

Agenda Item	4.1
Report No	PLS&N 02/23

## HIGHLAND COUNCIL

**Committee:** North and South Planning Applications Committees

**Date:** 08 November 2023

**Report Title:** 22/04580/S37: Scottish Hydro Electric Transmission Plc  
Ardmore Sub-Station, Ardmore, Hallin, Dunvegan

**Report By:** Area Planning Managers – North and South

### Purpose/Executive Summary

**Description:** Skye Reinforcement Project - Construct and operate approximately 110 kilometres (km) of new double circuit steel structure 132 kV overhead transmission line and associated infrastructure

**Wards:** 5 - Wester Ross, Strathpeffer and Lochalsh  
10 - Eliean A' Cheò  
11 - Caol abd Mallaig  
12 - Aird and Loch Ness

**Development Category:** National Development

**Reason Referred to Committee:** Consultation on a National Development

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and no material considerations outweigh this position.

### Recommendation

Members are asked to agree the recommendation to **RAISE NO OBJECTION** to the application as set out in Section 9 of the report.

## 1. PROPOSED DEVELOPMENT

- 1.1 The Council has been re-consulted by the Scottish Government's Energy Consents Unit (ECU) on the submission of additional environmental information - "Additional Information 2" (AI2) relating to an application made under Section 37 of the Electricity Act 1989 (as amended) for the construction and operation of a new 132 kV electricity transmission line extending over a distance of approximately 160 km between Edinbane substation and Fort Augustus substation, referred to as the Skye Reinforcement Project. This application comes under the category of "National Development" as set out in the Scottish Government's fourth National Planning Framework (NPF4).
- 1.2 The Council was previously consulted on the application and on 22 March 2023 Members of the combined North and South Planning Applications Committees determined to **raise no objection** to the application, as per the case officer's recommendation contained within the Report on Handling provided at Appendix 2. This decision to raise no objection was subject to:
- A) For Section 3 of the line, the progression of Section 3a (preferred alignment) only;
  - B) The conclusion of legal agreements as set out in Section 8 of the report; and
  - C) matters to be secured via finalised conditions and reasons.
- 1.3 Appendix 3 provides a copy of the Council's 11 April 2023 response to the ECU which included finalised conditions and reasons. After this response, the Council was consulted upon the AI2. This further environmental information relates to:
- Compensation plan relating to the derogation under the Habitats Regulations for Section 3 of the proposed development (refer to Section 6 of this report for more details);
  - Compensation strategy;
  - A revised Peat Landslide Hazard Risk Assessment;
  - Update to Annex E of the Kinloch and Kyleakin Hills Special Area of Conservation (SAC) Shadow Habitats Regulations Appraisal (HRA); and
  - Briefing note on bird flight diverter mitigation required within Section 5 of the Proposed Development.
- 1.4 The Council did not request any of the AI2 in order to inform its response to the ECU. It has been provided by the applicant primarily for the benefit of other external consultees to help them inform their response to the application; pertinently NatureScot who have raised an objection.
- 1.5 As with all other consultees on the application, other interested parties, and in time Scottish Ministers as decision makers, committee members must consider the AI2 alongside the original details contained within the original application, including its Environmental Impact Assessment Report (EIAR),

as well as the previous round of EIA Additional Information (AI), all of which was previously considered and reported to committee in March 2023.

- 1.6 The development proposed remains as previously described in the Report on Handling (Appendix 2). In summary, the line covers a distance of 160 km and comprises of 137 km of overhead line (OHL) and 24 km of underground line. The 110 km distance referred to in the description of development only relates to the double circuit OHL section which would be supported on steel lattice towers, with 27 km of single circuit OHL being supported by wooden “H” poles. The development is required to replace existing assets that are approaching the end of their operational life and to provide additional capacity on the transmission network for new renewable energy generation. There are several renewable energy projects requiring connection to the national grid arising from the renewable generation policies and the drive to attain net zero. The application states that the applicant is contracted to provide capacity for an additional 424 Mega Watts (MW) of generation on the Skye circuit by 2027, and a further 57 MW was in the connection application process.
- 1.7 The existing OHL is the sole connection from the mainland transmission system to Skye and via sub-sea cable to the Western Isles. The proposed reinforcement will result in the replacement of an existing single circuit with a double circuit transmission line of modern and robust construction type, therefore significantly improving security of supply.
- 1.8 The routing of the replacement line broadly follows the same alignment as the existing 132 kV line to be replaced. Following completion of the proposed development all redundant transmission infrastructure would be removed. The line has been split into seven defined geographical sections to describe the project. For Section 3 where the line connects Skye to the mainland a preferred alignment 3a and an alternative alignment 3b option for part of the OHL route has been applied for.
- 1.9 Preferred alignment 3a broadly follows the existing OHL alignment with areas of variation. The alternative routing 3b is of a similar length but follows a different route, following the minor road through Glen Arroch and Kylerhea Glen. The alternative route is not the applicant’s preferred route but has been included due to the presence of the Kinloch and Kyleakin Hills Special Area of Conservation (SAC) which is proposed to be crossed by both routing options. As this is a European designation, under The Conservation of Habitats and Species Regulations 2017 (the Habitat Regulations), this requires Scottish Ministers to consider whether a feasible alternative exists which would avoid or have less severe impacts prior to determining the application. Whilst both the applicant’s preferred route and the alternative route have been applied for, only one routing option would be constructed.
- 1.10 The construction period is anticipated to last 36 months, with a further 7 months being required for dismantling and removal of the existing OHL. That is based on the proposal for the works to be undertaken 7 days a week throughout the project.

1.11 No material variations have been made to the proposal during the consultation period.

## **2. SITE DESCRIPTION**

2.1 The site covers a length of 160 km from Ardmore on the Isle of Skye to Fort Augustus. The land along the replacement line comprises predominantly moorland, and includes remote and mountainous landscapes of national importance, with the line also intersecting internationally and nationally important designated sites for natural heritage conservation.

2.2 The route of the proposed line, as well as the alternative route for Section 3, is either covered by, or has the potential to impact upon multiple environmental and built heritage constraints, as previously reported in Appendix 2.

## **3. PUBLIC PARTICIPATION**

3.1 Advertised: EIA Development

Date EIA A12 Advertised: Edinburgh Gazette (4 August 2023) and The West Highland Free Press (4 August 2023).

ECU EIA Representation deadline: 4 September 2023

Representations Received by the Council Post 22 March 2023: 8 (8 objections, 0 in support)

Representations Received by the Energy Consents Unit Post 22 March 2023: 169 (166 objections including an online petition with circa 11,000 signatories to not follow the alternative routing 3B, 3 in support)

3.2 Material considerations raised in new objections which were not previously considered in the previous Report on Handling:

- Lack of overarching strategy for renewable energy generation and transmission, with cumulative impacts requiring further assessment;
- The delivery of biodiversity enhancements should be known prior to consent being granted, rather than via planning condition;
- Enhanced construction, ecology and habitat monitoring and reporting;
- Limited compensatory tree planting details;
- The Construction Traffic Management Plan to include provision for cumulative assessment with other development projects;
- Lack of a commitment made to community wealth building; and
- Impacts associated with NatureScot's suggested alternative route for Section 3 which intended to limit impacts on the designated site but does not consider any other resultant impacts, with NatureScot failing to undertake their balancing duties in the decision making process.

- 3.3 Material considerations raised in new representations of support for the development which were not previously considered in the previous Report on Handling:
- Support expressed for preferred route 3A which would ensure existing businesses and communities continue to flourish and enable other businesses to expand.
- 3.4 The following matters raised in new representations are not material planning considerations which were not previously considered in the previous Report on Handling:
- Impacts arising from other renewable energy developments / wind farms, which could be connected to the OHL in future;
  - Commercial gain / developer's profit; and
  - Perceived lack of community consultation.
- 3.5 All letters of representation made to Highland Council 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)

#### 4. CONSULTATIONS

- 4.1 Further consultation responses received post 22 March 2023 are summarised below, with all other consultees position being as per the previous Report on Handling or as stated at the last committee meeting.
- 4.2 **Community Councils** - All previously consulted community councils were re-consulted by the Council on the AI2. No responses to the AI2 were received. Re-consulted Community Councils:
- Broadford and Strath
  - Dunvegan
  - Fort Augustus
  - Glenelg And Arnisdale
  - Glengarry
  - Kyleakin and Kylerhea
  - Minginish
  - Portree and Braes
  - Sconser
  - Struan
- 4.3 **Ecology Officer** does not object to the AI2. It suggests minor amendments to the wording of the Council's previously recommended Condition 13 regarding biodiversity enhancement. Welcomes the applicant's commitment within the AI2 to delivering the recommended 10% enhancement, however, this outline commitment lacks detail at this stage to address Condition 13. Advises NatureScot and SEPA will lead on Protected Area and their qualifying features, peat, Ground Water dependant Terrestrial Ecosystems (GWDTE), water crossings and ornithology.
- 4.4 **Forestry Officer** does not object to the AI2. Refers to the Council's previously recommended Condition 12 regarding compensatory planting.

Advises that the AI2 does not appear to materially change the applicant's approach to forestry removal and compensatory planting. Recommends the narrowing of proposed transmission line's operational corridor to limit compensation requirements and advises that more compensatory planting will be required. Does not support the applicant's suggested conversion of commercial forestry to native species as it considers that there is a public benefit in maintaining the existing levels of commercial forestry. Maintains that the mechanism for securing an agreed compensatory planting will be via legal agreement.

### **Consultations Undertaken by The Scottish Government's Energy Consents Unit**

- 4.5 **Forestry and Land Scotland** does not object to the AI2. It manages the majority of the land within the Kinloch Kyleakin Hills Special Area of Conservation (SAC), including the proposed compensatory habitat restoration areas. It is content with what has been proposed on Scotland's National Forests and land managed by FLS on behalf of Scottish Ministers. It highlights the risks adjacent mature conifer plantation forestry, and rhododendron, has to the restoration of adjacent blanket bog within the proposed compensatory habitat restoration area. It therefore seeks that the compensation plan prescribes the removal of all non-native trees and shrubs from adjacent land.
- 4.6 **Highlands and Islands Airports** does not object to the AI2. It notes no changes proposed to the location or height of the proposed development.
- 4.7 **Historic Environment Scotland** does not object to the AI2. It is satisfied that the AI2 does not demonstrate any change to the assessed effects on the historic environment.
- 4.8 **Joint Radio Company** does not object to the AI2 and suggest care is taken for select limited towers within Sections 1, 2 and 3 of the route due to their proximity to link infrastructure.
- 4.9 **National Air Traffic Services** does not object to the AI2. It does not conflict with the safeguarding criteria.
- 4.10 **NatureScot** object to the application. Their latest available response dated 22 May 2023 was in relation to the first round of AI which comprised the submission of the: Derogation Case; Peat Probing; Forestry Clarification; Additional Visualisations; and an Updated Planning Statement with regard to NPF4. In relation to the implications of this proposal for Kinloch and Kyleakin Hills Special Area of Conservation (SAC), its previously reported response remains unchanged. It also recommends additional mitigation measures to limit impacts on the SAC, including: to limit road widening and access tracks; use of helicopters during construction to remove the need for crane access and narrow track access; and for Section 3b (alternative alignment) to consider a design solution which follows a different alignment between the road and the Kyerhea River, which for the most part is outwith the SAC boundary. With regard to forestry impacts, it seeks clarity regarding

the need to update the Shadow Habitats Regulations Appraisal (HRA) and draft Derogation Case for the SAC, with this also to be informed by the provision of an updated Peat Landslide Hazard Risk Assessment for the access tracks in the SAC, and more detailed consideration of the access tracks on steeper slopes which could increase the loss of qualifying habitats.

At the time of reporting, NatureScot are yet to respond to the AI2, and therefore it is assumed their objection remains until stated otherwise.

- 4.11 **Royal Society for the Protection of Birds** does not object to the AI2. It advises in relation to Common Scoter collision risk in Section 5 of the line (Loch Cuaich to Invergarry), which would be increased in height in compared to the existing overhead line, that they believe the use of bird deflector markers will not be effective mitigation for this species, with Common Scoter and Black-throated Diver being qualifying species of the nearby West Inverness-shire Lochs Special Protection Area (SPA). They consider that given this risk to Common Scoter, part of the line should be underground within this section where collision risk for this species is highest. It does not accept the evidence presented by the applicant regarding Common Scoter's collision risk and notes there is no data on this species, or Black-throated Diver, to base an accurate assessment.
- 4.12 **Scottish Environment Protection Agency** does not object to the AI2. It welcomes the Environmental Compensation Strategy being produced at this stage. It advises further condition is applied requiring the delivery of improvement to good quality of at least 377ha of peatland with full details provided in the previously requested Habitat Management Plan.
- 4.13 **Transport Scotland** does not object to the AI2. It is content that the AI2 does not relate to potential traffic impacts on the trunk road network or to any associated environmental impacts.
- 4.14 **Scottish Forestry** does not object to the AI2. Disagrees with the applicant's interpretation of compensatory planting and expects to see an increase in the proposed Compensatory Planning area, so that it exceeds the area of semi-natural woodland to be removed. The proposed mitigation strategy may result in a net gain in native woodland being planted, however, it would not result in a net gain in woodland cover as required by the Scottish Government's Policy on Control of Woodland Removal. In this instance it would expect an increase in woodland planting to compensate for the loss of the existing woodland's environmental value and not simply converting productive woodland to native as currently proposed.
- 4.15 **Scotways** does not object to the AI2. Advises that an Access Management Plan should be produced at the application stage and notes that the applicant has been working in consultation with the Council's Access Officer. Highlights potential for disruption to public access, but potential for certain construction tracks to be retained and additional links to be created for the benefit of recreational access.

## **5. DEVELOPMENT PLAN POLICY AND OTHER MATERIAL CONSIDERATIONS**

- 5.1 The adopted Development Plan and the other material policy considerations relevant to the assessment of the application remains as per the 22 March 2023 Report on Handling. The only exception to this is the recent launch of the applicant's own Community Benefit Fund consultation, which has some relevance in relation to NPF4 Policy 11 Energy, part c) and Policy 25 Community Wealth Building.

## **6. PLANNING APPRAISAL**

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

### **Determining Issues**

- 6.2 It should be noted that, for applications under the Electricity Act 1989, the Development Plan is just one of a number of considerations, and therefore Section 25 of the Town and Country Planning (Scotland) Act 1997 which requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise, is not the statutory test for the decision maker. That said, as deemed planning permission will be granted if Section 37 consent is granted, the application still requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

### **Planning Considerations**

- 6.3 The key considerations in this case remain as per those set out within the 22 March 2023 Report on Handling. These are not repeated here with the additional planning considerations listed below focusing on new matters raised in the AI2, which need to be considered alongside the entirety of the applicant's submission, including all consultation and representations received:
- a) Overarching Strategy for Renewable Energy Generation and Transmission / Cumulative Impacts
  - b) Kinloch and Kyelakin Hills Special Area of Conservation (SAC) Compensation Plan (Section 3)
  - c) Biodiversity Enhancement
  - d) Compensatory Planting
  - e) Any Other Material Considerations (including Ornithology, Peat Landslide Hazard Risk, Construction Traffic Management Plan, and Community Wealth Building)



## **Overarching Strategy for Renewable Energy Generation and Transmission / Cumulative Impacts**

- 6.4 Several of the representations received have suggested that the proposed development will result in an increase in onshore wind development on Skye and have referenced a lack of a clear overarching spatial strategy to guide the development of such proposals, and in turn where additional grid infrastructure capacity is required. In this regard, the applicant has been clear from the outset that the need for the line is twofold: 1) the existing line is in need of replacement; and 2) the applicant is contracted to provide a connection for renewable development schemes, i.e. increase the capacity of the line, with additional connections being planned for the future.
- 6.5 In terms of a spatial strategy, the Development Plan for Highland includes NPF4 which sets out that onshore wind farm development will not be appropriate in National Scenic Area or National Parks, and that elsewhere, such proposals will be assessed based on a project site-specific basis against the full provisions of the Development Plan and all other material considerations. Critically, at a national level, electricity lines of 132 kV or more to support strategic renewable energy generation are defined as a national development, the need for which has been established by the Scottish Parliament in NPF4. The need for such lines is not in question. That is not to diminish the importance of local factors to be taken into account in the location, form and routeing of the lines. These are addressed by the Section 37 application process.
- 6.6 In terms of cumulative impacts with other planned or future renewable developments, including their future connections, the applicant took into account all relevant major planning application activity in the vicinity of the line as set out in the Report on Handling (Appendix 2). This informed the cumulative assessment contained within their EIAR. Whilst there has been further recent planning application activity, it is for those later submissions to take account of the consents and applications before them, and consider the need to revisit the cumulative baseline. It is also not within the applicant's gift to forecast which precise locations further development interest may arise, what form that renewable energy generation may take, or how much generation may look to connect to the grid network. All such proposals require assessment on their own merits and are rightly subject of individual applications. NPF4 makes clear that grid capacity should also not constrain renewable development.

### **Kinloch and Kyleakin Hills Special Area of Conservation (SAC) Compensation Plan (Section 3)**

- 6.7 A Compensation Plan has been submitted in relation to the Kinloch and Kyleakin Hills Special Area of Conservation (SAC). The plan provides appropriate information to demonstrate that the required compensation for predicted impacts on qualifying habitats of the SAC arising from the proposed development can be successfully delivered within the areas identified. It provides information on compensatory measures, timescales,

and monitoring. It builds upon consultation undertaken by the applicant with NatureScot and Forestry Lands Scotland undertaken in 2022 and 2023, with it being envisaged that these parties would form a Compensation Management Group to oversee implementation of the plan.

- 6.8 The previous shadow Habitats Regulations Appraisal provided with the application concluded that after consideration of mitigation measures, an adverse effect on the integrity of the SAC cannot be ruled out for four of its qualifying features, namely: western acidic oak woodland, blanket bog, wet heathland with cross-leaved heath, and dry heaths. This was reported to be the case regardless of which routing option is selected, either route 3a or 3b, both of which cross the SAC.
- 6.9 In the absence of any other alternative solution, in the event that Scottish Ministers determine that, irrespective of the proposal's impacts on the SAC, the development should proceed for Imperative Reasons of Overriding Public Interest (IROPI), then Scottish Ministers must adopt compensatory measures to ensure the overall ecological coherence of the Natura network, and contribution to favourable conservation status is maintained. This is also set out in the previously submitted Applicant's Derogation Case – Alternative Solutions and IROPI (Derogation Case).
- 6.10 The Compensation Plan provides detail of the SAC qualifying habitats impacted, the predicted extent of losses, the compensation areas required and the likely compensation ratio which ranges between 1:8 and 1:25. Further technical detail is given, informed through site survey. In summary, there are three extensive compensation areas proposed adjacent to the SAC. Compensation Area A covers 406 ha located to the north west, Compensation Area B covers 167 ha to the east, and Compensation Area C covers 120 ha to the north. Overall, it is reported that an excess amount of compensatory habitat would be provided, referred to as 'Additional Compensation'. This excess is reported to amount to 93 ha, as referred to within Table 14 of the Compensation Plan, Page 49. This overage is intended to be used by the applicant to support biodiversity enhancement for the wider Skye reinforcement project, or other projects in the applicant's portfolio.
- 6.11 The detailed provisions of the Compensation Plan are primarily a matter for NatureScot, who oversee this designation, to consider and for Scottish Ministers as decision maker. Forestry Land Scotland are also affected as landowner, and it is expected that their consultation response is taken into consideration by Scottish Ministers, regarding the necessity for further land / woodland management on land adjacent to the proposed Compensation Areas. The delivery and implementation of the Compensation Plan is anticipated to be secured by way of legal agreement, the detail of which is expected to be defined by Scottish Ministers.
- 6.12 As the Council did not request the provision of the Compensation Plan to inform its consultation response on the application, and it has been provided

primarily for NatureScot's and Forestry Land Scotland's benefit, its provision does not alter officer's recommendation on the application.

### **Biodiversity Enhancement**

- 6.13 The AI2 also includes an overarching high level compensation strategy which commits to the project achieving 10% biodiversity enhancement which is most welcome. Full details of the Habitat Management Plans which deliver meaningful biodiversity enhancement can be conditioned. This is in line with the recommended condition contained within the Council's previous consultation response (Appendix 3), with further details setting out the precise nature of how this is expected to be achieved anticipated to be before Scottish Ministers ahead of any decision on the application given that this will require to also be secured by way of legal agreement between the Planning Authority, the developer and all landowners.

### **Compensatory Planting**

- 6.14 In the Council's Forestry Officer's previous consultation response, the applicant was requested to reduce the permanent loss of woodland, both within and adjacent to the Operational Corridor (OC), by converting the areas of commercial plantation adjacent to the OC to native species. This would then enable the OC to be reduced from 80 metres to 30 metres in width. In turn, this would reduce the loss of underlying woodland habitat, provide screening of the overhead transmission line and reduce the area of compensatory planting. This requirement has been included in the Council's recommended Condition 12, Part (a). In the AI2, the applicant is yet to amend the area of proposed permanent woodland removal, or provided any further justification why restructuring is not being considered as an option to date.
- 6.15 Notwithstanding the above, the area of compensatory planting being offered by the applicant is also only equal to the area of woodland being removed (119.86 Ha) and does not include the additional 82 Ha of indirect woodland removal required to rationalise the adjacent woodland in order to secure a windfirm edge, as required by Condition 12, Part (b). In addition, there is an expectation that an enhanced area of compensatory planting would be provided, given the environmental loss associated with the areas of ancient and semi-natural woodland.
- 6.16 Instead, the applicant is proposing that all woodland is replaced with 'semi-natural compensatory planting', by which it is assumed means compensatory planting with native species. This approach is not supported as the Implementation Guidance (February 2019) on the Control of Woodland Removal policy is clear that compensatory planting must consider the existing and potential public benefits of the existing woodland. There is a clear demand for productive woodland in order to secure future timber supply and the 100.18 Ha of direct loss and 82 Ha of indirect loss of commercial woodland must therefore be replaced with at least the equivalent area of commercial woodland.

- 6.17 While the details stated in Condition 12, Parts (c) and (d) are not required at this stage, it strongly encourages early engagement with Scottish Forestry so that a Forestry EIA can be undertaken to determine the suitability of land proposed for compensatory planting. Likewise, an appropriate mechanism for delivery should be discussed with the Planning Authority at an early stage in order to comply with Condition 12 Parts (e) and (f). This is expected to involve a legal agreement between the Council, the applicant, and the landowner(s) on which compensatory planting (and possibly restructuring) is proposed.
- 6.18 Whilst the OC's design and compensatory planting measures outlined by the applicant to date do not accord with all aspects of Condition 13, there remains sufficient scope for refinement of the applicant's strategy ahead of Scottish Minister's decision on the application, with scope for resolution through agreement of the terms of forthcoming legal agreements and the submission of details for the satisfaction of deemed planning conditions.

### **Any Other Material Considerations**

- 6.19 An updated Peat Landslide Hazard Risk Assessment has been provided with the AI2. This has been provided to address comments made by NatureScot and the Scottish Government (by their landslide advisors Ironside Farrar). The comments received primarily relate to the access tracks in the SAC within Section 3, and more detailed consideration of the access tracks on steeper slopes which could increase the loss of qualifying habitats. The reports also seeks to address a number of other geotechnical related queries raised with the previous version of the assessment undertaken. The report concludes that, with the benefit of extensive survey work, most medium to high risk areas of peat instability would be avoided. Where such areas of risk cannot be avoided, further site-specific construction plans will be required, as well as further ground investigation works for foundations and access tracks and river/stream crossings. This can be secured by way of the updated CEMP condition.
- 6.20 In terms of ornithology, the AI2 includes a technical note on collision risk to common scoter, a qualifying species of the West Inverness-shire Lochs Special Protection Area (SPA). The evidence of how effective bird flight diverter markers are for mitigating the impact of the line for these species has been disputed by RSPB who have sought for areas of high risk to be undergrounded. Where ornithology impacts relate to designated sites, NatureScot are expected to advise on this matter which falls within their remit, with the need for any subsequent changes to the design of the scheme being a matter for Scottish Ministers to determine.
- 6.21 With regard to cumulative construction traffic impact concerns raised through representations, the Construction Traffic Management Plan (CTMP) condition has been amended to require an updated cumulative assessment to be undertaken. This is to ensure that each phase of the development takes cognisance of any other developments which may be built out within a similar timeframe so that peak trip rates on the network can be staggered

wherever possible. This is a common approach which can be agreed in consultation with the respective Area Roads Teams through the CTMP condition prior to development commencement.

- 6.22 With regard to SSE's community benefit fund consultation, such considerations are undertaken as a separate exercise and generally parallel to the planning process, albeit that in this regard the proposals could potentially receive a degree of support under NPF4 Policy 11, part c) in terms of maximising net economic impact and NPF4 Policy 25 which relates to Community Wealth Building. The applicant's consultation sets out an initial commitment to £10m of funding being available for communities from net zero transmission infrastructure projects across the north of Scotland. The Skye reinforcement project is listed as being one of the projects that could be eligible for this emerging fund which is welcome, however, any such community benefit offered is understood to be of a voluntary nature.
- 6.23 This is a matter for Scottish Government to consider, but at this stage, it is officers' position that there is insufficient clarity or commitment made by the applicant to fully establish if any additional support for the proposed development could be afforded under NPF4 Policy 25 Part a), given that this is a developer led proposal, rather than being Council or Local Development Plan led. In the absence of this, it remains unclear how this may contribute towards a local or regional community wealth building strategy and be consistent with local economic priorities making it challenging to attribute any weight to this in the decision making process. Should this matter be afforded any material weight, it would then follow that the fund's delivery and management would need to be secured by way of legal agreement associated with any forthcoming permission.

#### **Matters to be Secured by Legal Agreement / Upfront Payment**

- 6.24 In order to mitigate the impact of the development on infrastructure and services the following matters still require to be secured:
- a) A financial contribution(s) towards the delivery of a package of Road Mitigation Works on the local road network;
  - b) Delivery of Habitat Management Plan(s), incorporating biodiversity enhancement; and
  - c) Delivery of compensatory woodland planting.

### **7. CONCLUSION**

- 7.1 The proposed development is required to replace existing assets that are approaching the end of their operational life and to provide additional capacity on the transmission network for new renewable energy generation. The Scottish Government and the Council each have policies in support of projects which increase the capacity of the grid network to serve communities and in particular, the significant level of investment required in renewable energy. NPF4 justifies the need for such investment highlighting such development as of national importance.

- 7.2 Most statutory and other consultees responding to date, are generally supportive. That said, the application is still undergoing consultation and there are unresolved objections from consultees; namely NatureScot, with their objection being primarily attributable to Section 3 of the line. Other concerns have also been expressed regarding the ornithology impacts of the line at Section 5, with further advice on this still pending from NatureScot. The extent of woodland removal, and the delivery of compensatory woodland planting, as well the delivery of biodiversity enhancement is also to be finalised. It is recommended that a pragmatic approach is taken, one that allows for the application to continue to be supported, subject to further clarity and detailed provisions regarding woodland compensatory planting, as well as habitat management and enhancement, to be secured by way of updated planning conditions and legal agreements to be put in place ahead of any permission being forthcoming by Scottish Ministers.
- 7.3 Many consultees have requested planning conditions to be attached to any grant of permission to effectively ensure that their specific interests are secured. In undertaking re-consultation, this has had the benefit of consultees being able to review the previously suggested draft conditions, with a limited number of minor amendments now being proposed by officers to be incorporated; (amendments arising as a result of the AI2 consultation are set out within the conditions in bold text for ease of reference).
- 7.4 The development has also raised further public interest. Much of the concern raised relates to the potential for the route to follow Section 3b (alternative alignment) which is not being supported by the Council's officers. The other overarching concern is that the transmission line may lead to further onshore wind development, particularly on Skye although we are experiencing renewable energy development interest along other sections of the network across Highland. This overarching concern must be acknowledged, however, we can only assess the particulars of this development proposal which is for a replacement transmission line and not for renewable energy generation. Whilst the carrying capacity of the line is proposed to be increased, this is to facilitate the transmission of more renewable energy in the years to come, including from consented but not yet built schemes. Moving forward, any renewable development applications will require to be assessed on their own merit. NPF4, which forms part of the Development Plan, makes clear that grid capacity should not constrain renewable development.
- 7.5 Critical to the determination of this application is Section 3 of the line where the proposed development crosses from Skye to connect with the mainland. Here the re-use of the existing OHL crossing point is logical and is not disputed. Where there continues to be disagreement between the applicant and NatureScot is the line's route through the Kyleakin Hills SAC. For this section permission for two routing options is therefore sought (Section 3a and 3b), with only one to be built. The construction of this replacement section of the line, regardless of which route is selected, is considered by NatureScot to cause significant adverse effects on blanket bog, European dry heath, wet heathland with cross-leaved heath, western acidic oak

woodland habitats, lichen and bryophyte, leading to a likely adverse effect on site integrity. For Section 3, NatureScot previously advised that the alternative alignment 3b is the least damaging option. Whilst NatureScot's response to the AI2 is still outstanding, this is understandable given that much of the AI2 content is to inform their detailed assessment of the scheme's impacts on the SAC.

- 7.6 Having considered the advice provided by NatureScot to date, and assessed the wider environmental impacts of Section 3, the applicant's preferred route 3a remains to be favoured by officers. In terms of ecological impacts, officers note that the existing OHL already passes through the northern part of this designation, with this infrastructure requiring to be removed regardless of which route option is selected. Its removal would result in disturbance to habitats and it would seem preferable to consolidate such impacts to within one area. Should this not be desirable from an ecological perspective; before any decision to follow the alternative alignment, Scottish Ministers must take into account the wider social (human), economic and other environmental implications of this, which remain as reported in the 22 March 2023 Report on Handling.
- 7.7 The Council requires to re-consider its response to this application against the policies set out in the Development Plan, principally NPF4 and HwLDP Policy 69. Given the above analysis, with the removal of Section 3b (alternative alignment), the application continues to be seen to accord with the Development Plan.
- 7.8 It is considered the impact of the proposed development can be managed, subject to the application of appropriate updated conditions and conclusion of legal agreements to secure: a financial contribution towards local road network improvements; delivery and implementation of Habitat Management Plans which deliver meaningful biodiversity enhancement, and compensatory tree planting provision.
- 7.9 Schedule 9 of the Electricity Act sets out what an applicant shall do in relation of the preservation of amenity. It is considered that the proposal has had regard to the desirability of preserving natural beauty but through the design process has mitigated the effects of the development in relation to the effects on the natural beauty of the countryside. Again, this is with the exception of proposed Section 3b.
- 7.10 All relevant matters have been taken into account when appraising this application. It is considered that with the removal of Section 3b, the proposal accords with the principles and policies contained within the Development Plan and material considerations do not outweigh this position.
- 7.11 In the event that Section 3b is retained, the proposal is found not to accord with the principles and policies contained within the Development Plan and material considerations do not outweigh this position.

## 8. IMPLICATIONS

8.1 Resource: Not applicable

8.2 Legal: Not applicable

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

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

8.5 Risk: Not applicable

8.6 Gaelic: Not applicable

## 9. RECOMMENDATION

9.1 **Action required before consultation response is issued** No

9.2 It is recommended that the Council continues to **RAISE NO OBJECTION** to the application, subject to:

- A) For Section 3, the progression of Section 3a (preferred alignment) only;
- B) The conclusion of legal agreements as set out in Section 6 of this report; and
- C) The conditions and reasons set out below.

