

Agenda Item	<b>3.3</b>
Report No	<b>HC/52/19</b>

## HIGHLAND COUNCIL

**Committee:** Highland Council

**Date:** 12 September 2019

**Report Title:** 19/01236/S37: Scottish and Southern Electricity Works  
Land 1000M SE Of Dalchork House, Lairg

**Report By:** Acting Head of Development Management – Highland

### 1. Purpose/Executive Summary

1.1 **Description:** Lairg to Loch Buidhe 132kV overhead line

**Ward:** 1 – North, West and Central Sutherland

1.2 **Development category:** National

**Reason referred to Committee:** National development in association with application ref: 19/00374/FUL which requires full Council referral

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.

### 2. Recommendations

2.1 Members are asked to agree the recommendation to Raise No Objection as set out in section 11 of the report.

### 3. PROPOSED DEVELOPMENT

- 3.1 This application comes under the category of “National Development” as set out in the Scottish Government’s third National Planning Framework Plan (NPF3). The Council is a consultee to the Section 37 application under the Electricity Act which will ultimately be determined by Scottish Ministers. The proposed development comprises the construction of a new double circuit 132kV transmission line will start at a proposed new substation 3km north of Lairg (applied for under planning reference 19/00374/FUL) running south for 16km and an underground cable to connect to the existing Loch Buidhe substation. A further 1km section of OHL is proposed from the proposed new substation in a northerly direction to connect into the existing Cassley to Shin 132kV overhead line. The ES outlines that analysis of the existing transmission network in the north of Scotland identified need for increased network capacity to facilitate the transmission of renewable energy generation projects; this increase in network capacity can only be achieved by developing the transmission network in the North of Scotland.
- 3.2 In addition to the overhead line a number of ancillary works are proposed, these would be considered as having deemed planning permission under Section 57(2) of the Town and Country Planning (Scotland) Act 1997 should Scottish Ministers grant consent for the wider overhead line project. The ancillary works comprise of the following:
- Tree clearance along the OHL for the lifetime of the proposed development;
  - Construction and operation of a Sealing End Compound (SEC) located by Loch Buidhe Substation (required to connect the OHL to the underground sections of the route). The SEC would measures around 40m x 40m secured by a 2.5m palisade fence.
  - Construction and operation of approximately 1km of double circuit 132kW underground cable between the SEC and Loch Buidhe Substation;
  - Construction and operation of permanent underground cable diversions of the existing low voltage overhead electricity network;
  - Upgrade to existing and formation of 8 junction bellmouths;
  - Formation of temporary and permanent access, including installation of bridges and other activities
- 3.3 Following the construction and commissioning of the proposed development, the existing single circuit steel lattice 132kV OHL which runs between Shin substation and the Lairg Grid Supply Point would be decommissioned and dismantled. This connection is currently at capacity due to the addition of renewable energy projects in recent years. Thereafter there is the poentail for this area to be returned to woodland through restocking by the landowner as part of ongoing land management or through natural regeneration.
- 3.4 The application is for the line to be sited and contained within Limits of Deviation (LOD). The LOD are designed to allow flexibility in the final siting of individual towers and access tracks to reflect topographical, engineering and environmental constraints. The following parameters have been identified for the LOD:-
- presumption towards the narrowest possible LOD whilst providing flexibility for micro-siting;

- presumption towards avoiding sensitive environmental features;
- presumption towards avoiding residential properties

- 3.5 The proposed overhead lines would be constructed from fabricated galvanised steel which are grey in colour and vary in height from between 26m to 36m dependant on position and topography. The span length, that is the distance between towers, would range from approximately 220m to 280m to allow for variation in topography and to minimise potential effects on land use. There will be approximately 46 suspension towers; 17 angle towers (where there is a need to terminate the conductors or to change direction of the OHL) and three terminal towers (two at the Dachork substation and one at the Loch Buidhe Sealing End Compound).
- 3.6 It is anticipated that the construction programme would last around 25 months, commencing in March 2020 (subject to consents and approvals being granted) and completing in April 2022. Final commission and ground restoration/reinstatement works would be completed in 2022.
- 3.7 Extensive pre-application public consultation has been undertaken by the applicant over a number of years since the project commenced in 2012. This has involved meetings and exhibitions within the local community. Feedback from this consultation was collated and used to inform subsequent design refinements, in particular to address concerns raised relating to introduction of the proposed infrastructure into the environment around Lairg.
- 3.8 The application is supported by an Environmental Impact Assessment (EiAR) prepared under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017. Documents submitted as part of the ES contain plans, maps, assessments of environmental interests, construction and traffic impact, noise, hydrology, routing options, cultural heritage landscape and visual impacts.

#### **4. SITE DESCRIPTION**

- 4.1 The site is located east of Lairg extending from the proposed substation at Dalchork Wood (3km north of Lairg) to Loch Buidhe some 11km south east of Lairg. The proposed overhead line would run approximately south east over a gently sloping undulating plateau to just north of Savalbeg where it would head approximately south east to cross the foot slope ridge of Meall Dola at maximum of elevations of around 230m AOD. At Balndadelson, the proposed development would head south crossing glen of the River Fleet, the A839 and the railway near Tomich and passing to the west of Cnocna h-Inghinn (309m AOD) at a maximum elevation of 250m AOD. Thereafter the development would run over undulating topography.
- 4.2 The site boundary includes a Limit of Deviation (LOD); this is effectively a buffer around the proposed overhead line route that allows for micro siting to take account of ground conditions. The horizontal LOD in this instance comprises up to 200m i.e. 100m either side of the HOL, or 80m in areas of woodland (40m either side of the OHL). Vertical LODs of up to 6m above the height of each tower are also sought to accommodate micrositing based on individual tower heights plus an additional 6m allowance for two potential extensions to each tower.

The nearest residential property is located 199m from the proposed development, at Savalbeg and there are a further 23 houses within a distance of 300m.

## 5. PLANNING HISTORY

As an application through the Energy Consents Unit, therefore the EIA Scoping Process was through Scottish Ministers. This was carried in January 2018 and the Highland Council provided scoping comments.

## 6. PUBLIC PARTICIPATION

6.1 As a Section 37 application the public participation process is managed by the Energy Consents Unit. 1 public comment was submitted to the ECU which was also submitted to the Highland Council. A further comment has also been received by Highland Council. Both representations object to the proposed development.

6.2 Material considerations raised are summarised as follows:

- a) Detrimental impact on tourism and the local economy
- b) Amenity impact on housing (visual and noise)

6.3 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).

## 7. CONSULTATIONS

7.1 **Lairg Community Council** did not respond to the consultation.

7.2 **Creich Community Council** did not respond to the application

7.3 **Environmental Health:** No objections

7.4 **Transport Planning:** No objection subject to suggested conditions

7.5 **Landscape Officer** did not respond to the consultation

### **Consultations undertaken by the Energy Consents Unit**

7.6 **SNH:** Conditioned objection. SNH object to the development unless it is made subject to conditions so that the works are strictly in accordance with mitigation. The suggested conditions relate to the Lairg and Strath Brora Lochs Special Protection Area and Strath Carnaig and Strath Fleet Moors Special Protection Area.

7.7 **SEPA:** No objection subject to a condition requiring the submission of a site specific Construction Environmental Management Plan (CEMP)

7.8 **Historic Environment Scotland:** No objections. HES are content that there is sufficient information in the EIA Report and consider that the proposals will not raise issues of national interest.

- 7.9 **Crown Estate Scotland:** No objections. The assets of Crown Estate Scotland are not affected by this proposal.
- 7.10 **Joint Radio Company Ltd:** No objections
- 7.11 **Kyle of Sutherland District Fisheries Board:** No objections/comments
- 7.12 **Marine Science Scotland:** No objections. MSS welcome the drawing of the CEMP and appointment of an Ecological Clerk of Works
- 7.13 **NATS Safeguarding:** No objections
- 7.14 **Network Rail:** No objections
- 7.15 **Radio Network Protection – BT:** No objections
- 7.16 **RSPB:** No objections however a number of conditions are suggested
- 7.17 **Scottish Forestry:** No objections however note that compensatory planting is required in accordance with the Control of Woodland Removal policy.
- 7.18 **MOD:** No objections

## **8. DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

### **8.1 Highland Wide Local Development Plan 2012**

- 28 - Sustainable Design
- 29 - Design Quality and Place-making
- 30 - Physical Constraints
- 31 - Developer Contributions
- 45 - Communications Infrastructure
- 46 - Siting and Design of Communications Infrastructure
- 51 - Trees and Development
- 55 - Peat and Soils
- 56 - Travel
- 57 - Natural, Built and Cultural Heritage
- 58 - Protected Species
- 59 - Other important Species
- 60 - Other Importance Habitats
- 61 - Landscape
- 69 - Electricity Transmission Infrastructure

### **8.2 Caithness and Sutherland Local Development Plan 2018**

There are no site specific policies covering the site however part of the overall strategy for the area includes:

*'Supporting and enabling a High Voltage Energy Transmission Network (as identified in NPF3) recognising the strategic need and where relevant national priority of some schemes, whilst carefully considering route options and detail of proposals, promoting optimisation of the network to achieve significant benefits with limited impacts through a co-ordinated approach and smart solutions'.*

The Action Programme also lists a new substation in the vicinity of Lairg with an overhead line connection to the substation at Loch Buidhe as a specific action

## 8.5 **Highland Council Supplementary Planning Policy Guidance**

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

Developer Contributions (March 2013)

## 9. **OTHER MATERIAL POLICY CONSIDERATIONS**

### 10. **PLANNING APPRAISAL**

- 10.1 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**

- 10.2 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**

- 10.3 The key considerations in this case are:

- a) Development Plan and other planning policy
- b) National policy
- d) Landscape and Visual Impact
- f) Access and traffic impact
- h) Ecology/nature conservation
- j) Construction impact
- k) Economic impact

#### **Development plan/other planning policy**

- 10.4 The Development Plan comprises both the adopted Highland-wide Local Development Plan (HwLDP) and Caithness and Sutherland Local Development Plan. As noted in Section 8.2, the latter recognises the strategic need to support enable a High Voltage Energy Transmission Network. Whilst this establishes the principle of the proposed development being acceptable, this is subject to consideration of a number of detailed factors as listed above

- 10.5 The principle HwLDP policy on which the application requires to be assessed is Policy 69- Electricity Transmission Infrastructure. Other policies listed in Section xx are also relevant and require due consideration such as Policy 61 – Landscape. These matters are assessed within a number of material considerations examined within this report. These include matters raised within public representations.
- 10.6 The Development Plan supports the broad principle of energy development. Policy 69 specifically highlights that the “Council will have regard to their level of strategic significance in transmitting electricity from areas of generation to areas of consumption.” “It will support proposals which are assessed as not having unacceptable impact on the environment including natural, built and cultural heritage features.” Where development is assessed as not having unacceptable significant impact on the environment, then the proposal would accord with the Development Plan.

### **National Policy**

- 10.7 Scotland’s Third National Planning Framework (NPF- 3) sets out the government’s thoughts on how best to achieve a more successful country through increasing sustainable economic growth. It includes plans for infrastructural investment including a high voltage electricity transmission network deemed vital in meeting national targets for electricity generation, statutory climate change targets and security of energy supplies. The current application falls into the category of National Development. Whilst this establishes a need for the project all necessary assessments and consents are still required for such development. Appropriate levels of mitigation would still be expected to help avoid or reduce environmental effects and demonstrate “no adverse effect” on the integrity of European protected sites.
- 10.8 An aim of the planning system is to achieve the right development in the right place; not to allow development at any cost. SPP introduces a presumption in favour of development that contributes to sustainable development. The connection of approved renewable energy projects to the grid, which would be enhanced by this project, advances its sustainable development credentials. The expansion of the grid transmission network in the north of Scotland not only is a short term economic construction boost, but also a long term infrastructural benefit to the area. A priority of the Scottish Energy Strategy (2107) is to champion Scotland’s renewable energy potential, creating new jobs and supply chain opportunities.

### **Landscape and Visual Impact including impact on residential amenity**

- 10.9 In January 2018 SHE Transmission undertook a review of renewable energy projects in the area in order to consider upgrades for the transmission network. A number of options were duly considered and it was initially considered that the upgrades required would necessitate the installation of a new 275kV overhead line using steel lattice towers between 44m and 60m in height. Following further review and consideration of the contracted and forecast demand for grid connections, it was deemed the installation of a 132kV line would suffice, utilising towers of a maximum height of 36m. Undergrounding of the line was also considered however this option was constrained by the significantly higher costs,

the challenge of finding suitable locations for a Sealing End Compound by Lairg, the need to cross beneath the Inverness to Wick/Thurso railway line and the potential impacts on croftland. As such the installation of the proposed 132kV presents the optimum solution with the least landscape and visual impact.

- 10.10 Such impacts are considered in detail as part of the EIAR and across a study area of 10km. Land use within this wider area comprises a mosaic of improved and semi improved grassland, rough grazing, moorland and commercial forestry plantations which are usually single species and a dark, uniform colour. Riparian woodland, occasional hedgerows and isolated groups of deciduous trees are also characteristics of the Study Area.
- 10.11 Man made features are also present. The Study Area contains two large operational wind farms at Rosehall and Achany and a small wind turbine development to the south east of Lairg. There are also a number of single turbines, telecommunication and radio masts, steel lattice towers and wood pole mounted overhead lines.
- 10.12 Houses in Lairg vary in their aspect although the majority in the west of the town look south west over Loch Shin. Most properties in Bonar Bridge look out over the Kyle to the south while those at Ardgay tend to have views over the immediately surrounding agricultural landscape. Elsewhere, older houses tend to be orientated according to the adjacent road and shelter of adjacent topography with more recent properties having a variety of aspects dependant on views of the surrounding landscape.
- 10.13 A total of 17 viewpoints have been selected from which photomontages have been prepared in order to aid in the assessment of visual impacts. These range from 0.28km from the proposed development to 4km from the nearest section of OHL and are intended to be representative of residents, road users and walkers. Some viewpoints have been specifically selected to allow the visual impact of the project to be assessed in association with other projects namely the associated substation proposals north of Lairg. The assessment also takes account of the proposed Limits of Deviations (LODs) that are set out in Section 4.2.
- 10.14 In terms of 'overall' visual impact, as noted previously the removal of the existing overhead line running from the Lairg Grid Supply Network to Shin Substation is also associated with this development. The EIAR notes that there are more than 100 houses within 300m of this existing OHL, many of which will benefit from improved visual effects following its removal although some houses will have views of the proposed development.
- 10.15 Significant visual effects are anticipated for 9 of the 17 viewpoints during the operation of the development; 2 which are representative of residents and the remainder representative of road/railway users and walkers. Areas of significant impact are generally found within a corridor of around 3-4km from the southern section of the proposed development where tree cover is limited. Areas of higher ground to the south, west and east also have visibility of the overhead line but elsewhere this is more fragmented and dispersed due to the presence of intervening coniferous forests and other woodland. Impacts on residents and users of the local road network are considered below.



