

Consultation Response

Ecology

Planning Reference	25/01599/S36
Proposal	Glen Earrach Pumped Storage Hydro (PSH) scheme - construction and operation of a PSH.
Planning Case Officer	Roderick Dowell
Date of Response	1 October 2026 (Previous response: 18 August 2025 & 14 July 2026)
<u>Position</u> We have no objection to the proposed development subject to conditions being applied. <u>Biodiversity Compensation and Enhancement</u> We have reviewed information supplied by the applicant in regard to clarifying their biodiversity enhancement approach on 3rd September. We are supportive of the proposed biodiversity enhancements in principle and consider the overall approach acceptable. However, some of the detailed aspects of the proposals require further refinement to ensure the intended biodiversity outcomes are achieved. We are satisfied that these matters can be appropriately addressed through a suitably worded planning condition requiring the submission and approval of detailed biodiversity enhancement and management measures. <u>Peatland Restoration.</u> We have reviewed the information provided in response to our previous objections on the shortfall on peatland restoration. The applicant has noted a previous case that the Highland Council commented on regarding applying NatureScot peatland offsetting guidance and we acknowledge that the guidance allows for flexibility in restoration ratios where justified by site-specific circumstances. However, each application is assessed on its individual merits, and decisions taken on other developments do not set a precedent for this proposal. The Applicant's commitment to providing offsetting plus enhancement, so 1:11 ratio is therefore welcomed as it provides certainty that the restoration proposals will meet current expectations and address the concerns we previously raised. As such we would expect the applicant to achieve a minimum of 1397ha.	
<u>Conditions</u> If permission is granted, we recommend the following conditions be applied Habitat Management Plan (HMP) 1. There shall be no Commencement of Development until a Habitat Management Plan (HMP) [taking account of the Outline/Draft Habitat Management Plan], has been submitted to, and approved in writing by the Planning Authority. 2. The HMP shall set out proposed habitat management of the site during the period of construction, operation, and decommissioning, restoration and aftercare, and shall provide for the maintenance, monitoring and reporting of site-specific details or particular species, habitats or wetlands on site.	

2. The HMP shall provide provision and details for regular monitoring and review to be undertaken against the HMP objectives and reasonable measures for securing amendments or additions to the HMP in the event that the HMP objectives are not being met.
3. Until otherwise approved in advance in writing by the Planning Authority, the approved HMP (as amended from time to time with written approval of the Planning Authority) shall be implemented in full in line with the timescales set out in the approved plan.

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

Data

GIS Shapefiles must be supplied of all the compensation and enhancement areas 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.

Environmental Clerk of Works (EnvCoW)

An Environmental Clerk of Works (EnvCoW) will incorporate the roles of an Ecological Clerk of Works (ECOW)

1. There shall be no Commencement of Development unless and until the terms of appointment of an independent Environmental Clerk of Works (EnvCoW) by the Company have been submitted to, and approved in writing by, the Planning Authority. This must include a EnvCoW schedule, detailing when the EnvCoW shall be present on site. 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 ecological and environmental commitments provided in the: EIA Report, including any micro-siting; the Construction and Environmental Management Plan; the Habitat Management Plan and Species and Habitat Protection Plans.
 - b. Providing training to the developer and contractors on their responsibilities to ensure that work is carried out in strict accordance with environmental protection requirements;
 - c. require the EnvCoW to report to the nominated construction project manager any incidences of non-compliance with the EnvCoW works at the earliest practical opportunity;
 - d. require the EnvCoW to report to the Planning Authority any incidences of non-compliance with the EnvCoW Works at the earliest practical opportunity
 - e. Undertake a pre-construction survey not more than 3 months prior to commencement of construction and as required throughout the duration of the project to protect the ecological resources within the site;
 - f. 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;
 - g. require the EnvCoW to report to the Planning Authority weekly/monthly (whichever is most appropriate), with a concise summary of the actions on site.

Reason: To secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the Development during the construction phase.

Species Protection Plans

There shall be no commencement of works unless and until all required Species Protection Plans, which will be confirmed during pre-construction surveys, have been agreed in writing by the Planning Authority.

Reason: to ensure the protection of species present on site during construction and operation of the development.

Bird Protection Plan

- (1) There shall be no Commencement of Development until a Bird Protection Plan has been submitted to and approved in writing by the Planning Authority in consultation with NatureScot. The Bird Protection Plan shall be informed by pre-commencement bird surveys and set out measures to protect any breeding birds.
- (2) Thereafter, the approved Bird Protection Plan shall be implemented in full within the timescales set out in the approved Bird Protection Plan

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

Invertebrate Surveys

There shall be no commencement of works until a full suite of invertebrate surveying is conducted. The surveys must cover the proposed development areas and include a suitable buffer. The report of survey shall include mitigation measures where any impact, or potential impact, has been identified.

Reason: to ensure the protection of invertebrate species present on site during construction and operation of the development.

Fence marking

The deer exclusion zone, fence must be marked to reduce the potential for black grouse collision. Collision surveys should be undertaken of the fence during the three-monthly fence inspections for bird species. Any collisions must be recorded and any mitigation undertaken. This must be reported to the Planning Authority within the required monitoring reports.

Reason: to reduce potential impacts to black grouse

Construction Environmental Management Plan (CEMP)

1. There shall be no Commencement of Development unless and until a Construction and Environmental Management Plan (CEMP) containing site specific details of all on-site construction works, post-construction reinstatement, drainage and mitigation, relating to ecology, has been submitted to, and approved in writing by, the Planning Authority.
2. The CEMP shall include (but is not limited to):
 - a. Risk assessment of potentially damaging construction-type activities on the environment;
 - b. Mitigation to protect the ecological resources on site, including biodiversity protection zones, location and timing of works;
 - c. Species and Habitat Protection Plans
 - d. a Pollution Prevention Plan including drainage management strategy and mitigation measures, demonstrating how all surface water run-off and wastewater arising during and after development is to be managed and prevented from polluting any watercourses

or sources. This must also include arrangements for the storage and management of oil and fuel on the site;

- e. Water quality monitoring regime;