### **Conditions to be attached to any Section 37 consent which may be approved:**

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

The development shall be constructed and operated in accordance with the provisions of the Application, the Environmental Impact Assessment Report (EIAR) and Additional Information (AI), except in so far as amended by the terms of this consent. All OHL wood poles, steel lattice towers and cable sealing end compounds shall be constructed in the locations shown in Figures V1-3.1 (A through to Z) and V1-3.1 (AA through to QQ) of the 2022 EIAR. The number and locations of supporting infrastructure and structures may however be adjusted within the following Limit of Deviation (LOD):

- a) Overhead line – 40m horizontal LOD either side of the proposed alignment and 3m vertical LOD above or below the proposed tower or pole height;



- b) Underground cable - 40m horizontal LOD either side of the proposed alignment;
- c) Cable Sealing End (CSE) compound – 40m horizontal LOD from the proposed location;
- d) Access tracks – 25m horizontal LOD either side of the proposed alignment; and
- e) Subject to the following LOD variations, as per Chapter 3, Table V1-3-1 of the 2022 EIAR:

<b>LOD Variation</b>	<b>Section / Area</b>	<b>LOD Variation</b>	<b>Reason</b>
1	Section 0: DA159 to DA168	Reduced to 10 m on western side and extended up to 120 m on eastern side of wood pole alignment.	To ensure sufficient flexibility to avoid interference with Beinn na Mointeach radio station.
2	Section 1: Track within vicinity of Glenmore River and Abhainn an Acha-Leathain	Shift of track LoD to west.	To allow micro-siting of tracks to maintain a suitable buffer between the rivers and track construction, except at crossing points.
3	Section 1: Within vicinity of CSE Compound (BE32 to BE34)	Up to 50 m either side of OHL on approach to CSE Compound, in addition to the CSE compound LoD	To allow for tie in of OHL towers with CSE compound.
4	Section 2: Within vicinity of Abhainn Torra-mhichaig	Shift of LoD to west	To maintain a buffer of 10 m between underground cabling works and the Abhainn Torra-mhichaig, apart from at crossing points.
5	Section 2: Within vicinity of CSE	Up to 50m either side of OHL on	To allow for tie in of OHL towers with CSE compound.

	Compound (BE29 to BE31)	approach to CSE Compound, in addition to the CSE compound LoD	
6	Section 2: Between BE19 and BE20.	Up to 180 m at widest point.	Following existing access track, LoD widens in this location due to terrain and potential for micro-siting.
7	Section 2: Track to BE17	Restricted on eastern side	To exclude the Allt Strollamus from the new temporary track LoD.
8	Section 3: Track between BF20 and BF21.	Restricted on southern side at SAC boundary.	To avoid works within the Mointeach nan Lochain Dubha SAC.
9	Section 3: Track between BF57 to BF62.	Up to 80 m (40 m to either side).	Widened to allow for further micrositing in an area with difficult terrain.
10	Section 3: BF59 to BF60	Up to 60 m on southern side of OHL alignment	Widened by up to 60 m on southern side of alignment to allow for further micrositing in an area with difficult terrain.
11	Section 3: BF77 to BF79	Up to 100 m either side	To allow for works within the vicinity of anchor and crossing towers, including wiring requirements.
12	Section 4: BF80 to BF81	Up to 100 m either side	To allow for works within the vicinity of anchor and crossing towers, including wiring requirements.
13	Section 4: Track to BF81	Up to 50 m on east side	To allow greater flexibility at this access point.

14	Section 4: BF102	Up to 50m on east side	To allow flexibility in tower position
15	Section 4: Track within vicinity of Glenmore River	Restricted on northern side.	To exclude the river from the track LoD.
16	Section 4: Track from Balavoulin to BF106	Up to 40 m either side	To allow flexibility in micrositing track due to difficult terrain.
17	Section 4: Track within vicinity of Abhainn a' Ghlinne Bhig and Srath a' Chomair	Restricted on riverbank side of track.	To restrict access works to one side of the rivers, except at crossing points.
18	Section 4: Track between BF134 and BF145	Up to 100 m wide	To allow flexibility in micrositing track due to difficult terrain.
19	Section 4: Track within vicinity of GleannDubhl ochain	Restricted on riverbank side of track.	To restrict access works to one side of the river, except at crossing points.
20	Section 4: Track between BF166 and BF169	Restricted on southern side of track.	To maintain a 10 m buffer between the Lochan Torr a' Choit and track upgrading works and restrict works to one side of the Allt a' Choire Reidh, except at the crossing point.
21	Section 4: Construction access within vicinity of Loch Coire Shubh	Restricted on southern side.	To exclude the loch from the track LoD.
22	Section 5: BF261 to BF264	Up to 100 m either side of OHL	To allow for micro- siting and tie in of OHL towers within vicinity of

			proposed Quoich Tee Switching Station.
23	Section 5: BF284 to BF288	Up to 125 m wide.	To accommodate a temporary diversion to the existing OHL during construction works.
24	Section 5: Track to BF332	Up to 80 m wide	To allow flexibility in upgrading track either side of fence line.
25	Section 6: Within vicinity of Doire Mor	Up to 120 m	To allow for flexibility in siting cable route to minimise effects on blanket bog and deeper areas of peat.
26	Section 6: Within vicinity of Doire Daraich	Up to 130 m	To allow for flexibility in siting cable route to minimise effects on blanket bog and deeper areas of peat.
27	Section 6: On approach to Fort Augustus Substation	Up to 200 m	To ensure flexibility on cable entry into Fort Augustus Substation.

At least three months prior to the Commencement of Development, finalised details of the proposed access track routing and form within the LOD, shall be submitted for the prior written approval of the Planning Authority, in consultation with the relevant area Access Officer and the Community Liaison Group(s), with the agreed details to be reflected in the Recreational Access Management Plan(s) for the site.

No later than one month after the date of final commissioning of the development, an updated drawing must be submitted showing the final position of the overhead and underground line, including the positioning and height of all supporting poles, towers and associated infrastructure forming part of the development must be submitted for the written approval of the Planning Authority. The updated drawing requires to specify areas where micro-siting has taken place and, for each instance, be accompanied by copies of the ECoW approval or other technical justification.

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

## 2. Elevations and Site Formation Levels

- a) No development shall commence until location, elevation, and cross section drawings of the proposed above ground infrastructure, including site boundary treatments and scheme of landscaping, have been submitted to and approved in writing by the Planning Authority. These details shall include:
  - i) The external materials, colours and finishes of all external structures, including above ground cable joint boxes and site fencing such as for sealing end compounds, with a non-reflective finish to be specified throughout; (note that no further details of the wood pole and steel lattice tower supporting structures require to be provided);
  - ii) any raised areas of hardstanding to support all onsite infrastructure, such as raised above ground foundations or platforms; and
- b) No element of the development shall have any text, sign or logo displayed on any external surface of the facility, save those required by the applicant's safety systems and law under other legislation; and

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

**Reason:** In the interest of visual amenity.

## 3. Construction Environment Management Document

No later than three months prior to the Commencement of the Development, a Construction Environment Management Document (CEMD) shall be submitted for the writing approval of the Planning Authority, in consultation with SEPA, NatureScot, Environmental Health and other consultees as appropriate. The development shall then proceed in accordance with the approved CEMD unless otherwise agreed in writing by the Planning Authority. The CEMD shall include details of:

- a) An updated Schedule of Mitigation (SM) as it relates to construction highlighting mitigation set out within each chapter of the Environmental Impact Assessment Report (EIAR), within the EIAR Additional Information (AI), and the conditions of this consent;
- b) Processes to control / action changes from the agreed SM;
- c) Construction Environmental Management Plans (CEMPs) for the construction phase, covering:
  - i) Habitat and Species Protection;
  - ii) Pollution Prevention and Control, with works to be carried out in line with the requirements outlined in EIAR Appendix

V1-3.5, Appendix V1-3.6 and Appendix V1-3.7.

- iii) An Invasive Non-Native Species protocol;
- iv) Dust Management, covering demolition and construction activity, including vehicle movements;
- v) Construction Noise and Vibration;
- vi) Temporary Site Lighting;
- vii) Site Waste Management;
- viii) Surface and Ground Water Management, including: drainage and sediment management measures from all construction areas including access tracks; further construction design details for access tracks running parallel within 20m of a watercourse; permanent watercourse crossing works to follow the designs outlined in EIAR Appendix V2-6.2; mechanisms to ensure that construction will not take place during periods of high flow or high rainfall; a programme of water quality monitoring; and bespoke risk assessment for groundwater supply sites identified as high risk in line with SEPA guidance (currently LUPS-GU31);
- ix) Peatland Management Plan, for each section of the development (or subsequent phase of works. Each plan should provide quantitative information on acrotelmic, catotelmic and amorphous peat disturbance and reuse. It requires to demonstrate how post consent layout modifications will further minimise peat disturbance, informed by further peat probing work. Permanent tracks are to be shown to avoid areas of deepest peat and use methods such as floating construction to minimise peat excavation. Construction compounds and laydown areas are to be shown to avoid deeper peat and any sensitive receptors. Any substantial temporary peat storage should also be quantified and outlined. **It requires to incorporate the findings and mitigation measures set out within the applicant's Peat Landslide Hazard and Risk Assessment, Revision 3, or any subsequent revision to this document, and shall incorporate further site-specific construction plans for peat;**
- x) Soil Management, with details of soil placement and measures to utilise the soils' existing seed base in the finalised construction phase restoration plans;
- xi) Public and Private Water Supply Protection Measures, including a programme of water quality monitoring;
- xii) Emergency Response Plans;
- xiii) Phasing Plans for construction and removal of the existing OHL; and

- xiv) Other relevant environmental management as may be relevant to the development.
- d) A statement of responsibility to 'stop the job/activity' if a breach or potential breach of mitigation or legislation occurs; and
- e) Methods for monitoring, auditing, reporting and the communication of environmental management on site and with client, Planning Authority and other relevant parties.

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

#### 4. **Construction Traffic Management Plan**

No later than three months prior to the Commencement of the Development, finalised Construction Traffic Management Plans (CTMPs) for affected routes on the public road network, shall be submitted to for the writing by Transport Scotland and the Planning Authority, in consultation with Transport Planning, and the relevant Community Liaison Group(s). The CTMP shall detail:

- a) A Construction Phase Plan including a timetable for all routes intended for construction access, with:
  - i. **Provision of an updated cumulative assessment to take account of all other consented major development projects and their associated construction impacts on the road network; and**
  - ii. a finalised site access strategy required for Section 1 of the development which restricts access to the site from Portree via the B885 and provides further justification for any use of the southern section of the B885, given that a viable alternative exists through forestry.
- b) A schedule of advanced Road Mitigation Works to be undertaken on the public road network, with all identified mitigation works to be completed on each defined route prior to it being used by construction traffic associated with the development. This schedule shall include, but not limited to, areas of road widening, road strengthening, provision of improved and new passing places, and junction improvements. Such works will also include suitable drainage measures, improved road geometry, measures to protect the public road and the provision and maintenance of appropriate visibility splays.
- c) Details of: construction vehicle trip rates; measures to avoid school opening and closing times; limit construction traffic speeds; utilise local materials (e.g. aggregate); alternative means of transport with the use of helicopters to deliver construction materials for Section 0 and Section 3 of the line; avoid convoying of construction vehicles; mark vehicles with unique project identifiers; a site worker transport plan to move the workforce to and from the site; road

sweeping and wheel washing arrangements; access and egress arrangements for any heavy goods vehicles; and a local signage scheme.

- d) The scheduling of pre and post construction road condition surveys, and a programme and methodology for any repairs as a consequence of any damage caused by construction traffic, with provision of a wear and tear agreement under Section 96 of the Roads (Scotland) Act 1984.
- e) Contact details for a community traffic liaison officer for the developer whom will be responsible for: providing the Community Liaison Group(s) with information relating to the arrangements for the delivery of all road and construction traffic mitigation measures required for the development; and to provide regular project updates on the applicant's website and in local newsletters.

**Reason:** To ensure road safety and that transportation will not have any detrimental effect on the road and structures along the route and to minimise interference with the safety and free flow of the traffic on the local and trunk roads and to minimise adverse impacts on residents and local businesses in the area.

#### 5. **Construction Phase Landscaping and Restoration Method Statement**

There shall be no works or commencement of development until a construction phase Landscaping and Restoration Method Statement has been submitted to and approved in writing by the Planning Authority in consultation with NatureScot. The Statement shall be based on the proposals outlined in the EIAR Schedule of Mitigation and Outline Site Restoration Plan; setting out restoration / reinstatement provisions for any temporary disturbed ground not required for the ongoing operation of the development, including: access tracks (specifically the narrowing of spine road tracks and adoption of green running routes), and all other temporary construction areas. The Statement shall include: details of the appointment of a suitably qualified and experienced Landscape Clerk of Works to monitor and oversee the site works at regular intervals in key locations; as well as plan review provision during the construction period, with any amendments requiring the prior written approval of the Planning Authority in consultation with NatureScot. The approved Statement shall be implemented in full within 12 months of the final commissioning of the development.

**Reason:** To ensure the restoration of the site following construction to limit the environmental impacts of the development.

#### 6. **Ecological Clerk of Works**

No development shall commence until the Planning Authority has approved in writing the terms of appointment by the applicant of an



independent Ecological Clerk of Works (ECoW). The terms of appointment shall:

- a) Impose a duty to monitor compliance with the ecological and hydrological commitments provided in the Environmental Impact Assessment Report, Supplementary Environmental Information and Construction and Environmental Management Document (CEMD) and other plans approved. This shall include, but is not limited to:
  - i) undertaking a further pre-construction breeding bird and protected species site walkover survey in advance of any works or development within any specific area or section;
  - ii) updating and implementing Species Protection Plans;
  - iii) implementing a Breeding Bird Protection Plan, detailing where works are planned within the breeding season and securing the use of bird deflector markers on Sections of the overhead line deemed to be of higher collision risk as set out in the EIA Report and advised by NatureScot;
- b) overseeing site construction tree protection; and to monitor compliance with all pollution prevention measures including water quality monitoring (“the ECoW Works”);
- c) Require the ECoW to report to the applicant’s nominated construction project manager any incidences of non-compliance with the ECoW Works at the earliest practical opportunity;
- d) Require the ECoW to submit a report every three months to the Planning Authority and Planning Monitoring Officer, or monthly at the further written request of the Planning Authority, summarising progress with the development and environmental works undertaken on site;
- e) Have power to stop to the job / activities being undertaken within the development site when ecological interests dictate and / or when a breach or potential breach of environmental legislation occurs to allow for a briefing of the concern to the applicant’s nominated construction project manager; and
- f) Require the ECoW to report to the Planning Authority any incidences of non-compliance with the ECoW Works at the earliest practical opportunity.

The ECoW shall be appointed on the approved terms throughout the period from pre-construction survey work ahead of the commencement of development, throughout any period of construction activity, ground reinstatement and landscaping as well as for any post site completion monitoring requirements.

**Reason:** To secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the development.

## 7. **Operational Noise**

Noise arising from within the operation of the overhead lines, cable sealing end compounds and substations, hereby permitted, when measured and/or calculated as an Leq, 5min, in the 100Hz one third octave frequency band must not exceed 30 dB at noise-sensitive premises\*.

\*Note: For the purposes of this condition, "noise-sensitive premises" includes, but is not necessarily limited to, any building, structure or other existing or consented development the lawful use of which a) falls within Classes 7 (Hotels & Hostels), 8 (Residential Institutions) or 9 (Houses) of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended), or b) is as a flat, static residential caravan.

**Reason:** In the interest of residential amenity.

## 8. **Construction Noise Management Plan**

Operations, including vehicle movements, associated with the construction phase of the development, for which noise is audible at the curtilage of any noise-sensitive properties\*, shall only be permitted between:

- i. 0800 hours and 1900 hours Monday to Friday; and
- ii. 0800 hours and 1300 hours on Saturdays

Prior to the project commencing, the applicant shall submit, for the written approval of the Council's Environmental Health Service, in consultation with Community Liaison Groups, details of a Noise Management Plan. For the purposes of the Noise Management Plan, where it is proposed to undertake work, which is audible at the curtilage of any noise-sensitive properties, out with the hours Mon-Fri 8am to 7pm; Sat 8am to 1pm, or on recognised Bank Holidays in Scotland.

Or

Where noise levels during the above periods are likely to exceed 75dB(A) for short term works or 55dB(A) for long term works. Both measurements to be taken as a 1hr LAeq at the curtilage of any noise sensitive receptor. (Generally, long term work is taken to be more than 6 months).

The Construction Noise Management Plan should be carried out in accordance with BS 5228-1:2009 "Code of practice for noise and vibration control on construction and open sites – Part 1: Noise" with details of mitigation measures. Thereafter the development shall progress in accordance with the approved Construction Noise Management Plant and all approved mitigation measures shall be in

place prior to the commencement of operations or as otherwise may be agreed in writing by the Planning Authority.

\*Note: For the purposes of this condition, "noise-sensitive premises" includes, but is not necessarily limited to, any building, structure or other existing or consented development the lawful use of which a) falls within Classes 7 (Hotels & Hostels), 8 (Residential Institutions) or 9 (Houses) of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended), or b) is as a flat, static residential caravan.

**Reason:** In the interest of residential amenity.

9. **Air Quality Management Plan**

Prior to the project commencing, the applicant shall submit, for the written approval of the planning authority, details of a dust mitigation scheme (in the form of an Air Quality Management Plan) designed to protect neighbouring properties from dust arising from this project.

Thereafter the development shall progress in accordance with the approved dust suppression scheme (in the form of an Air Quality Management Plan) and all approved mitigation measures shall be in place prior to the commencement of operations or as otherwise may be agreed in writing by the Planning Authority.

**Reason:** In the interest of residential amenity.

10. **Recreational Access Management Plan**

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

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

11. **Habitat Management Plans**

(1) No later than three months prior to the Commencement of the Development, a finalised habitat management plan (HMP), or a series HMPs for each section of the line, shall be submitted to and approved in writing by the Planning Authority, in consultation with SEPA and NatureScot.

- (2) The HMP shall set out proposed habitat management of the site and associated landholdings during the period of construction and operation of the site.
- (3) The HMP shall include information on how and where any disturbed peat that cannot be used in site reinstatement will be used for peat restoration. This should include (a) location plan of the proposed peatland re-use/restoration area, clearly showing size of individual areas where peat re-use is proposed and total area to be restored, **with this including the delivery of improvement to good quality of at least 377 Ha of peatland** (b) evidence, in the form of photographs, aerial imagery, or surveys to demonstrate that the area identified is appropriate for peat re-use and is capable of supporting carbon sequestration and (c) basic calculations which demonstrate that the proposal will make use of all excavated material (this information could alternatively be included in the Peat Management Plan).
- (4) The HMP shall include post construction and existing OHL removal restoration measures for the most sensitive habitats, peatland restoration proposals, provide enhancement of Annex 1 habitats, habitats for protected species and mitigation measures for birds.
- (5) The approved HMP will include provision for regular monitoring and review to be undertaken to consider whether amendments are needed to better meet the habitat plan objectives. In particular, the approved habitat management plan will be updated to reflect ground condition surveys undertaken following construction and prior to the date of Final Commissioning and submitted to the Planning Authority for written approval, in consultation with SEPA and NatureScot.
- (6) Unless otherwise approved in advance in writing with the Planning Authority, the approved HMP shall be implemented in full.

**Reason:** In the interests of the protection of the habitats and species identified in the EIAR and EIAR Additional Information.

## 12. **Compensatory Planting**

No later than three months prior to the Commencement of the Development, a detailed Compensatory Planting Plan (CPP) shall be submitted to and approved in writing by the Planning Authority, in consultation with Scottish Forestry. The CPP must include:

- a) the areas of proposed woodland removal, identify opportunities which reduce the permanent loss of woodland (both within and

adjacent to the operational corridor) through converting areas of commercial plantation to native species. These can be designed with a graded edge, with smaller shrub species closest to the overhead line, allowing the narrowest operational corridor of 30 metres, 15m either side of the line, to be achieved;

- b) the commitment to replant an area (minimum of 118ha for direct loss and a further indirect loss of 82ha, plus a further area to compensate for the loss of ancient and semi-natural woodland (precise area still to be defined), equating to the area of permanent woodland lost to accommodate the proposed development;
- c) the location of the replanting;
- d) the design of planting;
- e) timing of delivery; and
- f) ongoing management and maintenance arrangements.

The approved CPP shall be implemented in full and in accordance with the approved timing, unless otherwise agreed in writing by the Planning Authority.

**Reason:** To enable appropriate woodland removal to proceed, without incurring a net loss in woodland related public benefit, in accordance with the Scottish Government's policy on the Control of Woodland Removal.

### 13. **Biodiversity Enhancement**

No later than three months prior to the Commencement of the Development, a Biodiversity Enhancement Plan (BEP) shall be submitted to and approved in writing by the Planning Authority, in consultation with NatureScot. The BEP must include details of **compensation and enhancement measures, to ensure the development results in at least 10% biodiversity net gain. The BEP must include management, maintenance and monitoring strategies of the compensation and enhancement measures, that ensure longevity of the proposals.** The approved BEP shall be implemented in full and in accordance with the approved timing, unless otherwise agreed in writing by the Planning Authority.

**Reason:** To ensure that the development delivers biodiversity net gain.

### 14. **Archaeology**

No development or work (including site clearance) shall commence until a programme of work for the survey, 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.

### **Aviation**

15. No development shall commence until the following information has been sent to UK DVOF and Powerlines at the Defence Geographic Centre:
- a) Proposed location of development;
  - b) Date of commencement of construction;
  - c) Date of completion of construction;
  - d) The height above ground level of the tallest structure;
  - e) The maximum extension height of any construction equipment;  
and
  - f) Details of any aviation warning lighting fitted to the structure(s)\*.

Post micro-siting of infrastructure undertaken during construction, no later than one month after the date of final commissioning of the development, updated details showing the final position of the overhead line supporting infrastructure must be submitted.

\*Note: No visible aviation lighting on any overhead line or supporting structures are hereby permitted.

**Reason:** In the interest of aviation safety and visual amenity.

### 16. **Community Liaison Groups**

No development shall commence until a community liaison group, or a series of groups for each section of the line, are established by the applicant, in collaboration with the Planning Authority and affected local Community Councils.

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

This should also ensure that local events and tourist seasons are considered and appropriate measures to co-ordinate deliveries and work with these and any other major projects in the area to minimise conflict between construction traffic and the increased traffic generated by such events / seasons / developments.

The liaison group, or element of any combined liaison group relating to this development, shall be maintained until the construction of the development and all site infrastructure becomes fully operational.

**Reason:** To assist project implementation, ensuring community dialogue and the delivery of appropriate mitigation measures for example to minimise potential hazards to road users, including pedestrians, travelling on the road networks.

## 17. **Planning Monitoring Officer**

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

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

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

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

Signature: Dafydd Jones and David Mudie

Designation: Area Planning Managers - North and South

Author: Peter Wheelan

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

Relevant Plans: Plan 1 - Figure V1-1a Overview of Proposed Development

Plan 2 - Figure V1-1b Overview of Proposed Development

Plan 3 - Figure V1-1c Overview of Proposed Development

Appendices:

Appendix 1 – Letters of Representation Received by The Highland Council - redacted

Appendix 2 – Report on Handling (22 March 2023)

Appendix 3 – Response to the ECU (11 April 2023)

Appendix 4 – Response to the ECU (4 September 2023)

## Appendix 2

Agenda Item	
Report No	

### HIGHLAND COUNCIL

**Committee:** North and South Planning Applications Committees  
**Date:** 22 March 2023  
**Report Title:** 22/04580/S37: Scottish Hydro Electric Transmission Plc  
Ardmore Sub-Station, Ardmore, Hallin, Dunvegan  
**Report By:** Area Planning Mangers – North and South

#### Purpose/Executive Summary

**Description:** Skye Reinforcement Project - Construct and operate approximately 110 kilometres (km) of new double circuit steel structure 132 kV overhead transmission line and associated infrastructure

**Wards:** 5 - Wester Ross, Strathpeffer and Lochalsh  
10 - Eliean A' Cheò  
11 - Caol abd Mallaig  
12 - Aird and Loch Ness

**Development Category:** National Development

**Reason Referred to Committee:** Consultation on national development

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

#### Recommendation

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



## 1. PROPOSED DEVELOPMENT

- 1.1 The Highland Council has been consulted by the Scottish Government's Energy Consents Unit on an application made under Section 37 of the Electricity Act 1989 (as amended) for the construction and operation of a new 132kV electricity transmission line extending over a distance of approximately 160 km between Edinbane substation and Fort Augustus substation, referred to as the Skye Reinforcement Project. This application comes under the category of "National Development" as set out in the Scottish Government's fourth National Planning Framework Plan (NPF4).
- 1.2 The development will comprise of 137 km of overhead line (OHL) and 24 km of underground line. 110 km of the double circuit OHL would be supported on steel lattice towers, with 27 km of single circuit OHL being supported by wooden "H" poles. A temporary 9 month diversion of the existing 132 kV OHL at Inchlaggan for 750 m would also be required.
- 1.3 The proposed development is required to replace existing assets that are approaching the end of their operational life and to provide additional capacity on the transmission network for new renewable energy generation. There are several renewable energy projects requiring connection to the national grid arising from the renewable generation policies and the drive to attain net zero. The applicant is contracted to provide an additional 424 Mega Watts (MW) of generation on the Skye circuit by 2027 and a further 57 MW is in the connection application process. The existing OHL is the sole connection from the mainland transmission system to Skye and the Western Isles. The proposed reinforcement will result in the replacement of an existing single circuit with a double circuit transmission line of modern and robust construction type, therefore significantly improving security of supply.
- 1.4 The broad routing of the replacement line follows the same alignment as the existing 132 kV line to be replaced. Following completion of the proposed development all redundant transmission infrastructure would be removed. The line has been split into seven defined geographical sections to describe the project. These are broadly defined as:

Section	Location	Distance	As Existing (Infrastructure to be Replaced)	As Proposed
0	<b>Ardmore to Edinbane</b>	27 km	Wood pole OHL	Single circuit OHL on wooden H poles.
Commences at Ardmore substation with the OHL heading south broadly following the alignment of the existing 132 kV wood pole OHL. The replacement wood pole OHL follows the eastern edge of the A860 and A863 to the east of Duvagan. From here the OHL continues inland across open moorland to connect with Edinbane substation.				

<b>1</b>	<b>Edinbane to North of Sligachan</b>	20 km	Wood pole OHL	OHL double circuit on steel lattice towers.
	From Edinbane substation the OHL heads east, crossing the B885 which connects Portree with Bracadale and continues to the south east crossing moorland and forestry at Glenmore. From here the line crosses the A87 between forestry blocks to the north of Sligachan where the OHL would be undergrounded.			
<b>2</b>	<b>North of Sligachan to Broadford</b>	23 km	Wood pole OHL	15 km of underground cabling within the vicinity of the Cuillins (to mitigate landscape and visual impacts) and 8 km OHL double circuit on steel lattice towers.
	From North of Sligachan the underground line crosses the River Sligachan, skirting the edge of the Cuillin Hills, broadly following the A87 as it passes Loch Sligachan and Loch Ainort. The line runs underneath the A87 in part and passes to the south of Sconser. The underground section of the line then terminates south of Luib where then goes above ground across moorland running to the west of the A87 before it connects with Broadford substation.			
<b>3</b>	<b>Broadford to Kyle Rhea</b>	20 km	Steel lattice tower OHL	OHL double circuit on steel lattice towers.
	From Broadford substation the OHL runs across open moorland to the south of Broadford and the A87, crossing the A851. At the point where the proposed line meets the block of forestry to the south west of Kyleakin, two OHL routing options have been applied for. The applicant's preferred routing 3a continues along the broad alignment of the existing OHL to be removed to the south above the A87, with the OHL then heading south near Loch Alsh to the existing OHL's crossing point with the existing towers to be utilised north of Kylerhea village. The alternative alignment 3b follows a more southern route following the Glen Arroch road down the glen towards Kylerhea, where the OHL would traverse the hillside above the village, its ferry terminal, and head north through woodland to the existing OHL's crossing point over the Kyle Rhea.			
<b>4</b>	<b>Kyle Rhea to Loch Quoich</b>	38 km	Steel lattice tower OHL	OHL double circuit on steel lattice towers.

	From Kyle Rhea the OHL follows the same alignment as the existing OHL heading south east across a very remote part of the mainland with challenging mountainous terrain. Here the OHL runs to the north of Loch Beag, Kinloch Hourn and Loch Quoich.			
<b>5</b>	<b>Loch Quoich to Invergarry</b>	24km	Steel lattice tower OHL (5 km) / Wood pole OHL (19 km)	OHL double circuit on steel lattice towers.
	From Loch Quoich dam, the line follows the alignment of the existing OHL to be replaced this follow the Glen Garry and north of Loch Garry, crossing the A87 before being undergrounded north of Invergarry.			
<b>6</b>	<b>Invergarry to Fort Augustus</b>	9 km	Wood Pole OHL	Underground cabling (to rationalise the existing OHL network).
	From north of Invergarry the cable would be undergrounded heading north east through Auchterawe connecting with Fort Augustus substation where the line terminates. The route following the existing OHL alignment through forestry.			

1.5 For Section 3 a preferred alignment 3a and an alternative alignment 3b option for part of the OHL route has been applied for. The alternative routing is of a similar length and follows the minor road through Glen Arroch and Kyclerhea Glen. The alternative route is not the applicant's preferred route but has been included due to the presence of the Kinloch and Kyleakin Hills Special Area of Conservation (SAC) which is proposed to be crossed. As this is a European designation, under The Conservation of Habitats and Species Regulations 2017 (the Habitat Regulations), this requires Scottish Ministers to consider whether a feasible alternative exists which would avoid or have less severe impacts prior to determining the application. Whilst both the applicant's preferred route and the alternative route have been applied for, only one routing option would be constructed.

1.6 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, poles, and other infrastructure to reflect topographical, engineering, and environmental constraints. The following typical parameters have been identified for the LOD:

- OHL – 40m horizontal LOD either side of the proposed alignment and 3m vertical LOD above or below the proposed tower or pole height;
- Underground cable - 40m horizontal LOD either side of the proposed alignment;
- Cable Sealing End (CSE) compound – 40m horizontal LOD from the proposed location;
- Access tracks – 25m horizontal LOD either side of the proposed alignment.