- 10.16 **VP1 Saval** is located 282m south of the nearest tower where the view is one of gently undulating landscape. This viewpoint is intended to be representative of residents/short range views and cumulatively with the proposed substation. The introduction of man made features into this view will alter the open nature of this view however some towers will be backdropped by the landform, and viewed in the context of forestry further north. The significant assessment outlined in the EIAR is therefore agreed however it is not considered that such effects are significantly detrimental
- 10.17 **VP6 Tomich** is located 255m west of the nearest tower at the minor road at Tomich. As above this viewpoint is intended to be representative of residents but also road users. From this location the towers and overhead lines will be clearly visible given the short distance involved. The base of the towers will be backdropped by the rising topography however the majority will be visible against the sky line. The significant assessment outlined in the EIAR is therefore agreed however it is not considered that such effects are significantly detrimental.
- 10.18 **VP7 Minor Road at Lairg** is located 1.2km to the west of the nearest tower and is intended to be representative of road users. From this location a large stretch of the overhead line will be seen from this location, with some of the towers in an elevated position due to the topography of the site. Houses which can be seen in this view at Lairg Muir are orientated such that their principal outlook is in the opposite direction to the overhead line. The significant impact outlined in the EIAR is agreed however it is mitigated by design in terms of views from residential properties. As such views from this location will only affect road users, which have a reduced sensitivity.
- 10.19 **VP12 Meall Bola** is a hilltop located 1.58km north of the nearest tower. From here some of the line will be screened by intervening topography however a number of towers and overhead line will be visible albeit viewed in the context of other man made features including wind turbines.
- 10.20 **VP13 Meall Eachainn** is a hilltop 1.12km north of the nearest tower. Due to its elevated position a large stretch of the overhead line and its towers will be visible however this will be partially recessed behind intervening topography. The significant impact is therefore agreed however noting that the OHL/towers only form a small part of the available panorama.
- 10.21 In addition to the above viewpoints it is considered that EIAR underplays the visual impact from Ord Hill which is a locally important walk just over 3km from the nearest tower and included as Viewpoint 11. From here a large stretch of the overhead line will be seen with many towers seen in full and in elevated positions due to the topography. Whilst the development only occupies a small portion of the view from this viewpoint, the overall magnitude of change is considered to be moderate and therefore more significant than the 'not significant' impact assigned in the EIAR.
- 10.22 On the whole it is considered that the applicant has sought to mitigate visual impacts as far as practicable through its route selection. This is reflected in the fact that only a small number of viewpoints which allow impact on residential receptors, which are of greater sensitivity, are assessed as having a significant impact.

- 10.23 A further more detailed assessment specifically concerning residential amenity is also included in the EIAR to assess the impact of the proposed development on the 24 houses which lie within 300m of the OHL. This type of assessment is particularly detailed and assesses impact according to the specific details of each house for example its orientation, the positioning of its windows and in which direction the principal views are obtained. None of the properties are assessed as having 'very large' impacts, that means the development will not form the dominant element in views from the majority of key locations in the property resulting in dramatic change to the quality and character of views from the property.
- 10.24 Whether the development results in a significantly adverse impact on residential amenity is ultimately a matter for the Planning Authority to assess and indeed it form a key consideration in the assessment of all planning application and consultations via Scottish Ministers. Whilst the EIAR outlines that there will be no 'very large' impacts it is important to note that there will be **some** impacts on the established amenity of houses within 300m of OHL to varying degrees and whilst some effects may be acceptable to some, others may take a different position. It is however pleasing to note that SSE have amended the route of the OHL following extensive consultation to allow for a greater distance between it and any housing and it seems reasonable to suggest this is reflective in the very low level of public comment on this proposal either direct to Highland Council or to Scottish Ministers. Taking all factors into account including the findings of the assessment that the OHL will not form a dominant features when viewed from any of the houses contained within the assessment, the overall need for the development and the rigorous site selection process undertaken by the applicant it is concluded that the development will not result in any *significantly adverse* impact on residential amenity.

#### **Access and traffic impact**

- 10.25 Access requirements will be achieved through the upgrade of existing tracks and installation of new temporary tracks. The EIAR notes that around 25km of access would be required to be either upgraded or installed; this would include the widening of existing tracks to a width of 3.5m in width as well as alterations to or formations of 8 bellmouths/junctions within the existing road network. Material for these upgrades/new tracks would be sourced from quarries at Alness and Dornoch – no borrow pits are included as part of this application.
- 10.26 The largest impacts arising on the public road network as a result of this development will be during the construction phase as following completion, very little operational traffic will be generated due to minimal maintenance requirements. The construction would give rise to regular numbers of staff movements comprising of light vehicles (cars/vans), medium vehicles (excavator, tractor/trailer and 7 tonne trunks) and heavy goods vehicles (20 tonne trunk, mobile crane etc). No abnormal vehicles are required as part of this development.
- 10.27 A draft Construction Traffic Management plan has been included as part of the application which sets out the potential number of vehicles movements and measures for the management of these to minimise impact on the public road. This will be finalised on appointment of a principal contractors and submitted prior to work commencing, to be agreed with the Roads Authority. The setting up of a

Community Liaison Group is also required by condition; it is understood the applicant is already in the process of organising this and the Group will be kept informed of potential vehicles movements ahead of time. It is important to note that whilst construction traffic impact will be mitigated as far as practicable, a project of this nature will generate a substantial amount of traffic and it is inevitable that there will be some impact on road users – the CLG is an important way to ensure such impacts can be anticipated ahead of time.

- 10.28 Transport Planning, following joint site visits to the proposed points of access from the public road with the applicant, have confirmed no objections to the proposed development subject to conditions to require finalised layout drawings of said access points and the submission of a finalised Construction Traffic Management Plan. Both these requirements can be secured by condition. Transport Planning also note given recent road improvement works at Loch Buidhe already undertaken by the applicant (in connection with the Loch Buidhe substation) a Wear and Tear Agreement is not considered necessary in connection with the proposal. The Roads Authority does have the ability to seek remediation for any damage to the public road as a result of construction works under the Roads Scotland Act should any unforeseen issues occur. Any damage attributable to the development would be picked up as part of the pre and post construction surveys required as part of the CTMP condition.

#### **Ecology/nature conservation**

- 10.29 There are no natural heritage designations covering the site itself however it lies close to the Strath Carnaig and Strath Fleet Moors Special Protection Area designated for its hen harrier interests. SNH outline that it is unlikely that the proposal will have a significant effect on any qualifying interests either directly or indirectly. In particular the applicant has prepared a hen harrier species protection plan which identifies a number of specific mitigation measures. The plan forms part of the Environmental Appraisal which the proposed development is required to develop and operate in accordance with by condition.
- 10.30 A number of protected species surveys were also carried out in advance of the application. With the exception of one pine marten scat which the EA concludes would not be disturbed, no other protected species were found within the development site.

#### **Construction impact**

- 10.31 The EIAR notes that it is anticipated that the construction programme would last approximately 25 months, commencing in March 2020 if approved by Scottish Ministers and completing in April 2022. In particular each tower is likely to require a four week period for its construction, largely due to foundation requirements. Final commissioning and ground restoration/reinstatement works would be completed in 2022. Construction would be managed through the development and implementation of a Construction Environmental Management Plan overseen by an Ecological Clerk of Works. The submission of this finalised CEMP, which can only be prepared following appointment of a principal contractor, is a suggested condition of any consent granted by Ministers.

- 10.32 Construction hours are set out in the EIAR as being during daytime periods only, 7 days a week between approximately 7am and 7pm in summer and 7.30am to 5pm in winter. There will be restrictions on such working hours where the works concerned are located in proximity to houses – these will be detailed within a construction noise management plan developed as part of the aforementioned CEMP which would be secured by condition. Any out of hours working would be agreed in advance with Highland Council. SSE have established good working relations with the Council on previous projects in this regard.

### **Economic impact**

- 10.31 An assessment of socio economic impact is contained within the EIAR which considers the potential effects on socio-economics including tourism which is highlighted as a concern in the public comments received on the proposal. It is noted that the assessment has taken account of comments received from Visit Scotland during the scoping process as well as from members of the public during the consultation process.
- 10.32 Tourism is recognised in the EIAR as a significant component of the Highland economy and accounted for around 16,000 jobs in the Highland Council area in 2017, an increase of 22% since 2009. In particular there are a number of tourist attractions within the 10km study area utilised to assess landscape and visual effects such as Falls of Shin, from where the development would not be visible, and Ferrycroft Visitor Centre where no direct is predicated; whilst there will be some visibility this is of a non-significant visual impact. The EIAR does highlight that there will be some impact on the Rogart Drove heritage path during the construction phase as it will be affected by construction access therefore there is potential for short term disruption to recreational users – this would be mitigated by the installation of diversions where required, at times when access cannot be maintained for safety reasons.
- 10.33 With regard to indirect effects on tourism, the baseline data included in the EIAR confirms that both tourism and energy (including renewables) are key growth sectors for Highland (and Scotland). However, overall, between 2008 and 2016 there is no evidence to suggest that there has been any decrease in tourism related revenue when energy infrastructure is deployed in the area. As such, on this basis, potential effects of the proposed development on tourism economics are concluded to be not significant.

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

- 10.34 a) None

## **11. CONCLUSION**

- 11.1 The Scottish Government and the Council each have policies in support of projects which increase the capacity of the grid network to serve the community and in particular the significant level of investment in renewable energy. NPF3 justifies the need for such investment highlighting such development as of national importance.

- 11.2 Highland has been successful in attracting inward investment in renewables, enabled in part by a matching level of investment in the improvement of the grid transmission system. This success has led to the Highlands having a good understanding of this type of project and this Council having appropriate policies and guidance to assist in its assessment and to effectively manage their implementation on the ground. For example, the use of Construction and Environmental Management Documents “CEMD”, a particular approach to assist with the implementation / management of such largescale projects with a focus on environmental protection. There are investment benefits too that favour these projects, not just from the short term construction but a continued stream of investment assisting with apprenticeships schemes and partnership networks with local companies.
- 11.3 There are clear impacts that might be expected from this development, particularly in its construction. These can be managed through best practice construction management techniques to ensure surrounding interests, particularly road access and the amenity of local housing are safeguarded from the key impacts of the development, by planning conditions to strengthen and clarify the plans and supporting information as submitted by the applicant. It is evident however that the proposed development has been well considered and influenced, positively, by the lengthy pre-application consultation process undertaken by the applicant. This is reflected in the number of public comments received which is extremely low for a project of this magnitude.
- 11.4 The application can be supported in the context of the Council’s Development Plan and in particular it’s Policy 69 on Electricity Transmission Infrastructure and the underlying support for renewable energy development which is consented in this area. 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.
- 11.5 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.

## **12. IMPLICATIONS**

- 12.1 Resource: Not applicable.
- 12.2 Legal: Not applicable.
- 12.3 Community (Equality, Poverty and Rural): Not applicable.
- 12.4 Climate Change/Carbon Clever: Not applicable.
- 12.5 Risk: Not applicable.
- 12.6 Gaelic: Not applicable.

### 13. RECOMMENDATION

It is recommended that Highland Council responds to the Energy Consents Unit to Raise No Objection with the following conditions recommended for inclusion in any Decision Notice issued by Ministers. It should be noted that these conditions are sought to address Highland Council considerations; other consultees on the proposals such as key agencies will also seek conditions relevant to their interests.

#### Conditions and Reasons

1. The development hereby approved must be carried out in accordance with the approved plans including the Limits of Deviation detailed therein; as set out in the application's supporting information; the submitted schedule of mitigation unless otherwise agreed in writing with the planning authority and in compliance with the conditions attached to this planning permission.

**Reason:** To identify the extent and terms of the development consent.

2. No development shall commence until drawings showing the detailed layout of the following permanent access points onto the public road (as referenced on the drawing LT00061\_ENV\_023\_CTMP\_20190702 dated 02/07/19) have been submitted to and agreed in writing by the Planning Authority in consultation with the Roads Authority.

Access Ref	Vis splay to be conditioned	Vehicle Type to be restricted	Notes
3A	4.5x215m	No	This is a main site access. Existing visibility at junction location is not acceptable. Design to either reduce ground level or re-site access. Swept paths required. Requirement to consult with Access Officer regarding impact on core path
3B	4.5x215m	No	This is a main site access. Some clearance of trees on land within Council control required to enable visibility. Swept path required as part of design.
3C	2.4x90m	Yes – control using CTMP	This is an emergency access only. No HGV construction traffic. No surfacing required.
4A	4.5x215m	No	This is a main site access. Some clearance of scrub and small trees within the verge required to enable visibility.

6 to 9 and Road widening on existing A836	4.5x215m	No	6 is the main site access for the substation also and has potential to form off road cycle route from Saval to Dalchork. Road widening to 5.5m carriageway with 2m verge and additional width for roadside drainage is required along the A836(from the junction with the A838 to 15m north of the access 6.) Redesign and upgrading of the A838 / A836 junction including the signage is required. Swept paths and detailed proposals for surface water drainage and diversion of watercourse/ditches required.
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**Reason:** In the interests of road safety and so that the works comply with applicable standards as set out in the Highland Council's Roads and Transport Guidelines for New Developments.

