reimburse the current landowner for any grant repayment due. It is recognised that this does not amount to formal confirmation that repayment has been made, or will be made, directly to the Scottish Government.
- 7.64 It is not the role of the planning system to duplicate controls exercised through separate regulatory or contractual mechanisms. Any requirement for repayment of woodland grant funding would be addressed through the relevant grant administration processes rather than through planning control. In planning terms, the key consideration is whether the proposed woodland removal is acceptable and whether adequate compensatory planting has been secured. It is considered that the proposed woodland removal is acceptable in principle and that the compensatory planting proposals satisfactorily address the resulting loss. The proposal therefore meets the relevant planning policy requirements relating to woodland removal and compensation and consideration of grant repayment is not required.
- 7.65 The Council’s Forestry Officer also objects to the application on the basis that an Arboricultural Impact Assessment has not been submitted to demonstrate that the

proposed development will not impact any trees along the AIL route. It is recognised that AIL movements to the site have the potential to impact on roadside trees however these potential impacts can be suitably controlled by way of a condition requiring an Arboricultural Impact Assessment for any roadside trees that could be affected by AIL movements.

Cultural Heritage

- 7.66 There are 8 listed buildings within 5km of the application site. The submitted ZTV shows that there would be no visibility of the application site from 6 of these. The two listed buildings with theoretical intervisibility with the application site are:
- Feith Osdail Bridge over Feith Osdail Burn- Category C listed.
 - Shinness Murray Memorial- Category C listed
- 7.67 The Feith Osdail Bridge is a single span rubble bridge constructed in 1815 by Thomas Telford. It forms part of the Parliamentary Road (now the A836) from Bonar Bridge to Tongue which was completed by 1819. Its setting comprises the road and the river valley that it sits in. It is a functional structure but retains architectural, historical and aesthetic interest.
- 7.68 The bridge is approximately 5km away from the application site. Whilst some intervisibility is possible in theory, in practice, a walkover survey by the applicant found no intervisibility due to intervening vegetation. Notwithstanding the presence of vegetation outwith the applicant's control, the application site does not form part of the bridge's setting, and its development will not impact on the significance of the bridge.
- 7.69 The Shinness Murray Memorial is an ashlar obelisk on a roughly dressed stone plinth. It was constructed in 1877 and erected to the memory of Kenneth Murray of Geanies to commemorate his services to the Duke of Sutherland in reclaiming Shinness land for agriculture. It sits on a low hill within a small plantation 180m north of Achnairn. It is approached the southeast and there are views in most directions from the monument.
- 7.70 The Proposed Development is over 2.6km away from the listed monument. The ZTV shows there is theoretical visibility between the two sites however, at present, this is screened by tree plantation. Notwithstanding the present screening, the distance between the sites and the lack of any historical association between the application site and the monument suggest that the Proposed development would not diminish the ability of any visitor to appreciate the memorial within its wider landscape context. The Proposed Development is not expected to cause harm to the significance or setting of the Shinness Murray Memorial.
- 7.71 THC's Historic Environment Team- Conservation raises no objection to the Proposed Development on the basis that no listed buildings within its immediate or wider vicinity will be affected.

Archaeology

- 7.72 There are no designated archaeological sites within the application site but there are 18 scheduled monuments within 5km of the application site
- 7.73 There are four non-designated heritage assets within the site boundary, comprising a hut circle, two possible clearance cairns and a small quarry or borrow pit, and a further 496 non-designated assets within 5km of the application site.
- 7.74 61 unique archaeological events are recorded within the 5km study area. These include 19 sets of intrusive archaeological work and 34 desk-based assessments, including walkover surveys. The site was within a larger walkover survey and assessment undertaken in advance of native species planting in the area which identified the hut circle and possible cairns.
- 7.75 An archaeological walkover survey was carried out in support of the current application. This found that the previously identified hut circle was almost entirely covered in vegetation with only two stones visible. One of the possible cairns was observed however the second cairn was considered to have either been destroyed during tree planting at the site or hidden beneath the thick boggy vegetation. The small quarry mentioned above was a new feature identified by this walkover survey.
- 7.76 THC's Historic Environment Team- Archaeology note that the application site includes the upstanding remains of prehistoric settlement and so consider the area to be of archaeological potential. A condition requiring a Written Scheme of Investigation is therefore recommended to be added to any grant of permission. The proposed condition will ensure that any direct impacts on archaeology within the site are suitably controlled.
- 7.77 There are two scheduled monuments and three non-designated archaeological sites whose settings could be impacted by the Proposed Development. These are:
- The Ord, chambered cairns, cairns settlements, and field systems (scheduled monument)
 - Sallachy, broch 425m NNE of Fruchan Cottage (scheduled monument)
 - Hut Circles, An t-Sròn (non-designated)
 - Broch, Dalchork (non-designated)
 - Hut circle (non-designated)
- 7.78 The Ord monument comprises a prehistoric landscape including two chambered cairns, a homestead, several hut circles and accompanying field systems containing multiple clearance cairns spread across the summit of The Ord, to the south of Loch Shin. Its hilltop location affords views in all directions and ensures its funerary monuments are visible from surrounding areas. As a scheduled monument, the settlement is of high (national) importance.
- 7.79 The ZTV suggests that there would be no intervisibility between this monument and the application site. The applicant, recognising that the monument is extensive, confirmed this by way of a walkover survey. The Proposed Development would therefore not be expected to impact the setting of this scheduled monument.

- 7.80 Sallachy broch survives in very good condition and is visible from some distance as a roughly circular drystone-walled structure up to 19m in diameter, positioned on a rocky knoll 30m above the western shore of Loch Shin. Banks and ditches survive around the broch. Evidence relating to the broch's construction, use and abandonment are expected to survive within the scheduled area. The monument has the potential to enhance the archaeological, architectural and contextual understanding of brochs and iron age society and settlement patterns. The broch sits in a prominent location allowing wide views to the north and south of the valley, as well as the hills on the eastern side of the loch.
- 7.81 There is theoretical visibility between the Proposed Development and Sallachy Broch. A walkover survey suggested that these would be limited by intervening woodland but not eliminated entirely. A 2.1km separation distance will substantially reduce the detectability of the Proposed Development and it will not intrude upon the horizon views of prehistoric settlements across the summits of the hills opposite. It is considered that the Proposed Development will cause a negligible adverse impact upon the monument's setting due to a detectable alteration in one key vista. The overall impact on the significance of the monument would be slight, and the presence of the Proposed Development would not diminish the ability of a visitor to appreciate the broch within its wider landscape.
- 7.82 The non-designated hut circle at An t-Sròn includes a wider concentration of later prehistoric settlement activity extending across the summit of the hill. A walkover survey identified numerous cairns/tumuli and potentially the remains of two hut circles, however damage from forestry activity was evident. The hilltop location, affording views in most directions, forms an important part of the feature's setting however the remains themselves are not very prominent and are best viewed up-close.
- 7.83 There is no visibility between the Proposed Development and the majority of the known features at An t-Sròn. Views of the site are possible from an isolated cairn to the north of the summit. It is considered that there will be no impact on the setting of the prehistoric settlement activity overall.
- 7.84 Dalchork broch is in a poor condition surviving as a low grass covered mound approximately 17m in diameter. It occupies a shallower valley location with less extensive views than other nearby brochs. The broch is 2km north of the site with there also being intervening buildings at Dalchork farm. Whilst there would be limited visibility to and from the monument, the Proposed Development would not diminish the ability of a visitor to appreciate the remains of the broch within its landscape context. The impact of the Proposed Development on the broch is assessed as being negligible adverse.
- 7.85 The second hut circle is located 30m to the south of the Proposed Development area. It is visible in low relief as roughly ring-shaped in plan, roughly 14m in diameter and 0.3m in height. It is almost entirely covered in vegetation. The hut circle appears isolated but is likely to be contemporaneous with prehistoric settlement activity access the hills east of Loch Shin. This hut circle is within the application site. The Proposed Development has been located 30m to the north to ensure a suitable buffer is retained.

- 7.86 Direct impacts on the hut circle are not likely given the buffer that is proposed. Impacts on its setting from construction works and the presence of a modern infrastructure development in proximity to it are likely to harm its setting. This is considered to be a moderate adverse impact. It is recognised that the value of the archaeological remains principally derives from its archaeological interest as a buried hut circle with its setting contributing to its value to a lesser extent. The overall impact on the significance of the heritage asset is therefore slight and considered acceptable when weighed against the benefits of the scheme.

Roads, Transport and Access

- 7.87 Chapter 8 of the Environmental Report assesses the expected impact of the proposed development on the public road network. It is supported by a Transport Statement (TS) and contains a preliminary Construction Traffic Management Plan which outlines how construction traffic will be managed to ensure safety and minimise disruption. There is no objection from either Transport Scotland or the Council's Transport Planning team, subject to the imposition of conditions.

Vehicle Access

- 7.88 The site is proposed to be accessed from the adjacent A836, a road maintained by the Highland Council. It is proposed that there will be two access points and it is recommended that their design be secured by planning condition. Transport Planning raise no objection to this approach.

Impact on the Road Network

- 7.89 The primary access routes to the site are the A9, A839 and A836 roads. The applicant has confirmed that the B9176 (Struie Road) is unsuitable for HGV traffic. Appropriate routing to the site, avoiding unsuitable roads, will be secured through a Construction Traffic Management Plan.
- 7.90 The applicant's Transport Statement (TS) uses Transport Scotland and Department for Transport traffic count data to establish existing traffic conditions.
- 7.91 In terms of construction traffic, the TS predicts the number of two-way vehicle movements per day for each month of the anticipated 12-month construction period. These figures are based on estimates of imported material volumes, timber extraction, waste removal and construction staff travel.
- 7.92 The TS assumes that 70% of staff will travel by car share with 30% using single occupancy vehicles. This appears to be optimistic given the remote location of the site. A Staff Travel Plan will be required by condition to set out and implement measures to ensure that the stated car share targets are achieved.
- 7.93 Peak HGV movements are predicted to occur within month 3, with 36 two-way movements per day. This would reduce to 6 two-way HGV movements per day by month 11. The predicted monthly HGV movements represent an increase of HGV movements on the A836 of between 17 and 45%. This represents a significant traffic increase and would result in a noticeable rise in HGV movements. There is potential

for this to present a hazard to existing road users and for damage to be caused to the fabric of the road network.

- 7.94 Whilst the use of A-roads to access the site is generally supported, there is potential for impacts on U and C class roads on routes between suppliers, such as quarries, and the application site. Accordingly, a condition is required to ensure that the applicant identifies the quarries and suppliers to be used, provides updated construction traffic forecasts, and identifies any roads serving these suppliers where HGV movements would increase by more than 10%. Where this threshold is exceeded, appropriate mitigation measures will be required to address the increased loading and any substandard road geometry.
- 7.95 Table 18 of the TS highlights cumulative impacts from five other consented developments in the area. This indicates an increase in two-way HGV movements on the A836 of between 172% and 286%. The TS states a willingness from the applicant to engage with other developers on traffic management measures and suggests the preparation of an overarching Traffic Management Plan. Whilst this would be beneficial, the TS does not make clear who would be responsible for coordinating the engagement or who would be responsible for preparing and delivering such a plan. As such, whilst such coordination is encouraged, it should be given limited weight in this application process. Nevertheless, Officers will seek to coordinate the build out of developments in this locality through each development's CTMP, aiming to stagger peak construction traffic flows on the local road network.
- 7.96 The overall impact of the proposed development on the public road network from standard construction traffic, subject to conditions requiring a CTMP, a Road Mitigation Programme and a Staff Travel Plan, as well as a Section 96 "wear and tear" agreement, can be suitably mitigated.

Abnormal Indivisible Loads (AIL)

- 7.97 The proposed development requires a single abnormal load which is a transformer that exceeds 150 tonnes. Due to its weight, it will require movement under a Special Order. The application includes an Abnormal Indivisible Load (AIL) assessment which identifies a proposed AIL route using Invergordon as a port of entry. The route uses Council roads to access the A9 before travelling via the Mound on the A838 and continuing along the A836 through Lairg.
- 7.98 The application states that an Electronic Service Delivery for Abnormal Loads (ESDAL) review has been completed with no issues identified. Nevertheless, there is no detailed assessment of structures along the route and so it is not clear that any bridges or other structures on the route are suitable for such a load. Consequently, it is recommended that a condition be added requiring evidence to demonstrate that the impacts of the AIL movement are fully assessed and mitigated and that the integrity of the public road network and associated structures are protected.

Access

- 7.99 There are no known Rights of Way within the application site. A Core Path runs from the A836 to a bird hide on Loch Shin to the west of the site. The Access Officer raises no objection to the application on the basis that the parking layby at the start of this

Core Path remains available for use or that alternative parking arrangements are made. The Proposed Development is not expected to adversely impact on public access in the area.

Flood Risk and Drainage

- 7.100 The application site slopes from east to west with a drop of approximately 22m between the high point at the southeast corner and the low point at the northwest corner. The site currently drains to minor watercourses within the site and adjacent to the A836, which are then culverted under the A836 towards Loch Shin, 550m to the west of the site.
- 7.101 The proposed drainage strategy manages surface water runoff through permeable gravel platform construction and filter drainage systems. Rainwater will infiltrate through the platform and access track surfaces into underlying permeable layers, where it will be collected by perforated pipework and conveyed via perimeter filter drains to five hydrobrake controlled sub-catchments. Runoff will then be discharged at a controlled rate to an existing watercourse west of the site, with attenuation and treatment provided within the porous gravel platform itself, replicating the function of permeable paving and soakaway systems.
- 7.102 The Council's Flood Risk Management Team (FRMT) note that the drainage strategy appears to be acceptable however require further information. This includes evidence that landowner permission has been granted for discharge and evidence that the receiving watercourse is suitable for the purpose. Details of the discharge headwall should also be provided, and the final design of the discharge pipework are also requested. It is considered that these matters can be secured by condition. In the event that landowner permission is not obtained, or that the receiving watercourse proves not to be suitable, it is understood from the FRMT that suitable alternative drainage solutions exist and so suitable flexibility will be included within the drainage conditions.

Health and Safety

- 7.103 The Scottish Government's Battery Energy Storage Systems Planning Guidance (March 2026) acknowledges that, when appropriately designed, managed and regulated, BESS developments can operate safely, and the likelihood of incidents is low. However, it also recognises that the chemical characteristics of lithium-ion batteries commonly used in BESS installations give rise to specific health and safety considerations, including the potential risk associated with thermal runaway events. It is therefore important that BESS developments are designed, constructed and operated in accordance with relevant health and safety standards and regulatory requirements.
- 7.104 The operators of BESS are subject to the requirements of the Fire (Scotland) Act 2005 and the Health and Safety at Work Act 1974 which require that fire safety benchmarks are met and that reasonable measures are taken to ensure that employees and members of the public are not harmed. It is an established principle that planning decision makers should not seek to regulate matters which are controlled by other regulatory regimes. As a result, an assessment of the day-to-day operational fire risk of a BESS is not typically a material consideration. Nevertheless,

aspects concerning the design of a development's layout, including access, drainage and water storage, are material planning considerations because they relate to the physical characteristics of the proposal. This approach reflects the guidance set out in the Scottish Government's planning guidance for BESS.

