

Agenda Item	3.8
Report No	PLS/019/19

## HIGHLAND COUNCIL

**Committee:** South Planning Applications Committee  
**Date:** 20 February 2019  
**Report Title:** 18/05750/FUL: Vento Ludens Ltd  
Land 1100m SW of Glencoe Caravan and Camping Site, Glencoe.  
**Report By:** Area Planning Manager – South

### **Purpose/Executive Summary**

**Description:** Construction of a run of river hydro scheme, including intake, buried pipeline, turbine house, outfall, grid connection & access tracks  
**Ward:** 21 – Fort William and Ardnamurchan  
**Development category:** Local Development  
**Reason referred to Committee:** Over 5 objections from 5 separate addresses

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

### **Recommendation**

Members are asked to agree the recommendation to **Grant** planning permission as set out in section 11 of the report.

## **1. PROPOSED DEVELOPMENT**

- 1.1 It is proposed to construct a run of the river hydro scheme with a generating capacity of up to 350kw on the Allt Fhiodhan, Glen Coe. The scheme proposes one main intake to abstract water from Allt Fhiodan and three smaller secondary intakes to abstract water from three of its tributaries. The development also includes a buried penstock (enclosed pipe) extending to a powerhouse housing the turbine to return abstracted water to the Allt Fhiodhan. The pipeline measures approx. 1685m in total. The scheme is expected to generate approx. 920,000kwh per year which is estimated would power 220 homes.
- 1.2 The main intake is a concrete in-river structure with an overall width of approx. 10m with an intake screen width of approx. 2.3m, the weir will be a maximum 2m in height. The second of the intakes measures a total width of approx. 6.5m with a screen width of approx. 1.3m. Intakes 3 and 4 measure an overall approx. width of 3.5m with a screen width of approx. 0.68m.
- 1.3 There is 1685m overall of penstock. This will be buried 0.9m below the ground level and will have a diameter of 0.4m for 1242m of the upper section of penstock and a diameter of 0.35m for the pipeline from intake 2. A small section of pipeline will be above ground located under an existing bridge crossing. Supporting information states that the construction corridor of the pipeline is 10m.
- 1.4 The power house is to be located at the bottom of the scheme roughly level with the A82 public road. The powerhouse has been sited to avoid areas where trees are dependent on GWDTEs. This is located approx. 330m to the north west of the edge of the campsite, and approx. 340m from the nearest permitted residential property to the north east (Riverbank Holiday Lodges) located on the opposite side of the A82. There is an unauthorised caravan opposite the access to the lodges.
- 1.5 The power house is cut into the landform has a footprint of 7 x 8m to be finished in larch cladding and a steel profile sheet roof. The total height of the structure to the ridge is 6.5m. A substation compound will be located adjacent to the powerhouse to be fenced in, minimising visual impact. The water will be returned from the powerhouse into a tributary of the Allt Fhiodhan via the tailrace (a smaller buried pipeline) with outfall into the burn.
- 1.6 The powerhouse will be accessed from a new vehicular access from the A82 public road. Other than for the powerhouse, access for construction traffic (and access to the intakes post construction) will be from the existing forestry track which leaves the Glencoe Camping and Caravanning Site and Glencoe Visitor Centre. The scheme will predominantly utilise the existing formed forestry track which minimises the need for new track construction, short sections of new track will connect the intakes as described above.
- 1.7 Pre Application Consultation: None
- 1.8 Supporting Information: Construction Method Statement, Ecological Assessment, Construction Standards and Guidance, Landscape and Visual Appraisal, Peat Depth Survey Report, Supporting Statement

- 1.9 Variations: Red line boundary amended (reduced) due to a potential third party landowner coming forward.

## 2. SITE DESCRIPTION

- 2.1 The site is located within the Allt Fhiodhan basin which is on the slopes below, and to the north of Meall Mor mountain, approx. 500m to the south east of the village of Glencoe. The site is predominantly located on land which is owned by the Forestry Commission. Toward the trunk road the site is predominantly scrub and deciduous trees. Further up the hillside the site is forested comprising both areas of felled trees and existing Forestry Commission plantation. The topography of the site is varied with a series of interlocking spurs which are steep in places. The majority of the track is existing and of a design and construction which can carry timber lorries and there are culverts and bridges already in place.

## 3. PLANNING HISTORY

- |     |            |   |                            |              |
|-----|------------|---|----------------------------|--------------|
| 3.1 | 25.06.2018 | 18/02707/SCRE - 340kW run of river hydro scheme | EIA required               | not required |
| 3.2 | 10.07.2018 | 18/02755/SCOP - 340kW run of river hydro scheme | Case closed - Not required |              |

## 4. PUBLIC PARTICIPATION

- 4.1 Advertised: Unknown Neighbour and Schedule 3 (Potential Bad Neighbour)

Date Advertised: Oban Times, 27.12.2018 and 17.01.2019

Representation deadline: 12.02.2019

Timeous representations: 14 comments received from 9 separate addresses

Late representations: None

- 4.2 Material considerations raised are summarised as follows:

- Siting and Design** - Industrial design/effect of the turbine house, outfall and grid connections so close to the A82 would be visually intrusive
- Mountaineering Scotland commented on proposals – they are not a consultee, comments include that permanent tracks should be reduced to 1.5m for quad access and that the Council should require that intake weir infrastructure is appropriate for the setting and steel railing and blue pipework in this setting are inappropriate.
- Access and Servicing** - Delay to traffic on the A82 and obstruction to property taking access from the road impeding access to emergency vehicles on a stretch which there are known traffic incidents
- Access over the National Trust Centre and walking routes through Forestry Land undesirable
- Natural Heritage** - Potential impact on wildlife populations and plants including badgers, pine martens, foxes, otters, bats, red squirrels, wildcats and deer;

habitats, flora and fauna, trees, nesting birds and their eggs

- f) Removal of ancient and indigenous trees
- g) Woodland Trust Scotland commented on proposals – they are not a consultee. Comments include an objection to the development on the grounds of damage and loss to unnamed woodland which is recorded within SNH Ancient Woodland Inventory as the tree removal is not compliant with the Scottish Govt's Control of Woodland Policy and HwLDP policy. Concern also raised over Noise and Dust Pollution affecting woodland soils.
- h) No full landscape and visual impact assessment undertaken within the National Scenic Area, therefore no assurance that visual impact would be negligible
- i) Impacts on salmon river environment arising due to the development
- j) **Historic Environment** - Proximity of the development site to an historical site (massacre of Glencoe) and lack of archaeological walkover having been undertaken
- k) **Amenity** - Noise and pollution detrimental to health of nearby residents and from the scheduled orbital footpath between NTS and the village on people, and noise disturbing wildlife – turbine house operating 24/7
- l) **Flood Risk** – Comments include that no Flood Risk Assessment has been undertaken and that there is concern over flooding and damage to property arising from this
- m) **Socio Economic Impacts** – Concern raised over the potential for the development to have an adverse impact on tourism and local business.

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

## 5. CONSULTATIONS

5.1 **Glencoe and Glenetive Community Council** advise that the Community Council has carefully considered the applicant and the objections which have been lodged for the planning application. At the Community Council meeting on the 15<sup>th</sup> January it became obvious that a small minority wanted the Community Council to object to the application. A presentation by the developers was held on 23<sup>rd</sup> January. Answers were provided on all the points raised. The Community Council could not see that the objections could be framed as valid objections in planning terms. The developers said that the amount of electricity produced would be equal to the amount consumed in Glencoe. The Community Council accordingly supports the application.

5.2 **Access Officer:** Note that it is the intention of the developer to produce an Access Plan. A condition is recommended to secure the provision of an Access Statement prior to any development commencing on site. Detail has been provided on what should be included with such plan and should be conditioned to secure.

5.3 **Forestry Officer:** The site is located principally within clearfelled commercial conifer woodland, most of the site lies within areas which are listed in the Native Woodland Survey of Scotland as non-native and also as being Plantation of

Ancient Woodland Site. Towards the A82 there are two small areas of semi-mature mixed broadleaf woodland. The upper and lower ends of the site are in areas listed in the Ancient Woodland Inventory as Ancient semi natural origin woodland (ASNO1860) and the central section is within an area which is listed as Ancient semi natural origin woodland (ASNO1750).

- An overview of the relevant policies is given, highlighted in the Trees and Development section below.
- Proposals appear to be principally within clearfelled commercial conifer woodland; there are two small areas of mixed native broadleaves adjacent to the A82 which would be affected by the proposals. The Tree Survey Report records nine tree groups of trees and 66 individual trees and of those, it is proposed to remove 19 trees. The direct impact on trees would therefore not be significant.
- Retained trees are to be protected by proposals within the Tree Survey and Tree Constraints Plan. This proposes that orange site netting on metal spikes be placed at the extent of RPA of retained trees. Although this is not to the British Standard it can be accepted over larger schemes such as hydro, providing there is adequate contractor induction prior to commencement and arboricultural supervision during construction.
- Proposals include the removal of 19 trees and also includes proposals such as access tracks, borrow pits and turbine house which will effectively result in permanent loss of woodland while there are other areas, such as over the penstock and the contractor's compounds where recent planting or natural regeneration would be lost, but could be reinstated and planted or allowed to naturally regenerate following construction
- The applicant has provided a Supporting Information report which indicates that seedlings and saplings found within the footprint of the proposed turbine house, access track, pipeline and intakes will be dug up and transplanted into a suitable location on the site. This is not ideal and should be supplemented with new planting in the form of a tree planting plan. Tree Survey report recommends that 'replacement tree planting is carried out close to the turbine house to replace any tree losses and to screen the new turbine house building. Planting schemes, including details of species, location and protection measures will need agreeing with the relevant local Forestry Commission officers.
- The Brecklet Land Management Plan has been provided which indicates that the areas within and around the site are to be restocked with broadleaves. Further confirmation will be required from the Forestry Commission.
- Conclude that the development proposal would not have a significant effect on the small areas of existing semi-mature/mature woodland which are within areas listed on the Ancient Woodland Inventory. No concern raised over the proposed impact on the clear-felled PAWS parts of the site, providing there is adequate replacement planting and/ or natural regeneration.
- The applicant will need to confirm the exact area of woodland (existing trees,

clear-felled, replanted or regenerated areas) which would be permanently lost as a consequence of the proposals and offer up compensatory planting/natural regeneration for these areas and they will need to provide details of the areas of woodland that would be temporarily lost and could be planted or naturally regenerated.

- 5.4 **Historic Environment Team:** The application lies within an area of limited archaeological potential. Although most of the proposal is of potential that does not justify archaeological mitigation, the construction of the turbine house and works in that area are worthy of limited investigation.

It is recommended a watching brief is maintained during groundworks for the turbine house, new permanent access road from the A82, site compound and the other works shown on the plan submitted with the application 'Turbine House details, 2 of 2'. No mitigation is recommended for the pipeline or any works to the SW of that shown in the aforementioned plan. While the risk of encountering buried deposits is not such as to warrant a full excavation, it is important that the nature and extent of any features is identified and recorded before destruction. Site clearance work should be done under archaeological supervision so that if necessary any recording can be done without causing undue delay or inconvenience for the development. A condition is recommended.

- 5.5 **District Salmon Fisheries Board:** 26.12.2018 – Commented that no aquatic data had been submitted therefore could not comment until this has been received.

11.01.2019 – Further commented that following local investigation of the site and discussions with SEPA that the fisheries board is satisfied that the proposed scheme would have no significant impact on migratory salmonids. It is advised that the fisheries board would like to remove their request for further information and that there is no outstanding objection to the planning application.

- 5.6 **SEPA:** Construction Method Statement and plans generally demonstrate that appropriate pollution prevention measures can be implemented during the construction phase; this includes how sensitive receptors such as GWDTE and watercourses have been avoided. The Construction Method Statement and associated site plans should be secured by condition.

Conditions are recommended regarding pollution measures for borrow pits.

It is advised that the scheme is likely to be consentable under CAR authorisation.

Regulatory advice for the applicant is detailed within the response.

- 5.7 **SNH:** The development lies within the Ben Nevis and Glencoe NSA, if the development is carried out in accordance with the submitted information it will not have an adverse impact on the integrity of the NSA or the qualities for which it has been designated.

Surveys have been undertaken for bryophytes, habitats and NVC, Mammals and birds and the information used to inform the design of the scheme. SNH are satisfied that the proposal as submitted does not raise any issues in relation to their remit. Commitment to undertake pre-construction surveys for protected species as these will help ensure an offence is not committed.

SNH is satisfied with the landscape and visual impact assessment and agree there

will be no adverse impact on the integrity of the NSA or the qualities for which it has been designated. The proposed replanting alongside the proposals set out in the FCS Land Management Plan will help to screen new infrastructure and therefore reduce any landscape and visual impact.

Any short length of new track will be formed to reach the intakes but they will be reinstated on completion of construction to leave a track 2.5m wide suitable for use by a 4x4, the aim should be to leave gently sloping vegetated sides on both the top and bottom side.

- 5.8 **Transport Scotland:** Recommend that conditions should be attached to any permission given.

## 6. DEVELOPMENT PLAN POLICY

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

### 6.1 Highland Wide Local Development Plan 2012

- 28 - Sustainable Design
- 29 - Design Quality & Place-making
- 30 - Physical Constraints
- 51 - Trees and Development
- 52 - Principle of Development in Woodland
- 55 - Peat and Soils
- 56 - Travel
- 57 - Natural, Built & Cultural Heritage
- 58 - Protected Species
- 59 - Other important Species
- 60 - Other Importance Habitats
- 61 - Landscape
- 62 - Geodiversity
- 63 - Water Environment
- 64 - Flood Risk
- 66 - Surface Water Drainage
- 67 - Renewable Energy Developments
- 72 - Pollution
- 77 - Public Access

### 6.2 West Highland and Islands Local Plan 2010 (as continued in force 2012)

No relevant site specific policies, refer to HwLDP

### 6.3 Proposed West Highland and Islands Local Development Plan (2017)

No relevant site specific policies, refer to HwLDP

### 6.4 Highland Council Supplementary Planning Policy Guidance

Construction Environmental Management Process for Large Scale Projects (August 2010)

Flood Risk & Drainage Impact Assessment (Jan 2013)

Highland Historic Environment Strategy (Jan 2013)

Highland's Statutorily Protected Species (March 2013)  
Highland Renewable Energy Strategy & Planning Guidelines (May 2006)  
Physical Constraints (March 2013)  
Standards for Archaeological Work (March 2012)  
Sustainable Design Guide (Jan 2013)  
Trees, Woodlands and Development (Jan 2013)

## **7. OTHER MATERIAL POLICY CONSIDERATIONS**

### **7.1 Scottish Government Planning Policy and Guidance**

#### **National Planning Framework 3 (NPF 3)**

Support for renewable energy developments towards a 'low carbon place'

Seek to respect, enhance and make responsible use of our natural and cultural assets towards a 'natural, resilient place'.

#### **Scottish Planning Policy (SPP)**

SPP sets out a presumption in favour of development that contributes to sustainable development and aims to direct the right development to the right place. Key subject policies with respect to this development are Delivering Heat and Electricity (paragraphs 152 – 170) and Valuing the Natural Environment (para 202 – 206).

### **7.2 Scottish Energy Strategy**

The Scottish Energy Strategy, published in 2017, sets out the Scottish Government's vision on how Scotland's future energy production and use will help achieve the transition to a low carbon economy by 2050.

The Strategy recognises that the target for meeting 100% of our energy demand from renewables by 2020 is well on the way to being achieved. However, it advocates a refocus of thinking towards a whole system approach; not just considering electricity but looking at heat and transport also.

Consideration is given to the need to reduce energy demand, through for example adoption of energy efficiency measures, but also to the increasing upward trend in electricity consumption that seems likely to continue particularly when looking to decarbonise transport, through replacement of fossil fuel engines with electric charging/battery storage.

The Strategy sets two new targets for the Scottish energy system by 2030:

- The equivalent of 50% of the energy for Scotland's heat, transport and electricity consumption to be supplied from renewable sources.
- An increase by 30% in the productivity of energy use across the Scottish economy.

The Strategy does not set out specific goals or targets for renewable electricity production deriving from hydro but it does state that a *diverse, well-balanced energy supply portfolio or 'energy mix' will remain essential as we continue to decarbonise our heat, transport and electricity systems – providing the basis for*



*secure and affordable heat, mobility and power in future decades.*

### 7.3 **Scottish Government Advice**

Planning Advice Note 51 – Planning, Environmental Protection and Regulation

Planning Advice Note 60 – Natural Heritage

Planning Advice Note 69 – Flood Risk (+update June 2015)

Planning Advice Note 79 – Water and Drainage

Planning Advice Note 1/2011 – Planning and Noise

Planning Advice Note 2/2011 – Planning and Archaeology

Scottish Government Policy on Control of Woodland Removal

## **8. PLANNING APPRAISAL**

- 8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

### Determining Issues

- 8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

### Planning Considerations

- 8.3 The key considerations in this case are:
- a) compliance with the development plan and other planning policy
  - b) contribution towards meeting renewable energy generation targets
  - c) landscape and visual impact/siting and design
  - d) access and servicing
  - e) natural heritage
  - f) archaeology
  - g) community and residential amenity
  - h) socio economic impacts
  - i) flood risk
  - j) any other material considerations

### Development plan/other planning policy

- 8.4 In line with Scottish Planning Policy, Policy 67 of the Highland-wide Local Development Plan sets out that renewable energy proposals should be well related to the source of the primary renewable resources that are need for their operation and that 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.

8.5 Together with Policy 67, the proposal will be assessed against other policies of the development plan and Planning Guidelines and regard will be had to other material considerations, including proposals being able to demonstrate significant benefits including making effective use of existing and proposed infrastructure or facilities. Subject to balancing these considerations and taking into account any mitigation measures to be included, 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 having regard in particular to any significant effects on the following:

- natural, built and cultural heritage features;
- species and habitats;
- visual impact and impact on the landscape character of the surrounding area (the design and location of the proposal should reflect the scale and character of the landscape and seek to minimise landscape and visual impact, subject to other considerations);
- amenity at sensitive locations, including residential properties, work places and recognised visitor sites;
- the safety and amenity of any regularly occupied buildings and the grounds that they occupy – having regard to visual intrusion or the likely effects of noise generation;
- ground water, surface water (including water supply), aquatic ecosystems and fisheries;
- safe use of airport, defence or emergency service operations;
- other communications installations or quality of radio or TV reception;
- the amenity of users of any Core Path or other established public access for walking, cycling or horse riding;
- tourism and recreation interests;
- land and water based traffic and transport interests.