- 1.7 The applicant has sought to deviate from the typical horizontal LOD to account for known engineering challenges and environmental sensitivities. 27 LOD variations are therefore proposed which alter the proposed corridor where the infrastructure would be sited. In some areas the LOD is proposed to extend out to a corridor width of 200 m, however in other locations the LOD is proposed to be refined inwards. Additionally, in areas where the OHL would go through woodland, it is proposed that an operational corridor measuring typically 40 m from the OHL would be required for felling operations. Similarly, a 10 m wayleave corridor is proposed for new access tracks proposed within woodland.
- 1.8 Section 0 of the OHL would be supported by wooden H poles with a typical height of 13 m. These would comprise two wooden poles placed 2.5 m apart with supporting steel cross-arm. These would be spaced at around 80 m to 100 m apart, with this distance being adjusted to reflect ground conditions.
- 1.9 For the steel lattice tower OHL sections, the grey galvanised steel towers would measure a typical height of 27 m to 33 m. To overcome terrain and achieve sufficient ground clearance, 30 of towers would require to be taller, 23 measuring 36 m in height and the remaining 7 measuring 41 m in height. It is proposed to re-use the existing crossing towers at Kyle Rhea, with their supporting infrastructure to be strengthened. The new towers would be spaced at around 290 m apart, although again this distance may vary. A total of 436 new towers are proposed, of which 6 would be terminal towers where the OHL terminates at a substation, or transitions to underground cable, via a CSE compound. 3 CSE are proposed, either end of the underground line in Section 2, and between Section 5 and 6 near Loch Lundie.
- 1.10 The underground cable sections of the line would require a 37 m wide construction corridor. A temporary haul road would be constructed along the length of the cable during the construction phase, with the circuits installed on either side. Similarly, access points and tracks from existing public roads to the proposed haul road would be required. Cables would be installed via two ducts in the open cut trenches measuring 1.6 m in depth by 1.5 m in width. Underground concrete joint bays measuring 9 m by 3.5 m wide would be required at around 1 km intervals. In areas susceptible to flooding, above ground cable link boxes measuring 1.1 m high and 0.4 m wide would be required. For Section 2, 1.8 km of the underground cable would be installed under the A87 between Sligachan and Sconser with this anticipated to be accommodated underneath one side of the road, with road closures to be kept to a minimum during a 12 week construction period for this area. To overcome existing watercourses, Horizontal Directional Drilling would be utilised to drill beneath watercourses, with deployment of this requiring additional compound areas.
- 1.11 Ancillary development for which deemed planning permission is sought includes:
- Access tracks (temporary, permanent and upgrades to existing tracks) and the installation of bridges and culverts to facilitate access;
  - Upgrade, or creation of new bell-mouths at public road access points;
  - Establishment of temporary measures to protect road and water crossings;
  - Working areas around infrastructure to facilitate construction;
  - Tree felling and vegetations clearance; and

- Foundation works required at existing crossing and anchor towers at Kyle Rhea.
- 1.12 Other associated works which are out with the scope of this application, and either require separate consent or benefit from having existing permitted development rights, include:
- Extensions to Broadford and Edinbane substations; these are subject to two planning applications which are pending consideration and have been prepared in parallel with the OHL application;
  - A new switching station at Quoich Tee, near to the existing tee off at Kingie;
  - Borrow pits and quarries to source stone for the construction of access tracks;
  - Temporary construction compounds along the route of the proposed development;
  - Modification of the existing 11 kV and 33 kV distribution network in some areas to accommodate the new OHL; and
  - Public road improvements to facilitate construction traffic.
- 1.13 The construction period is anticipated to last 36 months, with a further 7 months being required for dismantling and removal of the existing OHL. That is based on the proposal for the works to be undertaken 7 days a week throughout the project.
- 1.14 The applicant undertook public consultation between March 2020 and October 2021 using a range of methods due to the restrictions imposed by the Covid-19 pandemic. This included virtual events between 09 June 2020 and 11 June 2020 during the route options stage of the project, and in person consultation events between 28 September 2021 and 06 October 2021, and a further virtual event on the 13 October 2021 during the alignment selection stage of the project at various locations between Dunvegan and Fort Augustus. The applicant has advised that visitor counts during the virtual consultation event at route option stage recorded 60 visitors to the three interactive sessions, and a further 67 unique users were recorded at the virtual event during the alignment selection stage. In person events were typically well attended.
- 1.15 Consultation documents were prepared by the applicant at the routeing and alignment stages of the project to set out the route and alignment selection process, and the reasoning behind the selection of a preferred route or alignment. Comments received from all stakeholders (including members of the public) in response, or following virtual or in person consultation events, were documented in a Report on Consultation, November 2020 (route options stage) and March 2022 (alignment selection stage).
- 1.16 The applicant did not utilise the Council's Pre-Application Advice Service for Major Developments, however, held a number of stakeholder meetings on each section on the proposed line between March 2021 and April 2021, and a further workshop in September 2021 to provide an update on Section 3 of the project. At the time of the advice being sought, the proposal comprised steel lattice overhead line between Edinbane Substation and Fort Augustus Substation, and wood pole overhead line between Ardmore Substation and Edinbane Substation. The Council's advice set out that the most significant effects would likely be landscape and visual impacts, particularly in relation to the Cuillins National Scenic Area, as well as the potential effects on sites designated for nature conservation. Where feasible, the Council

sought that the applicant explore undergrounding opportunities to mitigate likely significant landscape and visual effects where possible, and particularly in relation to National Scenic Areas. The applicant has since committed to undergrounding approximately 24 km of underground cable as part of the project. This comprises approximately 15 km of underground cable within Section 2 of the project from a point north of Sligachan to Luib. This is proposed to mitigate likely significant landscape and visual effects within this area, including the Cuillins NSA. A further 9 km of underground cable is also proposed in Section 6 of the project from a point near Loch Lundie to Fort Augustus Substation to facilitate rationalisation of the electricity network in this area.

- 1.17 In bringing forward the proposal, which is a replacement of the existing overhead line and largely follows the same route, the applicant has undertaken studies during the various stages of identifying the route options and the proposed alignment and design solution for the electricity transmission project that involved consideration of environmental, technical and cost factors. During the routing stage 3, alternative routes were considered: 3 within Section 0; 2 within Section 2; 5 within Section 3; 4 within Section 4; 5 within Section 5; and 4 within Section 6. Subsea routes were also explored within Section 2 and Section 3. During the alignment stage several alignment variations were considered in all sections of the proposed development in response to localised environmental and engineering constraints. Consultation has been undertaken during both route and alignment selection stages to seek comments from stakeholders, including members of the public, on the options put forward prior to finalising the design of the proposed development.
- 1.18 Within Section 3, an alternative alignment is presented. The decision taken by the applicant to include both options within the application has been made given that both the proposed alignment within Section 3 and the alternative alignment cross the Kinloch and Kyleakin Hills Special Area of Conservation (SAC). The applicant includes a shadow Habitats Regulations Appraisal (“shadow HRA”) which predicts that, after the consideration of mitigation measures, an Adverse Effect on Integrity (AEOI) cannot be ruled out for either the proposed alignment or alternative alignment for four of the SAC’s qualifying features (Western acidic oak woodland, blanket bog, wet heathland with cross-leaved heath, and dry heaths). The applicant’s view is that there are no other feasible alternatives to the proposed development. The applicant’s preference is for consent to be granted for the proposed alignment. In this situation, the alternative alignment would not be built.
- 1.19 The application is supported by an Environmental Impact Assessment Report (EIAR) which considers the proposals implications for: Landscape and Visual Impact; Ecology; Ornithology; the Water Environment, Geology and Soils Environment, Cultural Heritage; Forestry, Transport, Socio-economic, Tourism and Recreation. The EIAR also contains a schedule of environmental mitigation. The EIA Report includes assessment of both the Proposed Alignment within Section 3 and the alternative alignment, in order to provide Scottish Ministers with the information required to reach a decision.
- 1.20 During the consultation process the applicant also submitted EIAR Additional Information (AI) which provided further information on peat depth within Sections 4 and 5 of the project, clarifications on forestry and woodland loss, additional visualisations of the alternative alignment within Section 3 of the project, and the

derogation case in support of the applicant's case for the proposed development in relation to the Kinloch and Kyleakin Hills SAC and the requirements of the Habitats Regulations.

1.21 No variations have been made to the proposal during the consultation process.

## 2. SITE DESCRIPTION

2.1 The site covers a length of 160 km from Ardmore on the Isle of Skye to Fort Augustus. It broadly follows the alignment of the 132 kV OHL to be replaced which is the sole connection from the mainland electricity transmission network to Skye and the Western Isles. The land along the replacement line comprises predominantly moorland, and includes remote and mountainous landscapes of national importance, with the line also intersecting internationally and nationally important designated sites for natural heritage conservation.

2.2 The route of the proposed line, as well as the alternative route for Section 3, and the proposed LOD corridor is covered by the following natural heritage designations, landscape designations, wild land areas, regionally important special landscape areas:

Section	Site Name
0	North West Skye Special Landscape Area (SLA)
1,2,3	Cuillins Special Protection Area (SPA)
2	Cuillin Hills National Scenic Area (NSA)
2	Cuillin Wild Land Area (WLA 23)
3	Mointeach nan Lochain Dubha Special Area of Conservation (SAC) and Site of Scientific Special Interest (SSSI)
3	Kinloch and Kyleakin Hills SAC and SSSI
3	Lochs Duich, Long and Alsh Reefs SAC
4	Knoydart NSA
4	Kinlochhourn – Knoydart – Morar WLA 18
4 and 5	Moidart, Morar and Glen Shiel SLA

2.3 In addition to the above, within Study Areas of 5 km for ecological interests (with potential connectivity to the proposed development), 2 km for ornithological interests and 1.5 km (wood pole Section 0 only) to 2.5 km for landscape interests, the following are also present:

Section	Distance to Development	Site Name
2	<0.1 km	Sligachan Peatlands SAC
2	<0.1km	Sligachan SSSI
2	<2.5km	Trotternish and Tianavaig SLA
3	<0.1km	Lochs Duich, Long and Alsh Marine Protected Area (MPA)
3	<0.1km	Inner Hebrides and the Minches SAC
3	<2.5km	Kyle – Plockton SLA
3	<2.5km	Lochalsh Woodland Walks Garden and Designed Landscape (GDL)
5,6	<2.5km	Loch Lochy and Loch Oich SLA
5,6	<2.5km	West Inverness-shire Lochs SPA and SSSI

2.4 The line crosses a multitude of landscape character types as classified by NatureScot. These comprise:

- **Section 0**
- LCT 357 – Farmed and Settled Lowlands – Skye and Lochalsh
- LCT 358 – Low, Smooth Moorland
- LCT 359 – Upland Sloping Moorland
- LCT 360 – Stepped Moorland
- **Section 1**
- LCT 359 – Upland Sloping Moorland
- LCT 360 – Stepped Moorland
- **Section 2**
- LCT 357 – Farmed and Settled Lowlands – Skye and Lochalsh
- LCT 358 – Low, Smooth Moorland
- LCT 359 – Upland Sloping Moorland
- LCT 360 – Stepped Moorland
- LCT 364 – Rocky Moorland - Skye and Lochalsh
- LCT 367 – Smooth Mountain Range
- LCT 368 – Angular Mountain Range – Skye and Lochalsh
- **Section 3**
- LCT 357 – Farmed and Settled Lowlands – Skye and Lochalsh
- LCT 358 – Low, Smooth Moorland
- LCT 359 – Upland Sloping Moorland
- LCT 363 – Rugged Coastal Hills – Skye and Lochalsh
- LCT 364 – Rocky Moorland – Skye and Lochalsh
- LCT 365 – Rugged Massif – Skye and Lochalsh
- LCT 367 – Smooth Mountain Range



- **Section 4**
- LCT 237 – Rocky Moorland - Lochaber
- LCT 239 – Interlocking Sweeping Peaks – Lochaber
- LCT 357 – Farmed and Settled Lowlands – Skye and Lochalsh
- LCT 363 – Rugged Coastal Hills – Skye & Lochalsh
- LCT 365 – Rugged Massif – Skye and Lochalsh
- **Section 5**
- LCT 220 – Rugged Massif – Inverness
- LCT 235 – Broad Forested Strath
- LCT 237 – Rocky Moorland – Lochaber
- LCT 239 – Interlocking Sweeping Peaks – Lochaber
- **Section 6**
- LCT 220 – Rugged Massif – Inverness
- LCT 225 – Broad Steep-Sided Glen
- LCT 235 – Broad Forested Strath
- LCT 237 – Rocky Moorland – Lochaber

- 2.5 The site and its environs support a range of protected species including: badger, bats, hares, killarney fern, otter, pine marten, red squirrel, reptiles and water vole. Four species of deer are also indicated to be present, and a range of invasive non-native species have also been recorded. The route of the line also requires watercourse crossings which support a range of aquatic habitats. Notable species include: European eel, brown/sea trout and Atlantic salmon. The line also intersects areas of forestry and sections of ancient woodland; notably along the preferred routing in Section 3, as well as in Sections 5 and 6.
- 2.6 There are numerous visual receptors along the route of the line with building based receptor locations, roads, ferry routes, core paths and other recreational routes and known outdoor locations where the view is one of the principal reasons for being at the location, such as parking and viewing areas, local outdoor visitor attractions having been assessed. The key recreational interests in this area include mountaineering, walking, cycling, birding / wildlife watching, fishing and water sports. Tourism is a key contributor to the local economy with pre-pandemic visitor numbers to Skye and Raasay being around 650,000 in 2019. Despite Skye's popularity, the main routes affected by the development, including the A87, are not 'promoted' tourist routes.
- 2.7 No built and cultural heritage designated assets are present within the inner study area of the proposed line's corridor and access routes. 232 non-designated heritage assets have however been reported within proximity. Within a wider 2.5 km outer study area there are 75 statutory designated assets comprising scheduled monuments, listed buildings, and Stein Village Conservation Area.
- 2.8 When assessing proposals such as these, consideration of similar developments in proximity of the proposal for cumulative effects is required. The list below sets out the projects in the wider area that are operation, approved, in planning or pre-planning (known to SSEN):
- Edinbane Substation Extension (in planning)
  - Broadford Substation Extension (in planning)

- Glen Ullinish Wind Farm: 14 turbines, 119m maximum tip height (approved) and Glen Ullinish II Wind Farm: 59 Turbines (EIA Scoping)
- Corie Glas Grid Connection 400 kV OHL(EIA Scoping)
- Loch Lundie Substation (EIA Scoping)
- Quoich Tee Switching Station (pre-planning)

### 3. PLANNING HISTORY

3.1 Owing to the geographical extent of the proposed development, details of the planning history for the site given below is not comprehensive, focusing only on recent pertinent planning application activity:

<b>Date</b>	<b>Description</b>	<b>Outcome</b>
Anticipated to be determined by committee in Summer 2023.	23/00070/FUL - Extension of Edinbane Substation including creation of substation platform, substation buildings, SUDS basin, realignment of track, formation of access junction, temporary construction compound, landscaping and other ancillary works	Pending Consideration
Anticipated to be determined by committee in Summer 2023.	23/00069/FUL - Extension of Broadford Substation including creation of substation platform, substation buildings, SUDS basin, formation of access junction, temporary construction compound, landscaping and other ancillary works	Pending Consideration
21.12.2021	20/01129/S42 - Section 42 application for non-compliance with condition 1 of Glen Ullinish Wind Farm as consented (14/03964/FUL)	Planning Permission Granted
09.05.2022	22/01468/SCOP - Glen Ullinish II Wind Farm - Erection and Operation of a Wind Farm, comprising of up to 59 Wind Turbines with a maximum blade tip height of up to 200m, access tracks, borrow pits, substation, control building, and ancillary infrastructure	Scoping Response Issued
26.02.2021	20/04861/FUL - Construction of temporary bellmouth to public road and access tracks	Planning Permission Granted
26.02.2021	20/04862/FUL - Construction of temporary bellmouth to public road and access tracks	Planning Permission Granted
25.02.2021	20/04903/FUL - Construction of temporary bellmouth to public road and access tracks	Planning Permission Granted
14.08.2019	18/00760/FUL - Extend substation, creation of two platforms across two phases for gas insulated substation	Planning Permission Granted

	buildings', plant, access tracks, associated landscaping and other ancillary equipment	
18.08.2017	17/03620/SCRE - Two phase expansion of the substation. Phase one comprises a 132 kV/400 kV substation. Phase two comprises a 275 kV/400 kV substation. This is a GIS substation with the majority of plant and equipment contained within buildings	EIA Not Required
14.08.2019	18/00760/FUL - Extend substation, creation of two platforms across two phases for gas insulated substation buildings', plant, access tracks, associated landscaping and other ancillary equipment	Planning Permission Granted
11.11.2014	14/01961/S37 - Proposed Fort Augustus - Skye Tee North of Invergarry 132kv Trident Line	Approved by Scottish Ministers
02.03.2023	22/00339/SCOP - Skye Reinforcement Project - construction of 132 kV overhead transmission line (OHL)	Scoping Application Decision Issued
20.09.2022	22/03617/SCOP - Ben Aketil Wind Farm Repowering and Extension - Erection and Operation of a Wind Farm, comprising of up to 9 Wind Turbines with a maximum blade tip height of 200m, access tracks, borrow pits, substation, control building, and ancillary infrastructure	Scoping Response Issued
12.11.2021	21/02507/S75M - Modification of Section 75 Agreement for Glen Ullinish Wind Farm - associated with planning permission 14/03964/FUL.	Modification Granted
	22/05790/SCOP - Breakish Wind Farm - Erection and operation of a wind farm comprising up to 20 wind turbines with a blade tip height of up to 180m, battery storage facility and associated infrastructure	Pending Consideration
06.10.2022	22/02799/PAN - Construction of switching station, the installation of circuit breakers and replacement of the existing 132kV switchgear; the replacement of the existing Low Voltage Alternating Current battery and site diesel generator; diversion of overhead lines to the new switching station location; landscaping and permanent vehicular access	Closed
12.03.2018	18/00230/FUL - Change of use from garage to bunkhouse	Planning Permission Granted

03.02.2017	14/02055/S36 - Construction of 10 additional wind turbines (Millennium South), each with a height of up to 132m to blade tip and rotor diameter up to 102m at Millennium Wind Farm	Approved by Scottish Ministers
22.04.2013	13/01144/SCOP - Millennium South Windfarm	Scoping Response Issued
07.03.2014	14/00423/SCRE - Proposed construction of a new 132 kV connection	EIA Not Required

#### 4. PUBLIC PARTICIPATION

##### 4.1 Advertised: EIA Development

Date EIA Advertised: Edinburgh Gazette (10 October 2022), The West Highland Free Press (7 and 14 October 2022) and Press and Journal (7 and 14 October 2022)

Date EIA AI Advertised: Edinburgh Gazette (24 February 2023) and The West Highland Free Press (24 February 2023).

ECU EIA Representation deadline: 14 November 2022

Representations Received 13 (13 objections, 0 in support)  
by The Highland Council:

Representations Received 10 (10 objections, 0 in support)  
by the Energy Consents  
Unit:

##### 4.2 Material considerations raised in objections specifically to alternative alignment 3b only are summarised as follows:

- Adverse landscape and visual impact, particularly due to this alternative route not being undergrounded which could lead to the potential closure of the Glenelg to Kylerhea ferry service which provides a gateway to Skye;
- Visualisations provided are not representative of receptors in Kylerhea and Glen Arroch and do not provide sufficient coverage or adequacy detail supporting infrastructure; additional viewpoints and visualisations were therefore requested;
- Adverse impact on local communities / humans (residential visual amenity), sense of place, tourism and the local economy;
- Adverse impact on recreational assets;
- Adverse construction transportation impacts, including on the operation of the ferry;
- Adverse impact on habitats, trees and peatland; the difference in terms of habitat impacts between options 3a and 3b is regarded to be marginal with route 3a being within an area which the existing OHL has already disturbed and would be impacted upon through the existing OHL's removal;
- Overreliance upon outdated site survey work and assessment of the Kyleakin Hills SAC;
- Adverse impact on protected species and ornithology;
- Adverse impact for residents in Kylerhea's, including impact on private water

- supplies and operational noise pollution, particularly in wet or windy conditions;
- Adverse impacts on built heritage, including to the setting of listed buildings either side of the Kyle Rhea straits and direct impacts on the Old Drove Road down Glen Arroch;
- Adverse impact on structural integrity of roads / adverse construction impacts which could be avoided via greater reliance on access by helicopter; and
- Lack of environmental assessment of the alternative route.

4.3 Material considerations raised in objections to all other sections and aspects of the proposed development are summarised as follows:

- Adverse landscape and visual impact;
- Adverse impact on tourism;
- Scale of the project not reflective of local energy needs, giving rise to greater environmental impacts;
- Adverse construction transportation impacts on road safety / recreational access, and impact on common grazing livestock at Glenelg (Section 4) with the village being served by single track roads;
- Adverse landscape, visual and cultural heritage impacts associated with the introduction of road widening / additional passing places which are requested to be removed with the land being reinstated;
- Adverse impact on habitats, protected species and ornithology;
- Adverse impact on cultural heritage and archaeology, including roadside chambered cairns, stone walls and bridges which could be affected;
- Adverse impact on croftland and plans for an agricultural building (Section 0);
- Adverse impact on structural integrity of roads / adverse construction impacts which could be avoided via greater reliance on access via the sea or by helicopter;
- Adverse noise and carbon footprint impacts associated with helicopter use for construction;
- Adverse carbon footprint / lack of quantification of carbon emissions due to construction works and peat disturbance;
- Adverse recreational amenity noise impacts from operation of the line;
- Adverse impact on water quality and private water supplies; and
- Limited consideration given to upgrading the existing line.

4.4 The following matters raised in representations are not material planning considerations:

- Lack of local need for more electricity transmission;
- Adverse mental and physical human health due to close proximity of OHL;
- Adverse impact on property values; and
- Renegading on a previous commitment to underground Section 0.

4.5 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 **Glenelg And Arnisdale Community Council** object to the alternative alignment proposed Section 3b. This routing would have a major adverse impact on the scenic beauty of the area and on small businesses, that offer high employment within a

work deprived area. This area relies on the tourist trade and visitors seeking scenic, and unspoilt natural beauty. The alternative route would have an impact on potential tourism and in turn effects local businesses not only on the Skye side of the Kylerhea Straits, but also in Glenelg.

- 5.2 **Kyleakin and Kylerhea Community Council** object to the alternative alignment proposed Section 3b and supports the applicant's preferred route 3a. Route 3b would severely impact both the fragile community of Kylerhea and the scenic historical drovers route through Glen Arroch. For route 3a, there will be environmental disruption in this area in any case associated with removal of the existing OHL and following the route 3a would result in less landscape and visual impacts on the local community. Route 3b causes disruption along both routes and would have a devastating impact on the crofting community of Kylerhea and a detrimental effect on its residents; it will have a disastrous visual impact on both the historic landscape of Glen Arroch and the settlement of Kylerhea itself. The visualisations are lacking in detail and do not appear to give a true impact of the size of the pylons or just how close they would be to properties or how they would look going up Glen Arroch. There is no visual detail on the access roads that would be required, without doubt these would scar the landscape all along the pylon route up Glen Arroch, this would be quite unacceptable. It is fully supportive of the Kylerhea Community Forum who have comprehensively highlighted issues in greater detail. It fully concurs with their many valid concerns regarding route 3b, not least the real risks to the private water supply. Preferred route 3a is supported by all stakeholders, except NatureScot.
- 5.3 **Access Officer** does not object to the application. He welcomes the provision of a draft Outdoor Access Management Plan.
- 5.4 **Development Plans Team** does not object to the application. It sets out the Development Plan policy context. It notes that the EIA references the local development plan policies and references Highland-wide Local Development Plan (HwLDP) Policy 69 - Electricity Transmission Infrastructure is the lead policy for this development. The applicant's reference to taking measures to reduce the impact of the operation of dismantling the existing OHL on completion of the new OHL as per the requirement of HwLDP Policy 69 is welcomed. It also identifies pertinent NPF4 policies and highlights that the Council recognises the importance of the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, as the legislative tool for addressing Scotland's Climate and Ecological Emergency, which the Council committed to under its own Climate and Ecological Emergency declaration in May 2019. Furthermore, given Highland's land mass and geography make up, it is accepted that the area has enormous potential to significantly contribute to the production and supply of renewable energy. However, this commitment has to be taken in balance along with all other considerations of a particular site/route. It is appreciated that the proposal would add to the security of the national grid; however, such developments should be located, sited and designed appropriately and thus assessed against the wider Development Plan policies.
- 5.5 **Ecology Officer** objects to the application. This is due to insufficient information having been provided to allow adequate assessment of the biodiversity enhancement requirements of the development. She welcomes that the applicant is committed to no net loss within the development, however NPF4 Policy 3 requires

an enhancement not no net loss. A Biodiversity Enhancement and Management Plan is required that details the enhancement measures and future management and monitoring strategies. She would expect a 10% increase in the biodiversity value of the site post construction and would strongly advise using a metric to detail the biodiversity enhancement. The presence of protected species including badger, pine marten and red squirrel activity is noted and conditions are advised for pre-construction and ongoing survey work by an ECoW. She notes that the detailed generic Species Protection Plans require to be updated prior to works commencing, with site specific SPP's required for badger, red squirrel, birds, bats, pine marten and reptiles. A protected species survey of the entirety of the existing OHL is also to be conditioned prior to it being dismantled with these works also to be overseen by an ECoW. The CEMD is also advised to include mitigation detailed in the EIA Report, statutory consents, pollution prevention details and Invasive Non-Native Species protocol.

- 5.6 **Environmental Health Officer** does not object to the application. She confirms that operational noise from overhead lines would be negligible. That said, a condition is still advised to limit any noise from overhead lines, cable sealing end compounds and substations. In relation to Private Water Supplies, details of a water monitoring programme are expected to be provided in the CEMD, and that Environmental Health are contacted prior to commencement of each section of the line to confirm any new private water supplies. Conditions are also advised to: limit hours of construction and associated construction traffic, with provision made for working out with these hours, or where construction noise is anticipated to exceed specified limits, following prior approval of a Noise Management Plan; to secure a dust mitigation scheme in the form of an Air Quality Management Plan; and to secure the establishment of community liaison groups.
- 5.7 **Flood Risk Management Team** do not have any comments to make on this application.
- 5.8 **Forestry Officer** objects to the application. Approximately 43 km of the proposed line passes through areas of woodland. He sets out the policy context in relation to NPF4 Policy 6, HwLDP Policy 52 and Scottish Government's control of woodland removal policy. He verifies the amount of wood to be directly lost due to the formation of the operational corridor to be 118 ha. He also notes the requirement to remove a further 82 ha of commercial plantation to for a windfirm edge beyond the operational corridor, equating to 200 ha of woodland loss. He disagrees that the additional felling beyond the operational corridor is an 'indirect effect', as without the proposed development, this felling would not be required. Should this felling result in a permanent loss of woodland, then it is advised that this must form part of any compensatory planting calculation. Concerns over the long term management of these areas outwith the operational corridor are also expressed, given multiple land ownership. He considers this maintenance responsibility, or at least the initial restructuring, to fall with the applicant. He advised that the applicant needs to identify opportunities to reduce the permanent loss of woodland. He explains that where woodland of high sensitivity is affected, the area of compensatory planting must exceed the area of woodland being removed in order to compensate for the loss of environmental value. Once the area of permanent woodland removal has been

agreed, a Compensatory Planting Plan (CPP) must be prepared in consultation with stakeholders, with the approved CPP to be secured by legal agreement.

5.9 **Historic Environment Team** do not object to the application. No significant adverse impacts on designated assets (monuments and buildings) have been identified. Mitigation measures are recommended for undesignated assets that aim to reduce predicted adverse impacts. This includes marking-out and avoidance with buffers, micro-siting, additional investigation and recording. The specific mitigation measures detailed in Appendix V6-8.2 and V5-8.2 are appropriate. It is noted that where micro-siting and avoidance with a suitable buffer cannot be undertaken, a programme of intrusive archaeological works, starting with evaluation and/or monitoring, will be required. It is likely that with this mitigation, it will be possible to limit the direct impacts to historic environment assets to within an acceptable range. A condition is needed to secure a detailed Written Scheme of Investigation to agree these works.

5.10 **Transport Planning Team** do not object to the application. The extent of local public roads impacted will be significant. There will be significant lengths of the public road network that will experience relatively large increases in construction traffic. The proposed 7 day working week throughout the project should help to reduce the project's duration, but this strategy offers no respite from construction traffic impacts. The use of helicopters for constructing Section 0 and Section 3 is expected to have been reflected in the reported construction traffic figures. Should this not be the case the scope of road impacts and mitigation measures would need to be revisited.

The applicant has recognised that there will need to be engineering changes and improvements to the public road network. As that work is ongoing, it recommends that any permission includes a condition requiring the Planning Authority's prior approval of details of all changes and improvements to the local public road network. Thereafter, such works are to be implemented prior to construction works commencing on each section of the overall line reinforcement project.

The submission proposes that public road improvements required will largely be undertaken under permitted development rights held by The Highland Council acting as the Local Roads Authority. EIA Section 10 refers to an improvement scheme on the C1223 Shiel Bridge to Glean Beag Old Military Road that the Council is promoting through the Scottish Timber Transport Scheme (STTS). A financial contribution towards the delivery of that scheme is proposed and this must be secured ahead of any permission being granted.

A Construction Traffic Management Plan (CTMP) for each section of the line is required via condition. A wear and tear agreement under Section 96 of the Roads (Scotland) Act 1984 will be required to protect the local road network from any damage inflicted by the construction traffic, with this to be established and in place prior to the main construction works for each section of the line.

5.11 **Transport (Project Design Unit)** does not object to the application. The Road Mitigation Works need to be agreed and conditioned to offset the transport impacts arising from the proposal. This is expected to consist of a financial contribution to one of the Council's STTS bids and improvement of existing passing places, provision of new passing places and curve widening, localised carriageway widening, localised structural strengthening, visibility improvements and road drainage improvement / provision. The assessment of affected road structures will



also be need to be conditioned, with required remedial works identified and agreed with the Council. A Construction Phase Plan for all routes affected should be conditioned, outlining a timetable of routes intended for construction along with the schedule of the agreed Road Mitigation Works for each route.

### **Consultations Undertaken by The Scottish Government's Energy Consents Unit**

- 5.12 **British Telecom** do not object to the application. It advises the proposed development should not cause interference to BT's current and presently planned radio network.
- 5.13 **Defence Infrastructure Organisation / Ministry of Defence** do not object to the application. Whilst it confirms it has no safeguarding objections, the height of the proposed development necessitate that aeronautical charts and mapping records are amended. The MOD therefore requests a condition to notify UK DVOF and Powerlines at the Defence Geographic Centre with further project specific details prior to development commencing.
- 5.14 **Fisheries Management Scotland** do not object to the application. It confirms they can provide a general response with regard to general risk of such developments to fish, their habitats and any dependent fisheries. They have contacted the relevant local trust to provide a further response.
- 5.15 **Highlands and Islands Airports** do not object to the proposed development. It requests the positions and elevations of each tower is supplied to the Defence Geographic Centre for the UK wide obstacle database to be updated.
- 5.16 **Historic Environment Scotland** do not object to the application. The proposals do not raise issues of national interest for the historic environment remit. Key interests relate to the potential setting effects on a number of scheduled monuments in the surrounding area. It agrees with the conclusions of the EIA Report. However, in relation to the Old Corry, cairns 820m NE of, Isle of Skye (SM13673) OHL dismantling works must be confined to the current wayleave and do not extend into the scheduled area. The dismantling plan (Appendix V1-3.8) sets out in Paragraph 1.2.2 that existing access tracks will be used as far as practicable, and that it is not currently anticipated that new access tracks would be required to facilitate dismantling. Given the presence of forestry between the scheduled area and the wayleave for the existing OHL, it is not anticipated that incursion is likely, but the constraint of the scheduled area should nevertheless be made clear to those undertaking the dismantling works. In relation to the Dun Grugaig, dun, Gleann Beag (SM914), if significant track works occur, these may impact on the setting of the monument. It therefore requests further clarification on track upgrading in this area. It is important that upgrading works do not extend into the scheduled area. This should be made clear to those undertaking the works.
- 5.17 **JRC Windfarm Co-ordinations** do not object to the application. It has no other comment.
- 5.18 **Mountaineering Scotland** do not object to the application. It welcomes the Draft Outdoor Access Management Plan that identifies popular hill routes as well as

statutory paths in the Annex, and states management advice for the construction phase to enable recreational access to continue. It is noted that the proposed route selected in Section 4 follows closely the existing 132kV OHL through the National Scenic Area and Wild Land Area. The opinion is that the section of the route from Gleann Beag to Loch Cuaich is a very sensitive area for the potential visual impact from access tracks for construction and restoration. A key receptor in this section is hillwalkers gaining the summit of the Corbett, Beinn nan Caorach, and the views north and south-east of the summit, where construction impacts are likely to be noticeable in the long view. The Site Restoration Plan is an important document for contractors to follow, but it is only as good as the physical implementation on the ground of the guidance, and effective monitoring for any remedial action required. It supports the statements for track restoration that specify track width, turf replacement and surface reseeding. A Construction Method Statement that includes these points is an essential part of the process. It confirms it is essential that a monitoring regime is agreed and enforced by the designated Planning Authority.