- 7.105 An update to the National Fire Chiefs Council's (NFCC) Grid-Scale BESS Planning Guidance was published in December 2025 and this is the primary document that the proposed development is assessed against in relation to its layout and fire safety considerations. The guidance sets out the following guidance of particular relevance:
- Sites should have an alternative emergency access point, taking account of prevailing wind directions;
 - A 3 m vegetation-free buffer around BESS cabinets should be maintained to reduce fire risk and keep sites well-maintained more broadly;
 - Adequate separation distances between BESS units to prevent a secondary event should be at least 0.914m, provided there is broader compliance with NFPA 855: Standard for the Installation of Stationary Energy Storage Systems (2023);
 - Provision of either a hydrant with 25L/sec flow or 180,000L of water storage; and
 - Measures to contain and manage firewater run-off.
- 7.106 The application is supported by an Outline Battery Safety Management Plan (OBSMP) and a Firewater Management Plan (FMP). The OBSMP sets out the key fire safety principles that will be considered during the design, construction and operation of the development. This will be the basis of a detailed Battery Safety Management Plan which will be required by way of pre-commencement condition. The FMP sets out how firewater runoff will be managed, including how its full containment will be achieved.
- 7.107 The application site is served by two separate vehicular accesses, both from the A836 to the west. Whilst it is noted that the accesses both come from the A836, they are taken from the northern and southern corners of the site, meaning they are positioned 110m apart and to the northwest and southwest of the majority of the site. Noting that Scotland has a prevailing south-westerly wind direction, this is considered to meet the NFCC guidance in terms of having an alternative emergency access point.
- 7.108 The site layout indicates two water tanks within the site with the FMP stating that each would provide 228m³ of water storage. This equates to 456,000L of water storage which exceeds the NFCC guidance in this regard. The BESS site would be on an impermeable base to prevent infiltration of firewater into the ground. The site's drainage strategy is to retain runoff within the development platform through the use of a herringbone drainage system which drains to a ditch to the west of the A836. The outflow, and each sub-catchment within the site, would be fitted with penstock valves which can be manually or remotely operated. In the event of a fire, the valves would be closed to contain firewater runoff within the sub-catchment where the fire has occurred. The smallest sub-catchment area has a capacity of 248m³ which exceeds the minimum requirements. Any contaminated runoff would be removed from the site by a sealed mobile tanker.

- 7.109 The OBSMP identifies that appropriate separation distances between BESS units and other on-site and off-site receptors will be incorporated into the design to minimise the potential for fire spread. In relation to battery selection, the OBSMP indicates that the selection process may include compliance with relevant safety standards and certifications, including UL 9540A testing. While this does not constitute a definitive commitment that the chosen battery technology will satisfy specific standards, it is recognised that the document is high-level at this stage and demonstrates a broadly appropriate approach to the consideration of battery safety. A planning condition will require the submission and approval of a detailed Battery Safety Management Plan (BSMP) prior to commencement of development. This will be required to demonstrate that battery safety considerations, insofar as they are material planning considerations, have been appropriately addressed in relation to the battery technology selected and the final approved site layout.
- 7.110 The OBSMP does not specify that BESS units will be positioned a minimum of 3m away from vegetation. Indeed, the indicative site layout shows BESS units approximately 2.6m away from the area of proposed landscaping to the northern end of the site. Nevertheless, the final site layout will be the subject of a planning condition and a detailed BSMP will be required to show that battery safety matters, insofar as they are a material consideration, are appropriately addressed. This will include appropriate separation distances between BESS units and areas for landscaping.
- 7.111 The current indicative site layout and OBSMP are not entirely satisfactory in all respects. However, the identified shortcomings are considered to be relatively minor and are capable of being addressed through standard planning conditions requiring approval of the final site layout and a detailed Battery Safety Management Plan (BSMP). The OBSMP establishes a broadly acceptable framework, and it is anticipated that these principles will be developed into more specific commitments through the detailed BSMP. Subject to these controls, it is considered that the site is capable of accommodating a BESS development with a layout and design that appropriately addresses fire safety considerations, insofar as these are material planning considerations.

Decommissioning and Reinstatement

- 7.112 The Proposed development is expected to have a 40-year lifespan. It is not considered necessary to apply a time limit condition to the permission, which is not standard practice for applications for BESS, however it is considered appropriate to require a Decommissioning and Reinstatement Plan, as required by NPF4 Policy 11 and HwLDP Policy 67. It is also recommended that a condition be added requiring the operator to keep record of the power stored and generated to ensure that end of life decommissioning of the site takes place at the appropriate time. A condition requiring a financial guarantee to cover the decommissioning and reinstatement of the site is also recommended.

Other Material Considerations

- 7.113 Chapter 3 of the ER provides a description of the development which includes reference to a grid connection. It states that Dalchork Substation has the operational

capacity to accommodate the proposed development and confirms that the connection will be achieved using underground cabling. The grid connection would fall outwith the application site boundary and could be undertaken utilising permitted development rights if installed by a licenced electricity undertaker.

- 7.114 The proposed development, excluding its grid connection, was screened by Scottish Ministers in June 2024 who determined that it did not comprise EIA development. Scottish Ministers, as competent authority, are responsible for ensuring the competency of their screening decision.
- 7.115 The proposed development and its grid connection are entirely functionally interdependent with the proposal's energy benefits unable to be realised until connection to the national grid is achieved. The grid connection is a fundamental component of the wider scheme and its omission from assessment raises concerns as to whether the full environmental effects of the proposal have been assessed.
- 7.116 The applicant has specified that the proposed development will connect to the transmission network at Dalchork Substation and also to the distribution network at Lairg Grid Supply Point. These require 200MW and 49.9MW cables, respectively. Dalchork Substation is 900m to the northeast of the site whilst Lairg Grid Supply Point is 2.2km to the southeast.
- 7.117 The 200MW cable would be fully underground and would run along the road verge to the Dalchork substation. Its placement within the road verge would limit the extent of any environmental impacts.
- 7.118 The applicant has provided three potential scenarios for the 49.9MW connection which would either use established grid connection routes, including the existing overhead line adjacent to the site, or would similarly be sited underground within the public highway. This also limits the potential for significant environmental effects.
- 7.119 Notwithstanding concerns about the omission of the grid connection from assessment, it is considered that sufficient information is contained within the application to inform the Council's consultation response to the ECU. There are no designated cultural or natural heritage sites between the application site and the substations, although there are non-designated archaeological records including a settlement and clearance cairns. The Carbon and peatland 2016 map indicates the presence of Class 5 soils, being peat soils with no peatland vegetation, within the area. Using existing road and electricity transmission reduces the potential for impact on peat soils. The land between the application site and Dalchork Substation has all been used for commercial forestry. It is considered unlikely that the addition of the proposed grid connections would tip the overall project over the threshold of being EIA development, notwithstanding potential limited impacts on peat soils and non-designated archaeology.

Non-material considerations

- 7.120
- There is no need for standalone BESS facilities away from wind farms;
- Whilst co-locating energy generation and storage developments is encouraged, there is no prohibition on BESS facilities away from wind farms. The Planning

Authority is required to assess the application against the Development Plan on its own merits.

- 7.121
- The Scottish Fire and Rescue Service will not engage with the developer on fire safety issues;

This is a matter for the developer and the Scottish Fire and Rescue Service.

- 7.122
- Concerns relating to disasters (military targeting of the site, military training aircraft crashing into the site and damage to nearby dams)

These are speculative in nature and there is no evidence before the planning authority to indicate that such scenarios are likely to arise.

8. MATTERS TO BE SECURED BY LEGAL AGREEMENT

- 8.1 A Section 96 agreement to cover any excessive damage to the local road network is required.

9. CONCLUSION

- 9.1 The proposed development can contribute to national climate change and carbon net-zero targets by storing electricity from generating stations, including from renewable sources, at times of peak production and releasing it at times where supply does not meet demand. The proposed development can also support the transition to renewable forms of electricity by providing grid support services. This form of development is afforded significant support by NPF4 policies, including Policies 1 and 11.

- 9.2 In terms of impacts on landscape and visual amenity, natural heritage, residential amenity, cultural heritage, roads, flood risk and drainage, and health and safety, the effects of the proposed development would be suitably mitigated, and no significant adverse effects are anticipated.

- 9.3 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations. It is recommended that the Council Raises No Objection to the application.

10. IMPLICATIONS

- 10.1 Resource: There are significant staffing and financial resource implications if the application is to be subject to a Public Local Inquiry.
- 10.2 Legal: If an objection is raised to the proposal, the application may be subject to a Public Local Inquiry.
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: The proposed development will make a meaningful contribution to the low carbon energy transition.

10.5 Risk: Not applicable

10.6 Gaelic: Not applicable

11. RECOMMENDATION

Action required before consultation response issued to Scottish Ministers:

None.

It is recommended to **RAISE NO OBJECTION** to the application subject to:

- A. The Committee granting delegated authority to the Area Planning Manager – North or South to agree the finished condition wording, with any substantive amendments to be subject to prior consultation with the Chair of the North Planning Applications Committee; and
- B. The following conditions and reasons.

Conditions and Reasons to be attached to any Section 36 consent which may be approved will be applied by the Scottish Ministers.

Conditions to be attached to any deemed Planning Permission

1. Commencement of Development

- (1) The development must be begun not later than the expiration of 5 years beginning with the date of this permission.
- (2) Written confirmation of the intended date of Commencement of development shall be provided to the Planning Authority and the Scottish Ministers no later than one calendar month before that date.

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

2. Accordance with Provisions of the Application

- (1) Permission is hereby granted for the erection and operation of a Battery Energy Storage System (BESS) facility, with the following elements approved under this permission:
 - A BESS compound comprising:
 - o Individual containerised battery units;
 - o DNO control room;
 - o Customer switchroom;
 - o Grid transformer;
 - o Auxiliary transformer;
 - o Associated access and infrastructure.
 - Cabins including a switchgear/meter room;

- Internal service roads;
 - Site fencing;
 - CCTV;
 - Two site accesses;
 - Temporary construction and storage compounds and associated infrastructure.
- (2) Prior to the final commissioning of the development hereby approved, all elements of the development that relate to Part (1) above, and as approved in writing by the Planning Authority under Condition 3 below, along with site drainage and flood mitigation infrastructure, site security measures, and fire safety measures including the means of containment of fire suppressant materials, shall be constructed and installed in full, made available for use, and thereafter maintained for this use for the lifetime of the development.
- (3) In the event of the Development not storing and supplying electricity on a commercial basis to the grid network for a continuous period of 12 months from 50% or more batteries installed and commissioned from time to time, the Company shall immediately notify the Planning Authority in writing of that situation and shall, if the Planning Authority direct in writing, decommission the development and reinstate the site to the specification and satisfaction of the Planning Authority in accordance with an approved Decommissioning, Restoration, and Aftercare Plan, which shall be based on the principles of the Decommissioning, Restoration, and Aftercare Strategy approved under Condition 4 of this permission and updated according with the relevant guidance and best practice at the time. The Planning Authority shall have due regard to the circumstances surrounding the failure to store electricity.
- (4) At the time of the development's decommissioning, the development shall be decommissioned, the site restored, and aftercare undertaken in accordance with the approved Decommissioning, Restoration, and Aftercare Plan.

Reason: In order to clarify the terms of the planning permission and ensure the development proceeds as approved. To secure the decommissioning and removal of the development in an appropriate and environmentally responsible manner along with the restoration of the site in the interests of safety, amenity, and environmental protection.

3. Final Layout, Design and Specifications

- (1) No development shall commence unless and until full siting and design details of the development including all proposed battery cabinets, buildings, and ancillary infrastructure hereby permitted, have been submitted to, and approved in writing by, the Planning Authority in

consultation with Historic Environment Scotland. These details shall include:

- a) the make, model, design, power rating, sound power level of the batteries, the dimensions of the battery storage cabinets and ancillary infrastructure, control building, storage and office facilities to be installed, and show separation distances between battery storage units which shall comply with the prevailing fire safety legislation and best practice guidelines at the time of installation; and,
 - b) the external colour and/or finish of the storage containers, buildings, and ancillary infrastructure on site, which shall have a dark-neutral, non-reflective, semi-matte finish.
- (2) No element of the development shall have any text, sign or logo displayed on any external surface, save those required by law under other legislation.
 - (3) The submission shall explain and demonstrate how the proposed BESS layout satisfies the Health and Safety Guidance for Grid Scale Electrical Energy Storage Systems, National Fire Chiefs Council's Guidance - Guidance on Grid Scale Battery Energy Storage System Planning, and Draft Guidance National Fire Chiefs Council on Grid Scale Battery Energy Storage Systems and/or any or any superseding guidance prevailing at the time.
 - (4) Thereafter, the storage cabinets, buildings, and ancillary infrastructure shall be installed and operated in accordance with these approved details and, with reference to part (b) above, the storage containers, buildings, and ancillary infrastructure shall be maintained in the approved colour, free from rust, staining or discolouration until such time as the development is decommissioned.
 - (5) All cables between the storage containers, buildings, and ancillary infrastructure shall be installed and kept underground.

Reason: To ensure the Planning Authority is aware of the development details and to protect the visual amenity of the area.

4. Decommissioning, Restoration and Aftercare

- (1) No development shall commence unless and until a Decommissioning, Restoration, and Aftercare Strategy has been submitted to, and approved in writing by, the Planning Authority. The strategy shall outline measures for the decommissioning of the development along with the restoration and aftercare of the site, and shall include proposals for the removal of individual components of the development as well as the development as a whole as well as the treatment of ground surfaces, and, the management and timing of the works and environmental management provisions which shall include, but not be limited to, the following:

- a) site waste management plan (dealing with all aspects of waste produced during the decommissioning, restoration and aftercare phases);
- b) details of measures to be taken to prevent loose or deleterious material being deposited on the local road network, including wheel cleaning and lorry sheeting facilities, and measures to clean the site entrances and the adjacent local road network;
- c) a pollution prevention and control method statement, including arrangements for the storage and management of oil and fuel on the site;
- d) details of measures for soil storage and management;
- e) a surface water and groundwater management and treatment plan, including details of the separation of clean and dirty water drains, and location of settlement lagoons for silt laden water;
- f) temporary site illumination;
- g) management and timing of the works; and
- h) a traffic management plan to address any traffic impact issues during the decommissioning period.

(2) The Decommissioning, Restoration and Aftercare Strategy shall thereafter be complied with in full in accordance with the timeline approved therein.