8.6 Other policy of relevance in assessing the proposal includes Policy 28 – Sustainable Design of the Highland-wide Local Development Plan assesses all proposals against a list of criteria. Of particular relevance to this proposal is the impact on individual and community residential amenity, impact on resources including habitats, freshwater systems, landscape and scenery; and, demonstration of sensitive siting and high quality design which is in keeping with local character and historic and natural environment and in making use of appropriate materials.

- 8.7 Policy 52 (Principle of Development in Woodland) of the Highland wide Local Development Plan states that 'The applicant is expected to demonstrate the need to develop a wooded site and to show that the site has capacity to accommodate the development. The Council will maintain a strong presumption in favour of protecting woodland resources. Development proposals will only be supported where they offer clear and significant public benefit. Where this involves woodland removal, compensatory planting will usually be required.'
- 8.8 Section 194 (Policy Principles) of Scottish Planning Policy (June 2014) states that the planning system should....'protect and enhance ancient semi-natural woodland as an important and irreplaceable resource, together with other native or long-established woods, hedgerows and individual trees with high nature conservation or landscape value.'
- 8.9 Control of Woodland Removal policy will apply to the proposals - Section 218 of Scottish Planning Policy (June 2014) states that 'The Scottish Government's Control of Woodland Removal Policy includes a presumption in favour of protecting woodland. Removal should only be permitted where it would achieve significant and clearly defined additional public benefits. Where woodland is removed in association with development, developers will generally be expected to provide compensatory planting.' If the proposals were to offer public benefit in economic, social or environmental terms then an equivalent area of equal or better quality woodland would need to be planted elsewhere.
- 8.10 Policy 57 – Natural, Built and Cultural Heritage is also of relevance. Development within areas where there may be archaeology present should take account of the historic environment. This is further set out in the strategic aims of The Highland Council Historic Environment Strategy. Policy 57 alongside Policy 61 - Landscape is also of relevance due to the sites location within Ben Nevis and Glen Coe National Scenic Area, this seeks to ensure that developments do not have an adverse impact upon the heritage resource which is of national importance.
- 8.11 Policy 64 – Flood Risk outlines that development proposals should avoid areas susceptible to flooding and promote sustainable flood management, those within or bordering medium to high risk flood areas will need to demonstrate compliance with Scottish Planning Policy through the submission of suitable information. This may include a Flood Risk Assessment.

#### Contribution towards meeting renewable energy generation targets

- 8.12 Scottish Government policy recognises the valuable contribution that hydropower generation makes to Scotland's renewable targets and advises that the planning system should support the development of a diverse range of electricity generation from renewable energy technologies, including the expansion of renewable energy generation capacity. Larger schemes with a generation capacity of 100kW or more (such as the current scheme) are considered to make an important contribution to renewables targets and Ministers accept that in supporting such schemes some deterioration of the water environment may be necessary. This however must be justifiable in terms of costs and benefits.

## Landscape and Visual Impact/Siting and Design

- 8.13 The site is located within Ben Nevis and Glen Coe National Scenic Area (NSA). A Landscape and Visual Impact Appraisal (LVIA) has been submitted with the application. SNH was consulted on the scope of this document prior to submission. It was agreed that the most important effects on the special qualities of the Ben Nevis and Glen Coe NSA in the context of recreational use should be considered alongside landscape character and elements of the site; road users and local residents within the context of the site.
- 8.14 The LVIA considers that while the site may be visible from a number of higher altitude locations, the area in which the development is located has been significantly disrupted by the operations associated with commercial forestry. It is considered that the landform with the wider context of the site would prevent long views to the site from the west and south with the exception of some long distance views from Meall Mor some 1km to the south east.
- 8.15 Due to the landform within the wider context of the site, longer views to the site beyond 5km are restricted to the north due to the ridge of Man na Gualainn and Beinnna Caillich and 6km beyond the mountain range associated within Aonach Dubh. It is acknowledged there may be glimpse views from the Pass of Glencoe at a distance of 7km to the east. Again, due to the commercial nature of forestry on site it is not considered likely that the development would be prominent in views at this distance.
- 8.16 It is considered within the LVIA that the screening effect of the large plantations in the wider area, the woodland in Glen Coe below the site and the growth of tree planting with the site which is planned for future through the Forestry Commission Management Plan that lower level views of the proposed scheme will be largely screened. This is evident on site.
- 8.17 The site is to be accessed via existing formed forestry tracks. Small sections of additional track are generally located above the existing tree line. By the time the trees are felled on site, the new permanent sections of access track, and much of the penstock route will have integrated into the landscape. Given the long distances at which the development will be viewed and in the context of these winding forestry tracks it is not considered that the additional sections, and above ground infrastructure, located within the existing river and burns will have a significant impact on the National Scenic Area, or appreciation of the NSA when viewed from the surrounding landscape.
- 8.18 The main element of the scheme which is likely to be visible to a larger number of people is the lower level, above ground infrastructure. The powerhouse is to be positioned within the existing woodland at the bottom of the watercourse and with easy, nearby access to the soon to be re-aligned A82. The powerhouse utilises timber, a natural material which is consistent with the surrounding vernacular and will assimilate into the woodland nature of its location. The roof is to be finished in a dark grey which is considered to be a recessive colour. It is considered that the powerhouse will not stand out in this context, or have a significantly detrimental impact on visual amenity, or the integrity of the NSA over what is currently

experienced within the immediate vicinity of the site from existing built development along the roadside, and the A82 itself. The powerhouse will be located approx. 20m from the new path, and is only 7m from the existing path to be re-routed. The powerhouse will be partially visible predominantly to walkers heading south east from Glencoe to the NTS Visitor Centre. The timber clad building is set within an area of woodland, where some compensatory planting is to be located which will help to screen the building from the footpath. The powerhouse will not be overly prominent in views from the A82. The total height of 6.5m will also sit below the existing tree line again further reducing any visual impact from the path, road and surrounding area.

- 8.19 The construction period is expected to last nine months, therefore any impacts on landscape elements and character are considered to be short-term and reversible. The main impacts which will be experienced by the largest number of people will be though the construction phase where there will be increased vehicular movements, soil stripping and excavation, all of which will be largely reinstated.
- 8.20 Overall, the site is seen as part of the managed commercial forestry where the pale colour and snaking route of the forestry track is a prominent element within the wider landscape. The dark, geometric shape of the conifers and brash which has been left in clear-felled areas forms an area within the NSA which is clearly managed by man in what is a largely undisturbed and scenic wider landscape. In this context the visual impact of the proposed scheme is not considered to be significant.
- 8.21 SNH conclude in their consultation response with the conclusions of the LVIA and further note that there will be no adverse impact on the integrity of the NSA or the qualities for which it has been designated. The proposed replanting alongside the proposals set out in the FCS Land Management Plan will help to screen new infrastructure and therefore reduce any landscape and visual impact.
- 8.22 Due to the likely visual impacts being minimal following completion of the development (Year 1) and the limited additional above ground infrastructure required in terms of intakes, tracks and the powerhouse, it is considered that care has been taken to ensure that the development is sensitively sited and designed in this context. It is appreciated that there will be a significant effect on users of footpaths and tracks during the 9 months of construction, and that visitors to surrounding hills will have moderate visual effects from further afield during construction which will reduce over time once the scheme is operational. It is therefore not considered that there will be significantly detrimental impact to the area and its surroundings in the long term.
- 8.23 A number of conditions will be attached to the permission seeking further information including a construction environmental management plan to ensure that the groundworks are reinstated in a manner which is sensitive to the receiving environment.

#### Access and Servicing

- 8.24 As summarised above, the site is to be accessed via the A82. The responsibility for movement over the trunk road falls with Transport Scotland. This year

Transport Scotland (BEAR) are to re-align a section of the A82 from the nearby Fiodhan bridge. This will involve the provision of a footpath which will link the visitor centre with Glen Coe village (this is shown on the submitted plans for information but not part of this proposal). Transport Scotland have specific design parameters to which all new accesses must be constructed, the detail of which they have requested as conditions as part of any permission to ensure there are no issues with access to the site. The applicant confirms that they are discussing the possibility with Transport Scotland to provide the access while the works are ongoing in order to minimise disruption to the local road network. It is therefore considered that this will address concerns raised in representations relating to delays to traffic on the A82 and obstruction to property taking access from the road impeding access to emergency vehicles on a stretch which there are known traffic incidents as the development should not generate further delay over what will be experienced when improving the situation along this stretch of the A82.

- 8.25 Access to the intake area and pipeline route will be via existing Forestry Commission Scotland entrance to the site from Glencoe Visitor Centre and campsite entrance of the A82. From here, a forestry road extends to the top of the site, and provides access to within 200m of all intake locations. Again, Transport Scotland has no objections to the proposals. While it is appreciated that it is not ideal having additional traffic through the NTS and campsite land as raised within representations to the application above, it is considered that in the short term, the tracks to the forestry tracks will be capable of taking additional construction traffic and workers to the site. The current bellmouth/junction is wide enough for two vehicles to pass. This is considered more appropriate than providing additional access tracks from the new access to be formed adjacent to the turbine house, therefore minimising the overall impact of the scheme from tracks.
- 8.26 While the development is to utilise the existing Forestry tracks, there are three short sections of new track required for construction and maintenance purposes between the proposed intakes. These will be adjacent to the main intake 1, measuring approx. 123m in length located at the top of the hill and two other short sections at the top end of the scheme measuring approx. 62m at intake 2 and approx. 75m at intake 3. A new section of track measuring roughly 20m is also proposed from the new A82 access to the turbine house. Overall the new tracks comprise a total of 290m. These will all be accessed via the existing forestry road network and will measure 3.5m in width during the construction phase, reducing to 2.5m in width following completion of the scheme. This will allow access to 4x4 vehicles between the intakes for operational and maintenance purposes. Comment has been made that these should be reduced to 1.5m in width which would restrict use to ATVs. However, given the fairly short length of these sections, the elevation and in the context of the existing network of forestry, 2.5m is considered acceptable in this instance. No road bridges, culverting or other operations are required to accommodate new sections of track.
- 8.27 Temporary compounds are required through the construction period of the development. There will be a main laydown area located near the forestry road access which will provide the base for works on the pipeline. Smaller compounds will be required adjacent to the intakes and the turbine house. It is envisaged that these will temporarily accommodate storage for materials and portable cabin

including welfare facilities. Further detail will be required in the Construction management plan and the compound sites will require to be restored.

- 8.28 It may be necessary to utilise material from around the site to provide for the new sections of access track, footprint of turbine house and potentially to form a working surface for the construction of the pipeline. Borrow pits are to be located adjacent to the main intake, which already appears to have had material extracted previously. Detail will require to be conditioned to secure on the restoration of borrow pits in the interest of visual amenity. The total volume estimated to be extracted is 740m<sup>3</sup>.
- 8.29 A connection is required to the national grid. The application includes a small substation located adjacent to the powerhouse which will be screened by a timber fence. The connection is to be via an underground cable which will follow the line of the access track and join services along the verge of the A82 which connects to an 11kV grid near Glencoe village. Separate permissions will be required for any grid connection. The undergrounding does not raise any concerns in terms of natural heritage or visual impact.

#### Natural Heritage

- 8.30 Concern has been raised in representations regarding the potential for the development to detrimentally impact on natural heritage assets in the area. The landscape and visual concerns have been addressed in the paragraphs above. Other concern raised relates to trees and ecology in terms of flora, fauna and protected species. It should be noted that there are no statutorily designated sites within the application boundary, this includes SSSIs, SPAs, SACs etc. The main designation over the site relates to trees.
- 8.31 As noted above the site is located on Forestry Commission land which has been managed as such for a number of years. As highlighted within the Forestry Officers response above, and within the representations received, there are areas which are listed in the Native Woodland Survey of Scotland, also recorded as plantation on an Ancient Woodland Site.
- 8.32 The Forestry Officer notes that under the Scottish Governments Control of Woodland Removal Policy that removal is only permitted where it would achieve significant and clearly defined additional public benefit and that where tree removal is justified compensatory planting will require to be secured. The applicant submits that the area for compensatory planting is approx. 16,785m<sup>2</sup>, there is an additional area of 8062m<sup>2</sup> which is to be regenerated/planted. The applicant states that the project will produce low-carbon energy which is roughly equivalent to Glencoe village consumption which makes a valuable contribution to Scotland's renewable energy targets. It is also noted that there will be a community benefit payment of £1,750 per year which the local community can distribute as they see fit. There is also the opportunity to use local contractors over the build of the project which generates jobs and income within the local economy. As the trees to be lost will be replanted elsewhere, and there is a public benefit from the scheme it is considered that the development complies with the Scottish Governments Control of Woodland Policy.

- 8.33 The Forestry Officer welcomes the intention to replant trees adjacent to the turbine house area of the site, however further detail is required on species and tree planting locations which will be conditioned to secure. With regard to trees, it is concluded that the development would not have a significant effect on the small areas of existing semi-mature/mature woodland which are listed on the Ancient Woodland Inventory and there is no concern over the clearfelled parts of this site subject to demonstration that there is adequate replacement planting and/or natural regeneration. All recommended conditions will be attached to the permission to ensure the protection of retained trees during construction, and further detail on compensatory planting.
- 8.34 As noted above there are no statutorily designated sites within the site of application and SNH have no objections to the proposals. Should any species be found on site works will require to stop; the developer will be reminded of their obligations in this regard within an informative attached to the permission. An Ecological Clerk of Works (ECow) will require to attend site to ensure that necessary mitigation with respect to species are being properly implemented. The ecology survey undertaken concluded that there is potential for bats in trees, one otter spraint was found in vicinity to the site and 1 potential pine marten den was found, again, nearby the site. No evidence of red squirrel was found. Mitigation is outlined within the report which concludes that all contractors must be aware of their responsibilities and obligations if any species are found.
- 8.35 Birds are also considered in the ecology report; it is recommended that a breeding bird walkover is carried out prior to any works commencing on site. The ECoW should be notified, particularly if works are to be undertaken between the breeding season (mid March – August) which would be the case should permission be granted. The assessment considered the potential for impacts on golden eagle located within the Glen Etive and Glen Fyne SPA which borders the forest. Assessment of the potential impacts concluded that due to the lack of prey and nesting habitats within the forest that the works proposed would not impact on either.
- 8.36 Ground Water Dependent Terrestrial Ecosystems (GWDTEs) were evident on site, particularly at the bottom, turbine house area of the development site. The layout of this part of the site has been designed in such a way as to avoid the higher value GWDTEs. SEPA have commented on the issue stating that the statement and plans submitted generally demonstrate that appropriate pollution prevention measures can be implemented during the construction phase; this includes how sensitive receptors such as GWDTE and watercourses have been avoided. The Construction Method Statement and associated site plans should be secured by condition. This will allow further consideration of the matter and secure the protection of the area.
- 8.37 A peat depth survey demonstrates that the site has little or no peat cover. There are some deeper pockets of peat located along the pipeline route. Supporting information states that peat probing will take place prior to works commencing on site and that the pipeline will be micro-sited (within the construction corridor) to avoid such areas. Peats are to be temporarily stored and reinstated as soon as possible as is standard practice. Further information will be secured in a



## Construction Method Statement.

### Archaeology

- 8.38 Concern has been raised within representations relating to the historic battle of Glen Coe and the potential for the scheme to disturb archaeology. The Historic Environment Team confirm that the site lies within an area of limited archaeological potential, although most of the proposal is of potential that does not justify archaeological mitigation. There are no specific designations and it is likely that the forestry use over the years has significantly depleted and disturbed the land without the need for any archaeological investigation or intervention. With the above in mind it is still considered necessary to attach a condition to the permission to secure an archaeological watching brief, this means that the developer will be required to employ an archaeologist to monitor the site during excavation and site clearance.

### Community and Residential Amenity

- 8.39 It is noted within representations that concern has been raised over amenity arising from noise from the turbine house. There are no noise sensitive properties within the immediate vicinity of the site with River Coe House being located 320m from the turbine house and separated by the A82 and intervening tree cover, the campsite being 350m and the woodland path being located 320m away. The proposed footpath link is located approx. 17m away from the turbine house. This was noted as being a concern in the representations. The turbine house will not be operational 24/7 and noise experienced by people walking past will be temporary. Furthermore, the A82, which is a trunk road will generate more continuous noise along the route for walkers than experienced by the turbine house. It is not, therefore considered that residential, or community amenity will be significantly affected by the proposals in terms of noise. A condition is however recommended to set maximum levels to safeguard amenity.

### Socio-economics

- 8.40 Concern has been raised over the impact of the development on local business and tourism. The entire construction period is to take place over 9 months commencing in spring. While it is appreciated that there will be disturbance and construction over the summer months when tourism is at its peak, it is not considered that this will significantly detrimentally impact on the tourism economy in the long term. The scheme will generate electricity which has the capability of powering the village of Glen Coe, the Community Council have no objections to the proposals and it is believed that the community are to buy in to the scheme, generating income from the development. It is therefore considered that the long term benefits to the local community outweigh a 9 month period of disruption to some visitors.

### Flood Risk

- 8.41 Comments were received regarding the lack of a Flood Risk Assessment having been submitted. The site is not identified as being at risk of flooding, and the development is clearly a development which requires the use of water and the

watercourse, and should therefore be water compatible. SEPA have not objected to the proposals on the grounds of flood risk. The development will be subject to a CAR Licence which will require detail on the abstraction and redistribution of water back into the watercourse, this is all considered out with the planning application process by SEPA as the regulatory authority.