5.19 **National Air Traffic Services** do not object to the application. It does not conflict with the safeguarding criteria.

5.20 **NatureScot** object to the application. It understands the national importance of the project for Scotland's net zero commitments. Its primary concern is the effect on internationally important natural heritage interests, namely the Kinloch and Kyleakin Hills SAC an SSSI. For Section 3, it objects to both the preferred and the alternative alignment, advising that the alternative alignment is the least damaging option. For both routing options, impacts relate to effects on Blanket Bog, European dry heath, Wet heathland with cross-leaved heath, western acidic oak woodland habitats, lichen and bryophyte, leading to a likely adverse effect on site integrity. It also advises that the development would have a significant effect on the SAC's otter population through disturbance, albeit with a species protection plan to be secured by condition, adverse effect on the integrity of the site for this species can be avoided. Consequently, under the Habitat Regulations, Scottish Ministers as the decision maker are required to undertake an appropriate assessment in view of the site's conservation objectives for its qualifying interest.

Other concerns relate to adverse impacts on the West Inverness-shire Lochs SPA, given the collision risk to common scoters. Further information on therefore being requested to assess the increased height of the line and effectiveness of line marking given that this species of bird may fly at night. Likely significant effects are also anticipated for the SPA's Black-throated divers due to collision risk, disruption and potential for adverse changes to water quality at Loch Lundie. It advises that impacts could potentially be mitigated, subject to a further appropriate assessment being able to demonstrate no adverse effect on site integrity, and the application of conditions relating to securing a Breeding Bird Protection Plan, construction works avoiding the breeding season, and further construction pollution prevention measures. Likely significant effects are also anticipated for the Cuillins SPA golden eagles, however, again with the application of the aforementioned mitigation measures, likely adverse effects on integrity of the site can be avoided. Should the Section 3 preferred alignment proceed, likely significant effects are also anticipated for the Lochs Duich, Long and Alsh Reefs SAC, due to impacts on reef habitat associated with landing craft and formation of a temporary pontoon. Again, subject

to the undertaking of an appropriate assessment and adherence to a comprehensive Method Statement, likely adverse effects on integrity of the site can be avoided.

In relation to international landscape designations, it welcomes that the landscape effect of Section 2 of the line on the Cuillin Hills NSA and on the Cuillin Wild Land Area (WLA 23) would be mitigated by design through undergrounding of a significant part of the line. The dramatic mountains and wild land qualities can be easily experienced by visitors from the A87, and underpin its status as one of the most iconic landscapes of Scotland. Securing appropriate restoration of the cable corridor is therefore critical. Significant adverse effects on the Cuillin Hills NSA in the short term (up to 10 years) are however identified relating to the OHL section of the line, and its permanent tracks, between Luib and to the south of Strollamus. In addition, Section 4 of the development would have long term significant adverse effects on the Knoydart NSA where the naturalness and remoteness of the landscape would be diminished by the new taller towers and increased access tracks. Conditions are therefore advised to secure additional mitigation in the form of the appointment of a Landscape Clerk of Works, provision of detailed restoration plans with special track reinstatement measures; including the narrowing of spine road tracks and adoption of green running routes, with to limit these significant effects.

The applicant's proposed Biodiversity Net Gain Assessment and peatland Habitat Management Plan also present opportunities to demonstrate compliance with the new NPF4 policies on biodiversity enhancement. It recommends that the final Habitat Management and Peat Management Plans clearly demonstrate that there will be substantially more peatland restored than is lost and that these habitats will attain a demonstrably better state than without this proposal.

5.21 **Royal Society for the Protection of Birds** do not object to the application. It has serious concerns in relation to adverse impacts on species of highest conservation concern, as well as effects on biodiversity. SSEN's commitment to 'no net loss' is noted but it is expected that monitoring of the effects of the proposed development and validating the assumptions of the EIA take place to understand the actual effect. It also has significant concerns with the assumptions made in the EIA and shadow HRA in relation to the West Inverness shire lochs SPA and Cuillins SPA. For Section 0 concern is centred around the potential for increased electrocution and collision of raptors and for Section 1 on impacts to Schedule 1 species including white tailed eagle and golden eagle, with undergrounding being a preferred mitigation but bird deflectors should be installed as a minimum. The undergrounding in Section 2 is welcomed as it avoids any risk of collision of golden eagle. For Section 3, the preference is the proposed alignment as the alternative alignment would result in serious collision risk for white tailed eagle and potentially golden eagle. RSPB strongly recommend bird flight diverters between Cuaich Dam and north of the Caolie water in Section 4. For Section 5, whilst the bird diverters mitigation is welcomed, there are serious concerns about the assumptions made in the assessment and it would like to see further bird diverters at the very least. For Section 6, the undergrounding is welcomed as it removes the risk of collision. For all sections it advises avoidance of activity during sensitive periods at known hot spots for breeding activity.

5.22 **Scottish Environment Protection Agency** do not object to the application. Their initial objection was withdrawn which related to a lack of information on impacts to

peat and carbon for Sections 4 and 5. It would withdraw the objection if the issues outlined are adequately addressed. Where detailed probing has taken place it can see that steps have been taken in a number of locations to try and avoid towers being located in areas of deep peat. A condition is advised to secure a Habitat Management Plan (HMP).

In terms of protection of watercourses, if the mitigation outlined in section 6.6.22 of the EIA Report is implemented the impact on the water environment should be acceptable. However, there are a small number of areas where tracks are currently proposed to run parallel to watercourses within the proposed 20 m buffer. In this specific case, it is content that this issue can be addressed at detailed design stage by condition, requiring further approval of the finalised route of all tracks within the buffer zones of watercourses. This requirement excludes tracks that simply cross water-features perpendicularly. A condition is also required requiring all permanent watercourse crossing works to follow the designs outlined in Appendix V2-6.2.

It is content that all existing groundwater supplies for which it has records are listed within Appendix V2-6.3 (confidential annex). Sources that are considered high risk have also been identified. A condition should be applied requiring bespoke risk assessment for sites identified as high risk in line with SEPA guidance (currently LUPS-GU31) to be agreed with the planning authority in consultation with SEPA. If the assessment concludes that there is a high risk to the source then the submission should also confirm that the groundwater abstraction owners have agreed to contingent plans, including temporary or permanent replacement of a groundwater supply in order to provide security of supply. Baseline monitoring may also be required. It further recommends that the above condition should require for further investigation of these abstractions to be undertaken, with them being risk assessed in line with the procedure outlined in the Appendix and appropriate mitigation then adopted.

The detailed habitat assessment information provided confirm that many of the wetland habitats likely to be impacted by the development are not groundwater dependant and should be suitably protected by the proposed mitigation measures.

To ensure that works are carried out in a way that protects the environment from pollution it asks that a condition is applied that all works are carried out in line with the requirements outlined in EIAR Appendix V1-3.5, Appendix V1-3.6 and Appendix V1-3.7. A condition should be applied requiring the appointment of a suitably qualified Environmental Clerk of Works (ECoW). A condition should also be applied requiring a Site Reinstatement and Restoration Plan (NTS section 2.8.4) outlining the site-specific soil and peat management measures to ensure successful reinstatement to be agreed with the Planning Authority in consultation with SEPA (and NatureScot should they desire). It should be based on the proposals outlined in the Outline Site Restoration Plan.

5.23 **Scottish Forestry** do not object to the application. That said, the first consideration for all woodland removal decisions should be whether the underlying purpose of the proposals can reasonably be met without resorting to woodland removal. Scottish Government's Policy on Control of Woodland Removal sets out a strong presumption in favour of protecting Scotland's woodland resources. Applicants are expected to develop their proposal with minimal woodland removal. Only in exceptional circumstances should the strong presumption against woodland

removal be overridden. Proposals to remove woodland should be judged on their individual merits and such cases will require a high level of supporting evidence. Where woodland removal is justified, the Compensatory Planting (CP) area must exceed the area of woodland removed to compensate for the loss of environmental value.

It acknowledges the inclusion of information on the types and areas of forestry to be felled. It advise the applicant not only to encourage relevant landowners to follow good practice, but also look further at mechanisms by which they can support this and deliver the outcome of sustainable forest management in forests and woodland affected. It strongly advises that reduced operational corridors, as applied to ancient semi-natural woodlands, are also applied to all semi-natural native woodlands affected. Furthermore, to compensate for the loss of environmental value in these woodlands, we would also expect to see an increase in the CP area, so that it exceeds the area of semi-natural woodland removed. It also strongly advise that prior to development commencement, agreement is reached with Scottish Forestry in relation to the CP plan. The details of the proposed CP must be referenced in the conditions of the planning consent. This includes the location, size, timing, monitoring and maintenance of the off-site CP. It would not be appropriate to leave mitigation detail to post consent habitat management plans to decide and implement.

5.24 **Scottish Water** do not object to the application. The development falls within several drinking water catchments where Scottish Water abstractions are located. The development is likely to present a risk to water quality. More detail on the planned route and water quality mitigation measures are required, including shapefiles of the selected route, to inform a more detailed response. It requests further involvement at the more detailed design stages, to determine the most appropriate proposals and mitigation within the catchment to protect water quality and quantity. It requests to receive notification 3 months in advance of any works commencing on site. Given the extensive area it confirms there are a large number of assets within the proposed development corridor. In the event that asset conflicts are identified then early contact should be made with the Highway Authorities and Utilities Committee (HAUC). All detailed design proposals relating to the protection of Scottish Water's assets should be submitted to the HAUC for review and written acceptance. Works should not take place on site without prior written acceptance by Scottish Water. The proposals will be required to comply with Sewers for Scotland and Water for Scotland 4<sup>th</sup> Editions 2018, including provision of appropriate clearance distances from Scottish Water assets.

5.25 **Transport Scotland** do not object to the application. The traffic assessment (TA) concludes for all sections there are no road capacity issues and ample spare capacity exists within the trunk and local road network to accommodate construction phase traffic. For the users of the trunk road sections of the A87, A82 and A887, the impact for each effect has been assessed as "slight" or "moderate/slight". A series of mitigation measures have been identified, including the introduction of a Construction Traffic Management Plan (CTMP) which will apply to all sections. There are single lane closures proposed on the A87(T) east of Sligachan, to facilitate the construction of an underground cable. It should be noted that any proposed changes to the trunk road network must be discussed and approved (via a technical approval process) by the appropriate Area Manager. There are no abnormal loads required

for the proposed development. A condition is required for the prior approval of any proposed alterations to the trunk road. To maintain the free flow and safety of the trunk road network a condition is required that the applicant must, no later than six months prior to the Commencement of the Development, submit a Construction Traffic Management Plan (“CTMP”) in writing, to the Scottish Ministers for their written approval.

- 5.26 **Scottish Woodland Trust** object to the application. This is on the basis of significant damage and loss of woodlands designated on the Ancient Woodland Inventory (AWI). It believes that ancient woodland, including semi-natural ancient woodland, is amongst the most precious and biodiverse habitats in the UK and is a finite resource which should be protected. Removal of woodland is contrary to Scottish Government policy and the Scottish Biodiversity Strategy (SBS). Around 23 ancient woodlands will likely be subject to direct loss and removal, plus a further five woods which are directly adjacent the Limits of Deviation corridor. Development in ancient woodland can lead to long-term changes in species composition, particularly ground flora and sensitive fauna, i.e. nesting birds, mammals and reptiles. In addition, where the transmission route is located near to ancient woodland there can also be indirect impacts. Detrimental external influences, or ‘edge effects’, can result in changes to the environmental conditions within woodland and consequently affecting the wood’s stable conditions; these edge effects have been shown to cause changes in ancient woodland characteristics up to three times the canopy height in from the edges. It considers that the route must avoid all areas of woodland designated on the AWI. Where existing infrastructure is located within ancient woodland, it requests that existing pathways are followed to reduce the need for additional woodland removal. Where the route is in close proximity, a buffer zone of at least 30 metres should be maintained between all areas of ancient woodland and the scheme.

## **6. DEVELOPMENT PLAN POLICY**

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

### **6.1 National Planning Framework 4**

National Development 3 (NAD3) - Strategic Renewable Electricity Generation and Transmission Infrastructure

Policy 1 - Tackling the Climate and Nature Crisis

Policy 3 - Biodiversity

Policy 4 - Natural Places

Policy 5 - Soils

Policy 6 - Forestry, Woodland and Trees

Policy 7 - Historic Assets and Places

Policy 11 - Energy

Policy 14 - Design, Quality and Place

Policy 25 - Community Wealth Building

Policy 29 – Rural Development

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

28 - Sustainable Design

29 - Design Quality and Place-making

30 - Physical Constraints

- 31 - Developer Contributions
- 36 - Development in the Wider Countryside
- 47 - Safeguarding Inbye/AppORTioned Croftland
- 51 - Trees and Development
- 52 - Principle of Development in Woodland
- 55 - Peat and Soils
- 56 - Travel
- 57 - Natural, Built and Cultural Heritage
- 58 - Protected Species
- 59 - Other important Species
- 60 - Other Importance Habitats
- 61 - Landscape
- 63 - Water Environment
- 66 - Surface Water Drainage
- 69 - Electricity Transmission Infrastructure
- 72 - Pollution
- 73 - Air Quality
- 77 - Public Access

**6.3 West Highland and Islands Local Development Plan (WHILDP) (2019) and The Inner Moray Firth Local Development Plan (IMFLDP)**

No specific policies or land use allocations apply.

**6.4 IMFLDP2 - Proposed Plan (2022)**

Policy 2 - Nature Protection, Preservation and Enhancement

**6.5 Highland Council Supplementary Guidance**

- Developer Contributions (March 2018)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (March 2013)
- Physical Constraints (March 2013)
- Special Landscape Area Citations (June 2011)
- Standards for Archaeological Work (March 2012)
- Trees, Woodlands and Development (Jan 2013)

**7. OTHER MATERIAL POLICY CONSIDERATIONS**

**7.1 Scottish Government and Other Planning Guidance**

- Scottish Energy Strategy (2017)
- The Draft Energy Strategy and Just Transition Plan (2023)
- The Onshore Wind Energy Policy Statement (2022)
- Historic Environment Policy for Scotland (2019)
- Scheduled Monuments Consents Policy (2019)
- Circular 1/2017: Environmental Impact Assessment Regulations (2017)
- PAN 1/2011 - Planning and Noise (2011)
- Construction Environmental Management Process for Large Scale Projects (2010)
- PAN 60 – Planning for Natural Heritage (Jan 2008)
- Developing with Nature Guidance (NatureScot 2023)

## **8. PLANNING APPRAISAL**

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

### **Determining Issues**

- 8.2 The determining issues for the Council as Planning Authority responding to this consultation are:
- Do the proposals accord with the Development Plan?
  - If they do accord, are there any compelling reasons for not approving them?
  - If they do not accord, are there any compelling reasons for approving them?

### **Planning Considerations**

- 8.3 The key considerations in this case are:
- a) Development Plan and other planning policy;
  - b) Energy and economic benefit;
  - c) Construction impacts;
  - d) Roads, transport and access;
  - e) Water, drainage and peat;
  - f) Natural heritage (including ornithology);
  - g) Design, landscape and visual impact;
  - h) Built and cultural heritage; and
  - i) Any other material considerations.

### **Development Plan / Other Planning Policy**

- 8.4 The Development Plan comprises the National Planning Framework 4 (NPF4), the Highland-wide Local Development Plan (HwLDP), associated statutory supplementary guidance, the West Highland and Islands Local Development Plan (WHILDLP) and the Inner Moray Firth Local Development Plan (IMFLDP). If the Council is satisfied that the proposal is not significantly detrimental overall, then the application will accord with the Development Plan.

### **National Planning Framework 4**

- 8.5 National Planning Framework 4 (NPF4) forms part of the Development Plan and was adopted in February 2023. It comprises three parts:
- Part 1 – sets out an overarching spatial strategy for Scotland in the future. This includes a vision and spatial principles.
  - Part 2 – sets out policies for the development and use of land that are to be applied in the preparation of local development plans; local place plans; masterplans and briefs; and for determining the range of planning consents.



It is clear that this part of the document should be taken as a whole, and all relevant policies should be applied to each application.

- Part 3 – contains a series of annexes which sets out how the document should be used, statements of need for national development, spatial planning priorities, qualities of successful places and other matters.

- 8.6 The Spatial Strategy sets out that we are facing unprecedented challenges and that we need to reduce greenhouse gas emissions and adapt to future impacts of climate change. It sets out that Scotland's environment is a national asset which supports our economy, identity, health and wellbeing. It sets out that choices need to be made about how we can make sustainable use of our natural assets in a way which benefits communities. The spatial strategy reflects legislation in setting out that decisions require to reflect the long term public interest. However, in doing so it is clear that we will need to make the right choices about where development should be located ensuring clarity is provided over the types of infrastructure that needs to be provided and the assets that should be protected to ensure they continue to benefit future generations. The Spatial Priorities support the planning and delivery of sustainable places, where we reduce emissions, restore and better connect biodiversity; liveable places, where we can all live better, healthier lives; and productive places, where we have a greener, fairer and more inclusive wellbeing economy.
- 8.7 The proposed development is of national importance for the delivery of the national Spatial Strategy. It is of a type and scale that constitutes NPF4 National Development 3 - Strategic Renewable Electricity Generation and Transmission Infrastructure. NPF4 describes this national development and states that the electricity transmission grid will need substantial reinforcement including the addition of new infrastructure to connect and transmit the output from new on and offshore capacity to consumers in Scotland, the rest of the UK and beyond. Additional electricity generation from renewables and electricity transmission capacity of scale is fundamental to achieving a net zero economy and supports improved network resilience in rural and island areas. The Spatial Strategy considers that Highland can continue to make a strong contribution toward meeting our ambition for net zero. It considers that the strategy for Highland aims to protect environmental assets as well as to stimulate investment in natural and engineered solutions to climate change. This aim, which will clearly require a balancing exercise, is not new and is reflected throughout the document.
- 8.8 Specific to this proposal, as well as the support in Policy 1 (significant weight will be given to the global climate and nature crisis when considering development), Policy 11 of NPF4 supports all forms of proposals for renewable, low-carbon and zero emission technologies including wind farms, as well as associated transmission and distribution grid infrastructure. However, any project identified as a national development requires to be considered at a project level to ensure all statutory tests are met, as set out in Annex 1 of the NPF4. This includes consideration against the provisions of the Development Plan, of which NPF4 is a part.
- 8.9 Whilst several NPF4 policies are pertinent to the determination of this application, Policy 4 – Natural Places sets out that development proposals that have an unacceptable impact on the natural environment will not be supported. This policy, amongst other requirements, sets out that proposals with likely significant effects on

European sites (SACs or SPAs) require appropriate assessment, and that development proposals that will affect a NSA or SSSI will only be supported where i) the objectives of designation and the overall integrity of the areas will not be compromised; or ii) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance. Such policy tests are also set out for SLAs, albeit that any significant adverse effects on the integrity of the area are to be clearly outweighed by social, environmental or economic benefits of at least local importance. These are important considerations given the location of the development and sections of the line crossing, and / or being near to these aforementioned designations. In relation to wild land, Policy 4 Part g) now makes clear that development proposals in wild land areas will be supported where the proposal supports meeting renewable energy targets. This is the case for this proposal and its landscape impacts on the Cuillin WLA have been suitably mitigated by undergrounding a large section of the line.

### **Highland wide Local Development Plan**

- 8.10 The Development Plan supports the broad principle of energy development. HwLDP Policy 69 specifically highlights that the “Council will have regard to their level of strategic significance in transmitting electricity from areas of generation to areas of consumption.” “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.

### **Area Local Development Plans**

- 8.11 The Inner Moray Firth Local Development Plan (IMFLDP) and the West Highland and Islands Local Development Plan (WHILDP) do not contain land allocations related to the proposed development. They confirm the boundaries of Special Landscape Areas within these plan areas. Highland wide Local Development Plan (HwLDP) Policies 28, 57, 61 and 67 seek to safeguard these regionally important landscapes. The impact of this development on landscape is primarily assessed in the Design, Landscape and Visual Impact section of this report.
- 8.12 The IMFLDP is under review and is at Proposed Plan stage. As this is the case the Inner Moray Firth Local Development Plan Proposed Plan (IMFLDPPP) can be given weight in the determination of applications, albeit not the same weight which would be given to the adopted development plan as it still requires to be subject to examination.
- 8.13 The IMFLDPPP contains policies on Nature Protection, Preservation and Enhancement (Policy 2). This sets out that major development will only be supported where it is demonstrated that the proposal will conserve and enhance biodiversity within and adjacent to a site. This is similar to the approach taken in NPF4 and will be considered in the relevant sections of this report. The IMFLDPPP also sets out that developers will be required to demonstrate that adequate capacity to serve the proposal exists or can be created by a programmed improvement or via direct

developer provision or funding. Where this is appropriate, the need for enhancements to infrastructure will be highlighted in this report.

### **Onshore Wind Energy Policy Statement (2022) and Draft Energy Strategy and Just Transition Plan (2023)**

- 8.14 The Onshore Wind Energy Policy Statement supersedes the previously adopted Onshore Wind Energy Policy Statement which was published in 2017. The document sets out a clear ambition for onshore wind in Scotland and for the first time sets a national target for a minimum level of installed capacity for onshore wind energy being 20 Gigawatts (GW). This is set against a currently installed capacity of 8.7 GW. Therefore, a further 11.3 GW of onshore wind requires to be installed to meet the target. It is however acknowledged that targets are not caps. In delivering such a target Scotland would play a significant role in meeting the requirement of 25-30 GW of installed capacity across the UK identified by the Climate Change Committee.
- 8.15 To deliver the ambition, a sector deal for onshore wind energy is being progressed. The detail of this is yet to be published. Like the previous iteration of the Onshore Wind Energy Policy Statement, the document recognises that balance is required and that no one technology can allow Scotland to reach its net zero targets. The document is clear that in achieving a balance, environmental and economic benefits to Scotland must be maximised. In taking this approach, this echoes Scotland's Third Land Use Strategy. Benefits to rural areas, such as provision of jobs and opportunities to restore and protect natural habitats, are also highlighted in the document.
- 8.16 The Draft Energy Strategy and Just Transition Plan has been published for consultation. Ministers will likely give consideration to this document in their decision on the application, however limited weight can be applied to the document given its draft status. Unsurprisingly, the material on in the document reflects in large part that contained in NPF4 and the Onshore Wind Energy Policy Statement (OWPS) 2022. A fundamental part of the Strategy is expanding the energy generation sector. The draft Strategy specifically addresses energy networks (page 36) and states "significant infrastructure investment in Scotland's transmission system is needed to ameliorate constraints and enable more renewable power to flow to centres of demand." It states that National Grid has identified the requirement for over £21 billion of investment in GB electricity transmission infrastructure to meet 2030 targets and that over half of this investment will involve Scottish transmission owners SPEN and SSEN. Overall, the draft Energy Strategy forms part of the new policy approach alongside the OWPS and NPF4 and confirms the Scottish Government's policy objectives and related targets reaffirming the crucial role that onshore wind and enabling transmission infrastructure will play in response to the climate crisis which is at the heart of all these policies.

### **Energy and Economic Benefit**

- 8.17 The Council continues to respond positively to the Government's renewable energy agenda. Nationally, onshore wind energy in Quarter 3 of 2021 had an installed capacity of 8.7 GW, with a further 6.5 GW under construction or consented as of Quarter 1 of 2022. As of 1 September 2022, Highland onshore wind energy projects

currently have an installed capacity of 2.5 GW, there is a further 1.6 GW of generation permitted but not yet built and 1.3 GW currently under construction. Installed onshore wind energy developments in Highland therefore accounts for around 30% of the national installed onshore wind energy capacity. There is also a further 2 GW of onshore wind farm proposals currently in planning pending consideration in Highland.

- 8.18 The proposed development is required to replace existing assets that are approaching the end of their operational life and to provide additional capacity on the transmission network for new renewable energy generation. The applicant is contracted to provide an additional 424 MW of generation on the Skye circuit by 2027 and a further 57 MW is in the connection application process. The proposed reinforcement would therefore significantly improve security of supply as well as facilitate more energy to be transmitted to areas of demand.
- 8.19 In terms of economic impacts, such projects can offer investment / opportunities to the local, Highland, and Scottish economy, including businesses ranging across the construction, haulage, electrical and service sectors.
- 8.20 There is also likely to be adverse effects caused by construction traffic and disruption, as well as some adverse economic impact that the line may have on tourism. These adverse impacts are most likely to be within the service sector particularly during the construction phase when abnormal loads are being delivered to site.
- 8.21 The assessment of socio-economic impact offered by the applicant suggests a moderate beneficial economic impact at both the regional and national level during the construction of the development. It has identified that the capital cost of the development would be around £488m. During construction 638 Full Time Equivalent direct jobs would be created. Accounting for the origin of these jobs, displacement and multiplier effects, the construction works would generate 167 jobs in Highland and 431 jobs in Scotland. The applicant also notes that there will be ongoing operational economic benefits with these being minor beneficial and not significant at any level.

### **Construction Impacts**

- 8.22 The proposed development anticipates a construction period of approximately 36 months, with a further 7 months being required for dismantling and removal of the existing OHL. This estimate is however reliant upon working hours being 7 days per week between approximately 07.00 to 19.00 hours March to September and 07.30 to 17.00 hours (or within daylight hours) October to February. Given the strategic nature of the project, Environment Health are supportive of maximising construction hours, however, have reservations relating to residential amenity and the potential duration of impacts this may have on local communities in the vicinity of the works, as well as along access roads and tracks. As such, a condition is required to limit construction hours to 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, with scope of deviations to this via the submission of the Construction Noise Management Plan, the detail of

which requires the prior approval of Environmental Health, in consultation with the Community Liaison Groups for each section of the development.

- 8.23 Developers must comply with reasonable operational practices with regard to construction noise so as not to cause nuisance. Section 60 of the Control of Pollution Act 1974 sets restrictions in terms of hours of operation, plant and equipment used and noise levels etc. and is enforceable via Environmental Health and not Planning.
- 8.24 The nature of the project anticipates the need for a Construction Environmental Management Document (CEMD), in association with the successful contractor engaged. This may be secured via condition and should include site-specific environmental management procedures which can be finalised and agreed through appropriate planning conditions. Such submissions are expected to be “plan based” highlighting the measures being deployed to safeguard specific local environmental resources and not simply re-state best practice manuals. Due to the scale of the development SEPA will control pollution prevention measures relating to surface water run-off via a Controlled Activities Regulations Construction Site Licence.
- 8.25 In addition to the requirement for submission and agreement on a CEMD, the Council and Transport Scotland require the applicant to provide a Construction Traffic Management Plan (CTMP) for the use of the road network.
- 8.26 Should the development be granted consent, a series of Community Liaison Groups should be set up for each section of the line to ensure that the community council and other stakeholders are kept up to date and consulted before and during the construction period.

### **Roads, Transport and Access**

- 8.27 Given the nature and scale of this development, the extent of local public roads impacted will be significant, including twin-track and minor single-track routes. There will be significant lengths of the public road network that will experience relatively large increases in traffic as a result of the construction works, particularly large proportional increases in HGV traffic. A 7 day working week throughout the project is suggested in the submission. Whilst this should help to reduce the overall duration of the project, it does mean that there won't be any respite from the impacts of construction traffic on the local public roads during their use for construction access purposes.
- 8.28 The information below on estimated two-way construction vehicle movements for the duration of the works has been taken from the Appendices of the submitted Transport Assessment (TA).

<b>Section 0 – Ardmore S/Stn to Edinbane S/Stn</b>	<b>Car / LGV's</b>	<b>HGV's</b>
Edinbane S/Stn – Dunvegan S/Stn new OHL	2,010	166
Dunvegan S/Stn – Ardmore S/Stn new OHL	3,974	331
Edinbane S/Stn - Ardmore S/Stn dismantle existing	1,720	249
<b>Section 1 – Edinbane S/Stn to Sligachan</b>		
B885 Portree to Bracadale Road	32,565	19,610
A863 Sligachan to Dunvegan	40,444	7,443
U4751 Balmeanach Road	1,566	548
<b>Section 2 – Sligachan to Broadford S/Stn</b>		
U4893 Broadford S/Stn Access Road to Corrie	9,996	9,996
<b>Section 3 – Broadford S/Stn to Kyle Rhea</b>		
C1239 Kylerhea Road	13,434	4,409
A851 Broadford to Armadale Road	10,436	5,314
C1240 Harrapool to Heaste Road	2,836	2,013
<b>Section 4 – Kyle Rhea to Loch Quoich</b>		
C1223 Shiel Bridge to Glean Beag Military Road	46,170	28,779
C1224 Glenelg Village and Ferry Slipway Road	2,400	1,248
U5001 Glean Beag to Balvraid Road	2,400	1,248
<b>Section 5 – Loch Quoich to Invergarry</b>		
C1144 Quoich Road and U1207 Loch Hourn Road	29,514	25,525
<b>Section 6 - Invergarry to Auchteraw S/Stn</b>		
U1663 Auchteraw Road & U1671 Great Glen Way	18,695	18,696

- 8.29 The applicant's TA has assumed that all of the sections of the line would be constructed at the same time. Transport Planning have highlighted that due to the way the figures have been reported in the TA, there will be periods when there will be more construction traffic on the roads than set out in the submission, but similarly, there will be periods when there will be less. The TA also confirms that there will be no requirement for any abnormal load movements.
- 8.30 The TA does not identify any road capacity issues within the trunk or the local road network to accommodate construction traffic. It has also undertaken sensitivity analysis to consider the concurrent expansion of both Edinbane and Broadford substations. These related developments are anticipated to be constructed over a 20 to 24 month period. The combined traffic flows are reported to be capable of being accommodated.
- 8.31 The TA also considers the potential cumulative impact of other major developments taking place, including consented wind farms on Skye. Such developments are however assumed to be reliant upon the construction and operation of the proposed line and are therefore considered by the applicant unlikely to be built out at the same time. Mainland consented wind farms, Coire Glas Pumped Storage Hydro Electric Generating Scheme, and the ongoing extension to Fort Augustus substation has also been considered. The cumulative impacts associated with these developments have however again not been assessed within the TA, on the basis that peak period of construction activity are considered by the applicant unlikely to coincide due to the related demand on construction materials and supplies. This assumption has not been questioned by Transport Planning, however, given that such impacts would primarily occur on the Trunk Road network, this is a matter for Transport Scotland

to consider and they have confirmed that there would be no capacity constraints on their affected network.