Reason: To ensure the decommissioning and removal of the development, along with the site's restoration in an appropriate and environmentally responsible manner in the interests of safety, amenity, and environmental protection.

5. Financial Guarantee

No development shall commence until:

- (1) Full details of a guarantee, bond or other financial provision to be put in place to cover all of the decommissioning and site restoration measures outlined in the Decommissioning and Restoration Plan approved under Condition 4 of this permission have been submitted to, and approved in writing by, the Planning Authority. For the avoidance of doubt the bond shall be able to be called upon by The Highland Council and be enforceable against the operator and landowner and/ or leaseholder; and
- (2) Confirmation in writing by a suitably qualified independent professional that the amount of financial provision proposed under part (1) above is sufficient to meet the full estimated costs of all decommissioning, dismantling, removal, disposal / recycling, site restoration, remediation and incidental work, as well as associated professional costs, has been submitted to, and approved in writing by, the Planning Authority; and
- (3) Documentary evidence that the guarantee, bond or other financial provision approved under parts (1) and (2) above is in place has been

submitted to and approved in writing by the Planning Authority.

- (4) Thereafter, the Operator, and Leaseholder and/or Landowner, shall:
- a) Ensure that the guarantee, bond or other financial provision is maintained throughout the duration of this permission; and
 - b) Pay for the guarantee, bond or other financial provision to be subject to a review five years after the commencement of development and every five years thereafter until such time as the development is decommissioned and the site restored.
- (5) Each review shall be:
- a) conducted by a suitably qualified independent professional; and
 - b) published within three months of each five year period ending, with a copy submitted upon its publication to both the landowner(s) and the Planning Authority; and
 - c) approved in writing by the Planning Authority without amendment or, as the case may be, approved in writing by the Planning Authority following amendment to their reasonable satisfaction.
- (6) Where a review approved under part (c) above recommends that the amount of the guarantee, bond or other financial provision should be altered (be that an increase or decrease) or the framework governing the bond or other financial provision requires to be amended, the Operator, and Leaseholder and/or Landowner shall do so within one month of receiving that written approval, or another timescale as may be agreed in writing by the Planning Authority, and in accordance with the recommendations contained therein.

Reason: To ensure that there are sufficient funds to secure the implementation of the Decommissioning, Restoration, and Aftercare Plan at the time of the development's decommissioning.

6. **Drainage Details**

Unless otherwise agreed in writing by the Planning Authority, development shall not commence unless and until the following details have been submitted to and approved in writing by the Planning Authority:

- Evidence of landowner agreement to the final drainage discharge location;
- Evidence demonstrating that the receiving watercourse is suitable for the purpose;
- Details of the discharge headwall should be provided, demonstrating that the discharge pipe work is sufficient in design and capacity to accommodate the necessary flows.

Development shall be carried out entirely in accordance with the approved details.

Reason: To ensure adequate site drainage.

7. **Drainage**

Unless otherwise agreed in writing by the Planning Authority, the drainage strategy specified in the revised Drainage Impact Assessment by Gondolin, GON.0835.0447 Issue 2, and as further detailed through Condition 6, shall be implemented in full prior to the development's first occupation and shall be maintained in good working order in perpetuity.

Reason: In order to ensure the site is adequately drained in accordance with the principles of Sustainable Urban Drainage Systems.

8. **External Lighting**

No development shall commence until full details of any external lighting to be used within the site and/or along its boundaries and/or access have been submitted to, and approved in writing by, the Planning Authority. Such details shall include full details of the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any direct illumination, glare or light spillage outwith the site boundary, and shall be Bat friendly. Thereafter only the approved details shall be implemented.

Reason: In the interests of visual amenity, to prevent permanent lighting and minimise light pollution and to ensure the development does not have an adverse impact on residents and nocturnal animals.

9. **Habitat Management Plan**

- (1) Development shall not commence unless and until a final Habitat Management Plan (HMP) has been submitted to and approved in writing by the Planning Authority.
- (2) The HMP shall set out proposed habitat management of the site including all mitigation, compensation and enhancement measures, during the period of construction and operation, and shall detail the long term management regimes of the compensation and enhancement measures required of the site.
- (3) The HMP shall include provision for regular monitoring and review to be undertaken against the HMP objectives and measures for securing amendments or additions to the HMP in the event that the HMP objectives are not being met.
- (4) Unless and until otherwise agreed in advance in writing with the Planning Authority, the approved HMP (as amended from time to time with the written approval of the Planning Authority) shall be implemented in full.

Reason: To detail how all mitigation, compensation and enhancement measures of biodiversity for the site will be delivered.

10. **Data**

GIS Shapefiles shall be supplied of the compensation and enhancement boundaries (including offsite locations) 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.

11. **Pre-Construction Surveys**

- (1) No development or site enabling works shall commence until pre- construction ecological surveys are undertaken, which shall be carried out at the appropriate time of year and no more than 3 months prior to works commencing on site, and a report of the survey has been submitted to, and approved in writing by, the Planning Authority. The surveys shall cover the application site including an appropriate buffer from its boundary and the HMP areas with the report including mitigation measures where any impact, or potential impact, on protected species, including but not limited to birds, bats, badgers, otters, pine marten, red squirrel and water vole and their habitats have been identified.
- (2) In the event that works are intended to be carried out within the main bird breeding season, March through August inclusive, surveys for ground nesting birds shall be undertaken no more than 24 hours prior to any works commencing on site including site clearance works.
- (3) 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 interest of protecting ecology, protected species including nesting birds, and their habitats.

12. **Species Protection Plan**

No development shall commence until Species Protection Plans have been submitted to and approved in writing by the Planning Authority, in consultation with the Council's Ecology Team. The submitted plans shall include a Bird Protection Plan, and any other protected species identified on-site during the pre-construction surveys required by condition 11. Thereafter, the development shall be constructed in accordance with the approved details and maintained in perpetuity.

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

13. **Construction Environment Management Plan (CEMP)**

No development shall commence until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Planning Authority. Thereafter the construction of the development shall only be carried out in accordance

with the approved CEMP, subject to any variations approved in writing by the Planning Authority. The CEMP shall include, but is not limited to:

- a) details of the phasing of construction works;
- b) details of any temporary site construction compound including temporary structures/buildings, fencing, parking and storage provision to be used in connection with the construction of the development;
- c) details and implementation and a timetable for post construction restoration/reinstatement of the temporary working areas, and the construction compound;
- d) details of the method of construction and erection of the structures and any underbuilding/platforms;
- e) details of pollution control via a Pollution Prevention Plan (PPP): protection of the water environment and existing private water supplies, bunding of fuel storage areas, surface water drainage, sewage disposal and discharge of foul drainage;
- f) details of temporary site illumination during the construction period;
- g) details of timing of works;
- h) details of surface treatments and the construction of all hard surfaces and access tracks between each element of the proposed development This shall include details of the tracks in a dark, non-reflective finish with details of the chemical properties of any and all imported stone provided;
- i) details of routeing of onsite cabling;
- j) details of emergency procedures and pollution response plans;
- k) siting and details of wheel washing facilities;
- l) cleaning of site entrances, site tracks and the adjacent public highway and the sheeting of all HGVs taking spoil or construction materials to/from the site to prevent spillage or deposit of any materials on the highway;
- m) details of working practices for protecting nearby residential dwellings, including best practicable measures to control noise and vibration arising from on-site activities, to be adopted as set out in British Standard 5228 Part 1: 2009;
- n) Inclusion of any Species Protection Plans required by Condition 12;
- o) details of areas on the site designated for the storage, loading, off-loading, parking and manoeuvring of heavy-duty plant, equipment and vehicles.

Reason: To ensure that construction works are undertaken in accordance with applicable standards in the interests of environmental protection, amenity, and safety.

14. **Environmental Clerk of Works (EnvCoW)**

- (1) There shall be no Commencement of Development unless and until the terms of appointment of an independent Environmental Clerk of Works (EnvCoW) have been submitted to, and approved in writing by, the Planning Authority. This shall include a EnvCoW schedule, detailing when the EnvCoW shall be

present on site. For the avoidance of doubt, the EnvCoW shall be appointed as a minimum for the period from the commencement of development to the final commissioning of the development and their remit shall, in addition to any functions approved in writing by the Planning Authority, include (but not be limited to):

- a. Impose a duty to monitor compliance with the environmental commitments provided in the EIA Report as well as the following (the EnvCoW works):
 - i. the Nesting Bird Survey under Condition 11;
 - ii. the Construction Environment Management Plan (CEMP) under Condition 13;
 - iii. the Habitat Management Plan under Condition 9.
- 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. Maintains a Register of all inspections and audits, to include an inventory of all measures on the site, their effectiveness, as well as any advice provided;
- f. Require the EnvCoW to report to the Planning Authority monthly, with a concise summary of the actions on site.
- g. Require a statement that the EnvCoW shall be engaged by the Planning Authority but funded by the developer.

- (2) The EnvCoW shall be appointed on the approved terms throughout the period from Commencement of Development to completion of construction works and post-construction site reinstatement works.

15. Construction Traffic Management Plan

- (1) No development shall commence on site until a finalised Construction Traffic Management Plan (CTMP) has been submitted to, and approved in writing by, the planning authority in consultation with Transport Scotland. The CTMP shall be based on the Outline CTMP and shall include:
 - a. Updated forecasts of construction traffic and the construction timeline, including predicted volumes, types and frequency of construction traffic and a comparison with the assumptions set out in the Transport Assessment;

- b. The proposed routing of all construction related traffic to and from this development, including confirmation that HGV traffic will not use the B9176;
 - c. A risk assessment for transportation during daylight hours and hours of darkness;
 - d. Proposed traffic management and mitigation measures within settlements along access routes including consideration of temporary speed limits, signage, road markings and speed activated signs;
 - e. A procedure for the regular monitoring of road conditions and the implementation of any remedial works required during the construction period;
 - f. Details of appropriate traffic management which shall be established and maintained at the site access for the duration of the construction period;
 - g. Measures to ensure that all affected public roads are kept free of mud and debris arising from the development;
 - h. Measures to ensure that construction traffic adheres to agreed routes;
 - i. Identification of quarries and suppliers located on U or C class roads, together with an assessment of associated HGV movements on those roads;
 - j. Details of a vehicle identification system to identify vehicles not adhering to agreed routes or demonstrating poor driver behaviour;
 - k. A protocol for engagement with local businesses to ensure construction traffic does not disrupt normal business activities;
 - l. Measures to minimise the volume of materials imported to the site through the design process;
 - m. Arrangements for providing construction updates via a project website and/or newsletters to residents within an agreed area;
 - n. Confirmation that any extraordinary wear and tear on Highland Council roads identified by part e) shall be repaired by the developer at the developer's expense, with the applicant entering into a section 96 agreement under the Roads (Scotland) Act 1984 (as amended) with the Council, and to the satisfaction of the Council within three months of the post-construction survey being carried out;
- (2) Thereafter the approved CTMP shall be implemented in full prior to development commencing and remain in place until the development is complete.

16. Road Mitigation Scheme

- (1) Development shall not commence unless and until a Road Mitigation Scheme has been submitted to and approved in writing by the Planning Authority. The approved Scheme shall identify any U and C class roads serving quarries or other bulk supplies on which there will be an increase in HGV traffic of over

10% and include a Schedule of Works covering the identified roads. The Schedule of Works shall include:

- a) Detailed designs of any measures required to ensure the integrity of the identified roads and to ensure road safety, which may include but not be limited to road widening, road strengthening, verge strengthening and additional or improved passing places;
- b) Details of any road markings and signage required to comply with the Traffic Signs Regulations and General Directions;
- c) Timescales for delivery of the identified measures, road markings and signage.

(2) Development shall be carried out entirely in accordance with the approved Road Mitigation Scheme.

Reason: To ensure the integrity and safety of the U and C class roads serving the site.

17. **Abnormal Loads**

Prior to commencement of deliveries to site, should any abnormal loads be identified, an Abnormal Indivisible Loads Plan shall be submitted to, and approved in writing by the Planning Authority, in consultation with the local Roads Authority and Transport Scotland. The submitted plan shall include:

- a) Identification of the proposed routes for any abnormal loads on the trunk and local road network.
- b) A detailed assessment of structures along the routes to be carried out in consultation with and the satisfaction of the Council's Structures Section. The assessment shall include an assessment of maximum axle loading on structures along the access route.
- c) A review of overhead services and any new or diverted underground services that may be at risk from construction traffic.
- d) An inspection during summer conditions of roadside vegetation and identification of any roadside vegetation required to be cleared.
- e) Full details of all road improvements and mitigation measures needed to facilitate abnormal load movements and general construction traffic shall be agreed with the Council. The agreed measures shall be fully implemented to the satisfaction of the Council. Such measures may include: removal of street furniture, modifications to bridges and culverts, carriageway widening and/or edge strengthening, road safety improvements and traffic management.
- f) A contingency plan prepared by the abnormal load haulier. The plan shall be adopted only after consultation and agreement with the Police and the respective Roads Authorities. It shall include measures to deal with any haulage incidents that may result in public roads becoming temporarily closed or restricted.
- g) A detailed protocol for the delivery of abnormal loads/vehicles, prepared in consultation and agreement with interested parties. The protocol shall identify any requirement for convoy working and/or escorting of vehicles and include

arrangements to provide advance notice of demountable signs or similar approved, shall be established when required, to alert road users and local residents of expected abnormal load movements. All such movements on Council maintained roads shall take place outwith peak times on the network including school travel times and shall avoid local community events.

- h) A review of roadworks and road closures that may affect construction traffic
- i) A detailed delivery programme for abnormal load movements which shall be made available to Highland Council and community representatives.
- j) Confirmation that any necessary reinstatement works following completion of the delivery shall be carried out to the satisfaction of the Council.

Thereafter, the approved details shall be adhered to in full.

Reason: To ensure that the transportation of abnormal loads will not have any detrimental effect on the trunk road and local road networks.

18. Access Junction Design

(1) No development shall commence until full details, including fully dimensioned and annotated plans and a timeline for construction, of the proposed means of access to the A836 road have been submitted to, and approved in writing by, the Planning Authority. The approved details shall include:

- a) Provision of visibility splays of 4.5m x 215m in both directions;
- b) Compliance with the Council's design guidance, including details of access width, geometry, surfacing, gradients, gate locations and surface water drainage arrangements at the junction with the A836; and
- c) Details of the design and operation of the northern access during the operational phase, ensuring it is restricted to emergency vehicle use only.

(2) Thereafter, the means of access shall be fully implemented in accordance with the approved details and maintained for this use in perpetuity.

Reason: To ensure that an adequate level of access is timeously provided for the development; in the interests of road safety and in order to comply with applicable standards.

19. Community Liaison Group

No development shall commence on site until a community liaison group has been established by the developer, in collaboration with The Highland Council and local Community Council(s). The group shall act as a vehicle for the community to be kept informed of project progress and, in particular, should allow advanced dialogue on the provision of all mitigation measures and to keep these under review. The liaison group shall be maintained for the duration of construction activity.