#### Other material considerations

8.42 There are no other material considerations.

#### Non-material considerations

8.43 The following issues are not material planning considerations.

- a) Nearby property is not denoted on the drawings
- b) Decrease in property value
- c) Concern over moving the original footpath closer to the A82
- d) References to planning applications recommended for refusal (residential development) which includes non compliance with residential and tourist policies.
- e) The loss of trees and woodland within Carnach Woods Ancient Woodland SSSI being non compliant with woodland policies
- f) Server problems on website making it difficult to submit comments
- g) Timing of submission over the Christmas break poor
- h) No landownership notification for third party – this was rectified by the applicant
- i) No neighbour notifications received – all neighbours within 20m were notified as required under the Town and Country Planning (Development Management Regulations) 2013.

#### Matters to be secured by Section 75 Agreement

8.44 None

### **9. CONCLUSION**

9.1 The assessment of the application requires to consider national and local support for renewable energy and protection of important environmental resources. The greatest impact of the proposed development will be during the construction phase. Appropriate mitigation has been proposed and conditions recommended to secure the best management of the construction process and provision of the successful restoration of the disturbed ground.

9.2 The application can be supported in the context the Council's Development Plan and in particular Policy 67 Renewable Energy. 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 on balance is acceptable in terms of all other applicable material

considerations.

## **10. IMPLICATIONS**

- 10.1 Resource: Not applicable
- 10.2 Legal: Not applicable
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: Not applicable
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

## **11. RECOMMENDATION**

**Action required before decision issued** N

**Subject to the above**, it is recommended that planning permission be **GRANTED**, subject to the following:

### **Conditions and Reasons**

1. At least two months prior to commencement of development on the site, a site-specific Construction Method Statement (CMS) shall be submitted and approved in writing by the Planning Authority. The CMS shall detail the following matters in particular:
  - An updated Schedule of Mitigation (SM) which draws together all approved mitigation proposed in support of the application and other agreed mitigation (including that required by agencies and relevant planning conditions attached to this permission);
  - A detailed construction programme and timetable including site restoration and reinstatement;
  - Full details of restoration and reinstatement of the penstock, access tracks, temporary lay-down, compound areas, borrow pits, and powerhouse environs, together with proposals for on-going maintenance of the whole site;
  - Full details of surface and ground water management plans; Methods for monitoring, auditing, reporting and the communication of environmental management on site and with the client, Planning Authority and other relevant parties.
  - Details the roles and responsibilities of the appointed Environmental Clerk of Works (ECoW) and Arboriculturalist including frequency of monitoring and any specific accountability. These responsibilities shall include the submission of monthly update reports direct to the Planning Authority.

Thereafter, the development shall be carried out in accordance with the approved Construction Method Statement, the Schedule of Mitigation and any

Construction Management Plans approved thereunder.

**Reason:** To ensure the development is implemented in accordance with the provisions of the application, environmental supporting information and associated documents.

2. No development shall commence and no trees shall be felled until the new site access from the A82, associated access track, powerhouse and tail race have been marked out on site and the necessary pre-commencement tree related surveys have been carried out. Development shall not commence until written agreement has been received by the Planning Authority that the marking is acceptable and the necessary surveys undertaken.

**Reason:** To ensure the development is implemented in accordance with the provisions of the application to ensure that GWDTE reliant trees are not detrimentally impacted by the development.

3. No development, site excavations or groundworks shall commence until pre construction surveys have been undertaken for bats, otter, badger, pine marten and breeding birds within a period of time no longer than 12 months before development is scheduled to start. The surveys shall include details of any recommended mitigation measures, and the development shall thereafter be undertaken in accordance with any mitigation measures recommended in the report.

**Reason:** In the interests of the environment in accordance with Policies 58,59, 60 of the Highland wide Local Development Plan.

4. No use or development of the borrow pits shall commence until full details of the borrow pots have been submitted to and approve din writing by the Planning Authority in consultation with SEPA. Such details shall include:
  - A scaled map showing the location, size, depths and dimensions of the borrow pits;
  - Proposed restoration profiles
  - Proposed surface water drainage mitigation and storage for reinstatement. Thereafter, borrow pits shall be worked only in accordance with the approved details prior to first operation of the hydro scheme hereby approved.

For the avoidance of doubt the information shall be submitted a minimum of two months in advance of development commencing on site.

**Reason:** In the interests of visual amenity and in order to control any pollution of air, land and water as necessary.

5. No development shall commence until an Access Management Statement and Plan has been submitted to, and approved in writing by the Planning Authority. Details of where the plan is to be located within vicinity of the site for the purposes of informing the public shall also be included. For the avoidance of doubt the

Access Management Statement shall:

- Show where work is to take, and is taking place before and during construction
- Let people know that the route up to the mast and along the roadside remained open
- Advise on local directions and diversions
- Advise that there may be construction traffic on the forest road
- Advise on how long work is to be on-going in the area
- Provide people with a contact number for further information
- Show the location and design of any new gate or gates on or to the site. If there are vehicle gates then an accessible side gate must be installed next to it. Those gates should have an internal width of at least 1.5m and ideally be self-closing. Kissing gates are not acceptable.
- Show where access rights will not apply during and after construction.
- Commit to reinstate any core paths within 14 days or another period as required by Section 23 of the Act

**Reason:** To allow the Council to uphold access rights under the Land Reform (Scotland) Act 2003

6. No development or work (including site clearance) shall commence until proposals for an archaeological watching brief to be carried out during site clearance and excavation works, has been submitted to, and approved in writing by, the Planning Authority. Thereafter, the watching brief shall be implemented as approved.

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

7. The proposed access shall join the trunk road at a new junction which shall be constructed by the applicant to a standard as described in the Department of Transport Advice Note TD 41/95 (Vehicular Access to All-Purpose Trunk Roads) (as amended in Scotland) complying with Layout 3. The junction shall be constructed in accordance with details that shall be submitted and approved by the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority, before any part of the development is commenced.

**Reason:** To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished.

8. Visibility splays shall be provided and maintained on each side of the access to the satisfaction of the local Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority. These splays are the triangles of ground bounded on 2 sides by the first 2.4 metres of the centreline of the access driveway (the set back dimension) and the nearside trunk road carriageway measured 215

metres (the y dimension) in both directions from the intersection of the access with the trunk road. In a vertical plane, nothing shall obscure visibility measured from a driver's eye height of between 1.05 metres and 2.00 metres positioned at the set back dimension to an object height of between 0.26 metres and 1.05 metres anywhere along the y dimension.

**Reason:** To ensure that vehicles entering or exiting the access can undertake the manoeuvre safely and with minimum interference to the safety and free flow of traffic on the trunk road and to ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished.

9. The gradient of the access road shall not exceed 1 in 40 for a distance of 5 metres from the nearside edge of the trunk road carriageway, and the first 5 metres shall be surfaced in a bituminous surface and measures shall be adopted to ensure that all drainage from the site does not discharge onto the trunk road.

**Reason:** To ensure that vehicles entering or exiting the access can undertake the manoeuvre safely and with minimum interference to the safety and free flow of traffic on the trunk road and ensure that water run-off from the site does not enter the trunk road.

10. Traffic bollards (Glasdon Admiral bollard or approved equivalent) to be erected within the trunk road verge on either side of the access at locations to be approved by the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority.

**Reason:** To indicate the presence of the access to drivers on the trunk road and improve safety

11. The access gate shall be located at least 10 metres from the adjacent trunk road carriageway and the gate shall only be capable of opening away from the road.

**Reason:** To ensure that vehicles can stand clear of the trunk road carriageway when the gates are being opened or closed

12. No development shall commence until a Tree Planting Plan and maintenance programme for the area around the powerhouse and outfall, has been submitted to and approved by the planning authority. The Tree Planting Plan shall be implemented in full during the first planting season following commencement of development or as otherwise agreed in writing by the planning authority.

**Reason:** In the interests of amenity.

13. No development shall commence until a detailed scheme of compensatory planting/ natural regeneration (including future maintenance) has been submitted and approved in writing by the planning authority. All planting/ reinstatement/ ground preparation for natural regeneration shall be implemented in full no later than 1st April 2020 or prior to first commissioning of the hydro scheme (which ever is first), or as otherwise agreed with the planning authority. The planting shall be maintained thereafter in accordance with the approved scheme, until established to

the full satisfaction of the planning authority.

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

14. Prior to any site excavation or groundworks, a protective barrier as specified in the Tree Survey and Tree Constraints Plan (Fig 5.1) must be located as shown on that plan. Barriers are to remain in place throughout the construction period and must not be moved or removed without the prior written approval of the Planning Authority.

**Reason:** To ensure the protection of retained trees throughout the construction period.

15. Prior to any site excavation or groundworks, a suitably qualified arboricultural consultant must be employed by the applicant to produce a revised Arboricultural Method Statement (AMS) the prior written approval of the Planning Authority. The stages requiring supervision are to be set out in an arboricultural schedule of works in a revised AMS for the written agreement of the planning authority and certificates of compliance for each stage are to be submitted for approval. The arboricultural consultant will also ensure that the tree protection measures proposed on the Tree Survey and Tree Constraints Plan (Fig 5.1) are implemented to the agreed standard.

**Reason:** To ensure the protection of retained trees throughout the construction period.

16. All plant, machinery and equipment associated with the hydro scheme including fans, ducts and external openings shall be installed, maintained and operated such that any associated operating noise does not exceed NR 20 when measured or calculated within any noise-sensitive premises with windows open for ventilation purposes. For the purposes of this condition, "noise-sensitive premises" includes, but is not necessarily limited to, any building, structure or other development the lawful use of which a) falls within Classes 7 (Hotels & Hostels), 8 (Residential Institutions) or 9 (Houses) of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended), or b) is as a flat or static residential caravan.

**Reason:** In order to safeguard the amenity of neighbouring properties in accordance with Policy 28 of the Highland wide Local Development Plan.

## **REASON FOR DECISION**

The application can be supported in the context the Council's Development Plan and in particular Policy 67 Renewable Energy. 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 on balance is acceptable in terms of all other applicable material considerations.

## **TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION**

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

## **FOOTNOTE TO APPLICANT**

### **Initiation and Completion Notices**

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

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

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

### **Accordance with Approved Plans & Conditions**

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action

### **Flood Risk**

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (paragraph 259), planning permission does not remove the liability position of developers or owners in relation to flood risk.



## **SEPA Regulatory Advice**

Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs).

Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012.

A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from a construction site, including access tracks, which

- are more than 4 hectares,
- are in excess of 5km, or
- includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25°

See SEPA's Sector Specific Guidance: Construction Sites (WAT-SG-75I for details. Site design may be affected by pollution prevention requirements and hence we strongly encourage the applicant to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office.

Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office at Carr's Corner Industrial Estate, Lochybridge, Fort William PH33 6TL Tel: 01397704426.

## **Transport Scotland – Works within Trunk Road Boundary**

To obtain permission to work within the trunk road boundary, contact the Area Manager through the general contact number below. The Operating Company has responsibility for co-ordination and supervision of works and after permission has been granted it is the developer's contractor's responsibility to liaise with the Operating Company during the construction period to ensure all necessary permissions are obtained.

TS Contact:- Area Manager (A82)

0141 2727100

Buchanan House, 58 Port Dundas Road, Glasgow, G4 OHF

Operating Company:- NORTHWEST

Address:- Bear House, Inveralmond Road, Inveralmond Industrial Estate, Perth, PH1 3TW

Telephone Number:- 0845 4130200

e-mail address:- [NWplanning@bearsotland.co.uk](mailto:NWplanning@bearsotland.co.uk)

### **Mud & Debris on Road**

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

### **Construction Hours and Noise-Generating Activities**

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

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

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

### **Protected Species – Halting of Work**





You are advised that work on site must stop immediately, and Scottish Natural Heritage must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from SNH: [www.snh.gov.uk/protecting-scotlands-nature/protected-species](http://www.snh.gov.uk/protecting-scotlands-nature/protected-species)

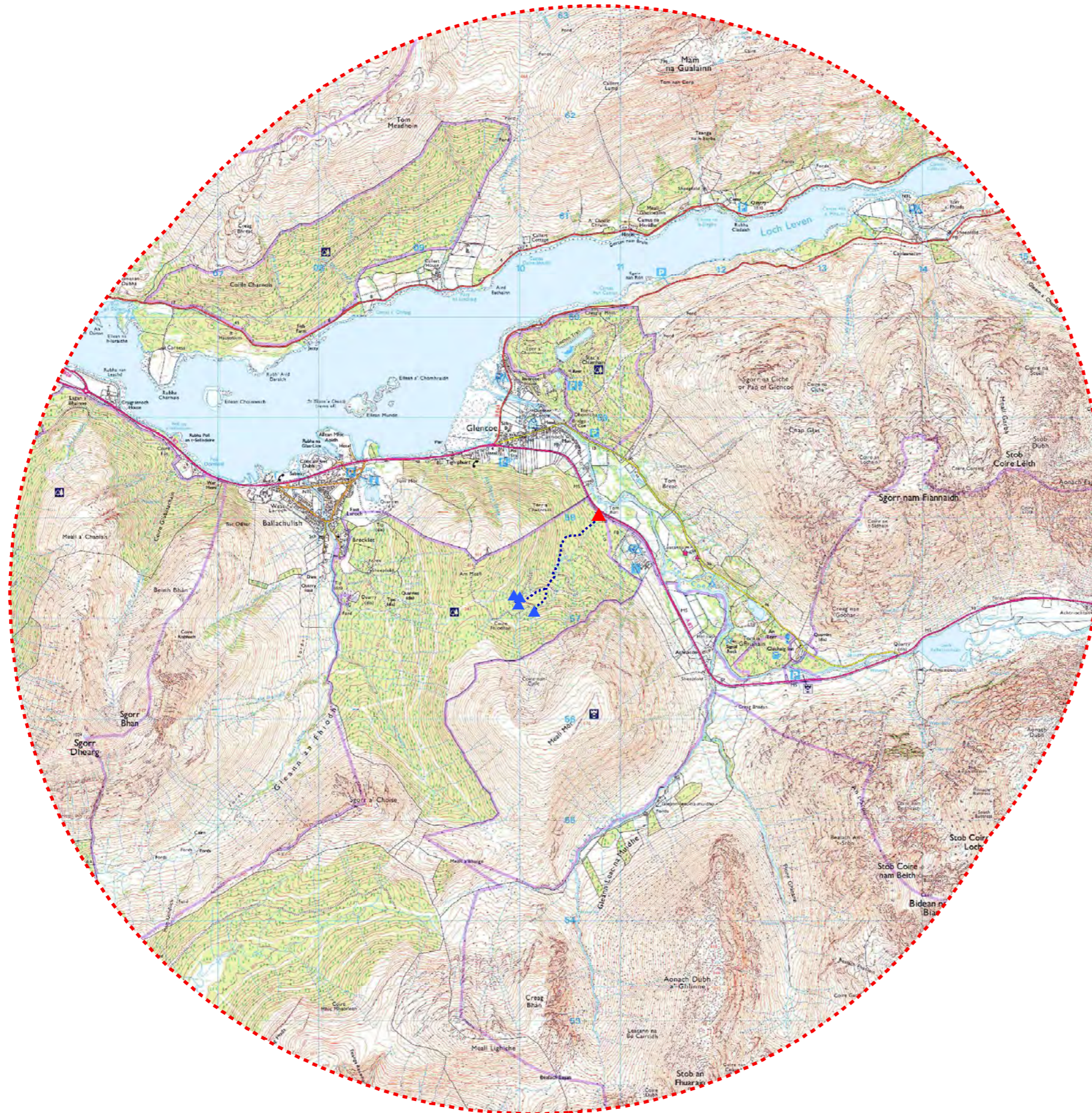
Signature: David Mudie  
Designation: Area Planning Manager – South  
Author: Laura Stewart  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Plan 1 – Location Plan – TL/11437/1-a

Plan 2 – Location Plan (landscape) - TL/11438/3  
Plan 3 - Site Layout – C067-3-101 Rev C  
Plan 4 – Site Layout - C067.3-107 REV A  
Plan 5 – Access Layout C067.3-108  
Plan 6 – Site Plan – C067.2.103-1  
Plan 7 – Intake 1 – C067.3-102.1  
Plan 8 – Intake 2 - C067.3-102.2  
Plan 9 - Intake 3 and 4 - C067.3-102.3  
Plan 10 – Pipeline Details Inc Drainage - C067.3-103.3  
Plan 11 – Turbine House Elevation - C067.3-104.1 REV A  
Plan 12 – Pipe Bridge detail - C067.3-105