3. No development shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Planning Authority. The CTMP shall include;
- Identification of the quarries and haul routes of bulk materials to be used as far as the various site access points, the types of HGV and the numbers of movements proposed together with a programme of the proposed movements
  - Proposed measures to mitigate the impact of general construction traffic and abnormal loads on the local road network following detailed assessment of relevant roads
  - A pre commencement and monthly interim and a post construction (within one month of completion) joint condition surveys (or a revised interim period as agreed in writing) of the agreed construction traffic routes.
  - Details of any traffic management measures including temporary signage required for the duration of the construction period.
  - identification of a named point of contact for the Council to deal with the Traffic Management Plan
  - Proposals for keeping the Community Council informed and dealing with queries and complaints regarding construction traffic related to the development
  - Provision of a vacuum road sweeper (if considered necessary by the Roads Authority to keep the public road free of debris)

- The CTMP shall confirm there are no other significant construction projects using the construction routes and that the project shall not run concurrently with other projects unless the CTMPs of each of the concurrent schemes provides a jointly agreed method of dealing with extra-ordinary wear and tear damage to the routes during the construction period.

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

4. No development or work (including site clearance) shall commence until a programme of work for the evaluation, preservation and recording of any archaeological and historic features affected by the proposed development/work, including a timetable for investigation has been submitted to, and approved in writing by, the Planning Authority. The approved programme shall be implemented in accordance with the agreed timetable for investigation.

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

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

- i. All existing access points, paths, core paths, tracks, rights of way and other routes (whether on land or inland water), and any areas currently outwith or excluded from statutory access rights under Part One of the Land Reform (Scotland) Act 2003, within and adjacent to the application site;

- ii. Any areas proposed for exclusion from statutory access rights, for reasons of privacy, disturbance or effect on curtilage related to proposed buildings or structures;

- iii. All proposed paths, tracks and other routes for use by walkers, riders, cyclists, canoeists, all-abilities users, etc. and any other relevant outdoor access enhancement (including construction specifications, signage, information leaflets, proposals for on-going maintenance etc.);

- iv. Any diversion of paths, tracks or other routes (whether on land or inland water), temporary or permanent, proposed as part of the development (including details of mitigation measures, diversion works, duration and signage).

The approved Outdoor Access Plan, and any associated works, shall be implemented in full prior to the first occupation of the development or as otherwise may be agreed within the approved plan.

**Reason:** In order to safeguard public access both during and after the construction phase of the development.



6. No development shall commence until a Construction Environmental Management Document (CEMD), in accordance with The Highland Council's Guidance Note on Construction Environmental Management Process for Large Scale Projects (August 2010) (as amended, revoked or re-enacted; with or without modification), has been submitted to, and approved in writing by, the Planning Authority (in consultation with SEPA and SNH). The CEMD shall be submitted at least two months prior to the intended start date on site and shall include the following:
  - i. An updated Schedule of Mitigation (SM) drawing 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);
  - ii. Change control procedures to manage/action changes from the approved SM, CEMD and Construction Environmental Management Plans;
  - iii. Construction Environmental Management Plans (CEMPs) for the construction phase, covering:
    - a. Habitat and Species Protection;
    - b. Pollution Prevention and Control;
    - c. Dust Management;
    - d. Noise and Vibration Mitigation;
    - e. Site Waste Management;
    - f. Surface and Ground Water Management;
    - i. Drainage and sediment management measures from all construction areas including access track improvements; and
    - ii. Mechanisms to ensure that construction will not take place during periods of high flow or high rainfall.
    - g. Water Course Management;
    - h. Peat Stability, Slide Risk and Management;
    - i. Public and Private Water Supply Protection Measures;
    - j. Emergency Response Plans; and
    - k. Other relevant environmental management as may be relevant to the development.
  - iv. Special Study Area plans for:
    - a. Groundwater-dependant Terrestrial Ecosystems;

- b. Species habitat identified within the Environmental Statement and/or raised by consultees; and
- c. Any other specific issue identified within the Environmental Statement, Schedule of Mitigation and/or conditions attached to this permission;
- v. Post-construction restoration and reinstatement of temporary working areas, compounds;
- vi. Unless conditioned separately as part of this permission, details for the appointment, at the developer's expense, of a suitably qualified Environmental Clerk of Works (ECoW), including roles and responsibilities and any specific accountabilities required by conditions attached to this permission;
- vii. A statement of responsibility to 'stop the job/activity' if a breach or potential breach of mitigation or legislation occurs; and
- viii. Methods for monitoring, auditing, reporting and the communication of environmental management on site and with client, Planning Authority and other relevant parties.

Thereafter, development shall be carried out in accordance with the approved Schedule of Mitigation, Construction Environmental Management Document and any Construction Environmental Management Plans approved thereunder.

**Reason:** To ensure protection of surrounding environmental interests and general amenity.

**Suggested informatives:**

1. In addition to the suspensive condition requested regarding the layout of the access points 6 to 9 and the widening of the A836 (including amendment of the junction with the A838) the applicant should note that Road Construction Consent will be required for this work in accordance with Section 21 of the Roads Scotland Act 1984. The applicant should contact the Transport Planning Team to discuss the RCC application and should allow at least 3 months prior to commencement of any works for processing such an application. Additional permission may be required from other parties regarding the works required to the drainage / minor watercourse in order to widen the road.
2. In addition to the suspensive condition requested regarding the layout of the access points 3A, 3B, 3C and 4A the applicant should note that permits to carry out the work within the public road are also required under Section 56 of the Roads Scotland Act 1984. The applicant should contact the Road Operations Manager (Sutherland) at the Area Roads Office in Drummie to discuss the Road Opening Permits required.

3. The detailed layout of the following temporary access points onto the public road as referenced on the drawing LT00061\_ENV\_023\_CTMP\_20190702 will require to be agreed with the Roads Authority as part of the permits to carry out the work within the public road required under Section 56 of the Roads Scotland Act 1984. The applicant should contact the Road Operations Manager (Sutherland) at the Area Roads Office in Drummie to discuss the Road Opening Permits required.

<b>Access reference</b>	<b>Visibility Splay Required</b>	<b>Form of Junction/Notes</b>
2	2.4 x 90m	Floating track as previous works. No surfacing required.

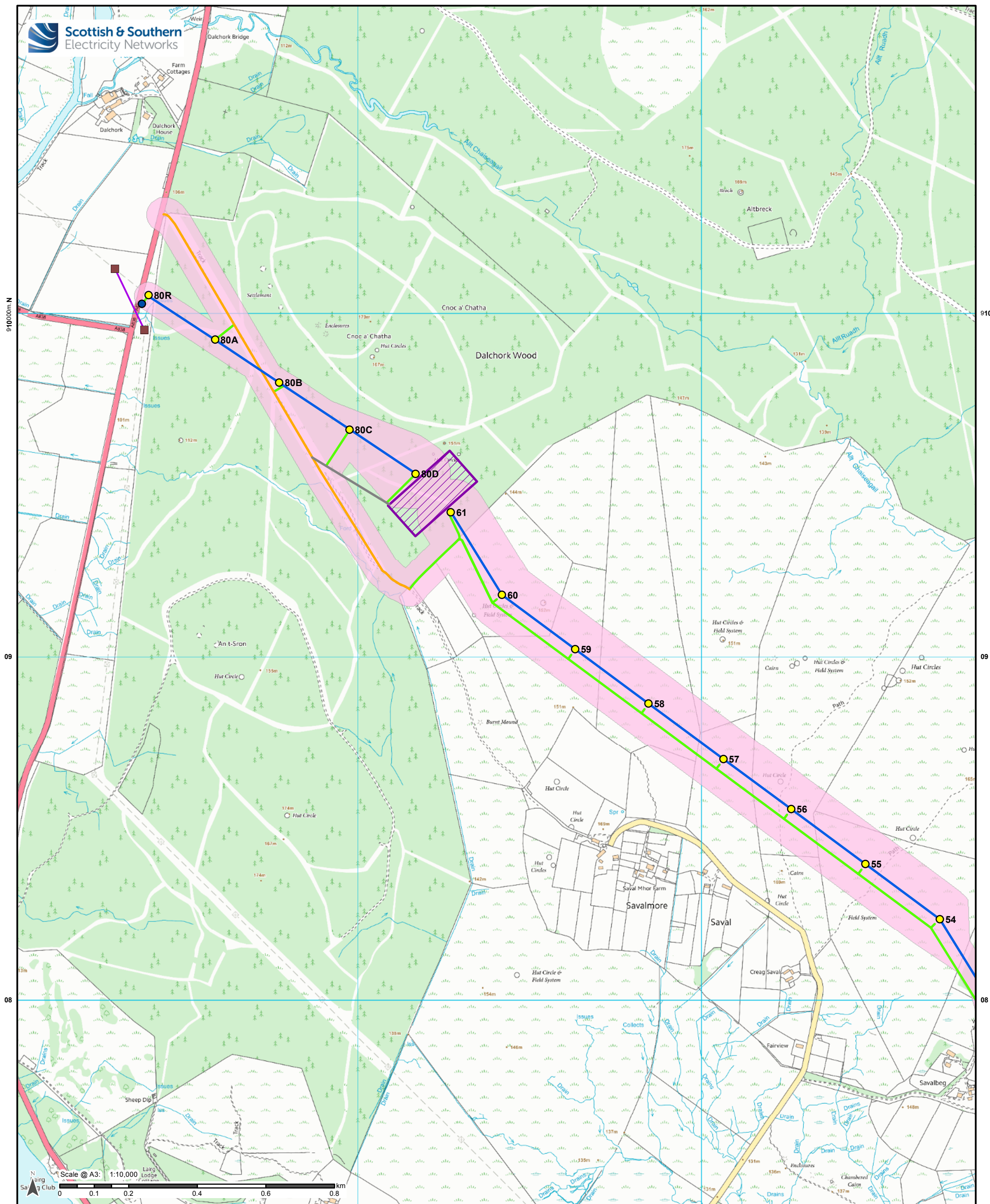
Designation: Acting Head of Development Management – Highland

Author: Gillian Pearson

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

Relevant Plans: Plan 1 - Location Plan

Plan 2 - EIAR Figures 1.1-2.5 (Layout Drawings)



- Substation Access
- Proposed Tower Location
- Bellmouth
- Proposed 132kV OHL Alignment
- Existing Access Track
- New Access Track - Temporary
- Temporary Mast
- Temporary OHL
- Proposed Dalchork Substation
- Limit of Deviation



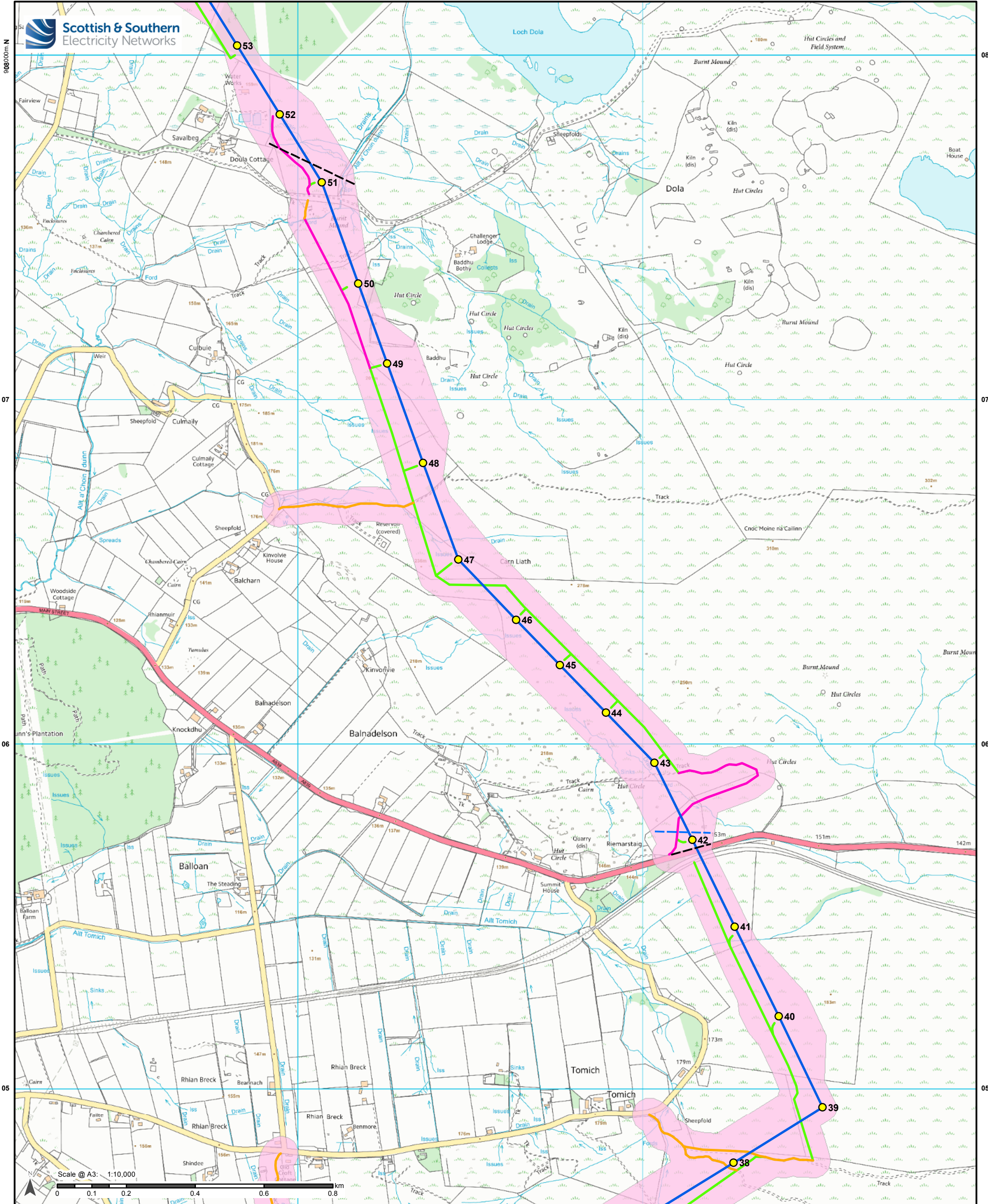
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Project No: LT000061  
Project: Lairg to Loch Buidhe