Reason: To assist with the provision of mitigation measures.

20. **Staff Travel Plan**

(1) Development shall not commence unless and until a Staff Travel Plan has been submitted to and approved in writing by the Planning Authority. The approved Plan shall include:

- a) The appointment of a named Travel Plan Coordinator;
- b) Provision of up-to-date public transport information;
- c) Full details of the shared transport service to be provided for staff, including the operator, routing, seating capacity, service frequency and duration;
- d) Details of the car sharing scheme to be implemented;
- e) Car parking management arrangements;
- f) Measures to prevent staff parking on the A836;
- g) Details of the monitoring arrangements to ensure that best efforts are made to achieve the proposed targets of 70% of staff travelling by shared transport and 30% by single occupancy vehicles; and
- h) Details of the mitigation measures to be implemented should these targets not be met.

(2) Thereafter, the approved Staff Travel Plan shall be implemented in full for the duration of the construction period.

Reason: To ensure that the predicted level of shared transport is achieved in the interests of reducing impacts on the public road network.

21. **Operational Maintenance**

No delivery requiring any significant HGV or abnormal load movements shall take place during the operational phase of the development unless full details of the significant HGV or abnormal load movements have been submitted to, and approved in writing by, the Planning Authority, in consultation with Transport Scotland and community representatives as required. For the avoidance of doubt, 'significant increase of HGV traffic' shall be defined as a 10% increase of HGV movements on sensitive (evolved) roads and an increase of 30% on designed roads. Thereafter, the approved details shall be implemented in full.

Reason: To ensure that the transportation of abnormal loads will not have any detrimental effect on the trunk road and local road networks.

22. **Construction Hours**

Unless otherwise authorised in writing by the Planning Authority, construction activities associated with this development (including deliveries, the loading and unloading of delivery vehicles, plant, or other equipment) for which noise is audible at the curtilage of any noise sensitive property, shall not take place outside the following hours:

- Monday to Friday: 08:00 – 19:00 hrs
- Saturday: 08:00 – 19:00 hrs

- At no time on Sunday.

Reason: In the interests of protecting residential amenity.

23. **Construction Noise and Vibration Management Plan**

- (1) Prior to the commencement of any construction works, a Construction Noise and Vibration Management Plan (CNVMP) shall be submitted to and approved in writing by the Planning Authority. The CNVMP shall be prepared in accordance with BS5228-1:2009+A1:2014 and shall include:
 - a) Details of the mitigation measures to be implemented to minimise noise and vibration from construction activities, including those recommended in BS5228-1:2009+A1:2014;
 - b) Proposals for monitoring noise and vibration throughout the construction period; and
 - c) Details of the community liaison for engaging with affected residents, including communication of potential impacts and complaint procedures.
- (2) Thereafter, the development shall proceed in accordance with the approved CNVMP, and all mitigation measures shall be in place prior to the commencement of construction, unless otherwise agreed in writing by the Planning Authority.

Reason: In the interests of protecting residential amenity.

24. **Construction Dust Mitigation Scheme**

- (1) Development shall not commence unless and until a Construction Dust Mitigation Scheme has been submitted to and approved in writing by the Planning Authority. The approved Scheme shall demonstrate how the applicant and contractor will ensure that best practicable measures are implemented in order to reduce the impact of construction dust.
- (2) Development shall be carried out entirely in accordance with the approved Construction Dust Mitigation Scheme and all approved mitigation measures shall be in place prior to construction commencing or as otherwise may be agreed in writing by the Planning Authority.

Reason: In the interests of protecting residential amenity.

25. **Operational Noise**

The Rating Level of noise arising from this development as determined in accordance with BS4142 Methods for Rating and Assessing Industrial and Commercial Sound shall not exceed 25dB(A)* at the curtilage of any noise sensitive receptor.

*Determined by applying the following criteria - Where background levels are below 30dB LA90, the limit to be applied shall be 30dB or no more than 5dB above background whichever is lower

Where background levels are 30dB or higher, the limit to be applied shall not exceed the background level.

Reason: In the interests of protecting residential amenity.

26. Updated Noise Impact Assessment

The development hereby approved shall not be brought into use unless and until a revised Noise Impact Assessment (NIA) has been submitted to and approved in writing by the Planning Authority. The NIA shall include details of the final specified plant to be installed and shall specify any required noise control measures to ensure that operational noise levels from the development shall comply with the operational noise levels specified at Condition 25. Any agreed noise control measures shall be implemented in full prior to the development hereby approved being brought into use and shall be maintained in good working order for the lifetime of the development.

Reason: In the interests of protecting residential amenity.

27. Record Keeping

The Operator shall, at all times after the first commissioning of the development, record information regarding the details of power stored and generated, inclusive of dates and times of any failures, and retain the information in perpetuity. The information shall be made available to the Planning Authority within one month of any request by them.

Reason: To ensure end of life decommissioning of the site.

28. Local Employment Scheme

Prior to the Commencement of Development, a Local Employment Scheme for the construction of the development shall be submitted to and agreed in writing by the Planning Authority.

The Scheme shall include the following:

- a) details of how the initial 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 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.

29. **Archaeological Written Scheme of Investigation**

Development shall not commence unless and until 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 WSI 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.

30. **Access to layby retained**

- (1) The parking layby on the A836 adjacent to Core Path SU16.05 (Loch Shin Hide) shall remain open for public use at all times unless otherwise agreed in writing by the Planning Authority.
- (2) Should permission be sought from the Planning Authority to prevent public use of the parking layby, the applicant shall submit details of alternative parking arrangements to the Planning Authority for approval in writing. Any approved alternative parking provision shall be implemented in full prior to the layby being closed to public use.

Reason: In order to prevent adverse impacts on the use of the Core Path network.

31. **Landscaping**

- (1) No development shall commence until details of a scheme of hard and soft landscaping works have been submitted to, and approved in writing by, the Planning Authority. Details of the scheme shall include:

- a) All earthworks and existing and finished ground levels in relation to an identified fixed datum point;
 - b) A plan showing existing landscaping features and vegetation to be retained;
 - c) The location and design, including materials, of any existing or proposed walls, fences and gates;
 - d) All soft landscaping and planting works, including plans and schedules showing the location, species and size of each individual tree and/or shrub and planting densities; and
 - e) A programme for preparation, completion and subsequent on-going maintenance and protection of all landscaping works.
- (2) Landscaping works shall be carried out in accordance with the approved scheme. All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of development, unless otherwise stated in the approved scheme.
- (3) Any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.
- (4) A suitably qualified landscape consultant shall be employed to ensure that the approved Landscaping Plan is implemented to the agreed standard. Stages requiring supervision are to be agreed with the Planning Authority and certificates of compliance for each stage shall be submitted for approval.

Reason: In the interests of visual amenity.

32. **Woodland Removal**

The area of permanent woodland removal shall not exceed 1.51 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 Forest 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.

33. **Compensatory Planting**

- (1) At least three months prior to commencement of development, a detailed Compensatory Planting Plan shall be submitted to and approved in writing by the Planning Authority, following consultation with Scottish Forestry and any other relevant stakeholders.
- (2) The Compensatory Planting Plan shall:

- i. Provide an area of Compensatory Planting of no less than 3.60 hectares in size, consisting primarily of non-productive native species and located within the Highlands;
 - 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 shall 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. Include confirmation that, should Compensatory Planting be proposed on land located outside the planning application boundary and/or on land that is not under the ownership of the applicant, a Section 75 legal agreement will first be secured between the applicant, the landowner and the Planning Authority;
 - viii. 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.
- (3) The development hereby approved shall not be brought into operational use until the approved Compensatory Planting Plan has been implemented in full.
- (4) 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.
- (5) 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.

34. **Battery Safety Management Plan**

No development shall commence until a full, finalised Battery Safety Management Plan has been submitted to and approved in writing by the Planning Authority. Thereafter the construction of the development shall only be carried out in strict accordance with the approved Plan's specifications.

Reason: In the interests of safety and environmental protection.

Signature:	Bob Robertson
Designation:	pp. Area Planning Manager North
Author:	Jack Wiseman
Background Papers:	Documents referred to in report and in case file.
Relevant Plans:	Plan 1 - Location Plan (GB204149_M_008_A)
	Plan 2 - Landscape Strategy Plan (1048-RPC025-TE01-D02)
	Plan 3 - Site Location Plan including Indicative Cable Route (RPC025-PL-FG01)
	Plan 4 - 132kV Substation Elevation
	Plan 5 - Battery Container Elevation
	Plan 6 - BESS Transformer Elevation
	Plan 7 - Customer Switchroom)
	Plan 8 - DNO Control Room
	Plan 9 - PCS Inverter
	Plan 10 - Site Fencing, Access Track and CCTV Detail
	Plan 11 - Spare Parts Container

Appendix 1 – Development Plan and Other Material Policy Considerations

DEVELOPMENT PLAN

National Planning Framework 4 (2023) (NPF4)

National Development 3 – Strategic Renewable Electricity generation and Transmission Infrastructure

Policy 1 - Tackling the Climate and Nature Crises

Policy 2 - Climate Mitigation and Adaptation

Policy 3 - Biodiversity

Policy 4 - Natural Places

Policy 5 - Soils

Policy 6 - Forestry, Woodland and Trees

Policy 7 - Historic Assets and Places

Policy 11 - Energy

Policy 12 - Zero Waste

Policy 13 - Sustainable Transport

Policy 14 - Design Quality and Place

Policy 18 - Infrastructure First

Policy 20 - Blue and Green Infrastructure

Policy 22 - Flood Risk and Water Management

Policy 23 - Health and Safety

Policy 25 - Community Wealth Building

Policy 26 - Business and Industry

Policy 29 - Rural Development

Highland Wide Local Development Plan 2012 (HwLDP)

28 - Sustainable Design

29 - Design Quality and Place-making

30 - Physical Constraints

31 - Developer Contributions

36 - Development in the Wider Countryside

51 - Trees and Development

52 - Principle of Development in Woodland

55 - Peat and Soils

56 - Travel

57 - Natural, Built and Cultural Heritage

- 58 - Protected Species
- 59 - Other important Species
- 60 - Other Importance Habitats
- 61 - Landscape
- 63 - Water Environment
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage
- 67 - Renewable Energy Developments
- 72 - Pollution
- 73 - Air Quality

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

The site is not covered by any specific development allocation or safeguarding notion.

Highland Council Supplementary Planning Policy Guidance

- Developer Contributions (Nov 2018)
- Flood Risk and Drainage Impact Assessment (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (Mar 2013)
- Physical Constraints (Mar 2013)
- Public Art Strategy (Mar 2013)
- Roads and Transport Guidelines for New Developments (May 2013)
- Special Landscape Area Citations (June 2011)
- Standards for Archaeological Work (Mar 2012)
- Sustainable Design Guide (Jan 2013)
- Trees, Woodlands and Development (Jan 2013)
- Biodiversity Enhancement Planning Guidance (May 2024)

OTHER MATERIAL POLICY CONSIDERATIONS

- 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)
- The Draft Energy Strategy and Just Transition Plan (2023)
- Scottish Energy Strategy (2017)
- 2020 Routemap for Renewable Energy (2011)

Energy Efficient Scotland Route Map, Scottish Government (2018)

Historic Environment Policy for Scotland (2019)

PAN 1/2011 - Planning and Noise (2011)

PAN 60 – Planning for Natural Heritage (Jan 2008)

Developing with Nature Guidance (NatureScot 2023)

Construction Environmental Management Process for Large Scale Projects (2010)

Health and Safety Guidance for Grid Scale Electrical Energy Storage Systems' (UK Government, Mar 2024)

Grid Scale Battery Energy Storage System Planning – Guidance for Fire and Rescue Service (Dec 2025)

Scottish Government Planning Guidance: Biodiversity (Dec 2025)

Planning Guidance: Battery Energy Storage Systems (March 2026)

Planning Circular 4/1998: The Use of Conditions in Planning Permissions.

Appendix 3- Compliance with the Development Plan

Appendix 3 – Compliance with the Development Plan / Other Planning Policy

- A3.1 The Development Plan comprises National Planning Framework 4 (NPF4), the adopted Highland-wide Local Development Plan (HwLDP), the Caithness and Sutherland Local Development Plan (CaSPlan) 2018 and any statutory supplementary guidance.

National Planning Framework 4

- A3.2 The Proposed development is “National” development by virtue of being an application for electricity storage with a capacity exceeding 50MW.
- A3.3 NPF4 Policies 1, 2 and 3 relate to all development proposals in Scotland. NPF4 Policy 1 requires that significant weight is given to the global climate and nature crises. NPF4 Policy 2 requires that development proposals be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and to adapt to current and future risks from climate change. NPF4 Policy 3 states that development proposals for national development will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity so that they are in a demonstrably better state than without intervention. The assessment has considered the proposal in relation to these policies and is considered to be compliant.
- A3.4 NPF4 Policy 4 relates to natural places and intends to protect, restore and enhance natural assets making best use of nature-based solutions. It sets out the protections that will apply to protected species, which have been adequately considered in the submission. NPF4 Policy 5 intends to protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development. It states that development proposals will only be supported if they are designed and constructed in accordance with the mitigation hierarchy, which has been adequately demonstrated in the submission meaning that impacts on agriculturally valuable ground and carbon rich soils are avoided in this instance. NPF4 Policy 6 intends to protect and expand forests and its aims are achieved with the application, including the provision of suitable compensatory planting which is to be secured by condition.
- A3.5 NPF4 Policy 20 for Blue and Green Infrastructure supports facilities that design protect and enhance blue and green infrastructure and their networks by making climate mitigation, nature restoration, biodiversity enhancement, flood prevention and water management integral to design. The requirements of NPF4 Policy 23, relating to health and safety, are also relevant as they seek to protect people and places from environmental harm, mitigate risks arising from safety hazards, and encourage, promote and facilitate development that improves health and wellbeing.
- A3.6 NPF4 Policy 25, relating to community wealth building, is also relevant to the proposal. It provides support for development proposals which contribute to

local or regional community wealth building strategies and are consistent with local economic priorities.

- A3.7 NPF4 Policy 11 relates to energy and is the key NPF4 policy for assessing energy developments. It provides support for all forms of renewable, low-carbon and zero emission development proposals, including battery storage. This support is dependent on development proposals maximising net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities. It sets out several areas, including impacts on communities, landscape and visual, and public access, where project design and mitigation is required to demonstrate how impacts upon them have been addressed. Subject to the suggested conditions, it is considered that the proposal is in general compliance with this policy.