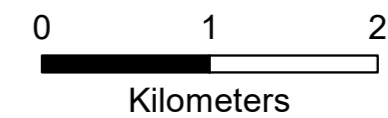


**Legend**

-  5km Study Area
-  Pipeline\*
-  Turbine House
-  Intake

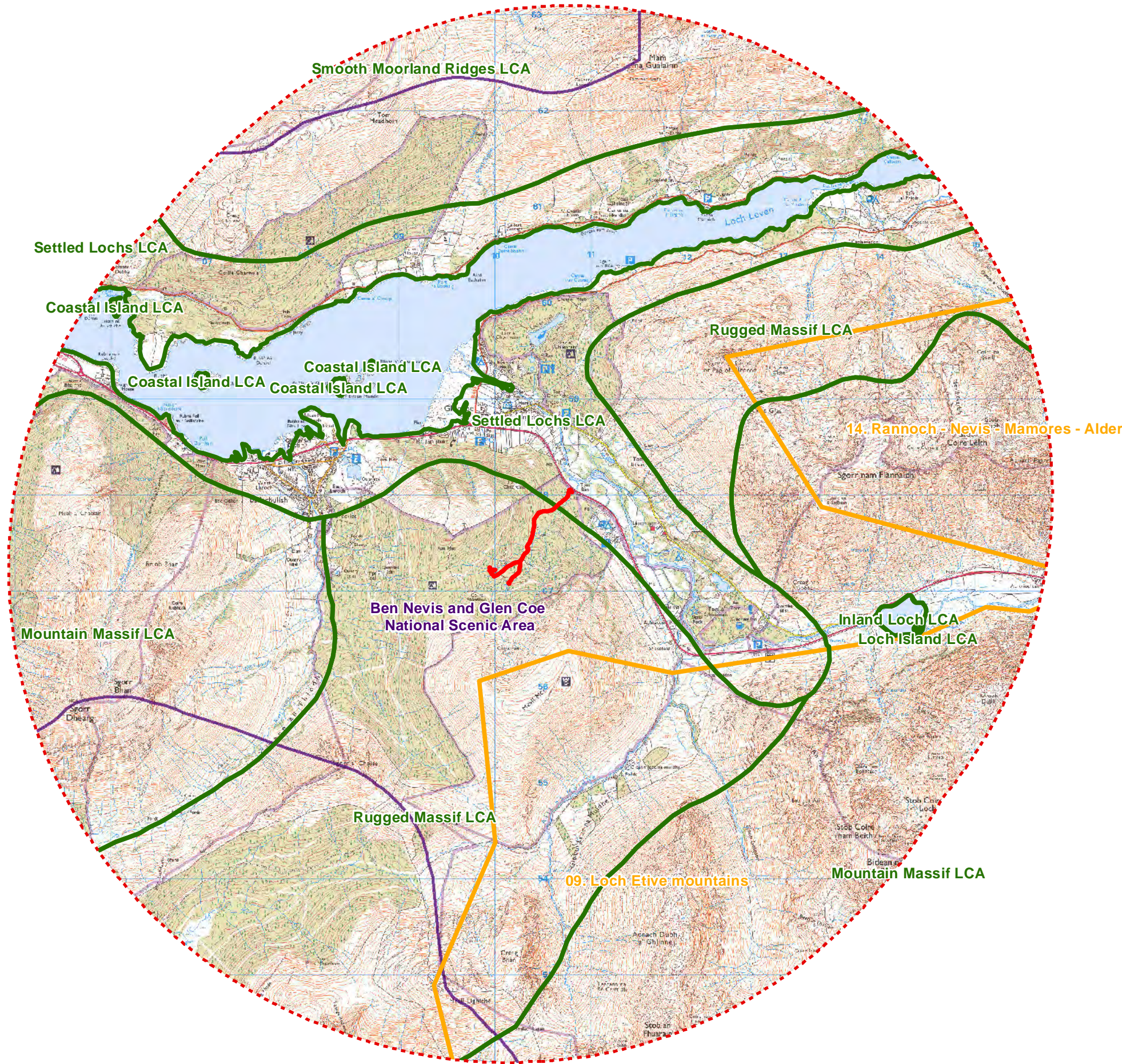


**Note**  
\* Extent of pipeline, buried and reinstated during operation and potentially discernible as a change in vegetation








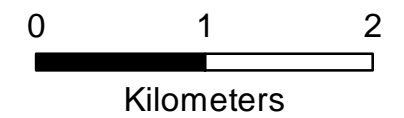
**Glen Hydro Consulting Ltd.**  
Allt Fhiodhan Hydro Electric Scheme  
**Figure 1**  
Site Location

Brook Holt 3 Blackburn Road Sheffield S61 2DW  
T: 0114 2669292 [www.ecusltd.co.uk](http://www.ecusltd.co.uk)



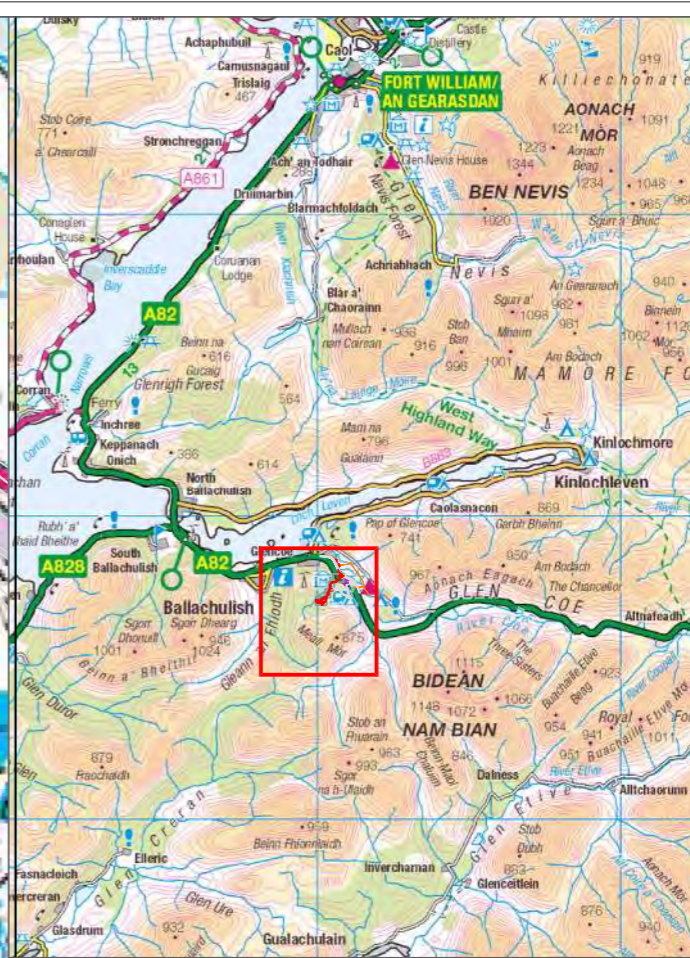
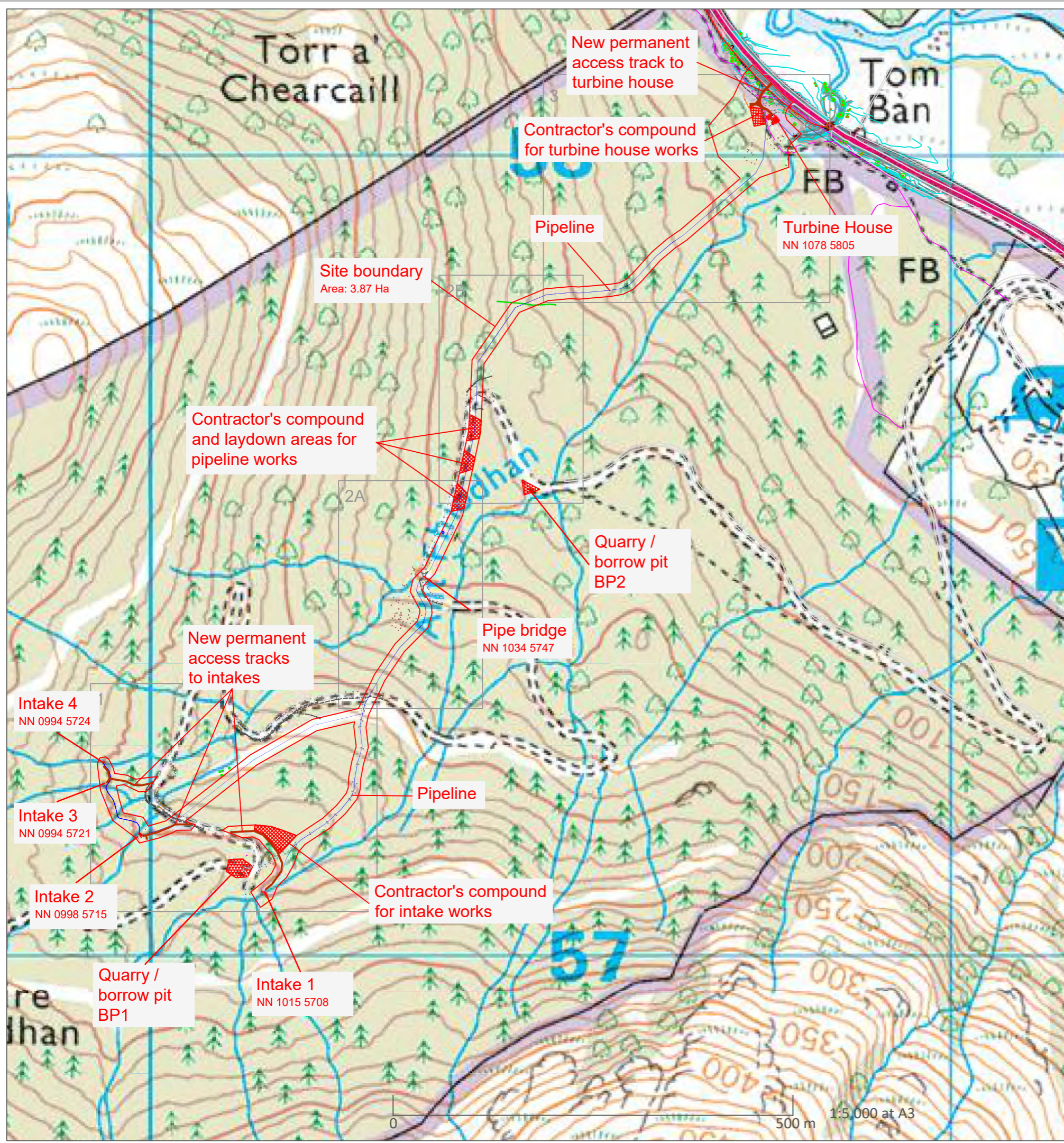
**Legend**

-  Operational Extent
-  5km Study Area
-  Landscape Character Area (LCA)
-  Wild Land Area (WLA)
-  National Scenic Area (NSA)



**Glen Hydro Consulting Ltd.**  
Allt Fhiodhan Hydro Electric Scheme  
**Figure 3**  
Landscape Designations and Character

Brook Holt 3 Blackburn Road Sheffield S61 2DW  
T: 0114 2669292 [www.ecusltd.co.uk](http://www.ecusltd.co.uk)



1:250,000 at A3

**Legend**

- Pipeline
- New permanent access track
- Path
- - - Grid connection
- Site boundary
- Civil structures
- Contractor's compounds
- Quarries / borrow pits

C	Site boundary revised	TC	09 Jan 19
B	Compounds and BP added	TC	06 Nov 18
A	Updated following surveys	TC	21 Jun 18
	Original drawing	TC	08 Feb 18
Rev	Description	Drawn	Date

Project  
**C067.3 - Allt Fhiodhan**

Drawing Title  
**Layout Plan**





Scale  
**As indicated**

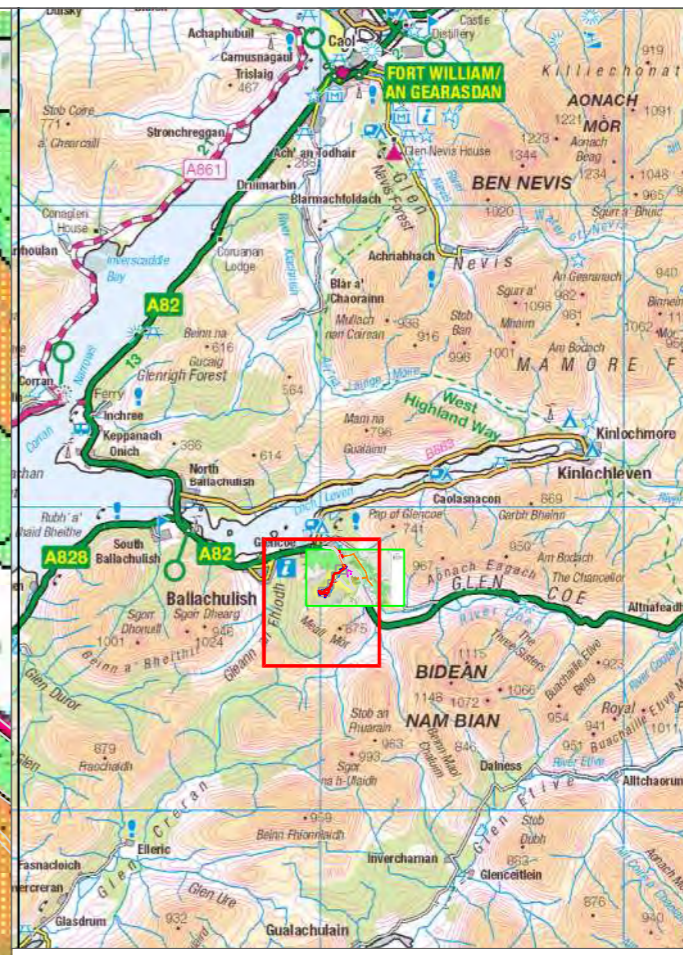
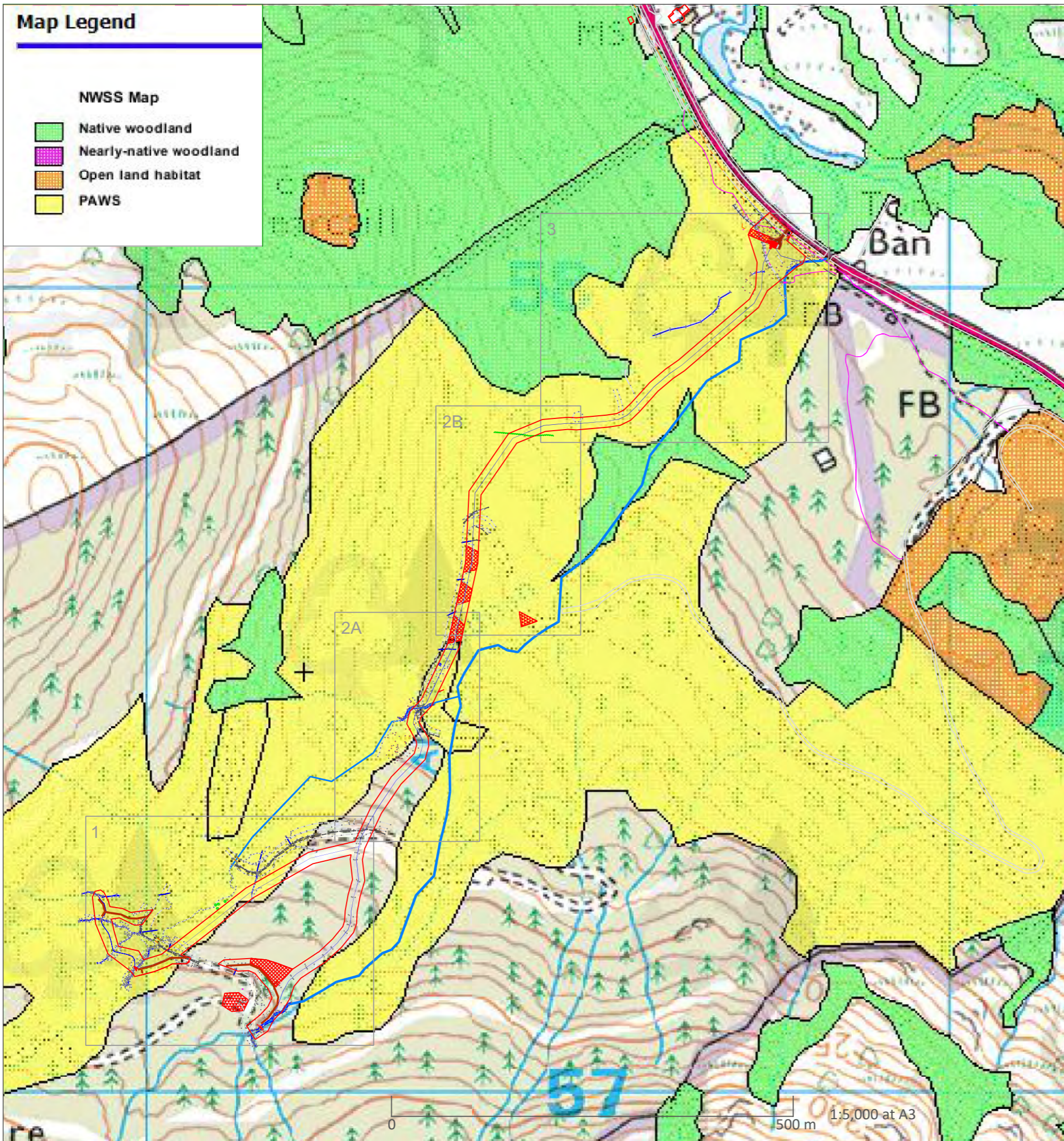
Drawing No.	Rev
C067.3-101	C

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# Map Legend

## NWSS Map

-  Native woodland
-  Nearly-native woodland
-  Open land habitat
-  PAWS











1:250,000 at A3

500 m 1:5,000 at A3



## Legend

-  Pipeline
-  New permanent access track
-  Path
-  Grid connection
-  Site boundary
-  Civil structures
-  Contractor's compounds
-  Quarries / borrow pits