Title:  
Lairg to Loch Buidhe 132kV OHL  
Section 37 Location Plan  
Page 1 of 6

Drawn by: BJR Date: 24/01/2019

Drawing: LT000061\_ENV\_019\_Section37\_10k



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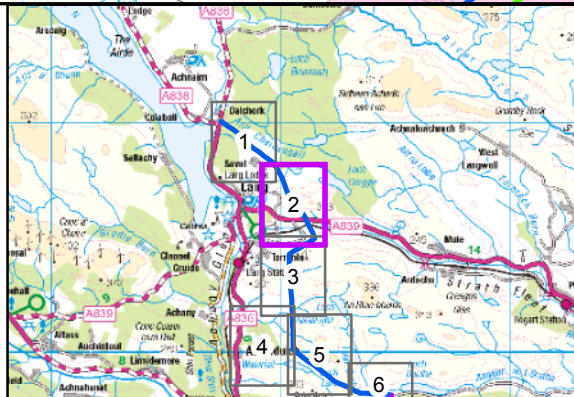
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- Proposed Tower Location
- Proposed 132kV OHL Alignment
- Existing Access Track
- New Access Track - Permanent
- New Access Track - Temporary
- Underground 33kV Cable
- Underground 11kV Cable
- Limit of Deviation



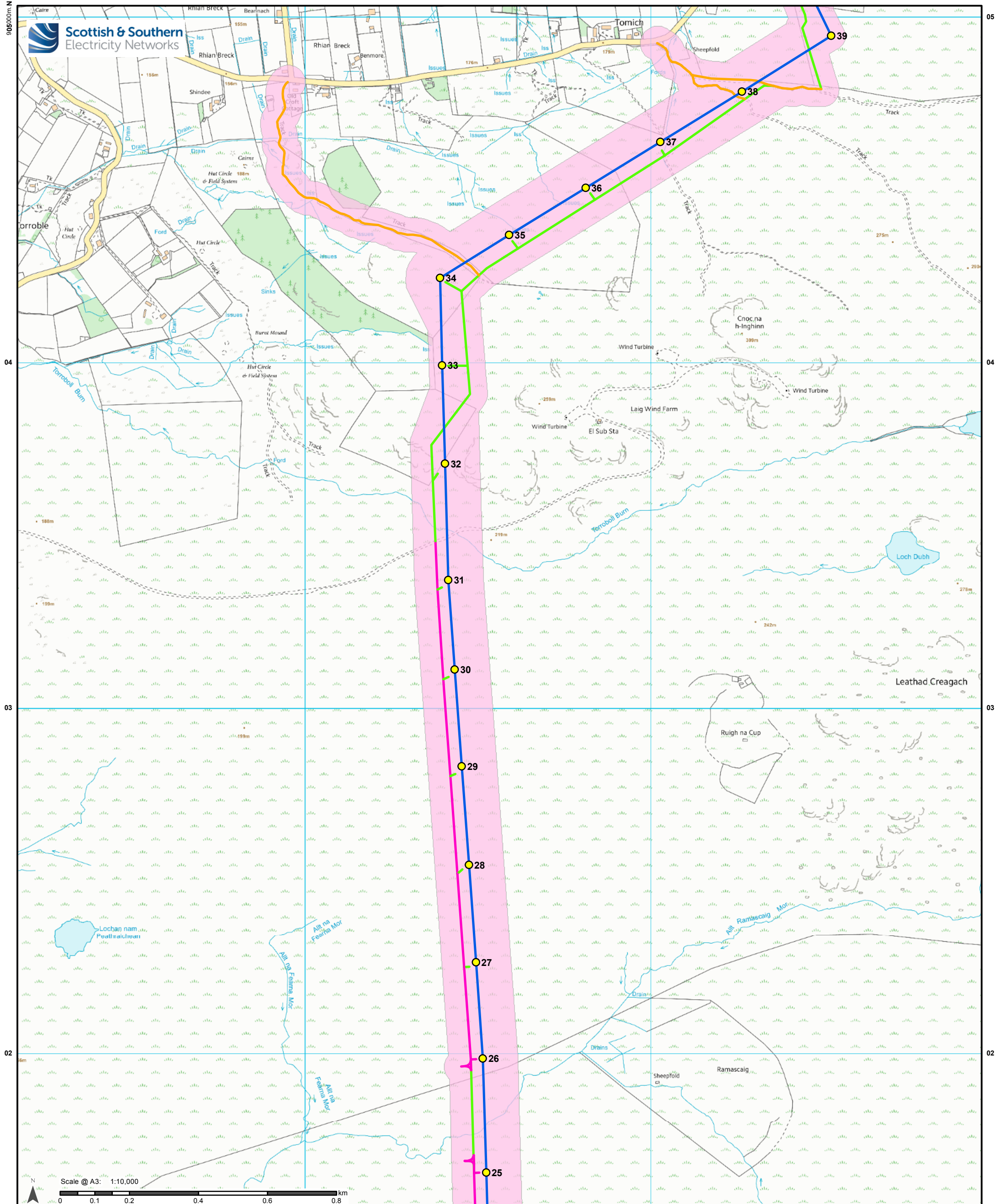
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Project No: LT000061  
 Project: Lairg to Loch Buidhe

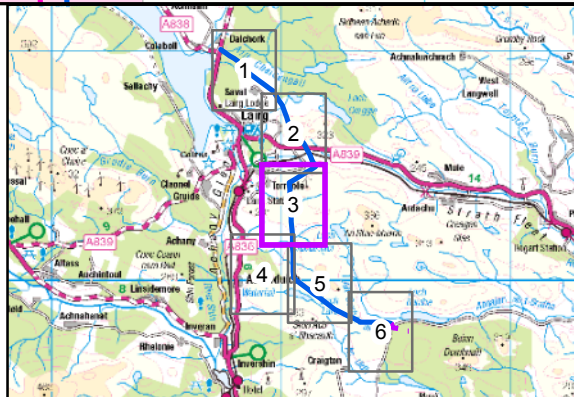
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 Lairg to Loch Buidhe 132kV OHL  
 Section 37 Location Plan  
 Page 2 of 6

Drawn by: BJR Date: 24/01/2019

Drawing: LT000061\_ENV\_019\_Section37\_10k



- Proposed Tower Location
- Proposed 132kV OHL Alignment
- Existing Access Track
- New Access Track - Permanent
- New Access Track - Temporary
- Limit of Deviation

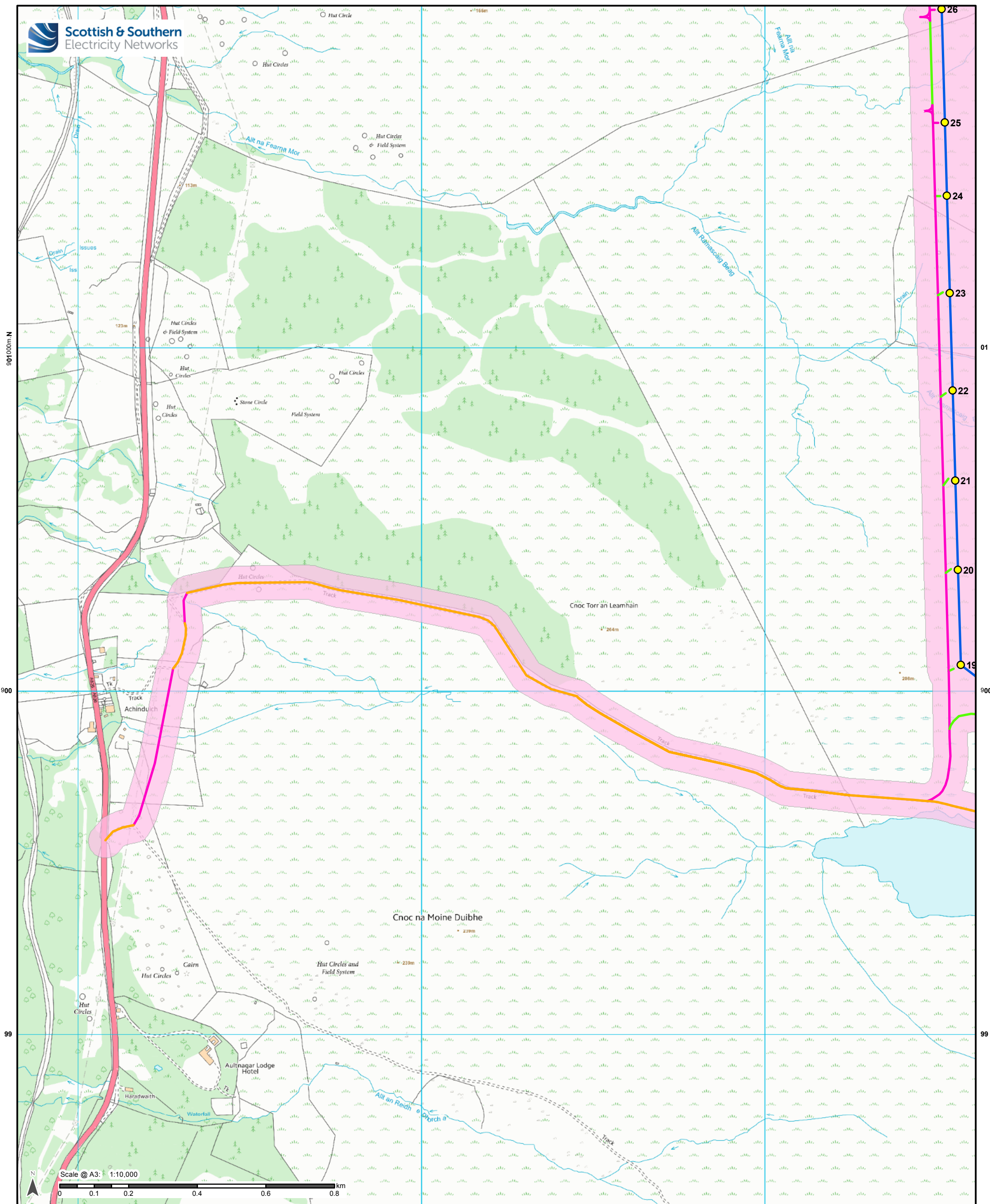


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Project No: LT000061  
 Project: Laig to Loch Buidhe

Title:  
 Laig to Loch Buidhe 132kV OHL  
 Section 37 Location Plan  
 Page 3 of 6

Drawn by: BJR Date: 24/01/2019  
 Drawing: LT000061\_ENV\_019\_Section37\_10k



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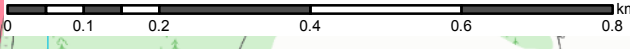
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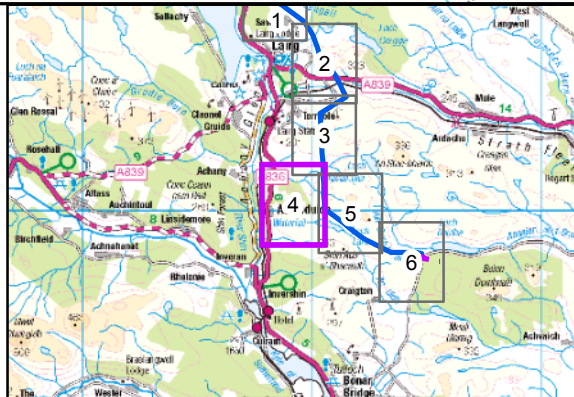
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Scale @ A3: 1:10,000



- Proposed Tower Location
- Proposed 132kV OHL Alignment
- Existing Access Track
- New Access Track - Permanent
- New Access Track - Temporary
- Limit of Deviation



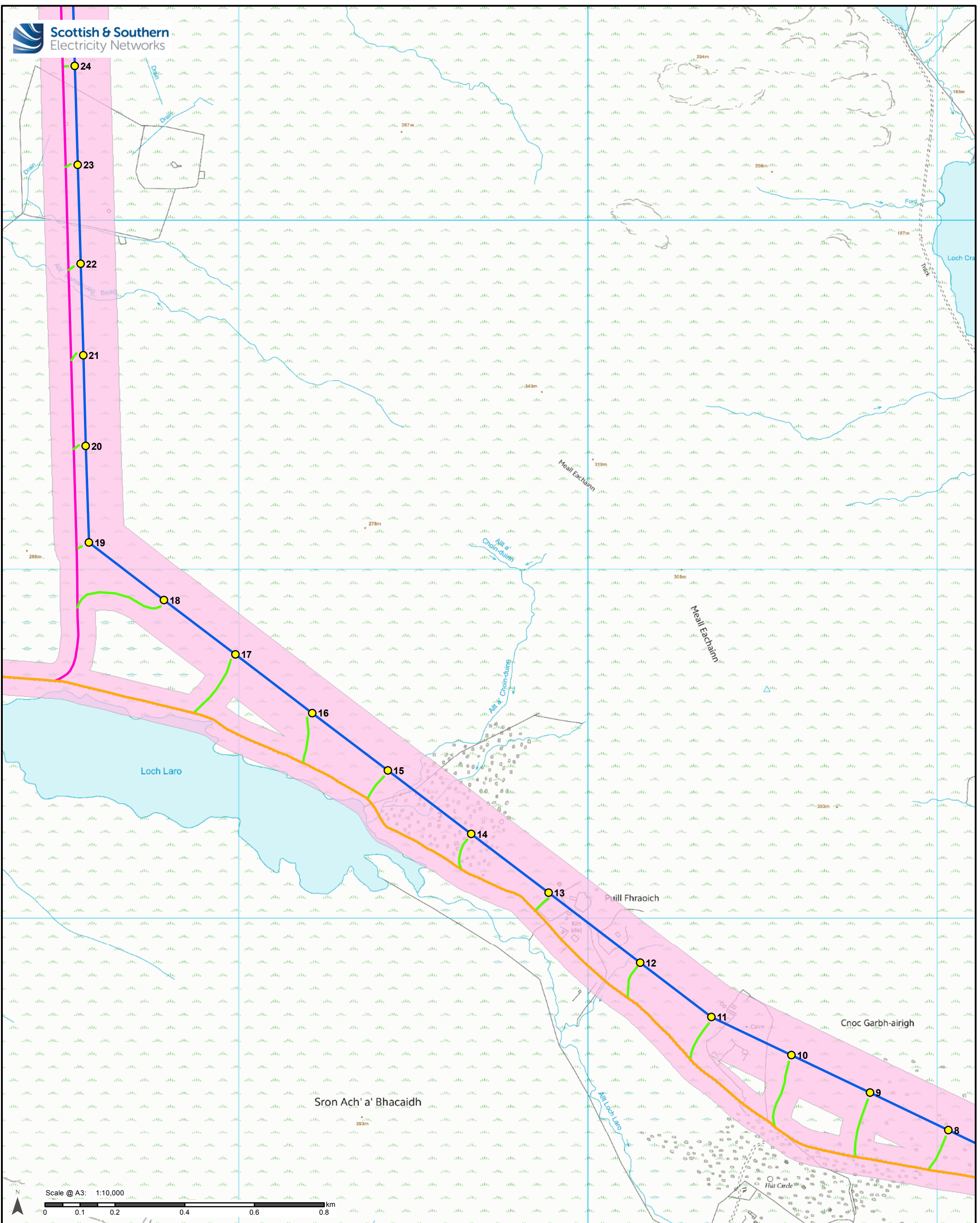
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Title:  
Lairg to Loch Buidhe 132kV OHL  
Section 37 Location Plan  
Page 4 of 6