Highland-wide Local Development Plan (HwLDP)

- A3.8 The key policy for assessing renewable energy developments within the HwLDP is Policy 67. It states that renewable energy developments should be well-related to the source of the primary renewable resources that are needed for their operation. The Council will consider the contribution of the proposed development towards meeting renewable energy generation targets and any positive or negative effects it is likely to have on the local and national economy. It states that the Council will support proposals where it is satisfied that they are located, sited and designed such that they will not be significantly detrimental overall, either individually or cumulatively with other developments, with regard to 11 identified areas, including natural, built and cultural heritage features, species and habitats and visual and landscape impacts. Policy 28 relates to sustainable design and supports developments which promote and enhance the social, economic and environmental wellbeing of the people of Highland. It introduces the concept of achieving the right development in the right place and not to allow development at any cost.

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

- A3.9 The Caithness and Sutherland Local Development Plan (CaSPlan) is the Area Local Development Plan covering the application site. It does not contain any allocations related to the application site or the type of development proposed.

Draft Energy Strategy and Just Transition Plan (2023)

- A3.10 The Draft Energy Strategy and Just Transition Plan (2023) notes the importance of efficiently matching energy supply and demand for power. It recognises the role that grid scale battery storage can play in achieving this and attaches particular importance to Long Duration Energy Storage (LDES). The draft energy strategy notes that, as of September 2021, only 124MW of the total 864MW of energy storage in Scotland was provided by BESS with a further 2.1GW having secured by planning condition. Energy Statistics for Scotland- Q2 2025 show that there is now 26.3GW of battery storage in the planning pipeline.

- A3.11 The policies of NPF4 and the Draft Energy Strategy set out the Scottish Government's clear support for renewable energy development and associated transmission infrastructure.

Summary

- A3.12 The Development Plan must be considered in the round. It provides clear support for the principle of renewable technologies, including proposals for battery storage. This support is not unqualified however with it needing to be demonstrated that the detailed impacts of renewable technology developments are acceptable when assessed against Development Plan policy. The current application is considered to comply with provisions of NPF4 and the Development Plan as a whole.



Project:
Dalchork BESS, Sutherland

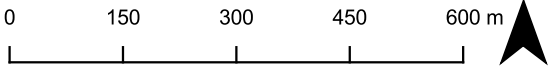
Title:
Figure 1.1: Location Plan

Key
 Site boundary

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Scale @ A3: 1:10,000

Coordinate System: British National Grid



Date: 19-07-24 Prepared by: LH Checked by: ET

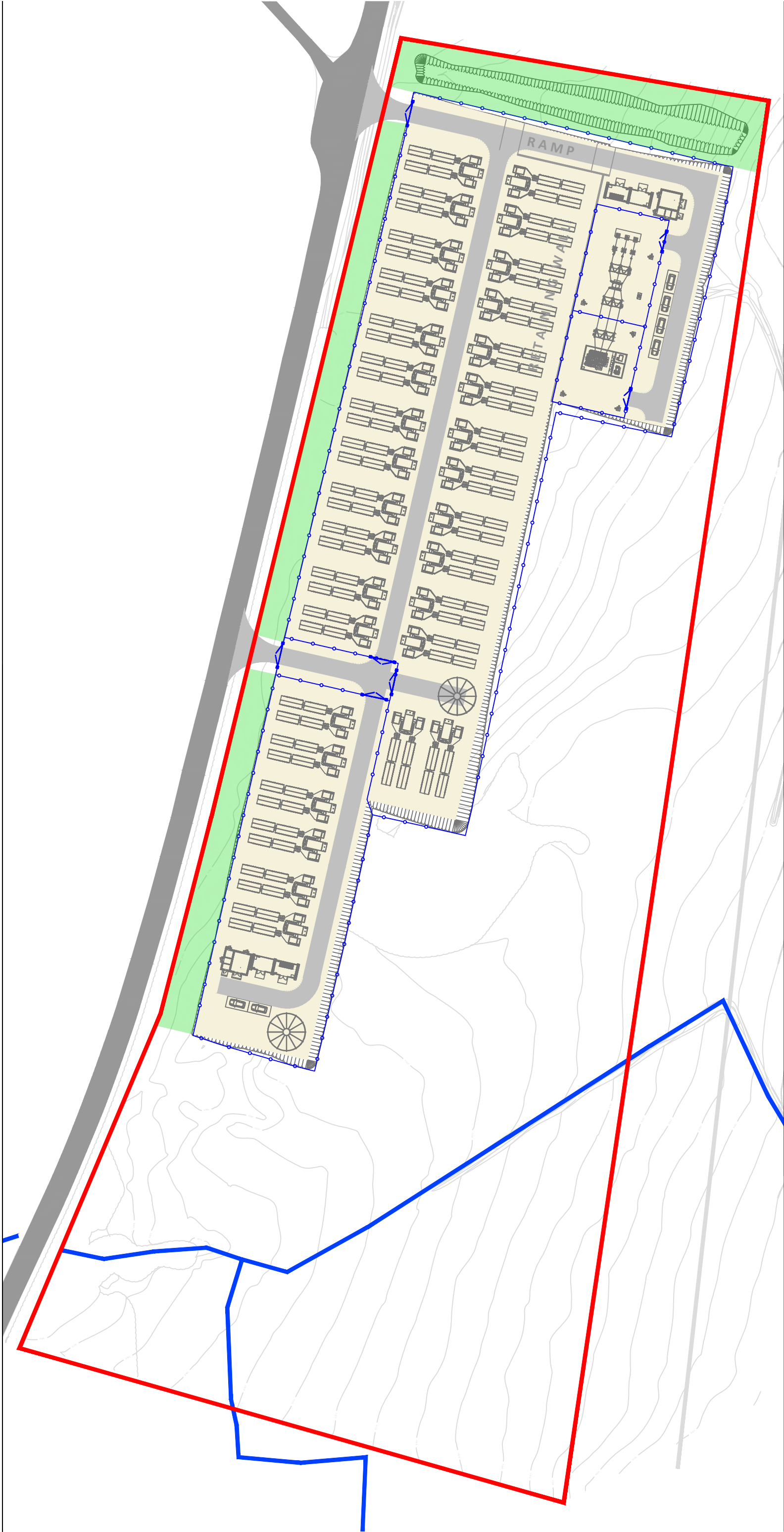
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ALL COORDINATES RELATED TO LOCAL GRID LOCATED TO OS NG BY BEST FIT TO DETAIL, EXTRACTED FROM OS DIGITAL DATA.

Key

Site Boundary

Watercourse

Contours, 0.5m intervals.

Highways

Proposals

BESS Development Area

Hard Surfacing

Security Fencing

Preliminary embankments.

Mixed Planting to provide visual screening

1:1000

010m20m30m40m

NORTH

V2	UPDATED SUBMISSION	GJH	PM	-	15/07/2026
V1	INITIAL SUBMISSION	GJH	JS	PM	24/09/2025
REV	DESCRIPTION	DR	CH	AP	DATE

CLIENT

Qair UK

PROJECT

Dalchork BESS

DRAWING TITLE:

Landscape Strategy Plan

SCALE

1:1,000 @A3

DATE

15/07/2026

DRG No.

1048-RPC025-TE01-D02

REVISION

V2

DRAWN BY

GJH

CHECKED BY

PM

APPROVED BY

-

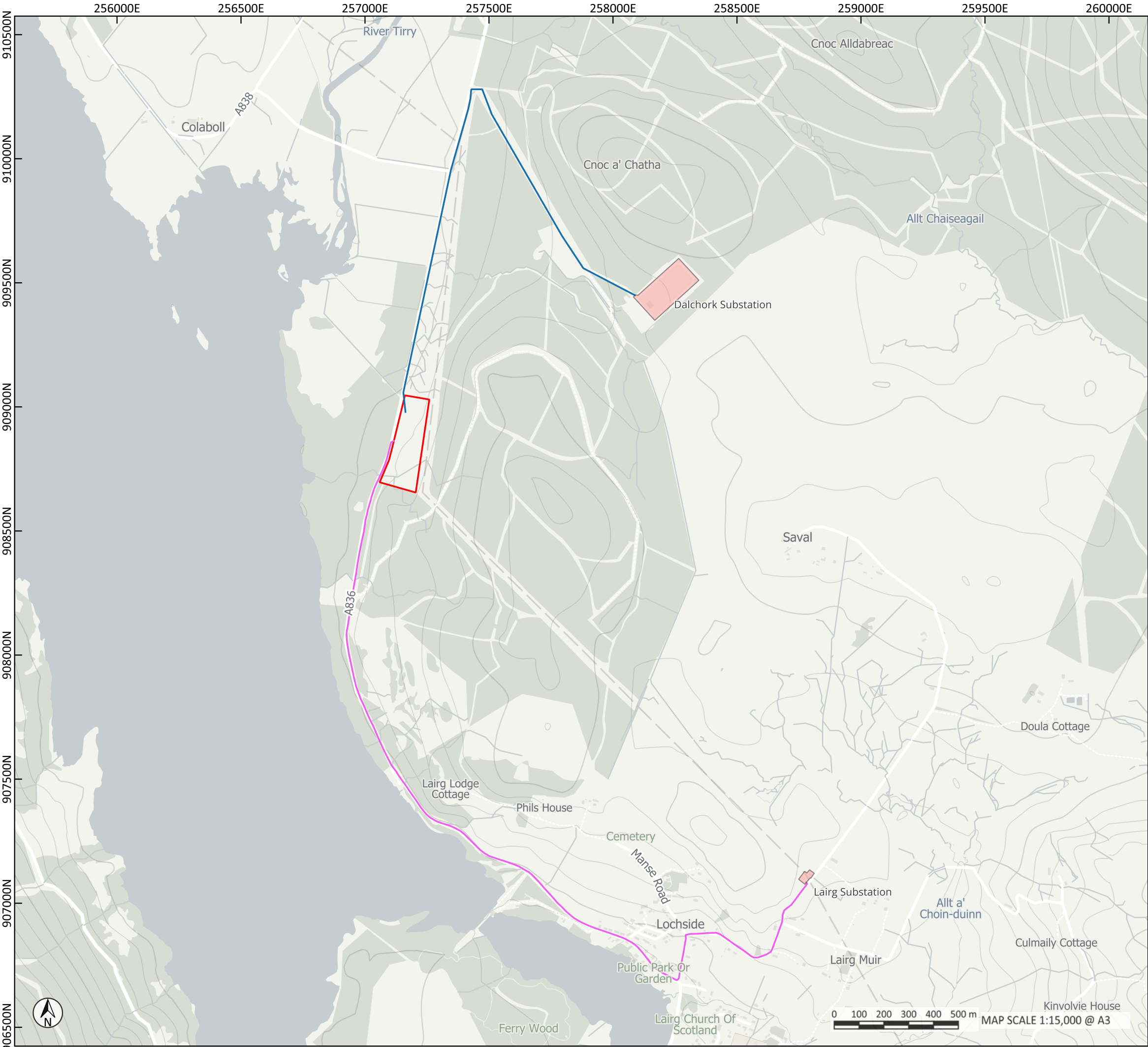
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- Key**
- Application Boundary
 - Indicative 200MW Cable Route
 - Indicative 49.9MW Cable Route



2.0	Amended. Final for submission	KTH	JS	PM	09/07/2026
1.0	Final for submission	KTH	JS	PM	08/07/2026
REV	DESCRIPTION	DR	CH	AP	DATE

CLIENT

PROJECT

FIGURE NO.