A	Updated following surveys	TC	21 Jun 18
	Original drawing	TC	08 Feb 18

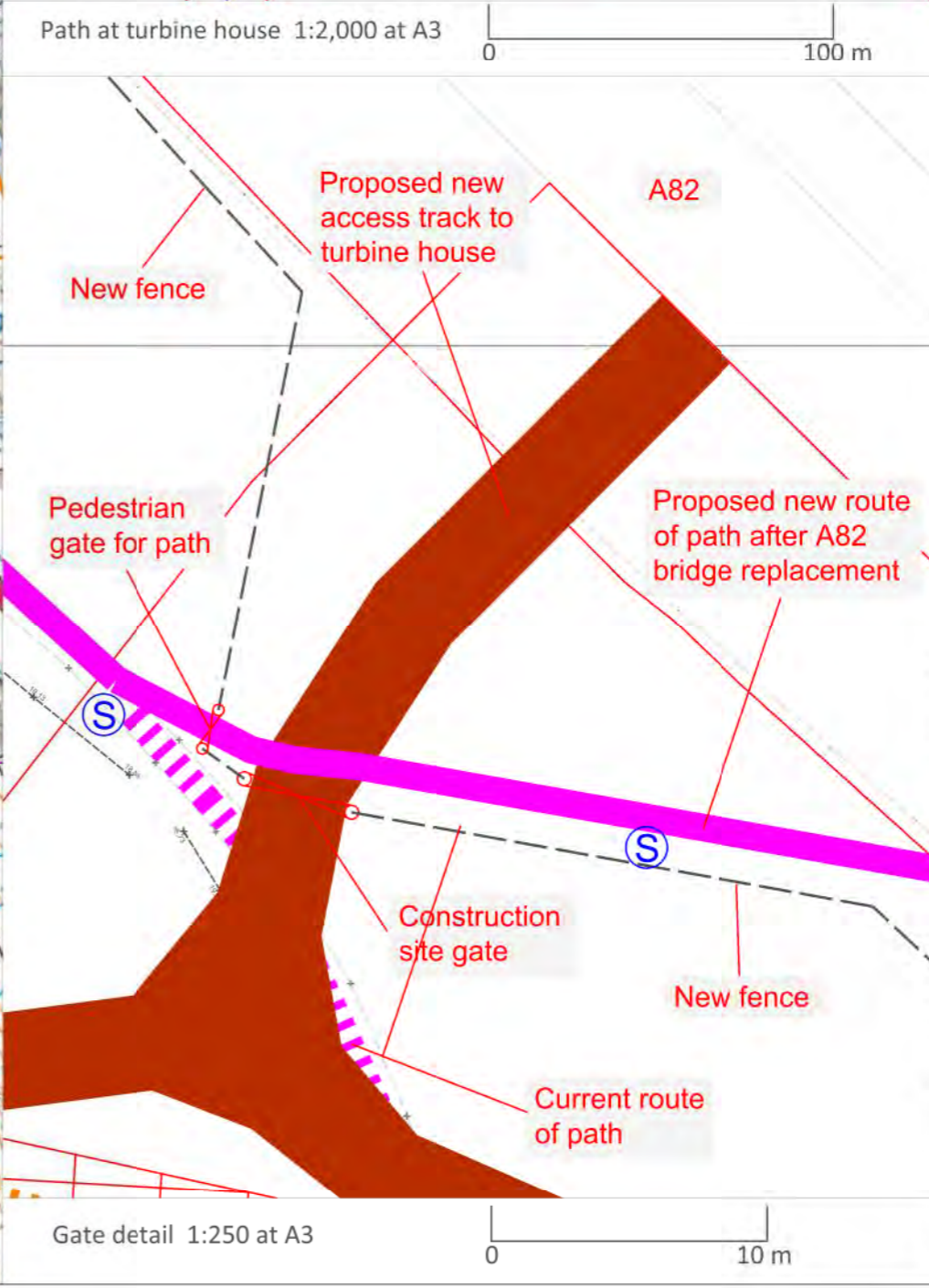
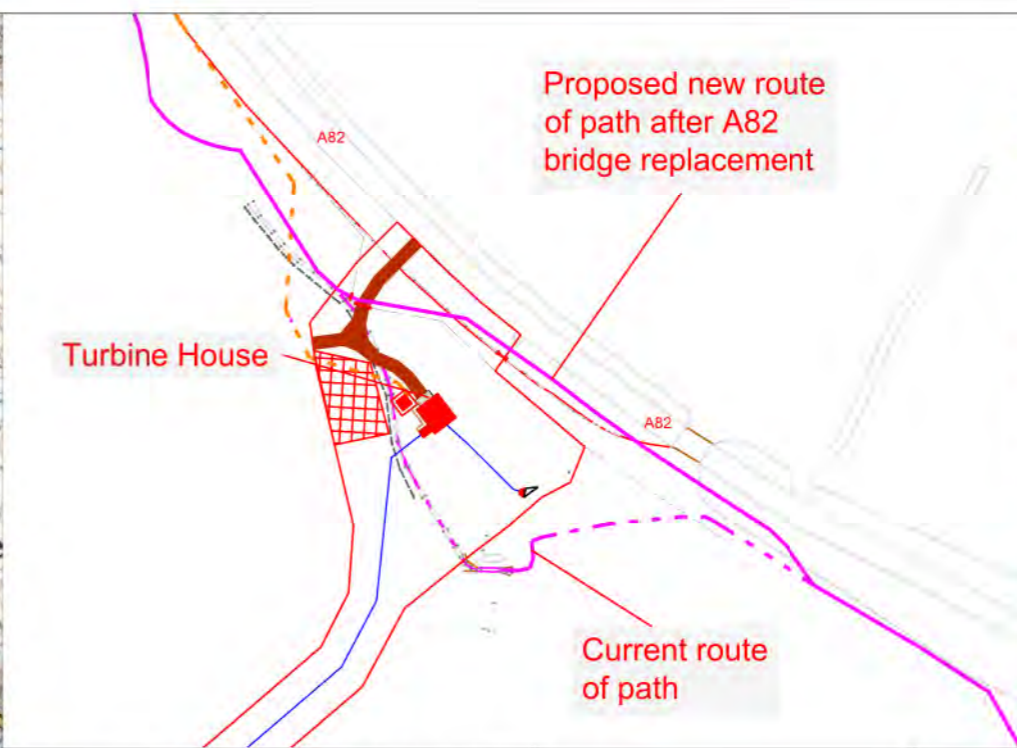
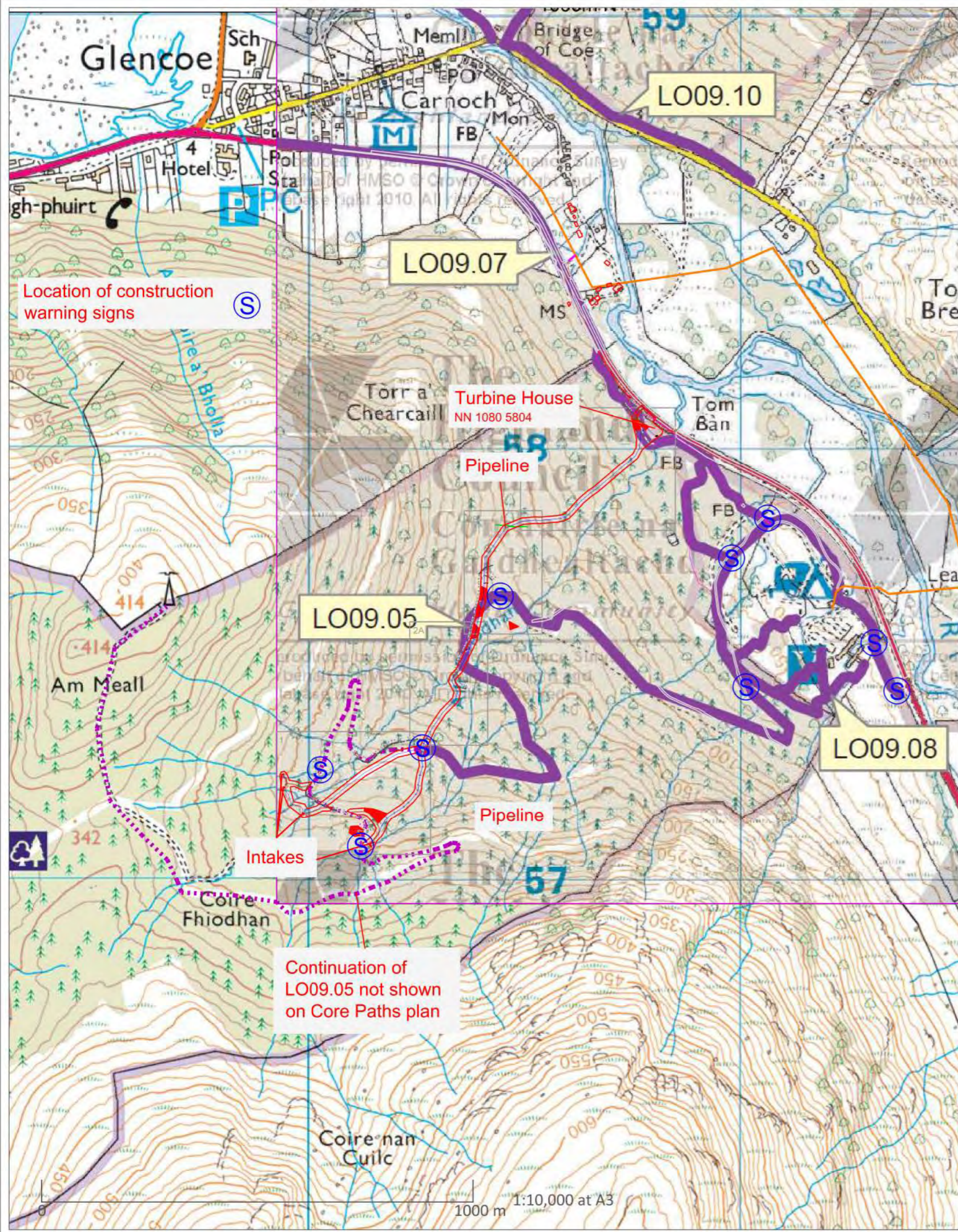
Rev	Description	Drm	Ch'd	Date
Project				
C067.3 - Allt Fhiodhan				

Drawing Title  
Layout Plan with Ancient Woodland

Scale  
As indicated

Drawing No.	Rev
C067.3-107	A

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**Legend**

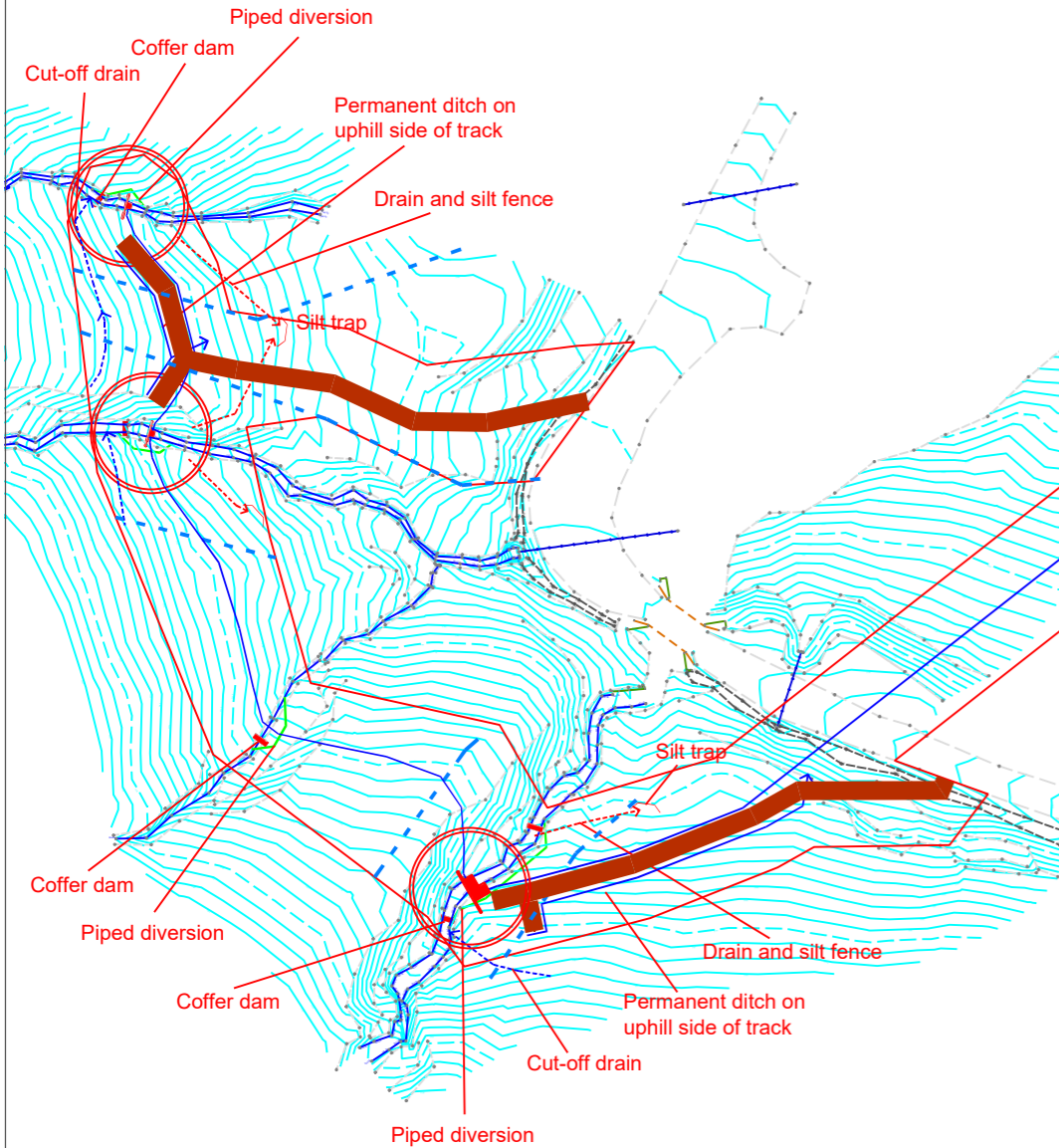
- Site boundary
- Pipeline
- New permanent access track
- Path
- Grid connection
- Civil structures
- Contractor's compounds
- Quarries / borrow pits
- Core path

Original drawing	TC	06 Nov 18
Rev	Description	Drn Ch'd Date
Project		
C067.3 - Allt Fhiodhan		
Drawing Title		
Access Plan		
Scale		
As indicated		
Drawing No.		Rev
C067.3-108		
Glen Hydro Consulting 9 Reform Street Blairgowrie PH10 6BD Tel. 01250 710656		
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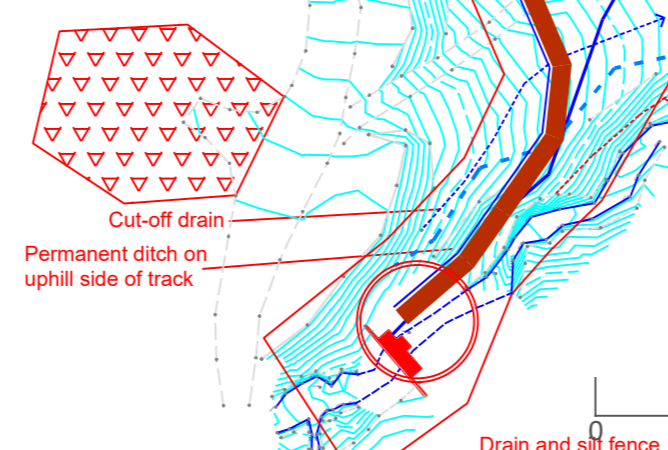


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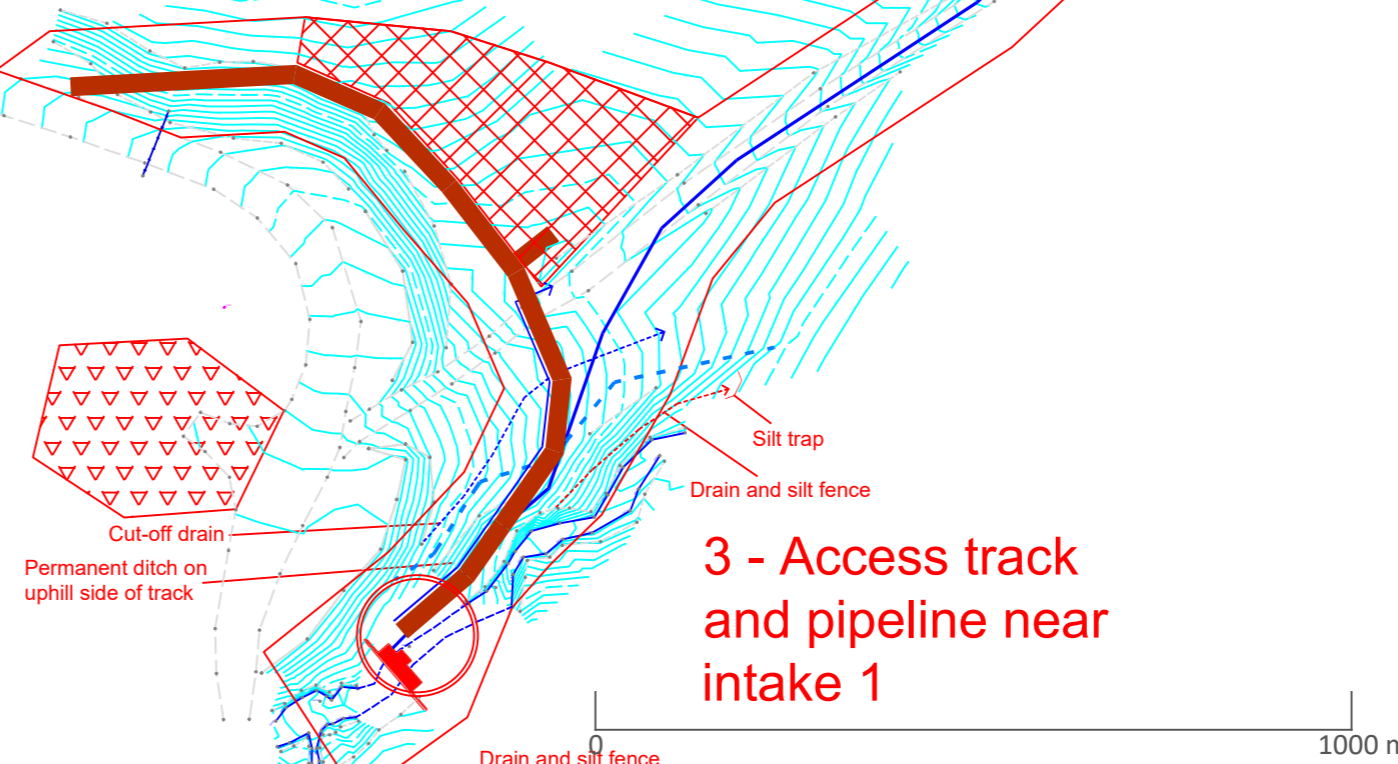
1 - Access track and pipelines near intakes 3 and 4



2 - Access track and pipelines near intake 2



3 - Access track and pipeline near intake 1



2A

Legend

- Pipeline
- New permanent access track
- Path
- Grid connection
- Site boundary
- Civil structures
- Contractor's compounds
- Quarries / borrow pits
- 10m buffer from river
- Temporary drain for dirty water during construction
- Temporary drain for clean water during construction
- Permanent roadside ditch formed at end of construction
- Area included in CAR application