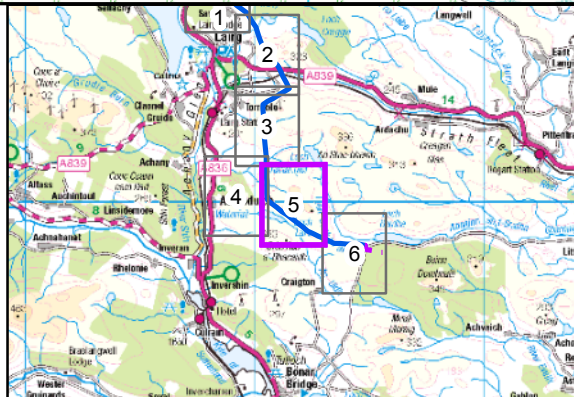
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Scale @ A3: 1:10,000

- Proposed Tower Location
- Proposed 132kV OHL Alignment
- Existing Access Track
- New Access Track - Permanent
- New Access Track - Temporary
- Limit of Deviation



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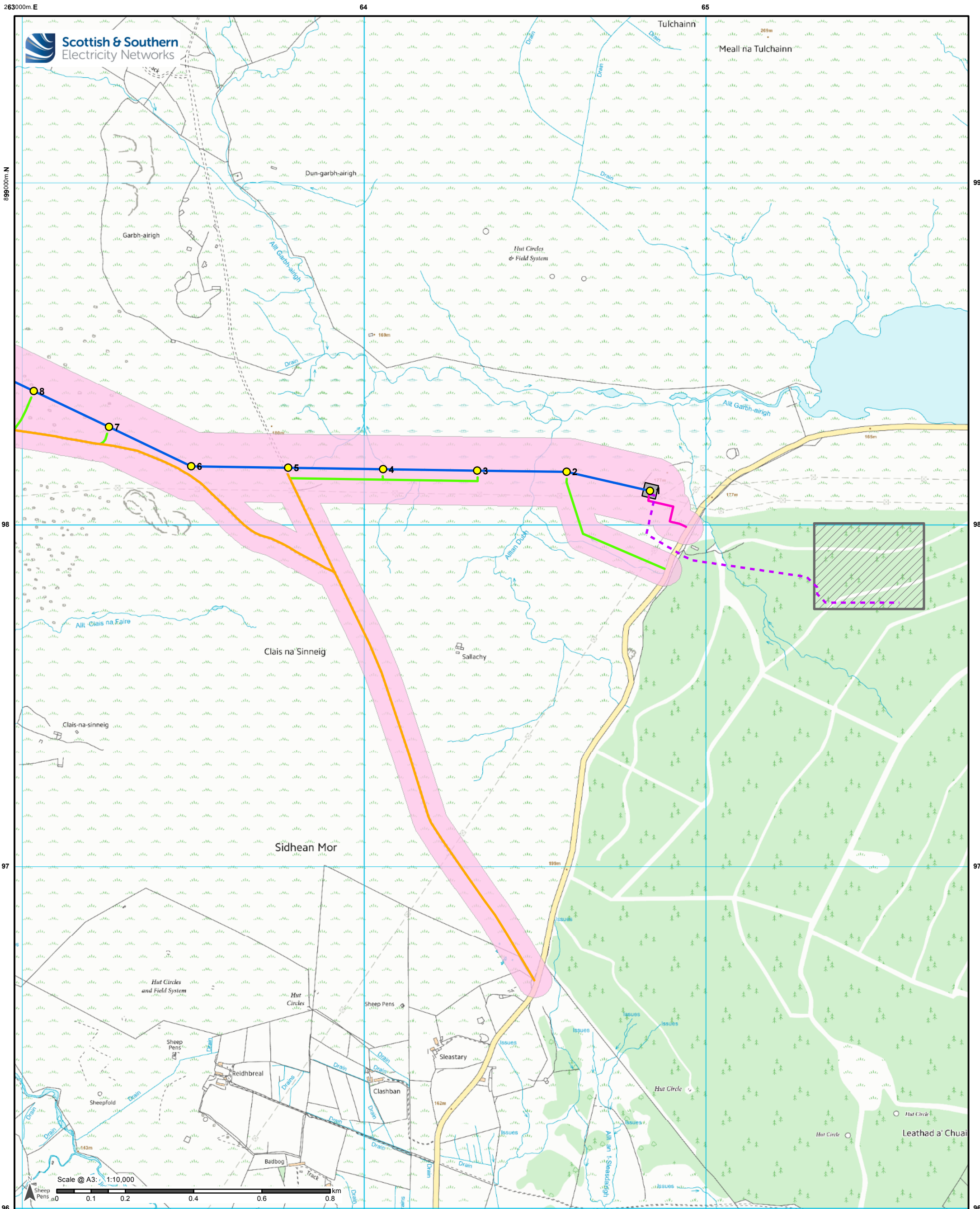
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Project: Lairg to Loch Buidhe

Title:  
Lairg to Loch Buidhe 132kV OHL  
Section 37 Location Plan  
Page 5 of 6

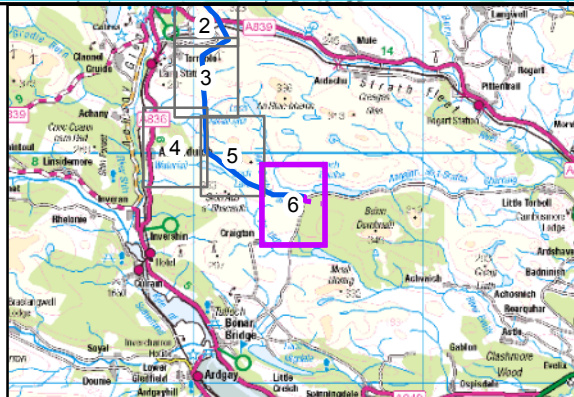
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Drawing: LT000061\_ENV\_019\_Section37\_10k





- Proposed Tower Location
- Proposed 132kV OHL Alignment
- Proposed Underground Cable
- Existing Access Track
- New Access Track - Permanent
- New Access Track - Temporary
- Sealing End Compound
- Loch Buidhe Substation
- Limit of Deviation



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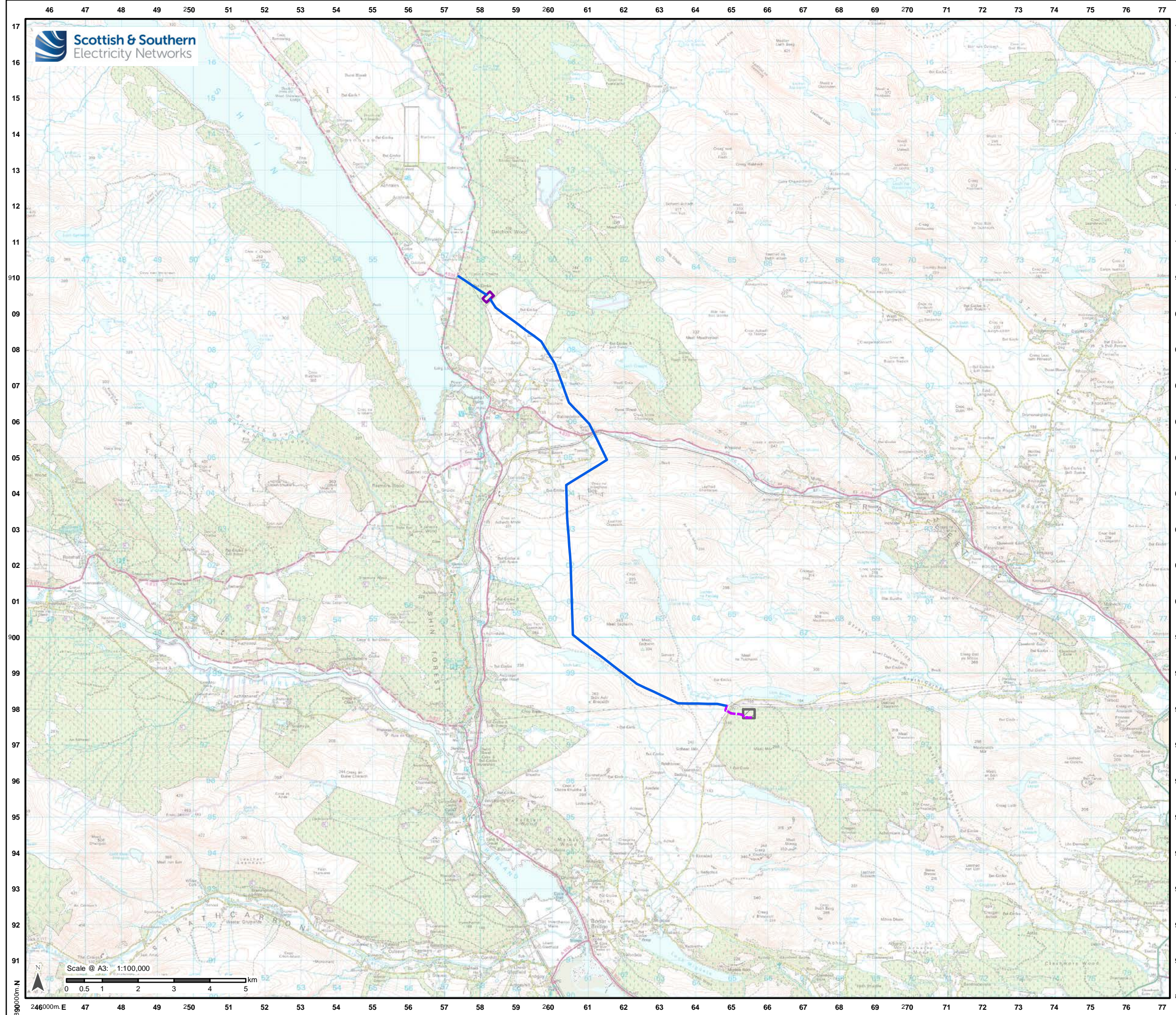
Project No: LT000061  
 Project: Lairg to Loch Buidhe

Title:  
 Lairg to Loch Buidhe 132kV OHL  
 Section 37 Location Plan  
 Page 6 of 6

Drawn by: BJR Date: 24/01/2019  
 Drawing: LT000061\_ENV\_019\_Section37\_10k

**Legend**

- Proposed 132kV OHL Alignment
- - - Proposed Underground Cable
- Proposed Dalchork Substation
- Loch Buidhe Substation



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Project No: LT000061  
Project: UK12-19015

Title: Laig to Loch Buidhe Reinforcements:  
EIA Report

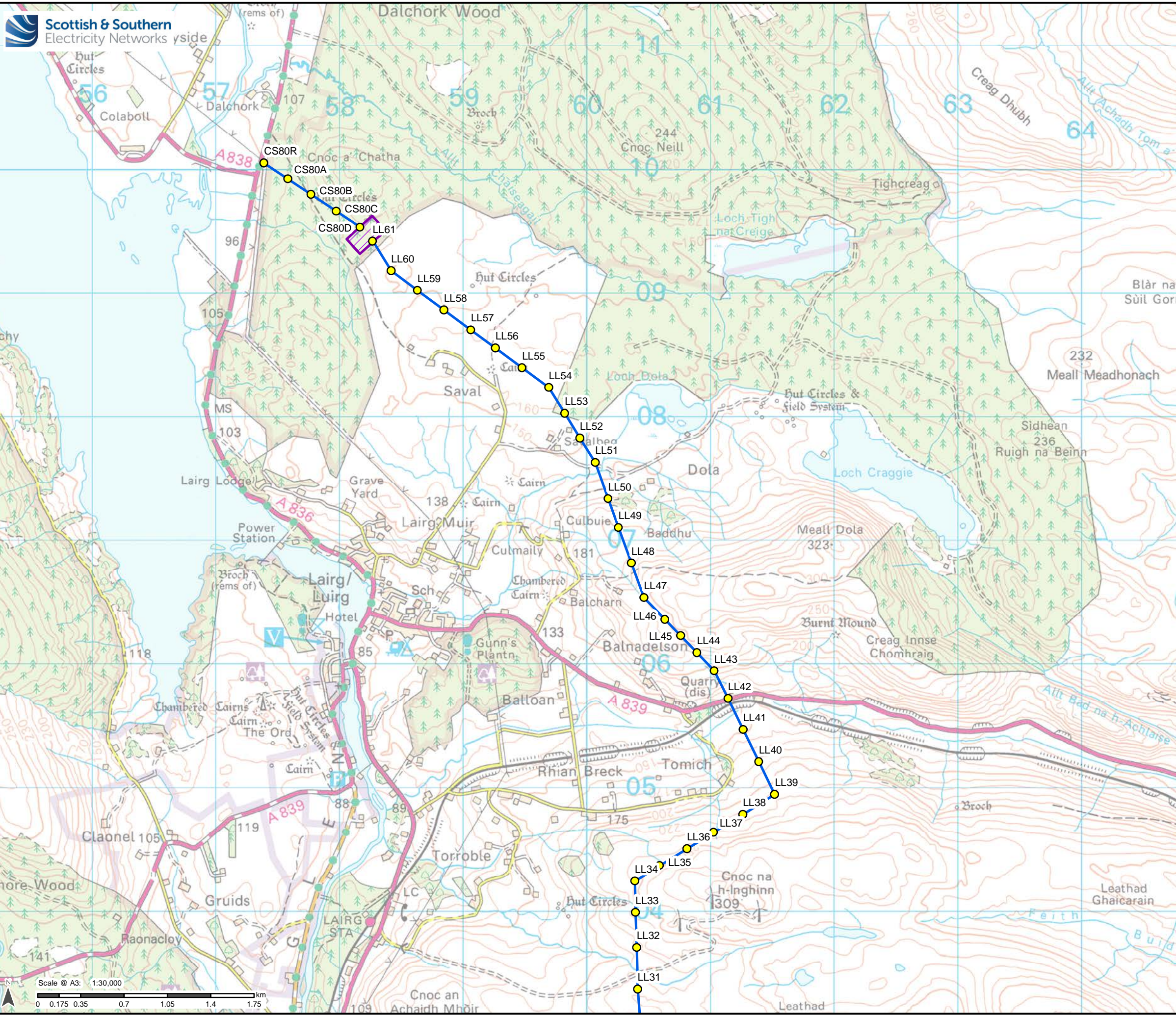
Figure 1.1: Location of Proposed Development