FIGURE TITLE

GREEN SWITCH CAPITAL

DALCHORK BESS

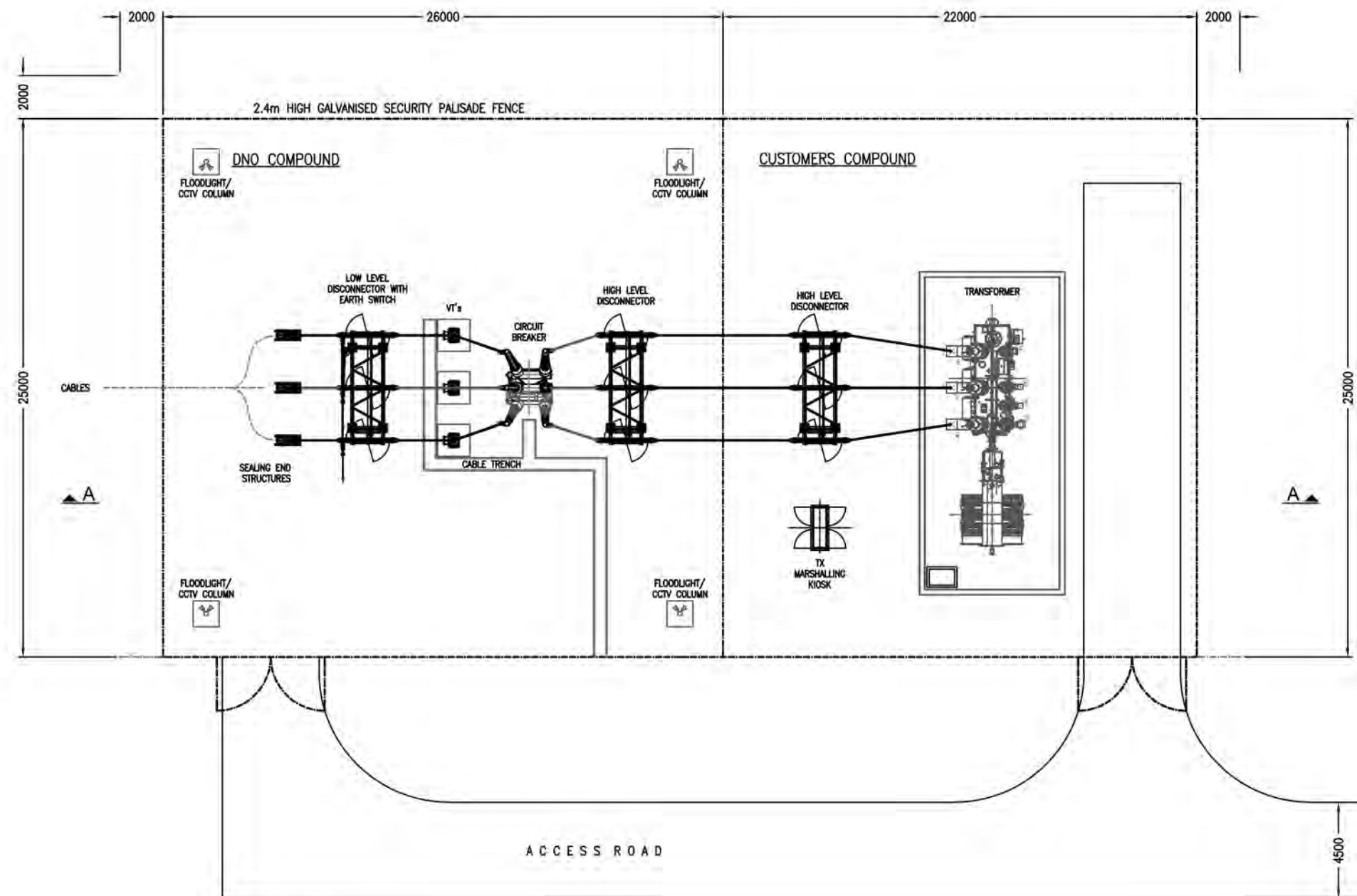
RPC025-PL-FG01

Site Location Plan including Indicative Cable Route

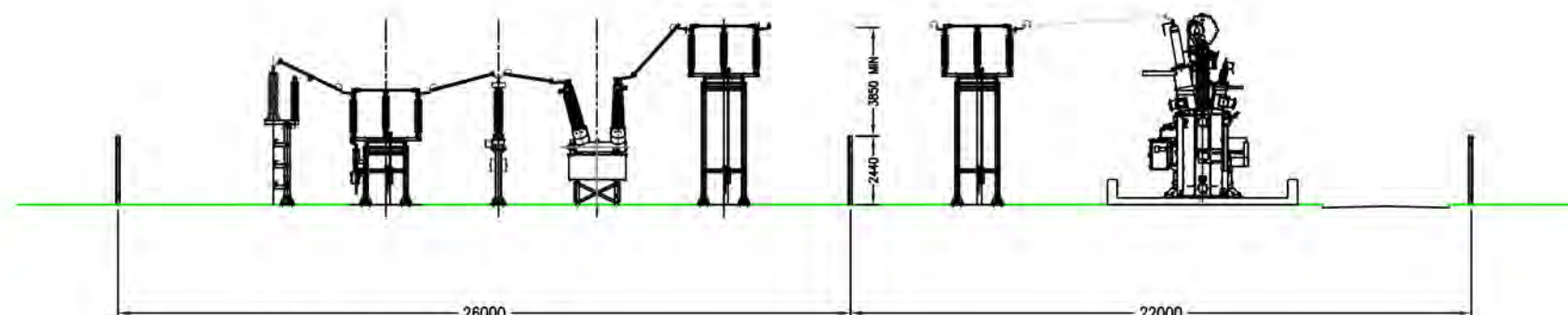


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PLAN



ELEVATION A-A

LEGEND

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PROJECT

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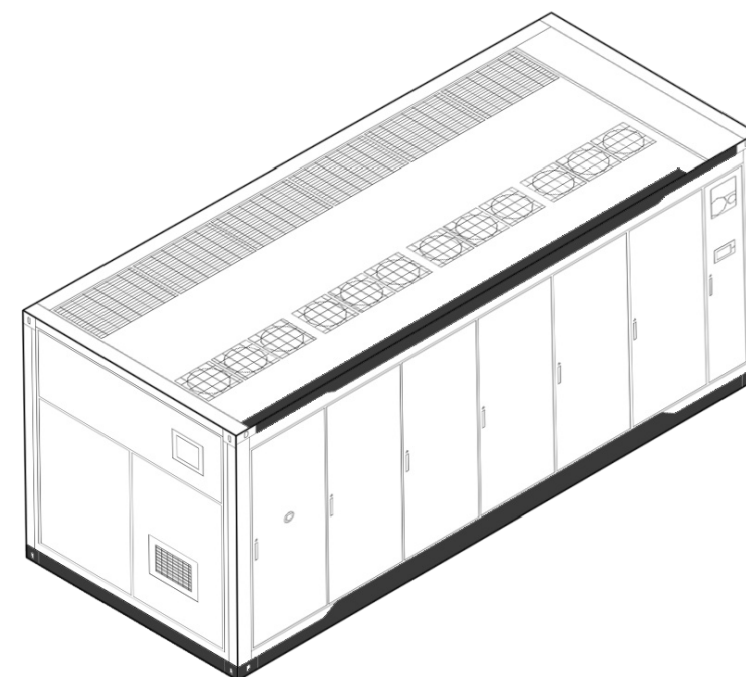
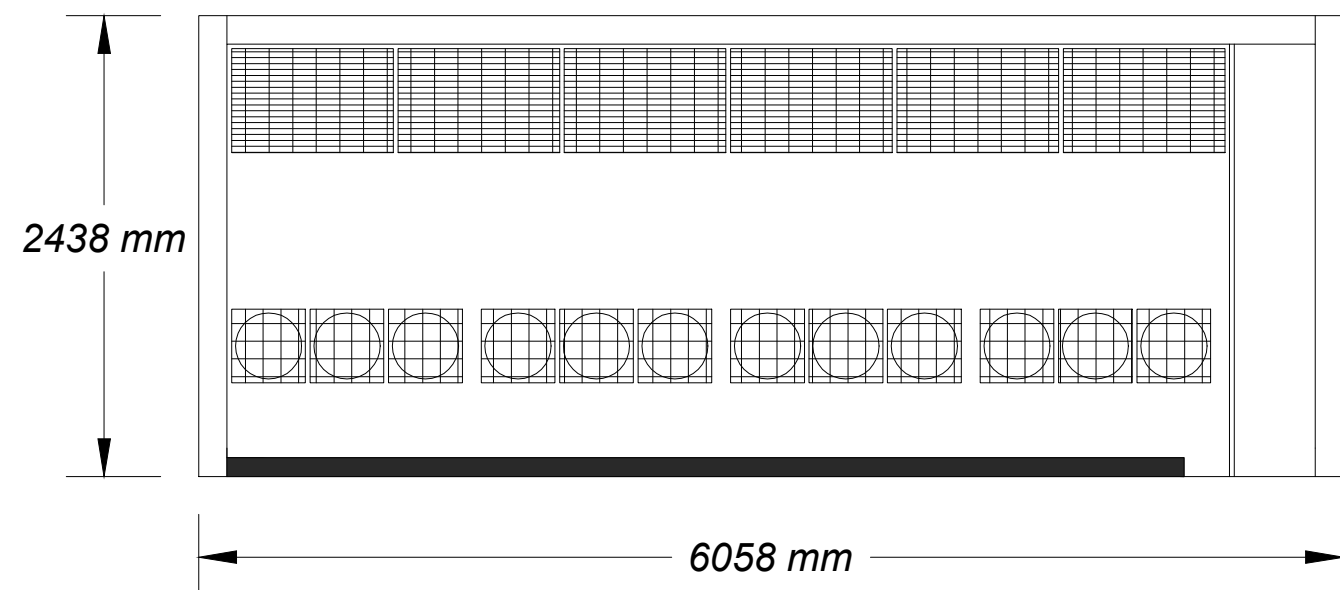
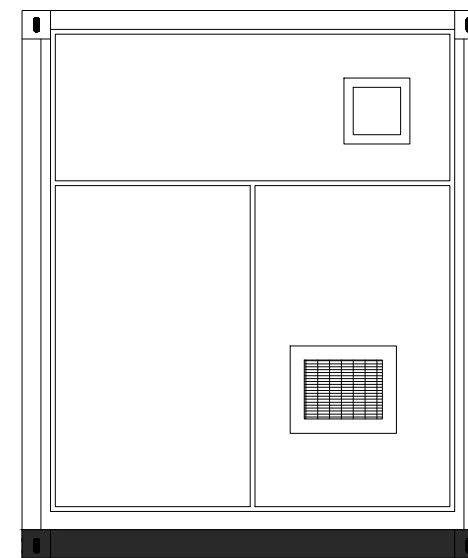
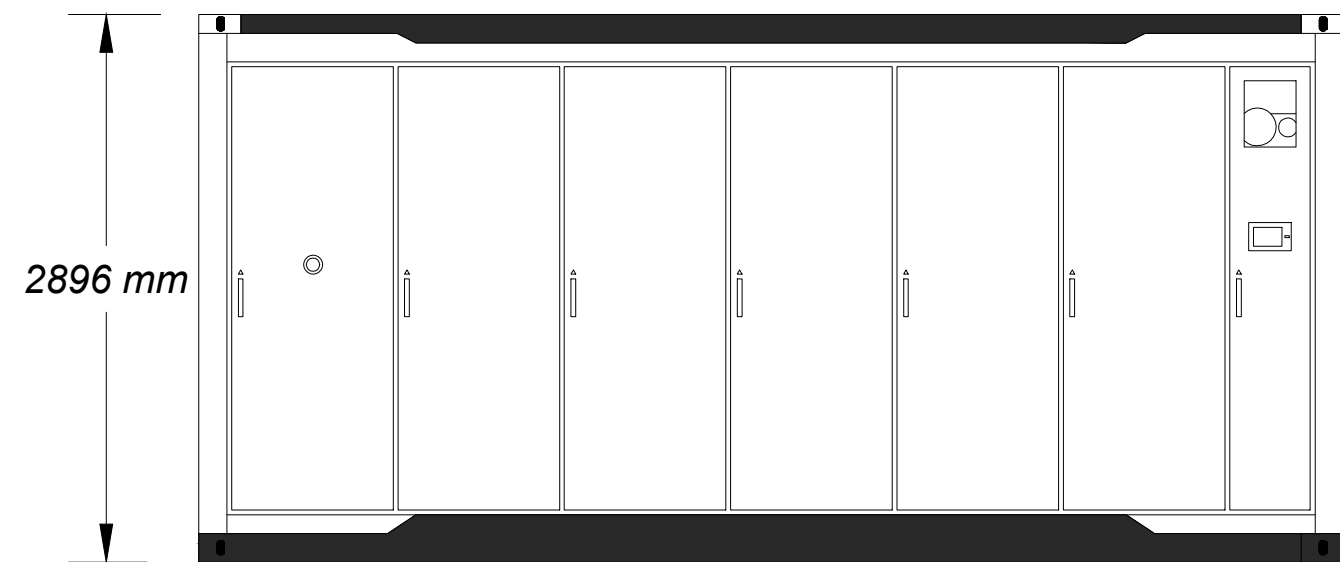
132kV SUBSTATION ELEVATION

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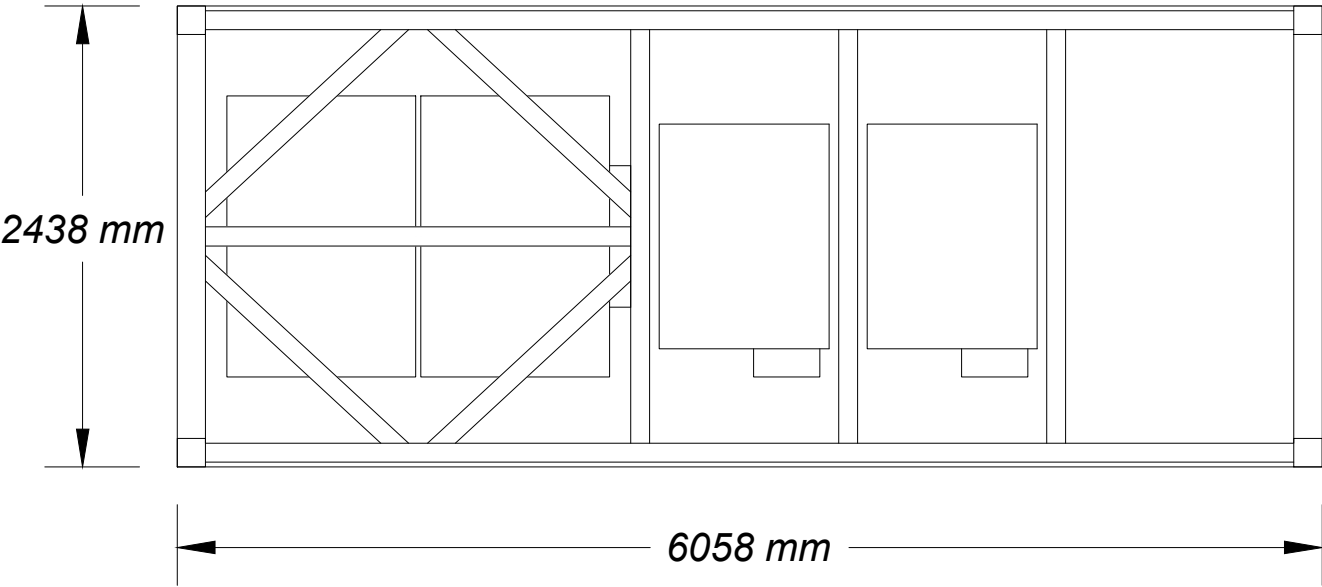
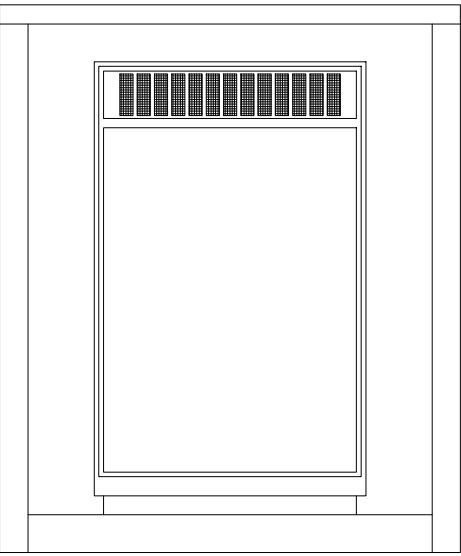
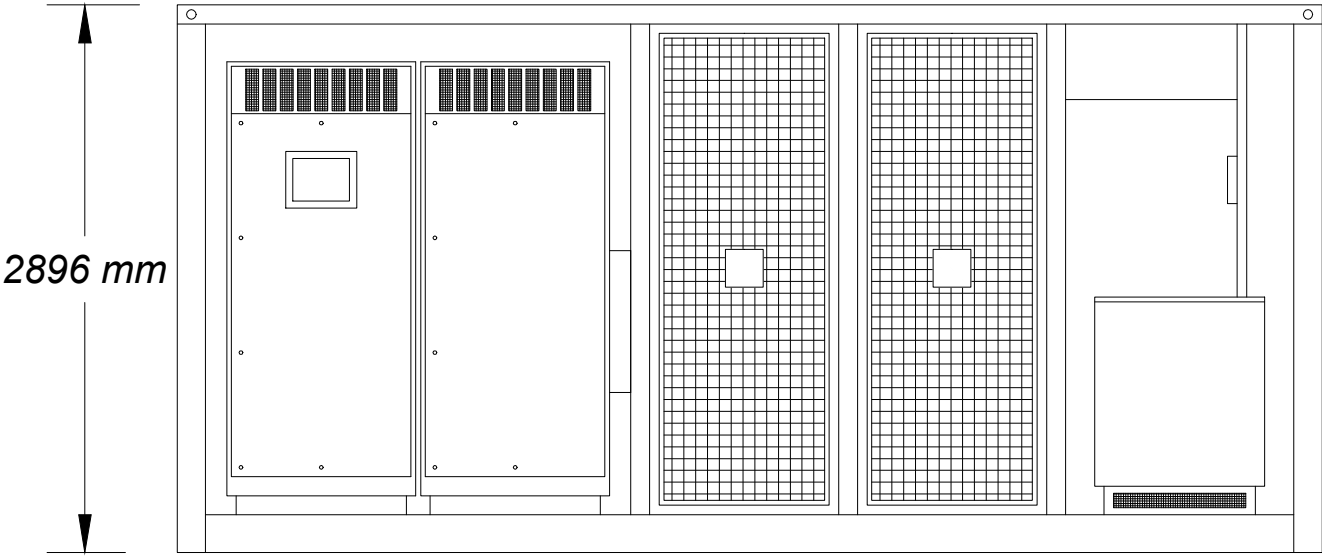
BATTERY CONTAINER
ELEVATION