- 8.32 The proposed locations of the access points to serve each section of the line are illustrated in EIAR Appendix V2-10.1 and are outlined below.
- 8.33 Section 0 – The construction period for this section is estimated at 16 months. This section would be accessed via the A82(T) and A87(T). The use of helicopters for the delivery of materials is likely to be utilised throughout this section to minimise vehicular access to each pole location.
- 8.34 Section 1 - The construction period for this section is estimated at 16 months. This section is proposed to be accessed via the A82(T), A87(T) and the B885, with traffic only accessing the site from Bracadale. No access to the site will be available from Portree via the B885. Transport Planning have however advised that the southern section of the B885 is restricted, cannot be used by forestry vehicles, and is not suited to construction traffic in its current form. It believes there is a viable alternative means of access using forestry access tracks through to the A850. As such the access strategy for this section is required to be secured by condition.
- 8.35 Section 2 - This section would be accessed via the A82(T) and A87(T). A section of underground cable (approximately 1.8 km) would be required to be installed under the A87 between Sligachan and Sconser. The construction of this part of the proposed development would be facilitated by single lane closures along the A87 and appropriate traffic management procedures would enable traffic movements in both directions. Again, there are no road capacity issues within the trunk and local road network to accommodate construction phase traffic, and the percentage spare road capacity along the A87 suggests that the single lane closures to facilitate underground cable installation should not cause any capacity issues.
- 8.36 Section 3 – This section would be accessed via the A82(T), A87(T), A851 between Isleornsay and Skulamus; B8083 between Swordale and Broadford, and the C1239 (the Glen Arroch Road). Section 3b, the alternative route, would result in more construction traffic and significant construction impacts on the C1239, with the alternative routing necessitating additional road enhancements. This alternative routing therefore has greater potential to disrupt the Glenelg to Kylerhea ferry operations which transports 13,000 cars, thousands of motorbikes and camper vans over the Kyle Rhae narrows from April to October. Direct engagement with the ferry operator is advised by Transport Planning to consider management and mitigation options. As such, route option Section 3a is favoured by Transport Planning.
- 8.37 Section 4 – This is the most remote section of the line and would be accessed via the A82(T), A87(T), C1223, (Old Military Road) between Shiel Bridge and the Glenelg Ferry. Localised sections of the C1223 are currently being improved with the provision of improved and additional passing places. Transport Planning have advised that any use of the U5001 Glean Beag to Balvraid Road requires remedial works to an existing panel bridge structure that is suffering scour damage from the watercourse it crosses.
- 8.38 Section 5 – This section is well served by strategic access via the A887(T), A82(T) and A87(T), with access also to be taken via the unclassified Kinloch Hourn Road,

to the north of Glen Garry, which would also serve Section 4. This road has recently been used to serve the transmission reinforcement works at the Loch Quoich dam, with three replacement OLH New Suite of Transmission Structures (NeSTS) having been erected, with these to serve the improved line.

- 8.39 Section 6 - This section would be accessed via the A82(T) and the unclassified road, to the west of Great Glen Way, Fort Augustus. Whilst improvements to the U1663 Auchteraw Road and U1671 Great Glen Way roads from Fort Augustus to Auchteraw were delivered through the ongoing substation expansion works, passing place improvements along that route were only delivered up to the access into the substation. Therefore, Transport Planning advise that a review of the suitability of passing places beyond that substation access up to the point of leaving the public road will need to be undertaken.
- 8.40 Overall, whilst no road capacity constraints have been identified, without the introduction of further mitigation measures the TA does recognise that there would be significant adverse construction traffic effects in term of: impacts on residential amenity, fear / intimidation caused by passing traffic, severance, driver delay, and accident / road safety for users of the following:
- C1223 Shiel Bridge to Glean Beag Road;
  - the unclassified Kinloch Hourn Road, to the north of Glen Garry;
  - the unclassified road to the west of Great Glen Way;
  - minor roads and access tracks; and
  - Core Paths.
- 8.41 To mitigate the transport impacts of the development, a CTMP can be secured by condition. The final detail of this plan requires liaison with Transport Scotland and affected local community councils, with measures to avoid school opening and closing times; limit construction traffic speeds; utilise local materials (e.g. aggregate) and alternative means of transport; avoid convoying of construction vehicles; agree routing, particularly for any abnormal loads; mark vehicles with unique project identifiers.
- 8.42 The TA also identifies additional project specific mitigation measures to be incorporated in the CTMP. These include:
- Use of helicopters for delivery of materials (Section 0 and part of Section 3a);
  - A site worker transport plan to move the workforce to and from the site;
  - Maximising site working days and hours during daylight;
  - Routing to avoid use of the B885 wherever possible;
  - Project website construction updates and local newsletters;
  - 20mph speed limits through local villages / towns; and
  - 15mph speed limits on access tracks / private roads.
- 8.43 Advance Road Mitigation Works, or Prior Road Improvement (PRI) works, were proposed by the developer, informed by initial high level assessment of the minimum requirements needed for safe access and operation of their construction work on three routes, being the Kinloch Hourn Road, Glenelg Road and the Moll Road, Sconser (U4853 around Loch Ainort). This has tentatively identified 28 new passing places, 63 existing improved passing places and 49 lengths of localised road



widening on these three routes alone. These works have still to be considered and agreed and are subject to further review as part of that process. In addition, the Council is promoting wider improvements to the Glenelg Road through the Scottish Timber Transport Scheme (STTS). A financial contribution towards the delivery of that scheme is proposed and this must be secured ahead of any permission being granted.

- 8.44 Further mitigation works across other sections of the local road network will also be required, with the details of these measures still to be developed and agreed between the applicant and the Council. If advance works are delivered ahead of consent, then it may be prudent to have the agreed works referenced in an Exchange of Letters which will form part of the overall Road Mitigation Works schedule under an associated condition. Given the extent of the project and number of routes impacted it would be pragmatic to require completion of Road Mitigation Works on each individual route prior to that route being used for construction. This can be secured by condition, however, officers are requesting delegated authority to agree the finalised wording of the suggested planning conditions through further dialogue with the applicant and liaison with each of the Area Planning Committee chairs.
- 8.45 The Road Mitigation Works will be delivered by the developer through their appointed contractors with the Council providing prior approvals via the related conditions. The Council's supervision of the works will need to be agreed with an appropriate sum provided as part of the permit application for the supervision, which is expected to be extensive. The works will be delivered under the Council's Permitted Development Rights leading to significant road improvements that help with project delivery and the local economy.
- 8.46 A wear and tear agreement under Section 96 of the Roads (Scotland) Act 1984 will be required to protect the local road network from any damage inflicted by the construction traffic, with this to be established and in place prior to the main construction works for each section of the line. These will be consistent with current best practice and need to highlight potential cumulative impacts arising with other major developments.
- 8.47 Beyond the Trunk Road and the adopted local road network, a series of upgraded, extended private access tracks will be required to erect the new line. Certain tracks are identified for permanent retention to maintain service access, with others to be temporary with the ground to be reinstated. Floating stone road or trackway panel construction (typically a short term solution) would be installed in sensitive areas such as over deeper areas of peat. Around:
- 85 km of existing track would be utilised, of which around half of this requires to be upgraded;
  - 89 km of new temporary access tracks / spurs to tower positions are proposed; and
  - 55km of new permanent access tracks are proposed.
- 8.48 Track widths typically have a running width of 6m, within an 8 m wide corridor. Where helicopters are proposed to be used to erect steel lattice towers, track widths can be reduced to 4 m as the requirement for crane access is removed. This methodology

is intended to be deployed where the preferred route alignment crosses the Kinloch and Kyleakin Hills SAC within Section 3, with floating and cut / fill access tracks being proposed.

- 8.49 Track access is required is required to be maintained during the operational life of the development. Permanent tracks to be retained would be partially reinstated to 2.5 m in width, with all temporary tracks to be removed with the land reinstated. All temporary working areas would also be reinstated. No new access tracks are anticipated to be formed for the removal of the existing OHL, with certain areas of the existing line to be removed by helicopter to reflect steep terrain and environmental sensitivities.
- 8.50 There are fewer construction access tracks proposed to be left as permanent within central and northern Skye, as opposed to on the mainland through Lochalsh into Lochaber. As the project could provide legacy benefits in terms of providing access tracks for communities, further consultation with communities as well as landowners and land managers is encouraged to maximise wider recreational access. A series public access related suggestions and further queries have been raised by the Council's Access officer. Measures to soften the visual impact of all remaining permanent paths is also recommended by the Access Officer and NatureScot to restore route margins, central spines and culvert headwalls. To enable further detailed consideration, a condition could be imposed requiring the finalised access track routing and form within the LOD, to be agreed via condition, in consultation with the project's Community Liaison Groups.
- 8.51 A draft Recreational Access Management Plan (RAMP) has been submitted with the application. This is welcomed and the finalisation of this plan can be secured by condition. The Council's Access Officer advises that a series of amendments should be made relating to: notification procedures for interested parties; procedures for inspecting and maintaining routes shared with construction vehicles; and provision of a site construction works point of contact to enable the public to report any concerns.
- 8.52 In summary, whilst not all the transport and access mitigation measures associated with the construction of the line are set out in their entirety, sufficient confidence can be taken from the level of detail and assessment provided to date, with the applicant committing to undertaking a series of advanced road improvements to ensure that the traffic and transportation impacts of the development can be suitably managed.

### **Water, Drainage and Peat**

- 8.53 The EIAR is clear that a Construction Environmental Management Document / Plan (CEMD) will be in place to ensure that potential sources of pollution on site can be effectively managed throughout construction and in turn during operation of the line. The CEMD needs to be secured by condition. This will ensure the agreement of construction methodologies with statutory agencies following appointment of the principal contractor and prior to the start of development or works.
- 8.54 In order to protect the water environment a number of measures have been highlighted by the applicant for inclusion in the CEMD including the adoption of sustainable drainage principles, and measures to mitigate against effects of potential

chemical contamination, sediment release and changes in supplies to Ground Water Dependent Terrestrial Ecosystems. This includes setbacks from water courses, employment of an Ecological Clerk of Works (ECoW) and undertaking a programme of water quality and quantity monitoring surveys. Such measures are to be set out within a groundwater and surface water quality management plan, with a drainage management plans also to be prepared for locations within 20m of any watercourse. These plans can be conditioned and be incorporated within the CEMD.

- 8.55 Any proposed infrastructure located within areas at flood risk require the principal contractor to prepare a detailed construction method statement. This will ensure no new permanent features which are sensitive to flooding are located within the floodplain. Any watercourse crossings within the development will be regulated under SEPA's Controlled Activities Regulations (CAR) regime and will be designed to allow continuous flow. A detailed drainage strategy will be developed, details of which may be secured by condition to allow final assessment by SEPA and the Council's Flood Risk Management Team.
- 8.56 In terms of maintain drinking water quality, properties locally maintain Private Water Supplies (PWS) and some of the water sources lie close to or downstream of the proposed development. Micro-siting, and good practice techniques that prevent pollution of surface water and maintain the integrity of the distribution pipework, will be required to safeguard these private water supplies. The proposed development also crosses surface water catchments which are designated as Drinking Water Protection Areas (DWPA). The east of Section 4, Section 5 and Section 6 lies within the Ness surface water catchment a public water supply drinking water catchment. As such, as part of the detailed design stage of the project, a public water supply, DWPA and PWS monitoring and protection strategy is to be prepared and agreed with Scottish Water, Environmental Health and SEPA.
- 8.57 Deep peat, of more than 1m, is present across much of the site. SEPA raised an initial objection over the potential impact of infrastructure on deeper areas of peat within Sections 4 and 5 of the line with details of peat probing work for these sections being absent from the EIAR. The EIAR AI therefore provided updated peat probing results and assessment for these sections of the line. This enabled SEPA to withdraw their objection with sufficient steps having been taken in a number of locations to try and avoid towers being located in areas of deep peat which is welcome. SEPA advise that a Site Reinstatement and Restoration Plan outlining the site-specific soil and peat management measures to ensure successful reinstatement, can be conditioned.
- 8.58 A Peat Landslide Hazard and Risk Assessment has been submitted as part of the EIAR and have helped to inform the proposals. The overall conclusion is that there is negligible to low risk of peat instability over most of the development site. Based on over 5,800 peat probes for 854 tower or wood pole locations, 11 of these had medium risk and 21 had high risk of peat instability. Further onsite assessment by a geotechnical engineer is therefore required to inform the design and siting of these higher risk tower locations. This can be secured through the CEMD condition.
- 8.59 A Habitat Management Plan is also proposed to be developed. This will include areas of habitat restoration across the site. However, no biodiversity metric has been submitted by the applicant to demonstrate that there would be an overall

enhancement to biodiversity across the site. This brings the application into conflict with both the IMLDPPP and NPF4. However, it is considered that there are opportunities across the site and the associated impacted wider estates to provide biodiversity enhancements beyond the baseline conditions. This is however a matter for Scottish Ministers to consider in reaching a reasoned conclusion on the application.

### **Natural Heritage (including ornithology)**

- 8.60 Given the length of the line, and the remit of NatureScot and other consultees, this section of the report provides a high level overview of the natural heritage impacts of the development, focusing on the reported significant effects for each section of the line.

### **Ecology**

- 8.61 The proposed development overlaps with the Kinloch and Kyleakin Hills Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) and passes through areas of habitat listed on the Ancient Woodland Inventory. Most of the study area consists of open upland heath and bog habitats. Patches of other habitat types break up the expanses of wet heath and blanket bog; with the respective communities often forming complex mosaics and transitional areas. Protected species including badger, bats, hares, otter, pine marten, red squirrel and reptiles are likely to be within the study area, with a number of watercourses providing suitable habitat for salmonid populations.
- 8.62 The proposed development has been designed to minimise impacts on important habitats, peatland and protected species as far as practicable. This has been achieved through embedded mitigation and the iterative design process. This process, combined with further commitments to certain mitigation measures pre-construction, during construction, and during operation, allowed potential effects on several habitats and species present to be scoped-out of the assessment.
- 8.63 The following Important Ecological Features (IEFs) were taken forward to the assessment stage: the Kinloch and Kyleakin Hills SAC and SSSI sites (including lichen and bryophyte assemblages), ancient woodland, broadleaved woodland, blanket bog (including wet modified bog), wet heath, dry heath and otter.
- 8.64 Assessment of potential effects and their significance were determined through consideration of the sensitivity of the feature (nature conservation value and conservation status) and the characterisation of impact. The most tangible effect during construction on most IEFs would be direct habitat loss due to the construction of infrastructure, in addition to some indirect drainage effects on wetland habitats. Dismantling of the existing OHL could have beneficial effects on woodland habitats due to removal of the need for maintaining an operational corridor, although could cause disturbance to otter through proximity of suitable habitat and known resting sites. Operational impacts could have adverse impacts on the woodland habitat of the Kinloch and Kyleakin Hills SAC and SSSI through maintenance of the operational corridor.

- 8.65 With respect to the Kinloch and Kyleakin Hills SAC within Section 3, the assessment predicted likely significant effects as a result of the proposed development for four of the SAC's qualifying features (Western acidic oak woodland, blanket bog, wet heathland with cross-leaved heath and dry heaths). As such, a shadow HRA has been prepared to provide information for Scottish Ministers, as competent authority, to consider. Likely significant effects were also predicted for the same features of the Kinloch and Kyleakin Hills SSSI.
- 8.66 For other IEFs, residual significant adverse effects were also predicted for ancient woodland, whereby the majority of predicted habitat loss of ancient woodland for the proposed development is located within Sections 4 and 5.
- 8.67 To compensate residual significant adverse effects on the Kinloch and Kyleakin Hills SAC and SSSI habitats, a Habitat Management Plan (HMP) would be developed for the relevant qualifying features affected. Significant adverse effects through the loss of ancient woodland would be reduced through compensation planting, which would be detailed in an HMP for habitats out with the SAC. The HMP would also be designed to reduce the effects on other IEF habitats and provide enhancement at the site.
- 8.68 For Section 3, the assessment of the alternative alignment 3b also predicted likely significant effects for the same four of the SAC's qualifying features. Given the likely significant effects predicted, another shadow HRA has been prepared for this alignment. Likely significant effects were also predicted for the same features of the Kinloch and Kyleakin Hills SSSI. NatureScot has objected to the application and advise that the alternative alignment 3b would cause the least damage to the aforementioned SAC and SSSI.
- 8.69 NatureScot also advises that the development would have a significant effect on the SAC's otter population through disturbance, albeit with a species protection plan to be secured by condition, adverse effect on the integrity of the site for this species can be avoided. Should the Section 3a preferred alignment proceed, NatureScot consider that likely significant effects are also anticipated for the Lochs Duich, Long and Alsh Reefs SAC, due to impacts on reef habitat associated with landing craft and formation of a temporary pontoon. Again, subject to the undertaking of an appropriate assessment and adherence to a comprehensive Method Statement, NatureScot advise that likely adverse effects on integrity of the site can be avoided.
- 8.70 The Council's Ecology Officer has noted the presence of protected species including badger, pine marten and red squirrel activity and conditions are advised for pre-construction and ongoing survey work by an Ecological Clerk of Works (ECoW). The detailed generic Species Protection Plans provided to date require to be updated prior to works commencing, with site specific SPP's required for badger, red squirrel, birds, bats, pine marten and reptiles. A protected species survey of the entirety of the existing OHL is also to be conditioned prior to it being dismantled with these works also to be overseen by the ECoW. The CEMD is also advised to include mitigation detailed in the EIA Report, statutory consents, pollution prevention details and Invasive Non-Native Species protocol. These matters can be conditioned.

## Ornithology

- 8.71 Desk-based studies and field surveys were carried out in and around the proposed development over respective 'Study Areas' to establish baseline conditions and the species and populations present.
- 8.72 Four bird species were included in the assessment, white-tailed eagle, golden eagle, black-throated diver and common scoter. These species were considered to be of high Nature Conservation Importance due to their listing as Annex I species (Birds Directive) and Schedule 1 of the Wildlife and Countryside Act 1981, as amended by the Nature Conservation (Scotland) Act 2004). It was possible to 'scope out' the effects on a number of other species of high Nature Conservation Importance by virtue of their ecology, absence, distance from the proposed development, small numbers, low levels of activity and the nature and location of this activity.
- 8.73 Habitat loss arising from the construction of the proposed development is unlikely to result in adverse impacts upon any bird species. Any impacts are likely to be negligible and not significant. Population reductions due to habitat loss, displacement and/or collision mortality are also likely to be minimal. Where "hot spots" of flight activity have been identified mitigation, by way of bird flight diverters, has been proposed. Any impacts are predicted to be negligible and not significant for all bird species.
- 8.74 The contribution of adverse effects accrued by the proposed development to regional populations would be undetectable and so cumulative effects with existing and planned developments in the region are judged as being unlikely to have a significant effect on existing bird populations. Overall, The EIAR concludes that the proposed development would not have a significant effect on birds.
- 8.75 As the proposed development passes through or within the vicinity of European designated sites, information is presented in the form of shadow HRAs to allow the competent authority to consider the requirement for an assessment of potential effects of the proposed development on the integrity of relevant Special Protection Areas (SPAs). This information demonstrates that the proposed development would not have an adverse effect on the integrity of any SPA.
- 8.76 For Section 3 and the assessment of the alternative alignment 3b, the likely significant ornithology effects relate to white-tailed eagle. This species is considered to be of high Nature Conservation Importance due to their listing as Annex I species (Birds Directive) and Schedule 1 of the Wildlife and Countryside Act 1981, as amended by the Nature Conservation (Scotland) Act 2004).
- 8.77 Habitat loss arising from the construction of the alternative alignment is unlikely to result in adverse impacts upon any bird species. Any impacts are likely to be negligible and not significant. Population reductions due to habitat loss, displacement and/or collision mortality are also likely to be minimal. Where "hot spots" of flight activity have been identified mitigation, by way of bird flight diverters, has been proposed. In relation to the alternative alignment, the results of baseline surveys have identified a hot-spot of white-tailed eagle flight activity around Kyle Rhea. The majority of white-tailed eagle activity within Section 3 is to the south of the existing OHL crossing tower at Kyle Rhea. Therefore, the frequency of flight

activity in proximity to the alternative alignment within Section 3 is considered to be significant and is likely to give rise to an increase in collision effects to those already presented by the existing OHL. As line marking is proposed for the duration of the operational period for parts of the alternative alignment within Section 3, the residual effects on all bird species are reported to be negligible and therefore not significant. Providing the proposed mitigation is introduced, these findings are not contested.

- 8.78 NatureScot have advised that the development may have an adverse impact on the West Inverness-shire Lochs SPA, given the collision risk to common scoters. Further information on therefore being requested to assess the increased height of the line and effectiveness of line marking given that this species of bird may fly at night. Likely significant effects are also anticipated for the SPA's Black-throated divers due to collision risk, disruption and potential for adverse changes to water quality at Loch Lundie. NatureScot advises that impacts could potentially be mitigated, subject to a further appropriate assessment being able to demonstrate no adverse effect on site integrity, and the application of conditions relating to securing a Breeding Bird Protection Plan, construction works avoiding the breeding season, and further construction pollution prevention measures. Likely significant effects are also anticipated for the Cuillins SPA golden eagles, however, again with the application of the aforementioned mitigation measures, likely adverse effects on integrity of the site can be avoided.
- 8.79 Similar ornithological concerns have also been expressed by RSPB, albeit that they do not object to the application. For Section 3, RSPB's preference is the proposed alignment 3a as the alternative alignment 3b would result in serious collision risk for white tailed eagle and potentially golden eagle. RSPB strongly recommend bird flight diverters between Cuaich Dam and north of the Caolie water in Section 4. For Section 5, whilst the bird diverters mitigation is welcomed, there are serious concerns about the assumptions made in the assessment and it would like to see further bird diverters at the very least. Upon receipt of NatureScot's updated consultation response to the EIAR AI, it is anticipated that their objections relating to ornithology may be overcome, albeit that this cannot be guaranteed. Should this be the case, officers would look to work with NatureScot to finalise appropriately worded planning conditions where these would address their principal concerns.

### **Woodland**

- 8.80 Overall, the EIAR AI updated figures report that the project would require around 98 hectares (ha) of commercial woodland, 8 ha of ancient and 12 ha of semi-natural woodland to be felled. A further 82 ha of commercial woodland is to be felled to create a windfirm edge, equating to total woodland loss of 200 ha. Compensatory woodland planting within Highland is therefore critical, as are Habitat Management Plans to minimise losses of important habitats and to provide overall enhancement.
- 8.81 For a 132 kV OHL, the typical operational required within areas of commercial plantation is 80 metres, 40 m either side of the OHL. This is considered a safe distance from a falling tree. Within areas of native woodland, this corridor has been reduced to 60 m and within ancient or designated woodland it has been reduced further to 30 m. This is partly due to the sensitivity of the woodlands, but also due to the smaller ultimate size of the trees and falling distance.

- 8.82 The assessment concluded that the removal of ancient and semi-natural woodland within the Kinloch and Kyleakin Hills SAC would result in a significant adverse effect, despite potential opportunities to reduce the amount of felling, subject to further detailed design. No significant effects were predicted for the removal of commercial woodland or for associated forestry operations.
- 8.83 Given the development would result in the permanent loss of woodland, the applicant is committed to making arrangements to plant, off-site, the equivalent area of woodland as Compensatory Planting, meeting the Scottish Government's Control of Woodland Removal Policy objective of no net loss of woodland. Where the line passes through woodland, a series of Woodland Reports have been produced to demonstrate how the proposed development will be incorporated within the ongoing forest management operations. These areas would be subject to potential increased risk of damage (windthrow). The Woodland Reports identify further areas of felling to leave a windfirm edge (categorised as an indirect secondary impact). Any felling undertaken out with the operational corridor would be solely under the control of the relevant landowner (and not the applicant). It is the intention of the applicant to encourage the landowners to follow this good practice in terms of redesign of their current Long-Term Forest Plans which in-turn would aim to follow UKFS for the implementation of the works required.
- 8.84 The EIA identifies the potential for significant effects (pre-mitigation) on forest management, due to the requirement for forest managers to amend current objectives, plans and techniques for their forest, in particular, to incorporate the felling requirements for the operational corridor into their long-term felling and landscape design plans. With the commitment to develop the 'Woodland Reports' for each of the forests and woodlands affected by the proposed development, this is deemed sufficient by the applicant to reduce the residual effect on forest management to not significant as reported in the EIAR.
- 8.85 The Council's Forestry Officer is not content with these provisions and objects to the application. He advised that the applicant needs to identify opportunities to reduce the permanent loss of woodland through converting areas of commercial plantation to native species. These can be designed with a graded edge, with smaller shrub species closest to the OHL, allowing the narrowest operational corridor of 30 metres (15m either side of the OHL) to be achieved throughout. It is advised that the applicant needs to identify opportunities to reduce the permanent loss of woodland through converting areas of commercial plantation to native species. This is to be conditioned.
- 8.86 The Council's Forestry Officer also explains that where woodland of high sensitivity is affected, the area of compensatory planting must exceed the area of woodland being removed in order to compensate for the loss of environmental value. Once the area of permanent woodland removal has been agreed, a Compensatory Planting Plan (CPP) must be prepared in consultation with stakeholders. This could be conditioned with implementation of the approved CPP to be secured by legal agreement.
- 8.87 In terms of Section 3 and the alternative alignment, the EIAR reports that this route would result in the requirement to create an operational corridor through Kyle Farm



and Mudalach Woodland, owned by Scottish Ministers and managed by Forestry and Land Scotland. Part of this woodland is commercial conifer plantation, with Lodgepole pine as its principal conifer species. Other parts of this woodland are included within the Kinloch and Kyleakin Hills SAC / SSSI noted for the Western Acidic Oak Woodland. In comparison with the proposed alignment, the alternative alignment would result in an increase to the amount of commercial woodland felling requirements by around 10.5 ha, resulting in the total 'direct' commercial woodland felling requirements across the project increasing from 118 ha to approximately 129 ha, plus the 82 ha of 'indirect' felling requirements.

- 8.88 The reported extent of woodland removal is of concern to the Planning Authority and similar concerns have been raised in other representation to the application. Through detailed design and refinement of the operational corridor widths, as well as access track requirements, it is expected that woodland losses will be curtailed. The line however requires to navigate an extensive landscape with competing environmental interests, with the extent of losses therefore being understandable with the requirement to develop within the woodland being in the wider public interest. With the removal of the existing line the current operational corridor would also provide a nearby opportunity for replanting and habitat provision. Providing that sufficient compensatory planting is agreed, and secured by legal agreement, the adverse woodland impacts of the development can be mitigated.

### **Biodiversity Enhancement**

- 8.89 The Council's Ecology Officer has objected to the application, principally due to insufficient information having been provided to allow adequate assessment of the biodiversity enhancement requirements of the development. The applicant has committed to no net loss within the development, however NPF4 Policy 3 requires an enhancement not no net loss. A Biodiversity Enhancement and Management Plan is therefore required that details the enhancement measures and future management and monitoring strategies. The Council would expect a 10% increase in the biodiversity value of the site post construction with the use of a metric to detail the biodiversity enhancement; all of which could be secured by condition and legal agreement in order to secure long term control and management of land subject the Biodiversity Enhancement and Management Plan and / or the HMP should these provisions be combined.

### **Design, Landscape and Visual Impact**

- 8.90 Consultation has been undertaken during both route and alignment selection stages to seek comments from stakeholders, including members of the public, on the options put forward prior to finalising the design of the proposed development. A wide range of technology options and design solutions have been considered as set out within EIAR Appendix V1-4.1.
- 8.91 This included detailed consideration of subsea cabling, underground cabling, and alternative types of OHL support structures. The vast majority of the proposed development has been designed to carry a double circuit line. This is incapable of being transmitted by wood pole, necessitating either multiple wood pole lines to be

established or the introduction of taller and more substantial steel tower supporting structures.

- 8.92 The design process has included the appointment by the applicant of an overhead line contractor to inform the design process and the constructability of the proposed development, covering both overhead and underground cable elements of the project, including construction access. This has involved carrying out ground investigation works along the majority of the route to determine ground conditions.
- 8.93 Sections of the line are to be undergrounded. Underground cables are generally not used over long distances due to their high costs and engineering challenges related to the stable and safe operation of an OHL. A full underground cable solution was therefore not considered for this project, although underground cable could be used in shorter sections where considered appropriate, for example to mitigate a likely significant environmental effect. In this case, following pre-application meetings with officers and other consultees, the decision was made to underground Section 2 of the line within the Cuillin Hills NSA.
- 8.94 At present 61% (98 km) of the OHL's length is supported by wood pole, with 39% (63 km) being supported by steel lattice towers. The design of the proposed reinforcement of the line would result in:
- 17% (27 km) of the OHL being supported by wood pole, which relates to the single circuit northern part of the line – Section 0;
  - 68% (110 km) of the OHL being supported by steel lattice towers; and
  - 15% (24 km) being underground cable.
- 8.95 For the above ground sections of the line, the applicant is required to follow a series of guidelines for the routeing of new high voltage OHLs which have been established within the electricity supply industry – known as the Holford Rules. This sets a hierarchical approach to routeing which advocates avoiding areas of high amenity value, minimises changes in direction, takes advantage of topography and which minimise visual interaction with other transmission infrastructure. The applicant has further refined this guidance to reflect contemporary practice, and to provide a framework to ensure environmental, technical and economic considerations are identified and appraised at each stage of the routeing process.
- 8.96 The EIAR considers both landscape and visual impacts of the proposed development, with photomontages provided from a range of viewpoints and produced in accordance with the Council's Visualisation Standards. The Assessment is focused on a study area of 1.5 km for the wood pole OHL section and 2.5 km for the rest of the line. Whilst photomontages provide a useful aid in showing the appearance of the proposed development, they are just one tool used by officers in the assessment of visual impact. A Zone of Theoretical Visibility (ZTV) drawing is included in the assessment which shows theoretical bare ground visibility. Any potential screening effects therefore require to be verified through a combination of assessing LVIA baseline photography and undertaking site visits.
- 8.97 The methodology for the LVIA generally follows that set out in Guidelines for Landscape and Visual Impact Assessment Third Edition (GLVIA3). As set out in para 3.32 of GLVIA 3 the "LVIA should always clearly distinguish between what are

considered to be significant and non-significant effects.” The applicant judges significant effects following the combination of judgements based on the Sensitivity of the Receptor, as defined by the receptor’s susceptibility against the importance of the view / landscape, which it distinguishes between national, regional, and local, against the Magnitude of Change. In the submitted EIAR, impacts of Major or Major/Moderate correspond to significant effects. Where ‘Moderate’ effects are predicted, the EIAR advises that professional judgement has been applied to ensure that the potential for significant effects arising has been thoroughly considered. Those effects classified as Moderate/Minor, Minor, or Negligible are considered to be Not Significant.

- 8.98 A series of 23 visualisation viewpoints or Visual Locations (VLs) have been provided within the EIAR, with an additional 2 visualisations showing the alternative alignment Section 3b being provided in the EIAR AI; one being a new VL and the other being an alternative viewing angle from an existing EIAR VL in Kylerhea.
- 8.99 The LVIA’s methodology explains that visualisations have been produced to support the LVIA work and are intended to show the appearance of the proposed development within the landscape setting. The VLs therefore illustrate representative viewpoints, albeit that the applicant’s visual impact assessment is a receptor based (describing effects primarily in relation to receptors rather than specific viewpoint locations). In that way the applicant has presented a more cohesive analysis of their reasoning of the Significance of the Effect from visual receptor groups, routes, and tourist viewpoints. This approach has however not provided the visualisation evidence to support their judgement for several receptor groups, creating ambiguity as to the veracity of the LVIA’s conclusions. Consequently, the applicant appears to have downplayed the importance of its own visualisations in the overall LVIA. Given the length of the route however, and number of additional VLs that would be required to provide more comprehensive viewpoint analysis for all of the main receptors, the methodology and approach taken is justifiable and no additional landscape and visual information was therefore sought in order to appraise the LVIA’s findings.