Drawn by: AC Date: 23/01/2019

Drawing: UK12-19015\_Fig1\_1

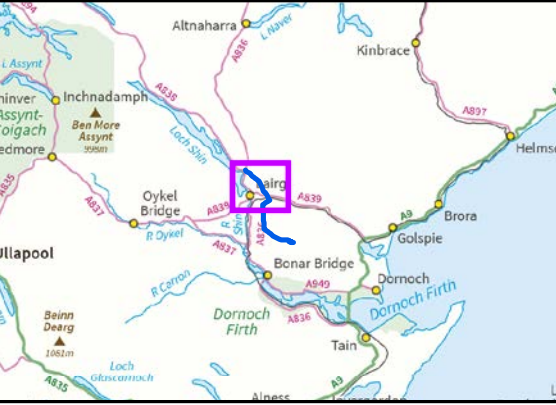
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- ### Legend
- Proposed Tower Location
  - Proposed 132kV OHL
  - - - Proposed Underground Cable
  - Proposed Dalchork Substation
  - Loch Buidhe Substation

Notes: The substations shown on the figures are for illustrative purposes only and do not form part of the S37 application. The proposed tower locations may be subject to change within the LOD due to ground conditions.



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Project No: LT000061  
Project: UK12-19015

Title: Lairg to Loch Buidhe Reinforcements:  
EIA Report  
Figure 2.1a: Site Layout

Drawn by: AC Date: 23/01/2019

Drawing: UK12-19015\_Fig2.1\_SiteLayout\_3

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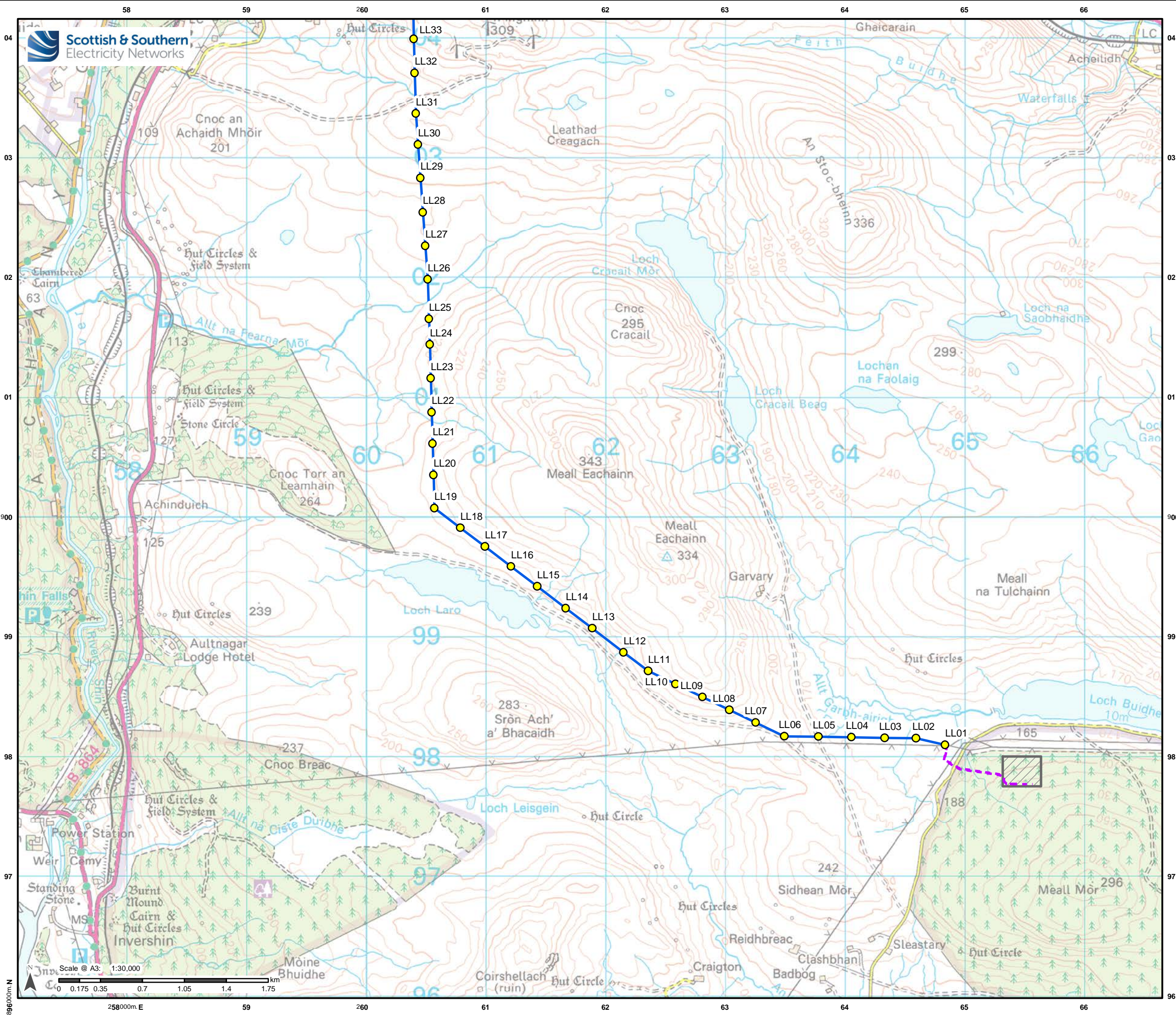


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- ### Legend
- Proposed Tower Location
  - Proposed 132kV OHL
  - - - Proposed Underground Cable
  - Proposed Dalchork Substation
  - Loch Buidhe Substation

Notes: The substations shown on the figures are for illustrative purposes only and do not form part of the S37 application. The proposed tower locations may be subject to change within the LOD due to ground conditions.



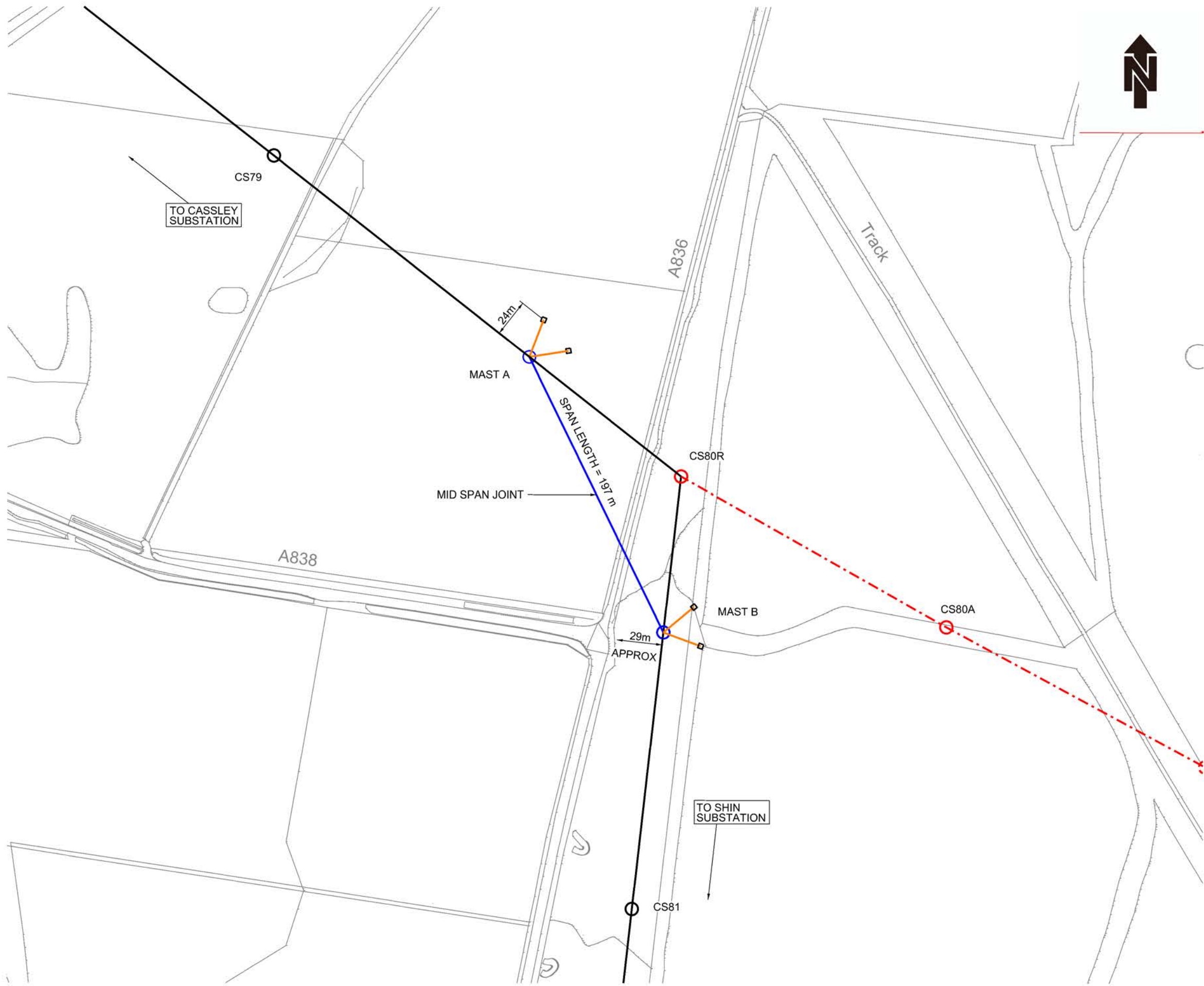
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Project: UK12-19015

Title: Lairg to Loch Buidhe Reinforcements:  
EIA Report  
Figure 2.1b: Site Layout

Drawn by: AC Date: 23/01/2019

Drawing: UK12-19015\_Fig2.1\_SiteLayout\_3



**Legend**

- CS Towers - to Remain
- CS Route - to Remain
- CS Towers - New
- - - CS Towers - New
- Temporary Masts (M4)
- Temporary Diversion
- Stay Wires

- Notes:
1. Route reproduced from LSTC route mapping and schedule.
  2. Final tower positions to be agreed with SSE.
  3. Temporary tower coordinates  
Mast A - X - 257293.240 Y - 910129.659  
Mast B - X - 257378.733 Y - 909952.543
  4. Conductor = 1 x 175 mm<sup>2</sup> LYNX ACSR  
Earthwire = 1 x 70 mm<sup>2</sup> HORSE ACSR
  5. For Discussion Purposes Only
  6. CS refers to infrastructure that does or will exist as part of the Cassley to Shin 132 kV OHL (i.e. towers used to tie in the existing Cassley to Shin OHL to the Dalchork Substation)

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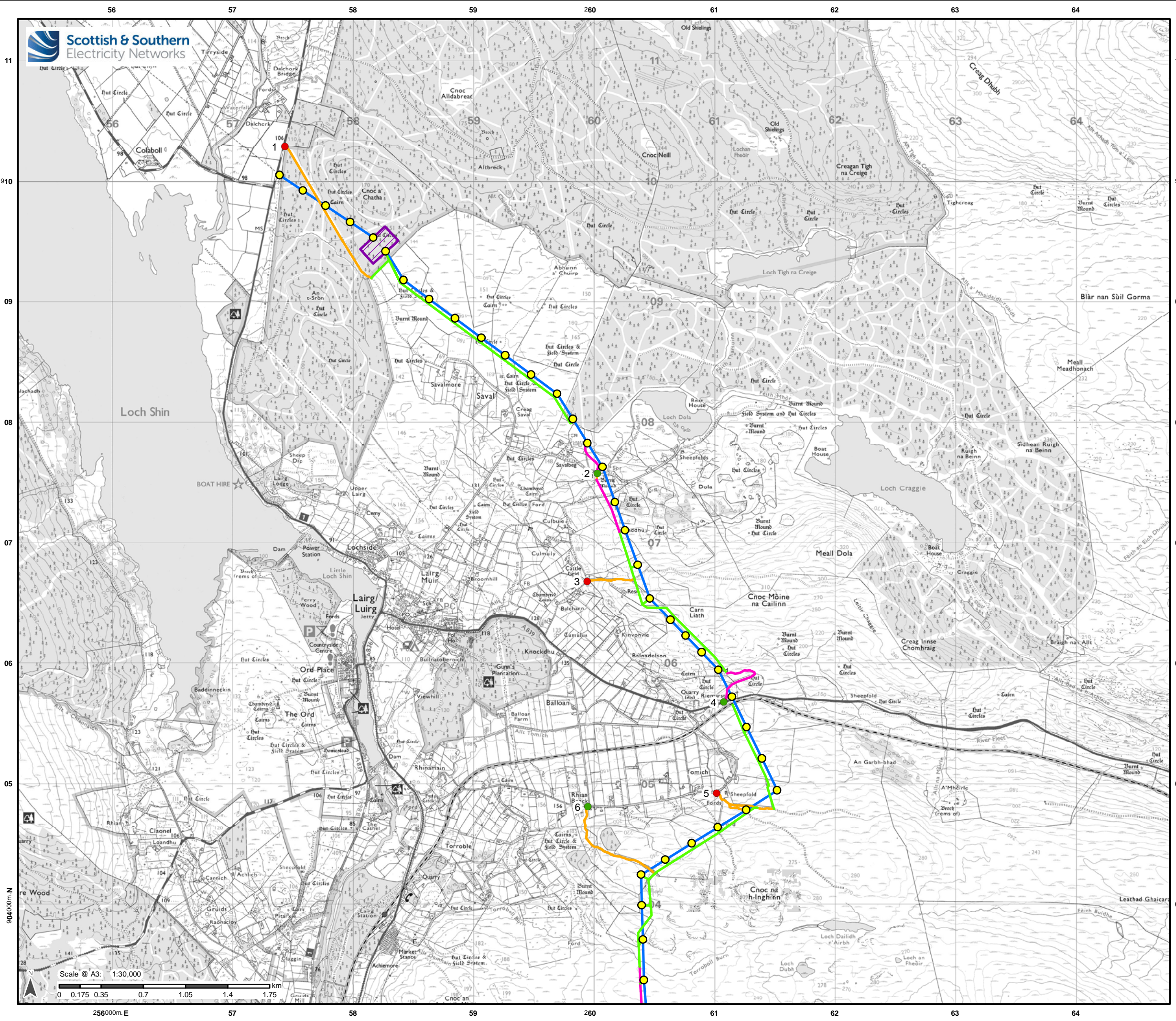
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Title: Lairg to Loch Buidhe Reinforcements:  
EIA Report  
  