Original drawing	TC	12 Nov 18
Rev	Description	Drawn Date

Project  
C067.3 - Allt Fhiodhan

Drawing Title  
Pipeline details incl drainage  
1 of 3

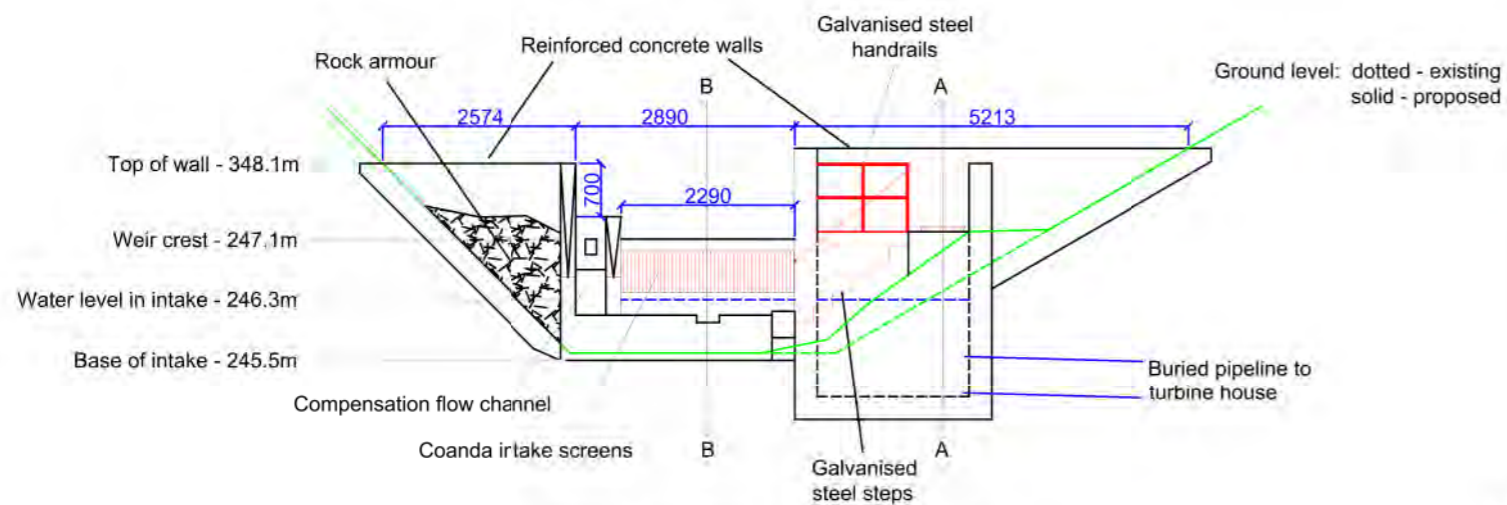
Scale  
1:1,000 at A3

Drawing No.  
C067.3-103.1

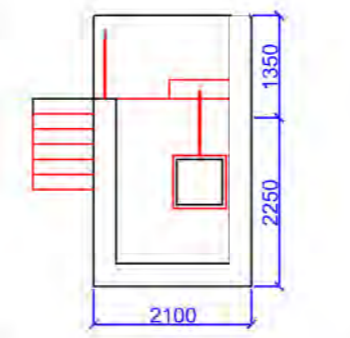
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1:10,000 at A3

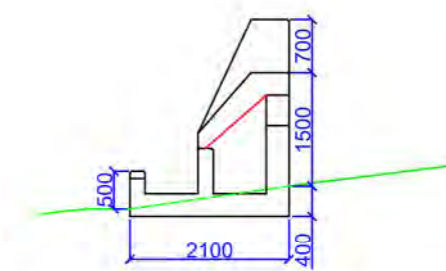
1000 m



Intake elevation looking upstream



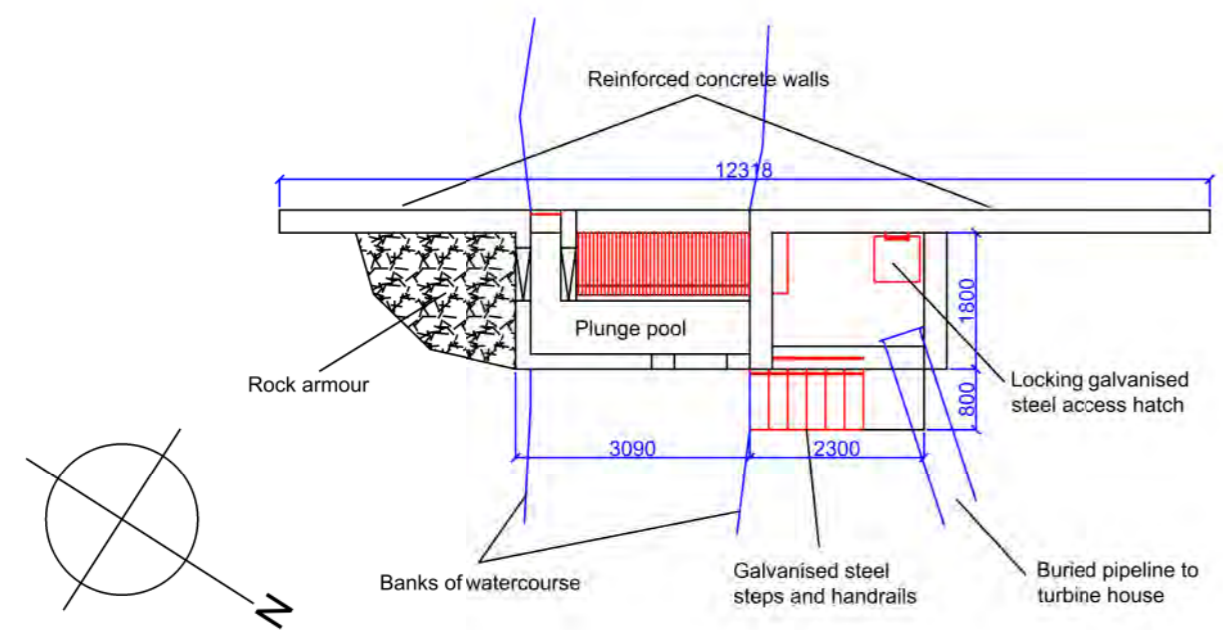
Intake section A - A



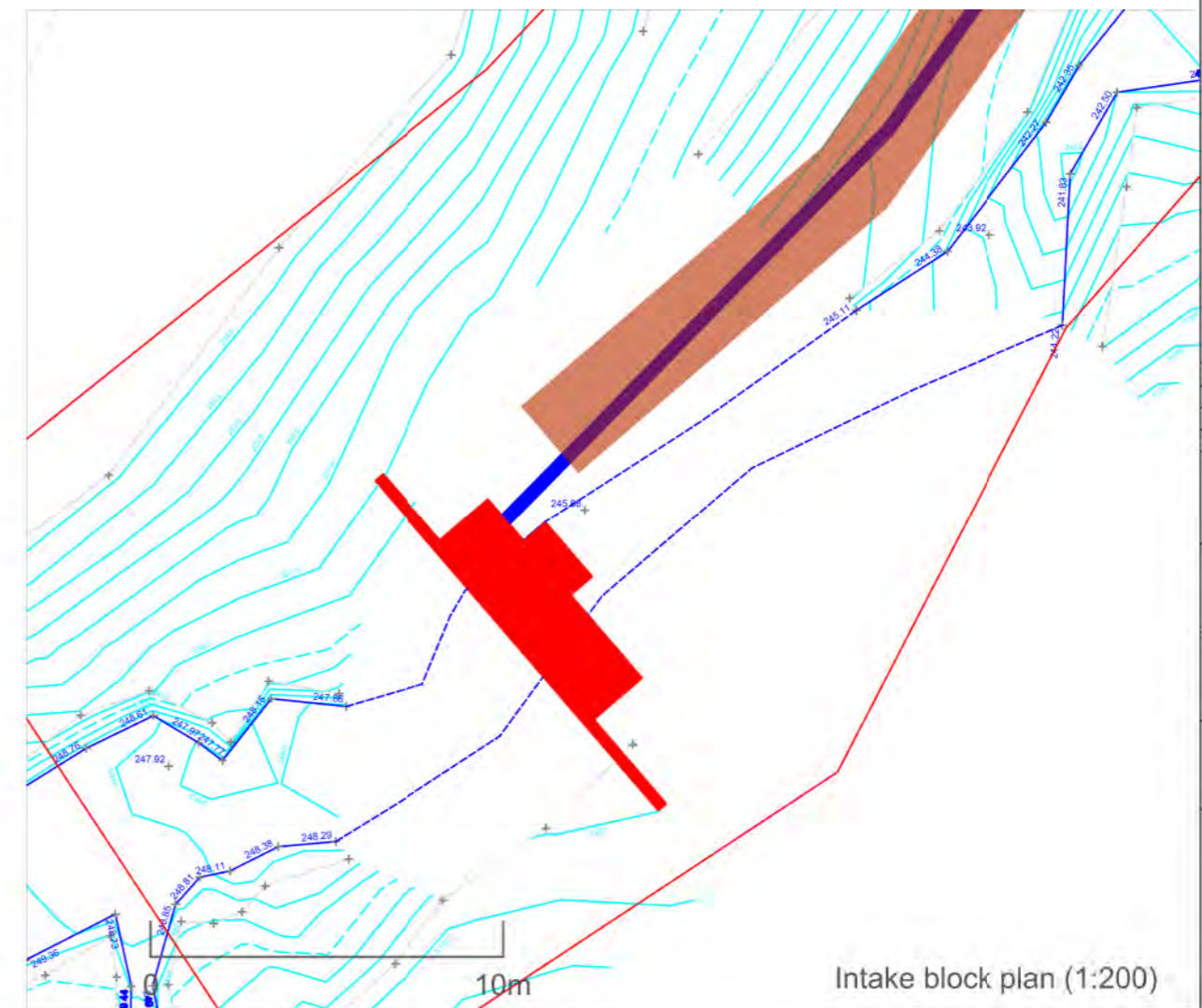
Intake section B - B

**Legend**

- Pipeline
- New permanent access track
- Path
- Grid connection
- Site boundary
- Civil structures
- Contractor's compounds
- Quarries / borrow pits



Intake plan

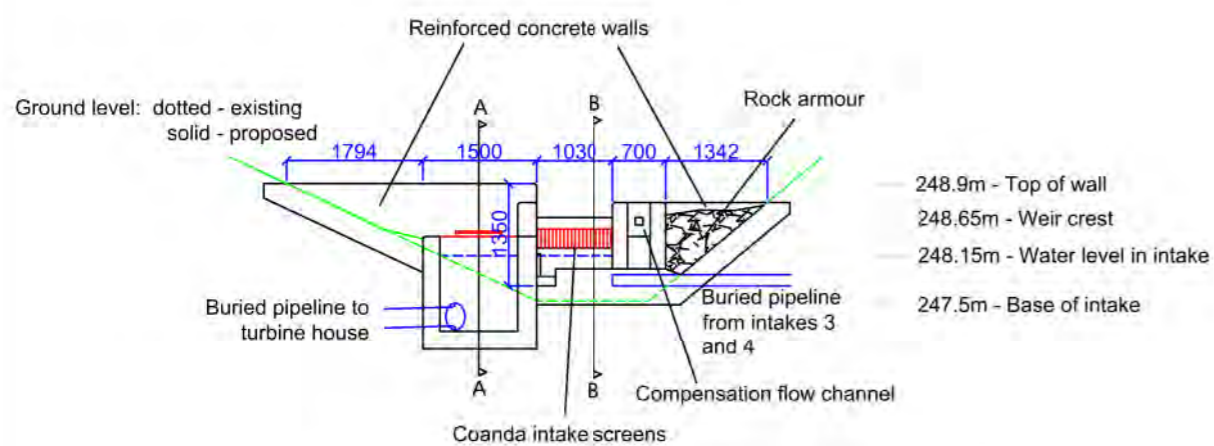


Intake block plan (1:200)

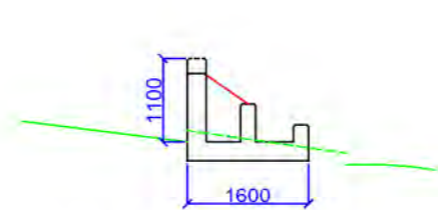
Original drawing	TC	12 Nov 18
Rev	Description	Drawn Date
Project		
C067.3 - Allt Fhiodhan		
Drawing Title		
Intake 1 details		
Scale		
As indicated		
Drawing No.	Rev	
C067.3-102.1		
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### Legend

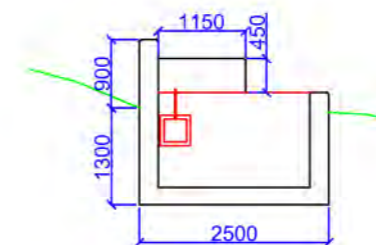
- Pipeline
- New permanent access track
- Path
- Grid connection
- Site boundary
- Civil structures
- Contractor's compounds
- Quarries / borrow pits



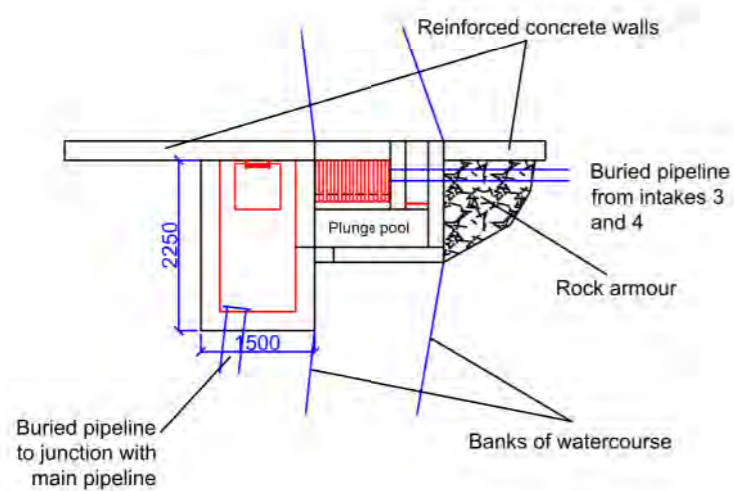
Intake elevation looking upstream



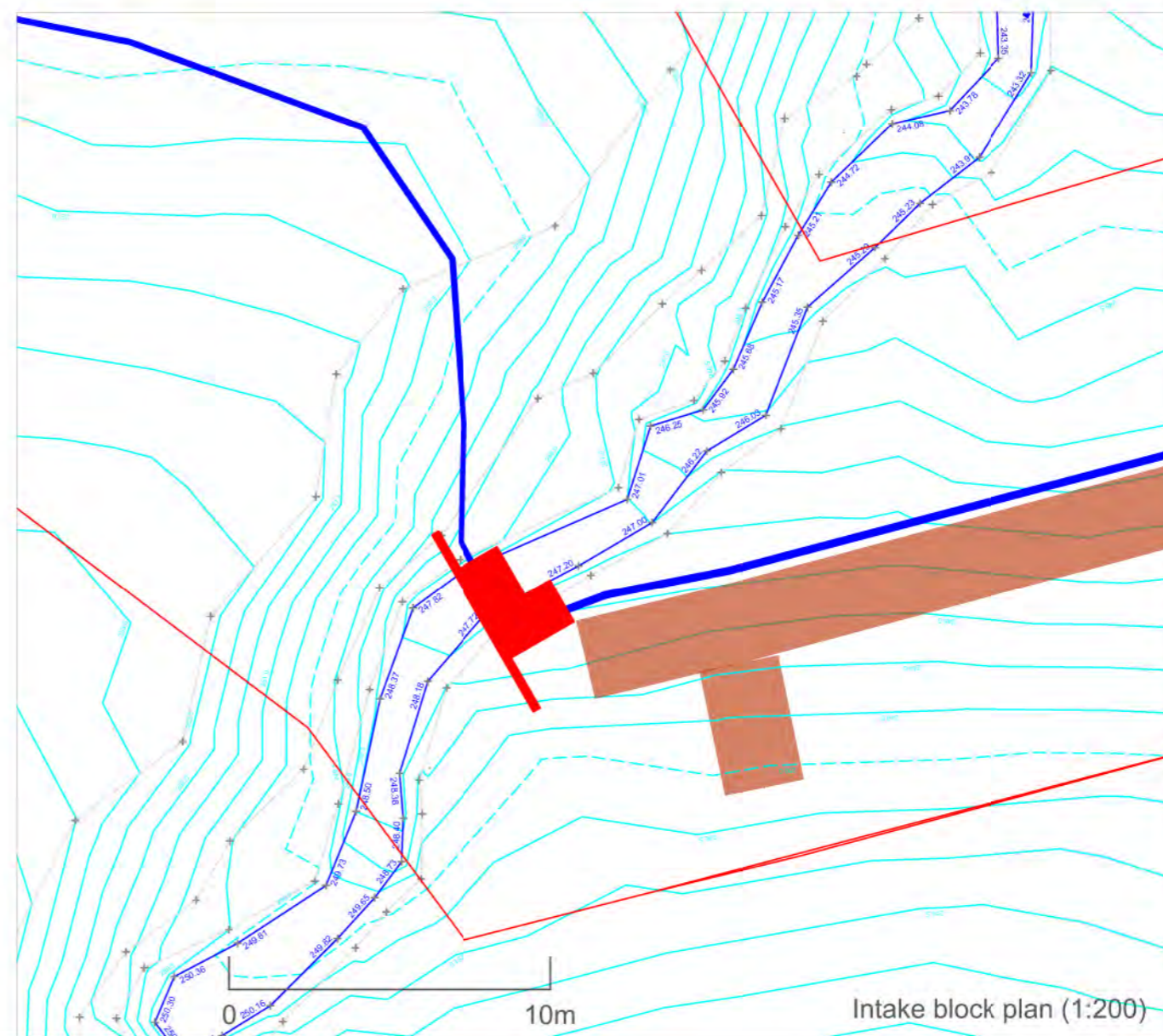
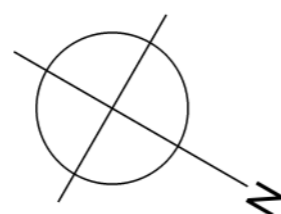
Intake section B - B