### **Landscape Character**

- 8.100 Given the location and scale of the proposal it sits across a number of Landscape Character Types (LCTs). Each of these LCTs cover much wider areas than would be subject to the effects of this application. The EIAR’s landscape assessment has identified that there would be no significant effects to landscape character during both construction and operational phases, within Sections 0, 3a, 5 and 6 of the proposed development.
- 8.101 Significant adverse landscape effects during construction are predicted within parts of Sections 1, 2, and 4. These sections contain the greater areas of remote and mountainous landscapes within the study area, considered to be of higher sensitivity to development of the type proposed. Construction works for the proposed development would lead to a temporary disruption of these remote characteristics within Sections 1, 3b, 4 and more southerly parts of Section 2 and would lead to a temporary distraction and disconnect between mountain and coastal landscapes

within the more northerly part of Section 2. This is predicted to lead to temporary significant adverse landscape effects within the following areas:

- Section 1: Open, expansive parts of the landscape within the Achaleathan and An Leitir areas;
- Section 2: Coastal edge and foothill areas between Glen Varragill and Creag Strollamus;
- Section 4: Remote mountain glen areas between Druim Iosal and Kinloch Hourn; and
- Section 4: The landscape of rugged knolls and lochans between Kinloch Hourn and Loch Cuaich.

8.102 During operation, following reinstatement, and with the application of mitigation measures to minimise the longer term effects of tracks, the majority of these effects would reduce and become not significant.

8.103 Residual significant adverse effects would be limited to localised parts of the landscape within Section 1 (within the Achaleathan area) and Section 2 (within an area to the south of Luib and Strollamus), comprising more remote and unmanaged areas where the proposed development would involve the replacement of the existing wood pole OHL with steel lattice towers. Elsewhere, mainly the similarity of the proposed steel lattice towers or wood poles to those which would be replaced, would lead to a less obvious change in landscape character which would not be significant. Limited beneficial effects throughout the underground sections of the line are also anticipated with the removal of the existing wood pole OHL.

8.104 In relation to the alternative alignment, Section 3b, the landscape assessment has identified that significant effects would be likely to occur within Glen Arroch and Kyle Rhea Glen, affecting LCT 365 (Rugged Massif – Skye and Lochalsh) and the setting of a small area of LCT 357 (Farmed and Settled Lowlands – Skye and Lochalsh), during its construction and operation. Construction of the development would appear prominent and distracting throughout these areas, affecting the:

- sense of remoteness through the elevated pass of Bealach Udal and disrupting valued views eastwards down Kyle Rhea Glen, towards the mountains of the mainland and the setting of settled crofting landscapes at the base of the glen; as well as
- valued views to the north west towards the Cuillin Hills NSA which contribute to the sense of arrival as travellers move from Kylerhea towards Broadford.

8.105 During operation, proposed steel lattice towers would form a new characteristic of these valued landscapes, leading to a greater sense of accessibility and development, and distracting from other elements of the landscape and within key views. The addition of a permanent access track would draw further focus to the alternative alignment and may detract from the impressive qualities of the historic and steep single-track road which leads through this glen.

8.106 A temporary significant landscape effect would also occur along the shore of Kyle Rhea, between Kylerhea and the existing OHL crossing point where felling works construction of towers and temporary access tracks would lead to a noticeably increased level of activity to the west of Kyle Rhea, also intervisible with west facing slopes on the eastern side of the strait. However, given the forested character of this

area, the presence of the existing tall sea-crossing towers and the positive effect of removal of towers to the north of the crossing point, the longer-term operational effect would not be significant, subject to mitigation of the stark effects of the clear felling through future management and forest design.

### **Designated and Protected Landscapes**

- 8.107 The landscape effects described above are anticipated to lead to a localised significant adverse effect to the landscape character of the Cuillin Hills NSA during construction within Section 2, which would affect the Special Landscape Qualities (SLQs) “Magnificent mountain scenery” and “The surrounding wild landscape, a fitting foil for the mountains” within a localised area between Luib and Strollamus. However, this effect would be temporary with longer term operational effects on the NSA being not significant. There would also be some benefit elsewhere around the edge of the NSA, where an existing wood pole OHL would be removed. Although this part of the proposed development would also lead to limited adverse effects to the wild land character and some Wild Land Qualities (WLQs) of WLA 23. Cuillin, these would be not significant during both construction and operation.
- 8.108 Significant adverse landscape effects during construction within Section 4 are also anticipated to lead to temporary and localised significant adverse effects to WLA 18. Kinlochhourn – Knoydart – Morar, between Druim Iosal and Kinloch Hourn, affecting the Wild Land Quality “A very remote interior drawing adventurous and experienced hillwalkers”. This effect on the sense of remoteness is also anticipated to lead to a localised significant adverse effect to the Knoydart NSA within the same area, affecting the SLQ “One of the remotest areas on mainland Britain”. However, these effects would be temporary, during the construction phase only with no long term significant effect. Adverse effects on the remaining part of the Knoydart NSA between Kinloch Hourn and Loch Cuaich are not predicted to be significant, and there would be no significant adverse effects to the character and Special Qualities of the Moidart, Morar and Glen Shiel SLA which also falls within Section 4.
- 8.109 There would be no significant effects during construction or operation for any other designated or protected landscapes within the study area.
- 8.110 In specific relation to the alternative alignment, no designated or protected landscapes would be affected although it is recognised that the landscape of Kyleshea Glen is valued locally and by visitors.

### **Visual Effects**

- 8.111 The visual assessment has identified that there would be a limited number of significant adverse visual effects during construction and operation within Sections 1, 2, 3b, 4 and 5, affecting residents, tourists and visitors, travellers and recreational users. No significant visual effects have been identified for Sections 0, 3a and 6.
- 8.112 Having undertaken an appraisal of the LVIA’s findings, these are largely not being contested by officers and therefore the content of the applicant’s LVIA can be relied upon as fair and reasonable assessment of the likely visual effects arising from the proposed development. The main exception to this is for Section 3b (alternative alignment) where officers have identified additional significant adverse effects

across a wider area, particularly around Glenelg. A summary of the visual impacts arising from the development forms Appendix 2 of this Report.

8.113 The EIAR explains that during construction, temporary significant effects are anticipated for the following locations or routes where the appearance of construction activities is anticipated to form a noticeable reduction in the quality of visual amenity for those present:

- Section 1: Residents located in Glen Vic Askill, Glenmore and Mugeary; travellers using the B885; and recreational users of two paths at Glen Vic Askill and to the north of Loch Connan;
- Section 2: Residents located at Luib and Strollamus, visitors to Sligachan hotel and campsite; travellers on the A87, and the Sconser to Moll minor road around Loch Ainort; recreational receptors using footpaths and tracks around Luib and Strollamus, and along the northern shore of Loch Sligachan to Peinachorran; and visitors to laybys located at the head of Loch Ainort;
- Section 3b (alternative alignment): Residents and visitors at Kylerhea village, where the OHL would be prominent in rear views, although it would not affect valued coastal views from the village; Travellers on the narrow minor road leading to Kylerhea village through Glen Arroch and Kylerhea Glen; Individuals engaged in appreciating the view from the Bealach Udal viewpoint; Visitors to a carpark / picnic area and using a recreational route to wildlife hides at the RSPB Otter Haven reserve; and Walkers accessing hill routes to the north of Kylerhea Glen (ascending Beinn na Caillich and Sgùrr na Còinnich) and to the south of Kylerhea Glen (ascending Ben Aslak).
- Section 4: Residents located in Glen More, near Balavoulin; travellers / recreational users of the minor road to Kinloch Hourn; and recreational users of walking routes which form parts of the Kinloch Hourn Drove Road Heritage Path between Balvraid (in Gleann Beag) and Kinloch Hourn, and a localised part of a track to the north of Loch Coire Shubh; and
- Section 5: Residents located at Leacan Dubh and Munerigie.

8.114 During operation the number and spread of significant adverse visual effects would be reduced with longer term adverse effects occurring only at a few locations within Sections 1, 2, 3b and 5 where the steel lattice towers, replacing an existing wood pole OHL, would appear larger and more prominent in the view. These locations are summarised as follows:

- Section 1: Recreational users of a Core Path and residents at an isolated property at Glen Vic Askill, residents at properties at Mugeary and travellers on the B885 minor road;
- Section 2: Recreational users of a footpath close to Luib (the Torrin Ring from Luib); and
- Section 3b: Residents of Kylerhea village, where the alternative alignment would be prominent within the rear setting, and for users of the minor Glen

Arroch / Kyle Rhea Glen Road, and Bealach Udal viewpoint where towers and a permanent access track are anticipated to appear distracting and interrupt the easterly views; and

- Section 5: Residents of properties at Leacan Dubh and Munerigie.

8.115 The cumulative assessment identified a small number of additional cumulative landscape and visual effects as follows:

- Cumulative visual effects for users of a Core Path (SL28.01) (Loch Caroy to Glen Vic Askill) near Glen Vic Askill, resulting from Section 1 of the proposed development, when considered in addition to Section 0 of the proposed development and the Edinbane Substation Extension, and the consented Glen Ullunish Wind Farm;
- Cumulative landscape effects around the Sligachan area for Section 2 of the proposed development, when considered in addition to Section 1 of the proposed development;
- Cumulative visual effects for travellers on the A87 for Section 2 of the proposed development, affecting in addition to Sections 1 and 3 of the proposed development; and
- Cumulative landscape and visual effects for Section 3b (alternative alignment): within the area around Kyle Rhea, due to the additional intensity and focus of works on the western side of the Kyle, in addition to works within a smaller area on the eastern coast; for recreational users of the Otter Haven recreational path through the forest, due to the closer proximity of the works in addition to those for Section 4; and for walkers ascending the Kylerhea Hills on the northern side of Kylerhea Glen due to the closer proximity of the works in addition to those for Section 4.
- Cumulative visual effects for users of the Kinloch Hourn Minor Road for Section 4 of the proposed development, when considered in addition to Section 5 of the proposed development.

8.116 The majority of these cumulative effects would occur during the construction phase of the proposed development only, but cumulative effects to Core Path SL28.01 (Loch Caroy to Glen Vic Askill) in Section 1 are also predicted to occur during the operational phase of the proposed development.

8.117 In apprising the EIAR findings, pertinent matters identified by officers which are worthy of committee's and Scottish Ministers further consideration are set out below.

### **Section 0 – Visual Appraisal**

8.118 The start of the line immediately deviates from the existing OHL routing to achieve a greater setback from Trumpan Church, resulting in the line crossing and interrupting residents main view at B0-4 Trumpan (Central). In this location the existing 132 kV would be removed from the rear of properties and replaced by the proposed wood pole OHL which would cross the main view at between

approximately 250 – 500 m distance; refer to EIAR Figure VL0-1. Here minor-moderate adverse impacts on visual amenity are reported, which given the scale of the wood pole OHL and separation distance is not disputed.

### **Section 1 – Visual Appraisal**

- 8.119 The landscape and visual impact on the A87 between Portree and Sligachan has been well considered and mitigated by design. The location where the OHL crosses the A87 is supported as this does not impact on views towards the Cuillins. Some broadening of the wayleave to the east of the road may be perceptible in passing, but generally towers on this side would be concealed, assuming existing forest stays in place. The positioning of the Sealing End Compound (SEC) is also well sited, setback from the roadside and out with focus of the views towards the Cuillins.

### **Section 2 – Visual Appraisal**

- 8.120 This is the most sensitive section of the route from a landscape and visual perspective. The decision to underground a significant length of the line through part of the Cuillins NSA assists to mitigate the impacts, particularly around the loch heads of Loch Sligachan and Loch Ainort. The undergrounding works themselves will however have a significant visual impact for users of the A87 and for other receptors in the vicinity of these extensive works. The main operational visual impact is the SEC at Luib with the majority of the OHL section being generally well set back from the A87, where the line will be visible against the hillside travelling north and south, but mostly northbound for a short stretch above Strollamus B2-10. The decision not to underground the line throughout the entirety of the Cuillins NSA does however give rise to long term operational significant adverse impacts for users of the nearby hill tracks (The Torrin Ring from Luib). The siting of the SEC which would be parallel with residential properties is however well considered, being visible in oblique and side views from some properties, outdoor areas and a short section of the A87.

### **Section 3a (Preferred Alignment) – Visual Appraisal**

- 8.121 The preferred alignment is supported by officers. No landscape and visual concerns are raised with this section, with the replacement line following the route of the existing OHL alignment from Broadford substation to the existing crossing point of the Kyle Rhea narrows. Whilst parts of the line would be more elevated, these sections are set back further from the Skye bridge and Kyle of Lochalsh where the change to the line would be perceptible but not significant.

### **Section 3b (Alternative Alignment) - THC Visual Appraisal**

- 8.122 This section of concern to officers. The number and severity of landscape and visual impacts associated with this proposed alternative alignment are avoidable if route 3a is followed. Should 3a be followed, there would be no significant adverse landscape or visual effects.
- 8.123 The alternative alignment follows the ferry tourist route through the glen and traverse steep challenging terrain. As the OHL heads down Glen Arroch towards Kylerhea, here the requirement to install a new permanent access track which would traverse the hillside below the road at Bealach Udal, is of concern, particularly when viewed



in combination with the OHL as it travels down the glen. Here the OHL would also need to cut across above the settlement of Kyle Rhea, traversing the hillside immediately above the Otter Haven and through woodland before reaching the existing crossing point of the narrows. The applicant's EIAR and EIAR AI provide ample visualisations for this section, which adequately illustrate the adverse landscape and visual effect of this proposal during the long term operation of the line.

- 8.124 Although a number of significant adverse effects are reported in the EIAR, as detailed in Appendix 2, it is found that additional significant adverse long term visual impacts would also arise from across the narrows for the community, including residents at: the Glenelg ferry slipway; for users of the ferry service itself; for people in and around the settlement of Glenelg along its waterfront; as well as from the minor road and paths between Glenelg and Gleann Beag.
- 8.125 For Glenelg and these surrounding receptors falling out with the 2.5 km LVIA defined Study Area, visual impacts have not been assessed within the EIAR for the alternative alignment. It is considered that due to the coastal outlook of this area across the water towards the abrupt hills on Skye foreshortens the perceived separation distance, with the development therefore appearing closer in views. As such, with the outlook towards the hills and up Glen Arroch being the main focus of the view (as evidenced by the layout / orientation of properties at Glenelg and the Glenelg War Memorial), significant adverse visual impacts are capable of, and would arise, across these receptors for a development of this scale. These significant effects would arise during construction and during the operation period of the line.
- 8.126 Impacts would be most acute at the ferry slipway and café where people spend time waiting for the crossing and taking in the view. The receiving landscape and hillside is blanketed in heather with areas of woodland. The commercial forestry edges are however relatively well broken up at present with a mix of tree species, giving a more natural appearance. The new OHL itself would significantly detract from the setting of the hills and diminish their scale. The forestry removal corridor is also substantial and too linear resulting in an unnatural man made appearance, which would draw more attention to the presence of the OHL.
- 8.127 Options to underground the OHL through the glen and around the village of Kylerhea were also considered by the applicant, however it has been reported that the steepness of the hillside makes this undeliverable, meaning that a SEC and a section of OHL would still be required which would therefore still result in significant landscape and visual adverse effects. Alternative options were also considered to cross through the hills following a more direct route to the existing crossing point of the narrows. This option is understood to be more environmentally damaging and challenging to construct. Similarly, the option of a subsea cable connection across the narrows was also discounted due the presence of the Inner Hebrides and Minches Marine Protected Area, the fast-flowing nature of the watercourse, and again the need for SECs either side. In summary, should the preferred alignment Section 3a not be developed, the alternative alignment has been presented as the only deliverable and viable alternative solution.
- 8.128 The fast moving water combined with the close range steep sided and impressive mountainous is what makes this location particularly special. Whilst not within the

NSA, it is of high sensitivity and is a very attractive location for the ferry crossing / longer tourist loop. The wider area of Glenelg also benefits from an attractive outlook across the water towards the hills, which is a defining aspect of the character of this areas and its sense of place. To date this area is largely free from any overhead line infrastructure; while the existing towers carry the line over Kyle Rhea, views across Glenelg Bay and the upper reaches of the Sound of Sleat currently experience only views 11 kV overhead lines. The proposal would be highly visible and detracting feature in the landscape and in the main focus of views, resulting significant adverse visual effects for many receptors in the vicinity of the line and have a significant impact on the strong sense of place which arises from the combination of landscape features. The alternative alignment would give rise to a disproportionate number and severity of visual effects, in relation to those experienced across all other sections of the proposed development.

#### **Section 4 – Visual Appraisal**

- 8.129 Where the line crosses the Shiel Bridge to Glean Beag Military Road it crosses the valley floor and climbs the hillside. The existing line cuts through deciduous woodland which covers much of the valley's southern hillside. The operational corridor is not distinctive at present, with areas of low woodland and vegetation having established. The new line would substantially broaden the operational corridor, resulting in a large swath of felling, resulting in the creation of artificial linear wooded edges either side of the new line. Visual impact of woodland removal, rather than the OHL itself would have a significant visual impact for residents near Balavoulin, and would also adversely affect road users, being visible over a longer approach as the road drops down Glen More. Here the EIAR considers that such significant impacts would only arise during construction. Should the extent of this operational corridor not be substantially narrowed, with the provision of new tree and shrub planting, this significant visual impact is regarded by officers to continue throughout the operational period of the line.
- 8.130 Elsewhere, further to the east within Section 4, where the proposed OHL deviates away from the route of the existing OHL through the Knoydart NSA, it is required to run closer to and cross the Kinloch Hourn Minor Road in two locations within the valley (refer to VL405). A separate design workshop was undertaken with NatureScot and officers to consider the design of this route. Owing to steep rocky terrain and modern health and safety working practices, re-routing the OHL along the existing alignment would not be possible. The option of keeping the line to one side of the road was therefore explored, however, again this was not achievable given the ground conditions and the desire to set the OHL back from Loch Coire Shubh. Along sections of this very remote road the new towers would be prominent, albeit that they will be replacing existing towers elsewhere along this route. To help mitigate visual impacts, as recommended by NatureScot, conditions can be used to secure additional mitigation in the form of the appointment of a Landscape Clerk of Works, provision of detailed restoration plans with special track reinstatement measures; including the narrowing of spine road tracks and adoption of green running routes, with to limit these significant effects.

## **Section 5 – Visual Appraisal**

- 8.131 This remote section follows the existing OHL alignment. The replacement towers would however extend further eastwards to replace the wood pole OHL section. The visual assessment has found that the majority of effects on receptors would not be significant, due to screening from trees and landform, the effects of distance, and the similarities between the proposed development OHL and the OHL to be removed.
- 8.132 This section contains the only reported Major significantly adverse visual impact during construction, lessening to Moderate / Major significantly adverse during operation of the line. This relates to Leacan Dubha and Munerigie (B5-12), two isolated properties situated north of the A87 and above Loch Garry. Here there was an existing OHL crossing in front of the main southerly views front of these properties. The existing line was however programmed to be removed in 2022 and therefore the new line would result in a similar impact to that previously experienced. The new towers would also be microsited to help limit its impact.

## **Section 6 – Visual Appraisal**

- 8.133 Owing to this section being undergrounded, no significant visual impacts would arise. The decision to underground this section is due to convergence of multiple existing and proposed transmission lines connecting with the extended Fort Augustus substation. The visual assessment has found that there would be no significant effects on visual receptors, due to screening from trees and landform and the presence of other OHL infrastructure and the existing Fort Augustus substation in views, which reduce sensitivity to change. The EIARs findings for this section are not disputed.
- 8.134 To conclude, it is clear from the EIAR that the applicant has tried, where possible, to reduce any potential landscape and visual effects through the proposed design and routing of the scheme. It is considered that in doing so they have created a form of development which appears to be appropriately designed for the landscape it would sit within and takes account of visual features of the area. The exception to this is Section 3b (alternative alignment) which is found to give rise to a number of significantly adverse landscape and visual impacts.

## **Built and Cultural Heritage**

- 8.135 Historic Environment Scotland has confirmed that the proposals does not raise issues of national interest for the historic environment. Key interests relate to the potential setting effects on a number of scheduled monuments in the surrounding area. It agrees with the conclusions of the EIA Report.
- 8.136 The EIAR identified that there would be no significant adverse impacts on designated assets (monuments and buildings) as a result of the development. Mitigation measures are recommended for undesignated assets that aim to reduce predicted adverse impacts. This includes marking-out and avoidance with buffers, micro-siting, additional investigation and recording. The specific mitigation measures detailed in Appendix V6-8.2 and V5-8.2 are appropriate. It is noted that where micro-siting and avoidance with a suitable buffer cannot be undertaken, a programme of

intrusive archaeological works, starting with evaluation and/or monitoring, will be required. It is likely that with this mitigation, it will be possible to limit the direct impacts to historic environment assets to within an acceptable range. A condition is needed to secure a detailed Written Scheme of Investigation to agree these works.

### **Any Other Material Considerations**

- 8.137 The proposed project falls within the safeguarding Low Flying Tactical Training area. In the interest of aviation safety, a condition is required to receive finalised details of the precise locations and heights of all substantive above ground construction and permanent plant equipment / infrastructure, construction timescales, and any aviation warning lighting details. Note that no OHL operational visible aviation lighting will be required.

### **Matters to be Secured by Legal Agreement / Upfront Payment**

- 8.138 In order to mitigate the impact of the development on infrastructure and services the following matters require to be secured prior to permission being issued:
- a) A financial contribution(s) towards the delivery of a package of Road Mitigation Works on the local road network;
  - b) Delivery of Habitat Management Plan(s), incorporating biodiversity enhancement; and
  - c) Delivery of compensatory woodland planting.

## **9. CONCLUSION**

- 9.1 The proposed development is required to replace existing assets that are approaching the end of their operational life and to provide additional capacity on the transmission network for new renewable energy generation. There are several renewable energy projects requiring connection to the national grid arising from the drive to attain net zero. 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 required in renewable energy. NPF4 justifies the need for such investment highlighting such development as of national importance.
- 9.2 Highland has been successful in attracting inward investment in renewables, enabled in part by a significant level of investment in the improvement of the electricity transmission network. This success has led to the Highlands having a good understanding of this type of project and the 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 large-scale 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 long term employment.
- 9.3 Statutory and other consultees responding to this application are generally supportive. That said, although the application is still undergoing consultation, there

are unresolved objections from consultees. Their concerns are however primarily attributable to Section 3 of the line, the extent of woodland removal, uncertainty regarding the detail and delivery of compensatory woodland planting, as well as assurances surrounding the delivery of biodiversity enhancement. Many consultees have requested planning conditions to be attached to any grant of permission to effectively ensure that their specific interests are secured. It is considered that given the infancy of NPF4, its application and policy requirements will take time to bed-in. As such, it is recommended that a pragmatic approach is taken that allows for the application to be supported, subject to further clarity and detailed provisions regarding woodland compensatory planting, as well as habitat management and enhancement, to be secured by way of planning conditions and legal agreements to be put in place ahead of any permission being forthcoming by Scottish Ministers.

- 9.4 The development has also raised public interest, albeit that despite the considerable length of the line, only a limited number of representations have been received. What is material to the consideration is the matters raised within the representations received, with the response received, particularly in relation to the proposed Section 3b (alternative alignment), having assisted with the assessment of the application. Other matters raised have assisted with considering the adequacy of the mitigation measures proposed. The limited number of representations received is testament to the collaborative pre-application consultation work undertaken by the applicant and critically, their decision to progress with an underground line solution for Section 2 through the Cuillin Hills NSA and SPA.
- 9.5 Critical to the determination of this application is Section 3 of the line where the proposed development crosses from Skye to connect with the mainland. Here the re-use of the existing OHL crossing point is logical and is not disputed. Where there remains disagreement between the applicant and NatureScot is the line's route through the Kyleakin Hills SAC and SSSI. For this section permission for two routing options is therefore sought (Section 3a and 3b), with only one to be built. The construction of this replacement section of the line, regardless of which route is selected, is considered by NatureScot to cause significant adverse effects on blanket bog, European dry heath, wet heathland with cross-leaved heath, western acidic oak woodland habitats, lichen and bryophyte, leading to a likely adverse effect on site integrity. For Section 3, NatureScot advises that the alternative alignment 3b is the least damaging option.
- 9.6 Having considered the advice of NatureScot, and assessed the wider environmental impacts of Section 3, the applicants preferred route 3a is favoured by officers. In terms of ecological impacts, officers would note that the existing OHL already passes through the northern part of this designation, with this infrastructure requiring to be removed regardless of which route option is selected. Its removal would result in disturbance to habitats and it would seem preferable to consolidate such impacts to within one area. Should this not be desirable from an ecological perspective; before any decision to follow the alternative alignment, Scottish Ministers must take into account the wider social (human), economic and other environmental implications of this.
- 9.7 The human impacts of developing alternative alignment 3b are of concern. This alignment follows a well-travelled tourist route, including the seasonal ferry crossing of Kyle Rhea, bringing the OHL and associated infrastructure down through Glen

Arroch to within the immediate vicinity of the community of Kylerhea. This would have significant adverse landscape character impacts, as well as significantly adverse visual impacts which would be experienced by residents and the wider community on both sides of Kyle Rhea, including from the Glenelg were main views from this settlement and its waterfront would be directly towards the proposed development. This routing would also require the removal of a further 10.5 ha of woodland which would draw more attention to the presence of the line in the landscape.

- 9.8 The existing road which traversed down Glen Arroch is also unsuitable in its current form to facilitate the level of construction traffic proposed to support Section 3b. Its extensive use during construction may cause significant disruption to ferry services for a prolonged period. In terms of ornithological impacts, it is also noted that RSPB considers that route 3b would result in serious collision risk for white tailed eagle and potentially golden eagle. These associated impacts are worthy of further consideration by Scottish Ministers and officer's principal concern with route 3b is the disproportionate number and extent of significantly landscape and visual impacts that would occur for residents, travellers and users of the outdoors in the vicinity of this alternative alignment, particularly in comparison to the applicant's preferred route 3a which gives rise to no significant landscape and visual impacts thereby receiving officer's support.
- 9.9 In considering the development proposal as a whole, there are clear impacts that might be expected from this development, particularly during its lengthy construction period. It will result in significant degree of disruption for local communities, users of the road network, as well as to several recreational routes. These impacts can be managed through a combination of securing advanced road mitigation works, traffic management, and a range of best practice construction techniques. This will help ensure surrounding interests, particularly road access and the amenity of local housing is safeguarded from the key impacts of the development. Such measures are to be secured by planning conditions to strengthen and clarify the plans and supporting environmental information provided by the applicant. The proposal will require oversight by an appointed Ecological Clerk of Works (EcOW), as well as a Landscape Clerk of Works, to secure effective access track ground reinstatement, with any permission requiring regular compliance monitoring and ongoing engagement through Community Liaison Groups for each section of the line.
- 9.10 The Council requires to consider its response to this application against the policies set out in the Development Plan, principally NPF4 and HwLDP Policy 69. Given the above analysis, with the removal of Section 3b (alternative alignment), the application would be seen to accord with the Development Plan.
- 9.11 Subject to the application of appropriate conditions and conclusion of legal agreements to secure: a financial contribution towards local road network improvements; delivery and implementation of Habitat Management Plans which deliver meaningful biodiversity enhancement, and compensatory tree planting provision, it is considered the impact of the proposed development can be managed.
- 9.12 Schedule 9 of the Electricity Act requires sets out what an applicant shall do in relation of the preservation of amenity. It is considered that the proposal has had regard to the desirability of preserving natural beauty but through the design process

has mitigated the effects of the development in relation to the effects on the natural beauty of the countryside. Again, this is with the exception of proposed Section 3b.

- 9.13 All relevant matters have been taken into account when appraising this application. It is considered that with the removal of Section 3b, the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.
- 9.14 In the event that Section 3b is retained the proposal is found not to accord with the principles and policies contained within the Development Plan with this not being outweighed in terms of all other applicable material considerations.

## **10. IMPLICATIONS**

- 10.1 Resource: Not applicable
- 10.2 Legal: Not applicable
- 10.3 Community (Equality, Poverty and Rural): Not applicable
- 10.4 Climate Change/Carbon Clever: The application allows for the connection of renewable energy to the grid therefore helping to deliver a contribution toward climate change targets.
- 10.5 Risk: Not applicable
- 10.6 Gaelic: Not applicable

## **11. RECOMMENDATION**

- 11.1 **Action required before consultation response is issued** Y Finalise conditions and reasons in consultation with both area planning committee chairs. Current draft wording may be amended and additional conditions may be added in due course.
- 11.2 **Subject to the above actions**, it is recommended to **RAISE NO OBJECTION** to the application, subject to:
- A) For Section 3, the progression of Section 3a (preferred alignment) only;
  - B) The conclusion of a legal agreements as set out in Section 8 of this report; and
  - C) The matters set out below to be secured via finalised conditions and reasons.

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

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

The development shall be constructed and operated in accordance with the provisions of the Application, the Environmental Impact Assessment Report (EIAR) and Additional Information (AI), except in so far as amended by the terms of this consent. All OHL wood poles, steel lattice towers and cable sealing end compounds shall be constructed in the locations shown in Figures [REFS] of the 2022 EIAR. The number and locations of supporting structures may however be adjusted within the following Limit of Deviation (LOD):

[REF COMMITTEE REPORT SECTION 1.6 and 1.7 FOR DETAILS]

At least three months prior to the Commencement of Development, finalised details of the proposed access track routing and form within the LOD, shall be submitted for the prior written approval of the Planning Authority, in consultation with the relevant area Access Officer and the Community Liaison Group(s), with the agreed details to be reflected in the Recreational Access Management Plan(s) for the site.

No later than one month after the date of final commissioning of the development, an updated drawing must be submitted showing the final position of the overhead and underground line, including the positioning and height of all supporting poles, towers and associated infrastructure forming part of the development must be submitted for the written approval of the Planning Authority. The updated drawing requires to specify areas where micro-siting has taken place and, for each instance, be accompanied by copies of the ECoW approval or other technical justification.