Figure 2.2: Temporary Diversion at  
Tower CS80R

Drawn by: AC Date: 20/01/2019

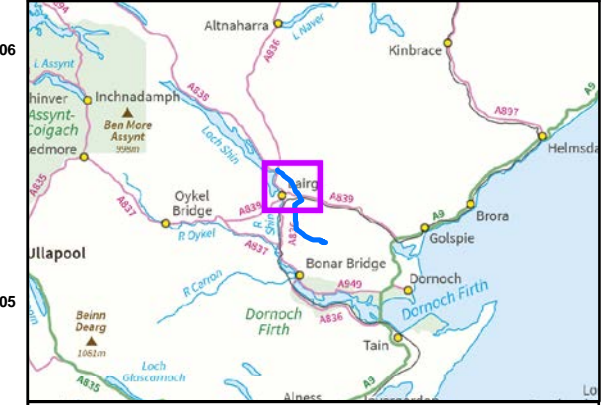
Drawing: UK12-19015\_Fig2.2\_TempDiversion\_2



**Legend**

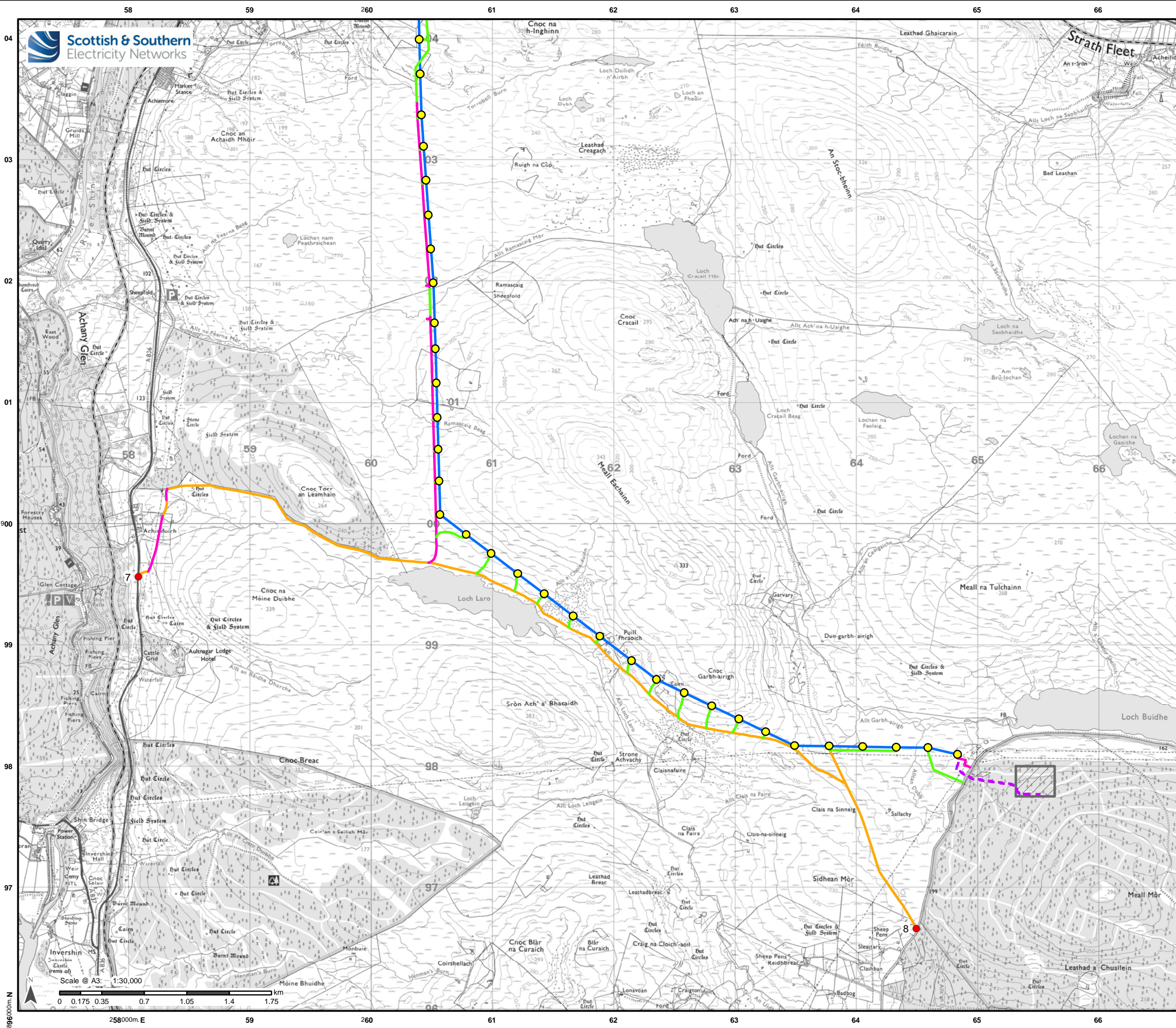
- Proposed 132kV OHL
- Proposed Tower Location
- Bellmouth junctions**
- Existing Access
- New Access
- New Access Track - Permanent
- New Access Track - Temporary
- Existing Access Track
- Proposed Dalchork Substation

- Bellmouths**
1. Dalchork Substation;
  2. Challenger Estate for section of track to be made permanent;
  3. Access to Scottish Water reservoir by Kinvolvie House;
  4. Northern side of the A839 at Riemarstaig;
  5. Tomich;
  6. Old Croft Cottage at Rhanbreck;
  7. Achinduich; and
  8. Sleastary.



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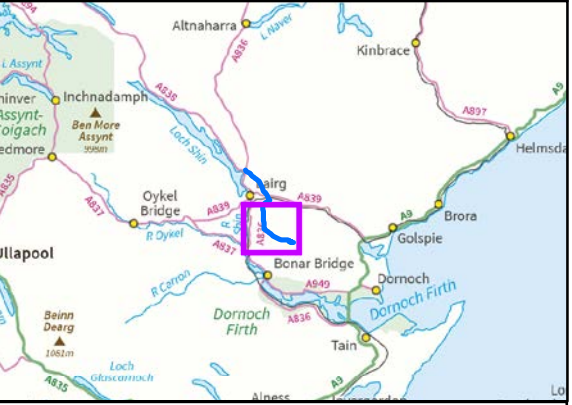
Project No:	LT000061
Project:	UK12-19015
Title:	Lairg to Loch Buidhe Reinforcements: EIA Report
	Figure 2.3a: Access
Drawn by:	AC
Date:	23/01/2019
Drawing:	UK12-19015_Fig2.3_Access_3



**Legend**

- Proposed 132kV OHL
- Proposed Tower Location
- Bellmouth junctions**
- Existing Access
- New Access Track - Permanent
- New Access Track - Temporary
- Existing Access Track
- - - Proposed Underground Cable
- Loch Buidhe Substation

- Bellmouths**
1. Dalchork Substation;
  2. Challenger Estate for section of track to be made permanent;
  3. Access to Scottish Water reservoir by Kinvolvie House;
  4. Northern side of the A839 at Riemarstaig;
  5. Tomich;
  6. Old Croft Cottage at Rhanbreck;
  7. Achinduich; and
  8. Sleastary.



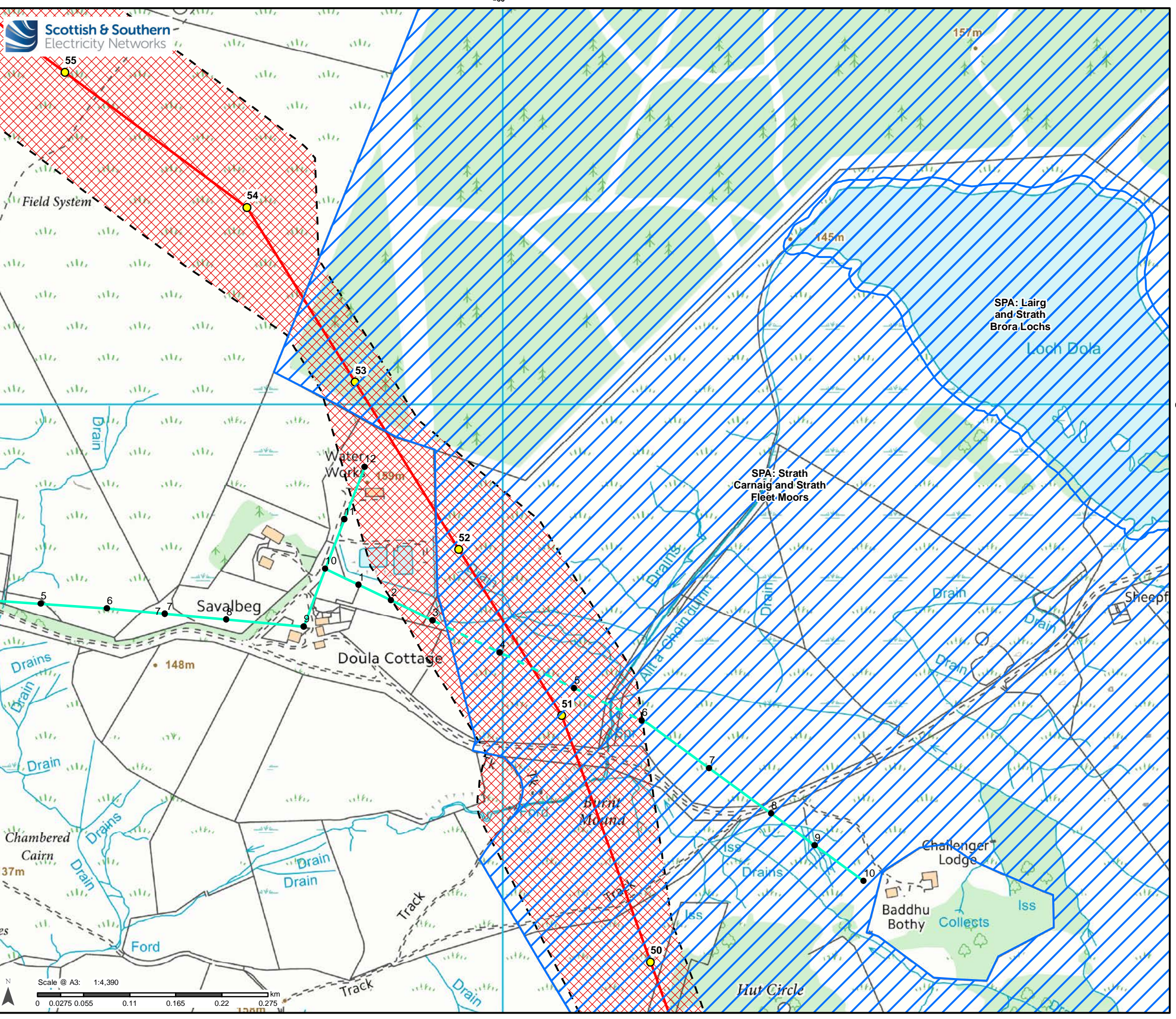
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Title: Lairg to Loch Buidhe Reinforcements:  
EIA Report  
Figure 2.3b: Access

Drawn by: AC Date: 23/01/2019

Drawing: UK12-19015\_Fig2.3\_Access\_3



- ### Legend
- Existing 11kV OHL
  - - - Proposed 11kV Underground Section
  - Existing 33kV OHL
  - - - Proposed 33kV Underground Section
  - Proposed Tower Location
  - Proposed 132kV OHL
  - Limits of Deviation
  - Special Protection Area

Notes: The substations shown on the figures are for illustrative purposes only and do not form part of the S37 application. The proposed tower locations may be subject to change within the LOD due to ground conditions.