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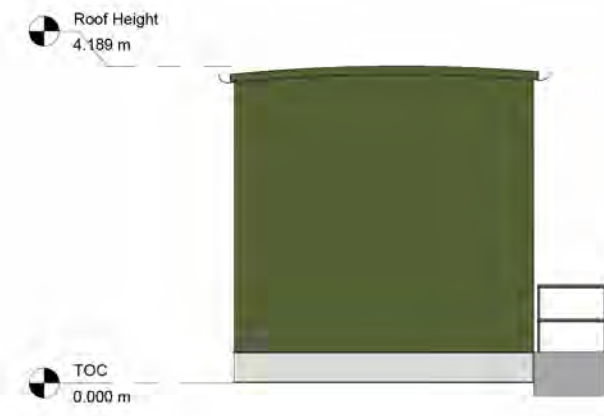
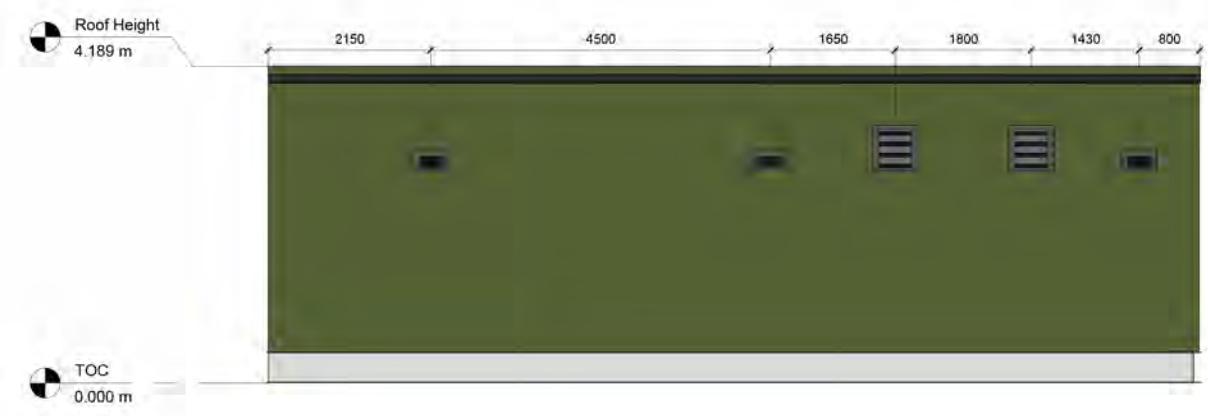
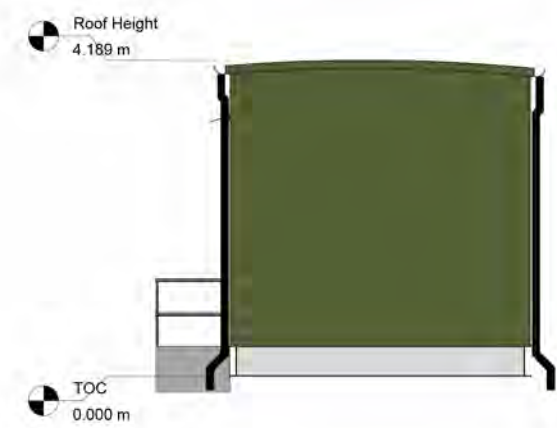
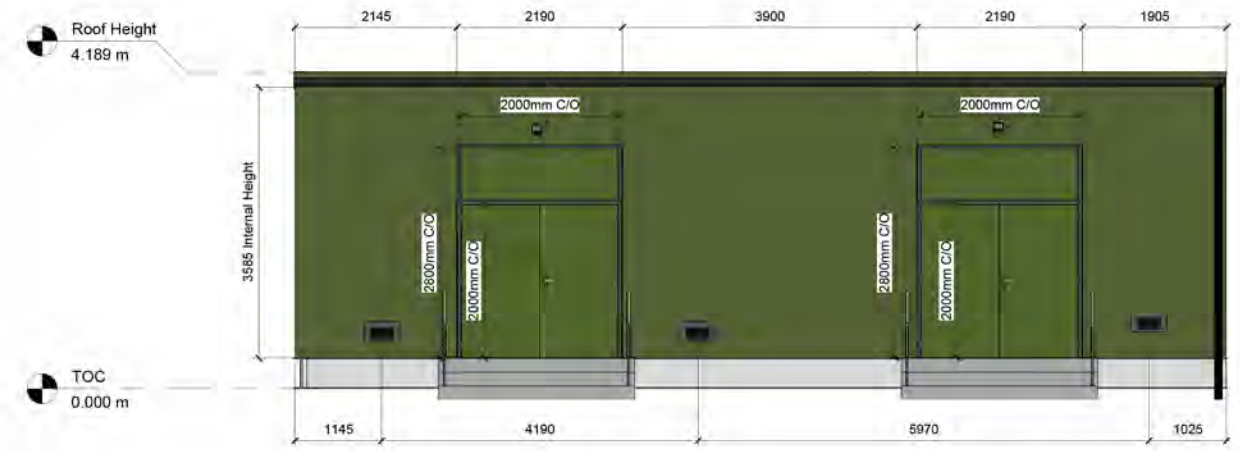
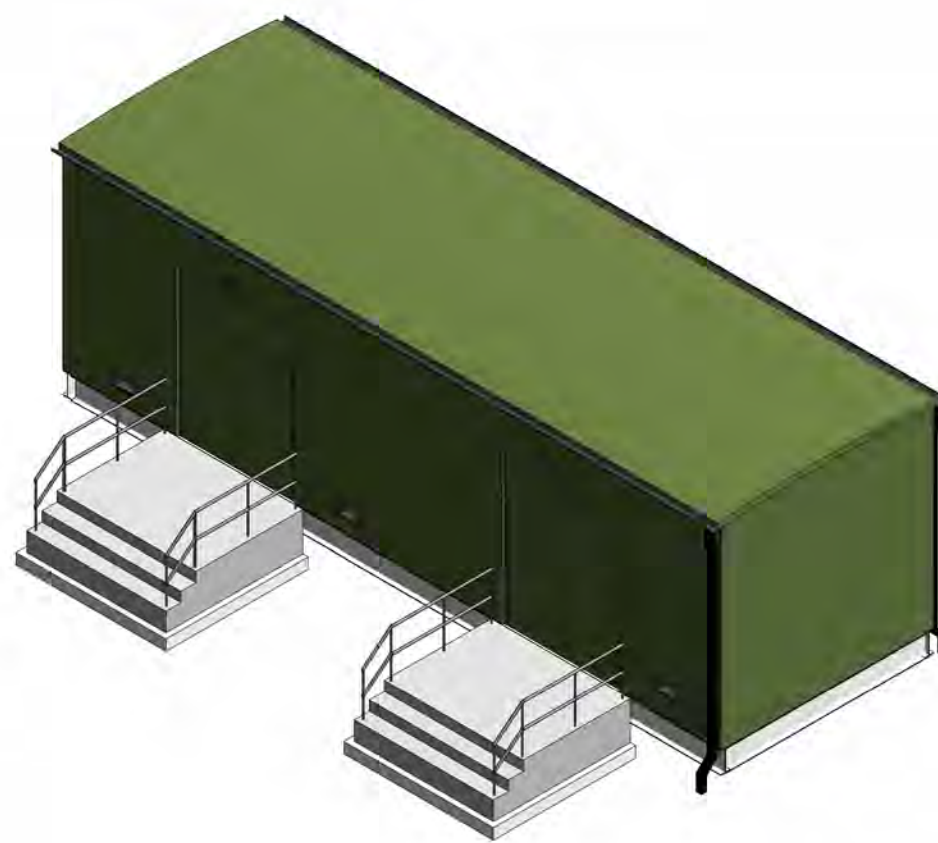
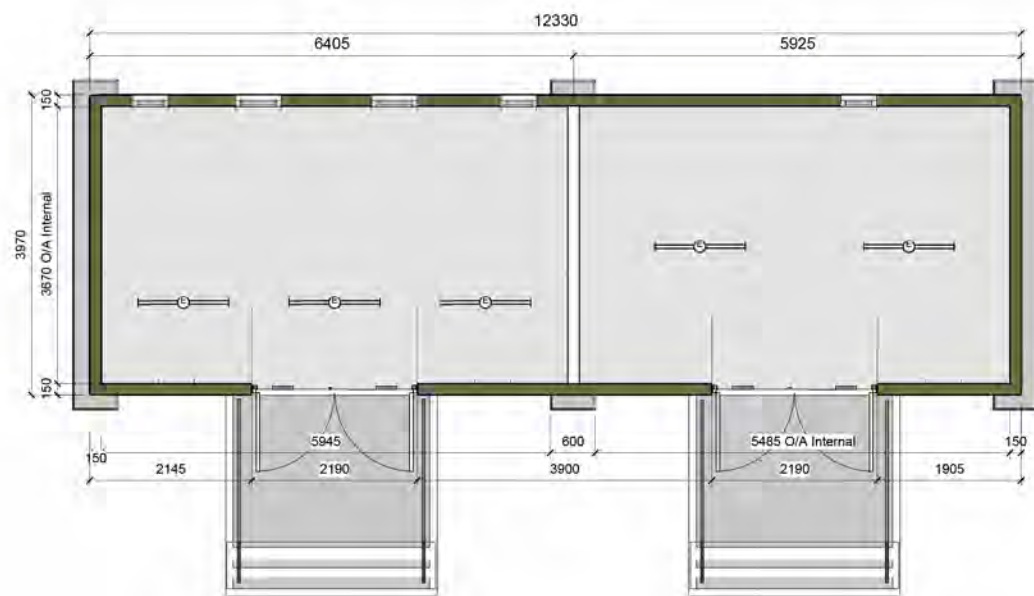
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BESS TRANSFORMER
ELEVATION

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DALCHORK

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CUSTOMER SWITCHROOM

DRG No.	1048-##	REV	
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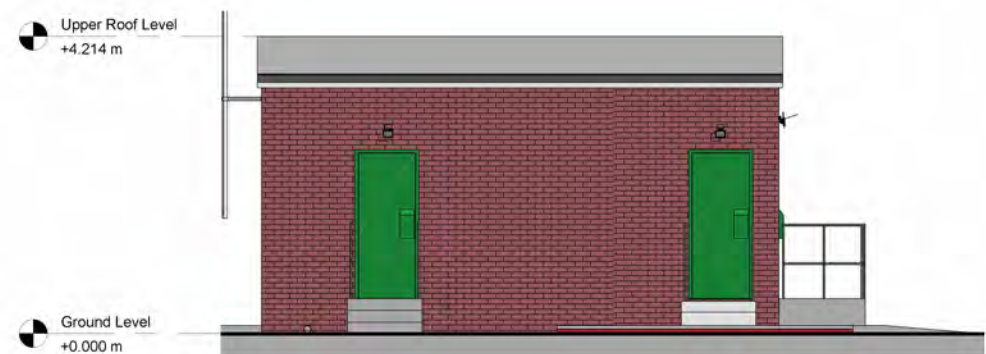