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

2. **Elevation Details**

a) No development shall commence until location and elevation drawings of the proposed above ground infrastructure, including site boundary treatments, have been submitted to and approved in writing by the Planning Authority. These details shall include:

i) The external materials, colours and finishes of all external structures and site fencing, with a non-reflective, semi-matte finish to be specified throughout; and

b) No element of the development shall have any text, sign or logo displayed on any external surface of the facility, save those required by the applicant's safety systems and law under other legislation; and

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

**Reason:** In the interest of visual amenity.



### 3. **Construction Environment Management Document**

No later than six months prior to the Commencement of the Development, a Construction Environment Management Document (CEMD) shall be submitted for the writing approval of the Planning Authority, in consultation with SEPA, NatureScot, Environmental Health and other consultees as appropriate. The development shall then proceed in accordance with the approved CEMD unless otherwise agreed in writing by the Planning Authority. The CEMD shall include details of:

- a) An updated Schedule of Mitigation (SM) as it relates to construction highlighting mitigation set out within each chapter of the Environmental Impact Assessment Report (EIAR), within the EIAR Additional Information (AI), and the conditions of this consent;
- b) Processes to control / action changes from the agreed SM;
- c) Construction Environmental Management Plans (CEMPs) for the construction phase, covering:
  - i) Habitat and Species Protection;
  - ii) Pollution Prevention and Control, with works to be carried out in line with the requirements outlined in EIAR Appendix V1-3.5, Appendix V1-3.6 and Appendix V1-3.7.
  - iii) An Invasive Non-Native Species protocol;
  - iv) Dust Management, covering demolition and construction activity, including vehicle movements;
  - v) Construction Noise and Vibration;
  - vi) Temporary Site Lighting;
  - vii) Site Waste Management;
  - viii) Surface and Ground Water Management, including: drainage and sediment management measures from all construction areas including access tracks; further construction design details for access tracks running parallel within 20m of a watercourse; permanent watercourse crossing works to follow the designs outlined in EIAR Appendix V2-6.2; mechanisms to ensure that construction will not take place during periods of high flow or high rainfall; a programme of water quality monitoring; and bespoke risk assessment for groundwater supply sites identified as high risk in line with SEPA guidance (currently LUPS-GU31);
  - ix) Peatland Management Plan;
  - x) Soil Management, with details of soil placement and measures to utilise the soils' existing seed base in the finalised construction phase restoration plans;
  - xi) Public and Private Water Supply Protection Measures, including a programme of water quality monitoring;
  - xii) Emergency Response Plans;

- xiii) Phasing Plans for construction and removal of the existing OHL; and
- xiv) Other relevant environmental management as may be relevant to the development.

d) A statement of responsibility to 'stop the job/activity' if a breach or potential breach of mitigation or legislation occurs; and

Methods for monitoring, auditing, reporting and the communication of environmental management on site and with client, Planning Authority and other relevant parties.

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

#### 4. **Construction Traffic Management Plan**

No later than six months prior to the Commencement of the Development, finalised Construction Traffic Management Plans (CTMPs) for affected routes on the public road network, shall be submitted to for the writing by Transport Scotland and the Planning Authority, in consultation with Transport Planning, and the relevant Community Liaison Group(s). The CTMP shall detail:

- a) A Construction Phase Plan including a timetable for all routes intended for construction access, with a finalised site access strategy required for Section 1 of the development which restricts access to the site from Portree via the B885 and provides further justification for any use of the southern section of the B885, given that a viable alternative exists through forestry.
- b) A schedule of advanced Road Mitigation Works to be undertaken on the public road network, with all identified mitigation works to be completed on each defined route prior to it being used by construction traffic associated with the development. This schedule shall include, but not limited to, areas of road widening, road strengthening, provision of improved and new passing places, and junction improvements. Such works will also include suitable drainage measures, improved road geometry, measures to protect the public road and the provision and maintenance of appropriate visibility splays.
- c) Details of: construction vehicle trip rates; measures to avoid school opening and closing times; limit construction traffic speeds; utilise local materials (e.g. aggregate); alternative means of transport with the use of helicopters to deliver construction materials for Section 0 and Section 3 of the line; avoid conveying of construction vehicles; mark vehicles with unique project identifiers; a site worker transport plan to move the workforce to and from the site; road sweeping and wheel washing arrangements; access and egress arrangements for any heavy goods vehicles; and a local signage scheme.
- d) The scheduling of pre and post construction road condition surveys, and a programme and methodology for any repairs as a consequence of any damage caused by construction traffic, with provision of a wear and tear agreement under Section 96 of the Roads (Scotland) Act 1984.
- e) Contact details for a community traffic liaison officer for the developer

whom will be responsible for: providing the Community Liaison Group(s) with information relating to the arrangements for the delivery of all road and construction traffic mitigation measures required for the development; and to provide regular project updates on the applicant's website and in local newsletters.

**Reason:** To ensure road safety and that transportation will not have any detrimental effect on the road and structures along the route and to minimise interference with the safety and free flow of the traffic on the local and trunk roads and to minimise adverse impacts on residents and local businesses in the area.

## 5. **Construction Phase Landscaping and Restoration Method Statement**

There shall be no works or commencement of development until a construction phase Landscaping and Restoration Method Statement has been submitted to and approved in writing by the Planning Authority in consultation with NatureScot. The Statement shall be based on the proposals outlined in the EIAR Schedule of Mitigation and Outline Site Restoration Plan; setting out restoration / reinstatement provisions for any temporary disturbed ground not required for the ongoing operation of the development, including: access tracks (specifically the narrowing of spine road tracks and adoption of green running routes), storage areas, laydown areas, and all other temporary construction areas. The Statement shall include: details of the appointment of a suitably qualified and experienced Landscape Clerk of Works to monitor and oversee the site works at regular intervals in key locations; as well as plan review provision during the construction period, with any amendments requiring the prior written approval of the Planning Authority in consultation with NatureScot. The approved Statement shall be implemented in full within 12 months of the final commissioning of the development.

**Reason:** To ensure the restoration of the site following construction to limit the environmental impacts of the development.

## 6. **Ecological Clerk of Works**

No development shall commence until the Planning Authority has approved in writing the terms of appointment by the applicant of an independent Ecological Clerk of Works (ECoW). The terms of appointment shall:

- a) Impose a duty to monitor compliance with the ecological and hydrological commitments provided in the Environmental Impact Assessment Report, Supplementary Environmental Information and Construction and Environmental Management Document (CEMD) and other plans approved. This shall include, but is not limited to:
  - i) undertaking a further pre-construction breeding bird and protected species site walkover survey;
  - ii) updating and implementing Species Protection Plans;
  - iii) implementing a Breeding Bird Protection Plan, detailing construction works avoiding the breeding season and securing the use of bird deflector markers on Sections of the line deemed to be of higher collision risk as

advised by NatureScot;

- b) overseeing site construction tree protection; and to monitor compliance with all pollution prevention measures including water quality monitoring (“the ECoW Works”);
- c) Require the ECoW to report to the applicant’s nominated construction project manager any incidences of non-compliance with the ECoW Works at the earliest practical opportunity;
- d) Require the ECoW to submit a report every three months to the Planning Authority and Planning Monitoring Officer, or monthly at the further written request of the Planning Authority, summarising progress with the development and environmental works undertaken on site;
- e) Have power to stop to the job / activities being undertaken within the development site when ecological interests dictate and / or when a breach or potential breach of environmental legislation occurs to allow for a briefing of the concern to the applicant’s nominated construction project manager; and
- f) Require the ECoW to report to the Planning Authority any incidences of non-compliance with the ECoW Works at the earliest practical opportunity.

The ECoW shall be appointed on the approved terms throughout the period from pre-construction survey work ahead of the commencement of development, throughout any period of construction activity, ground reinstatement and landscaping as well as for any post site completion monitoring requirements.

**Reason:** To secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the development.

## 7. **Operational Noise**

Noise arising from within the operation of the overhead lines, cable sealing end compounds and substations, hereby permitted, when measured and/or calculated as an Leq, 5min, in the 100Hz one third octave frequency band must not exceed 30 dB at noise-sensitive premises.

**Reason:** In the interest of residential amenity.

## 8. **Construction Noise Management Plan**

Operations, including vehicle movements, associated with the construction phase of the development, for which noise is audible at the curtilage of any noise-sensitive properties, shall only be permitted between:

- i. 0800 hours and 1900 hours Monday to Friday; and
- ii. 0800 hours and 1300 hours on Saturdays

Prior to the project commencing, the applicant shall submit, for the written approval of the Council’s Environmental Health Service, in consultation with Community Liaison Groups, details of a Noise Management Plan. For the

purposes of the Noise Management Plan, where it is proposed to undertake work, which is audible at the curtilage of any noise-sensitive properties, out with the hours Mon-Fri 8am to 7pm; Sat 8am to 1pm, or on recognised Bank Holidays in Scotland.

Or

Where noise levels during the above periods are likely to exceed 75dB(A) for short term works or 55dB(A) for long term works. Both measurements to be taken as a 1hr LAeq at the curtilage of any noise sensitive receptor. (Generally, long term work is taken to be more than 6 months).

The Construction Noise Management Plan should be carried out in accordance with BS 5228-1:2009 "Code of practice for noise and vibration control on construction and open sites – Part 1: Noise" with details of mitigation measures. Thereafter the development shall progress in accordance with the approved Construction Noise Management Plan and all approved mitigation measures shall be in place prior to the commencement of operations or as otherwise may be agreed in writing by the Planning Authority.

**Reason:** In the interest of residential amenity.

9. **Air Quality Management Plan**

Prior to the project commencing, the applicant shall submit, for the written approval of the planning authority, details of a dust mitigation scheme (in the form of an Air Quality Management Plan) designed to protect neighbouring properties from dust arising from this project.

Thereafter the development shall progress in accordance with the approved dust suppression scheme (in the form of an Air Quality Management Plan) and all approved mitigation measures shall be in place prior to the commencement of operations or as otherwise may be agreed in writing by the Planning Authority.

**Reason:** In the interest of residential amenity.

10. **Recreational Access Management Plan**

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

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

#### 11. **Habitat Management Plans**

- (1) No development shall commence until finalised habitat management plans (HMP) has been submitted to and approved in writing by the Planning Authority, in consultation with SEPA and NatureScot.
- (2) The HMP shall set out proposed habitat management of the site and associated landholdings during the period of construction and operation of the site.
- (3) The HMP shall include post construction and existing OHL removal restoration measures for the most sensitive habitats, peatland restoration proposals, provide enhancement of Annex 1 habitats, habitats for protected species and mitigation measures for birds.
- (4) The approved HMP will include provision for regular monitoring and review to be undertaken to consider whether amendments are needed to better meet the habitat plan objectives. In particular, the approved habitat management plan will be updated to reflect ground condition surveys undertaken following construction and prior to the date of Final Commissioning and submitted to the Planning Authority for written approval, in consultation with SEPA and NatureScot.
- (5) Unless otherwise approved in advance in writing with the Planning Authority, the approved HMP shall be implemented in full.

**Reason:** In the interests of the protection of the habitats and species identified in the EIAR and EIAR Additional Information.

#### 12. **Compensatory Planting**

No development shall commence until a detailed Compensatory Planting Plan (CPP) is submitted to and approved in writing by the Planning Authority, in consultation with Scottish Forestry. The CPP must include: the commitment to replant an area (minimum of [INSERT] ha) equating to the area of permanent woodland lost to accommodate the proposed development; the location of the replanting; the design of planting; timing of delivery; and ongoing management and maintenance arrangements. The approved CPP shall be implemented in full and in accordance with the approved timing, unless otherwise agreed in writing by the Planning Authority.

**Reason:** To enable appropriate woodland removal to proceed, without incurring a net loss in woodland related public benefit, in accordance with the Scottish Government's policy on the Control of Woodland Removal.

#### 13. **Biodiversity Enhancement**

No development shall commence until a Biodiversity Enhancement Plan (BEP) is submitted to and approved in writing by the Planning Authority, in consultation with NatureScot. The BEP must include details of replanting, management and maintenance to ensure the development results in at least 10% biodiversity net gain. The approved BEP shall be implemented in full and in accordance with the approved timing, unless otherwise agreed in writing by the Planning Authority.

**Reason:** To ensure that the development delivers biodiversity net gain.

14. **Archaeology**

No development or work (including site clearance) shall commence until a programme of work for the survey, 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:** To assist project implementation, ensuring community dialogue and the delivery of appropriate mitigation measures for example to minimise potential hazards to road users, including pedestrians, travelling on the road networks.

**Aviation**

15. No development shall commence until the following information has been sent to UK DVOF and Powerlines at the Defence Geographic Centre:

- a) Precise location of development;
- b) Date of commencement of construction;
- c) Date of completion of construction;
- d) The height above ground level of the tallest structure;
- e) The maximum extension height of any construction equipment; and
- f) Details of any aviation warning lighting fitted to the structure(s)\*.

\*Note: No visible aviation lighting on any overhead line or supporting structures are hereby permitted.

**Reason:** In the interest of aviation safety and visual amenity.

16. **Community Liaison Groups**

No development shall commence until a community liaison group, or a series of groups for each section of the line, are established by the applicant, in collaboration with the Planning Authority and affected local Community Councils.

The group shall act as a forum for the community to be kept informed of project progress and, in particular, should allow advanced dialogue on the provision

of all transport related mitigation measures and performance of the Construction Traffic Management Plan.

This should also ensure that local events and tourist seasons are considered and appropriate measures to co-ordinate deliveries and work with these and any other major projects in the area to ensure no conflict between construction traffic and the increased traffic generated by such events / seasons / developments.

The liaison group, or element of any combined liaison group relating to this development, shall be maintained until the construction of the development and all site infrastructure becomes fully operational.

**Reason:** To assist project implementation, ensuring community dialogue and the delivery of appropriate mitigation measures for example to minimise potential hazards to road users, including pedestrians, travelling on the road networks.

#### 17. **Planning Monitoring Officer**

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

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

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

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

#### 18. **Time Limit for the Implementation of this Planning Permission**

The development to which this planning permission relates must commence no later than three years of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.



**Reason:** In accordance with the provisions of Section 58 and 59 of the Town and Country Planning (Scotland) Act 1997 (As Amended).

Signature: Dafydd Jones and David Mudie  
Designation: Area Planning Managers - North and South  
Author: Peter Wheelan  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Plan 1 - Figure V1-1a Overview of Proposed Development  
Plan 2 - Figure V1-1b Overview of Proposed Development  
Plan 3 - Figure V1-1c Overview of Proposed Development  
Plan 4 - Figure V2-3.4-S0a Section 0 Visual Receptors  
Plan 5 - Figure V2-3.4-S0b Section 0 Visual Receptors  
Plan 6 - Figure V2-3.4-S1 Section 1 Visual Receptors  
Plan 7 - Figure V2-3.4-S2 Section 2 Visual Receptors  
Plan 8 - Figure V2-3.4-S3a Section 3 Visual Receptors  
Plan 9 - Figure V2-3.4-S3b Section 3 Visual Receptors  
Plan 10 - Figure V6-3.4a Alternative Alignment Visual Receptors  
Plan 11 - Figure V6-3.4b Alternative Alignment Visual Receptors  
Plan 12 - Figure V2-3.4-S4a Section 4 Visual Receptors  
Plan 13 - Figure V2-3.4-S4b Section 4 Visual Receptors  
Plan 14 - Figure V2-3.4-S4c Section 4 Visual Receptors  
Plan 15 - Figure V2-3.4-S5 Section 5 Visual Receptors  
Plan 16 - Figure V2-3.4-S6 Section 6 Visual Receptors

## Appendix 2 – Visual Impact Appraisal

- Visual Impacts During Construction (with long term operational impacts highted in BOLD).
- Where the EIAR’s reported Nature of Effects (APP) are disputed by THC this is noted under Nature of Effects (THC).

Receptor (Buildings, Routes and Outdoor Locations)	Attributable / Nearby Visual (VL)	Nature of Effect (APP)	Nature of Effect (THC)
<b>Section 0 - EIA Figures: V2-3.4-S0a and V2-3.4-S0b</b>			
None	VL0-1 VL0-2	No significant effects	Agreed
<b>Section 1 - EIA Figure: V2-3.4-S1</b>			
B1-1 Glen Vic Askill	-	<b>Moderate Adverse and Significant (Operational)</b>	Agreed
B1-2 Glenmore	-	Moderate Adverse and Significant	Agreed
B1-3 Mugeary	VL1-2	<b>Moderate Adverse and Significant (Operational)</b>	Agreed
R1-1 A87	VL1-3	No significant effects.	Agreed
R1-3 B885	VL1-1	<b>Moderate Adverse and Significant (Operational)</b>	Agreed
R1-5 Core Path SL28.01 (Loch Caroy to Glen Vic Askill)	-	<b>Moderate Adverse and Significant (Operational)</b>	Agreed
R1-6 Forest Track to north of Loch Connan	VL1-1	Moderate Adverse and Significant	Agreed

Receptor (Buildings, Routes and Outdoor Locations)	Attributable / Nearby Visual (VL)	Nature of Effect (APP)	Nature of Effect (THC)
<b>Section 2 – EIA Figure: V2-3.4-S2</b>			
B2-1: Sligachan Hotel and Camp Site	-	Moderate Adverse and Significant	Agreed
B2-8: Luib	VL2-1	Moderate Adverse and Significant	Agreed
B2-10: Strollamus	VL2-3 VL2-4*	Moderate Adverse and Significant	Agreed. *View Towards B2-10
R2-1: A87	VL2-1 VL2-3	Moderate Adverse and Significant	Agreed
R2-5: Sconser to Moll Minor Road	-	Moderate Adverse and Significant	Agreed
R2-13: Scottish Hill Track 290 (The Torrin Ring from Luib)	VL2-2	<b>Moderate Adverse and Significant (Operational)</b>	Agreed
R2-14: Sligachan to Peinachorrain Footpath	-	Moderate Adverse and Significant	Agreed
R2-17: Loch Ainort Footpath	VL2-1	Moderate Adverse and Significant	Agreed
O2-4: A87 Lay-Bys above Kinloch Ainort	-	Moderate Adverse and Significant	Agreed
O2-5: Eas a' Bhradain Parking Bay	-	Moderate Adverse and Significant	Agreed

Receptor (Buildings, Routes and Outdoor Locations)	Attributable / Nearby Visual (VL)	Nature of Effect (APP)	Nature of Effect (THC)
<b>Section 3a (Preferred Alignment) - EIA Figures: V2-3.4-S3a, and V2-3.4-S3b</b>			
None	VL3-1 VL3-2 VL3-3	No significant effects	Agreed
<b>Section 3b (Alternative Alignment) - EIA Figures: V6-3.4a, V6-3.4b and V2-3.4-S4a*</b>			
B3B-5 Kyle Rhea	VL3-6 AI-B-3.6a	<b>Moderate Adverse and Significant (Operational)</b>	Agreed.
R3B-6 Glen Arroch / Kyle Rhea Minor Road	VL3-4 AI-B-3.4	Moderate – Major Adverse and Significant (construction) / <b>Moderate Adverse and Significant (Operational)</b>	Agreed.
B3B-7 Properties at Glenelg Ferry Slipway	VL3-7	Minor – Moderate Adverse (not significant) (Construction and Operational)	<b>Moderate Adverse and Significant (Construction and Operational)</b>
B3B-8 Bernera	-	Negligible (Construction and Operational)	Moderate Adverse and Significant (Construction) / Moderate (not significant) (Operational)
B4-5 Glenelg (Waterfront)*	-	No assessment for alternative alignment 3b due to being located beyond 2.5km	<b>Moderate Adverse and Significant (Construction and Operational)</b>

Receptor (Buildings, Routes and Outdoor Locations)	Attributable / Nearby Visual (VL)	Nature of Effect (APP)	Nature of Effect (THC)
R3B-7 / R4-4* Glenelg Ferry	VL3-7	Minor – Moderate Adverse (not significant)	<b>Moderate Adverse and Significant (Construction and Operational)</b>
R3B-14 Ben Aslak Hill Walk	-	Moderate Adverse and Significant	Agreed
R3B-15 Ascent / Descent of Kylerhea Hills	-	Moderate Adverse and Significant	Agreed
R3B-16 Kylerhea Otter Hide Footpath	VL3-5	Moderate – Major Adverse and Significant	Agreed
R4-8 Minor road and paths between Glenelg and Gleann Beag	-	Northern minor road mapped on V6-3.4b and assessed as forming part of R3B-6: Moderate – Major Adverse and Significant (construction) / <b>Moderate Adverse and Significant (Operational)</b>  Southern Core Path not assessed for Alternative Line as beyond 2.5km.	<b>Moderate Adverse and Significant (Construction and Operational)</b>
O3B-1 Bealach Udal	VL3-4 AI-B-3.4	Moderate – Major Adverse and Significant (construction) / <b>Moderate Adverse and Significant (Operational)</b>	Agreed
O3B-2 Otter Hide, Car Park and Picnic Area	VL3-5	Moderate – Major Adverse and Significant (Construction) /	Agreed

Receptor (Buildings, Routes and Outdoor Locations)	Attributable / Nearby Visual (VL)	Nature of Effect (APP)	Nature of Effect (THC)
		Minor – Moderate Adverse (not significant) (Operational)	
<b>Section 4 – EIA Figure: V2-3.4-S4a, V2-3.4-S4b, and V2-3.4-S4c</b>			
B4-7: Near Balavoulin	VL4-1	Moderate Adverse and Significant (Construction) / Minor / Moderate Adverse (not significant) (Operational)	<b>Moderate Adverse and Significant (Construction and Operational)</b>
R4-9: Track between Balvraid and Srath a' Chomair	-	Moderate Adverse and Significant	Agreed
R4-10: Route between Srath a' Chomair and Kinloch Hourn	VL4-2 VL4-3	Moderate Adverse and Significant	Agreed
R4-14: Buidhe Bheinn Mountain Route	VL4-4	Locally Moderate Adverse and Significant	Agreed
R4-16: Scottish Hill Track 256	-	Locally Moderate Adverse and Significant	Agreed
R4-19: Kinloch Hourn Minor Road	VL4-5	Moderate Adverse and Significant	Agreed
<b>Section 5 - EIA Figure: V2-3.4-S5</b>			
B5-12: Leacan Dubha and Munerigie	-	Major Adverse and Significant (Construction) /	Agreed

Receptor (Buildings, Routes and Outdoor Locations)	Attributable / Nearby Visual (VL)	Nature of Effect (APP)	Nature of Effect (THC)
		<b>Moderate-Major Adverse and Significant (Operational)</b>	
R4-19: Kinloch Hourn Minor Road	VL5-1	Moderate Adverse and Significant	Agreed
<b>Section 6 - EIA Figure: V2-3.4-S6</b>			
None.	-	No significant effects	Agreed

Energy Consents Unit  
Per Lee Stirrat  
The Scottish Government  
Energy Consents Unit  
5 Atlantic Quay  
150 Broomielaw  
Glasgow  
G2 8LU

Please ask for: Peter Wheelan  
Direct Dial: 01463 702262  
E-mail: peter.wheelan@highland.gov.uk  
Our Ref: 22/04580/S37  
Your Ref: ECU00003395  
Date: 11 April 2023

By email only to:

[Econsents\\_Admin@gov.scot](mailto:Econsents_Admin@gov.scot)

[Lee.Stirrat@gov.scot](mailto:Lee.Stirrat@gov.scot)

Cc [joanne.nicholson@sse.com](mailto:joanne.nicholson@sse.com)

[lauren.riach@sse.com](mailto:lauren.riach@sse.com)

Dear Mr Stirrat

**HIGHLAND COUNCIL REFERENCE: 22/04580/S37**

**DEVELOPMENT: SKYE REINFORCEMENT PROJECT - CONSTRUCT AND OPERATE APPROXIMATELY 110 KILOMETRES (KM) OF NEW DOUBLE CIRCUIT STEEL STRUCTURE 132 KV OVERHEAD TRANSMISSION LINE AND ASSOCIATED INFRASTRUCTURE**

**LOCATION: ARDMORE SUB-STATION, ARDMORE, HALLIN, DUNVEGAN**

The Highland Council was consulted by your office on the above Section 37 Application on 05 October 2022. This letter seeks to convey the response of The Highland Council in line with the agreed extension of time for submission of the Council's response by 12 April 2023.

Following consideration of the item by The Highland Council's joint North and South Planning Applications Committee, the Council **RAISE NO OBJECTION** to the application subject to:

- A) For Section 3, the progression of Section 3a (preferred alignment) only;
- B) The conclusion of a legal agreements as set out in Section 8 of the Report on Handling; and



C) The conditions and reasons provided within Appendix 1 of this correspondence.

Attached is copy of the Report on Handling and the associated pertinent application drawings which were considered by Members on 22 March 2023.

The minutes of the meeting shall be made available on the Council's website via the following weblink:

[https://www.highland.gov.uk/meetings/committee/44/south\\_planning\\_applications\\_committee](https://www.highland.gov.uk/meetings/committee/44/south_planning_applications_committee)

All letters of representation received by The Highland Council are available on our ePlanning webpage for your consideration.

Please contact me if you require any further information.

Yours Sincerely,

Peter Wheelan  
**Principal Planner MRTPI – Strategic Projects Team**

Enc.  
Appendix 1 - Conditions and Reasons  
Report on Handling  
Application Drawings

## Appendix 1 - Conditions and Reasons

### 22/04580/S37 – Skye Reinforcement Line

#### Conditions to be attached to any Section 37 consent which may be approved:

##### 1. Accordance with the Provisions of the Application

The development shall be constructed and operated in accordance with the provisions of the Application, the Environmental Impact Assessment Report (EIAR) and Additional Information (AI), except in so far as amended by the terms of this consent. All OHL wood poles, steel lattice towers and cable sealing end compounds shall be constructed in the locations shown in Figures V1-3.1 (A through to Z) and V1-3.1 (AA through to QQ) of the 2022 EIAR. The number and locations of supporting infrastructure and structures may however be adjusted within the following Limit of Deviation (LOD):

- a) Overhead line – 40m horizontal LOD either side of the proposed alignment and 3m vertical LOD above or below the proposed tower or pole height;
- b) Underground cable - 40m horizontal LOD either side of the proposed alignment;
- c) Cable Sealing End (CSE) compound – 40m horizontal LOD from the proposed location;
- d) Access tracks – 25m horizontal LOD either side of the proposed alignment; and
- e) Subject to the following LOD variations, as per Chapter 3, Table V1-3-1 of the 2022 EIAR:

LOD Variation	Section / Area	LOD Variation	Reason
1	Section 0: DA159 to DA168	Reduced to 10 m on western side and extended up to 120 m on eastern side of wood pole alignment.	To ensure sufficient flexibility to avoid interference with Beinn na Mointeich radio station.
2	Section 1: Track within vicinity of Glenmore River and Abhainn an Acha-Leathain	Shift of track LoD to west.	To allow micro-siting of tracks to maintain a suitable buffer between the rivers and track construction, except at crossing points.

3	Section 1: Within vicinity of CSE Compound (BE32 to BE34)	Up to 50 m either side of OHL on approach to CSE Compound, in addition to the CSE compound LoD	To allow for tie in of OHL towers with CSE compound.
4	Section 2: Within vicinity of Abhainn Torra-mhichaig	Shift of LoD to west	To maintain a buffer of 10 m between underground cabling works and the Abhainn Torra-mhichaig, apart from at crossing points.
5	Section 2: Within vicinity of CSE Compound (BE29 to BE31)	Up to 50m either side of OHL on approach to CSE Compound, in addition to the CSE compound LoD	To allow for tie in of OHL towers with CSE compound.
6	Section 2: Between BE19 and BE20.	Up to 180 m at widest point.	Following existing access track, LoD widens in this location due to terrain and potential for micro- siting.
7	Section 2: Track to BE17	Restricted on eastern side	To exclude the Allt Strollamus from the new temporary track LoD.
8	Section 3: Track between BF20 and BF21.	Restricted on southern side at SAC boundary.	To avoid works within the Mointeach nan Lochain Dubha SAC.
9	Section 3: Track between BF57 to BF62.	Up to 80 m (40 m to either side).	Widened to allow for further micrositing in an area with difficult terrain.
10	Section 3: BF59 to BF60	Up to 60 m on southern side of OHL alignment	Widened by up to 60 m on southern side of alignment to allow for further micrositing in an area with difficult terrain.

11	Section 3: BF77 to BF79	Up to 100 m either side	To allow for works within the vicinity of anchor and crossing towers, including wiring requirements.
12	Section 4: BF80 to BF81	Up to 100 m either side	To allow for works within the vicinity of anchor and crossing towers, including wiring requirements.
13	Section 4: Track to BF81	Up to 50 m on east side	To allow greater flexibility at this access point.
14	Section 4: BF102	Up to 50m on east side	To allow flexibility in tower position
15	Section 4: Track within vicinity of Glenmore River	Restricted on northern side.	To exclude the river from the track LoD.
16	Section 4: Track from Balavoulin to BF106	Up to 40 m either side	To allow flexibility in micrositing track due to difficult terrain.
17	Section 4: Track within vicinity of Abhainn a' Ghlinne Bhig and Srath a' Chomair	Restricted on riverbank side of track.	To restrict access works to one side of the rivers, except at crossing points.
18	Section 4: Track between BF134 and BF145	Up to 100 m wide	To allow flexibility in micrositing track due to difficult terrain.
19	Section 4: Track within vicinity of Gleann dubhloc hain	Restricted on riverbank side of track.	To restrict access works to one side of the river, except at crossing points.
20	Section 4: Track between BF166 and BF169	Restricted on southern side of track.	To maintain a 10 m buffer between the Lochan Torr a' Choit and track upgrading works and restrict works to one side of the Allt a' Choire Reidh, except at the crossing point.

21	Section 4: Construction access within vicinity of Loch Coire Shubh	Restricted on southern side.	To exclude the loch from the track LoD.
22	Section 5: BF261 to BF264	Up to 100 m either side of OHL	To allow for micro-siting and tie in of OHL towers within vicinity of proposed Quoich Tee Switching Station.
23	Section 5: BF284 to BF288	Up to 125 m wide.	To accommodate a temporary diversion to the existing OHL during construction works.
24	Section 5: Track to BF332	Up to 80 m wide	To allow flexibility in upgrading track either side of fence line.
25	Section 6: Within vicinity of Doire Mor	Up to 120 m	To allow for flexibility in siting cable route to minimise effects on blanket bog and deeper areas of peat.
26	Section 6: Within vicinity of Doire Daraich	Up to 130 m	To allow for flexibility in siting cable route to minimise effects on blanket bog and deeper areas of peat.
27	Section 6: On approach to Fort Augustus Substation	Up to 200 m	To ensure flexibility on cable entry into Fort Augustus Substation.

At least three months prior to the Commencement of Development, finalised details of the proposed access track routing and form within the LOD, shall be submitted for the prior written approval of the Planning Authority, in consultation with the relevant area Access Officer and the Community Liaison Group(s), with the agreed details to be reflected in the Recreational Access Management Plan(s) for the site.

No later than one month after the date of final commissioning of the development, an updated drawing must be submitted showing the final position of the overhead and underground line, including the positioning and height of all supporting poles, towers and associated infrastructure forming part of the development must be submitted for the written approval of the Planning Authority. The updated drawing requires to specify areas where

micro-siting has taken place and, for each instance, be accompanied by copies of the ECoW approval or other technical justification.