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Project No: LT000061  
Project: UK12-19015

Title: Lairg to Loch Buidhe Reinforcements: EIA Report

Figure 2.4a: Existing OHL to be Undergrounded within SPA

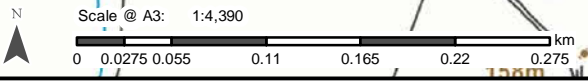
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Drawing: UK12-19015\_Fig2.4\_UgdSPA\_2

908000m N

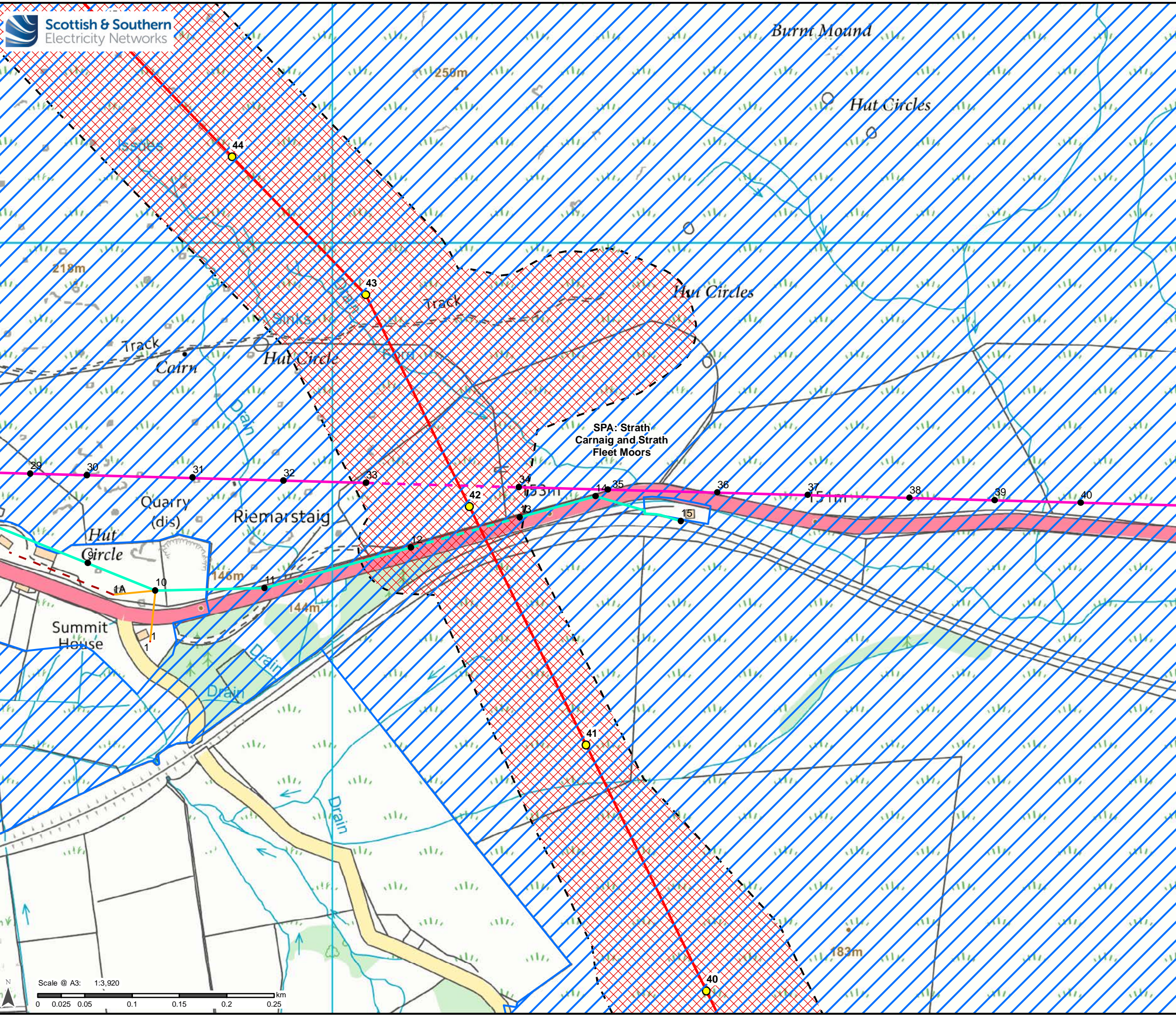
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260



260000m E





- ### Legend
- Existing 11kV OHL
  - - - Proposed 11kV Underground Section
  - Existing 33kV OHL
  - - - Proposed 33kV Underground Section
  - Proposed Tower Location
  - Proposed 132kV OHL
  - Limits of Deviation
  - Special Protection Area

Notes: The substations shown on the figures are for illustrative purposes only and do not form part of the S37 application. The proposed tower locations may be subject to change within the LOD due to ground conditions.



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Project: UK12-19015

Title: Lairg to Loch Buidhe Reinforcements: EIA Report

Figure 2.4b: Existing OHL to be Undergrounded within SPA

Drawn by: CM Date: 17/12/2018

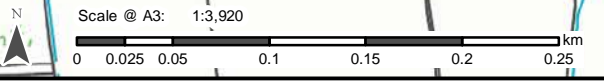
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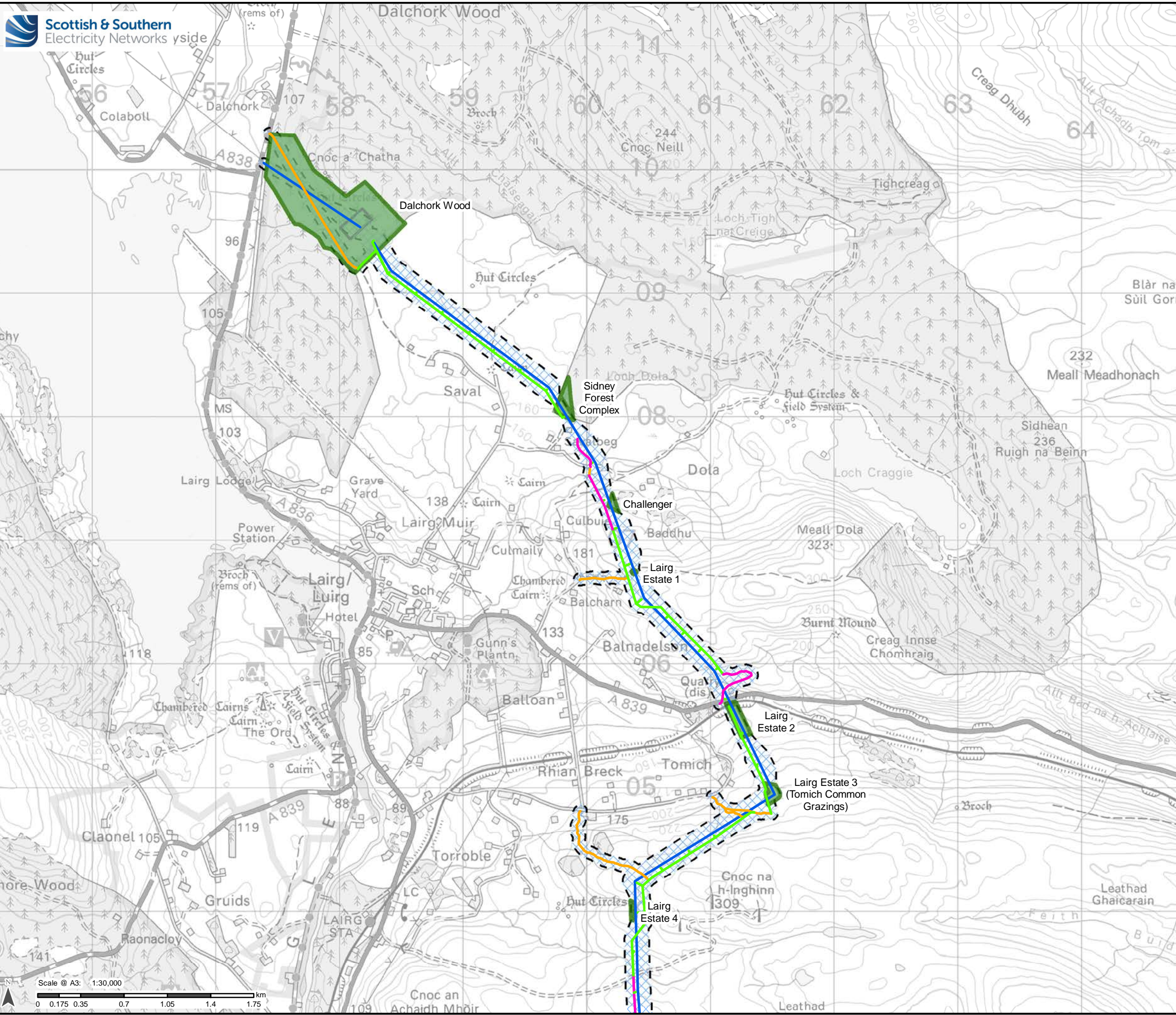
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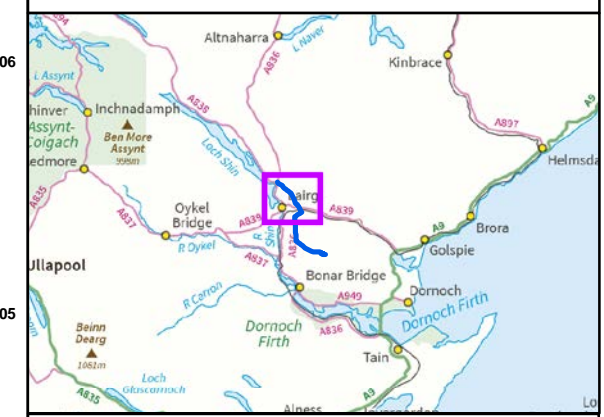
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261000m E





- ### Legend
- Proposed 132kV OHL
  - - - Proposed Underground Cable
  - New Access Track - Permanent
  - New Access Track - Temporary
  - Existing Access Track
  - Limits of Deviation
  - Proposed Dalchork Substation
  - Loch Buidhe Substation
  - Forestry Affected Areas



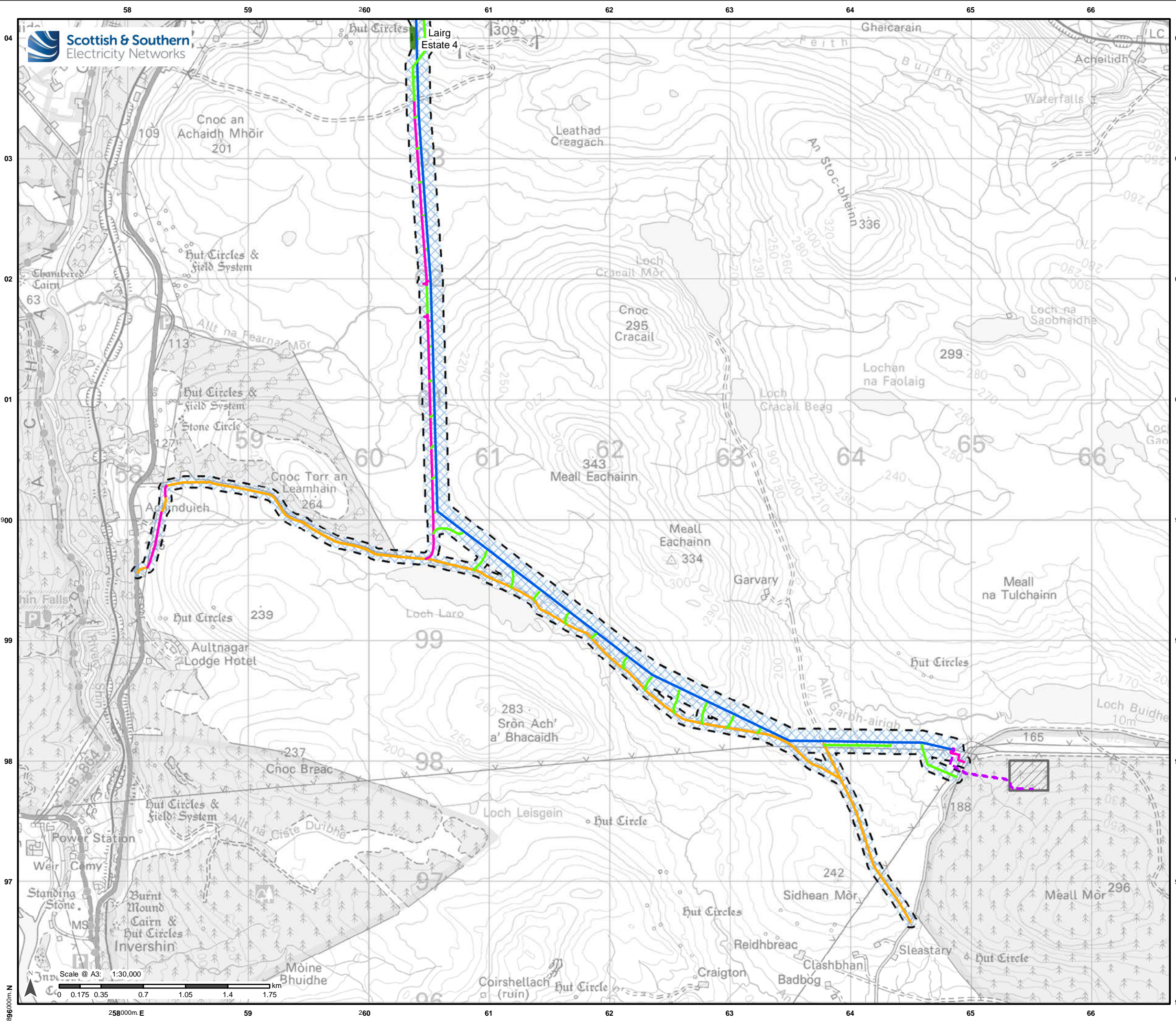
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Project No: LT000061  
Project: UK12-19015

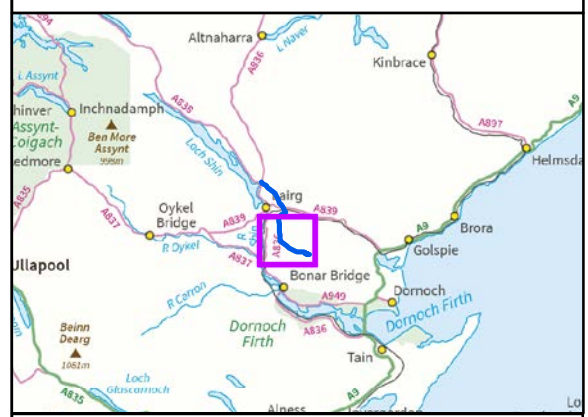
Title: Lairg to Loch Buidhe Reinforcements: EIA Report  
Figure 2.5: Limits of Deviation

Drawn by: AC Date: 23/01/2019

Drawing: UK12-19015\_Fig2.5\_LoD\_3



- ### Legend
- Proposed 132kV OHL
  - - - Proposed Underground Cable
  - New Access Track - Permanent
  - New Access Track - Temporary
  - Existing Access Track
  - Limits of Deviation
  - Proposed Dalchork Substation
  - Loch Buidhe Substation
  - Forestry Affected Areas



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EIA Report  
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