Intake section A - A



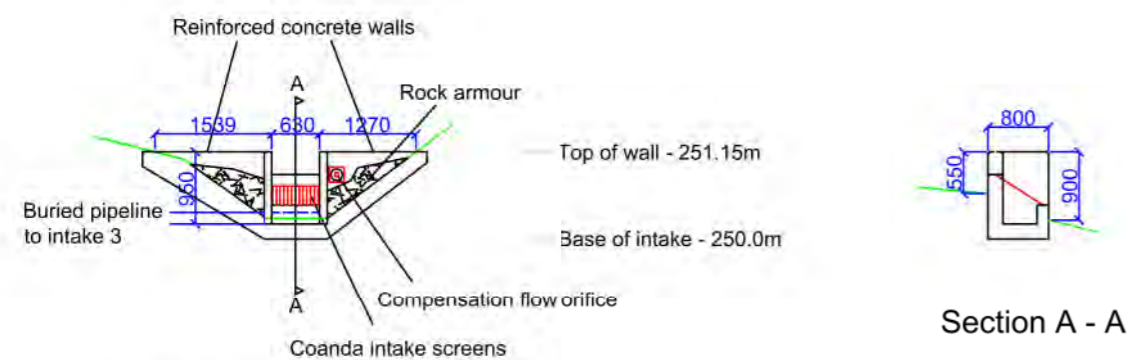
Intake plan



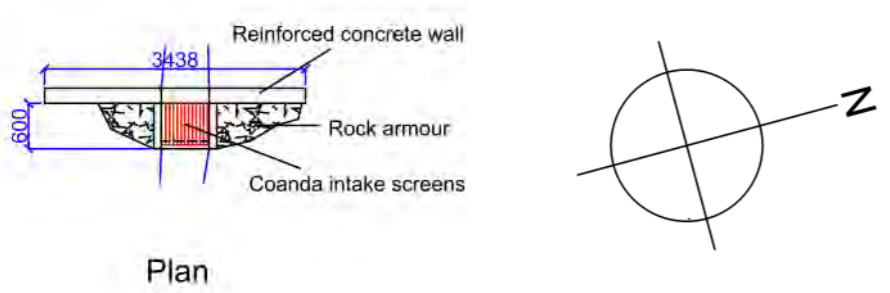
Original drawing	TC	12 Nov 18
Rev Description	Drawn	Date
Project		
C067.3 - Allt Fhiodhan		
Drawing Title		
Intake 2 details		
Scale		
As indicated		
Drawing No.	Rev	
C067.3-102.2		
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- Legend**
- Pipeline
  - New permanent access track
  - Path
  - Grid connection
  - Site boundary
  - Civil structures
  - Contractor's compounds
  - Quarries / borrow pits

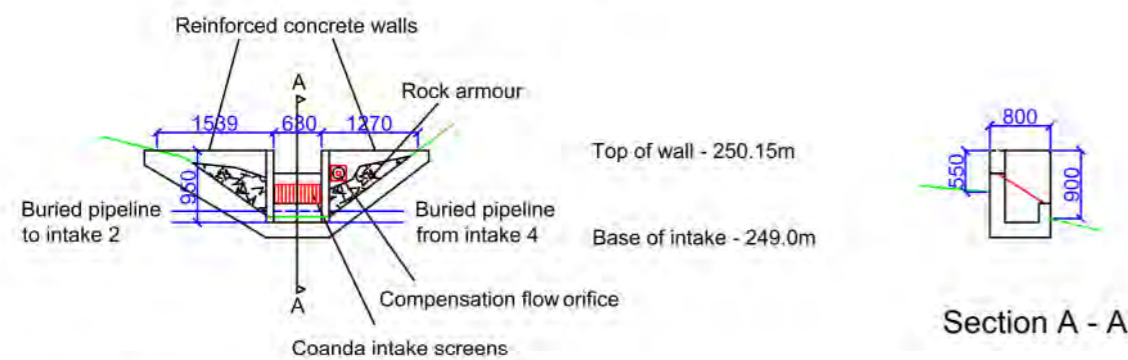
### Intake 4



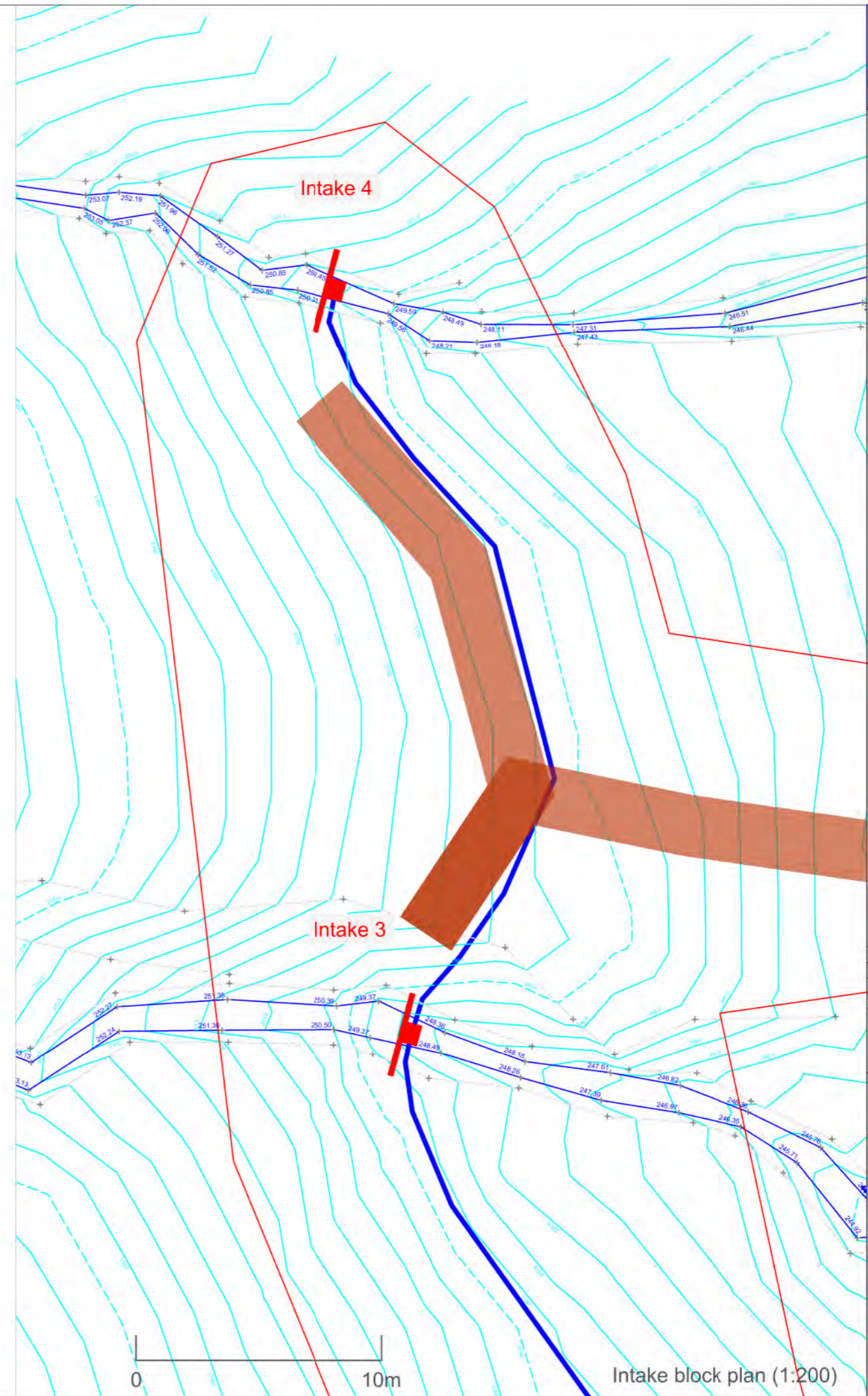
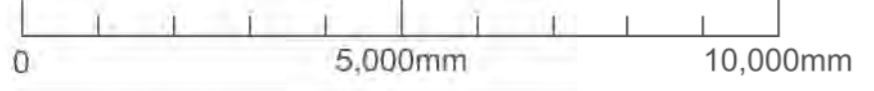
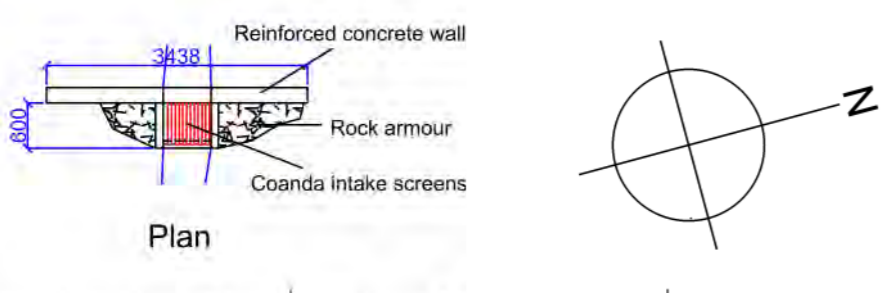
Elevation looking upstream



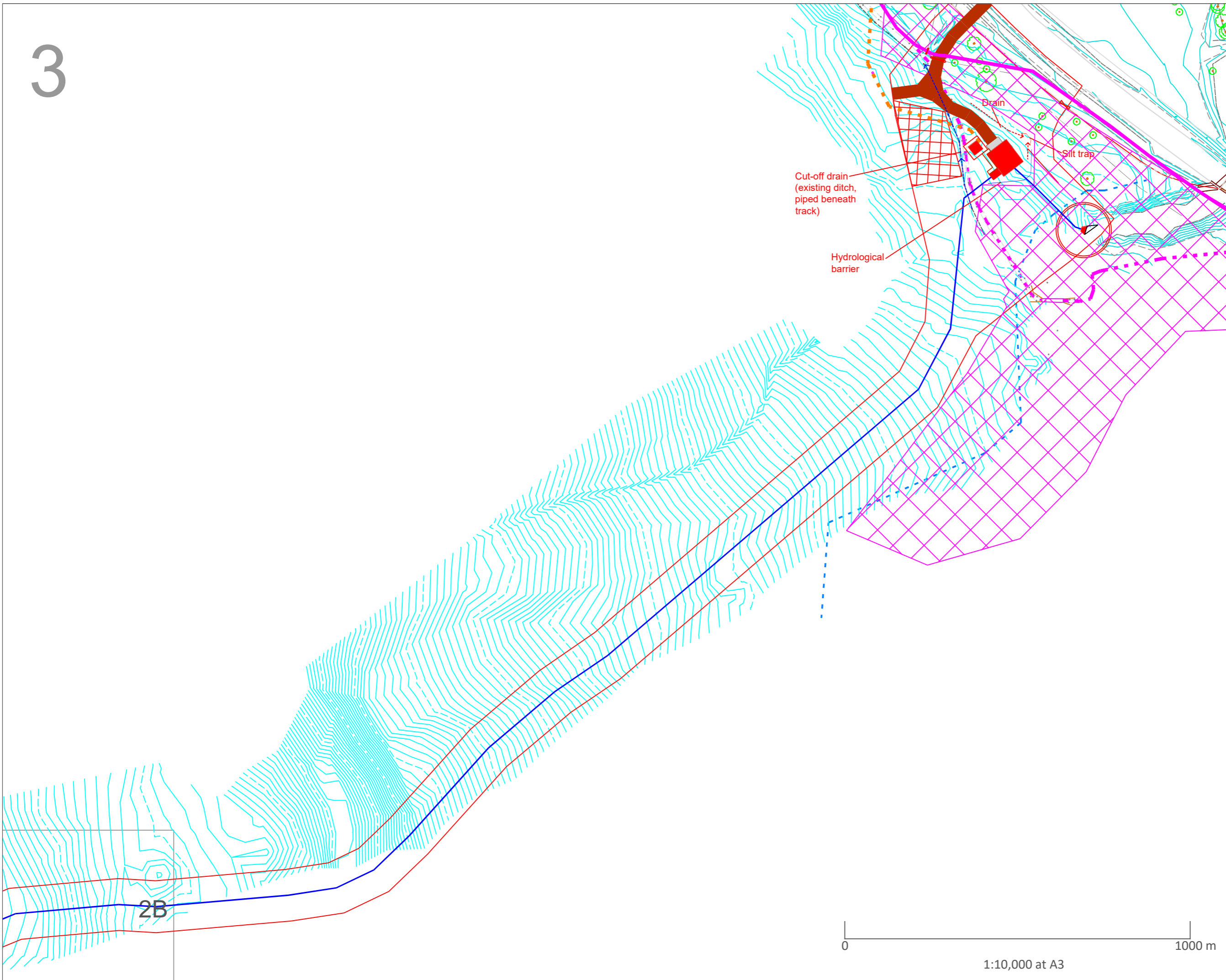
### Intake 3



Elevation looking upstream



Original drawing	TC	12 Nov 18
Rev	Description	Drawn Date
Project		
C067.3 - Allt Fhiodhan		
Drawing Title		
Intakes 3 and 4 details		
Scale		
As indicated		
Drawing No.	Rev	
C067.3-102.3		
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- ### Legend
- Pipeline
  - New permanent access track
  - Path
  - Grid connection
  - Site boundary
  - Civil structures
  - Contractor's compounds
  - Quarries / borrow pits
  - 10m buffer from river
  - Temporary drain for dirty water during construction
  - Temporary drain for clean water during construction
  - Permanent roadside ditch formed at end of construction
  - Area included in CAR application
  - Area of GWDTE

Cut-off drain  
(existing ditch,  
piped beneath  
track)

Hydrological  
barrier

Drain

Silt trap

2B



1:10,000 at A3

Original drawing	TC	12 Nov 18
Rev	Description	Drawn Date

Project  
**C067.3 - Allt Fhiodhan**

Drawing Title  
**Pipeline details incl drainage  
3 of 3**

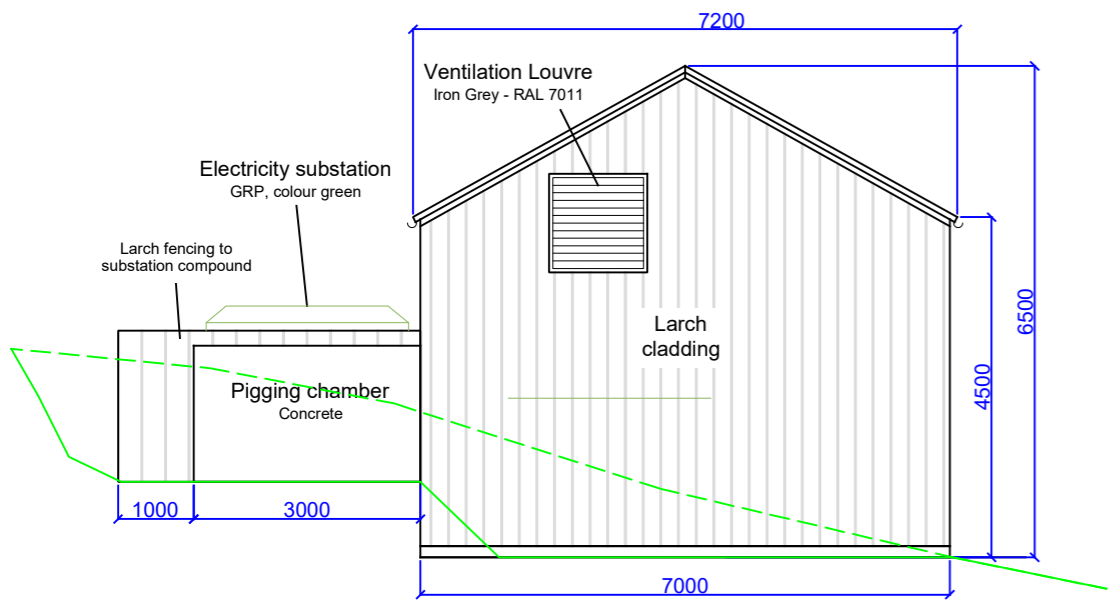
Scale  
**1:1,000 at A3**

Drawing No. **C067.3-103.3** Rev

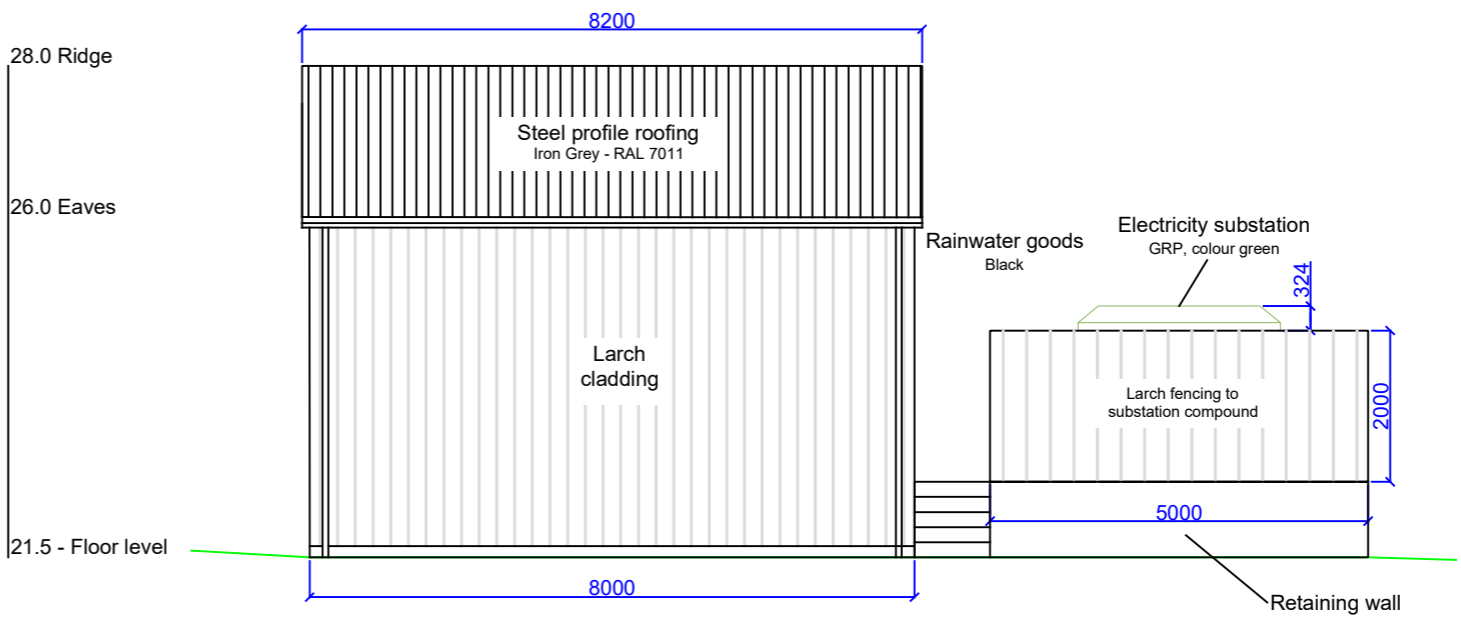
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Key