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LIVERPOOL
L2 2QP

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1 Front View
1 : 50



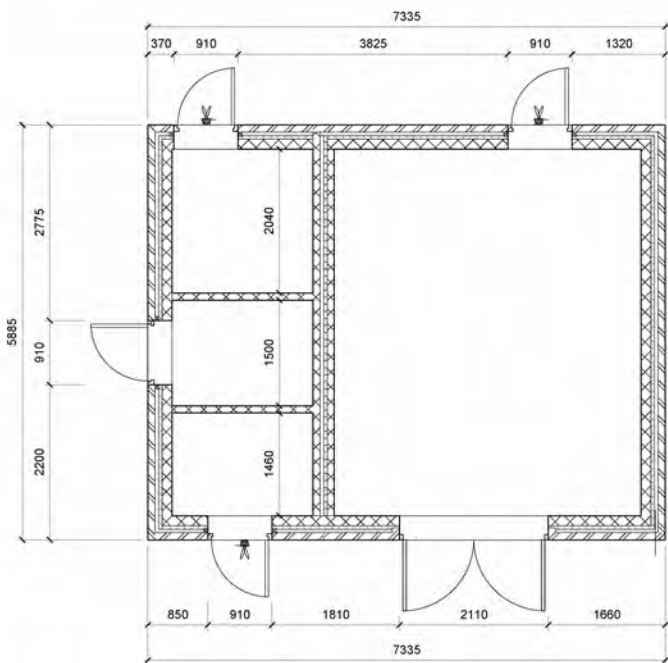
3 Rear View
1 : 50



2 Right View
1 : 50



4 Left View
1 : 50



5 Plan View
1 : 50



6 3D Perspective
1 : 100



FOR PLANNING

REVISION	DETAILS	DATE	DRAWN	APP'D

PROJECT
DALCHORK

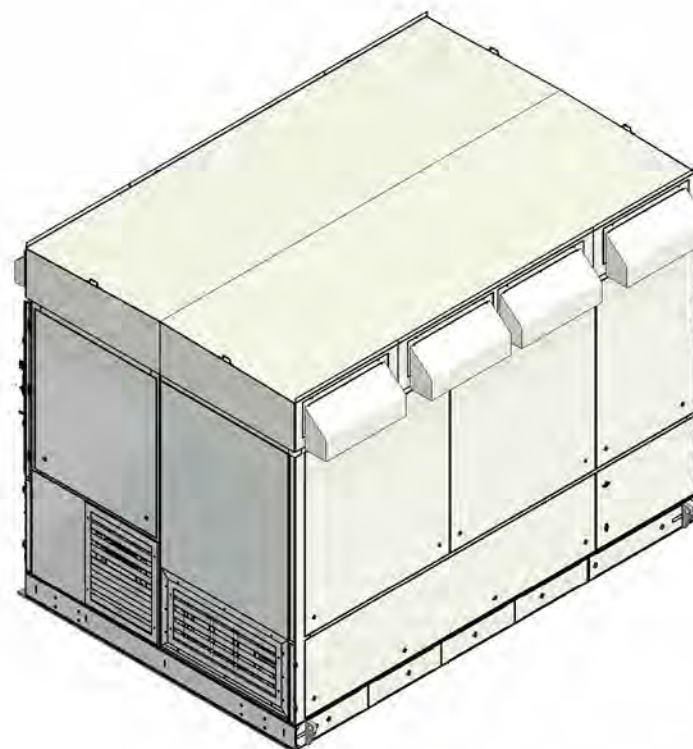
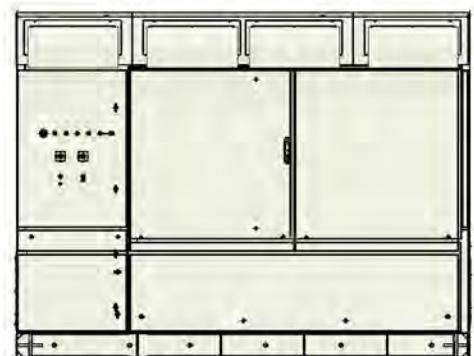
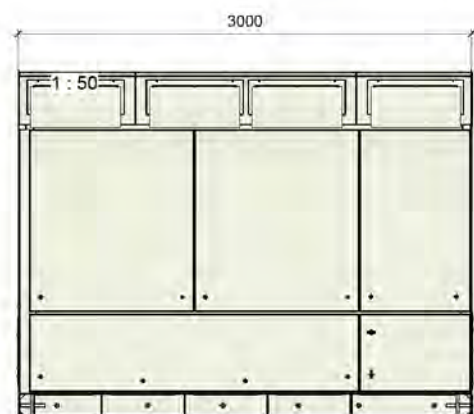
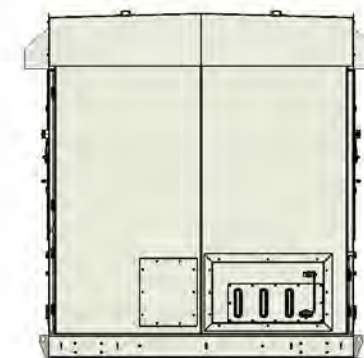
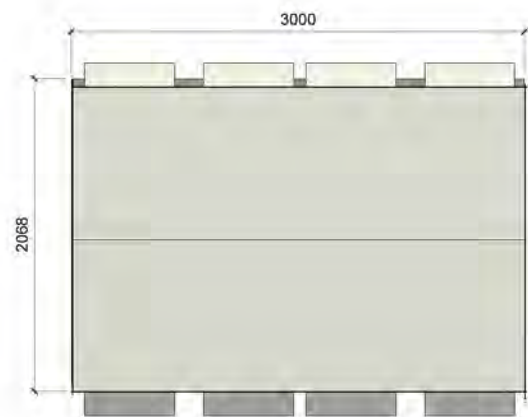
DRAWING TITLE
DNO CONTROL ROOM

DRG No.	1048-##	REV	
SCALE	1:100 @ A3	DATE	06/09/2024
DRAWN BY	TO	APPROVED	



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LEGEND

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DALCHORK

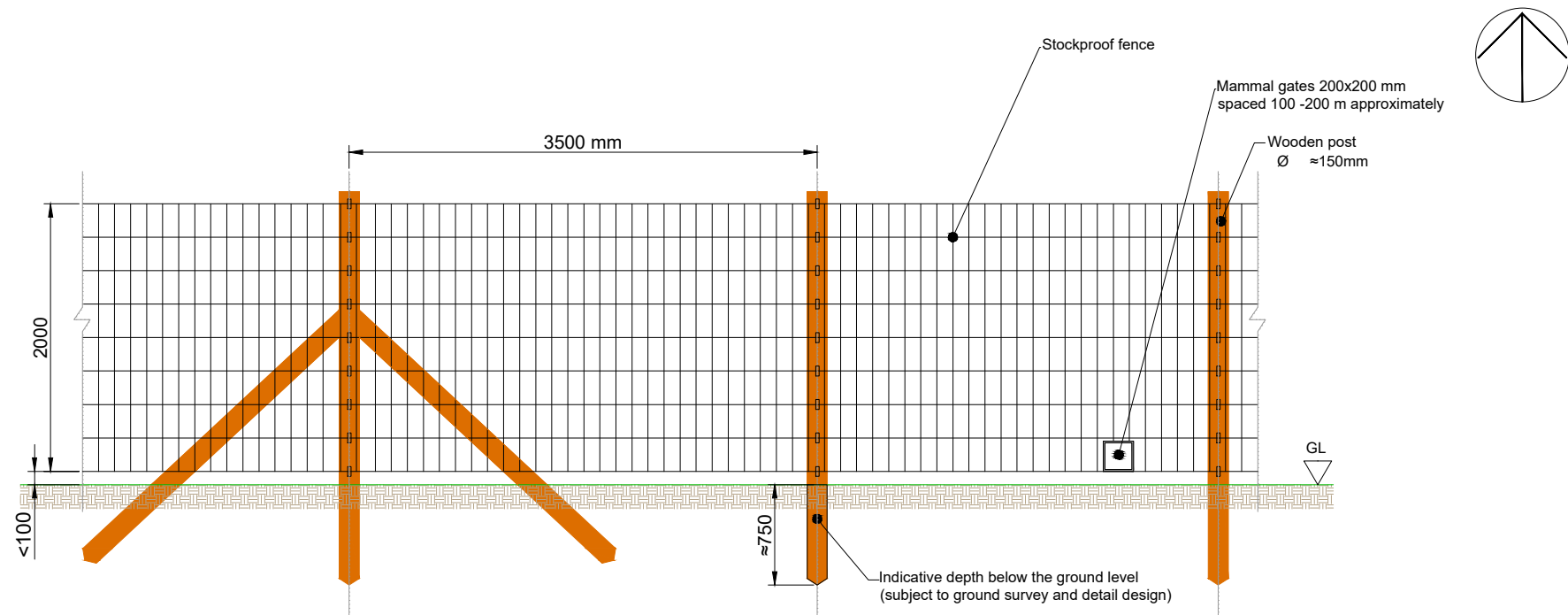
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PCS INVERTER

DRG No.	1048-##	REV	
SCALE	1:50 @ A3	DATE	06/09/2024
DRAWN BY	TO	APPROVED	

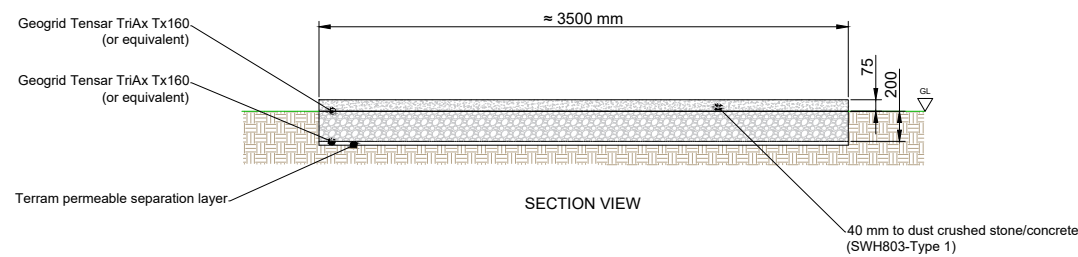


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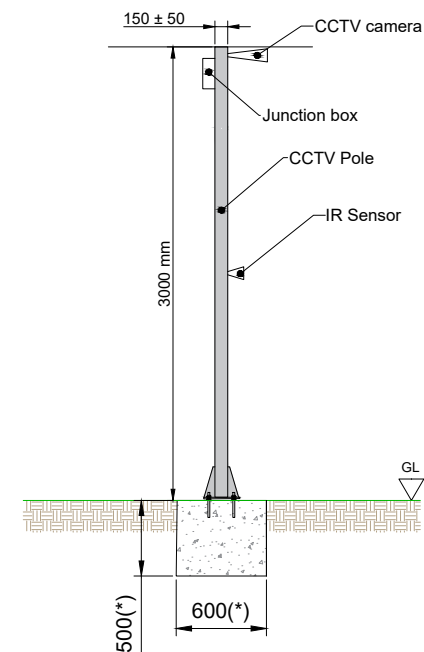
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NOTE:
Distance between posts is indicative and can vary depending of the ground condition and the topography of the site.



NOTE:
Road design assumes a CBR of <2%. In locations where ground conditions are worse, second layer of geogrid and additional SWH803 Type 2 will be required.



NOTE:
(*) Foundation depth is indicative and can vary depending of the ground condition and the topography of the site.



LEGEND

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REVISION	DETAILS	DATE	DRAWN	APP'D

PROJECT

DALCHORK

DRAWING TITLE

SITE FENCING, ACCESS TRACK AND CCTV DETAIL

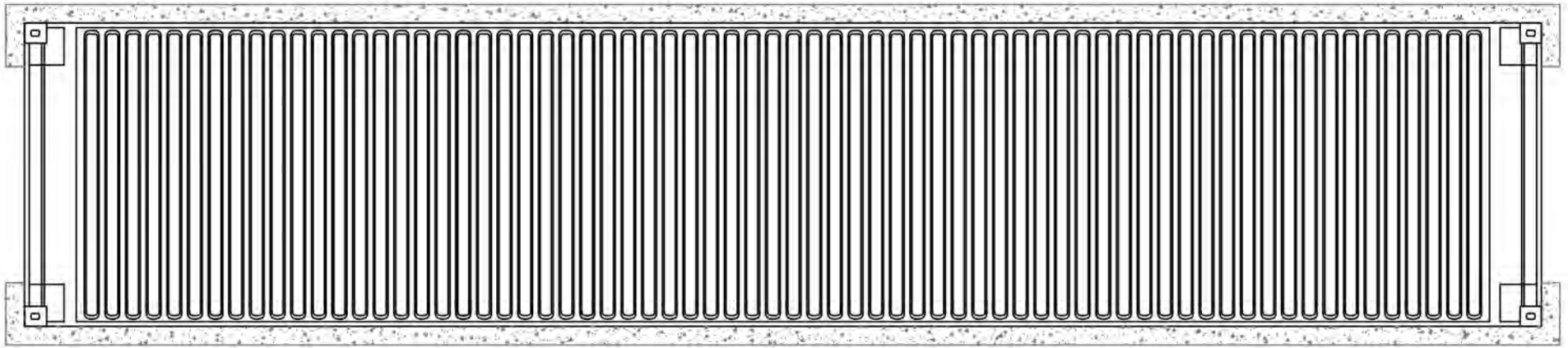
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SCALE	1:50 @ A3	DATE	06/09/2024
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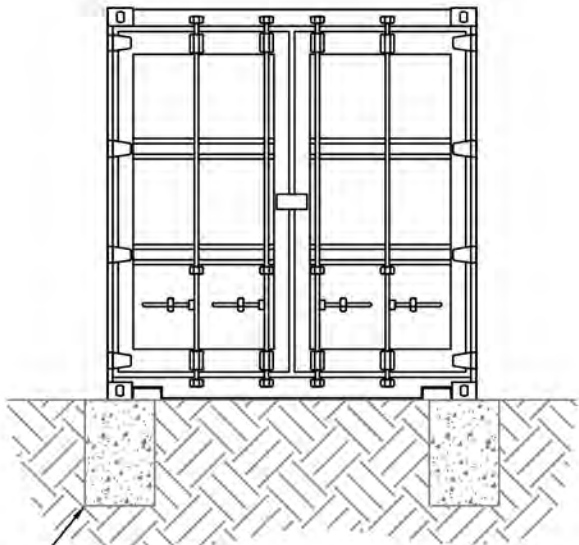
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PLAN

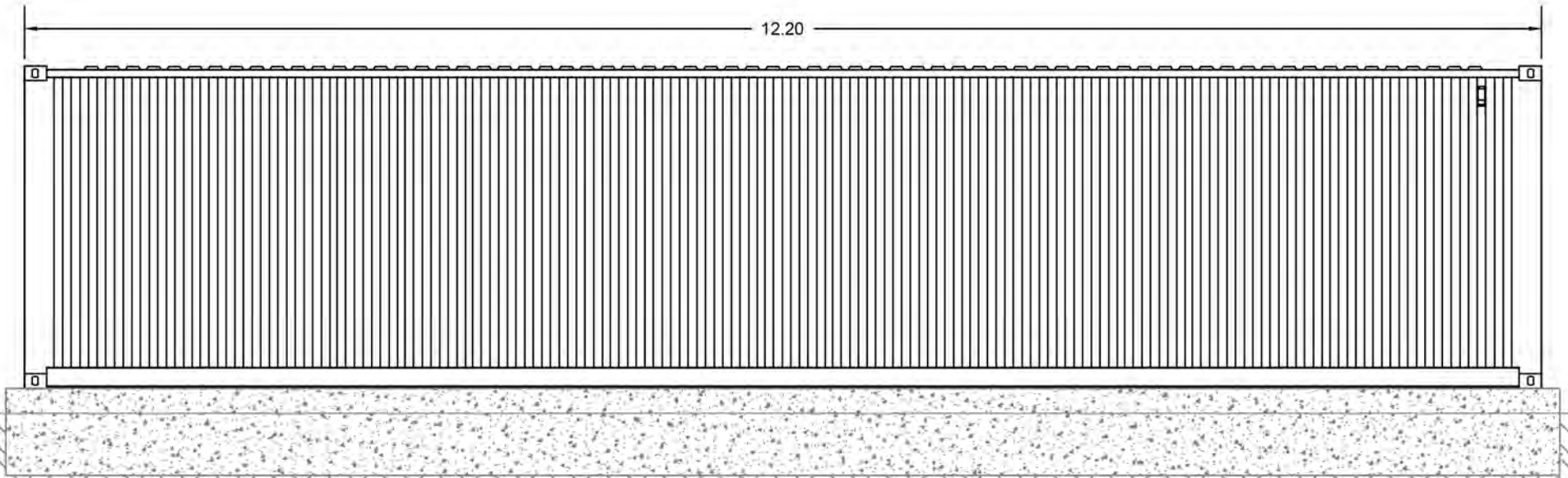


FRONT ELEVATION

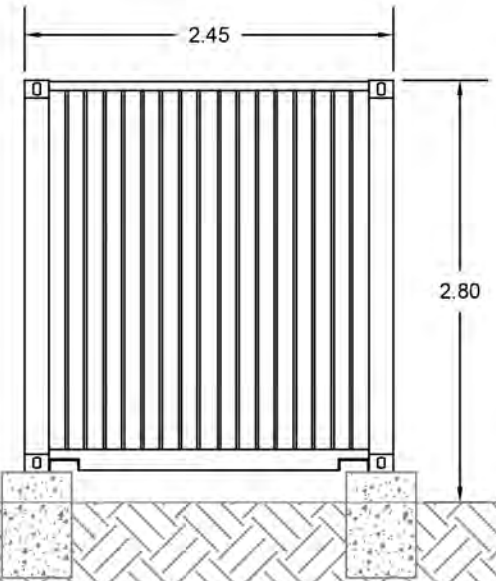


Foundations illustrative
Subject to final design

SIDE ELEVATION



REAR ELEVATION



1:50



LEGEND

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REVISION	DETAILS	DATE	DRAWN	APP'D
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PROJECT

DALCHORK

DRAWING TITLE

SPARE PARTS CONTAINER

DRG No.	1048-##	REV
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SCALE	DATE
	06/09/2024

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