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

## 2. Elevations and Site Formation Levels

a) No development shall commence until location, elevation, and cross section drawings of the proposed above ground infrastructure, including site boundary treatments and scheme of landscaping, have been submitted to and approved in writing by the Planning Authority. These details shall include:

- i) The external materials, colours and finishes of all external structures, including above ground cable joint boxes and site fencing such as for sealing end compounds, with a non-reflective finish to be specified throughout; (note that no further details of the wood pole and steel lattice tower supporting structures require to be provided);
- ii) any raised areas of hardstanding to support all onsite infrastructure, such as raised above ground foundations or platforms; and

b) No element of the development shall have any text, sign or logo displayed on any external surface of the facility, save those required by the applicant's safety systems and law under other legislation; and

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

**Reason:** In the interest of visual amenity.

## 3. Construction Environment Management Document

No later than three months prior to the Commencement of the Development, a Construction Environment Management Document (CEMD) shall be submitted for the writing approval of the Planning Authority, in consultation with SEPA, NatureScot, Environmental Health and other consultees as appropriate. The development shall then proceed in accordance with the approved CEMD unless otherwise agreed in writing by the Planning Authority. The CEMD shall include details of:

- a) An updated Schedule of Mitigation (SM) as it relates to construction highlighting mitigation set out within each chapter of the Environmental Impact Assessment Report (EIAR), within the EIAR Additional Information (AI), and the conditions of this consent;
- b) Processes to control / action changes from the agreed SM;
- c) Construction Environmental Management Plans (CEMPs) for the construction phase, covering:

- i) Habitat and Species Protection;
  - ii) Pollution Prevention and Control, with works to be carried out in line with the requirements outlined in EIAR Appendix V1-3.5, Appendix V1-3.6 and Appendix V1-3.7.
  - iii) An Invasive Non-Native Species protocol;
  - iv) Dust Management, covering demolition and construction activity, including vehicle movements;
  - v) Construction Noise and Vibration;
  - vi) Temporary Site Lighting;
  - vii) Site Waste Management;
  - viii) Surface and Ground Water Management, including: drainage and sediment management measures from all construction areas including access tracks; further construction design details for access tracks running parallel within 20m of a watercourse; permanent watercourse crossing works to follow the designs outlined in EIAR Appendix V2-6.2; mechanisms to ensure that construction will not take place during periods of high flow or high rainfall; a programme of water quality monitoring; and bespoke risk assessment for groundwater supply sites identified as high risk in line with SEPA guidance (currently LUPS-GU31);
  - ix) Peatland Management Plan, for each section of the development (or subsequent phase of works. Each plan should provide quantitative information on acrotelmic, catotelmic and amorphous peat disturbance and reuse. It requires to demonstrate how post consent layout modifications will further minimise peat disturbance, informed by further peat probing work. Permanent tracks are to be shown to avoid areas of deepest peat and use methods such as floating construction to minimise peat excavation. Construction compounds and laydown areas are to be shown to avoid deeper peat and any sensitive receptors. Any substantial temporary peat storage should also be quantified and outlined;
  - x) Soil Management, with details of soil placement and measures to utilise the soils' existing seed base in the finalised construction phase restoration plans;
  - xi) Public and Private Water Supply Protection Measures, including a programme of water quality monitoring;
  - xii) Emergency Response Plans;
  - xiii) Phasing Plans for construction and removal of the existing OHL; and
  - xiv) Other relevant environmental management as may be relevant to the development.
- d) A statement of responsibility to 'stop the job/activity' if a breach or potential

breach of mitigation or legislation occurs; and

Methods for monitoring, auditing, reporting and the communication of environmental management on site and with client, Planning Authority and other relevant parties.

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

#### 4. **Construction Traffic Management Plan**

No later than three months prior to the Commencement of the Development, finalised Construction Traffic Management Plans (CTMPs) for affected routes on the public road network, shall be submitted to for the writing by Transport Scotland and the Planning Authority, in consultation with Transport Planning, and the relevant Community Liaison Group(s). The CTMP shall detail:

- a) A Construction Phase Plan including a timetable for all routes intended for construction access, with a finalised site access strategy required for Section 1 of the development which restricts access to the site from Portree via the B885 and provides further justification for any use of the southern section of the B885, given that a viable alternative exists through forestry.
- b) A schedule of advanced Road Mitigation Works to be undertaken on the public road network, with all identified mitigation works to be completed on each defined route prior to it being used by construction traffic associated with the development. This schedule shall include, but not limited to, areas of road widening, road strengthening, provision of improved and new passing places, and junction improvements. Such works will also include suitable drainage measures, improved road geometry, measures to protect the public road and the provision and maintenance of appropriate visibility splays.
- c) Details of: construction vehicle trip rates; measures to avoid school opening and closing times; limit construction traffic speeds; utilise local materials (e.g. aggregate); alternative means of transport with the use of helicopters to deliver construction materials for Section 0 and Section 3 of the line; avoid convoying of construction vehicles; mark vehicles with unique project identifiers; a site worker transport plan to move the workforce to and from the site; road sweeping and wheel washing arrangements; access and egress arrangements for any heavy goods vehicles; and a local signage scheme.
- d) The scheduling of pre and post construction road condition surveys, and a programme and methodology for any repairs as a consequence of any damage caused by construction traffic, with provision of a wear and tear agreement under Section 96 of the Roads (Scotland) Act 1984.
- e) Contact details for a community traffic liaison officer for the developer whom will be responsible for: providing the Community Liaison Group(s) with information relating to the arrangements for the delivery of all road and



construction traffic mitigation measures required for the development; and to provide regular project updates on the applicant's website and in local newsletters.

**Reason:** To ensure road safety and that transportation will not have any detrimental effect on the road and structures along the route and to minimise interference with the safety and free flow of the traffic on the local and trunk roads and to minimise adverse impacts on residents and local businesses in the area.

#### 5. **Construction Phase Landscaping and Restoration Method Statement**

There shall be no works or commencement of development until a construction phase Landscaping and Restoration Method Statement has been submitted to and approved in writing by the Planning Authority in consultation with NatureScot. The Statement shall be based on the proposals outlined in the EIAR Schedule of Mitigation and Outline Site Restoration Plan; setting out restoration / reinstatement provisions for any temporary disturbed ground not required for the ongoing operation of the development, including: access tracks (specifically the narrowing of spine road tracks and adoption of green running routes), and all other temporary construction areas. The Statement shall include: details of the appointment of a suitably qualified and experienced Landscape Clerk of Works to monitor and oversee the site works at regular intervals in key locations; as well as plan review provision during the construction period, with any amendments requiring the prior written approval of the Planning Authority in consultation with NatureScot. The approved Statement shall be implemented in full within 12 months of the final commissioning of the development.

**Reason:** To ensure the restoration of the site following construction to limit the environmental impacts of the development.

#### 6. **Ecological Clerk of Works**

No development shall commence until the Planning Authority has approved in writing the terms of appointment by the applicant of an independent Ecological Clerk of Works (ECoW). The terms of appointment shall:

- a) Impose a duty to monitor compliance with the ecological and hydrological commitments provided in the Environmental Impact Assessment Report, Supplementary Environmental Information and Construction and Environmental Management Document (CEMD) and other plans approved. This shall include, but is not limited to:
  - i) undertaking a further pre-construction breeding bird and protected species site walkover survey in advance of any works or development within any specific area or section;
  - ii) updating and implementing Species Protection Plans;
  - iii) implementing a Breeding Bird Protection Plan, detailing where works

are planned within the breeding season and securing the use of bird deflector markers on Sections of the overhead line deemed to be of higher collision risk as set out in the EIA Report and advised by NatureScot;

- b) overseeing site construction tree protection; and to monitor compliance with all pollution prevention measures including water quality monitoring ("the ECoW Works");
- c) Require the ECoW to report to the applicant's nominated construction project manager any incidences of non-compliance with the ECoW Works at the earliest practical opportunity;
- d) Require the ECoW to submit a report every three months to the Planning Authority and Planning Monitoring Officer, or monthly at the further written request of the Planning Authority, summarising progress with the development and environmental works undertaken on site;
- e) Have power to stop to the job / activities being undertaken within the development site when ecological interests dictate and / or when a breach or potential breach of environmental legislation occurs to allow for a briefing of the concern to the applicant's nominated construction project manager; and
- f) Require the ECoW to report to the Planning Authority any incidences of non-compliance with the ECoW Works at the earliest practical opportunity.

The ECoW shall be appointed on the approved terms throughout the period from pre-construction survey work ahead of the commencement of development, throughout any period of construction activity, ground reinstatement and landscaping as well as for any post site completion monitoring requirements.

**Reason:** To secure effective monitoring of and compliance with the environmental mitigation and management measures associated with the development.

## 7. **Operational Noise**

Noise arising from within the operation of the overhead lines, cable sealing end compounds and substations, hereby permitted, when measured and/or calculated as an Leq, 5min, in the 100Hz one third octave frequency band must not exceed 30 dB at noise-sensitive premises\*.

\*Note: For the purposes of this condition, "noise-sensitive premises" includes, but is not necessarily limited to, any building, structure or other existing or consented development the lawful use of which a) falls within Classes 7 (Hotels & Hostels), 8 (Residential Institutions) or 9 (Houses) of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended), or b) is as a flat, static residential caravan.

**Reason:** In the interest of residential amenity.

## 8. Construction Noise Management Plan

Operations, including vehicle movements, associated with the construction phase of the development, for which noise is audible at the curtilage of any noise-sensitive properties\*, shall only be permitted between:

- i. 0800 hours and 1900 hours Monday to Friday; and
- ii. 0800 hours and 1300 hours on Saturdays

Prior to the project commencing, the applicant shall submit, for the written approval of the Council's Environmental Health Service, in consultation with Community Liaison Groups, details of a Noise Management Plan. For the purposes of the Noise Management Plan, where it is proposed to undertake work, which is audible at the curtilage of any noise-sensitive properties, out with the hours Mon-Fri 8am to 7pm; Sat 8am to 1pm, or on recognised Bank Holidays in Scotland.

Or

Where noise levels during the above periods are likely to exceed 75dB(A) for short term works or 55dB(A) for long term works. Both measurements to be taken as a 1hr LAeq at the curtilage of any noise sensitive receptor. (Generally, long term work is taken to be more than 6 months).

The Construction Noise Management Plan should be carried out in accordance with BS 5228-1:2009 "Code of practice for noise and vibration control on construction and open sites – Part 1: Noise" with details of mitigation measures. Thereafter the development shall progress in accordance with the approved Construction Noise Management Plan and all approved mitigation measures shall be in place prior to the commencement of operations or as otherwise may be agreed in writing by the Planning Authority.

\*Note: For the purposes of this condition, "noise-sensitive premises" includes, but is not necessarily limited to, any building, structure or other existing or consented development the lawful use of which a) falls within Classes 7 (Hotels & Hostels), 8 (Residential Institutions) or 9 (Houses) of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended), or b) is as a flat, static residential caravan.

**Reason:** In the interest of residential amenity.

## 9. Air Quality Management Plan

Prior to the project commencing, the applicant shall submit, for the written approval of the planning authority, details of a dust mitigation scheme (in the form of an Air Quality Management Plan) designed to protect neighbouring properties from dust arising from this project.

Thereafter the development shall progress in accordance with the approved dust suppression scheme (in the form of an Air Quality Management Plan) and all approved mitigation measures shall be in place prior to the commencement of operations or as otherwise may be agreed in writing by the Planning Authority.

**Reason:** In the interest of residential amenity.

#### 10. **Recreational Access Management Plan**

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

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

#### 11. **Habitat Management Plans**

- (1) No later than three months prior to the Commencement of the Development, a finalised habitat management plan (HMP), or a series HMPs for each section of the line, shall be submitted to and approved in writing by the Planning Authority, in consultation with SEPA and NatureScot.
- (2) The HMP shall set out proposed habitat management of the site and associated landholdings during the period of construction and operation of the site.
- (3) The HMP shall include information on how and where any disturbed peat that cannot be used in site reinstatement will be used for peat restoration. This should include (a) location plan of the proposed peatland re-use/restoration area, clearly showing size of individual areas where peat re-use is proposed and total area to be restored (b) evidence, in the form of photographs, aerial imagery, or surveys to demonstrate that the area identified is appropriate for peat re-use and is capable of supporting carbon sequestration and (c) basic calculations which demonstrate that the proposal will make use of all excavated material (this information could alternatively be included in the Peat Management Plan).

- (4) The HMP shall include post construction and existing OHL removal restoration measures for the most sensitive habitats, peatland restoration proposals, provide enhancement of Annex 1 habitats, habitats for protected species and mitigation measures for birds.
- (5) The approved HMP will include provision for regular monitoring and review to be undertaken to consider whether amendments are needed to better meet the habitat plan objectives. In particular, the approved habitat management plan will be updated to reflect ground condition surveys undertaken following construction and prior to the date of Final Commissioning and submitted to the Planning Authority for written approval, in consultation with SEPA and NatureScot.
- (6) Unless otherwise approved in advance in writing with the Planning Authority, the approved HMP shall be implemented in full.

**Reason:** In the interests of the protection of the habitats and species identified in the EIAR and EIAR Additional Information.

## 12. **Compensatory Planting**

No later than three months prior to the Commencement of the Development, a detailed Compensatory Planting Plan (CPP) shall be submitted to and approved in writing by the Planning Authority, in consultation with Scottish Forestry. The CPP must include:

- a) the areas of proposed woodland removal, identify opportunities which reduce the permanent loss of woodland (both within and adjacent to the operational corridor) through converting areas of commercial plantation to native species. These can be designed with a graded edge, with smaller shrub species closest to the overhead line, allowing the narrowest operational corridor of 30 metres, 15m either side of the line, to be achieved;
- b) the commitment to replant an area (minimum of 118ha for direct loss and a further indirect loss of 82ha, plus a further area to compensate for the loss of ancient and semi-natural woodland (precise area still to be defined), equating to the area of permanent woodland lost to accommodate the proposed development;
- c) the location of the replanting;
- d) the design of planting;
- e) timing of delivery; and
- f) ongoing management and maintenance arrangements.

The approved CPP shall be implemented in full and in accordance with the approved timing, unless otherwise agreed in writing by the Planning Authority.

**Reason:** To enable appropriate woodland removal to proceed, without incurring a net loss in woodland related public benefit, in accordance with the Scottish Government's policy on the Control of Woodland Removal.

### 13. **Biodiversity Enhancement**

No later than three months prior to the Commencement of the Development, a Biodiversity Enhancement Plan (BEP) shall be submitted to and approved in writing by the Planning Authority, in consultation with NatureScot. The BEP must include details of replanting, management and maintenance to ensure the development results in at least 10% biodiversity net gain. The approved BEP shall be implemented in full and in accordance with the approved timing, unless otherwise agreed in writing by the Planning Authority.

**Reason:** To ensure that the development delivers biodiversity net gain.

### 14. **Archaeology**

No development or work (including site clearance) shall commence until a programme of work for the survey, 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.

### **Aviation**

### 15. No development shall commence until the following information has been sent to UK DVOP and Powerlines at the Defence Geographic Centre:

- a) Proposed location of development;
- b) Date of commencement of construction;
- c) Date of completion of construction;
- d) The height above ground level of the tallest structure;
- e) The maximum extension height of any construction equipment; and
- f) Details of any aviation warning lighting fitted to the structure(s)\*.

Post micro-siting of infrastructure undertaken during construction, no later than one month after the date of final commissioning of the development, updated details showing the final position of the overhead line supporting infrastructure must be submitted.

\*Note: No visible aviation lighting on any overhead line or supporting structures are hereby permitted.

**Reason:** In the interest of aviation safety and visual amenity.

## 16. Community Liaison Groups

No development shall commence until a community liaison group, or a series of groups for each section of the line, are established by the applicant, in collaboration with the Planning Authority and affected local Community Councils.

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

This should also ensure that local events and tourist seasons are considered and appropriate measures to co-ordinate deliveries and work with these and any other major projects in the area to minimise conflict between construction traffic and the increased traffic generated by such events / seasons / developments.

The liaison group, or element of any combined liaison group relating to this development, shall be maintained until the construction of the development and all site infrastructure becomes fully operational.

**Reason:** To assist project implementation, ensuring community dialogue and the delivery of appropriate mitigation measures for example to minimise potential hazards to road users, including pedestrians, travelling on the road networks.

## 17. Planning Monitoring Officer

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

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

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

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



Energy Consents Unit  
Per Lee Stirrat  
The Scottish Government  
Energy Consents Unit  
5 Atlantic Quay  
150 Broomielaw  
Glasgow  
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Please ask for: Peter Wheelan  
Direct Dial: 01463 702262  
E-mail: peter.wheelan@highland.gov.uk  
Our Ref: 22/04580/S37  
Your Ref: ECU00003395  
Date: 4 September 2023

By email only to: [Econsents\\_Admin@gov.scot](mailto:Econsents_Admin@gov.scot)  
[Lee.Stirrat@gov.scot](mailto:Lee.Stirrat@gov.scot)  
Cc [joanne.nicholson@sse.com](mailto:joanne.nicholson@sse.com)  
[lauren.riach@sse.com](mailto:lauren.riach@sse.com)

Dear Mr Stirrat

**HIGHLAND COUNCIL REFERENCE: 22/04580/S37**

**DEVELOPMENT: SKYE REINFORCEMENT PROJECT - CONSTRUCT AND OPERATE APPROXIMATELY 110 KILOMETRES (KM) OF NEW DOUBLE CIRCUIT STEEL STRUCTURE 132 KV OVERHEAD TRANSMISSION LINE AND ASSOCIATED INFRASTRUCTURE**

**LOCATION: ARDMORE SUB-STATION, ARDMORE, HALLIN, DUNVEGAN**

The Highland Council was consulted by your office on the above Section 37 Application on 4 August 2023 in relation to "Additional Information 2". This further environmental information relates to:

- Compensation plan relating to the derogation under the Habitats Regulations for Section 3 of the proposed development
- Compensation strategy
- A revised Peat Landslide Hazard Risk Assessment
- Update to Annex E of the Kinloch & Kyelakin Hills SAC Shadow HRA
- Briefing note on bird flight diverter mitigation required within Section 5 of the Proposed Development

This letter seeks to convey the Council's **interim response** in line with the statutory 30 day consultation period for submission of the Council's response by 4 September 2023.

Following consideration of the submission and all associated representations / consultation response, it is intended to report the additional information to a joint North and South Planning Area committee ahead of a formal response being issued to the ECU. We have looked into potential committee dates and have made enquiries to tentatively hold a special joint meeting on the 8 November 2023, with a further response thereafter expected to be issued to the ECU by the 15 November 2023.

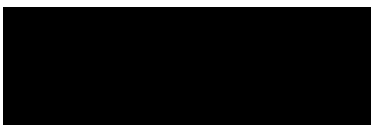
This timescale was communicated with both the applicant and the ECU on 21 August 2023, however, at the time of writing, no agreement has been reached between the parties to extend the consultation period.

In the absence of this, in the interim, The Highland Council hereby confirms that it maintains its previously reported position on the application (as then submitted, prior to the additional information being received) as set out in our response of 11 April 2023, with Members of the 22 March 2023 joint North and South Planning Applications Committee deciding that the Council **RAISE NO OBJECTION** to the application subject to:

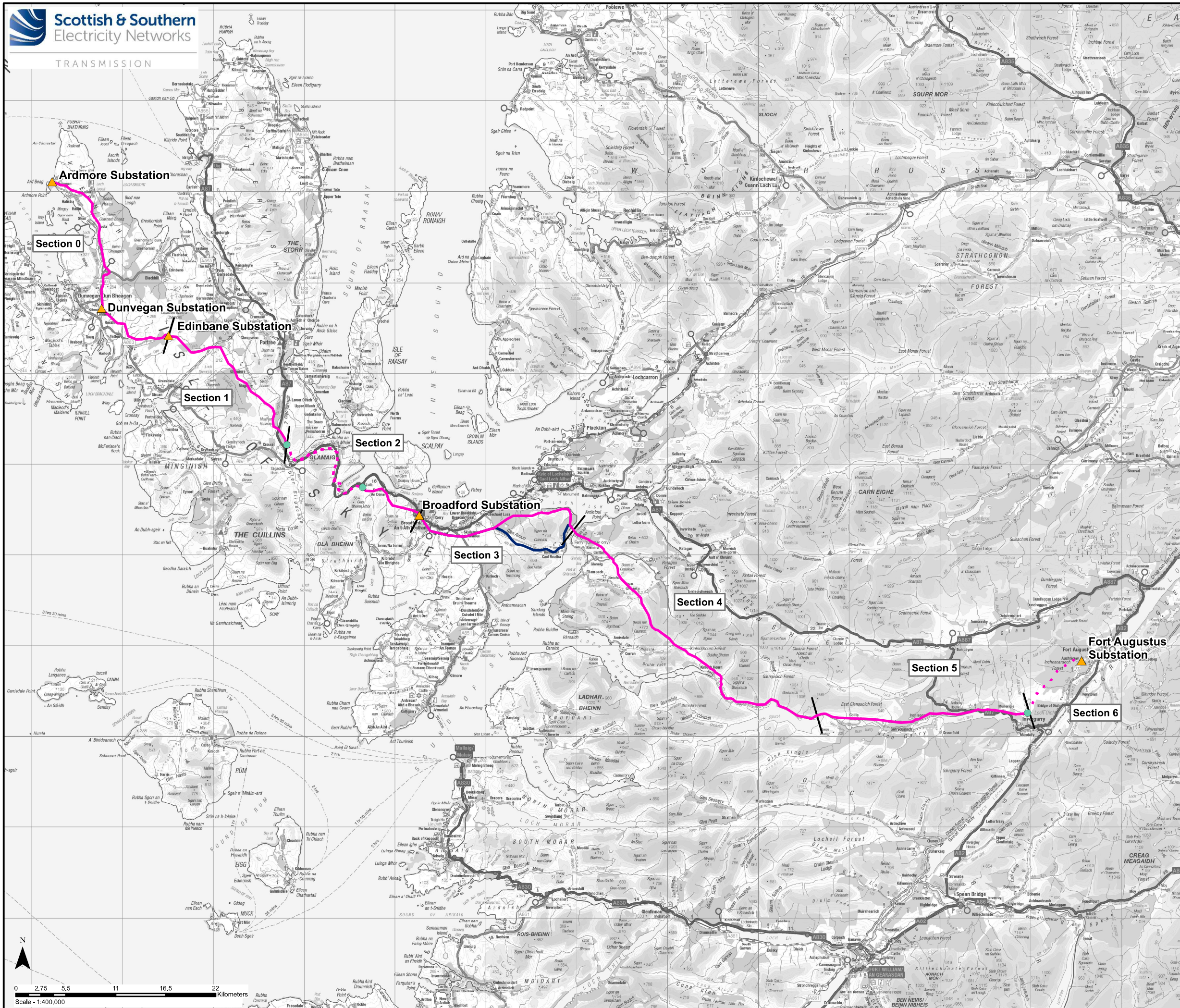
- A) For Section 3, the progression of Section 3a (preferred alignment) only;
- B) The conclusion of a legal agreements as set out in Section 8 of the Report on Handling; and
- C) The conditions and reasons provided within Appendix 1 of our 11 April 2023 correspondence.

We will in touch to provide the Council's updated consultation response post committee, however, please contact the undersigned should you require any further information at this stage.

Yours Sincerely,



Peter Wheelan  
**Strategic Projects Team Leader**



**Key**

- Proposed Alignment - Overhead Line
- Alternative Alignment - Overhead Line
- - - Proposed Underground Cable
- Proposed Cable Sealing End Compound
- ▲ Existing Substation
- Section Divider

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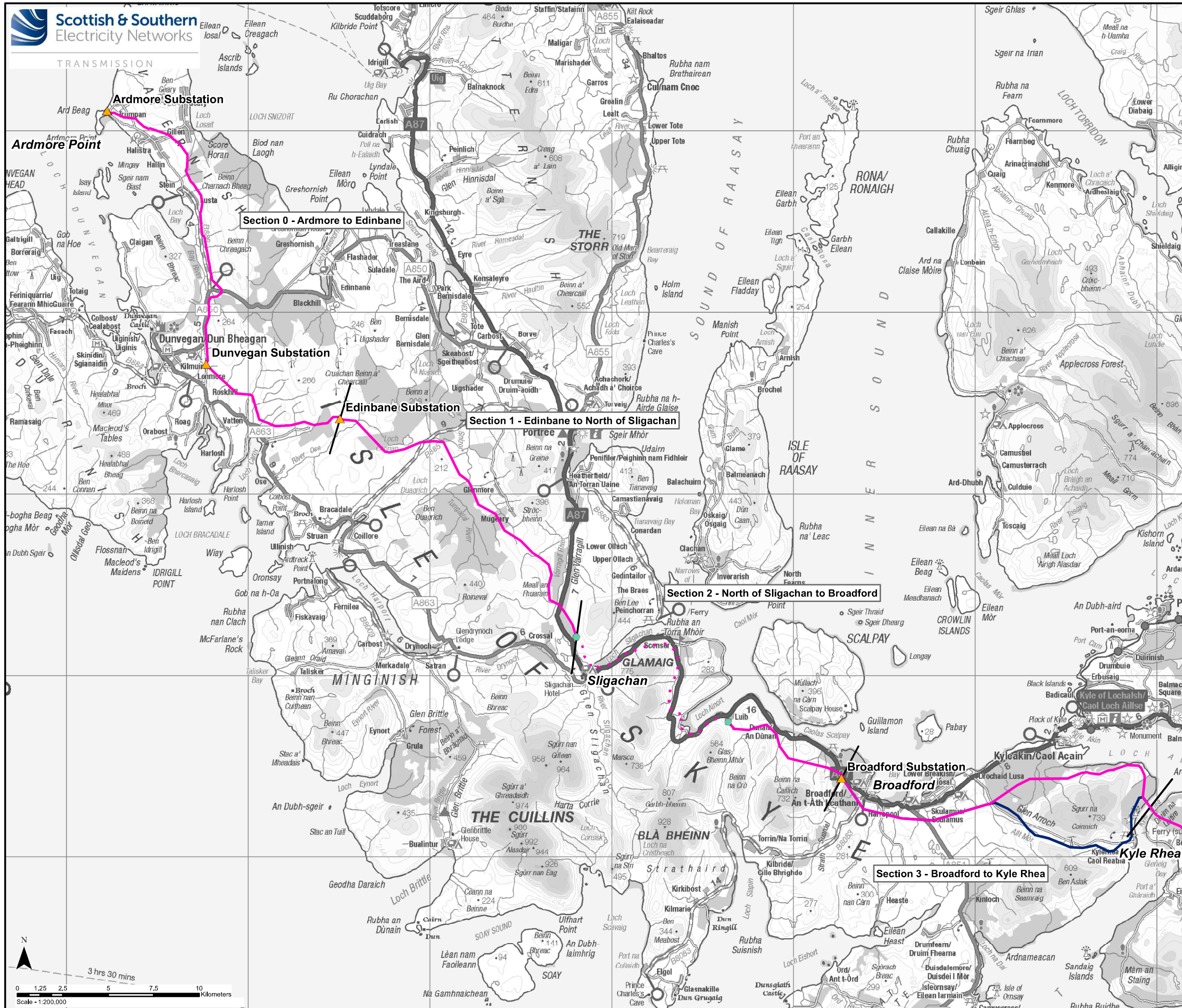
Project No: LT91

Project: Skye Reinforcement Project  
EIA Report

Title: Figure V1-1.1a  
Overview of Proposed Development

Drawn by: SK 25/08/2022

Drawing: 119026-D-EIA-V1-1.1a-1.0.0



**Key**

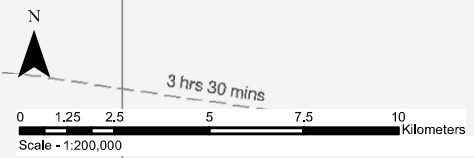
- Proposed Alignment - Overhead Line
- Alternative Alignment - Overhead Line
- - - Proposed Underground Cable
- Proposed Cable Sealing End Compound
- ▲ Existing Substation
- Section Divider

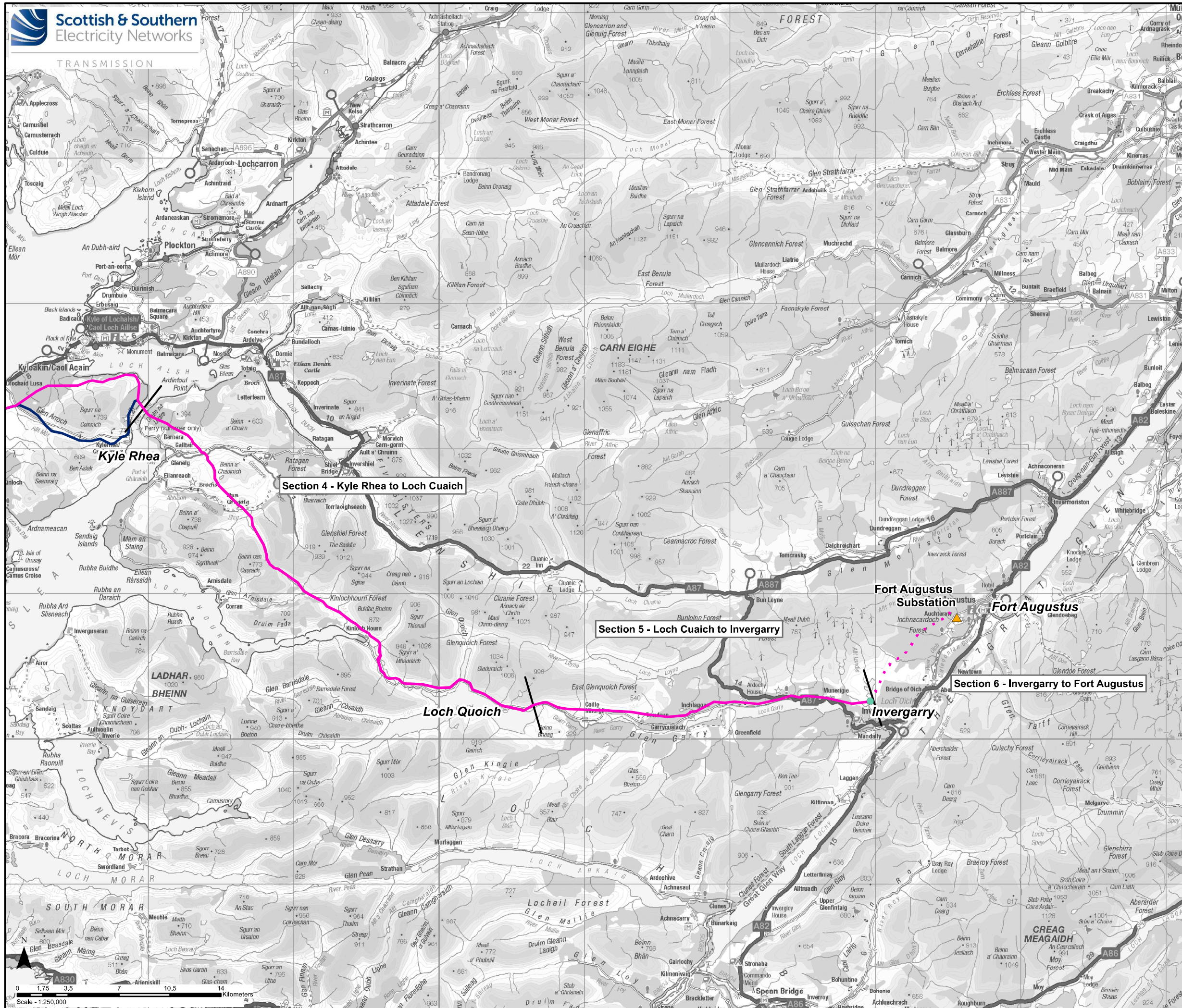
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Project No: LT91  
Project: Skye Reinforcement Project  
EIA Report

Title: Figure V1-1.1b  
Overview of Proposed Development

Drawn by: SK 25/08/2022  
Drawing: 119026-D-EIA-V1-1.1b-1.0.0





- Key**
- Proposed Alignment - Overhead Line
  - Alternative Alignment - Overhead Line
  - - - Proposed Underground Cable
  - Proposed Cable Sealing End Compound
  - ▲ Existing Substation
  - Section Divider

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Project No: LT91  
Project: Skye Reinforcement Project  
EIA Report

Title: Figure V1-1.1c  
Overview of Proposed Development

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