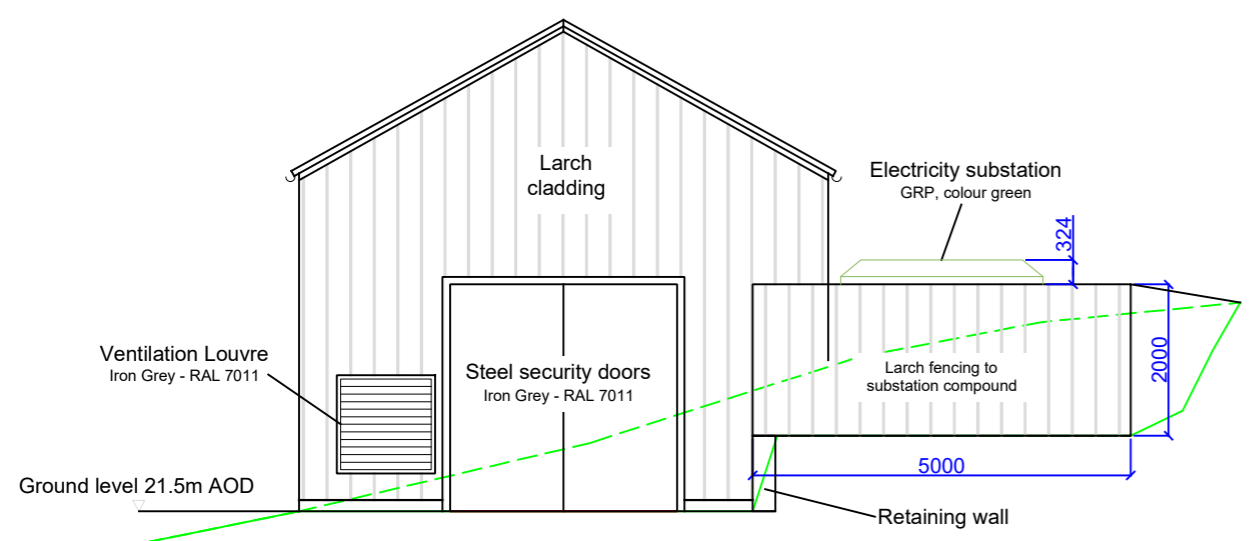
- Ground level - existing
- Ground level - proposed



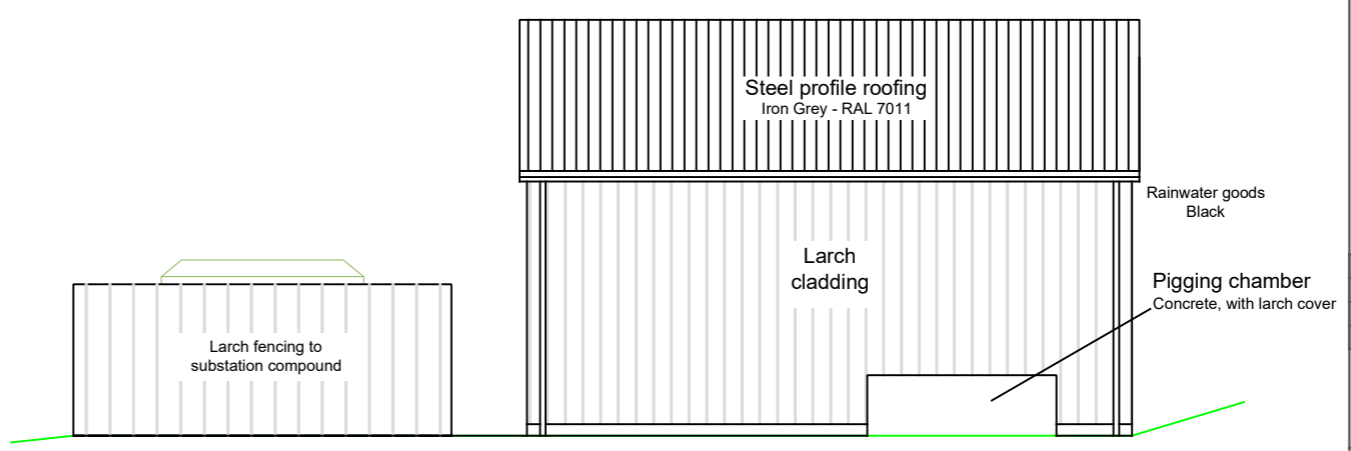
North west elevation



North east elevation

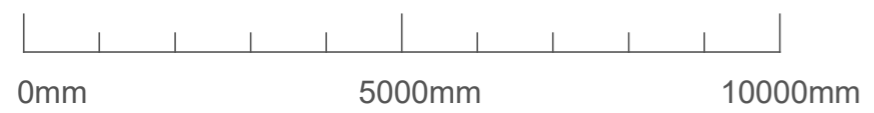


South east elevation



South west elevation

Scale 1:100



Rev	Description	Drawn	Date
A	Turbine house relocated	TC	21 Nov 18
	Original drawing	TC	21 Sep 18

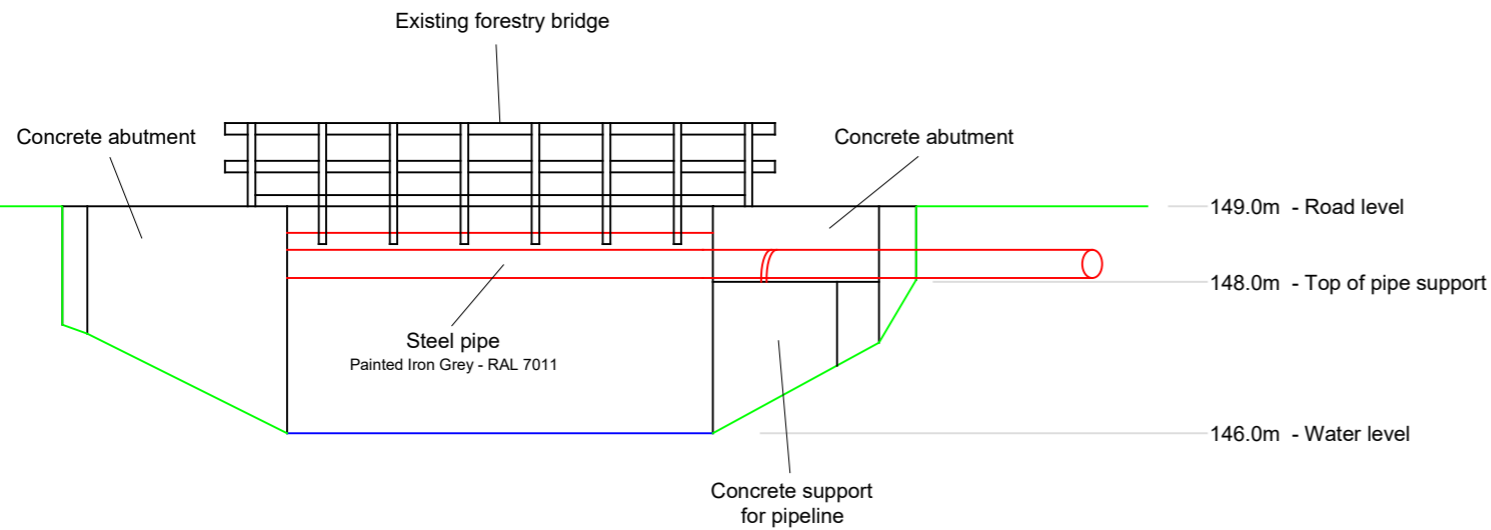
Project  
C067.3 - Allt Fhiodhan

Drawing Title  
Turbine House details  
1 of 2

Scale  
As indicated

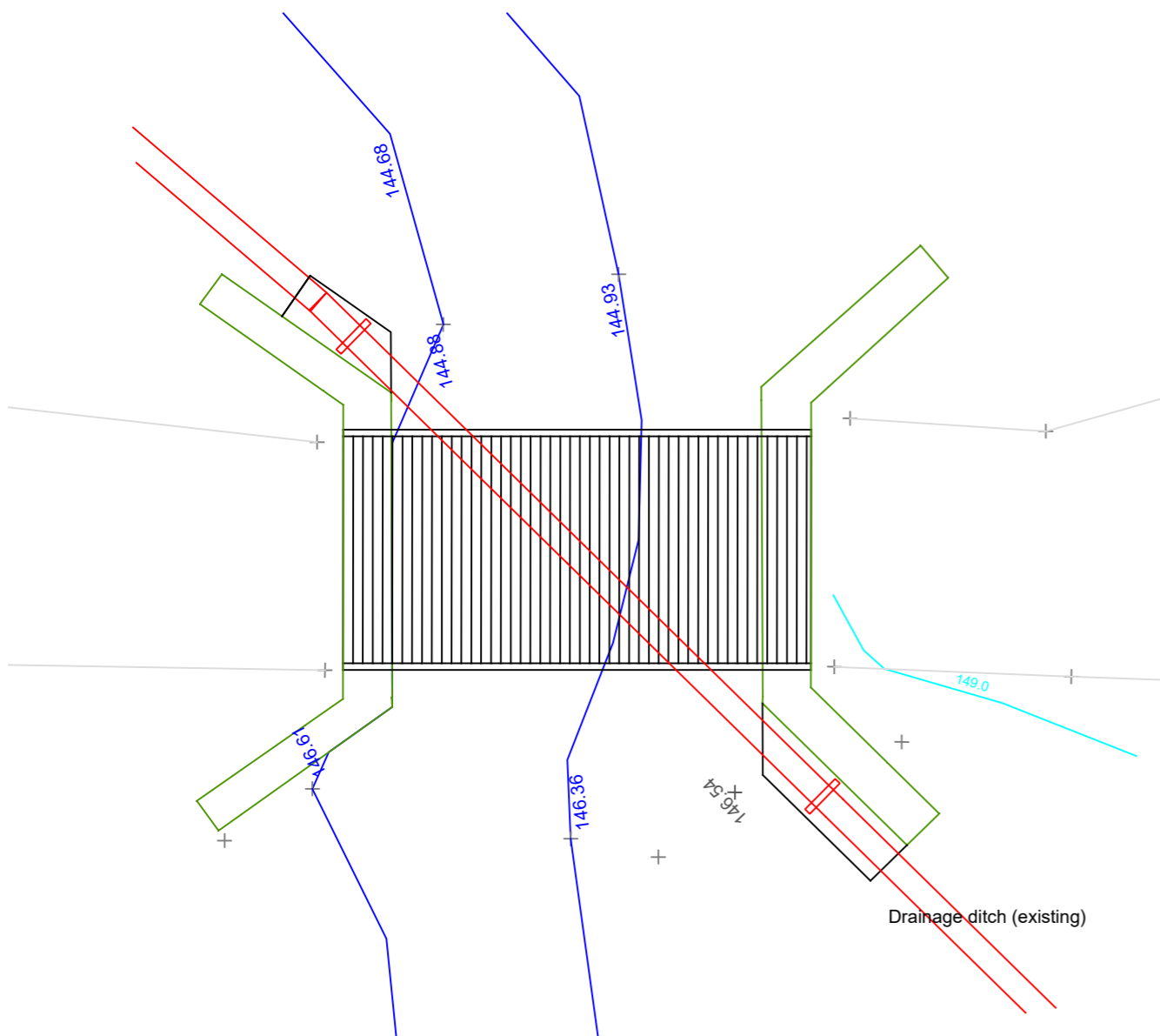
Drawing No.	Rev
C067.3-104.1	A

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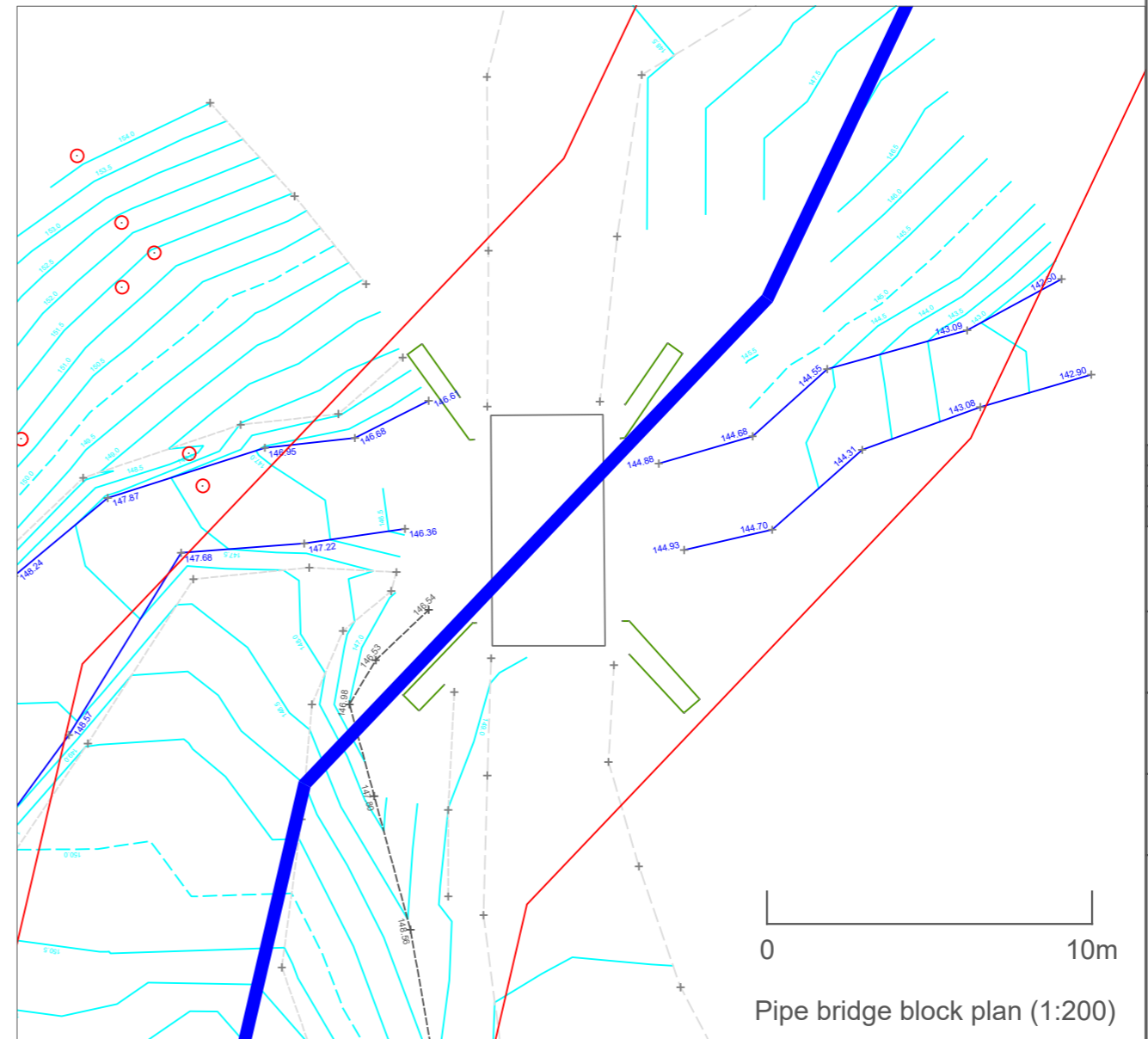


Pipe bridge - west elevation

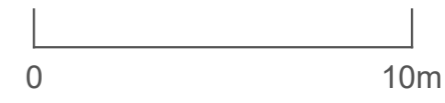
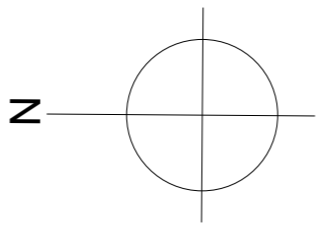
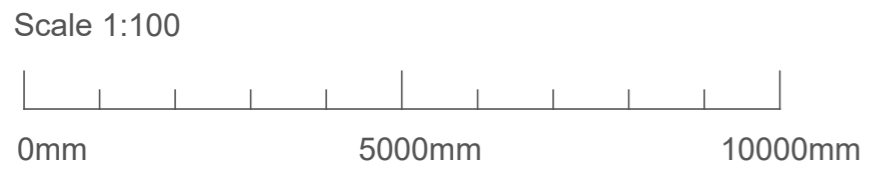
- Key**
- Site boundary
  - Pipeline
  - New permanent access track
  - Path
  - - - Grid connection
  - Civil structures
  - Contractor's compounds
  - Quarries / borrow pits



Pipe bridge - plan



Pipe bridge block plan (1:200)



Original drawing	TC	21 Sep 2018
Rev Description	Drawn/Chk'd	Date

Project  
**C067.3 - Allt Fhiodhan**

Drawing Title  
**Pipe bridge details**

Scale  
**As indicated**

Drawing No.  
**C067.3-105**

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